

Campus police departments acquire military arms

WASHINGTON

Federal program offers low-cost assault rifles and other weapons

BY DAN BAUMAN
THE CHRONICLE OF HIGHER EDUCATION

Should the campus police at the University of Central Florida ever need a modified grenade launcher, one sits waiting in the department's armory. Retooled to fire tear-gas canisters, the weapon was used several years ago for training purposes, according to Richard Beary, the university's chief of police. It hasn't left storage since.

At Central Florida, which has an enrollment of nearly 60,000 and a Division I football team, the device was acquired, a police spokeswoman said, for "security and crowd control." But the university's police force isn't the only one to have come upon a grenade launcher. Hinds Community College — located in western Mississippi, with a student population of 11,000 — had one, too. Campus police officers at Hinds declined to comment. A woman who worked for the department but declined to identify herself said that the launcher had been repurposed to shoot flares but that the college no longer possessed it.

Both institutions received their launchers from the same source: the Department of Defense. At least 124 colleges have acquired equipment from the department through a federal program, known as the 1033 program, that transfers military surplus to law-enforcement agencies across the country, according to records obtained by filing Freedom of Information requests with state governments.

Campus police departments have used the program to obtain military equipment as mundane as men's trousers (Yale University) and as serious as a mine-resistant, ambush-protected vehicle (Ohio State University). Along with the grenade launcher, Central Florida acquired 23 M-16 assault rifles.

Participants in the program say it provides departments, particularly those with limited budgets like campus police forces, with necessary gear at very little cost. Responsible departments, advocates say, develop plans for specific instances in which the equipment will be used — crowd-control situations, say, or active-shooter incidents like the Virginia Tech massacre.

But some critics argue that the procurement of tactical gear doesn't help with the types of crimes that occur more frequently on college campuses, like alcohol-related incidents and sexual assault. Others worry that military equipment is an especially poor fit for college campuses and may have a chilling effect

on free expression.

The 1033 program has received heightened scrutiny in the wake of protests in Ferguson, Mo. After the fatal police shooting of Michael Brown, an unarmed black teenager, reporters and phone-wielding protesters captured images of police officers armed with military-grade guns, camouflage and armored vehicles. Observers characterized the police response as heavy-handed and criticized officers for improperly using their weaponry.

In Washington, renewed attention to the transfer of military weapons has led some lawmakers to call for a review of the 1033 program. Senator Claire McCaskill, a Democrat from Missouri who heads the oversight subcommittee for the Senate Homeland Security and Government Affairs Committee, led a recent hearing to consider revisions in the program.

Hilary O. Shelton, director of the N.A.A.C.P.'s Washington bureau, told the committee that if the 1033 program is to be continued, it should be restructured to focus on "protecting and serving citizens."

Senator Carl Levin, a Democrat from Michigan and chairman of the Senate Armed Services Committee, has said he plans to review the 1033 program before the Senate considers reauthorizing the annual military-spending bill. President Obama has also called for a review.

Ms. McCaskill, Mr. Levin, and Mr. Obama joined Senator Rand Paul, a Republican from Kentucky, and Representative Hank Johnson, a Democrat from Georgia, in questioning the program. In an announcement that he would formally draft a bill in September imposing limits on the transfer of certain equipment — including armored vehicles and large-caliber weapons — Mr. Johnson mocked Ohio State's procurement of its heavy-duty vehicle through the 1033 program.

"Apparently, college kids are getting too rowdy," Mr. Johnson said.

After the buildup and winding down of the Iraq and Afghanistan wars, the amount of surplus equipment available to law-enforcement agencies under the 1033 program increased greatly. At colleges, where terrorist attacks and shootouts with drug cartels are virtually unheard of, the active-shooter scenario became the primary justification for colleges to acquire tactical gear.

Central Florida got eight of its M-16 assault rifles in 2011, and 15 more were transferred to the department in the following year. At campus police departments, much like their counterparts at the local, state, and federal level, the most popular weapon procured through the 1033 program has been the M-16.

At least 66 institutions have acquired M-16s through the program. Arizona State University holds the most, with 70 in its arsenal, followed by Florida International University and the University

of Maryland with 50 M-16s each. Central Florida received its grenade launcher in 2008; Hinds acquired its in 2006.

Gear through the 1033 program is free to participating departments, with receiving agencies having to pay only delivery and maintenance costs. The University of Louisiana at Monroe paid \$507.43 for 12 M-16 rifles; the University of Alabama at Huntsville paid \$220.40 for the transfer and shipping of five M-16s.

"For me, this is a cost savings for taxpayers," said Jen Day Shaw, associate vice president and dean of students at the University of Florida and chair of the Campus Safety Knowledge Community, a forum for members of Naspa: Student Affairs Administrators in Higher Education. When police departments "have the ability to get equipment that will help them do their jobs at a greatly reduced price," Ms. Shaw said, "it is a benefit for the whole campus."

"It is a force multiplier for us," said David Perry, chief of police at Florida State University and president of the International Association of Campus Law Enforcement Administrators. "Typically, we are not staffed at optimum levels. We are not given budgets comparable to some large cities and municipalities, so we need to find ways to make it reach."

Indeed, many police departments use the 1033 program to acquire basic supplies along with tactical equipment. "Aside from body armor and weapons," Mr. Perry said, "there is furniture, hand sanitizers, bandages. There are all types of equipment, materials, and supplies we need to support our overall mission."

At Central Florida, Chief Beary said, M-16 rifles are stored in vehicles for emergencies, like the one his officers responded to at midnight on March 18, 2013. Answering a call for a pulled fire alarm, officers eventually raided the dormitory room of James Seevakumaran, 30, and found a handgun, an assault rifle, more than 1,000 rounds of ammunition, and four homemade bombs. Mr. Seevakumaran was also in the room, dead from a self-inflicted gunshot wound. The police said the would-be gunman had intended to drive students into the hall with the fire alarm, where he would be waiting with his weapons.

"What was once the unthinkable has become the inevitable," Mr. Beary said. "These bad guys have plans and are heavily armed, and law enforcement needs to be able to keep up with them. In order to do that, police officers need to be highly trained, well equipped and ready to respond to any scenario."

Michael Qualls, an associate professor of criminal justice at Fort Valley State University, in Georgia, agrees. A retired Army officer, Mr. Qualls worked for several campus police departments before he began teaching. "If we continue on with the 1033 program, as those items become obsolete at the military level and if they become available, why not get 'em?" Mr. Qualls said. "It's bet-

ter to be prepared than not prepared.”

But seeing that much firepower on college campuses is worrisome to some observers like Peter Kraska, a professor at Eastern Kentucky University's School of Justice Studies. Mr. Kraska has studied police militarization since the late 1980s.

“The typical college-campus chief of police might say, ‘Look, we’ve had serious incidents occur around the country on college campuses,’” said Mr. Kraska. “The flaw in that thinking is that they are not going to be able to respond, even if they have all of that stuff. Those incidents are usually over very, very quickly” — 25 minutes, tops. Longer than that, Mr. Kraska said, and the campus police will be joined by local and state law-enforcement officials, who will have greater capability and firepower.

For Mary Anne Franks, an associate professor of law at the University of Miami, the possibility that an extraordinary event could occur does not justify the procurement of assault rifles and armored vehicles. The real danger that Ferguson residents faced came not from a terrorist attack, she said, but from police officers armed with this sort of equipment.

“Mostly, I’m wondering why,” she said. “As much as one might wonder about why major cities are getting this type of equipment — which I think we should wonder about and ask questions about — it seems even stranger to talk about it happening in voluntary communities that don’t experience much violent crime.”

Ms. Franks raised another concern: As students become aware of the military gear that some police departments possess, she said, their awareness may curtail their willingness to express themselves and protest.

“It’s not just the question of what happens in any one particular incident, but the tone it sets about what an environment needs to be,” Ms. Franks said. “This presumption of danger — this presumption of hostility — is really tox-

ic in many ways and avoids the problems that the community might actually be suffering from.”

To alleviate some of the apprehension surrounding the use of military weapons on a college campus, said Linda J. Stump, the University of Florida’s police chief, transparency is key. The University of Florida police department acquired an armored truck in 2007 under the 1033 program. Ms. Stump said the vehicle would be deployed only during an active-shooter situation and never for a civil disturbance.

Campus police officers are professionals, with processes in place to maintain their training levels, she said, and communities would be better served if departments explained that.

Administrative oversight and communication are also necessary, said Mr. Perry of Florida State. Administrators outside the police department should be briefed not only on what type of equipment was being acquired but also on the circumstances under which such gear would be used.

When the Florida State police department acquired a Humvee through the 1033 program, Mr. Perry said, he briefed administrators on the instances in which the vehicle would be used — in active-shooter scenarios, for example, but also during a hurricane or at events for community outreach.

When Ms. Stump talks about the value of transparency, she is also tackling the issue of training: Are college police officers experienced enough to handle assault rifles and other military gear, she asks.

Yes, as long as they’ve had the training required for departmental accreditation, said Mr. Perry.

To earn accreditation from the International Association of Campus Law Enforcement Administrators, for example, an organization must show proof that officers have attended training courses to use any new weapon, vehicle or tool they acquire, Mr. Perry said. Training must be proctored by third-party instructors who know how to use

the gear proficiently. Neither the Department of Defense nor the association administers the training. The Department of Defense does not require any training to obtain or keep the gear.

“At a nonaccredited school, there is not an expectation for formalized policies and procedures,” Mr. Perry said. The association’s website lists 40 accredited college departments. Another group, the Commission on Accreditation for Law Enforcement Agencies, has accredited 70 college police departments, according to its website.

The University of Virginia’s police department purchased 12 M-16 rifles through the 1033 program, and the university converted them to patrol rifles — guns that cannot be fired automatically. Officers who are issued patrol rifles receive three levels of training, said Mike Coleman, a captain in the department. Training sessions cover marksmanship, safety, decision making, and threat identification. The police department at the University of Virginia is accredited by the Commission on Accreditation for Law Enforcement Agencies, as is the University of Florida.

“The public is not aware of much of the training that university police officers receive,” Mr. Coleman said. “Our department not only attends the same police academy that municipal officers attend; they teach at that academy.”

Professors like Mr. Kraska remain concerned about how the 1033 program could affect campuses.

“It can have a profound cultural impact on a small police department when you start adding weaponry, battle-dress uniforms, all the advanced military technologies,” he said. “That small agency can go rapidly from one of protecting and serving to one of viewing the community as the enemy, and a potential threat.”

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DOUG MILLS / THE NEW YORK TIMES (ABOVE); JULIA SCHMALZ / THE CHRONICLE OF HIGHER EDUCATION (BELOW)

Senator Claire McCaskill, above, during a Senate hearing into the practice of giving military surplus to local law enforcement agencies, like the University of Maryland campus police.

