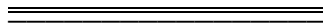
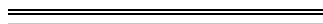


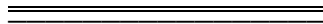
**The Bill Blackwood
Law Enforcement Management Institute of Texas**



SWAT Teams and Their Use of Force



**An Administrative Research Paper
Submitted in Partial Fulfillment
Required for Graduation from the
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ABSTRACT

The frequent use of Special Weapons and Tactics (SWAT) teams in normalized policing and the militarization of police are coming under increased scrutiny. There is little research on the use of force by SWAT team members or the expanded role of SWAT teams in traditional police functions. Research was conducted on three part-time SWAT teams to determine whether or not SWAT officers used force at a higher rate than non-SWAT officers in similar circumstances. The results of the research indicate that there is not a significant difference in the use of force between SWAT officers and non-SWAT officers. Also, with increases in terrorism, illegal drug trafficking and other social issues, there is a genuine need for an expansion in the roles of SWAT teams. Additional research is needed to determine if the use-of-force issues between SWAT officers versus non-SWAT officers continue to reflect the current findings.

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INTRODUCTION

The use of force by special weapons and tactics teams (SWAT) is one of the most criticized and scrutinized aspects of law enforcement practice. The SWAT concept has been utilized for over thirty years. Although the use of specialized police units has significantly increased, there is very little research that focuses on the use of force issues and increased militarization. The increased usage and normalization of SWAT teams into everyday policing have brought their use of force and militarization into question. Police academicians have overlooked their use because it has been assumed that their limited use did not vastly contribute to the overall police function. While this may have been true in the past, SWAT teams today are increasingly being used for response to other types of critical incidents that require a response by several officers for complete resolution, without diminishing the ability of the law enforcement agency to respond to routine calls for service.

The purpose of this research is to determine if the increased use of SWAT teams in everyday policing has a positive or negative effect on the use of force by SWAT officers and non-SWAT officers. Additionally, the researcher will examine the increased militarization of civilian police. The focus of the research will be on police officers that are members of a part-time SWAT team and have traditional law enforcement duties when not engaged in SWAT activities.

The methodology of this research topic will be conducted using a broad-based approach. The review of books, journals, recent research and case law will be conducted to yield basic information and target trends in this area of study. Additionally, primary sources of relevant information will be gathered from personal interviews and surveys. The information gained with

this methodology will be designed to determine use of force incidents by SWAT and non-SWAT officers as well as the increased utilization of SWAT teams in normalized policing.

It is hypothesized that the research will indicate that SWAT officers are less likely to employ force than non-SWAT officers. The research will show that due to the SWAT officers' additional training and experience in use of force situations, they are less likely to use force in situations where non-SWAT officers would use force. Also, the research is expected to show that there has been a substantial increase in the militarization of civilian police. Due to increases in terrorism, illegal drug trafficking and other social issues, it is a reasonable expectation that police departments will see an increased usage of SWAT teams. Through their use of disciplined team action, high-tech equipment and military tactics, SWAT teams can quickly bring deadly and volatile situations under control.

Law enforcement will benefit from this research by recognizing that SWAT officers, even though they are exposed to more high-stress critical incidents, are less likely to use force in situations where non-SWAT officers would do so. The training requirements for non-SWAT officers could be adapted to more closely parallel the training that SWAT officers receive, thereby reducing the number of use of force incidents reported by non-SWAT officers.

REVIEW OF LITERATURE

Prior to the mid-1960's, the use of organized tactical teams in modern policing was undeveloped and rarely used. Several incidents during that period drastically changed the manner in which police responded to dangerous and unusual criminal incidents. The Watts riots, the Vietnam War demonstrations and the brewing violence in much of America's inner-city neighborhoods concerned law enforcement leaders. However, the one incident that prompted police executives across the country to decide that specially trained officers were needed to

respond to these types of incidents was the Texas Tower sniper incident. On August 1, 1966, Charles Whitman climbed a tower on the campus of the University of Texas at Austin and shot forty-six people, killing fifteen. The date of this incident is generally recognized as the birth date of the modern police SWAT concept (Snow, 1996).

The acronym SWAT (special weapons and tactics) was universally believed to have first been used with the formation of Los Angeles Police Department's tactical team, shortly after the Texas Tower incident (Snow, 1996; Williams & Westall, 2003). Initially, SWAT teams were developed to address rare, but violent or special situations such as barricaded suspects or hostage rescue. Today, the role of SWAT teams has been expanded to include narcotics searches, search warrants, arrest warrants and other incidents that have traditionally been handled by non-SWAT personnel (Kraska & Paulsen, 1997; Snow, 1996; & Kraska, 1999).

During the 1980's and 1990's the number of SWAT teams across the country increased dramatically in response to the increase in illegal drug activity in the United States. As the number of SWAT teams increased, so did their roles and armament. In 1997 Peter Kraska and Victor Kappeler of Eastern Kentucky University conducted a survey of police departments across the country to determine the prevalence of SWAT teams in use. They reported that 90% of the police departments surveyed in cities with populations over 50,000 and 70% of the departments surveyed under 50,000 citizens had SWAT teams (Kraska & Kappeler, 1997). Also an exploratory study of 65 SWAT teams in North Carolina concluded that law enforcement must ensure that their special units receive ongoing training in tactical preparedness in response to the escalation of drug trafficking and domestic terrorism (Clark & Jackson, 2000).

The increased formation of SWAT teams is attributed to the war on drugs that began in the early 1970's and escalated in the 1980's. Congress' amendment of the Posse Comitatus Act in 1981 allowed the military to assist civilian law enforcement in the war on drugs by making equipment, weaponry and training available to them (Koppel & Blackman, 1997; Weber, 1999). As the war on drugs escalated in the 1980's, the military was further drawn into civilian law enforcement by a series of congressional and executive initiatives. These initiatives such as the formation of regional task forces which coordinated military and civilian police activities in the drug war, technology transfer programs which enabled the military to transfer surplus military equipment and weapons to state and local police departments and direct assistance of the National Guard in counterdrug operations, have militarized a wide range of activities in the United States that had been previously considered the domain of civilian law enforcement (Weber, 1999).

The close association of civilian law enforcement and the military has caused SWAT officers to take on a warrior mentality and elitism within law enforcement agencies. SWAT teams, like military Special Forces, are elite units. They both have rigorous team training, high-tech armament and dress in BDU's (battle dress uniforms). The organization of SWAT teams resembles Special Forces units with a commander, team leader, sniper, rear guard and a scout. Also, SWAT teams commonly train with and are trained by military personnel with special operations experience. The warrior mentality mindset that SWAT teams and the military share is not appropriate for civilian police officers (Kraska & Kappeler, 1997; Weber, 1999). However, the tremendous increase in the number of narcotics raids and other proactive police activities using elite SWAT teams is evidence that civilian policing is militarizing their forces (Kraska,

1999). Confusing the police function with the military function could lead to dangerous and unintended consequences (Weber, 1999).

A survey of 48 Texas SWAT teams revealed that of the responding agencies 85% were part-time SWAT teams and 15% were assigned to SWAT full time. Part-time SWAT officers are assigned to other divisions in the department, usually patrol or detective division, until the need arises, especially when the use of force is heightened (Dulin, 2005; Williams & Westall, 2003). The National Tactical Officers Association (NTOA) reported in 2005 that of all the SWAT teams in the United States that 90% are part-time teams

The nature of situations requiring the deployment of a SWAT unit creates an expectation that some degree of force will be utilized to control or stop the situation. Police officers become socialized to their working environment and how they respond to dangerous situations. SWAT officers are more likely to confront high-risk and violent situations more so than non-SWAT officers (Kraska, 1999). Therefore, SWAT officers may be more likely to use force in non-SWAT situations.

There are many different ways to define the use of force. In 2001 the International Association of Chiefs of Police (IACP) completed a use of force project that was legislatively mandated and funded by the Bureau of Justice Statistics and the National Institute of Justice. The IACP developed a working definition of “use of force” and a “street continuum” approach which identified those types of force used to bring a suspect under control. The IACP defines force as “that amount of effort required by police to compel compliance from an unwilling subject.” By using the “street continuum” approach the IACP tracks the force by subjects or officers as: physical force (the use of fists, feet, hands, etc.), chemical force (the discharge of MACE, CAPSTUN, OC, CS and CN devices), electronic force (the discharge of TASER, Stun

Gun, or other electronic weapons), impact force (the use of a baton, or other impact weapons), and firearm (lethal) force (the discharge of any kind of firearm).

This study will analyze use of force data collected from three police departments. The officers from these departments were required to submit reports of all incidents requiring the use of force. Research has indicated that demographic variables such as age, race, and sex do not have an impact on the use of force, so these variables will not be included (Adams, 1999; IACP, 2001). SWAT officers typically handle dangerous and use of force incidents more frequently than non-SWAT officers. What is not known is whether an officer's SWAT status has any effect on the use of force.

METHODOLOGY

The purpose of this research is to determine whether SWAT and non-SWAT officers use force differently. Only the use of force data for SWAT officers acting in a non-SWAT capacity will be used so that the differential use of force data between SWAT and non-SWAT officers will be more accurately depicted. The results of the research will dispel the premise that SWAT officers are more aggressive and tend to use force at a higher rate than non-SWAT personnel. Additionally, the research will affirm the need for the increased use of SWAT teams in normalized policing.

Three police departments were used for this study: Glynn County Georgia Police Department, Port Arthur Texas Police Department and the Beaumont Texas Police Department. All three departments have part-time SWAT teams and report all use of force incidents. The Glynn County police department had 105 sworn officers for the study period of 1995-1998. The Port Arthur police department had 112 sworn officers for the study period of 2004-2005. The Beaumont Police Department had 260 sworn officers for the 2005 reporting period. Data for the

Glynn County Police Department was gathered from a study conducted by Jimmy Williams and David Westall on SWAT and non-SWAT officers and the use of force. Their study was published in the Journal of Criminal Justice in 2003. Telephone interviews were conducted with Lt. Mark Pierce, Beaumont Police Department and Sgt. Ken Carona, Port Arthur Police Department. The data generated by these officers came from use of force reports for the prescribed reporting periods. The data will be analyzed by comparing frequencies of SWAT status and use of force and the number of use of force incidents per SWAT officer and non-SWAT officer.

FINDINGS

The data collected from telephone interviews of the Port Arthur and Beaumont police departments were first analyzed separately and then combined with results of the Glynn County police department's data.

<u>Frequencies of SWAT status and use of force</u>		
<u>SWAT status</u>	<u>Frequency</u>	<u>%</u>
SWAT officer	8	14%
Non-SWAT	51	86%
Use of Force		
1-3 reports	36	61%
4 or more reports	23	39%

The results in Table 1 are from the fifty-nine use-of-force reports submitted by officers of the Port Arthur Police department. Of the fifty-nine officers who used force, eight (14%) were SWAT members, and fifty-one (86%) were non-SWAT members. Of the total use-of-force reports submitted, thirty-six (61%) submitted one to three reports and twenty-three (39%)

submitted four or more reports. The reporting period for the Port Arthur police department was from January 2004 through December 2005.

TABLE 2 Port Arthur Police Department

Use of Force by SWAT status

Use of Force	SWAT	Status
	SWAT Officer	Non-SWAT Officer
1-3 reports	5 (63%)	31 (61%)
4 or more reports	3 (37%)	20 (39%)

The results in Table 2 indicate that out of eight SWAT officers, five (63%) submitted one to three use-of-force reports, and three (37%) submitted four or more reports. The results in Table 2 also indicates that out of 51 use-of-reports submitted by non-SWAT officers, thirty-one (61%) filed one to three reports, and twenty (39%) filed four or more reports.

Table 3 Beaumont Police Department

Frequencies of SWAT status and use of force

SWAT status	Frequency	%
SWAT officer	7	6%
Non-SWAT	105	94%
Use of Force		
1-3 reports	112	100%
4 or more reports	0	0%

The results in Table 3 are from the one hundred twelve use-of-force reports submitted by the Beaumont police officers. Of the one hundred twelve officers that used force, seven (6%) were SWAT members, and one hundred five (94%) were non-SWAT officers. Of the one hundred twelve total use-of-force reports submitted, one hundred (100%) submitted one to three reports.

TABLE 4 Beaumont Police DepartmentUse of Force by SWAT status

Use of Force	<u>Status</u>	
	<u>SWAT Officer</u>	<u>Non-SWAT Officer</u>
1-3 reports	7 (100%)	105 (100%)
4 or more reports	0 (0%)	0 (0%)

The results of Table 4 indicate that the seven SWAT officers that filed use-of-force reports, seven (100%) filed one to three reports, and no SWAT officer filed four or more reports. Out of the one hundred five non-SWAT officers, one hundred five (100%) filed one to three reports and no officer filed four or more reports.

Table 5 Glynn County Police DepartmentFrequencies of SWAT status and use of force

<u>SWAT status</u>	<u>Frequency</u>	<u>%</u>
SWAT officer	25	34%
Non-SWAT	48	66%
Use of Force		
1-3 reports	51	70%
4 or more reports	22	30%

The results of Table 5 indicate that out of the seventy-three use-of-force reports filed by the Glynn County police department, twenty five (34%) were submitted by SWAT officers, and forty-eight (66%) were filed by non-SWAT officers. Of the total use-of-force reports submitted by officers, fifty-one (70%) filed one to three reports, and twenty-two (30%) filed four or more reports.

TABLE 6 Glynn County Police Department

Use of Force by SWAT status

Use of Force	SWAT Status	
	SWAT Officer	Non-SWAT Officer
1-3 reports	15 (60%)	36 (75%)
4 or more reports	10 (40%)	12 (25%)

Table 6 indicates that out of the twenty-five SWAT officers that submitted use-of-force reports, fifteen (60%) submitted one to three reports, and ten (40%) submitted four or more reports. Out of the forty-eight non-SWAT officers, thirty-six (75%) submitted one to three reports, and twelve (25%) submitted four or more reports.

After independently analyzing the data for the three police departments, the data was combined to determine if the use-of-force rates changed significantly.

Frequencies of SWAT status and Use of Force (Totals)

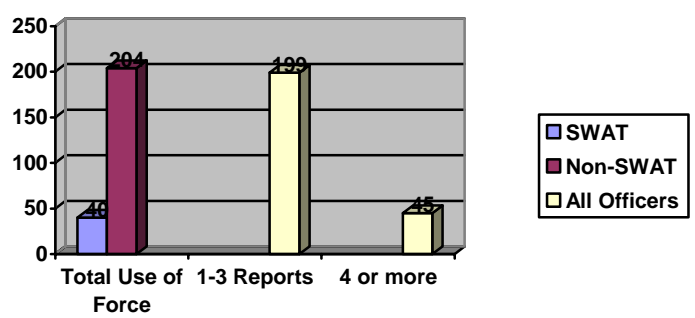


Table 7

Table 7 indicates the use-of-force frequency with data combined from the three police departments. Of the two hundred forty-four total use-of-force reports, forty (16%) were submitted by SWAT officers and two hundred four (84%) were submitted by non-SWAT officers. Also, one hundred ninety-nine (82%) of the officers submitted one to three reports, and forty-five (18%) submitted four or more reports.

Use of force by SWAT status (Totals)

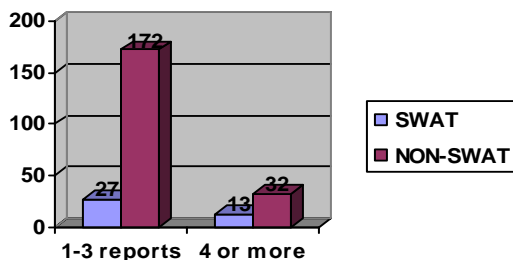


Table 8

The results in Table 8 indicate the use-of-force totals submitted by officers from data combined from the three police departments. Of the forty SWAT officers submitting reports, twenty-seven (68%) submitted one to three reports, and thirteen (32%) submitted four or more reports. Also, of the two hundred four non-SWAT officers that submitted use-of-force reports, one hundred seventy-two (84%) submitted one to three reports, and thirty-two (16%) submitted four or more reports.

After analyzing the data from each department separately and then combining the data from the three departments, it is clear that SWAT officers do not use force at a higher rate than non-SWAT officers. In most instances, non-SWAT officers used force at a rate significantly higher than SWAT officers. The only instance where the use-of-force rate was higher for SWAT officers occurred when the Glynn County police department was examined separately. Ten SWAT officers filed four or more reports (40%) as compared to twelve non-SWAT officers filing four or more reports (25%). Also, when the data was totaled for the three departments, thirteen (32%) of the SWAT officers filed four or more reports, and thirty two (16%) of the non-SWAT officers filed four or more use-of-force reports. Even though this rate was higher for SWAT officers in this instance, it is not a significant difference for the amount of data presented.

From the data analyzed, it does not appear that an officer's SWAT status is a predictor of the use of force.

CONCLUSIONS

Most of today's SWAT teams have been created within the last twenty years in response to the war on drugs and domestic and international terrorism. Also, the roles of SWAT teams have expanded from hostage rescue to proactive police assignments that have traditionally been handled by patrol officers. SWAT teams are now better equipped and trained than ever before due to partnerships with the military. The proliferation and expanded role of SWAT teams is a cause of concern for many police academicians and researchers.

The purpose of this research was to determine if the increased use of SWAT teams in everyday policing would result in higher use of force incidents involving SWAT officers as opposed to non-SWAT officers. Also, the research was conducted to determine if the expanded role of today's SWAT teams is necessary in normalized policing.

It is hypothesized that the use of force rates for SWAT officers will not be significantly higher than non-SWAT officers. Additionally, the research will show that there is a significant militarization in civilian police departments with the proliferation and expanded roles of SWAT teams. For the purpose of this research, only part-time SWAT teams were examined. The majority of SWAT teams in the United States are part-time teams, and the officers have traditional law enforcement duties, such as patrol and investigations, when not engaged in SWAT activities.

The research involved data that was gathered from the Port Arthur, Texas police department, Beaumont, Texas police department and from a previous study of the Glynn County, Georgia police department. It was theorized that the socialization of SWAT members might

cause them to use force at a higher rate than non-SWAT officers in similar situations. The data indicated that SWAT officers did not use force at a higher rate than non-SWAT officers. For the most part, SWAT officers used force at a rate significantly lower than non-SWAT officers.

There may be several reasons why SWAT officers did not use force at a higher rate than non-SWAT officers. All police officers receive the same training in use of force situations and their departmental policies on the use of force. The socialization and militarization of SWAT officers did not appear to have an impact on their rate of use of force. SWAT officers are exposed to use of force situations and critical incidents much more frequently than non-SWAT officers. I expect that these experiences result in SWAT officers being more confident and less likely to use force in situations where non-SWAT officers use force. The training and selection of SWAT officers may also play a role in the lower number of use-of-force incidents. SWAT officers, even on part-time SWAT teams, go through copious amounts of physical and tactical training that may be beneficial to them even in non-SWAT situations.

Because of the deployment of SWAT teams to critical incidents, SWAT teams can be expected to employ some level of force to control or stop an incident. The research data supported the hypothesis that SWAT officers do not use force at a higher rate than non-SWAT officers in similar situations. These results should be interpreted with restraint. The data sets used in this research are not large enough to make an absolute conclusion that SWAT officers use-of-force rate is equal to or lower than non-SWAT officers. More research, with larger data sets, is needed to determine if these conclusions will withstand the test of time. Department administrators can use this information to monitor their own SWAT teams and ensure they continue to receive the best training available. SWAT teams utilize scenario-based training and require their officers to work as a team and maintain a high level of physical fitness. The

components and nature of their training can be incorporated into the training curriculum of non-SWAT officers to better prepare these officers when they are faced with a dangerous or critical situation. The successful resolution of most conflicts can be achieved with continuous training, proper leadership and further study of police SWAT teams.

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