

The Salt Lake Tribune

Military weapons sent to local police — the 1033 Program

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The Program

Congress created the 1033 Program in 1996 to send surplus military gear — from pliers to armored vehicles — to local police. The program is managed by the [Defense Logistics Agency's Disposition Services](#). Both are subunits of the Department of Defense.

How it works

Local police first register to be part of the program. Then the police force submits applications for surplus military equipment to a designated [state coordinator](#). In Utah, at least, the coordinator reviews the application to see if the equipment requested meets a law enforcement need. If so, the coordinator forwards the application to DLA Disposition Services. What happens next is up to that office.

If police get the gear...

Tools, clothing, emergency supplies and everything else become property of the police force. Weapons and vehicles sent to local police are called “controlled” items. They remain property of the DOD but are considered on permanent loan so long as the police force keeps and maintains them. Controlled items are also subject to regular audits from DLA Disposition Services. The most-recent audit in Utah found one agency lost an M-16. The entire state was banned from the program for about a month until the police force that lost the M-16 developed a corrective action plan. To date, the M-16 remains missing.

Get the records

The Defense Logistics Agency will respond to FOIA requests listing what supplies have been sent to your state. But it doesn't do so easily. The DLA only wanted to give me two years worth of Utah records. [Judith Mansfield](#), the FOIA officer at DLA Disposition Services, said it would be time consuming to provide more records than that. Also, citing security concerns, DLA Disposition Services would only provide records for controlled items on a county basis. So, for example, rifles may have been sent to Cedar City, Utah, but that town did not appear on the spreadsheet. Instead, those rifles would be in a row for Iron County, Utah.

I accepted this limited records batch in order to get a sample of what Utah received. The records proved to be valuable, and I plan to ask for more.

You can also submit a records request to your state coordinator. Here are some electronic databases or spreadsheets and another record to request from both the feds and the state:

- A list of the police agencies in your state that participate in the 1033 Program¹
- All the equipment given to police in your state²

¹ Even if your news outlet is focused on a city, county or section of a state, it's important to remember that a statewide agency might participate in the 1033 Program and could drive its MRAP or fire M-16s in your town.

² Ask for everything in the program's history. If necessary, you can negotiate to a lesser span of years. Also,

— The most-recent audits for every 1033 participant in your state

The reporting

After you receive your data, call some of the police forces who received the weaponry to ask why they need it and how it's being used. Has a gunsmith disabled the automatic firing option on the M-16s? Are the officers or deputies going to fire grenades or gas rounds from the grenade launcher? Have policies been written about when an armored vehicle can be deployed? How much did it cost to retrofit that armored vehicle for police use and what will it cost to maintain it?

Also, sometime in the first half of 2014 the American Civil Liberties Union is expected to release a report on the 1033 Program and SWAT teams. Part of the report is to be based upon record requests the ACLU sent to police forces across the country. Find the report or ask the ACLU what it found in your state and community.

Be careful

Read that part again about how controlled items are listed on a county basis. Just because a county appears on your spreadsheet doesn't mean it all went to your sheriff.

Watch out for police chiefs or sheriffs telling you their jobs are getting more dangerous and bad guys are increasing their firepower. Crime and police deaths are both in longterm declining trends.

Similarly, watch out for opponents of the 1033 Program claiming it increases the risk for violence. No one is collecting any data showing weapons from the program are being used to hurt or kill people.

Links:

DOD page for the 1033 Program: <https://www.dispositionservices.dla.mil/rtd03/leso/>

List of state coordinators: <https://www.dispositionservices.dla.mil/rtd03/leso/statecoorinfo.shtml>

DLA Disposition Services FOIA info: <http://www.dla.mil/foia-privacy/Pages/FOIAPOCs.aspx>

Salt Lake Tribune report on 1033 Program: <http://bit.ly/1e4qnIU>

Salt Lake Tribune graphic on the program: <http://tinyurl.com/mjzgg4d>