
Local Law Enforcement Equipment Acquisition

On January 16, 2015, President Barack Obama issued Executive Order 13688, "Federal Support for Local Law Enforcement Equipment Acquisition" (EO), to identify actions that can improve Federal support for the appropriate use, acquisition, and transfer of controlled equipment by State, local, and Tribal law enforcement agencies (LEAs). The EO established a Federal interagency Law Enforcement Equipment Working Group to develop recommendations. In May, 2015, the recommendations of that working group were released and transmitted to the President.

These recommendations, if accepted and approved by the President, will be implemented by the beginning of Fiscal Year 2016 (October 1, 2015); the Prohibited Equipment List took effect upon transmission of the recommendations to the President.

The recommendations on protocols, training, acquisitions, and transfers and sales to third parties apply to all items on the Controlled Equipment List and are triggered when an LEA acquires controlled equipment using Federal resources beginning in Fiscal Year 2016.

Listed in a report of Recommendations Pursuant to Executive Order 13688, federal agencies will no longer give local law enforcement the following:

- Tracked Armored Vehicles: Vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- Weaponized Aircraft, Vessels, and Vehicles of Any Kind: These items will be prohibited from purchase or transfer with weapons installed.
- Firearms of .50-Caliber or Higher
- Ammunition of .50-Caliber or Higher
- Grenade Launchers: Firearm or firearm accessory designed to launch small explosive projectiles
- Bayonets: Large knives designed to be attached to the muzzle of a rifle/shotgun/long gun for the purposes of hand-to-hand combat.
- Camouflage Uniforms: Does not include woodland or desert patterns or solid color uniforms.

Other, less intense gear will still be available going forward, but will require a little bit of effort to get,

according to the report. Starting in October 2015, local law enforcement departments will have to gain permission from a local governing body (BOCC), complete department-wide training requirements, and "provide a persuasive explanation" before they can get access to:

- Manned Aircraft, Fixed Wing (CAPP does not insure for property or liability)
- Manned Aircraft, Rotary Wing (CAPP does not insure for property or liability)
- Unmanned Aerial Vehicles (CAPP does not insure for property or liability)
- Armored Vehicles, Wheeled (CAPP does not insure for property)
- Tactical Vehicles, Wheeled (CAPP does not insure for property)
- Command and Control Vehicles (CAPP does not insure for property)
- Specialized Firearms and Ammunition Under .50-Caliber (excludes firearms and ammunition for service-issued weapons)
- Explosives and Pyrotechnics
- Riot Batons
- Riot Helmets

What This Means For Counties

Property coverage: CAPP will not provide property coverage for certain items under the 1033 Program as damaged property is to be returned to the federal government. Counties must notify CTSI of all items and intended use to determine potential coverage.

Liability coverage: CAPP will provide liability coverage for the use of items in the scope and course of activities on behalf of the county.

CTSI Recommendation:

CTSI recommends that all items under the 1033 Program be returned to the federal government unless they are absolutely necessary for county law enforcement purposes within the community.

For more information contact CTSI at 303-861-0507