



Roy Austin
Deputy Assistant to the President for Urban Affairs, Justice and Opportunity
Domestic Policy Council
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

September 5, 2014

AMERICAN CIVIL
LIBERTIES UNION
WASHINGTON
LEGISLATIVE OFFICE
915 15th STREET, NW, 6TH FL
WASHINGTON, DC 20005
T/202.544.1681
F/202.546.0738
WWW.ACLU.ORG

LAURA W. MURPHY
DIRECTOR

NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT REMAR
TREASURER

Re: Review of Militarized Policing

Dear Mr. Austin:

On behalf of the American Civil Liberties Union (ACLU), we commend the Administration for initiating a review of federal programs that provide state and local law enforcement with military weapons and equipment. For nearly 100 years, the ACLU has been our nation's guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. The ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach. With more than a million members, activists, and supporters, the ACLU is a nationwide organization that fights tirelessly in all 50 states, Puerto Rico, and Washington, DC, for the principle that every individual's rights must be protected equally under the law, regardless of race, religion, gender, sexual orientation, disability, or national origin.

Consistent with this mission, the ACLU has examined the very federal programs that you will be reviewing, specifically the Department of Defense 1003 Program, the Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and the Department of Homeland Security Grant Program. We have concerns that these programs have led to militarized policing, which we raise in our recent report, *War Comes Home: The Excessive Militarization of American Policing*. We would like to serve as a resource for the Administration as it conducts the review. Therefore, we respectfully request a meeting with you to discuss our findings and offer recommendations.

The ACLU shares the President's position that the line between military and law enforcement must be well-defined and transparent. As the nation watched Ferguson, Missouri, in the aftermath of the death of Michael Brown, it saw a highly and dangerously militarized response by law enforcement. However, as the ACLU report indicates, militarized policing at the state and local levels is not limited to such circumstances. Rather, we see militarized policing most often in the execution of search warrants during the investigation of low-level drug offenses and disproportionately impacting people of color.

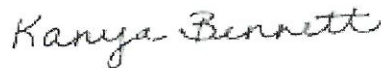
The militarization of policing in the United States has occurred with little government oversight, so we can appreciate the magnitude and breadth of the forthcoming review. We offer several recommendations for the Administration in our recent report, which we are in the process of refining as we learn more about how police in Ferguson used military equipment and tactics in response to protestors. We expect the September 9th hearing before the U.S. Senate Homeland Security & Governmental Affairs Committee will also provide some valuable insight on solutions. As the Administration's review takes shape, we and other advocacy organizations look forward to participating when appropriate.

We appreciate the Administration's leadership on this issue of militarized policing as demonstrated by the call for a review. Again, we are available to serve as a resource and would like the opportunity to meet with you. If you have any questions, please feel free to contact Kanya Bennett, Legislative Counsel, at kbennett@aclu.org or (202) 715-0808.

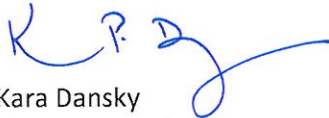
Respectfully submitted,



Laura W. Murphy
Director
Washington Legislative Office



Kanya Bennett
Legislative Counsel
Washington Legislative Office



Kara Dansky
Senior Counsel
Center for Justice

cc: Shaun Donovan, Director,
Office of Management and Budget