

ASSOCIATION *of*  
PROSECUTING ATTORNEYS

December 3, 2015

The Honorable Richard C. Shelby  
United States Senate  
304 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Shelby:

On behalf of the National Sheriffs' Association, the Federal Law Enforcement Officers' Association, the National Association of Police Organizations, the Major County Sheriffs' Association, the Association of State Criminal Investigative Agencies, and the Association of Prosecuting Attorneys, we write today to thank you for your support of law enforcement against President Obama's actions to limit access to military surplus equipment available through the Federal government. Programs like the Department of Defense's 1033 program and grant programs at the Department of Justice and Department of Homeland Security have been a critical resource in allowing state and local law enforcement to acquire otherwise cost-prohibitive items used in search and rescue operations, disaster response, and active shooter situations. Tragically, yesterday's shooting in San Bernardino, California, is a painful example of the necessity of such equipment.

The limitations on military surplus equipment for state and local law enforcement are a result of Executive Order 13688 and the Law Enforcement Equipment Working Group it created in December 2014. Driven by the false narrative that state and local law enforcement are "militarized," the Working Group hastily drafted new guidelines and rushed to implementation by October 1, 2015, without appropriate consideration for their impact. Law enforcement agencies across the country are now being forced to return equipment to the Department of Defense, scrambling to fill the gaps left behind while, at the same time, they must develop new training policies and expand their inventory reporting to include equipment previously outside the Federal purview. At the very least, this Federal overreach is yet another example of the Administration's efforts to undermine the difficult work done by our state and local law enforcement officers.

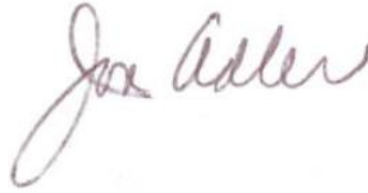
The associations represented in this letter contend that the Federal government must do better in maintaining an inventory of the equipment acquired through its many programs as well as monitoring the purposes for which it was obtained. However, the Federal government's historical failure to maintain such an inventory should not be borne by law enforcement or, by extension, the communities they protect. We support the development of a unified inventory portfolio to provide the Federal government with data to support evidence-based practices while limiting the administrative burden on law enforcement agencies.

The National Sheriffs' Association, the Federal Law Enforcement Officers' Association, the National Association of Police Organizations, the Major County Sheriffs' Association, the Association of State Criminal Investigative Agencies, and the Association of Prosecuting Attorneys look forward to working with you to ensure that state and local law enforcement have the resources they need to effectively protect our communities. As you noted in your November 24, 2015, letter to President Obama, "our citizens need their national leaders to place the safety of our communities and those who protect them above criminals, terrorists, and politics." We stand ready to assist you in that effort.

Sincerely,



Jonathan F. Thompson  
Executive Director and CEO  
National Sheriffs' Association



Jon Adler  
National President  
Federal Law Enforcement Officers' Association



William J. Johnson  
Executive Director  
National Association of Police Organizations



Michael J. Bouchard, Sheriff, Oakland County (MI)  
Vice President—Government Affairs  
Major County Sheriffs' Association



Mark Gwyn  
President, Association of State Criminal  
Investigative Agencies  
Director, Tennessee Bureau of Investigation



David LaBahn  
President and CEO  
Association of Prosecuting Attorneys

cc: Majority Leader Mitch McConnell, United States Senate