



NATIONAL FRATERNAL ORDER OF POLICE®

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The Honorable Patrick J. Toomey
United States Senate
Washington, D.C. 20510

Dear Senator Toomey,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for legislation which you have introduced, S. 2964, the "Lifesaving Gear for Police Act."

Your bill will restore the important equipment programs for State and local law enforcement and roll back the limitations imposed last year on the types of equipment that can be made available to law enforcement.

The FOP has long supported programs like the 1033 program, which is a surplus equipment program administered by the Defense Logistics Agencies (DLA) and the Law Enforcement Support Office (LESO) at the U.S. Department of Defense (DoD). In reaction to unfavorable news coverage of law enforcement response to large demonstrations, the Administration was suddenly concerned about our nation's police becoming too "militarized." In an effort to "demilitarize" the police, the Administration and Members of Congress identified this long-established program for elimination or reduction simply because it was administered by the DoD.

By Executive Order, the President established a Law Enforcement Equipment Working Group (LEEWG) and tasked it with improving all existing Federal programs which provide local, State, tribal and Federal law enforcement agencies (LEA) with equipment. The FOP believes that the recommendations, some of which went into immediate effect, do not improve on these programs and reduce the type of equipment available to law enforcement. For example, the .50 caliber round can no longer be procured by LEAs from any Federal equipment program. This is despite their use in stopping an attack on the Dallas Police Headquarters by a gunman in an armored vehicle. The vehicle was disabled by officers firing .50 caliber rounds into the engine block.

The recommendations of the LEEWG went into effect on 1 October of last year and the DoD is nearly finished with its recall efforts to remove equipment like certain armored vehicles. These vehicles are constructed so as to protect officers and citizens from gunfire, as we saw most recently at the tragic shootings in San Bernadino. Officers were able to safely approach the shooters' escape vehicle, an SUV, by approaching them with multiple armored vehicles. No one at the scene of this tragic event, I assure you, was troubled by the appearance of the vehicle or the

responding officers, even if the media would describe the response as “too militarized.” This equipment, while politically incorrect, saved lives on that day.

The FOP also finds offensive the central premise which drove the LEEWG to identify what equipment should be prohibited and controlled list:

However, given the potential for misapplication of controlled equipment listed above, LEAs must provide expanded justification for its acquisition, including a description of how the equipment would be deployed, the agency’s policies and protocols on deployment, and verification of training provided to LEAs on the appropriate use of such controlled equipment.

Simply put, now standard equipment like an anti-ballistic shield is controlled for fear that a chief, sheriff or other operational command officer may “misapply” its use. This is absurd and the Justice Department has not produced any data nor conducted any studies to support its theory that State and local law enforcement agencies are misusing equipment obtained through Federal grant programs—apart, perhaps, from appearing too scary in news broadcasts.

The FOP believes that programs like the 1033 program are very valuable to State and local law enforcement and we pledge to work with you to restore them and eliminate the restrictions imposed by the Administration through the LEEWG. On behalf of the more than 330,000 members of the Fraternal Order of Police, thank you for your consideration of our views and please feel free to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,


Chuck Canterbury
National President