

## **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 an “up armored” High Mobility Multipurpose Wheeled Vehicle (Humvee) for use by the Sheriff’s Office, at no cost to the County.

**RESOLUTION NO. 19563**, August 28, 2017

**INTRODUCED BY** Dan Tarwater III, 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 an “up armored” 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,

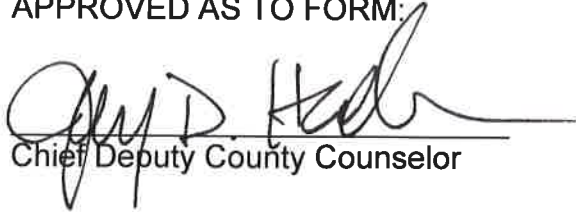
WHEREAS, the execution of this Agreement is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

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. 19563 of August 28, 2017, was duly passed on September 5, 2017 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

9-5-17  
Date

  
Mary Jo Spino, Clerk of Legislature

**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](mailto: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: Sgt. Glen Postlethwait #15
ADDRESS (No P.O. Box): 4001 NE Lakewood Ct.
CITY: Lee's Summit STATE: Missouri
ZIP: 64064 EMAIL: gpostlethwait@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 and Other (State Type).

\*\*\*\*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 SHARP
PRINTED NAME
M. Sharp
SIGNATURE

DATE: 8/18/17

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
SIGNATURE

DATE:

LESO USE ONLY

LESO OFFICIAL: PRINTED NAME (VEHICLE LEAD)

PROGRAM MANAGER (SIGNATURE)

DATE:

SIGNATURE

CUSTOMER MANAGEMENT DIVISION CHIEF (SIGNATURE)

DATE:

LESO NOTES (# OF OFFICERS, # OF EO CONTROLLED VEHICLES):

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

SERIAL #: DISAPPROVED BY LESO (REASON):