

By Senator Bullard

39-00827-16

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Senate Memorial

1  
2 A memorial to the Congress of the United States,  
3 urging Congress to review the eligibility criteria for  
4 participation in the Department of Defense Excess  
5 Property Program, also known as the "1033 program,"  
6 and to adopt reforms that preclude participation in  
7 the program by law enforcement agencies that have  
8 cases pending before the United States Department of  
9 Justice involving racial profiling or police  
10 brutality.

11  
12 WHEREAS, the Department of Defense Excess Property Program,  
13 also known as the "1033 program," was enacted in 1990 as part of  
14 the National Defense Authorization Act and was originally  
15 intended to transfer excess personal property from the  
16 department to federal and state agencies for drug-related  
17 enforcement activities, and

18 WHEREAS, the 1033 program was subsequently expanded to  
19 authorize all law enforcement agencies to acquire property for  
20 bona fide law enforcement purposes that assist in their  
21 apprehension and arrest mission, with preference given to  
22 counter-drug and counter-terrorism requests, and

23 WHEREAS, about 8,000 local law enforcement agencies  
24 participate in the 1033 program, with \$5.1 billion in military  
25 hardware transferred from the Department of Defense to those  
26 agencies from the inception of the program to 2014, and

27 WHEREAS, it is essential that all law enforcement agencies  
28 in this state be properly equipped to protect the public  
29 welfare, and it is recognized that the 1033 program assists  
30 smaller police departments in gaining access to supplies that  
31 larger police departments are usually able to afford without  
32 federal assistance, and

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33 WHEREAS, despite the best intentions of Congress in  
34 creating the 1033 program, it has, in some areas of this  
35 country, placed military equipment intended for use on the  
36 battlefield in the hands of agencies with a history of  
37 adversarial relationships with minority communities, creating  
38 mistrust and fear on the part of residents who decry the  
39 "militarization" of the law enforcement community, and

40 WHEREAS, the most recognized and effective law enforcement  
41 agencies in our nation are built on a deep relationship of trust  
42 between the men and women in blue and the people they are sworn  
43 to protect and defend, and

44 WHEREAS, it is essential that law enforcement agencies  
45 demonstrate a commitment to building strong relationships with  
46 members of the community before being approved for participation  
47 in the 1033 program, and

48 WHEREAS, law enforcement agencies that are the subject of  
49 cases pending before the United States Department of Justice  
50 involving racial profiling or police brutality should be  
51 excluded from participation in the 1033 program until these  
52 cases are resolved, NOW, THEREFORE,

53  
54 Be It Resolved by the Legislature of the State of Florida:

55  
56 That we urge the Congress of the United States to review  
57 the eligibility criteria for participation in the Department of  
58 Defense Excess Property Program, also known as the "1033  
59 program," and to adopt reforms that preclude participation in  
60 that program by law enforcement agencies that have cases pending  
61 before the United States Department of Justice involving racial

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62 profiling or police brutality.

63 BE IT FURTHER RESOLVED that copies of this memorial be  
64 dispatched to the President of the United States, the President  
65 of the United States Senate, the Speaker of the United States  
66 House of Representatives, and each member of the Florida  
67 delegation to the United States Congress.