

Aff - Defund the Police (NSDA Novice Packet)

Thumbnail Summary

This file focuses on federal funding of state and local law enforcement. Federal funds only account for about 20% of state and local resources, but that percentage is significant in terms of its disruption of local efforts and expanded militarization. The plan reallocates such federal programs into community services and alternatives to hardline policing. The two advantages of federal defunding are to improve/limit policing and to stop police militarization.

One big question is whether the plan is reformist or a more radical step to abolition. That is a good debate to be had. Ultimately the best way to run this aff is to fill the 1AC with police bad/must defund evidence and then to pivot in the 2AC with "defunding leads to abolition" and abolition good OR "defunding leads to reform" and reform good, but the debate here is much more about the case with either Movements, Abolition K, and/or Extra T.

This evidence is a great place to dive in and to get a sense of the debate itself.

Thomsen, '20 (Ian Thomsen July 8, 2020 <https://news.northeastern.edu/2020/07/08/what-would-it-mean-to-defund-the-police-and-what-would-come-next/>)

The movement to “defund” police departments in the U.S. has been catalyzed by protests over the deaths of George Floyd, Breonna Taylor, and other Black people who have been killed by police.

Proponents of defunding want more oversight of police—but they don’t necessarily agree on how to achieve that goal. notes Ben Struhl, executive director of the Center on Crime and Community Resilience at Northeastern.

Some advocates wish to abolish police departments altogether; others hope that a portion of public funding that currently goes to police will be routed to social service organizations that are better able to address problems within marginalized communities.

Struhl believes that more attention should be paid to the cycles of violence that are affecting those communities. He says **the defund movement could result in new investments in prevention strategies that could be led by community groups.** Struhl adds that **a reduction in surveillance activities (including racial profiling) and other police interactions could help reduce tensions.**

“We have partnered with a number of nonprofits—**Boston Uncornered, Inner City Weightlifting, Roca,** and **SOAR**, which is run by the city of Boston—and they all have the theory that you can prevent violence by working proactively with people who are in gangs and getting them to buy into new ideas,” says Struhl. “There is a lot of research showing that police can be negative to community dynamics when policing is focused on surveillance, crime stats, and enforcement.” Struhl, who aligns with governments and charitable organizations around the world to promote the use of research evidence in solving health and safety challenges that are facing disadvantaged communities, is in favor of more accountability for police. At the same time, he says police can play an important role in working with communities to build new systems.

“I’ve done work across Latin America, where people are exploring a lot of ideas for breaking communities out of the cycles of violence,” Struhl says. “I have never seen a big effort work without police being involved.”

Based on the fact that federal, state, and local governments are facing budget shortfalls as a result of COVID-19, what is a realistic approach to the question of defunding police?

The idea is, why don’t we take this money that is being spent on the police and put it into other programs? That is a discussion that a lot of researchers have been trying to have for a very long time.

But the big-picture question is: What if *everything* is going to be defunded? It’s a real possibility if the current financial trajectory continues, just given where the state and local budgets are. **When people are saying, ‘Defund the police and put the money into research and other things,’ well, that might not happen. You might see a defunding of the police and other social services.**

What would be a constructive path for the defund police movement?

I wish that people would focus on adding the kinds of resources that disadvantaged communities are asking for—that’s where the attention of the defund police movement could do the most good. Because people living in those communities really don’t have a fair shot. That’s a big part of our focus at the Center on Crime and Community Resilience; **a lot of communities have been mistreated by government, and they’re trying to come to a place where they have resilience—the resources and techniques to govern their own problems.** Sometimes research can help make that leap.

We don’t have to wait until we’ve finished this debate over police departments and how they use their resources. We can start paying more attention to those communities now.

What would be a constructive path for the defund police movement?

One approach is sometimes called “focused deterrence” or “group violence intervention.” It’s about focusing on a very small number of people who are falling into violent gangs—it’s a small number of people who are driving a large part of the violence in their cities overall.

It starts with the community coming together to discuss problems and generate ideas. They may say, “If we had a better social program in this area, then we might not have this type of problem.” Or, “This abandoned building has been a huge problem in our neighborhood, and if we could get someone to knock this over, the whole neighborhood would have a better feeling.” And then **the community works with law enforcement to approach people who are involved in violence—you actually bring them into forums and talk with them. The message of these “call-ins” is to say, “We as a community are coming together and saying the violence has to stop.** Here are all sorts of social services we’re offering you, which are alternatives to what you’re doing. And if you don’t stop, law enforcement is going to be laser-focused on solving homicides and shootings and stopping violence.”

It’s an approach that started in Boston, and we’re actively exploring it in other cities now. We have a great partnership in Oakland, and we have colleagues who are developing a similar approach in Mexico City.

What prevents police departments from being constructive partners in the changes that are being proposed by the defund movement?

In Minneapolis, they seem to be very serious about getting rid of the police department for a number of reasons. The police chief was prevented from firing officers who were caught in significant abuses, and the city council was blocked from shifting part of the police department’s budget onto violence prevention.

In other cities, there are people who believe that some resources need to be taken away from police and put into services that can respond to overdoses, mental health challenges, and other issues; some police leaders and officers agree with that approach, because they would like to not have to deal with these types of situations. In some cases where police aren’t constructive partners, the bigger

problem is actually the government as a whole. Bad police are often a symptom of bad government systems. Even if elected officials would like to hold police accountable, they're not allowed to do so in some cases, sometimes because of opposition by police unions.

If we can't elect people to carry out the things that we want them to do as our representatives, that goes way past the problems caused by police—and I think you see that in all kinds of ways in government: Schools, police, even social services can be ineffective if government isn't working.

If police departments are defunded, will there be community initiatives ready to step into the void?

Historically, the answer has been that it can be really hard to set up new programs on short notice. I've seen a lot of scholars and activists who work in communities of color say that **if we're going to take resources away from police, and those resources aren't actually replaced with effective programs, it could be really bad for communities that are already suffering.**

I think there is going to be a big budget crunch and we're going to have to refocus our resources in a lot of ways. We have some really promising models for community initiatives. There will be opportunities to focus on the people who are most at risk of being involved in violence, and we should take those opportunities in any way we can.

AFF: DEFUND THE POLICE

1AC

I. Status Quo Policing Fails

Excessive Federal Police Funding Abounds, including massive federal funding for states and localities.

Naylor, '20 (How Federal Dollars Fund Local Police, June 9, 2020 5:10 AM ET, Brian Naylor, <https://www.npr.org/2020/06/09/872387351/how-federal-dollars-fund-local-police#:>)

Activists protesting police brutality are calling on cities and states to defund their police. **Funding for local law enforcement now increasingly comes from the federal government. Federal departments** ranging from the Department of Justice to the Department of Agriculture **have grant programs aimed at hiring more police, equipping them and constructing new police facilities**. Some **experts say that federal involvement undermines community accountability and focuses more on enforcement than minimizing harm**. Probably the most well-known of all such initiatives is the Community Oriented Policing Services program, established as part of the 1994 crime bill. The Department of Justice, which oversees **the COPS program**, says it **has provided \$14 billion since its inception to hire and train local police** involved in community policing. Earlier this month, Attorney General **William Barr announced the awarding of nearly \$400 million for fiscal year 2020 under the program, intended to pay for the hiring of 2,732 police officers in 596 law enforcement agencies**. Some of that money will also go to communities to hire school resource officers — positions that some activists have denounced. Incidentally, as part of his criminal justice initiative, presumptive Democratic presidential nominee Joe **Biden has pledged to spend \$300 million for the COPS program**. **The Department of Justice also administers the Edward Byrne Memorial Justice Assistance Grant Program**. It provides funds **to states, territories, tribes and local government for law enforcement and corrections programs**. According to its website, **there was nearly \$264 million available in the 2019 fiscal year. DOJ has other grants as well**, including the Patrick Leahy Bulletproof Vest Partnership, named for the Democratic senator from Vermont, and part of the Bureau of Justice Assistance, which also provides grants for a multitude of programs, including body cameras and "innovative policing techniques." Trump Says He's Considering Ideas For Policing 'In A Much More Gentle Fashion' After the Sept. 11 attacks, **Congress authorized that federal funds be allocated to local law enforcement agencies for another purpose: to guard against and respond to terrorist attacks. In the current fiscal year, the Department of Homeland Security has nearly \$1.8 billion available for communities in its preparedness grants program**. Localities that receive the funding must agree to allocate at least 25% to law enforcement under most of the grants. One agency that seemingly has little connection with police, **the Agriculture Department, also hands out law enforcement grants. Under its Rural Development Community Facility grant program, towns of under 5,000 population can apply for money to construct new police facilities or, in some instances, buy new police cruisers**. And the Department of Defense provides surplus military equipment to law enforcement agencies with its so-called 1033 program, which critics have charged has led to the increased militarization of civilian police. Do these programs work? **"Federal grant and equipment programs for policing are often designed in ways that incentivize harmful policing and undermine local and state political accountability,"** says Rachel Harmon, a professor of law and director of the Center for Criminal Justice at the University of Virginia Law School. Harmon added, via email, that **such programs "far more often focus on effective policing than ensuring that policing is fair, minimally harmful, or consistent with the law."** Barry Friedman, director of the Policing Project at NYU Law, is also critical of the Justice Department's law enforcement grants. **"They do not insist on compliance with data reporting,"** he says, **and "DOJ has a strong law enforcement perspective, rather than a community safety perspective."**

Thus, defunding the police is the only solution to the history of racism and oppression.

Fernandez, '20 (Paige Fernandez , Policing Policy Advisor June 11, 2020 Defunding the Police Will Actually Make Us Safer Policing in this country evolved from slave patrols. It has never been a neutral institution. <https://www.aclu.org/news/criminal-law-reform/defunding-the-police-will-actually-make-us-safer/>)

Almost exactly six years after NYPD officers murdered Eric Garner in New York City, Minneapolis police officers murdered George Floyd. Activists, advocates, and protestors are still screaming “I can’t breathe” and begging government officials for police reform that will end police violence in Black communities. But today’s demands are bigger and bolder: Now, protesters are advocating for systemic changes that require a complete reimagining of law enforcement in the United States.

American policing has never been a neutral institution. The first U.S. city police department was a slave patrol, and modern police forces have directed oppression and violence at Black people to enforce Jim Crow, wage the War on Drugs, and crack down on protests. When people ask for police reform, many are actually asking for this oppressive system to be dismantled and to invest in institutions, resources, and services that help communities grow and thrive. **That’s why many protestors and activists, following in the footsteps of Black-led grassroots groups, are demanding immediate defunding of police departments.**

The idea of defunding, or divestment, is new to some folks, but the basic premise is simple: We must cut the astronomical amount of money that our governments spend on law enforcement and give that money to more helpful services like job training, counseling, and violence-prevention programs. Each year, state and local governments spend upward of \$100 billion dollars on law enforcement—and that’s excluding billions more in federal grants and resources.

Budgets are not created in a vacuum. They can be changed through targeted advocacy and organizing. We can demand that our local officials (including city council members and mayors) stop allocating funds for the police to acquire more militarized equipment and instead ask for that money to go toward community-run violence-prevention programs.

We can demand that our federal government redirect the money that funds police presence in schools to putting counselors in schools instead.

Funneling so many resources into law enforcement instead of education, affordable housing, and accessible health care has caused significant harm to communities. Police violence is actually a leading cause of death for Black men: A recent study found that 1 in 1,000 Black men can expect to be killed by police, and public health experts have described police violence as a serious public health issue. For a country like ours, which considers itself a modern democracy that pushes ideals of freedom and justice for all, that number should be truly shocking.

Much of the work police do is merely engage in the daily harassment of Black communities for minor crimes or crimes of poverty that shouldn’t be criminalized in the first place. Consider this: **Out of the 10.3 million arrests made per year, only 5 percent are for the most serious offenses, including murder, rape, and aggravated assault.** These are the ones that truly threaten public safety. The other 95 percent of arrests are for things like traffic violations, marijuana possession, unlawful assembly, and even removing a shopping cart from store premises. **That means that police spend the most resources going after minor incidents that actually don’t threaten everyday life but do lead to mass criminalization and incarceration.**

And as you know, some arrests are made for doing nothing at all beyond being Black.

We have little evidence, if any, to show that more police surveillance results in fewer crimes

and greater public safety. Indeed, funneling police into communities of color and pushing officers to make arrests just perpetuates harm and trauma. Yet since the 1980s, spending on law enforcement and our criminal legal system has dramatically outpaced that in community services such as housing, education, and violence prevention programs. Those are the institutions that help build stable, safe, and healthy communities.

For example, Los Angeles's budget gives police \$3.14 billion out of the city's \$10.5 billion. Spending on community services such as economic development (\$30 million) and housing (\$81 million) pale in comparison to the massive LAPD budget. (On Wednesday night, after years of Black Lives Matter grassroots activists demanding a cut in LAPD's budget, Los Angeles Mayor Eric Garcetti announced he would cut \$100 million to \$150 million from the LAPD budget and reinvest those funds in communities of color.) Similarly, in New York City, the government spends almost \$6 billion on policing, which is more than it does on the Department of Health, Homeless Services, Housing Preservation and Development, and Youth and Community development combined.

By shrinking their massive budgets, we can help end decades of racially driven social control and oppression as well as address social problems at their root instead of investing in an institution that further oppresses and terrorizes communities.

In addition to divesting from police and reinvesting the savings in nonpunitive programs that benefit public safety and health, there are other critical steps we need to take to foster the systemic change people across the country are calling for: End enforcement of minor offenses that drive street-level harassment. We can do this by repealing laws across the country that criminalize minor behaviors and passing laws that legalize activities such as marijuana possession and distribution.

End the presence of police in schools, which exacerbates racial inequalities, puts immigrant students at risk of deportation, and limits opportunities accessible to low-income students. (Minneapolis Public Schools just voted to end its contract with the city's police department.)

Develop mobile crisis services, peer crisis services, and crisis hotlines and warmlines (where people can call when they just need to talk to someone who understands what it's like to live with mental health problems) to support people who have a behavioral or mental health crisis.

Ban pretextual stops and consent searches that act as common mechanisms for police to engage in racial profiling and circumvent legal standards.

Implement common-sense, civilly and criminally enforceable legal constraints so there will be only rare instances in which officers are able to use force against community members. For too long, the focus on police reform has been dominated by reforms that try to reduce the harms of policing rather than rethink the overall role of police in

society. But **six years after the Black Lives Matter movement rose to national attention, activists across the country are coming together to demand what many have known has been the solution all along: defund the police.**

It is clear that the policing regime in this country has failed and has been a source of racist oppression and general forms of coercive control for far too long. The best way to trim the excess is to find a way to keep some core policing organizations while shifting the vast majority of a bloated bureaucracy into leaner, more efficient organizations for mental health, housing, medical care, child care, education, and so forth. The problem is, as Trump continues to cut away at various budgets, that it will not be done in a cohesive, productive way in the status quo that provides resources for the growing alternatives to traditional policing.

Thus, the PLAN:

The United States federal government should enact a Federal Divest/Reinvest policing policy that reallocates federal policing resources directed to local and state law enforcement, including the sale or extension of military equipment, toward community service alternatives on the federal, state, and local level, providing a collaborative model and platform to assist similar state and local efforts.

Advantage One: Policing

Federal Policing Costs have sky-rocketed...and they contribute to state and local law enforcement. Defunding the feds can snowball.

Lee, '20 ("Here's how two federal programs helped expand police funding by over 200% since 1980 PUBLISHED THU, JUN 25 2020 11:16 AM EDT Nathaniel Lee <https://www.cnn.com/2020/06/25/two-federal-programs-helped-expand-police-funding-by-over-200percent.html>)

Despite a sharp decline in crime rates since the early 1990s, the United States is spending more on policing than ever. Out of the three levels of government, federal spending has seen the fastest rate of growth. Between 1982 and 2015, **federal spending grew by 354%, faster than both local and state spending combined. Most federal spending comes from two major grants from the Department of Justice — COPS and Byrne JAG.**

The fatal arrest of George Floyd has sparked **nationwide protests** demanding an end to police brutality and a restructuring of police departments across the country. That change **is being manifested in calls to reform, defund, dismantle or abolish the police. The movement to defund the police seems to have gained the most support from thought leaders and policymakers across the nation.**

Despite a sharp decline in crime rates since the early 1990s, the United States is spending more on policing than ever. In 1980, police spending was just around \$47 billion adjusted for inflation, but by 2015, spending skyrocketed to almost \$143 billion, an increase of more than 200%. All three levels of government — federal, state and local — contribute to the cost of police protection. But their contributions are far from equal. **In 2015, local governments paid for more than two-thirds of police spending. The federal government came second at 20.4%, followed by state governments at 11%. Out of the three levels of government, federal spending has seen the fastest rate of growth.** Between 1982 and 2015, federal spending increased by 354%, faster than both local and state spending combined. **These include “a number of grant programs that are pushing money to the state and local government.”** according to Paul Ashton, director of organizational impact at the Justice Policy Institute. However, most federal spending comes from two major grants from the Department of Justice — COPS and Byrne JAG. The Community Oriented Policing Services, or **COPS**, program was established as part of a bill signed by President Bill Clinton in 1994 to combat the rise in violent crime at the time. Although its funding has dramatically decreased over the years, it **still funneled \$304 million in 2019 to state, local and tribal law enforcement agencies. The Byrne Justice Assistance Grants**, known as Byrne JAG, were started as a part of the Anti-Drug Abuse Act of 1988 and consolidated in 2005 with a program that honored an officer who died in the line of duty. Although the program was designed to award funding to a wide variety of initiatives, more than half of the grants **are awarded to support law enforcement across the country.** The funding from Byrne JAG still averages **around \$435 million each year.**

Whether federal funding for law enforcement actually benefits the community has long been a subject of debate. The Congressional Research Service concluded that based on three separate studies, COPS grants showed no universal effect on crime rates. Some studies even suggested that the grants might not have been effective in cities with more than 250,000 people. In 2006, the Bush administration sought to eliminate all Byrne JAG funding due to a lack of demonstrable results, but it was eventually reauthorized through 2012. **The movement to defund the police stems from the same question on whether communities benefit from millions of dollars in funding from federal, state and local governments.** “People are recognizing that budgets often are related to power” says Rashawn Ray, a governance studies fellow at the Brookings Institution. “And in law enforcement, one of the things that we see is that the larger their budgets get, that hasn’t necessarily correlated with a reduction in crime. So then people start saying, then why do their budgets look the way that it does?” Only time and more research will determine whether **defunding the police** will create safer communities. One thing that is for sure, the movement **is leading to critical conversations** at the local level **on how to best protect citizens.**

“I think that this whole notion of defunding the police is an important conversation that’s happening,” said Ashton. “I think that **we really need to think as a country about where we’re investing in local, state and federal dollars, and how we’re making the most use of that money to positively impact communities.**”

More federal funding for police just reinforces the longstanding deployment of police against black people.

Mariame **Kaba '20**. Organizer, June 12, "Yes, We Mean Literally Abolish the Police," THE NEW YORK TIMES, <https://www.nytimes.com/2020/06/12/opinion/sunday/floyd-abolish-defund-police.html>

Congressional Democrats want to make it easier to identify and prosecute police misconduct; Joe **Biden wants to give police departments \$300 million. But efforts to solve police violence through liberal reforms like these have failed for nearly a century. Enough. We can't reform the police. The only way to diminish police violence is to reduce contact between the public and the police. There is not a single era in United States history in which the police were not a force of violence against black people. Policing in the South emerged from the slave patrols in the 1700 and 1800s that caught and returned runaway slaves. In the North, the first municipal police departments in the mid-1800s helped quash labor strikes and riots against the rich. Everywhere, they have suppressed marginalized populations to protect the status quo.** So when you see a police officer pressing his knee into a black man's neck until he dies, that's the logical result of policing in America. When a police officer brutalizes a black person, he is doing what he sees as his job.

Policing was designed to control marginalized communities – a constant public health crisis, resulting in their premature death.

Merelli, '20

[Annalisa Merelli, reporter at Quartz, holds a master's degree in semiotics and a bachelor's degree in mass communication from the University of Bologna, 31 May 2020, Quartz, "Black people are at the center of two public health crises in the US: Covid-19 and police brutality", <https://qz.com/1862403/black-people-are-at-the-center-of-two-public-health-crises-in-the-us-covid-19-and-police-brutality/> // jmk]

It is a public health issue. "Excessive police force is a communal violence that significantly drives unnecessary and costly injury, and **premature morbidity and death**," the American Medical Association (AMA) wrote in a statement on May 29, describing police brutality as both prevalent and pervasive, and directly linked to the legacy of racism in the US. Similarly, research by the American Public Health Association (APHA) published in 2018 showed that excess use of force by the police—which is overwhelmingly directed towards Black people and other disadvantaged communities (other minorities, immigrants, LGBTQ people)—results not just in death, but has other **long-term public health consequences, too.** To give a sense of the magnitude of the crisis, the APHA reported that in 2016 alone (the latest year for which the organization could get reliable data, in itself a telling sign of the lack of priority accorded to the issue) at least 1,019 people were killed due to police intervention, and **76,440** were injured. This resulted in nearly 55,000 years of life lost, and had a large price tag, too: Police brutality costs \$1.8 billion per year, according to the Centers for Disease Control's most recently available data (2010). That this cost is overwhelmingly sustained by Black communities is **by design**, as the APHA notes: US policing was created as a form of control of communities considered marginal, particularly on racial grounds, and continues to operate accordingly.

We must assume that policing abuses are systemic and not just a small exception. A structural perspective is necessary to reckon with the true role of policing which is to violently protect and support systemic racism

May and Yancy '20.

Toddy May and George Yancy, philosophers and authors of “A Decent Life: Morality for the Rest of Us” and “Across Black Spaces: Essays and Interviews From an American Philosopher”. “Policing Is Doing What It Was Meant to Do. That’s the Problem.” The New York Times. June 21, 2020. <https://www.nytimes.com/2020/06/21/opinion/police-violence-racism-reform.html>

On June 6, one of us attended a memorial vigil for George Floyd. The opening speaker first thanked the local Police Department for keeping the vigil safe and then went on to distinguish between the majority of police officers who do their job helping and protecting people and the few who are racist and violent. His remarks echoed those made by Barack Obama on May 29, in his public statement on the killing of Mr. Floyd, when he wrote of “the majority of men and women in law enforcement who take pride in doing their tough job the right way, every day.” We think that making this distinction is a mistake. It is a mistake not because it underestimates the number of police officers who are racist and violent, but because the problem of racist policing is not one of individual actors. It is a mistake because the role of the police in society must be understood, not individually but structurally. Like an organ in a human body, a Police Department is part of a structural whole. It functions to perform a certain task in the body politic; it is an organ in that body. Seen this way, each police officer is then like a cell in that organ. Before we can identify any problem in that organ, we must first understand the job that organ performs. In the case of the police, the answer might seem obvious. Their function is to protect the citizenry from crime. At least that’s what we’re told. But as any good student of biology or politics knows, it won’t help to ask what an organ is said to do. It is better to observe what it actually does. To merely accept the claim that police forces, since their inception, have protected law-abiding citizens from crime involves the neglect of several crucial factors. It neglects the long history of police abuse and the specific intentional abuse of people of color; it neglects the role that the police have played in breaking strikes, in silencing dissent and in keeping the social order safe from resistance or change. It also neglects the early history of policing in the United States that took the form of slave patrols in the 1700s and the enforcement of Black Codes and Jim Crow laws in the 19th and 20th centuries. In his influential work on prisons, the philosopher and historian Michel Foucault pointed out the following: We say that the prisons fail at their task, yet we keep them going. Perhaps we should be asking not why the prison fails but instead what it actually succeeds at. That is the question we should be asking of the police. Not why do they regularly fail to perform their duties correctly and thus need reform, but rather, what duties are they succeeding at? Once we ask that question, the answer is entirely clear. They succeed in keeping people in their place. They succeed in keeping middle-class and especially upper-class white people safe, so long as they don’t get out of line. They succeed in keeping people of color in their place so that they don’t challenge the social order that privileges middle- and upper-class white people. And, as we have recently witnessed in many violent police responses at protests, they succeed in suppressing those who would question the social order. If we look at individual police officers divorced from the structure in which they operate — if we simply look for the “bad apples” — we fail to see the role of the police as a whole. Whether individual police officers are racist is not the fundamental issue. The fundamental issue is whether the police — the institution of policing as it exists in the United States — is racist. And once we look at this clearly, we understand that the answer must be yes. As we were thinking about the problems with the “bad apple” metaphor in policing, one of us, on June 13 at 2:46 a.m., received this message: “Go to HELL, nigger!” It is one of hundreds of such messages and threats the author has received in the past several years. It is easy to say that this individual white person (and we think it fair to assume that it was a white person) is a racist, a “bad apple.” But here, too, focusing on the individual white person who sent the racist message obscures our understanding of the white supremacist structure in which it is generated. In 2015, during his last year in office, President Barack Obama addressed the relationship between individual acts of racism and the larger system of injustice that allows them on an episode of the podcast “WTF With Marc Maron.” “... it’s not just a matter of it not being polite,” he said, to utter the N-word in public. “That’s not the measure of whether racism still exists or not.” Earlier in the show, he observed that racism had not been “cured” — the word for eliminating a disease that systemically impacts the body — and that “the legacy of slavery, Jim Crow, discrimination” was “still part of our DNA” as Americans. This slur is also part of our DNA, embedded within the concept of a “master race” and the resulting white-supremacist

violence against black bodies. In his “Letter From Birmingham Jail” in 1963, Martin Luther King Jr. articulated the horror and pain felt “when your first name becomes ‘nigger’ and your middle name becomes ‘boy’ (however old you are).” W.E.B. Du Bois, in a speech that he delivered in Beijing (then Peking) at the age of 91, said, “In my own country for nearly a century I have been nothing but a ‘nigger.’” Both men emphasized how the word is part of the institutional fabric of black oppression, that individual racist acts are not aberrations but the **products of a larger systemic set of practices** that, as the feminist scholar Barbara Applebaum argues, “**hold structural injustice in place.**” **Central** to those practices is policing, and the “bad apple” framing fails to confront its role in structural injustice. One obvious objection to our view here is that by focusing on reforming or dismantling an entire system, we may end up punishing individual officers who have not committed racist acts and so bear no responsibility for them. We acknowledge that this can be a difficult idea to embrace. Many of us personally know police officers — family members, friends, neighborhood officers — whom we know to be ethical people; imagining them as responsible for a racist system is a hard leap to make. We think the influential feminist philosopher Iris Marion Young argued persuasively against relying on that distinction when she wrote: Structural injustice occurs as a consequence of many individual and institutions acting in pursuit of their particular goals and interests, within given institutional rules and accepted norms. All the persons who participated by their actions in the ongoing schemes of cooperation that constitute these structures are responsible for them, in the sense that they are part of the process that causes them. They are not responsible, however, in the sense of having directed the process or intended its outcomes. Many others have amplified that view. The critical race theorist and legal scholar Charles Lawrence argued in his 1987 article “The Id, the Ego, and Equal Protection: Reckoning With Unconscious Racism” that the bad-apple metaphor suggests a “perpetrator” model that fails to give an account of just how systemic racism is “transmitted by tacit understandings” and “collective unconscious.” The philosopher Charles Mills argues, “the perpetrator [of racist actions or beliefs] perspective presupposes a world composed of atomic individuals whose actions are outside of and apart from the social fabric and without historical continuity.” When it comes to racism and policing, we argue that the bad-apple metaphor places “bad police officers” outside of the social and historical fabric of racism and institutional policing that affects all of the apples. In fact, in this case, the tree itself is rotten. In his book “The Tears We Cannot Stop: A Sermon to White America,” Michael Eric Dyson argues: That metaphor of a few bad apples doesn’t begin to get at the root of the problem. Police violence may be more like a **poisoned water stream** that pollutes the entire system. To argue that only a few bad cops cause police terror is like relegating racism to a few bigots. Bigots are surely a problem, but they are sustained by systems of belief and perception, by widely held stereotypes and social practice. To truly confront problems of racist violence in our society, **let’s not once again begin with the question of how to reform the police.** Let’s instead start with the question of how to build healthy and safe communities of mutual respect and see which institutions we need to reach that goal. If anything that is to be called policing emerges from that inquiry, it **should be at its end** rather than assumed at the outset.

Resisting Racism is our most important task – it’s the precondition to ethical decision-making.

Memmi 2000 (Albert, Professor Emeritus of Sociology @ U of Paris, Naiteire, Racism, Translated by Steve Martinot, p. 163-165)

The struggle against racism will be long, difficult, without intermission, without remission, probably never achieved, yet for this very reason, it is a struggle to be undertaken **without** surcease and without **concessions**. One cannot be indulgent toward racism. **One cannot even let the monster in the house, especially not in a mask.** To give it **merely a foothold** means to augment the bestial part in us and in other people which is to diminish what is human. To accept the racist universe to the **slightest degree** is to endorse **fear, injustice, and violence**. It is to accept the persistence of the dark history in which we still largely live. It is to agree that the **outsider will always be a possible victim** (and which

[person] man is not [themselves] himself an outsider relative to someone else?). Racism illustrates in sum, the inevitable negativity of the condition of the dominated; that is it illuminates in a certain sense the entire human condition. The anti-racist struggle, difficult though it is, and always in question, is nevertheless one of the prologues to the ultimate passage from animality to humanity. In that sense, **we cannot fail** to rise to the racist challenge. However, it remains true that one's moral conduct only emerges from a **choice**: one has to want it. It is a choice among other choices, and always debatable in its foundations and its consequences. Let us say, broadly speaking, that the choice to conduct oneself morally is the condition for the establishment of a human order for which racism is the very negation. This is almost a redundancy. One cannot found a moral order, let alone a legislative order, on racism because racism signifies the exclusion of the other and his or her subjection to violence and domination. From an ethical point of view, if one can deploy a little religious language, racism is "the truly capital sin."^{fn22} It is not an accident that almost all of humanity's spiritual traditions counsel respect for the weak, for orphans, widows, or strangers. It is not just a question of theoretical counsel respect for the weak, for orphans, widows or strangers. It is not just a question of theoretical morality and disinterested commandments. Such unanimity in the safeguarding of the other suggests the real utility of such sentiments. All things considered, we have an interest in banishing injustice, because injustice engenders violence and death. Of course, this is debatable. There are those who think that if one is strong enough, the assault on and oppression of others is permissible. But no one is ever sure of remaining the strongest. One day, perhaps, the roles will be reversed. All unjust society contains within itself the seeds of its own death. It is probably smarter to treat others with respect so that they treat you with respect. "Recall," says the bible, "that you were once a stranger in Egypt," which means both that you ought to respect the stranger because you were a stranger yourself and that you risk becoming once again someday. It is an ethical and a practical appeal – indeed, it is a contract, however implicit it might be. In short, **the refusal of racism is the condition for all theoretical and practical morality.** Because, in the end, the ethical choice commands the political choice. A just society must be a society accepted by all. If this contractual principle is not accepted, then only conflict, violence, and destruction will be our lot. If it is accepted, we can hope someday to live in peace. True, it is a wager, but the stakes are irresistible.

Advantage Two: Police Militarization

Federal funding of local police forces often occurs through grants that support militarization and heavy-handed tactics. The 1033 Program is one ended by the plan.

Letter signed by Rights Groups, June, '20 ("Rights Groups Urge US Congress to End the 1033 Program, Demilitarize Police," July 1, 2020 9:00AM EDT, <https://www.hrw.org/news/2020/07/01/rights-groups-urge-us-congress-end-1033-program-demilitarize-police#>)

June 30, 2020 Dear House Armed Services Committee Members:

The undersigned civil, human rights, faith, and government accountability organizations, representing millions of our members across the country, write in support of **ending the Department of Defense's 1033 Program and associated transfers of all military equipment and vehicles to local, state, and federal law enforcement agencies.**^[1] The military surplus equipment transfer program, known as the 1033 Program, was formally established in the 1997 FY National Defense Authorization Act.^[2] **Since its inception, more than \$7.4 billion in surplus military equipment and goods, including armored vehicles, rifles, and aircraft, have been transferred to more than 8,000 law enforcement agencies.**^[3] The program came to national attention in the aftermath of the killing of Michael Brown in 2014 in Ferguson, Missouri. Since then, Congressional leaders have tried to reform or end this program that has caused an increase in militarized policing particularly in communities of color.^[4]

Research studies indicate that **the 1033 Program is not only unsafe but ineffective as it fails to reduce crime or improve police safety.**^[5] In 2015, President Obama issued Executive Order 13688 that provided necessary oversight of the program.^[6] The Executive Order has since been rescinded, which only underscores that legislative action -- not executive orders -- is critical to address the concerns with this program. In the aftermath of Ferguson, law enforcement **agencies across the country have continued to receive military equipment and weapons of war, including "494 mine-resistant vehicles, at least 800 pieces of body armor, more than 6,500 rifles, and at least 76 aircraft."**^[7] Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) have also received enormous amounts of excess military equipment as part of the militarization of our border.^[8] This is particularly concerning at a time when ICE and CBP units are being deployed in response to peaceful protests^[9] and for interior law enforcement programs.^[10] In the aftermath of George Floyd's murder in Minneapolis, millions have demonstrated globally against police brutality and systemic racism. In cities across our country, hundreds of thousands of demonstrators called for justice and accountability for George Floyd and the countless unarmed Black people that have been killed by law enforcement. **In response to the national outrage, armored vehicles, assault weapons, and military gear once again filled our streets and communities, turning them into war zones. Weapons of war have absolutely no place in our communities. What's more, evidence has shown that law enforcement agencies that obtain military equipment are more prone to violence.**^[11] There are sincere and aggressive efforts in the House^[12] and Senate^[13] to severely curtail or end the Department of Defense 1033 Program. Millions of Americans have been calling for the 1033 Program to be shut down, with legislation introduced in both chambers to address these concerns.^[14]

Accordingly, we urge you to use the opportunity of the full committee markup of the FY2021 National Defense Authorization Act to support and include language to end the Department of Defense's 1033 Program.

Thank you for your consideration. If you have any questions, please contact Yasmine Taeb at yasmine@demandprogress.org.

1033 militarizes local and state police forces, intensifying racist oppression and ensures an ongoing war against black and brown bodies.

Freeman '18 (organizer in Pan-African Community Action, 2018, Netfa Freeman, is a member organization in the Black Alliance for Peace. She also is an analyst at the Institute for Policy Studies; "Dual US War on Black People," PAMBAZUKA NEWS Voices For Freedom and Justice, Oct 22.; <https://www.pambazuka.org/pan-africanism/dual-us-war-black-people>)

The 1033 Programme facilitates the transfer of excess US Department of Defense supplies and equipment to state and local law enforcement agencies, which are invariably used against Black

and Brown communities in the US. The Programme has allowed police departments to acquire vehicles (land, air, and sea), weapons, computer equipment, fingerprint equipment, night vision equipment, radios and televisions, first aid equipment, tents and sleeping bags, photographic equipment and more. There is no more glaring proof that the US has been waging war against both Black people within its borders and those in Africa than a cursory examination of the responses by the US national security state to Black movements for decolonisation and self-determination inside the US and on the continent. A parallel history in form and essence unfolds when comparing what took place from the 1950s to the 70s in the US Black Power, Civil Rights movements with the independence, anti-colonial movement in Africa. Documented evidence vividly illustrates that the Federal Bureau of Investigation (FBI)'s infamous Counterintelligence Programme, also known as COINTELPRO, orchestrated operations to "infiltrate, intimidate, imprison, and assassinate" the leaders of Black movements for social justice in the US. In Africa, the US executed identical and chronologically aligned repression through the Central Intelligence Agency (CIA) against the independent African governments and liberation movements sweeping the continent. No matter where in the world African people are, our organising for social justice is treated as a threat to the political, economic, and cultural interest of the US ruling class that actually constitutes the essence of Americanism. Democratically elected leaders of the new African states were subjected to coup d'états and incessant assassination attempts including that of Kwame Nkrumah in Ghana, the successful assassination of Patrice Lumumba in the Congo, and today we can add the 2011 brutal murder of Muammar Gaddafi in Libya.

The need to feed a growing and insatiable military-industrial complex and to guarantee that no radical Black movements emerge within US borders or on the African continent has given rise to increased and better-coordinated militarisation both in Africa through AFRICOM and Black communities in the US through

the 1033 Programme. US state agents continue tantamount treatment, like spying on Black Lives Matter activists, monitoring their social media and creating the bogus FBI designation Black Identity Extremists to malign them as responsible for violence against police. All the while tolerating organised, criminal infiltration of law enforcement by violent white supremacists. AFRICOM is the US response to economic competition with China and its increased influence on the continent. AFRICOM is also to prevent the emergence of any independent African influence or force. It is not to fight drug trafficking or terrorism as stated in their promotional materials. The US military presence is a destabilising presence demonstrated by events like the 2012 overthrow of a democratically elected government in Mali by an AFRICOM trained Captain Amadou Haya Sanogo and the 2015 coup in Burkina Faso led by AFRICOM trained Colonel-Major Gilbert Diendere. During this month the Black Alliance for Peace has been rolling out its campaign US Out of Africa: Shut Down AFRICOM urging all peace and justice loving people to sign the campaign's petition directed to the House Armed Services Committee and the Congressional Black Caucus. In his last year of office, **instead of doing what he could to abolish the 1033**

Programme, Barack Obama put minor restrictions on it, which the Trump administration

immediately reversed within its first year. The Bush administration, progenitor of AFRICOM, was rebuked across the African continent when attempting to establish the headquarters for AFRICOM on the continent, forcing the new command to work out of Europe. Then came the Obama administration that paved the way for the proliferation of AFRICOM on the continent, as quisling African leaders fell over themselves to cooperate with the first Black US President. A now acceptable scenario has resulted in 46 various forms of US bases as well as military-to-military relations between almost all of the 54 African countries and the United States. US Special Forces troops now operate in more than a dozen African nations reflecting a 1,900 percent increase in the US military presence in Africa. What impact has increased militarisation abroad had on US Black and Brown communities?

Since 1990, about US \$6 billion worth of US Department of Defense property has been transferred to local, state, federal and tribal law-enforcement agencies while communities are suffering from austerity cuts. The world saw this deployed against Black rebellions in response to the police shooting of an unarmed Michael Brown in Ferguson, Missouri. The first actual militarisation of the US police started 28 years before the 1033 Programme in the 1960s with the creation of the Special Weapons And Tactics units –commonly known as SWAT. In South Africa (Azania) the same thing was developed at exactly the same time. The Special Task Force (STF) was an elite police tactical unit of the white settler regime's South African Police Service (SAPS). The first significant deployments of SWAT and STF units were to repress African/Black movements for liberation. On 9 December 1969 SWAT was deployed for a four-hour confrontation with members of the Black Panthers in a densely populated area of Los Angeles. In 1967 about 2,000 STF forces were deployed to guard the northern border of Rhodesia (modern-day Zimbabwe) to assist Rhodesian security forces against the liberation forces there. Roger Morris, former National Security staffer for Henry Kissinger, admits that of the dozens of coup d'états that have taken place in post-colonial Africa only two or three were free of the hidden hand of US destabilisation..

Federal militarization of local forces puts violent conflict at the center of current policing culture.

Mummolo '13 (Dept of Politics @ Princeton University, 2013, Jonathan-Woodrow Wilson School of Public and International Affairs, Princeton University;

Militarization fails to enhance police safety or reduce crime but may harm police reputation, Edited by John Hagan, Northwestern University, Evanston, IL, and approved July 2, 2018 (received for review March 24, 2018; PNAS Proceedings of the National Academy of Sciences of the United States of America; <https://www.pnas.org/content/pnas/early/2018/08/14/1805161115.full.pdf>)

Police militarization is a continuum defined by a combination of equipment, tactics, and culture that centers on violent conflict (7, 15, 16). In recent decades, **local police agencies have militarized their departments to varying degrees, adopting weapons, attire, tactics, and organizational structures developed for theaters of war. The proliferation of militarized policing is due in part to** an expansion of the war on drugs and **federal initiatives that supplied localities with excess military equipment and funds to purchase arms** (17, 18). Heterogeneity in agency capacity makes it difficult to precisely code police agencies as "militarized" or not. Recently publicized data on military gear disbursements have been used in some studies to estimate the effects of militarization on police violence, crime, and officer safety (19–21). But these data convey only the receipt of equipment from one of several programs that help supply agencies with militarized gear (22). The data also appear incomplete (see SI Appendix, section 1A for details).

Federal police militarization is coterminous with a larger genocidal race war that must be stopped at all costs.

Giroux '14 (Henry, pioneering work in public pedagogy, cultural studies, youth studies, higher education, media studies, and critical theory., "Militarism's Killing Fields: From Gaza to Ferguson", pgs. 11-13, file:///C:/Users/Dimarvin/Dropbox/WAKE!!!/Articles/Militarism%20s%20Killing%20Fields%20From%20Gaza%20to%20Ferguson.pdf, 2014, D.P)

SWAT teams now deployed to conduct even routine practices such as carrying out raids on unlicensed barber shops, and raiding night clubs in violation of liquor inspections, they have also become part of both a huge security industry 'expected to grow to \$31 billion by 2014' and a public and state spending program that amounts to '\$75 billion a year on national security' (Greenwald, 2014). In 2013, SWAT teams in the United States conducted over 80,000 raids, with '80 percent ... linked to search warrants to investigate potential criminal suspects, not for high-stakes "hostage, barricade, or active shooter scenarios"' (Chen, 2014). **The militarization of American society is fueled by a Department of Defense program labeled 1033, which 'has provided \$4.3 billion in free military equipment to local police'** (Chen, 2014). **At the same time, states have 'received at least \$34 billion in federal grants to purchase military grade supplies** in the decade after 9/11 ... Even in remote cities like Fargo, North Dakota, rated one of the safest cities in America police officers have traveled with military style assault rifles in their patrol cars' (Chen, 2014). **What the arming of America testifies to is not simply the militarizing of the police but a process of militarization** defined by Michael Geyer **as the 'contradictory and tense social process in which civil society organizes itself for the production of violence'** (cited in Womack, 2004; also see Gillis, 1989). **This speaks to a much broader threat to American society than the arming of the police.** In light of the ongoing militarization of American society, I want to introduce a caveat. I think it is a mistake to simply focus on the militarization of the police and their racist actions in addressing the killing of Michael Brown. **What we are witnessing in this brutal killing and mobilization of state violence is symptomatic of the neoliberal racist punishing state emerging all over the world, with its encroaching machinery of social death.** The neoliberal killing machine is on the march globally. The spectacle of neoliberal misery is too great to deny any more and the only mode of control left by the corporate controlled societies is violence, but a violence that is waged against the new precariat, such as immigrant children, protesting youth, the unemployed, and black youth. In the case of Michael Brown, it should be clear that his death cannot be reduced to an isolated incident in a town in which Whites are overwhelmingly in power. In fact, as Steven Rosenfeld points out, According to the most recently available federal crime statistics reported by USA Today, a white police officer killed a black person at least twice a week in the U. S. from 2005 through 2012. 'The shooting of a black teenager in Ferguson, MO, last Saturday was not an isolated event in American policing. Eighteen percent of the blacks killed during those seven years were under age 21, compared to 8.7 percent of whites'. (Rosenfeld, 2013) The racist, symbolic, and capacious violence now waged by the neoliberal state has become so widespread that it permeates the news, media, social networks, and online sources so as to become normalized rather than a source of alarm. Yet, to the degree that neoliberal ideology is in disarray, it becomes more and more obsessed with security and expanding the punishing state. This suggests at one level that neoliberal states can no longer justify and legitimate their exercise of ruthless power and its effects under casino capitalism. Instead, the state no longer attempts to produce consensus, but on reproducing a culture of fear (Bauman, 2010, p. 8). But rather than responding with palliative reforms, the neoliberal state appears both obsessed with security and politically indifferent and ethically frozen in light of the human suffering, exploitation, misery, and culture of cruelty it produces. Part of this is due to the way in which global corporate power is now separated from the politics of the nation state. As Zygmunt Bauman and Leonidas Donskis observe: the advanced separation aimed at divorce between power (the ability to see things done) and politics (the capacity to decide what things are to be done), has resulted in the 'ludicrous and degrading', all too manifest incapacity of nation-state politics to perform its function. ... Power and politics live and move in separation from each other and their divorce lurks round the corner. On the one hand, there is power, safely roaming the global expanses, free from political control and at liberty to select its own targets; on the other, there is politics, squeezed and robbed of all or nearly all of its power, muscles and teeth. (Bauman & Donskis, 2013, pp. 59–60) Yet, given the fact that corporate power now floats above and beyond national boundaries, the financial elite can dispense with political concessions in order to pursue their toxic agendas. Moreover, as Slavoj Žižek argues 'worldwide capitalism can no longer sustain or tolerate ... global equality. It is just too much' (2013, p. 58). Moreover, in the face of massive inequality, increasing poverty, the rise of the punishing state, and the attack on all public spheres, neoliberalism cannot no longer pass itself off as synonymous with democracy. The capitalist elite, whether they are Hedge Fund managers, the new billionaires from Silicon Valley, or the heads of banks and corporations, are no longer interested in ideology as their chief mode of legitimation. Force is now the arbiter of their power and ability to maintain control over the commanding institutions of American society. Finally, I think it is fair to say that they are too arrogant and indifferent to how the public feels. Neoliberal capitalism has nothing to do with democracy and this has become more and more evident among people, especially youth all over the globe. As Žižek has observed, 'the link between democracy and capitalism has been broken' (2013, p. 68). The important question of justice has been subordinated to the violence of unreason, to a market logic that divorces itself from social costs, and a ruling elite that has an allegiance to nothing but profit and will do anything to protect their interests. This is why I think **it is dreadfully wrong to just talk about the militarization of local police forces without recognizing that the metaphor of 'war zone' is apt for a global politics in which the social state and public spheres have been replaced by the machinery of finance, the militarization of entire societies not just the police, and the widespread use of punishment that extends from the prison to the schools to the streets.** Some have rightly argued that these tactics have been going on in the black community for a long time and are not new (Nopper & Kaba, 2014). **Police violence certainly has been going on for some time, but what is new is that the intensity of violence and the level military-style machinery of death being employed is much more sophisticated and deadly.** For instance, as Kevin Zeese and Margaret Flowers point out, **the militarization of the police in the United States is a**

recent phenomenon that dates back to 1971. They write: The militarization of police is a more recent phenomenon [and marks] the rapid rise of Police Paramilitary Units (PPUs, informally SWAT teams) which are modeled after special operations teams in the military. PPU's did not exist anywhere until 1971 when Los Angeles under the leadership of the infamous police Chief Daryl Gates, formed the first one and used it for demolishing homes with tanks equipped with battering rams. By 2000, there were 30,000 police SWAT teams [and] by the late 1990s, 89% of police departments in cities of over 50,000 had PPU's, almost double the mid-80s figure; and in smaller towns of between 25,000 and 50,000 by 2007, 80% had a PPU quadrupling from 20% in the mid-80s. [Moreover,] SWAT teams were active with 45,000 deployments in 2007 compared to 3,000 in the early 80s. The most common use ... was for serving drug search warrants where they were used 80% of the time, but they were also increasingly used for patrolling neighborhoods. (Zeese & Flowers, 2014) At the same time, **the impact of the rapid militarization of local police forces on poor black communities is nothing short of terrifying and symptomatic of the violence that takes place in advanced genocidal states**. For instance, according to a recent report, entitled 'Operation Ghetto Storm', produced by the Malcolm X Grassroots Movement, 'police officers, security guards, or self-appointed vigilantes extra judicially killed at least 313 African Americans in 2012. ... This means a black person was killed by a security officer every 28 hours'. The report suggests that 'the real number could be much higher' (Hudson, 2013).³ Glenn Greenwald is right in arguing that **'abusive policing, police militarization is overwhelmingly and disproportionately directed at minorities and poor communities, ensuring that the problem largely festers in the dark'**; it also 'degrades the mentality of police forces in virtually every negative way and subjects their target communities to rampant brutality and unaccountable abuse' while posing 'grave and direct dangers to basic political liberties, including rights of free speech, press and assembly' (Greenwald, 2014). **The emergence of the warrior cop and the surveillance state go hand-in-hand and are indicative not only of state sanctioned racism but also of the rise of the authoritarian state and the dismantling of civil liberties**. Brutality mixed with attacks on freedom dissent, and peaceful protest harbor memories of past brutal regimes such as the dictatorships in Latin America in the 1970s and 1980s. The events in Ferguson speak to a history of representation in both the United States and abroad that Americans have chosen to forget at their own risk. In spite of his generally right-wing political views, Rand Paul got it right in arguing that When you couple this militarization of law enforcement with an erosion of civil liberties and due process that allows the police to become judge and jury— national security letters, no-knock searches, broad general warrants, pre-conviction forfeiture—we begin to have a very serious problem on our hands. Given these developments, it is almost impossible for many Americans not to feel like their government is targeting them. Given the racial disparities in our criminal justice system, it is impossible for African-Americans not to feel like their government is particularly targeting them. (Paul, 2014)

The consequence is a retrenchment of a culture of violence, a core source of the blurring between police and the military--locking in the global violence of the Military Industrial Complex. It's the root cause of all their impacts.

Kraska, '97 (EKU professor in the School of Justice Studies, AND Kappeler, Dean of the School of Justice Studies, '97 [Pete and Victor, 1997, "Militarizing American Police: The Rise and Normalization of Paramilitary Units", https://lsa.umich.edu/content/dam/sid-assets/SID%20Docs/_Militarizing%20America%20Police._.pdf, 7/7/19]

Again, it takes little acumen to recognize how **the metaphor of "war" — with its emphasis on occupation, suppression through force, and restoration of territory — coincides naturally with the "new science" of the police targeting and taking control**, indeed ownership, of politically defined social spaces, aggregate populations, and social problems **with military-style teams and tactics**. On a broader level, this research demonstrates the necessity of widening our theoretical gaze to include **the police institution's larger role, nationally and internationally, in wielding and maintaining state power, particularly as these processes relate to militarization**. The converging trends of the militarization of police and police-ization of the military in the post Cold War era renders Enloe's (1980:8) admonishment to social, political, and police analysts even more compelling: "the military and police **in any state have to be considered in a common framework**. Police and military analysts too often follow separate lines of inquiry; this blinds them to the mutually dependent relationship the police and military have in reality in any state." **The streamlining of these two use-of-force entities raises questions about the taken-for-granted separation between the military and police as a tenet of U.S. democratic governance**. C. Wright Mills (1970:246) expressed concern for what he called the newly emerging means of violence — referring to the military-industrial complex. **The trends identified here, in conjunction with the escalation of the "crime control industry" (Christie 1994), may portend an inwardly focused and more subtle "emerging means of violence": a form of paramilitarized violence found in a rapidly expanding criminal justice-industrial complex, with both ideological and material connections to the military-industrial complex.**

Fortunately, Contention Two: Solvency

Defunding federal police forces is absolutely necessary and the only complement to current state and local efforts that can move substantive reform in a meaningful direction.

Boehm, '20 ('Defund the Police' Should Include Federal Cops Too Federal spending on policing has quadrupled since the 1980s, while state and local spending has increased by about one-third. ERIC BOEHM | 6.9.2020 4:45 PM <https://reason.com/2020/06/09/defund-the-police-should-include-federal-cops-too/>

Protesters demanding policing reforms are understandably focused on increasing accountability and slashing police budgets at the state and local levels. But the call to "defund the police" should not ignore the large and growing presence (and expense) of federal law enforcement in recent decades—and would-be reformers should be careful not to hand-over more power to federal agencies that will be more difficult to hold accountable than local departments. Federal police spending has skyrocketed since the 1980s, notes Chris Edwards, director of tax policy studies for the Cato Institute, a libertarian think tank. **The federal government's police budget includes grants for local and state police departments**, though that is a small portion of overall spending. The vast majority funds traditional federal law enforcement offices like the FBI and Drug Enforcement Agency, as well as the Secret Service, Customs and Border Patrol (CBP), and the Bureau of Alcohol, Tobacco, and Firearms. According to data from the U.S. Bureau of Economic Analysis, which tracks spending on all government programs, **federal police spending averaged about 0.05 percent of gross domestic product (GDP) during the 1980s**, and climbed to about 0.1 percent of GDP on average during the 1990s. **Over the past decade**, however, **federal spending on police has averaged 0.26 percent of GDP. "This spending has risen much faster than state– local police spending in recent decades,"** writes Edwards. **"That is a big concern if you believe in federalism and decentralized government."** It's true that state and local governments spend a larger portion of their budgets on policing. It was a member of the Minneapolis Police Department who brutally killed George Floyd last month, and it was local and state police who were responsible for many—but not all—of the subsequent displays of police brutality aimed at protesters. **It makes sense that local policing is more in the spotlight at the moment. But that doesn't mean federal police forces should be exempt from reforms.** Indeed, their growth in recent decades suggests they could be due for some budget-trimming too. **Unfortunately, the opposite seems to be happening. The Justice in Policing Act**, which was introduced by House Democrats this week, **would expand the role of the federal government in doing police work—and would hike federal police spending by \$900 million**. Worse, perhaps, is the fact that the bill's most high-profile police accountability measure—ending the legal regime of "qualified immunity" that protects officers from being held civilly liable for damage or injuries they cause while on the job—applies only to local law enforcement and not to federal officers that are part of the FBI or CPB, for example. An expanded, unaccountable role for federal law enforcement is hardly the appropriate response to problems with state and local police forces. As Derek Cohen, the policy director for Right On Crime, a conservative police reform advocacy group based in Texas, explained on Twitter, **federal intervention in local policing issues should be a last resort. And a top-down approach is unlikely to encourage reforms.** To put it another way, if you think forcing a citywide police department to change its ways is tough, wait until you're dealing with the federal government. **Slowing the growth of spending on federal police and shrinking the mandate given to federal law enforcement is**, in many ways, a separate project from the one currently underway in cities across the country. But **if Congress wants to get involved in fixing what's wrong with America's police departments**, it should not turn a blind eye to federal law enforcement budgets that are directly under its control.

Yes, it is possible that defunding the police will not solve the problem, as has happened on the local level in the past such as in Columbus, Ohio. The plan resolves these issues with federal action and federal support for transitional programs, but ultimately the political details do not matter as much as the need to work toward substantial change in a positive way.

Liz Brown, '20 (Minneapolis Leaders Vow To Defund the Police Plus: Police unions love Amy Klobuchar, Seattle can't quit tear gassing protesters, and more... ELIZABETH NOLAN BROWN | 6.8.2020 <https://reason.com/2020/06/08/minneapolis-leaders-vow-to-defund-the-police/>)

Members of **the Minneapolis City Council say they will stop funding local police**. On Sunday, a majority of council members pledged support to disbanding the city's entire police department. "Nine of the council's 12 members appeared with activists at a rally in a city park Sunday afternoon and **vowed to end policing as the city currently knows it,**" the AP reports. One council member, Jeremiah Ellison, said the council would "dismantle" the Minneapolis Police Department. Council President Lisa Bender said the aim was "**to end policing as we know it and recreate systems that actually keep us safe.**" No formal moves have been made, so it remains to be seen whether this is anything more than empty words from Minneapolis city leaders. (For now, the state of Minnesota has opened a civil rights investigation into the Minneapolis Police Department in response to the killing of George Floyd.) **Cities have disbanded their entire police departments before,** as the AP points out: In 2012, with crime rampant in Camden, New Jersey, the city disbanded its police department and replaced it with a new force that covered Camden County. Compton, California, took the same step in 2000, shifting its policing to Los Angeles County. It was a step that then-Attorney General Eric Holder said the Justice Department was considering for Ferguson, Missouri, after the death of Michael Brown. The city eventually reached an agreement short of that but one that required massive reforms overseen by a court-appointed mediator. **Of course, if you replace a particular police department or units with a similar structure, that doesn't necessarily mean you'll get much different results. The city of Columbus, Ohio, disbanded a portion of its police unit—the violence-, scandal-, and FBI-investigation-besotted vice squad—back in 2019, with promises to orient efforts around more community-minded actions. But Columbus city cops were doing the same old vice policing under different branding not long thereafter.** Indeed, the city didn't even give it a rest during the brief pause: It simply relied on county cops or federal agents to do things like prostitution stings. **Defunding law enforcement has become a big rallying cry** in recent protests against police brutality and the state-sanctioned murder of George Floyd, Breonna Taylor, and other Americans. This has not just law-and-order conservatives but a lot of centrists somewhat freaked out. It's a slogan, you guys. It's short and easy to write on signs. **It's also somehow broad enough to accommodate a range of intentions**—to be meant quite literally by some and by others as light hyperbole in the way of protest slogans immemorial. **It's become shorthand for proposals all the way from total police and prison abolition to reforms like curtailing federal funds for local police, ending the provision of military gear, or simply cutting police budgets.** Despite the big talk from Minneapolis officials right now, a full-fledged defunding of the police is an idea with little chance of actually taking hold anytime soon. It's the kind of ask you start with to move the Overton window on potential reforms. Some on the side of police reform have been expressing well-intentioned worries that "defund the police" rhetoric will discredit protesters or scare off moderate supporters. Perhaps. But it seems to me that just about anything protesters do draws consternation from certain quarters and will be sensationalized in the press no matter what. When reformers admonish people for calls to cut police budgets, they're doing the work of those they're supposed to be working against. I think **it's ultimately futile to spend time fretting about how relatively mild rhetoric like defund the police will play out politically, and that it distracts from more productive discussion. Instead of simply writing off the line as politically toxic, perhaps it would be more useful to try and demystify and deradicalize the idea of cutting police budgets. Two good places to start: looking at how such efforts played out in the past, and stressing which parts of police budgets are most ripe for defunding**

Overall, it is clear that Federal policing funds are extensive and counter-productive on multiple levels.

Harmon, '18 (FEDERAL PROGRAMS AND THE REAL COSTS OF POLICING RACHEL A. HARMON* Sullivan & Cromwell Professor of Law, University of Virginia Law School NEW YORK UNIVERSITY LAW REVIEW [Vol. 90:870 <https://www.nyulawreview.org/wp-content/uploads/2018/08/NYULawReview-90-3-Harmon.pdf>)]

Dozens of federal statutes authorize federal agencies to give money and power to local police departments and municipalities in order to improve public safety. While **these federal programs** encourage better coordination of police efforts and make pursuing public safety less financially costly for local communities, they also **encourage harmful policing**. Of course, policing often interferes with our interests in autonomy, privacy, and property, and those harms are often worthwhile in exchange for security and order. **Federal public safety programs, however, are designed, implemented, and evaluated without reference to the nonbudgetary costs of policing. When those costs are high, federal programs can make local policing seem cheaper for communities, but actually make it more costly in its impacts and therefore less efficient. The coercion costs of policing are overlooked in most assessments of policing policy, not just in federal programs.** Ordinarily, however, even when they are not formally recognized, those costs are accounted for, at least to some degree, in local political processes because local government officials experience public ire when the harms of policing become too great. Unfortunately, federal programs also frequently undermine this check on the intrusiveness of local policing. **Internalizing the nonbudgetary costs of policing depends on public capacity to monitor harmful police conduct and on city officials' capacity to influence police conduct. Some federal programs interfere with these conditions by clouding responsibility for law enforcement coercion and by giving money directly to departments rather than to municipalities. Thus, federal programs not only ignore significant costs of the policies they subsidize, they also interfere with the usual local mechanisms for managing those costs.** Until federal public safety programs are approached with a more complete understanding of policing—one that attends to its full costs and the need for accountability—**federal programs will continue to promote policing practices that do more harm than necessary and maybe even more harm than good.**

Aff Case Extn. -- General

Inherency: Current Federal Defunding is Shallow, Not Reinvested

Giving cities the option to reinvest in the Community is the best path, otherwise police defunding will not shift concerns over to those in need.

Policing cuts are coming inevitably, the question is whether the resources will be there for community services or whether the cuts will be made without reinvesting in the Community. It's less about defunding the police and more about maintaining financial support for the communities.

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

Democrats are trying to save police departments from cuts

The fact that Joe **Biden refuses to embrace the idea of “defunding the police”** has attracted a fair amount of attention in recent days. **Instead, he's proposed spending “an additional \$300 million** to reinvigorate community policing in our country,” arguing in USA Today that “every single police department should have the money they need to institute real reforms like adopting a national use of force standard, buying body cameras, and recruiting more diverse police officers.” **But the larger and more significant budgetary context is that the HEROES Act passed by House Democrats and stalled by Senate Republicans appropriates \$900 billion to state and local governments. With that kind of fiscal support, cities that don't want to defund their police departments wouldn't have to. And cities that do want to experiment with shifting funding out of law enforcement and into mental health, drug treatment, and youth services will have the opportunity to do that.** Republicans, meanwhile, have characterized this idea as a “blue state bailout” and say Congress should instead consider changes to bankruptcy law that might allow states to shed their pension obligations in bankruptcy. **Given the strain that the Covid-19 crisis has placed on state and local budgets, a lack of federal aid makes cuts to policing essentially inevitable. These would not be cuts on the divest/reinvest model favored by anti-police activists but just old-fashioned budget cuts where there is less money for everything.** And while it's true that shedding pension obligations could relieve some pressure on current-day spending, many of those pension benefits go to police officers — who typically retire early and collect generous defined benefit pensions.

Cities are totally bankrupt--they will have to take funds from everywhere and not replace them. Federal aid to cities and localities is necessary to prevent a full gutting of all services.

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

This kind of willy-nilly budget cutting isn't what thoughtful police defunders have in mind when they talk about reimagining the criminal justice system. But when pollsters find that two-thirds of the public opposes defunding the police, that probably

is what the electorate fears. Many people might prefer something else in lieu of the traditional police presence in our cities. But few simply want the police to vanish. **Absent the kind of federal aid that Republicans are currently blocking, that's what's going to happen. America is going to have fewer police, and fewer teachers and mental health workers, and fewer summer job programs and community centers, and just generally less of everything. That's unlikely to be a happy ending for anyone.**

Trump Cutting Police Funding Now

Trump is already cutting federal funds from police, it's just ad hoc.

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

President Trump has repeatedly proposed cuts in federal funding for police, criticized landmark legislation that boosted financial support for police departments, and is currently involved in blocking legislation that would greatly reduce pressure on local governments to cut police funding. In layman's terms, he's been trying to defund the police.

Trump consistently cutting federal funding for police (along with other services)

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

Trump's budgets have routinely proposed police cuts

In early February of this year, **the Trump administration proposed a 58 percent cut in the federal government's COPS Hiring Program, a federal program that supports police department staffing.** That's not a one-off; **his administration's budget proposals have routinely called for huge cuts to this program,** which was inaugurated in the 1990s as part of Bill Clinton's pledge to hire 100,000 new police officers (Congress keeps declining to do this). **Police staffing levels have stagnated and fallen since the heyday of this program in part as a result of the general trend toward state and local budget cuts in the wake of the Great Recession and huge GOP electoral wins in the 2010 midterms.** Trump has never actually talked about this proposed further reduction in police spending, as far as I can tell, and it's sharply at odds with both his rhetoric about the police and police unions' enthusiastic embrace of him. But that disjuncture is part of a more general distinction between the memetic politics of police and the real world of budgeting, where **GOP tax and spending policies squeeze law enforcement along with every other form of front-line public service provision.**

Aff Adv. Extn. -- Policing

Shift to Community Care away from Policing can Reduce Abuses and Violence

Moving from policing to community care can reduce violence and the need for police in the first place.

Raven et. al. '20 (Teen Vogue '20, LEILA RAVEN, MON MOHAPATRA, AND RACHEL KUO, JUNE 25, 2020, “8 to Abolition Is Advocating to Abolish Police to Keep Us All Safe,” <https://www.teenvogue.com/story/8-to-abolition-abolish-police-keep-us-safe-op-ed>)

One example of this model that has been made public is the BYP100 process, which led to a statement of accountability by the person who caused harm (although the behavior was later repeated, leading to a new statement of accountability). **There are also models of community accountability** processes **that** do not depend on people who have caused harm to be accountable, and instead **turn to whole communities to take action and build safety**. Community accountability approaches dovetail with other anti-capitalist methods of **ensuring community control over housing, food, and work by allowing the community to dictate what justice means. These models** seek to **eradicate state violence and gendered violence simultaneously by responding to abuse and assault while rejecting punishment, policing, and imprisonment**. As Mariame Kaba points out, **strategies like policing** and imprisonment might make people “feel secure,” but they **actually reproduce violence and harm. Justifying carceral solutions to violence through policing and prisons has rationalized increased funding for law enforcement**, a glaring issue when compared with the lack of investment in programs and support systems that keep our communities safe. In New York City, more city funding is directed toward policing than housing and health care. For education, the city’s priorities are similarly out of balance: An environmental impact assessment from the activist group No New Jails found that, based on 2017 data, New York City spent over \$200,000 per incarcerated person, but only \$14,500 per student through the Department of Education.

Aff Adv. Extn. -- Militarism (1033)

2AC AT: "Reject Saviorism"

They say we are too shallow, a form of White saviorism.

1. We defend our framework and our policy

The advantages outweigh this turn and there is no link because we are not claiming to be a protest.

2. Students learning about legalism and policy comes before vague claims of being powerless or victim-blaming.

Klare '11 (George J. & Kathleen Waters Matthews Distinguished University Professor, Northeastern University School of Law, "Teaching Local 1330—Reflections on Critical Legal Pedagogy," (). School of Law Faculty Publications. Paper 167. <http://hdl.handle.net/2047/d20002528>)

By now it has begun to dawn that one of the subjects of this class session is how lawyers translate their moral intuitions and sense of justice into legal arguments. Most beginning **students have found themselves in the situation of wanting to express their moral intuitions** in the form of legal arguments **but of feeling powerless to do so**. A common attitude of Northeastern students is that a lawyer cannot turn moral and political convictions into legal arguments in the context of case-litigation. **If you are interested in directly pursuing a moral and/or political agenda, at a minimum you need to take up legislative and policy work**, and more likely you need to leave the law altogether and take up grass roots organizing instead. I insist that we keep the focus on litigation for this class period. After the straw poll, I ask the students to simulate the role of Staughton Lynd's legal assistants and to assume that the court has just definitively rejected the claims based on contract, promissory estoppel, and the notion of a community property right. However, they should also assume, counter-factually, that Judge Lambros stayed dismissal of the suit for ten days to give plaintiffs one last opportunity to come up with a theory. I charge the students with the task of making a convincing common law argument, supported by respectable legal authority, that the plaintiffs were entitled to substantial relief. Put another way, I ask the students to prove that Judge Lambros was mistaken—that he was legally wrong—when he concluded that there was no basis in existing law to vindicate the workers' and community's rights. In some classroom exercises, I permit students to select the side for which they wish to argue, but I do not allow that in this session. All students are asked to simulate the role of plaintiffs' counsel and to make the best arguments they can—either because they actually believe such arguments and/or because in their simulated role they are fulfilling their ethical duty to provide zealous representation. A recurring, instant reflex is to say: "it's simple—the workers' human rights were violated in the Youngstown case." I remind the class that the challenge I set was to come up with a common law theory. The great appeal of human rights discourse for today's students is that it seems to provide a technical basis upon which their fervent moral and political commitments appear to be legally required. "What human rights?" I ask. The usual answers are (1) "they had a right to be treated like human beings" or (2) "surely there is some human right on which they can base their case." To the first argument I respond: "well, how they are entitled to be treated is exactly what the court is called upon in this case to decide. Counsel may not use a re-statement of the conclusion you wish the court to reach as the legal basis supporting that conclusion." To the second response I reply: "it would be nice if some recognized human right applied, but we are in the Northern District of Ohio in 1980. Can you cite a pertinent human rights instrument?" (Answer: "no.") The students then throw other ideas on the table. Someone always proposes that U.S. Steel's actions toward the community were "unconscionable." I point out that unconscionability is a defense to contract enforcement whereas the plaintiffs were seeking to enforce a contract (the alleged promise not to close the plant if it were rendered profitable). In any case, we have assumed that the judge has already ruled that there was no contract. Another suggestion is that plaintiffs go for restitution. A restitution claim arises when plaintiff gives or entrusts something of value to the defendant, and the defendant wrongfully refuses to pay for or return it. But here we are assuming that Judge Lambros has already ruled that the workers did not endow U.S. Steel with any property or value other than their labor power for which they were already compensated under the applicable collective bargaining agreements. If the community provided U.S. Steel with value in the nature of tax breaks or infrastructure development, the effect of Judge Lambros' ruling on the property claim is to say that these were not investments by the community but no-strings-attached gifts given in the hope of attracting or retaining the company's business. At this point I usually give a hint by saying, "if we've ruled out contract claims, and we've ruled property claims, what does that leave?" Aha, torts! A student then usually suggests that U.S. Steel committed the tort of intentional infliction of emotional distress (IIED).¹⁵ I point out that, even if it were successful, this theory would provide plaintiffs relief only for their emotional injuries, but not their economic or other losses, and most likely would not provide a basis for an injunction to keep the plant open. In any event, IIED is an intentional tort. What, I ask, is the evidence that U.S. Steel intends the plant shutdown to cause distress? The response that "they should know that emotional distress will result" is usually not good enough to make out an intentional tort. An astute student will point out that in some jurisdictions it is enough to prove that the defendant acted with reckless disregard for the likelihood that severe emotional distress would result. I allow that maybe there's something to that, but then shift ground by pointing out that a prima facie requirement of IIED is that the distress suffered go beyond what an "ordinary person" may be expected to endure or beyond the bounds of "civilized behavior."¹⁶ Everyone knows that plants close all the time and that the distress accompanying job-loss is a normal feature of American life. A student halfheartedly throws out negligent infliction of emotional distress, to which my reply is: "In what way is U.S. Steel's proposed conduct negligent? The problem we are up against here is precisely that the corporation is acting as a rational profit-maximizer." A student always proposes that plaintiffs should allege that what U.S. Steel did was "against public policy." First of all, I say, "public policy" is not a cause of action; it is a backdrop against which conduct or contract terms are assessed. Moreover, what public policy was violated in this case? The student will respond by saying "it is against public policy for U.S. Steel to leave the community devastated." I point out once again that that is the very conclusion for which we are contending—it is circular argument to assert a statement of our intended conclusion as the rationale for that conclusion. This dialogue continues for awhile. One ineffective theory after another is put on the table. Only once or twice in the decades I have taught this exercise have the students gotten close to a viable legal theory. **But this is not wasted time—learning occurs in this phase of the exercise. The point conveyed is that while law and morals/politics are inextricably intertwined, they are not the same**. For one thing, lawyers have a distinct way of talking about and analyzing problems that is characteristic of the legal culture of a given time and place. So-

called “legal reasoning” is actually a repertoire of conventional, culturally approved rhetorical moves and counter-moves deployed by lawyers to create an appearance of the legal necessity of the results for which they contend. In addition, good lawyers actually possess useful, specialized knowledge not generally absorbed by political theorists or movement activists. Legal training sensitizes us to the many complexities that arise whenever general norms and principles are implemented in the form of rules of decision or case applications. Lawyers know, for example, that large stakes may turn on precisely how a right is defined, who has standing to vindicate it, what remedies it provides, how the right is enforced and in what venue(s), and so on. We are not doing our jobs properly if we argue, simply, “what the defendant did was unjust and the plaintiff deserves relief.” No one needs a lawyer to make the “what the defendant did was unjust” argument. As Lynd’s account shows, the workers of Youngstown did make that argument in their own, eloquent words and through their collective resistance to the shut-downs. If “what the defendant did was unjust” is all we have to offer, lawyers bring no added value to the table. Progressive students sometimes tell themselves that law is basically gobbledygook, but that you can assist movements for social change if you learn how to spout the right gobbledygook. In this view of legal practice, “creativity” consists in identifying an appropriate technicality that helps your client. But in the Youngstown situation, we are way past that naïve view. There is no “technicality” that can win the case. In this setting, a social justice lawyer must use the bits and pieces lying around to generate new legal knowledge and new legal theories. And these new theories must say something more than “my client deserves to win” (although it is fine to commence one’s research on the basis of that moral intuition). The class is beginning to get frustrated, and around now someone says “well, what do you expect? This is capitalism. There’s no way the workers were going to win.” The “this-is-capitalism” (“TIC”) statement sometimes comes from the right, sometimes from the left, and usually from both ends of the spectrum but in different ways. The TIC statement precipitates another teachable moment. I begin by saying that we need to tease out exactly what the student means by TIC, as several interpretations are possible. For example, TIC might be a prediction of what contemporary courts are most likely to do. That is, TIC might be equivalent to saying that “it doesn’t matter what theory you come up with; 999 US judges out of 1,000 would rule for U. S. Steel.”¹⁷ I allow that this is probably true, but not very revealing. The workers knew what the odds were before they launched the case. Even if doomed to fail, a legal case may still make a contribution to social justice if the litigation creates a focal point of energy around which a community can mobilize, articulate moral and political claims, educate the wider public, and conduct political consciousness-raising. **And if there is political value in pursuing a case, we might as well make good legal arguments.**

1AR: Extend Klare '11--the purpose of such hypothetical policy-making is participation in social justice. We have to have allies within and policy education is key.

Klare '11 (George J. & Kathleen Waters Matthews Distinguished University Professor, Northeastern University School of Law, “Teaching Local 1330—Reflections on Critical Legal Pedagogy,” (). School of Law Faculty Publications. Paper 167. <http://hdl.handle.net/2047/d20002528>)

What are the objectives of critical legal pedagogy? **Legal education should empower students.** It should put them in touch with their own capacity to take control over their lives and professional education and development. **It should enable them to experience the possibility of participating, as lawyers, in transformative social movements. But all too often classroom legal education is deadening.** The law student’s job, mastering doctrine, appears utterly unconnected to any process of learning about oneself or developing one’s moral, political, or professional identity. Classroom legal education tends to reinforce a sense of powerlessness about our capacity to change social institutions. Indeed, it often induces students to feel that they are powerless to shape and alter their own legal education. Much of legal education induces in students a pervasive and exaggerated sense of the constraint of legal rules and roles and the students’ inability to do much about it. In capsule form, **the goals of critical legal pedagogy are— • to disrupt the socialization process that occurs during legal education; • to unfreeze entrenched habits of mind and deconstruct the false claims of necessity which constitute so-called “legal reasoning”; • to urge students to see their life’s work ahead as an opportunity to unearth and challenge law’s dominant ideas about society, justice, and human possibility and to infuse legal rules and practices with emancipatory and egalitarian content; • to persuade students that legal discourses and practices comprise a medium, neither infinitely plastic nor inalterably rigid, in which they can pursue moral and political projects and articulate alternative visions of social organization and social justice; • to train them to argue professionally and respectably for the utopian and the impossible; • to alert them that legal cases potentially provide a forum for intense public consciousness-raising about issues of social justice; • to encourage them** to view legal representation as an opportunity to challenge, push, and relocate the boundaries between intra-systemic and extra-systemic activity, that is, an opportunity **to work within the system in a way that reconstitutes it; and • to show that the existing social order is not immutable but “is merely possible, and that people have the freedom and power to act upon it.”**⁴⁶ The most important point of the class is that social justice lawyers never give up. The appropriate response when you think you have a hopeless case is to go back and do more work in the legal medium.

AT: "1033 Inevitable and Small"

(). It's not just 1033--the plan solves on multiple levels.

Ackerman, '14 (Guardian national security editor, Pulitzer Prize winner, 14 [Spencer, 8-20-14, The Guardian, "US police given billions from Homeland Security for 'tactical' equipment," <https://www.theguardian.com/world/2014/aug/20/police-billions-homeland-security-military-equipment>, accessed 7-12-19]

In the wake of the Ferguson protests, much attention has gone to **the Department of Defense's program to supply surplus military equipment to police**. But that program **is eclipsed in size and scope by grant money from the Department of Homeland Security (DHS), which enables purchases of similar "tactical" equipment**. Under existing federal requirements, **police departments and state law enforcement agencies do not need to spend much of that money on preventing terrorism or preparing for disaster relief**. The Department of Homeland Security would not say whether it plans to review any of its grant programs in light of the controversy surrounding the deployment of military-style gear on the streets of Ferguson. One of its main congressional overseers told the Guardian he plans to "continue" scrutiny of the grants, while praising them as necessary. During the current fiscal year, **DHS plans to award \$1.6bn in grant money for state, local and tribal agencies, mostly to aid them with counterterrorism, border security and disaster preparedness**, it announced last month. By contrast, the Defense Department's "1033" program to transfer surplus military gear gave out less than \$500m worth of equipment in fiscal 2013. **Two grant programs** in particular, **awarded through** the Federal Emergency Management Agency (**Fema**), **provide the lion's share of the DHS money**: the State Homeland Security Program and the Urban Areas Security Initiative. The former program provides federal dollars to states, while the latter funds cities and metro areas directly. **The State Homeland Security Program will disburse over \$401m this year for "planning, organization, equipment, training and exercise needs" relevant to preventing and responding to "acts of terrorism and other catastrophic events."**

No checks on 1033

Bennett, '17 (ACLU Washington Legislative Office Senior Legislative Counsel, JD from University of North Carolina School of Law, 17 [Kanya, 7-26-17, ACLU, "Even Fake Law Enforcement Agencies Can Get Weapons of War for 'Policing'," <https://www.aclu.org/blog/criminal-law-reform/even-fake-law-enforcement-agencies-can-get-weapons-war-policing>, accessed 7-8-19)

It appears all law enforcement — even a "fictitious federal agency" — can get federally supplied weapons of war, with quite literally, no questions asked. We learned this a few days ago when the Government Accountability Office (GAO) issued a troubling assessment of the Department of Defense 1033 program. The 1033 program gives federal, state, and local law enforcement surplus military weapons and equipment for use in routine policing. **The 1033 program is the poster-child of federal programs responsible for the militarization of U.S. police.** GAO indicated that the Defense Department does not verify the identification of individuals picking up military weapons through 1033. And GAO found that **the Pentagon does not verify the quantity of military weapons transferred through 1033.** GAO said Defense "lacks reasonable assurance that it has the ability to prevent, detect, and respond to potential fraud and minimize associated security risks." And just how did GAO reach this conclusion? GAO posed as a fake federal law enforcement agency and secured military weapons through 1033. They sought \$1.2 million worth of rifles, pipe bomb equipment, and night vision goggles. And they got them. "It was like getting stuff off of eBay," according to GAO staff. The ACLU criticized the 1033 program in its 2014 report, "War Comes Home: The Excessive Militarization of American Policing." And in Ferguson, Missouri, in the aftermath of the fatal police shooting of Michael Brown, the world got to see for itself just what is wrong with militarized policing. Those protesting Brown's death were met with armored vehicles, shotguns, rifles, tear gas, and rubber bullets. Veterans from the Iraq and Afghanistan wars expressed horror that they, while on active duty overseas, were less heavily armed and combative than the local police in Ferguson. Then President Barack Obama was troubled too. He issued Executive Order 13688 in January 2015 to put necessary oversight and protocols in place around law enforcement use of military weapons doled out by the federal government. Certain weapons, like bayonets and tanks, would become prohibited, and other equipment, like Mine Resistant Ambush Protected vehicles (MRAPs) and drones, would be subject to tighter controls that included training supervision, evaluation, and auditing. To do this, E.O. 13688 created an interagency working group that included the Departments of Defense, Justice, and Homeland Security — the primary federal providers of military weapons and equipment to law enforcement. At a minimum, the working group was supposed to ensure that the agencies giving out these military-grade weapons were talking to one another. But at a September 2014 congressional hearing on federal

militarization programs, officials from Defense, Justice, and Homeland Security admitted that they had never met before. This meant that the Pentagon could provide an MRAP to a police department subjected to Department of Justice complaints of police misconduct. But what this GAO report reveals is that Defense may not only be out of touch with Justice, but with the very law enforcement agencies that it's lending military weapons to. Just what has the Department of Defense and the interagency working group been doing for the last two years? The oversight and protocols – were those fake too? Honestly, you can't make this stuff up, which is frightening since President Trump doesn't believe the program needs any oversight at all. During the campaign, Trump promised to repeal Executive Order 13688. Not to be outdone, the House voted earlier this month to prioritize the 1033 program for border enforcement. **So instead of trying to fix 1033 as GAO indicates is necessary, it's likely the White House and Congress will allow this program to go further off the rails.**

AT: "Militarization Good--Stops Terrorism"

1. No link

Locals do not need heavy militarization to solve terrorism and that's not what it's used for.

Rizer, '11 (U.S. Department of Justice trial attorney and former Washington State police officer, and Hartman, lawyer and Georgetown University government doctoral candidate, 11

[Arthur and Joseph, 11-7-11, The Atlantic, "How the War on Terror Has Militarized the Police," <https://www.theatlantic.com/national/archive/2011/11/how-the-war-on-terror-has-militarized-the-police/248047/>, accessed 7-12-19]

In an effort to remedy their relative inadequacy in dealing with terrorism on U.S. soil, police forces throughout the country have purchased military equipment, adopted military training, and sought to inculcate a "soldier's mentality" among their ranks. Though the reasons for this increasing militarization of American police forces seem obvious, the dangerous side effects are somewhat less apparent. Undoubtedly, American police departments have substantially increased their use of military-grade equipment and weaponry to perform their counterterrorism duties, adopting everything from body armor to, in some cases, attack helicopters. The logic behind this is understandable. If superior, military-grade equipment helps the police catch more criminals and avert, or at least reduce, the threat of a domestic terror attack, then we ought to deem it an instance of positive sharing of technology — right? Not necessarily. Indeed, experts in the legal community have raised serious concerns that **allowing civilian law enforcement to use military technology runs the risk of blurring the distinction between soldiers and peace officers.** This is especially true in cases where, much to the chagrin of civil liberty advocates, **police departments have employed their newly acquired military weaponry not only to combat terrorism but also for everyday patrolling.** Before 9/11, the usual heavy weaponry available to a small-town police officer consisted of a standard pump-action shot gun, perhaps a high power rifle, and possibly a surplus M-16, which would usually have been kept in the trunk of the supervising officer's vehicle. Now, police officers routinely walk the beat armed with assault rifles and garbed in black full-battle uniforms. When one of us, Arthur Rizer, returned from active duty in Iraq, he saw a police officer at the Minneapolis airport armed with a M4 carbine assault rifle — the very same rifle Arthur carried during his combat tour in Fallujah.

2. Federal counterterrorism efforts still exist--that's enough to solve, they cannot point to a single foiled plot that required local militarization.

3. No proof it's used to fight terrorism

Ackerman, '14 (Guardian national security editor, Pulitzer Prize winner, 14 [Spencer, 8-20-14, The Guardian, "US police given billions from Homeland Security for 'tactical' equipment," <https://www.theguardian.com/world/2014/aug/20/police-billions-homeland-security-military-equipment>, accessed 7-12-19]

Billions of federal dollars have been spent since September 11 on purchasing modern and often military-grade equipment for state and local police. But there is little that limits the use of that hardware to counter-terrorism purposes, and oversight of the spending is difficult, according to federal sources and documents reviewed by the Guardian.

Federal Militarization of Police Bad/Expanding

Federal militarization of the police is taking place rapidly and with violent consequences.

Wofford '14 (Reporter for Newsweek 2014, Taylor-general assignment reporter and former freelance writer; "How America's Police Became An Army: The 1033 Program; NEWSWEEK online August 13; <https://www.newsweek.com/how-americas-police-became-army-1033-program-264537>)

As many have noted, Ferguson, Missouri, currently looks like a war zone. And its police—kitted out with Marine-issue camouflage and military-grade body armor, toting short-barreled assault rifles, and rolling around in armored vehicles—are indistinguishable from soldiers. **America has been quietly arming its police for battle since the early 1990s.** Faced with a bloated military and what it perceived as a worsening drug crisis, the 101st Congress in 1990 enacted the National Defense Authorization Act. **Section 1208 of the NDAA allowed the Secretary of Defense to "transfer to Federal and State agencies personal property of the Department of Defense, including small arms and ammunition, that the Secretary determines is—** (A) suitable for use by such agencies in counter-drug activities; and (B) excess to the needs of the Department of Defense." It was called the 1208 Program. In 1996, **Congress replaced Section 1208 with Section 1033.** The idea was **that if the U.S.** wanted its police to act like drug warriors, it **should equip them like warriors, which it has—to the tune of around \$4.3 billion in equipment,** according to a report by the American Civil Liberties Union. The St. Louis County Police Department's annual budget is around \$160 million. **By providing law enforcement agencies with surplus military equipment free of charge, the NDAA encourages police to employ military weapons and military tactics.** 1033 procurements are not matters of public record. And the Defense Logistics Agency (DLA), which coordinates distribution of military surplus, refuses to reveal the names of agencies requesting "tactical" items, like assault rifles and MRAPs — for security reasons, a spokesperson for DLA told Newsweek via email. One can only trace "tactical" items as far as the county of the requesting agency. In the case of Ferguson, that means St. Louis County. St. Louis County law enforcement agencies have, through the 1033 Program, acquired the following "tactical" equipment, according to Mike O'Connell, Communications Director for the Missouri Department of Public Safety: Despite the fact that police in Ferguson have been photographed with a matte black vehicle which appears to be a "Bearcat" MRAP, O'Connell told Newsweek that no St. Louis County law enforcement agencies have acquired any MRAPs through the 1033 program. If the vehicle in the above Reuters photo is indeed an MRAP and not one of the nine "utility trucks" acquired by St. Louis County law enforcement, O'Connell said he does not know where it came from. Police in Watertown, Connecticut, (population 22,514) recently acquired a mine-resistant, ambush-protected (MRAP) vehicle (sticker price: \$733,000), designed to protect soldiers from roadside bombs, for \$2,800. There has never been a landmine reported in Watertown, Connecticut. Police in small towns in Michigan and Indiana have used the 1033 Program to acquire "MRAP armored troop carriers, night-vision rifle scopes, camouflage fatigues, Humvees and dozens of M16 automatic rifles," the South Bend Tribune reported. And police in Bloomington, Georgia, (population: 2,713) acquired four grenade launchers through the program, The Atlanta Journal-Constitution reported.

Police militarization increases violence; Feds are responsible

Bates, '17 (Bates, Cato's Project Criminal Justice policy analyst, B.A. in Political Science from the University of Miami, where he walked onto the Miami Hurricanes football team, M.A. in Middle Eastern Studies, J.D. from the University of Michigan, 17 [Adam, 8-29-17, Cato Institute, "Militarization Makes Police More Violent," <https://www.cato.org/blog/militarization-makes-police-more-violent>, accessed 7-13-19]

When Attorney General Jeff Sessions announced yesterday the Trump Administration's repeal an Obama-era rule limiting the distribution of certain military equipment (such as tracked vehicles, camouflage uniforms, high-powered rifles, bayonets, and grenade launchers), he dismissed concerns about police militarization as "superficial." The evidence suggests otherwise: **militarization makes police more violent.** Earlier this year, a study conducted by researchers from Harvard, Stanford, Cincinnati, and Gardner-Webb concluded that **the Pentagon's 1033 weapons transfer program made participating departments more likely to engage in deadly violence.** After receiving 1033 gear, **departments were more likely to kill civilians as well as dogs.** The researchers included the number of dog killings by police (which, according to the Department of Justice, number around 10,000 a year) in order to control for possible variations in human behavior during the period of the study. The study found: 1033 receipts are associated with both an increase in the number of observed police killings in a given year as well as the change in the number of police killings from year to year, controlling for a battery of possible confounding variables including county wealth, racial makeup, civilian drug use, and violent crime. [D]ue to concerns of endogeneity, we re-estimate our regressions using an alternative dependent variable independent of the process by which LEAs request and receive military goods: the number of dogs killed by LEAs. We find 1033 receipts are associated with an increase in the number of civilian dogs killed by police. Combined, our

analyses provide support for the argument that 1033 receipts lead to more LEA violence. The researchers pointed to four areas of militarization that drive the increase in violence: [W]e argue that **increasing LEA access to military equipment will lead to higher levels of aggregate LEA violence. The effect occurs because the equipment leads to a culture of militarization over four dimensions: material; cultural; organizational; and operational. As militarization seeps into their cultures, LEAs rely more on violence to solve problems.** It turns out that having a hammer really does make everything look more like a nail. But what if that increased violence is justified by increased police readiness to deal with emergency situations? When asked to justify the push for militarization, many law enforcement agencies are quick to point to terrorist attacks and mass murders as a justification for the equipment. Indeed we can imagine situations in which the police might legitimately need grenade launchers or .50 caliber rifles (though the thousands of bayonets local cops have taken from the federal government may be tougher to explain). But such events are exceedingly rare, while history proves that the police deployment of militarized weapons and tactics will not be. Police routinely cite rare hypothetical emergencies to justify tactics and policies that end up becoming far more routine and abusive. SWAT teams were originally designed to handle hostage situations and active shooters. Today they often function as hyper-violent warrant servers, as the number of SWAT raids has ballooned from hundreds per year to tens of thousands and responding to hostage situations has given way to serving search and drug warrants. Police defend civil asset forfeiture with appeals to “taking the profit out” of terrorist organizations and drug cartels, but black market drug profits remains strong as thousands of regular Americans have their property taken without charge or trial. Law enforcement agencies purchase military-grade surveillance devices such as Stingray cell phone trackers with terrorism grant money, and justify the outrageous secrecy that shrouds them on national security grounds, but they’re virtually never used for terrorism investigations, instead being deployed thousands of times for routine law enforcement investigations as an end-around the warrant requirement. In other words, military weapons and tactics are inevitably used far more often in everyday policework than in the rare situations that supposedly justify them. Contrary to Attorney General Sessions’ dismissal, the damage done by these government policies is not “superficial.” **It’s not superficial when a SWAT team throws a flash grenade in a baby’s crib and disfigures the infant’s face, or when a family’s life is ruined by militarized police looking for tea leaves, or when protesters find themselves staring down the barrels of sniper rifles and accosted by masked, camo-wearing, rifle-toting police units.** Combined with President Trump’s recent pardon of Sheriff Joe Arpaio (who is no stranger to overly violent militarized raids and was convicted for repeatedly violating people’s rights in defiance of a court order), this move sends a strong message that police restraint and accountability are taking a back seat in this administration.

Federal Militarization = Racism

Police militarization, fueled by federal funding, weapons, and training, is a total war against black and brown bodies, the manifestation of systemic racism.

Gamal '16 (JD University of Cal @ Berkeley, 2016, Fanna; "The Racial Politics of Protection: A Critical Race Examination of Police Militarization;" CALIF. L. REV 979; file:///C:/Users/dburch/Downloads/FannaGamalTheRacialPoliti.pdf; db)

Across the country, police departments are using aggressive military tactics and weapons to enforce the law. In its June 2014 report, "War Comes Home," **the American Civil Liberties Union (ACLU) documented military weaponry flooding into local police departments. 155 State and local agencies have purchased hundreds of lethal weapons, tactical vests, and body armor at no cost and with virtually no public oversight through the Department of Defense's 1033 Program.**¹⁵⁶ The ACLU report found a total of 15,054 items of battle uniforms, or personal protective

equipment, received by sixty-three responding agencies during their investigation period. ¹⁵⁷ Five hundred law enforcement agencies have received Mine Resistant Ambush Protected (MRAP) vehicles built to withstand armor-piercing roadside bombs. In 2007, "the United States spent \$50 billion to produce 27,000 MRAPs and deploy them to Iraq and Afghanistan."¹⁵⁸ Now out of date, or no longer needed in foreign battlefields, MRAPs have made their way to local police departments where officers patrol communities like war-zones. **In addition to the proliferation of military weapons**

throughout local law enforcement departments, police training also exposes aspiring officers to the culture of militarism that now permeates the force. According to the U.S. Department of Justice's Bureau of Justice Statistics Report on

State and Local Law Enforcement Training Academies (BJS Report), the majority of police recruits receive their training in academies with a stress-based military orientation. ¹⁵⁹ Stress-based military training is designed to prepare young recruits for combat in war zones by teaching recruits to force the enemy into submission. As one police trainer put it, "We **trainers have spent**

the past decade trying to ingrain in our students the concept that the American police officer

works a battlefield every day he patrols his sector."¹⁶⁰ **This training does not prepare recruits to win**

community trust by solving crimes and protecting constitutional rights. ¹⁶¹ **In this logic, police**

officers are transformed into soldiers, and black and brown communities morphed into

battlefields. Military-style tactics are also becoming conventional police strategies. One of the clearest

manifestations of military-style tactics is the rise of SWAT teams. A survey of police departments across the country reveals that "the number of SWAT teams in small towns grew from 20 percent in the 1980s to 80 percent in the mid-2000s, and that as of the late 1990s, almost 90 percent of larger cities had them."¹⁶² It is estimated that "the number of SWAT raids per year grew from 3,000 in the 1980s to 45,000 in the mid-2000s."¹⁶³ Contrary to popular belief that SWAT teams are utilized in active shooter and emergency situations, a report conducted by the University of Missouri-St. Louis's Department of Criminology and Criminal Justice found that from 1986 to 1998 "the overwhelming number of SWAT deployments studied were for the purpose of executing a warrant (34,271 for warrant service, in contrast to 7,384 for a barricaded suspect and 1,180 for hostage-taking cases)."¹⁶⁴ Many of these SWAT teams used flash-bang grenades, combat helmets, and battle-dress uniforms to serve

search warrants, conduct investigations, and search for drugs. ¹⁶⁵ **The proliferation of paramilitary policing has occurred with**

great speed and little public oversight. This culture of paramilitarism in policing has been

particularly costly to minority communities and led to unnecessary loss of life. In Detroit, the killing of a black

child, seven-year-old Aiyana Stanley-Jones, drew national attention. Early one summer morning, Aiyana slept beside her grandmother when a SWAT team mistakenly raided her home searching for a suspect in a homicide investigation. One officer fired at Aiyana, striking her head and killing her.¹⁶⁶ Many were outraged at the senseless murder of an innocent child in what appeared to be a military raid fueled by a combat mentality. Many also condemned the excessive use of force that unfairly targeted the black community in Detroit. This disproportionate use of military force against black and brown communities has been observed nationwide. The ACLU found that the use of paramilitary weapons and tactics primarily impacted people of color, particularly when these tactics were used to execute drug searches. ¹⁶⁷ Ultimately, police were much more likely to deploy paramilitary tactics to execute a search warrant if all the participants were people of color (84 percent deployment rate) than when all the participants were white (65 percent deployment rate). ¹ Acknowledging that military policing, and policing more broadly, disproportionately impacts black and brown people, this Note has looked beyond the racial impacts of this phenomenon to examine its racialized roots. Government-sanctioned police militarization is just part of the story in Ferguson, Baltimore, and countless other cities across the

country. **By centering on questions of race, we can begin to understand what work race does in**

facilitating police militarization. At the same time, we may also understand how police

militarization constructs race and reinforces racial hierarchies in America. When analyzing the contemporary state of

police militarization, we must first disassociate police militarization from actual notions of crime. Some people view increased police militarization as evidence that police work has become more dangerous. Proponents of this argument often see increased police armament as a response to an upsurge in dangerous crime. In fact, since the mid-1990s the job of police officers has become increasingly safer. It is as safe today as it has ever been. ⁶⁹ The number of officer deaths in 1975 more than halved by 2014, despite many more police officers on the street.⁷⁰ Rates of violent crime have also reduced significantly since the mid-century. The year 2013 saw nearly 9,000 fewer homicides, about 27,000 fewer rapes, and about 368,000 fewer aggravated assaults than 1991.⁷¹ This reduction occurred when

the country's population increased by sixty-four million people. ⁷² This means that **police militarization has continued without a logical**

connection to increased risk to police officers. Rather than a response to increases in violent

crime, police militarization can be viewed as a state-sanctioned form of racemaking. As the

federal government funnels military equipment and training into local police departments, it

enables the presence of tanks on city streets, networks of surveillance cameras surreptitiously

patrolling entire communities,' 73 and even assault weapons and grenade launchers in public

schools.¹⁷⁴ Even if the official police mandate is to protect and serve all people, the current state of policing is such that black and brown communities are subject to greater surveillance and control. Unlike poor

and minority communities, many white communities experience policing of a different nature. Rather than patrol white communities with suspicion, police are often dispatched to white communities to provide

security and assistance-this unequal access to security is a key element of the racial politics of protection. **Police militarization has the dual impact of increasing state control of black and brown people while simultaneously increasing protections for white people.** Militarized policing creates more opportunities for the surveillance of black and brown bodies in the communities where they live, work, socialize, and attend school.

This heightened control is not a result of the inherent dangerousness of these groups or of any enhanced risk to police officers that has accumulated over time. Rather, government programs have made black and brown people vulnerable to militarized control based on the color of their skin. This is a material disadvantage of being black or brown-a racial marker. Most importantly, the images of black neighborhoods patrolled by tanks and armored vehicles in Ferguson and Baltimore clearly demarcate who is outside of state protection. As in the 1960s, rather than focus on the substantive grievances of marginalized groups, the State treats these groups as an internal insurrection.

When black communities are patrolled with weapons built to subdue foreign enemies, this communicates something about the citizenship status of black people-that their status is inferior, that they are dangerous, and that they are somehow outside the American polity. At the same time, an absence of images depicting white communities locked down by militarized police conveys white position within the realm of state protection. White people are treated as full citizens, worthy of status.

Federal Militarization = Culture of Violence

Interamerican Commission On Human Rights '18 (“African Americans, Police Use of Force, and Human Rights in the United States;” doc 156; November 26; OEA/SER L/V/II)

Information provided to the Commission indicates that **many local police departments in the U.S. have become heavily militarized in recent decades, and that the use of military-type equipment** in SWAT (“Special Weapons and Tactics”) raids and similar operations **is disproportionately targeted against historically marginalized groups**. A recent study by the ACLU found that 42 percent of people impacted by a SWAT deployment to execute a search warrant were Black and 12 percent were Latino; of deployments in which all individuals impacted were minorities, 68 percent were drug cases, and 61 percent of all individuals impacted by SWAT raids in drug cases were members of historically discriminated groups. Additionally, 79 percent of incidents the ACLU studied involved the use of a SWAT team to search a person’s home, and more than 60 percent of the cases involved searches for drugs. According to the ACLU, U.S. policing has become unnecessarily and dangerously militarized, and **in municipalities with greater amounts of military equipment, police officers acted more aggressively and adopted a “warrior” mindset, rather than seeing themselves as protectors of a community**. On May 18, 2015, President Barack Obama announced new restrictions on the transfer of military equipment to local police departments, in light of concerns about the policing of protests in Ferguson, Missouri and Baltimore, Maryland, among others. This Executive Order (EO 13688) created a federal agency working group to oversee and implement protocols around military weapons provided to police by the federal government. At that time, the move was greeted with optimism. On August 28, 2017, President Donald Trump rescinded EO 13688, removing those restrictions on the transfer and oversight of military equipment. In 2015, the Commission noted that **a principal concern regarding the excessive or arbitrary use of force by law enforcement in the U.S. is the “militarization” of police in terms of the equipment, training, protocols used, and the difficulty of prosecuting and establishing criminal responsibility for police officers guilty of abuse or excessive use of force**. The Commission notes with concern reports that with the revocation of EO 13688, police departments will once again receive armed vehicles, high-caliber weapons and ammunition, grenades, camouflage uniforms, and other military equipment, raising concerns about a possible increase in the excessive use of force and policing of protest situations that does not comply with international law. This is particularly concerning in light of information received by the Commission that the Government Accountability Office (GAO) recently concluded that the Pentagon does not verify the quantity of military weapons transferred through the 1033 program, and that the DOD “lacks reasonable assurance that it has the ability to prevent, detect, and respond to potential fraud and minimize associated security risks.” The Commission **calls on the State to take the necessary steps to halt and reverse the militarization of police departments, as well as to further study and take corrective action in light of the racially disproportionate effect of militarized policing on African Americans and other historically marginalized groups**.

Federal funding of local policing results in the total militarization of law enforcement

Coyne and Hall-Blanco '16 (Christopher J. Coyne, Assc. Prof of Economics @ GMU & Abigail R. Hall-Blanco, Asst Prof of Economics @ Univ of Tampa; *Foreign Intervention, Police Militarization, and Minorities*; PEACE REVIEW: A Journal of Social Justice, 28:165-170, No. 6, April-June; <http://web.b.ebscohost.com/ehost/detail/detail?vid=0&sid=9a5a192e-47bd-49ca-a16a-24a522d91cb0%40pdc-v-ssmgr02&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#db=aph&AN=116270270>)

The issues of police militarization and the disproportionate use of force against historically disadvantaged racial groups are inextricably linked. The goal here is to provide insight into the origins of **domestic police militarization**. To do so, we build on our previous work to discuss how proactive U.S. foreign policy **generates undesirable domestic consequences, which threaten the liberties and freedoms of U.S. citizens**. In the context of police militarization, past foreign military interventions led directly to the militarization of U.S. police. The undesirable consequences have fallen disproportionately on minorities and disadvantaged groups. The main takeaway is that a proactive, imperialistic foreign policy can impose significant costs on domestic citizens due to expansions in the scope of state power. Special Weapons and Tactics (SWAT) teams are police units possessing highly specialized military equipment and training. These groups have become a fixture in many police departments in the United States. In the mid-1980s, approximately 20 percent of police departments had a SWAT team. By the year 2000, nearly 90 percent of police departments serving populations of 50,000 or more had a SWAT team. An estimated 3,000 SWAT deployments occurred in 1980. By the early 2000s, SWAT teams

deployed 45,000 times every year. Current estimates place the number of SWAT deployments as high as 80,000 annually. Although now common, SWAT teams are a relatively new innovation, one that can be directly tied to U.S. foreign intervention and to two combat veterans, former Los Angeles police chief and World War II veteran Daryl Gates and former Los Angeles police officer and Marine John Nelson. As a Marine, Nelson served in Vietnam in an elite Force Recon unit. Although originally designed to gather intelligence, these Force Recon teams saw extended combat and were recognized for their use of lethal force. They became well known for being experts at skillfully eliminating enemy targets. For example, the "kill ratio," or number of enemies killed per every soldier lost, was about 7.6 enemies per Marine for regular Marine infantry during the Vietnam War. The kill ratio for the Force Recon units, meanwhile, was about 34 enemies for every man lost in action. The Force Recon units were also more aggressive. Regular Marine units were the aggressors in combat only 20 percent of the time they saw action. The Force Recon teams, in contrast, were the aggressors in an astounding 95 percent of their operations. Stated differently, the Force Recon units were trained to gather information, engage enemy combatants, and kill. They did so efficiently. These experiences were integral in developing John Nelson's skills, knowledge, and abilities regarding methods for controlling large groups, gathering information, and eliminating enemies. He brought this unique human capital with him when he returned to the United States and joined the Los Angeles Police Department (LAPD). In the 1960s, Nelson was presented an opportunity to use the unique skills of social control that he had developed abroad. In 1965, racial tensions set off the Watts riots in Los Angeles. The riots left the LAPD feeling unprepared. In response to the perceived crisis surrounding the riots, leaders of the LAPD were anxious to develop new ways to effectively control the large crowds regularly in attendance at race rallies. Drawing from his experiences with the Force Recon team, Nelson suggested the development of a similar unit within the LAPD. "A small squad of highly trained police officers armed with special weapons," he suggested, "would be more effective in a riotous situation than a massive police response." To take effect, however, Nelson's idea would need administrative support. It was here that Inspector (later Police Chief) Daryl Gates was essential. Like Nelson, Gates was a veteran of foreign conflict, serving aboard the USS Ault during World War II. And like Nelson, Gates returned home from war with a unique skill set and had joined the LAPD. By the time Nelson proposed his idea, individuals like Gates had successfully worked their way into the administration of the LAPD. The presence of war veterans created an administrative and cultural openness to the use of military tactics. In fact, Gates himself wanted the LAPD be more militaristic and "aggressive, intimidating, and confrontational by design." It was within this environment that Nelson proposed the idea of a Force Recon style unit within the LAPD. With Gates' support, Nelson's idea was quickly adopted. The link between the newly formed paramilitary unit and the ongoing war in Vietnam was readily apparent. Initially called the "Special Weapons and Attack Team," it was decided that the word "attack" was politically unpalatable. Gates subsequently changed the name to "Special Weapons and Tactics" and the first SWAT team was born. The first SWAT unit consisted of 60 of the LAPD's top marksmen divided into teams consisting of five men—a leader, marksman, observer, scout, and a rearguard. The men selected for the first SWAT team further illustrate how the skills developed in foreign intervention influenced domestic police operations. According to the LAPD, each member of the original SWAT unit had specialized experience and prior military service. Moreover, the new SWAT team continued to incorporate new military tactics in counterinsurgency and guerrilla warfare, hiring military personnel to teach the SWAT unit. The use of SWAT teams throughout the country expanded rapidly as a result of **the War on Drugs and War on Terror**. As we have written previously, these conflicts **served as catalysts to spread police militarization as local police departments became intertwined with the federal government's efforts** to combat drugs and terror. **This relationship between the political periphery (state and local governments) and the political center (the national government) allowed for the expansion of SWAT operations through the transfer of military-grade equipment and training.** For example, the DOD 1208 Program, implemented in 1990, allowed the Department of Defense to transfer military equipment, such as aircraft, armor, watercraft, and weapons, to state and local police to use in their efforts to combat drugs. In 2013, a successor program, **Program 1033, transferred almost \$500 million in military weapons and gear to domestic law enforcement agencies** for the purposes of fighting drugs and terror.

Police Militarization = Core of Violence, Ensures Extermination

Police militarization feeds itself and must be reversed. Allowing federal militarization creates a perpetual state of violence in face of a fabricated threat, a threat ensuring eventual extermination of the excluded.

Lieblich & Shinar, '18 (Michigan Journal of Race and Law Volume 23

Issue 1 Issues 1&2 2018 The Case Against Police Militarization Eliav Lieblich

Tel Aviv University Adam Shinar Radzyner Law School THE CASE AGAINST POLICE MILITARIZATION Eliav Lieblich* & Adam Shinar**)

We usually think there is a difference between the police and the military. Recently, however, the police have become increasingly militarized – a process which is likely to intensify in coming years. Unsurprisingly, many find this process alarming and call for its reversal. However, while most of the objections to police militarization are framed as instrumental arguments, these arguments are unable to capture the core problem with militarization. This Article remedies this shortcoming by developing a novel and principled argument against police militarization. Contrary to arguments that are preoccupied with the consequences of militarization, the real problem with police militarization is not that it brings about more violence or abuse of authority – though that may very well happen – but that it is based on a presumption of the citizen as a threat, while the liberal order is based on precisely the opposite presumption. A presumption of threat, we argue, assumes that citizens, usually from marginalized communities, pose a threat of such caliber that might require the use of extreme violence. This presumption, communicated symbolically through the deployment of militarized police, marks the policed community as an enemy, and thereby excludes it from the body politic. Crucially, the pervasiveness of police militarization has led to its normalization, thus exacerbating its exclusionary effect. Indeed, whereas the domestic deployment of militaries has always been reserved for exceptional times, the process of police militarization has normalized what was once exceptional.

Police Militarization Discussion Necessary to Halt Wars of Aggression

Discussion needs to start from the racial underpinnings of police militarization – which is inextricably tied to US wars abroad.

Gamal ‘16 (JD University of Cal @ Berkeley, 2016, Fanna; “**The Racial Politics of Protection: A Critical Race Examination of Police Militarization;**” CALIF. L. REV 979; file:///C:/Users/dburch/Downloads/FannaGamalTheRacialPoliti.pdf; db)

CONCLUSION This Note critically examines history to shed light on police militarization today. It argues that police militarization is a result of concerted political decisions that often trade on racial fear and anxiety. Further, the present state of police militarization on display in cities like Ferguson and Baltimore reinforces racial hierarchies and may have lasting consequences for black citizenship and inclusion. I conclude with a reflection that I hope will strengthen and solidify the movement for racial justice and police accountability sweeping this nation. Black Americans have an important stake in antiwar and antimilitarization campaigns. The line between the military and police is blurring, and this means that black and brown communities are poised to be victims of intensified, military-like police control, while remaining severely underprotected by the State. Both nationally and globally, freedom from military control is also a material advantage of whiteness that too often goes unacknowledged. Mainstream America is increasingly scrutinizing the expansion of police militarization, especially in the areas of domestic surveillance. With highprofile whistleblowers like Edward Snowden and Chelsea Manning, the victims of heightened state control now have white faces. There is ground for an alliance of interest across racial groups, but the American mainstream must first acknowledge that police militarization has been facilitated by racist ideologies. We must also reject conversations that ignore the racial underpinnings of police militarization. To neglect race is to neglect one of the driving forces behind police militarization. I also want to conclude with a call for activists and scholars to explore the critical intersections of race, foreign wars, and militarization. There are many ways that these three social forces shape everyday life in this country, and I am increasingly aware that my own life trajectory has been intimately shaped by all three. I was born in Khartoum, Sudan. Most of my family belongs to a small but well-known indigenous tribe found in the northeast part of the country along the banks of the Nile River. In the 1960s, as a result of the construction of the Aswan Dam, much of my family was displaced. The Aswan Dam flooded parts of the Nubian region and prevented the annual inundation of the Nile that provided valuable nutrients to the soil. Many will also recognize Sudan as a site of consistent political strife and military campaigns. One of those campaigns was the twenty-five-year Civil War between Southern Sudanese liberation fighters and the Northern Sudanese government. Racist ideology further complicated the dimensions of this war because many Northern tribes are significantly lighter skinned than the Southern tribes and received material advantages from the British colonial empire. The war, and its impact on the country, was one of the primary reasons my father and mother decided to leave Sudan and immigrate to the United States. In a pre-9/11 world, my father was granted political asylum, which involved battling an incredibly racialized immigration process. I was four years old at the time, a black female, a Muslim, and a new immigrant. Through implicit and explicit signals, I quickly caught on to the importance of my racial identity in my new home, but it was not until after 9/11 that I began to unpack the connection between my life trajectory and the wars and military campaigns that shaped it. When the United States went to war with Afghanistan and declared its so-called War on Terror, I felt like the country had declared war on the entire Muslim world. I knew many Muslims and immigrants who condemned the war, but virtually none of my black friends, teachers, and community members spoke out. Looking back on this experience, I see how bifurcated my young mind must have felt. I knew this war deeply impacted my ethnic and religious identity, but I could not understand how the war impacted my racial identity. I include this story to lay bare my motivations for this Note. For me, this particular Note is a means of mending that bifurcation, of putting together that which has been falsely severed. As the United States continues to beat the drums of war across the globe, those of us at the intersection of marginalized groups should shine a light on the dangerous and impoverished logic of wars abroad and at home.

Police Militarization = Authoritarianism, Must Act Now

Now is the time to take a stand against authoritarianism by rejecting police militarization.

Giroux '14 (Henry, pioneering work in public pedagogy, cultural studies, youth studies, higher education, media studies, and critical theory., "Militarism's Killing Fields: From Gaza to Ferguson", pgs. 14, file:///C:/Users/Dimarvin/Dropbox/WAKE!!!/Articles/Militarism%20s%20Killing%20Fields%20From%20Gaza%20to%20Ferguson.pdf, 2014)

What he does not name is the problem, which is **a society marked 'by a dangerous and unprecedented confluence of our democratic institutions and the military'** (Baker, 2009). As Danielle M. LaSusa (2014) observes, the United States is a society **that is not simply on the precipice of authoritarianism but has fallen over the edge into** what Hannah Arendt once called **'dark times'**. Under the regime of neoliberalism, **the circle of those considered disposable and subject to state violence is now expanding. The heavy hand of the state is not only racist; it is also part of an authoritarian mode of governance willing to do violence to anyone who threatens neoliberal capitalism, white Christian fundamentalism, and the power of the military-industrial-academic-surveillance state. America's embrace of murderous weapons to be used on enemies abroad has taken a new turn and now will be used on those considered disposable at home. As the police become more militarized, the weapons of death become more sophisticated and the legacy of killing civilians becomes both an element of domestic as well as foreign policy.** Amid the growing intensity of state terrorism, **violence becomes the DNA of a society that refuses to deal with larger structural issues** such as massive inequality in wealth and power, a government that now unapologetically serves the rich and powerful corporate interests, and makes violence the organizing principle of governance? (see, especially, Balko, 2013; Alexander, 2010; Nelson, 2000) The worldwide response to what is happening in Ferguson sheds a light on **the racist and militarized nature of American society** so as to make its claim to democracy seem both hypocritical and politically insipid. At the same time, such protests **make visible** what Goya called **the sleep of reason, a lapse in witnessing, attentiveness, and the failure of conscience**, which lie at the heart of neoliberal's ongoing attempt to depoliticize the American public. Political life has come alive once again in America, moving away from its withdrawal into consumer fantasies and privatized obsessions. The time has come to recognize that Ferguson is not only about the violence and consolidation of white power and racism in one town, it is also symptomatic of white power and the deep-seated legacy of racism in the country as a whole, which goes along with what America has become under the intensifying politics of market fundamentalism, militarism, and disposability. Ferguson prompts us to rethink the meaning of politics and to begin to think not about reform but a major restructuring of our values, institutions and notions of what a real democracy might look like. We need to live in a country in which we are alarmed rather than entertained by violence. **It is time for the American to unite around our shared fate as stakeholders in a radical democracy, rather than being united around our shared fears and the toxic glue of state terrorism and everyday violence. It is time to express a sense of moral outrage and engage in organized struggles to oppose and transform a society that as Susan Sontag has observed 'dissolves politics into pathology'** (cited in Becker, 1997, p. 28)

Aff Solvency Extn.

Cutting Federal Funds Key

Federal policing fails and extends its harms into abusive local policing.

Harmon, '18 (FEDERAL PROGRAMS AND THE REAL COSTS OF POLICING RACHEL A. HARMON* Sullivan & Cromwell Professor of Law, University of Virginia Law School NEW YORK UNIVERSITY LAW REVIEW [Vol. 90:870 <https://www.nyulawreview.org/wp-content/uploads/2018/08/NYULawReview-90-3-Harmon.pdf>)]

Federal public safety programs not only encourage the kinds of harmful policing that communities might wish to limit. Many of them also undermine the local political control over police departments that otherwise functions to curb that intrusiveness. Some cloud responsibility for officer conduct so that the public cannot assess how intrusive their departments' activities are. Other programs give money, equipment, and power directly to departments rather than municipalities, weakening the ability of political actors to use municipal budgets to influence police action. In this way, federal programs not only ignore the full costs of policing, they also interfere with the usual local political and budgetary mechanisms for recognizing and weighing those costs.

Defund = Transform and Reimagine

Reform insufficient. We have to drastically defund in order to reimagine.

Politico '20. 6/12/2020. "The Deep Roots—and New Offshoots—of 'Abolish the Police'" <https://www.politico.com/news/magazine/2020/06/12/abolish-defund-police-explainer-316185>

There's a middle-ground view of the calls to "defund" or "abolish" the police: We still do need police, the argument goes, but policing as we know it is so broken that departments can't simply be reformed. **It will take scrapping our current police forces to allow a new and better version to emerge.** Or, on the "defund" front, the middle-ground version is that shrinking a department's funding, perhaps drastically but not to zero, would create a new and better balance of police and the other services that keep communities safe and peaceful. The former approach, **outright disbandment and rebuilding, is not just theoretical: It has a track record. In Camden, New Jersey, all the city's cops were fired in 2013, and a new police force was developed with different rules** under the county government. Today, Camden's reconstituted police force is larger than its predecessor, but both police violence and crime are down. **"Break the machine to save it" might sound extreme, but there's a deep strain of police history that drives some to believe it's necessary.** Police forces, as some see it, have certain kinds of inequality woven into their DNA. Beginning in the 1830s, local town-watch systems evolved into formal municipal police departments, a change driven less by popular demand than by businesses' desire to ensure more social order. In the South, the rise of police was more explicitly racial: Precursors to many formal police departments were slave patrols, first created in the Carolina colonies in 1704. After the Civil War, they evolved into police forces whose job, in large part, was to enforce Jim Crow segregation laws. And this is not just the stuff of a bygone era. Today, black people are disproportionately stopped by police, shot by police and killed by police. According to YouGov polling, more African Americans fear victimization by police than fear violent crime. With all that in mind, some say **it's impossible to fix police departments without first wiping the slate clean.** Others, however, think that instead of wiping the slate clean, big chunks of what policing looks like today should just be broken off, leaving a leaner force for limited purposes.

Solvency -- Now is the Time

Alex **Pareene '20**/June 17, 2020, "Abolish These Police Departments," THE NEW REPUBLIC, <https://newrepublic.com/article/158210/abolish-police-departments>

Everything I've read over the last week about what to do about policing, from the conscientious to the glib, I've read with those two Star Tribune articles in the back of my mind and with the knowledge that Minneapolis's city council has already agreed to what we are told is too extreme a demand—disbanding its police force. Even if you believe this particular assembly of politicians in Minneapolis can't deliver (a perfectly legitimate belief, given the entire history of reform efforts), **the fact that it is their stated end goal should shift the conversation from what is politically "possible" in this moment to what is necessary.** Too much of the debate over what to do about policing is abstract. If police abolition represents the radical boundary of our discourse, if "defund the police" sounds baffling to people who are **rarely policed and scary to people who believe they depend on police for their safety, it might be easier to move from the general to the specific.** What should be done about the Minneapolis Police Department? If you're scared of what sound like radical demands, or on the fence about a slogan like "defund the police," I urge you to read both of these articles, and think about "the police," not in the abstract or even in the personal (who would I call if someone broke into

my house?) but in terms of the currently existing institution of the Minneapolis Police Department. Maybe the question “Does Minneapolis need cops?” can be answered after a more urgent question: “Does Minneapolis need the Minneapolis Police Department?” This is a police department in a very liberal city, run by a black man who once sued the department and who replaced a chief who had, during her own term, already brought in the Justice Department to study its practices. And yet, despite that leadership, it still could not rein in the Third Precinct—or implement a program that could’ve taken Derek Chauvin off the streets. **As a result, it has lost its legitimacy as a civic institution and therefore its right to exist.** Those demanding activists explain **precisely and in great detail how** public safety will be maintained after we “abolish police” in general should explain why maintaining the existing Minneapolis Police Department is preferable to disbanding it and building some sort of alternative. Before telling activists and protesters to abandon radical slogans for more targeted reforms, consider that Minneapolis has already tried a number of reforms—it has reached for nearly every piece of **low-hanging fruit**. It would be great if police departments could more easily fire bad officers, and other police departments could not hire them. But the Minneapolis Police Department couldn’t even implement a plan to identify problem officers. Any attempt to do so—to identify problem officers and then fire them—would require an **entirely different police culture**. It would require, in other words, **dismantling the Minneapolis Police Department**. Of course, if you come to believe that, because of its unique history and resistance to previous reform efforts, the Minneapolis Police Department has **forfeited its right to exist**, it is difficult not to **apply the same logic to nearly every other urban police department in the nation**. **Chicago** needs public safety; does it need the police department responsible for murdering Laquan McDonald and detaining thousands of people in the Homan Square black site? People who argue that **Baltimore** needs more and better policing should explain why that policing ought to come from the irredeemable Baltimore Police Department, one of the most fundamentally rotten and corrupt institutions in the country. Public figures have debated what to do about Baltimore’s horrific homicide rates for years. The criminal mob that has been wreaking havoc there, while also not preventing or solving very many of those murders has, I think, lost the right to participate in that debate. If the reasons to disband these particular urban police departments are all quite similar, maybe the problem with policing in this country is the way that we have built the modern urban police department. Maybe the problem is the way we conceive of policing. Maybe the problem is the police.

Shallow Reforms NOT Enough; Need Full Defunding

Empirically, reforms have done little to nothing--it's time to defund the police and move ahead.

Levin, '20 (Sam, Writer for The Guardian, "It's not about bad apples': how US police reforms have failed to stop brutality and violence; Body cameras, bias training and other popular initiatives have not addressed systemic problems. Abolitionists say defunding is the only way forward", The Guardian, June 16th, Lexis Nexus, Accessed 7/6/2020.)

New York banned chokeholds. Seattle required de-escalation training. Los Angeles restricted shooting at moving vehicles. But those reforms did not stop police from killing Eric Garner, Charleena Lyles or Ryan Twyman, who died when officers used the very tactics that the changes were supposed to prevent. Since the early days of Black Lives Matter protests six years ago, lawmakers and criminal justice groups have pushed reforms aimed at curtailing discriminatory and deadly police conduct. Some mayors and police chiefs mandated the use of body cameras for police officers. Other local governments passed regulations that banned controversial policing tactics. Departments hired more officers of color, and African American officers took over troubled departments. But as the death of George Floyd continues to spark a national reckoning over police violence and an avalanche of videos has shown militarized officers brutalizing protesters, city leaders are facing mounting pressure to recognize that those incremental reforms have not addressed systemic harms and, as some studies show, have not diminished bad behavior by police. Activists say those realizations have created unprecedented momentum for the more radical ideas they have long promoted, like defunding and abolishing police, and reinvesting in services. "We're watching in real time all these alleged 'reforms' failing," said Phoenix Calida, a sex worker rights activist in Chicago. "None of it is doing what it's supposed to. De-escalation isn't working. Using 'less violent' methods isn't working. Having cameras for accountability isn't working. So why did we dump all of this money into 'reforms'?"

Alternatives to Current Policing Possible

Police are no longer accountable and it's not necessary. Historically and empirically there are feasible alternatives to policing that are beginning here and have worked in other countries.

Munzenrieder, '20 (Kyle, Senior news editor at w magazine, “The Moment Must Be About Real Police and Justice Reform, Not Vague Hashtags”, W Magazine, June 2 2020, <https://www.wmagazine.com/story/police-criminal-justice-reform/>, Accessed 7/5/20)

In a country governed by a constitution that explicitly protects the rights of protestors and the press, and has nothing to say specifically about the establishment of police, **why have we been seeing police, dressed in riot gear, targeting protestors and journalists unprovoked?** Why do we see those officers dispatched like an invading army while healthcare professionals in this country have been forced to fight a pandemic in ponchos and garbage bags? Why is it, in a country where the state is supposed to be legitimized by the consent of the governed, so few people seem to know who oversees the police in their local communities? How did we get to a place where so many feel that democracy offers us too few options to address the situation? **It is easy**, and perhaps comforting to many, **to think that this is the way police have always operated in this country—that it's even a necessary feature of society. In fact, there wasn't a single professional police force in this country for the first 62 years of its existence. The past 40 years have seen a massive, historic expansion of police funding and duties—often to the detriment of other community services, and yet often agreed upon by both Republican and Democrat politicians. It is also easy for some to imagine that any plans for serious police reform are radical**, untested, and nascent ideas—**that they're** forged in the heat of the moment, **too taboo for mainstream politicians** or media **to** even seriously **consider. In fact, alternatives have existed for decades, studied and advocated by academics, civic leaders, and even many who have worked inside the system. They work in other countries. And promising reforms are already being pursued by a new class of prosecutors in some parts of America which can be expanded, improved, and built upon in conjunction with deeper reform.**

Policing Reform Possible

Public pressure for policing reform is critical for effective reform--that is proven across the world. Now is the time in the US to build trust between police and the community--it's both essential and possible.

Kleinfeld ' 20

(Rachel Kleinfeld, senior fellow in the Democracy, Conflict, and Governance Program at the Carnegie Endowment for International Peace, "These Countries Reformed Their Brutal, Biased Police. The U.S. can, too" Foreign Policy, 7/2/2020, <https://foreignpolicy.com/2020/07/02/police-brutality-racism-reform-international/>, Accessed @ NexisUni 7/4/2020)

In Bogotá, the moment for long overdue reforms finally came after police raped and murdered a nine-year-old girl at a police station. In Monterrey, Mexico, it arrived years after locals began calling officers polizetas—a mash-up of policía and Los Zetas, the violent drug cartel with whom they often colluded. **In the United States, the moment may have come after the brutal killing of George Floyd** by Minneapolis police. **The United States is far from the only country where police brutality, corruption, or biased treatment of parts of the population have driven demands for reform.** Success, however, has been rare—not because reformers don't know what policies to implement, but because the required reforms were blocked or didn't stick. **To increase the odds of successful police reform, U.S. activists and reformers would be wise to look at lessons from countries and communities where changes succeeded and stuck.** Luckily, what works for fair and effective policing is well known. **Decades of research confirm that trust between law enforcement and communities is essential,** because controlling crime requires community help. In the United States and Britain, for instance, the vast majority of the crimes that people fear the most, such as homicide and rape, required public tips to solve. Building trust, however, is based less on bringing down crime (the metric many police monitor) than on treating people with respect and fairness. Trust is enhanced by recruiting a force that resembles the community it serves (although sadly, diversity doesn't necessarily reduce police violence). Finally, hiring more women in law enforcement—a strategy Peru used to break perceptions of widespread corruption—results in more trust and less use of force. Once officers have gained a community's trust, they can use public tips to implement policies proven to drastically reduce crime, such as targeting hot spots (the small number of places where most violence happens), and focusing deterrence on the tiny percentage of people responsible for the vast majority of violent crime to prevent them from resorting to violence. Executing both strategies with respect and fairness is, needless to say, essential to their effectiveness. **The problem is getting police—and political leaders—to make these changes and make them stick.** In the past few weeks, **the United States has taken the first steps. Politicians are on notice from the vocal, voting middle class.** That step is crucial—even in Venezuela, one of the world's most violent countries, it is the most marginalized communities with the least political power that bear the brunt of overly violent and underresponsive policing. **In every democracy where systemic police abuse has been tackled, change usually began when the broader public started to care.** As a result of this pressure, the U.S. House of Representatives has passed a police reform bill; various U.S. states and communities are making changes as well.

Local police reforms are coming and should be supported despite the need for more structural change.

Shackford, '20 (Here Are 4 Policing Reforms Cities and States Are Considering Right Now There's a lot of work to be done to prevent future George Floyds. Here are some baby steps. SCOTT SHACKFORD | 6.3.2020 1:25 PM <https://reason.com/2020/06/03/here-are-4-policing-reforms-cities-and-states-are-considering-right-now/>)

Policing critics, Black Lives Matters activists, and a smattering of elected officials around the country want to pass significant policing reforms following George Floyd's death at the knee of Minneapolis police officer Derek Chauvin. Right now, the biggest proposals are getting the most attention.

Rep. Justin Amash (L-Mich.) is in the middle of crafting a bill that would eliminate qualified immunity, assuming the Supreme Court doesn't do it first. Qualified immunity is the legal doctrine that protects police officers and prosecutors from being sued for violating people's rights.

Other big ideas include limiting the power and influence of police unions, who use collective bargaining not just to negotiate wages and benefits but also to control the disciplinary and appeal processes that make it next to impossible to fire bad cops. Reform advocates also want to build a national registry of police officers fired for misconduct and to repeal state laws that shield police discipline records from public view in order to keep bad cops from moving to new jurisdictions.

While many of these policies seem obvious, they will require an incredible amount of political will to implement. In the meantime, here are four more incremental reforms being considered in communities around the U.S.

1. In San Diego: No more "carotid restraints." Police in San Diego are permitted to use a type of neck hold that cuts off blood to the brain and quickly renders people unconscious. Officers used these holds 70 times in 2019, according to the *San Diego Union-Tribune*.

Yesterday, San Diego Police Chief David Nisleit ordered a stop to their use, given the potential for harm. Nisleit told the *Union-Tribune* that he had been considering this change since 2018. The *Union-Tribune* reports that many cities prohibit chokeholds because they are dangerous and are disproportionately used against minorities. After Floyd's death, a review of Minneapolis police tactics found that when officers used neck restraints to render somebody unconscious, half of the people they used them against were injured.

San Diego City Council members spoke positively about the change, but the San Diego County Sheriff's Department is refusing to follow suit. Deputies will still be permitted to use the carotid restraints.

2. In New York City: Standardize police discipline and ban police chokeholds. In New York City, where police unions are powerful and Mayor Bill de Blasio is so weak that it took five years just to fire the NYPD officer who killed Eric Garner, it will likely take the city council to actually force changes.

After Garner's death from a chokehold in 2014, a New York City council member introduced a measure that would criminalize the use of chokeholds by police. De Blasio responded by threatening a veto. Now de Blasio says he'd approve the measure so long as it provides an exception if the officer is in a "life or death situation."

In addition, another council member is proposing a "disciplinary matrix" to create a standard of discipline when officers engage in misconduct. Council Member Donovan Richards told *NY1*, "There is no written instruction on what a disciplinary action should be if an officer commits an infraction. This will set an example."

New York's lack of public transparency about police discipline contributes to the problem. New York state law shields police discipline records from public view. This can also lead to manipulation within the discipline system itself. When *BuzzFeed* journalists got their hands on secret New York Police Department disciplinary files, they found both cases where officers received slaps on the wrists for serious misconduct and cases where officers were harshly punished for minor infractions. One internal affairs investigator told *BuzzFeed*, "If 10 cops did the same exact thing that was bad, the outcome is different every time."

3. In Colorado: Require police to intervene when fellow officers act out. Police unions are often quick to run to the defense of officers when they're accused of misconduct. But when Minneapolis Police Officer Derek Chauvin was caught on video kneeling on Floyd's neck for more than eight minutes, many unions made it clear they found Chauvin's conduct indefensible.

In Colorado, three law enforcement groups—the County Sheriffs of Colorado, the Colorado Fraternal Order of Police, and the Colorado Association of Chiefs of Police—put out a joint statement Tuesday calling for state lawmakers to require that other officers intervene when they see something like what happened to Floyd.

The groups note that it's already a duty for officers to intervene when he or she witnesses a fellow officer engaged in unreasonable force. They're asking for state lawmakers to make it a statutory requirement, leaving officers who don't intervene (like the three cops who stood by while Chauvin slowly suffocated Floyd) possibly facing criminal charges.

Democratic lawmakers in Colorado are working on a sweeping police reform bill intended to hit some of those big picture ideas to fight police misconduct: getting rid of qualified immunity, requiring body cameras for all officers, changes in use of force rules against suspects attempting to escape police, and a rule forbidding cops fired for excessive force from getting work in other cities' police departments in Colorado. Maybe adding a component the unions actually support might help deal with the inevitable resistance.

4. In New Jersey: Launch a statewide use-of-force database. One of the challenges when fighting for reform is the general lack of data about how frequently police use force, under what circumstances, and what the justifications were. Heck, simply tracking who police officers kill in the line of duty is not easy, and efforts by the FBI to track that information nationally have been woefully inadequate.

In New Jersey, data journalists at NJ Advance Media put together their own database of use-of-force incidents within the state covering five years and collating more than 70,000 documents. There was no other statewide collection of use-of-force data and little analysis. After the NJ Advance Media "Force Report" database was released in 2018, state officials started a pilot project to launch an official government database to track the

use of force in selected police departments. On Tuesday, New Jersey Attorney General Gurbir Grewal said that starting on July 1, all police departments in the state will be able to participate.

None of these smaller actions should be seen as substitutes for more sweeping reforms. But those are going to be big, long political battles against entrenched police unions with deep pockets. If reformers can convince legislators to implement incremental improvements right now, they should.

Police Defunding = \$ to Community Services

Defund the police is about reallocation to community services--it's part of the same proposal.

Colyard, '20 (July 27, 2020, 6 Books About Defunding The Police That Will Inspire You To Protest <https://www.bustle.com/entertainment/books-on-defunding-the-police>, K.W.)

In the wake of the widespread protests ignited by George Floyd's death after being choked by the police, attitudes towards the police system are changing. According to Gallup, 58% of Americans believe that major changes are necessary to make policing better. While many are torn on what that change should look like, **the call to defund the police has certainly become a larger part of our national conversation.** The books on the list below thoughtfully explore this growing movement. **Do we really need police forces to protect us?** If you've been confused by recent calls to dismantle law enforcement as it exists in the United States today, don't worry. There are plenty of books that explain the movement to defund police, and reading any of them will help you get a better grasp on our current situation. As Bustle previously reported, **defunding the police is an alternative to police reform that proposes that a portion of the money spent on the police should be reallocated to other services, such as food assistance, mental health programs, as well as other social and economic programs.**

"Defund" means more than random budget cuts: Social Services are the priority

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

Of course **activists and intellectuals who have rallied behind the slogan “defund the police” have something bigger and grander in mind than random budget cuts.** Ayobami **Laniyonu, the University of Toronto sociologist,** explains to my colleague Sean Illing that he **wants “reinvestment of that money in otherwise underserved and marginalized communities. Let's get rid of the practice of managing homelessness, inequality, poverty, the consequences of decades of racial segregation, and the consequences of decades of disinvestment in public health with armed members of law enforcement.”**

Defunding means both divest AND reinvest in social services

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

Advocates of defunding or even “abolishing” the police **are not generally talking about broad-brush cuts to budgets that just happen to include cuts to police budgets.** Instead, **the most common model is a dual movement to divest from law enforcement and security functions in order to invest in other social services.**

Marbre Stahly-Butts of Law for Black Lives explains:

invest/divest is the idea that as we’re making reforms, as we’re pushing policy changes, as we’re overseeing shifts in practice, that we pay special attention to how money is being spent, and we demand a divestment from the systems that harm our communities, like the criminal legal system, like policing regimes, like the court system, and demand that money that’s currently being spent, that’s being poured into those systems with no accountability, be moved instead to community-based alternative systems that support our people, that feed our people, that ensure we have jobs, and housing – the things we need to take care of ourselves and our communities.

Ans. to Off-Case

2AC AT "Extra-Topicality"

1. The entire plan is topical.

It's one act of divestment and re-investment. You cannot cut off half of the reform, especially when it's one large program.

Colyard, '20 (July 27, 2020, 6 Books About Defunding The Police That Will Inspire You To Protest <https://www.bustle.com/entertainment/books-on-defunding-the-police>, K.W.)

As Bustle previously reported, **defunding the police is an alternative to police reform that proposes that a portion of the money spent on the police should be reallocated to other services, such as food assistance, mental health programs, as well as other social and economic programs.**

2. They have more ground--no abuse, it's predictable as a shift in policing.

It's just investing in policies that make criminal justice unnecessary, that has to be allowed as a substantial reform.

3. Criminal Justice Reform involves more than just incarceration rates, it's preventing the need itself, regardless of the causes and solutions.

Green 20 --- Ben Green, PhD Candidate in applied Math @ Harvard, "The False Promise of Risk Assessments: Epistemic Reform and the Limits of Fairness", FAT* '20, January 27–30, 2020, Barcelona, Spain, <https://dl.acm.org/doi/pdf/10.1145/3351095.3372869>

This analysis requires, as a preliminary step, articulating principles with which to evaluate reform. This is particularly important given that the notion of "criminal justice reform" is itself contested. **Criminal justice reform refers broadly to the goal of eliminating or altering policies that lead to mass incarceration and racial injustice.** However, **there are divergent views about both the causes of and solutions for these challenges.**

4. It's not a voting issue

They have ground, our solvency proves that defunding goes with funding other alternatives, we can still solve through the defunding of federal policing.

5. We meet.

Our reallocation is within areas that generate higher incarceration rates because of their absence--we are not diverting funding to anything outside that cycle. This isn't a way to fund the space force.

6. Augment the meaning of policing--that's part of substantial reform. Policing involves multiple tasks.

Osse '06 (Anneke Osse, Senior Advisor at the Netherlands Police Academy, "UNDERSTANDING POLICING A resource for human rights activists", Amnesty International Nederland, First published in 2006, <https://www.amnesty.org/download/Documents/HRELibrary/sec010112007eng.pdf>)

3.2.3. Additional Functions **Police** are required to **perform the three basic functions (maintenance of public order, prevention and detection crime, and providing assistance)** but **more functions may be added including: • Fire fighting** duties • **Prison duties** • **Transport** (railway/river etc.) duties • **Parking control** • **Border & Immigration control** • **Administrative functions** (such as issuing passports and permits) • Prosecution functions (usually up to a certain level) • **National Security and Intelligence functions** • Protection of VIPs **As long as these tasks** do not conflict with one another, **are based on law, and** do **not** exceed police authority (as is the case when adding for example **military tasks**) **there is no reason to argue against the addition of more functions.** Some of the additional tasks, such as fire fighting, and some of the administrative functions, may actually be of help in improving police relations with the community. Obviously additional tasks should not interfere with the basic police functions and only those officials that perform tasks for which special police powers are needed should be authorised to use such powers. There is also a need for appropriate training. Moreover additional tasks should not lead to the withdrawal of (financial) resources from basic police functions. In some countries 'fancy' functions, such as VIP protection and anti-terrorist brigades, receive relatively large portions of the overall budget at the cost of basic policing functions such as the maintenance of public order and criminal investigation.

1AR Extn -- AT Extra-Topicality

The entire plan is topical--it's one proposal. We are predictable--it's not a voting issue, the plan solves anyway.

Extend our argument that the plan is a substantial reform to policing in a holistic sense--they have lots of ground.

Broadening policing and rethinking the very idea of "law enforcement" is at the core of diverting resources.

Bullock 14 --- Karen Bullock, professor of criminology in the Department of Sociology at the University of Surrey, "CITIZENS, COMMUNITY AND CRIME CONTROL", in "Crime Prevention and Security Management", Page 16, 2014, https://link.springer.com/chapter/10.1057%2F9781137269331_1

We live, as Loader (2000) notes, in a world of plural, networked policing which incorporates a multitude of state and non-state institutions, organisations and individuals. The term 'policing' is perhaps most clearly associated with the activities of sworn police officers operating in the context of the public police service. However, policing is enacted by a range of state and non-state actors and organisations both internal and external to the public police (see Loader, 2000; Reiner, 2000; Manning, 2013). From citizen investigators to crime analysts to Scenes of Crime Officers to Police Community Support Officers, policing is conducted by a range of actors other than sworn police officers within the organisation itself. It is conducted by a wide range of state agents external to the police service such as environmental health officers, car parking attendants and immigration officers. It is also conducted by non-state organisations such as private security firms. Broader policing functions may be accomplished by a wide range of guardians including caretakers, door staff and teachers as well as by technological means such as CCTV. Policing is also performed by citizens and communities, sometimes with and sometimes without formal recognition and support of the police service. Of course, this monograph is primarily concerned with that last cluster: the actions initiated or otherwise implemented by citizens and communities in the name of controlling crime.

Extend our argument that policing can be expanded and more tasks would make sense.

The aff fiats a broader understanding of policing. This should be allowed--the various process of creating a narrow view of police reform is arbitrary and exclusionary.

den Heyer 12 --- Garth den Heyer, Senior Research Fellow, Police Foundation, , Lecturer, Australian Graduate School of Policing, Charles Sturt University, Manly, Australia, "Post-Conflict Civilian Police Reform: 1999 to 2007", Working Paper 44, June 2012, https://ipes.info/WPS/WPS_No_44.pdf

Two final points should be highlighted in this discussion. Policymakers and academics have sought to define 'police reform', but there is no single, widely shared understanding of the concept (Call, 2003). The lack of definition as to what 'police reform' means creates a situation where there is no understanding as to the direction reform should take, what should be achieved, how the programme should be achieved or how the programme should be measured or evaluated. The problem with using the word 'reform' in the post-conflict context is that by its very nature, it presumes that whatever indigenous police organisation that currently exists, is inadequate and requires modification (Call, 2003; Hills, 2009).

We're predictable--the reinvest model is the most common.

Yglesias, '20 (He's proposed cuts in budget after budget, and is holding up needed fiscal aid. By Matthew Yglesias@mattyglesiasmatt@vox.com Jun 16, 2020, <https://www.vox.com/2020/6/16/21286669/donald-trump-is-defunding-the-police>)

Advocates of defunding or even “abolishing” the police are not generally talking about broad-brush cuts to budgets that just happen to include cuts to police budgets. Instead, the most common model is a dual movement to divest from law enforcement and security functions in order to invest in other social services.

The aff fits within a broad definition of criminal justice

IUPUC 19 --- Indiana University – Purdue University Columbus, “Address today’s complex Criminal Justice issues”, Created Sept 15th 2019, <https://www.iupuc.edu/liberal-arts/criminal-justice/index.html> (BJN)

The U.S. criminal justice system is designed to enforce defined standards of conduct designed to protect the rights of individual citizens and groups of citizens. **The term “criminal justice” is used to describe the policies, procedures, and practices that federal, state, and municipal governments use to uphold legal codes and laws, ensure public safety, deter and mitigate crime, penalize those who violate laws, and rehabilitate offenders.** It also aims to reduce crime, deliver justice to victims of crimes, and maintain public confidence that the system protects law-abiding citizens.

Policing includes services

Steverson 08 --- Leonard A. Steverson, Ph.D., is assistant professor of sociology at South Georgia College in Douglas, Georgia, “Policing in America”, 2008, https://books.google.com/books?id=BZ1TsIXk-n8C&dq=%22term+policing+is%22+%22criminal+justice%22&source=gbs_navlinks_s (BJN)

The police are considered the thin blue line that separates order from chaos. It is often assumed that the police mostly function to maintain control in society through the vigorous enforcement of laws; however, much of the work police officers perform is service oriented. This is why the community models tend to work better in most circumstances than the old professional model. Note that **the term “policing” is used rather than “law enforcement,”** as is standard in many books and texts on police work. **This is because law enforcement is part of the order maintenance function and simply one aspect of what the police do;** therefore **the term “policing,”** which **incorporates** aspects of both **order maintenance and service functions,** is preferred.

2AC AT "Abolition K"

1. Permutation: DO Both.

We are negative state action and a necessary first step. Both projects are compatible and better done in tandem.

2. No link to system building

That's all community building outside the traditional criminal justice system. They do not abolish the world--if so, we will have separate arguments to make. We can both abolish the CJS. They also have to prove community services applied for by locals are all bad.

3. Link Turn: Federal funding blocks abolition moves. Aff is a built-in perm: this is an advantage.

Raven et. al. '20 (Teen Vogue '20, LEILA RAVEN, MON MOHAPATRA, AND RACHEL KUO, JUNE 25, 2020, "8 to Abolition Is Advocating to Abolish Police to Keep Us All Safe," <https://www.teenvogue.com/story/8-to-abolition-abolish-police-keep-us-safe-op-ed>)

In the midst of a pandemic and mass uprisings in defense of Black lives, **we have an opportunity to drastically transform the way we live, work, and relate to one another**. This moment has created a break in life as we knew it, and in this opening, we offer the 8 to Abolition platform. **There is no single blueprint for abolition, but there are clear, actionable steps we can take to create a world where we don't rely on prisons, prosecutors, police, or punishment**. As "defund the police" has become a popular refrain, the 8 to Abolition platform reminds us that **defunding the police is just the beginning**. We also **need to demilitarize our communities by disarming police and removing them from our neighborhoods, hospitals, and schools**. Building on campaigns organized by grassroots groups like Survived and Punished and Free Them All for Public Health, we call for freedom for those incarcerated in jails, prisons, and immigrant detention centers, as well as for those involuntarily held in psychiatric institutions and nursing homes. Following the lead of DecrimNow DC and Decrim NY, **we seek to chip away at the carceral state** by repealing laws that criminalize survival, such as the criminalization of sex work and anti-homelessness ordinances that criminalize loitering and sleeping in public spaces. **This platform also focuses on where to direct resources freed up by dismantling the prison industrial complex: housing, health care, childcare, youth programming, and community-based public safety efforts**. As Black feminist thinker and abolitionist Ruth Wilson Gilmore says, **abolition is about more than just tearing down the cages; it's about people having the resources and care they need to live, and live well**.

Perm to Abolition: That's what we are.

Moira **Donegan '20**. 17 Jun 2020, "'Who will protect you from rape without police?' Here's my answer to that question," THE GUARDIAN, <https://amp.theguardian.com/commentisfree/2020/jun/17/abolish-police-sexual-assault-violence?fbclid=IwAR1mMCu2P5GEpeWrlIoiasaC01GTqfnvCSRSmhSHs7fAuvVXh-b9CITZ9uz4>

As uprisings have spread through American cities in response to the killing of George Floyd in Minneapolis, a once fringe leftwing position has become rapidly mainstream: abolishing the police. **Police abolition means different things to different people, but to most activists “abolition” means a radical shrinking, defunding and disarming of police forces.**

The call to “abolish the police”, then, amounts not to a wholesale abandonment of the state’s enforcement of criminal law, but rather to a reimagining of the nature and responsibilities of that enforcement. Many abolition advocates imagine a future in which the police no longer constitute an armed group that surveils peaceful minority neighborhoods or uses force in non-violent drug and traffic cases. **The police, if they exist at all in an abolitionist future, would be smaller, disarmed and just one of many community interventions to foster public safety.**

(). Defunding consistent with abolition--it's not about destroying other institutions beyond the CJS.

Raven et. al. '20 (Teen Vogue '20, LEILA RAVEN, MON MOHAPATRA, AND RACHEL KUO, JUNE 25, 2020, “8 to Abolition Is Advocating to Abolish Police to Keep Us All Safe,” <https://www.teenvogue.com/story/8-to-abolition-abolish-police-keep-us-safe-op-ed>

Abolition teaches us to approach our understanding of safety and responses to harm through a new lens — to build up life-sustaining systems that reduce, prevent, and better address harm at a community-based level. It emphasizes the reparative models of transformative justice and community-based accountability to build communities equipped to support one another in response to violence. Community accountability processes seek safety for those harmed, changed behaviors for those who caused harm, and a transformation of the conditions that allowed the harm to occur.

Extend our Permutation:

Doing both is the best route. Defunding is the necessary action--without the aff the alternative will wash away in abstraction. Our ideology makes it possible. The PERM solves two DAs: federal backlash and inability to implement.

Vitale, '20 (ALEX S. VITALE and Micah Uetricht '20 interviewing 06.08.2020, professor of sociology and coordinator of the Policing and Social Justice Project at Brooklyn College INTERVIEW BY Micah Uetricht, “Policing Is Fundamentally a Tool of Social Control to Facilitate Our Exploitation” <https://jacobinmag.com/2020/06/alex-vitale-police-reform-defund-protests>

I don't want to overstate this idea that they're pulling his strings because in a way, that lets him off the hook. He could do something about this if he wanted to, and I don't think he really wants to. He has capitulated to **a certain kind of reactionary politics, this idea that there is no alternative.** He **is so afraid of disorder.** He thinks that any uptick in crime will unleash reactionary forces and will bring back somebody like Rudy Giuliani. And in a way, that's not a crazy idea because Giuliani was brought to office on the wave of the failures of Koch and Dinkins to get a handle on disorder (the subject of my first book). **But what's at work here is a crisis of imagination.** He's **accept**ed **this idea that the only way to control disorder and crime is to turn this problem over to the police, and** once he made that decision, **all**

is lost. Because then he's enabling not just a loss of funds to the police department, and the creation of a repressive apparatus — he's investing in an ideology, **this thin blue line ideology that says that the only thing holding society together is the punitive and coercive interventions of policing. Once that ideology is in place, it's impossible to then say, "But we also need social programs,"** because that ideology dismisses the usefulness of those interventions. So **by doubling down on support for the police,** he's **undermined the possibility of any real progressive alternatives. There isn't a progressive vision that isn't rooted in defunding the police.**

2AC AT States/Federalism

1. No link: The plan is only about federal funding.

The States do not have jurisdiction and the CP cannot solve.

2. Permutation: Do both.

Ban federal funds and reinvest on the State and local level. It's better solvency and does not add anything to the plan.

3. TURN: We are negative federal action.

We decrease federal influence on State decisions. Federal funding coming with strings--we remove those and only provide aid when requested.

4. TURN: We open up space for state flexibility, only the plan solves, the permutation is crucial.

2AC AT Movements

(). Turn: The plan is the end-point of the movement in terms of CJS policy. What are the goals of the protest? If it's circular, we should go with the plan.

(). TURN: federal militarization crushes movements--the aff is necessary for movement success.

Doherty, '16 (University of Southern California Gould School of Law Southern California Interdisciplinary Law Journal Staff Writer, 16 (Joseph, 4-8-18, Southern California Interdisciplinary Law Journal, "US VS. THEM: THE MILITARIZATION OF AMERICAN LAW ENFORCEMENT AND THE PSYCHOLOGICAL EFFECT ON POLICE OFFICERS & CIVILIANS", Vol. 24, Pg. 439)

In response to the terrorist attacks at the World Trade Center in New York City and the Pentagon in Washington, D.C., the federal government created the Department of Homeland Security ("DHS").²⁶¹ This new office set up a massive source of funding for civilian police departments across the nation to build up their arsenals and for small towns to start-up more SWAT teams for the purpose of fighting terror.²⁶² **Since its creation, DHS has been providing "anti-terrorist" grants to civilian police departments in smaller towns** for the purchase of military-grade armored vehicles, tanks, surveillance drones, machine guns, grenade launchers, armor, camouflage "battle-dress" uniforms, ammunition, and aircraft.²⁶³ In 2011, the Center for Investigative Reporting ("CIR") conducted a report on the DHS grants and found that since its inception, the DHS has provided civilian law enforcement with grants of \$34 billion.²⁶⁴ Whereas **the Department of Defense provides civilian police departments with "surplus" military equipment left over from the wars in Iraq and Afghanistan** directly through 440 Southern California Interdisciplinary Law Journal [Vol. 25:415 the 1033 program, DHS grants provide funds to purchase more military equipment through private weapons manufacturers such as Lenco, Lockheed Martin, and Blackhawk Industries.²⁶⁵ In addition to selling weapons, these manufacturers also sponsor training events for SWAT teams, like Urban Shield, a major arms expo held in California in 2013.²⁶⁶ These manufacturers, who had previously only served the Pentagon, have shifted their focus to civilian police departments, hoping to profit from the homeland security market. ²⁶⁷ **The argument made by civilian police departments is that the military equipment provided by the 1033 program and DHS grants are necessary "just in case" of a terrorist threat.**²⁶⁸ **But in the absence of actual terrorist attacks, 269 the military equipment and weapons are used by SWAT teams in routine situations, such as low-level drug raids, the execution of search warrants, or to repress civilian protests such as** the World Trade Organization **protests** in Seattle, Washington in 1999, the wave of Occupy Wall Street protests across America in 2011, and the 2014 protests sparked by the killing of unarmed African-Americans by white police officers in Ferguson, Missouri and Staten Island, New York.²⁷⁰ **The result of the militarization of civilian police departments throughout the nation, as demonstrated at these events, has effectively turned civilian police officers who are sworn to protect and serve civilian communities, into a standing army against them.**²⁷¹

2AC AT Politics

1. **Case outweighs--the DA has about a million internal links whereas all the aff has to do is ban funding.**
2. Political scene too unpredictable. China one day, virus mismanagement the next, drama with random celebrities the next. Political capital is a farce and their story is a convoluted mish-mash of authors and highlighting that does not jive. There isn't a single card--or even three--that tells the same link story and gets to the impact.
3. SPIN--Trump already passed some criminal reform legislation--he can go either way on defunding. They are assuming a flawed notion of fiat where we change people's ideology in ways that make them act more irrationally...there is always a turn story and the plan can be spun in many ways.
4. TURN: This whole position is just a distraction from the racism arguments in the 1AC. They are the mouthpiece of the white status quo and are asking us to turn away from the abuses against black and brown bodies because some unrealistic political scenario might take place. Yes, the price of cotton might have been impacted by banning slavery--so what?