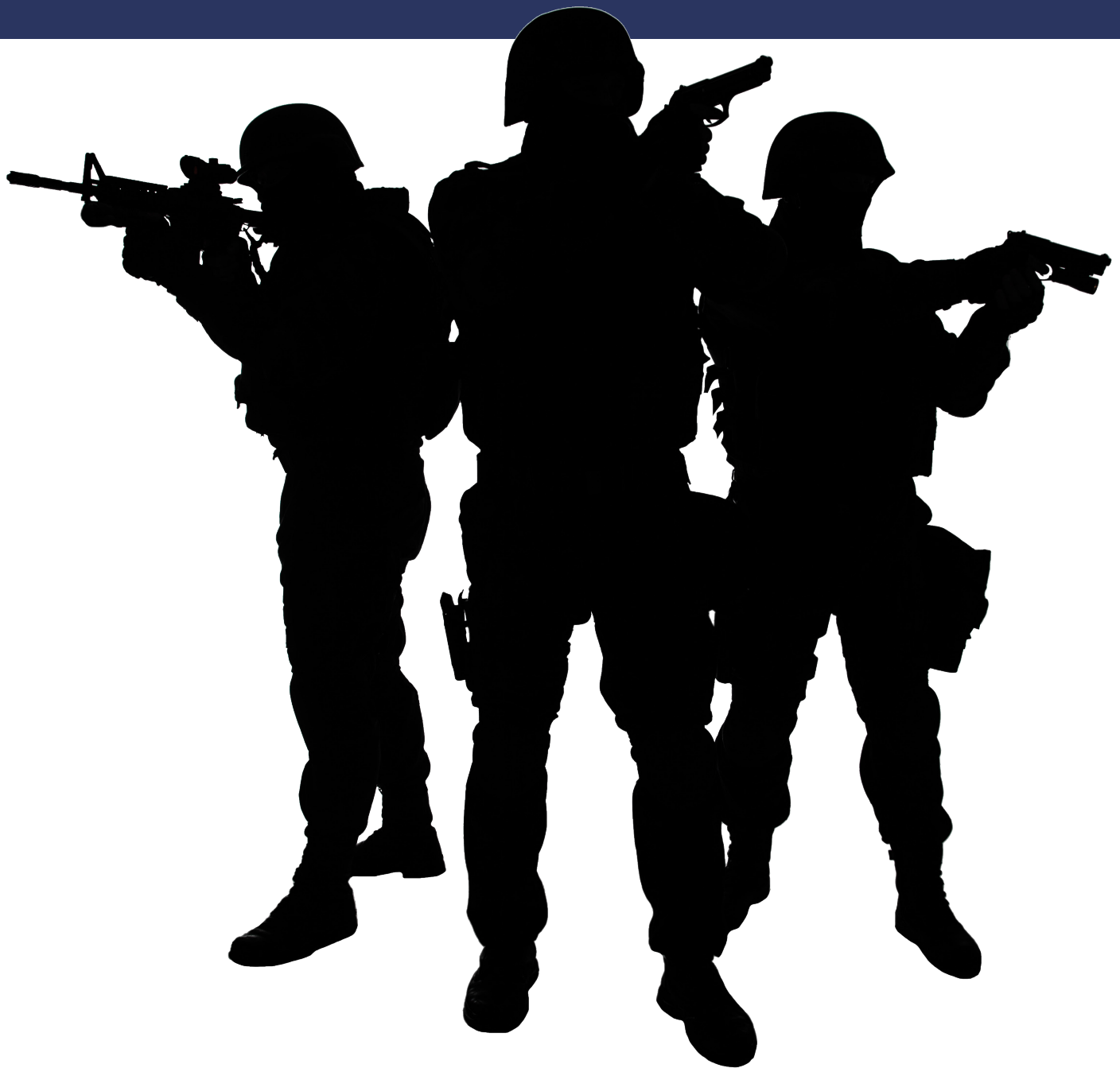


A Perspective on Special Weapons and Tactics (SWAT) Teams



by **Randy Petersen**
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A Perspective on Special Weapons and Tactics (SWAT) Teams

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Executive Summary

The role of the police in a free society is an important one. The protection of rights and preservation of the peace is essential to the freedom and quality of life that Americans enjoy. The service provided by our nation's law enforcement officers is a core function of government, one of the very few necessary functions needed to maintain ordered liberty. When a service as essential to our government as law enforcement is considered, it is important to deliberate on the "how" and the "why" in equal measure, to ensure law enforcement is given the leave needed to serve in a way that is compatible with a free people. Scrutiny and oversight are most certainly required over that aspect of governmental authority that focuses on the planned and concentrated use of force against a citizen. If the ability to project force is the most intrusive authority possessed by our government and is rightfully subjected to the closest examinations, then certainly the use of Special Weapons and Tactics (SWAT) teams, units of law enforcement designed specifically to project concentrated force, should be particularly scrutinized. This, however, is not always done, and the use of SWAT teams remains mostly unexamined.

SWAT teams are called by various titles in different locations and jurisdictions. Emergency Services Unit (ESU), Special Response Team (SRT), Special Emergency Response Team (SERT), Tactical Response Team (TRT), and Special Operations Group (SOG) are but a few of the more common titles given to such teams. The International Association of Chiefs of Police (IACP) defines a *tactical team* as follows:

A team of law enforcement and support professionals specifically trained to provide a planned tactical response to high-risk situations that require the application of specialized lifesaving tools, tactics, and capabilities, which exceed those immediately available to the agency's first responders ([IACP.1](#)).

This well-considered definition gives ample opportunity to discuss what SWAT teams are, why they are needed, when they are needed, and perhaps most critically, what requirements and expectations a community should have regarding the formation, membership, and use of such teams.

Best practices are available for SWAT team use and training, leaving no excuse for the lack of oversight and the establishment of standards we find currently. The following recommendations are intended to remedy this:

- Task the Texas Commission on Law Enforcement (TCOLE) with establishing a minimum SWAT member and SWAT team certification standard.
- Task TCOLE with developing minimum standards for the deployment of SWAT teams, including reporting standards for warrant service use.

Key Points

- SWAT is a necessity for the highest risk, mostly pre-planned incidents where patrol officers are not equipped to respond.
- The lack of state standards for training and capabilities should be addressed.
- If parameters can be established for police officers who perform policing functions that can vary drastically in different parts of the state, then basic definitions, requirements, and parameters can also be established for SWAT teams whose specialty is far more focused and narrow than the broader policing effort.
- Best practices have been established by the National Tactical Officers Association and should be used to guide the Texas Commission on Law Enforcement in establishing state-level minimum standards.

- Adopt the National Tactical Officers Association’s (NTOA) definitions for SWAT team levels and requirements for equipment, staffing, and training requirements.
- Include a block of instruction on militarism concerns in the basic SWAT course.
- Require a block of instruction on militarism concerns in the Texas Basic Police Officer Academy Course that includes material on de-escalation techniques, prioritization of life, proportional force options, and public perceptions of police activities.

The Development of SWAT Teams

Several incidents occurring in the late 1960s drew national attention for their serious nature and the inability of police officers to adequately deal with them as they occurred. The 1966 mass shooting at the University of Texas in Austin is cited as a primary example of both. A former Marine took a sniper position in the clock tower on the 28th floor, shot 47 people, and killed 17 of them before the police finally killed him. This event played out over 90 minutes; police officers at that time had no training in how to respond to such a scenario and no special equipment to do so ([IACP, 2](#)).

During this same period, Los Angeles and other urban areas throughout the country were experiencing rioting, sometimes accompanied by sniper fire against the responding police officers, and the rise of militant groups, such as the Symbionese Liberation Army who were heavily armed and trained in guerrilla warfare tactics. The Los Angeles Police Department is commonly credited with establishing the nation’s first full-time SWAT team. Starting with a part-time team consisting only of officers with former military service, LAPD eventually made the team a full-time and permanent part of their Metropolitan Division in 1971 ([IACP, 2](#)).

While SWAT teams may find their origin in the high-risk events of the late 1960s, the 1970s saw a shift in their mission and a resultant increase in both the development of teams and their actual use. Prompting this change was the Drug Abuse Prevention and Control Act (DAPCA) of 1970, which shifted how we dealt with drug abuse from treatment to enforcement, a reflection of society’s changing attitude that was captured in President Nixon’s declaration of the War on Drugs. DAPCA’s authorization for the use of “no-knock” search or arrest warrants became central to the use of SWAT teams in this setting ([IACP, 2](#)). Despite the original intent in the creation of SWAT teams, the service of search warrants related to drug offenses is now the primary

use of SWAT teams for most police agencies. The IACP cites a study showing that 75 percent of SWAT use was for drug-related warrant service in a survey of 690 police departments that served a population in excess of 50,000 people ([IACP, 7](#)).

IACP estimates that 90 percent of police departments serving a community of over 50,000 people and 70 percent of police departments in smaller jurisdictions have SWAT teams in service with approximately 99 percent of the teams being part-time units ([IACP, 3-4](#)). Part-time SWAT team members are primarily assigned to other duties such as patrol or investigations and do their training and assignments for SWAT on an as-needed basis in addition to their full-time duties. A full-time SWAT team is comprised of members strictly assigned to a team full time. The resources and commitment required for a full-time team make its existence rare among our nation’s police agencies. Only the largest police departments can afford one.

What Makes a SWAT Team Different From Patrol?

Training in special weapons and special tactics was originally the difference between regular patrol officers and

members of a SWAT team.

Regular patrol officers did not have special weapons and were not trained in the special tactics that these teams used. The high-risk and unusual situations that SWAT teams were developed for required something different

from the standard equipment, tactics, and training used by officers in their general day-to-day policing role. During the late 1960s and into the 1970s most police officers carried a standard revolver on their duty belt, and maybe a shotgun in the patrol vehicle (not coincidentally referred to as a “riot gun”). By contrast, today’s police officers typically carry a high-capacity semiautomatic pistol, and many have access to a patrol rifle in their police vehicle, generally a variant of the AR-15 platform with high-capacity magazines ([Petersen 2018, 7-10](#)).

A modern patrol officer carries or has access to many of the same weapons and some of the same equipment that were strictly reserved for SWAT teams a few decades ago and often has *better* equipment than initial SWAT teams had. There have been significant advancements in body armor, shields, breaching equipment, firearms, ammunition, and sighting options in the intervening years that have made their way into many of our patrol officers’ standard equipment. The question of whether today’s standard patrol officer has better equipment than a SWAT team from the

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1970s might actually be decided in favor of the modern patrol officer as far as *special* weapons and equipment are concerned. Despite this modernization of patrol weapons and equipment, there are still differences today that can be observed between a patrol officer and a SWAT team in terms of equipment. MRAP (Mine Resistance Ambush Protected) vehicles and other armored personnel carriers, sniper rifles, robots, special surveillance equipment, explosive breaching equipment, and deployable chemical munitions (e.g., tear gas) are some of the equipment that often differentiate SWAT from patrol. When such equipment is needed, however rare the occurrence, there is nothing else that will suffice.

Another difference today between regular patrol officers and a SWAT team is training. The type and frequency of training are different for SWAT members than for traditional police officers, resulting in the “special tactics” part of Special Weapons and Tactics. Responding to incidents involving the highest risk, the ones for which SWAT was originally developed, requires training beyond what a patrol officer receives. This includes training to operate as a team, precision marksmanship, surveillance, breaching (forcible entry into locked or barricaded areas), hostage rescue, and advanced first aid.

Perhaps the most important distinction between SWAT teams and patrol officers can be found in the definition of a tactical team as given by IACP and noted in the introduction:

A team of law enforcement and support professionals specifically trained to provide a *planned* tactical response to high-risk situations that require the application of specialized lifesaving tools, tactics, and capabilities, which exceed those immediately available to the agency’s first responders ([IACP, 1; italics added](#)).

The patrol officer, or first responder, is sent to incidents or encounters incidents with little or no notice and almost always with no specific planning. SWAT activity tends to be pre-planned in most cases because of the nature of the incidents teams respond to. Additionally, unless an agency has a full-time SWAT team on duty at all times, a SWAT team response takes too long to be of any use during an in-progress emergency and is best utilized for high-risk incidents that can be planned for, such as high-risk search or arrest warrants or hostage/barricade incidents that are drawn out over extended periods.

Why Is There a Difference Between SWAT and Patrol?

There is some difference between a SWAT team and the patrol officers working patrol assignments, but this should pose an obvious question: *Why?* Why is it acceptable that *any* of our police officers are not trained in the handling of high-risk assignments? Since policing is a core function of government, then shouldn’t each officer be fully capable of fulfilling that role? Shouldn’t the equipment needed to resolve even high-risk situations be available to any officer responding to the situation, particularly those most ideally placed to respond quickly?

These are fair questions. All police officers *should* be capable of handling all situations for which they are *expected to respond*; it is precisely what we pay them to do and expect of them as members of the community. But it is not practical or desirable for all police offices to *respond identically to all situations*.

One reason is that the philosophical theories of policing and academic studies run up against the ultimate uncontrollable variable: people. Each police officer is an individual who brings his or her own life experience, fitness level, education, background, beliefs, and values to the profession, similar to the variability incumbent in the suspect. At the macro level, police officers are easily seen as a homogenous group, an impression amplified by a distinct subculture. But at the micro level, they are individuals. Some are therefore more suited to some parts of policing than others; this is simply the nature of any group of people.

Another reason is simple economics. Training is expensive, and police departments have limited resources. Selecting a limited number of officers for advanced, consistent training in high-risk operations is simply less costly than training every member of the police department to a high level of competency. Taking this economic approach does not mean, though, that public safety is being put at risk. The added training and equipment that make a SWAT team is needed only in rare though unusually risky situations that most officers of the police department will rarely encounter.

Oversight of SWAT Teams

There tend to be few state-level mandates for how a team is formed, how members are selected and trained, and when a SWAT team is deployed. In Texas, the oversight of SWAT teams falls primarily on the local jurisdictions with little in

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the way of state mandates or standards that address them specifically.

This lack of oversight at the state or federal level is in keeping with the necessary differences in policing across various local agencies. Policing is a local issue, with local crime patterns, and local expectations from the community. Adopting statewide policies for policing can be problematic because of the diversity of policing even within a specific state, sometimes even within an individual county.

Though debate on the appropriate role of the federal government exists today, it is beyond dispute that the early history of the United States, beginning with the Articles of Confederation, was one of a weak central government with most of the power residing in the state and local authorities. Nowhere is this tradition of local control more prominently displayed than in our police and sheriff's departments ([IACP, 2](#)).

This statement from the IACP is certainly in keeping with the importance of adapting policing to local conditions. Additionally, there is a growing body of research that shows that public participation in policing policy is a strong component of positive relationships between the police and the communities they serve. In their paper on accountability in policing, Panomarenko and Friedman state, "There is a direct and demonstrable link between the absence of front-end accountability and the loss of trust in the police. Research consistently has shown that individuals are more likely to cooperate with the police if they perceive policing as legitimate—and that an essential component of legitimacy for all government institutions is voice" ([Panomarenko and Friedman, 13](#)).

Ideally, the public's voice would be participative in policy-making regarding SWAT team formation and utilization in their communities by their police agencies, but it would be unrealistic to presume that each agency will seek or even accept such participation even if they are open to the concept of participation generally. Deference by the public to the police regarding policing issues is often based on the understanding that the police are experts in this policy area. According to Panomarenko and Friedman, "In most areas of administrative government—from nuclear regulation to environmental policy—there are people outside of government, often in private industry, who have as much if not more expertise on the subject matter than the agencies

themselves. This often is not the case when it comes to policing" ([Panomarenko and Friedman, 20](#)). Nowhere in policing would this concept be more apparent than SWAT operations, where even most police officers defer to SWAT team members for their expertise. This should not excuse agencies from attempts to engage the public in discussions regarding their SWAT teams, and not doing so can put a strain on relationships.

Despite a diversity of policing styles across an individual state, SWAT team use is a different discussion and is perhaps more *easily* addressed at the state level than some of the other policing issues. Each state identifies what constitutes a police officer, mandates the training for the officer and certification standards, codifies a police officer's authority, and sets education standards for ongoing training. If these parameters can be established for police officers who will perform policing functions that can vary drastically in different parts of the state, then certainly some basic definitions, requirements, and parameters can also be established for SWAT teams, whose specialty is far more focused and narrow than the broader policing effort. The potential for poorly developed policies regarding the formation, training, and deployment of SWAT teams due to inadequate public participation, either because of deference to police expertise on the part of the public or internal resistance to local input, should be addressed by the adoption of minimum standards set by the state as a baseline for agencies to work from.

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Best Practices

NTOA has established guidelines for forming and training SWAT teams. In a comprehensive study on SWAT team standards that is updated frequently, the introduction includes the following:

It is the position of the NTOA that the decision to form a tactical law enforcement resource, specifically 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 response capability. Integral to this responsibility is the obligation to deploy and operate these resources in a manner that is consistent with Constitutional principles, with an emphasis on professional deployment under all circumstances ([NTOA, 8](#)).

Given that not all SWAT teams are the same, executing the NTOA's sound assessment can be challenging. Not all agencies use the standards for selection and training that the NTOA has carefully compiled, and there remains little to no requirement that they do so in most states, including Texas. Filed during the 86th Texas Legislature, HB 2015 included requirements for TCOLE to establish standards for the selection and training of SWAT teams as well as regulations on the use of a SWAT team for tactical operations ([HB 2015](#)). The bill was given a public hearing but never came to a vote.

Some agencies understandably have limited resources, and finding the right personnel and then equipping them and maintaining their training tempo is difficult. Compliance with a higher mandated standard may be impossible for such agencies. NTOA's report responded to this concern as well:

Where size and/or demographics limit the capabilities of an agency, this standard recommends that multi-jurisdictional resources be combined and coordinated in a manner which is consistent with reliable and safe operations ([NTOA, 8](#)).

Multi-jurisdictional teams, where officers from multiple agencies form a team to respond in emergencies within any of the participating jurisdictions, allow for smaller agencies to maximize their resources in this area. Often an agency can enjoy the benefits of a fully equipped and trained SWAT team for the cost of supplying a single officer. The cost-benefit to such an arrangement is enormous.

NTOA's document identifies three types or levels of SWAT teams, not including a perimeter or containment team that is not tasked with high-risk operations: Tier 1, Tier 2, and tactical response teams. Tier 1 teams have at least 26 SWAT team members, Tier 2 teams have at least 19, and tactical response teams have a minimum of 15 ([NTOA, 11](#)). The only differences between Tier 1 and Tier 2 teams, by definition, are the minimum number of personnel required and the responsibility for planned hostage rescue. Tier 2 teams would conduct a hostage rescue attempt only under emergency conditions. The mission capability requirements for these two team levels include planned hostage rescue (emergency-only for Tier 2), barricaded subject, sniper operations, high-risk warrant service, high-risk apprehension, high-risk security, and terrorism response. TRT

capabilities can include one or more of these capabilities outside of hostage rescue ([NTOA, 17-23](#)).

In addition to identifying team size and competencies, NTOA also establishes a comprehensive list of minimum equipment required by individual members and teams for the various levels—a very helpful component for calculating the initial and ongoing expense budget for a SWAT team. Most importantly, NTOA identifies minimum training standards for SWAT teams and team members. This includes an initial 40-hour basic SWAT course and subsequent field training program for new members—16 to 40 hours per month or 192 to 480 hours annually in ongoing training to maintain skills and capabilities. This is in addition to any specialty that an individual member may have, such as the sniper team or explosive entry and breaching team ([NTOA, 32](#)).

Recommendations Regarding the Adoption of State Standards

As impressive as the NTOA best practices document is, there is currently nothing requiring any police department to adopt any part of it in Texas. The proposed HB 2015 would not necessarily have made all of the best practices in the NTOA document mandatory, but it is not unreasonable to assume that TCOLE, given rulemaking authority to create the standards, would have used at least some of them in establishing a state SWAT standard under the bill's mandate, which in any form would be more than what is required currently.

Policing is a very local issue and is ideally done with the support and participation of the community within the jurisdiction. The determination to develop and deploy a SWAT team should be part of the engagement between the community and their police agencies, but some state-level regulations should be adopted in order to achieve consistency throughout the state, particularly where community engagement is limited or non-existent. To this point, the following recommendations are proposed:

- Task TCOLE with establishing a minimum SWAT member and SWAT team certification standard.
- Task TCOLE with developing minimum standards for the deployment of SWAT teams, including reporting standards for warrant service use.
- Adopt NTOA's definitions for SWAT team levels and requirements for equipment, staffing, and training requirements.

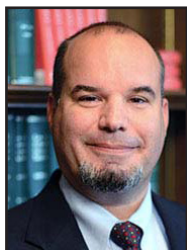
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