



Trump promise has little local effect

December 13, 2016

If president-elect Donald Trump keeps his promise, surplus military grenade launchers, bayonets, tracked armored vehicles and high-powered firearms and ammunition will once again be available to state and local U.S. police departments.

National police organizations say they'll hold Trump to that promise.

This change probably would have little effect on area law enforcement agencies, none of which have obtained the items in question in the last decade, according to the Open the Books website.

President Barack Obama issued an executive order restricting that access in 2015 amid an outcry over police use of armored vehicles and other war-fighting gear to confront protesters in Ferguson, Mo., after the fatal shooting of Michael Brown.

Since then, federal officials have recalled more than 1,800 items, which have been destroyed through target practice or otherwise disposed of, officials say.

But state police organizations have protested, insisting that military-style vehicles and gear help protect officers' lives and public safety — for example, a privately manufactured, tracked armored vehicle played a key role in the police response to the mass shooting at a county government building in San Bernardino, California, in December 2015.

Many departments in La Salle and Bureau counties have taken advantage of the 1033 program, which provides free military surplus equipment. Even the village of Lostant has armed itself with military-grade weapons, receiving \$120,000 worth over the last 10 years, including five M16 rifles.

The Ottawa Police Department, meanwhile, acquired equipment valued at \$188,000.

Other departments, however, have received no equipment whatsoever over the last 10 years, including those in Peru, La Salle and Spring Valley. Not one department in Livingston County acquired military items, according Open the Books.

In a June interview, Peru Police Chief Doug Bernabei said he had not applied for military equipment either as chief in Peru or Spring Valley.

"A lot of that equipment is geared toward the military," Bernabei said. "I haven't identified a need in-house for that equipment."

In the "unlikely event" the department needs a Humvee, the chief said, it can call for help with the state's mutual aid system.

During his campaign, Trump sided with the police. In September, he promised to rescind the executive order in a written response to a Fraternal Order of Police questionnaire that helped him win an endorsement from the organization of rank-and-file officers.

"The 1033 program is an excellent program that enhances community safety. I will rescind the current executive order," reads the response posted on the group's website.

"We take him at his word," Executive Director James Pasco said in a recent telephone interview.

The Trump transition team did not respond to questions from The Associated Press about the executive order.

National Sheriffs' Association Executive Director Jonathan F. Thompson said his group has pressed the topic in discussions with Trump's transition team. And William J. Johnson, executive director of the National Association of Police Organizations, said he was encouraged by his conversations with Trump representatives before the Nov. 8 election.

"The feeling that we got is they absolutely hear us and they share our concerns," he said.

Obama's order was triggered partly by police use of military-style gear and vehicles in response to the 2014 unrest in Ferguson. The order prohibited the federal government from providing grenade launchers, bayonets, tracked armored vehicles, weaponized aircraft and vehicles, and firearms and ammunition of .50-caliber or greater to state and local police agencies.

Since then, the Defense Logistics Agency has recalled 138 grenade launchers, more than 1,600 bayonets and 126 tracked vehicles — those that run on continuous, tank-like tracks instead of wheels — that were provided through the military's 1033 program, agency spokeswoman Michelle McCaskill said.

Peter Kraska, a professor at Eastern Kentucky University's School of Justice Studies who has studied the militarization of police, said Obama's executive order has had little effect because there was relatively little demand for the prohibited items to begin with.

"It was more symbolic politics than anything substantive," he said.

The order also added requirements for record-keeping, local oversight and training for the acquisition or use of other surplus military equipment such as wheeled armored vehicles, but those hurdles apparently have not deterred agencies from obtaining the gear. McCaskill said 183 law enforcement agencies have received mine-resistant, ambush-protected vehicles or MRAPs, through the 1033 program so far this year. That's more than the 165 MRAPs that were distributed in 2013.

Nevertheless, Kraska said, there's nothing to justify most police departments having such equipment.

"It just ramps up the probability that this kind of kind of high-end military hardware is going to be misapplied," he said.

But Cass County, North Dakota, Sheriff Paul Laney said the executive order is aimed at urban areas and ignores the usefulness of tracked vehicles in rugged terrain.

"They fail to realize the dilemma it puts sheriffs in who live in the rural areas, the desert areas, the mountain areas," he said.

Oakland County, Michigan, Sheriff Michael Bouchard, whose tracked vehicle was recalled, said rescinding the order would restore police access to equipment they've been denied for what he called "purely optic" reasons.

Groups on both ends of the political spectrum have expressed concern about police militarization, from civil-rights organizations such as the NAACP and ACLU to the libertarian Cato Institute.

Raed Jarrar, government relations manager for the American Friends Service Committee, a Quaker group committed to peace and social justice, said the executive order wasn't effective but rescinding it would send a message that "rather than attempting to curb militarism, the president-elect is planning to continue on that path."

The Charles Koch Institute, founded by its conservative billionaire namesake, considers the restrictions under Obama's executive order "a decent start," said William Ruger, vice president of policy and research.

"We don't want local police departments to be incentivized to get the types of equipment that in most cases are a better fit for the war zone," he said.