



American Friends Service Committee

September 13, 2018

Governor Jerry Brown
Sacramento, CA

RE: Support Letter – AB 3131– Transparency and Accountability in Military Equipment Acquisition

Dear Governor Brown,

The American Friends Service Committee, a Quaker organization working for peace with justice that was founded in 1917, is proud support Assembly Bill 3131 (Gloria). AB 3131 will enhance transparency and democratic decision-making in the acquisition of military equipment in our local communities.

American neighborhoods are increasingly being policed by peace officers armed with the weapons and tactics of war, without transparency about how equipment is acquired. Local law enforcement agencies can acquire surplus U.S. military equipment from the U.S. Department of Defense's 1033 Program, including armored tanks, grenade launchers, and assault rifles, and purchase the same types of equipment from private companies, often with the use of federal grants. This has led to the acquisition of military equipment by over 8,000 federal and state law enforcement agencies, from all 50 states and the U.S. territories, and in nearly all 58 California counties, as well as multiple state agencies, but there is an absence of transparency and civilian decision-making at the local level for the acquisition and use of this equipment.

Two recent studies show that increased acquisition of military equipment is positively correlated with increased use of police violence and suspect deaths.¹ “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,” one of the studies concluded.² The other study analyzed more than 11,000 agency-quarter observations, also controlling for several other factors, and concluded that “increasing militarization corresponds to more suspect deaths.”

¹ Casey Delehanty, Jack Mewhirter, Ryan Welch and Jason Wilks, “Militarization and police violence: The case of the 1033 program,” *Research and Politics*, April-June 2017, 1-7; and Edward Lawson Jr., “Police Militarization and the Use of Lethal Force,” *Political Research Quarterly*, 2018, 1-13.

² Ryan Welch and Jack Mewhirter, “Does military equipment lead police officers to be more violent? We did the research,” *The Washington Post*, June 30, 2017, at: https://www.washingtonpost.com/news/monkey-cage/wp/2017/06/30/does-military-equipment-lead-police-officers-to-be-more-violent-we-did-the-research/?utm_term=.b2ce26856761

President Obama's Executive Order 13688 established a requirement, when jurisdictions acquire military equipment through federal grants, for "evidence of civilian governing body's review and approval or concurrence of the [law enforcement agency]'s acquisition of the requested controlled equipment." This requirement applied these processes to elected sheriff department as well as police departments.¹ However, the Trump administration rescinded this requirement last year.

When federal agencies give surplus equipment or grants for cash purchases of equipment, many jurisdictions are unaware of what equipment was acquired, much less informed of impacts and alternatives. In addition, public safety budgets rarely detail the types of military equipment that agencies intend to acquire using local funds, thus depriving elected lawmakers the opportunity to determine, in consultation with both law enforcement and community members, whether these acquisitions are appropriate.

Frequently, the nature of military equipment creates both the perception and the reality of a warrior relationship between law enforcement and community members. The deployment of mine-resistant armored vehicles in small California communities, such as Hercules and Pinole, and the brandishing of military rifles, more than 6,000 of which California agencies have acquired from the U.S. military, generates a military relationship, whether individual officers wish it or not. When such equipment is acquired, AB 3131 will mandate reporting on its use, so that lawmakers and community members can better understand its role and impact in law enforcement operations.

AB 3131 is a reasonable approach, and absolutely necessary. The lack of reporting on the acquisition and use of military equipment further jeopardizes the relationship of police with the community, which is often undermined when law enforcement is seen as an occupying force rather than a public safety service. We need to ensure that local law enforcement honors its mission to protect and serve, and be accountable to the jurisdictions where it functions, by providing AB 3131's mechanisms for greater transparency and accountability.

We strongly urge you to sign this important bill so that it is enacted into law.

Sincerely,



John Lindsay-Poland
California Healing Justice Associate

¹ Law Enforcement Equipment Working Group, *Recommendations Pursuant to Executive Order 13688*, May 2015, pp. 25-26. <https://www.documentcloud.org/documents/3899034-Law-Enforcement-Equipment-Working-Group.html#document/p25>.