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Still Feeding the Beast:

Federal funding sent to local, county, and state law enforcement under the Biden Administration



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Federal funding sent to local, county, and state law enforcement under the Biden Administration



During the nearly three years of the Biden administration, the federal government has sent tens of billions of dollars to local, county, and state law enforcement and wider criminal legal systems (including but not limited to jails, prisons, prosecutors, and courts), providing substantial resources to institutions that harm Black, Latine, and low-income communities. These communities are also facing economic, housing, educational, and other crises. Directing these tens of billions of taxpayer dollars to programs addressing these crises—including to education, job training programs, affordable housing, healthcare, food, and others—would help these communities build safety far better than police do.¹

This brief attempts to account for all federal funding that has gone to local, county, and state law enforcement and criminal legal systems under the Biden administration. However, because there is no comprehensive reporting about this kind of funding and little transparency, it is impossible to provide a full and accurate picture. Thus, the following is likely an underestimation.

Where the money went

This federal funding to local, county, and state criminal legal systems includes:

\$ 29.3 billion for "criminal justice assistance to state and local governments"

\$28.3 billion of which is through the Department of Justice, for 2021–23.²

- This funding supports all aspects of local and state criminal legal systems--not only police and sheriff departments but also courts, medical examiners and forensic labs, and for- and non-profit organizations, for example.³ Due to lack of transparency in the relevant federal funding programs, we cannot know exactly how much money went to local and state police specifically.
- This also includes over \$1.4 billion for the Community Oriented Policing Services (COPS) Program,⁴ which provides funding for local police departments to hire new officers. Notably, authorization for COPS expired in 2009, but Congress has continued to substantially fund the program each year anyways.⁵

\$ 3.36 billion in funding through the Homeland Security Grant Program

(Department of Homeland Security)⁶

- These grants provide funding for planning, training, equipment, and programs to help prevent terrorism or prepare for disaster relief at the state, city, and metropolitan area levels, as well as funding for border security by supporting "enhanced cooperation and coordination among Customs and Border Protection (CBP), United States Border Patrol (USBP), and federal, state, local, tribal, and territorial law enforcement agencies."⁷



\$ 25 billion (at least) in American Rescue Plan (ARPA) funding

but likely significantly more, was spent on law enforcement, courts, jails, and prisons by states and localities.

- This figure is through the first quarter of 2022, when about one-third of the \$350 billion in ARPA flexible funds going to state and local governments had been allocated.⁸
- ARPA provided \$350 billion in economic stimulus funding to states and localities to help with COVID-19 emergency and economic recovery.⁹ States and localities had broad discretion on how they used the funding. Not only did the federal government not restrict the funding from going to police, prisons, jails, and other parts of the criminal legal system, but President Biden encouraged states and localities to use ARPA funding to hire more police.¹⁰
- For example, the Marshall Project found at least five municipalities that used ARPA funding to purchase armored vehicles for law enforcement and at least 38 jurisdictions that bought police tasers with the funding that was meant to support COVID-19 recovery. Los Angeles gave the Los Angeles Police Department \$300 million (about half of the total funds transferred to the city in 2021) to cover the salaries of sworn police officers. Alabama spent \$400 million to aid construction of two prison facilities. However, because of lax reporting requirements, it is not clear where a significant portion of this funding went.¹¹

\$ 168.6 million worth of military equipment

supplied from the Department of Defense through the 1033 Program.

- This includes at least 42 mine-resistant, ambush-protected (MRAP) armored vehicles, one of which went to the Fulton County, GA, (Atlanta) Schools Police Department, and over 200 “non-lethal” firing devices and projectiles,¹² which can cause serious injury and even death, despite being labeled as “non-lethal.”¹³

This federal funding is on top of upwards of one hundred billion dollars spent by states and localities on policing each year.¹⁴

These resources have been a key way that the federal government has helped build and sustain police power and have influenced local, county, and state budget and policy priorities.



The Biden Administration

The Biden administration has frequently requested that even more money be sent to state, county, and local law enforcement. For example, Biden's FY2023 proposed budget would have more than doubled funding for the COPS hiring program, which sends funds to local and state law enforcement departments to hire additional police and sheriffs.¹⁵ In June 2021, the Biden administration called on cities and states to use ARPA funding to hire more police officers, a call that was repeated during his 2022 State of the Union, and boasted that ARPA funding made 2021 among the largest single-year commitments of federal resources for state and local law enforcement and public safety on record.¹⁶

Lack of Transparency

While we found tens of billions of dollars in funding going to state, county, and local criminal legal systems, the real amount of funding is likely significantly higher. Because there is no comprehensive reporting about this kind of funding and little transparency, it is impossible to take a full accounting of how many federal dollars are sent to local, county, and state law enforcement agencies. While most of that funding comes from the Department of Justice, there are dozens of programs that provide this funding across multiple other federal departments, including the Department of Defense, Department of Homeland Security, the Department of Agriculture, the Department of Health and Human Services, the Department of Transportation, and the Department of the Interior.¹⁷ Many of these programs were created to support the disastrous, violent, and racist "war on drugs" and "war on terror," encouraging states and localities to adopt racist and xenophobic federal anti-drug and anti-terrorism priorities, increase arrests and incarceration, build more prisons, increase spending on policing, and create increasingly punitive approaches to addressing poverty, drug use and sales, immigration, and protests.¹⁸

Where This Money Should Go to Keep Communities Safe

The tens of billions of dollars directed into local, county, and state police and criminal legal systems would go a long way to pay for much needed programming and services in Black, Latine, and low-income communities, who experience most police violence and are hardest hit by current economic, housing, and other crises. Reinvesting in our communities through affordable housing, high quality public education, health care, good jobs, and other life-affirming, supportive programs help people thrive and address the root causes of harm. Greater access to affordable housing, healthcare, drug addiction treatment, and other supports also reduces violence and are often more cost effective than police.¹⁹ Research has also found that police largely do not reduce crime or violence—and very little of that research takes into account the harm and violence that police perpetrate against these communities.²⁰ There are dozens of models across the country of strong, effective community-driven safety programs.²¹

The Biden administration, and all levels of government, should follow the lead of communities that experience the impacts of violence and social disinvestment and are developing alternative programs to foster true community safety.

Endnotes

1. Mimi Ko Cruz, "Affordable Housing Decreases Crime, Increases Property Values," School of Social Ecology, University of California, Irvine, June 8, 2022, <https://socialecology.uci.edu/news/affordable-housing-decreases-crime-increases-property-values>; Kimberly Burrowes, "Can Housing Interventions Reduce Incarceration and Recidivism?" Urban Institute, February 27, 2019, <https://housingmatters.urban.org/articles/can-housing-interventions-reduce-incarceration-and-recidivism>; Reducing Violence Without Police: A Review of Research Evidence (John Jay College of Criminal Justice Research and Evaluation Center, 2020), <https://johnjayrec.nyc/2020/11/09/av2020/>; Jennifer L. Doleac, "New Evidence that Access to Health Care Reduces Crime," Brookings, January 3, 2018, <https://www.brookings.edu/blog/up-front/2018/01/03/new-evidence-that-access-to-health-care-reduces-crime>; Jeffrey A. Butts, et al, "Cure Violence: A Public Health Model to Reduce Gun Violence," Annual Review of Public Health, 36, no. 39-53 (March 2015), <https://www.annualreviews.org/doi/abs/10.1146/annurev-publhealth-031914-122509>.
2. Center for Popular Democracy Analysis of the Public Budget Database, Budget Authority, subfunction code 754, <https://www.whitehouse.gov/omb/budget/supplemental-materials/>, data accessed October 17, 2023.
3. Eli Vitulli, Feeding the Beast: A Scope of Federal Funding for State and Local Law Enforcement (Center for Popular Democracy, December 2020), <https://www.populardemocracy.org/feedingthebeast>.
4. Center for Popular Democracy Analysis of the Public Budget Database, Budget Authority, subfunction code 754, <https://www.whitehouse.gov/omb/budget/supplemental-materials/>, data accessed October 17, 2023. Notably, the Congressional Research Service published a report that calculated COPS funding for FY 2021-23 as over \$1.56 billion. This discrepancy between these two sources highlights the federal government's lack of transparency and inconsistency in reporting about funding going to state, county, and local criminal legal systems. Community Oriented Policing Services (COPS) Program (Congressional Research Service, February 17, 2023), 2, <https://crsreports.congress.gov/product/pdf/IF/IF10922#:~:text=Congress%20has%20continued%20to%20appropriate,the%20program%20expired%20in%20FY2009.&text=From%20FY1995%20to%20FY1999%2C%20the,program%20averaged%20nearly%20%241.4%20billion>.
5. Community Oriented Policing Services (COPS) Program (Congressional Research Service, February 17, 2023), <https://crsreports.congress.gov/product/pdf/IF/IF10922#:~:text=Congress%20has%20continued%20to%20appropriate,the%20program%20expired%20in%20FY2009.&text=From%20FY1995%20to%20FY1999%2C%20the,program%20averaged%20nearly%20%241.4%20billion>. For additional information on COPS, see Eli Vitulli, Feeding the Beast: A Scope of Federal Funding for State and Local Law Enforcement (Center for Popular Democracy, December 2020), <https://www.populardemocracy.org/feedingthebeast>.
6. The Homeland Security Grant Program includes three individual grant programs that direct money to state and local law enforcement: State Homeland Security Program, Urban Area Security Initiative, and Operation Stonegarden. At least a quarter of these programs' funds must go to local and state law enforcement terrorism-prevention, but the percentage is likely much higher in practice. "Homeland Security Grant Program," Federal Emergency Management Agency, accessed November 6, 2023, <https://www.fema.gov/grants/preparedness/homeland-security>; "Notice of Funding Opportunity (NOFO): Fiscal Year (FY) 2020 Homeland Security Grant Program (HSGP)" (Department of Homeland Security, 2020), https://www.fema.gov/sites/default/files/2020-07/fy_2020_hsgp_nof.pdf; Allison McCartney, Paul Murray, and Mira Rojanasakul, "After Pouring Billions Into Militarization of US Cops, Congress Weighs Limits," Bloomberg, July 1, 2020, <https://www.bloomberg.com/graphics/2020-police-military-equipment/>.
7. "Notice of Funding Opportunity (NOFO): Fiscal Year (FY) 2020 Homeland Security Grant Program (HSGP)" (Department of Homeland Security, 2020), 2, https://www.fema.gov/sites/default/files/2020-07/fy_2020_hsgp_nof.pdf.
8. Anastasia Valeeva, Weihua Li, and Susie Cagle, "Rifles, Tasers, and Jails: How Cities and States Spent Billions of COVID-19 Relief," The Marshall Project, September 7, 2022, <https://www.themarshallproject.org/2022/09/07/how-federal-covid-relief-flows-to-the-criminal-justice-system>. The Marshall Project identified "nearly half" of the \$52.6 billion in ARPA funding that were categorized as "revenue replacement" as going to "police, law enforcement, courts, jails, and prisons."

9. Coronavirus State and Local Fiscal Recovery Funds (US Department of the Treasury, ND), Updated August 2023, <https://home.treasury.gov/system/files/136/SLFRP-Quick-Reference-Guide-FINAL-508a.pdf>.

10. Anastasia Valeeva, Weihua Li, and Susie Cagle, "Rifles, Tasers, and Jails: How Cities and States Spent Billions of COVID-19 Relief," The Marshall Project, September 7, 2022, <https://www.themarshallproject.org/2022/09/07/how-federal-covid-relief-flows-to-the-criminal-justice-system>; "FACT SHEET: President Biden Issues Call for State and Local Leaders to Dedicate More American Rescue Plan Funding to Make Our Communities Safer—And Deploy These Dollars Quickly," Press Release, The White House, May 13, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/13/fact-sheet-president-biden-issues-call-for-state-and-local-leaders-to-dedicate-more-american-rescue-plan-funding-to-make-our-communities-safer-and-deploy-these-dollars-quickly/>.

11. Anastasia Valeeva, Weihua Li, and Susie Cagle, "Rifles, Tasers, and Jails: How Cities and States Spent Billions of COVID-19 Relief," The Marshall Project, September 7, 2022, <https://www.themarshallproject.org/2022/09/07/how-federal-covid-relief-flows-to-the-criminal-justice-system>; Sam Levin, "California Cities Spent Huge Share of Federal Covid Relief Funds on Police," The Guardian, April 7, 2022, <https://www.theguardian.com/us-news/2022/apr/07/covid-relief-funds-california-cities-police>.

12. Center for Popular Democracy Analysis of "LESO Public Information," Defense Logistics Agency, accessed November 6, 2023, <https://www.dla.mil/Disposition-Services/Offers/Law-Enforcement/Public-Information/>.

13. Rohini J. Haar and Vincent Iacopino, Legal in Disguise: the Health Consequences of Crowd-Control Weapons (Physicians for Human Rights and International Network of Civil Liberties Organizations, 2016), <https://www.aclu.org/report/lethal-disguise-health-consequences-crowd-control-weapons>.

14. Shelley S. Hyland, "Justice Expenditure and Employment Extracts, 2016," Table 4, Bureau of Justice Statistics, November 7, 2019, <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6728>.

15. "FACT SHEET: President Biden's Budget Invests in Reducing Gun Crime to Make Our Communities Safer," fact sheet, The White House, March 28, 2022, <https://www.whitehouse.gov/omb/briefing-room/2022/03/28/fact-sheet-president-bidens-budget-invests-in-reducing-gun-crime-to-make-our-communities-safer/>.

16. "FACT SHEET: President Biden Issues Call for State and Local Leaders to Dedicate More American Rescue Plan Funding to Make Our Communities Safer—And Deploy These Dollars Quickly," Press Release, The White House, May 13, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/13/fact-sheet-president-biden-issues-call-for-state-and-local-leaders-to-dedicate-more-american-rescue-plan-funding-to-make-our-communities-safer-and-deploy-these-dollars-quickly/>; "State of the Union," transcript, The White House, March 1, 2022, <https://www.whitehouse.gov/state-of-the-union-2022/>.

17. Nearly all of the funding for law enforcement in the Department of the Interior is part of Bureau of Indian Affairs programs for tribal governments. Analysis of DOI awards data from USAspending.gov. Eli Vitulli, Feeding the Beast: A Scope of Federal Funding for State and Local Law Enforcement (Center for Popular Democracy, December 2020), <https://www.populardemocracy.org/feedingthebeast>.

18. Nicole Fortier and Inimai Chettiar, Success-Oriented Funding: Reforming Federal Criminal Justice Grants (Brennan Center for Justice, 2014), https://www.brennancenter.org/sites/default/files/publications/SuccessOrientedFunding_ReformingFederalCriminalJusticeGrants.pdf; Laura Withers, "How Bearcats Become Toys: The 1033 Program and Its Effect on the Right to Protest," The George Washington Law Review 84 (2016), <https://www.gwlr.org/wp-content/uploads/2016/06/84-Geo.-Was.-L.-Rev.-812.pdf>; Spencer Ackerman, "US Police Given Billions from Homeland Security for 'Tactical' Equipment," The Guardian, August 20, 2014, <https://www.theguardian.com/world/2014/aug/20/police-billions-homeland-security-military-equipment>; Patrick Sharkey, Gerard Torrats-Espinosa, and Delaram Takyar, "Community and the Crime Decline: The Causal Effect of Local Nonprofits on Violent Crime," American Sociological Review 82, no. 6 (December 2017), <https://journals.sagepub.com/doi/10.1177/0003122417736289>.

19. Mimi Ko Cruz, "Affordable Housing Decreases Crime, Increases Property Values," School of Social Ecology, University of California, Irvine, June 8, 2022, <https://socialecology.uci.edu/news/affordable-housing-decreases-crime-increases-property-values>;

Kimberly Burrowes, "Can Housing Interventions Reduce Incarceration and Recidivism?" Urban Institute, February 27, 2019, <https://housingmatters.urban.org/articles/can-housing-interventions-reduce-incarceration-and-recidivism>; Reducing Violence Without Police: A Review of Research Evidence (John Jay College of Criminal Justice Research and Evaluation Center, 2020), <https://johnjayrec.nyc/2020/11/09/av2020/>; Jennifer L. Doleac,

"New Evidence that Access to Health Care Reduces Crime, Brookings, January 3, 2018, <https://www.brookings.edu/blog/up-front/2018/01/03/new-evidence-that-access-to-health-care-reduces-crime>; Jeffrey A. Butts, et al, "Cure Violence: A Public Health Model to Reduce Gun Violence," Annual Review of Public Health, 36, no. 39-53 (March 2015),

<https://www.annualreviews.org/doi/abs/10.1146/annurev-publhealth-031914-122509>; Ellicott C. Matthay, et al, "Firearm and Nonfirearm Violence After Operation Peacemaker Fellowship in Richmond, California, 1996-2016," American Journal of Public Health 109, no. 11 (November 2019), <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2019.305288>.

20. Richard Rosenfeld and Joel Wallman, "Did De-policing Cause the Increase in Homicide Rates?" Criminology and Public Policy 18, no. 1 (February 2019),

<https://onlinelibrary.wiley.com/doi/10.1111/1745-9133.12414>; Jared Knwoles and Andrea J. Ritchie, Cops Don't Stop Violence: Combating Narratives Used to Defend Police Instead of Defunding Them (Community Resource Hub and Interrupting Criminalization, 2021), 11-12, 14,

<https://static1.squarespace.com/static/5ee39ec764dbd7179cf1243c/t/60ff3d8f0a0ef6473fbb6dbb/1627340186125/Cops+Don%27t+Stop+Violence>.

21. For examples, see Beyond Policing Communities Toolkit (Center for Popular Democracy, 2023),

<https://www.populardemocracy.org/news/publications/beyond-policing-communities-toolkit>; Beyond Policing Schools Toolkit (Center for Popular Democracy, 2023),

<https://www.populardemocracy.org/news/publications/beyond-policing-schools-toolkit>.



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