

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Director of Finance and Purchasing and the Jackson County Sheriff to execute an Agreement related to the Missouri Department of Public Safety and the U.S. Department of Defense LESO Program, in acceptance of a 1987 High Mobility Multipurpose Wheeled Vehicle (Humvee) for use by the Sheriff's Office, at no cost to the County.

RESOLUTION NO. 19458, April 17, 2017

INTRODUCED BY Alfred Jordan, County Legislator

WHEREAS, the Missouri Department of Public Safety, through the U.S. Department of Defense Excess Property Program (DoD 1033 Program), has approved the issuance of a 1987 High Mobility Multipurpose Wheeled Vehicle (Humvee), for use by the Sheriff's Office; and,

WHEREAS, the 1033 Program provides surplus Department of Defense military equipment to state and local civilian law enforcement agencies for use in counter-narcotics and counter-terrorism operations, and to enhance officer safety; and,

WHEREAS, the Legislature, under article II, section 16 (21) of the Jackson County Charter, is empowered to acquire property for County purposes, and the Director of Finance and Purchasing recommends accepting said property; and,

WHEREAS, the Missouri Department of Public Safety, as the sponsoring state agency for administration of the Law Enforcement Support Office (LESO) Program, has requested the execution of the attached Agreement setting out the rights and obligations of each party related to this vehicle; and,

WHEREAS, the execution of this Agreement is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Director of Finance and Purchasing be and hereby is authorized to accept a Humvee from the Missouri Department of Public Safety, for use by the Sheriff's Office; and,

BE IT FURTHER RESOLVED that the Jackson County Sheriff and the Director of Finance and Purchasing are authorized to execute any and all documents necessary to give effect to the intent of this Resolution.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 19458 of April 17, 2017, was duly passed on April 24, 2017 by the Jackson County Legislature. The votes thereon were as follows:

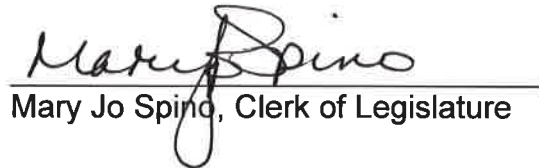
Yeas 7

Nays 0

Abstaining 0

Absent 2

4.24.17
Date



Mary Jo Spino, Clerk of Legislature

C. Oster
5/12/14

To: Program Manager, LESO Program
Law Enforcement Support Office (LESO)
DLA Disposition Services
74 Washington Avenue North
Battle Creek, MI 49037

Subject: Controlled property, Armored Vehicle/Aircraft Justification

1. Number of full/part compensated sworn officers in the agency making the request.

92

2. Intended use of the resource and the impact of the resource upon your jurisdiction (SWAT, active shooter, barricaded suspect, emergency response, first responder, critical incident, hostage rescue, natural disaster rescue, border patrol, homeland security, counterdrug, counterterrorism, etc., all that apply and any additional).

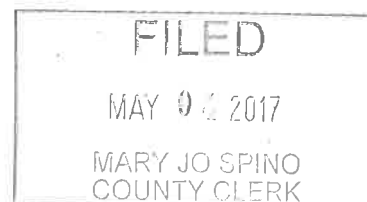
The HMMWV would be used by members of the SWAT, for various missions. The HMMWV would also be used for emergency response, natural disaster rescue, and other weather related missions. The HMMWV would also be used for public relations.

3. Positive impact of this resource on any other region or jurisdiction beyond the requesting agency that may also be impacted. Indicate whether the requested controlled equipment is being acquired to provide a regional or multijurisdictional capability. The requesting LEA must certify that all LEA's in the regional sharing arrangement have adopted requisite protocols to include general policing standards, specific controlled equipment standards, and record keeping requirements or will adopt those protocols before their personal use of controlled equipment.

The HMMWV would be used by our members after properly trained, and be available upon request from outside agencies.

4. Is the requesting agency located within an office of national drug control policy designated High Intensity Drug Trafficking Area (HIDTA)?

Yes



5. Is the requesting agency involved by mutual agreement with multi-agency associations/task forces of a counterdrug/counterterrorism nature?

Yes

6. State the population within the requesting agencies jurisdiction.

679,996

7. Describe the type of facility that will be used to store and/or secure the resource.

The HMMWV will be at our GHQ inside a secured fenced in area.

8. LEA's must certify that they have a Training Plan/Safety Standards which covers the use of the requested equipment including required annual training on protocols, operational and technical training, scenario-based training, and record-keeping requirements.

We certify we have a training plan and safety standards that covers the use of the requested equipment including required annual training on protocols, operational and technical training, scenario-based training and record keeping requirements.

9. Do you currently have any controlled equipment? Yes or No? (If yes please list all armored vehicles, civilian or military aircraft, and the corresponding quantities).

Yes, 1 MRAP, 4 HMMWV, 2 Boats, 1 Tractor, 2 5ton cargo trucks, 1 5ton wrecker.

10. Type of controlled equipment requested: (quantity, size, and capability)

1 HMMWV

11. Has a grant or request for any controlled equipment been approved by the Department of Justice, Department of Homeland Security, or any other Federal agency? Has any prior application for controlled equipment been denied by a Federal agency during the past three years, and, if so, provide the reason for denial?

No

12. Does the agency have the fiscal wherewithal to support the operation of the resource being requested? Describe the amount of funding and how it is provided. (Parts, tools, diagnostic equipment, etc.).

Yes, maintenance of all vehicles is provided by the county

13. Provide evidence of the civilian governing body's review and approval or concurrence of the LEA's acquisition of the requested controlled equipment.

Yes, we certify that we have received approval from our Local Governing Body to request this property.

14. Has the LEA been found to be in violation of a Federal civil rights statute or a programmatic term during the past three years, and, if so, whether any disposition was reached or corrective actions were taken?

No

15. Is the requested resource an aircraft? If the answer is yes, provide the number of Certified Pilots and type of certification (for what type of aircraft) they hold? (Provide copy of all pilots license). If the agency has other aircraft, provide estimated number of hours per year? Number of missions per year? (If agency currently does not have any aircraft, give an estimated number of hours/missions).

No

The following signatures certify all of the above is accurate:

CHIEF LAW ENFORCEMENT:
OFFICIAL

MICHAEL C SHARP
PRINTED NAME

DATE: 3/22/17

SHERIFF
TITLE

M. C. Sharp
SIGNATURE

LEA LOCAL GOVERNING:
EXECUTIVE OFFICIAL

Q. Troy Thomas
PRINTED NAME

DATE: 3/30/17

Chief Financial Officer
TITLE

Q. Troy Thomas
SIGNATURE

Updated 9/22/15

APPROVED AS TO FORM

[Signature]
County Counselor

ATTEST:

[Signature]
Clerk of the County Legislature

TO: DLA Law Enforcement Support Office
74 N. Washington Ave
Battle Creek, MI 49037

SUBJECT: DEMILITARIZATION PREPARATION RESPONSIBILITIES

Chief Law Enforcement Executive Officials receiving Mine Resistant Ambush Protected (MRAP) vehicles are responsible for all **costs** associated with the demilitarization preparation prior to turn-in of the vehicle.

Prior to returning the MRAP back to DLA, instructions will be provided by DLA LESO specifying the demilitarization preparation requirements for each MRAP variant.

I, MICHAEL C SHARP, Chief Law Enforcement Official for
print name

JACKSON COUNTY SHERIFFS OFFICE, have been informed that there will
print law enforcement agency name

be demilitarization preparation requirements and accept responsibility for all **costs** and demilitarization preparation at the end of life-cycle cost associated with the turn-in of our agency's MRAP. This may include, but is not limited to, the removal of the Spall Liner, Fire Suppression System, and Armored Panels.

M. C. Sharp
Chief Law Enforcement Official

Date: 3/22/17

TO: DLA Law Enforcement Support Office
74 N. Washington Ave
Battle Creek, MI 49037

SUBJECT: REQUIREMENTS TO RECEIVE UP ARMORED HMMWVs (UAHs)

Chief Law Enforcement Officials (CLEO) receiving Up Armored HMMWVs (UAHs) are responsible for having all Gun Shields and Gun Mounts removed and returned to DLA Disposition Services. All **cost** associated with the removal and return of the Gun Shields and Gun Mounts are the responsibility of the law enforcement agency (LEA).

Requirements:

- Within thirty (30) calendar days of physically receiving a UAH, remove all Gun Shields and Gun Mounts and submit a photo in FEPMIS showing the Gun Shields and Gun Mounts removed.
- Within ninety (90) calendar days of physically receiving a UAH, turn-in the removed Gun Shields and Gun Mounts to DLA Disposition Services with a 1348-1 provided by the LESO.

I, MICHAEL C SHARP, Chief Law Enforcement Official for
print CLEO name

JACKSON COUNTY SHERIFFS OFFICE, agree to comply with all requirements of
print law enforcement agency name

receiving a UAH.

Our agency accepts the responsibility of removing and returning the Gun Shields and Gun Mounts and accept the responsibility for all **costs** related to this process, to include all transportation costs. All standard receiving and turn-in processes will be followed.

M C Sharp
Chief Law Enforcement Official

Date: 3/22/17

**MISSOURI LESO PROGRAM
LAW ENFORCEMENT AGENCY (LEA) EXECUTIVE ORDER (EO) CONTROLLED
VEHICLE REQUEST APPLICATION INSTRUCTIONS**

The Secretary of Defense is authorized by Title 10 USC 2576a to transfer to State Law Enforcement Agencies (LEAs), personal property that is in excess to the needs of the U.S. Department of Defense (DOD) and that the Secretary determines is suitable to be used by agencies in law enforcement activities, with preference for counter-drug/counter-terrorism and border security activities, under such terms prescribed by the Secretary. The authorities granted to the Secretary of Defense have been delegated to the Defense Logistics Agency (DLA) in determining whether property is suitable for use by agencies in law enforcement activities.

For purposes of the LESO Program, "armored" vehicles are considered controlled items under Executive Order 13688 on Federal Support for Law Enforcement Equipment Acquisition. Armored vehicles include, but are not limited to, Cargo Trucks, High Mobility Multi-purpose Wheeled Vehicles (HMMWVs), Up Armored HMMWVs (UAH's), and Mine-Resistant Ambush Protected (MRAPs).

Armored vehicles are available to qualified law enforcement agencies (LEAs) who are current members of the LESO Program. Missouri LEAs interested in obtaining an armored vehicle(s) from the LESO Program must complete and submit the following:

1. "Law Enforcement Agency (LEA) Executive Order (EO) Controlled Vehicle Request" form, which must be signed by the LEA Chief Law Enforcement Official (i.e. Chief, Sheriff, Director, Colonel, Marshal).
2. "Armored Vehicle Justification" form, which must be signed by the LEA Chief Law Enforcement Official (i.e. Chief, Sheriff, Director, Marshal, Colonel, Marshal) and the LEA Local Governing Executive Official (i.e. Mayor, City Administrator, County Executive, County Commissioner, Director). **The enclosed form is fillable for your convenience, but once completed, the returned document must be on agency letterhead. Forms without letterhead will be returned.**
3. Copy of Training Plan/Safety Standard. As a condition of receiving such property, LEAs must provide the operator(s) of the armored vehicle with qualification training regarding the use of the requested armored vehicle. The training must, at a minimum, cover 1) operator training emphasizing public safety, 2) infrastructure awareness due to weight and size, 3) seat time/familiarization, and 4) adherence to state and federal (DOT) licensing laws. **A copy of the applicable training plan, standard operating procedure (SOP), etc. must be provided at the time of application.**
4. "Demilitarization Preparation Responsibilities" memo, which must be signed by the LEA Chief Law Enforcement Official (i.e. Chief, Sheriff, Director) **(Needed for MRAP requests only) The enclosed form is fillable for your convenience, but once completed, the returned document must be on agency letterhead. Forms without letterhead will be returned.**
5. "Requirements to Receive Up Armored HMMWVs (UAHs)" memo, which must be signed by the LEA Chief Law Enforcement Official (i.e. Chief, Sheriff, Director) **(Needed for UAH requests only) The enclosed form is fillable for your convenience, but once completed, the returned document must be on agency letterhead. Forms without letterhead will be returned.**

Once completed, the five (5) (where applicable, minimum of 3 forms for all vehicle type requests) required documents, which comprise the "LESO Controlled Vehicle Application", must be submitted to the Missouri LESO Program for review and approval.

Email: MissouriLESO@dps.mo.gov

Fax: (573) 526-1876

Mail: Department of Public Safety LESO Program, 4720 Scruggs Station Road, Jefferson City, MO 65109

LEAs approved for an armored vehicle(s) will be responsible for the pick-up and transportation costs associated with acquiring such property. In addition, LEAs are required to implement a control system to prevent loss, damage, or theft of such property and establish adequate maintenance procedures to keep the property in good condition. LEAs are responsible for all maintenance and liability insurance costs associated with the armored vehicle.

LEAs must train the operator(s) of the armored vehicle within 6 months of obtaining the vehicle, or within 6 months of the armored vehicle becoming useable if maintenance is required upon acquisition. (All operators must complete training prior to operation of the armored vehicle; this includes new employees hired and identified as operators.) Furthermore, LEAs must provide personnel authorizing or directing the use of armored vehicles with enhanced scenario based training to examine, deliberate, and review the circumstances in which the armored vehicle should or should not be used.

Armored vehicles are considered controlled property. The title remains with DLA. At the end of the vehicle's life cycle, the LEA is responsible for preparing the vehicle for Demilitarization prior to turning it into Disposition Services. A copy of the current Demilitarization instructions is available online at <http://www.dps.mo.gov/dir/programs/cjle/dod.php>. If the LEA no longer has use for the item, the LEA must request a transfer/return of the armored vehicle from the Missouri LESO Program.

If you have questions, please contact the Missouri LESO Program staff at (573) 526-1930.

LAW ENFORCEMENT AGENCY (LEA) EXECUTIVE ORDER (EO) CONTROLLED VEHICLE REQUEST

DODAAC: 2YTFUP AGENCY NAME: Jackson County Sheriff Office
ARMORED/TACTICAL VEHICLE POC: Deputy Michael Miller #62
ADDRESS (No P.O. Box): 4001 NE Lakewood Ct.
CITY: Lee's Summit STATE: Missouri
ZIP: 64064 EMAIL: mlmiller@jacksongov.org
PHONE: 816-541-8017 ext. 72254 FAX: 816-795-1969

Table with 5 columns: TYPE OF ATV, MRAP 4 WHEELED VEHICLE, MRAP 6 WHEELED VEHICLE, HMMWV, UP ARMORED HMMWV. Includes rows for Quantity, Other (State Type), and a checkbox for future availability.

****NOTE: The Armored/Tactical Vehicle justification memorandum must accompany this request.

The Chief Law Enforcement Official/Head of Federal Agency (Local Field Office), by signing, certifies that the requesting agency listed above has the appropriate funds; training requirements and equipment to operate and maintain the requested EO controlled vehicles.

CHIEF LAW ENFORCEMENT OFFICIAL/ HEAD OF LOCAL AGENCY: MICHAEL C SHARP DATE: 3/22/17
M.C. Sharp

The State Coordinator or designee, by signing, certifies that the agency has provided documentation indicating approval from the appropriate Civilian Governing Body.

STATE COORDINATOR/DESIGNEE: (NOT REQUIRED FOR FEDERAL) PRINTED NAME DATE: SIGNATURE

***** LESO USE ONLY *****

LESO OFFICIAL: PRINTED NAME (VEHICLE LEAD) PROGRAM MANAGER (SIGNATURE) DATE: SIGNATURE CUSTOMER MANAGEMENT DIVISION CHIEF (SIGNATURE) DATE:

LESONOTES (# OF OFFICERS, # OF EO CONTROLLED VEHICLES):

ALL REQUIRED DOCUMENTS RECEIVED: REQUEST FORM: JUSTIFICATION LETTER: DEMIL PREP:

SERIAL #: DISAPPROVED BY LESO (REASON):