

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

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**The Benefits of Multi-Jurisdictional SWAT Teams**

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**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**

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**By  
Scotty Morrison**

**Collin County Sheriff's Office  
McKinney, TX  
February 2013**

## **ABSTRACT**

The reduction in the amount of resources available to many agencies has led to the reduction in size or elimination of Special Weapons and Tactics (SWAT) teams. Multi-jurisdictional SWAT teams provide a cost-effective manner for agencies to maintain a SWAT capability. Agencies that combine their resources are able to field a better equipped, trained, and affordable SWAT team. With the development of nationally recognized standards, local agreements, and recent successful inter-agency operations, traditional objections to multi-agency SWAT teams are no longer viable arguments. Collaboration is the new standard by which agencies can successfully serve their community.

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## INTRODUCTION

Across the nation, police administrators are being asked to do more with less. In an era of shrinking budgets and cost cutting measures, many law enforcement agencies are searching for ways to maintain an adequate level of service to their respective communities while addressing their budgetary limitations. SWAT teams have fallen victim to cost conscious administrators and budget planners. Although indispensable in a critical incident, the costs associated with these teams can be, at times, untenable. A partial solution to this problem can be found in multi-jurisdictional SWAT teams. SWAT's role in today's law enforcement is as critical as it was when the first SWAT team was founded in Los Angeles in 1968. In fact, the role of SWAT in law enforcement has expanded in the decades since their inception. While a discussion of the proper utilization of SWAT is beyond the scope of this paper, the multi-jurisdictional approach to SWAT teams offers departments several benefits worthy of consideration in their attempt to form and sustain a team.

Although many agencies seek to maintain a SWAT team, the obvious downside is the exorbitant costs associated with not only forming a team, but sustaining that team every fiscal year it exists. SWAT teams require expensive equipment, training, and personnel costs that could easily eat into a department's budget, especially in small and midsize agencies. Multi-jurisdictional SWAT teams can mollify budget woes by distributing the costs associated with SWAT teams among multiple agencies. The multi-jurisdictional SWAT concept not only distributes costs associated with forming and sustaining teams, it provides for a larger team than any single agency could field alone. The multi-jurisdictional nature of such a team also provides an ability to cover a larger

geographical area. Additionally, as the role of SWAT teams have enlarged, a multi-jurisdictional team can provide a reduction in liability by fielding a better trained and better equipped team as well as preventing the proliferation of SWAT teams by agencies without sufficient justification for maintaining one.

There are, however, some significant obstacles that must be overcome before a multi-agency SWAT team can be successful. The most obstinate challenge concerns command and control of the team. Many law-enforcement administrators are reluctant to capitulate the command and control of their SWAT teams. In any multi-agency agreement, there will undoubtedly be some form of power sharing, and administrators must be willing to sacrifice some control in order to achieve the larger goal. However, multi-agency agreements have survived, and indeed flourished in many instances, in the decades prior to the concept of multi-jurisdictional SWAT teams, to the benefit of the combined agencies and the communities they serve. With proper guidance and oversight, command and control of a multi-jurisdictional SWAT team can be easily resolved as well.

## **POSITION**

Multi-jurisdictional SWAT teams are but another evolution in the rich history of SWAT. Since the City of Los Angeles (LA) conceived their first SWAT team in 1968, the role of SWAT has expanded. LA formed their team in response to the riots in Watts, but the team soon found itself embroiled in shootouts with bank robbers and the Symbionese Liberation Army (SLA). The JFK assassination and University of Texas shootings prompted other cities to follow suit, and the proliferation of SWAT began in earnest. In those early days, SWAT's mission was relatively simple: utilize military

training and weapons to combat high-risk situations. However, it did not take long for police agencies to realize that military type training and tactics were not always applicable to civilian law enforcement. SWAT adapted their training, policies, and tactics to suit the conditions of civilian law enforcement. Although not entirely dissimilar to military objectives, SWAT teams operate under the constraints of a constitutional democracy, and those early teams were forced to adjust their practices to consider due process rights of the criminally accused and others. In addition, unlike the military, casualties were not acceptable to SWAT teams (TCLEOSE, 2004).

Today's fiscal realities are not unlike those early days of SWAT. The times are changing, and SWAT must adapt to meet the challenges or run the risk of becoming obsolete. Police administrators are searching for ways to trim their operating costs and reducing the size or disbanding their SWAT teams altogether offer a tantalizing means of assuaging budget woes. Even agencies that have maintained a SWAT team for decades have disbanded their SWAT team, like the Shaker Heights, Ohio police department's team of 22 years (O'Brien, 2010). Rather than face the prospect of not having a SWAT team at all, it makes good sense for agencies to combine resources and form multi-jurisdictional SWAT teams. According to O'Brien (2010), multi-jurisdictional SWAT teams offer an advantage, especially for agencies that do not possess adequate personnel or financial resources to support a team exclusive to their respective jurisdiction.

Irrespective of the size of the police agency, SWAT teams are expensive. The very nature of SWAT, specialized weapons and tactics, suggests extreme costs. The heavy body armor worn by SWAT team members costs several thousand dollars, the

special weapons utilized are not only diverse in need and application, they are costly to acquire and maintain, and all those special weapons and tactics require extensive training in order to properly deploy. In addition to acquiring, maintaining, and training, there are personnel costs involved in allocating training time and paying personnel during call-outs. To add to the ever-increasing costs of SWAT, many agencies are seeking out and utilizing armored vehicles for use in SWAT call-outs. The enormous sum of money involved in equipping a SWAT team discourages many departments from forming a team; however, the cost of sustaining a team must also be considered. As Tony Cobaugh, President of the Kentucky Tactical Officers Association stated, "A community has to make a commitment with standards, a mission, training, and equipment. And that is not just initially, that must be sustained to continue the team and the mission that it serves" (Foreman, 2010, p. 46).

Sustaining a team can be more costly than equipping a team. A SWAT team needs approximately 21 officers in order to confront a critical incident (Green, 2001). This number represents the amount of officers who need to be equipped, maintained, trained, and paid. The Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) cited the National Tactical Officers Association (NTOA) and the Texas Tactical Police Officers Association (TTPOA), which recommended policies that part-time teams train a minimum of 16 hours a month and full-time teams train approximately 25% of its on-duty time (TCLEOSE, 2004). It is easy to see how the cost associated with sustaining a team could easily become overwhelming, even to financially solvent agencies.

In order to mitigate the costs associated with SWAT teams, many agencies opt to maintain SWAT staffing levels and training hours lower than the recommended guidelines. Simply put: SWAT has to make do with less. Multi-jurisdictional SWAT teams offer an attractive alternative to the cost of maintaining a SWAT team. Combining resources distributes the cost of maintaining a team among multiple agencies. In fact, multi-jurisdictional teams not only reduce the costs to any single agency, it provides for an increase of SWAT personnel across a wider geographic area by combining the resources of multiple agencies. When multiple agencies contribute both personnel and resources to a combined SWAT team, it increases the size of the team beyond that which any single team could field and disperses those officers over a broader jurisdiction.

There are several successful instances of multi-jurisdictional teams combining their resources in this manner. The combined SWAT team of the south Chicago suburbs, comprising of 34 governmental agencies, the South Suburban Emergency Response Team, fields 64 officers, seven paramedics, and four crisis negotiators (Kwiatkowski, 2010). One of the most successful multi-jurisdictional SWAT teams in the nation, the Ogden/Metro SWAT Team in Utah is comprised of 22 officers and six technicians from 17 jurisdictions (Twohey, 2000). The combined resources of these teams serves to distribute the costs and enhance the benefit to the individual communities they serve. According to Green (2001), "By collaborating on personnel and equipment a greater standard of protection can exist" (p. 72).

An enhanced standard of protection is concomitant with a reduction in liability. By combining resources to form a multi-agency SWAT team, the member agencies



participate not only in a larger team, they join a team that is better equipped and trained to handle critical events. The collective resources of the member agencies, greater than that any single agency could muster, not only ensures that the SWAT team receives adequate training and equipment, but there exists a larger pool of personnel from which to select team members. A larger selection of personnel to choose to choose from makes it more likely to staff the team with officers well suited for special characteristics demanded from a SWAT officer.

The reduction of liability is most notable by the nonproliferation of smaller teams, which are less likely to be able to afford the training and equipment for the proper deployment of a SWAT team. The impulse for smaller agencies to form a SWAT team is often very powerful. In a study performed by Kraska and Cubellis (1997), 473 agencies with an average of 62 officers responded to a survey that revealed 65% of those agencies maintained a SWAT team. An additional 25% responded that they planned to form a SWAT team. Given the nationally touted recommended guidelines for the training and staffing of SWAT teams by the NTOA, it is difficult to imagine that a large portion of smaller agencies possess the resources to adequately train and sustain an efficient SWAT team. This is even more troublesome when considering the expanding role SWAT teams are being asked to perform, such as drug warrants and proactive patrolling.

According to the study's authors, "The small number of training hours in these [Paramilitary Police Units] PPU's raises [an] important issue: the degree to which these teams approximate the ideal of highly trained, proficient squads of use-of-force specialists" (Kraska & Cubellis, 1997, p. 619). Rather than attempt to inadequately

sustain a SWAT team of their own, smaller agencies would be better served by joining a multi-jurisdictional SWAT team. A few, carefully screened and selected, officers from small agency teams could join a combined team and pool their resources to develop a more highly trained and equipped team than they are capable of fielding alone. The more agencies that contribute to the multi-jurisdictional team, the more resources that become collectivized and the broader the geographical distribution of properly trained SWAT officers would become. Additionally, it is less likely that any small agency would be exposed to unnecessary liability risk by fielding an inadequately trained and equipped team.

## **COUNTER POSITION**

The urge to form a SWAT team is almost irresistible and similar to the most significant obstacle preventing the use of multi-jurisdictional SWAT teams: local control. Texas has a rich history of local control; in fact, it is one of the state's most defining characteristics. The history of strong local control in Texas has led some to conclude that "The political culture of Texas is strongly individualistic and conservative...most Texans cling to the notion that the 'best' government is the one closest to them" (Jones, Ericson, Brown, Trotter Jr., & Lynch, 1993). Local control is not exclusively to Texas, nor is it limited to the political sphere. Police administrators across the nation are reluctant to form multi-jurisdictional SWAT teams, in part because it entails relinquishing some level of control. According to Gabor (1993), the sharing of resources, such as SWAT, has made many sheriffs and police chiefs reluctant to join multi-jurisdictional teams. This reluctance is due to the perceived loss of control they would have

concerning when and under what circumstances the team would be called upon and deployed.

The reluctance of police administrators to relinquish any level of control of their SWAT team was displayed in a recent survey conducted to support the assertion of implementing a multi-jurisdictional SWAT team for smaller agencies. Gregg (2009) surveyed police administrators from 12 agencies in North Texas. Of the eight respondents, four indicated their reluctance to form a multi-jurisdictional team due to their concern for “who would have the final say when it came down to make a critical decision” (Gregg, 2009, p. 10). A fifth respondent had concerns with the methodology and standards for selecting personnel for the team. Therefore, Gregg’s findings indicated that over half of the police administrators were reluctant to form a multi-jurisdictional SWAT team directly due to command and control issues. The result, of this admittedly small but nonetheless revealing survey, clearly establishes command and control as the single greatest obstacle preventing the proliferation of multi-jurisdictional teams.

The span of command and control concerns generally includes leadership, liability, and control of resources. The obstacle can be overcome; however, agencies considering a multi-jurisdictional team must address these issues *before* implementing a team. Green (2001) recommended that the combined agencies select a commander for the team. The commander will report directly to the scene commander of the respective jurisdiction the operation will be conducted. It is important to note, however, that the tactical commander will be responsible for the tactical decision making process, including the recommendation of SWAT tactics, and will be the only tactical

representative to the overall commander. Leadership on the team will be distributed among the member agencies through the selection of team leaders. Team leaders will be responsible for overseeing their agency's contribution to the combined team and will coordinate their respective element in the field under the direction of the team commander. Green (2001) pointed to this as a "Positive point...that each agency will still have personnel in leadership roles" (p. 72).

Liability concerns, such as those expressed in the earlier referenced survey, can be addressed through Memorandum of Understanding's (MOUs) with each member agency. Green (2001) pointed to the need for agencies to construct contracts that specifically delineate the legal concerns of each member agency. He stated, "Officers' salaries, workers compensation if injured, transportation, equipment, training and authority are all issues that must be resolved. These matters can be discussed prior to the development of such agreements, and then forwarded to the legal departments of each agency" (Green, 2001, p. 69). An agreement of this nature can be simplified by each agency agreeing that such items as salary and workers compensation will be maintained by their respective agency according to their departmental policy. The formulation of intergovernmental MOUs is assisted by relatively new standards for combined SWAT teams. Following the events associated with Hurricane Katrina, the Federal Emergency Management Agency worked with the NTOA to develop classifications of SWAT teams, according to a team's resources and capabilities, in order to implement the National Incident Management System (NIMS). Collaboration on NIMS led to the NTOA's approach of the Rural Enforcement Technology Center

(RULETC) to develop both standards and training in the formation of multi-jurisdictional teams (“Standards for SWAT,” 2009).

The development of standards for multi-jurisdictional SWAT teams, in conjunction with agreed upon terms in MOUs, clearly overcomes the objections of most detractors. Agencies have used a combined approach to other enforcement activities, such as drug trafficking task forces, for decades. Many of these task forces have been incredibly productive and can serve as a template for successful interagency cooperation in the formation of SWAT teams. Task forces have a clearly defined MOU in place for all participating agencies and operate under clearly defined leadership. An approach similar to inter-agency task forces, taken together with industry formulated standards, means that agencies seeking to form a multi-jurisdictional SWAT team do not need to reinvent the wheel. The facilitation of inter-agency cooperation in SWAT is better than it has ever been in the previous decades.

## **RECOMMENDATION**

Faced with ever-diminishing resources, police administrators are seeking ways to reduce the cost of delivering service. For many agencies, this includes the elimination or reduction in size of their department’s SWAT team. Each of those approaches reduces the quality of service available to the community and may expose the department to unnecessary liability. Rather than reducing or eliminating their SWAT teams, agencies should consider combining their resources with neighboring jurisdictions to form an inter-jurisdictional SWAT team.

The utilization of inter-jurisdictional SWAT teams can help mollify a department’s financial woes, provide for better-trained personnel over a broader jurisdiction, and

reduce potential liability. Combining resources with neighboring jurisdictions, the SWAT team will be more cost effective, as opposed to maintaining their own independent team. Collectively, member agencies can obtain equipment, personnel, and training more without the unnecessary burden of going it alone. A better-trained and equipped SWAT team not only provides for highly trained SWAT officers across the broader geographic range of participating agencies, it reduces potential liability in fielding an under equipped and poorly trained team.

To avoid issues of command and control of the SWAT team, participating agencies can agree to a comprehensive policy and procedure that clearly establishes protocol for the team's command structure and operational guidelines. Additionally, each member agency maintains a voice in the leadership roles within the team. Unlike previous decades, standards for implementing a multi-jurisdictional SWAT team are now readily available. Member agencies can draw on these standards and use successful multi-agency task forces as precedent.

Clearly, the time has arrived for many agencies to consider multi-jurisdictional SWAT teams as a cost-effective means of serving their community. The benefit of collaboration ensures a better-equipped and trained SWAT team that is both financially viable and effective. Law enforcement administrators should cease asking *whether* to implement a multi-jurisdictional SWAT team; rather, they should be asking how soon they can accomplish it.

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