



Contemporary SWAT Issues

NATIONAL TACTICAL OFFICERS ASSOCIATION

800-927-9127

WWW.NTOA.ORG

Some Issues

1. SWAT Standards
2. Use of SWAT/Militarization of SWAT
3. Operator Fatigue



Some Issues

4. FSDD Storage & Use
5. Unnecessary Damage
6. Commanders on Entries



Some Issues

7. Uniforms

8. Regionalization

9. Professionalism

10. Response to Suicidal
Subjects



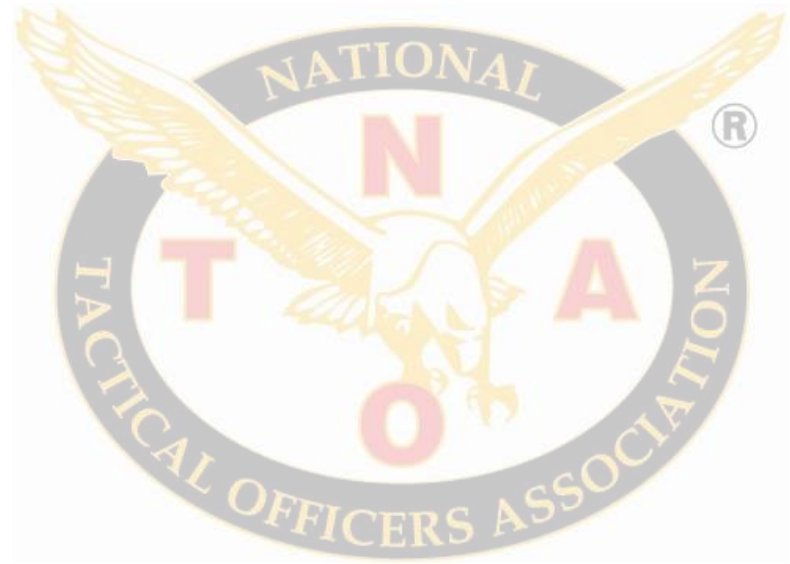
Some Issues

11. Equipment (Military)

12. Documentation

13. NTOA Academy





Section One

TACTICAL RESPONSE & OPERATIONS STANDARD



TROS Standards

It is the position of the NTOA that the decision to form a SWAT Team carries with it the responsibility to provide the ongoing training, equipment, leadership and financial support necessary to create and maintain an effective team.



Scope of Standards

The scope of these standards include policies, procedures, training and tactics related to SWAT team organization, operations, personnel and equipment.



Why?

- **Recommendations!**
- Better us, than legislators
- Solve your own problems
- Standards protect SWAT



**“A rising tide lifts
all boats.”**

- John F. Kennedy



Why?

- Many have no policy for minimum requirements on topics such as selection, training, equipment, qualifications, when to use SWAT, etc.



Why?

- Minimum training standards are hated by many administrators
- Basic standardization of definitions



Why?

- Are there teams that should not exist in their current capacity?
- SWAT as an incentive
- Training issues and concerns



Why?

- Standardization of use of SWAT Teams



“Drifting standards is a condition that results in a lack of enforcement of minimum qualifications. Regardless of whether it is marksmanship, physical fitness or some other perishable skill, once an exception is made, even a small or temporary one, a new ‘minimum’ has been established and so the standard begins to ‘drift’ and diminishes in value.”

- Sid Heal



Goals

- Great responsibility comes with making the decision to form a SWAT Team
- Consistency among teams with flexibility
- Core concepts, principles and policies



Goals

- Improve standards and expectations for SWAT
- Improve SWAT capability
- Address concerns of teams that can't meet the standards



NTOA Standards

- Define SWAT
- Have a policy
- Must train
- Must have adequate numbers of personnel



SWAT Definition

A designated law enforcement team, whose members are recruited, selected, trained, equipped and assigned to resolve critical incidents involving a threat to public safety, which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.



Requirements

- Basic SWAT course – minimum 40 hours
- Monthly training (16 – 40 hours minimum)
- Specialty training above monthly training if cross trained as entry
- Annual 40 hour block of training



Personnel Tier 1

A stand-alone team or a combination of teams through an MOU

All mission capabilities listed in the standard and is capable of serving as a primary SWAT mutual aid team to another Tier 1 or 2 team

Personnel (26)

1 Team Commander

3 Team Leaders

4 Snipers

18 Operators



Personnel Tier 2

All mission capabilities listed in the standard, except planned deliberate Hostage Rescues

Emergency Rescue operations only

Personnel (19)

1 Team Commander

2 Team Leaders

4 Snipers

12 Operators



Tactical Response Team

Can conduct any single or combination of capabilities listed in the standard under Section 3.1.2 – 3.1.6

- Warrants
- Vehicle Takedowns
- Sniper Operations
- Hi-Risk Apprehensions

Personnel (15)

1 Team Commander

2 Team Leaders

12 Operators



Perimeter Control & Containment Team

All capabilities listed in the standard under Section 2.3

- Tactical Command
- Perimeter and Containment
- Immediate Action Team
- Request SWAT

Any number of appropriately trained personnel



Future of Standards

- Will continue to evolve
- Federal or other organizational oversight?
- NTOA will not testify against you!
- NTOA Academy and Certifications



Future of Standards

- No standard, yet we are the special operations of LE
- Most professional groups have standards!



Who has them?

- Home builders, accountants, mechanics, etc.
- Hair stylist (1,000 hours)
- CALEA?



Who has them?

How to get your WA cosmetologist license: Graduate of a school or apprenticeship program

Licensing requirements

- **To get your license** as a cosmetologist, barber, manicurist, esthetician, or master esthetician you must:
 - Be at least 17 years of age.
 - Graduate from a school approved and licensed by the Department of Licensing with the minimum required state hours.**or**
 - Successfully complete a state approved apprenticeship training program.
 - Pass the state-approved written and performance examinations.
- **After you get your license**, you must post it at your work station.

Education requirements

Minimum required school hours

- Cosmetologist—1,600 hours
- Barber—1,000 hours
- Manicurist—600 hours
- Esthetician—750 hours
- Master esthetician—1,200 hours

Minimum required apprenticeship program hours

- Cosmetologist—2,000 hours
- Barber—1,200 hours
- Manicurist—800 hours
- Esthetician—800 hours
- Master esthetician—1,400 hours

Do the Math!

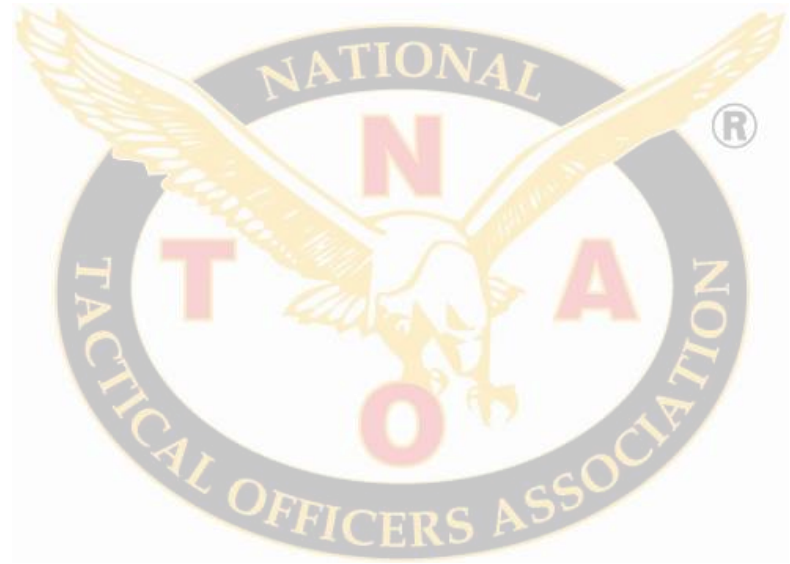
- 16 per month x 12 months x 7 years = 1,344 hours
- When could your team be exposed to a Hostage Rescue?



Industry Credibility

- The term “SWAT” creates expectations for the public
- If a team can’t meet standards, don’t use the term “SWAT”





Section Two

USE OF SWAT / MILITARIZATION



Over vs. Under

- Misdemeanor warrants
- No violence or threat of violence
- High operational tempo (Justified?)



Public Scrutiny

- SWAT is a tool
- **Use judiciously!**



Use of SWAT

- SWAT should only be used under strict conditions
 - Some doing to justify having a SWAT Team
 - Not everyone needs a team
 - Some formed to get grants
 - Damage to other teams



Use of SWAT

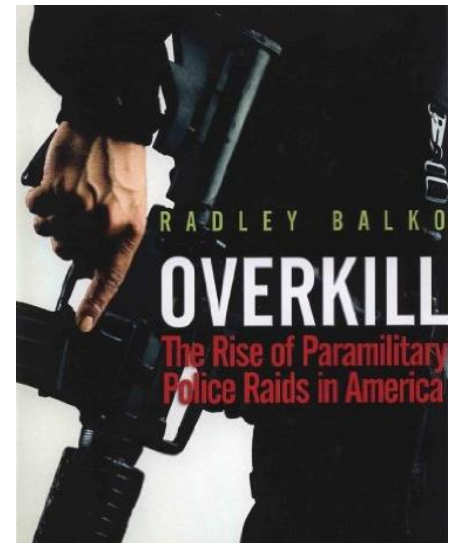
- Militarization of LE
- Common sense
- Lower tempo?



Advocates Against

- There are strong advocates in favor of disbanding SWAT Teams

CATO
INSTITUTE



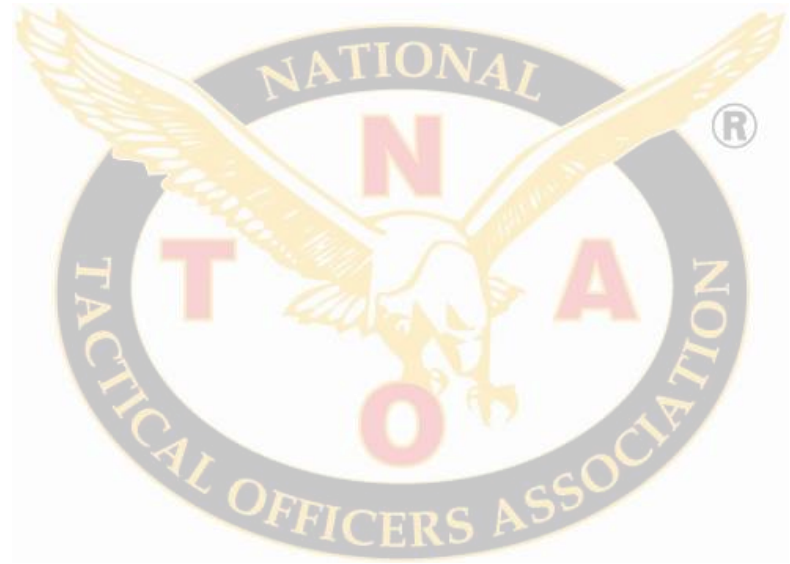
"No One is Safe"

**ANNUAL SWAT RAIDS NOW:
OVER 50,000**

Senate Bill 447 (MD)

- Maryland Senate and House approve bill in 2009 (expired now)
- Mandatory reporting every 6 months to include number, location, purpose, authorization, damage, injury, results, arrests, etc.
- We are losing public trust





Section Three

OPERATOR

FATIGUE



Effects on SWAT

- Long call-outs or training
- Combination of missions and regular work
- “I am good to go.” *(Beware)*



Fatigue

- Driving
- Tactical Decision Making
- Firearms



Operator Fatigue

- Supervisory obligation to recognize and deal with the issue
- Mitigate Risk



Mitigating Risk

- Through training. . .
 - Raise awareness
 - Promote good sleep habits
 - Train supervisors to detect and deal with sleep deprived officers
- Cap overtime hours



Implications

- Personal risk
- Legal risk
 - Maggie's Law (New Jersey)
 - Fatigued = 24 hours with no sleep = driving a car considered reckless = vehicular homicide
 - Based on a law enforcement case



Academic Beliefs

- Hours without sleep
 - 17 hours = .05
 - 24 hours = .10
- Always compare it to being legally drunk



Meta Analysis

- Strong relationship between sleep deprivation and reaction time (negatively)
- Speed and accuracy are decreased
- Evidence is much more conclusive with respect to speed than with accuracy (implications?)



Operator Fatigue

- Less alert or attentive
 - More apt to experience heightened “startle” reflexes
 - Overlook danger signs during high risk encounters
 - Often more short-tempered
 - Implications



Operator Fatigue

- Interferes with decision making in three ways:
 - Formation of sound judgments
 - Encouraging unnecessarily constrained choices
 - Inducing poor responses via increased irritability



Military Studies

- Work during darkness, fragmented sleep, cumulative sleep debt
 - Degrade performance, productivity, safety and operational effectiveness
 - Sleep loss interacts with workload



Fatigued Driving

- NTSB
“Sleepiness while driving is one of the most important contributing factors for road crashes”
- When extreme, fatigue can cause uncontrolled and involuntary shutdown of the brain



Recognition and Mitigation

- Nap before overnight work period may be more beneficial than nap during work period
 - Enhance with caffeine can help
 - Guard against sleep inertia



Recognition and Mitigation

- Check incoming team members (fit for duty)
- Ask questions
- Observe behavior

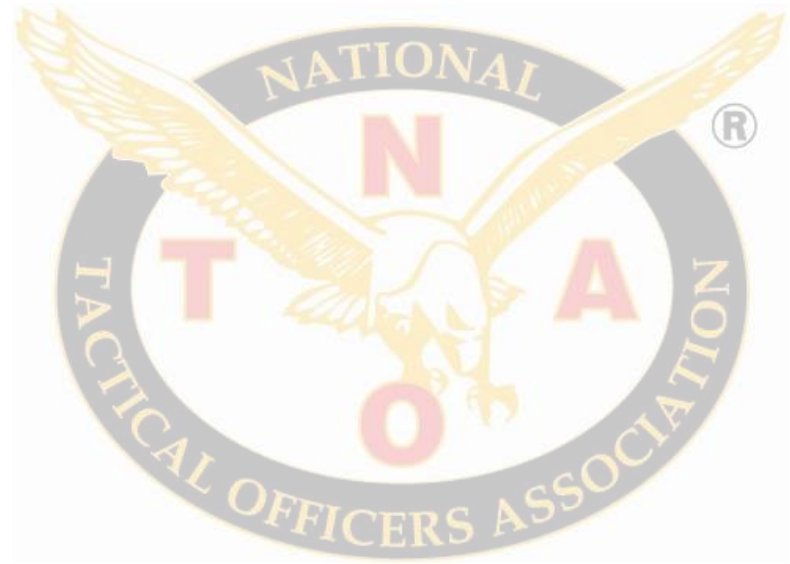


Recognition and Mitigation

Eat right!

- Avoid junk and processed food
- Avoid energy drinks (Monster, Red Bull, etc.)
- Eat fresh fruit and vegetables
- Stay hydrated





Section Four

FSDD STORAGE AND USE



FSDD Storage

- Must be stored in appropriate magazines
- ATF Ruling 2012 – 4 issued July 24, 2012



In Vehicles

- If stored in official response vehicle:
 - No more than 2 devices
 - Additional security feature: alarm, steering wheel locks, tracking device, etc...
 - SWAT Van – no more than 10 devices



FSDD Storage

- Must be inspected every 7 days
- May not be left unattended in Type 3 magazines, including “day boxes” and must be removed to Type 1 or Type 2 magazines for unattended storage
- Store in cardboard they were shipped in



FSDD Usage

- Overuse of FSDD's
 - Court scrutiny and legal opinions
 - Courts may limit us in the future and require special warrant or eliminate the use of them



FSDD Case Law

- Some jurisdictions have suppressed evidence after use of FSDD, because of excessive force claims
- Civil litigation concerning the use of FSDD always exists



FSDD Usage

- Overuse of FSDD's



- “Enter no room without a boom”

- 1 team using 12 cases of FSDD's in a few months?
- Don't let it become policy, operator should have the option, but don't make it a standard SOP to deploy them everywhere
- Be prepared to describe the necessity to use

Motion to Suppress

- Motion to suppress is often made after the use of FSDD under two legal theories:
 - FSDD effects made confession or admission involuntary (5th Amendment)
 - Use of FSDD was excessive force (4th Amendment)





Langford v. Gates

610 F. Supp. 120



Langford v. Gates

610 F. Supp. 120 (1985)

- First challenge against use of FSDD
- LAPD used a battering ram on V100 to enter “rock” house and deployed FSDD’s



Langford v. Gates

610 F. Supp. 120 (1985)

- 2 adults, 3 kids, no injuries, no weapons (no death)
- Found FSDD not excessive and no judicial approval needed



Langford v. Gates

610 F. Supp. 120 (1985)

- Cites previous LAPD case in 1984 in which a death occurred
- Affirmed LAPD had reduced the charge in FSDD since 1984 case



Langford v. Gates

610 F. Supp. 120 (1985)

- Affirmed that LAPD required visually checking area since the 1984 case





Jenkins v. Wood

81 F.3d 988 (10th Cir.)



Jenkins v. Wood

81 F.3d 988 (10th Cir.)

- Warrant service, FSDD deployed, excessive damage, inappropriate comments
- Claim alleged FSDD was excessive



Jenkins v. Wood

81 F.3d 988 (10th Cir.)

- Officers broke furniture, windows, doors and made inappropriate comments
- LE prevailed, but court had many issues



Jenkins v. Wood

81 F.3d 988 (10th Cir.)

“I concur in the majority’s legally appropriate disposition. I write separately only to emphasize the apparent inappropriateness of the governmental action, which seems to push the envelope of “reasonableness” under the Fourth Amendment dangerously far.”

- Judge Henry (10th Cir.)



Jenkins v. Wood

81 F.3d 988 (10th Cir.)

“I believe the defendants would do well to reevaluate their policies (or lack thereof). . . regarding the use of such tactics (no-knock/FSDDD) in the execution of search warrants.”

- Court (10th Cir.)





United States v. Meyers

106 F.3d 936 (10th Cir.)

United States v. Meyers

106 F.3d 936 (10th Cir.)

- Decided 1997
- Court referenced Jenkins v. Wood case
- Knock and announce warrant
- Challenged use of “military-style assault”



United States v. Meyers

106 F.3d 936 (10th Cir.)

- “Military-style assault”
 - FSDD deployed in living room
 - Dressed in all black uniforms
 - “Wielding” automatic machine guns



United States v. Meyers

106 F.3d 936 (10th Cir.)

- KBI received permission to conduct night-time execution after noting safety concerns because of Meyers' criminal history including a fire bombing conviction and their articulation of drug dealers possessing firearms



United States v. Meyers

106 F.3d 936 (10th Cir.)

“The use of flash bang device in a house where innocent and unsuspecting children sleep gives us great pause. . .we could not countenance the use of such a device as a routine matter.”

- Court (10th Cir.)





Commonwealth v. Garner

**672 N.E. 2d 510
(Mass. 1996)**



Commonwealth v. Garner

672 N.E. 2d 510

- Two armed suspects rob a store, female clerk is raped and personal items stolen
- No-knock warrant served to capture suspects



Commonwealth v. Garner

672 N.E. 2d 510

- FSDD deployed in a room with a small child
- Officer directed during planning to look into bedroom window, then deploy inside to create a diversion for entry



Commonwealth v. Garner

672 N.E. 2d 510

- Officer went to bedroom window and deployed without looking (4 year old child in bedroom)
- Defense attempted to get evidence suppressed on grounds the warrant was unreasonable



Commonwealth v. Garner

672 N.E. 2d 510

- Defense argued military-style assault and use of flashbangs were unnecessary given no hostages, and no evidence that the entry was compromised



Commonwealth v. Garner

672 N.E. 2d 510

- The presence of pregnant woman and 2 kids should have ruled out use of flashbang
- Trial court agreed with plaintiff and ruled FSDD excessive; evidence tossed out



Commonwealth v. Garner

672 N.E. 2d 510

- Mass Supreme Court rejected trial court's decision



Commonwealth v. Garner

672 N.E. 2d 510

- “Faced with the weaponry and dispositions of the suspect inside the apartment, we think it poses a frightening situation too fine to fault the officer for not looking, or if he had looked for not seeing the child....before he threw the device”.





Kirk v. Watkins

No. 98-3422 (10th Cir.)



Kirk v. Watkins

No. 98-3433 (10th Cir.)

- No knock search warrant, “blind” delivery of FSDD into bedroom
- Landed on bed, fire started and burned two suspects who were in bed



Kirk v. Watkins

No. 98-3433 (10th Cir.)

- Claim of failure to train
- Watkins claimed he had never received training regarding FSDD causing fire or visually inspecting prior to deployment



Kirk v. Watkins

No. 98-3433 (10th Cir.)

- Court referenced US v. Meyers in their analysis and similar circumstances
- Specifically, they cited Kirk's articulated background



Kirk v. Watkins

No. 98-3433 (10th Cir.)

- Police had reason to believe Kirk was armed, had made previous threats toward police, previous conviction for weapons offenses and reputation for violence



Kirk v. Watkins

No. 98-3433 (10th Cir.)

- Court found that there was not a “deliberate indifference” in his training
- Watkins training materials referenced Langford v. Gates, which doesn’t specifically address visual inspection





**Bing v.
City of Whitehall, OH
456 F.3d 555 (6th Cir.)**



Bing v. City of Whitehall

456 F.3d 555 (6th Cir.)

- Bing fired gun into the air and into the ground near his home, which prompted police to be called
- Bing retreated inside his home upon arrival of police



Bing v. City of Whitehall

456 F.3d 555 (6th Cir.)

- Officers determined there were similar calls for service involving Bing including firing weapons
- SWAT Team was requested and took over containment of the residence



Bing v. City of Whitehall

456 F.3d 555 (6th Cir.)

- SWAT Team attempted to communicate with him and subsequently inserted chemical agents in attempt to force him outside
- Deployed FSDD near bedroom window, Bing responded by firing a shot inside the residence



Bing v. City of Whitehall

456 F.3d 555 (6th Cir.)

- SWAT Team eventually made entry and Bing died from shots fired by SWAT
- A 2nd FSDD was deployed near flammable materials causing a rapidly spreading fire



Bing v. City of Whitehall

456 F.3d 555 (6th Cir.)

- Summary Judgment for all officers with regard to FSDD deployment
- Summary judgment denied on deadly force and sent back for trial





United States v. Jones

214 F.3d 838 (7th Cir.)



United States v. Jones

214 F.3d 838 (7th Cir.)

- Decided 2000
- Knock and announce
- No response, door ***unlocked and ajar***, still rammed the door
- FSDD deployed inside the entry door



United States v. Jones

214 F.3d 838 (7th Cir.)

- LE won the case, but the judges were not happy with LE
- **Majority Ruling:** Police, “seeing no one, tossed in a concussion grenade.”
- “. . . police can not automatically throw bombs into drug dealers’ houses even if the bomb goes by the euphemism “flash bang device”
- “If this were a damages action seeking compensation for injury to the occupants. . . the claim would be a serious one.”



United States v. Jones

214 F.3d 838 (7th Cir.)

- Ruling with the majority but attempting to clarify the facts, another judge writes:
- “I am forced to write separately because I am convinced...by law and facts of the case...it may have an impact on the ability of law enforcement...to protect themselves when planning a safe entry into a known drug dealers’ residence.”
- Dissent in part: – “A flash-bang is not a “bomb” as the majority improperly labels it. Rather, it is a non-lethal device that produces a flash and a gunshot-type noise that stuns and disorients for about six to eight seconds.”





Escobedo v. Bender

600 F.3d 770 (7th Cir.)



Escobedo v. Bender

600 F.3d 770 (7th Cir.)

- Escobedo had called 911 to make suicidal threats
- District Court granted summary judgment for officers on scene and NOT involved in using force



Escobedo v. Bender

600 F.3d 770 (7th Cir.)

- District Court denied summary judgment for other officers
- Appellate Court upheld lower court's decision to deny summary judgment



Escobedo v. Bender

600 F.3d 770 (7th Cir.)

- Found use of tear gas, flash-bang grenades and ultimately lethal force was excessive based upon threat level
- Court held that ERT Commander was making decisions without knowing all of the relevant and critical information regarding negotiations



Escobedo v. Bender

600 F.3d 770 (7th Cir.)

“ . . .we have repeatedly expressed our concern with the overuse of flash bang devices, especially where the circumstances do not warrant such extreme measures. This is because flash bang devices are essentially grenades and can be very dangerous and destructive.”

- Court (7^h Cir.)





Garcia v. Texas

**829 S.W. 2d 830
(Texas Court of Appeals 5th District)**



Garcia v. Texas

829 S.W. 2d 830

- Claimed confession and waiver of rights involuntary due to trauma from flashbang
- Legal standard was Miranda v. Arizona
- Ruling for LE, but....



Garcia v. Texas

829 S.W. 2d 830

“I do not believe that the confession passes the muster under the totality of the circumstances.”

“. . .this case constituted an inherently coercive environment. . .”

- Justice Kaplan (*dissenting*)





United States v. Ankeny

358 F. Supp. 2d 998 (9th Cir., 2007)



United States v. Ankeny

358 F. Supp. 2d 998

- Arrest warrant for Ankeny assaulting his wife with a firearm
- Convicted felon
- Forcible entry made, rubber projectiles used to shoot out windows throughout the residence



United States v. Ankeny

358 F. Supp. 2d 998

- Extensive damage to the exterior, interior and furniture without clear explanation for the necessity
- Operator orders Ankeny down to the ground at gunpoint, at the same time a FSDD deployed near Ankeny's face (blind deployment)



United States v. Ankeny

358 F. Supp. 2d 998

- FSDD deployed into an occupied 2nd floor bedroom, setting a mattress and box spring on fire (tossed out window)

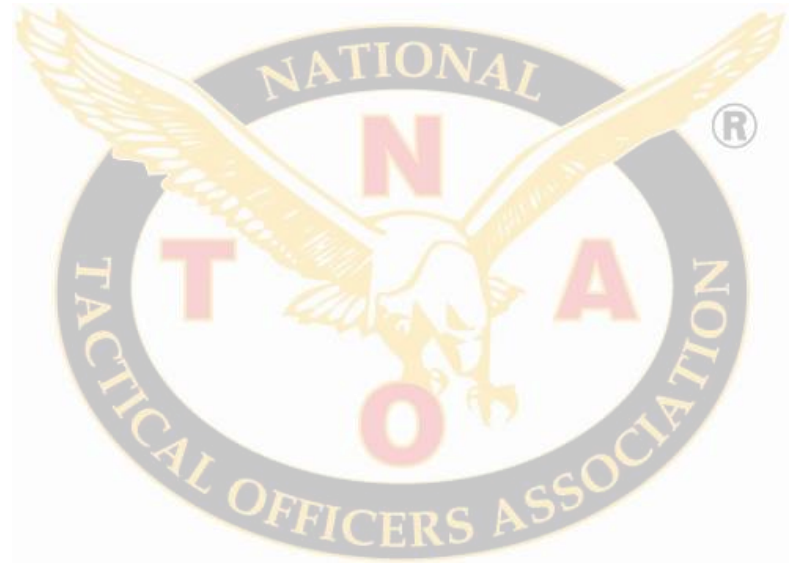


United States v. Ankeny

358 F. Supp. 2d 998

- After securing the residence, one of the officers sends 3 text messages:
 1. "SORRY TIM, WE WERE JUST JUMPING OFF . . IT WAS 936 NE . . . BIG FUN!"
 2. "IT WAS CRAZY . . . FUN HAD BY ALL . . . WELL EXCEPT FOR THE GUY WHO LAID ON THE FLASHBANG . . . 2ND DEGREE BURNS . . . MISS-ING HALF A MUSTACHE"
 3. "BIG TIME FUN!! LOTS OF BROKEN GLASS, BAD GUY JUMPED ON THE FLASHBANG, GOOD TIME HAD BY ALL."





Section Five

PROPERTY DAMAGE



Property Damage

- Some commanders refuse to do any damage, some have no regard for property
- Articulate good reason



Property Damage

- Does your team cause damage because it is necessary or because it can?



Property Damage

- We do damage to:

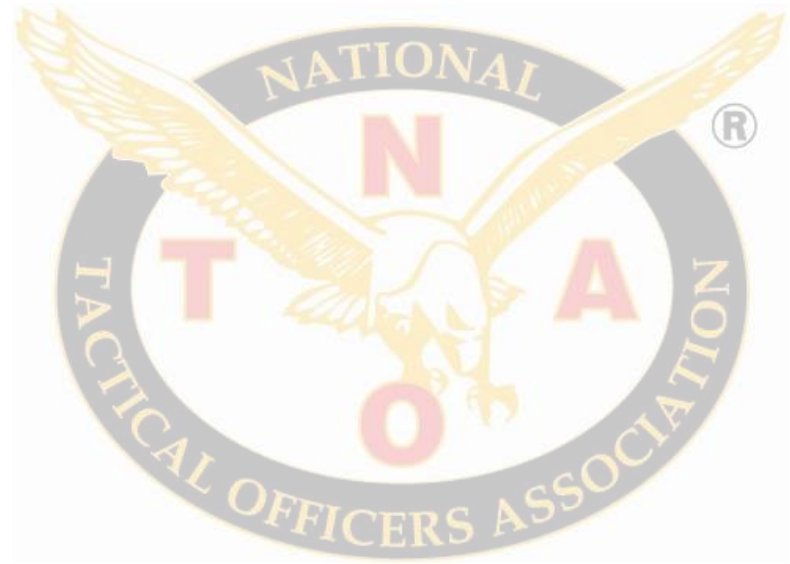
Get in

See in

Insert

Get out





Section Six

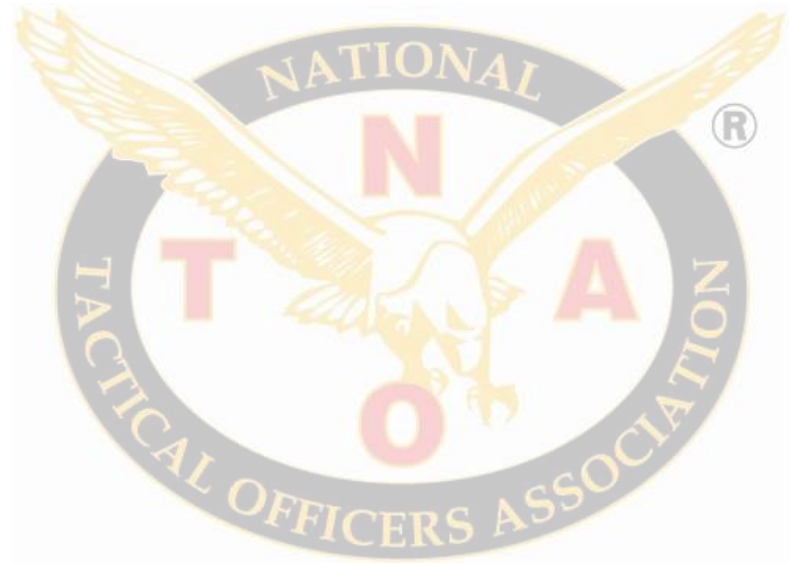
COMMANDERS ON ENTRIES



Letting Go

- Command and control issues
- Balcony view. Situational awareness
- Mission failure rests with the Commander. Everyone shares success





Section Seven

UNIFORMS



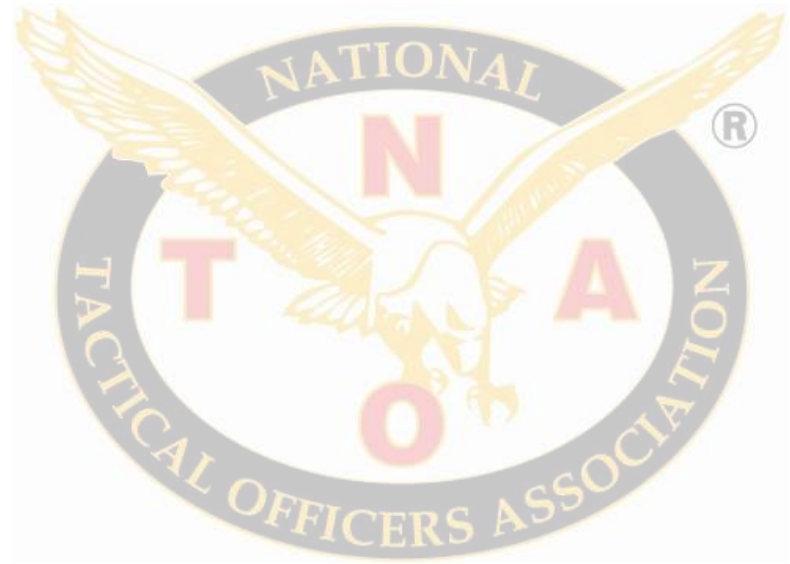
Uniforms

- Why do you wear what you wear?
- Balaclavas
- Markings



Uniforms





Section Eight

REGIONALIZATION



Regionalization

- Common trend throughout the country
- Can be benefit, but not for everyone
- Combines collective resources



Regionalization

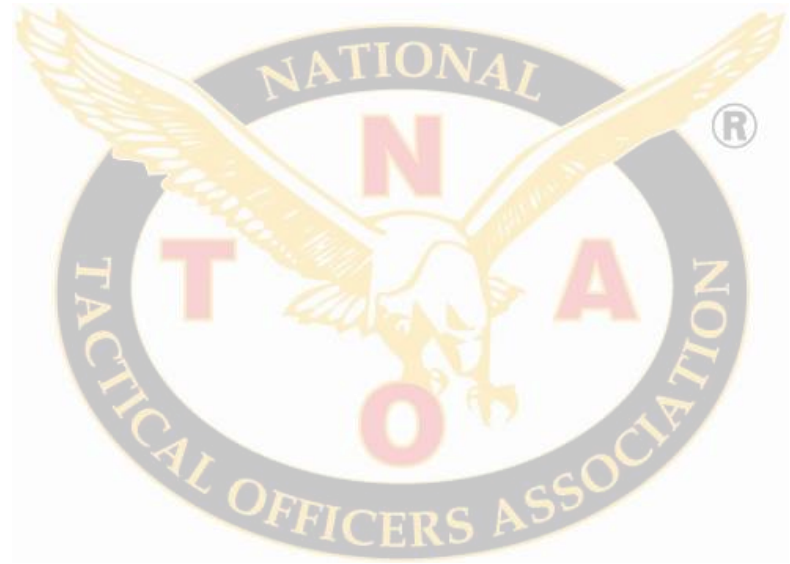
- Consistent training, increased manpower
- Can improve relations between agencies
 - TEMS helping relationships with LE and Fire? Rescue Task Force efforts?



Regionalization

- Federal government strongly encouraging
 - Enhances grant funding opportunities





Section Nine

PROFESSIONALISM



Public Trust

- Professionalism *IS* risk management
- Manage yourself and your team in a professional manner



Professionalism

- Team shirt or patch designs. Do you approve them?
- Markings on vehicles?



Professionalism



**“DON'T
MAKE US
COME BACK
TWICE”**

Professionalism



Our community
is ***NOT*** our
enemy.

Professionalism



Professionalism

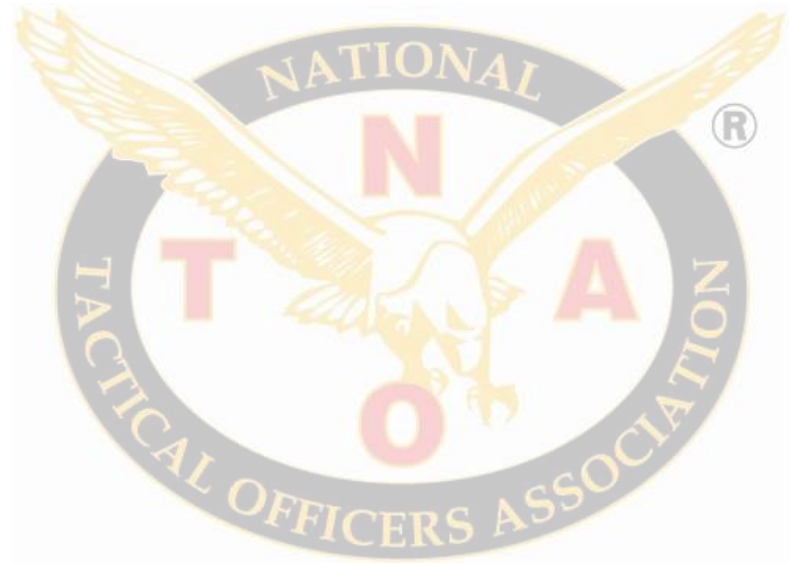


Professionalism



Professionalism





Section Ten

LE RESPONSE TO SUICIDAL SUBJECTS



LE Response to Suicidal Persons

- The purpose of this session is to share information and provoke discussion and thought. It is NOT legal advice.
- Perception is reality and politics dictate tactics.
- Must think rationally, not emotionally.
- Do your own homework.



LE Response to Suicidal Persons

Interactions with suicidal persons are among the most challenging problems facing law enforcement today.

- Non criminal
- Motivations of person unclear
- Competing priorities



Suicidal Subject

- Suicidal subject, threat to no one else, other than themselves. . .



U.S. Constitution

Law Enforcement actions guided by the U.S. Constitution.

- Fourth Amendment
- Fifth Amendment
- Fourteenth Amendment
- 1983 Action



Sample State Laws

Colorado Revised Statutes:

- 27-65-105 Emergency Procedure
- 18-1-703 Use of Physical Force – Special Relationships



U.S. Supreme Court

*LAW ENFORCEMENT HAS
NO LEGAL DUTY TO
INTERVENE IN PERSONAL
VIOLENCE*



Common Claims

1983 Action

- Unlawful Arrest and Detention
- Excessive Force
- Violation of Due Process





Asten v. City of Boulder

652 F. Supp. 2d 1188 (D. Colo. 2009)



Asten v. City of Boulder

652 F. Supp. 2d 1188 (D. Colo. 2009)

- Plaintiff sufficiently stated a claim of unlawful arrest and detention
- Arresting officers were not entitled to official immunity
- Plaintiff sufficiently stated a claim of excessive force



Asten v. City of Boulder

652 F. Supp. 2d 1188 (D. Colo. 2009)

- Plaintiff sufficiently stated a claim that officers were trained and expected to use excessive force as part of custom, culture and practice
- Dismissed Plaintiff's claim of Due Process violation and claim of municipal liability



LE Response to Suicidal Persons

What gives Law Enforcement the Authority to Act in Civil Situations?

- Community Care Taker Function
- Emergency Aid Doctrine (Exception)



Community Caretaker Function

- The decision of the police to make a welfare check must be reasonable in light of an objective basis for believing that an individual's safety and well-being may be in jeopardy; that concern extends, in certain circumstances, to the safety of the public as well.



Emergency Aid Doctrine

- Police must have a reasonable basis, approximating probable cause, that there is an immediate crisis **AND** that assistance will be helpful **AND**
- The primary purpose to enter is to render aid **AND**
- Must be some reasonable basis, approximating probable cause, to associate the emergency with the location to be entered/searched



LE Response to Suicidal Persons

- Public v. Private location
- Civil v. Criminal
- Federal vs. State
- CIT/Modified Response
- Disengage



“Welfare Check”



Sample Case Law

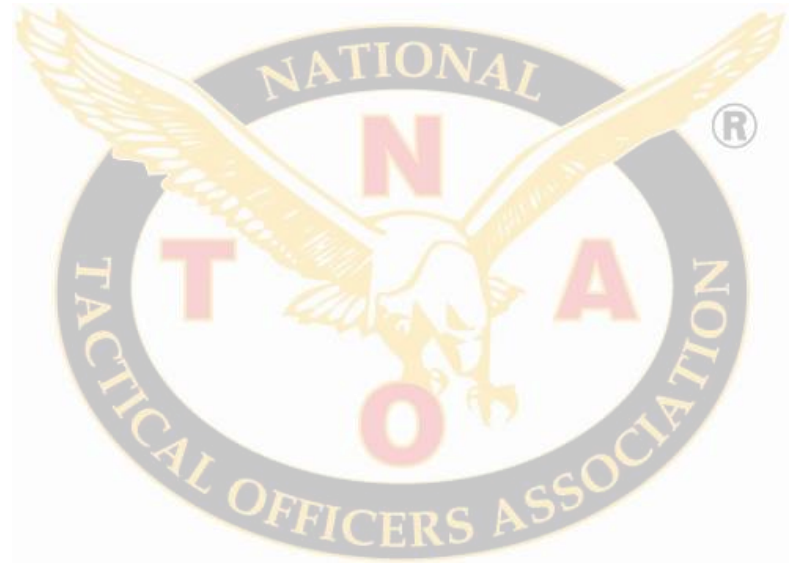
- **Hastings v. Barnes**
No. 04-5144 10th Circuit U.S. Court of Appeals
(2007)
- **Mercado v. City of Orlando**
407 F.3d 1152 11th Circuit U.S. Court of Appeals
(2005)
- **Leake v. Cain**
720 P.2d 152 Colorado Supreme Court (1986)



Sample Case Law

- **Whitcomb v. City and County of Denver**
731 P.2d 749 Colorado Court of Appeals,
3rd Division (1986)
- **Schnurr v. Board of County
Commissioners of Jefferson County**
189 F. Supp.2d 1105, D. Colorado (2001)





Section Eleven

EQUIPMENT



Federal Equipment

Executive Order 13688

Federal Support for Local Law Enforcement Equipment Acquisition

January 16, 2015



Executive Order

On January 16, 2015, the President issued Executive Order No. 13688, "Federal Support for Local Law Enforcement Equipment Acquisition"(Executive Order or EO).

The EO emphasizes the need to better coordinate Federal support for the acquisition of certain Federal equipment by State, local, and Tribal law enforcement agencies and ensure that LEAs have proper training regarding the appropriate use of that equipment, including training on the protection of civil rights and civil liberties.

Specifically, the EO identifies 11 issue areas for inquiry, which can be divided into five general categories



5 Categories

1. Equipment
2. Policies, training, protocols
3. Acquisition
4. Disposal
5. Oversight



Prohibited Equipment

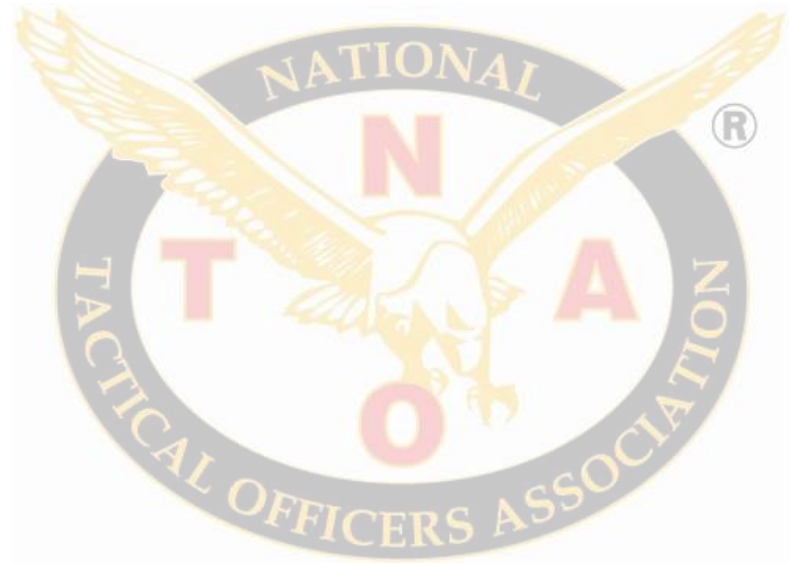
- Tracked armored vehicles
- Weaponized vessels
- Weapons and ammo .50 caliber or higher, grenade launchers
- Bayonets
- Camouflage uniforms – except desert, woodland, or solid colors



Source

- Law Enforcement Working Group Report
May 2015
- IACP and NTOA partnered and received grant to form group and develop policies





Section Twelve

DOCUMENTATION



Documentation

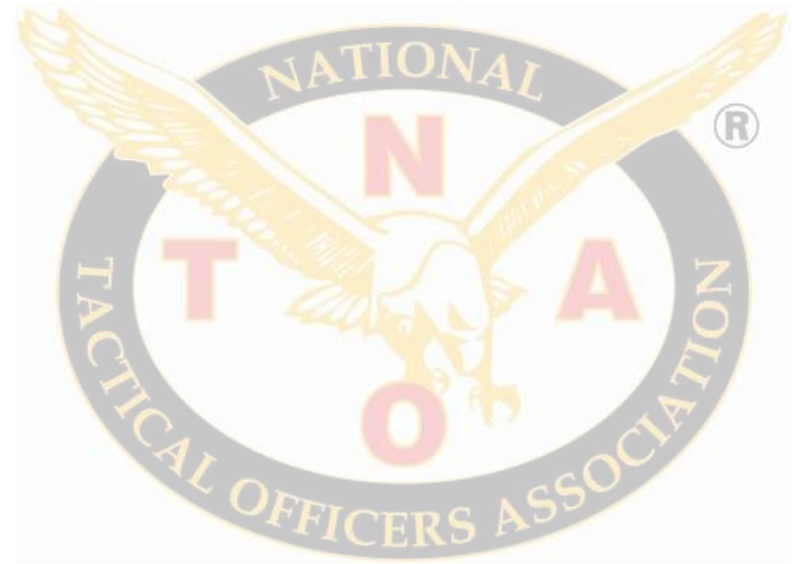
- There is rarely enough!
- What did you do? You won't remember 6 months later.
- Recording? Body cameras?
- After action reports! There's always improvement needed.



Documentation

- All personnel do supplements to case reports
- No report ~~≠~~ no win





Section Thirteen

NTOA ACADEMY



NTOA Academy

- Command College (2016)
- Instructor College
- Operator College
- Others



Command College

- An education process designed to professionalize tactical command staff and develop a process of credentializing same.



Goal

A professionally credentialed tactical commander capable of responding to critical incidents with an ability to organize, prioritize, make timely and appropriate decisions, and lead/guide/direct personnel to successful resolution of the incident.



Completion

- Self-paced, designed to be a 2-3 year process
- Experience requirements are built in and cadre reviewed
- Progressive module: Module 1 must be fully complete before Module 2 entered, etc.
- On-line, resident courses, writing requirements
- Module completion is approved by cadre review



Requirements

- NTOA member at time of application, must be maintained throughout program
- Sworn officer, SWAT assignment or experience preferred
- Supervisory assignment or education preferred
- Minimum 5 years service in LE
- Letter of Support from Agency head



3 Modules

Tactical Leadership

Total Hours = 186 Hrs.

122 Hrs. Online

32 Hrs. Class

32 Hrs. Capstone

Operational Leadership

Total Hours = 182 Hrs.

118 Hrs. Online

32 Hrs. Class

32 Hrs. Capstone

Strategic Leadership

Total Hours = 198 Hrs.

122 Hrs. Online

40 Hrs. Class

32 Hrs. Capstone

End State

- Command Certification
- Possible Credentialing



Questions?



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