

Opening Statement of Chairman Thomas R. Carper
“Oversight of Federal Programs for Equipping State and Local Law Enforcement Agencies”
September 9, 2014

As prepared for delivery:

One month ago today, an unarmed young man named Michael Brown, was shot and killed by a local policeman in the town of Ferguson, Missouri. It has been stated that the officer was acting in self-defense. While the incident remains under investigation, this much is known. It has caused very real pain for Mr. Brown’s family, as well as for many residents of Ferguson and for others across the country. The events that unfolded in Ferguson have sparked a much needed national discussion on a range of issues, including police strategy, law enforcement response to civil protest and unrest, and race relations. The purpose of today’s hearing, though, is not to explore what happened in Ferguson on that fateful day or to assign blame. That is the responsibility of our judicial system.

Rather, the purpose of today’s hearing is to examine the effectiveness of federal programs that provide State and local police with surplus military equipment and grant funding for equipment, exercises, planning, and training. The issues we will be discussing today are not just about Ferguson. They affect communities across our nation. As we take a deep dive into the federal programs that help equip state and local law enforcement agencies, we want to explore the value of these programs to police, the communities they serve, and the taxpayers.

I want to thank Senator McCaskill and her staff for their efforts in organizing this hearing and for co-chairing it with me. Our colleague from Missouri has spent a great deal of time in Ferguson this past month examining these issues, and we all look forward to learning from her first hand experiences. Claire, thank you for your leadership during this difficult time and, for all you have done to help our country move forward and learn from what you and your fellow Missourians have been grappling with.

During the weeks that followed the shooting of Michael Brown, national media attention focused on the protests, including the response by local law enforcement. Many questions rightfully have been posed by local leaders, civil rights organizations, police associations, law enforcement experts and others on whether the police response was correct, measured and appropriate.

In thinking about these issues we’ll be discussing today, I can’t help but think about how, in my home state of Delaware, we are learning again the value of our police spending more time outside their police cars, working every day with the community in positive ways. This helps build the bonds of trust that strengthen communities in ways that armored personnel vehicles and assault weapons never can.

We’ve convened today to examine the federal government’s role in helping state and local police do their important work. Since 1997, federal agencies have supplied over \$5 billion in surplus Department of Defense supplies and equipment to law enforcement. In addition, both the Departments of Justice and Homeland Security administer grant programs that also can pay for military-style gear such as armored vests and vehicles.

In light of the events in Ferguson, our committee has reviewed the role of federal agencies in providing equipment, supplies and weapons to state and local law enforcement. Our staff has received briefings from the agencies and has reviewed key documents. This review by Congress is long overdue. The federal witnesses with us today will describe the programs that can supply tactical and military-style equipment and weapons to law enforcement, and the current oversight requirements and procedures. We will also hear from a second panel of witnesses with critical knowledge and opinions on the programs – including some with law enforcement backgrounds.

We will explore the proper roles and techniques for using this equipment. We will also examine whether Congress should do more to monitor and hold accountable the police departments that obtain sophisticated equipment. These programs were

established with a very good intention: to provide equipment that would help law enforcement perform their duties. The question is whether what our police receive matches what they truly need to uphold the law.

We need to acknowledge that there have been instances where police have been outgunned by heavily armed criminals, including organized crime and gangs. In addition, we all remember well how helpful some of these programs were to enable police to perform extraordinarily well in the aftermath of the Boston Marathon bombing. But for these programs, the response would not have been as fast or effective. Of course, the job of law enforcement is to protect the lives and the wellbeing of the people of our nation. Equally important, the job of law enforcement is the protection of our civil rights. So we will also hear from witnesses with expertise on the civil rights issues that arise as a result of these programs.

It is my hope that we in Congress and other government leaders learn from what is discussed during today's hearing and from the ongoing developments in Ferguson and in similar situations across the country. In closing, we are here today because we have responsibility to ensure accountability of funds and equipment provided by the federal government to state and local police. It is our job to ensure that these programs provide value to police, the communities they serve, and the taxpayer.