

The Feasibility of a Multi-Jurisdictional SWAT Team

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Abstract

Events from the recent past have dictated the need for law enforcement to be prepared to confront extreme high-risk situations. This need resulted in the formation of SWAT Teams throughout the country. Many agencies have discovered that maintaining a team is too costly. Some have gone so far as to disband their teams while others are looking for alternative ways to decrease the costs associated with maintaining their team. If SWAT teams are abolished the consequences could be disastrous for the agency and the public they serve. This research will examine the concept of a multi-jurisdictional SWAT team in order to determine if this approach would be beneficial or detrimental in seeking to mitigate expenses and reduce liabilities associated with maintaining a SWAT team.

Introduction

With the rise of civil unrest and increasing violence that began in the 1960's, one of the responses from law enforcement agencies across the nation was the formation of Special Weapons and Tactics units, which are commonly known as SWAT teams. These units were created to deal with special-circumstance incidents that were often beyond the scope of training of the regular officers on the police force. These units, armed with specialized training and advanced equipment, often provided by the military, meet the more extreme needs of the community, from quelling riots or other forms of civil unrest to handling hostage situations or other incidents where more specialized expertise may be needed.

Larger agencies maintain full time SWAT teams, while most mid-sized agencies tend to have part time teams whose personnel work normal duty assignments until called upon to respond to a critical incident. Many small agencies have created SWAT teams over the years, only to find they cannot adequately support their team due to financial constraints and/or manpower issues. Some have learned the hard way that it takes more than high-tech weapons and camouflage uniforms to have an effective SWAT team. It also takes well trained, highly skilled, motivated and disciplined members to make a team an asset rather than a liability (Canon 2004).

In recent years, the needs of specific municipalities have not been sufficient to support many of these teams within one specific jurisdiction. To meet the occasional needs of their communities, while maintaining a sense of fiscal responsibility, many counties or other regional groups have begun to create and

use multi-jurisdictional SWAT teams. These multi-jurisdictional teams are funded by the various law enforcement agencies they assist and respond to the needs of all the law enforcement agencies they serve. In turn the local forces can reduce their fiscal responsibility and redirect funds and personnel to handling problems that do not require the special skills of a SWAT team.

While there are a number of specific factors which need to be analyzed before establishing the feasibility of a multi-jurisdictional SWAT team, most can be included in four major issues. These issues are condensed into the following questions:

- Is a SWAT team needed?
- Are resources available to adequately support a SWAT team?
- Would it be more beneficial for agencies to participate in a multi-jurisdictional SWAT team?
- What type of memorandum of understanding would need to be in place for this type of team to exist?

The pros and cons of this concept should be weighed before determining the significance of this idea. Of course placing a weight or value on each of the abovementioned factors remains subjective. This research will explore the feasibility, potential concerns, and possible benefits of creating multi-jurisdictional SWAT teams. In addition it will explore some of the current problems with the perception of SWAT forces, and the way that these problems may be alleviated with the creation of multi-jurisdictional teams.

During my research I located several articles concerning consolidation of Law Enforcements Agencies, however, there were very few articles specifically relating to the consolidation or creation of multi-jurisdictional SWAT teams.

As part of this research I also conducted interviews with area law enforcement administrators. In addition, I formulated a survey that was electronically e-mailed to all Florida Sheriff's Offices and numerous Police Departments located throughout the state of Florida.

Consolidation might make it possible to deliver services of this nature more strategically, efficiently, and effectively with increased accountability and responsiveness. Of course consolidation would not be easy; there are complex financial, political and legal issues that would have to be addressed. However, this concept would enable more agencies to provide this important asset that probably could not be achieved without consolidation (Sandrock 2002).

Methods

This research presents an overview of the issues surrounding potential consolidation of this type of entity. I decided on this topic because there are known obstacles to a merger of this type and hope that my efforts will help break down some of these barriers. My research methods included:

- Reviewing literature regarding consolidation and mergers of law enforcement services.
- Interviewing staff members of local police and sheriff agencies in my neighboring counties.
- Preparing a survey and disseminating it to all 67 counties located in the State of Florida as well as 67 City Police Agencies having at least 40 sworn personnel.

The minimum was set at 40 because any less number of personnel would obviously cause hardships to manning a team.

As stated earlier there are not many articles that focus specifically on the feasibility of a multi-jurisdictional SWAT team, rather they focus on the consolidation of agencies as a whole.

In order to consider this concept you have to identify the advantages and disadvantages associated with this idea. As part of my survey I elicited a response requesting the administrators to list what they felt were the advantages/disadvantages and major barriers associated with this concept.

Results

I queried 134 Florida Agencies. The group included all 67 County Sheriff's Offices and 67 Police Departments. I received 42 responses which equated to just over a 31% return. Nineteen of the responses were from Sheriff's Offices and 23 were from City Agencies.

Of the 42 responding agencies, 38 have active SWAT Teams. Eighteen of the Sheriff's Offices have teams and twenty of the City agencies have teams.

Thirty-four responding agencies have conventional teams and four work with multi-jurisdictional teams. The multi-jurisdictional teams are split evenly, two and two, between the city and county agencies.

Twenty of the agencies that responded to the survey noted that they would be interested in participating in a multi-jurisdictional team.

33 responding agencies provided answers to questions 6, 7, and 8 in the survey.

6. Please indicate the advantages of Multi-Jurisdictional SWAT teams in your jurisdiction: (Please check all that apply)

Training opportunities	15
Overtime	0
Sharing and/or availability of equipment	9

Inclusive policy and procedure	5
Shared liability	6
Command and team cohesiveness	0
Interoperability	0
Higher quality of service	20
Costs- sharing and/or availability	25
Other: (Please explain) ??????	
Bigger pool of officers to choose from	30

7. Please indicate the disadvantages of Multi-Jurisdictional SWAT teams in your jurisdiction: (Please check all that apply)

Training opportunities	2
Overtime	15
Equipment- sharing and/or availability	2
Defined policy and procedures of each agency	5
Liability issues	1
Command and control of the team	15
Team cohesiveness	1
Interoperability	1
Higher quality of service	0
Costs- sharing and /or availability	2
Other: (Please explain) ??????	0

8. What do you think are the obstacles hindering this concept? (Please check all that apply)

Political hurdles	20
Management control	30
Public acceptance	0
Agency acceptance	1
Budgetary accountability	2
Agency participation	0
Liability	30
Selection criteria	1
Other: (Please explain) ??????	
Lack of SWAT standards and policies	30

Discussion

There is little question that in the society we live in, there is often a need for a specialized force of police officers, which is what SWAT units provide. Increased school violence, the proliferation of drugs in our society, and the problems of gangs and other forms of organized crime make the difficulties facing regular police officers often beyond their level of skill or training and as such these cases require a more specialized force in order to establish and

maintain stability. In this way, SWAT teams provide specialized services within the law enforcement community. Because of this, they play an integral role in the network of law enforcement agencies and organizations within the United States.

As the needs and restraints of local police forces have become more specific, the need for SWAT teams for specific police forces have become more immediate. These needs became apparent to police leaders in the 1960's with the violence that stemmed from the social protest of the Civil Rights movement and the accompanying violence surrounding it. Most law enforcement experts however point to the University of Texas clock tower sniper in 1966 as the singular event that alerted police departments to the need for more specialized officers who could handle such events (Weber, 1999). Thus, SWAT teams became more and more a common feature of police departments, providing these departments with officers specifically trained to handle threats to the greater public good. As a result, a 2005 survey of police forces revealed that slightly over 41 percent had either a full or part-time SWAT unit (Scoville 2005). This statistic reveals that a large number of jurisdictions do not have access to the specialized training and resources that this type of force can provide, which in turn reveals the lack of adequate police protection that many towns and cities face.

This problem has become more relevant in the wake of the attacks of September 11, 2001. This event created a need for a greater sense of protection for the citizenry of any community, and in turn the pressures on local police forces have increased. Mandates from the Department of Homeland Security and other federal agencies have also placed wider scale directives on the requirements of local police forces, and in turn the public also has increased expectations of the protection and services that their local police can offer. Often, these requirements create undue strain on the budget of the department, as the requirements and funding to maintain a sufficiently trained and equipped SWAT force within the local department is limited. These strains have alternately imposed more work on local SWAT units, as well as requiring additional resources in other departments that may cut into SWAT funding (Gabor 1993). Additionally, SWAT teams have played an important role in the ongoing war on drugs, as these teams often are on the frontline of drug raids and other crackdowns locally.

Local departments have discovered in recent years that a SWAT team is often not warranted by the needs of that specific jurisdiction. Often, this lack of appropriate work for the SWAT units leads to their use in activities that makes their presence seem unnecessary or excessive (Weber 1999). One of the most prevalent examples of this has been the tendency for municipal police forces to use SWAT teams for regular police duty, which creates a misperception both in the public and in these officers as to their role within the department (Weber 1999). In other cases, duties that have traditionally been the domain of SWAT units are now being reexamined. A study reported that 99 percent of all barricaded suspect incidents, which are usually the types of situations that SWAT teams are used for; do not require SWAT intervention in order to achieve a peaceful resolution (Gabor 1993). SWAT teams are currently called out over

40,000 times a year nationwide, as opposed to just 3000 times per year on average in the 1980's, but most of these "call-outs", according to statistics, were to serve warrants (Balko 2006). These numbers reveal the lack of adequate work for SWAT units nationwide. In order to justify the financial strain of having a resource such as this being underused, these units instead are being misused.

Additionally, SWAT units face the problems of public perception. Much of this has been a side effect of the war on drugs, which utilize SWAT teams to lead drug raids; often these raids, especially when they are directed at innocent individuals; create a negative perception of these teams as out-of-control paramilitary forces (Weber 1999). The sharing of military technology with these units has created a military mindset among many of these officers, which in turn creates a negative perception of SWAT teams specifically and the police in general (Weber 1999). Police action is predicated on the use of minimum force, while military training focuses on inflicting maximum damage, and because of the proliferation of military hardware, this line often becomes blurred for SWAT team members, whose access to special weaponry and training often creates an elitist, militaristic attitude (Weber 1999). Often the line between military actions and those of SWAT teams becomes blurred, as with military intervention in Waco with the Branch Davidians in 1993, which led to the most civilian deaths in a law enforcement operation in United States history (Weber 1999). This overlap of police and military, and the perception it creates, has in many ways created a public relations nightmare for SWAT teams.

Despite the financial, perceptual and personnel constraints that the maintenance of a SWAT team can impose, there is little question that such specially trained units are needed. They often allow for a peaceful resolution to potentially explosive conflicts. In Los Angeles County, between 1988 and 1991, 99 percent of all conflicts which SWAT units responded to were resolved without a single shot being fired (Gabor 1993). In an era of increasing violence, the security and sense of order that SWAT teams provide is an invaluable resource both in terms of public perception and as a means of quelling unrest or potentially hazardous situations.

The competing needs and constraints of creating and maintaining a local SWAT unit has forced police departments to look for alternatives, and the creation of regional or multi-jurisdictional SWAT teams has been a popular solution in recent years. One of the advantages of such a solution is that it can actually lower the costs a specific department incurs, while allowing the department to account for the void of not having specific specialty units (Gabor 1993). It also allows different local departments to share equipment, training and human resources between jurisdictions, which also allow budgetary restraint (Glick 2000). When the combining of SWAT units was proposed in the Sacramento metropolitan area in 2003, Sheriff Lou Blanas reported that this change would allow the provision of a unit that would meet both city and county needs, but the proposal also would allow him to redistribute his personnel to account for a round of budget cuts that had cost him 64 departmental positions (Law Enforcement Agencies 2003). By consolidating SWAT teams for use multi-jurisdictionally, police forces can better utilize the regular personnel and

resources at their disposal to actually become more financially solvent, because their own expense in funding the SWAT units is shared between several departments.

Financially, these programs offer similar protection to the citizens of specific jurisdictions while simultaneously reducing the budget of the local department. In most cases, the costs of creating regional SWAT teams are shared by all of the agencies within the region, which allows for a SWAT unit that is larger, and can be trained better, than any unit one department could maintain, because the expenses are shared (Gabor 1993). Additionally, federal programs offer the provision of military hardware and weapons to outfit the unit, which also helps reduce the cost to each individual department (Weber 1999). In this way, these regional teams benefit both the department and the citizen, because the taxes and costs of each individual are lessened because of the reduction in budgetary costs for each individual police department.

The benefits of regional SWAT teams not only impact police departments financially, but allows for a more comprehensive response to potentially dangerous situations across a wider area. This allows for a greater sense of security for citizens in the region. Local SWAT teams in recent years have also created liability situations for their police departments through the use of excessive force (Weber 1999). A good recent example of this occurred in January in Fairfax, Virginia. A local optometrist had a gambling warrant issued against him, and due to a lack of appropriate activity, the local SWAT unit, which is in charge of serving warrants in the area, accidentally shot and killed the man during the service of the warrant (Balko 2006). This reveals both the lack of appropriate use of the SWAT team and the way that liability can be incurred through its misuse. Other studies have shown that creating regionalized SWAT teams can actually reduce liability incurred by local police departments, which is another advantage of multi-jurisdictional SWAT units (Scoville 2005). Thus, the removal of localized SWAT units not only can reduce liability, it also provides the individuals on such units with work that is appropriate to their training and skill sets (Scoville 2005). In this way, the benefits of a multi-jurisdictional SWAT team allow for the better distribution of personnel, both within the local police department and throughout the region that the unit serves.

Citizens also benefit in other ways. Because these units are multi-jurisdictional, it allows for personnel in local departments to be redistributed, which allows for a better use of their services in community outreach. Additionally, SWAT teams do not have to perform tasks for which they may be ill suited, which should reduce the number of incidents such as the recent example in Fairfax. By reducing the number of times excessive or egregious force is used, the public perception of the adequacy of their police protection is increased, which helps to engender goodwill in the community. In a sense, removing SWAT teams from the local force reduces the negative feedback that a police force receives, which helps to create a better perception within the community.

One of the most interesting examples of regional SWAT units that work within multiple jurisdictions is the SWAT unit operated in Los Angeles County, California. These teams are maintained by the Los Angeles County Sheriff's

Office; although financial responsibility is shared by all the departments which the units help serve (Gabor 1993). These SWAT teams help to cover 47 municipalities within the county, as well as the complete jurisdiction of the sheriff's office (Gabor 1993). However, 15 of the municipalities covered also maintain their own departmental SWAT teams, which do no more than unnecessarily inflate their budgets, as often these teams require the assistance of the regional SWAT units (Gabor 1993).

This example seems to reveal that while many law enforcement officials see the benefits to multi-jurisdictional SWAT teams, some resistance is still being met. While many law enforcement leaders advocate this new approach, others see the potential for their specific jurisdiction to be neglected, which compels them to keep their own SWAT teams on a local level. There are also control issues that lead to this reluctance, as many sheriffs or police chiefs do not see the sharing of this resource as a way to truly control it (Gabor 1993). This seems to indicate that there is more resistance in the law enforcement agencies themselves concerning regionalized SWAT teams than within the community. The regular citizenry would not notice any appreciable difference in the protection of their rights.

Much of this resistance is due to the negative perceptions and problems that regional SWAT units may present. One such problem is that of an understanding of the layout of areas of jurisdiction. County dispatchers, who are often the ones who call out SWAT units, may lack the familiarity of an area that a local dispatcher may have, which can limit the speed and efficiency of the response of these teams (Ott 2004). Many police unions oppose regional SWAT teams on the grounds that it spreads the overall police personnel in an area too thin (Law Enforcement Agencies 2003), although there is little evidence to support this position.

Many of these problems can be diminished by clear channels of communication and cooperation between agencies. The sharing of dispatcher's can help to alleviate the concerns about response time, and allow for a more effective handling of the problem. Agencies must have a clear understanding of the ways in which these SWAT teams are to be utilized, in order to alleviate concerns about misuse or excessive force (Gabor 1993). Thus, it becomes important that memorandums and other written and binding documents be in place before any such unit is organized, in order to allow for a greater awareness of its role and responsibilities, both overall and to each local department. Clearly defined roles and procedures are a vital component to make any plan for regional protection by multi-jurisdictional SWAT units to succeed. Often this requires more cooperative efforts than individual agencies are accustomed to, which can present a number of problems if there is no clear communication between offices.

This also calls for a clear understanding of the roles and responsibilities of individuals who serve on such units. In order for these teams to be truly effective, they must understand that they are not working outside of the proper chains of command, and that they are subject to the authority of any jurisdiction in which they work (Weber 1999). This fact alone requires that strict guidelines for

acceptance into SWAT teams, as well as necessitating strict measures of evaluation and discipline be in place. While regionalized teams may limit the liability of the specific agency that has jurisdiction over a specific situation when regional SWAT units are called in, all of the agencies that oversee the unit do incur liability for its actions, which can create major problems if the unit acts in an inappropriate manner (Gabor 1993). Because liability is spread between all of the organizations, the control of the individuals who serve on such a unit becomes extremely important. This will necessitate stricter guidelines and codes of conduct than may be needed in local SWAT organizations.

While multi-jurisdictional SWAT teams may help to alleviate problems within the law enforcement community, there should be limitations to how such a program is to be used. Most metropolitan areas in this country should still operate and maintain their own SWAT teams, as the needs of any major city cannot be met by a unit that is responsible for a large area (Gabor 1993). Reducing the number of call-outs these units are responsible for is also important, as this limits the possibility of overworking these units (Gabor 1993). In addition, it also reduces the possibility of such units being called into situations where their presence may be viewed as excessive or unnecessary, and it removes these units from having to do jobs beneath their skill level in order to be viewed as viable (Gabor 1993).

These recommendations and concerns must be understood in order for any multi-jurisdictional SWAT force to work properly. Because of this, the required skills and abilities of members of such units are quite high, which in many ways may be the greatest challenge of the move to more county and regionally oriented SWAT units. Because the issues and problems these units face will become more diverse, and also because they will deal with a far greater number of jurisdictional procedures, laws, and statutes, the training that is required will be greater for such teams than for localized teams. However, this is true of almost any organization in any culture; any organization is only as good as the people who lead or serve within that organization.

Conclusion

It has become clear through this discussion that the advantages and benefits of creating a multi-jurisdictional SWAT unit, on the whole, outweigh the disadvantages. Such organizations provide a more comprehensive amount of coverage to the citizens of a particular region, who may not have access to the services and protection that such trained units can offer. These units also help reduce the budgetary constraints of local departments and agencies, as these costs are shared between several organizations. These units also are beneficial to the individuals who serve on them for a number of reasons. First, they are able to more effectively use their training, as they are now able to work in situations for which they are specifically trained rather than being forced to perform duties that are better done by regular officers, such as the serving of warrants. Because

these units are more directed in their roles and responsibilities, this also allows these individuals to receive training that is specific to their job description, which allows them to be more effective in the job. Finally, these regional units have been shown to create fewer incidents, which increase public confidence in the police force as a whole, as well as instilling a sense of pride of all of the officers who serve.

Captain Tony Wasden has worked with the Okaloosa County Sheriff's Office since 1987. He has had the opportunity to work in several areas within the agency to include patrol, Investigations, patrol Lieutenant and currently is the Region One Patrol Commander and Commander of Field Services South. He has also been a member of the Okaloosa County's "Special Response Team" since its inception in 1997 and holds the position of Team Commander.

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Appendix A
Survey – The Feasibility of a Multi-Jurisdictional SWAT Team
Lt. Tony Wasden, Okaloosa County Sheriff's Office

All data gathered will be used for my final project for the Florida Senior Leadership Program at the Florida Criminal Justice Executive Institute sponsored by FDLE. Please indicate your responses by using the TAB key to move to the appropriate box and then type an "X". You may explain your responses where appropriate. Please say your results and return the survey to me via e-mail at twasden@sheriff-okaloosa.org. Thank you for your participation.

1. Does your agency have a SWAT Team?

- Yes No

If no, please proceed to question #8.

2. What type of SWAT team does your agency have?

- Multi-Jurisdictional team
 Conventional, agency members only

If conventional, please proceed to question #9.

3. How many years has your agency employed Multi-Jurisdictional SWAT teams?

- 1-5 years 5-10 years More than 10 years

4. How many jurisdictions serve on your team?

- 2 3-5 More than 5

5. Is the command structure Shared or Defined?

- Shared Defined

6. Please indicate the advantages of Multi-Jurisdictional SWAT teams in your jurisdiction: (Please check all that apply)

- Training Opportunities
 Overtime and backfill
 Sharing and/or availability of equipment
 Inclusive policy and procedure
 Shared liability
 Command and team cohesiveness
 Interoperability
 Higher quality of service
 Other: (Please explain) _____

7. Please indicate the disadvantages of Multi-Jurisdictional SWAT teams in your jurisdiction: (Please check all that apply)
- Overtime costs
 - Equipment ownership
 - Defined policy and procedures of each agency
 - Liability issues for each agency
 - Lack of command and control
 - Escalating costs of law enforcement operations
 - Potential problems with team cohesiveness
 - Other: (Please explain) _____
8. What do you think are the obstacles hindering this concept? (Please check all that apply)
- Political hurdles
 - Management control
 - Public acceptance
 - Agency acceptance
 - Budgetary accountability
 - Agency participation
 - Liability
 - Selection criteria
 - Other: (Please explain) _____
9. Would you participate if another agency formed or created a Multi-Jurisdictional SWAT Team?
- Yes No
10. What are the barriers to your agency forming/creating a Multi-Jurisdictional SWAT Team? _____

Thank you for your participation. If you would like a copy of my results, please check this box: I would like a copy of the survey results.

If you have questions or comments about the survey, you may reach me at:

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