

May 13, 2021

155 organizations endorse “Demilitarizing Local Law Enforcement Act of 2021” to end the 1033 Program

Dear Honorable Members of the U.S. House of Representatives,

On behalf of the undersigned organizations, we write to express our strong support for Rep. Velazquez’s bill, “Demilitarizing Local Law Enforcement Act of 2021” to end the U.S. Department of Defense’s 1033 Program. We ask that you co-sponsor this legislation.

The 1033 Program has contributed to a military-style police culture and has endangered countless lives, particularly in communities of color. Items received through the 1033 Program commonly include equipment such as armored vehicles, rifles, and aircraft.¹ Since its inception in the 1990s, the 1033 Program has facilitated the transfer of more than \$7.4 billion worth of equipment from the U.S. Department of Defense to state, local and tribal law enforcement agencies.²

The 1033 Program has caused immeasurable harm in communities across America. Data has shown that the increased transfer of equipment through the 1033 Program increases the number of police killings in communities, particularly in the context of SWAT drug raids.³ Moreover, studies have shown that militarized police units are more often deployed in Black communities, even after controlling for local crime rates, and this further damages police-community relations.⁴ Through the use of hyper-aggressive tools and military strategies facilitated by the 1033 Program, communities of color, which have disproportionately borne the brunt of the war on drugs, face an increased risk of violence from police. It is important to highlight that the U.S. Department of Defense does not provide any training to law enforcement agencies who receive controlled equipment from this program. Instead, it is up to individual law enforcement

¹ Drug Policy Alliance, *The 1033 Program, Police Militarization, and the War on Drugs*, March 2021, <https://drugpolicy.org/resource/1033-program-police-militarization-and-war-drugs>.

² Defense Logistics Agency, Law Enforcement Support Office, see <https://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement.aspx>.

³ ACLU, *War Comes Home: The Excessive Militarization of American Policing*, 2014, <https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police>.

⁴ Jonathan Mummolo, *Militarization fails to enhance police safety or reduce crime but may harm police reputation*, September 11, 2018, <https://www.pnas.org/content/115/37/9181>.

agencies to create their own training.⁵ Consequently, communities have little to no protection from law enforcement's misuse of this equipment.

While militarized police forces grew out of the drug war, militarization is a common staple of policing today. The 1033 Program, specifically, has contributed to the rise of the warrior cop mentality against Black and Brown communities. It has paved the way for militarized police responses to protests against police violence, like we witnessed in the summer of 2014 in Ferguson, Missouri when people protesting the killing of Michael Brown at the hands of a police officer were met with law enforcement equipped with tank-like vehicles and riot gear. This past summer, as mourners and protestors gathered in cities across the country to demand justice for George Floyd and other victims of police violence, at least 17 mine-resistant vehicles (MRAPs) obtained through the 1033 Program were deployed by police departments around the country.⁶ In Salt Lake City, an elderly man with a cane was knocked down by a police officer who had emerged from a MRAP, while in Philadelphia, officers in MRAPs threw tear gas at protestors. Disturbingly, about 1,100 MRAPs have been distributed to law enforcement under the 1033 Program.⁷

What's more, the 1033 Program has been notoriously mismanaged through the years.⁸ For example, in 2017, the Government Accountability Office (GAO) created a fictitious police department and was able to secure \$1.2 million worth of military equipment through the 1033 Program, including night-vision goggles, simulated rifles, and simulated pipe bombs, which could be modified into potentially lethal items.⁹ GAO found a routine lack of identity verification during transfers and that the program was lacking rigorous fraud risk assessments. In other words, there was no centralized system for monitoring where this equipment went and how it was used.

It is our assessment that the 1033 Program is irreparable and should be abolished, especially in light of the fact that past attempts to reform the program were ineffective.¹⁰

⁵ Brian Barret, *The Pentagon's Hand-Me-Downs Helped Militarize Police. Here's How*, June 2, 2020, <https://www.wired.com/story/pentagon-hand-me-downs-militarize-police-1033-program/>.

⁶ Andrew W. Lehren, Didi Martinez, Emmanuelle Saliba and Robert Windrem, *Floyd protests renew debate about police use of armored vehicles, other military gear*, NBC News, March 3, 2021, <https://www.nbcnews.com/news/us-news/floyd-protests-renew-debate-about-police-use-armored-vehicles-other-n1231288>.

⁷ Andrew W. Lehren, *Floyd protests renew debate about police use of armored vehicles, other military gear*.

⁸ Friends Committee on National Legislation, *1033 Program & Policy Militarization*, March 2018, https://www.fcnl.org/sites/default/files/documents/1033_and_police_militarization_fact_sheet_3_23_18.pdf.

⁹ U.S. Government Accountability Office, "DOD Excess Property: Enhanced Controls Needed for Access to Excess Controlled Property," 2017, <https://www.gao.gov/products/gao-17-532>.

As for non-military equipment that is made available through 1033, such as microwaves and filing cabinets, Congress should consider transferring those items through a new agency and program that makes this equipment available to community organizations and stakeholders beyond law enforcement.

To co-sponsor, please contact Jonathan Martinez (Rep. Velazquez) at jonathan.martinez@mail.house.gov. If you have any questions or would like to discuss this letter, please reach out to Maritza Perez (Drug Policy Alliance) at mperez@drugpolicy.org, Sakira Cook (The Leadership Conference on Civil and Human Rights) at cook@civilrights.org, or Yasmine Taeb at yasminetaeb@gmail.com.

Sincerely,

18 Million Rising
About Face: Veterans Against the War
Action Center on Race & the Economy
Activated Massachusetts African Community
Advocacy Without Borders
The Advocates for Human Rights
African American Ministers In Action
American-Arab Anti-Discrimination Committee (ADC)
American Civil Liberties Union
American Family Voices
American Friends Service Committee
American Muslim Empowerment Network (AMEN)
Amnesty International USA
Arab American Institute
Arab Resource & Organizing Center (AROC)
Armenian-American Action Network (AAAN)
Asian Pacific Institute on Gender-Based Violence
Autistic Self Advocacy Network
Bend the Arc: Jewish Action
Beyond the Bomb
Brennan Center for Justice
Bridges Faith Initiative
Campaign for Liberty

¹⁰ ACLU, "It's Past Time to End the Federal Militarization of Police, May 12, 2021, <https://www.aclu.org/news/civil-liberties/its-past-time-to-end-the-federal-militarization-of-police/>.

Center for American Progress
Center for Civilians in Conflict
Center for Constitutional Rights
Center for Disability Rights
Center for International Policy
Center for Law and Social Policy (CLASP)
Center for Victims of Torture
Center on Race, Inequality, and the Law at New York University School of Law
Church of Scientology National Affairs Office
Church World Service
CODEPINK
Color Of Change
Common Defense
Community Alliance on Prisons
Congregation of Our Lady of Charity of the Good Shepherd
Council on American-Islamic Relations (CAIR)
Daily Kos
The Daniel Initiative
Defending Rights & Dissent
Dignity & Power NOW
Dream Corps JUSTICE
Drug Policy Alliance
Empowering Pacific Islander Communities (EPIC)
Equal Justice Society
Equal Rights Advocates
Essie Justice Group
The Feminist Foreign Policy Project
Foreign Policy for America
Franciscan Action Network
Friends Committee on National Legislation
Futures Without Violence
GLSEN
Government Information Watch
Grassroots Global Justice Alliance
Greenpeace US
Hispanic Federation
Historians for Peace and Democracy
Human Rights Campaign
Human Rights First
ICNA Council for Social Justice

Impact Fund
Indivisible
Interfaith Action for Human Rights
Japanese American Citizens League
Jetpac Resource Center, Inc.
Jewish Council for Public Affairs
Justice For Muslims Collective
Justice is Global
Justice Strategies
Juvenile Law Center
LatinoJustice PRLDEF
La Union Del Pueblo Entero
The Leadership Conference on Civil and Human Rights
Louisiana Advocates for Immigrants in Detention
MADRE
Massachusetts Peace Action
Media Alliance
MediaJustice
Metropolitan Community Churches, Global Justice Institute
MomsRising
Mothers Against Police Brutality
Multicultural AIDS Coalition
Muslim Justice League
NARAL Pro-Choice America
National Advocacy Center of the Sisters of the Good Shepherd
National Association of Criminal Defense Lawyers
National Association of Social Workers
The National Council for Incarcerated and Formerly Incarcerated Women and Girls
National Council of Churches of Christ in the USA (NCC)
National Disability Rights Network (NDRN)
National Education Association
National Homelessness Law Center
National Immigrant Justice Center
National Immigration Project (NIP-NLG)
National Iranian American Council Action (NIAC Action)
National Network of Arab American Communities (NNAAC)
National Organization for Women
National Partnership for Women & Families
National Priorities Project at the Institute for Policy Studies
NETWORK Lobby for Catholic Social Justice

New Internationalism Project at the Institute for Policy Studies
Oakland Privacy
Open Society Policy Center
Organized Communities Against Deportations
Our Revolution
OVEC-Ohio Valley Environmental Coalition
Oxfam America
Peace Action
People's Action
Poder in Action
PolicyLink
Poligon Education Fund
Presente.org
Progressive Democrats of America
Project Blueprint
Project On Government Oversight
Project South
Public Citizen
Quincy Institute for Responsible Statecraft
Racial Justice NOW
Restore The Fourth
Rethinking Foreign Policy
Revolutionary Love Project
Revolving Door Project
Robert F. Kennedy Human Rights
RootsAction.org
Secure Families Initiative
Security Policy Reform Institute (SPRI)
Sierra Club
Sikh American Legal Defense and Education Fund (SALDEF)
The Sikh Coalition
South Asian Americans Leading Together (SAALT)
Southern Poverty Law Center Action Fund
TN State Conference NAACP
UndocuBlack Network
Unitarian Universalist Service Committee
United Church of Christ Justice and Witness Ministries
United for Peace and Justice
United We Dream Network
U.S. Labor Against Racism and War

Veterans for American Ideals
Voices for Progress
Washington Lawyers' Committee for Civil Rights and Urban Affairs
WESPAC Foundation, Inc.
Wind of the Spirit Immigrant Resource Center
Win Without War
Women's Action for New Directions
Women Watch Afrika
Working Families Party
World BEYOND War
World Can't Wait Hawai`i
World Without Genocide

CC:

Speaker Nancy Pelosi, U.S. House of Representatives
Majority Leader Steny Hoyer, U.S. House of Representatives
Minority Leader Kevin McCarthy, U.S. House of Representatives
Chairman Adam Smith, House Armed Services Committee