

**The Bill Blackwood
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**Multi-Jurisdictional SWAT Teams as a Tactical Response Solution for
Small Police Departments**

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ABSTRACT

A police department must be equipped and trained to appropriately respond to and resolve any incident that may occur within its jurisdiction. A vital component of this capability is the availability of a Special Weapons and Tactics (SWAT) team to handle situations beyond what regular patrol officers are equipped to deal with. Unfortunately, many smaller departments are unable to support their own SWAT team due to budgetary, staffing, and other constraints and must rely on the assistance of another (often larger) nearby agency to provide a SWAT response. A superior alternative is for several small agencies located in close geographic proximity to form a multi-jurisdictional SWAT team. To support this position, the researcher utilized a variety of sources to include articles, Internet sites, and periodicals. The research will show that the advantages of membership in a multi-jurisdictional SWAT team extend beyond the tactical response capability of the team and actually benefit the involved departments on several levels. It is the belief of the researcher that all police departments should have the capability of appropriately responding to a tactical incident and membership in a multi-jurisdictional SWAT team is the best way to achieve this goal.

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INTRODUCTION

A police department's ability to respond to a tactical incident is critical in today's world. Due to continuing violence in the workplace incidents, the ongoing threat of terrorist attacks and active shooter situations in schools and other public places, the ability of a department to respond in a manner that is decisive and safe for both the citizens and officers is of utmost importance. A 2011 report released by the Federal Bureau of Investigation (FBI) noted that workplace violence occurs more frequently than most people assume. The types of violence range from relatively less serious assaults to the widely-publicized mass shooting incidents (Romano, Levi-Minzi, Rugala, & Van Hasselt, 2011). Additionally, the Department of Justice asserts that local police departments will be the "first responders" to future terrorist attacks (Chapman et al., 2002). Finally, the United States Department of Education has published information specifically on how schools and other learning institutions can respond to an "active shooter" situation; which is when a person is actually shooting a firearm and causing death or injury to other persons. Within these guidelines, the schools are encouraged to work with their local police department to coordinate a response plan (U.S. Department of Education, 2007). It is for these reasons and more that police departments must possess the resources, manpower, and skills necessary to successfully respond to and resolve these situations when they occur.

Prior to the 1960s, the response to a tactical incident was handled by patrol officers, detectives, and any other available officers who initially arrived on scene. In 1967, the Los Angeles Police Department pioneered the creation of the first Special Weapons and Tactics (SWAT) team in response to incidents related to the infamous

Watts riots (Los Angeles Police Department, 2012). These SWAT teams were specially trained and had equipment above and beyond what the regular patrol officer had access to. This additional training and equipment instilled a higher level of safety for both the officers and public they were tasked with protecting.

Since that time, many police departments across the country have formed SWAT teams and have used them to resolve a virtually countless number of critical situations. Both large and small departments have formed SWAT teams, and team compositions range from very large well-equipped full-time units to small part-time groups that sometimes have barely more gear than the regular patrol officer. The National Tactical Officers' Association (NTOA) defined a SWAT team as "a designated law enforcement team, whose members are recruited, selected, trained, equipped and assigned to resolve critical incidents involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units" (National Tactical Officers Association, 2011, p. 12). Many mid- to large-size departments are able to maintain a SWAT team comprised of officers entirely from within their own department, on either a full- or part-time status. A full-time team is comprised of officers who have no other job function; all of their regular work hours are spent either training or responding as a SWAT team member. Part-time teams are composed of officers who have another primary assignment (such as patrol or detective) but are "on-call" for SWAT duties when needed. However, many smaller departments are unable to even support a part-time team due to staffing issues, fiscal issues, and other issues related to their size.

Staffing, training, and equipping a SWAT team can pose a significant financial burden on a department's budget, often to the degree that a team is not feasible. To initially equip a SWAT team with the required gear, it can cost up to \$7,000 dollars per officer (Gregg, 2009). Furthermore, a SWAT team that consists of 15 to 20 or more officers can easily surpass the total number of officers in a smaller department. Add to this the required initial and ongoing training, potential overtime costs and continuing equipment needs, the reasons a SWAT team can be so expensive becomes apparent.

This problem can be addressed by having the department create or join an existing multi-jurisdictional SWAT team. A multi-jurisdictional SWAT team is composed of officers from several different departments that are located in close proximity to each other, and they respond to incidents within any of the participating departments' areas of responsibilities. The team regularly trains together and should be governed by an inter-local agreement signed by all departments (National Tactical Officers Association, 2011). This inter-local agreement standardizes procedures, tactics, training, and leadership of the team. This approach is a superior alternative to simply relying on mutual aid from a larger nearby department, county, or state SWAT team. The National Tactical Officers Association (NTOA) has published set of suggested SWAT standards for law enforcement agencies, and it contains a comprehensive set of guidelines for the formation and operation of SWAT teams. Additionally, this document contains sample policies and inter-local agreements for police departments to utilize as needed (National Tactical Officers Association, 2011).

The positive attributes of a multi-jurisdictional SWAT team span across administrative, personnel, and officer safety issues for the departments involved.

Administratively, by being a participant in a multi-jurisdictional SWAT team, the member departments are easily able to maintain command and authority of their team during an incident. Additionally, a department may see benefits in personnel recruitment and retention due to the SWAT team assignment being viewed as an incentive or goal for new and current officers. Finally, by having one or more SWAT trained officers assigned to a multi-jurisdictional SWAT team, a department has the availability of the officer and his or her tactical equipment for situations which might not necessarily require the entire team. Therefore, small police departments should create or join a multi-jurisdictional SWAT team to ensure they remain capable of appropriately responding to and resolving any tactical incidents which occur within their jurisdiction.

POSITION

During a tactical incident, the department that utilizes a multi-jurisdictional SWAT team retains oversight and control, since the team is composed of at least one officer from that agency, and their overall actions are governed by an inter-local agreement. Conversely, if a department has to request the assistance of a SWAT team from another agency (such as a county sheriff's office), that responding agency will often assume command and control of the situation and resolve it using the methods and tactics they see as best. Generally, a police agency will maintain a tactical advantage by virtue of having familiarity with the community and specific location of where the incident is occurring. The availability of this knowledge is assured when a multi-jurisdictional SWAT team is available to respond to a situation. Although the team will most likely be composed of other officers who could be unfamiliar with the location, the inter-local agreement will ensure that the police chief of the requesting agency has final

command authority over the team and operations (National Tactical Officers Association, 2011). Also, the manners of resolving any operational issues that arise during an incident are specifically addressed in the NTOA suggested standards as such: “Operational problems encountered will be mutually addressed and resolved by the participants from each agency. Ideally, it is agreed that resolution of operational problems will be at the lowest level possible” (National Tactical Officers Association, 2011, p. 46).

The second practical benefit of participating in a multi-jurisdictional SWAT team reaches beyond the primary function of the team as a response to a tactical incident and positively affects the department as a whole. Small police departments often face challenges in recruiting and retaining officers due to competition with larger and oftentimes higher-paying departments. These larger departments offer greater opportunity for career advancement due to the wider array of assignments available. For example, officers in larger departments can work in units such as specialized criminal investigations, traffic enforcement, K-9, and bomb squads. Generally, these types of assignments are not available in smaller departments. Previous research has shown that small police departments must actively seek new and creative methods to not only attract, but to retain officers once hired (Todd, 2004). Since many small departments cannot match salaries with their larger counterparts, they must rely on non-monetary incentives to achieve these goals.

One such incentive is the prospect of being able to serve as a member of a multi-jurisdictional SWAT team. Generally, assignment to a SWAT team is considered a coveted position, and is often a goal police officers aspire to achieve. For departments

to participate in a multi-jurisdictional SWAT team, they agree to provide one or more officers to the team. By offering the ability to become a SWAT team member, the department may be able to recruit or retain officers that this assignment appeals to. Additionally, since SWAT team officers are usually required to maintain a certain level of physical fitness as a condition of membership, the department may benefit by realizing a higher level of performance from officers interested in SWAT.

Finally, there is another benefit from a department's participation in a multi-jurisdictional SWAT team related to operational and officer safety issues. Although a SWAT team is likely the most appropriate response to a tactical incident such as a barricaded person or hostage situation, it is important to remember that most SWAT teams will require a certain amount of time to prepare and respond to these incidents. In the interim period, the incident continues to dynamically unfold and must be controlled and contained by the police officers which are already on scene. When a department participates in a multi-jurisdictional SWAT team, the department has the added benefit of having their SWAT trained officers potentially immediately available, if they are on duty or nearby at the time the incident is occurring. Even if the number of SWAT trained officers numbers only one or two, these officers' training and available tactical equipment can be of tremendous benefit in dealing with the situation until the full SWAT team arrives.

Additionally, there are many incidents police departments respond to which might not require the need for an entire SWAT team response but would still benefit from officers on scene who are SWAT trained and possess their personally-issued tactical equipment. This equipment usually includes, at a minimum, a tactical protective vest,

ballistic helmet, and a carbine or rifle. These incidents might include an emotionally disturbed person, a burglary-in-progress where the suspects might still be inside of the location, or the execution of a felony arrest warrant, to cite only a few examples. SWAT certification in Texas is regulated by the Texas Commission on Law Enforcement Standards and Education (TCLEOSE) and is taught by various training providers including the Texas Tactical Police Officers Association (TTPOA). Officers who earn the TCLEOSE Basic SWAT certification receive training in areas that are applicable to not only SWAT incidents, but to regular patrol officer duties. These areas of training include building searches, team movements, and planning of unconventional incidents to include high risk warrants, barricaded persons, and active shooter incidents. To further validate this position, the TTPOA specifically cites one of the missions of a SWAT team is to provide tactical training to non-tactical personnel (Texas Tactical Police Officers Association, 2004).

COUNTER POSITION

As previously noted, equipping a SWAT officer with the necessary equipment can cost several thousand dollars. This amount of money can be a potential problem to a department wishing to join a multi-jurisdictional SWAT team due to the high costs associated with this endeavor. However, there are several solutions available which can ease the financial burden to the department. Depending on the specific inter-local agreement governing an existing multi-jurisdictional SWAT team, a department may be able to slowly integrate into the team one officer at a time over several budget years. The department would equip and assign one officer in the first year, a second in the following year, and so on, until the required number of officers specified in the

agreement is met. Using this method, a department will not incur the total cost of purchasing SWAT equipment for all of the officers at once, and it may find this an acceptable way to obtain fiscal approval for the project through their city government. Second, although there can be a significant number of equipment items a fully-equipped SWAT officer should be supplied with, not all of these items must be purchased at the initial assignment time. For example, the most basic equipment necessary would include a tactical ballistic vest, ballistic helmet, and the specific uniform worn by the team.

Even without some of the other “standard” equipment such as a carbine and gas mask, the basic equipped SWAT officer can still function as a viable team member in a variety of supporting positions on an operation. Also, the SWAT officer would benefit from the ongoing training and experience gained as a working team member until such time his or her department could purchase the additional equipment. Finally, the need to purchase the specialized SWAT equipment can be further justified by having the department assert the fact that this equipment may be used by the SWAT officer on more than just an actual SWAT operation, as previously described.

A second possible objection to a department joining a multi-jurisdictional SWAT team is the potential staffing issues caused by one or more officers having to be away from their primary assignment on a regular basis for SWAT training. NTOA and TTPOA recommended SWAT standards suggest that a part-time SWAT team train 16 hours per month, but previous research has shown that most teams in this category only train eight hours per month (King, 2007). This training should be pre-scheduled months in advance, due to the logistical issues with coordinating the officers from multiple

departments. Accordingly, with the advanced notice of exactly when the training will occur most departments should not have any more difficulty in accommodating this scheduling as they would for an officer requesting vacation or compensatory time off.

The other staffing issue which may arise is when the SWAT team is called out for an incident with no notice, potentially causing a manpower shortage on the shift if an officer must leave. However, the inter-local agreement clearly states that a department has the discretion to decide if they are able to allow one of their officers to respond to an incident in another department's jurisdiction. If an on-duty SWAT officer is unable to leave because of a work commitment, he or she simply does not respond, and there is no "punishment" for this occurring. The member departments recognize that this situation potentially will cause one or more of their officers to not be able to assist on a call, and this is actually one of the advantages of a multi-jurisdictional SWAT team. By having a team composed of officers from several different departments, the team will most likely always have enough members that can respond to properly handle a SWAT situation.

One additional perceived problem can be that of the difficulty in supervising the multi-jurisdictional SWAT team and the management of an operation which is occurring in one of the members' jurisdictions. With so many officers (including those of various ranks) from different departments working as a single team, the potential for issues related to command, direction and overall operations of the team must be addressed. Fortunately, the command structure and control of a SWAT operation are a recognized issue, and are one of the criteria that should be specifically detailed in the inter-local agreement signed by all of the participating departments. Further, the sample NTOA

inter-local agreement stipulates that, absent a specific operational supervision plan, the multi-jurisdictional SWAT team and equipment are under the direction of the head of the department that has jurisdiction where the incident is occurring (National Tactical Officers Association, 2011).

As detailed above, many of the perceived negative aspects of joining a multi-jurisdictional SWAT team can be negated using simple advanced planning in both the fiscal and staffing areas. The initial expense of equipping several SWAT officers can be spread over one or more budget years, with the officers being assigned to the team as equipment is purchased for them. Regarding potential staffing issues related to officers having to attend training, this training should be scheduled well in advanced so that the department can make the necessary adjustments to allow the officers to attend. For unscheduled SWAT incident call-outs, the team recognizes the fact that not all officers will be able to respond when requested, and this does not reflect negatively to the individual departments. Finally, the question of team and incident supervision is specifically delineated in the inter-local agreement signed by all of the departments involved in a multi-jurisdictional SWAT team. The agreement should require the appointment of a team leader, and this officer has command authority over all other team members, without regard to their rank or position at their respective police department. The incident command during an actual SWAT situation is another area that should be specified in the inter-local agreement, which generally is the chief of police of the department requesting the SWAT team. With this clear delineation of command structure and authority, the multi-jurisdictional SWAT team can function as a unified entity, despite being composed of officers from various departments and ranks.

RECOMMENDATION

Today's police departments are expected to appropriately respond to every type of imaginable incident, from the so-called "routine" burglar alarm call, to the worst case scenario of a life-or-death hostage situation. Although a vast majority of these calls are handled by patrol officers, there are occasions where additional manpower, training, and resources are needed to bring a safe resolution to an incident of greater magnitude. When a police department requires this type of extra help, the availability of a SWAT team to assist is essential. Unfortunately, small police departments may lack the ability to form a SWAT team due to manpower, staffing, and financial reasons. The best solution to this problem is for the department to form or join an existing multi-jurisdictional SWAT team, which is comprised of officers from various departments in the area who are governed by a written inter-local agreement. With this approach, the costs and staffing issues are spread across the various departments, with each only bearing a small portion of the responsibility. With this relatively small contribution, each department has access to a full SWAT team and all of the associated equipment whenever an incident requiring this type of response arises.

The alternative option to joining a multi-jurisdictional SWAT team is for a department to simply rely on a mutual aid response from another nearby larger agency, such as a county sheriff or state police organization. Although this solution might appear appealing on first examination due to the minimal cost and impact on the requesting department, there are several areas of concern which make this a less viable choice. The use of an outside agency SWAT team usually means that the department requesting assistance will lose tactical command and control over the incident, as it is

very unlikely that the SWAT team operations will be allowed to be regulated by someone from outside of that department. Also, the training and resource availability afforded by joining a multi-jurisdictional SWAT team provides benefits beyond the actual tactical response capability of the team. The benefits extend to the entire department and include having the SWAT trained officers always available for assistance even when the entire team is not needed. Further, the potential for officers to be assigned to the SWAT team provides an important incentive for hiring and employee retention purposes, since the lack of career advancement opportunities are often cited a factor in these issues (Yearwood & Freeman, 2004). For these reasons, a small police department must take affirmative steps to ensure they possess the capability to respond to a tactical incident, and the most viable and practical solution is the multi-jurisdictional SWAT team.

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