

**THE BILL BLACKWOOD  
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

**POLICE FIREARMS TRAINING:  
"Ample, Archaic, or Asinine"**

A Policy Research Project  
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by  
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## Abstract

This research requests change in policy for firearms training in the Tulia police department. It explains the difference between qualification and training and the liability issues of these differences. Currently, training is minimal at the Tulia police department, which increases the vicarious liability for the department.

The research shows that departments with larger forces have increased training to off set their liability by having more proactive training available to their officers on the street. This shows that larger departments realize the benefit and need for increased training and therefore fund such training. This training is encouraged in light of recent Supreme Court decisions that fault departments for the failure to train officers. The main obstacle in implementing a program of this nature is the increased cost for personnel and equipment which, is addressed in detail in this research.

If this policy were implemented, it would heighten the police officer's credibility and self-esteem as well as reduce the aforementioned liabilities to the officers and to the city of Tulia.

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## Introduction

"The concept of immediate incapacitation is the only goal of any law enforcement shooting and is the underlying rationale for decisions regarding weapons, ammunition, caliber, and training" ( Patrick 2) . Law Enforcement personnel in the State of Texas are mandated by the Texas Commission on Law Enforcement Officers Standards of Education (TCLEOSE) to qualify with their duty weapons annually. This qualification has minimum requirements set forth by TCLEOSE which list specific guidelines in order to qualify with different types of weapons. Qualification standards must not be compromised; however, the training aspect of firearms is woefully inadequate and generally not addressed.

Training has to be realistic so that the officers can apply that training in the real world setting. Training should include areas such as shooting with cover/concealment, point shooting versus sight acquisition, barricade shooting, etc. Since most officer-involved shootings occur within three to ten feet, officers must be trained to react to the situation. TCLEOSE mandates only qualification standards, which are achieved by standing in rigid formation and firing a set number of rounds at an unmoving, inanimate target. This paper will focus on the Tulia police department's liability in failing to go the extra mile, so that Tulia police officers and our community are better served ie; protected, by having a proactive training program. The officers at the Tulia police department are held to a higher degree of accountability when force or deadly force is used in any situation, whereas offenders are usually not concerned with safe gun handling techniques or the consequences of firing a weapon.

There are a number of reasons that progressive training is inhibited. The major issues to be addressed will be personnel and financial issues, as well as equipment needs. Mandatory training is inhibited in most departments because of the overwhelming financial cost due to overtime and compensatory time. Ammunition costs are also a major budgetary concern, as well as the cost of targets, supplies, etc. All of these areas are manageable with adequate preparation and planning.

The Tulia Chief of Police will be contacted and apprised of the research data that has been compiled, so that a better understanding of the liabilities to the Tulia police officers and the community are well noted. In so doing, the City Manager and City Council are apprised in a knowledgeable manner of the need for training procedures at the Tulia police department.

The sources from which information may be garnered are myriad in number. However, for this research, most of the information will be obtained from police journals, magazines and policies referencing firearms training at different departments.

The purpose of this research is to develop a policy to support a more efficient, practical training method in the Tulia Police Department for officers to protect themselves, which ultimately produces a safer community.

### **Historical context**

Since the advent of firearms, training has been an ongoing pursuit by any and all personnel using them. The firearm grew measurably more popular and powerful as time progressed. The ever-increasing modernization of the firearm has taken it from single-shot to multi-shot, and it now has the capability of being reloaded with ease and rapidity.

Training manifests primarily in the military and to this end the military certainly trains more often and has access to a greater supply of weapons and ammunition as well as time. Training evolved along with these processes, with the firearm being the primary weapon of assault in military engagements around the world. Training in the military camps has remained steadfast. The military, by virtue of necessity, had to develop the best weapon possible for their soldiers and our country to defend itself. The number of weapons and training done with these weapons are endless, as the military is still processing new weapons to find the best to protect its soldiers.

The law enforcement field used to be rich with military experience, due to WWI, WWII, the Korean action, and Vietnam. The Gulf War also aided somewhat in the presence of officers being recruited out of the military. Personnel joining a law enforcement agency when mustering out of the military had marvelous results for the law enforcement field. All of the personnel recruited had already been trained in the use of firearms and also had a good working knowledge of how to disassemble a weapon for cleaning and repair.

When the law enforcement field started having to recruit from the civilian bank, (post Korean action and Vietnam action), the training that the military personnel had been bringing with them was lost and this area was never corrected in the law enforcement arena. Due to the hardships and labor put forth by the military in training their soldiers how to operate proficiently with firearm, the law enforcement field gained the knowledge relating to nomenclature, function, and design of all present weaponry. In the United States, firearms training in the law enforcement field didn't begin very quickly, as the book American Police handgun Training stipulates, "Colt, in 1911, brought out the model

1911, caliber .45 ACP semi-automatic pistol, an important event for all police. This pistol remains today one of the great combat handguns of history. It continues to be used by more and more departments throughout the world. But, of greater importance, this weapon sparked various handgun-training programs around the world” (Skillen, Willams pg4), training as such, that the law enforcement profession had here to fore relegated by simply giving a gun to someone, the bullets and a badge and declaring them police officers.

Today, training must be innovative due to the mobility of the criminal element which will remain steadfast in attempting to find ways to outwit the law enforcement community while committing their vile acts of endangerment to the communities. Also, the type of training performed by the law enforcement field must be scrutinized more closely and as reiterated by Charles E. Hannah, “ Years ago, police firearms training consisted of each officer showing up at the range, maybe once a year, to practice silhouette shooting. No actual “training” was ever done. Sadly, this is still seen too often throughout the country. The excuse would be, “ We don’t have the money or the manpower to send every officer to the range every few months for eight to 16 hours of training...” (48). Presently, qualification is the standard, with training supplementary and optimal.

### **Review of Literature or Practice**

Two large departments and eight smaller departments were surveyed for the purpose of this paper. The two larger departments were found to train all personnel on a continuous basis throughout the year, with all the currently accepted methods, such as

low light fire, shoot/don't shoot, barricade shooting, cover vs. concealment fire, etc. Two of the smaller departments did not have any type of written policy and/or regime for training inclusive of the mandated annual qualification course. The remaining six departments, including the Tulia police department, have written policies but only conduct the State required qualification. With this survey, one may infer that the amount of training is dependent upon the size of the department as well as their financial allocations. A larger department is more likely to provide training to lessen the vicarious liability associated with a greater populace. An issue may be made for the enactment of policy correlating to the Tulia police department, due to these findings.

Several police departments and sheriffs' offices were solicited for their firearms training policies. These policies and concepts were compared to the current policy at the Tulia police department to determine how Tulia's level of training compared to the rest. The sheriffs' offices and the municipalities with populations close to the Tulia populace were very similar in that no progressive training was given, only the mandated annual qualification, although Castro Co. Sheriff's office stated that they qualified every six months. The Amarillo and Austin police departments both have extremely progressive and thorough training programs, which serve every aspect of weapons training. The Briscoe Co. Sheriff's office as well as the Castro Co. Sheriff's office has nothing in writing as far as training is concerned. Tulia, Canyon, Hereford and Dalhart have written policies regarding their firearms training, but they only address the annual qualification.

The larger departments (Austin police department and Amarillo police department) have a larger financial base as well as increased crime due to their larger populations. The increased crime rates demand a proactive stance in firearms training



and the financial resources allow it. The smaller departments have a proportionally smaller budget that is more closely scrutinized by their respective city and county leaders.

This would suggest that the size and weighty crime statistics provided by the larger agencies mandate that training is of primary focus for their departments. Conversely, the smaller departments do not have the incident rate of the larger populated cities/counties and, with the budget restraints imposed on most cities, have a hard time convincing council members that the training expenditures would have merit.

Qualification is a mandated item that has an annual requirement with minimum standards set by the State of Texas, whereas additional training has no minimum or maximum requirements set by the State or any governmental statute, unless it be the individual agency itself. "The majority of law enforcement training was, and in many cases still is, conducted in the static, non-threatening, low-stress environment of the gun range, gymnasium, or classroom, using what psychologists call closed motor skill training" (Olson, 3). This type of training will not suffice if officers are ever to gain competence in their shooting skills whereby shot placement will be adequate and the innocent bystander is not threatened.

According to Patrick, few shootings allow the officer to take a precisely aimed shot. A majority of shootings are characterized by their sudden, unexpected occurrence; by rapid and unpredictable movement of both officer and adversary; by limited and partial target opportunities; by poor light and unforeseen obstacles; and by the life or death stress of sudden, close, personal violence. (Patrick, 2).

According to Hannah a training program should be all encompassing. It should include areas such as deadly force training, home firearms safety, shooting and non-

shooting situations, firearms training simulators, weapon maintenance and inspections, reloading drills, malfunction drills, accuracy firing, speed draw & fire, and reduced light training (3).

The Tulia police department adheres to the State of Texas mandate referencing firearms qualification. The requirements are as follows:

- any target capable of being scored
- minimum passing score of 70% of the total possible score
- minimum of 50 rounds, including at least five rounds of duty ammunition
- from point-blank to at least 15 yards
- 20 rounds at or beyond seven yards
- at least one timed reload.

This type of qualification is standard for all law enforcement in the State of Texas, and the Tulia police department exceeds the minimum standards by order of the Chief of Police.

According to an interview with Sgt. Michael Dunlap of the Amarillo Police Department, who is the range-master and firearms instructor, many agencies are trying to buy success. They look for a magic bullet or one combat course that will enable their officers to meet any and all challenges they face. Only constant training will enable an officer to shoot accurately when under stress. To win a gunfight, the officer has to hit the subject. Training is the means whereby officers learn the skills to accomplish this. This is a very important point since there is no single method or practice, which enables officers to perform better with their firearms. Only a well-rounded comprehensive program on a regular basis will give officers the instinctive processes needed to perform their jobs with credibility. According to one author, "Despite the variations, many police problems are

the same the world over and many aspects of firearms training will be common to all,” (Greenwood 2).

### **Discussion of Relevant Issues**

This research identified the difference between qualification and training as well as the budgetary restraints placed on cities and counties. Qualification was identified as the current standard primarily because it is mandated by TCLEOSE. Training was listed as being the proactive or progressive response by individual agencies to go beyond the qualification standards mandated, which would greatly enhance the officers’ handling of weaponry as well as bolstering their confidence. The qualification standard as noted in the introduction, must not be compromised. However, training, in addition to qualification, must be meted out in a very uniform and timely manner. This will ensure that all law enforcement officers have proper knowledge of weaponry and are thereby able to function with the weaponry in a stressful incident. This increased knowledge will heighten their confidence level, which will provide better protection to them and their community. Had some departments implemented a more proactive training program, then countless lives of both officers and the public might have been spared.

The final issue is one of budgetary concern. The cost of overtime, ammunition and materials is of primary concern for administrators. The Tulia police department will implement a training schedule that will have officers training at a minimum of (8) eight times per year with firearms with qualification not inclusive, and to initiate this program the cost will be approximately \$1980.00 for overtime pay, \$200.00 for range material (targets, staplers, hearing protection, eye protection), and \$100.00 for ammunition, the

total for the annual budget increase of approximately \$2280.00. Overtime costs are approximated for each officer training minimally four hours, eight times per year. Using this scale, the cost for the officers would be approximately \$1980.00, which breaks down to \$10.31 per hour, per officer, as their pay scale reflects at this time. This cost is extremely minimal when considering the relevancy of the training received and rewards garnered by the officers and the community, for as should be known, if one life may be saved, be it officer or civilian, the training has paid for itself. The reduction in cost of a single litigation could well be measured in the millions of dollars on a wrongful death shooting as signified in one Military Police Journal article which stipulates "Government and police administrators- in light of the huge monetary awards being granted to the victims of police- inflicted damages-began to find it economically and socially unwise not to provide their officers with training and policy guidelines on when and how to use their sidearm.(This came about by the changing social and moral values of the 1950's and 1960's)" p16-17.

Many firearms instructors have seen officers, who should have received training in their respective academies, display unfamiliarity in how to remedy a number of malfunctions during their qualification. This lends credibility to the argument for increased training. Training needs to be on going to ensure that the officer reacts instinctively since fine motor skills are inadvertantly affected by this type of situation.

## **Conclusions**

The purpose of this paper is to introduce a policy to be implemented by the command staff at the Tulia Police department to correct the deficiency in firearms training. This paper addresses the issue of increasing the budget to pay for the extra time officers spend

during the training in addition to their regular duties, the cost of materials to continually train, and lastly, the cost of additional ammunition which must be supplied for the training to take place. In closing, it is recommended that maintaining the qualification that is mandated by State law should not be compromised; However, training should be increased since it is currently inadequate in the Tulia police department.

The survey of agencies depicts the grossly inadequate training that is also present at the Tulia police department. If the recommended firearms training program were implemented both the City and the community would benefit. These benefits would include a better trained police force which would reduce the likelihood of negative consequences of an officer involved shooting (civil liability litigation, and wrongful death suits for instance). The costs that would be incurred are greatly outweighed by the benefits.

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