

# Themis: Research Journal of Justice Studies and Forensic Science

---

Volume 9

Article 1

---

5-2021

## The Rise of Police Militarization and Impact on Civilians

Araceli Marquez

*San Jose State University*

Follow this and additional works at: <https://scholarworks.sjsu.edu/themis>



Part of the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Marquez, Araceli (2021) "The Rise of Police Militarization and Impact on Civilians," *Themis: Research Journal of Justice Studies and Forensic Science*: Vol. 9 , Article 1.

<https://doi.org/10.31979/THEMIS.2021.0901> <https://scholarworks.sjsu.edu/themis/vol9/iss1/1>

This Peer-Reviewed Article is brought to you for free and open access by the Justice Studies at SJSU ScholarWorks. It has been accepted for inclusion in Themis: Research Journal of Justice Studies and Forensic Science by an authorized editor of SJSU ScholarWorks. For more information, please contact [scholarworks@sjsu.edu](mailto:scholarworks@sjsu.edu).

---

## The Rise of Police Militarization and Impact on Civilians

### Abstract

Across the country, police are using aggressive, military-style policing tactics to enforce the law. These aggressive tactics disproportionately affect minorities and residents of lower-income communities. Recent protests by the Black Lives Matter movement have taken place in response to the deaths of individuals such as George Floyd and Breonna Taylor. Aggressive police presence at these demonstrations has been prominent, despite protesters' peaceful intent. The police are not only present at rallies and protests but also at celebratory events like major cities' sports celebrations. This paper examines militarization as a result of the War on Drugs, the 1033 program, racial politics, and police anxieties, as well as how it relates to present-day policing tactics and police legitimacy. The United States should do all that it can to prevent police from becoming too militarized. This can be achieved through policy adaptations such as repealing the 1033 program to limit access to new military-grade weapons, decriminalizing drugs, and increasing penalties on officers who abuse their power.

### Keywords

policing, militarization, decriminalization, race, War on Drugs, 1033

The Rise of Police Militarization and Impact on  
Civilians

*Araceli Marquez*

**Abstract**

Across the country, police are using aggressive, military-style policing tactics to enforce the law. These aggressive tactics disproportionately affect minorities and residents of lower-income communities. Recent protests by the Black Lives Matter movement have taken place in response to the deaths of individuals such as George Floyd and Breonna Taylor. Aggressive police presence at these demonstrations has been prominent, despite protesters' peaceful intent. The police are not only present at rallies and protests but also at celebratory events like major cities' sports celebrations. This paper examines militarization as a result of the War on Drugs, the 1033 program, racial politics, and police anxieties, as well as how it relates to present-day policing tactics and police legitimacy. The United States should do all that it can to prevent police from becoming too militarized. This can be achieved through policy adaptations such as repealing the 1033 program to limit access to new military-grade weapons, decriminalizing drugs, and increasing penalties on officers who abuse their power.

*Keywords: Policing, militarization, decriminalization, race, War on Drugs, 1033*

**Introduction**

On March 13, 2020, Breonna Taylor was shot in her apartment after police entered her residence during a drug raid. While the officers allegedly announced their presence, conflicting reports suggest that a no-knock raid occurred, which resulted in the door being broken down with a battering ram. The event ended with the police shooting and killing of Breonna Taylor. Two months later, on May 25, George Floyd was killed by Minneapolis police officers after a convenience store employee told police that Floyd had used a counterfeit bill to buy cigarettes.

Seventeen minutes after the police arrived, Floyd lay lifeless on the ground, having been pinned down by three police officers and choked to death. Police officers in both of these instances maintained their innocence, but subsequent media portrayals incited thousands of protesters across the United States to take to the streets, calling for police reform and an end to brutality. While most of these demonstrations were intended to be peaceful, they were met with officers in riot gear armed with batons, rubber bullets, tear gas, and other military-style equipment. In many of these cases, police shot rubber bullets into crowds and arrested demonstrators. This military-style response only further agitated protestors, which perpetuated more violence and fear in a seemingly never-ending cycle. While a certain amount of force is necessary to maintain authority, public perception is inevitably eroded when police take action against fundamental rights like protesting, especially if those rights are being exercised peacefully (Guerra, 2015).

Recent events are certainly not the first time protests have erupted in the streets, only to be met with a military-style response, and they likely will not be the last.

After these violent demonstrations, many Americans began to wonder how policing has reached its current state and whether this

current system works as intended. The trajectory of police departments becoming more militarized needs to be addressed. One cannot discuss police militarization without discussing the socioeconomic issues surrounding it and disproportionate effects it has on certain groups of people. The news frequently broadcasts police shooting rubber bullets and tear gas into protest crowds and S.W.A.T. teams breaking down doors and shooting people for minor drug offenses. Because of this, a discussion is warranted on how and why law enforcement became so combative, as well as the cost militarized policing poses to society. The United States has the highest incarceration rate in the world, and many in prison are serving sentences for nonviolent drug charges as a direct result of police militarization and the War on Drugs. This decades-long crusade reveals much deeper issues than police with military-style equipment.

Understanding police militarization is important but understanding how it fuels other issues like black and brown incarceration and public perception regarding the legitimacy of policing is also important. This research paper examines the phenomenon of police militarization and how it relates to these issues by examining topics such as the War on Drugs, the formation of specialized paramilitary forces, and increased policing due to the implementation of Section 1033 and proposes several policy suggestions to resolve these problems.

### **Literature Review**

#### **The War on Drugs and the Creation of Paramilitary Units**

Riots during the 1960s spurred fear of black insurgency, which resulted in President Lyndon Johnson signing the Omnibus Crime Control and Safe Streets Act of 1968. This act aimed to grant federal funds to law enforcement agencies so they could obtain military recourses and shut down riots (Adachi, 2016).

Similar military tactics have been used in recent protests, where police were armed with military gear to quell protesters in the streets. In addition to obtaining military recourses, the 1968 act helped smaller cities develop paramilitary teams.

In the late 1960s and early 1970s, the United States began to face a massive issue with illicit narcotics; due to this, federal mandates were created to combat illegal drug use by increasing penalties and enforcement for drug use, coining the term the War on Drugs. President Nixon approved police actions such as no-knock raids and paramilitary policing in an attempt to curb the sale and use of narcotics. The War on Drugs was intensified by the Crime Control and Safe Street Act of 1968 and has had a significant impact on the criminal justice system as well as the mass incarceration of black and brown communities. A report by the U.S. Department of Justice found that police departments and court systems in Ferguson, Missouri reflected exacerbated racial biases. It stated that the practices had undermined law enforcement legitimacy within the African American community (Shaw, 2016). This systemic racial inequality does not exist in a bubble; rather, it has been historically accepted. Police officers must serve and protect, but we cannot ignore the foundations that policing was built upon; we must discuss how to repair the cracks in the system.

An event that is not widely known is the decades-long process involved in expanding police militarization in the United States. During the 1970s, Nixon popularized the term War on Drugs, which was later furthered in the Reagan administration. During this time, Reagan transformed the rhetorical war into a full-scale mission that involved collaboration between the military and police (Gamal, 2016). Reagan signed the Comprehensive Drug Prevention and Control act of 1970, which permitted the military

to share information with law enforcement officials (Bolduc, 2016). This act served to further ties between the military and police.

After the attack on the World Trade Center in 2001, police militarization expanded rapidly. In response to the attacks on the World Trade Center and the Pentagon, there was an uptick in funding for federal programs to fight terrorism. The government began to use paramilitary tactics to make a political statement, especially in response to protests (Balko, 2013). These paramilitary units acted as semi-militarized forces whose organizational structure was similar to the military without being a formal part of the armed forces.

The militarization of police was increasingly more evident due to the increase in these police paramilitary units. One might conclude that the rise in paramilitary units was in response to high-risk situations such as hostage and terrorist instances, but this was not the case. Nearly 80% of paramilitary deployments were for drug raids, particularly for the entry into private residences in search of drug contraband (Kraska, 2007). The rise of paramilitary units like S.W.A.T. has affected policing by introducing a military-like mindset into civilian police forces (Balko, 2006). Some have argued that paramilitary forces have detrimental effects because they fail to perform the "core functions" of the police, which are maintaining law and order (Heiduk, 2015). Today, most American cities have S.W.A.T. teams. Initially, they were used to respond to high-level activity like terrorist situations, but they were soon repurposed to deal primarily with drug raids. A study conducted in 2014 noted that nearly 80% of paramilitary activity involved deploying warrants, which is a relatively routine police activity (Lieblich and Shinar, 2018). It could be argued that these aggressive police raids are necessary, as they do not allow

the suspect to dispose of their contraband before being caught. However, programs that weaponize police departments have repercussions such as unnecessary preemptive policing, increased accusations of police brutality, and the targeting of poor minority neighborhoods.

### **The Implementation of Section 1033**

Since 1997, the 1033 program has transferred more than 4.3 billion dollars' worth of military equipment to police agencies across the United States (Bove and Gavrilova, 2017). The program is named after Section 1033, a part of the National Defense Authorization Act (H.R. 3230) that allows excess military equipment to be transferred to law enforcement officers (Delehanty, Mewhirter, Welch, and Wilks, 2017). This equipment includes military-grade vehicles, assault rifles, grenade launchers, camouflage gear, airplanes, and helicopters. Between 2006 and 2013, military-grade equipment transfers increased by 1414% (Radil et al., 2017).

Officials believe that militarizing law enforcement officers would not only protect officers but help with the enforcement of the law. Increased public safety and enforcement could reduce the amount of force necessary to maintain order, which would be a positive aspect of police militarization. Also, restoring order could improve public perception of safety, which in turn creates a willingness to comply with tax obligations (Flores-Macias, 2018). However, several studies show that a militarized police presence does not affect public perception positively.

Examining civilian perception and police violence as a result of the 1033 program is important to determine the benefits and downfalls of its implementation. A preliminary study by Delehanty et al. (2017) examined the relationship between the 1033 program and its effects on police violence. They found that



police who received the highest 1033 transfers killed both civilians and dogs they encountered during civilian interactions at a higher rate than those who did not receive transfers. They noted that from the minimum and maximum ends of receiving military surplus, civilian deaths increased by about 129% (Delehanty et al., 2017). Another study examined Mexican drug trafficking agencies' responses to increased police militarization and found that militarization contributed to a deterioration of public safety and a heightened response from trafficking organizations (Flores-Macias, 2018). This meant that implementation created public distrust, which in turn heightened the efforts of trafficking organizations to keep their operations secret by any means. While this study specifically examined Mexico and its anti-drug trafficking efforts, it relates to the United States since most of its paramilitary functions are intended for drug response as well. Statistics in the United States are alarming in regard to police killing civilians. In 2013, the F.B.I. reported 461 "justifiable homicides," though the number is likely to have been twice that amount (Shaw, 2016). Even if every homicide on this list was proved justifiable, the number alone is far higher than any other country in the world, even compared to other wealthy democratic countries. According to a report by the Prison Policy Initiative, United States law enforcement kills 33.5 per 10 million people every year; in comparison, Canada's law enforcement kills 9.8 per 10 million people, a third less than the United States. While these numbers are not directly attributed to police militarization or the 1033 program, the available weapons and the use of military equipment increase the level of force used by police (Lieblich and Shinar, 2018).

To get access to military hardware, law enforcement agencies have to complete multiple steps. They have to obtain approval

from the state, then request specific items with justification, and then finally they receive a decision of whether they have been approved or not (Bove and Gavrilova, 2017). Obtaining this equipment is an arduous process, but with nearly every city having a paramilitary squad, most tactical gear requests are approved. In 2014, President Obama stated that while military gear has reduced risk for police officers, it can be a dangerous barrier between the police and the communities they secure. Additionally, he said that police officers with inadequate training can make poor choices such as using excessive force (White House, 2014). However, recently the Trump administration reversed President Obama's policies, hoping to expand the access and distribution of military-type equipment requested by police officers. With the inauguration of President Biden, it is expected that he will follow President Obama's footsteps, although he has not made any major announcements yet.

### **Effect on Crime and Public Perception**

A primary concern of militarized policing is its effect on crime and its relationship to law enforcement's public perception. Several theoretical perspectives help to explain this relationship. Jonathan Mummolo (2018) estimated the effect of police militarization on public perceptions of law enforcement and discovered that citizens reacted negatively to militarized police units in news reports. Because of this, they were less likely to advocate for the funding of police agencies in their neighborhoods, particularly if they were black or lived in predominantly poor neighborhoods. In Venezuela, a country with a high amount of police militarization, it was found that militarized approaches led to an increase in citizen violence because criminal groups began acting defensively (Galavis, 2020). While the United States is not nearly at the militarization

level that Venezuelan police officers are, the dangers of militarization are evident. On the other hand, a qualitative survey by Turner and Fox (2017) found that Congress members and the police force showed overwhelming support for military procurement programs. The survey also found that there was a significant level of support for paramilitary forces. When it came to police use of military weapons, only about half of Congress members supported the use, as opposed to 95% of police officers. Carreire and Encinos (2017) also argued that militarization causes insufficient fear in populations, and officers who carry military equipment are more likely to be assaulted due to resentment. An officer who is well-trained and highly armed might cross the line into brutality; at the same time, a better-trained officer with the same weaponry might practice more restraint since their perceived threat is higher (Harris, Park, and Murray, 2017).

The United States can learn a lot from other countries, particularly from a country like Northern Ireland who had a highly militarized police force for some time, similar to that of the United States. The Good Friday Agreement proposed in Northern Ireland transitioned the state to a less aggressive form of policing, which highlighted three key points: oversight, accountability, and representation (Burke, 2020). Northern Ireland's goal was to keep diverse officers on the force while offering services to handle nonviolent offenders. Not only has the Good Friday Agreement transformed Northern Ireland's police, but it has also increased public trust in police departments. United States police departments should look at the benefits of Northern Ireland's policing tactics on accountability and public perception because when officers are trained and armed to expect the worst, they will act accordingly. Burke (2020) suggests that "Training police officers to react to civilians as though they are enemy combatants

in a war zone is one of the first things that needs to stop if the United States is going to restore confidence in the police" (p. 8). Officers who feel they are in danger are more likely to misinterpret a harmless situation as one that will end with lethal consequences.

The diminishing of public trust is an important side-effect of increased militarization. A Stanford study noted that as a result of militarization, public trust in police departments has decreased. This is because when citizens see officers in military gear, they are more likely to be viewed as soldiers rather than community partners (Meeks, 2006). However, those who support the militarization of police argue that due to high rates of gun ownership in the United States, it only makes sense for the police to be armed in response. What should be looked at is whether or not militarization works. The article "Police Officer on the Frontline or Soldier? The Effect of Police Militarization on Crime" used data released by the U.S. Department of Defense and examined 8,000 police agencies. The author found that military aid did reduce crime rates, and with a 10% spending increase of \$5,800 per county, crimes deterred a cost of about \$112,000 per year; they also found that arrest rates were not affected (Bove and Gavrilova, 2017). This leads to a cost-benefit analysis. If a slight increase in spending deters crime significantly, it could be perceived as a success. However, there are nonmonetary costs that should be analyzed as well. While Bove and Gavrilova (2017) found positive attributes to militarization, other studies have shown the increased aggressive policing tactics put fear and mistrust into communities, particularly those comprised of racial minorities.

## **Racial Disparities**

There is a disproportionate victimization rate of Black males that plagues the United States. About half of the 14,800 police agencies in the United States do not report statistics to the Uniform Crime Report (U.C.R.), which is a voluntary tool that law enforcement agencies use to report crimes that took place in that jurisdiction. This is problematic considering black males comprise only 6% of the population, yet 40% of victims of police shootings (Lyle and Esmail, 2016). Due to this lack of reporting, it is nearly impossible to identify the number of black males victimized by police. And these numbers only include shootings: the rates concerning excessive force and other aggressive tactics that do not involve a weapon are likely much higher. Certainly, some of these killings involved an "appropriate" use of force, but there is evidence of bias and institutionalized racism for others. In any case, research is far behind on this topic. Kramer, Remster, and Charles (2017) researched the N.Y.P.D. and found that African Americans are more likely than whites to be subject to violence regardless of factors such as time of day, age, gender, or whether or not they were doing anything illegal. The study also found that black youth aged 10-13 were more likely to experience violence than white people of all ages combined (Kramer, Remster, and Charles, 2017). While this study is limited to the N.Y.P.D., instances in the news appear to support these statistics on a national level. For example, Tamir Rice, a 12-year-old boy, was shot and killed by police for playing with a toy gun. In another instance, 23-year-old Elijah McClain was stopped for "looking suspicious" because he was anemic and wearing a ski mask. He was held down and administered an absurd amount of Ketamine despite repeatedly apologizing to the officers and being cooperative. As a result of both of these deaths, protests across the nation erupted in an attempt to bring attention to police brutality.

Police response to these protests is also a critical discussion as they are often disproportionate to the protests' nature. After the death of Mike Brown, protests erupted in Ferguson, Missouri. While these protests were mostly peaceful, a handful of looting and some property damage did take place. Due to this small portion of illegal activity, police responded in full riot gear and pointed AK-47 assault rifles at the crowd, which created a tense situation (Ravindranath et al., 2014). Perhaps the officers were acting in self-defense. Police are trained that self-preservation is their ultimate duty; threat assessments are a constant practice they employ (Goff et al., 2020). Officers' risk assessments in situations, coupled with their biases, can easily cause a situation to go awry. This leads to differences in policing based on racial characteristics.

Responses to protests differ based on the protestors' demographics. The right to protest is ensured by the first amendment, although heavy police presence does not always make it seem that way. In the 1960s, the police approach to handling protests evolved into using escalated force, an approach that matched militancy with militancy from both protestors and police. It later evolved to using strategic "management" techniques, which normalized the use of force (King, 2017). Davenport et al. (2011) studied how the race of protestors affected police response. They found that a greater proportion of African American protests were met with heavier police presence than predominantly white events. Once police were at these events, they were more likely to employ force or make arrests when the protestors were Black (Davenport et al., 2011). Police will claim that protestor behavior is the ultimate factor in these equations, but data and historical analysis point to a different conclusion. This research is not to suggest that all police officers are racist but

to shed light on the fact that the foundations of modern policing have been built on antiquated tendencies. The conversation needs to shift from whether or not police response to races is disproportionate, to what we can do about it.

### **Policy**

#### **Implications of Ending Section 1033 and Policing the Police**

To combat the issue of overmilitarized policing, the section 1033 program needs to be eliminated. Research has shown that while militarized policing may be effective in some ways, the fractured public perception of police far outweighs the benefits. Militarization is not necessary within most aspects of policing. In countries like New Zealand, officers are trained to use firearms but do not typically carry any. Deaths among police officers in nations where they do not carry weapons are quite rare, and it is believed that arming police leads to more violence than it prevents (McCarthy, 2020). This is not a suggestion to remove all weapons from police officers, but rather limiting the number of weapons they have on hand. According to the Pew Research Center, the United States has the highest number of firearms per capita, with nearly 30% of Americans stating that they own at least one firearm (Gramlich & Schaeffer, 2019). So, while it does not make sense to disarm the police entirely, arming them with military-grade weaponry is unnecessary. Repealing Section 1033 is a start to improving public perception but doing so will only prevent law enforcement agencies from acquiring new weapons, not remove them altogether. After all, police cannot be perceived as legitimate by the public if they are not held accountable for their actions. Police militarization harms public perception of police. Those who wish to attend a protest or even a Super Bowl party in the winning team's city are met with armed police officers waiting for something to go wrong. What fuels protests but the lack of

consequences from police who abuse their power without consequence? A federal court ruled that S.W.A.T. officers have qualified immunity and cannot be held liable for damages resulting from their actions (Hixson, 2013). This is extremely troubling because there are dozens of things that can go wrong during a raid. There are many known instances where an error on a warrant has created a situation where the wrong house is raided. One instance of S.W.A.T. entering a home looking for marijuana led to a flash grenade going off and setting the bed of an 18-year-old girl on fire, leading to severe burns. The team only retrieved a small amount of marijuana and a handgun, hardly enough to warrant the physical damage caused (Hixson, 2013). In the case of non-paramilitary officers, there is still a lack of punishment. The F.B.I.'s U.C.R. listed about 400 civilians justifiably killed per year, which is only based on self-report studies; the number is predicted to be much higher. Of the nearly 4,000 civilians killed from 2005 to 2015, only 54 officers were charged, and about half of those were acquitted (Grabinger, 2016). A neutral prosecution setting would be a potential solution to this situation. In most cities, the District Attorney and prosecutors work very closely with police officers. When this is the case, they are far less likely to convict a police organization that supports their establishment. Removing District Attorney and prosecutorial influence would result in fairer trials because there would be no conflict of interest based on longstanding partnerships within organizations.

### **Decriminalizing of Drugs**

Decriminalizing drugs has been frequently talked about as a solution to substance abuse, with some states recently implementing laws to decriminalize drugs entirely. According to scholars, when President Reagan announced the War on Drugs, there was no evidence of a drug pandemic; in fact, drug addiction



and abuse had been declining for a while (Gamal, 2016). The War on Drugs only further fueled the racial divide in the United States. A well-known effect of the War on Drugs was the difference in penalties for crack and cocaine. Due to its lower quality, crack was much cheaper than cocaine and was bought more frequently by minorities in lower-income neighborhoods. This reveals ingrained racism in the upholding of drug laws since statistically, whites are just as likely to use drugs as blacks and are more likely to sell them (Gamal, 2016). Regardless, the War on Drugs penalized minorities and imprisoned them for harsh sentences based on possession laws. Not only are minorities more likely to be convicted of drug crimes, but they are also more likely to serve longer sentences.

For these reasons, drugs should be decriminalized as long as they are found in an amount that would constitute a personal supply and without the intent to distribute. There would need to be research into what one would consider a personal supply; perhaps this could be determined based on several factors such as long-term effects, potency, the danger of lethal consumption, etc. This could be done similarly to alcohol regulation with how it is only allowed to be consumed in specific spaces and it is illegal to drive while under its influence. Additionally, the distribution of drugs could be regulated in the same way as marijuana. The point would not be to encourage drug use, but rather to reduce stigmatization and create more available and affordable treatment options for addiction. For example, the state of Oregon recently decriminalized marijuana, cocaine, heroin, and methamphetamine, as well as decreased the penalties for large quantities of drugs (Murray, 2020). In addition to the decriminalization, Oregon intends to set money aside to fund drug

treatment programs. The success of Oregon's programs could encourage the implementation of drug programs nationwide.

The decriminalization of drugs could also reduce the number of drug raids carried out by law enforcement and paramilitary units. Since most paramilitary units' functions are for carrying out drug raids and serving warrants, the decriminalization would reduce the need for their operations, cutting the amount of funding necessary to upkeep these institutions. As in the case of Oregon, it would be a smart solution to reroute this money to fund drug treatment facilities and mental health centers. Also, decriminalizing drugs could take police officers whose duties are already spread thin and re-shift the focus into policing violent crimes. Large amounts of illicit drugs and the intent to traffic would still be criminal, but instead of focusing on someone who has a tiny amount of methamphetamine or heroin, police could concentrate on policing larger-scale drug operations within their cities. There would be less of a need for no-knock police raids and random Terry stops that end in the deaths of a civilians in hopes of finding felonious amounts of drugs.

Also, the regulation of the production of these substances could derail illegal and dangerous drug markets. The distribution of drugs could be treated in the same way as marijuana, with strict guidelines and government oversight. If governmental organizations could control production and accountability in the drug industry, it would ensure that profits made are legally distributed, reducing the influences of criminal organizations (Sanchez-Moreno, 2015). Black markets are a prevalent and dangerous threat to the United States, and they likely take advantage of addicts searching for supply. There are obvious dangers to legalization, which include how to regulate drug distribution and use, uphold safety standards, and protect youth

from drug use. Still, drug reform could bring potential solutions to many problems, especially in policing. Due to the heavy penalties for drug use, many are fearful that they will be arrested if they seek help. The removal of legal consequences and the creation of state drug treatment centers would encourage drug users to seek help for their addiction. Since drugs are an over-policed issue, reducing police encounters can greatly reduce negative encounters and resources used in paramilitary forces.

Police derive authority from the public they police, and lacking legitimacy can be detrimental to police who expect voluntary compliance. Research has shown that public support of law enforcement and paramilitary units like S.W.A.T. increase when issues like counterterrorism are addressed instead of drug enforcement (Moule et al., 2018).

Decriminalizing drug use could shift the focus of paramilitary forces back to specialized tasks. The problem itself is not necessarily aggressive policing and paramilitary units, but rather their uses and the foundations they were built upon. Reducing the effects that the War on Drugs left on America could prove to be an effective tool in reducing the need for militarization and shifting the focus back to real policing issues.

### **Conclusion**

Militarized policing is no longer a concept. The lack of trust in the police has been built up over a long period of time, starting far before the War on Drugs. However, in the last few decades, surplus military equipment has created a situation where police have used more aggressive tactics, leading to the normalization of two separate entities converging. This article has aimed to analyze the historical basis of the military and the police by looking at the War on Drugs, the 1033 program, and the effects on public perception. Until instances of police misuse of power come to an

end, the legitimacy of police will be questioned. Further research on this topic is necessary to continue exploring the relationship between officer bias and policing, whether or not military gear exacerbates this problem, officer stress levels and response to those stressors, as well as the benefits of maintaining a militarized police force. Police departments aim to protect and serve communities. This should be regardless of race, socioeconomic status, or any other differentiating factors. However, there are several reasons that this may not be the case in current policing. The United States police must be careful not to become an overly militarized body as it reduces public trust and impacts minorities at a disproportionate rate. While society may not be able to turn back the clock, some changes can be made, such as ending the 1033 program, increasing penalties on officers who abuse their power, and decriminalizing drugs in hopes that it will reduce mass incarceration and racial disparities in criminal sentencing. No American should have to speak out and seek justice for a family member killed during a routine police encounter gone wrong, nor should they fear being shot at and sprayed with tear gas for protesting. The police are supposed to protect and serve, but how can people tell who they are serving and who they are protecting when they arrive aggressive and fully equipped in military gear?

### References

- Adachi, J. (2016). Police militarization and the war on citizens. *Human Rights*, 42(1), 14f-17.
- Balko, R. (2006). *Overkill: the rise of paramilitary police raids in America*. Cato Institute.
- Balko, R. (2013). How did America's police become a military force on the streets? Rise of the warrior cop. *A.B.A. Journal*, 99(7), 43-52.
- Bolduc, N. (2016). Global insecurity: How risk theory gave rise to global police militarization. *Indiana Journal of Global Legal Studies*, 23(1), 267-292.  
<https://doi.org/10.2979/indjglolegstu.23.1.267>
- Bove, V., & Gavrilova, E. (2017). Police officer on the frontline or a soldier? The effect of police militarization on crime. *American Economic Journal: Economic Policy*, 9(3), 1-18.  
<https://doi.org/10.1257/pol.20150478>
- Burke, L. (2020). Lessons from Northern Ireland: Policing, polarization, and moving forward. *The German Marshall Fund of the United States*, (12).  
<https://doi.org/10.2307/resrep26749>
- Carriere, K. R., & Encinosa, W. (2017). The risks of operational militarization: Increased conflict against militarized police. *Peace Economics, Peace Science and Public Policy*, 23 (3), 1-13.  
<https://doi.org/10.1515/peps-2017-0016>
- Davenport, C., Soule, S. A., & Armstrong, D. A. (2011). Protesting while Black?: The differential policing of American activism, 1960-1990. *American Sociological Review*, 76(1), 152-178.  
<https://doi.org/10.1177/0003122410395370>

- Delehanty, C., Mewhirter, J., Welch, R., & Wilks, J. (2017). Militarization and police violence: The case of the 1033 program. *Research and Politics*, 4(2). <https://doi.org/10.1177/2053168017712885>
- Flores-Macías, G. (2018). The consequences of militarizing anti-drug efforts for state capacity in Latin America: Evidence from Mexico. *Comparative Politics*, 51(1), 1-20. <https://doi.org/10.5129/001041518824414647>
- Galavís, N. (2020). Rule of law crisis, militarization of citizen security, and effects on human rights in Venezuela. *European Review of Latin American and Caribbean Studies / Revista Europea De Estudios Latinoamericanos Y Del Caribe*, (109), 67-86. <https://doi.org/10.2307/26936903>
- Gamal, F. (2016). The racial politics of protection: A critical race examination of police militarization. *California Law Review*, 104(4). <http://dx.doi.org/10.15779/Z385P1R>
- Goff, P. A., & Rau, H. (2010) Predicting bad policing: Theorizing burdensome and racially disparate policing through the lenses of social psychology and routine activities. *The Annals of the American Academy of Political and Social Science* 687.1 (2020), 67-88. <https://doi.org/10.1177/0002716220901349>
- Grabiner, G. (2016). Who polices the police? *Social Justice*, 43(2 (144)), 58-79.
- Guerra, C. (2016). Living under the boot: Militarization and peaceful protest. *Seattle Journal for Social Justice*, 14 (2), 521-576.
- Harris, M., Park, J., Bruce, D., & Murray, M. (2017). Peacekeeping force: Effects of providing tactical

- equipment to local law enforcement. *American Economic Journal: Economic Policy*, 9(3), 291-313.  
<https://doi.org/10.1257/pol.20150525>
- Heiduk, F. (2015). Rethinking 'policebuilding'. *Cooperation and Conflict*, 50(1), 69-86.  
<https://doi.org/10.1177/0010836714537633>
- Hixson, J. C. (2013). The impact of police militarization in America. *Strategic Informer: Student Publication of the Strategic Intelligence Society*, 1(3), 22-27.
- Jones, A., & Sawyer, W. (2020, June 5). Not just "a few bad apples": U.S. police kill civilians at much higher rates than other countries.  
<https://www.prisonpolicy.org/blog/2020/06/05/policekillings/>
- King, M. (2017). From permits to storm troopers: Repression, social control, and the governmentality of protest. In *When Riot Cops Are Not Enough: The Policing and Repression of Occupy Oakland* (pp. 23-46). Rutgers University Press.  
<https://doi.org/10.36019/9780813583761-003>
- Kraska, P. B. (2007). Militarization and policing--Its relevance to 21st century police. *Policing: A Journal of Policy and Practice*, 1(4), 501-513.  
<https://doi.org/10.1093/policing/pam065>
- Kramer, R., Remster, B., & Charles, C. (2017). Black lives and police tactics matter. *Contexts*, 16(3), 20-25.  
<https://doi.org/10.1177/1536504217732048>
- Lieblich, E., Shinar, A. (2018). The case against police militarization. *Michigan Journal of Race and Law*. 23(1&2), 105-153.  
<https://doi.org/10.2139/ssrn.2840715>

- Lyle, P., & Esmail, A. (2016). Sworn to protect: Police brutality – A dilemma for America’s police. *Race, Gender & Class*, 23(3-4), 155-185.  
<https://doi.org/10.2307/26529213>
- McCarthy, N. (2020, June 23). Infographic: Where are the world's unarmed police officers?  
<https://www.statista.com/chart/10601/where-are-the-worlds-unarmed-police-officers/>
- Meeks, D. (2006). Police militarization in urban areas: The obscure war against the underclass. *The Black Scholar*, 35(4), 33-41.  
<https://doi.org/10.1080/00064246.2006.11413331>
- Moule, R. K., Parry, M. M., & Fox, B. (2018). Public support for police use of SWAT: Examining the relevance of legitimacy. *Journal of Crime and Justice*, 42(1), 45-59.  
<https://doi.org/10.1080/0735648x.2018.1556862>
- Mummolo, J. (2018). Militarization fails to enhance police safety or reduce crime but may harm police reputation. *Proceedings of the National Academy of Sciences*, 115(37), 9181-9186.  
<https://doi.org/10.1073/pnas.1805161115>
- Murray, K. (2020, November 13). Oregon decriminalizes drug possession.  
<https://www.addictioncenter.com/news/2020/11/oregon-decriminalizes-drug-possession/>
- Radil, S. M., Dezzani, R. J., McAden, L. D. (2017). Geographies of U.S. police militarization and the role of the 1033 program. *The Professional Geographer* 62(2): 203–213.
- Shaw, I. (2016). Policing everything. In predator empire: Drone warfare and full spectrum dominance (pp. 199-240).



Minneapolis; London: University of Minnesota. Press.  
<https://doi.org/10.1080/00330124.2016.1212666>

Turner, F. W., & Fox, B. H. (2017). Public servants or police soldiers? An analysis of opinions on the militarization of policing from police executives, law enforcement, and members of the 114<sup>th</sup> Congress U.S. House of Representatives. *Police Practice and Research*.  
<https://doi.org/10.1080/15614263.2017.1371600>

White House. (2014). *Review: Federal support for local law enforcement equipment Acquisition*. Executive Office of the President. Washington, DC, December.

*Araceli Marquez is graduating with her master's degree in Criminology with hopes of eventually attending law school. She received her bachelor's degree emphasizing in Forensic Behavioral Science in 2018 from California State University Fresno. Her goals focus on the advancement of human rights and providing equitable resources to victims of crime.*