The Bill Blackwood Law Enforcement Management Institute of Texas

Law Enforcement Response to Terrorist Attacks and Mass Casualty Incidents

An Administrative Research Paper Submitted in Partial Fulfillment Required for Graduation from the Leadership Command College

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ABSTRACT

This research paper will examine the general preparedness of law enforcement agencies in moderate to large communities, to effectively respond to mass casualty incidents resulting from terrorist attacks, or active shooter situations. The primary question considers whether or not law enforcement agencies are prepared to respond to the unique, but very real, threat of terrorist attacks or active shooter mass casualty situations? In order to conduct this research, this author reviewed news reports, journals, books, departmental policies and procedures, and government intelligence reports to analyze trends and historical data related to terrorist and mass casualty shooting situations, as well as law enforcement training and deployment adaptations. Through this research it was discovered that, since the events of September 11, 2001, law enforcement agencies have focused on the prevention of and effective response to future terrorist attacks, with very little emphasis placed on responding to in-progress terrorist or mass casualty attacks involving firearms or anti-personnel explosives. It is recommended that agencies evaluate their existing resources to identify potential response teams to better deal with in progress terrorist or mass casualty incidents, to include effective response, rifle teams, combat first aid, and urban rescue techniques.

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INTRODUCTION

This research paper will examine the general preparedness of law enforcement agencies in moderate to large communities, to effectively respond to mass casualty incidents resulting from terrorist attacks, or active shooter situations. The focal question is; are law enforcement agencies prepared to respond to the unique, but very real, threat of terrorist attacks or mass casualty active shooter situations? For the last three decades the law enforcement community has geared its tactical response to critical incidents around the use of SWAT teams to handle the overall incident, after a perimeter is established by first responders. This research paper will examine other options available to police agencies to more effectively respond to potential mass casualty attacks that threaten our communities. The focus will be on the resources and operating procedures of the Austin Police Department in Austin, Texas.

Since the terrorist attacks of September 11, 2001, a major focus of government at the local, state and national levels has been on the prevention and effective response to future terrorist attacks. Much of the law enforcement focus and training has turned toward better preparation and response to post weapons of mass destruction (WMD) attacks. While this is certainly an important element to an overall preparation and response strategy, the law enforcement community must also prepare for mass casualty attacks with small arm and anti-personnel explosives. In addition to terminating the immediate threat, other variables need to be examined, such as rescue operations, combat triage of the injured, and evacuation of the innocent in a hostile environment. Some of these roles have been traditionally viewed as the responsibility of other agencies, such as the fire department or emergency medical services. Unfortunately,

this may not be adequate as fire and EMS personnel would not normally conduct these operations until the hostile situation has been resolved or stabilized.

This research paper will include a review of books, journals, magazine articles, and the policies and procedures of other police agencies. It is anticipated that the findings of this research will show that police departments are not taking full advantage of their resources in training and personnel to prepare for and respond to terrorist attacks and mass casualty active shooter situations. It is also anticipated that in addition to the traditional SWAT response to critical incidents, other options will be identified.

This research will benefit the law enforcement profession by examining alternative methods to rapidly and effectively respond to the new types of potential violence facing our communities. Among the issues to be examined will be a focus on cross-training units that work and train together to act in non-traditional roles. An example would be to take the Austin Police Department's seven street response units, consisting of seven officers and a supervisor each, and train them as rapid response rifle teams, as well as providing training in urban rescue and combat first aid. This would mean the addition of urban rifle schools, basic first aid courses, rappelling instruction, rescue techniques, and counter-terrorist techniques training. By providing this training law enforcement agencies can move toward a better position of preparedness to respond to potential terrorist attacks. The aim would be to supplement the SWAT response or immediately react and terminate a hostile attack in the event that waiting for a SWAT response would result in further loss of life. Another consideration is the potential for several coordinated attacks at once, in which case the SWAT team would not have sufficient resources to respond to all locations at once.

There will be significant training and equipment costs to the local jurisdiction and federal grant funding will need to be explored.

REVIEW OF LITERATURE

In order to examine the complex issue of whether law enforcement agencies are adequately prepared to respond to active mass casualty incidents, stemming from terrorist or active shooter situations, literature on domestic terrorism, international terrorism and mass casualty shooting incidents were reviewed.

The United States Department of Defense defines terrorism as the calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. It further defines a terrorist as an individual who uses violence, terror, and intimidation to achieve a result (U.S. Department of Justice, Online Dictionary of Military Terms).

There is a tendency to think of terrorists as Muslim extremists, failing to recognize the threat posed by domestic hate groups and individuals with a terrorist agenda. Mark Potok (2005) of the Southern Poverty Law Center's Intelligence Project, states that there were 762 known domestic hate groups in the United States in 2004, up slightly from 751 in 2003. These are further broken down into several categories including Black Separatist, Christian Identity, Ku Klux Klan, Neo-Confederate, Neo-Nazi, Racist Skinhead, or other (Potok, 2005). Additionally, the Southern Poverty Law Center identified 152 "Patriot" antigovernment groups. In his 2004 intelligence report Mr. Potok (2005) noted that "with the loss of many of the leaders of the Neo-Nazi movement, due to death or incarceration, the danger of criminal violence is now unusually high, with large numbers of white supremacists and other extremists acting without leaders" (p. 1).

In February 1993 a truck bomb was detonated at the World Trade Center in New York City, killing six people and closing several businesses for months. Six Islamic militants were convicted in the bombing, and sentenced to life in prison. On September 11, 2001 a second attack on the World Trade Center occurred, by crashing hijacked airplanes into both towers. Again, the attackers were Islamic militants. The complete destruction of both towers and the extreme death count forced the United States to reexamine our national approach to terrorism. Likewise, every community in America began examining their vulnerabilities and response capabilities. The National Commission on Terrorist Attacks Upon the United States, known as the 9/11 Commission, was signed into law on November 27, 2002. Its mandate was to prepare a full accounting of the events surrounding September 11, 2001, and to offer recommendations for enhancing national security to prevent future attacks (9/11 Commission Report). Since that time, a great deal of progress has been made in issues surrounding prevention and responding after a terrorist event, but very little material can be found dealing with intervention and suppression of an in progress terrorist event.

In February 1998, Osama Bin Laden, Ayman al Zawahiri and three others issued a fatwa, or interpretation of Islamic law, through an Arabic newspaper in London, England, in the name of a "World Islamic Front." The fatwa claimed that America had declared war against God and his messenger and called for the murder of any American, anywhere on earth, as the "individual duty for every Muslim who can do it in any country in which it is possible to do it" (Bin Laden, 1998, 9/11 Commission Report, p. 47). In a subsequent interview with ABC-TV, Bin Laden claimed that it is more important for Muslims to kill Americans than to kill other infidels. He further stated that "we do not have to differentiate between military or civilian. As far as we are concerned,

they are all targets" (Bin Laden, 9/11 Commission Report, p. 47). Webster's Dictionary defines a Jihad as a holy war waged on behalf of Islam as a religious duty. Chief Ronald Olin, of the Lawrence Kansas Police Department notes that in the case of the current threat of Jihadism, we face a formidable foe. Only a very small number of the billion plus Muslims in the world embraces radical fundamentalist Islam. "If only one out of every 10,000 Muslims supports the Jihadist movement we may be facing a determined force of more than 100,000 people" (Olin, 2002, p. 28). With members of the Jihadist movement in at least 60 countries around the world, it is estimated that tens of thousand have been trained in terrorist techniques (Olin, 2002).

It is not unusual for law enforcement agencies to reexamine or change training, or deployment of personnel, in the wake of a catastrophic event. According to the Los Angeles Police Department's official website, the special weapons and tactics concept originated, in Los Angeles, in the late 1960s as a result of several sniping incidents against civilians and police officers around the country. Many of these incidents occurred in Los Angeles during and after the Watts Riot. Since that time, large departments have grown to rely, almost exclusively on these units to handle highly volatile incident that go beyond the response capability of uniform patrol. After the Oklahoma City bombing of the Murrah Federal Building an emphasis was put on Weapons of Mass Destruction Training and Incident Command Training. After the April 20, 1999 Columbine High School massacre, police agencies, including the Austin police Department, reexamined the practice of waiting for a SWAT response in an active aggressive shooter situation. For the Austin Police Department, this resulted in a mandated training for all officers to undergo a one-day course in Homicide in Progress Response, with no recurrent training. Subsequent to the attacks on September 11,

2001 in New York, Pennsylvania, and Washington D.C. training emphasis turned toward target hardening and terrorism recognition and post incident response. As a law enforcement community there is a need to do a better job of pulling all of this training together as well as pulling from world events to take a proactive role in preparing for the next incident. Failure to plan, identify available resources, and train around a tactical response to terrorism as well as a coordinated response to a variety of scenarios could result in significant loss of life. It is important that an emphasis be placed on examining global trend in terrorism as well and training around those contingencies. In example, Federal Transit Administration Deputy Administrator Robert Jamison states that 42 percent of terrorist attacks worldwide involve public transit Infrastructure (Parker, 2003). According to the U.S. State Department, 50 people worldwide died and 135 were injured in 2001 terrorist attacks on public transit resources, predominately buses and bus stops (Parker, 2003). Despite these statistics, there is very little training available to law enforcement personnel in responding to these incidents.

In December of 2001, the United States Army seized written terrorist training materials in Afghanistan. The publication, simply called the Al Qaeda Terrorist Organization Training Manual was authenticated, translated and distributed to law enforcement agencies for training, insight and instruction. The manual gives insight to the tactical readiness of the Al Qaeda terrorist organization. The manual states that a special operation must have three stages that are integrated and inseparable, otherwise the operation would fail. These stages are the Research (reconnaissance) Stage, the Planning Stage, and the Execution Stage. The manual also gives detailed information on the critical parts of the human body for purposes of killing an enemy by use of

firearms, along with detailed marksmanship techniques. (Author Unknown, Al Qaeda Training Manual, 2001).

According to Eitan Meyr, former assistant to the Counter-Terrorism Advisor to the Prime Minister of Israel, the terrorist attack on the Israeli team during the 1972 Olympic Games in Munich, and the failure in rescuing the hostages showed clearly how poorly trained and equipped the police forces in Europe were for dealing with terrorists and how urgently new tactics were needed. France, Spain, Italy, Germany and Austria all formed counter-terrorist units within their national police forces. These special police units were characterized by:

- Flexible command and structure enabling rapid reaction to quickly changing situations.
- 2. Special tactical training compatible with the different terrorist scenarios.
- 3. Skillful and professional operators with proper personal traits.
- Employment of special weapon systems and equipment designed specifically for the new tasks (Meyr, 1999).

Further, "basic level training is typically composed of intensive physical training, tactical operations training, combat shooting from different positions, target practice and rappelling. Advanced and more specialized training is largely dedicated to teamwork exercises, including, anti-hijacking training, storming buildings aircraft and vehicles, airborne unit training and instruction of specialists" (Meyr, 1999, p.44).

Reviewing the available literature has shown that here is much inconsistency in the amount and level of training that is available to police officers from department to department. While many smaller agencies are providing no additional training in terrorist related issues, most moderate to large agencies are providing additional

training in Weapons of Mass Destruction and Terrorism Recognition. Assistant Chief Kaiser, of the Troy, New York Police Department believes that departments should consider involving all units in true-to-life scenario training at least twice a year (Kaiser, 1990). Some focus has been put on risk management and threat assessment to help identify potential terrorist targets and the likelihood of an attack. "Risk management principals acknowledge that while risk generally cannot be eliminated, it can be reduced by enhancing protection from validated and credible threats; although many threats are possible, some are more likely to occur than others; and all assets are not equally critical" (Bodisch, 2002, p.5). Other agencies, like the New York City Police Department, are mandating annual training in terrorism related issues. NYPD mandates that all of its 37,000 officers participate in an annual In-Service Tactical training program, also known as In-Tac. One full day of the program is devoted to terrorism. The class is divided into three units, including the history of foreign and domestic terrorism in the United States, the terrorist mindset and mission, and counter-terrorism tactics (Wexler, 2002). With the exception of SWAT training, none of the material reviewed indicated that law enforcement agencies are training and utilizing the specialized units within the agencies to respond rapidly and deal with potential terrorist and mass casualty shooting incidents. Most of the material that exists regarding urban rescue, combat first aid, hostage extraction, and coordinated rifle teams is focused on SWAT teams and the military with little thought to fully utilizing a department's other potential resources.

METHODOLOGY

The focal question of this paper is; are law enforcement agencies prepared to respond to the unique, but very real, threat of terrorist attacks or mass casualty active shooter situations? It appears that law enforcement agencies have become better prepared and equipped to handle certain aspects of these potential scenarios through the use of SWAT teams, however there is a significant gap to fill as it relates to a response when the SWAT team is overwhelmed, off-duty or otherwise unavailable. The hypothesis of this paper is that police departments are not fully utilizing their existing resources to train and develop teams that are prepared and equipped to respond to mass casualty violent incidents and disasters.

In order to conduct this research, this paper will review news reports, journals, books, departmental policies and procedures, and government intelligence reports to analyze trends and historical data related to terrorist and mass casualty shooting situations, as well as law enforcement training and deployment adaptations. These sources will provide valuable information on attacks that have taken place, the law enforcement response to them and modifications of police training and deployment.

This research will also utilize a telephone survey of the six largest municipal police departments in Texas to determine if any additional training or personnel redeployment has taken place, for the specific purpose of intervening in active terrorist or mass casualty shootings, since the attacks of September 11, 2001.

By comparing the articles, journals, policies, intelligence reports, and survey results, this writer expects to find little change in the training and deployment of police personnel to respond to in-progress terrorist and mass casualty shootings since the heightened terrorist threat stemming from the September 11, 2001 terrorist attacks.

FINDINGS

In researching whether police departments are adequately prepared to respond to mass casualty incidents, involving in progress terrorist or active shooter situations, several findings were observed. First, in the late 1960s many police departments began forming SWAT units largely due to a great deal of civil unrest at the time. The model unit for these SWAT units was the LAPD Swat unit, formed in 1967 after several sniping incidents against civilians and police officers during and after the Watts riots. Since that time police departments have grown to depend on these specialized units, almost exclusively, to handle high-risk entries or incidents that go beyond the response capabilities of uniform patrol. These units have an extraordinary amount of training and specialized equipment and are prepared to deal with these active shooter situations. However, these units typically work a day shift schedule, with callback status while offduty, and are not large enough to handle multiple incidents at the same time. In a personal interview with Austin SWAT officers Carlos Sandoval and Jesus Carillo, this author learned that the Austin Police Department SWAT units have stepped up their training in preparing for terrorist events since the events of September 11, 2001. They are training more with WMD gear as well as more emphasis on breaching public transportation vehicles such as buses and aircraft. They estimated that if an event occurred in the evening or on a weekend, when SWAT personnel were off-duty, it would take about 40 minutes to fully assemble, equip and deploy a team.

On April 20, 1999, Eric Harris and Dylan Klebold, two students at Columbine High School in Littleton, Colorado, staged a lunchtime attack on the high school using homemade explosives and firearms. The two students managed to kill 13 and wound 21 other people before killing themselves. According to the official timeline, provided by

the Jefferson County Sheriff's Office in Colorado, it was 42 minutes before the first SWAT element entered the high school. This seemed to have a sobering effect on law enforcement agencies began looking at ways to avoid having to wait this length of time while people were being actively murdered. In summer of 1999, the Austin Police Department mandated Homicide in Progress Training (also known as HIPS) for all of its first responders. This training taught officers to act as coordinated search teams acting in teams of four. While this was a good first start, it is inadequate on its own, as there is no recurrent training requirement and officers are limited to the equipment carried on routine patrol. This recognized need to change training and response was a reactive measure to an unpredicted massacre.

In the aftermath of the September 11, 2001 terrorist attacks on New York,
Washington D.C. and Pennsylvania law enforcement agencies found themselves again
vulnerable to an unpredicted threat. As a reaction to these events, national security was
tightened, transportation security was beefed up, the U.S. Air Marshal's Service was
expanded, and local agencies began looking at their own vulnerabilities as it related to
critical infrastructure and potential targets. At that time this author, recognized the
potential resources available to the Austin Police Department's potential response
capabilities, by equipping and training the department's specialized field units. As the
supervisor of one of the department's Street Response Units, this author directed an
immediate assessment of potential targets and vulnerabilities within the Northwest
Command. The Northwest Street Response Unit identified several vulnerabilities and
potential targets within the command. Most notably, a nuclear research facility, a major
mall and a massive dam were identified. As a direct result of the threat assessments
and the information gathered, the Northwest Street Response Team was tasked with the

full time security of the Mansfield Dam facility, while target hardening measures were being put into place. It was later discovered through intelligence reports, including an arrest in North Carolina, that foreign nationals, for unknown reasons had photographed the Mansfield Dam facility. While assigned to the Mansfield Dam facility, the Northwest Street Response Unit began training in non-traditional roles to be able to immediately respond to any breach of the dam's structure. The training and discussions were structured around holding defensive positions with rifles, rappelling to entry points of the dams structure, and working in low light environments. The Northwest Street Response Unit also worked closely with officers of the Lower Colorado River Authority, who also provided the formal instruction in rappelling techniques. This is one example of how a police department can utilize the specialized units, already in existence, in non-traditional roles to improve their response to a potential catastrophic event in progress.

Since that time the Austin Police Department developed a Homeland Defense Division to physically protect the city's critical infrastructure such as water facilities and utility plants as a visible deterrent. In 2005 the Austin Police Department reorganized and terminated the Homeland Defense Division, in favor of the Special Operations Response and Training Team (SORT). Part of the mission of the SORT unit is to train other officers in response to WMD attacks and use of WMD gear. The SORT unit is also meant to be a strong visible deterrent, by deployment to areas that are indicated at risk through intelligence information.

The six largest municipal police departments in Texas are the Houston, Dallas, San Antonio, Austin, El Paso and Fort Worth Police Departments. During the research for this paper it was discovered that all of these departments have a SWAT function. It was also found that all of these departments have specialized field units such as street

response teams, special duty units, street narcotics, gang suppression units and organized crime divisions. Although the actual size and duties varied, most of these units consisted of at least one supervisor and six to ten officers, were housed in the same offices, worked varied hours, briefed and trained together and had a specialized function outside of the first responder role. All have the potential of being deployed and managed as a single unit in response to a large-scale operation. Many of these units have already been trained in dynamic entry techniques and are equipped with raid vests, Kevlar helmets and urban rifles. As of this writing, none of these units have been specifically trained and equipped to respond to and counter an in-progress, mass casualty shooting or terrorist incident.

Government at all levels is recognizing the need for change in the law enforcement ability to respond and adapt to changes as new threats emerge. In the State of Texas, State Representative Vilma Luna introduced House Bill 2239, in the 79th Regular Legislative Session, which provides for financial incentives for state officers that complete a certificate program in Homeland Security Training. This bill has passed the house on 5/10/05 and is now in the Senate for consideration.

In the City of Austin there are nine individual street response units, two gang units, and four narcotics teams. All of these units are assigned dedicated vehicles, issued BDU uniforms, have some degree of specialized training and work as a team. Given additional and recurrent training in entry techniques, rifle team maneuvers, combat first aid, rappelling and urban rescue, these teams could immediately deploy in the event of a large scale mass casualty incident, whether it be a shooting in progress, post-terrorist explosion, or even respond to a catastrophic natural disaster. In the hypothetical event of a mass shooting at a mall on a busy Friday night, or even a

coordinated attack on all four of Austin's major malls at once, there is a potential to have nine appropriately trained street response teams rolling to the scene, while SWAT team members are receiving the page to return to work. Law enforcement agencies must examine current training and deployment practices and begin to train for the worst, while hoping for the best. There needs to be a shift from training solely around what has already happened and begin preparing for the unknown. On September 10, 2001, most Americans could not imagine the idea of a group of terrorists hijacking four airliners, with nothing more than edged weapons, to turn them into giant missiles aimed at our largest buildings. Now national security is aimed at these issues. We do not know where the next threat will emerge, but need to prepare our existing assets for any conceivable contingency. In a March interview with CNN, August Kries, the leader of the domestic hate group, The Aryan Nation, praised the efforts of Osama Bin Laden and offered his support. When asked if he had a message for Osama Bin Laden and his lieutenants he stated, "The message is, the cells are out here and they are already in place," Kreis said. "They might not be cells of Islamic people, but they are here and they are ready to fight" (Schuster, 2005, CNN Interview). While there is not yet any credible threat that real communication is taking place between these groups, there is a potential for additional terrorist attacks on American soil, domestic and international.

CONCLUSIONS

The purpose of this paper was to explore the central question; are law enforcement agencies prepared to respond to the unique, but very real, threat of terrorist attacks or mass casualty active shooter situations? In very limited circumstances the answer would be yes, as modern SWAT teams in large American Police Departments are among the best-trained officers in the world. However, the availability and staffing

strength of these elite units is limited. Most large municipal police departments have some sort of special duty units that work, train, brief and office as a team. These units are severely underutilized as potential assets in a mass casualty violent attack, as well as in natural or man-made disasters. This supports my hypothesis that police departments are not fully utilizing their existing resources to train and develop teams that are prepared and equipped to respond to mass casualty violent incidents and disasters.

There is a tendency in law enforcement agencies to be reactive in training and deployment decisions while proactive opportunities are not always recognized. This holds true from the formation of the first SWAT units, to the response to the Columbine High massacre, to the post 9/11 environment. Law enforcement agencies have a tremendous potential to field teams of highly trained and equipped personnel by examining the utilization of their existing specialized units. By mandating initial and recurrent training within these specialized units in entry techniques, rifle team maneuvers, combat first aid, rappelling and urban rescue, these teams could immediately deploy in the event of a large-scale mass casualty incident. Such a shift in deployment would not be without significant costs as each member of the specialized unit would need to issued basic protective gear including an urban rifle, tactical raid vest, less-than-lethal munitions, a Kevlar helmet, and battle dress utility uniforms, in addition to WMD gear. Additionally training and ammunition costs would be significant and the units would be removed from their regular job assignments at least once a month for training and to practice learned skills. Affected departments would require a training coordinator to ensure uniformity of training within the different units and a great deal of cross training between the units would be beneficial.

On April 20, 1999 officers in Littleton, Colorado were not prepared for the response to the shooting incident at Columbine High School, and on September 11, 2001, the nation's defenses were not prepared for the terrorist attacks that occurred. Today, law enforcement agencies are better prepared to handle those situations that history has already dealt the country. However, the law enforcement community still finds itself ill prepared to deal with the next unknown threat. Nobody knows what the next attack will consist of. Whether it be a terrorist takeover of a school as witnessed in Russia, a crowded mall attacked with firearms or chemicals, an attack on critical infrastructure such as a dam or public transportation, or an assault on a minority neighborhood by a domestic hate group supporting an international terrorist agenda, we must prepare better for the initial coordinated response. Failure to prepare invites disaster and forces law enforcement agencies to once again train around an event that has already occurred. Police agencies must do a better job of preparing for the worst, while hoping for the best.

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