

# Drug Policy Alliance

## Criminal Justice Issues and Prisoners' Rights

**<https://drugpolicy.org/resource/dpa-podcast-episode-37-police-militarization-not-normal>**

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In her own community in Santa Fe, New Mexico, DPA Senior Director Emily Kaltenbach sees police with assault rifles, submachine guns, grenade launchers, and even tanks. To help us understand the far-reaching implications of the presence of this military equipment, Emily joined us to explain the policy, practices, and history behind the militarization of police, and how deeply embedded it is as a tactic of fighting the failed drug war. As an expert in local-level reform, she lays out the key reform initiatives necessary to demilitarize police and ensure real public safety.

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Welcome to Drugs and Stuff, a podcast from the Drug Policy Alliance.

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### **Gabriella Miyares (0:09)**

Welcome to Drugs & Stuff. I'm your host, Gabriella Miyares. Over the past few weeks and months, we've seen a national movement take hold. Black Lives Matter echoes in the streets, a cry that responds to the police killings of black people like George Floyd and Breonna Taylor. As a society, we are looking at the brutal policing practices that have gone on for so long, and we are pushing back. One phenomenon that has come under recent scrutiny has been police militarization. But what is that exactly? And how does it tie into the war on drugs? I spoke with my colleague, Emily Kaltenbach to get a quick overview of what police militarization is, how it came to be, and what we can do about it.

### **Gabriella Miyares (1:01)**

All right. I am so excited to welcome Emily Kaltenbach who is a Senior Director at DPA and also the New Mexico State Director. And she's going to be talking with us about police militarization today. Emily, welcome.

### **Emily Kaltenbach (1:16)**

Thank you so much, Gabriella. I'm so excited to talk to you today.

### **Gabriella Miyares (1:21)**

So you've been working with other members of DPA's policy team around issues of policing recently and nationwide, we've seen so many protests against racism, police brutality. We've seen evidence, you know, locally and nationally of police militarization with the riot gear, body armor, things like that. So can you speak a little bit about what police militarization actually means and how did things get this way?

### **Emily Kaltenbach (1:51)**

Yeah. I mean, we throw around this term militarization of police and sadly, it's become sort of a norm, right, but it's important to stop and really think about, what does that mean? And what does that mean to our local communities? So obviously, you know, militarization of police refers to, as you mentioned, sort of this military equipment and tactics by law enforcement that is used in the military. So, you know, unfortunately, it's not a surprise to see local police agencies with armored vehicles, right. Even I'm in New Mexico, some of our smallest rural communities have tanks, right. We see police with assault rifles, submachine guns, grenade launchers, all of the and then also, I think it's important to mention sort of the, what they call, special weapons and tactics teams, SWAT teams, that are very common. So, you know, I think at a very basic level, that's what we mean by militarization. But I think it's also important to note that a lot of police agencies hired individuals who served in the military so they were trained in some of these tactics. I think some research even indicates that some of the police officers that served in the military and were trained that way are more likely to use violence against community members. And then it's also a culture which is really scary about how police perceived the public, right. So they see them

more as an enemy than part of the community they are serving. And then of course, we see then the use of these, this militarization, primarily impacting people of color in the community.

**Gabriella Miyares (3:34)**

What are some other consequences that we're seeing with the advent of police militarization? And also, how does that tie into our work at DPA and drug policy?

**Emily Kaltenbach (3:45)**

So I think, if you don't mind, I'd love to just sort of hit on some of the history of where we got here because, not surprisingly, it's very much been fueled by the war on drugs and sort of how our work ties into that. But there are two programs at both so at a federal level, that's the 1033 program, where, and I don't think most of the public realizes this, but basically, the Department of Defense can transfer all of this equipment for use in local law enforcement. So and that really the history of that was that those were used in counterdrug activities, right. So here we have all these local programs being can apply to get military equipment from the federal government under the 1033 programs. So I just want to mention that. I also want to mention asset forfeiture programs. This is an area that DPA has worked in for many years, is trying to end civil asset forfeiture programs and for the listeners, that means that police are in those states that still allow it or allowed to seize property. Even if there isn't a criminal conviction, right. So police could pull over a car and just say, "well, we, we think that this car's been used for drug activity," they could seize that property. And oftentimes, that property then is sold to buy military equipment for local police agencies. So I just want to mention like, these are drug war programs that have fueled the militarization at our local level. Now, now that those local agencies now, one, have the equipment, maybe using the tactics and sort of have the culture of militarization, we see that being deployed against our communities of color and using sort of the, the cover of drugs, right. It's become a justification to enact sort of lethal virus violence. So, you know, SWAT teams are a perfect example where we're seeing those military equipment and the tactics being used to counter, what they are saying is, sort of the war on drugs in our local community. So I just think it's important to sort of mention that because that has really been fueled, you know, over the last 50 years now by Nixon, you know, and going back to that point I made earlier about the public being an enemy combatant. You know, if you hear Nixon's, or remember Nixon, and what he said was, you know, drugs are public enemy number one, right? So we're using this sort of combatant language, that every war has an enemy and so the drug war has this enemy and it's our local community.

**Gabriella Miyares (6:42)**

It's something that we see over and over where the reaction or the police response to something seems so outsized to the actual issue, if there is any issue, right. And the drug connection is really strong. So, you know, as people are protesting, as people are in the streets, calling for change that's desperately needed here. What does demilitarization look like in practice, like, how can we get there? What would that, you know, what would a new police look like?

**Emily Kaltenbach (7:15)**

I mean, we have to reimagine public safety completely. But there are some steps that, you know, we should take immediately, which is ending the 1033 program that I mentioned. So our local police agencies should never be getting this military equipment and we should stop that immediately. I think there are some other, you know, the asset forfeiture program. So we need some of our states have already banned the civil asset forfeiture, but we need to continue to do that both at a state and federal level, so that we're not policing for profit. And when we police for profit, we tend to buy military, you know, equipment. And then you know, something that I think is really, really important next step is that local all the way from a local to a federal level we need to end and ban no knock and quick knock warrants. So this has become a term that I think the community is hearing more and more because of the murder of Breonna Taylor. In Louisville, Kentucky when she was murdered in her bed because police entered into her home with a no knock warrant, just to get evidence, right. So a lot of the time we use these SWAT teams to get evidence of drug crimes. And in the process, we see people of color dying at the hands of police. So I really encourage us to start, as a movement, to encourage our local electeds to ban no knock and quick knock warrants. We need to do that at a local level, a state level and also at a federal level. And we're seeing some of those calls happen at a congressional level.

**Gabriella Miyares (9:01)**

So those, you know, those concrete steps that we can take, you also mentioned that the future of public safety, you know, really needs to change completely. So do you have any thoughts on you know what that looks like? Even you know, if it's not this year, next year, what it could look like, in a decade or beyond that?

**Emily Kaltenbach (9:22)**

Well, I mean, from a drug policy perspective, we really need to decriminalize drug use and possession, right. So we need to take away, from a policing perspective, the reason police are policing our communities is because of the threat of drugs, right. And so that would be you know, I hope in 10 years, we have decriminalized, we've completely taken drug use and possession out of the criminal justice system. And that we have a robust public health system and social service system that can support individuals who may want or need to be wrapped around with health services. I think though we also need to, like public safety is public health, and we should not have police responding to so many issues in our community. I don't know exactly what it looks like. But we need to make sure that drugs are never a pretext to call police, drugs or drug use.

**Gabriella Miyares (10:35)**

Absolutely. So that ties into my next question, which is how the work that DPA has done in the past and currently does ties into all of this. So what are we currently working on that will allow for a change in public safety and public health that will lead to the end of militarized police and to kind of the harmful practices of police writ large that we're seeing right now.

**Emily Kaltenbach (11:02)**

Yeah. I mean, I'd go back to some of the, you know, banning the 1033 ending the 1033 program, banning no knocking quick knock warrants. Some of that's work we're doing. Ending civil asset forfeiture. We, you know, really, we've been doing this work for a long time. We need to end the drug war. And by ending the drug war, is defunding the police for drug related crimes. This is not a response. We, I think, at DPA have been in this space for a very, very long time. We are advocating for pre-booking diversion programs for the decriminalization of drug use and possession. All of these things are, you know, steps towards demilitarization and defunding police in order to end the drug war.

**Gabriella Miyares (11:58)**

So for our listeners, that you know, are with us today and are inspired to take action. What would you recommend that people can do on the local level and maybe even on a larger scale?

**Emily Kaltenbach (12:13)**

Yeah, I really love the power that we have at a local level. And some of the work I've done around, you know, school drugs strategies, I think is very relevant in this moment in time. And I would encourage listeners to get involved at a local level and one of those easy thing and it's not easy but it's an ask that I think will have a huge impact and that's asking for your local community to ban no knock and quick knock warrants. I think that is super important. It's something that we can really organize around and that listeners can really have a voice in and so that's that's one call to action. Louisville, Kentucky did it after Breonna Taylor's death. I think local communities all around this country can make a statement by passing ordinances to ban no knock warrants. This is the way we can push up to a federal level to have a larger, bigger, more impactful change.

**Gabriella Miyares (13:16)**

So Emily, thank you so much again, for joining us today. I think you gave a quick but really insightful overview of, you know, the issue of police militarization, which is all, you know, over the news right now, but also making a great connection around police and drug policy, which is not something that a lot of our listeners may have understood to that degree. So I really am so appreciative of your time and the work that you're doing the work that DPA as a whole is doing and I hope you'll be able to join us again.

**Emily Kaltenbach (13:50)**

Thank you so much, Gabriella. I'm very hopeful that we'll be able to make a huge impact and demilitarize police and I really see this begins both at a local and a federal level.

**Gabriella Miyares (14:09)**

Thanks again to Emily for offering such a great overview for us. DPA continues to work to make communities safer and healthier. Whether that's in the middle of a pandemic, or in the middle of a movement against police brutality. To learn more about what we do, visit our website [drugpolicy.org](https://drugpolicy.org). If you have ideas for new topics we can cover, tweet us @drugsnstuffDPA. Thank you for listening and hope you'll join us next time.

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