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American
Friends
Service
Committee

EQUIPPED FOR WAR

Exposing
militarized
policing in
California

EXECUTIVE SUMMARY

Communities across California have a unique, first-in-our-nation opportunity to create expectations around use of militarized equipment.

A California law (AB 481) signed into law on September 30, 2021, requires police agencies that have militarized equipment to define policies governing its use, and to report on deployments. In this report, we present an analysis of acquisitions, deployments, and use policies for military equipment, and law enforcement agencies' transparency on these issues. Our starting point is the perspectives and testimonies of people impacted by militarization.

We believe that communities need detailed, non-technical information about militarized gear used by law enforcement in order to participate in decisions about police actions that affect them, how to achieve community safety, and how public resources should be spent. To learn about and analyze such detailed information, American Friends Service Committee (AFSC) submitted more than 300 formal requests for police records using the California Public Records Act. It is our hope that our findings will provide grounding and insight for community members, elected officials, and journalists who support transparency and demilitarization of policing.

Militarization of the police in the U.S. has a long history. Yet the acquisition and use of military-grade equipment by civilian law enforcement agencies neither reduces crime nor increases officer safety. Several studies conclude that police departments that acquire military-grade equipment are more likely to use violence, including fatal violence. In 2020, law enforcement across the country deployed military equipment to suppress, in some cases violently, protests that erupted in response to the police murder of George Floyd and other Black people. Amnesty International documented 125 incidents of police violence over a 10-day period of these protests, including the deployment of teargas, rubber bullets and armored vehicles.

SWAT teams frequently use a range of militarized equipment, and SWAT deployments also disproportionately impact Black and Latinx households. Moreover, SWAT deployments impacting Black people are much more likely to be used for search warrants, while deployments impacting white people are more likely to be in hostage, barricade or shooter incidents.



PHOTO: AFSC San Diego

Militarized equipment is frequently used in prisons and jails. The California Department of Corrections and Rehabilitation (CDCR) reported 1,112 uses of tear gas and 903 uses of impact rounds in a 23-month period—more than all 51 other agencies combined for which we obtained data. CDCR spent more than \$45 million on firearms, chemical agents, and munitions from 2015 to 2021, for a prison population of no more than 120,000.

More than 150 police and sheriff departments in California acquired military surplus assault rifles or tank-like vehicles through the Pentagon's 1033 program. But as use of the 1033 program has declined, police and sheriff departments acquire most militarized equipment through direct purchases and state and federal grants, especially the Department of Homeland Security's Urban Areas Security Initiative and State Homeland Security programs, which grant more than \$40 million each year to California law enforcement agencies, most of it focused on countering terrorism.

Use Policies

The use policies for military equipment required by AB 481 must describe authorized uses and purposes of the equipment. Our analysis of initial proposed policies found that this is an area of significant non-compliance. Many policies describe authorized *users*, rather than authorized *uses*. Los Angeles PD is one of the largest police departments in the country, yet it does not publish a policy manual or use policies. Provisions for ensuring compliance and enforcement of the policies also were weak in policies we examined. Ordinances approving the use of military equipment should include provisions for a private right of action in order to ensure the policies are truly implemented.

Transparency

We made Public Records Act (PRA) requests for deployments and use policy data to 151 police agencies that had acquired armored vehicles or firearms through the federal 1033 program, and for purchase and deployment data to 131 police agencies. Our research found that while over 80% of agencies eventually responded to the requests, only 10% responded to militarized equipment purchase and deployment PRA requests within the 10 day-period mandated by law. Our data raises serious questions about California law enforcement agencies' abilities to provide data to communities, including to elected officials. In many cases, we found that the submitted request was not directed to relevant personnel, the agency required reiterated follow-up communications, or the responses were not timely.

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Companies

Our research sheds light on connections between law enforcement agencies and the companies that provide them with militarized weapons and equipment. We include profiles of such companies, including Lexipol, which sells policy manuals to police departments; manufacturers of the BearCat armored vehicle, firearms and less-lethal weapons; and regional distributors.

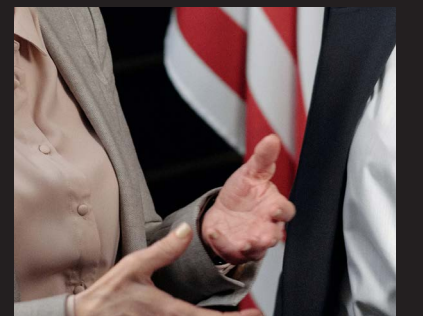
Conclusion

Militarized policing in the United States has been constructed over a long period of time, and has become embedded in the thinking, budgets, and institutional prerogatives of law enforcement officers and many civilians. It is built on narratives of fear and racism, as well as history and culture that embraces the practices of war. Deconstructing this militarization will require persistence from many individuals, organizations, and communities. We hope this report is useful in that endeavor.

Recommendations

We urge elected officials to ask hard questions about proposed use policies for military equipment submitted to them, to heed widespread community calls for demilitarization, and to reinvest resources used for militarized policing into community needs for mental health care, housing, drug treatment, health, employment, and reparations.

We urge California Attorney General Rob Bonta to publish guidance for cities and counties to implement AB 481 that states that use policies must clearly outline authorized and prohibited uses (not just users) for each type of military equipment.



For the full report and recommendations to elected officials, community members, journalists and scholars:

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