*The Rise of the Warrior Cop: The Militarization of America’s Police Forces* by Radley Balko

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| **Year** | **Topic/Title** | **Description/Details** |
|  | Fundamental Police Duty | Protect human life.  Only justified in taking a life as a *last* resort. |
| 2010 | Flash-bang grenades | Scared a woman to death. Create confusion; make it difficult to identify who’s raiding your house. Killed and injured military personal.  “But in raids for nonviolent offenses, sowing confusion only *increases* the potential for violence.” (p. 278)  Police call them “non-lethal.” |
| 1572- present  1760 | Castle Doctrine  Taxes and import restrictions on the colonies | Inherited from British common law, moved the colonies to revolt. “Holds that a ‘man’s home is his castle.’ But it springs from an older, much broader sentiment that the home should be protected as a place of refuge, peace, and sanctuary.” (p. 6) |
| 1600  1700 | Night watch patrols, Northeast colonies | Voluntary, then paid. Early American cities. Rounding up drunks, preventing petty infractions. |
| 1600-1700  1750 | Slave patrols, Southern colonies  Laws formalizing slave patrols | Armed, uniformed. Arrest, search and detain slaves. Enter slaves quarters at will. Often morphed into official police forces. |
| 1778 | Third Amendment | “Implicit in the sentiment is not only the right to repel criminal intruders but also the idea that the state is permitted to violate the home’s sanctity only under limited circumstances, only as a last resort, and only under conditions that protect the threshold from unnecessary violence.”  Modern drug war has led the US Supreme Court to abandon the Castle Doctrine, though the still recognize it, which protected homeowners form unnecessary violence. General warrants and writs of assistance pissed off colonists and lead to revolts.  “What we might call the ‘Symbolic Third Amendment’ wasn’t just a prohibition on peacetime quartering, but a more robust expression of the threat that standing armies pose to free societies. It represented a long-standing, deeply ingrained resistance to armies patrolling American streets and policing American communities.” (p. 13)  *Posse comitatus* has become a Symbolic 3rd term, indicating out aversion to putting soldiers in the streets. |
| 1807 | Insurrection Act | President could send in military to put down rebellions. (p. 18) |
| 1829 | First Modern Police Force, London, Sir Robert Peel (“Bobbies”) | Blue uniforms to distinguish from the British military red. Checks to retain local control over the force. Fight crime and protect individual rights. (p. 29) |
| 1845 | First modern-style police department in the US, New York | Unarmed and without uniforms, fear the LDN were too militarized. No training or standardization, known for corruption, brutality and incompetence. Perk of patronage.  Wealthy looked to Pinkertons for reliable security/crime solving. |
| 1854 | The Cushing Doctrine | US Attorney General Caleb Cushing’s policy state that US marshals could call up the military to help them enforce federal law, without explicit authorization from the president or Congress. (p. 22) |
| 1870  1871 | The Force Acts | 1) Federal crime to use threats, force, intimidation or bribery to keep someone from voting based on race or prior slave status.  2) Allowed federal oversight of elections if 2+ in town 20,000 people asked for it.  3) “Ku Klux Klan Act.” Gave federal gov’t sweeping authorization to use the military against any groups suspected of conspiring against federal law. Made the terror and intimidation tactics used by KKK a federal offense and authorized the president to suspend habeas corpus if other efforts weren’t working. (Disputed 1876 election, Repub. Rutherford B. Hayes became president-elect with deal that he’d pull troops out of the South).  (p. 23)  As long as there were troops, Reconstruction worked. |
| 1877 | Posse Comitatus Act | Kentucky Rep J. Proctor Knott. Repealed Cushing Doctrine. Not lawful to employ any part of the US Army “for the purpose of executing the laws, except…expressly authorized by the Constitution or by act of Congress.” (p. 24) |
| 1900-  1903  1932  1935  1957 | Direct militarization  Militia Act/National Guard Act  Bonus March: WWI Veterans & Hooverville  US Army Basic Field Manual available to public  Little Rock post *Brown v. Board of Education*, 9 black students at a high school | Use of standing military for domestic policing. Requires formal declaration by president, or Congress act.  Converted state militias into National Guard. Established office in the Pentagon to oversee the Guard and appropriate funds to run and train. Report to respective states. Also called up by president, wouldn’t be so different from the military. Made some governors more reliant on the military to quell disruptions, more likely to request help form president. Military leaders weren’t keen on this trend – know it upset public opinion of military.  Demand bonus payment. Makeshift city. Two regiments and six tanks moved to capital, General Douglas MacArthur and Major George S. Patton. Troops charged protestors with guns and tear gas.  Domestic disturbances. Fire into crowds. Instructions for artillery, mortars, grenades, chemical warfare on US citizens.  Governor sent Arkansas National Guard troops to prevent them from entering, then let a mob force the students to withdraw. President Dwight Eisenhower reluctantly ordered troops from 101st Airborne Division to escort the students to school. Then he federalized the National Guard and they took their place. (p. 40) |
| 1900-1930 | Professionalism movement  Police Chiefs’ Union | Formal profession. Standards, specialized knowledge. Career. |
| 1905-1935 | August Vollmer, Police Chief in Berkeley, CA | Police radios, squad cars, bicycles, lie detector tests, crime labs.  Cops walking beats were friends with citizens and community leaders. Squad cars made cops faceless and intimidating. Increasingly antagonistic. |
| 1919-1920  1919 | Eighteenth Amendment  Volstead Act | Banned production, sale and importation of alcohol. Parallels to modern drug war.  Enforcement. Gov’t created new black market, compete over turf, with bigger and bigger guns. “The ensuing arms race produced heavily armed police forces.” (p. 33)  Couldn’t dehumanize drinkers because Volstead criminalized the production and sale, not possession and consumption. |
| 1933 | Repeal of Prohibition, return of professionalism | End patronage systems. Insulate police from politicians altogether sometimes, making it difficult to hold police accountable. |
| 1950 ~ | “Blue Code of Silence” | Unions help enforce. Never rat out or testify against another cop.  Reinforce, us v. them. |
| 1950-60s | William Parker, LAPD chief | Rigid, hierarchical, militaristic bureaucracy. Loathed community policing. Wanted a wall between cop and community, likely stemming from anti-patronage sentiment. Made cops indifferent to their patrol areas, gave them idea “that they were all that stood between order and anarchy.” (p. 35) Made cops view citizens as the *other*, the enemy. |
| 1953-1969 | Warren Court | Eisenhower nominated Earl Warren to be chief justice of Supreme Court  *Mapp v. Ohio* (1961) Fourth Amendment protection from unreasonable search and seizure applies to states.  *Robinson v. California* (1962) Incarcerating for being addicted to drugs violate violates the Eighth Amendment.  *Gideon v. Wainwright* (1963) States are obligated to pay for an attorney for indigent defendants.  *Brady v. Maryland* (1963) Prosecutors must turn over exculpatory or mitigating evidence to defendants when is material to guilt or to sentence.  (1964) Suspects have right to attorney during police interrogations too.  *Miranda* (1966)  *Katz v. United States* (1967) Expanded Fourth’s protections from “unreasonable search and seizure” to “a reasonable expectation of privacy” – now need to include phone taps on warrants.  *Terry v. Ohio* (1968) [Expansion of POLICE AUTHORITY] Police officers can stop, detain and frisk someone on “reasonable suspicion” for criminal activity or if they’re about to. |
| 1960s | Indirect Militarization beginning | When police agencies and police officers take on ore and more characteristics of an army. Mixing military and police. Military training police. “Instead of allowing our soldiers to serve as cops, we’re turning our cops into soldiers.” (p. 41) |
| 1963 | *Ker v. California* | Police supposedly saw Ker buy marijuana from a “known” seller, claimed an informant told them that Ker was also known to sell, got a passkey, walked into Ker’s apartment, arrested his wife and him for a little over 2lbs. marijuana. 8-1 ruling, Fourth Amendment requirement that searches be reasonable applies to the states as well as the federal gov’t, and that unlawful search evidence is inadmissible. But 5-4 split found that the search of Ker’s apartment was lawful. Probable cause to arrest him.  “Exigent circumstances” – if suspect will destroy evidence, if announcing will jeopardize police’s safety, if emergency, if knocking would be a futile gesture.  “The courts have since held that police may enter at the scene of a search without announcing even with a regular warrant if they hear or see activity inside the residence that merely suggests someone is destroying evidence.” (p. 46)  “Here too he [Brennan, judge in minority opinion] would be proven correct in the coming decades: dozens of police officers would be shot, maimed, and killed during unannounced raids—often be citizens who could plausibly claim that they thought they were firing at criminal intruders.” (p. 47)  Court’s interpretation of the Fourth Amendment put evidence on preserving evidence and protecting law enforcement that on Castle doctrine and protecting the home from violence. |
| 1964 | “No-knock” and “stop-and-frisk” bills in NY | Pushed by Nelson Rockefeller. He gave the policy a name, branded it, if you will.  Special search warrant for police to ignore the knock-and-announce requirement with exigent circumstances agreed upon by judge.  Police could stop, detain, and pat down anyone “suspicious” in a public space.  The no-knock law was barely used, probably not even wanted by the police. Gained public brownie points. |
| 1965 | Jack Ray Hoxie shootout | Hoxie exchanged gunfire with more than 50 policemen from his front door. Gates used the incident to justify SWAT. “…To devise another method for dealing with snipers or barricaded criminals other than our usual indiscriminate shooting.” (p. 60) |
| 1965 | Watts riots | Culmination of years of animosity between blacks and LAPD Chief William Parker’s administration  Disbursed, random and disorganized  Snipers picked off cops from windows and roves  No US military troops, instead 13,500 CA National Guard troops under LAPD command  Middle, white America watched 5 nights of black people looting and burning down their own neighborhoods. Signs of rising criminal class. Nixon’s “The Silent Majority.” (p. 53)  Daryl Gates: “We did not know how to handle guerrilla warfare.” |
| 1965 | Watts Riots  Parker’s protégé controlled police response: Daryl Gates | Racial tension explosion in LA. |
| 1965-70 | Delano Grape Strike (w Cesar Chavez)  Specialization | Measures to keep strikes form turning violent. Crowd control, sniper skills, specialized weapons, riot response, surveillance. |
| 1966 | Texas clock tower massacre | Charles Whitman. Shot mother and wife. Ex-marine. Went to clock tower at University of TX at Austin. Indiscriminate, precise shooting people 230 feet from ground. Killed 13 people, wounded more than 30, then shot himself.  Austin police didn’t have guns that could reach the top of the tower. A number of students and residents came out with rifles; police went home to get rifles. Whitman’s guns were bigger than theirs. |
| 1966 | Tactical Operations Planning | Created by LAPD Chief Thomas Reddin to plan for and respond to big events like riots, protests, and dignitary visits (Lyndon Johnson was scheduled to come that year). Elite, roving unit to “suppress criminal activity.” Run by Daryl Gates. Stopped rash of bus robberies, gained credit. Military-type squads and platoons. Gates had been training 60 marksmen across the dept. and got them assigned here.  “There was an increasing fear of crime.” (p. 66) |
| 1969 | SWAT v. Black Panthers | Public relations success. Poorly done raid though. SWAT raid on LA HQ of Black Panthers. High-profile debut. 250+ officers surrounded the building, 5:30 AM; helicopter, blocked back door, and officers scale the sides of the building. 5,000+ rounds/3 hours. Got permission to use a grenade launcher from Marines at Pendleton, permission from DoD.  Big show of force against organization feared and despised by politicians, law enforcement officials and most Americans who weren’t far left. |
| 1969 | DC crime bill  No-knock raid included | Passed 70-15  Federal agents would use it with oversight from judges. |
| 1970 | Controlled Substances Act  Nixon’s model antidrug legislation | Authorized the war on drugs.  *Wickard v. Filburn* (1942) decided that the Commerce Clause gives Congress authority to impose quotas on amount of wheat a farmer can grow on his own land, even for his own use. Affects interstate commerce if farmer doesn’t buy wheat.  Interp. Of Commerce Clause allowed authority to wage war on crime and drugs – authority to oversee manufacture, distribution, export, import, sale. Bill created classification system for illicit drugs. (p. 88) Resistance by Dept. of Health, Ed. & Welfare, and FDA – determining medical benefits and not, etc.  Made crime an issue. Need to generate lots of arrests, have big numbers to tout. Nixon needed to hype crime into a national issue.  ?  Methadone program (actually successful, doesn’t have big crime fighting numbers).  Dehumanization and demonization of drug offenders by Nixon and friends. “Surely the country understood that some collateral damage would be inflicted in the process |
| 1970 | Daryl Gates’ SWAT (1 team) | Originally envisioned “to quickly diffuse a violent situation with minimal casualties” such as the Texas clock tower massacre (1966) and the Watts riots (1965). (p. 129) Special Weapons and Tactics.  Created when public was scared of riots, strife and unrest. SWAT outgrew its mission and stuck around with more and more weaponry and throughout more and more of the country. |
| 1970 | SWAT training | Excess in use of force.  Little in psychology, body language, non-coercive means of resolving conflict. Naturally gravitate towards force. |
| 1971 | *The French Connection* | Law-breaking type of drug style that set tone for narcotics guys work. |
| 1972 | ODALE | Office of Drug Abuse Law Enforcement. Way for feds to have enforcement power. Strike forces. Funded through LEAA. Use grants to persuade local depts. For show. Try to prove #1 problem = drugs. Pressure to produce statistics.  Myles Ambrose to lead. Set up national “heroin hotline” for people to call in tips.  Shooting people in the back because they run from suited up guys jumping out of loud helicopters with guns. Dickenson & Arnold with their dogs in Humboldt. Call the mess ups “isolated.” Dozens of botched raids. “Surely the country understood that some collateral damage would be inflicted in the process.” (p. 122) |
| 1972 | Myles Ambrose’s ODALE (Office of Drug Abuse Law Enforcement)  Humboldt raid of “million dollar drug lab,” murder of hippie Dickenson | A shift of power to the White House, funded by the LEAA (law Enforcement Assistance Administration), consisting of narcotics “strike forces” dispersed across the country. “The strike forces would get high-profile, media-friendly arrests, generate empty but impressive-sounding arrest statistics Nixon could tout, and operate directly under Nixon and his top aides.” (p. 104)  1971 poll found that drug abuse was the most urgent domestic problem in the USA. “The public feared crime” – shock doctrine type change? Using fear to implement change, but incremental, over four presidents’ terms Nixon, Reagan, Bush I, Clinton). War rhetoric. |
| 1973 | MERGE |  |
| 1973 | Rockefeller Drug Laws | Pushed by Nelson Rockefeller, governor of NY, “some of the most draconian antidrug laws in the country” |
| 1974 | SWAT v. SLA | Media-victory for SWAT. Symbionese Liberation Army, violent band of leftists. Received tip SLA was hiding out in a house. Gates got to go in with SWAT, tear gas, SLA responded with an automatic rifle. SWAT team asked for a fragmentation grenade, which *alarmed* Gates (later in his career, wouldn’t have the same reaction). (p. 127) House caught fire, some women emerged and were shot dead, the rest died in the burning house due to burns, suicide, or police gunfire. More than 9,000 ammunition rounds between SLA and LAPD.  “Mission:” “quickly diffuse a violent situation with minimal casualties” 🡪 Fail. Team’s decisions lead to lots of gunfire and a longer encounter. All deaths were SLA.  Promoted, popularized and facilitated the spread of SWAT teams across the USA. |
| 1975 | “S.W.A.T.” (ABC show) (500 teams) | Popularity! |
| 1975 | “The Law of the Instrument” | Abraham Kaplan, “when you’re carrying a hammer, everything looks like a nail.” (p. 133).  Small town SWAT teams didn’t get training on de-escalation and violence as a last resort, like big-city teams, and were often *part-timers*. “The risk was that the entire police department could succumb to a culture of militarism.”  “These guys for new toys. They want to use them.” (p. 135) – very ‘boys will be boys.’ |
| 1980 | *Miami Vice* | Drug lords armed with lots of guns. |
| 1980s | Indirect Militarization acceleration |  |
| 1981 | Military Cooperation with Law Enforcement Act  Reagan pushed through Congress | Amendment to the Posse Comitatus Act. Larger role for military. Encouraged Pentagon to give local, state, and federal police access to military intelligence and research. Encouraged opening of military base and equipment access to train civilian police. Permitted military to work with drugs cops on all aspects, short of making arrests. (p. 145) |
| 1982 | Crime bill  Reagan pushed | Democrats, such as Joe Biden, were eager to not be “soft on crime.” (p. 146)  Wanted to repeal Exclusionary Rule, expand wire tapping powers, wanted to confiscate property based on a mere “suspicion.” DOJ invented new kind forfeiture *substitute assets*. Prosecutors estimate amount of money suspect made on drug trade, confiscate property equal to that amount, even if property wasn’t really involved in crime,  Reagan intoned “good and evil” in his speeches on crime and the drug war. |
| 1983 | CAMP | Campaign Against Marijuana Production. Joint op in California, sent U-2 spy planes to fly over Humboldt in search of pot. 524 raids in the first year. Considered areas raided to be war zones. There were similar federal-state programs all over the country. Fed-state marijuana programs destroyed 13 million plants; many were wild. |
| 1983 | *Illinois v. Gates* | Anonymous letter sent to police; enough to establish probable cause for search? Used to be 2-pronged test, this case dismissed it for an easier-to-meet “totality of the circumstances” test. (p. 150) |
| 1984 | *US v. Leon* | Conservatives got their good-faith exception to the Exclusionary Rule. Determined that if a police officer violated a suspect’s Fourth Amendment rights during a search, but was acting in “good faith” the Exclusionary Rule no longer applied. Court wouldn’t second-guess the officer’s intentions. |
| 1984 | *Massachusetts v. Sheppard* | Court said it was fine when a defective warrant was signed and returned to police when they didn’t read it, to see if error fixed. |
| 1984 | *Segura v. United States* | Police who broke into a resident’s home without warrant then hung outside for 19 hours until they were able to get a warrant, didn’t violate Fourth Amendment. Didn’t actually begin searching until warrant. Court didn’t sanction officers because they “didn’t believe the ruling would make illegal breaking and entering by police a regular problem.” (p. 151) |
| 1984 | *Nix v. Williams* | “Inevitable discovery” doctrine introduced. If police find evidence during illegal search that they would have found anyway, the Exclusionary Rule doesn’t apply. |
| 1984 | Asset Forfeiture | In the newest crime bill. Let law enforcement agencies involved with federal drug investigations share in any asset proceeds that the case might produce. Justice Dept. would set up a fund with the cash and auction proceeds from investigations. After lead federal agency took its cut, any state or local police agency would get share. Drug investigations were now a potential for *revenue*. Immediate impact. Everyone became interested in land seizures. Federal prosecutors often offered to drop criminal charges if landowners agreed to hand over property. These dangerous criminals who get whole armies of helicopters and strike teams can get off if they give the cops their property. Strong financial incentive.  States couldn’t correct incentive program because provision in federal law called *equitable sharing*/*adoption*, all state/local police could get forfeiture if they called up the DEA to assist. |
| 1985 | Operation Delta-9 | Ed Meese. Code for the psychoactive chemical in marijuana, delta-9 tetrahydrocannabinol, THC. Raid of a pot grower in Ozark National Forrest. 2,200 drug cops on simultaneous eradication raids. |
| 1986 | National Security Decision Directive 221  Reagan | Designated illicit drugs a threat to US national security. Roped in CIA and State Department. Instructed US military “to support counter-narcotics efforts for actively.” (p. 157) Pot, cocaine and heroin became equal to a conventional war opponent. |
| 1986  ? | Influx federal money for drug policing  Policy by Reagan | Used to start, fund, maintain SWAT teams, expand narcotics units, or pay cops overtime for extra drug investigations. No money to investigate crimes with actual victims, like murders, rapes and robberies! |
| 1987 | ACLU v. Daryl Gates over ram | Court found ram to be so excessive to violate the Fourth Amendment requirement that searches be reasonable. Needed special permission to use battering ram.  Same case ruled flash-bang grenades did non need judge’s permission. |
| 1987 | National Defense Appropriation Act for Fiscal Year 1987 | Instructed National Guard to provide fill cooperation with local and federal law enforcement agencies in drug investigations. Gave local police access to Guard aircraft. |
| 1987 | Congress ordered secretary of Defense and the US attorney general to notify local police | About the availability of surplus military equipment that agencies could obtain for their departments. Established an office in Pentagon just to facilitate equipment share. Congress set up an 800 number sheriffs and police could call to see what was available. |
| 1988 | William Bennett’s culture war | George H. W. Bush appointed Bennett drug czar. Bush’s campaign “exploited the fear of crime like none since Nixon in 1968.” (p. 164)  Bennett’s main contribution to the drug war was to infuse it with *morality*. “The simple fact is that drug use is wrong.” (p. 164) Never mind that he chain smokes, and is into online video poker. “Embedded in his morality approach to drug prohibition was a new effort at dehumanizing drug users.” No longer “sick,” or a health problem, they were to be viewed as just “bad people.” Advocated for mass punishment for consensual crimes, which don’t violate the rights of others. Dehumanizing drug users. Want impressive statistics. No longer about helping and fixing them (methadone program, incredibly successful, beginning of Nixon term) but about removing them from the rest of the moral population. |
| 1988 | Crime Bill  Bush and Bennett | Huge $ increases to build new prisons, more funding for law enforcement, instead of treatment. Focused on casual users instead of dealers and smugglers.  “Byrne grants.” Federal grants through Justice Dept.’s Justice Assistants Grants (JAG) program. Send billions of federal dollars to police depts. To fight crime. Gave White House another way to impose crime policy on local law enforcement. |
| 1988 | DARE program at schools | Cops talking about the drug war. Children turned their parents in for a couple ounces of marijuana. |
| 1989 | Congress expands budget for National Defense Appropriation Act | To $60 million  In some places Guard troops were even conducting searches and making arrests. |
| 1989 | More “regional task forces”  Bush | Coordination between military and law enforcement agencies only for drug policing. |
| 1989 | *Terry v. Ohio* | “Stop-and-frisk” searches, “Terry” searches. Search any suspected drug offenders “who cause fear in the community,” basically search anyone they want. |
| 1989 | “Anti-loitering” laws in a number of cities | Bennett supported. Gave police power to declare martial law in many neighborhoods. Mostly minority neighborhoods. |
| 1989  ? | Open Fields Doctrine | Supreme Court gave approval to law enforcement officers trespassing on private property without warrant to search for criminal activity. |
| 1989 | Court approval for helicopter hovering | Approval for police to hover in helicopters at low altitudes in order to see behind walls on private property. Deputy’s hovering at 400 feet above ground to peer in a window for pot plants did not constitute a Fourth Amendment “search.” (p. 173) |
| 1989 | Opinion on Posse Comitatus Act | That it doesn’t apply outside the US borders. Allowed invasion of Panama to capture military governor Manual Nuriega, wanted in US for drug trafficking. |
| 1989 | Politicians enthused for National Guard involvement | Brought increased funding to states. $40 million, then $70 in 1990, and then $237 million in 1992. No congressman would oppose National Guard involvement; want the money. |
| 1989 | Peter Kraska survey  The mind-set problem | 43% of police depts. Used active-duty military personnel to train SWAT team to start, 46% regular basis training.  This was the Bush Admins’ goal with joint task forces. Battlefield approach to drug enforcement. “Teach civilian police officers how to enforce the laws *as if they* were in the military.” (p. 208)  “…Masculinity-infused arms race between police agencies that could often lead to an inferiority complex at smaller departments.” (p. 210) “’I want one too’ phenomenon.”  Often teams in smaller towns would serve warrants to practice their tactics; train to fight; deploy SWAT routinely.  “This study illustrates the expansive and seductive powers…of a deeply embedded ideology of violence.” (p. 214)  Depts. with SWAT claimed emphasis on community policing. |
| 1991 | The Christopher report | Isolated officers from communities they patrol due to focus on reacting to crime instead of preventing. Drug and gang sweeps of late 1980s alienated LAPD cops. 2,152 complaints between 86-90 only 42 found legitimate by dept.  Recommended Daryl Gates be removed as LAPD chief. Did so in 1992. |
| 1992 | National Guard raids | “The standard operating procedure is to come in with battering rams, weapons out and cocked, shouting profanities.” (p. 180)  Not subject to Posse Comitatus Act. |
| 1992 | U of Minnesota prof Myron Orfield Chicago survey | Judges believe police lie about warrants and in court and fabricate evidence. Yet Chicago judges keep on approving search warrants with little to no scrutiny. They think the Exclusionary Rule deterred police misconduct. |
| 1992 | Clinton’s drug czar Barry McCaffrey | Retired general. Blurring lines between military and civilian policing. |
| 1992 | “Troops to cops” program  Clinton | Subsidized police departments for hiring returning veterans. |
| 1992 | Clinton’s “one strike and you’re out” policy | Any drug offence, no matter how small, committed in public housing supported by federal funding was grounds for eviction. Even if resident didn’t commit the crime, or person committed it without tenant’s knowledge. |
| 1993 | Justice Department and Defense Department entered technology and equipment sharing agreement  Clinton | “…The war we’re now fighting daily in the streets of our own town.” (p. 193) |
| 1994 | COPS grants  Clinton, Biden | Community Oriented Policing Services. $148.4 million in 94, $1.42 billion in 95, and then $1.5 billion through 99. Intednded to go to police depts. To hire new police officers. No universal definition of community oriented – proactive. SWAT raids are proactive.  Many police used money to militarize. Federalizing local law enforcement. |
| 1995 | *Wilson v. Arkansas* | Court unanimously ruled that no-knock is part of the Fourth Amendment. |
| 1996 | California legalizes medical marijuana | Clinton’s drug czar, Barry McCaffrey, implemented paramilitary raids to send political message. Not dangerous people. If you defy the federal gov’t you can expect blunt force.  Collateral damage is acceptable in the drug war – killed Peter McWilliams in Bel Air, who used marijuana to manage nausea so he could take his AIDS medication.  Bush also gave no ground to sick people using pot in state that legalized it for treatment. |
| 1997 | *Richards v. Wisconsin* | Wisconsin Supreme Court ruled that narcotics cases merit exception to the knock-and-announce rule on the theory that all drugs can be swiftly destroyed. Supreme Court overruled.  Court rejected that all narcotics cases are exempt from the knock-and-announce rule, but Justice John Paul Stevens’ opinion “seemed to indicate that only a small selection of drug cases could call outside the exception.” (p. 197) Court upheld Richards’ conviction.  Also put limits on judicial oversight. Even when denied a no-knock, police could decide to do a no-knock raid anyway with “reasonable suspicion.” |
| 1997 | National Defense Authorization Security Act of 1997  Included “the 1033 program” | 1033 program established the Law Enforcement Support Program, agency in Fort Belvoir, VA. Goal to further ease the transaction of hard-core military gear to civilian police agencies.  1997-99 The office gave our $727 million in equipment (aircraft, rifles, grenade launchers, bulletproof helmets, night-vision goggles). |
| 1997 | North Hollywood Shoot-out | Larry Phillips Jr. and Emil Matasareanu. Heist of Bank of America in North Hollywood. Live, televised shoot-out. Cited as example for having SWAT. Only two fatalities were the violent criminals. Rare thing to happen! |
| 1998 | Police know “wrong-door” raids are not “isolated incidents” | Late 1990s saw media reports on “wrong-door” raids. City officials insisted they’re “isolated incidents.” (p. 265) NYPD circulated memo to cops on how to contact locksmiths and door repair services if they break into the wrong home. |
| 1999 | *United States v. Ramirez* | Formally ruled that the “destruction of evidence” exception, the “threat to a police officer” exception, and the “useless gesture” exception allowed police to break into a home without first knock-and-announce. Those exceptions apply to section of US Criminal Code on federal officers forced entry, even though the law makes no mention. |
| 1999 | Columbine | Cited for justification of SWAT.  At the mass shooting in Littleton, CO, the SWAT team never confronted the killers, potentially costing more lives.  School/mass shooting are rare. Typical campus can expect to see a homicide about once every several thousand years, said Dewey Cornell of U of Virginia. |
| 1999 | The Battle for Seattle | Start of modern anti-globalization movement. Landmark in police and city official reactions to protests. Introduced the “Darth Vader” outfit of cops. City officials and cops committed mass violations of civil and constitutional rights, deal with consequences later. Violent, preemptive SWAT raids, mass arrests, sweeping use of police powers to capture violent and peaceful protesters, and people that weren’t involved at all. |
| 2000 | INS SWAT teams breaking and entering 🡪 narcotics SWAT teams doing the same | “WAT teams had been breaking into private homes and businesses to snatch up nonviolent but undocumented immigrants for years, thanks to policies passed and funded by the Republican Congress, and with the full support of anti-immigration conservatives.” (p. 205). “A great show of force can often avoid violence.” Allows SWAT team to get in and out very quickly.  Same justifications SWAT teams use to do violent, heavily armed raids on people suspected of nonviolent drug crimes. |
| 2000 | Grants to police agencies based on drug policing stats | Size of disbursements directly tied to number of city/county drug arrests. Each drug related arrest brought $153 to each local police dept. |
| 2000 | Bill Lockyer commission review of California’s SWAT teams | Found SWAT teams justified, but most commonly used to serve drug warrants. SWAT teams undertrained and underfunded, suggested local, state and federal gov’t should give them *more funding*. |
| 2000 | DEA targeting doctors | Fears of opioid painkillers in media pushed DEA to target doctors. Who is defining “over-prescribing”? Police. |
| 2000 | Willingness to subject large groups of people to commando tactics | SWAT teams “were increasingly called out to raid entire bats and nightclubs for drug activity” |
| 2000 | CCRB | Civilian Complaint Review Board. Board only permitted to review cases where the raiding cops had acted improperly. Couldn’t look at substance of individual warrant if proper for judge to have issued it. Unable to investigate into if a raid should have ever happened, into use and abuse of informants, into if certain cops were doing too many raids, or if the same raid teams made the same mistakes. Complaints continued to increase. |
| 2000 | Mission Creep | SWAT mission tactics being used for other/more nonviolent crimes.  Used for *regulatory law*. Barbershop raids for “barbering without a license.” Licensure inspections don’t need warrant. (p. 284) Alcohol inspection. Child porn on computer, router miss-locations. Immigration raids, massage parlors, cathouses, unlicensed strip clubs. Cockfighting.  Gov’t can make an example of anyone with unconscionable amount of force.  Federal appeals courts upheld “administrative searches” by claiming primary purpose of search was regulatory. No longer a guise of “reasonable,” under the Fourth Amendment. |
| 2000 | Media & recruitment videos shifting who wants to be a cop | Emphasizing aggressive confrontational style instead of community service, shifted who wanted to be a cop. Hurting instead of helping people. |
| 2001 | Homeland security | New source of funding and equipment, post 9/11. Terrorism provided new excuses for police agencies to build up arsenals and for even smaller teams to start SWAT – don’t know what those terrorists will be thinking, but they might attack the 9,000-person town!  9/11 attacks used for drug war propaganda. Marijuana dealers totally working with Al Qaeda – no evidence of this governmental claim.  Since 9/11, HS been “handing out anti-terrorist grants like parade candy, giving critics and towns across the country funds to buy military-grade armored vehicles, guns, armor, aircraft, and other equipment.” (p. 254) Town of 23,000 got grant to buy a Bearcat. |
| 2002 | Biden’s RAVE Act, version passed in bill with Amber Alert for missing children | Law that made venue and club owners liable for running drug ops if they sold “paraphernalia” common to parties where people took Ecstasy. The latest fear was raves. Politician turning a harmless drug into a terrifying idea. |
| 2002-2010 | NYPD raided Walter & Rose Martin’s NY home more than 50 times | Couple filed complaints, wrote letters, got response with the media’s involvement. NYPD claimed their address was used as a dummy address when they set up the new system in 2002. But guy before them also got raided. |
| 2003 | *United States v. Banks* | 1998 raid ream in N Las Vegas knocked and announced while suspect was in shower. Supreme Court unanimously ruled that 15-20 seconds is sufficient time for police to wait after knocking before entry, though they conceded that it was a “close call.” (p. 260). 15-20 seconds is feasible for a day-time warrant, but not the middle of the night, early morning, BS. US Supreme Court took potition that made it easier to use violent dynamic-entry tactics on low-level drug offenders than major ones. |
| 2003 | Courts didn’t keep warrant records | Made it impossible for anyone else to investigate possible patterns of abuse |
| 2006 | *Hudson v. Michigan* | Supreme Court erased recognition of the knock-and-announce requirement 10 years prior. Decided that even when police conduct an illegal no-knock raid, any illegal evidence they seize can still be used against defendant at trial. |
| 2006 | Detective Baucum talked Culosi in raising wagering stakes | Baucum overheard Culosi and friends wagering a few bills on college football. Baucum befriended him, to investigate him, and raised the stakes, they bet more than $2,000 in one day. Qualified as a running gambling operation in Virginia. Culosi was shot by a SWAT who hadn’t slept in 17 hours.  Police justify heavy handedness because people running illegal gambling ops tend to be armed – an absurd generalization. If they have guns, it’s so that they won’t get robbed. Police could be mistaken for criminals. |
| 2006 | Untrained celebrities along for SWAT ride | Shaquille O’Neal, Matt Damon, Mike Lansing, Steven Seagal. “Denver police added that it was fairly common to take sports stars on drug raids.” (p. 288) |
| 2008 | Obama stepped up raids | On immigration and doctors and pain clinics suspected of overprescribing opioids. Encourage Mexico’s drug war aided by US money and weapons.  Re-funded Byrne grants, COPS programs, 1033 program ($500 million in reutilization).  Raids, grants and giveaways of Pentagon gear increased with Obama. |
| 2008 | Circular suspicion | Because we are suspicious of you, there must be evidence of your guilt. |
| 2009 | American Recovery and Reinvestment Act  Obama | Resuscitated the Byrne grants with $2 billion infusion, largest budget in the program’s 20-year history. |
| 2009 | G-20 Summit | Police in camouflage in the streets, armed to the teeth with guns. Standard for protestors – round them up and teargas them first. Use force to keep protesters as far away as possible. Paramilitary garb.  Arresting without charges, just to pick people up off the streets. The potential to break the law was enough. |
| 2009 | Calvo quote | “It is about a growing and troubling trend where law enforcement agencies are using SWAT teams to perform ordinary police work.” (p. 318-9) |
| 2010 | SWAT critique | “The overwhelming majority of SWAT deployments today are to break into private residents to serve search warrants for nonviolent crimes.” (p. 230) |
| 2010 | Ruttenberg case, SWAT team for an alcohol inspection is unreasonable force | US Court of Appeals for Fourth Circuit denied claim. Sending a SWAT team to make sure a bar’s beer is labeled correctly is not a violation of the Fourth Amendment. |
| 2010 | Fourth Amendment “reasonableness” requirement ignored | “There are few court decisions, laws, or regulations when it comes to when it is and isn’t appropriate to use a SWAT team and all the bells and whistles of a dynamic entry.” (p. 289)  Occasionally post-raid chastising, but usually NO consequences for botched raids. |
| 2010 | Dog killings  “Puppycide” | “Killing the dog during these raids has become nearly routine in many police agencies demonstrates just how casually those agencies have come to accept the drug war collateral damage.” (p. 290) Police cleared of wrongdoing 🡪 *institutional problem.* |
| 2011 | Court ruling on police break in for the smell of marijuana while pursuing different person | Police officers may forcible enter without warrant if exigent circumstances exist, even if they create them themselves.  Court has history of assuming good intent of police officers. |
| 2012 | 1033 program temporarily suspended  Safest year for police officers since 1950s | Because some participating law enforcement agencies lost/sold their equipment. |
| 2014 | Crime has been dropping dramatically for nearly 20 years (~1995) | Americans think crime in the country is getting worse |