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Rotation of SWAT Personnel  
Within the Austin Police Department

A Policy Research Project  
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by  
Cmdr. Jim Fealy

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## TABLE OF CONTENTS

Section	Page
Abstract	
Introduction	1
Historical Context	3
Review of Literature and Practice	4
Discussion of Relevant Issues	8
Conclusion / Recommendations	11
Bibliography	

RESERVE

## ABSTRACT

This research has been conducted to determine if the personnel rotation policies applied by the Austin Police Department (APD) to its Special Weapons and Tactics team (SWAT) are in the best interests of the police department, the City of Austin and its citizens. This study was conducted with a focus on fiscal responsibility, team effectiveness and professional standards.

The APD policy of rotating personnel, who are otherwise performing well, out of SWAT after having reached a prescribed time limit of either five or ten years has been denounced by experts in the police tactical field. The International Association of Chiefs of Police, National Tactical Officers Association and staff of the Auditors Office of the City of Austin have all found fault with such a policy. The policy has been described as wasteful, inefficient or dangerous to the community and police officers.

Two separate independent studies of one hundred and twenty-six Swat teams have indicated that APD is the only jurisdiction which practices a policy of rotating SWAT personnel based on a cap on the time that can be spent on the team. Legal and police tactical experts agree that this could place APD at risk. The effectiveness of the team could be adversely impacted by a lack of experience that could cause catastrophic results and result in legal action.

Statistical forecasts covering a twenty year period forecasting the results of forced rotation of personnel based on a time cap indicate that individual experience, team experience mix and the consistency of the teams experience would not be in line with industry standards and expert recommendations.

It is recommended that the APD only rotate personnel off of the SWAT team for a failure to meet performance standards. The time cap based rotation should be discontinued.

RESERVE

## Introduction

For many years, Police Departments have expended large amounts of time and money in providing for the safety of the citizens they serve. The Austin Police Department is no exception. The expenditure of these resources includes a significant expenditure concentrated in the Special Weapons and Tactics (SWAT) unit.

Both the citizens and the governing body of the City of Austin expect the commitment of these resources to be managed in an efficient and effective manner. This research will be conducted in an effort to determine if the policies of personnel rotation within the Austin Police Department SWAT team meet these standards. This research will focus on the impact of a policy enacted in an attempt by the Department to force rotation of personnel out of some positions considered desirable by officers wishing to transfer from patrol positions.

This research will explore the theory that the rotation policy is not in the best interest of the Department, or of the citizens, in that it wastes the significant amount of time and money required to train SWAT officers who will then be required to rotate back to patrol after five years. The research will also review the associated theory that the rotation policy is detrimental to the effectiveness of the SWAT team by reducing the level of experience of the team and individual members to a point below industry standards: thus, possibly endangering personnel and citizens. An alternative to the present policy will be proposed. In the near future, the command staff of the Austin Police Department will review the policy of personnel rotation within the SWAT team. This research will be

RESERVE

presented at that time to assist in the decision process and propose an alternative to a forced rotation.

There appears to be little previous research conducted on the narrow topic of forced rotation of personnel from a SWAT team and its effect on the performance capabilities of that team. Many sources related to this issue will be coupled with research already conducted by the Austin Police Department SWAT team to provide an accurate picture.

Literature will be studied in the area of team performance within high skill teams. It is expected that the use of survey and expert opinion will be used along with interview with past and present SWAT team commanders.

The distribution of experience levels of officers assigned to SWAT will be established and compared to forecasting analysis conducted by this researcher to provide an illustration of future experience levels of the Austin Police Department SWAT team. Study of historical data regarding personnel rotation experienced by the team will establish the natural attrition incurred and be used in the forecasting study to act as a guide for future staffing decisions.

The expected outcome of this research will be a revision of the policy of the Austin Police Department policy on personnel rotation of SWAT team members that will best utilize the resources of the department.

RESERVE

## Historical Context

In the early 1990's the Austin Police Department began a review of the selection criteria and personnel retention policies for non-patrol or "specialized positions" filled by officers in the department.

Prior to this time, between 1983 and the time of the review, the policy had been that the maximum time that could be spent in a specialized position was 3 years. The Special Weapons and Tactics unit (SWAT) was exempted from this 3 year maximum referred to as a "cap".

The review was considered necessary due to the belief that without such a cap and a specialized selection process, officers could be selected for specialized assignments based on irrelevant factors, such as favoritism. The limit on time spent in a specialized assignment was viewed as essential because it was believed that without a cap officers would transfer into the desirable job position, not vacate the position and thereby deny others the opportunity to transfer to these positions for extended periods of time. (Huff interview - Sept.1993)

After implementation of the policy requiring time caps and forced rotation other issues were seen as beneficial outcomes associated with the policy. One of these issues was identified as returning officers with specialized experience to patrol duties to convey that experience and training back to patrol. (Mills interview-April 1997) Further benefits seen in the creation of the policy, particularly the cap or rotation portions, were opportunities for increased officer participation in specialized units (Lopez interview-Dec.1997) and rotation to force broadening of officer's skill level (Mills interview-July 1997).

A new policy resulted in a 5 year forced rotation for all specialized units, but was amended in November of 1997 to create a 10- year maximum or cap for members of SWAT.

RESERVE

The November 1997 revision was an effort to provide SWAT with more stability and higher level of experience. This was indicative of a level of concern over these issues.

The duties and responsibilities of the Austin Police Department SWAT unit have evolved since its inception in 1979 to meet the changing needs of the Department and the citizens. This evolution has led to a SWAT team that provides tactical response to hostage and barricaded subject situations, executes other high-risk operations and captures fugitives. The APD SWAT team also provides executive protection and trains other officers in the department in tactical response to situations they may encounter in their duties.

The policy requiring rotation of SWAT personnel has also evolved. From the team's inception until 1983, rotation of personnel from the SWAT team occurred by two primary methods; natural attrition (promotion, requested transfer, retirement, etc.) or forced rotation from the unit based on failure to meet performance standards.

Since that time various rotation policies have forced rotation of personnel out of SWAT in an effort to meet goals not related to the effectiveness or efficiency of the team. "This policy virtually guarantees an inexperienced group of officers in precisely the unit where intensive training, experience and special skills can be the difference between life and death" (IACP-1986) The issue of forced personnel rotation from the Austin Police SWAT team is predicated on one primary factor; to create an atmosphere of fairness. (Mills interview-1997)

#### **Review of Literature and Practice**

Selection methods for tactical units based on nepotism, favoritism and social/political pressure may result in unfavorable court rulings under the guidelines of 42 U.S.C. Sect. US 1983. (Mijares/Perkins-1994) It appears that retention or exclusion based on the same irrelevant standards, not performance, will be legally problematic. These potential legal issues

RESERVE

present concerns that would seem to follow the same pattern of thinking present in legal decisions in suits involving city policy that relates to failure to train. (Mijares/Perkins-1994)

Case review indicates that cities enacting policies or following practices that are outside "established standards" in the area of tactical operations have found themselves to be the targets of successful legal action. This can occur when circumstances indicate that the failure to follow those established standards contributed to the injury or death of suspects during these types of operations. (Mijares/Perkins-1994)

The particular "established standard" that is of concern to APD SWAT in this case relates to the rotation of experienced personnel from the team based on issues other than performance and the resulting liability and fiscal risk.

The International Association of Chiefs of Police and the National Tactical Officers Association recommend against mandatory rotation in their SWAT management training programs. They have established a very lengthy list of skills that should be used to measure the performance of SWAT officers. Failure to meet these performance standards is the recommended criteria for removal from a SWAT team. These skills to be used as standards include weapons skills, skills with chemical munitions and agents, extended range impact munitions, other weapons or force delivery techniques, defensive tactics, covert entry, dynamic entry, deliberate entry, vehicle take-downs, hostage rescue and many more physical and knowledge based issues. These would be correctly called performance standards. (McCarthy-1999)

The term "established standards" as used in previous text would include these performance or skill measures along with the policies regulating the activities, operations and personnel matters of the SWAT team.

RESERVE



A survey of 22 SWAT units in jurisdictions similar to Austin found that 21 of those jurisdictions use failure to meet performance standards as the sole criteria for removal from the unit. Austin was the only jurisdiction using criteria that is based on an arbitrary time limit rather than performance based criteria. (Office of the City Auditor-1996) A more extensive, but older survey found that of 104 SWAT teams in 25 states all 104 of these teams used failure or inability to meet performance standards as the criteria for removal from the team. None of these 104 SWAT teams had a maximum time limit that could be spent in SWAT. (National Tactical Officers Assoc. Survey-1989)

It is recommended by practitioners and experts that 1/3 of the personnel assigned to SWAT teams should have an experience level of between 0-2 years in SWAT, 1/3 should have an experience level of between 2-5 years, and 1/3 should have more than 5 years. (Daugherty interview- June 1999) This mix of experience levels enables new members to enter the team and receive training and tutelage from the more experienced members. It further acts as a stabilizer for the overall experience of the team in that natural attrition due to the effects of age and associated performance decline do not adversely impact the proficiency of the team.

Forecasting studies indicate that without a mix of experience levels as described, a cycle of unacceptably low team experience levels can occur. In 1996 a statistical forecast analysis was conducted using the Austin Police Department Swat unit. The purpose of this analysis was to determine what, if any effects were produced within the APD SWAT Unit by the use of a forced rotation policy (Daugherty/Fealy-1996). This study was conducted using three different scenarios. The scenarios used were a 5- year limit on time spent in the SWAT Unit, a 10 year limit and no limit or cap. These scenarios were chosen for use because of the fact that they have all been used in the rotation of SWAT personnel at various times. The study statistically

predicted the impact on the team in the areas of average experience level of individual team members, experience mix or matrix of the team and consistency of the mix over a 20-year period.

The statistical forecast, when conducted using a 5-year cap for rotation purposes, produced results that indicated that the average individual experience level would be 2.3 years. The forecast also indicated that there was no consistency of the team experience mix as recommended by experts in the field and there was no stability over the 20- year period. The forecast, when a 10-year cap was used, predicted an average individual experience level of 3.0 years; however, the consistency of the team experience mix was poor and there were the same severe fluctuations as observed with the 5-year cap. The forecast done with no time limit for officers assigned to SWAT produced results that were more in line with recommended standards in that the average individual experience level was 4.2 years. There was a good mix of experience of the team members and the consistency of the mix and experience level was good after the first 4 to 5 years. After this initial period there were no severe fluctuations in the team experience levels.

This statistical forecasting analysis indicates that having no forced time limit on the time spent by officers assigned to SWAT produced the best level of individual experience and a mix of the recommended experience levels for team members of the 3 scenarios.

This study also found that there had been a natural attrition rate of 1.8 officers per year from the SWAT Unit between 1986-1996. The forced attrition rate caused by either the 5-year or 10-year cap was established at a minimum of 20% of the team per year. (APD Policy #208)

SWAT teams are high skill work groups that perform critical functions similar to medical surgical work groups. Medical team management is based on the philosophy that managers will

RESERVE

be held accountable for the development of their people and issues that directly affect individual and team performance. (Jones-1996) This being the case, some view rotation of personnel off of these teams for any reason not associated with performance standards to be an "inexcusable risk". (Kerr interview-1999)

Poor decisions by a SWAT unit can occur for many reasons. One of the reasons possible is a lack of experience translated into the inability to cope. "Poor team decisions" are one "negative outcome" cited as a result of high skill work teams that are not properly managed. (Champion/Higgs-1995) Managing outside of established standards is improper management. In SWAT operations the impact could be catastrophic. A management policy that requires mandatory rotation of personnel from a unit after a designated time period is "particularly troublesome to some experts." (Kolman letter-1993, 1999) The SWAT rotation policy as practiced by APD is outside established standards based on review of this research.

### **Discussion of Relevant Issues**

From responses to an in-depth survey and study, it appears that police administrators feel that tactical units should continually improve their capabilities (Stevens/Mackenna-1988).

To meet its' goals of resolving violent critical incidents in a professional manner there are several factors integral to success. Of these factors, the 3 of highest priority are outstanding personnel (selection), superior physical and mechanical performance (training) and the ability to cope in the face of extreme pressure and danger by making good decisions (experience). (McCarthy letter-1999) Selection criteria are usually established along the same lines that were discussed previously in relation to skills or performance testing and measurement.

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Training is best be described as learning these same skills and experience relates to time in the position with exposure to real life operations relevant to the job or these skills. Experience would also include the opportunity and time spent working on the team with a stable team composition that would allow for team members to function together in high-pressure dynamic situations. Specialists in the police tactical field continually emphasize the importance of considering a number of factors in the choice of SWAT team members. (Mackenna/Stevens-1989). A large number of these factors are connected to the experience levels of the individual team members or their experience as a functional member of that team.

There are a number of factors to be weighed in any evaluation of a determination of the advisability of the SWAT rotation policy for APD. Some factors to consider include liability associated with the transfer of an otherwise qualified officer, liability associated with inexperience, and the high cost of training. The SWAT rotation policy of APD creates risk in all three of these areas.

The forced rotation of experienced SWAT officers based on an arbitrary time limit could be actionable by the officer being removed for reasons that are not based on his performance. The possibility of a failure in tactical operation that could be connected to the issue of a needlessly inexperienced team could produce liability. The skill level required of SWAT team personnel to maintain individual proficiency and the experience necessary to conduct complex and dynamic operations require personnel selection and retention policies based solely on performance. Failures in tactical incidents often produce death or injury and are obviously much worse than a mere disservice to the public. Review of incidents of this sort indicates that the lower the experience and training level the higher the potential for failure or gross error.

RESERVE

(McCarthy Letter-1999) This would present liability that may result in monetary damages and diminished professional reputation.

Greater emphasis has been placed on fiscal responsibility during the past 2 decades than ever before. This philosophy of responsible use of public funds will not diminish, even in the area of public safety. Records indicate that the loss of only one experienced SWAT officer from APD's SWAT team will represent a loss to that team (and Department) of more than \$100,000.00 spent for training that officer. (APD SWAT-Records). This figure does not take into account the costs associated with training the officer replacing the one leaving the team to a like level.

The reason for the SWAT rotation policy being implemented was considered by some to be an issue of fairness. It should be pointed out that the selection process for members of a SWAT team can be fair and not adversely impact the ability of the team to perform professionally at the same time. Fairness and career opportunity can best be served by basing the decisions of selection and retention on written performance criteria. Irrelevant factors are inherently unfair. Selection and retention policies based on the ability to perform, and no irrelevant criteria, are inherently fair. Such written criteria further protect the Department from liability.

#### **Conclusion/Recommendations**

The purpose of this research is to determine if the policy of the Austin Police Department designed to rotate personnel out of the SWAT Unit is in the best interest of the City of Austin. This issue, by necessity, must address fiscal, legal and performance issues.

RESERVE

The problem associated with creating a situation that forces personnel rotation from the SWAT team based on irrelevant issues is a resulting lack of the experience in that team. This has been shown to produce a corresponding reduction in the ability of a tactical team to successfully conclude a mission.

Fiscal concerns center around the waste associated with spending hundreds of thousands of dollars to train an individual and, after an arbitrary time period, removing him or her from a position where that training could best be utilized. Other fiscal concerns include legal action that results from use of policies reasonably known to be outside established standards that result in an impaired ability of the team to professionally resolve critical incidents.

The majority of SWAT teams within the United States base retention of personnel on acceptable performance and proficiency in the various skills required. Mandatory rotation is unwise and not in the best interests of the SWAT team. Consequently, retention based on acceptable performance and proficiency standards enables the SWAT team to maintain a continuing source of tenured, well-trained and knowledgeable team members. Both the National Tactical Officers Association and the International Association of Chiefs of Police support this concept. (McCarthy et-al.-1997)

This research recommends that the Austin Police Department discontinue its practice and policy of forced rotation of its personnel from the SWAT team. The Austin Police SWAT team currently has professionally accepted performance and proficiency standards included in their standard operating procedures. Failure to meet these performance standards should be the basis for rotation from the unit.

Statistical forecast studies show that the natural attrition rate of 1.8 officers per year will be sufficient to ensure that the unit maintains an adequate turnover rate.

RESERVE

This turnover will further ensure that enough rotation occurs to provide the recommended experience mix for the team and allow for entry of new personnel. Removal of personnel from SWAT should only occur for an inability to meet performance standards or voluntary transfer and other natural attrition issues.

Adherence to this type of policy should provide for the requisite experience level and recommended experience mix for the S.W.A.T. team and avoid legal, efficiency or ethical entanglements.

RESERVE

## BIBLIOGRAPHY

- Austin Police Department Personnel Policy #208. Austin, TX: 1997.
- Austin Police Department SWAT Personnel and Training Records. Austin, TX: 1996.
- Austin Police Department Standard Operating Procedure for SWAT. Austin, TX: 1999.
- Campion, Michael A. and Higgs, Catherine A. "Design Work Teams to Increase Productivity and Satisfaction." HR Magazine Oct. 1995: 101-107
- Daugherty, C'Anne. Asst. City Auditor, City of Austin. Personal Interview. June 11, 1999.
- Daugherty, C'Anne. and Fealy, James. A statistical Forecast and Analysis of the Austin Police SWAT Units Rotation of Personnel and Impact on Experience Levels. June 1996.
- Huff, Cecil Captain (ret) Austin Police Department. Personal Interview. Sept. 1993.
- International Association of Chiefs of Police, A Comprehensive Survey of the Management and Operation of the Austin Police Department 1986: 133-134
- Jones, David D. "Repositioning Human Resources: A Case Study." Human Resource Planning 1996: 51-53
- Kerr, David. MD. Personal Interview. June 10, 1999.
- Kolman, John A. Letter to the Author. May 10, 1999.
- Kolman, John A. Letter to Elizabeth Watson. Nov. 26, 1993.
- Lopez, Ruben. Asst. Chief, Austin Police Department. Personal Interview. Dec. 1997.
- MacKenna, David W. and Stevens, James W. "Selecting and Training Police Tactical The Police Chief" Nov. 1989: 53-57
- McCarthy, R.M. et-al. "Independent Report to the City of Albuquerque Legal Department on the Albuquerque Police Department Special Weapons and Tactics Unit." Jan. 1997: 26-28
- McCarthy, Ron M. Letter to the Author. April 29, 1999.
- Mijares, Thomas C. and Perkins, David. "Police Liability Issues: Special Concerns for Tactical Units" Police Liability Review. Richmond, Ky.: Alpha, 1994: 1-9
- Mills, Bruce. Asst. Chief, Austin Police Department. Personal Interview. April-July 1997.

RESERVE



National Tactical Officers Association. Continuing Survey of Tactical Teams in the US.  
1984-1989.

Office of the City Auditor, City of Austin. Survey of the Composition of SWAT Units  
Nationwide in Comparison to Current Policies in the Austin SWAT Unit. 1996.

Stevens, James W. and MacKenna David W. "Police Capabilities for Responding to Violent  
Criminal Activity and Terrorism." Police Studies. 11, (3) 1988: 116-123

RESERVE