

Vermont House Government Operations Committee

March 12, 2015

Comments by Joseph Gainza, Marshfield, Vermont Re. H.8, a bill which authorizes the Attorney General to oversee the transfer of military equipment to state and local law enforcement agencies.

I am a member of the steering committee of Vermont Action for Peace and chair of the Peace, Justice and Integrity of Creation committee of the Vermont Ecumenical Council and Bible Society.

Thank you for inviting me to testify; I do so as a member of Vermont Action for Peace and do not speak for the Vermont Ecumenical Council.

General Comments: This is a needed and important effort to reign in the growing militarization of local police forces. Once again Vermont leads the way in addressing a serious and increasing threat to our civil liberties, and to respectful and cooperative relations between citizens and those sworn to serve and protect them. I want to thank the legislators who are sponsoring this bill, and this committee for taking it up. I urge passage, hopefully, with the amendments I propose below.

Civil liberties groups concerned about the rapid growth of heavily armed local police forces throughout the country, and the increasing militarization of their training, have identified the lack of oversight of the transfer of military weapons as a major problem. This bill begins to address that concern.

H.8 references the federal program established in 10 U.S.C. Section 2576a. This program authorizes "...the Secretary of Defense [to] transfer to Federal and State agencies personal property of the Department of Defense, including small arms and ammunition..." Under this program, local police departments across the U.S. have received about \$5 billion in military equipment and weapons.

There is also a second, much larger grants program administered by the Department of Homeland Security (Homeland Security Act of 2002 (Pub. L. No. 107-296). These "terrorism grants" have provided "local police more than \$34 billion dollars to acquire surveillance drones, Army tanks and other equipment ill-suited for local policing."¹

1 Friends Committee on National Legislation – Washington Newsletter No. 766, September, 2014, p.3.

- I ask that H.8 be amended to include this DHS program for the Attorney General's oversight. Additionally, I propose that fiscal and compliance oversight be assigned to the Vermont State Auditor.
- While it may astonish some observers, several university and college campus police forces have been recipients of military equipment under one or both of these programs. I would therefore suggest an amendment to H.8 section 4651 “Definitions” (1) “Law enforcement agencies,” to include university and college campus police.
- I also suggest an amendment which I think follows the spirit of H.8: to section 4653 “Approval of Military Equipment Transfers” (b) criteria to be developed by the AG. I ask that you include a fourth with wording such as: (4) “a determination by the Attorney General that the equipment and/or weapons to be transferred is necessary for the advancement of the goals of community policing and public safety.”

I believe these amendments would broaden the scope of the bill in a manner that its intent will more likely be achieved: to insure that all police departments in Vermont continue to protect and serve our communities and not become a force more suited to national defense. Thank you.

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