

GANNETT

MCSO termination: More scrutiny of military-surplus program ahead?

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Last week, Maricopa County Sheriff Joe Arpaio opened two letters, one from the Defense Logistics Agency and another from Payson police Detective Matt Van Camp, Arizona's 1033 state coordinator, each relaying the same message:

Because of the agency's continued failure to locate nine missing weapons issued by the Pentagon's 1033 program, the Sheriff's Office was terminated from the military-surplus program, effective immediately. The agency is required to return its cache of issued firearms, helicopters and other gear within 120 days.

The following day in Washington, D.C., U.S. senators assembled for a congressional trial on the militarization of local law enforcement, and the 1033 program was among those singled out for funneling surplus military supplies to police with what they say is scant oversight and training. Weeks earlier, President Obama ordered a review of such programs.

The timing of the local and national events may not have been coincidental, some experts say.

For decades, military-surplus programs have operated under thin public knowledge or scrutiny. But the by-products of the programs found a national stage this past month following the death of Ferguson, Mo., teen Michael Brown, when police answered the subsequent demonstrations with armored vehicles, gas masks and M4 rifles.

Harrowing images evocative of a war zone in the St. Louis suburb were enough to capture the attention of the nation and the Obama administration. It's likely the programs' administrators are

reviewing their policies accordingly, said Walter Olson, a senior fellow at the Cato Institute's Center for Constitutional Studies.

For the past two years, the Maricopa County Sheriff's Office has been suspended from the 1033 program due to the missing weapons, an action that prevented the agency from receiving more handouts but did not necessitate the return of what it had already received— until last week.

"The timing is interesting — the program had almost no scrutiny before Ferguson, Missouri, blew up," Olson said. "Agencies that might have been relaxed about giving extensions for explanations would now be insisting on more careful compliance."

Olson said the events in the past few weeks may have ushered in a new era for the surplus programs, run by the departments of Defense, Homeland Security and Justice.

"You have members of Congress who quietly voted for (the programs) now falling over each other, making sure it doesn't go too far," he said.

Olson said supporters are still backing the program in principal but realize the potential for abuse or embarrassing press coverage, and that the programs need to be more politically guarded.

The Maricopa County Sheriff's Office's dismissal was a first in Arizona, Van Camp said.

Currently, 97 other state agencies are receiving 1033's surplus gear and as many as a dozen others have dropped out voluntarily, he said. Those that have left the program on their own accord are eligible to come back, Van Camp said.

Although he wasn't sure of all the reasons agencies have bowed out, one said they didn't have the personnel to manage it, another didn't want to sign the agreement and another simply didn't see the value in the program, Van Camp said.

Van Camp said he's heard of agencies outside of Arizona terminated in the past and said he did not believe the Sheriff's Office's termination was related to the Ferguson outcry.

The prospect of termination was discussed with the agency two years ago, when the suspension and investigation into the missing weapons were initiated, he said.

Van Camp said he can't speak for the Defense Logistics Agency on why the final decision was made but stressed the program's focus on agency accountability.

At least two agencies in the U.S. have returned elements of the program in the wake of public outcry from Ferguson.

According to local media outlets, police in Davis and San Jose, Calif., planned to return their military-grade armored vehicles in efforts to stem community concerns.

"I think Ferguson really captured the attention of the nation," said Kara Dansky, a senior counsel at the American Civil Liberties Union's Center for Justice, and author of "War Comes Home: The Excessive Militarization of American Policing."

The Defense Logistics Agency did not respond to questions on the issue by Friday afternoon.