

## INTRADEPARTMENTAL CORRESPONDENCE

July 19, 2022

1.1

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** SPECIAL WEAPONS AND TACTICS TEN-YEAR REVIEW

### RECOMMENDED ACTION

That the Board of Police Commissioners REVIEW and FILE the Los Angeles Police Department Special Weapons and Tactics Ten-Year Review.

### Summary:

This correspondence has been prepared to report findings pursuant to a ten-year review of all force required or utilized by Metropolitan Division's Special Weapons and Tactics (SWAT) personnel in resolving spontaneous critical incidents, supporting other Department entities, or serving high-risk warrants. This review includes both Non-Categorical as well as Categorical Uses of Force associated with all SWAT deployments from January 1, 2012, through June 30, 2022. I directed said review following an article published in the Los Angeles Times regarding an inappropriate comment that was captured on a SWAT officer's Body-Worn Video (BWV), while he was preparing to respond to an armed barricaded suspect call in Central Area on May 3, 2022. The incident subsequently resulted in an Officer-Involved Shooting (OIS) when the suspect fired a round from a "ghost gun" after negotiation efforts failed to achieve a peaceful surrender and chemical agents were inserted into the small apartment once a search warrant had been secured, Force Investigation Division (FID) No. F014-22. The comment came to light upon FID review of all BWV associated with the OIS investigation.

**Note:** The officer responsible for the comment was not involved in the OIS, however, he was immediately removed from all SWAT duties and responsibilities pending a formal complaint investigation handled by Internal Affairs Division (IAD), CF No. 22-001434.

### Background:

To place this report and corresponding analysis in the proper context, it is important to acknowledge that thorough examinations focused on SWAT deployments, force used, selection process, and culture have preceded this review. An 18-month study on SWAT was published in 2008, which resulted in sweeping changes following a comprehensive top-to-bottom examination by an esteemed panel of experts appointed by the Mayor, Antonio Villaraigosa.

A Board of Inquiry (BOI) was convened to examine SWAT deployment, culture, and other risk management areas following a tragic event that occurred at 104<sup>th</sup> and Avalon on July 10, 2005.<sup>1</sup> The BOI also published a comprehensive list of 18 recommendations that focused on several areas, but specifically:

- Risk Management;
- Command-and-Control;
- SWAT Selection Process;
- Deployment Protocols; and,
- Internal Culture.

Chief of Police William J. Bratton decided to consolidate two recommendations into one, then fully adopting 14 after rejecting the remaining three, opining that they were unfeasible and/or impractical. The Department's SWAT team has since instituted all 14 recommendations, as well as adopted numerous ongoing changes listed later in this report to continuously evolve and exceed the high expectations from the Department due to its high profile, as well as use of provocative equipment when deployed in the community. As a point of historical reference, the BOI examined 3,371 SWAT deployments from 1972 through 2005. It found that 83 percent of these incidents resulted in the suspects being apprehended without incident. There were 134 fatalities with 80 of those or 60 percent being the direct result of suicide, while 31 or 23 percent were fatal encounters with SWAT personnel. Of the remainder 23 fatalities or 17 percent, 22 were fatally shot by patrol officers and succumbed to their wounds prior to making contact with SWAT. This review of historical records was unable to determine the cause of death in the single remaining incident beyond the documented fact it occurred prior to the arrival of SWAT.

Training Bulletin Volume XLVIII, Issue 9,<sup>2</sup> outlines the criteria for barricaded suspects as the following:

*A barricaded suspect prompting a SWAT response may include, but is not limited to the following criteria:*

1. *The suspect is probably armed; and,*
2. *Probable cause exists to believe that the suspect has been involved in a criminal act or is a threat to the lives and safety of the community and/or police; and,*
3. *Is in a position of advantage, affording cover and/or concealment; or is contained in an open area and the presence or approach of police officers could precipitate and adverse reaction by the suspect; and,*
4. *The suspect refuses to submit to a lawful arrest.*

---

<sup>1</sup> Addenda Item No. 1: Report to Chief William Bratton by the SWAT Board of Inquiry (2007)

<sup>2</sup> Addenda Item No. 2: Los Angeles Police Department Training Bulletin: Barricaded Suspects/Subjects (December 2019)

*A Crisis Negotiations Team response may be prompted by:*

- 1. Armed person threatening suicide; or,*
- 2. Suicidal person on an elevated platform or other unique venue that poses a significant safety risk to first responders.*

Selecting individuals with the proper mindset and attitude toward resolving critical incidents peacefully, whenever possible, is fundamental to ensuring that the percentage of fatal encounters with SWAT personnel remains low. Effective supervisory oversight and current tracking systems reinforce the team's ethos that deadly force should only be utilized when necessary and as a last resort. In fact, the selection process for SWAT personnel has continuously faced intense scrutiny to ensure that a fair and impartial process identifies those with the proper mindset, maturity level, and discipline with a deep appreciation for the reverence of human life. The BOI concluded that the selection process prior to 2008 "under-emphasized negotiating skills, patience, empathy, and flexibility, while over-emphasizing physical prowess and tactical acumen." Consequently, the selection process went through major revisions as recommended by the BOI and was opened Department-wide, versus only selecting personnel from within Metropolitan Division.

In July 2015, the Office of the Inspector General (OIG) embedded two of its investigators during the entire selection process for the 2016 SWAT School. This was done to properly evaluate the entire process ensuring that the previously-mentioned tenets had been met. The two OIG investigators observed and evaluated each phase including the initial orientation, completion of prerequisites, obstacle courses, package review, final selection and SWAT School training. The original report was published on December 6, 2016, BPC No. 16-0392.<sup>3</sup>

### **Methodology:**

This report evaluates SWAT incidents from January 1, 2012, through June 30, 2022. The SWAT deployments examined include spontaneous activations that met established criteria, high-risk search/arrest warrants which were either planned or spontaneous, Crisis Negotiations Team (CNT) responses, and modified packages. The type of force used, personnel involved, and circumstances of the incident were examined to identify patterns of concern or unusual frequencies (i.e. same officer with a high number of Non-Categorical Uses of Force involving the Taser when compared to his/her peer group during the period). The final disposition was also examined to identify those instances that failed to meet Department standards.

Prior to January 1, 2013, SWAT deployments were manually captured in a SWAT After Action Report that a SWAT supervisor completed post incident. Pertinent information was collected to include involved personnel, chemical agents used, negotiation efforts, disposition and other relevant details. An electronic SWAT After Action Report was initiated in 2013, which collects relevant data and enters the information into a database as the supervisor completes it. This

---

<sup>3</sup> Addenda Item No. 3: Board of Police Commission Report No. 16-0392 (December 6, 2016)

comprehensive reporting system was the culmination of several years collaborating with software developers from Information Technology Bureau, which maintains and updates it as needed as opposed to an in-house, standalone desktop system. The electronic database expanded numerous fields and was designed to run specific queries to include force used, duration, involved personnel, mental illness, final dispositions, and other vital details to identify patterns of concern or risk management areas needing immediate attention. It was recently modified, once again, due to reporting and usage mandates outlined in Assembly Bill 481, "*Military Equipment Funding, Acquisition and Use Policy.*"

The SWAT also maintains a manual log listing Non-Categorical and Categorical Uses of Force separately for administrative tracking purposes. The SWAT After Action Reports and manual Use of Force logs were reviewed for accuracy, then compared with records maintained by FID and Critical Incident Review Division (CIRD) to obtain a final number of each Categorical and Non-Categorical Uses of Force attributed to SWAT personnel in resolving a crisis. Automated queries on each officer with a single OIS during their SWAT assignment were completed to identify the type of force used, frequency, and/or identifiable patterns of concern. The numbers were then compared with force information on the officer's respective Training Evaluation and Management System (TEAMS) reports for accuracy. The above tracking systems provide a redundant, but effective monitoring system whereas areas or patterns of concern can be identified in a timely manner followed by preventative or corrective measures when warranted.

**Note:** Statistical data involving spontaneous activations and force used is completed and submitted annually for chain of command review, as well as bi-annual inspections.

The total number of SWAT activations was then captured and divided annually along with the total number of Uses of Force separated by each OIS incident, other Categorical Uses of Force, and Non-Categorical Uses of Force. An analysis was then completed on those officers involved in an OIS during a SWAT deployment followed by years in the unit, duration between each OIS, and number of Non-Categorical Use of Force incidents each year to determine if a tendency to use force existed when compared to the same peer group. Each officer involved in an OIS during SWAT deployments for the period examined has been identified by the initials of his/her first and last name. Each OIS incident is referenced by the corresponding FID number followed by a brief synopsis and disposition regardless of the number of officers involved. For example, if Officer A and B fired one round each, that would be reported as one incident that resulted in an OIS involving two SWAT officers.

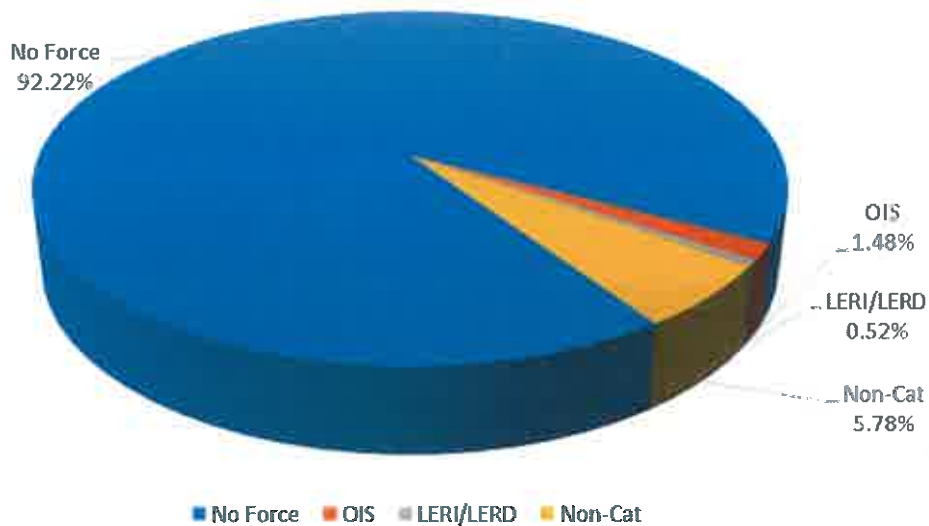
### **Findings:**

The total number of Use of Force incidents examined during January 1, 2012 through June 30, 2022 were extracted from the following categories:

SWAT Activations: 1,022  
High-Risk Search Warrants: 328  
Total SWAT Deployments: **1,350**

**Note:** The SWAT “activations” occur when an incident has met the criteria for a SWAT notification and call out. These incidents are usually fluid, dynamic, and volatile due to the spontaneous nature.

### All 1,350 SWAT Deployment and Force



\*Includes all SWAT Activations and high-risk warrants

Of the 1,350 total SWAT deployments, 1,245 or 92 percent of the deployments were resolved without any force by SWAT personnel.

The following statistics comprise the difference between the 1,350 and 1,245 deployments.

Categorical Use of Force - OIS: (20) or 1.48 percent.

Categorical Uses of Force Other: (7) or 0.52 percent.

Non-Categorical Uses of Force: (78) or 5.78 percent.

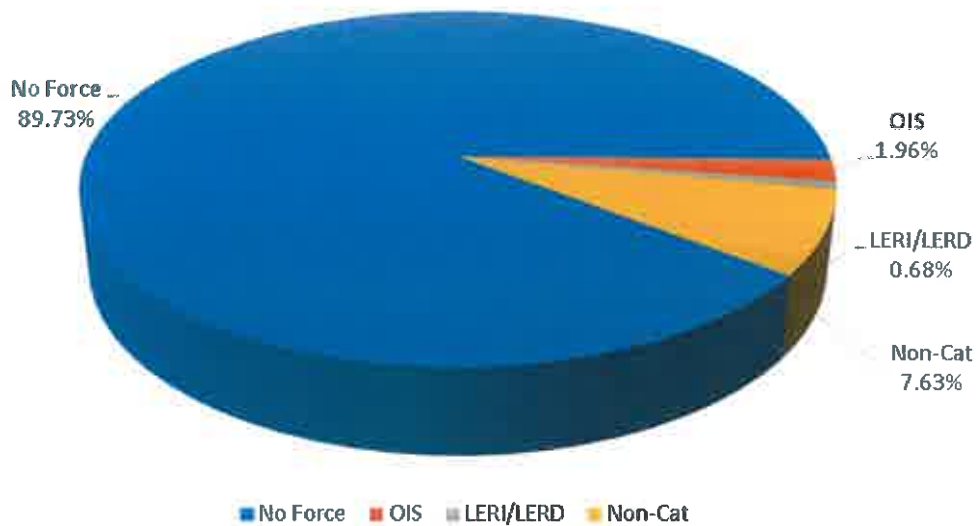
**Note:** In May of 2021, the reporting of K-9 contacts was changed where it would be captured as a reportable Use of Force when certain criteria have been met. Three such incidents have been included in the (78).

The number of SWAT OIS by year are as follows:

YEAR	SWAT OIS
2012	2
2013	2
2014	3
2015	2
2016	1
2017	4
2018	0
2019	1
2020	1
2021	3
2022 (YTD)	1
<b>Total</b>	<b>20</b>

The chart below depicts force used during deployments only.

### 1,022 SWAT Deployments



\* Figures do not include high-risk search warrants.

## 2012

### (87) SWAT Spontaneous Activations – (34) High-Risk Warrants

#### **Incidents that resulted in an Officer-Involved Shooting: Two**

**Note:** The following FID cases will include the officer's initials only due to confidentiality concerns.

#### **FID No. 030-12, Hostage Rescue, 1514 Penmar Avenue, Apartment B, Pacific Area**

Officer RA fired upon a mentally ill suspect holding his wife and children hostage with a replica pistol. Responding patrol officers had broadcast that they were fired upon and the airship reported the suspect was inside with additional occupants as SWAT personnel were enroute from another call in Wilshire Area. **Disposition: In Custody / In Policy.**

#### **FID No. 086-12, Hostage Rescue, 4771 Don Ricardo, Southwest Area**

Officers JG and JP fired upon a domestic violence suspect who forcibly entered the apartment of his estranged girlfriend before taking his two children captive at knifepoint in a second-story bedroom. **Disposition: Deceased / In Policy.**

**Non-Categorical Use of Force incidents: (9)**

## 2013

### (59) SWAT Activations – (19) High-Risk Warrants

#### **Incidents that resulted in an Officer-Involved Shooting: (2)**

#### **FID No. 038-13, 21507 Grace Avenue, City of Carson**

Officer BA fired upon a felony vehicle pursuit suspect who pointed a handgun at Newton Patrol Division officers after barricading himself within the residence. The suspect then pointed a handgun in the SWAT officer's direction who was positioned on a neighboring rooftop. **Disposition: In Custody / In Policy.**

#### **FID No. 067-13, 1723 James M. Woods, Apartment No. 310, Rampart Area**

Officers DK and JF fired upon a burglary suspect who armed herself with the victim's handgun and pointed it at the officers positioned in a hallway after shots had been fired within the small apartment. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force incidents: (9)**

## 2014

### (74) SWAT Activations – (47) High-Risk Warrants

#### **Incidents that resulted in an Officer-Involved Shootings: (3)**

##### **FID No. 003-14, 1059 W. 62<sup>nd</sup> Street, 77<sup>th</sup> Area**

Officer HN fired upon a robbery suspect who barricaded himself within the residence after he presented himself at the front door with his left arm extended as if holding a weapon.

**Disposition: Deceased / In Policy.**

##### **FID No. 053-14, 3700 S. Grand Avenue, Newton Area**

Officers CB, JG, JF, MR, TM, IM, RG, HN, NF and CC fired upon an armed suspect who fired at pursuing officers with an assault rifle during a vehicle pursuit and subsequent open-area SWAT supported K-9 search. Officer NF was seriously wounded during the exchange of gunfire resulting in his hospitalization. **Disposition: Deceased / In Policy.**

##### **FID No. 066-14, 3230 Huron Street, Northeast Area**

Officer FC fired at an armed vehicle pursuit suspect who previously fired shotgun rounds at pursuing officers. **Disposition: Deceased / In Policy.**

**Note:** Officer IR was authorized to fire at the suspect vehicle's rear tire in an attempt to disable it as conventional pursuit intervention tactics were ineffective.

#### **Categorical Uses of Force – Other: (4)**

##### **FID No. 002-14, LERI, 511 E. 5<sup>th</sup> Street, Apartment No. 411, Central Area**

A criminal-threats suspect jumped from his apartment window after chemical agents were introduced. He was previously struck with bean bag rounds before landing on a rooftop two stories below, which resulted in a broken wrist. **Disposition: In Custody / In Policy.**

##### **FID No. 028-14, Law Enforcement Related Death, 5<sup>th</sup> and San Pedro Streets, Central Area**

Officer SC Tased an unarmed, suicidal male positioned on elevated platform resulting in his death. **Disposition: Deceased / Out of Policy – Officer SC Administratively Downgraded and Removed.**

**Note:** FID No. 028-14 resulted in significant modifications to the deployment profile and development of the Crisis Negotiations Team-only response to prevent a recurrence and to further enhance de-escalation efforts on similar incidents.

##### **FID No. 067-14, In-Custody Death, 6532 Denver Avenue, Southwest Area**

The armed suspect died of a self-inflicted gunshot wound pursuant to a SWAT supported K-9 search and after pointing his firearm at patrol officers resulting in an OIS.

**Disposition: Deceased / No Findings Listed.**



**FID No. 073-14, Law Enforcement Related Injury, 922 South Ardmore, Olympic Area**  
Officer JF deployed two 37mm less-than lethal munitions on a barricaded female assault suspect armed with a knife. The mentally ill suspect was hospitalized upon discovering that she was several months pregnant. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force incidents: (6)**

## **2015**

### **(95) SWAT Activations – (57) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (2)**

**FID No. 002-15, 7759 Skyhill Drive, North Hollywood Area**  
Officer JP fired at an armed burglary suspect who fired upon officers during his attempts to elude capture and after barricading himself within a shed on a neighboring property. **Disposition: In Custody / In Policy.**

**FID No. 101-15, 3531 Stang Avenue, City of Rosemead**  
Gang and Narcotics Division officers located a suspect wanted for murder at his parent's residence. Officer RA fired after the suspect exited the residence and pointed a torch-style lighter at containment officers. **Disposition: Deceased / In Policy.**

**Non-Categorical Use of Force incidents: Eight**

## **2016**

### **(106) SWAT Activations – (36) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (1)**

**FID No. 021-16, 14708 Lakeside Street, Mission Area**  
Officer EA fired at the suspect armed with scissors as he was assaulting a fellow SWAT officer positioned on rear containment during an attempt to flee. **Disposition: Deceased / In Policy.**

**Categorical Uses of Force – Other: (3)**

**FID No. 039-16, In-Custody Death, 1456 Alison Avenue, Rampart Area**  
Bail bond agents had tracked the 496 PC (Receiving Stolen Property) suspect to the above residence in attempt to arrest him. The suspect climbed onto the roof armed with a knife and jumped to his death as SWAT crisis negotiators were communicating with him. **Disposition: Deceased / No Findings Listed.**

**FID No. 040-16, LERI, 335 E. 2<sup>nd</sup> Street, Central Area**

The suspect threatened a shop owner with a large samurai sword before barricading himself inside. The suspect was hospitalized for injuries sustained as a result of less-lethal munitions employed to overcome his resistance as chemical agents were ineffective. **Disposition: In Custody / In Policy.**

**FID No. 076-16, K-9 Contact, 301 N. Plymouth Boulevard, Wilshire Area**

The suspect was hospitalized after he was bitten during a SWAT- supported K-9 search. Although the suspect had serious prior injuries that were infected, the treating physician admitted him for the dog bite. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force incidents: (6)**

**2017**

**(101) SWAT Activations – (33) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (4)**

**FID No. 029-17, 11360 Alethea, Drive, Foothill Area**

Officers JG, JP, MR, RG, MM, DK, CB, JE, GM, and BL fired at a burglary suspect after he armed himself with the homeowner's pistol and fired upon officers.

**Disposition: Deceased / In Policy on JG, Police Commission Out of Policy on the remaining nine SWAT officers – Administrative Appeal / Not Guilty on all nine.**

**FID No. 046-17, 407 E. 49<sup>th</sup> Street, Newton Area**

Officers EE, JG, RG, JG, TM, DS, BS, and BA returned fire after an armed suspect fired upon search team members striking an officer in the helmet with a .44 magnum revolver. This violent incident began when the suspect unexpectedly fired upon uniformed officers during a probation search at a known gang location. The suspect was subsequently taken into custody.

**Disposition: In Custody / In Policy.**

**FID No. 050-17, Aviation Boulevard, City of Hawthorne**

Officers JD and DK fired at a wanted homicide suspect after he fired upon pursuing officers in his attempt to elude capture during a high-risk operation with Special Investigation Section, Robbery-Homicide Division, personnel. Officer DK was wounded during the exchange of gunfire requiring hospitalization. **Disposition: In Custody / In Policy.**

**FID No. 060-17, 1691 Alta Mura Road, West Los Angeles Area**

Officer JD and WW returned fired on a domestic violence suspect who opened fire after barricading himself within a large mansion. **Disposition: Deceased / In Policy.**

**Categorical Uses of Force – Other: (1)**

**FID No. 024-17, LERI, 3349 ½ N. Eastern Avenue, Hollenbeck Area**

The felony assault suspect was hospitalized for issues related to his kidneys according to the treating physician. The suspect was involved in a use of force with SWAT personnel where Tasers and bodyweight had been used to overcome his resistance. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force Incidents: (5)**

**2018**

**(83) SWAT Activations – (17) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shootings: None**

**Categorical Uses of Force – Other: (1)**

**FID No. 029-18, In-Custody Death, 2445 Harmony Place, La Crescenta**

Officers from Gang and Narcotics Division located the felony warrant suspect at 2445 Harmony Place. The suspect was located deceased from a self-inflicted laceration to the wrist inside the residence after chemical agents were introduced. **Disposition: Deceased / No Findings Listed.**

**Non-Categorical Use of Force Incidents: (6)**

**2019**

**(90) SWAT Activations – (25) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (1)**

**FID No. 043-19, 1331 W. 48<sup>th</sup> Street, Newton Area**

Officer IM fired at the armed mentally ill assault suspect who threatened to shoot the officers shortly after entry was made as chemical agents were ineffective in compelling his surrender. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force incidents: (10)**

**2020**

**(125) SWAT Activations – (22) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (1)**

**FID No. 026-20, 5121 Bakman Avenue, North Hollywood Area**

Officer DS returned fire after a military veteran suffering from mental illness attacked him with a crossbow used for hunting seriously wounding his hand with a broadhead arrow. Officer DS suffered permanent injury. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force incidents: (7)**

**2021**

**(129) SWAT Activations – (23) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (3)**

**FID No. 013-21, 1017 W. 21<sup>st</sup> Street, Southwest Area**

Officer SH fired at the armed suspect after he fired upon containment officers seriously wounding one officer in the face requiring hospitalization. **Disposition: Deceased / In Policy.**

**FID No. 025-21, 91 Freeway at Raymond Avenue, City of Fullerton**

Officer JB returned fire after the multiple-murder suspect opened fire on officers following a vehicle pursuit that began in Southwest Area. **Disposition: Deceased / In Policy.**

**FID No. 056-21, Hostage Rescue, 560 S. Main Street, Central Area**

Officers ER and LV fired at the armed attempt murder suspect during a hostage rescue incident. **Disposition: Deceased / In Policy.**

**Categorical Uses of Force – Other: (1)**

**FID No. 005-21, Ventura Boulevard and Woodlake Avenue, Topanga Area**

The felony domestic violence suspect barricaded himself in his vehicle after a short pursuit and armed himself with a knife. The suspect sustained an injury to his liver requiring hospitalization after Officer JD fired a 37mm plastic baton round at his abdomen as he exited holding the knife and ran toward containment officers. **Disposition: In Custody / In Policy.**

**Non-Categorical Use of Force incidents: (9)**

**2022**

**(73) SWAT Activations as of June 21, 2022 – (15) High-Risk Warrants**

**Incidents that resulted in an Officer-Involved Shooting: (1)**

**FID No. 014-22, 112 W. 5<sup>th</sup> Street, Central Area**

Officers HN and JD fired upon the assault suspect after he fired his pistol from a fifth-story window downtown. **Disposition: Deceased / Pending.**

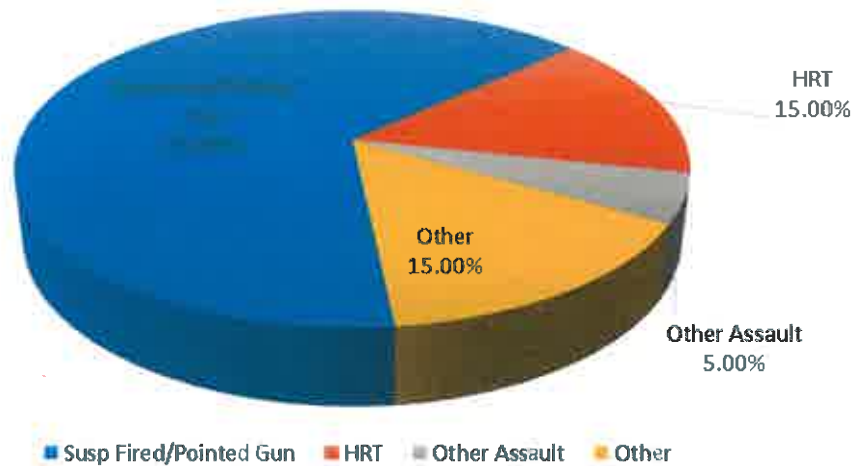
**Non-Categorical Use of Force Incidents: (3)**

### Use of Force Analysis

In reviewing the suspects' actions that resulted in the (20) OIS incidents with SWAT personnel, three deployments involved more than two officers who fired, but each was either an open-area search or the topography presented challenges frustrating apprehension efforts. The majority were in direct response to being fired upon or a weapon being pointed in the officer's direction; with five SWAT officers having been struck. Three of which required hospitalization.

Three OIS incidents involved Hostage Rescue Tactics (HRT), which is the most volatile and high-risk type of SWAT deployment. The definition for hostages, as well as the decision when to initiate has been recalibrated over the years. Focus and emphasis has shifted away from the mindset that every situation involving captives or occupants requires an immediate police intervention or explosive response such as HRT.

### Suspect's Actions Prior to SWAT OIS



\* Total of 20 SWAT OIS' from January 1, 2012, through June 30, 2022

The lowest year, with zero OIS incidents, occurred in 2018. This was preceded in 2017 by the highest number of four within a 12-month period. Those four OIS incidents in 2017, were all in direct response to the suspects firing upon SWAT officers and included two officers being struck by gunfire during separate calls. 2017 appears to be an anomaly with the only plausible explanation in each of the four incidents being the suspect's willingness to initiate gunfire against SWAT personnel before CNT efforts were initiated or fully exhausted. The level of gun violence over the last five years (2017-2022) appears to be reflective of the increases in violent crime seen throughout the City over the same period and is commensurate with the rise in spontaneous deployments that began in 2020.

A total of 32 officers have been identified as discharging their weapons while assigned to SWAT during this review period. Nine have since retired or separated from the team for various reasons. The highest number of OIS incidents per officer was three. Five officers met that threshold. One officer had multiple years between each OIS. Three additional officers were involved in two separate incidents during 2017. The remaining officer was involved in two separate OIS incidents in 2014 with one being in direct response to gunfire. His third OIS occurred in 2022. All but one has been assigned to SWAT during the entire review period and the remaining officer has nine and a half years on the team.

The below chart documents the five officers involved in three OIS incidents and the adjudications for the three areas evaluated in an OIS. No pattern of risk behaviors was identified.

CATEGORICAL USE OF FORCE – OFFICER INVOLVED SHOOTINGS					
OFFICER	DATE	TYPE	DRAWING	TACTICS	USE OF FORCE
HG	1/14/2014	OIS	In Policy	Tactical Debrief	No Action
	8/18/2014	OIS	In Policy	Tactical Debrief	No Action
	5/3/2022	OIS	In Policy	Tactical Debrief	No Action
JD	6/29/2017	OIS	In Policy	Tactical Debrief	No Action
	8/10/2017	OIS	In Policy	Tactical Debrief	No Action
	5/3/2022	OIS	Under investigation		
JG	12/12/2012	OIS	In Policy	Tactical Debrief	No Action
	5/8/2017	OIS	In Policy	Tactical Debrief	No Action
	6/15/2017	OIS	In Policy	Tactical Debrief	No Action
JP	12/12/2012	OIS	In Policy	Tactical Debrief	No Action
	1/15/2015	OIS	In Policy	Tactical Debrief	No Action
	5/8/2017	OIS	In Policy	Tactical Debrief	Admin Disapproval
DK	7/26/2013	OIS	In Policy	Tactical Debrief	No Action
	5/8/2017	OIS	In Policy	Tactical Debrief	Admin Disapproval
	6/29/2017	OIS	In Policy	Tactical Debrief	No Action

NOTE: The officers are identified by initials only due to the personnel record confidentiality.

A review of Non-Categorical Uses of Forces involving the 32 officers who fired their weapon revealed the highest number was nine. Two officers were involved in nine Non-Categorical Uses of Force during the review period, but they are not one of the five previously mentioned. The second highest number was eight with two officers meeting that threshold followed by seven also at two each. None of the six officers are identified as having more than two shootings.

**Note:** There were seven incidents where suspects fired at SWAT officers that did not result in the use of deadly force by SWAT officers involved.

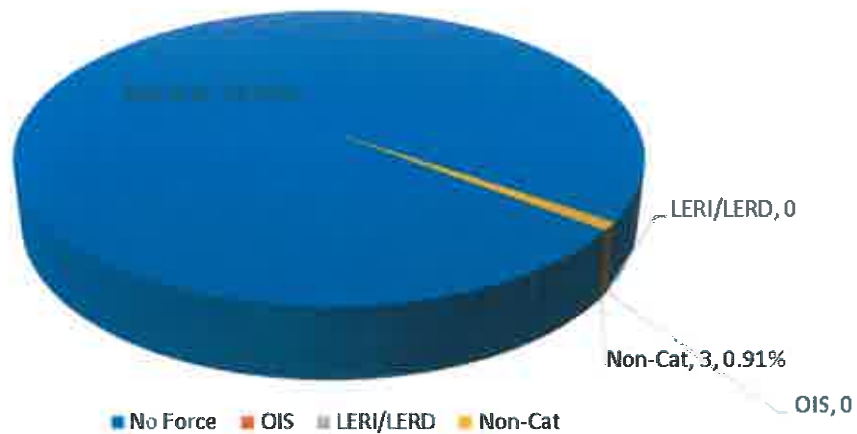
- SWAT No. C15-037, May 26, 2015
- SWAT No. C16-024, March 23, 2016
- SWAT No. C16-033, April 11, 2016
- SWAT No. C16-089, November 10, 2016
- SWAT No. C18-050, August 6, 2018
- SWAT No. C19-028, May 26, 2019
- SWAT No. C22-070, June 21, 2022

### **(328) High-Risk Search/Arrest Warrants Executed**

**High-Risk search/arrest warrants that resulted in an Officer-Involved Shooting: None**

**Non-Categorical Use of Force incidents: (3)**

### **328 High Risk Warrants and Force**



#### **Oversight and De-Escalation Efforts:**

A staff or command officer from Counter-Terrorism and Special Operations Bureau (CTSOB) shall respond to all SWAT deployment to provide an additional layer of managerial oversight. This is in addition to a staff or command level officer from the respective geographic bureau or entity requiring a SWAT response. The decision to depart from crisis negotiation efforts to employ a tactical resolution must be approved by the on-scene Incident Commander.



A critical component of SWAT is the CNT. The CNT is comprised of SWAT officers and a psychologist from Behavioral Science Services that responds to all spontaneous activations to provide consultation on crisis negotiation efforts and background or medical information to the Incident Commander when available. The CNT as well as all SWAT personnel consistently assess incidents as they evolve and consider the principles of Tactical De-Escalation Techniques<sup>4</sup> and Tactical Disengagement.<sup>5</sup> If negotiation efforts were abandoned prematurely, the on-scene psychologist would have an equal voice in continuing efforts to resolve the situation peacefully. This commitment and belief to resolving incidents peacefully whenever possible is instilled in each SWAT candidate during the first day of SWAT School, as well as the 40-hour Peace Officer Standards and Training approved CNT course that every candidate must complete. As stated in the SWAT team's mission statement, "A deep and abiding reverence for human life; resulting in a firm resolve that all possible tactical alternatives be exhausted before employing deadly force."

As part of this review, the Chief Police Psychologist, Dr. Edrick Dorian, Behavioral Science Services, was contacted regarding observations or feedback from his staff regarding a tendency to resolve critical incidents by force as opposed to negotiations. Dr. Dorian provided the following statement on the subject:

"As in-house LAPD Police Psychologists, we provide operational consultation to SWAT as integral members of the Crisis Negotiation Team on every callout involving a barricaded subject or hostage-taking. In my experience as a psychologist consultant on SWAT CNT negotiations for over 16 years, a divisional consultant to Metropolitan Division for over 5 years, and now as the Chief Police Psychologist since May 2021, I have never personally witnessed or heard from my staff of 14 police psychologists any indication of a culture or tendency by SWAT officers to use lethal force unless absolutely necessary. To the contrary, it has been my experience that SWAT officers and leadership take pride in being 'a life-saving, not a life-taking' operation, and that the special weapons and tactics at their disposal, including crisis negotiations, are to facilitate that mission."

In furtherance of cementing the team's commitment to reducing violent encounters, SWAT personnel and leadership have:

- Spearheaded the Department's Tactical Disengagement protocol for non-criminal, mentally ill/suicidal subjects or low-level offenses;
- Introduced this concept at the 2018 International Association of Chiefs of Police conference;
- Revised the Barricaded Suspects/Subjects bulletin differentiating between the two;
- Spearheaded the Department's pursuit interdiction policy;

---

<sup>4</sup> Use of Force-Tactics Directive No. 16, *Tactical De-Escalation Techniques*, dated October 2016.

<sup>5</sup> Training Bulletin Volume XLVIII, Issue 5, *Tactical Disengagement*, dated July 2019.



- Developed a one-day course on de-escalation, crisis communication, and disengagement as part of the Innovative Grants Program through the California Commission on POST;
- Embraced technology by expanding the inventory, familiarity, and use of sophisticated robotics, as well as unmanned aerial vehicles to avoid violent outcomes whenever possible;
- Fully implemented the Department's Body-Worn Video policy;
- Assisted the Los Angeles Fire Department in crafting a training bulletin for suicidal subjects on elevated platforms;
- Assisted the Office of Constitutional Policing and Policy in crafting a comprehensive search warrant policy following the tragic death of Brianna Taylor during a no-knock search warrant operation in Louisville, KY; and,
- Regularly provided supervisory instructors for the Department's in-service Sergeant and Watch Commander Schools.

Complete access to the SWAT After Action database has been provided to the Office of the Inspector General for this review. A spreadsheet listing all SWAT activations for the period and a corresponding matrix listing each officer involved in an OIS incident identified by his/her initials has been attached to this report for reference. All other documents containing information or referenced in this report including TEAMS reports, spreadsheets, and other material will be available for review upon request at CTSOB or Metropolitan Division.

Copies of the entire Use of Force or completed complaint investigations mentioned in this report were not obtained or duplicated as the originals are maintained at FID, CIRD or Professional Standards Bureau.

Should you require additional information, please feel free to have a member of your staff contact Lieutenant Louie Lozano, Counter-Terrorism and Special Operations Bureau, at (213) 486-8776.



MICHEL R. MOORE  
Chief of Police

**ADDENDA**

**SPECIAL WEAPONS AND TACTICS**

**TEN-YEAR ANALYSIS**

**ADDENDA**

**ITEM NO. 1**



Los Angeles  
Community Policing

a forum for the dissemination of information,  
sharing of ideas, and suggesting of ways the  
community can become engaged in making  
our streets safer, to improve the quality of life

[LACP.org](http://LACP.org)

[Home](#)

[Letters to Editor](#)

[Join email list](#)

[Join e-group](#)

[Help us](#)

[Who are we ?](#)

## LAPD Releases Board of Inquiry Summary of SWAT Team Analysis

### LAPD Releases Board of Inquiry Summary of SWAT Team Analysis

from LAPD

*EDITOR'S NOTE: Chief William Bratton has said he is prepared to follow many of the 12 recommendations that were produced in a Board of Inquiry Report on LAPD's elite and specially trained SWAT unit. Among other conclusions the BOI criticized SWAT as being "insular, self-justifying and resistant to change." You can read the entire Executive Report below.*

April 15, 2008

*Los Angeles:* Today, Chief William J. Bratton of the Los Angeles Police Department (LAPD) presented the Police Commission and general public with an Executive Summary (available below) of a Board of Inquiry analysis into the Department's Special Weapons and Tactics (SWAT) Team operations, a process that began in July 2005.

Board of Inquiry members consisted of a variety of distinguished individuals with legal and law enforcement backgrounds as follows:

#### **Richard M. Aborn**

Richard Aborn has over two decades of experience in litigation, public and government affairs, program analysis, issue advocacy and more. Aborn utilizes his experience as an attorney and years of experience in the public sector, with an emphasis on criminal justice and organizational integrity issues, to provide clients with a wide range of services.

He advises police departments and criminal justice agencies in the U.S. and Europe on a variety of issues ranging from police integrity issues and use of force policy to building more effective relationships between police department and criminal justice agencies. He was also commissioned by the Office of the Public Advocate.

#### **William A. Geller**

William A. Geller is the director of Geller & Associates, of New York City to conduct an investigation of the New York Police Department's (NYPD), response to civilian complaints about the department's incidents of alleged misconduct and internal disciplinary system.

#### **Merrick Bobb**

Merrick Bobb is the founding director of the Police Assessment Resource Center, a national resource center on policing and police reform, under the auspices of the Vera Institute of Justice and funded by the Ford Foundation. For over 10 years, Bobb has served as a legal staff member and then as a Deputy General Counsel of the Christopher Commission Investigation of the LAPD, General Counsel of the Kolts investigation of the Los Angeles County Sheriff's Department and other prominent counsel positions. He also conducted an investigation of the LAPD five years after the Rodney King Incident and the Christopher Commission Report, resulting in the publication of a report in May 1996. A graduate of Dartmouth College, he received his law degree from the University of California, Berkeley.

Working with police departments, police oversight boards and community organizations to promote humane, effective policing and police community partnerships for public safety. He has specialized in understanding and

controlling use of deadly force by and against police officers. This work over the past 32 years has included his position as associate director of the Police Executive Research Forum; project director of the American Bar Foundation; Special counsel for Public Safety and Internal Security to the Chicago Park District under Mayor Harold Washington and executive director of the Chicago Law Enforcement Study Group (a consortium of Chicago's civil rights and liberties organizations). His many books include *Deadly Force: What We Know*; *Managing Innovation in Policing*; *Police Leadership in America: Crisis & Opportunity*; *Police Violence: Understanding and Controlling Police Abuse of Force*. The latter volume was commissioned and funded by the U.S. Justice Department to help map reform strategy after the Rodney King Incident.

### **Phil Hansen**

Lieutenant Phil Hansen has served with the Los Angeles County Sheriff's Department for over 30 years and is currently assigned to the department's Special Enforcement Bureau as the Special Weapons Team (SWAT) commander. He has also had nearly 13 years experience as a SWAT team leader/sergeant. Hansen has conducted tactical incident reviews for the Sheriff's Department and tactical team capability assessments for outside agencies. As a subject matter expert in the area of law enforcement tactical operations, he has provided court testimony and served on several course development committees for the California Commission of Peace Officer Standards and Training.

### **Gregory M. Longworth**

Gregory M. Longworth is a founding and managing partner of the civil component of Worth, Longworth & Long, LLP. The firm has served as counsel to the New York City Patrolmen's Benevolent Association for the past nine years, representing NYPD officers in investigation and trial of departmental disciplinary cases, criminal and related matters, defense of civil rights lawsuits in federal and state courts and instruction on the use of physical and deadly force, proper preparation of reports and scope of employment issues. Longworth is a retired member of NYPD and served as a uniformed patrol officer, a sergeant in charge of patrol supervision, a special assignment lieutenant and a commander of the police commissioner's detective squad. He also served as special counsel to the police commissioner of New York City.

### **Bernard Melekian**

Bernard Melekian assumed the position of chief of police of the Pasadena Police Department on April 30, 1996. Before that, he served with the Santa Monica Police Department for 23 years. He was awarded the 1978 Medal of Valor and the Medal of Courage in 1980. Chief Melekian served as the president of the Los Angeles County Police Chiefs Association from Jan. 1, 2000 to Dec. 31, 2001. His experience also includes serving on the national Board of Directors for the Police Executive Research Forum and as a senior advisor for the Police Assessment Resource Center.

One of Chief Melekian's primary concerns revolves around issues affecting the mentally ill. In Sept. 2000, he testified before the House of Representatives Committee on the Judiciary in Washington, D.C. He is the recipient of the Anne B. Kennedy Award from the Pasadena Mental Health Association and has received the Excellence in Leadership Award from Leadership Pasadena. In January 2005, he received the Lewis Hine Award for Service to Youth from the National Child Labor Committee.

### **Sharon K. Papa**

Sharon Papa joined the LAPD in 1997 when the Metropolitan Transportation Authority (MTA) Police Department merged with the LAPD. She served with the MTA for almost 17 years, with assignments that included uniformed patrol, investigations, recruitment, training and internal affairs. From 1990 to 1997, Chief Papa was the MTA's chief of police. Her leadership, direction and vision contributed significantly to the successful merger of the MTA and the LAPD.

After joining the LAPD, Chief Papa was assigned as the assistant commanding officer of operations-Central Bureau. She served in this capacity until she became the official department spokesperson as the commanding officer of the community affairs group. Chief Papa was then selected to serve as the Department's Ombuds Officer. In November 2002, Chief Papa was promoted to the rank of Deputy Chief and was assigned as chief of staff in the Office of the Chief of Police. On Feb. 23, 2003, Chief Papa made city history when she was sworn in as the LAPD's first woman to be promoted to the rank of assistant chief. Chief Papa is an active member and past president of the Peace Officers Association of Los Angeles County, and is the past chair of the American Public Transit Association Police and Security Steering Committee.

**Linda Pierce**

Assistant Chief Linda Pierce commands the Seattle Police Department's Homeland Security Bureau, which oversees Operations and Planning, Arson/Bomb/GBRN, Harbor Patrol, Operational Support and Criminal Intelligence sections. Pierce began her career with the department in May 1981 and was promoted to detective sergeant in 1988. She developed the department's first community policing unit and was promoted to lieutenant in 1995. After obtaining the rank of captain in 1999, Pierce took the lead in writing the World Trade Organization's after-action report and commanded the Internal Investigations and Metropolitan Sections, overseeing several units that included SWAT, canine, mounted and gangs. As a member of the Washington State Bar Association since 1990, Pierce has been a certified mediator since 1996 and participated in the King County Interlocal Conflict Resolution Group as well as the Federal Executive Board of Dispute Resolution Consortium.

**Eugene P. Ramirez**

Eugene P. Ramirez is a founding member of the 100-plus law firm Manning & Marder, Kass, Ellrod Ramirez LLP. He graduated from Whittier College School of Law (J.D., 1987), where he was the notes and comments editor of the Law Review. Before joining the firm, he worked as a deputy district attorney for the Los Angeles County District Attorney's Office and as a reserve police officer for the Whittier and Monterey Park Police Departments.

Ramirez has defended SWAT teams in civil liability cases for over 15 years and is an instructor on liability issues for the Los Angeles County Sheriff's Department's Basic SWAT Schools. He teaches SWAT liability courses nationwide to both operator and command staff personnel. He is a former member of the California State Attorney General's Blue Ribbon SWAT Committee where he was Chairperson for the Risk Management Subcommittee.

He was profiled in the April 2003 issue of California Lawyer Magazine for his work in defending SWAT teams and was honored with a 2004 Lifetime Achievement Award from the Association of Los Angeles Deputy sheriffs.

*Here is the Board of Inquiry's Executive Summary:*

~~~~~

**LAPD Board of Inquiry**

**SWAT Report**

**Executive Summary**

~~~~~

On August 16, 2005, Mayor Antonio Villaraigosa announced the formation by Chief William Bratton of a Board of Inquiry (BOI) to study the LAPD's Special Weapons and Tactics team (SWAT) in the wake of the death of Suzie Peña, a 19-month-old child who died during a SWAT operation on July 10, 2005. While the Peña case occasioned the inquiry, the purpose of the BOI was not to reinvestigate that case but rather to take a comprehensive look at all aspects of SWAT operations.

The BOI conducted an 18 month study and delivered its confidential report to the Chief. This Board of Inquiry was unique in that most of its members were from outside the LAPD. Chief Bratton's decision to include both sworn and non-sworn outsiders represented a sea change from the LAPD's historically closed and isolated stance. The members of the Board were: Richard Aborn, Merrick Bobb, William Geller, LASD Lieutenant Phil Hansen, Gregory M. Longworth, Chief Bernard Melekian of the Pasadena Police Department, LAPD Assistant Chief Sharon K. Papa, Assistant Chief Linda Pierce of the Seattle Police Department, and Eugene Ramirez. The unanimously adopted report represented the extraordinary success of the BOI in reaching consensus harmoniously and with respect for individual viewpoints.

The BOI found SWAT personnel to be dedicated professionals who train arduously, take their responsibilities seriously, and, by and large, discharge them ably. The LAPD

pioneered SWAT operations, and within the tactical officers' community, LAPD SWAT is widely regarded as one of the best. Overall, SWAT has been a net positive contributor to public safety and security in Los Angeles. There are many SWAT successes to celebrate. There are many dedicated and courageous individuals working in SWAT now and in the past. SWAT's successes flow from a tradition of excellence.

While acknowledging SWAT's record of solid achievement, all BOI members, including SWAT's strongest proponents, favored change. The BOI's recommendations have been given serious consideration in the months since the report was presented to the Chief. The Chief adopted most of the recommendations in whole or in part and rejected only a few. This Memorandum will describe the recommendations and the Chief's decisions with respect to them.

By way of background, there were a total of 3371 SWAT activations from 1972-2005, the period examined by the BOI, and suspects were apprehended without untoward incident in 83% of them. A total of 3196 of the 3371 activations involved tactical incidents. Of these, 174 involved hostages. Although there were incidents in which hostages died at the hands of suspects, only one incident—Peña—resulted in a hostage fatality apparently caused by SWAT. Of 134 fatalities among the 3371 SWAT activations, 80 incidents, or 60% represent suicides. In 31 incidents, or 23%, suspects were killed by SWAT. In 22 incidents, or 16%, suspects were killed by patrol officers prior to SWAT's arrival.

Underlying the need for change in SWAT was the view of the BOI that SWAT had become insular, self-justifying, and resistant to change. While acknowledging that in most routine matters SWAT performs ably and often admirably, there were incidents and trends suggesting an over-reliance on tactical operations over negotiated solutions and rigidity about changing tactics and strategy as circumstances change. The BOI also found that SWAT was often uncritical of its own.

In records provided to the BOI concerning use of force by SWAT members, there were 696 reported uses of force between the mid-1980's and the present. Of these, 15 have not yet been adjudicated. In 679 reported uses of force between the mid-1980's and the present, barring two accidental discharges, the use of force in question was always held to be in policy.

According to the disciplinary matrix provided by the LAPD, only three members of SWAT have ever been disciplined for unauthorized force. Two officers received discipline in 1988; one received a four-day suspension, and the other got a written reprimand. A third officer received an official reprimand in 1995. No officer has been disciplined for unauthorized force in the last 11 years.

Many Board members were struck by these statistics and believed that it stretches credulity past the breaking point that no member of SWAT has ever engaged in an out-of-policy use of force, save for the two accidental discharges.

### **I. Pool of candidates for SWAT**

The Board concluded that the absence of women as team members in SWAT needed to be addressed and dealt with through reasonable, newly validated, nondiscriminatory, yet rigorous performance standards. The Board also concluded that a greater diversity of views, perspectives, talents, and life experiences would be a benefit to SWAT. How best to achieve that needed diversity focused principally on the values and drawbacks of using Metro as the selection pool. The BOI recommended Department-wide selection for SWAT.

**The Chief has concluded that the pool for selection of SWAT will be expanded to become department-wide. No longer will membership in Metro be the sole way for interested persons to join SWAT.**

### **Action taken**

On August 23, 2007, Metropolitan Division hosted a SWAT/Divisional Open House at the Elysian Park Academy. The event had as its goal to cultivate interest among the 23 women in attendance in pursuing a position within Metropolitan Division and SWAT. At the direction of Chief Bratton, Metropolitan Division is currently developing and designing a revised SWAT selection process that will ultimately allow for Department-wide selection. In the meantime, the next four to six openings in SWAT will be filled pursuant to an interim selection plan. A department-wide selection process may raise labor relations issues and collaborative efforts are underway with the Los Angeles Police Protective League which insists that there must be a Meet and Confer process before such a change can be made.

### **Timetable**

Metropolitan Division is responsible for implementing this recommendation. Metro initially estimated that an interim selection process waiving the one year requirement in Metropolitan would be in place by the end of 2007, and it was. The full implementation of a department wide application process will begin upon the completion of the labor relations procedures.

## **II. Selection Criteria for SWAT**

The BOI noted that SWAT's selection criteria have not been validated in the last 10 years. The BOI concluded that existing selection criteria under-emphasized negotiating skills, patience, empathy, and flexibility while over-emphasizing physical prowess and tactical acumen. The Board thought it important to consider whether selection of individuals for SWAT should be made in whole or in part by persons outside of Metro in order to avoid an appearance that selection for SWAT amounted to a search for the like-minded.

Accordingly, the BOI concluded LAPD should rethink its selection criteria and minimum standards. SWAT should continue to seek out the most qualified candidates in order to continue its tradition of excellence, but gender and other diversity need not and should not be sacrificed in any selection process.

**While the Board of Inquiry was meeting and considering its recommendation, the Department had already begun the revision of the selection criteria. The Department is presently using an interim process which includes some modification in the prior selection criteria. The Department believes this process is more extensive and better reflects the actual skills necessary.**

## **III. Rotation**

The BOI saw SWAT's insular culture as self-perpetuating. SWAT members seemed to believe they had career tenure, absent a major deterioration of skills. A majority of the BOI concurred with those members of SWAT's leadership who advocated that mandatory rotation on balance is beneficial. A few members of the Board were convinced that the benefits to SWAT of experienced personnel outweighed any countervailing arguments for limited tenure. Those members argue that retention in SWAT should be based upon proficiency, productivity, and the successful completion of periodic performance tests, believing that the sophistication of contemporary SWAT techniques demand unusually high levels of experience to assure high probabilities of success.

The BOI recommended mandatory rotation of police officers, team leaders, sergeants, and lieutenants after 10 years in SWAT. If the Chief of Police concurs, one five year extension could be tacked on that individual's tenure.

After that, the BOI concluded that the wealth of experience should be spread across



the Department as a whole, reasoning that the highest and best use of experienced SWAT officers in their post-SWAT years is training and upgrading patrol officers and their supervisors.

**The Chief has concluded their rotation within SWAT should be considered in the context of rotation for all specialized units and the Department as a whole. The LAPD and the Police Commission are considering the wider rotation issues.**

#### **IV. Dealing with the mentally ill and persons in an overly excited state**

The BOI found that SWAT, in common with nearly all law enforcement agencies in the United States, needs to change how it deals with persons who are mentally disturbed, under the influence of drugs or alcohol, in a heightened emotional state, or simply uncooperative, as contrasted to aggressive and combative. The BOI found that unless SWAT had reason to believe an individual is suicidal, more often than one might like, but by no means always, SWAT concluded that negotiations are or would be fruitless in instances where the optimal time for a negotiated resolution had not passed. To the BOI, SWAT appeared at times to accelerate a tactical intervention or to have exacerbated the volatility of persons in an overly excited state, rather than negotiating or waiting for them to calm down or come off the effects of alcohol or drugs.

The BOI concluded that SWAT officers need substantial training on dealing with individuals in heightened emotional states. The BOI recommended the development of active training scenarios where SWAT members confront and must deal with actors playing the role of persons with a variety of mental illness and substance abuse problems, recommending that SWAT personnel should undergo rigorous and frequent training in conflict resolution, negotiation, psychology, dealing with persons who are under stress or are otherwise volatile, violent, difficult to predict, or incapacitated. The platoon should have one or more psychologists permanently assigned and specifically trained in defusing tense situations by conflict resolution.

**The Chief has concluded that SWAT negotiators and the balance of the SWAT membership shall receive Critical Incident Training (CIT), a methodology already in use in the LAPD and in many other law enforcement agencies to train individuals in the knowledge and skills necessary to deal safely and effectively with persons who are mentally ill or in an overly excited state. The Chief has further concluded that the LAPD's SMART teams should continue to roll out to all situations involving barricaded suspects. SMART is a unit of the LAPD trained to assist others in dealing with individuals demonstrating signs of mental illness or impairment. The SMART team determines if their services should be employed. The Chief also concludes that LAPD psychologists should continue to be actively assisting in negotiated resolutions of such confrontations.**

#### **Actions to date**

As of early 2008, 40% of the SWAT personnel had received CIT training.

#### **Timetable**

Metro Division estimates that all SWAT personnel will receive CIT training by mid-2009. A timetable for implementing the balance of the Chief's conclusions will be presented on or before July 1, 2008.

#### **V. Negotiations**

The BOI presented statistical data tentatively suggesting that SWAT may proceed to a tactical resolution before the optimal time for negotiation has occurred. Inadequate data collection by SWAT precluded more definitive conclusions. Nonetheless, the data

suggest that where negotiation is the singular component in resolutions, negotiation times run from three-to-six hours. The data also tentatively suggest that the decision for tactical entry is occurring before the optimal negotiating time has passed. The data tend to show that in a significant number of cases, SWAT tactical response, canine search, contact with a suspect, and even the use of a chemical agent, may be occurring prior to negotiations. The data appear to demonstrate a substantially lower amount of force is used when negotiations take place, either in tandem with other methods of resolution or alone. Injuries, shots, and uses of force appear to be lowest when negotiators are given about three hours. This suggests further that when negotiators are used, the need for force and other tactical options is reduced. The data seem to suggest that more shots are fired the less time is allotted for negotiation. The BOI accordingly recommended that policy be developed that requires greater exhaustion of non-tactical solutions before force is used. Negotiators and SWAT members should be on separate teams, in the opinion of nearly all Board members. This model is commonly associated with the FBI, NYPD, other East Coast law-enforcement agencies, as well as Seattle on the West Coast. The BOI further recommended Compstat-like accountability should be instituted on a regular and recurring basis for SWAT, not only to account for SWAT effectiveness in crime control but also for achievement of negotiated resolutions and avoidance of unnecessary tactical solutions and strategic and tactical errors.

**The Chief has concluded that it is not necessary to create wholly separate teams given the potential of the current model if refined to achieve the desired result of greater exhaustion of non-tactical solutions before force is used. The data relied upon by the BOI on this issue was tentative and not definitive, principally because SWAT had not systematically collected data bearing upon the key questions. As described below, the Chief has ordered the rigorous collection and ongoing analysis of data regarding every SWAT operation. As this data is created, computerized, and analyzed, it will become clearer whether the desired results are being achieved. The Chief adopts the BOI Compstat recommendations.**

#### **Action to date**

SWAT has revised its reporting requirements and has begun to collect data bearing on these issues. SWAT has begun to create a database from the ground up in furtherance of these recommendations.

#### **Timetable**

It is anticipated that the Compstat recommendations will be implemented by the end of 2008. Further Department support is necessary in order to create a meaningful database for risk management analysis and reporting.

#### **VI. Criteria for SWAT negotiators.**

In the view of the BOI, any negotiator working for or with SWAT should possess:

- Demonstrated capacity to establish a working relationship with persons who are volatile, violent, or in a heightened emotional state, including individuals who are mentally ill, suicidal or seriously depressed, on drugs or alcohol, or are physically or mentally disabled or otherwise impaired in their ability to respond to police commands.
- Demonstrated abilities to negotiate and establish rapport with people, including a record of resolving arrests and other tense situations verbally and without use of force.
- Dedication to peaceful resolution of conflict regardless of time or discomfort and having as the overriding priority preservation of human life, be it of suspects, hostages, third parties, or law enforcement personnel.

A willingness to serve all of Metro and selected patrol assignments where necessary, not just serving SWAT.

**SWAT personnel receive negotiation training and those individuals who express a desire to become a negotiator and who fulfill the criteria stated above are selected to serve in that capacity. It should be noted that all SWAT personnel are dedicated to the peaceful resolution of all conflicts.**

## **VII. Data Deficiencies**

Following a report of a study conducted by Richard Aborn, the BOI concluded that SWAT's data deficiencies are deep. SWAT's inability to provide complete and reliable data for analysis demonstrates that SWAT is not capably managing risks. The BOI adopted all recommendations in the Aborn report and therefore recommended that the LAPD:

- introduce rigorous risk management, trend analysis, data analysis, and accountability measures in SWAT, including focused data collection and use of computers in connection with foregoing;
- institute Compstat-like accountability on a regular and recurring basis for SWAT, not only to account for SWAT effectiveness in crime control and operationally, but also for achievement of negotiated resolutions and avoidance of unnecessary tactical solutions and strategic and tactical errors;
- supplement current debriefings with regular critical analysis in writing for each significant SWAT incident,
- Revise After Action Reports to include a full discussion of response time, time to set up, debriefing by SWAT of first-responding officers, tactics and strategy, use of negotiators and possible use of personnel who were making progress before SWAT arrived, avoidance of unnecessary tactical resolutions, and command-and-control issues. After Action Reports and search and arrest warrant summaries should be expanded to include a full narrative description and a critical analysis of the foregoing topics.

### **The Chief adopts the BOI recommendations.**

#### **Action taken**

An After Action Report, which summarizes every SWAT call-up, is prepared and submitted within 48-hours to the Commanding Officer of Special Operations Bureau. This report has been augmented to include additional information (e.g., risk management considerations) in order to identify and capture the substantive points presented in this recommendation. A SWAT lieutenant now participates in the involved Area's debrief immediately after an incident. With the concurrence of the involved commanding officers, a SWAT lieutenant will attend the concerned Area's next patrol roll call(s) after an incident, in order to provide feedback and fully debrief the incident in greater detail. Moreover, debriefs are now summarized and included in the After Action Report, along with the other information outlined in this recommendation. Furthermore, Department personnel are currently working on the creation of a software program/database from the ground-up, which will capture detailed information and allow for identification of trends, risk management concerns, and provide a solid foundation for detailed analysis of SWAT responses. Metropolitan Division's Compstat profile is being refined to include additional data. The After Action Report submitted within 48-hours to the Commanding Officer of Special Operations Bureau has been modified to include additional information. The balance of the other recommendations has not yet been addressed.

## **Timetables**

Information and Communications Services Bureau (ICSB) has the primary responsibility of developing the software / database needed to fully implement this recommendation. Once the software has been created, ICSB will be tasked with providing the hardware/computer system. On October 11, 2007, a formal meeting was held between ICSB, Use of Force Review Division, and SWAT personnel to determine the feasibility of this concept and creating a model, which would capture all of the pertinent information. It is anticipated that this recommendation will be fully implemented by the second quarter of 2008. The balance of the recommendations that the Chief has ordered implemented will be addressed and fully implemented by the second quarter of 2008.

## **VIII. Coverage**

The BOI analyzed the days and times of the week in which SWAT was called out during the period 2002 - 2004. It found that more often than not, SWAT was off-duty when the call came in. In 2002, 52 of 83 callouts, or 62 percent, happened off-duty; in 2003, 76 of 128 callouts, or 53 percent, occurred off-duty; and in 2004, 26 of 48, or 54 percent were off-duty. SWAT was generally slower to arrive and set up during off-duty periods. The Board learned that a SWAT officer called out off-duty had to go pick up his partner before proceeding to the location of the call, thereby losing precious time. The Board therefore unanimously concluded that at minimum, all "on call" SWAT officers should have take-home cars. The Board further recommended on-duty coverage 24 hours a day, seven days a week, or as close to that as is feasible.

**The Chief has adopted the recommendation that on call SWAT officers should have taken-home cars. Current fiscal and budgetary realities preclude the expansion of SWAT personnel by approximately 60 officers necessary to accomplish 24/7 on-duty coverage.**

### **Action taken**

Regarding take-home cars, Motor Transport Division (MTD) provided the bulk of the additional vehicles needed and Metropolitan Division allocated the remaining vehicles required.

## **IX. Time Allocation**

The BOI found that SWAT officers had an overwhelming preference for training over other activities when not actively engaged in a SWAT operation. The Board agreed with SWAT that more attention should be paid to reducing activities such as ceremonial duties and answering phones. It disagreed with SWAT officers who think training others in the department is unnecessary. To the Board, it is one of the best uses that can be made of SWAT. A substantial number of instances where SWAT is called out are resolved by patrol before SWAT arrives.

It is important that patrol officers, supervisors, and incident commanders be trained in and be ready to act, if absolutely necessary, before SWAT is ready to go. SWAT should be involved in preparing patrol resources and incident commanders to address rapidly evolving high risk incidents in order to give them the highest chance for a successful outcome.

**The Chief concurs with these recommendations.**

### **Action taken.**

Chief Bratton believes that through leadership and the full implementation of the recommendations contained in the BOI report, the culture within SWAT can be

positively influenced. Metropolitan Division developed a contemporary crime suppression model for SWAT, which strikes a balance between crime suppression efforts and fulfilling SWAT's mission in an ever-changing environment. The new crime suppression model will include the following:

- Target-specific apprehension missions focused on individuals posing a significant risk of violence (e.g., high-risk fugitives, high-control parolees or probationers, violent gang members, or anyone wanted by an Area/specialized investigator who could potentially jeopardize officer or public safety);

## **X. Command and Control**

### **A. The transition of operational control from patrol to SWAT**

The Board found instances of uncoordinated and unsupervised transitions when SWAT arrives piecemeal and replaces patrol. The Board recommended that essential decisions be made at a higher level pursuant to an operational plan keyed to the specific incident. Contingencies should be identified and addressed at the planning stage so that officers are not forced to respond ad hoc to changed circumstance.

The BOI concluded that SWAT should reduce the circumstances under its control that cause officers to act without due supervision, including not having adequate resources and on-duty personnel to deploy quickly, not having the SWAT lieutenant and supervisors present at the scene from the inception, not having adequately worked out a strategy in advance, not changing strategy in light of changed circumstances, and placing too much discretion in the hands of a team leader.

Concededly, in the exceptional case, the dynamism, unpredictability, and fluidity of a situation may preclude the step by step approach under a supervisor's direction that is advocated above.

The BOI did not discount the benefits of empowering SWAT personnel to take action when windows of opportunity occur to resolve a situation. These opportunities may present themselves in different forms, which may or may not involve the employment of deadly force. Opportunities sometimes exist for brief periods, and officers must be empowered to act. This empowerment comes from those in command, and can be justified on the basis of training and a full understanding by all parties of the law, policy, and protocols associated with a given type of incident. Empowerment or delegation of authority should be distinguished from abdication of responsibility. Officers must be empowered to act and then be held accountable for their actions, right or wrong.

It was the Board's perception that too much power, authority, and discretion has been reposed in team leaders and operators and too little authority is exercised by lieutenants and sergeants. Board members found troubling the degree to which individual team leaders and team members were reported to hold supervisors in low regard or resist the notion that supervisors should actively participate in operations and in fact supervise them.

The Board recommended that greater emphasis needs to be placed on the role of command and control, transfer of responsibility, and the creation of specific yet flexible operational plans for each SWAT deployment. The overall role of sergeants and lieutenants in SWAT operations generally, and in entries specifically, needs to be enhanced. They should be actively in charge. Conversely, boundaries and limits on the discretion of team leaders need to be thoughtfully considered and articulated. The respective roles of the lieutenant, the captain, the incident commander, the chief overseeing Metro, and other executives and managers on the scene need to be thought through and defined with precision.

### **The Chief endorses the development of appropriate protocols governing the**

**subjects described above, however he does not believe it is necessary to reduce to writing protocols as the protocols for SWAT operations and the command and control of the operations are extensively covered in the initial and on going training.**

#### **Action taken**

The role of SWAT sergeants has been expanded to include being in charge of entry teams, which was formally the responsibility of the team leader (Police Officer 111+1), during tactical operations. Generally, during SWAT operations the proposed tactics and strategies are forwarded to the SWAT Commander (Metropolitan Division Commanding Officer) and Incident Commander for approval prior to taking action. Moreover, the Commanding Officer of Metropolitan Division directed that supervisory personnel be trained in the supervision of the various tactical operations that they would be involved in within Metropolitan Division (e.g., dive operations, entry teams, etc.). Chief Bratton approved modifications to the current system in order to reinforce command and control at SWAT call outs. Those modifications include the Commanding Officer of Metropolitan Division responding to all SWAT call outs and acting as a bridge between the Incident Commander and the tactical commander balancing the perspectives of each. This Crisis Negotiating Team (CNT) now responds to certain calls involving potential suicide in terms as a stand-alone unit. If no tactical considerations are apparent, the remainder of SWAT's tactical resource does not respond. In addition, the Commanding Officer of Metropolitan Division is acting as an intermediary between the Incident Commander and Tactical commander.

#### **B. The Incident Commander**

The BOI recommended that LAPD should create a specially trained cadre of individuals with a track record of seasoned judgment to act as Incident Commanders in all SWAT operations. BOI also recommended that the LAPD institute a certification process for those who will act as Incident Commanders. In addition to completing the certification course to be instituted by the LAPD, those Incident Commanders should, among other things, be familiar with, or willingness to become familiar with, SWAT strategy, tactics, and methodology, including, if advisable, cross training with SWAT. BOI further recommended that these Incident Commanders have demonstrated in their careers a dedication to peaceful resolution of conflict regardless of time or discomfort and having as the overriding priority preservation of human life, be it of suspects, hostages, third parties, or law enforcement personnel.

The BOI noted a substantial number of instances where SWAT is called out but the incident is resolved by patrol before SWAT arrives. The BOI underscored the importance of patrol incident commanders being trained and ready to act, if necessary, before SWAT is ready to go. Deployment of SWAT and replacement of patrol should be governed by good intelligence developed as—or preferably before—SWAT arrives.

**The Chief determined that the creation of a specially trained cadre to become the Incident Commander for all SWAT situations would not be necessary. The Incident Command shall remain with the local Area.**

#### **Action taken**

Command Development School now includes training for new commanding officers relative to command and control of SWAT incidents. In 2006 all commanding officers received training in Critical Incident Management which included SWAT operations. Lastly, both SWAT lieutenants will be attending monthly Bureau meetings with command officers to discuss best practices for first responders and recent incidents, in order to provide ongoing training.

#### **Timetable**

Metropolitan Division and Training Division are both responsible for ensuring that the mandated training is provided.

### **XI. Weapons**

The BOI was disinclined to make specific recommendations about which weapons SWAT should use. Their investigation did not turn up errors of judgment in weapons selection.

Some Board members concluded that certain weapons have been used in an unnecessarily risky way. More specifically, allowing automatic weapons to be set at fully automatic is neither necessary nor desirable. The strongest argument for that position was made by a LAPD SWAT manager, who noted that neither the British nor the Israelis allow the weapons to be on full automatic setting. The Board recommended disallowing fully automatic settings, at least on the M4, unless specific supervisory approval for the fully automatic setting is given for a particular incident.

#### **Action taken**

The Commanding Officer of Metropolitan Division issued a Divisional Order in approximately September 2006 on this very issue. Currently, full automatic settings on the M4 can only be utilized with the approval of a SWAT lieutenant or the Commanding Officer of Metropolitan Division, unless SWAT officers are spontaneously confronted with exigent circumstances.

### **XII. The Board recommended the assignment of a second lieutenant to SWAT and an additional captain to Metropolitan Division. The Board further recommended augmentation of SWAT's intelligence gathering capacity.**

**While the Board was meeting and finalizing its recommendations, the Chief authorized an additional Captain and the Metropolitan Commanding Officer added a second Lieutenant.**

#### **Action taken**

A second lieutenant has been added to SWAT and there is now an additional captain in Metropolitan Division. Two detectives have been temporarily assigned to Metropolitan Division. One of these detectives responds to all SWAT call outs and is tasked with gathering intelligence and providing it to the CNT and the SWAT Commander. The detectives also assist with interviewing victims/witnesses/suspects, warrant support/advice, conducting follow-ups in support of Area prosecution efforts, and providing legal updates and training to personnel. In order to fully implement this recommendation, the two detectives, currently on loan, need to be permanently assigned to Metropolitan Division. This responsibility rests with the Office of Operations.



**ADDENDA**

**ITEM NO. 2**





# TRAINING BULLETIN

Los Angeles Police Department

Michel R. Moore, Chief of Police

Volume XLVIII, Issue 9

December 2019

## BARRICADED SUSPECTS/SUBJECTS

Incidents involving a barricaded suspect/subject present significant safety concerns to first responders, the barricaded individual, and the community. To ensure the safety of all involved, these volatile situations often require police to utilize not only special equipment and tactical training, but specific expertise in crisis negotiation. The Department's Special Weapons and Tactics (SWAT) team along with its Crisis Negotiation Team (CNT) component is equipped and trained to resolve incidents that involve a barricaded suspect/subject.

The purpose of this Bulletin is to provide the incident commander (IC) and/or first responders with the information necessary to manage an incident that involves a barricaded suspect/subject.

### What is a Barricaded Suspect?

A barricaded suspect incident prompting a SWAT response may include, but is not limited to the following criteria:

1. The suspect is probably armed; **and**
2. Probable cause exists to believe that the suspect has been involved in a criminal act **or** is a threat to the lives and safety of the community and/or police; **and**
3. Is in a position of advantage, affording cover and/or concealment; **or** is contained in an open area and the presence or approach of police officers could precipitate an adverse reaction by the suspect; **and**
4. The suspect refuses to submit to a lawful arrest.

**Note:** Not all suspects who refuse to surrender are considered barricaded suspects necessitating a SWAT response.

### What is a Barricaded Subject?

In addition to established protocols for a SWAT response, any of the following criteria may also activate a CNT only response for a barricaded subject depending on the incident's nature and imminent possibility of carrying out a suicidal threat:

- Armed persons threatening to commit suicide; or
- Suicidal person on an elevated platform or other unique venue that poses a significant safety risk to first responders

It is extremely important to understand that not all suicidal subjects are considered barricaded or require a SWAT/CNT response or immediate police action. There is a distinction between an armed barricaded suspect wanted for a crime, and a barricaded subject who has not committed a crime, but has expressed the desire to commit suicide. It is not a criminal act to express the desire or even attempt to commit suicide, and suicidal subjects or persons suffering from a possible mental illness are afforded the same level of legal protection as everyone else.

### **Requesting SWAT**

Once the IC believes the incident meets the criteria for a barricaded suspect, the IC shall immediately contact Metropolitan Division's Watch Commander (WC) to request SWAT. The IC should be prepared to answer questions needed to determine if SWAT's response is warranted: who, what, why, when, where, and how.

Information about the suspect(s) should be gathered and communicated to the IC:

- Number of suspects
- Number of hostages
- Physical descriptors
- Clothing
- Ages
- Drug/Alcohol use
- Criminal history
- Mental state
- Floor plan of location
- Additional pertinent facts

### **Special Weapons and Tactics Team**

Handling barricaded suspects is one of the SWAT team's specific assignments. The SWAT team has a dual role at the scene of a barricaded suspect. They gather information to provide tactical recommendations and/or solutions to the IC who maintains overall responsibility of the incident. The SWAT team will also develop and recommend a tactical plan to capture the barricaded suspect at the IC's request. Once SWAT has been assigned its mission, all tactically deployed personnel or first responders near the crisis site shall be guided by the direction of SWAT supervisors.

### **Crisis Negotiations Team**

The SWAT team includes a Crisis Negotiations Team. The CNT component is comprised of SWAT officers and police psychologists from Behavioral Science Services (BSS) who are specially trained in crisis negotiations. Together, the team integrates tactical, verbal, and psychological knowledge and skills in order to negotiate the safe surrender of the barricaded suspect(s) and any victims who may be held against their will. In all instances, the CNT component will be deployed with any SWAT response.

### **Mental Evaluation Unit**

When feasible and upon scene stabilization, any IC or officer who is in charge of an attempted suicide and/or barricaded suspect scene shall notify the Mental Evaluation

Unit (MEU), Detective Support and Vice Division, for advice. The MEU can help determine if any identified subjects have had previous contact with Department personnel. The Systemwide Mental Assessment Response Team (SMART) may be dispatched and able to assist in debriefing family members, witnesses, or other persons concerning issues related to the mental health of the involved person. The MEU personnel should not be used for tactical operations or other duties beyond establishing rapport with the subject, family members, or other persons who may provide crucial information that would help in resolving the situation peacefully. The MEU personnel may be relieved with IC approval.

### **Tactical Disengagement**

Disengagement is the tactical decision to leave, delay contact, delay custody, or plan to make contact at a different time and under different circumstances. This tactic should be considered when an officer reasonably believes continued contact may result in unreasonable risk to the person in crisis, the public and/or Department members. Disengagement can be proposed by the primary unit, but requires consultation with the field supervisor at scene, the MEU Watch Commander (if the subject is experiencing a mental health crisis) and with Area watch commander approval.

The actions of first responders will be weighed against the information known and reasonably believed, governmental interest, subject's actions, and efforts to de-escalate the situation. Officers should continually assess the situation as circumstances change and new information is received. Tactical Disengagement is one of the tactics that may be considered when continued contact may result in an undue safety risk to the suspect/subject, the public, and/or officers.

### **Elevated Platforms**

When a person has expressed the desire to harm themselves, avoid underestimating the danger or threat posed by the person's location. A person on an elevated platform may still be capable of causing serious injury or death to themselves or others, including first responders. First-responder actions should be limited to evacuating the area, establishing communication, and de-escalating the situation as much as possible.

**Note:** Los Angeles Fire Department (LAFD) personnel will most likely respond to these types of scenarios; however, it is important to understand that it remains a police-driven incident, and a unified command should be established to declare roles and responsibilities with LAFD personnel as soon as practicable.

### **Role of The Initial Communicator**

Establishing communication with either the suspect/subject is essential. It is recommended that at least two officers be part of this crucial process. One officer establishes communication with the suspect/subject and the second officer relays information to the IC regarding progress of the incident. For optimum command and

control of the situation, supervisors should generally avoid becoming involved in the role of negotiator. Consideration should be given to de-escalating the scene without compromising safety. The following points are suggested for the initial communicator:

- Find out who, what, when, where, and why before making contact with the suspect/subject to determine their state of mind
- Do not jeopardize officer safety to approach or converse with the suspect/subject (i.e. give up cover, remove protective equipment, disarm or stand in a precarious position)
- Calm down before initiating communication. Attempt to stabilize and de-escalate the situation through dialogue
- Be prepared to remain as the primary communicator until relieved by the CNT

The initial conversation with the suspect/subject is extremely important. As an initial communicator, it is critical that verbiage is introduced that will temper and calm the situation. The following guidelines will assist the initial communicator in establishing productive dialogue:

- Introduce yourself by first name and as a representative of the Department; avoid use of rank or title
- If the suspect/subject does not give their name or refuses to respond, continue to communicate
- Allow the suspect/subject to vent
- Don't rush or interrogate— listen to the suspect/subject; remain calm
- Avoid a critical, uncaring tone or negative non-verbal communication (i.e. body language).
- Avoid rushing to problem-solve
- Build rapport and establish trust by using LEAPS – Listen, Empathize, Ask, Paraphrase, Summarize

### **General Negotiation Guidelines**

The use of negotiations is another resource to control and manage the crisis situation. It is a process of combining verbal and physical tactics to affect the safe release of hostages or surrender of suspects/subjects. However, there are general guidelines that should be followed during the negotiation process:

- Avoid face-to-face negotiations when possible
- Avoid third-party negotiators until properly vetted
- Do not offer transportation or hostage exchange
  
- Demands for weapons, drugs or alcohol cannot be met
- Generally, suspects and hostages should not be allowed to go mobile
- Communicate in English whenever possible
- Discourage the use of cell phones by on-scene personnel, family members or friends whenever feasible
- Do not have the suspect/subject surrender until officers at the scene are prepared to receive them

- Avoid making promises that may/may not be feasible

Face-to-face negotiations are sometimes unavoidable; such as a “jumper” situation or an open area. However, it is imperative that the communicator stay a safe distance from the suspect/subject during negotiations (Distance + Cover = Time).

Grabbing/grappling with a suspect/subject on an elevated platform puts the contact officer at great risk, as well as nearby officers who may react instinctively.

Third-party negotiators are essentially individuals other than law enforcement personnel, typically family members, clergy, or friends. However, they need to be properly vetted before introduction to ensure that they will contribute to a peaceful outcome. Until the CNT relieves the initial communicator, it is recommended that a third-party negotiator not be introduced into the negotiation process unless it is unavoidable.

## **CONCLUSION**

In incidents involving a barricaded suspect, the primary concerns are the preservation of human life, and the safety of the barricaded individual, first responders and the community. To ensure the safety of all involved, officers should consider tactics and techniques that may persuade the suspect to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation safely.

**This Bulletin cancels and supersedes Volume XLV, Issue 4, Barricaded Suspects, dated December 2016.**

Field Training Services Unit  
Police Training and Education

DISTRIBUTION “A”

**ADDENDA**

ITEM NO. 3

INTRADEPARTMENTAL CORRESPONDENCE

December 6, 2016  
1.0

**BPC #16-0392**

**TO:** The Honorable Board of Police Commissioners

**FROM:** Inspector General, Police Commission

**SUBJECT:** OFFICE OF THE INSPECTOR GENERAL INVESTIGATION OF THE  
LOS ANGELES POLICE DEPARTMENT SPECIAL WEAPONS AND  
TACTICS SELECTION PROCESS

**RECOMMENDED ACTION**

REVIEW and APPROVE the Office of the Inspector General Investigation (OIG) of the Los Angeles Police Department Special Weapons and Tactics (SWAT) Selection Process.

**DISCUSSION**

In July 2015, the OIG began an analysis of the selection and training process for assignment to SWAT. In an effort to fully evaluate this process, the OIG observed and evaluated all phases of the orientation and selection process for the 2016 SWAT School. The findings and recommendations are detailed in the Inspector General's Report.

I am available to provide any information the Board may require.

**E-Copy – Original Signature on File with the Police Commission**

ALEXANDER A. BUSTAMANTE  
Inspector General  
Police Commission

Attachment

**LOS ANGELES POLICE COMMISSION**

**INVESTIGATION OF THE  
LOS ANGELES POLICE DEPARTMENT  
SPECIAL WEAPONS AND TACTICS  
SELECTION PROCESS**



Conducted by the

**OFFICE OF THE INSPECTOR GENERAL**

**ALEXANDER A. BUSTAMANTE**

Inspector General

December 6, 2016



**OFFICE OF THE INSPECTOR GENERAL  
INVESTIGATION OF THE LOS ANGELES POLICE DEPARTMENT  
SPECIAL WEAPONS AND TACTICS SELECTION PROCESS**

**I. BACKGROUND**

The Los Angeles Police Department's Metropolitan Division, also known as Metro, is an elite division that is responsible for a variety of specialized assignments. Metro is divided into nine platoons, which are primarily responsible for crime suppression, focusing on the reduction of violent crimes throughout the City. Other assignments include high-risk barricaded situations, stakeouts, dignitary (VIP) security, and warrant service. Additionally, Metro provides training to Department personnel for mobile field force tactics and assists criminal investigators in solving major crimes.

Metropolitan's Special Weapons and Tactics platoon, or SWAT, provides the Department with 24-hour coverage necessary for immediate response to barricaded suspects and high-risk incidents. SWAT operations generally require rapid deployment, the element of surprise, leading-edge tactics and planning. SWAT also employs extensive use of crisis negotiation techniques in an attempt to resolve barricaded, hostage, and potential suicide-related situations.

In July 2015, the Office of the Inspector General (OIG) began an inspection of the selection and training process for assignment to SWAT. In an effort to fully evaluate this process, the OIG observed and evaluated all phases of the orientation and selection process for the 2016 SWAT School.

During this review, the OIG did not identify any major issues or concerns with the selection and training process for new SWAT members. However, the OIG noted areas within the selection process that could be improved, which are identified as recommendations within this report.

**II. SPECIAL WEAPONS AND TACTICS SELECTION INVESTIGATION**

The SWAT selection process began with an orientation class where all interested candidates were briefed on the course and the Department's expectations. The candidates were advised of the rigors of a 14-week curriculum designed to identify the few officers able to meet the exacting standards of SWAT. Before the course began, these candidates were provided an opportunity to improve their marksmanship skills in an optional shooting clinic.

The OIG examined each training module in an effort to assess the efficacy of the training and determine the fairness of the evaluation process. The OIG therefore attended the orientations, the shooting clinic, and all phases of the 14-week selection process. The OIG also reviewed all documents and evaluations related to the selection process and had discussions with the SWAT training cadre as well as the unit's leadership during the entire process.

**a. Orientation**

In July and August 2015, the Department posted information regarding an opportunity to apply for SWAT in the near future with the formal selection process scheduled to begin in the Fall of 2015. On August 12, 2015, the Department scheduled two orientations for interested candidates.

## Investigation of Special Weapons and Tactics Selection Process

Page 2

1.0

The candidates were shown a comprehensive PowerPoint presentation detailing institutional and historical perspectives of SWAT, the application and selection process, the physical fitness requirements, including outlining the Physical Fitness Qualification (PFQ) and the Obstacle Course (OB). Candidates were counseled to prepare for the oral interview phase of the selection process and were informed that work history, disciplinary background, and driving record would be evaluated and factored into the formal selection process.

The Department emphasized that candidates should be prepared for the rigors of the firearm's phase of the selection process. Because the first step of the selection process was to demonstrate marksmanship proficiency on the Department's 40 round Bonus Qualification Course, candidates were strongly encouraged to attend upcoming shooting clinics facilitated by the SWAT firearms cadre.

Candidates were made aware of the two phases of SWAT School. Phase I was attending the 14-week SWAT School. If candidates successfully completed Phase I, they would be assigned to SWAT for a six-month evaluation period, referred to as Phase II.<sup>1,2</sup>

### **b. SWAT Shooting Clinic**

Every candidate was offered an opportunity to attend a four-hour shooting clinic hosted by the SWAT firearms cadre.<sup>3</sup> There were two such clinics scheduled on September 22, 2015, and September 24, 2015.

These shooting clinics focused on the elements of marksmanship, weapon manipulation, trigger control, and sight alignment/sight picture. Each candidate used their regular duty weapon and were given equal time with an instructor, regardless of their shooting ability. At the conclusion of the training, the candidates were afforded the opportunity to familiarize themselves with and shoot the SWAT pistol qualification courses free of time limits and turning targets.

### **c. Selection Process**

On October 2, 2015, the Department posted an official announcement that positions were now available within SWAT and that the official selection process was now open for qualified candidates.<sup>4</sup> Sixty-six candidates met the minimum requirements and were scheduled for the Department's Bonus Qualification Course with their primary duty weapon.

---

<sup>1</sup> It is important to note that an officer could graduate from the SWAT School but not be selected for placement in SWAT if there were no vacancies. In this case, officers would be assigned to another Metropolitan platoon.

<sup>2</sup> This is effectively a probationary period, a term that Employee Relations Group prohibits Metropolitan Division from using in place of Phase II.

<sup>3</sup> Eighty-seven interested candidates participated in the pre-selection shooting clinic.

<sup>4</sup> The announcement states: All applicants must have a minimum of four years of service with the LAPD prior to being assigned to Metro (three of which must be in a patrol or an assignment which qualifies for uniform incentive

#### **d. Shooting Qualification**

On September 19, 2015, the first step of the selection began at the Davis Training Center for the Department's 40-round Bonus Qualification Course, which was supervised and scored by Firearms and Tactics Section, Training Division. Of the 66 candidates, 4 (6 %) withdrew prior to the bonus qualification. Of the remaining 62 candidates, 5 (8 %) failed to shoot the minimum score of 300; 39 (63 %) scored between 300 and 359; 4 (6.5 %) scored between 360 and 364; and finally, 14 (22.5 %) scored over 365. Training Division's minimum bonus score that allows sworn personnel to attend the 1911 pistol transition school is 365.<sup>5</sup>

The OIG discovered that the Department has conflicting minimum standards to transition into the 1911 pistol platform. The Office of the Chief of Police (OCOP) Notice, September 17, 2010-EXPANSION OF 1911 PISTOL PROGRAM, requires an "Expert Rating" (380 or better) on the Bonus Qualification Course to be eligible for the transition. However, the Training Order from In-Service Training, Training Division, dated January 11, 2016, which cites the OCOP NOTICE, states an employee must achieve a bonus qualification score of 365 to qualify for the 1911 pistol. The Department was not able to reconcile the difference between Training Division's order and the OCOP Notice. In fact, Training Division currently posts the OCOP's 2010 Notice on its website. Furthermore, the SWAT selection phase for the bonus qualification only required a minimum score of 300, despite the fact that the first week of SWAT School is a 1911 transition school.

#### **e. PFQ/Pistol Manipulations/OB Course**

Following the shooting qualification, officers were then tested on pistol manipulations, the PFQ and the OB Course. Of the remaining 49 officers, 2 failed the PFQ, 3 failed the pistol manipulations test, and 1 failed the OB Course.<sup>6</sup>

---

pay such as; GED, VCTF, SEU, PCU, etc.). All Police Officers III or Police Officers II who meet the requirements listed on the advertisement are encouraged to apply. However, a Police Officer II applicant must be on the Department's Police Officer III Eligibility List at the time of application. All applicants must achieve passing scores in the Shooting Bonus Qualification session as scheduled by Metro SWAT, SWAT PFQ, SWAT Obstacle Course, and Weapon Manipulation in order to be scheduled for an interview.

<sup>5</sup> The 1911 is a single action semi-automatic pistol, which must be cocked in order to fire. The LAPD carries the pistol in Condition 1-"cocked and locked." The first week of SWAT School is the 1911 pistol transition school. By the end of the week, candidates must qualify on two courses of fire with a minimum 90 percent accuracy on the 1911 pistol platform.

<sup>6</sup> After the Bonus Qualification, there were 5 failures to qualify and 8 withdrawals, leaving 49 candidates in the process.

#### **f. Oral Interview and Personnel Package Review**

After successfully completing the PFQ, obstacle course, and the pistol manipulations test, 43 officers moved on to the oral interview process. Personnel Division approved questions and briefed each of the interviewers on the rules governing these oral interviews. A Los Angeles Police Department SWAT Supervisor and SWAT Supervisors from Burbank Police Department, Glendale Police Department, and the Los Angeles County Sheriff Department's Special Enforcement Bureau made up the interviewing board. At the conclusion of the interviews, 31 of the 43 candidates were rated outstanding and proceeded to the background phase of the selection process.<sup>7,8</sup>

#### **g. SWAT School and Final Selection**

On December 30, 2015, OIG personnel attended a meeting with Department personnel to oversee the final discussions for the candidates who would be selected for the 2016 SWAT School.<sup>9</sup> The factors discussed for each candidate included "team diversity," "language skills," "shooting ability," "work ethic," "leadership," "ability to process and follow directions," and any disciplinary classification that would disqualify a candidate.

On January 25, 2016, 20 candidates started the 14-week SWAT School. The OIG made weekly visits to the training and reviewed the weekly evaluation sheets, EMPLOYEE COMMENT SHEET (LAPD Form 01.77.00), and other related records. After 14-weeks of training, eight officers graduated to Phase II of the SWAT selection process. On October 30, 2016, seven officers completed Phase II of SWAT selection; however, one officer did not meet the performance benchmarks and was deselected.

During the OIG's observation of the 14-week SWAT School, it was determined that SWAT's specialized training exposes team members to potential hazards or danger. Training that incorporates movement drills with live fire, noise/flash diversion devices, and other tactical operations demand the highest awareness to safety. Movement in any number of tactical configurations may include specialized vehicles and helicopters. Safety is central and fundamental to training and real life scenarios.

The OIG reviewed documents in which the Department identified several weapon-related violations during the 14-week SWAT School. These violations included: (1) failure to engage

---

<sup>7</sup> OIG personnel reviewed all of the interview packages to include TEAMS reports and interview notes. No discrepancies or issues were noted.

<sup>8</sup> Although the OIG was invited to sit in on the oral examination of each candidate, this Office declined the invitation, as it was determined to be an undue burden on the candidates.

<sup>9</sup> The OIG was invited to the meeting to ensure transparency in the process. The OIG did not actively participate in the discussions that ultimately selected candidates for the SWAT School.

the safety switch on the shoulder weapon when transitioning to the pistol; (2) failure to properly move in a team configuration, compromising the safety of officers “down range”; (3) safety selector switch not engaged during tactical reloads; and (4) finger on the trigger during movement drills, and when sights were not on target.

When safety violations were observed, the training cadre immediately intervened and the deficiencies were documented. However, the OIG was unable to identify any guidelines or procedures for assessing these safety violations. The OIG noted that other agencies have standards for evaluating the severity or frequency of an officer’s safety violations within their firearms training. For example, other law enforcement agencies will dismiss a candidate for a single, serious violation, such as pointing a loaded pistol at anyone or a negligent discharge. Similarly, these same agencies will dismiss a candidate who has repeated violations of other safety rules.

#### **h. SWAT Sergeant Training**

The Peace Officer Standards and Training (POST) states, “SWAT Team Operators and SWAT Supervisors/team leaders should not be deployed until successful completion of the POST-certified Basic SWAT Course or its equivalent as determined by the agency.”<sup>10</sup> Los Angeles Police Department SWAT Unit Supervisors satisfy this requirement by completing the Department’s 80-hour POST-certified course.<sup>11</sup> Additionally, a newly assigned sergeant assigned to SWAT receives “practical application in the field,” observing tenured SWAT Unit Supervisors, which is documented in the *SWAT Sergeant Call Out/Training Logs*.<sup>12</sup>

Currently three of the seven SWAT Sergeants have prior training and experience as SWAT operators. The OIG reviewed the TEAMS Reports for all SWAT Sergeants, which reflected, in all cases, that they were assigned to the SWAT Unit Supervisor position prior to receiving the 80-hour POST-certified course. The OIG was concerned about the delays between assignment date and the completion of training, which ranged between six months and seven years.

---

<sup>10</sup> California Penal Code Section 13514.1 (*Amended by Stats. 2014, Ch. 668, Sec. 5. Effective January 1, 2015*), POST Administrative Manual, Section B, Regulation 1084; & SWAT Operational Guidelines & Standardized Training Recommendations, Section 10.1.1.

<sup>11</sup> LAPD’s most recent training was POST Course Control Number 1850-23000-0015.

<sup>12</sup> Los Angeles Police Department Report to the Board of Police Commissioners, Board of Inquiry into SWAT, dated January 5, 2008, Page 7, Recommendation No. 2.

### **i. Phase II of the Selection Process**

The OIG requested documentation for Phase II of the evaluation process. The OIG was informed that this phase includes continued formal training and “practical application in the field.”<sup>13</sup> During this six-month period, officers within this phase are expected to demonstrate core competencies for a SWAT operator.<sup>14</sup> During the orientation process, candidates were notified that their progress in this second phase would be evaluated against “special rating benchmarks” and documented in a “special standards based assessment report.”<sup>15</sup> During the OIG’s investigation, the Department was unable to provide documentation related to these benchmarks or assessment reports with the exception of EMPLOYEE COMMENT SHEET and a NOTICE TO CORRECT DEFICIENCIES (Form Gen. 78).

## **III. CONCLUSION & RECOMMENDATIONS**

The formal SWAT selection process began with 66 candidates, 20 of whom were chosen for the 14-week SWAT School. Of these 20, 8 candidates graduated and 6 were assigned to SWAT. At the conclusion of the investigation, the OIG met with Department personnel to discuss the findings of the SWAT selection process. As previously mentioned, the OIG noted no major issues or concerns. However, the OIG did identify several areas where SWAT Selection could be enhanced and these were conveyed to the Department.

In addition to the recommendations that have been communicated to the Department during this investigation, further OIG recommendations are listed below.

1. The OIG recommends that the Department establish a single policy for transition to the 1911 pistol platform.
2. The OIG recommends that SWAT establish standards for deselection of candidates based on weapon safety violations during the SWAT School.
3. The OIG recommends that the Department develop a training manual for Phase II SWAT Officers that would include, at minimum, standardized evaluation guidelines.

---

<sup>13</sup> According to SWAT leadership, “practical application in the field” refers to the participation of Phase II SWAT Officers in responding to call-outs, high-risk search warrants, and any other tactical operations.

<sup>14</sup> The Metropolitan Division Special Weapons and Tactics Police Officer III Task List, dated September 2012, include 209 expected competencies over 28 pages. The OIG was informed that a similar Task & Competency List exists for each position in the Department.

<sup>15</sup> The OIG confirmed the existence of an LAPD STANDARDS BASED ASSESSMENT (FORM 01.87.00). This Form can be used to evaluate officers in one of four different categories: (1) Probationary, (2) Regular, (3) Transfer, and (4) Special.

Investigation of Special Weapons and Tactics Selection Process

Page 7

1.0

4. The Department shall ensure that supervisors complete the 80-hour POST-certified SWAT course within six months of selection to the SWAT Unit Supervisor position.
5. The OIG recommends that the Department require SWAT Sergeants to attend tactical training for a specified number of hours to ensure that they possess the requisite expertise in SWAT tactical operations.