

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

**Advances in Patrol Tactics:
The State Mandate**

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

**By
James Waters**

**Princeton Police Department
Princeton, Texas
February 2013**

ABSTRACT

Police tactics training should be made mandatory by the Texas Commission Law Enforcement Officer Standard Enforcement for continuing education. As of now, there are no requirements for any type of tactics training. Police officers are presented everyday with some form of a tactical scenario, whether it is a family violence call, a shooting, or just a regular traffic stop. With officers facing different calls every day, they should be provided with reoccurring skills and or tactics classes to sharpen their skills. The position of the researcher is that TCLEOSE should mandate reoccurring classes for police tactics training. The types of information to support the researcher's position included various periodicals and internet sites. The recommendation drawn from this paper is for TCLEOSE to implement a set mandate for continuing education on police tactics.

TABLE OF CONTENTS

	Page
Abstract	
Introduction	1
Position	3
Counter Position	10
Recommendation	11
References	15

INTRODUCTION

Training is a cornerstone for law enforcement and always has been. Without training, a police officer will not be as productive, will be unable to complete certain tasks with maximum efficiency, and will be a liability to themselves, the department, and to the community they work for. This could be applied to any job, but it has a life or death connotation for law enforcement. As with any training, an adaptation method has to be implemented into training. Training should meet and exceed the demands of the field that the person works in.

When Jesse Owens (n.d.) stated, "A lifetime of training for just ten seconds," he was talking about running. But by looking at the quote, it can be just as easily applied to law enforcement. Officers are required to attend various continuing education hours by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE), but they are minimal. Out of the hours they have to attend, hardly any are officer safety related courses. This presents a huge problem for officer safety and the safety of the community.

With the potential for violent crimes and officers falling in the line of duty, it is essential that TCLEOSE mandate classes on advanced patrol tactics. The current standards are not providing any education on officer safety or survival. Santayana (n.d.) stated, "Those who do not learn from history are doomed to repeat it". With the thought of officers having to lose their lives due to safety issues, TCLEOSE should create a set standard on state mandated classes for patrol tactics. Any life lost is one too many.

According to TCLEOSE, there are 74,951 licensed peace officers in the state of Texas (www.tcleose.state.tx.us/). Each officer who holds a current license has to complete 40 hours every two years of continuing education. The average police officer will stay on the job for 26.4 years and will retire at the age of 55 (Raub, 1987). This will mean that if an officer only attends the minimal amount of courses mandated by TCLEOSE, they would have logged 520 hours of continuing education training. The basic law enforcement police academy is 775 hours of training (Collin County Law Enforcement Academy, n.d.). The grand total of training hours is 1,240.

According to the Tennessee Government Commerce of Boards, each hair stylist has to complete 1,500 hours in practice and theory for the basic stylists. Sixteen hours of practice and theory are required every two years to keep the hair stylist credentials. To move forward, or get a better position, the stylists are required to have 300 hours for natural stylists, 300 hours for shampoo technician, and 600 hours for manicurists. Without the continuing education hours, a hair stylist who is topped out has 2,700 hours of training ("Individual License Requirements", n.d.). The amount of hours that a hair stylist takes is double of that a police officer is mandated to take.

Between the insufficient amount of mandated classes and the nature of the mandated classes the officers are required to take, the law enforcement officer, their department, and the state are opening themselves up for liability. Law enforcement organizations should be more proactive when it comes to dealing with mandated classes and training to help reduce the legal liabilities and make officer safety a priority. An officer having to concern themselves with safety is hard enough without having to worry about liability.

TCLEOSE has a duty to the officers, their families, and to the community they serve and should enhance the training hours and require police officers to take continuing education in patrol tactics classes. As it stands, there are four levels of proficiency certificates that a police officer can receive: Basic, Intermediate, Advanced, and Master. Throughout these proficiencies, there is not a mandatory police tactics class. A gun and a bulletproof vest should not be the only tools that are given to an officer. It should be mandated that a police officer receive additional patrol tactics classes as continuing education hours every two years.

POSITION

By mandating classes, an officer would receive training referencing the area in which they conduct 80% of their job, which will build confidence. It is a known fact that the more a person is trained, the more confident they feel in the position they are in. Byrne, Blagrove, and McDougal (2006) stated, "Training is needed to ensure that confidence does not decrease inappropriately during a performed procedure" (para. 4). When somebody does not have the confidence to complete a task or perform a task the safest, they tend not to do it. Police officers do not have the luxury of picking and choosing which tasks they would like to do. They are called to a scene, and the citizens expect them to provide whatever service is needed at the time and to do it safely. If an officer is not confident conducting the service needed, they might open themselves to getting hurt or killed and not successfully protecting the citizen. Having a healthy sense of confidence could enhance various other aspects in anybody's career. Confidence also builds morale. A high morale makes for a longer lasting employee. Obarski (2007)

stated, "When morale decreases costly employee absenteeism, accidents, turnovers and dissatisfaction increases" (para. 3).

When an officer is confident in their job, they are not constantly second guessing themselves. Sometimes an officer has to make a split second decision, and it might have to do with life or death. The officer needs to be confident, concise, and, above all else, correct in the decision they are making. If not, this could open the door for any type of legal liabilities. Aveni (2008) stated, "Situational awareness and critical decision-making saves lives and minimizes the legal repercussions associated with employing deadly force" (p. 7). Critical decision making should be made when one is confident in their job.

Another positive outcome of mandatory training for police tactics is that every officer would have the same type of training. If TCLEOSE creates a set standard for police officers training on patrol tactics, this will mandate that ALL officers within the state of Texas to have the same training. Having the same training for the officers can prove very beneficial. There are numerous amounts of agencies that rely on other agencies for back up. When that back up is provided, having that extra set of hands is essential. Maggio (2008) stated, "Response personnel should not perform any duties or procedures in any operation unless they have been trained to the level required by their job responsibility" (p. 2). When an officer arrives on scene and they are not adequately prepared to handle a situation that does not mean the situation goes away. It could mean the situation could turn complex and double in size. This could be equated to having a lifeguard who does not know how to swim. Having them there might make the swimmers feel secure, but when it comes down to it, they are not helpful at all. When

somebody actually starts drowning, the problem then becomes greater. Not only will the insufficient lifeguard try to rescue the drowning victim, but they will start drowning also. Now additional help is needed to rescue the victim and the rescuer. This doubles the manpower and places the victim in greater risk of injury or death. Now that the lifeguard's agency has placed an insufficient lifeguard on the stand to help safeguard over the ones swimming, they are held liable for the lack of training the lifeguard had.

Police agencies are under the same example. The administration knows the amount, or lack of, training the officers have. Police agencies are held to a standard of "Protecting and Serving." If they are cognizant of insufficient training, steps should be taken to provide the remedy.

When a rookie takes the streets for the first time, they still have a lot of the training from the police academy on their mind. One problem lies in what the rookie was taught at the police academy. Some academies in the state of Texas are just academic academies, so the recruits can meet the minimum requirements set in place by TCLEOSE to take the state test without ever learning about officer safety or tactics. If, after the state test, they find a job at a police department, they will get on the job training called FTO or Field Training Officer. This is usually a three to four month period where the department teaches the officer their reporting system, city streets, and makes sure they can handle themselves in the field. During this time, the rookie will experience different officers who will attempt to teach them the skills that the officers have learned throughout their experience. If there is no mandated skill, then officers could teach other officers bad habits and keep perpetuating the cycle. When officers teach bad habits, this could put other officers in danger, which will open up potential

liability. Howe (2005) stated, "If your men do not believe in the tactics they are going to employ, they will generally fall apart once the shooting starts" (p. 36). That is an example of not believing in the tactics they are taught. If officers do not have sound tactics to begin with, then they are losing the fight before they begin. It is imperative that police officers are taught tactics and taught the same ones.

A big concern for introducing mandatory classes is for officer and citizen safety. In 2011, there were 164 in the line of duty deaths for police officers; 65 of these were from gunfire, five were from assaults, and two were from stabbings. Nobody likes to "armchair quarterback" any death or wrongful tactic, but the fact remains that a lot of these deaths could have been prevented by mandatory training on patrol tactics. Already in 2012, there have been six fallen to gunfire and one stabbed. What is sad is that while this paper was being researched, another officer has fallen due to gunfire, so the statistic is now that seven have fallen to gunfire (<http://www.odmp.org/>).

A set standard of patrol tactics classes should be mandatory for officers to attend. If the classes are mandated as continuing education hours, then this would keep officers' skills up. The skills that the officers would be learning would be the same across the state, if not country. This can be equated to a tactical team. A group of tactically trained police personnel train together for numerous hours so they can know what each other are doing and how to neutralize a combatant without getting hurt themselves. The officers go through the same training with one another to learn how to best utilize their skills when summoned. Police officers (patrol) are summoned every day and are supposed to handle a problem as people friendly and as tactically as

possible. If the officers are not tactically trained, they will have false hope and just hope that something bad does not happen at that point and time.

Unfortunately, the responding officers to the Columbine High School massacre found themselves in a predicament where something extremely bad was happening and they did not have the training to combat the situation. The responding officers “had never trained for what they found at Columbine High School” (“Shoot First,” 2009, para. 1). Because officers were trained a certain way, when the responding officers first arrived on scene, they exchanged gunfire with one of the suspects before he walked into the school. When the suspect walked into the school, officers stopped, set up a perimeter, and waited on the SWAT team. Unfortunately, “the standard police procedure for dealing with shooting rampages in the U.S. proved tragically, heartbreakingly flawed” (“Shoot First,” 2009, para. 2). It took the SWAT team approximately 45 minutes to arrive on scene. It is reported that during the 45 minutes, 10 out of the 13 victims were shot (“Shoot First,” 2009).

Because of the Columbine High School massacre and the initial response that the police department and surrounding agencies made, a new training class was put into place to help combat school shootings. The training class is called active shooter, and various companies statewide help teach the class. As history shows, police agencies tend to wait until something tragic happens before they seek out training to help better the problem or make it safer. Shaw (n.d.) said it best when he stated, “If history repeats itself, and the unexpected always happens, how incapable must Man be of learning from experience” (para. 1). Law enforcement agencies should not wait until something tragic happens before additional training is added. Officers are going into the unknown

danger everyday, some with tragic consequences. It is essential that officers receive the additional training and that the training be tactical in nature.

SWAT (Special Weapons and Tactics) was first introduced into law enforcement after the Austin bell tower incident in 1966. Charles Whitman took a position in the bell tower at the University of Austin College Campus, and, with a high power rifle, took the lives of 16 people. The police department at the time did not have high power rifles to return fire, so they had to climb to the top of the bell tower and subdue the suspect. After the tragic incident, law enforcement implemented a team that specialized in special weapons and tactics. The special weapons that the team was issued were high power rifles, and law enforcement started looking at the tactics that it took to reach Whitman in the bell tower. Because of the tragic incident, the Los Angeles Police Department was the first agency to organize a specialized team called SWAT. This was a response to the bell tower incident and it came two years later.

Due to the Austin bell tower incident, most agencies are allowing officers to carry patrol rifles inside of their squad cars. Officers have to at least qualify with the rifle to show that they are proficient. Patrol officers are also receiving additional training with the patrol rifle, especially in active shooter courses. If officers are receiving training for active shooters and have the equipment that the first initial SWAT teams had, then training for patrol officers should be focused on more day to day operations and made mandatory so every agency would be on the same page. It is not every day that patrol officers respond to an active shooter in a school or a shooter from a bell tower, but they do respond to domestic family violence issues, fights in progress, intoxicated subjects, and are losing their lives as a result. If police officers take the same mentality as

SWAT officers and they are getting the same training as fellow officers, they will know what training they should fall back on in time of hardship or danger. If every officer has the same tactical training, each officer will know what the next one should do, where they are located, and be able to tell if a situation does not seem right by the way the officer is presenting themselves.

Police agencies should not wait until something bad happens before responding with training and should be a proactive step and should be consistent. A study was conducted by the Federal Bureau of Investigation about violent encounters and felonious assaults on the nation's law enforcement officers and on how offenders train, carry, and deploy weapons better than police officers (Pinizzotto, Davis, & Miller, 2006). The data revealed that 80% of the offenders they surveyed practiced with their weapon on average approximately 23 times a year. The study reported that the offenders would find a training ground, whether it be a trash dump, rural woods, or backyard. One offender stated that he was motivated to improve his training because he believes that officers "go to the range two, three times a week and practice arms so they can hit anything" (Pinizzotto, Davis, & Miller, 2006, p. 46). In reality, victim officers in the study averaged under 20 hours of their primary duty weapon training and conducted under three qualifications a year ("Law enforcement involved shootings," 2011). Just the statistics on this case clearly show that offenders practiced more than the officers. When officers have the locations, the ammo, and a job that they have to carry a weapon to, they should not be outtrained, but unfortunately are.

COUNTER POSITION

When most people view police officers, they see arrogant, donut-eating cops who hide behind their badges. A concern for tactical type training for police officers is that the police officers might become abrasive and conduct an overkill type method while responding to calls for service. This could not be further from the truth. Lombardo and Schroeder (2006) stated, "increased security, becoming more productive, being identified as upwardly mobile, experiencing self motivation and improvement in morale" (p.168) as benefits to being trained. Officers will become more productive, have better tactics, and become upwardly mobile while performing their jobs. While officers are being continually trained, they will be able to use their new training and see the effectiveness of it; this will produce a higher self-esteem (Collin County Law Enforcement Academy). When people have a higher self-esteem, they tend to become more open and have a willingness to listen. Having these traits could not be further from abrasive and overkill. Police agencies will see a reduction in use of force claims, which will lead into a reduction of legal suits.

Equate it to a carpenter not having the correct tools. When trying to fasten a screw into wood, a screwdriver is needed. When the carpenter does not have a screwdriver, they might try to use other tools to insert the screw, ultimately leading to a hammer. If the carpenter uses a hammer, they might get the screw into the wood but the result will not last. The screw will be stripped and the wood could potentially become undone, causing disastrous results. If the carpenter fastens the screw with the intended screwdriver, not only will the screw go in as intended, but the result should last.

A common fear when the words “mandatory training” is used is the fact of money constraints (U.S. Department of Justice, 2011). Many agencies inside the United States police departments are receiving budget cuts and having to lay off officers. Training does cost money, and not many agencies have extra money for extra training. But the question should focus on how much one officer’s life costs. According to del Carmen (1989), negligent failure to train has generated a spate of lawsuits in the law enforcement community. Budgetary constraints generally have not been considered a valid defense by the courts, therefore, placing the supervisors in a difficult position (Carmen, 1989). It is a known fact that a police officer’s job is dangerous, but the tools and training to make the officer safer should be made available to all officers. The only way for all officers to receive tactical type training and the same structured training is to make it a state mandatory training with continual education hours.

RECOMMENDATION

As stated previously, the purpose of this paper is to have a set standard on state mandated classes for patrol tactics. Aveni (2008) stated, “We are losing officers to similar mistakes that we’ve always lost officers to. Much of that has to do with the basic nature of policing” (p. 1). Officers are not focusing on the training that they need for their everyday assignments and, because of that, they are getting seriously hurt, if not killed, due to lack of training. If all officers have the same tactics and go through the same training, each officer will have a basic knowledge of what each officer is doing on calls and be able to safely perform his or her duties. Because the world evolves, criminals evolve with it. Some criminals enter into the military to receive extra training to make themselves better as a criminal element. With the world and criminals evolving and

constantly training, law enforcement should always stay two steps ahead. Law enforcement as a whole should not accept minimum standards and hope that, with minimum training, the nation can rely on these officers to protect the citizens. Officers are not the same as when they first started; their careers and the law enforcement world is evolving, not just the tactical training. The tactics that law enforcement used in the past will not prove effective today and will not work in the future. Police agencies must continually strive to better train their officers and keep tactical training at the forefront of training.

As stated within the paper, when officers are better trained, this builds a higher morale and confidence. Officers tend to perform better when their morale and confidence are high, and they do not have to second guess themselves on calls or possible use of force issues. Because the training would become mandatory across the state, each officer would have the same type of training. The issues of failing to train would come into effect when a veteran, who has fallen into bad habits, handles a dangerous issue. The veteran could expose themselves to more risk or put other officers in danger by handling the call wrong. A rookie, who has just been trained by their police academy, would have the training fresh on their mind and might be tactically better when handling the issue. When the training is not conducted, agencies will find themselves second-guessing the officer on their ability to handle certain calls. Above all else, the most important issue is officer safety. When officers are trained tactically, they are more aware of their surroundings, potential problems that could go bad, and ways to handle the problems with the minimum amount of force necessary. If somebody is placed in a stressful situation and they are not trained on how to handle it, this could

lead to all kinds of disastrous results. Without the proper training, officers and citizens are at risk.

A common misconception is that officers are abrasive, and if all officers are tactically trained, then they would become tactically abrasive. However, an officer who is skilled in how to protect themselves and others is going to have a better mind-set than one who is not. They will be able to handle the daily stressors and have a strategy for handling the incident in the safest way possible. With regard to statewide budget cuts, a price cannot be put on any life, much less that of a public servant. So there should not be a price when examining training that could potentially save their lives.

Every two years, police officers are required by TCLEOSE to attend 40 hours of continual training classes. As long as police officers attend the mandatory classes that are required by TCLEOSE, officers are allowed to attend any other class to meet the training hours. None of the mandatory classes are patrol survival or officer safety affiliated in nature. Officers are putting themselves in danger every day they go to work with no real training or continued training to fall back on. TCLEOSE should create a curriculum for patrol tactics classes and make these classes a requirement for police officers. The classes would be state mandated, so they would be taught and instructed the same. That would mean that all police officers inside the state of Texas would have the same type of patrol tactical training. Training would reduce the use of force complaints, on the job injury, and above else, help protect the officers. The cost is minimal and the benefits are priceless. Agencies need to get away from the trend of waiting until something bad happens before they will train accordingly. Officers are encouraged to be proactive and not reactive; agencies should also be proactive and not

reactive when dealing with officer safety.

REFERENCES

- Aveni, T.J. (2008). *Obsolescence: The police firearms training dilemma*. Retrieved from http://www.theppsc.org/Staff_Views/Aveni/Training-Obsolescence.pdf
- Byrne, A.J., Blagrove, M. T., & McDougal, S.J.P. (2006, January 16). Dynamic confidence during simulated clinical tasks. *Post Graduate Medical Journal*. doi:10.1136/pgmj.2004.029942
- del Carmen, R.V. (1989). Civil liabilities of police supervisors. *American Journal of Police*, 8(1), 107-135.
- Collin County Law Enforcement Academy. (n.d.). 2013 Law Enforcement Academy training schedule. Retrieved <http://ftp.collin.edu/lawenforcement/TrainingSchedule.htm>
- Howe, P. R. (2005). *Leadership and training for the fight*. Bloomington, IN: AuthorHouse.
- Individual licensure requirements. (n.d.). *Board of Cosmetology*. Retrieved from tn.gov/commerce/boards/cosmo/licReq.shtml
- Law enforcement involved shootings- Research on circumstances. (2011, May 16). The Force Science Research Center. Retrieved from <http://www.fppoa.org>: <http://www.fppoa.org/news/law-enforcement-involved-shootings-research-circumstances>
- Lombardo, F., & Schroeder, D. (2006). *Management and supervision of law enforcement personnel*. Charlottesville, VA: Matthew Bender.

Maggio, E. J. (2008, January). *Facing legal liability as first responders*. Retrieved from <http://www.spy-ops.com/web/Spy->

[OpsPositionPaperFacingLegalLiabilityAsFirstResponders-Jan-08.pdf](http://www.spy-ops.com/web/Spy-)

Obarski, A. M. (2007). *The Sideroad: Practical advice straight from the experts*.

Retrieved from http://www.sideroad.com/Customer_Service/improve-employee-morale.html

Owen, Jesse (n.d.). *Thinkexist.com*. Retrieved from

http://thinkexist.com/quotation/a_lifetime_of_training_for_just_ten_seconds/212785.html

Pinizzotto, A.J., Davis, E.F., & Miller, C.E. (2006). Violent encounters: a study of felonious assaults on our nation's law enforcement officers. National Institute of Justice, Federal Bureau of Investigation: Washington, DC.

Raub, R. A. (1987). *Computing staffing for state police services*. Springfield, IL: Illinois State Police.

Santayana, G. (n.d.). *Thinkexist.com*. Retrieved from

http://thinkexist.com/quotation/those_who_do_not_learn_from_history_are_doomed_to/170710.html

Shaw, G.B. (n.d.). *BrainyQuote.com*. Retrieved from

<http://www.brainyquote.com/quotes/quotes/g/georgebern163236.html>

Shoot first: Columbine High School massacre transformed U.S. police tactics. (2009,

April 18). Retrieved from <http://www.foxnews.com/story/0,2933,517068,00.html>

U.S. Department of Justice, Community Oriented Policing Services. (2011, October).

The impact of the economic downturn on American police agencies. Retrieved from

http://cops.usdoj.gov/Publications/e101113406_Economic%20Impact%20Publication%20vFIN_19APR12.pdf