Negotiating with a Paranoid Schizophrenic Subject
A2S2 Course
How to Win a Gunfight
Why is There Resistance to K9s in SWAT?
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Negotiating with a Paranoid Schizophrenic Subject

The radio call comes over, “LE 7 and 8, respond to the Rosterfield Hotel for a report of shots fired. Multiple casualties reported, and multiple gun men.” The two patrol units start their response and pull up to a silent Hotel.

In this article, I will attempt to point out what I feel are some of the factors that can make a difference in a gunfight.

Shotgun Breaching Removed from DCJS Standards

Many agencies that are working to obtain NYS SWAT Team Certification have expressed to the NYTOA that the shotgun breaching requirement caused them hardship. Many teams applying for accreditation do not actually use shotgun breaching, nor would their administration allow them to start a shotgun breaching program. This meant that in order to meet the standards these teams would be required to send members of their agency to a shotgun instructor school and train their personnel in shotgun breaching for the sole purpose of checking a box on the accreditation form. Obviously, in times of tightening budgets this becomes an issue.

The NYTOA voiced your concerns with DCJS, who agreed to present this information to the Municipal Police Training Council at the March 2014 meeting. At that meeting the Municipal Police Training Council agreed to remove this requirement from the NYS SWAT Team Accreditation process. The NYTOA would like to thank Mark Fettinger from DCJS for his assistance in this matter.

Although shotgun breaching has been removed as a minimum requirement, the NYTOA does believe that shotgun breaching has a place in a SWAT team’s breaching options. We highly encourage teams to assess the entry points in their jurisdictions (residential, commercial, school, etc.) and have a breaching plan that would allow for quick entry into even the toughest of entry points. Most likely this will include options other than mechanical breaching only.

If you have any questions or concerns, please feel free to contact me at any time.

Stay Safe and Train Hard.

Larry L. Beresnoy
Executive Director
On August 14, 2013 in St. Joseph, Louisiana, headlines on CBS news read the following, “The gunman in a fatal hostage standoff wrote that he was angry at his ex-girlfriend’s family and believed they were responsible for a device in his head…”

20-year-old Fued Abdou Ahmed shot two hostages, killing one, at a rural Louisiana bank before state police ended the 12-hour-long standoff by shooting him dead. Ahmed indicated during the negotiation that he had a device in his head and wanted to have it removed. Fearing for the safety of the two hostages Ahmed held and who actively threatened to harm, a tactical solution was employed in an attempt to save the lives of the hostages. It was learned during the hostage situation that Ahmed was diagnosed and suffered from paranoid schizophrenia.

Schizophrenia is a chronic, severe, and disabling brain disorder that affects about one (1) percent of people all over the world. People with schizophrenia sometimes hear voices others don’t hear, believe that others are broadcasting their thoughts to the world, and sometimes believe that they are being plotted against. Most individuals with schizophrenia are not violent; however, studies indicate that except for those persons with a record of criminal violence before becoming ill, and those with substance abuse or alcohol problems, people with schizophrenia are not especially prone to violence. There are other studies that suggest that the probability of violence with schizophrenics is five times higher than those absent the disorder. About one-third of individuals with schizophrenia attempt suicide. Schizophrenia is treatable with both medication and therapy.

Substance abuse significantly raises the rate of violence in people with schizophrenia but also in people who do not have any mental illness. People with paranoid and psychotic symptoms, which can become worse if medications are discontinued, may also be at higher risk for violent behavior. When violence does occur, it is most frequently targeted at family members and friends, and more often takes place at home.

Negotiators who engage someone who is schizophrenic will observe situations of thought disturbances, hallucinations, delusions and other departures from reality. It is important to address this situation with a number of specific communication strategies in an effort to resolve the situation peacefully while, at the same time, have a tactical plan at the ready in the event there is a need to save hostages, likely family or friends of the subject.

As with all negotiations, communication strategies have a foundation in utilizing Active Listening Skills to build a trusting relationship through rapport building. This will prove to be a significant challenge with someone who is schizophrenic. Due to the paranoia that routinely exists with those who have schizophrenia, building a relationship and trust probably will not develop. Efforts to stall for time to promote fatigue will be your best strategy to resolve a crisis event. Listening and providing a path while being based in reality will allow for the subject to tire. Avoid arguing and keep the conversation ongoing to encourage ventilation, gain intelligence, gain an understanding as to the subject’s state of mind, and gauge their level of episodic condition.

The negotiator should be asking questions such as:

1. What medications are you taking?
2. Are you taking your medications?
3. Have you stopped taking your medication?
4. What are the voices saying or what are they telling you?
5. What are you seeing?
6. Do you want to hurt yourself?

Access to a mental health professional as a resource to develop a personality and psychological profile would prove useful with understating medications and their effects, the psychological history of the subject and a more specific communication strategy. Given the frustration that may exist with mental health care providers and those with mental illness who are in crisis, offering psychiatric services in the early stages of the negotiation may prove counterproductive.

Medications prescribed today for schizophrenia could have a timely effect if taken during a crisis event and the subject should be encouraged to take their prescription during the negotiation. Often times the main reason for discontinuing the use of medications is a result of the adverse side effects that consist of such ailments as headaches, nausea, impotence and involuntary muscle contractions.

Appealing to the subject’s emotion of having to live with hallucinations and/or delusions should be expressed. Maintain reality and don’t fall victim to appealing to the subject’s distorted thinking or behavior. Ask intelligent questions about the subject’s hallucinations or delusions that are specific to what they are experiencing.

Know that during the negotiation with a schizophrenic you will quickly become exhausted and frustrated by the situation. An appeal to the subject’s ego will go a long way. In addition, the use of the media as a means to publicly outline the paranoid’s concerns may be an option as a resolution strategy.

These types of negotiations will prove to be the most taxing and mentally challenging. It is important to stay in our own reality and not enter into the subject’s distorted world. Stay true to the process of using time as a means to promote fatigue and continuous communication. Constant risk assessment will be necessary with the schizophrenic, especially when there is evidence of substance abuse in combination with having hostages who are relatives/friends. There may be a need to quickly transition to a tactical solution if there are communicated threats directed toward others. Keep in mind suicide is a potential concern during the course of any crisis situation, and have an affinity for extreme patience and enhanced flexibility.
The radio call comes over, “LE 7 and 8, respond to the Rosterfield Hotel for a report of shots fired. Multiple casualties reported, and multiple gunmen.” The two patrol units start their response and pull up to a silent Hotel. One of the Officers decides to take charge, and orders the other three Officers to form a diamond formation so they can make entry. As they enter, several unknown parties come running toward them in a panic with their hands in the air screaming, “Don’t shoot! Don’t shoot!” As the Contact Team starts to give verbal commands to the unknown subjects, shots ring out down the hall. The Patrol Officer who took charge yells to his comrades, “Shots fired! Shots fired! Active shooter! Move! Move!”

The Contact Team bypasses the unknowns telling them to exit the building down the hall as they move aggressively toward the sounds of the guns. The hallway fills with smoke the sprinkler system has been activated and people are screaming. The Officer who took charge remembers his training: “shoot, move, and communicate.” Communicate - we need more cops! He calls on the radio, “Shots fired! Shots fired! Rosterfield Hotel. We need back up now!”

The Contact Team turns a corner in the hallway and encounters two heavily armed gunmen. Shots ring out; the point man for the Contact Team is hit in the hand and arm. As he is returning fire he yells, “I’m hit!” The point man takes a knee. The rest of his team bypasses him returning fire down the hall. The point man assesses his wounds and commences self aide by attempting to apply a tourniquet. One of the other officers notices he is having difficulty putting it on and grabs him yelling, “Get up come with me!” The injured Officer is assisted into the room and a tourniquet is applied to the injured arm.

As more Officers and EMS personnel arrive at the scene, a Patrol Supervisor sets up a command post in the hotel parking lot. He assigns additional Officers to respond into the hotel to back up the initial Contact Team. He has also been advised by Command that they have received multiple 911 calls from the banquet hall of the hotel that there are multiple casualties from gunshot wounds and explosions. The Patrol Supervisor sends an additional Contact Team to the hall. The Team in the banquet hall reports back they have a mass casualty incident with over 20 victims and they need assistance to secure the scene. As more assets arrive, the Patrol Supervisor assigns another Contact Team to escort EMS personnel forward into the banquet hall in order to assist in the evacuation of casualties. He turns to an Officer about to go in and yells, “That hall is not secure and I’m concerned about secondary devices! Get in there and get a plan with EMS to get those victims out ASAP! I will set a casualty collection point out here! Go!”

The City of Mumbai, India was attacked on November 26th to the 29th, 2008 by a squad of ten terrorists. It lasted 60 hours, 165 innocent people were killed, and 304 injured. This multi-shooter attack “tactic” is, to this day, one of the likely courses of action that our nation’s enemies (extremist terrorist groups) will use against us. The 2013 Boston Marathon Bombings, subsequent manhunts and the Kenya Westgate Mall are other examples of this tactic. All of these attacks, unfortunately, can be claimed to be highly...
successful. They shut down whole cities for days and receive extreme amounts of media coverage, spreading fear and doubt about each country’s ability to protect its citizens.

The prior mentioned scenario is not from an actual attack, but rather it is from Advanced Active Shooters Scenario (A2S2): Tactics & Operations which is a course provided at the New York State Preparedness Center, located in Oriskany, New York. The A2S2 course was developed for New York State Division of Homeland Security and Emergency Services (DHSES) by the National Center for Security & Preparedness (NCS&P), a subsidiary of University of Albany. By bringing together subject matter experts in the fields of law enforcement and emergency medical care, the NCS&P / SPTC team has put together a training event that many of the students who have attended say pushes them to their limits and beyond as they try to save the fictional City of Rosterfield from an attack by several armed terrorists.

Police Officers attending A2S2 are forced into extreme circumstances in which they must employ basic active shooter tactics or even advanced active shooter tactics such as: bounding over watch, or clearing a hallway with a fixed point and a Hall Boss. Emergency Medical Services responders are challenged with multiple victims and a variety of injuries from gunshot wounds to blast injuries from IEDs. Officers are pressed on the importance of the “priority of life,” and how just because the target area is now clear of armed terrorists, your job is not over. Wounded victims are bleeding to death; you have risked your life fighting to get to them to just watch them bleed to death? Not at A2S2. If our tactics are based on the “priority of life” then so should your actions following an engagement. Officers are forced to make decisions as to basic triage and scene assessment in order to prevent further loss of life. EMS responders are forced out of their comfort zone into an “indirect threat area” in order to treat multiple casualties that would otherwise perish if not treated immediately. Casualty collection points are designated and secured, as Officers and Medics are pushed on “continuing actions,” such as patient transport, secondary searches, perimeter reinforcement and escorting bomb techs to suspected devices.

At the SPTC, the State of New York has created a training venue that is second to none in being able to provide this type of scenario-based training. The A2S2 scenarios take in excess of 40 role players and 20 instructor and support staff to put on. The course runs for two and a half days, with half of the time spent for instruction on the tactical and medical skills needed to resolve such an attack. The other half of the class is spent sending the students out to defend and save their city against the terrorists.

The students are outfitted with the latest in personal protective gear, non-lethal training ammo, weapons, and EMS equipment, such as, litters and homeostatic dressings, all of which is provided by the SPTC. Each student, both Law Enforcement and EMS, are taught the basics of Tactical Emergency Casualty Care (TECC), which is a direct spin-off of the Military's Tactical Combat Casualty Care (TCCC). This medical treatment philosophy is directly responsible for saving lives.

The course and the logistical efforts that go into it are carried out by the professional, experienced staff of the SPTC, many of which are Retired Police Officers or Emergency Responders from around the State. The role players are a variety of paid actors and trained aggressors with professional makeup artists to add to the realism of the scenarios.
The State Preparedness Training Center (SPTC) is located at the old Oneida County airport, just outside Utica in Oneida, New York. This is truly the center of the State; on average, from each corner of the State it takes about three hours to get to the training center. Hotel and meals are provided by the State for students who travel over fifty miles to train at the center.

The course and the logistical efforts that go into it are carried out by the professional, experienced staff of the SPTC, many of which are Retired Police Officers or Emergency Responders from around the State. The role players are a variety of paid actors and trained aggressors with professional makeup artists to add to the realism of the scenarios. A majority of the subject matter expert instructional staff is made up of Police Officers and Paramedics who are also Armed Services combat veterans from the infantry and medical communities of our Military. This is all brought together in a command post (Sim Cell) that is run out of the control tower of the old airport. Moreover, if this is not enough, the class receives intelligence injects throughout the scenario. NCSP Intelligence SMEs brief the students on the ongoing attack within their city, as well as relevant information on the terrorist group that is carrying it out. Aggressive role players and non-aggressive role players are scripted to give out information which, if reported up the chain, will assist the students in deducing the likely course of action or future targets of their terrorist adversaries.

The Advanced Active Shooters Scenario (A2S2): Tactics and Operations course is at the cutting edge of training for a complex active shooter event. Although the scenario at the course is directly related to a terrorist attack, it follows the old training mantra: “A gallon of sweat today saves a pint of blood tomorrow.” Officers and Medics who attend A2S2 are exposed to a realistic, complex incident that will assist them in the stresses and response protocols to a less complex critical incident, such as a lone shooter in a school, or some type of mass casualty incident. For further information on the A2S2 course feel free to visit the website of New York State’s Division of Homeland Security and Emergency Services, State Preparedness Training Center at http://www.dhsses.ny.gov/sptc/ or the National Center for Security & Preparedness at http://www.albany.edu/ncsp/

ANDREW ESPOSITO
Lt. Andrew Esposito is a retired Lieutenant from the Rockland County Sheriff’s Department. He was the team commander of the county’s SWAT team and Division Mounted Police Unit. He has been with the department since 1988. A retired Gunnery Sergeant for the United States Marine Corps, Lt. Esposito served in Operations Desert Shield and Storm, Rapid Guardian (Kosovo) and Iraqi Freedom. He has held every Infantry MOS over the course of his 21-year military career (active and reserve).

Andy is a graduate of the FBI National Academy Session 231; he is a certified Law enforcement instructor in Defensive Tactics, Firearms, and Chemical Agents. He has graduated from FBI SWAT School, FBI Bomb Squad Management Course, Cooper Institute law enforcement physical trainer.

He also has a wide breadth of experience as an instructor, with the Rockland County Police academy as a Drill Instructor for the Basic Police Academy, the New York Tactical Officers Association (NYTOA), the National Tactical Officers Association (NTOA), and as a Subject Matter Expert and Instructor at “The University at Albany” with the National Center for Security & Preparedness.
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It’s high noon and the Sheriff slowly steps out onto a vacant street to meet his adversary and maybe his death. His duster is slung back to expose the gun belt and six-shooter that he carries low and tethered to his leg. With his hat pulled down firmly to where one can barely see his steely eyes that pierce the day, he scans left and right for the ambush that would change this gunfight into something he could not survive. Yet, there is not a trace of fear or worry on his face or any doubt about his fate and what the end of the street will bring.

How many times have you watched this scenario play out in some of your favorite western movies? The anticipation of what is about to happen makes us all admire the Sheriff for what he has the courage to face. Did it ever really happen like that? Probably not as much as the movie makers would like for us to believe, but it is fun to live that experience through the eyes of someone else. We would all like to believe that if that type of situation ever came our way, and we have to fight for our lives, we would have the same steel grit, courage, and coolness under pressure the Sheriff displayed. This is something that we in Law Enforcement (LE) have to believe, but it is fun to live that experience through the eyes of someone else. We would all like to believe that if that type of situation ever came our way, and we have to fight for our lives, we would have the same steel grit, courage, and coolness under pressure the Sheriff displayed. This is something that we in Law Enforcement (LE) have all pondered and some have experienced first hand.

For many of us that have, our performance may not have been what it could or should have been, but we survived just the same.

In this article, I will attempt to point out what I feel, are some of the factors that can make a difference in a gunfight. I base my opinions not only on my own experiences but also the experiences of numerous friends and colleagues over my 28 years in LE. I have also drawn from Dr. David Klinger’s book, Into the Kill Zone. This book is a treasure trove of LE gunfighting experiences. Dr. Klinger interviewed 80 current and former LE Officers from across the country and then detailed information surrounding their experiences. His research was funded in part by a Federal grant to research, but with all that information compiled he was compelled to write a book to share the experiences with us all. If you haven’t read it, go now and get it.

I’ll start with the obvious...

Training:

We all know how important training can be, but it is not just any training. It’s the right training, performed with purpose, meaning, and on a repetitive basis. One of the first things that is cut from LE budgets in these economic times is training. Yet the threat remains and does not care about the economy.

Too often, LE will go out and perform the same firearms drills/courses with no purpose or passion. It comes down to just trigger time on the range. This is often just a waste of time and money. To go out and sling lead down range with no training objective, skill set, or meaningful purpose in mind is not efficient or effective firearms training. Every round should have a purpose. It’s not just repetition, but rather MEANINGFUL repetition. The basics are a great place to start. No matter what the skill is, break it down to the mechanics and improve those fundamentals. Once the mechanics are mastered, start adding stress to the point of failure. As the failure threshold is reached, then back it off a bit and train at that level until the failure threshold can be advanced.

One of the best shooters I have ever trained with told me that to shoot fast and accurate requires the same things you learned in the Academy: grip, sight alignment, trigger control. Learn to do those three things very fast and under pressure and you will be a very good shooter. WOW! No magic or trick involved, just a lot of practice with a purpose. DRY FIRE until the skill is mastered and then test with real bullets. It’s a lot less expensive, you can do it almost anywhere, and you don’t have to deal with all that anticipation of muzzle blast and recoil.

The same process can be applied to any skill set. I don’t care if it’s Dynamic Entry, Rappelling, or Covert Entry. Break it down to its basic mechanics, learn to do them smoothly under pressure and add stress until you start making mistakes. Back off that threshold a bit and work the basics until the bar can be moved. Time limits, scenarios, malfunctions - all are a great way to add stress.

All of the great athletes of the world don’t just play the game to get better. They break it down to fundamental skill sets and spend their time improving those. The scrimmages and games are a way of finding out how well they have been practicing.

Mindset:

This part of the equation is harder to learn, if it can be learned at all. I like to call it the Joe Montana or Roger Stauback syndrome (that shows my age). It’s that ice water in the veins, that coolness under pressure effect that is hard to teach. Most people that have it were born with it to an extent. They just don’t tend to get that excited even when others around them are. This can be a huge advantage in a gunfight.

I do believe a significant amount of exposure and experience will somewhat de-sensitize one to the stimulus that others become alarmed by. That frequent exposure to the real thing or realistic training can help. One of the most experienced gunfighters I ever knew was not that great a shot, but he was a deadly adversary to his opponents. He was born with ice water in his veins and it served him well.

In the immortal words of a US Marine Corps. Gunny Sgt., “You, you, and you, panic. The rest of you come with me.” That’s the guy you want on your side in a gunfight.

Luck:

One of my best friends used to say all the time,
“I’d rather be lucky than good.” He was a hell of a good guy to have on your side in a gunfight. I did a few times and I was glad he was there. The fact is that I got lucky more than I would like to admit, and I know others reading this article, if they are honest with themselves, will admit that they got lucky a few times as well.

Luck is nothing one should count on nor is it something to brag about, but it has had an impact on LE surviving a gunfight more than a few times, so I thought it worth mentioning. Or do we create our own luck? Louis Pasteur once said, “Chance favors only the prepared mind.”

Smart:

You must be smart about when and where you decide to fight. LE doesn’t always have the luxury of picking when to fight, but often I read or hear about Officers that forced a confrontation or made the fight fair when they didn’t have to. Things like leaving cover and closing distance on their adversary when it wasn’t necessary, or moving ahead of their Team or Partner, which in effect means taking them out of the fight. Never make it a fair fight if you have a choice. The Sheriff at the beginning of this article may have picked High Noon because he knew his opponent doesn’t see well in the bright sun light. Better yet, he should have waited until the sun was at his back and in his opponent’s eyes, or positioned a friend with a long weapon and high ground. Maybe he could have put on a good set of body armor as a fighting platform, or just brought as many friends with him to the fight as he could find. It may not be as sexy, but it improves the ability to predict the outcome. Live to fight another day, and take as many advantages as possible.

The Intangibles:

How about shooting first? I love the line in the movie, The Shootist. Ron Howard is explaining to John Wayne what Bat Masterson wrote about in his book about gunfighting. He was mentioning things, like proficiency with a firearm and accuracy, and Wayne interrupts him and states, “Sometimes it isn’t being fast that counts, or even accurate; but willing. Most men will draw a breath or blink an eye before they shoot. I won’t.” As with any type of fight, the one who strikes first has a distinct advantage.

How about not being an easy target to hit? This could mean that you are behind cover, or you may just be moving really fast. Both are good things, and if you don’t have cover, how about moving really fast toward it.

A friend of mine who used to lecture on the subject would say, “Bring a bigger gun.” It’s hard to argue with that logic. I say, focus on the things you can do something about.

The true warrior will not hesitate, is not stupid, is not ill-equipped, is not unprepared, will not hesitate and will definitely not be easy to hit. You must prepare and train for what you hope and pray you never have to do, or be prepared to suffer the consequences. I love this quote about soldiers: “of every 100 men you send me 90 shouldn’t even be here, 9 are good combatants and they the fight make, ahh but the one… he is a true warrior and will bring the rest home safe”.

Best of luck, but don’t count on it. Train hard, be smart, and win!

SANDY WALL

Officer M. L. “Sandy” Wall is a retired Master Peace Officer and a 28-year veteran of the Houston Police Department. He has worked in Patrol, Narcotics, and has served 22 years on the Houston SWAT Detail. He has served as an Entry Team Leader for more than 10 years.

He is now retired and is the Training Director for Safariland Training Group. He is also the founder of Less Lethal Solutions, Inc., patent holder, and the inventor of “TheWallBanger” tactical pole system.
NYTOA RAPPEL-MASTER CERTIFICATION COURSE  May 27-30, 2014
Nassau County Fire Services Academy Old Bethpage, NY 11804
Hosted by: Nassau County
Lead instructor: NYTOA Cadre
Course Length: 4 days (8am - Completion)
Member fee: $449.00  Nonmember fee: $549.00
This course is designed to provide the tactical officer with the knowledge and skills to conduct rappel operations safely and in accordance to current industry standards. The course will cover:
1. Equipment selection and inspection
2. Rappel procedures
3. Knots
4. Rigging (urban and rural)
5. Belay and emergency techniques
6. Low light and tactical operations
7. Special situations and equipment

The course is 40+ hours conducted over a 4 day period. The majority of the instruction will be held at outdoor training sites, in all but the most inclement weather. Students should be aware that attendance in this course does not guarantee certification. This course is to certify officers in a life safety capacity and they will be required to pass practical exams in several critical tasks. No exceptions will be made.

Members attending will be required to bring the below listed equipment, these will be subject to inspection for possession and serviceability on day 1:

1. Sewn Seat Harness (No tied rope or webbing seats)
2. 2 locking carabiners (steel or aluminum)
3. 1 Rescue eight descender
4. Leather gloves suitable for rappelling
5. Helmet (Tactical, Impact (Pro-Tec) or Climbing)
6. Entry kit (please remove all ammunition/ NFDDs/safe and empty primary and secondary weapons)
7. Knee and elbow pads (optional)
8. Water for the day (There will be meal breaks)
9. Rain/Cold weather gear

If you have any questions about equipment you are bringing or are planning to purchase, please contact christiangallagh@gmail.com.

TACTICAL TEAM LEADERSHIP COURSE  June 17-19, 2014
Town of Greece - Hosted by: Town of Greece Police Department (Rochester, NY)
Lead instructor: NYTOA Cadre
Course Length: 3 day (8am - 5pm)
Member fee: $249.00  Nonmember fee: $299.00
This course is designed to provide both new and senior Tactical Team Leaders with the skills necessary to lead SWAT operations and plan for crisis situations. Topics covered include leadership traits and principles, planning for SWAT operations, operational order preparation and delivery, tactical operations center (TOC) operations and crisis leadership.

Student must bring all issued equipment, including primary weapons system.
If you couldn’t get enough SWAT personnel to respond to a callout, for whatever reason (vacations or injuries), would you put an untrained patrol officer, who has never been a SWAT operator and has never been to basic SWAT school, into the number one or number two position in the stack and expect the deployment to flow smoothly and without incident? My guess is you would never think of doing this because of the training the officer has not received.

So why do SWAT teams do this with dogs?

Police dogs are like any other tool in law enforcement’s bag of tricks: you need to train with them. I’m not aware of any agency that allows officers to deploy with tools such as pepper spray, batons, beanbags, or Tasers without first receiving proper training in using those tools, as well as receiving updated and ongoing training. Police dogs are the one exception.

REASONS FOR FAILURE
AT SOME DEPARTMENTS, K9S ARE DEPLOYED IN SWAT OPERATIONS WITH NO PRIOR TRAINING OR EXPOSURE TO SWAT MOVEMENTS AND TACTICS. BECAUSE OF THIS, FAILURES AND ACCIDENTS ARE FREQUENTLY REPORTED, AND THE REASON FOR THE FAILURE IS DOGS CAN’T WORK WITH SWAT TEAMS.
WHY IS THERE A RESISTANCE TO K9s IN SWAT

There are several reasons why K9s fail during a SWAT or patrol operation. The first and most significant reason is inadequate education and training. SWAT teams generally know very little about how K9s work, and basic handlers typically don’t have an in-depth SWAT background. The lack of education and training on both sides can paralyze the components of the group, creating frustration and lack of confidence.

The second reason problems occur during a SWAT operation is the equipment the SWAT team wears is different from what patrol officers wear during a high-risk patrol operation. Dogs are used to seeing standard patrol uniforms, but when dogs are suddenly thrown into a tactical situation in which SWAT officers are dressed quite differently, some dogs become confused.

Dogs are pack animals and they are used to their pack looking a certain way. Suddenly, members of the pack are dressed in large bulky tactical vests, helmets, shoulder and arm protection, and they look just like a decoy wearing bite equipment. It doesn’t take long to accustom the dog to his new SWAT pack, but when that is not done in training ahead of time, problems will occur.

Another reason K9s often fail to perform adequately in a SWAT operation is there is a historical difference between SWAT and patrol searches and movement. In basic K9 school, the dog and handler are always in front of the search team. The dog is allowed to roam free and search wherever it wants to. Regular patrol officers simply don’t receive the advanced tactical training SWAT operators do, and, therefore, the search techniques will be less proficient and can be more dangerous.

Most patrol officers have a tendency to simply walk through a building or an open area and not search in a slow, methodical manner. During a K9 search, most patrol dogs become accustomed to seeing officers walking behind the handler, using little or no cover, unlike SWAT operators, who have been intensively trained to use cover and concealment.

Lastly, in a patrol operation, the handler normally is in charge of the search; conversely, in a SWAT operation, the SWAT team is in charge of the search and the handler is there to assist. Some handlers have a difficult time relinquishing their leadership position and working in a structured group while deploying.

TOP 5 EXCUSES THAT ARE GIVEN WHY NOT TO USE K9’S

SWAT officers, supervisors, and administrators who resist the idea of adding K9s to their teams typically have several reasons for that. Following are some of the most common reasons I have heard.

1. SWAT does not like to search with dogs because dogs are perceived to be noisy.

   **Rebuttal:** That may be true in some cases, but when is a SWAT team ever completely quiet and stealthy? As long as the dog does not bark or whine excessively, a team can use a dog’s presence as a great psychological tool and to cover the team’s movements.

2. If the dog finds the suspects, there is no use for a SWAT team.

   **Rebuttal:** The primary function of a police dog in a SWAT operation is to locate the suspect. Once the
dog has narrowed the scope of the search for the suspect to one particular area, SWAT can then implement other tactics to take the suspect into custody. The dog can be trained for additional tactical scenarios in which it assists SWAT in arresting the suspect, but the dog’s primary function is to aid the team in locating suspects.

3. We don’t need dogs on SWAT.

**Rebuttal:** SWAT teams often have huge misconceptions about the capabilities of a well-trained police dog. Many SWAT operators are completely unaware of the dog’s full potential and the tactical advantages it can provide the team during a search. The full impact of a well-trained police dog integrated into SWAT and used effectively can be realized in the protection of human lives.

Several years ago, I was teaching a SKIDDS class in the southwestern part of the United States. Before coming to the class, I was warned that the SWAT team was not happy about me being there. After the class was finished, several SWAT operators approached me and said their opinions had changed and they now understood how dogs could be used with their team. They immediately made the K9s that attended the class with them part of the SWAT team.

In several recent SKIDDS CATS classes, I’ve had some SWAT operators tell me they came to my class because they did not believe dogs and SWAT could work together. But, by the time the three-day class was finished, they had re-evaluated their views and could see the benefit of dogs in their world. All it takes is proper training and the right dog and handler team to change a SWAT team’s mind.

4. Our dogs are not social.

**Rebuttal:** In some cases that might be a valid reason to avoid incorporating a K9 into SWAT. But shame on the department for selecting a dog that has no social skills. If the dog is not social in a SWAT environment, I guarantee the dog is not social in a patrol environment. Would your department hire an officer that had issues like this? Why is a dog any different?

If selected properly, I feel any patrol dog can be a SWAT dog. Unfortunately because of improper selection at the beginning of the dog’s career, not all dogs are qualified to work in a SWAT environment. Antisocial police dogs generally are the product of poor training or the lack of exposure to people in social settings at an early age in their development. That does not preclude using the dog, but significant training will be required to make the dog compatible with SWAT.

5. SWAT does not use dogs in tactical deployments because members fear the dog may be injured or killed.

**Rebuttal:** As a handler, I understand that reasoning well. Many people find it extremely difficult to put their emotions aside and see the dog as an important tool that is expendable at the risk of losing human life. As tragic as it would be to lose my dog at the violent hands of a suspect, I know the lifetime of grief and anguish I would have to endure at the death of a police officer.

The dog is a replaceable tool that will give its life to save ours. That does not mean I send my dog on suicide missions! However, after other options, such as negotiations, K9 announcements, throw phones, robots, gas, flash bangs, and even deadly force have failed, and SWAT has decided to make entry and begin their slow deliberate search, I believe dogs should enter first and clear the way for the SWAT team.

I can replace and train another dog, but I cannot replace a brother or sister officer. It sounds cold and
heartless, but if the dog enters the room before SWAT and is hurt or killed, the dog did its job and located the suspect.

I would hate to have to tell a grieving spouse that my dog was available to search for the suspect, but the administration decided not to use the dog for fear it would be injured or killed, yet decided to send his or her loved one in.

Hopefully I have stimulated you and your team to reconsider training with and using a K9 in a tactical environment. If you are not sure how you should train for a tactical deployment, in my book, K9 Tactical Operations for Patrol and SWAT, I provide training exercises used to acclimate a K9 to SWAT before it is used in an actual deployment. Remember, “If you don’t train together, don’t deploy together.” If you have any questions please don’t hesitate to contact me.

BRAD SMITH
Brad Smith retired from the West Covina Police Department in southern California in June 2010 after 30 years of service. Brad was a K9 handler and trainer for West Covina for 25 years and a SWAT dog handler for 18 years. Since 1999 Brad has been National K9 Chairman for N.T.O.A. and a K9 Subject Matter Expert for the California Association of Tactical Officers. Brad specializes in field tactics and officer safety. Brad designed and implemented a K9 SWAT & K9 Patrol Tactical School called S.K.I.D.D.S. and CATS www.skidds.com. Brad is also owner of Canine Tactical Operations and Consulting www.K9TacOps.com and the author of the book “K9 Tactical Operations for Patrol and SWAT.” Brad has published over 80 articles in a wide variety of publications on K9 Swat Deployment and training. Brad can be reached at Topdogwck1@aol.com or 626-523-4028.
In my fifteen years on our SWAT Team, where I'm currently assigned to our narcotics and street crimes unit, I've participated in the execution of countless search and arrest warrants. A type of operation that has greatly frustrated our units is warrants executed on fortified premises where narcotics and controlled substances are possessed. Up until now, the penalties for these crimes have been relatively minor. People ask me: is enforcing the existing laws worth the risk and effort dealing with a fortified house? I wholeheartedly believe that we should work to stop the illegal sale of narcotics and controlled substances in our communities, given other activities of those involved: robberies, home invasions, homicides, and other crimes that terrorize our streets.

Our Emergency Services Team has a well-developed explosive breaching program, with countless live breaches that have contributed to the safe and successful resolution of critical incidents. This is a tremendous tool to breach fortified structures, but obviously the risks inherent with this tactic outweigh the seriousness of the charges when narcotics and controlled substances are possessed. No one wants to lose a hard-earned explosive breaching program for low-level crimes; it's simply not worth it. In Albany, we've utilized cut-off saws, bar pulls, and other creative means to access fortified structures, but the technique that's most used is still the standard ramming technique — solo or two-person. We've had hits that have taken upwards of 80 to 90 strikes to breach some of these places. I can't tell you how many times I've witnessed injuries to officers from this type of effort, not to mention the danger inherent to being at the main point of entry for that duration of time. It goes without saying that speed and surprise are taken off the table, and we've lost contraband and been in foot pursuits through yards and rooftops as those responsible flee upon recognizing that we're there for them. Despite these dangers to officer safety, New York law does not recognize the seriousness of the danger fortified houses present with equally serious charges.

The NYTOA has been a tremendous resource to our agency and to me personally, which is why I decided to share with you an exciting new development. What follows is an overview of the proposed changes to the Penal Law, and how we can take action on a grass roots level that will make our jobs safer and provide us with the tools to combat crime in our communities. The effort to make this change is being pushed by Albany County Assistant District Attorney Jessica Blain-Lewis. She hasn't sat behind a desk in her office and thought of these changes in the abstract. She's accompanied my unit on search warrants in high crime areas just so she could gain first hand insight into what we do. How often have we had an advocate such as this to help us perform our jobs safer and more effectively? I humbly ask that you take action after you've read what she's accomplished: call your representative, have your co-workers and family members do the same. Be part of the solution – I know that together our voices will inspire the Senate and the Assembly to do the right thing.

Jessica Blain-Lewis, Assistant District Attorney Albany County

My name is Assistant District Attorney Jessica Blain-Lewis. I have been prosecuting criminal cases for...
almost ten years now. Over time, I’ve become aware of a huge problem plaguing law enforcement and the public – fortified drug houses. As you know, the increased prevalence of fortified houses has forced police to turn to an ever expanding array of tactics to gain entry, including explosive devices and specialty saws. Those enhanced tactics, and the measures they are designed to defeat, are dangerous not only to the officers using them, but to bystanders. And yet there is currently no criminal penalty in New York State for fortifying a drug house, or for the injuries that police officers suffer when trying to breach one.

So I decided to take action to address this problem with legislation. With the help of Senator Jeff Klein and Assemblyman Anthony Brindisi, the legislature is right now considering a bill that would make it a Class D Felony to be present in or knowingly maintain a barricaded drug location. The aim is to deter the use of barricades, while also providing penalties for those who place their illegal interests above the safety of the police. District Attorneys, like my boss, Albany DA David Soares, support the legislation because it will give us the tools to assist the police to shut down drug houses. “I certainly support the bill,” says DA Soares, “and I hope the legislature does the right thing and passes it this year.” We’ve also received great support from members the law enforcement community: “Making it illegal to fortify a building to sell narcotics is a step that should be taken to safeguard officers who are on the front lines,” says Sgt. John Savage of the Syracuse Department of Police.

Now, we’re asking you to make your voices heard. You know how serious a threat fortified houses are to the lives of you, your fellow officers, and the public. Please, contact your representatives in the legislature, especially members of the Assembly, to tell them to pass this important legislation. If you would like to contact the Assembly member representing your district go to: http://assembly.state.ny.us/mem/ for contact information.

Kenny and I personally want to thank Executive Director Larry Beresnoy and his staff for allowing us to reach out via the NYTOA, and we look forward to meeting with the membership at the Tactical Conference in April as we rally additional support for this measure.

Let your voice be heard!

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JESSICA BLAIN-LEWIS - ASSISTANT DISTRICT ATTORNEY

OFFICE OF THE ALBANY COUNTY DISTRICT ATTORNEY

Jessica Blain-Lewis received a Bachelors of Arts in Speech Communication from Plattsburgh State University in 2002. She went on to attend Albany Law School, where she received her Juris Doctorate in 2005 and is admitted to practice in New York. Knowing she wanted to pursue a legal career as a prosecutor, she began clerking at the Albany County District Attorney’s Office in 2004 and was hired upon her graduation. A research project given to her by District Attorney David Soares culminated in what is now the “Safe Homes – Safe Streets Initiative.” Since it is clear that effective law enforcement requires active citizen support, the Safe Homes - Safe Streets Initiative created a new partnership between community leaders, landlords, tenants, home owners and law enforcement. Through the Safe Homes – Safe Streets Initiative, this coalition has a contact within the District Attorney’s office dedicated to physically evicting those involved in crime in private dwellings. Ms. Blain-Lewis has also prosecuted felony drug cases in the Street Crimes Unit, major crimes in the Major Offense Unit, and now is handling white collar crimes in the Financial Crimes Unit. She has become an active member of the office throughout the county, giving presentations at various events and successfully argued the first eviction case in Albany County that was initiated by the District Attorney's Office.

KENNETH KOONZ

Detective Kenneth Koonz is a 19-year veteran of the Albany, NY Police Dept., currently assigned to the Community Response Unit (narcotics & street crimes). He spent 15 years on Albany’s Emergency Services Team, ending as the Team Leader. He is deputized by the US Marshals and operates on a call-up basis with the Regional Fugitive Task Force. He routinely provides instruction on subjects to a variety of audiences, law enforcement and civilian. Feel free to contact him at kkoonz@albany- ny.org or (518) 462-9036.

PROPOSED LEGISLATION:

Criminal Fortification of a Drug House:

A person is guilty of criminal fortification of a drug house when, with intent to impede, deter or delay lawful entry by law enforcement officers or another person, he or she is present in or knowingly maintains a building in a fortified condition and such building is being used for the purpose of manufacturing, packaging or distributing controlled substances or marijuana.

Section 222.85 establishes a presumption that a person intends to impede, deter or delay lawful entry by law enforcement when he or she is present in or knowingly maintaining a building in a fortified condition where controlled substances or marijuana are present.

Criminal Fortification of a Drug House is a Class D Felony.

Proposed legislation:

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Criminal Fortification of a Drug House is a Class D Felony.
To their credit, the people at Phazzer Electronics took it in stride when I several times referred to their Enforcer electronic control device as a “taser”. I think we all realized how large a market share TASER International has in law enforcement. As Xerox is to copy machines and Kleenex is to tissue paper, TASER has become, for many people, synonymous with electronic control devices. Phazzer Electronics would like to correct that misbelief.

The Phazzer Enforcer is an electronic control device that is marketed as competition to the popular TASER X-26. Prior to my department adopting the newly-developed M-26 nearly a decade and a half ago. Last year, I evaluated the Enforcer for my department. More recently, I was asked to evaluate it for the NYTOA. While I was somewhat skeptical of the Phazzer Enforcer at first, the device has some features that are superior to the X-26. That said, the Enforcer has other features that are...perhaps not so much. Let’s look at the Phazzer Enforcer and you can decide.

The Enforcer is a handheld electronic control device which discharges two darts intended to cause incapacitation. The Enforcer can also launch various other less-lethal rounds such as Pepperball, pepper powder, a rubber ball, and marking rounds. Compressed nitrogen is used to launch the payload. This avoids the legal hassle of fielding a less-lethal weapon which is technically a firearm.

A laser sight is the primary sighting system for the Enforcer, but is significantly different than that of the X-26. While the X-26 laser dot indicates the projected impact of the top probe, the Phazzer laser dot indicates the midpoint of the Enforcer’s six degree spread. This requires the officer to estimate how high the top probe will travel which will vary with the officer’s distance from the threat. While most agencies train to aim below the chest when deploying an ECD, some officers will likely revert to the high center mass used in firearms training. That creates a concern that the upper probe may strike the suspect’s neck or face.

The operating system for the Phazzer Enforcer is very different from the X-26. The Enforcer is activated by pushing a button on the back of the device upward. This turns on the laser sight and allows discharge of the Enforcer. The trigger is then pulled to discharge the cartridge and provide a five-second cycle of electricity. The Enforcer may be cycled three times before it shuts down. To permit additional cycles, one must push the switch down to safe and then back up to fire.

Phazzer designed the cut-off feature due to research that suggests more than fifteen seconds of ECD exposure in a twenty-four hour period increases the risk of medical complications. True enough, but some bad guys require more than three exposures. I expressed this concern to Phazzer. The response was that this was a training issue. I’d concur with that, but I wish the activation button on Phazzer was either larger or replaced with a safety like that of the X-26. If some three-hundred pound behemoth on bath salts needs a fourth dose of lightening, he likely requires it RIGHT FREAKING NOW rather than after an officer has figured out how to on-safe and off-safe the ECD. Indeed, one training protocol might be to immediately operate the safety after every cycle so you know the ECD is ready to go.

The various other less-lethal options for the Enforcer may be a selling point to cost-conscious administrators, but consider their purchase and use carefully. The pepper powder seemed most effective, propelling a cloud of OC forcefully from the cartridge bay. Before deploying this cartridge, however, I would get a written guarantee of eyesafety distances. Moreover, I’d consider the cost of a Phazzer cartridge compared to a canister of OC spray. The other less-lethal cartridges seemed less effective. A single rubber impact munition or a single Pepperball fired from the Phazzer is unlikely to subdue a violent offender. The marking round could easily be defeated by the forensic countermeasures employed by today’s supercriminals. These countermeasures include such sophisticated techniques as changing one’s shirt or hopping in the shower. As with the pepper powder, consider that there are more effective and less costly ways of deploying these less-lethals.
TASER International cartridges can be deployed by the Phazzer Enforcer. Be aware, however, that TASER will not warranty its cartridges being deployed by a Phazzer. (The same is likely true of Pepperball.)

ECD downloads are important in explaining and defending use of force. Moreover, downloads are legally mandated in Maryland and perhaps other states. The Phazzer Enforcer is available with a download feature. Purchase of a data receiver is necessary. This is a wireless system which precludes the need for an ECD instructor to have various cables stored in desk or armory.

The Phazzer Enforcer is equipped with a 160 lumen flashlight which operates independently of the laser/activation switch. I wouldn’t have thought that was a big deal until last night when I watched a reality cop show in which a chief executive used his X-26 as either a flashlight or a laser pointer at a crime scene. (I suppose the threat of an ECD would motivate any forensic technician.) While 160 lumens isn’t much in the age of 1000 lumen flashlights, the Enforcer is considerably brighter than the X-26.

The Phazzer Enforcer has a larger grip than the X-26. The grip comes equipped with a rubber sleeve. Everyone I spoke with who examined the Enforcer liked the solid feel of the Enforcer. Even a XXL sized sergeant like me could get all five fingers on the Enforcer. Of course, the improved grip does come at the price of a larger ECD, but that’s a small price to pay.

Holsters are becoming available for the Phazzer Enforcer. Unfortunately, I have yet to see an Enforcer holster that allowed the ECD to be carried with a cartridge attached, these will certainly be coming on line.

Training on any ECD is necessary. Maryland mandates that the instructor and operator have device-specific training. Previously, this posed an issue as Phazzer required a minimum of ten students per instructor class and/or a trip to their training facility in Florida. While biannual trips to Florida would be nice, they would not be fiscally responsible. Today, Phazzer offers on-line training which will certify a TASER or other ECD instructor to train officers with the Phazzer Enforcer.

The Phazzer Enforcer is several hundred dollars less expensive than the X-26. Moreover, unlike the X-26, the Enforcer operates on rechargeable batteries. For either a large or small department, these features make the Enforcer financially more attractive.

The various features aside, there are two questions that should determine if an electronic control device should be employed. The first: is the ECD effective? In other words, how likely is this thing to drop a bad guy to the deck and allow for handcuffing? Secondly, is it safe? Since the ECD is used as a less-lethal weapon, we don’t want it to cause death or permanent injury.

So, is the Phazzer Enforcer effective and safe? Is it as effective and safe as the TASER X-26?

TASER International and the X-26 have a long history of both field usage and research. Phazzer, on the other hand, is the new kid on the block. There are some agencies that have tested the Enforcer. Phazzer success stories are available on their website. (You’ll need to register for access to the law enforcement area.) That said, Phazzer advises that the Enforcer is going to be tested by the U.S. Air Force. The USAF evaluation will hopefully determine if the Phazzer Enforcer is viable as a law enforcement less-lethal option.

I’m not trading in my TASER X2, but I’ll be keeping an eye on Phazzer.

JOHN CONVERSE
John currently serves as patrol supervisor with the Rockville Police Department (MD) with adjunct duties as firearms, ECD, and OC instructor. Previous assignments include traffic unit commander and in-service training instructor assigned to Montgomery County Police Department academy.
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