



Conservatives Pushing To “Disarm” Federal Agencies Hope Democrats Will Join Them

Conservatives pushing to limit the growth of federal police forces see an bipartisan opening after Ferguson.

By Evan McMorris-Santoro
August 15, 2014

Conservatives and libertarians who have condemned what they call a growing militarization of federal regulatory agencies are hoping the outcry over police tactics in Ferguson, Missouri, this week will bring a renewed focus to their cause and, for the first time, widespread bipartisan support.

In recent years, the number of federal agencies running armed police forces and using them to enforce laws and regulations has grown, a trend that has long troubled the coalition of libertarians and social justice progressives often linked on matters of criminal justice procedure.

Much of the debate over the growth of these police forces has been trapped in DC partisanship, however. After Ferguson, advocates are hoping that is finally going to change.

“I see a real connection. The new public debate on [militarization] is going to help focus attention on the regulatory side, too,” said Walter Olson, a top scholar at the CATO institute who’s written extensively about militarization. “There a lot of the same issues, and there are now really interesting possibilities for political coalitions as well.”

Until this week, opponents of regulatory agency militarization most often cited the 2009 and 2011 raids of the Gibson Guitar factory in Tennessee. Around two dozen armed agents from the U.S. Fish & Wildlife Service and other federal agencies stormed the factory as part of a larger federal investigation into allegations Gibson was using illegal wood in the manufacture of guitars. Eventually, the company settled with the federal government over the wood, but the image of guns and bullet-proof vests used in the raiding of a business over stacks of wood galvanized the tea party and quickly fueled conservative claims of Obama administration overreach.

Perhaps because of the tea party flavor to the outcry, or perhaps because progressives are likely to favor the strict enforcement of environmental regulations, the tactics used in the raid never really caused a bipartisan ripple in the political debate. Democrats, for

the most part, steered clear. Progressives mocked Republican politicians who rallied supporters with rhetoric about Gibson, which they saw as a larger attack on regulations rather than concern about the raids.

But with a Democrat now leading the House charge to demilitarize police forces like the St. Louis County force that arrested journalists and lobbed tear gas into crowds of protesters Wednesday night in Ferguson, Olson says it could be time for the tactics used in the Gibson raids and other government actions like it to jump into the wider political debate. One prominent Republican voice, Kentucky Sen. Rand Paul, has also been vocal on police demilitarization in the wake of Ferguson.

Olson, like other close observers of the so-called “regulatory agency militarization” issue, are cautiously optimistic that Ferguson is finally putting their cause in the public spotlight.

“They seems to not be breaking into the general public discussion until now,” he said. The questions surrounding the county police in Ferguson Wednesday and at the Gibson Guitar factory years ago are the same, Olson went on.

“Is more force being used [to keep people safe] or because the idea is to make more of a showing that law enforcement is in control?” he said.

Utah Republican Rep. Chris Stewart has introduced legislation aimed at reducing the arming of federal regulatory agencies. So far his “Regulatory Agency De-militarization Act” has no Democratic co-sponsors, but a staffer for Stewart said the representative has been out of the country, and the staff in his office focused on the militarization issue out as well during the long August Congressional recess, suggesting there hasn’t been much effort to capitalize on the militarization moment this week.

Olson said he’s hopeful a new bipartisanship around federal regulatory agency militarization will come, but he said the process will take time as the initial shock of Wednesday in Ferguson wears off and evolves in to a larger part of the political conversation.

“It’s early. Give people time to talk about it. I do think people will find we have a unique opportunity for people to talk to each other who don’t usually talk to each other,” he said. “I think the chance is there that now people are focused on some of the questions that civil libertarians have been asking all along.”