



Written by [Joe Wolverton, II, J.D.](#) on September 23, 2020

## Report: Local Law Enforcement Receiving Billions in Weapons From Pentagon

“They will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty.”

— George Washington, Farewell Address (1796)

Barney Fife carried one bullet in his pocket. Back at the jailhouse, he and Sheriff Andy Taylor had one rifle each.



Today, a small-town police department such as that in Mayberry would likely own an armored personnel vehicle and military-grade weapons that would compare to any arsenal at any Army post.

A new report published by Open the Books reveals the shocking proliferation in local law-enforcement departments of combat materiel produced for use by the U.S. military.

As reported in *Forbes*:

Local law enforcement agencies have since 1993 received billions of dollars' worth of military equipment including mine resistant vehicles, armored trucks, helicopters, M16's and M14's, infrared goggles, grenade launchers, and airplanes. The gear transfers are part of the Pentagon authorization known as Program 1033.

Surprisingly, California's police departments — a state with some of the strictest gun laws — procured the most military weaponry from the Pentagon.

California (\$153.1 million) edged out Texas (\$144 million), Tennessee (\$133.7 million), Florida (\$105.6 million), Arizona (\$93.9 million), Alabama (\$88.7 million), and South Carolina (\$76.3 million) in the receipt of military surplus equipment.

You may look at that list and imagine that Los Angeles and Miami and Houston probably could make use of military weapons, vehicles, and clothing.

Would you feel the same about small-town police departments getting gear made for the battlefield? Consider this from the Open the Books report:

Even thinly populated counties in California procured mine resistant vehicles. For example, Amador County (pop. 38,000) in the Sierra Nevada mountains received two (\$1.3 million value).

In Texas, the Cypress Fairbanks Independent School District police received 60 bayonets-knives (\$4,236 value) and Granite Sholas police procured ten more. Please explain the policing purpose of a bayonet — in a school district? Our request for comment was ignored.

In Wyoming, the Campbell County sheriff's Office (pop. 46,341) received \$1.5 million in gear including two mine-resistant vehicles, an armored truck, and 17 M14 rifles.



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In 2016, citizen outrage helped shut down a local police department in Illinois after our oversight reporting at Forbes revealed that the police in London Mills (pop. 381) acquired \$201,445 in military equipment including rifles, generators, trucks, and Humvees.

Bayonettes for school resource officers?

Humvees for police in a town with a population below 400?

Mine-resistant vehicles in the small towns of the mountains of California?

Is there a need for such things, or is the supply creating the demand?

In an interview conducted for an earlier article on this subject, Jim Fitzgerald of the John Birch Society said there is “virtually no use” for the military-grade equipment being obtained by local law enforcement.

“The only reason to have this equipment is to use it,” Fitzgerald said.

From the arsenal to the attitude, Fitzgerald’s statement seems prophetic as police are acting less like public servants and more like special forces.

In an essay published in the *Wall Street Journal* last August, Radley Balko, author of *Rise of the Warrior Cop*, presented chilling and convincing evidence of the blurring of the line between cop and soldier:

Driven by martial rhetoric and the availability of military-style equipment — from bayonets and M-16 rifles to armored personnel carriers — American police forces have often adopted a mind-set previously reserved for the battlefield. The war on drugs and, more recently, post-9/11 antiterrorism efforts have created a new figure on the U.S. scene: the warrior cop — armed to the teeth, ready to deal harshly with targeted wrongdoers, and a growing threat to familiar American liberties.

Everyone has heard of stories of police storming a house wearing masks covering their faces, dressed in military special forces-style black uniforms and battle helmets. They bust down the door using a battering ram, then rush the occupants, seizing and breaking one camera and preventing another from recording the remarkable scene.

What was the heinous and violent crime for which the intended target of the raid was charged? Murder? Rape?

Credit-card fraud.

Again, sounds like Jim Fitzgerald was right on target with his “if they have it, they’ll use it” prediction.

And, the Open the Books report reveals that more and more local law-enforcement agencies are happily taking the Pentagon’s hand-me-downs.

Regarding the armored vehicles such as the one in the example above, police have taken possession of 284 such vehicles worth over \$24 million under the Pentagon’s 1033 program.

There is something unseemly about this stockpile of tools and technology being gifted to police departments. Consider this highlight from the Open the Books report: “Transfers included night-vision sights, sniper scopes, binoculars, telescopes, and goggles (131,358 items, \$42 million value); mine detecting sets, marking kits, and probes (230 items, \$599,341 million value).”

Many of you may be thinking that while there are some such examples of unnecessary use, there’s no real harm in giving police the Pentagon’s weapons.



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Echoing General George Washington's warning in his Farewell Address, Radley Balko connects the menace of the martial police with the decline in liberty and a disintegration of legal boundaries between sheriffs and generals:

Americans have long been wary of using the military for domestic policing. Concerns about potential abuse date back to the creation of the Constitution, when the founders worried about standing armies and the intimidation of the people at large by an overzealous executive, who might choose to follow the unhappy precedents set by Europe's emperors and monarchs.

Washington and Balko are but two of the men who've raised the warning voice regarding the danger from a more militarized society.

During the Virginia ratifying convention, James Madison described a standing army as the "greatest mischief that can happen." His colleague and fellow delegate to the Constitutional Convention of 1787, George Mason, put a finer point on it:

No man has a greater regard for the military gentlemen than I have. I admire their intrepidity, perseverance, and valor. But when once a standing army is established in any country, the people lose their liberty. When, against a regular and disciplined army, yeomanry are the only defence [sic], — yeomanry, unskilful and unarmed, — what chance is there for preserving freedom? Give me leave to recur to the page of history, to warn you of your present danger. Recollect the history of most nations of the world. What havoc, desolation, and destruction, have been perpetrated by standing armies!

In commenting on William Blackstone's *Commentaries on the Laws of England*, founding era jurist St. George Tucker speaks as if he foresaw our day and the fatal combination of an increasingly militarized police force and the disarmament of civilians.

"Wherever standing armies are kept up, and the right of the people to keep and bear arms is, under any colour or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction," Tucker warned.

Finally, there is nothing in the Constitution authorizing the federal government to dole out the billions of dollars in war weapons and machines that are behind the militarization of the police.

The solution, then, to the military tactics, training, tools, and technology being deployed by local law enforcement could be the application of the 10th Amendment.

The 10th Amendment mandates that if the power isn't granted to the federal government in the Constitution, then authority over that area remains with the states and the people.

Naturally, the bureaucrats in charge of keeping the cash flowing from the Department of Defense to police and sheriffs want to keep the spigot open.

This transfer of technology and materiel will separate the police from the people they serve and make them dependent on their would-be bosses in Washington, D.C.

Police, unless the people stand up and interpose, will become nothing less than federal security agents sworn not to protect and to serve their neighbors, but to protect the prerogatives of politicians.



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