

DEFENDING OUR GROUND BY REPRESENTING OURSELVES RESPONSIBLY

By NTOA Director Emeritus Phil Hansen



Recent events have underscored the critical necessity that we, as SWAT commanders, deploy our resources in an appropriate manner and be capable of clearly articulating the rationale for our deployment and any specific tactics or equipment we employ. Personnel at all levels of our organizations should be knowledgeable and conversant about the

purpose of SWAT and why we utilize equipment and tactics that potential critics may otherwise point to as evidence of excessive behavior or the “militarization” of our profession.

This message is not about being politically correct or altering our actions and vocabulary to mislead or placate potential detractors. It is about professional knowledge and communication concerning the employment of our specialized resources in a manner that is consistent with Constitutional principles and constraints. It is also about acknowledging our responsibility to clearly articulate our actions to the public we serve.

THE DECISION TO DEPLOY

When considering a SWAT activation, the first question we must be able to answer is if the situation merits the team’s response. In other words: Does deployment of the SWAT team significantly increase the margin of safety for those involved? Typically, low-risk warrant services fail to meet this criterion. That’s why the NTOA, California POST and most state tactical associations advocate the use of a warrant matrix to assist in determining whether the use of SWAT is appropriate. Similarly, the deployment of SWAT personnel armed with rifles on the front lines of civil disorder or crowd control missions is seldom appropriate, unless there are justifiable concerns relating to deadly threats, such as snipers or shots fired from within the crowd.

I’m not a supporter of extremely restrictive deployment criteria. A SWAT commander should have the flexibility to approve deployment whenever it appears that utilization of

the team will substantially increase the safety of all involved. But the indiscriminate use of SWAT uniforms, weapons and equipment in a one-size-fits-all manner during low-risk warrant service or civil disorder missions can only lead to problems and criticism. It can also encourage adversaries who understand the legal and ethical constraints facing law enforcement to stage their own “Tiananmen Square” moments for the press.

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ARTICULATING THE CORE MISSION OF SWAT: SAVING LIVES

In the wake of a team activation, well-reasoned explanations for the deployment of personnel and equipment can be nearly as critical to the overall success of the mission as the tactics employed during the event. When asked to describe why we need SWAT or what the fundamental mission of SWAT is, our definitive and unanimous answer must be this: “To save lives.”

Lifesaving is our core mission, not the service of warrants or the resolution of barricaded suspect situations. Those are merely examples of situations in which SWAT is employed to perform its core mission of lifesaving. When providing this response, we should be quick to add that this includes the lives of innocent citizens, law enforcement personnel and, whenever possible, the lives of suspects as well. The

lifesaving core mission of SWAT should be the anchor point to which all subsequent discussion, reasoning and explanation is attached.

VALIDATING WEAPONS AND EQUIPMENT

If our core mission is lifesaving, it stands to reason that when asked to explain the deployment of specific weapons and equipment, we should be capable of extending the same rationale, ultimately anchoring our explanations to lifesaving. For example, when asked why law enforcement personnel are compelled to deploy rifles in an urban environment, the simple overriding answer is “to enhance citizen safety,” followed by the further explanation that a shoulder-mounted weapon such as an M-4 is more accurate over distance than a handgun and when utilized with the proper ammunition, has less potential for over-penetration than many handguns. Therefore, in many situations the use of rifles can increase the safety margin for innocent hostages or bystanders.

The deployment of armored vehicles by civilian law enforcement has recently been condemned by longtime critics who manipulate and misguide our largely uninformed politicians and media. Like most of you, I have watched the news in dismay as reporters display photos of a Lenco BearCat while they discuss the “militarization” of law enforcement and condemn federal assistance to local agencies through the Department of Defense’s 1033 Program. Never mind the fact that the vehicle depicted has nothing to do with these programs. The unfortunate truth is that most reporters, many politicians and even some law enforcement executives don’t know the difference between a BearCat and an M-1 Abrams. As leaders, we have an obligation to educate them whenever possible.

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ASSURING THAT OUR MESSAGE IS CONSISTENT WITH OUR OBJECTIVES

Armored vehicles like the BearCat are as much a lifesaving tool as any fire truck. They are specifically designed for the needs of domestic law enforcement to provide a safe containment position or rally point for officers, and to afford a practical method to approach and perform rescues of downed officers or citizens. In addition, armored vehicles are often used as a means of introducing negotiators in attempts

to peacefully resolve an incident. If questioned by a reporter, a defense attorney or an average citizen in your jurisdiction, would all of your personnel be prepared to reasonably articulate our need to deploy armor as a defensive and lifesaving measure?

The following items are examples of safety equipment routinely carried by many SWAT personnel. If their use is not reasonably justified and articulated, they can be easily misconstrued or misrepresented in offensive terms or as evidence of excessive behavior.

- Flash/sound diversionary devices. Their purpose is to enhance safety and save the lives of officers and citizens by providing a psychological and/or physiological distraction to dangerous suspects during a tactical operation. They are neither “stun grenades” nor fragmentation devices, and the only by-products of their deflagration are heat, light and sound.
- Knives are essential safety tools used to cut a myriad of obstacles such as twine securing gates, seatbelts on crash victims or bindings on hostages. They are not carried as weapons.
- Balaclavas (when worn) are safety clothing designed to protect the wearer from potential burns while deploying flash-sound diversionary devices or to protect from glass shards when windows are ported. They are not worn to hide the identity of officers or instill fear in suspects.

These few examples are no doubt painfully obvious to you, but if your organization is like most, there is a continual stream of new personnel filling your ranks. It’s incumbent on us as leaders to educate our personnel about the need to always present themselves, in action, appearance and speech, in the most responsible and professional manner. The days of SWAT T-shirts depicting skulls, grim reapers and snarling K9s should be a thing of the past, and our personnel should be well-versed on the precept of anchoring their responses about SWAT to safety and saving lives.

Have no doubt — there are misguided but powerful critics who seek to undermine and discredit our discipline and strip us of equipment that is critical to the safety of our communities. The last thing we need to do is provide our detractors with ammunition in the form of unreasonable deployments, unprofessional appearance or ill-advised statements that will be used as examples to further their agenda. It is essential that we continually police our own actions and educate our personnel so we can speak uniformly from a position of knowledge and authority. ■