

***The Wars Are Here:  
How the United States' Post-9/11 Wars Helped Militarize U.S. Police***

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Six years after the germinal United States protests against anti-Black police violence in Ferguson, MO, and months after the 2020 police killings of George Floyd and Breonna Taylor, police in mine-resistant vehicles have once again occupied both the streets and mass public attention. In 2014, images from the Ferguson protests—of snipers pointing semi-automatic rifles into crowds and officers tear-gassing unarmed civilians—prompted activists and politicians to compare the St. Louis suburb to occupied Gaza, Ukraine, or Iraq.<sup>2</sup> During the summer of 2020, as the U.S. witnessed its largest public uprisings since the 1960s, police militarization again came under scrutiny. The Department of Homeland Security flew surveillance aircraft over protests in 15 cities, as officers on the ground deployed flash-bang grenades, sound cannons, rubber bullets, and tear gas against peaceful demonstrators.<sup>3</sup> Since protests began, at least 14 local law enforcement agencies in 10 states have received free mine-resistant vehicles built for the U.S. military.<sup>4</sup> In response, some lawmakers have revived efforts to curtail such transfers of military equipment.<sup>5</sup> Reform groups are

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<sup>2</sup> Palumbo-Liu, D. (2014). Ferguson and Gaza: The Definitive Study of How They Are and Are Not Similar. *Salon*.

[https://www.salon.com/2014/08/22/ferguson\\_and\\_gaza\\_the\\_definitive\\_study\\_of\\_how\\_they\\_are\\_and\\_are\\_not\\_similar/](https://www.salon.com/2014/08/22/ferguson_and_gaza_the_definitive_study_of_how_they_are_and_are_not_similar/)

<sup>3</sup> Kanno-Youngs, Z. (2020). U.S. Watched George Floyd Protests in 15 Cities Using Aerial Surveillance. *The New York Times*. <https://www.nytimes.com/2020/06/19/us/politics/george-floyd-protests-surveillance.html>

<sup>4</sup> I calculate this number using publicly available data for the 1033 Program (discussed below).

<sup>5</sup> Edmondson, C. (2020). Lawmakers Begin Bipartisan Push to Cut Off Police Access to Military-Style Gear. *The New York Times*. <https://www.nytimes.com/2020/06/01/us/politics/police-military-gear.html>; Edmondson, C. (2020). Senate Kills Broad Curbs on Military Gear for Police, Thwarting Push to Demilitarize. *The New York Times*. <https://www.nytimes.com/2020/07/21/us/politics/senate-police-military-equipment.html>

advocating to demilitarize the police by limiting when and how they can use armored vehicles and camouflage uniforms.<sup>6</sup>

In this moment of potential transformation, we must analyze both the deep roots and the recent upsurge of police “militarization” in order to grasp what calls for “demilitarizing” the police could mean. This paper argues that today’s high level of police militarization is one of the cruel, complex domestic costs of recent American wars abroad. **Police militarization is in a sense as old as U.S. policing itself, yet it has exploded since September 11, 2001 and its intensification must be counted among the costs of this country’s post-9/11 wars.**<sup>7</sup>

These wars have offered a new series of justifications for police militarization, which is to say the continuous flow of military equipment, funding, personnel, surveillance technologies, trainings, concepts, and strategies to domestic police. After 9/11, the U.S. government poured money into law enforcement in the name of counterterrorism and homeland security. Preparedness for domestic terrorism shot to the top of police priorities. The State Department explained that “this capacity must be considered as much a staple of law enforcement operations as crime analysis, criminal intelligence, and crime prevention.”<sup>8</sup> Police departments raced to develop counterterror systems; meanwhile, the scale and profits of military-industrial corporations mushroomed as the U.S. invaded Afghanistan and then Iraq.<sup>9</sup> These forces converged with the growth of specialized police training and tactics to combat the rising number of mass shootings,<sup>10</sup> and with more recent military drawdowns from active war zones, to vastly inflate an existing pipeline from the military and the federal government to local police.<sup>11</sup>

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<sup>6</sup> *Demilitarization*. Campaign Zero. Retrieved June 26, 2020, from

<https://www.joincampaignzero.org/demilitarization>

<sup>7</sup> “Post-9/11 wars” refers to U.S.-led military operations that have grown out of the U.S. and coalition forces’ invasions of Afghanistan in 2001 and Iraq in 2003, and President George W. Bush’s “Global War on Terror.”

<sup>8</sup> U.S. Department of State. (2005). Money Laundering and Terrorist Financing—A Global Threat. *Cited in* Davis, L. M., Pollard, M., Ward, K., Wilson, J. M., Varda, D. M., Hansell, L., & Steinberg, P. (2010). Long-Term Effects of Law Enforcement’s Post-9/11 Focus on Counterterrorism and Homeland Security. *The RAND Corporation*. <https://www.ncjrs.gov/pdffiles1/nij/grants/232791.pdf>

<sup>9</sup> Hartung, W. D. (2011). The Military-Industrial Complex Revisited: Shifting Patterns of Military Contracting in the Post-9/11 Period. *Costs of War at Brown University*.

<https://watson.brown.edu/costsofwar/files/cow/imce/papers/2011/The%20Military-Industrial%20Complex%20Revisited.pdf>

<sup>10</sup> According to *The Washington Post*, the pace of mass shootings (narrowly defined) has quickened from an average of one every 84 days between 1999 and 2015, to one every 47 days between 2015 and 2019.

Berkowitz, B., Blanco, A., Mayes, B. R., Auerbach, K., & Rindler, D. (2019). More and Deadlier: Mass Shooting Trends in America. *The Washington Post*. <https://www.washingtonpost.com/nation/2019/08/05/more-deadlier-mass-shooting-trends-america/?arc404=true>

<sup>11</sup> The U.S. military has also cross-trained with and gained tactics from domestic police, particularly SWAT teams. See Kraska, P. (2007). Militarization and Policing—Its Relevance to 21<sup>st</sup> Century Police. *Policing*, 1(4), 501-513. <https://academic.oup.com/policing/article-abstract/1/4/501/1440981?redirectedFrom=fulltext>; Musa, S., Morgan, J., & Keegan, M. (2011). *Policing and COIN Operations: Lessons Learned, Strategies and Future Directions*. Center for Technology and National Security Policy & The Combating Terrorism Technical Support Office. <https://apps.dtic.mil/dtic/tr/fulltext/u2/a546677.pdf>; I focus in this paper mainly on local police, the

The domestic costs of this expanding pipeline have been momentous—even for police departments that have gratefully accepted supplies ranging from laser printers and file cabinets to mine-resistant vehicles. **From a purely economic standpoint, maintaining complex military equipment, surveillance systems, and SWAT teams is expensive for taxpayers and local governments.** Furthermore, police reformers argue that overt militaristic spectacles in protest policing—such as during the recent George Floyd protests—compromise police legitimacy and further damage civilian trust in the idea that policing is designed to “protect and serve.”<sup>12</sup>

**More significant than costs to the public purse and to the institution of policing have been the costs of intensified militarization for Black, Brown, Indigenous, and poor communities.** Police militarization has always echoed American wars abroad, which have often involved terrifying home raids, and whose bombs rain the heaviest destruction on what are almost invariably racialized communities. The domestic effects of these wars overseas are a version of what Aimé Césaire in *Discourse on Colonialism* called the “boomerang effect of colonization”: American imperialism, perpetually returning to haunt its own people. Militarization underscores and intensifies the occupying, repressive role police play in hyperpoliced communities like Ferguson.<sup>13</sup> Invasive surveillance systems tend to target oppressed minorities, further entangling them in the criminal justice system. Historically in the U.S., the most brutal forms of protest policing have been leveled against labor organizers and Black and Indigenous liberation movements. Meanwhile, SWAT teams, which derive tactics and equipment from the military, are disproportionately used against Black and Latinx people in raids like the one that killed 7-year-old Aiyana Stanley-Jones in Detroit, Michigan in 2010.<sup>14</sup> More recently, in the midst of the coronavirus pandemic, plainclothes police in Louisville, Kentucky raided the home of 26-year-old emergency medical technician Breonna Taylor and shot her 8 times, killing her.<sup>15</sup>

This paper traces U.S. police militarization from its colonial and anti-Black roots through its intensification after 9/11, demonstrating how today’s mine-resistant vehicles and tear gas emerge from a deep lineage of “militarized” policing. It then charts how police militarization has exploded in the wake of U.S.-led post-9/11 wars, specifically examining the flows of military equipment to police, the burgeoning surveillance and intelligence

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main frontline contact with civilians, although federal and state law enforcement agencies have also been affected by the trends discussed below.

<sup>12</sup> See for instance *Final Report*. (2015). The President’s Task Force on 21<sup>st</sup> Century Policing. [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf)

<sup>13</sup> Césaire, A. (2000 [1955]). *Discourse on Colonialism*. Monthly Review Press.

<sup>14</sup> The military has also derived tactics from domestic police, especially since 9/11. See footnote 9 above; Latinx is a gender-neutral term for people of Latin American heritage. See Morales, E. (2019). *Latinx: The New Force in American Politics and Culture*. Verso. <https://www.versobooks.com/books/3036-latinx>; *War Comes Home: The Excessive Militarization of American Policing*. (2014). American Civil Liberties Union (ACLU). <https://www.aclu.org/report/war-comes-home-excessive-militarization-american-police>; Hackman, R. (2015). “She Was Only a Baby”: Last Charge Dropped in Police Raid That Killed Sleeping Detroit Child. *The Guardian*. <https://www.theguardian.com/us-news/2015/jan/31/detroit-aiyana-stanley-jones-police-officer-cleared>

<sup>15</sup> Oppel, R. A. Jr. & Taylor, D. B. (2020). Here’s What You Need to Know About Breonna Taylor’s Death. *The New York Times*. <https://www.nytimes.com/article/breonna-taylor-police.html>

infrastructure, and police departments hiring military veterans. The paper concludes with a survey of the many different costs of post-9/11 police militarization.

### **What is Police Militarization?**

Both in 2014 after Ferguson and today, many critical commentators have decried the armored vehicles and police in full riot gear rolling through American streets. Scholars of police militarization, however, consider the concept to encompass much more than the buildup of military-grade equipment. “Militarization” also includes departments’ use of military language and counterinsurgency tactics, the spread of police paramilitary units, and military-derived ideologies about legitimate and moral uses of violence.<sup>16</sup> Indeed, all of these things have intensified since 9/11. But it is first important to note that what today we call police militarization emerged from much older and intertwined histories of anti-Black and colonial state violence, which remain the bedrock of militarization today.

The roots of police militarization are laced throughout America’s 400-year history of Black oppression.<sup>17</sup> Police departments in the American South developed from slave patrols and colonial-era militias, both of which overlapped in various roles with the federal military.<sup>18</sup> All labored to repress uprisings and terrorize enslaved people and, later, Black people living under Jim Crow. There has never been a pre-militarized “time zero” when domestic police embodied an Officer Friendly ideal distinct from military models and militaristic operations.<sup>19</sup>

“Militarized” policing has always been a reality for Black Americans, particularly poor Black people and Black liberation activists.<sup>20</sup> In the 1960s, while the U.S. military was fighting in Vietnam, police drew on military expertise to develop counterinsurgency tactics against Black liberation and anti-war movements. For instance, Los Angeles police inspector Daryl Gates championed the nation’s first SWAT team after consulting with local Marines.<sup>21</sup> Gates saw the 1965 Watts Uprising in LA as “guerilla warfare,” akin to Vietnamese insurgency and requiring military training and equipment to suppress.<sup>22</sup> Later, under President Nixon and especially President Reagan, the War on Drugs authorized police use of military tactics like

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<sup>16</sup> Kraska, “Militarization and Policing—Its Relevance to 21<sup>st</sup> Century Police”; see also Lutz, C. (2002). Making War at Home in the United States: Militarization and the Current Crisis. *American Anthropologist*, 104(3), 723-735.

<sup>17</sup> Nopper, T. K. & Kaba, M. (2014). Itemizing Atrocity. *Jacobin*. <https://jacobinmag.com/2014/08/itemizing-atrocity/>

<sup>18</sup> Archbold, C. A. (2012). Section 1: The History of the Police. *Policing: A Text/Reader*. Sage Publishing. [https://www.sagepub.com/sites/default/files/upm-binaries/50819\\_ch\\_1.pdf](https://www.sagepub.com/sites/default/files/upm-binaries/50819_ch_1.pdf)

<sup>19</sup> Bernazzoli, R., & Flint, C. (2009). From Militarization to Securitization: Finding a Concept That Works. *Political Geography*, 28(8), 449–450. <https://doi.org/10.1016/j.polgeo.2009.08.003>

<sup>20</sup> Baldwin, J. (1966). A Report from Occupied Territory. *The Nation*. <https://www.thenation.com/article/archive/report-occupied-territory/>

<sup>21</sup> Haberman, C. (2014). The Rise of the SWAT Team in American Policing. *The New York Times*. <https://www.nytimes.com/2014/09/08/us/the-rise-of-the-swat-team-in-american-policing.html>

<sup>22</sup> Balko, R. (2013). *Rise of the Warrior Cop: The Militarization of America’s Police Forces*. PublicAffairs. <https://www.publicaffairsbooks.com/titles/radley-balko/rise-of-the-warrior-cop/9781610392129/>

no-knock raids (which allow police to break into a home unannounced).<sup>23</sup> These tactics have been disproportionately used against Black civilians.<sup>24</sup> In 1985, U.S. police even dropped a satchel bomb on the compound of MOVE, a Black liberation group in Philadelphia, PA. The bomb and subsequent blaze killed five children and six adults, and destroyed the homes of over 250 people.<sup>25</sup>

Some commentators have called militarized policing a “cancer” spreading through the body politic, but such analyses erase its origins. “Militarized policing” has always demarcated who is subject to SWAT raids and satchel bombs, and who is not.<sup>26</sup> Similarly, police militarization is historically inseparable from American colonial and imperialist projects abroad. Northern cities’ first formal police departments were patterned on the British model of policing, which drew its organization and hierarchy from the military. The architect of the British model, Sir Robert Peel, developed his famous principles of policing while overseeing Britain’s occupation of Ireland. Peel found that “peace preservation” police forces could quell rebellious crowds and undermine anticolonial resistance more effectively than could occupying troops.<sup>27</sup> Colonial management is built into the tenets of American policing, which widely cites Peel’s principles today.<sup>28</sup>

The U.S. military and domestic police also openly shared ideas long before federal programs formalized their exchange.<sup>29</sup> For instance, prominent American police reformer August Vollmer served in the Philippine-American War and imported military tactics into modern U.S. policing.<sup>30</sup> He developed new record-keeping systems that tracked and predicted criminal activity, just as the U.S. military attempted to identify insurgent activity during its occupation of the Philippines.<sup>31</sup> “I’ve studied military tactics and used them to good effect in rounding up crooks,” Vollmer once told an audience of American police officers. “After all we’re conducting a war, a war against the enemies of society.”<sup>32</sup>

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<sup>23</sup> Baum, D. (1996). *Smoke and Mirrors: The War on Drugs and the Politics of Failure*. Little, Brown and Company.

<sup>24</sup> *War Comes Home*.

<sup>25</sup> Norward, L. (2019). The Day Philadelphia Bombed Its Own People. *Vox*. <https://www.vox.com/the-highlight/2019/8/8/20747198/philadelphia-bombing-1985-move>

<sup>26</sup> Harwood, M. (2014). How Did America’s Police Get So Militarized? *Mother Jones*.

<https://www.motherjones.com/politics/2014/08/america-police-military-swat-ferguson-westcott-tampa/>;

Gamal, F. (2016). The Racial Politics of Protection: A Critical Race Examination of Police Militarization. *California Law Review*, 104(4), 979–1008. <http://dx.doi.org/10.15779/Z385P1R>

<sup>27</sup> Vitale, A. (2017). *The End of Policing*. Verso. <https://www.versobooks.com/books/2426-the-end-of-policing>

<sup>28</sup> *Sir Robert Peel’s Policing Principles*. Law Enforcement Action Partnership. Retrieved June 26, 2020, from <https://lawenforcementactionpartnership.org/peel-policing-principles/>

<sup>29</sup> Schrader, S. (2020). Yes, American Police Act Like Occupying Armies. They Literally Studied Their Tactics. *The Guardian*. <https://www.theguardian.com/commentisfree/2020/jun/08/yes-american-police-act-like-occupying-armies-they-literally-studied-their-tactics>

<sup>30</sup> Go, J. (2020). The Imperial Origins of American Policing: Militarization and Imperial Feedback in the Early 20th Century. *American Journal of Sociology*, 125(5), 1193–1254. <https://doi.org/10.1086/708464>

<sup>31</sup> McCoy, A. W. (2009). *Policing America’s Empire: The United States, the Philippines, and the Rise of the Surveillance State*. The University of Wisconsin Press. <https://uwpress.wisc.edu/books/4454.htm>

<sup>32</sup> Go, “The Imperial Origins of American Policing.”

Every attack in the name of national security on Brown and Black countries in the Global South, every massive injection of public tax dollars into the U.S. military, has both ravaged communities abroad and rebounded on American subjects—particularly the most marginalized. Indeed, Indigenous peoples, the original (and ongoing) victims of North American settler colonialism, remain the racialized group most likely to be killed in confrontations with U.S. police.<sup>33</sup> In the U.S. as well as Canada, police have often deployed military-style equipment and tactics to violently suppress Indigenous and First Nations claims to land, water, and environmental justice, as was most visible in the 2016-2017 Dakota Access Pipeline protests at Standing Rock.<sup>34</sup>

Police militarization, in other words, is no recently invading cancer but rather embedded in the DNA of U.S. policing. **The stakes of grasping this argument are high: if there was no pre-militarized “time zero,” then militarization is not a switch that can be turned off by simply shutting down equipment transfer programs.** Nor does it map neatly onto a spectrum from less to more militarized, much less fit within simple binaries like “foreign/domestic” and “civilian/military.”<sup>35</sup> The point is certainly not that demilitarization efforts are meaningless. Rather, they must be informed by a reading of history and a recognition that the conceptual division between policing and the military is a “vanishing horizon,” as the police and military have always been intertwined.<sup>36</sup> This history also helps explain why the post-9/11 surge of police militarization mobilizes especially against Black, Brown, Indigenous, and poor people.

## Post-9/11 Police Militarization

After the 9/11 attacks, the U.S. military invaded Afghanistan, then Iraq. As the American security state metastasized, the federal government opened a free-flowing spigot of military equipment and expertise to local law enforcement. Billions of dollars in equipment and grant funding gushed to the police in the name of combating domestic terrorism. Dozens of fusion centers, hubs for sharing intelligence across all levels of law enforcement, popped up around the country. The newly established Department of Homeland Security (DHS) and other agencies began offering police trainings on bioterrorism and improvised explosive devices (IEDs). Officers started attending counterterror trainings

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<sup>33</sup> According to a CNN review of Centers for Disease Control and Prevention data, from 1999 to 2015, 2.9 out of every 1 million Native Americans were killed every year by law enforcement. That mortality rate is 12 percent higher than for African Americans and more than 300 percent higher than for white people. Hansen, E. (2017). The Forgotten Minority in Police Shootings. *CNN*. <https://www.cnn.com/2017/11/10/us/native-lives-matter/index.html>; see also Woodard, S. (2016). The Police Killings No One is Talking About. *In These Times*. [http://www.inthesetimes.com/features/native\\_american\\_police\\_killings\\_native\\_lives\\_matter.html](http://www.inthesetimes.com/features/native_american_police_killings_native_lives_matter.html)

<sup>34</sup> See #NoDAPL Archive – Standing Rock Water Protectors. Retrieved August 15, 2020, from <https://www.nodaplarchive.com/>

<sup>35</sup> Schrader, S. (2019). *Badges without Borders: How Global Counterinsurgency Transformed American Policing*. University of California Press. <https://california.degruyter.com/view/title/571652?language=en>

<sup>36</sup> Seigel, M. (2019). Always Already Military: Police, Public Safety, and State Violence. *American Quarterly*, 71(2), 519-539.

in other countries, particularly Israel.<sup>37</sup> The federal government dramatically expanded immigration enforcement infrastructure, claiming that the 9/11 attacks “injected new urgency” into border security.<sup>38</sup> This presumptive urgency underwrote the formation of Immigration and Customs Enforcement (ICE), which began coordinating with local police.<sup>39</sup> Surveillance systems designed for the military began trickling into local departments. Many adopted “intelligence-led policing” tactics in their day-to-day work, gathering and sharing information—sometimes with state and federal agencies—in order to prevent rather than respond to crime and potential terror threats.<sup>40</sup> Under President Obama, millions of dollars in federal funding incentivized police departments to hire post-9/11 veterans, further enmeshing military training and outlooks in domestic policing.

Unprecedented in scale and scope, these investments draw local policing into tighter collaboration with the military and federal agencies such as ICE, outfitting cops with otherwise inaccessible aircraft and armored trucks, and training them to think of county fairs and pumpkin festivals as potential targets for terrorism.<sup>41</sup> Many police departments have absorbed the counterterror mandate and now see themselves as working “at the front lines of the domestic fight against terrorism.”<sup>42</sup> Police often contend that militarization is purely defensive, allowing them to better protect themselves and their communities against various threats. Critics argue that it has intensified police violence by framing marginalized populations as internal enemies. Reckoning with the costs of militarization first requires understanding how resources have flowed to police, and who their targets have been.

Here I highlight three main themes among many: the expansion of surveillance and intelligence, police departments hiring veterans, and, especially, military equipment flows to police.

### ***Equipment Flows to Police Departments***

The U.S. military directly transfers military materiel to law enforcement via the Department of Defense’s (DoD’s) 1033 Program, the most widely recognized avenue of

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<sup>37</sup> Speri, A. (2017). Israel Security Forces Are Training American Cops Despite History of Rights Abuses. *The Intercept*. <https://theintercept.com/2017/09/15/police-israel-cops-training-adl-human-rights-abuses-dc-washington/>

<sup>38</sup> *Post-9/11*. (2019). U.S. Citizenship and Immigration Services. <https://www.uscis.gov/history-and-genealogy/our-history/overview-of-ins-history/post-911>

<sup>39</sup> *Celebrating the History of ICE*. (2020, September 8.) U.S. Immigration and Customs Enforcement. <https://www.ice.gov/features/history>

<sup>40</sup> Price, M. (2013). *National Security and Local Police*. The Brennan Center for Justice. [https://www.brennancenter.org/sites/default/files/publications/NationalSecurity\\_LocalPolice\\_web.pdf](https://www.brennancenter.org/sites/default/files/publications/NationalSecurity_LocalPolice_web.pdf)

<sup>41</sup> Swanson, A. (2015). State Police Have Received Billions of Dollars of Military Equipment. Here’s Where It All Went. *Washington Post*. <https://www.washingtonpost.com/news/wonk/wp/2015/04/16/state-police-have-received-billions-of-dollars-of-military-equipment-heres-where-it-all-went/>; see also O’Keeffe, K. (2014). John Oliver on Ferguson: No Police Department Needs Giant Military Vehicles. *The Atlantic*. <https://www.theatlantic.com/culture/archive/2014/08/john-oliver-knows-no-police-department-needs-giant-military-vehicles/378668/>

<sup>42</sup> Price, *National Security and Local Police*.

police militarization. This program functionally recycles excess military equipment by distributing unneeded property to police departments—including campus, school, and park police—for free, minus the cost of shipping, maintenance, and storage. Launched in 1990, the program formalized and expanded an already existing pipeline of surplus material, including both “non-controlled” items like office supplies and “controlled” items like semi-automatic rifles. Around 8,200 federal, state, and local law enforcement agencies from 49 states and 4 U.S. territories currently participate in the program.<sup>43</sup> The 1033 Program excludes certain overtly military items such as tanks, armed drones, large-caliber weapons, body armor, and explosives; President Trump revoked President Obama’s additional injunction on tracked armored vehicles, grenade launchers, and bayonets (which the 1033 Program clarifies are merely “utility knives”).<sup>44</sup> The program prioritizes counter-drug and counterterrorism requests, incentivizing police to describe their need for equipment in such terms. However, it does not allow departments to simply stockpile in case of an emergency. Instead, they must certify that they will use all property within one year of receipt or else return it to the DoD.<sup>45</sup> Thus even if departments originally claimed to need armored vehicles and sniper rifles to defend against vanishingly rare terrorist attacks, they must often find other rationales to deploy such items, or else risk losing free equipment.

I found that the 1033 Program has transferred at least **\$1.6 billion worth of equipment** to law enforcement agencies since 9/11, compared to at least **\$27 million** before 9/11.<sup>46</sup> This is the most updated and comprehensive accounting of post-9/11 1033 Program equipment transfers to date. Other analyses focus on shorter timeframes and tend to pivot around Ferguson in 2014.<sup>47</sup>

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<sup>43</sup> *1033 Program FAQs*. U.S. Defense Logistics Agency. Retrieved June 26, 2020, from <https://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/ProgramFAQs.aspx>

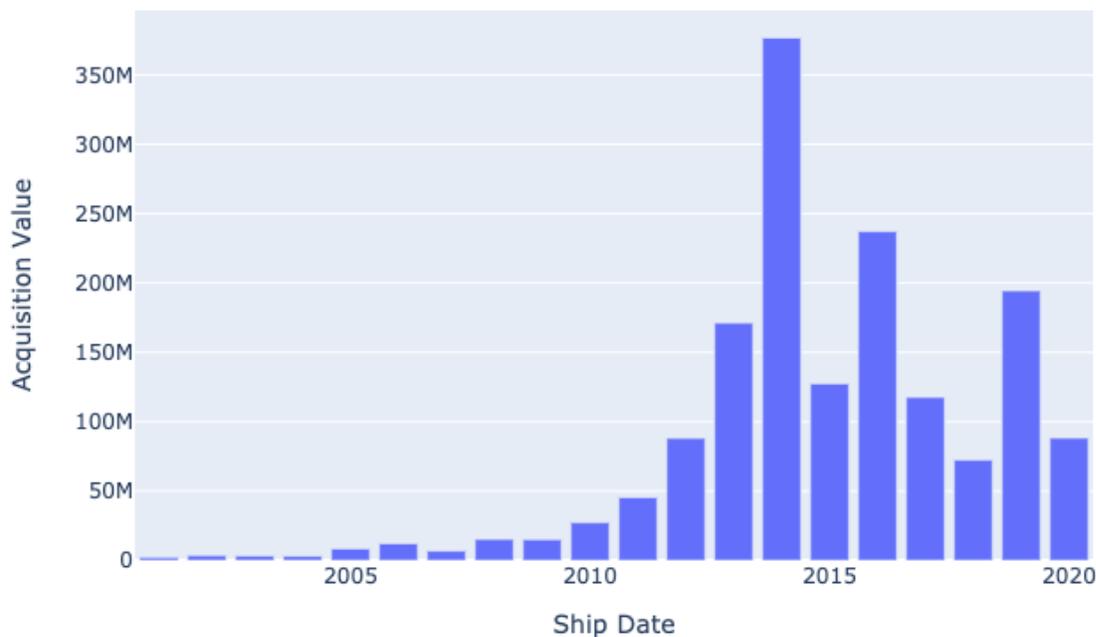
<sup>44</sup> *1033 Program FAQs*.

<sup>45</sup> *Review: Federal Support for Local Law Enforcement Equipment Acquisition*. (2014). Executive Office of the President. [https://obamawhitehouse.archives.gov/sites/default/files/docs/federal\\_support\\_for\\_local\\_law\\_enforcement\\_equipment\\_acquisition.pdf](https://obamawhitehouse.archives.gov/sites/default/files/docs/federal_support_for_local_law_enforcement_equipment_acquisition.pdf); see also *War Comes Home*.

<sup>46</sup> See below for caveats to the data on which our calculations are based. Credit and thanks for these calculations, and the ones below, go to Yueshan Li (Aubrey), a Costs of War intern at Brown University.

<sup>47</sup> For instance, National Public Radio charted transfers between 2006 and early 2014, finding over \$1.5 billion worth of transfers in the top 10 categories alone: Rezvani, A., Pupovac, J., Eads, D., & Fisher, T. (2014). MRAPs And Bayonets: What We Know About the Pentagon’s 1033 Program. *National Public Radio*. <https://www.npr.org/2014/09/02/342494225/mraps-and-bayonets-what-we-know-about-the-pentagons-1033-program>; see also Radil, S., Dezzani, R., & McAden, L. (2015). The Road to Ferguson: Geographies of U.S. Police Militarization and the Role of the 1033 Program. *ResearchGate*. <https://doi.org/10.13140/rg.2.1.2589.3604>. More recently, BuzzFeed found that the program has transferred over \$850 million worth of equipment since Ferguson in 2014, and that as of March 2020, local police arsenals nationwide included 494 mine-resistant vehicles, over 6,500 rifles, and at least 76 aircraft acquired since Ferguson: Templon, J. (2020). Police Departments Have Received Hundreds of Millions of Dollars In Military Equipment Since Ferguson. *BuzzFeed News*. <https://www.buzzfeednews.com/article/johntemplon/police-departments-military-gear-1033-program>

**Figure 1. 1033 Program Equipment Transfers by Acquisition Value, January 2001 - June 2020<sup>48</sup>**



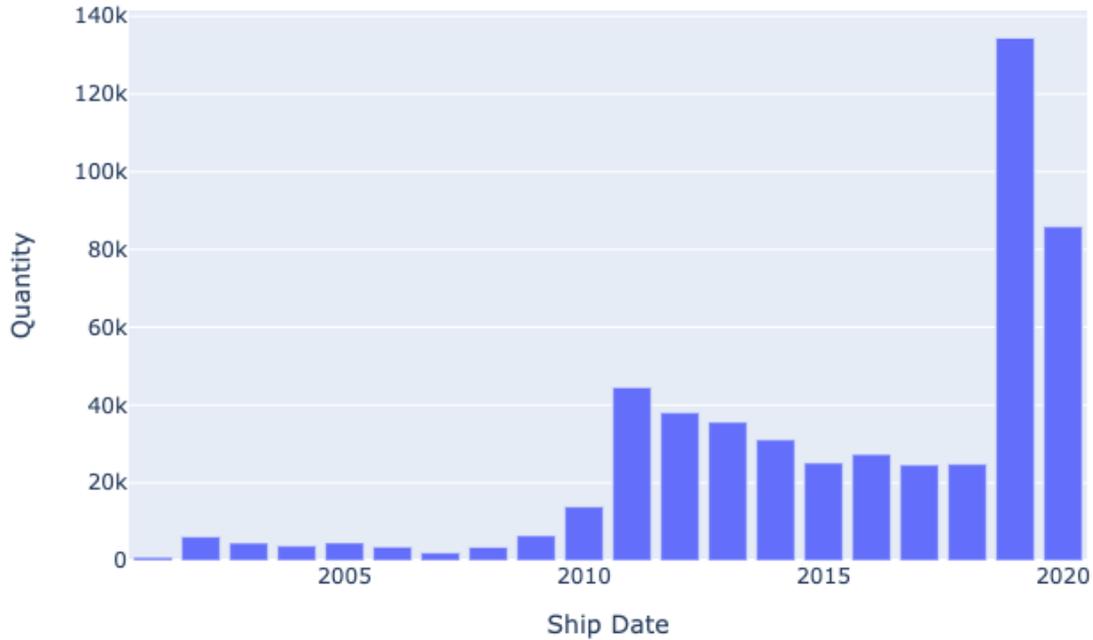
As shown in the above graph, 1033 Program transfers represent a lagging indicator for U.S. military demobilization, particularly after the drawdown from Iraq in 2010. Beginning around 2009, the total value of transfers steadily ramped up as the 1033 Program began funneling more expensive items, like mine-resistant vehicles and helicopters, to law enforcement.

The total quantity of items transferred further demonstrates the program's post-9/11 expansion. I found that the 1033 Program transferred nearly **520,000 individual items** to law enforcement after 9/11, compared to nearly **17,000 items** before 9/11 (see Figure 2, below). The majority of these items were non-controlled equipment such as office supplies.<sup>49</sup>

<sup>48</sup> All graphs in this paper were created by Yueshan Li (Aubrey).

<sup>49</sup> For instance, the 1033 Program reported that 92 percent of property issued in 2019 was non-controlled—although it failed to note that controlled items made up most of the transfers' dollar value. See *1033 Program FAQs*.

**Figure 2. 1033 Program Equipment Transfers by Quantity, January 2001 - June 2020**



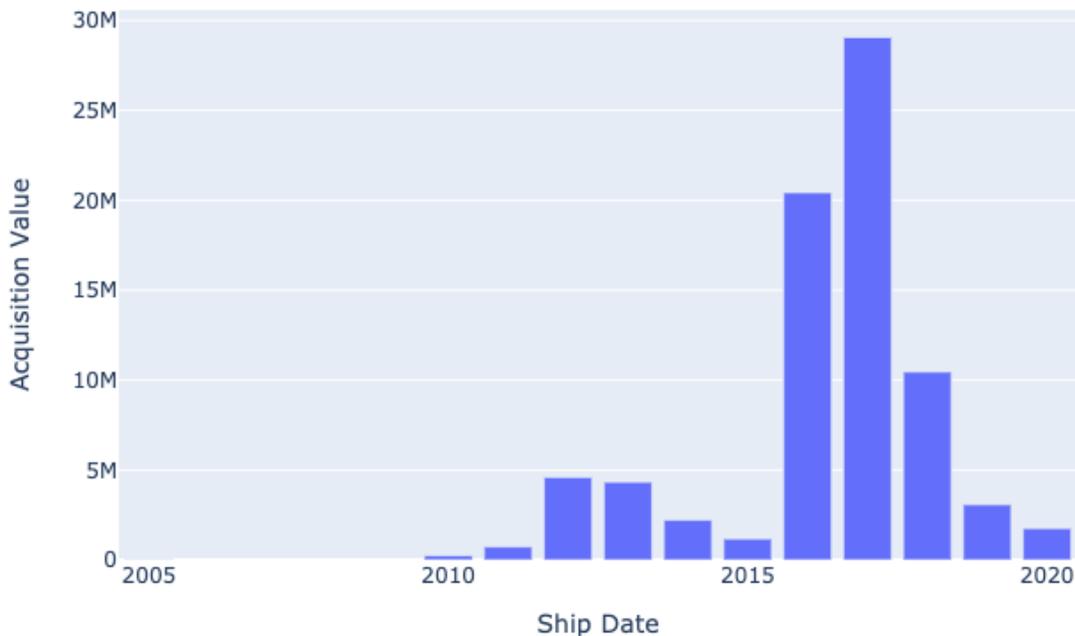
These post-9/11 transfers included at least **1,114 mine-resistant vehicles**, valued at approximately **\$300,000-\$850,000 each** and over **\$755 million overall**. Mine-resistant vehicle transfers began in 2009, with Texas receiving the most since then, followed by Tennessee, Florida, California, and Ohio.

**Figure 3. Top Five State Recipients of 1033 Program Mine-Resistant Vehicles through June 2020**

State	Mine-Resistant Vehicles Total Quantity	Mine-Resistant Vehicles Total Acquisition Value
Texas	116	\$78,885,221
Tennessee	86	\$59,041,829
Florida	72	\$47,541,844
California	54	\$36,512,080
Ohio	43	\$30,125,720

The 1033 Program began transferring unmanned vehicles and robot equipment to law enforcement even earlier, starting in 2005. The U.S. military has relied heavily on unmanned vehicles after 9/11, most prominently via its various drone warfare campaigns.<sup>50</sup> While the 1033 Program does not transfer armed drones, it does transfer unarmed unmanned vehicles, often used for reconnaissance and handling bomb threats. The 1033 Program has transferred over **1,000 individual robot items** to law enforcement, valued at over **\$77 million total**.<sup>51</sup>

**Figure 4. Robot Equipment Transfers by Acquisition Value, January 2001 - June 2020**



These figures should all be considered proxies for a recent upsurge. Tracking equipment transfers through the program is complex, despite its relative (and recent) public transparency.<sup>52</sup> For one, reported equipment values are only estimates. They reflect what the military originally paid for the item, not the current depreciated value in today’s dollars. Furthermore, while equipment like mine-resistant vehicles and weapons remain DoD property in perpetuity, more ordinary items like office supplies become part of police inventory after one year and thus fall off the books. Returned or disposed-of items are not

<sup>50</sup> See for instance *The Drone Papers*. (2015). The Intercept. <https://theintercept.com/drone-papers/>; Feroz, E. (2020). Death by Drone: America’s Vicious Legacy in Afghanistan. *Foreign Policy*. <https://foreignpolicy.com/2020/03/27/afghanistan-drones-america-legacy-taliban/>

<sup>51</sup> To determine the names of robot equipment in 1033 Program data, we relied on the comprehensive data compiled in Gettinger, D., & Michel, A. H. (2016). *Law Enforcement Robots Datasheet*. Center for the Study of the Drone at Bard College. <https://dronecenter.bard.edu/law-enforcement-robots-datasheet/>

<sup>52</sup> LESO was only required to begin posting quarterly records in 2016. On tracking equipment transfers: Musgrave, S. (2014). How We Got the Pentagon to Reveal What Gear They Gave Cops. *MuckRock*. <https://www.muckrock.com/news/archives/2014/dec/09/how-we-got-pentagon-reveal-what-gear-they-gave-cop/>

publicly tracked either. My analysis only includes the DoD-tracked items in police arsenals as of June 30, 2020.

All of these issues certainly make my figures an underestimate. The DoD's Law Enforcement Support Office (LESO), which operates the program, reports that it has transferred \$7.4 billion worth of equipment since the program's inception in 1990.<sup>53</sup> Thus, over \$5.7 billion worth of equipment transferred since 1990 has either been disposed of or returned or has become police property and, either way, cannot be tracked.

The 1033 Program has come under the most scrutiny by far, but many other, more opaque federal programs transfer military-style equipment to police, provide grants to buy new material, or allow local law enforcement to enjoy the federal government's discounts on new equipment.<sup>54</sup> Department of Homeland Security (DHS) funding for such programs, for instance, eclipses the total value of equipment transferred through the 1033 Program.

In 2003, DHS instituted a grant program designed to ensure "a secure and resilient nation" by channeling over \$1 billion per year to lower levels of government, which can then use the funding for preparedness training, equipment such as helicopters (although not weapons), or even transport and storage costs of 1033 Program equipment.<sup>55</sup> Even though DHS specifies that only 25 percent of its Homeland Security Grant Program (HSGP) funding must be used for law enforcement counterterrorism efforts, it continues to dole out grant funding on the basis of terrorism risk assessments.<sup>56</sup> The agency invests in projects that have a demonstrated "nexus to terrorism preparedness," while acknowledging that proposals can simultaneously support "enhanced preparedness for other hazards unrelated to acts of terrorism."<sup>57</sup> In other words, DHS both requires agencies to speak in the specifically post-9/11 language of counterterrorism and allows them to use up to 75 percent of funds for non-terror-related activities, such as responding to "major disasters" like hurricanes, or to "pre-operational activity and other crimes that are precursors or indicators of terrorist activity."<sup>58</sup> DHS made over \$1.1 billion available through HSGP in fiscal year 2020.<sup>59</sup>

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<sup>53</sup> *1033 Program FAQs*.

<sup>54</sup> *Review: Federal Support for Local Law Enforcement Equipment Acquisition*.

<sup>55</sup> *The Federal Emergency Management Agency's Requirements for Reporting Homeland Security Grant Program Achievements*. (2012). U.S. Department of Homeland Security: Office of Inspector General. [https://www.oig.dhs.gov/assets/Mgmt/2012/OIG\\_12-92\\_Jun12.pdf](https://www.oig.dhs.gov/assets/Mgmt/2012/OIG_12-92_Jun12.pdf); *Review: Federal Support for Local Law Enforcement Equipment Acquisition*.

<sup>56</sup> *Fiscal Year (FY) 2019 Homeland Security Grant Program (HSGP) Frequently Asked Questions (FAQs)*. U.S. Department of Homeland Security: Federal Emergency Management Agency (FEMA). Retrieved August 15, 2020, from [https://www.fema.gov/media-library-data/1555008515875-3e335349f5d330de3f265af17c7e3409/FY19\\_HSGP\\_FAQ\\_FINAL\\_508.pdf](https://www.fema.gov/media-library-data/1555008515875-3e335349f5d330de3f265af17c7e3409/FY19_HSGP_FAQ_FINAL_508.pdf)

<sup>57</sup> *FEMA Preparedness Grants Manual*. (2020, February). FEMA Grant Programs Directorate. [https://www.fema.gov/sites/default/files/2020-06/fema\\_preparedness-grants-manual.pdf](https://www.fema.gov/sites/default/files/2020-06/fema_preparedness-grants-manual.pdf)

<sup>58</sup> *DHS Announces Funding Opportunity for Fiscal Year 2020 Preparedness Grants*. (2020). Department of Homeland Security. <https://www.dhs.gov/news/2020/02/14/dhs-announces-funding-opportunity-fiscal-year-2020-preparedness-grants>

<sup>59</sup> *Homeland Security Grant*. FEMA. Retrieved August 15, 2020, from <https://www.fema.gov/grants/preparedness/homeland-security>

Federal programs aside, departments also buy new equipment directly from private companies.<sup>60</sup> Many of these expenditures are extremely difficult to track. Elected officials overseeing department budgets can allocate funding to purchase this equipment. Alternatively, departments can buy new equipment using the proceeds from asset forfeiture, a less transparent process that allows law enforcement to seize and profit from the cash and property of people convicted or even merely suspected of a crime. Since 9/11, police across the country have ramped up their use of civil asset forfeiture, which allows seizures without search warrants or indictments.<sup>61</sup> *Washington Post* investigations found that state and local police gained over \$1.7 billion through federal civil asset forfeiture between 9/11 and 2014; police used that funding to buy armored vehicles, sniper gear, and electronic surveillance equipment such as cellphone trackers.<sup>62</sup> Civil asset forfeiture is a tool so ripe for abuse that two of its architects called it “unreformable”: “having failed in both purpose and execution, it should be abolished.”<sup>63</sup> However, it remains a powerful and often murky means by which police can obtain the kinds of equipment provided by the Departments of Defense or Homeland Security.

### ***Surveillance & Intelligence Expansions***

As information-sharing between U.S. agencies became a major domestic priority in the wake of the 9/11 attacks, local police took up a novel role in the counterterrorism intelligence infrastructure: as the first line of homeland defense, the on-the-ground experts equipped to spot nascent terror threats. Local law enforcement began joining FBI-run Joint Terrorism Task Forces and federally funded fusion centers, of which there are now 80, including at least one in every state.<sup>64</sup> Meanwhile, many larger departments beefed up their designated intelligence units. This process was epitomized by the New York Police Department’s Muslim surveillance program. Over more than a decade, this infamous program secretly spied on, mapped, criminalized, and undermined the freedom and safety

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<sup>60</sup> Departments that can afford to do so may prefer purchasing new equipment, whether with asset forfeiture funds, federal grant money, or city budgetary allocations, over 1033 Program equipment transfers—which can be decades old. Private companies like Lenco, which produces armored vehicles such as BearCats, provide free grant-writing assistance to police to encourage precisely this choice; see *Grant Help*. Lenco Armored Vehicles. Retrieved June 26, 2020, from <https://www.lencoarmor.com/grant-help/>

<sup>61</sup> Under both state and federal civil asset forfeiture, law enforcement can seize assets suspected of being used to commit crimes or obtained through criminal means. Even if the property owner is never convicted of or even indicted for a crime, the government can keep their assets unless the owner can prove, through an onerous and expensive legal process, that their property was acquired legally.

<sup>62</sup> Sallah, M., O’Harrow Jr., R., Rich, S., & Silverman, G. (2014). Stop and Seize. *The Washington Post*. <https://www.washingtonpost.com/sf/investigative/2014/09/06/stop-and-seize/?hpid=z3>; O’Harrow Jr., R., Rich, S., & Tan, S. (2014). Asset Seizures Fuel Police Spending. *The Washington Post*. <https://www.washingtonpost.com/sf/investigative/2014/10/11/asset-seizures-fuel-police-spending/>

<sup>63</sup> Yoder, J., & Cates, B. (2014). Government Self-Interest Corrupted a Crime-Fighting Tool Into an Evil. *The Washington Post*. [https://www.washingtonpost.com/opinions/abolish-the-civil-asset-forfeiture-program-we-helped-create/2014/09/18/72f089ac-3d02-11e4-b0ea-8141703bbf6f\\_story.html](https://www.washingtonpost.com/opinions/abolish-the-civil-asset-forfeiture-program-we-helped-create/2014/09/18/72f089ac-3d02-11e4-b0ea-8141703bbf6f_story.html)

<sup>64</sup> *Fusion Center Locations and Contact Information*. (2020, April 16). U.S. Department of Homeland Security. <https://www.dhs.gov/fusion-center-locations-and-contact-information>

of Muslim communities in the name of counterterrorism—apparently without producing even a single lead.<sup>65</sup>

Surveillance technology too has flowed to local police. For instance, *Bloomberg* reported in 2016 that the Baltimore Police Department had been secretly working with a company called Persistent Surveillance Systems (PSS) to broadly surveil majority-Black West Baltimore, using wide-angle cameras mounted on a small plane.<sup>66</sup> PSS's founder and president originally designed this technology to provide aerial surveillance of Fallujah, Iraq for invading U.S. Marines.<sup>67</sup> The surveillance plane program returned to Baltimore this year for a controversial six-month trial run.<sup>68</sup> Some local police have also gained access to facial recognition software and mass cellphone-tracking technology like Stingray devices.<sup>69</sup> Others have worked with ICE to track and identify suspected deportable immigrants.<sup>70</sup> During the recent George Floyd protests, local police departments alongside federal agencies like Customs and Border Protection (CBP) used military-developed tools like Predator drones to track and target activists.<sup>71</sup>

While police surveillance of protesters and racialized groups is nothing new, the post-9/11 influx of intelligence funding, organization, and technology dramatically intensified the sweep of police power.<sup>72</sup> These systems also represent immense potential for future surveillance. Some states have acknowledged this danger and preemptively banned the use of facial recognition technology in police body cameras, while Amazon and Microsoft, under

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<sup>65</sup> Shamas, D., & Arastu, N. (2013). *Mapping Muslims: NYPD Spying and its Impact on American Muslims*. The Muslim American Civil Liberties Coalition (MACLC), Creating Law Enforcement Accountability & Responsibility (CLEAR), & The Asian American Legal Defense and Education Fund (AALDEF).

<https://www.law.cuny.edu/wp-content/uploads/page-assets/academics/clinics/immigration/clear/Mapping-Muslims.pdf>; Goldman, A., & Apuzzo, M. (2012). NYPD Muslim Spying Led to No Leads, Terror Cases. *The Associated Press*. <https://www.ap.org/ap-in-the-news/2012/nypd-muslim-spying-led-to-no-leads-terror-cases>

<sup>66</sup> Reel, M. (2016). Secret Cameras Record Baltimore's Every Move From Above. *Bloomberg Businessweek*. <https://www.bloomberg.com/features/2016-baltimore-secret-surveillance/>

<sup>67</sup> Mims, C. (2019). When Battlefield Surveillance Comes to Your Town. *The Wall Street Journal*.

<https://www.wsj.com/articles/when-battlefield-surveillance-comes-to-your-town-11564805394>

<sup>68</sup> Prudente, T. (2020, September 11). Spy Planes Provide Modest Help to Baltimore Crime Fight Over Three Months, Researchers Find. *The Baltimore Sun*. <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-spy-plane-study-20200911-wzd3nhyp6vg3blejk3rjz7dxza-story.html>

<sup>69</sup> *Stingray Tracking Devices: Who's Got Them?* (2018, November). American Civil Liberties Union (ACLU). <https://www.aclu.org/issues/privacy-technology/surveillance-technologies/stingray-tracking-devices-whos-got-them>

<sup>70</sup> *How ICE Uses Local Criminal Justice Systems to Funnel People Into the Detention and Deportation System*. (2014). National Immigration Law Center. <https://www.nilc.org/issues/immigration-enforcement/localjusticeandice/>;

Rivlin-Nadler, M. (2019). How ICE Uses Social Media to Surveil and Arrest Immigrants. *The Intercept*. <https://theintercept.com/2019/12/22/ice-social-media-surveillance/>

<sup>71</sup> Heilweil, R. (2020). Members of Congress Want to Know More About Law Enforcement's Surveillance of Protesters. *Vox*. <https://www.vox.com/recode/2020/5/29/21274828/drone-minneapolis-protests-predator-surveillance-police>

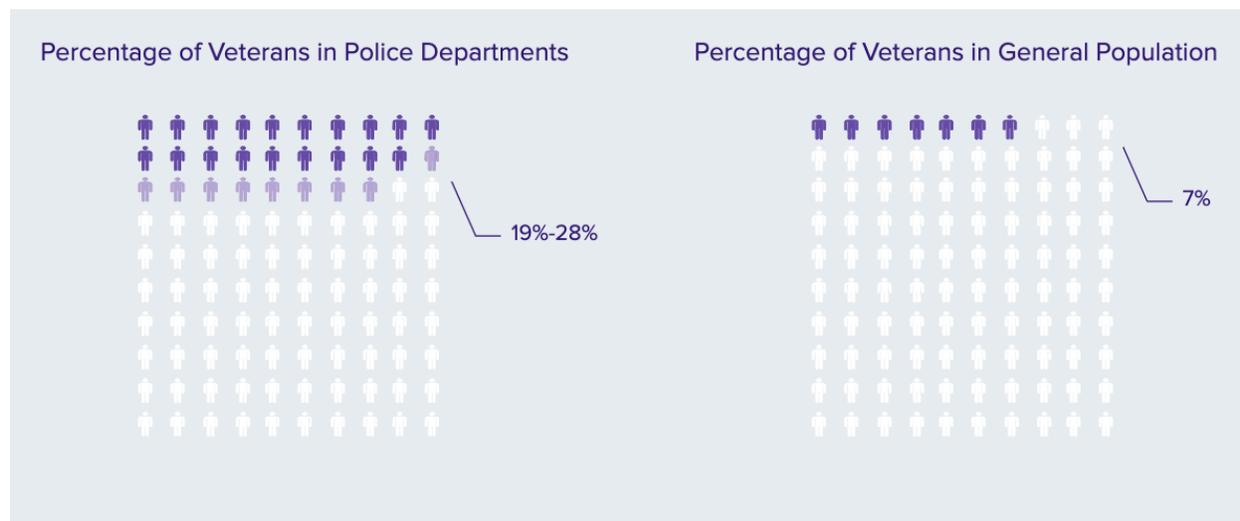
<sup>72</sup> Marcetic, B. (2016). The FBI's Secret War. *Jacobin*. <https://jacobinmag.com/2016/08/fbi-cointelpro-new-left-panthers-muslim-surveillance>

pressure during the recent uprisings, have announced moratoriums on police use of their facial recognition software.<sup>73</sup>

### ***Veteran Hiring into Police Departments***

Personnel from post-9/11 wars have also flowed to police departments, particularly under President Obama. Today, while no public database collects national data on police veteran status, analyses suggest that between 19 percent and 28 percent of police officers have current or prior military service, compared to about 7 percent of the general population.<sup>74</sup>

**Figure 5. Veterans in Police Departments Versus in the General Population**



In 2012, the Department of Justice provided over \$100 million to hire post-9/11 veterans into law enforcement positions as part of an effort to address these veterans' unemployment rate, then at 12 percent.<sup>75</sup> State-level veterans' preference laws also

<sup>73</sup> Metz, R. (2019). California Lawmakers Ban Facial-Recognition Software from Police Body Cams. *CNN Business*. <https://www.cnn.com/2019/09/12/tech/california-body-cam-facial-recognition-ban/index.html>; Heilweil, R. (2020). Big Tech Companies Back Away from Selling Facial Recognition to Police. That's Progress. *Vox*. <https://www.vox.com/recode/2020/6/10/21287194/amazon-microsoft-ibm-facial-recognition-moratorium-police>

<sup>74</sup> The Marshall Project estimates that 19 percent of all police officers are veterans, while Pew Research Center estimates that this number is 28 percent. See Weichselbaum, S., & Schwartzapfel, B. (2017). When Warriors Put on the Badge. *The Marshall Project*. <https://www.themarshallproject.org/2017/03/30/when-warriors-put-on-the-badge>; Morin, R., & Mercer, A. (2017). A Closer Look at Police Officers Who Have Fired Their Weapon on Duty. *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2017/02/08/a-closer-look-at-police-officers-who-have-fired-their-weapon-on-duty/>; For the percentage of veterans in the U.S. population, see *Census Bureau Releases New Report on Veterans*. (2020, June 2). United States Census Bureau. <https://www.census.gov/newsroom/press-releases/2020/veterans-report.html>

<sup>75</sup> The Department of Justice specified that all new law enforcement positions funded through its 2012 grants must be filled by veterans who had served at least 6 months since 9/11. For the announcement of funds to hire recent veterans into law enforcement positions: *White House, Justice Department Announce Law Enforcement Grants for Hiring of Veterans*. (2012). U.S. Department of Justice: Office of Public Affairs.

encourage civil service agencies like police departments to give hiring advantages to veterans. As the Marshall Project documents, these preferences can obstruct efforts to hire people of color and/or women: 91 percent of the veteran population is male compared to 48.5 percent of the general population, and 77 percent is non-Latinx white versus 63 percent of the general population.<sup>76</sup>

The recent legacy of veterans in policing is a complex one. Some data suggest that veterans, trained in rules of engagement that teach them to wait for overt hostile intent rather than use-of-force policies that allow for much greater legal discretion, are less likely to needlessly shoot civilians in fear.<sup>77</sup> In this framework, the military imposes harsher liability for misdeeds (although one might recall Abu Ghraib and other largely unpunished U.S. military atrocities) and mandates more extensive de-escalation training than do police departments.<sup>78</sup> On the other hand, other data indicate veteran-officers are more likely than non-veterans to have fired their service weapons at least once in their careers,<sup>79</sup> and that they receive more complaints from civilians.<sup>80</sup> One recent study of a single police department found that even after controlling for deployment status, length of military service, and demographic variables, veteran-officers were more likely than non-veterans to have shot a civilian while in police uniform.<sup>81</sup>

Law enforcement leaders have long recognized the ambiguous place of veterans, particularly combat veterans, in policing. On the one hand, according to a 2009 study by the International Association of Chiefs of Police, police departments value veterans for their technical and firearms skills, physical fitness, discipline, and tactical training. On the other, the study found that veterans' mental health struggles can "create a low tolerance for citizen complaints." It recommended agencies train veterans in "differentiating between hostile war zones and local community environments, and [retrain them in] the use-of-force

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<https://www.justice.gov/opa/pr/white-house-justice-department-announce-law-enforcement-grants-hiring-veterans>; For the veterans' unemployment rate: *Building Job Opportunities for Returning Veterans*. (2013). U.S. Congress: Joint Economic Committee Democratic Staff.

<https://www.jec.senate.gov/public/cache/files/368731bc-cc81-48ea-915d-abd605064b51/building-job-opportunities-for-returning-veterans---final.pdf>

<sup>76</sup> Weichselbaum & Schwartzapfel, *When Warriors Put on the Badge.; Veteran Status*. (2018). United States Census Bureau. <https://data.census.gov/cedsci/table?q=S2101&tid=ACST1Y2018.S2101>

<sup>77</sup> Lawrence, Q., & Kaste, M. (2016). Military-Trained Police May Be Less Hasty To Shoot, But That Got This Vet Fired. *NPR*. <https://www.npr.org/2016/12/08/504718239/military-trained-police-may-be-slower-to-shoot-but-that-got-this-vet-fired>

<sup>78</sup> Hersh, S. M. (2004). Torture at Abu Ghraib. *The New Yorker*.

<https://www.newyorker.com/magazine/2004/05/10/torture-at-abu-ghraib>; Boal, M. (2011). The Kill Team: How U.S. Soldiers in Afghanistan Murdered Innocent Civilians. *Rolling Stone*. <https://www.rollingstone.com/politics/politics-news/the-kill-team-how-u-s-soldiers-in-afghanistan-murdered-innocent-civilians-169793/>;

Tecott, R., & Plana, S. (2016) Maybe U.S. Police Aren't Militarized Enough. Here's What Police Can Learn from Soldiers. *The Washington Post*.

<https://www.washingtonpost.com/news/monkey-cage/wp/2016/08/16/maybe-u-s-police-arent-militarized-enough-soldiers-are-better-trained-to-deescalate/>

<sup>79</sup> Morin & Mercer.

<sup>80</sup> Weichselbaum & Schwartzapfel.

<sup>81</sup> Reingle Gonzalez, J. M., Bishopp, S. A., Jetelina, K. K., Paddock, E., Gabriel, K. P., & Cannell, M. B. (2018). Does Military Veteran Status and Deployment History Impact Officer Involved Shootings? A Case-control Study. *Journal of Public Health*, 41(3), e245–e252. <https://doi.org/10.1093/pubmed/fdy151>

techniques.”<sup>82</sup> Notably, Derek Chauvin, the former Minnesota police officer charged in George Floyd’s death, served for eight years as a military policeman in the Army Reserve.<sup>83</sup>

## The Costs of Intensified Police Militarization

*Economic.* Militarization is expensive. Most notably, grant programs that funnel government money through police departments to private companies that sell military-style equipment have cost, at minimum, tens of billions of taxpayer dollars since 9/11.<sup>84</sup> Outcomes are murky, even in terms of the programs’ own goals. For instance, DHS’s Office of Inspector General noted in 2012 that the Homeland Security Grant Program had no system to assess funding effectiveness, did not know the amount of funding required to “achieve needed preparedness and response capabilities,” and did not require states to report their progress.<sup>85</sup> Even for programs like the 1033 Program that purport to save taxpayer money, local police sometimes pay to maintain and store military equipment that is rarely or never used for its declared purpose. All levels of government also spend uncountable sums on police counterterrorism trainings and surveillance technologies.<sup>86</sup>

Furthermore, as the Costs of War project has shown with military spending, the price of police militarization entails massive opportunity costs.<sup>87</sup> Investments in drones, armored vehicles, and surveillance systems are dollars denied to education, infrastructure, and renewable energy. Militarization sits alongside other elements of current massive government operations—including prisons, the military, immigration enforcement, etc.—that involve spending on punishment, racialized control, and profit for private companies.

*Erosion of police legitimacy.* What is obtained for the public in exchange for these expenses and opportunity costs? Militarization certainly curries little public favor.<sup>88</sup> Visibly

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<sup>82</sup> *Employment Returning Combat Veterans as Law Enforcement Officers.* (2009, September). International Association of Chiefs of Police, Bureau of Justice Assistance, & Klein Associates.

<https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/IACPEmployingReturningVets.pdf>

<sup>83</sup> Thayer, R. L. (2020). Ex-Minneapolis Cop Charged in George Floyd’s Death Served Eight Years in Army Reserve. *Stars and Stripes.* <https://www.stripes.com/news/us/ex-minneapolis-cop-charged-in-george-floyd-s-death-served-eight-years-in-army-reserve-1.632456>

<sup>84</sup> Ackerman, S. (2014). US Police Given Billions from Homeland Security for ‘Tactical’ Equipment. *The Guardian.* <https://www.theguardian.com/world/2014/aug/20/police-billions-homeland-security-military-equipment>; Parlapiano, A. (2014). The Flow of Money and Equipment to Local Police. *The New York Times.*

<https://www.nytimes.com/interactive/2014/08/23/us/flow-of-money-and-equipment-to-local-police.html>

<sup>85</sup> *The Federal Emergency Management Agency’s Requirements for Reporting Homeland Security Grant Program Achievements.* (2012, June). Department of Homeland Security Office of Inspector General.

[https://www.oig.dhs.gov/assets/Mgmt/2012/OIG\\_12-92\\_Jun12.pdf](https://www.oig.dhs.gov/assets/Mgmt/2012/OIG_12-92_Jun12.pdf)

<sup>86</sup> The sheer distribution of homeland security spending across federal agencies, state and local governments, and private companies makes counterterrorism spending particularly difficult to track.

<sup>87</sup> See for instance Garrett-Peltier, H. (2017). Job Opportunity Cost of War. *Costs of War at Brown University.* <https://watson.brown.edu/costsofwar/files/cow/imce/papers/2017/Job%20Opportunity%20Cost%20of%20War%20-%20HGP%20-%20FINAL.pdf>

<sup>88</sup> Liebllich, E., & Shinar, A. (2018). The Case Against Police Militarization. *Michigan Journal of Race and Law*, 23(1 & 2). <https://repository.law.umich.edu/mjrl/vol23/iss1/4>; Mummolo, J. (2018). Militarization Fails to Enhance Police Safety or Reduce Crime but May Harm Police Reputation. *Proceedings of the National Academy of Sciences of the United States of America*, 115(37), 9181–9186. <https://doi.org/10.1073/pnas.1805161115>

militaristic tactics and imagery breed fear and mistrust, particularly among poor and hyperpoliced communities of color. This can erode police legitimacy—a problem for those who support the broad goals of policing. The racialized aggression inherent in militarization can obstruct crime-solving by rendering civilians less likely to cooperate with investigators, and can undermine community policing efforts by making people less likely to trust their local police officers.

*Increased police violence and racialized control.* Military equipment may encourage police aggression and violence. One study found that even when controlling for civilian demographics, violent crime rates, and rates of drug use, 1033 Program transfers correlated with increased police killings of civilians.<sup>89</sup> Police aggression must also be understood relative to how it is used. Police often justify intimidating “controlled equipment”—the kind that attracts accusations of militarization—on the basis of preparedness for threat, particularly terrorism. In practice, it is more often used in the routine counter-drug work of SWAT and narcotics teams and, as we have seen recently, for protest policing.

A CNN analysis in the wake of the George Floyd uprisings found that the 1033 Program has transferred over \$5.3 million worth of potentially protest-related gear, such as riot shields, to law enforcement nationwide since August 2017.<sup>90</sup> While police claim their use of such gear, along with armored vehicles, is a simple matter of officer safety, protesters often cite it as intimidating, frightening, and escalatory. While it is impossible to quantify against whom military equipment is used, it is quite clear from police responses to protests ranging from Watts in 1965 to Standing Rock, Ferguson, and Baltimore in 2014-2017: mine-resistant vehicles, tear gas, and heavy weapons are consistently rolled out against Black- and Indigenous-led movements, while they were nowhere to be found at the majority-white Women’s March.<sup>91</sup> This is no accident but a direct outgrowth of how protest policing has always operated.

Controlled equipment also flows to SWAT teams, which use body armor and armored personnel carriers for protection and intimidation, primarily while serving search warrants for drug investigations. The post-9/11 flood of resources to paramilitary units has worked in tandem with the broader expansion of SWAT begun during the War on Drugs. The number of search warrant raids, particularly for drugs, has dramatically escalated across the country.<sup>92</sup> (A 2014 ACLU report found that 79 percent of SWAT deployments in the report’s

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<sup>89</sup> Delehanty, C., Mewhirter, J., Welch, R., & Wilks, J. (2017). Militarization and Police Violence: The Case of the 1033 Program. *Research and Politics*, 4(2). <https://doi.org/10.1177/2053168017712885>

<sup>90</sup> Tolan, C., & Hernandez, S. (2020). As Demand for Police Reform Grows, Military Equipment Program Faces New Scrutiny. *CNN*. <https://www.cnn.com/2020/06/17/politics/protests-police-reform-military-supplies-invs/index.html>

<sup>91</sup> Taylor, A. (2016). Water Cannons Used Against Dakota Pipeline Protesters. *The Atlantic*. <https://www.theatlantic.com/photo/2016/11/water-cannons-and-tear-gas-used-against-dakota-access-pipeline-protesters/508370/>; Ramanathan, L. (2017). Was the Women’s March Just Another Display of White Privilege? Some Think So. *The Washington Post*. [https://www.washingtonpost.com/lifestyle/style/was-the-womens-march-just-another-display-of-white-privilege-some-think-so/2017/01/24/00bbdcca-e1a0-11e6-a547-5fb9411d332c\\_story.html](https://www.washingtonpost.com/lifestyle/style/was-the-womens-march-just-another-display-of-white-privilege-some-think-so/2017/01/24/00bbdcca-e1a0-11e6-a547-5fb9411d332c_story.html)

<sup>92</sup> Kraska, “Militarization and Policing—Its Relevance to 21<sup>st</sup> Century Police”; Norwood, C. (2020). The War on Drugs Gave Rise to ‘No-Knock’ Warrants. Breonna Taylor’s Death Could End Them. *PBS News Hour*.

sample were for warrants, usually for drug investigations.)<sup>93</sup> Here too people of color suffer most: the ACLU found that 42 percent of those affected by a SWAT search warrant were Black and 12 percent were Latinx. Moreover, police were more likely to use paramilitary tactics to execute a search warrant against groups composed exclusively of people of color versus white people (84 percent versus 65 percent). As many have also documented, the rise of SWAT teams—with their battering rams, explosives, and no-knock raids—represents a particular danger to both civilians and officers in a country where 4 in 10 Americans live in a home with a gun.<sup>94</sup>

Around 9,000 U.S. law enforcement agencies now have SWAT teams.<sup>95</sup> Nationwide, these teams deploy approximately 60,000 times per year, or nearly 165 times per day—a number that does not include raids conducted separately by narcotics units, federal agencies, or ordinary police.<sup>96</sup> According to one recent study, this SWAT explosion has neither lowered crime rates nor promoted officer safety.<sup>97</sup> It has, however, produced a series of disastrous and deadly botched raids, such as when a Georgia sheriff's office conducted a no-knock SWAT raid, detonating a flash-bang grenade in the playpen of 19-month-old Bounkham (Bou Bou) Phonesavanh. Bou Bou, who was severely burned, was placed into a medically induced coma and has since undergone a series of over 25 surgeries that cost his uninsured parents over \$1 million.<sup>98</sup>

At a deeper level, SWAT raids and militaristic protest policing intensify state surveillance and control of racialized communities, while diverting attention and resources from the more broadly impactful white-collar crime. Black, Brown, Indigenous, and poor people have historically faced down the tear gas and armored vehicles of American police, both on the streets and in their homes. This structural reality endures today, making it

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<https://www.pbs.org/newshour/politics/the-war-on-drugs-gave-rise-to-no-knock-warrants-breonna-taylors-death-could-end-them>

<sup>93</sup> *War Comes Home*.

<sup>94</sup> See Michaels, S. (2020). Breonna Taylor Is One of a Shocking Number of Black People to See Armed Police Barge Into Their Homes. *Mother Jones*. <https://www.motherjones.com/crime-justice/2020/05/breonna-taylor-is-one-of-a-shocking-number-of-black-people-to-see-armed-police-barge-into-their-homes/>; Dolan, B. (2019). To Knock or Not to Knock? No-Knock Warrants and Confrontational Policing. *St. John's Law Review*, 93(1). <https://scholarship.law.stjohns.edu/cgi/viewcontent.cgi?article=7117&context=lawreview>; Sack, K. (2017). Door-Busting Drug Raids Leave a Trail of Blood. *The New York Times*.

<https://www.nytimes.com/interactive/2017/03/18/us/forced-entry-warrant-drug-raid.html>; For data on American gunowners, see: Gramlich, J., & Schaeffer, K. (2019). 7 Facts About Guns in the U.S. *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2019/10/22/facts-about-guns-in-united-states/>

<sup>95</sup> Mummolo.

<sup>96</sup> MacDonnell, T. C. (2016). When More is Less—SWAT and Procedural Justice. *Washington and Lee Journal of Civil Rights and Social Justice*, 23(1).

<https://scholarlycommons.law.wlu.edu/cgi/viewcontent.cgi?article=1428&context=crsj>

<sup>97</sup> Mummolo.

<sup>98</sup> Sullum, J. (2015). When Drug Warriors Burn a Baby, Who's to Blame? *Forbes*.

<https://www.forbes.com/sites/jacobsullum/2015/07/23/when-drug-warriors-burn-a-baby-whos-to-blame/#6a0ca11f1ea4>; Pransky, N. (2020, July 6). Cops' Love for SWAT May Be Putting Your Community in Danger. *NBCLX*. <https://www.lx.com/community/cops-love-for-swat-may-be-putting-your-community-in-danger/15029/>. In 2016, a federal judge awarded Bou Bou's parents \$3.6 million in settlement payments; see Penny, A. (2016). Parents of "Baby Bou Bou" Awarded \$3.6 Million. *Fox 5 Atlanta*. <https://www.fox5atlanta.com/news/parents-of-baby-bou-bou-awarded-3-6-million>

impossible to separate militarization from racism and white supremacy. Militarized force presumes an intense, even existential, threat, thus reinforcing the idea that hyperpoliced communities of color are internal enemies.<sup>99</sup> In the post-9/11 world, where police have more resources at their disposal than ever, their use of such resources to enforce racial control has been normalized.

*Obstructing critical analysis.* Finally, the sheer spectacle involved in public displays of police militarization serves another function: it narrows the terms with which we can understand our current situation. For one, many widely circulating critiques of militarization rely on an unspoken agreement that *some* police violence is acceptable: “The problem with casting militarization as *the* problem is that the formulation suggests it is the *excess* against which we must rally. We must accept that the ordinary is fair, for an extreme to be the problem.”<sup>100</sup> The seeming extremity of “tanks” on American streets galvanizes public outrage, while making it seem as if ratcheting back racialized police violence is primarily a question of limiting how many armored personnel carriers departments can obtain. In truth, the history of police militarization reveals that such violence runs much deeper than equipment transfers.

The sheer spectacle of militarization can further narrow the terms of analysis by implicitly legitimizing U.S. military interventions. One gesture progressive commentators often make during “militarized” policing of U.S. protests is to mark their visual similarity to a generic “Third World” country, as we saw in Ferguson. This, they argue, should not happen *at home*, implying that state repression and U.S. military violence *elsewhere* are simply to be expected. These analyses serve to naturalize the destruction of non-American targets of the U.S. military—from Afghanistan and Iraq to Yemen and Somalia—and to obscure the connections between racist state violence in the U.S. and abroad. As Césaire said, tactics, equipment, and expertise developed during colonial interventions rebound back onto that empire’s own citizens. In this case, the post-9/11 expansion of the U.S. counterterror state has intensified the militarization of a police force founded in, and inextricable from, white supremacy and the violence of a state at permanent war overseas.

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<sup>99</sup> Lieblich & Shinar.

<sup>100</sup> Nopper & Kaba.