

Angelita Marcelino

Mr. Greco

English 4

8 December 2023

Why The “War Against the Police” Isn’t A War at All

When I was a kid, I’d only see cops on rare occasions - at festivals downtown or if we had a field trip to the police station. As I grew older I’d see more and more, and as a high schooler I see them everyday at my very own high school campus. The cops I used to go up to to ask for stickers had gradually transitioned into cops with vests and holsters. I’d see them as I walk into class in the mornings, standing at the street corner and watching the students pass by. Their hands often rest on the straps of their vest, with just a simple nod as you pass them.

There are a few critical differences between the cops I’d see when I was young and the ones at my high school. The cops I see now wear bulletproof vests and gear. But not only that, the students who once looked at them with wonder now look with hostility and disdain. The vests have created a divide. They make the police seem untouchable.

This of course, is an oversimplified example of the militarization of our police. A more accurate example would be the militarized response to the events that occurred after the shooting of Michael Brown. 18-year old Michael Brown was shot by officer Darren Wilson, causing outrage among the community and bringing a new high to the tension between the black community and police. The police responded to the uprisings with tear gas and armored tanks, further enforcing the divide. In 1995, Bill Clinton signed the 1997 NDAA, which included the 1033 program. According to the Defence Logistics Agency, the program allows “the transfer of excess DOD (Department of Defense) property to federal, state and local law enforcement

agencies”. Some fully support the 1033 program, arguing that crime rates have drastically increased since the “Defund the police” movement. They state that military equipment allows officers to keep their communities safe, even allowing them to do their jobs better. Others state that the program needs immediate reforms, and some even argue for eliminating the program completely.

The militarization of the police creates a distinct divide between the police and the communities they are meant to protect, enforcing a “them vs. us” mentality. While flaws in the police force have been deeply rooted in its history, military equipment highlights those flaws. There are times when a specialized military team is needed, such as school shootings and terrorist attacks—the reason why program 1033 was implemented in the first place—but the use of military-grade equipment in community policing is overkill. To repair relations between black communities and the police force, police reforms must be taken, beginning with strict restrictions and boundaries on the use of military equipment.

It’s argued that program 1033 is cost-effective. Others support it because they find it effective in preventing crime. It is argued that police can do their jobs better when they feel secure, specifically through the use of military equipment. According to a study done by Bove and Gavriolova (2017), in which they compared the size of military spending to the performances of local police forces, there is a “positive effect of military hardware on crime rates, most likely via a deterrence mechanism” (17). It’s hypothesized that less crimes will take place because people are afraid of the consequences of what will happen to them if they do. However, deterrence should never be the goal when it comes to community policing. This only further emphasizes the “them vs. us” mindset. When there is a divide between the community and the police, to the point where the community is afraid of officers, we run the risk of

devolving into an authoritarian society. The IACP–International Association of Chiefs of Police–defines the duty of police as ensuring “the safety of the citizens they are sworn to protect. Law enforcement are the most visible and largest contingent of guardians of civil and human rights” (para. 1). The police should be people that civilians can turn to and trust, yet military equipment acts as a wall between them.

In 2015, President Obama signed Executive Order 13688, implementing restrictions on the 1033 program. These reforms included banning a few categories of weapons, publicizing data about the program, and establishing oversight procedures. According to the American Civil Liberties Union, these reforms have not done enough to restrict the use of military equipment in the police force. They argue that “the ‘around-the-edges’ reforms of the Obama era were not enough...the real harms of the relatively unregulated transfer of military equipment to police forces continue to fall disproportionately on people of color” (Lawrence & O’Brien, 2021, para. 38). The ACLU lists a series of solutions, including President Biden placing a moratorium on 1033 as well as abolishing 1033 altogether. The initial reason for program 1033 was to assist the police force in the “war against drugs”. After 9/11, the focus expanded to terrorist attacks, and more recently school shootings. In the violent world we live in, there are times when militarization is appropriate. While I agree that the harms of 1033 on BIPOC communities have to be addressed, specialized units such as the SWAT team are necessary. The issue with President Obama’s reforms is they were recalled by President Trump in 2017, just two years after the initial reforms were implemented. With more time and stricter restrictions, reforms would have more of an impact on program 1033.

The most pressing issue with the militarization of the police is the mentality it establishes. When military equipment is put in the hands of the police, their mindset switches

from community policing to thinking like a soldier. In fact, police training itself focuses on “warrior policing”, oftentimes framing civilian protesters as the “enemy”. The founder of this mentality, Dave Grossman, a retired Army Lt., even goes so far as to say “Be the calmest person in the room, but have a plan to kill everyone” (Klemko, 2022). This combination of military-esque training and equipment causes officers to turn to violence and force in high stakes situations, when instead their first instinct should be mediation. The mentality that there is a “war against police” only increases fear, and is the root of police violence. A dissenting opinion on *Andrew Kisela v. Amy Hughes*, written by Justice Sotomayor (2018), describes the case in which “Kisela immediately and unilaterally escalated the situation. Without giving any advance warning that he would shoot, and without attempting less dangerous methods to deescalate the situation, he dropped to the ground and shot four times at Hughs” (p. 3). Sotomayor states that “Kisela’s use of deadly force was objectively unreasonable” and that “Hughs committed no crime” (p. 5). There are a multitude of similar cases in which officers turn to their guns quickly, sometimes without giving their suspect a chance to respond. This mentality of “shoot first, ask questions later” leaves no room for error, resulting in innocent people getting shot at, or tear gassed, or worse. It also perpetuates the ideology that the guilty should be approached with violence and ferocity.

Not only does the militarization of police create a divide between civilian and law enforcement, but it also *increases* violence, specifically within police response. In “Militarization and Police Violence: The Case of the 1033 Program”, Delehanty et al. (2017) observe the statistics, comparing counties with 1033 transfers with counties that experienced a killing by police. They found that there were no LEA (law enforcement agency) killings in counties without 1033 transfers. They confirmed their hypothesis with more evidence, using least

squares regression to estimate the change in police killings compared to 1033 transfers. Their findings were that counties with no military equipment were expected .287 civilian killings, while counties with the max amount of equipment were expected .656 killings. The conclusion was that maximum military equipment increases civilian deaths by around 129%, safely asserting that there is a direct relationship between the militarization of police and the increase in police killings. This is not the only study that's been done on the relationship between the militarization of police and violence. Tom Nolan (2020), a retired officer and current associate professor of sociology, explored the following:

There appears to be a correlation between militarization and police violence. A 2017 study analyzed spending by police departments against police-involved fatalities.

Summarizing their results in *The Washington Post*, the authors of the study wrote: “Even controlling for other possible factors in police violence (such as household income, overall and Black population, violent-crime levels and drug use), more-militarized law enforcement agencies were associated with more civilians killed each year by police.

When a county goes from receiving no military equipment to \$2,539,767 worth (the largest figure that went to one agency in our data), more than twice as many civilians are likely to die in that county the following year” (para. 14).

The relationship between military equipment and civilian deaths is clear. If the initial reason for military equipment was to prevent violence, why is it that there has been a substantial increase?

Militarization itself is not the only harm. Policing was built on racist grounds, meaning the militarization of police will predominantly affect BIPOC communities. Initially, SWAT teams were used only for high-scale crimes, such as terrorist attacks or hostage situations. But as program 1033 has evolved, military equipment has shifted its focus to smaller scale crimes, with

SWAT teams appearing more in Black communities. While some may argue that that is because Black communities tend to have higher crime rates, it was found that “predominantly Black areas witnessed more of these SWAT deployments than white neighborhoods, but this happened even if the areas had low rates of crime. Every 10 percent increase in the number of African-Americans living in an area corresponded with a 10 percent increase in SWAT deployments per 100,000 residents” (Akpan, 2018, para. 16). Additionally. In a survey conducted where participants were questioned on their feelings on the police, Black participants expressed losing confidence in policing, 21 percent more than white respondents. Furthermore, evidence shows that “increased militarization of police in the spirit of improving officer safety not only fails to reduce violence against officers but also increases violence against the community, particularly BIPOC communities” (Rushing et al. 2021, para. 5). Police violence against BIPOC communities is a systemic issue deeply rooted in history, and equipping officers with military equipment only furthers the cycle of repressing Black communities. More military equipment results in an increase in violence, leading to more violence in Black communities, more distrust between the police and BIPOC, and more cases of police brutality on Black people.

Ultimately, the cycle must be changed. Program 1033 cannot stand as it is. While yes, its initial purpose of preventing terrorist attacks and school shootings were justifiable, the execution of the program has caused a divide between police and civilians that must be bridged. Stricter reforms within the police force must be established, addressing the historical roots of violence specifically against BIPOC communities. Program 1033 reforms and restrictions on military equipment must be prioritized as the first steps. Particularly, the transfers of program 1033 must be publicized. The lack of oversight of transfers in addition to the lack of public data results in a

surplus of misinformation. Being open and communicating with civilians is the first step to repairing the relationship between civilians and law enforcement.

Bibliography

- “1033 Program FRQs.” *The Nation’s Combat Logistics Support Agency*, Defense Logistics Agency,
www.dla.mil/Disposition-Services/Offers/Law-Enforcement/Program-FAQs/#:~:text=The%20program%20has%20been%20named,and%20local%20law%20enforcement%20agencies. Accessed 15 Dec. 2023.
- “ACLU Analysis Reveals Reforms to Controversial 1033 Program That Gives Police Weapons of War Had No Impact.” *American Civil Liberties Union*, 11 May 2021,
www.aclu.org/press-releases/aclu-analysis-reveals-reforms-controversial-1033-program-gives-police-weapons-war-had.
- Andrew Kisela v. Amy Hughes. 584 U.S. (2018)(Sotomayor, S., dissenting).
- Barrett, Brian. “The Pentagon’s Hand-Me-Downs Helped Militarize Police. Here’s How.” *Wired*, Conde Nast, 2 June 2020,
www.wired.com/story/pentagon-hand-me-downs-militarize-police-1033-program/.
- Bove, Vincenzo, and Evelina Gavrilova. *Police Officer on the Frontline or a Soldier? The Effect of Police Militarization on Crime*, American Economic Journal, 2017,
pubs.aeaweb.org/doi/pdf/10.1257/pol.20150478.
- Delehanty, Casey, et al. “Militarization and Police Violence: The Case of the 1033 Program.” *Sage Journals*, 14 June 2017,
journals.sagepub.com/doi/full/10.1177/2053168017712885.

Featherstone, Steve. "The Professor of Police Carnage." *The New Republic*, 16 Dec. 2023, [newrepublic.com/article/141675/professor-carnage-dave-grossman-police-warrior-philosophy](https://www.newrepublic.com/article/141675/professor-carnage-dave-grossman-police-warrior-philosophy).

"Human & Civil Rights." *International Association of Chiefs of Police*, www.theiacp.org/topics/human-civil-rights. Accessed 15 Dec. 2023.

Jackson, Lindsey Price. "50 Years of Police Militarization against Communities of Color." *Vera Institute of Justice*, 23 Apr. 2018, www.vera.org/news/two-societies/50-years-of-police-militarization-against-communities-of-color.

Katzenstein, Jessica. "Expert Looks at How and Why Police Resist Reforms to Militarization." *Harvard Gazette*, 9 Nov. 2023, news.harvard.edu/gazette/story/2023/03/expert-looks-at-how-and-why-police-resist-reforms-to-militarization/.

Loaned, Kenneth. "ACLU Analysis Reveals Reforms to Controversial 1033 Program That Gives Police Weapons of War Had No Impact." *American Civil Liberties Union*, 11 May 2021, www.aclu.org/press-releases/aclu-analysis-reveals-reforms-controversial-1033-program-gives-police-weapons-war-had.

Nolan, Tom. "Militarizing the Police Sets up Protesters as 'the Enemy,' Increases Violence." *Arizona Mirror*, 3 June 2020,

www.azmirror.com/2020/06/03/militarizing-the-police-sets-up-protesters-as-the-enemy-increases-violence/.

Onion, Amanda, et al. "Michael Brown Is Killed by a Police Officer in Ferguson, Missouri | August 9, 2014." *History.Com*, A&E Television Networks, 6 Aug. 2020, www.history.com/this-day-in-history/michael-brown-killed-by-police-ferguson-mo.

O'Brien, Cyrus J., and Charlotte Lawrence. "Federal Militarization of Law Enforcement Must End." *American Civil Liberties Union*, 17 July 2023, www.aclu.org/news/criminal-law-reform/federal-militarization-of-law-enforcement-must-end.

Thune, John. "Demonizing and Defunding Police Has Consequences." *U.S. Senator John Thune*, 16 July 2021, www.thune.senate.gov/public/index.cfm/2021/7/demonizing-and-defunding-police-has-consequences.