



# The Case Head

The Official Publication of the Massachusetts Law Enforcement  
Firearms Instructors & Armors Association

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SUMMER 2010



**2010 FIREARMS INSTRUCTOR DEVELOPMENT CONFERENCE**  
**Harvard Sportsman's Club**  
**September 27-29, 2010**

# The Case Head

The official publication of the  
**Massachusetts Law Enforcement Firearms Instructors & Armorers Association**  
P.O. Box 253, Princeton, MA 01541-0253

## MISSION STATEMENT

The Massachusetts Law Enforcement Firearms Instructors' & Armorers' Association was formed to promote professionalism, continuing education, improvement in training methods and techniques of the proper law enforcement use of firearms in the Commonwealth of Massachusetts.

The Association strives to promote and foster mutual cooperation between instructors. Through discussion and a common interest in law enforcement firearms training, officer survival and tactical skills, MLEFIAA hopes to keep the members at the forefront of firearms training. Through our monthly meetings and annual training conference, we provide a means for the exchange of ideas and information regarding law enforcement firearms training, training methods, educational activities and new firearms technologies.

MLEFIAA currently has over 400 members. While mainly from Massachusetts, our membership extends internationally to countries as far away as Sweden. The Association endeavors to secure new members from the law enforcement training community who are engaged in the field of firearms training, maintenance, education or related fields. Our goal is to continuously upgrade the level of firearms training of law enforcement personnel here in the Commonwealth of Massachusetts.

## MEMBERSHIP INFORMATION

Membership is offered at two levels - Active & Associate. Active membership is open to all duly sworn law enforcement officers of any local, county, state, federal or specialized law enforcement agency within the Commonwealth of Massachusetts; whose official duties include the training of law enforcement personnel in the proper use of firearms; or whose duties involve the maintenance and repair of firearms for their respective agencies.

Associate membership is open to sworn law enforcement firearms instructors and armorers from agencies outside of the Commonwealth of Massachusetts, non-sworn firearms instructors & armorers working within an agency within the Commonwealth of Massachusetts and representatives of private industry who are engaged in the design, development, manufacture, or training in firearms, ammunition and other related technologies designed for law enforcement use.

Complete details can be found at our website: [www.MLEFIAA.org](http://www.MLEFIAA.org)

## Articles & Letters to the Editor

Articles and letters should be no more than 1000 words in length and submitted in MS Word. Any photos should be in JPEG format. MLEFIAA encourages a healthy discussion of training issues but we require that you keep it level headed and respect opposing views. You do not have to agree, but we will not publish articles that are inflammatory or otherwise do not uphold the reputation of this Association.

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## In This Issue

James F. Ring Outstanding Instructor Achievement Award	Page 3
Proposed Bylaw Change	Page 4
Product Review - Safariland QLS	Page 4
Squib Loads	Page 5
NY Task Force Report on Police on Police Shootings	Page 5
EVAC - Downed Officer Rescue Tips	Page 6
Muzzle Up or Muzzle Depressed?	Page 7
FN Special Police Rifle	Page 9

## 2010 Firearms Instructor Training & Development Conference September 27 - 29, 2010

Harvard Sportman's Club, 250 Littleton County Road, Harvard, MA

Vendor Expo	Shotgun
Duty Pistol	Patrol Rifle
Back Up Gun	Point Shooting
New Training Standards	MPTC Recertification
LEOSA Certification	Extreme Close Quarters
Combative Carbine	Plain Clothes & Off Duty
Advanced Instructor	New Paradigm Shotgun
Ground Defense	Overview of START
One Hand Shooting	Action Shooting Skills

*Conference registration is open to all bona fide law enforcement trainers. The fee has not increased from previous years - \$195 for members and \$255 for non-members. Overnight lodging is available 10 minutes from the range at the Springhill Suites in Devens.*

[www.mlefiaa.org/2010conference.html](http://www.mlefiaa.org/2010conference.html)

### Meeting Calendar

**January 26, 2010**  
Smith & Wesson  
Springfield, MA  
(elections)

**February 23, 2010**  
Maynard PD

**March 23, 2010**  
MSP Troop F  
Logan Airport

**April 27, 2010**  
Randolph PD

**May 25, 2010**  
Lancaster PD  
Instructor Recert

**June 22, 2010**  
Riverside Gun  
Club, Hudson  
Instructor Recert

**July & Aug 2010**  
No meeting -  
Summer Vacation

**September 27 -  
29, 2010**  
Harvard  
Sportsmans Club  
Annual Training  
Conference &  
Expo

**October 26, 2010**  
Location TBA

**Nov. 23, 2010**  
Location TBA

**December 2010**  
Merry Christmas

*Watch your E-mail  
for last minute  
changes and details.*



## James F. Ring Outstanding Instructor Achievement Award Presentation

As reported in the last edition of the Case Head, MPTC Firearms Coordinator Bill Leanos was selected to be the first recipient of the James F. Ring Outstanding Instructor Achievement Award. The presentation was made at MPTC Headquarters by Jim's widow Marty on April 17th. Also present was MPTC Programs Director Howard Liebowitz and Bill's family.

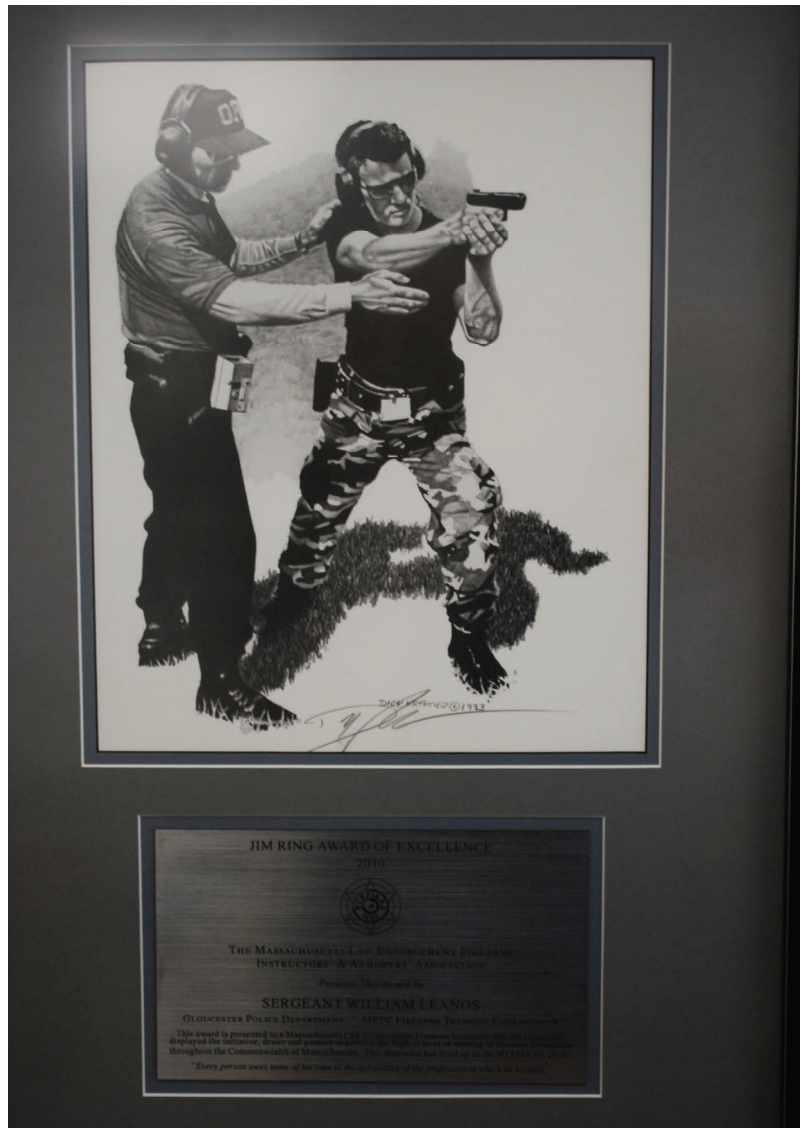
The James F. Ring Outstanding Instructor was created to acknowledge a MLEFIAA firearms instructor whose efforts had made a significant impact in advancing the state of firearms training in the Commonwealth of Massachusetts. Jim was a long time MLEFIAA member and was the Association's Senior Training Coordinator. During his tenure as the MPTC statewide coordinator for firearms training, Jim worked closely with the Association Executive Board to bring MLEFIAA and the (then) MCJTC closer together. This was a logical decision since the MPTC (MCJTC) was the state certification authority and MLEFIAA is the premier firearms training organization here in Massachusetts.

The Executive Board had hoped to have Jim present to present this award however Jim's deteriorating health prevented this. MLEFIAA lost a valued friend when Jim passed away in March and the presentation was postponed.

Presenting the award, Marty Ring stated Bill Leanos was always Jim's first choice to succeed him as the MPTC Firearms Coordinator. She stated that Jim had always been impressed with Bill's emphasis on safety as well as quality training.

Bill Leanos has made significant strides in enhancing and improving firearms training in Massachusetts. He immediately established an ad hoc Firearms Policy & Steering Committee to serve as a sounding board for changes he saw as long overdue. Bill set out by revamping the handgun qualification course. The new program incorporated communication, movement, pivoting and integrated a defensive tactics review. He then began upgrading the patrol rifle program and will address the shotgun program in the next fiscal training period. Short term plans include instructor programs for tactical pistol, less lethal munitions, submachine gun and designated marksman rifle. Most importantly, Bill has reached out to all the major law enforcement training agencies in the state to sit on the firearms committee. For the first time in recent history, representatives from the MPTC, MSA, Boston Police, Transit Police, MLEFIAA, Lowell & Springfield Police Academies are all sitting at the same table discussing training improvements.

The award, designed by 3VP Bill Peterson who chairs the Awards Committee, features an engraved plaque and a print of "Passing On The Knowledge" by noted law enforcement and military artist Dick Kramer.



## Proposed By-law Change Regarding Membership Requirements

The By-laws Committee chaired by Second V.P. Todd Bailey has recommended a change to the Association by-laws regarding the requirements for Active Membership. The committee is recommending that the membership bylaw include wording which requires a prospective active member to present certification as a law enforcement firearms instructor.

Article III which addresses the requirements for membership, elections and appointments states, "Active membership is open to all duly sworn full time, part time and volunteer law enforcement officers of any duly constituted local, county, state, federal law enforcement agency within the United States of America, whose duties include training of other law enforcement personnel in the law enforcement use of firearms, or whose duties involve the maintenance and repair of law enforcement firearms for their respective agencies."

The committee recommends that the words "*who have successfully completed a law enforcement firearms instructor certification course and*" be added after "United States of America," in the first sentence of Article III.

The committee feels that it would be consistent for the Association to require some type of formal training related to the use of firearms in law enforcement in addition to the applicant's assignment as the agency's firearms instructor since we require a prospective armorer to present current certification.

An argument was proposed that Jeff Cooper and John Farnum may not have ever completed a law enforcement instructor program and they certainly would be eligible for membership as an instructor. While true, they began in an era where formalized police firearms instructor training was unknown. Things are

much different today especially here in Massachusetts where we have the MPTC offering certifications and accepting ones from MLEFIAA, S&W, SIG Academy and the FBI.

The committee envisions the required certification would include MPTC, MSA, MSP FTU, NRA LEAD and other similar certifications from out of state P.O.S.T. and military police. Certification from a basic NRA instructor course or a commercial non-law enforcement course would not be acceptable.

Under the bylaws, this will go before the membership for a vote after they have 15 days to review the proposal. A 3/4's majority vote is required with a quorum of at least 15 members eligible to vote.

As always, member input is welcome so feel free to attend the meetings to add your thoughts.

## Product Review - Safariland's QLS (Quick Locking System)

### Reviewed by Todd Bailey

Firearms instructors, especially those who train more than one agency can find themselves in an equipment bind - having to have a duty belt for multiple handguns. For years this meant several different duty belts or the tedious process of exchanging holsters and magazine pouches.

The QLS provides officers with the ability to easily and quickly remove one holster and replace it with another. This takes all of 5 seconds and can be easily done at the range without removing your duty belt. From a safety standpoint, this is an ideal set up for officers who are required to secure their weapon when entering courtrooms, lock-ups and other secure facilities. The weapon never leaves the holster practically eliminating any chance of an unintentional discharge. For the part time tactical officer who needs to swap equipment from their patrol rig to a tactical rig, the QLS makes life much simpler.

The Quick Locking System consists of two components. The Locking Fork attaches to the holster or accessory pouch and mates to the Receiver Plate. The Receiver Plate can be mounted to Safariland's Universal Belt Loop (UBL), concealment holster paddle, tactical thigh rig or a secure stationary location in your home.

For those of you who use a tactical

vest with the MOLLE system, Safariland manufactures the MLS 15 which threads through the MOLLE loops. This allows you to move a weapon, Electrical Discharge Weapon or accessory quickly from your duty belt to MOLLE vest.

I have been using the QLS for about five months and found it reliable and strong. The QLS has allowed me to keep one duty belt for training and to swap holsters for my G-22, M&P and 1911. It also allows the holster and weapon to be stored securely while the duty rig stays in the gear bag all ready to go.

For those of you who are concerned about strength and durability, Safariland reports they have designed this system with the same strength engineered into their duty and tactical holsters.

After several months of testing, I could



The receiver plate (left) is attached to your thigh rig or UBL and accepts the Locking Plate (center) which is attached to the holster (right).

not break it or find any design issues. If I was forced to find a critical point it would be that the QLS and MLS systems add a little about three quarters of an inch to your overall width. I found that when I had the system mounted to my patrol rig, the extra width made things a little tighter in the front seat of the Crown Vic. The holster would foul up with the female end of the seat belt which was pressed against the radio console. If you are a slim and trim officer you will not have a problem here. Other than that small issue, this item gets two thumbs up!

For more info, you can go to [www.safariland.com/DutyGear/duty/QAS%20Brochure.pdf](http://www.safariland.com/DutyGear/duty/QAS%20Brochure.pdf)



## SQUIB LOADS

You hear the command to fire. The weapon is up on target, sights aligned and you press the trigger fully expecting to feel the recoil of the weapon along with the loud bang. Instead you hear a muffled "pop" with almost no recoil. You mumble the typical "Oh \$\*@+" and initiate a malfunction drill. The new round feeds up and in but the slide will not go into battery. You smack the rear of the slide to no avail and run another round up with the same results.

Thankfully this is not a common occurrence. Despite the fact that ammunition manufacturers produce hundreds of thousands of rounds each day, the fail to fire ratio is extremely small. In this particular

case, it was determined that the round had no gun powder in the cartridge case. The primer went off as planned and the expanding gases from the primer were sufficient to launch the 165 grain TMJ bullet from the case into the bore where it came to screeching halt.

Fortunately for the officer behind the pistol, the bullet only traveled about 1/10th of an inch which prevented a subsequent round from feeding properly into the chamber. The officer correctly performed an immediate action drill and had the bullet traveled another tenth or two, the end result would have been a bulged barrel under the best case scenario or a catastrophic failure in the worst case.

The stuck bullet was removed by tapping it out with a brass rod. The external barrel dimensions were checked with a micrometer to ensure there was no bulge or other damage which would affect the reliability of the weapon.

This brings up an important lesson which can be taken away from this incident. Shooters need to be educated on the difference between a simple failure to fire (dud round or no round in the chamber) and a squib load which is a much different situation. The obvious concern is the squib load is apt to result in an obstructed bore. Attempting to fire a subsequent round is going to ruin your entire day never mind the weapon.



## New York Releases Study - Police On Police Shootings

On January 25, 2008, Officer Christopher Ridley of the Mt. Vernon (NY) P.D. was shot and killed by officers of the Westchester Co. Police Dept. Seventeen months later, Officer Omar Edwards (NYPD) was shot and killed by NYPD plainclothes officers. Both of these incidents occurred when the slain officers were taking police action while off duty and in their civilian clothes. In response to these incidents, NY Gov. David Patterson ordered a Task Force be created to look at so called police on police shootings.

The results of the investigation may be surprising. While they concluded that inadequate plain clothes encounter training was a factor, the task force seems to have focused more on racial factors.

The Task Force's report is entitled Reducing Inherent Danger and the Executive Summary of the report is included here and the entire report can be

viewed at [http://www.hks.harvard.edu/criminaljustice/publications/Police-on-Police\\_Shootings\\_with\\_appendices.pdf](http://www.hks.harvard.edu/criminaljustice/publications/Police-on-Police_Shootings_with_appendices.pdf). You are encouraged to read the report for yourself and draw your own conclusions.

Since 1981, some 26 police officers across the United States have been shot and killed by fellow police officers who have mistaken them for dangerous criminals. These fatal shootings are doubly tragic, first because both the shooters and victims in such situations are risking their lives to enforce the law and protect the public, and second because many of these deaths are preventable. The dangers that give rise to these deaths are inherent in policing, but those dangers can be reduced and more deaths prevented.

Over the last fifteen years, ten of the fourteen officers killed in these mistaken-identity, police-on-police shootings have been people of color. The two most recent of these fatal, police-on-police

shootings took place in New York State, and in both cases the victims were off-duty, African-American police officers: Officer Christopher Ridley, killed in Westchester County in January 2008; and Officer Omar Edwards, killed in Harlem in May 2009.

These two most recent tragedies reverberated powerfully, not only within the ranks of law enforcement but with the broader public. In press accounts, public debate, and informal conversations among police officers, we heard widespread speculation about the role that race may have played in these shootings, not based on any specific evidence of bias in these two cases, but emanating instead from the widely shared suspicion that race plays a role in many police confrontations, as it does in American society generally.

In response, Governor David A. Patterson empanelled this Task Force, directing

*Continued on Page 7*

## EVAC! Downed Officer Rescue Tips for Patrol

*The following article by Eric Dickinson is reprinted from Law Officer Vol. 6, Issue 6, June 1, 2010. The underlined information was thought to be especially useful and pertinent.*

An officer has been shot in the upper thigh while responding to a bank robbery. Now the officer is pinned down behind cover, calling for help over his radio in a weakened voice and bleeding profusely as he attempts to improvise a tourniquet to his own leg. The heavily armed bank robbers are continuing to engage targets of opportunity, but the officer may die if he's not able to receive medical treatment very soon.

A victim of a school shooting is bleeding profusely from multiple gunshot wounds in a second-story classroom while officers search a large school building for an unknown number of shooters. Attempts by bystanders to control the victim's bleeding have been unsuccessful, and his condition is rapidly deteriorating. If the patient is going to survive, he must immediately be moved through the building, down the stairs and across several hundred yards of open ground to the closest EMS triage area.

The sooner these patients are rescued, the sooner they can receive medical treatment and transport to a hospital. How do you extract them rapidly and in the safest manner possible? Much like rifles, ballistic helmets and aggressive response tactics to active shooters, rescue of downed officers and civilians was previously thought of as a topic reserved for SWAT officers.

Recently, this topic has been finding its way into basic and in-service training for street officers, where it will likely do the most good. Victims often don't have the luxury of waiting for SWAT to arrive. Ad hoc teams of patrol officers, detectives and supervisors from multiple agencies may be forced to act with limited equipment and personnel.

The purpose of emergency rescue operations is to save lives, not to unnecessarily risk lives to recover the body of a victim who is obviously dead. Dr. Matt Sztajnkrzycki, "SWAT Doc" with the Rochester/Olmsted County (Minn.) Emergency Response Unit, has explained that military scenarios differ from law enforcement scenarios in that the latter won't likely result in desecration of bodies temporarily left behind. Additionally, officers will usually have the opportunity to recover bodies at the conclusion of the incident. Investigators, medical examiners or coro-

ners will want bodies left where they are, if possible, during the post-incident investigation.

This article is by no means intended to be all-inclusive. Rather, it's intended to focus on a few simple, fast and effective techniques that will help street officers to move victims out of the hot zone.

### Equipment

In a perfect world, rescues would always be conducted using armored vehicles and personnel fully clad in Kevlar moving behind armor shields—a scene reminiscent of a Roman tortoise formation. In reality, we know that the majority of situations that arise won't include the rapid availability of those resources. However, there are a few pieces of gear easily carried by officers on patrol that may significantly enhance survivability. Officers armed with patrol rifles can provide more effective cover for the rescuers over longer distances. Ballistic helmets and hard armor plate carriers will provide extra protection for rescuers. Helmets will also protect rescuers' heads from accidental blunt impacts as they move rapidly in, out and around rescue vehicles.

Compact binoculars or a monocular will aid officers in conducting a remote assessment of potential victims prior to a rescue attempt. Observing the victim's chest rise and fall or visible breath in cold weather indicates the victim is still breathing. Active bleeding indicates the victim still has a pulse. Remote assessment may also help determine the type and location of injuries, potential threats, cover, and avenues of ingress and egress for rescuers. By determining if a victim is a viable patient and whether the patient will benefit from a timely rescue, officers can avoid committing personnel to a dangerous and unnecessary rescue attempt. Numerous products can be fashioned or purchased that will increase rescue capabilities and options. Ropes, tubular webbing or various types of patient carrying devices may enable rescuers to avoid unnecessarily exposing themselves or the victim to additional threats or make it easier to move the victim to safety.

According to Paul Howe, retired Special Forces operator and police trainer, "body armor can either help us or hinder us in accomplishing this task." Protection and gear must be balanced with the need for speed and maneuverability. Overloading with gear takes time when time is scarce. Moreover, it's heavy. The only tools that are required to complete many rescues are knowledge, communication and an ability to think fast and improvise.

### Rescue Techniques

Shields, armored vehicles and specialized extraction tools are great if they're available. But for most officers, access is either not possible or far away. Often, those patrol officers who have specialized tools available don't get the necessary training time to be proficient with them. Shields can also be bulky, awkward and slow for officers who aren't used to operating with them. Their usefulness is limited by the fact that portable shields don't stop rifle ammunition, and shield rescue tactics may require more personnel and shields than small agencies have available. In reality, street officers are more likely to be able to make a difference using patrol cars than shields and armored vehicles.

Because most officers don't have specialty rescue equipment readily at their disposal, they will most likely drag or carry the victims. Don't forget to determine whether a victim can walk under their own power or with assistance prior to attempting a drag or carry. Any technique that permits a rescuer to shoot if necessary is nice, but speed is more important if your goal is to get the victim out of the hot zone and to medical attention. Also, accuracy may be severely hampered if you're trying to shoot one-handed while dragging or carrying another person, regardless of the method or equipment you are using. Utilize cover officers whenever possible instead of trying to provide your own cover during a rescue attempt.

Dragging is easier and faster with unresponsive victims over short distances or when a low profile must be maintained. One of the most recognizable drags is a single rescuer lift/drag. It's commonly used by the fire service and is seen during the yearly Firefighter Combat Challenge competition. It's performed by a single rescuer who sits the victim up, positions himself behind, reaches under the victim's arms, grabs the victim's wrists and then stands dragging the victim backwards. Lift with your legs instead of your back to help avoid injury. This common drag prevents the victim from sustaining additional head or torso injuries from dragging along the ground. However, it may be slow and hard to perform if the rescuer isn't significantly larger than the victim. Although brute strength is a great asset for moving victims, it shouldn't be required.

Drags can be performed over very short distances by simply grabbing the

*Continued on Page 14*

## Muzzle Up or Muzzle Depressed?

**By Ralph Mroz**

A brief video clip that I posted earlier PoliceOne.com and that's now available on Officer.com advocating the depressed muzzle position when we have our guns drawn but are not in the act of shooting someone drew some heavy negative response from the viewers at PoliceOne. A related tip on rail-mounted lights, discussing the same root issue, can be found at [www.officer.com/posa/video/Short\\_Tips\\_on\\_Various\\_Subjects/Rail-mounted\\_Pistol\\_Lights](http://www.officer.com/posa/video/Short_Tips_on_Various_Subjects/Rail-mounted_Pistol_Lights).

Basically I was accused of being 1) a sissy, 2) a moron, and 3) a dangerous sissy moron who would get cops killed. Tom Aveni of the Police Policy Studies Council, referring at a professional law enforcement conference to the same issue as "muzzle heaviness," got the same sort of responses. To be fair, in the video I did not go into the nuances, caveats and detailed arguments I explore in this article. Rather it was a simple reminder to watch our muzzles, and a reminder to practice something I thought we'd all been trained in and understood. Those responses caused me to write this somewhat lengthy article addressing the issue completely.

Let me be clear: I am not concerned with hurting anyone's feelings — I couldn't care less how a subject feels about having a gun pointed at him, so long as I am justified in so doing. What I am concerned with is that I don't shoot someone I don't want to. I'm also not advocating that we *never* point guns at people that we do not intend to shoot at that moment. This is a complicated issue, and one that runs into neurological and biological constraints, as discussed below. Let me take it one issue at a time, and then draw them together at the end.

### **The problem: muzzle discipline is often not practiced**

In training, in simulations and in real life, we consistently see muzzles pointed at people (or targets, in training) that we don't intend to shoot at the moment. Sometimes when we see that on the street, it results in someone we don't want to shoot or aren't justified in shooting (at least at that moment) getting shot or killed.

My focus in the videos mentioned above is muzzling people who don't present an imminent danger to us as we challenge them, and muzzling areas

where innocents are likely to be during building entries, searches, active shooter training and so on. We see this when cops challenge an apparently unarmed suspect and they have their guns pointed right at him. We see this when cops are clearing buildings and in active shooter situations: The muzzle is pointed straight ahead into the areas from which people are running or an innocent person might appear (you never know in a building search if you'll find a bad guy, a homeless person, a teenager having a lark, or a resident or an employee). And of course, we see this almost as a normal state of affairs during much target-based training and during simulations.

Years ago at the Smith & Wesson Academy, then under the directorship of now Chief Bert DuVernay, I was taught what I believed everyone was being taught: that unless you are *in the act of shooting someone (or a target)*, your muzzle stays depressed. I'd modify this to say: *Unless you are in the act of shooting someone, or you have justification to shoot them, or you literally can't help yourself because pointing* Continued on Page 11

## NY Police on Police Shooting Report *(cont. from Page 5)*

us to examine the issues and implications arising from police-on-police shootings and confrontations, especially between on-duty and off-duty officers, between uniformed and undercover officers, and between officers of different races, nationalities and ethnicities, seeking to prevent such incidents in the future. Our work offers many lessons, from methods to improve training and tactics to defuse police-on-police confrontations before they become fatal and improve the investigation of police-on-police shootings, to procedures that can improve the treatment of the officers and families involved. Equally important, our work offers a chance to better understand the role of race in policing decisions generally and to identify specific actions that police agencies and government at every level can take to reduce the effect of racial bias, even unconscious racial bias, in police decisions to shoot in fast-moving, dangerous situations.

In the six months since our Task Force convened, we have undertaken a nationwide, systematic investigation of mistaken-identity, police-on-police shootings—the first time to our knowledge that an independent panel has conducted such an in-

quiry. We identified and examined 26 fatal shootings of this kind in the period between 1981 and 2009, looking particularly closely at the two most recent cases in New York State. We invited current and retired law enforcement officers from across the country to share examples of mistaken identity confrontations from their own experience, resulting in our collecting and analyzing over 300 stories of such confrontations. At three public hearings and through written submissions, we heard from police officers of all ranks, including several who survived near-fatal mistaken-identity confrontations, friends and relatives of officers killed, concerned citizens, and social scientists. We also commissioned in-depth interviews with ten leading scholars who have studied policing for more than a decade each and we solicited advice from a score of experts and police veterans.

We found that fatal police-on-police shootings are merely the tip of an iceberg of confrontations between on-duty police officers (usually in uniform) and their off-duty, plainclothes, or undercover counterparts. These confrontations occur every day, and while most are defused without

injury, each contains the seed of a tragedy. Where training has been poor or non-existent, where protocols are unclear, and especially where the officers are from different law enforcement agencies, these confrontations can and often do escalate quickly. Protecting the lives of law enforcement officers when they are out of uniform requires that training, protocols, and data collection all be improved.

Issues of race must also be addressed directly: both perceptions and reality. The perception that race matters in these confrontations is strong, including among many officers of color. Just as many people of color are aware that they are more likely than their white counterparts to be stopped and questioned by police, so, too, many officers of color believe that they are more likely than their white counterparts to be mistaken for a criminal when out of uniform, and that the danger is many times greater when they are taking police action with their gun displayed.

As for the reality, mistaken-identity, police-on-police shootings have tragically killed undercover and plainclothes officers—white, black, and Hispanic—without any obvious racial or ethnic pat-



## NY Police on Police Shooting Report *(cont. from previous page)*

tern; but the reality is strikingly different for off-duty officers. As far as we can determine, 1982 was the last year in which an off-duty, white police officer was killed in a mistaken-identity, police-on-police shooting anywhere in the United States. Since then, nine off-duty officers of color have been killed in such shootings, including both Officer Ridley and Officer Edwards in New York State. Distinguishing the off-duty shootings from the mistaken-identity shootings of undercover or plain-clothes officers is important because police departments, at least until now, have had more tools and training to keep plain-clothes and undercover officers safe than they typically have had for off-duty officers. There is broad consensus among police leaders across the country that departments must always be working, as one senior New York State Police executive put it to us, “to weed out the most virulent racists, instill cultural sensitivity and fairness, and finally strictly pursue a policy of zero tolerance when it comes to discriminatory bias of its officers....” We agree. But the cases that led to the creation of this task force raise a different issue: the need for police departments to go beyond the issue of overt bias to deal with the *unconscious* biases that influence all people, including police officers.

We find the scientific evidence persuasive that police officers share the same unconscious racial biases found among the general public in the United States. Specifically, we are persuaded by evidence that both police officers and members of the general public display unconscious biases that lead them to be quicker to “shoot” images of armed black people than of armed white people in computer-based simulations testing shoot/don’t-shoot decision-making. Moreover, we are encouraged that preliminary evidence suggests that police training may reduce this unconscious bias, and we commend those police departments—including the New York City Police Department—that have begun systematic research, testing their new recruits for this bias before and after their training, as well as in the early stages of their police careers. Reducing any kind of racial bias in shoot/don’t-shoot decisions has the greatest potential to save the lives of police officers of color and of civilians alike.

Finally, we have found that these fatal police-on-police shootings can easily traumatize and sometimes polarize entire police departments. Not only are the individual officers present at the scene affected

deeply, but the organizational routines that normally structure an agency’s response to a shooting can be thrown into confusion as word of an officer killed spreads unevenly through a department, as other officers react with understandable emotion, and as the deepest of regrets grip everyone involved. Departments that had never imagined that such a tragedy would occur within their ranks find themselves unprepared to handle the inevitable emotion and trauma, sometimes leading to a loss of credibility and respect, not only with the public, but also among sworn members of their own law enforcement agencies. Yet, if recent patterns hold, it is likely that another police department somewhere in the United States will find itself facing just such a tragedy this year, another will face one in 2011, and so on into the future.

Prevention and preparation are straightforward and essential. New York State, with two such tragic recent experiences, has a special obligation to strengthen its prevention, preparation, and response statewide. We make nine specific recommendations, each with implications for police departments, municipalities, and state and federal government.

1. To reduce the frequency and danger in police-on-police confrontations, we recommend that *common protocols* be developed both statewide and nationwide regarding *when and how to take police action while off duty or out of uniform*, and *how challenging and confronted officers should conduct themselves*.

2. To make those protocols effective and to prepare departments to respond appropriately when tragedy strikes, we recommend that *interactive, scenariobased training* on the protocols become mandatory in New York State and routine throughout the nation, both for new recruits and for veteran officers, and that training be developed for police leaders in how to respond effectively to police-on-police shootings.

3. To reduce the role that racial stereotypes play in police confrontations, we recommend that both federal and state governments accelerate the development of testing and training to *measurably reduce unconscious racial bias in shoot/don’t shoot decisions*.

4. To reduce the role that racial stereotypes play within police departments, we recommend that police training on issues of race and diversity be expanded to include a focus on *diversity within police agencies*, drawing on the experiences of officers of color who have been mistaken

for offenders.

5. To improve the quality and credibility of police responses in the rare instances of police-on-police shootings in New York State, we recommend the development of a *specialized support team* that would be quickly deployed to any location in the state where a police-on-police shooting occurs, and that could be available to assist departments in other states upon request.

6. To improve understanding as to how police-on-police confrontations occur, and how they can be resolved without injury, we recommend the establishment of a mandatory statewide *reporting system for all firearms discharges*, the distribution of a voluntary annual survey to individual officers, and enhanced record keeping measures by the New York Division of Criminal Justice Services and the Federal Bureau of Investigation.

7. To improve the transparency and understanding of prosecutorial decisions in police-on-police shootings, we recommend that prosecutors overseeing these investigations publicly disclose as many details as possible as early as possible, and that Governors give great weight to the need to encourage *public disclosure of the circumstances of these shootings* when weighing whether or not to appoint a special prosecutor in an individual case.

8. To share the benefits of the lessons drawn from police-on-police shootings, we recommend that the protocols developed to protect officers be adapted for use by those community organizations providing training to civilians on how to handle themselves during encounters with police, and that this training be made available to civilians of all races and ethnicities.

9. To attend to the concerns of the growing numbers of officers of color in our increasingly diverse society, we recommend that the federal government, together with local law enforcement agencies, launch a program of *dialogue and research on the experiences of officers of color*, especially when off duty, deepening the field’s ability to support these officers as they strive to bring safety and justice to communities that need them so dearly.

While nothing can undo the tragedies that have taken the lives of Officers Omar Edwards, Christopher Ridley, and dozens of others before them, we must act on the lessons their deaths have taught us. Our recommendations urge precisely these actions, promising to reduce the chances that these tragedies will be repeated and increasing the safety of police officers and civilians across New York State and across the nation.

## FN Special Police Rifle - Ready For Duty

### By Ed Gross

Law enforcement agencies looking to equip their police snipers have an advantage these days. With the advent of contemporary police sniper training and a focus on better equipment there is considerable competition coming forward from the factories to outfit the law enforcement professional.

We recently evaluated the FN Special Police Rifle (SPR). Initial impression out of the box was very favorable. The test unit we received came safely packed in a Styrofoam molded shipping box. Included were a 100 yard zero target (group size -.41"), owner's manual, safety booklet, and a progressive shot log/maintenance record. According to FN their SPR's are "based on the legendary Pre-'64 Model 70-design action". In accordance with that design the bolt is fitted with a massive external claw extractor which is renowned for what is known as a "Controlled Round Feed (CRF)". Once the extractor has engaged the rim and is seated in the extractor groove of the cartridge it's captive on the face of the bolt until ejected from the receiver.

The rifle we received has a factory-installed scope rail onto which a Leupold 4.5x14 tactical scope was quickly and easily mounted. The rail is a one-piece steel MIL-STD 1913 style rail with an additional 20 MOA of elevation finished to match in matte black. A Harris S-BR series bipod and 1 1/4 GI sling and swivels completed the setup for testing. Sling swivels studs were properly located fore and aft on the stock, with a double set on the forend for bipod and sling swivel mounting respectively. The interior stud is particularly useful in maximizing the use of a proper rifle sling for position work.

The stock is a solid McMillan™ fiberglass unit which adds weight and a reassuring feel of stability to the rifle. Weight came in at 14.4 lbs with the scope, bipod and sling mounted. Sans these components our test sample weighed 11.6 lbs.

The stock finish is a fine stipple which provided a positive grip, aiding in controllability and just felt "good" while handling the rifle at the range. Ergonomics are excellent with an "Anschutz" type near vertical pistol grip. The forend of the stock has a gracious flat bottom, suitable for shooting off a pack or operating within an urban environment. The synthetic butt pad is mated to a spacer which appears to be removable/stackable for fitting individual operators. Overall length was approximately 44.5 inches as tested.

The trigger guard / floor plate unit is a heavy duty steel one piece factory unit.

Steel units like this one are generally found on custom built rifles or fitted as "upgrades" on some factory rifles. They contribute to added strength, rigidity and durability for tactical use. The front and rear tangs are also wider and thicker for additional clamping strength, consistency and consequently accuracy.

The FN SPR model tested was not fitted with a height adjustable cheek piece however a "slipover" unit could easily be added. The FN SPR A3G and A5M models come with a fully adjustable cheek piece for height and length of pull. With nearly a 1/8 inch of space the design of the forend of the stock affords the barrel a gracious channel which ensures a free floating barrel. The action is solidly bedded in the stock by a synthetic compound applied at all crucial points. The barrel lug is captive and fully bedded.

The trigger is characterized as a "two lever" type. The unit used in the test rifle had a very minor initial "step" to it. It did however pull very evenly and broke cleanly and consistently at 4.5 lbs. This is well within the desirable range for an operational police sniper rifle (American Sniper Association recommends a trigger weight of 3.5-5 lbs).

The rifle has a Model 70-design three-position safety which works in conjunction with bolt removal and positively locking the firing pin. The 24" cold hammer forged barrel has a very pleasing taper and offers substantial heft to the rifle. Twist is the optimum 1-12 for use with most current police sniper factory loads. The exterior finish is a deep matte black matching the stock, receiver, bolt and other components. The recessed crown was finely finished with cleanly machined surfaces.

Arguably the "heart" of any great rifle is the barrel. According to the manufacturer "All models have cold hammer-forged MIL-SPEC barrels with hard-chromed bores, and are held to +/- .001" headspace to produce and maintain one minute of angle (1 MOA) accuracy, making them natural choices for long-range target shooting and competition."

It has been said that the only interesting rifle is an accurate one. A trip to the range revealed that accuracy from this rifle was outstanding especially for one of this price range. Firing sessions resulted in repeated sub-minute of angle 3-5 shot groups at 100 yards. Factory ammunition used was the ubiquitous 168 grain match round as supplied by the premier Blackhills and Federal ammunition companies.

The ammunition was equally matched

in terms of accuracy in this rifle and resulted in multiple tight clusters with numerous "one hole" groups providing the shooter did their part. All shooting was conducted from the bench with a bi-pod. The rifle digested 50 rounds of each manufacturer's ammo with ease. The bolt cycled smoothly picking the rounds up securely on the face of the bolt and flawlessly captured each under the extractor claw.

The Pre-'64 Model 70-design type bolt handle offered a bit more leverage than many of the competitors when chambering a round or extracting a spent cartridge. The bolt release is located on the top rear portion of the receiver adjacent to the bolt. A sensible and safe location compared to other manufacturers.

The police model comes with a detachable magazine capable of hold 4 rounds. The release is located directly in front of the magazine well and easily manipulated even with a gloved hand.

Once inserted the magazine sits flush with the stock and seats with a very positive and reassuring "snap". With an empty magazine inserted single rounds may be tactically loaded through the ejection port however it is not possible to easily load the magazine up via the ejection port. The shooter has the option then of inserting loaded (partial or full) magazines or tactically loading and shooting single rounds through the open port.

Rifle accuracy was outstanding and comparable to that of rifles costing thousands of dollars more. The unit we shot was solid in feel, of high quality and construction and overall fitment was excellent for a use as a duty rifle.

Considering the excellent components which comprise this package, agencies would save considerable time, effort and money to bring other systems up to this level. There is also the additional benefit of having purchased a complete package from the factory that is designed to function together and comes with product liability and a warranty.

In summary the quality of the FN SPR stacks up against other rifles costing 3-4 times as much. This rifle is an excellent performer and an outstanding value at \$1,174.

Competition is good for the consumer and the FN SPR is a very strong competitor worthy to be on any callout with a police sniper.

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## Muzzle Up or Muzzle Depressed *(continued from Page 7)*

*your gun at them is a neurologically hard-wired response.* When you are challenging someone or when you are searching and that's not the case, your gun should generally be pointed just in front of the suspect's feet (or where a suspect's feet would be).

This just seems like so much common sense; after all, if you aren't justified in shooting someone, any gun discharge at that point would be negligent. It's so easy to get bumped, to lose your balance or to be startled in dynamically evolving, high-stress situations, particularly those involving movement or multiple people (think of a raid) that this muzzle-lowering precaution seemed not just sensible, but like the only responsible and professional thing to do.

My own epiphany came early one morning when a few of us task force members were executing a no-knock with the Montague (MA) SRT. We had information that the dealer had a gun and had indicated that he'd use it. I wound up being the third officer in the perp's bedroom, where we found him in bed with his girlfriend. All three of us had our muzzles on the BG, fingers off the trigger, and were ordering him to get his hands out from under the sheets. Because it was a large bed in a tiny bedroom, the farthest I could get safely into the room was halfway through its doorway. My gun must have been pointed at him for maybe a second when the big light went on in my head and I thought (in about 1/10 of a second): "there's maybe a half-ton of cops still flowing into the apartment in back of me, and half my body is sticking out into the narrow hall—HOLY \*\*\*!", and the muzzle came down.

### Confusing the issues

When this subject of muzzles comes up, there are three issues that immediately get discussed, and they are often incorrectly commingled. In fact they are separate and need to be analyzed separately.

### Legal issues:

There are certainly times when you could be legally justified in pointing a gun at someone you don't intend to shoot. But just because you are legally justified doesn't mean it's the right thing to do, and legal justification shouldn't be our only hurdle for so doing. On the flip side, *Robinson v. Solano* in the 9th U.S. District Court of Appeals, which determined that pointing a gun at someone can constitute excessive force, is often cited as a reason to *not* point guns at

people we aren't shooting. This isn't entirely an accurate interpretation of the case, though, because the facts demonstrate pretty serious misconduct on the part of the offending officer. Plus, this was in the 9th Circuit, an appeals court in which sneezing is pretty much considered excessive force.

### Tactical issues:

The tactical issue centers around the time supposedly lost by having to raise a depressed muzzle if a shot has to be made. Below, we show that this is not as big an issue as many believe, and often not an issue at all.

### Liability issues:

Liability in these situations centers around shooting someone who shouldn't have been shot at that moment, which is a legitimate concern. As an attorney and police chief, Ken Wallentine points out: "...liability is derived from killing or injuring someone who ought not to be killed or injured. It isn't just a question of writing a check to the survivor." The chief goes on to say: "The majority of law enforcement firearms instructors agree that there is no critical time lost in searching with a depressed muzzle, and [they] agree that the slight intimidation factor isn't worth the trade-off of an unsafe tactic. Their views are supported by use-of-force rules applied by courts across the nation."

As a matter of mission and policy, police officers routinely balance liability concerns with safety concerns. This balancing act is part and parcel of the job. *Everything* we do entails risk, and it's the *management* of the risks, and the *balancing* of the different risks we face that defines the job of a trainer, not the *elimination* of risk. Nonetheless, I hope to show below that no such trade-off is *usually* required when we address the issue of muzzles pointed at people.

### Rule No. 2

Every police officer knows (or should know) the four rules of firearms safety by heart. My versions of them have been:

1. Treat all guns as if they were loaded until redundantly proven otherwise.
2. Never let the muzzle cover anything you are not justified in shooting at that moment (I now think this rule needs to be slightly modified, as I explain below).
3. Keep your finger off the trigger until the moment you want the gun to discharge.
4. Be sure of where your bullet is likely to end up.

Being law enforcement officers doesn't give us license to flout these rules. If we could, they wouldn't be so heavily stressed at the academy and make so much objective sense.

I know of no firearms instructor or gun-competent person anywhere who does not preach these four rules strongly and repeatedly. If Rule No. 2 means what it says, and we allow our officers to point guns at people they aren't justified in shooting at that moment, then we are contradicting ourselves. So either we stop preaching Rule No. 2 or we adhere to it in practice. Pick one. You can't have it both ways.

This is a serious concern. If we train our officers to cover with the muzzle those people we aren't shooting in simulations or targets on the range, or tacitly allow them to do so in practice, and one of them has an unintentional discharge and wrongly shoots someone who he or she was covering with the muzzle, then all a prosecuting attorney has to do is get a photograph of the safety rules posted at our range or a copy of a department manual that contains them, and we have a serious problem. We can't say something to officers and then say it's OK for them to ignore it.

In fact, I believe that Rule No. 2 can't be applied 100 percent of the time, as I explain below, so we probably do in fact need to modify it slightly, for liability reasons if nothing else. However, I see it disregarded in too many circumstances in which it should apply, and thus the reason for my original video post.

There is a too-clever-by-a-half argument that proposes that by keeping our muzzles up and therefore muzzling everyone we come upon during a search or challenge we are actually not violating Rule No. 2. It goes like this: "I'm not violating Rule 2 if I find someone during a search since I do intend to shoot them until I have determined they are not a threat." Obviously this is a semantic twisting of Rule No. 2, one that's easily shown to be silly, and in any case it ignores the risk-management part of our jobs.

### Intimidation

You *might* give up a tiny bit of "intimidation" with the muzzle slightly depressed as you challenge a suspect, but any cop who can't compensate for that with intimidation from his or her presence and verbal commands probably lacks a vital skill necessary for the profession. Also, consider that Col. Jeff Cooper said covering a man with muzzle depressed (actually, not just slightly lowered, but at a 45-degree downward angle) might be more intimidating and

## Muzzle Up or Muzzle Depressed *(continued from previous page)*

detrerring than covering him with the muzzle “on target,” as it communicates a trained professional, confident that he is in charge of the situation. I’m not sure I agree, but the colonel’s opinion is always worth considering.

### Do you give up time?

How much time do you give up by depressing the muzzle to the suspect’s feet? That is really at the heart of any objection to the muzzle-depression suggestion. A drill to measure this was done with hundreds (if not thousands) of law enforcement officers at the Smith & Wesson Academy during the 1990s. It was run at five to seven yards, with the arms straight and the muzzle depressed to something like a traditional low ready. The average time difference to get the first shot off on a Smith & Wesson Bobber target compared with starting with the muzzle on the target (fingers off the trigger in both cases) was usually 0.14 seconds. When I tried the same experiment on the range, I got times of 0.33 to 0.35 seconds both ways at five yards — that is, there was no difference in time. Running the same experiment at 12 yards, I found a difference of between 0.05 to 0.15 seconds (and a better shooter would be faster). I’ll use my results here because they are from an experiment designed expressly to measure the time difference between the specific postures I’m talking about in this article. One reason that I saw no appreciable time difference between the muzzle depressed and muzzle-on-target positions at realistic gun discharge distances is that it takes 1/10 of a second to get your finger onto the trigger. That is, everyone who has ever measured it (including me) has found a 1/10 of a second difference to a shot off (from a buzzer stimulus) depending on whether you started with your finger on the trigger or along the frame. Thus I could get on target during the same time I was moving my finger to the trigger. Of course these time penalties are being calculated from experimental measurements in a very simplistic setting: responding to a buzzer and firing as fast as possible onto a target. That doesn’t begin to reflect real life, in which you are making shoot/no-shoot decisions by trying to take into account many stimuli and suspect cues. The Force Science Research Center has found that adding just a little complexity to a shooting decision — again, in a simplistic laboratory setting — doubled the reaction time to making a shot. That is, making even simple observations and decisions greatly affects your “lag time” to making a shoot/no-shoot decision.

Obviously this time increase is con-

sumed with decision-making, and not muzzle movement or trigger pull. When you consider the entire context in which shots are made in real law enforcement situations, the zero to one-tenth of a second lag time induced by the lowered muzzle is usually less than the decision-making time required to make the shooting decision. Thus, if the muzzle is depressed to begin with, it will usually have ample time to come onto the suspect before the final decision to shoot will be made.

Does this mean that we might sometimes muzzle people about whom we have not yet made a final decision to shoot, but whom we think may pose an imminent or immediate threat? Yes, but that is probably not something we can stop ourselves from doing, and it’s perfectly reasonable. More on this point below.

Remember, in the real world you are reacting to cues that the suspect gives you, and you have to identify those cues as posing imminent danger before shooting. Is he drawing a gun or a cell phone? Is that student running around the corner actually the shooter or an innocent civilian? To do this, you usually have to see the suspect’s hands and identify what’s in them, which takes time.

### Seeing the hands

I expected comments on my original video post saying that I’d forgot to mention that a good reason to keep the muzzle slightly depressed during a search or challenge was so we could see the suspect’s hands. Many if not most instructors teach this, and many tactical shooters believe it. If this is a good reason to depress our muzzles, and one that’s practiced, I have a hard time understanding the negative responses I received to the suggestion that we should keep our muzzles lowered unless shooting (or, as I didn’t say in the video, if we perceive an imminent threat, as I explain below). The irony here is that I don’t fully subscribe to this theory. When I hold a gun on someone at chest height, I can often see their hands pretty well. I believe this is a natural consequence of the fact that both eyes are open.

### Just keep your finger off the trigger and there’s no problem

It seems like plain common sense that getting bumped, startled or losing your balance can cause an involuntary convulsion of the gun hand, sometimes involving the trigger finger coming off the frame and convulsing the trigger. This results in a true accidental discharge, not a negligent discharge. That anyone can doubt this just amazes me, but apparently many

do. However, now we have scientific proof.

A recent study published in the journal of the International Association of Law Enforcement Firearms Instructors proves that officers’ involuntary muscle contractions can in fact accidentally discharge a gun. I won’t grind through the study details here — you can easily read the article yourself — but the bottom line is that police officers can indeed unintentionally discharge a gun when startled, jostled, or when they lose their balance, despite their training to keep their finger off the trigger and despite their trigger really being off the trigger. An earlier paper by Dr. Roger Enoka explains the biological, neurological and physiological reasons for the results of the German study.

Recall how easy it is to get bumped, or to fall, or to get startled in the real world. Many of the places we raid are full of detritus on the floor. In a dynamic situation it’s easy to have literally a ton of cops behind you moving in a hurry, and people — most of them no threat — appear out of nowhere, surprising the hell out of us, all the time.

A related conclusion of the study confirmed what many stateside trainers — including Dave Spaulding, who published his observations a few years ago — have long noticed: that even well-trained officers will *unconsciously* make sporadic trigger contact with their finger during a high-stress event, and they have no memory of so doing afterward. We call this phenomena *trigger affirmation*. Trigger affirmation is probably some hard-wired primal response to stress, and we probably can’t train it out of people, given that we see it in so many well-trained people. The good news is that there appear to be very few if any ADs as a result of this alone. (Ironically, if we were to try and mitigate ADs from trigger affirmation alone, then a cocked and locked 1911 would be the safest gun!) Nonetheless, when an officer is trigger affirming, he or she is at great risk of an unintentional discharge if bumped or startled, or if he or she falls.

Rant all you like about “Just keep your finger off the trigger and there’s no problem,” but the science is against you.

### Interlimb interaction

If you are OK with pointing guns at suspects that we aren’t shooting, or if we aren’t in one of the other situations described below where muzzling someone may be appropriate, then are you OK with an officer pointing his or her gun at a suspect while doing something else with the off hand, such as grabbing the suspect? I trust that everyone will say “no,” because of the well-known phenomenon of interlimb interaction. Well, 1) you’ve just admitted that “keeping your finger off the trigger” is not enough to be safe in

## Muzzle Up or Muzzle Depressed *(continued from previous page)*

principle, and 2) because falling or getting bumped will often involve an interlimb interaction as the officer uses his or her off hand to regain balance, you've just admitted the possibility of an unintentional discharge in those circumstances.

Further, it certainly seems like a short leap from intuitively understanding interlimb interaction to intuitively understanding involuntary hand convulsion under the effects of being startled, bumped or falling.

### Single-action safeties

If all you had to do was keep your finger off the trigger and there would be no problem, then there would be no need for the safeties on single-action guns (such as 1911-pattern pistols and AR-15-type rifles) to remain engaged until we actually wanted the gun to fire. Yet keeping the safety engaged until that moment is exactly what is taught by even the most "macho" instructors. Even Paul Howe, formally of Delta Force, a man who has seen more action involving military rules of engagement than any law enforcement officer in this country has seen action on the job, recognizes that simply "keeping your finger off the trigger" is insufficient even with the looser military ROE. (See: [www.combatshootingandtactics.com/published/the\\_weapon\\_safety.PDF](http://www.combatshootingandtactics.com/published/the_weapon_safety.PDF).)

### Is this really a problem?

I refer you to refer to a study of the shooting incidents in FYs 2000-2003 by the DEA, FBI, ATF and USMS. Thirteen percent of the shots fired *during enforcement operations* (not including training, animal control and so on) were unintentional. That's an astounding number. Another example: The New York Police Department's SOP-9 indicates 27, 71, 63, 42, 55, 37, 27 and 24 unintentional discharges for 1994, 1995, 1996, 1997, 1998, 1999, 2004 and 2005 respectively. You can see the tragic potential if those muzzles were pointed at people who didn't need to be shot at that instant, particularly if you extrapolate from these agencies' populations to all United States police officers.

Finally, let me refer you to the tragic SWAT shooting of an unarmed, non-resisting man in Fairfax, Va., because that agency's SOP was that guns are always pointed at suspects. Just run a Google search "Fairfax SWAT shooting" and you'll return lots of stories about this poster-boy case for muzzle depression when a threat isn't imminent. This is a 1,500-officer department, with a well-trained cadre on its team, and the officer making the tragic shot was regarded as a

good, well-trained officer. If it can happen to them, it can happen to you.

### There are exceptions

I'm not saying that pointing muzzles at people (or into areas) that you aren't *in the act of shooting* is always wrong.

- We are always justified in pointing our guns at people who present an imminent threat, whether or not we *wish* to shoot them at that point, because an imminent threat *justifies* our shooting them. Further, the impulse to muzzle someone from whom we feel a sudden imminent threat or a high-potential for imminent threat is probably hard-wired. It probably can't be trained out of us, but we can train to transition to a muzzle depressed position when the right thereafter or if/when the immediacy of the threat diminishes.

- In a dynamically evolving situation, flowing from muzzle on a suspect or threat area to the muzzle-depressed position is probably usually the right thing to do in response to our changing threat perception.

- There are times when your decision to shoot is *not* the result of reacting to a suspect's movement, such as when entering a high-threat area with a shooter lying in wait for you, that the time difference between muzzle up and muzzle down can make the difference in who gets the first shot off.

### Examples

1. There is no one in our sight that is an imminent threat to us; therefore we are not justified in shooting, and our muzzles should be depressed. Examples: searching a school hallway for an active shooter with no shooter in sight (we don't want muzzles pointed at the innocent students), entering on a drug raid with no threat in sight (there are often innocents and children in these places), challenging a suspect who we believe is not armed and we can see his hands, or challenging a suspect who isn't armed and there's a gun on a table six feet away.

2. There is someone in our sight that is an imminent threat to us. Therefore we are justified in shooting, and our muzzles can be on the suspect. We are muzzling them instead of shooting them because we have decided not to shoot them at this instant, even though we are justified in doing so. (There are good reasons for not shooting someone every time we're justified.) Examples: a person with a gun in his waistband and his hand near it, or someone threatening us with a knife at a short distance. Our reasons not to shoot in these instances are based on the totality of the circumstances, our feelings about the suspect's intent and a host of other real-world

factors. Hopefully our decision not to shoot is also influenced because we are challenging the suspect from behind cover or are otherwise mitigating the risk.

3. The in-between place. What about those times where there is no imminent threat, thus arguing for muzzle depression, but we believe it entirely possible that one could appear *in an instant*? These are the hard calls, and I believe we have to resort to common sense and the totality of the circumstances in making a decision. For example, raiding the headquarters of your regional MS-13 chapter probably warrants a muzzle forward entry more than serving an arrest warrant on a check kiter. That's why many of the very high-end teams, such as the FBI's HRT (last I knew), train in the muzzle-forward approach — the kind of calls they are likely to get may warrant it. On the other hand, one high-profile anti-terrorist national-asset organization that I'm aware of embraces the muzzle-depressed doctrine until you are justified in shooting. These are tough calls, to be sure.

### Conclusion

What the military calls "collateral damage" is known in the civilian world as negligence or murder, and there are consequences. There are some times where an innocent life is taken by a law enforcement officer and there is no fault — it's just a tragic alignment of the stars. But as professionals, we need to do all we can, within the boundaries of prudent and responsible risk management for all parties involved, to avoid an accidental shooting. If our guns are out, I believe that the general rule should be that we keep our muzzles depressed unless:

- There is an imminent threat (we are justified in shooting)
- We are startled or come upon by a potentially deadly threat (we probably can't help doing this)
- The likelihood of a truly deadly threat instantly appearing at any moment is high and there are no innocents endangered by our muzzles up.

P.S. In this article, I have referred to a muzzle depressed position as the "safe" position for an unholstered gun to be in when there is no imminent threat. The high muzzle position (or high ready position) is favored by some very highly experienced people, but for the purposes of this article it is probably not as safe, particularly if the officer falls. The undoubtedly hot debate over which position, depressed or high ready, is tactically better in what circumstances and why, we leave to another day.

*Due to space restrictions, the author's endnotes would not fit. They are available by contacting the editor.*



## EVAC! Downed Officer Rescue Tips for Patrol *(continued from Page 6)*

victim's wrists or feet and pulling them. Be aware that the patient's head is uncontrolled and may possibly sustain injury contacting the ground. Use wrists and feet only when absolutely necessary to get the victim out of the line of fire.

Dragging the victim by their collar or gear may also be effective but be aware that the victim's airway may be compromised by their position during the drag. Don't drag a victim face down when the victim's face will be in contact with the ground. Also, several tactical medics I've met reported that so-called "drag handles" on body armor or equipment vests are often not strong enough to drag the entire weight of a fully equipped officer. Medics have reported drag handle failures during training on various models from well-known equipment manufacturers. Instead, grab the shoulder straps of an external vest or carrier instead of a drag strap. If available, an inexpensive 20–25 feet of tubular webbing sewn in a loop can greatly aid one or two officers in moving a victim by fashioning an improvised harness. A 5–6 foot length of heavy duty rope or webbing with carabiners at each end attached to the victim and rescuing officers' gear can allow the rescuer to drag the victim while keeping hands free for other tasks.

Carries may be preferable to drag techniques when victims must be moved over uneven terrain or for long distances and if a low profile isn't required. Although the classic fireman's carry evokes a common rescue image, some fire departments have reportedly stopped using it due to injuries sustained by rescuers. It can be difficult for many rescuers to get an unresponsive victim onto their shoulders without assistance. Likewise, the one-person pack strap carry can also be difficult for a lone rescuer to establish with an unresponsive victim. For this technique, a victim's arms are placed over the rescuer's shoulders and the rescuer grasps the victim's wrists. Squat and bend forward slightly keeping the victim's weight over your hips. Both of these carries can be very effective for a lone rescuer if another officer or bystander can assist getting the victim into position. They may be your best option.

The options greatly increase if two rescuers are available in addition to any cover officers. One of the best two-rescuer carries is a two-person extremity carry. The first rescuer sits the victim up, positions himself behind the victim, reaches under the victim's arms and grasps the victim's wrists just like the single rescuer lift or drag. The second

rescuer positions himself between the victim's legs, facing the victim's feet and grasping the victim's legs. Both rescuers stand at the same time. This technique doesn't allow either rescuer to engage targets, but the rescuers can move very rapidly and over uneven terrain. Have other officers provide cover while using this technique.

When a victim is down outdoors and good cover isn't available, patrol officers may have to use vehicles to perform a rescue. Patrol cars are readily available and provide limited cover and concealment along with a rapid means of ingress and egress from the hot zone. By reducing rescuers' time on target, and providing limited but highly mobile cover, we can increase the odds of a successful rescue.

Ideally, three or four officers would perform a patrol car rescue. One officer acts as driver, one as cover officer and two as rescuers. If only three officers are available, either the driver or one of the rescuers may have to provide a lesser level of protective cover while the car is stopped and most vulnerable.

The rescue team speeds across the open ground in the patrol car and stops as close as possible to the victim while the driver remotely opens the trunk lid. The rescuers exit the car, grab the victim and all three fall into the open trunk of the car. If available, the cover officer may exit the car also but remain close enough to rapidly re-enter the car when the rescuers are ready for egress. When all officers and the victim are in the car, the driver gets the team out of the danger area as fast as possible.

*Remember:* The rescuers and victim in the open trunk may have little to hang on to. Officers should try to use as much of the patrol car as cover and concealment as possible throughout the rescue. Other vehicles around your community may also be available to provide limited ballistic cover during a rescue. Images of officers utilizing fire trucks during the Columbine massacre and private armored trucks during the North Hollywood shootout are ingrained in our memories. Additionally, sanitation trucks and dump trucks may provide enough cover to safely extract a victim. *Note:* Most civilian armored transport company trucks aren't designed to stop rifle caliber ammunition. Try to keep the unprotected cab of a fire truck, sanitation or public works truck faced away from the threat in order to provide the driver with the most protection. Some of these large vehicles may even be equipped with rear-facing back-up cameras that may aid in approaching the victim in the hot zone.

### Conclusion

Officers don't have much time to formulate new ideas or debate options for rescue while victims bleed to death. Our first objective during a violent incident is to save lives. We must act quickly during rescues, but that must be balanced with the need to avoid unnecessary risks to personnel by trying to recover an obviously dead body. Law enforcement operations in most jurisdictions involve very limited initial manpower, weapons and support. Officers must not fall victim to emotions and realize that a failed rescue attempt may result in would-be rescuers who are now injured or dead, further complicating the situation.

Practicing remote assessment will help prevent rescuers from blindly rushing into a hot zone. Practicing simple drags and carries will enable responding officers to get victims and themselves out of the hot zone more quickly, which increases the odd of survival for both parties.

Agency trainers have a responsibility to integrate rescues into other departmental training. After providing officers with the basic skills, rescue scenarios should be unexpected and sudden for maximum benefit. "Downed" subjects may be randomly chosen during scenarios at the moment of injury. Dependable personnel may also be assigned as undercover "victims" who are given private instructions prior to training regarding when and where they should simulate an injury requiring rescue.

Check with your local fire department or technical rescue team for advice on the use of rope and tubular webbing to move victims. Be aware of the resources and tools that may be available if a rescue must be attempted before the arrival of specialized teams and tools. Instead of wasting time wishing for tools you don't have, spend your time practicing with the tools you've got.

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*Thanks to the following for their assistance with this article:* Winnebago Co. (Iowa) Sheriff's Office, Lake Mills (Iowa) Police Department, Scarville (Iowa) Fire Department, Romeoville (Ill.) Fire Academy, Dr. Andrew Dennis, Cook Co. Trauma Unit (Chicago, Ill.), Cook Co. Sheriff's Police HBT, Des Plaines (Ill.) Police Department, and NIPAS EST.

The official publication of the  
Massachusetts Law Enforcement Firearms  
Instructors & Armorer's Association  
P.O. Box 253, Princeton, MA 01541-0253



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