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Unarmed Tactics: A Need for Proficiency and Qualification Policy

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By  
Scott L. Given

Friona Police Department  
Friona, Texas  
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## **Abstract**

From the beginning of an officer's career to the day they retire, officers are required to show proficiency with their firearms. Firearms are an integral part of an officer's duty and officers should be required to remain proficient in their use. The ability to use unarmed tactics is even more important. An officer is likely to use unarmed tactics daily, whereas many officers have gone their entire career and never used a firearm outside of the practice range. Should officers be required to be as proficient with unarmed tactics as they are with firearms?

In order to determine if a discrepancy exists between qualification procedures and policies in firearms tactics and unarmed tactics a sample of Texas police departments were surveyed. All but three of the departments had written policy covering firearms tactics. Only six of the departments had policy covering unarmed tactics. The survey included questions to discover if more confrontations were handled using unarmed tactics or firearms and if they felt that policies covering unarmed tactics proficiency were needed. All of the responding departments indicated unarmed tactics were used more often and all but four indicated there is a need for policies covering unarmed tactics qualification.

The majority of the literature used in the research indicated the need for continuing training and qualification in the use of unarmed tactics for the safety of the officer and public and to protect the officer's department in civil litigation cases.

It is concluded that unarmed tactics are used more often than firearms and that failure to train and qualify in the use of unarmed tactics is detrimental to the officer and their department.

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## **Introduction**

During the period 1980 through 1994, 141 law enforcement officers were killed with their own weapons (F.B.I., 1980-1994). This accounts for 12 percent of all officers feloniously killed during that period (Alpert, 1997). How many could have survived if their departments required yearly qualification in unarmed tactics as well as weapons tactics? The question arises as to whether there a need for proficiency and qualification policies in unarmed tactics in todays law enforcement agencies. It is possible that if as much emphasis was placed on unarmed tactics qualifications as is placed on firearms tactics qualification, officers would be less likely to take these skills for granted and more likely to remain proficient in these tactics.

The purpose of this project is to attempt to discover whether law enforcement agencies with policies in place regarding qualification procedures for weapons also have policies regarding qualification procedures for unarmed tactics. It is hypothesized that although unarmed tactics are used more often than armed tactics, most departments do not have any qualification procedures in place for unarmed tactics.

There are two areas of concern that will be addressed in the review of literature. One is that, once learned, an unarmed tactic will be forgotten if not practiced or used repeatedly. The second area of concern is the impact lack of policy in this area will have if a department faces civil litigation for improper use of force. This project will show that failure to train and qualify in unarmed tactics is not only bad for the officer's safety, but bad for the departments financial well being.

A survey will be conducted to measure the number of qualification policies and procedures in both armed and unarmed tactics in various law enforcement agencies in

Texas. A comparison will then be done to measure the differences in armed and unarmed qualification procedures and policies. The survey will also include questions to determine if the responding agencies believe there is a need for qualification requirements in unarmed tactics, based partially on response to an inquiry of how many of each incident their officers face annually.

It is anticipated that this project will discover whether discrepancies exist between armed tactics qualification procedures and policies and unarmed tactics qualification procedures and policies. If such discrepancies are uncovered, the hope is to show that unarmed tactics qualification would result in greater officer safety and lessen departmental liability .

### **Review of Literature**

The literature used in this study generally substantiated the hypothesis that there is a need for policy and procedure in unarmed tactics qualification and training. Ed Nowicki, police training specialist and former director of the American Society of Law Enforcement trainers, believes, based on his experience, that a minimum of thirty-two hours of initial training in the use of unarmed tactics should be required with eight hours of annual update training (Brave, 1994).

In the past several years, unarmed skills training for law enforcement officers has been given added importance. Three primary concerns brought this about: survival and tactical consideration for law enforcement, safety factors regarding the general public, and litigation issues impacting law enforcement officers and their agencies (Kennedy, 2000).

The experts used in this study seem to all agree that there is a need for continuous training and qualification in unarmed tactics. Law enforcement agencies will find that by training in the use of verbal skills, pressure points, and other hand to hand tactical procedures, officers will be better able to handle assaults and attempted assaults (Henley, 1987). Bruce Tegner, the author of *Defensive Tactics for Law Enforcement* (1978), advised that one factor that contributes to the vulnerability of police officers is an unrealistic dependence on weapons. The danger is that they accept the gun as having protective properties, which in many cases it does not have. Therefore carrying the gun may result in an unrealistic sense of dependence on it.

The overwhelming primary consideration in the majority of the literature was officer safety. The average officer killed in the line of duty has a median of five years of service at the time of the incident (Downing, 2000). This leads one to believe that officers become complacent and fail to train as hard as when they first come into law enforcement. "An officer's foundation of skills consists of solid basics perfected through continuous hard work" (Borello, 2000, p. 2). Police officer recruits attend academies that are designed to provide them with the tools of police work; physical training, use of firearms and other police weapons, emergency vehicle operation, and defensive tactics. Of these standard items taught by an academy, one has great impact on an officer's ability to survive; defensive tactics (Griffith, 1994). Although agencies can not plan for every conceivable situation, they can make the commitment to give officers every possible advantage by providing relevant and timely training in all areas (Davis, 1995). It is of vital importance that officers train in defensive tactics until it is second nature, many trainers have had officers recount instances where the officer "clicked on

the training and reacted" (Rose, 1999, p. 50).

The second most discussed issue in the literature was litigation against officers and departments for improper use of force. The majority of lawsuits filed against law enforcement involve the use of force (Downing, 2000). It is a sign of the times that many administrators are more concerned with liability issues than with officer safety. Proper training actually reduces the first and increases the latter (Downing, 2000).

The literature seems to support the fact that proper training and qualification procedures will reduce the liability of a department in a lawsuit. The U.S. Supreme Court has made it possible for victims of police misconduct to file suit against the municipality employing the police officer under provisions of the Federal Civil Rights Statute (*Owen v. City of Independence*). Judgements in excess of one million dollars are not unknown (Alpert, 1997).

The U.S. Supreme Court has dictated that law enforcement officers must be trained in their core tasks (*City of Canton, Ohio v. Harris*). If a law enforcement employer is deliberately indifferent to the constitutional rights of its citizens in the training of its officers, and this is the "moving force" behind a person's constitutional rights deprivation, then the employer may be held accountable (Brave, 1994). Mark Dunston, Director of the North Mississippi Law Enforcement Training Center, wants administrators to remember that when they scoff at training, punitive damages are personal and they too can become part of the legal food chain (Brave, 1994).

One way to reduce exposure to this type of litigation is to develop sound policies in high liability areas, such as use of force, where losses are most likely. Any time force is used to make an arrest and the offender is injured, liability is almost a certainty

(Williams, 1999).

Force policy should be mandatory reading for every officer, followed by hands on training to show how to properly apply the policy (Bucannan, 1993). Dave Smith, Law Enforcement Television Network, Carrollton, Texas, states that "liability is only minimized through training" (Brave, 1994, p. 10).

A third factor brought out in the literature is the safety of the general citizen. The majority of the literature only covered this aspect as it pertains to departmental liability. Law enforcement trainers are responsible for providing officers a means to safely take potentially violent individuals into custody without causing unreasonable harm to the suspect or themselves (Papenfuhs, 1999). The goal is to establish policy and procedural guidelines, supported by training, supervision, and discipline that result in the officers use of only that amount of force necessary to gain and maintain suspect compliance (Buchanan, 1993). If administrators promote training that corresponds to the type of situations officers are faced with agencies will not only enhance the safety of the officer, but that of the communities they serve (Dunaher, 1997).

Bruce Tegner believes that the officer who knows weaponless defense and control tactics is not going to be under the same kind of pressure as the officer who can only choose between no force and maximum force. The officer who has the ability to handle assault without weapons is more likely to be confident, convincing, and persuasive, thus diminishing the possibility of having to rely on any force at all (Tegner, 1978).



## **Methodology**

Officers in Texas are required to qualify with firearms at least once a year, every year, due to the fact that improper use can cause serious injury or death to the officer or the public the officer serves. Unarmed force tactics are also an important part of law enforcement and improper use can also cause serious injury or death. Unarmed tactics are used when any arrest is made. An officer uses a firearm only in extreme situations.

Should an officer be required to qualify with unarmed tactics? Is there a discrepancy between qualification procedures and policies for firearms and unarmed tactics in Texas law enforcement agencies? It is hypothesized that such a discrepancy does exist in the majority of the departments in Texas.

In order to discover if such a discrepancy exists, a survey was prepared and sent to fifty law enforcement agencies throughout the state of Texas. The survey was sent to the various agencies over the Internet. Of the fifty surveys sent, twenty-five replies were received. Survey responses were obtained from large departments, small departments, police departments, sheriffs departments, and college police departments throughout the state.

Six questions asked in the survey compare training policy and procedure as it applies to both areas. Two determine the number of times qualification is required for firearms and unarmed tactics yearly. Two follow up questions were asked, one to discover if unarmed tactics are used more than armed tactics and one to ascertain if the responding person believes there is a need for unarmed tactics qualification and policy. The answers were tabulated to discover if the hypothesis was correct and whether there is discrepancy between qualification policy and procedure for firearms and unarmed tactics.

## **Findings**

The survey that was sent to the various law enforcement agencies was used to determine the differences in training and qualification policies between firearms and unarmed tactics. Questions were asked to discover what the differences in policy were as they pertain to hiring, to determine if yearly qualification was required in these areas, to determine how many times officers were required to qualify, and to discover if any written policies were in place covering these areas. Two follow up questions were asked: the first to find out if the use of unarmed tactics was more prevalent than armed tactics, and the second to discover if they believed there was a need for unarmed tactics qualification and policy.

When the results from the survey were compiled a surprising fact came to light: almost half of the responding agencies did not require firearm qualification prior to employment. On the other hand, the fact that only two agencies required unarmed tactics qualification came as no surprise at all. This still demonstrates a large disparity between the two areas.

Yearly qualifications with firearms were required by one hundred percent of the agencies. Only nineteen percent of the agencies mandated any type of unarmed tactics qualification. Once again demonstrating a sizable difference of emphasis placed on these areas.

When asked the number of times qualification was required in firearms training the average response was twice a year, with some qualifying as many as four times yearly. Of the few departments that required qualification in unarmed tactics, none of them required more than one qualification annually. This again shows there is not much

importance placed on unarmed tactics.

Eighty-nine percent of the responding agencies had a written policy in place regarding firearms training and qualification. Only nineteen percent had a written policy in place dealing with unarmed tactics training and qualification.

One hundred percent of the respondents advised that unarmed tactics were used more often than armed tactics at their departments. Eighty-three percent of the respondents felt that there was a need for unarmed tactics qualification and training policy in their departments. Even though all departments stated unarmed tactics were more common, seventeen percent of the respondents still think training and qualification are not needed.

### **Discussion/Conclusion**

A law enforcement officer is more likely to use unarmed tactics on a daily basis than their firearm. Why, then, are they not required to demonstrate the same type of proficiency with unarmed tactics as they are with firearms? The purpose of this study is to explore whether there is a need for unarmed tactics proficiency and training policy and whether there is a discrepancy between qualification and training procedures and policies in firearms tactics and unarmed tactics. It was hypothesized that although unarmed tactics are used more often than armed tactics, most departments do not have any qualification procedures in place for unarmed tactics.

The available literature underscores the belief that there is a need for continuous training and qualification in unarmed tactics. Of all the tools given to law enforcement officers the one that has the greatest impact on the officer's ability to survive is defensive tactics (Griffith, 1994). Unarmed tactics must include proficiency testing and needs to

test the cognitive skills and the motor skills (Brave, 1994).

Training and qualification in unarmed tactics provides added protection for the officer on duty and the public they are serving. When added importance is placed on the use of verbal skills, pressure points, and hand to hand tactical procedures officers will be better prepared to handle confrontational situations (Henley, 1987).

Having policies and procedures in place helps protect the officer and the department in cases of litigation. The way for an agency to reduce civil exposure is to develop sound policies in the high liability areas where losses are most likely. One such area is the use of force during the arrest of a resisting or aggressive suspect. Litigation is almost certain when the offender is injured (Williams, 1999).

The results of a study of twenty-five Texas law enforcement agencies revealed a large gap in the amount of training and qualification required in the use of unarmed tactics as compared to those required for firearms. These findings support the hypothesis that such a gap did indeed exist.

The fact that all of the agencies responding to the survey indicated that unarmed tactics were used more often than armed tactics came as no surprise. The surprise was that, even though they acknowledged this fact, seventeen percent of the respondents still felt there was no need for training and qualification policies in this area.

The results of this study indicate that there is a lack of training and qualification procedure in the area of unarmed tactics. The results of this study should provide law enforcement officials enough information to show that if they had proficiency and qualification policies in place, not only would they be providing for the safety of their officers and citizens, they would provide added protection for their department when

litigation occurs due to the use of unarmed tactics.

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## **Appendix**

### **Armed and Unarmed Tactics Qualification Survey**

#### **Law Enforcement Agency**

#### **Name and Rank**

#### **Location**

#### **Size of Department**

1. Does your department require firearms qualification prior to employment?  
Yes or No
2. Does your department require yearly qualification with the firearms?  
Yes or No
3. How many times a year does your department qualify with the firearms?
4. Does your department have a written policy pertaining to firearms qualification?  
Yes or No
5. Does your department require unarmed tactics qualification prior to employment?  
Yes or No
6. Does your department require yearly qualification in unarmed tactics?  
Yes or No
7. How many times a year does your department qualify in unarmed tactics?
8. Does your department have a written policy pertaining to unarmed tactics qualification?  
Yes or No
9. At your department are more confrontations handled using unarmed tactics or armed tactics?  
Unarmed or Armed
10. Do you think there is a need for unarmed tactics qualification and policy?  
Yes or No

**Thank you for your time and effort.**