



Police Militarization: It's Not About the Equipment, It's About Keeping the Peace

By Alfred S. Regnery
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Militarization of police forces has become the latest buzz phrase for politicians, pundits, and, it seems, everybody else. By now everybody in America, and probably well across the world, knows about, and has a theory about, the riots and looting following the shooting of a black teenager in Ferguson, Missouri.

And we all know about the reaction – or call it the escalation: first the local police, then the entry of the Missouri State Police and Highway Patrol, followed by a curfew ordered by the Democratic governor of the state, then the entry of Eric Holder’s Civil Rights Division and forty (that’s right, forty) FBI agents, deployment of the National Guard and culminating with the planned arrival of Eric Holder himself. Rarely has any community, perhaps since the Los Angeles riots following the verdict of four LA cops for the arrest of Rodney King verdict, seen such a show of force by local, state, and then federal law enforcement agencies and the Attorney General for anything, much less the killing of one person.

Before the facts have been collected, analyzed, and released, every pundit, talking head, columnist, and politician has a theory about what happened, why, who is to blame, and what should be done to reform American law enforcement. (For once, one of the least incendiary and mindless comments came from no other than Barack Obama, although that may have been because he did not want to interrupt his Martha’s Vineyard vacation. And Mrs. Clinton, usually anxious to be on the front page, must have carefully weighed the political consequences of any comment and decided that whatever she said would offend somebody, so kept her thoughts, for once, to herself.)

A Google search for militarization of police would make an innocent think that cops in battle gear and AR-15s, riding around in tanks and armored personnel carriers, are on every corner in every town and city in the United States. And that it is all anybody is thinking about.

Newsweek’s headline says that “Militarized Police Departments Don’t Work,” while the Huffington Post posits that militarized police are a “Threat to Democracy.” The ACLU sees it as “War Coming Home,” Salon.com tells us about “11 Chilling Facts about

America's Militarized Police Forces," and NPR informs of a report that points to "Dangerous Militarization of US Law Enforcement."

But by no means does the left have a monopoly here. The Heritage Foundation weighs in, telling us that "Law Enforcement Needs to Scale Down." The libertarian Cato Institute has been on the case for a decade with papers, columns, and speeches by Radley Balko, one of the leading journalists and spokesmen on the topic who subsequently wrote the book *The Rise of the Warrior Cop*.

Not to be outdone, and always looking for a way to get headlines, Senator and presidential hopeful Rand Paul, in last week's *Time* magazine, penned an op-ed calling for, guess what? – the Demilitarization of the Police, pointing his finger at big government as the culprit.

Everybody has a solution.

So what is going on? No question the police have acquired tons of surplus military equipment in recent years, and no question that many have developed SWAT teams and have used various military tactics, sometimes way in excess of what is needed.

Let's look at the facts:

1. The Pentagon has distributed, according to the Police Foundation, \$5.1 billion of surplus military equipment to local police departments. The Department of Homeland Security distributes another \$1 billion worth of equipment. Despite the outcry, Congress does not seem to object: an attempt to end the program just a couple of months ago was defeated by the House of Representatives in a vote of 355-62.
2. Law enforcement has been badly squeezed by budget cuts. Virtually every big-city department has had to cut personnel and cut back on equipment purchases because of lack of funds. Getting free vehicles, weapons, helicopters, night vision equipment, and the rest is welcome relief. Reports and news articles over the last four years have given the public a small glimpse into the devastating impact budget cuts have had on police departments. From Chicago and Baltimore to Pennsylvania and Detroit, underfunding has led to less personnel and equipment and more communities for each officer to police. Some departments are even scrambling to make more of these cuts to avoid pension collapses.

Jim Bueermann, president of the Police Foundation, told the *Los Angeles Times* last week "A lot of departments jumped at the opportunity to acquire things they normally could not afford. But just because we can get the equipment, it doesn't mean we should use it."

3. Ever since we learned that people are willing to use airplanes full of people as weapons, policing has changed and requires different strategies and tactics than it once did. If acts of terrorism do occur, the requisite equipment and strategies to control the situation will be most welcome

4. Violence against the police continues, day to day, unabated. From the assault in Southern California last year by a former officer that resulted in the deaths of four officials to the most recent example – Ferguson, Missouri – police are at high risk. In Ferguson riots, looting, attacks on other demonstrators and on the police became so acute that the governor – a Democrat who certainly consulted White House officials and the Justice Department first – imposed a curfew (which was ignored) and finally dispatched the National Guard to quell the riots. Most of us remember the mayhem caused by rioters in Los Angeles in 1992 – 50 people dead, 500 injured, \$1 billion worth of property destruction. Police are not going to control such violence with pellet guns.
5. America's cities are hardly armed camps. Most of the military equipment is safely stashed away in warehouses and rarely seen or used. I defy readers of this column to send in comments pointing out excess uses of military equipment or tactics by the police that they have personally seen, not just read about on the internet or seen on television. I'd be surprised if there are more than a handful. Like so many other issues, it only takes one or two ill-advised uses to rile up the politicians, the press, and all the go-alongs to imagine that democracy is threatened, war is coming to our cities, and the police, not the criminals, are the threat.
6. 1501 law enforcement officers have died in the line of duty in the last ten years – one every 58 hours, according to the National Law Enforcement Officers Memorial Foundation, and during the same period there have been 58,261 assaults against police officers resulting in 15,658 injuries. Police are trained to use restraint and no more force than necessary for the situation at hand, and rarely cross these bounds. It hardly seems unreasonable that sometimes they need to resort to a higher level of force to protect themselves and their colleagues, not to mention the general public. I spoke with former Attorney General Ed Meese, a long-time student of policing and advocate of good police work, who told me “when police officers face unusually dangerous situations, they need all possible protective equipment, including specialized gear and vehicles that may be used by the military. But,” Meese added, “officers and supervisors must take extreme care and utilize special safety measures to avoid the risks that come with the severe hazards involved in such exceptional use.”
7. Although gun violence is far lower than it was twenty years ago, there is still plenty of it. The National Institute of Justice reports that nearly 500,000 people were victimized with guns in 2011, most of the guns being illegal and unregistered. The proliferation of illegal guns often requires more “militarized” law enforcement response. My guess is that most of those victims would not object to police having some surplus military equipment.
8. Although there are certainly abusive uses of SWAT teams, they are used effectively and legitimately in almost all cases. The misuses, often in situations that turn out to be absurd, make for titillating news stories and fodder for pundits and politicians to denounce the whole concept. But in situations involving terrorism, hostages, and criminals with high-powered weapons, SWAT teams have been proven to be an effective weapon to dispel violence and restore the peace.
9. Military equipment and tactics are often used as a demonstration of available force, resulting in the age-old military concept of “peace through strength.” The

arrival of an armored SWAT team, for example, in a potentially violent situation, well before anything actually happens, will convince the offender that he has no chance of survival unless he surrenders. Similarly, just the arrival of an ominous-looking armored vehicle at a crime or riot scene can convince criminals that the better plan is to retreat before the equipment must be used. According to John Burke, who was team leader of 30 SWAT team members at the Detroit FBI office and trained countless SWAT team members at the FBI Academy, it is all about the professionalism and training of the team. "A well-trained SWAT team has no desire to shoot or injure anybody," Burke told me. "If good judgment is used, which from my experience it almost always is, a SWAT team is the a very effective way of restoring and keeping the peace."

There is no question that there are cases where the armoring up of police forces has been misused, often foolishly or because of lack of good training, good judgment, and good leadership. But those misuses are far outweighed by the effective demonstration and use of "militarization" by law enforcement. To condemn the practice overall because of a handful of misuses makes no more sense than to ban the purchase and ownership of handguns, rifles, and shotguns because a few people misuse them.