

Memorandum

City of Lawrence

Police Department

To: Dave Corliss, City Manager
From: Tarik Khatib, Chief of Police
Cc: Diane Stoddard, Assistant City Manager
Cynthia Wagner, Assistant City Manager
Date: November 30, 2011
Re: Patrol Rifles

BACKGROUND

The equipping of law enforcement with the proper tools to be successful and accountable is a critical consideration for the community. Intellectual tools such as training and education fortify the mental and professional preparation necessary for the complex law enforcement role. Items such as computers, video cameras, and Mobile Data Computers (MDC) help productivity, efficiency, and accountability. Protective tools are utilized to ensure the community and their law enforcement's safety. These include ballistic vests, pepper spray, batons, *Tasers*, and firearms. Training and equipment regiments in police organizations are constantly evolving. Today, officers are required to be multi-skilled; whether interacting with children at a school lunch, directing traffic at a parade, helping calm a person experiencing a crisis, investigating a crime that has computer or internet ties, or intervening in an armed conflict. Things can go from calm to chaos (and back again) on any given day – in a moment.

HISTORICAL CONTEXT

In modern law enforcement history, the 1966 University of Texas shooting spotlighted the then lack of law enforcement preparation for certain types of armed conflicts. In this incident, an individual climbed an observation deck and for over 90 minutes indiscriminately shot and killed 16 and wounded 31 others. This event is most often cited as leading to the adoption of the Special Weapons and Tactics or "SWAT" concept in law enforcement. There was recognition of the need for additional capabilities beyond what had been the norm. Up to that point, these types of events were not considered as something a police department would have to deal with. A change in thinking occurred: police departments need specially trained and equipped personnel to respond to certain types of critical incidents.

For a time, the SWAT concept filled the need. In bigger departments, these units were full-time. The officers were actually on duty (not patrolling, but training or doing other things) and ready to respond. Smaller departments, such as the Lawrence Police Department, have to “call out” their team in the event an incident. Even with a full-time team, there is some response time. With a called out team, the response time is much more significant – up to an hour or more.

In more recent times, the 1997 North Hollywood shootout is often offered when further refinement in police armed conflict preparedness is examined. This incident involved heavily armed and armored assailants who robbed a bank and then engaged in a gunfight with responding patrol officers. The responding officers were not equipped (pistols and shotguns) to effectively engage the suspects. Even though full-time SWAT units existed, it was still several minutes before they responded. By then, the suspects had managed to fan out into the neighborhoods and one even commandeered a passerby’s vehicle as well. Eleven officers and six other citizens were injured in the incident. The patrol rifle concept was born out of this incident. Another change in thinking occurred: police departments need equipment (and training to use it) immediately available to patrol officers who are most often the first responders to critical incidents.

The 1999 Columbine School shooting further defined police response. Twelve students and one teacher were killed when two heavily armed students went on a shooting rampage. In addition, twenty-one students were injured. In their response, the police are criticized for not immediately entering the school and engaging the suspects. Rather, and as trained, they deployed in a “contain and open negotiations” pattern. In hindsight, this appeared to have been the wrong strategy as the assailants did not want anything other than to kill as many people as they could – and the police response worked to that advantage. This incident precipitated the “Active Shooter” model in law enforcement response and recognition that the terrorist seeks to kill as many people as possible. Police departments need to be ready to immediately engage suspects at the responding officer level.

These incidents are not the only examples of incidents that have shaped modern law enforcement preparation and response. There have been over a hundred school shootings in the United States since 1970. Additionally, there are many examples of police being overmatched by the “firepower” of suspects in law enforcement history. One notable international example includes the 2004 school shooting in the town Beslan, North Caucasus, where over 380 deaths occurred. Of course, this is an extreme example, but one lesson from the incident was that the middle school was selected, in part, due to lack of preparedness exhibited by local police (lack of professional training and equipment). Individuals and groups looking to do similar things do their homework and research.

DISCUSSION

The law enforcement environment has undeniably changed in the last 25 years. And law enforcement has changed dramatically to meet the new challenges. Not only in the area of critical incident response, but in other areas as well: minimum education and temperament qualifications for police officers, amount and depth of training, technology, accountability, and the adoption of community policing concepts.

The overall trend has been one of increased professionalism and preparation. Law enforcement has partially driven this change, but most has arisen from increased societal and community expectations. There are few acceptable alternatives to providing law enforcement with the tools and training necessary to protect the community and engage in the most effective law enforcement possible. Law enforcement expends efforts to make the community safer through education, crime prevention, catching the criminals, and interaction. But, what happens when all that fails, and for whatever reason, the police have to deal with individuals bent on hurting them or others? The backdrop remains the same – there are certain tools the police need to do their jobs effectively and keep the community safe. Not because law enforcement has now decided the tools are needed, but because over time, a need developed in response to the environment.

Lawrence is home to a nationally recognized collegiate program and is in close proximity to the major Kansas City Metropolitan area. Large crowds and cultural venues theoretically provide for multiple reasons why Lawrence could be a location where an individual or group who wished national or international notoriety could focus their violence. Thankfully, Lawrence has not experienced any of the situations previously described, but the lesson can be learned.

Lawrence has experienced shootings, standoffs, and other weapon involved incidents. In addition, overall Calls for Service (CFS), report workload, and violent crime rate remain high. The following table provides data in terms of weapons and firearms related incidents for the past five years:

	Disturbance w/ Weapons	Sound of Gunshots	Suspicious Activity w/ Weapon	Shootings	Deaths from Shootings	# of Firearms Placed in Evidence
2006	170	110	44	22	1	200
2007	150	156	44	19	0	119
2008	130	154	52	34	2	111
2009	108	147	44	41	0	137
2010	94	111	38	14	0	165
Average	130	136	44	26	1	146

As can be observed, officers encounter situations in which weapons and firearms are present and utilized quite often. Some of these firearms have been high-powered such as assault rifles. Several homicides and shootings within Lawrence have been perpetrated with such weapons, so there is a presence. However, it is not just a question of whether individuals have high-powered guns, that officers also need rifles. It is because they have and use any gun. Those sworn to protect the community should not be limited to only facing a weapon with a like weapon. The standard duty sidearm is a point-defense weapon. The community should provide officers with every advantage.

A community's police officers should be prepared to accomplish what the community expects of them. Preparedness for critical incidents and armed criminals are some of those things. So is community policing and great efforts are expended in that area as well. Community policing concepts are very much a part of intervention – people providing information to the police about suspicious activity or about a person exhibiting signs they are readying to commit violence, etc.

A key lesson in law enforcement is to ensure that responding officers (patrol) have the capacity to meet the combined expectations of the community. They have to be the "Detective", the "Traffic Investigator", the "Neighborhood Resource Officer", and the "Tactical Team" at any given moment. They are where any department's preparation and philosophy meet the road. Major crimes are solved when officers act like detectives in those first few moments, relationships with neighborhoods are improved when officers take ownership in the problems there, and disaster can be averted or minimized when quick action with the right equipment is taken. We can have specialized units, special people for various tasks, but the incident will be defined by what those patrol officers (and the patrol supervisor) do or don't do in the time before all the "experts" show up.

CURRENT UTILIZATION

Lawrence Police Officers are expected to provide their own sidearm and a lease-purchase program has been utilized to spread the financial burden over a time period. In 2003, the lease-purchase program was expanded to include officer purchases of patrol rifles meeting Department specifications. The recognition of the benefits of having officer access to rifles is not new. In 2005, one area of importance identified by the community during development of the resource plan for the police department was in emergency preparedness and homeland security. Although rifles are not specifically referenced, they are a component of such preparedness.

The currently authorized patrol rifle is the .223 caliber Colt "AR" platform. This is a semi-automatic civilian version of a weapon utilized by the military. For police duty, the patrol rifle ammunition of choice is a 55 grain (weight, about 3.6 grams) hollow-point bullet. As such it is designed to expand upon impact, imparting and

dissipating its energy in the target, decreasing the likelihood of over-penetration – which is the bullet passing through the intended target and moving on to an unintended one. The result is the penetrating power of the rifle-caliber bullet upon the initial strike (body armor, etc.) without the over-penetration. Testing has shown that with the proper bullet selection, the patrol rifle actually has fewer propensities to over-penetrate the target than the much heavier pistol ammunition. The .223 caliber patrol rifle bullet can travel up to 7,000 feet (1.5 miles). The bullet is considered reasonably accurate up to 900 feet. For comparison, the .40 caliber pistol bullet utilized in the sidearm can travel up to 4,800 feet (almost a mile). The effective accurate range, however, is around 100 feet or less. Either of these can still be lethal at maximum range, but not with any sort of accuracy. Most police pistols are used at ranges of less than ten feet. Patrol rifles are used at ranges of less than 75 yards (225 feet). Accuracy is the best way to minimize collateral damage. The patrol rifle is more accurate than either the police pistol or shotgun.

POLICY

Patrol rifles fall under the firearms and a use of force policies of the Department. The policies do not necessarily differentiate between weapon systems: pistol, shotgun, or rifle. They do discuss what deadly force is, when authorized to use, etc. If officers are using any of these weapons, then it's a deadly force situation. Whether the officer uses their pistol, shotgun, or patrol rifle will be situational depending on the threat level and particular circumstances. The training regiments for each weapon discuss these issues and the limitations and advantages of each. General guidance on the patrol rifle is that it is a more accurate and powerful version of their pistol. It is not a long distance "sniper" weapon, however, it does have an accuracy range advantage over the pistol. It can be an option when dealing with known firearms disturbance calls, armed persons, or situations where officers can manifest a tactical advantage in utilizing the rifle. But there are limitations to the weapon. The primary disadvantage is you cannot re-holster it as an officer can do with a pistol. The weapon can be slung close to the chest, but one still needs to be attentive to it. As such, it is not conducive to the officer becoming physical with someone. It is a weapon that under normal circumstances will be deployed by a single officer or at the direction of a supervisor when multiple officers may be responding to an event.

FUNDING SOURCES

Ideally, every officer would have access to a patrol rifle specifically assigned to them (in a similar fashion to their sidearm) and the training regiment for it. The Department providing this is not fiscally possible. The established lease-purchase program will allow for those officers who are interested to be able to obtain a patrol rifle. The lease-purchase program will not provide for complete coverage. There are those that will opt out, or simply cannot afford the cost of the weapon, however, the coverage will be much greater, and that would be a

step in the right direction in terms of preparedness. The program is cost neutral (once paid back) to the City.

RECOMMENDATION

The men and women of the Lawrence Police Department have an excellent reputation within the community of conducting themselves with distinction, professionalism, and compassion. They have responsibly and with due consideration utilized the protective tools already available to them. Often, they place themselves at great risk of personal harm due to their thoughtfulness when engaging individuals who are acting in a violent or aggressive manner towards others or them. I recommend a reaffirmation of the patrol rifle use concept as well as allowing for all officers to utilize the lease-purchase program for the purposes of acquiring one.