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The Case Head

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

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Best Wishes for a Happy New Year

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

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

MPTC Firearms Instructor Program News	Page 2
Police on Police Shootings Taskforce Testimony	Page 3
Back Up Weapons	Page 5
Recycle Your Old Body Armor	Page 9
Basic Firearms Safety Course Ethics Question	Page 10
Random Thoughts On Handgun Reliability & Longevity	Page 10

MPTC Firearms Instructor News

By Todd Bailey

As readers of the Case Head have seen over the past four years, there have been changes to the Municipal Police Training Committee's firearms training program. These changes have roots which go back even further when Jim Ring was the firearms training coordinator. Jim completely rewrote the program to give the instructor a solid teaching base and included applicable case law to support needed training. When Jim had to step aside due to health reasons, Bill Leanos immediately picked up the reins and has continued to update and improve the program.

The first of these changes was to give the handgun qualification course of fire a long overdue overhaul. The static nature of the course was discarded in favor of a dynamic program with emphasized real world factors like movement, pivoting and integrating defensive tactics into the firearms training program.

Bill then established a steering committee of dedicated and experienced trainers who would be his sounding board for new ideas and help hammer out new material as

needed. As the economy began to fade and the state had to cut back on training dollars, the need to share the work load became self evident as the training coordinator is only a part time position.

The first job the committee received was to improve the basic instructor program to one which other states and agencies would want to model their program after. The end product increased the length of the class from five to eight days and added practical teaching modules to help train the new trainers. This program continues to be a work in progress and is constantly being assessed and improved with the goal of turning out the best firearms instructors in the country.

The Instructor Trainer program was formalized into a five day class with required annual updates. Since instructors who are selected for this level are already accomplished marksman, emphasis was placed on train the trainer and maintaining MPTC standards.

The MPTC Patrol Rifle course was changed from a basic 20 round course of fire to a 50 round course which included the same concepts as the handgun course. The new

course of fire more than doubles the officer's exposure to this valuable tool.

Most recently the Recruit Firearms Program was targeted with the intention of standardizing training at this level across the state. It is presently in the final draft stages however when complete, entry level firearms training will be the same regardless of which academy is teaching the program. There was also a call to include some level of firearms training with the Reserve Intermittent Academy program. Although these officers are slated to receive less hours of training than their full time academy counterparts, it will be more than they are currently mandated to get.

The Firearms Training Committee has a lot on their plate in 2010. The most notable issues they will be dealing with include standardized training and qualification standards for service pistol, additional instructor levels, a Less Lethal program and the implementation of online training.

Having no standardized training and qualification for veteran police officers has been a double edged sword.

Continued on Page 6

Monthly Meeting Calendar

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

February 23, 2010
Maynard PD

March 23, 2010
Pending

April 27, 2010
Pending

May 25, 2010
Lancaster PD
Instructor Recert

June 22, 2010
Location Pending
Instructor Recert

July & Aug 2010
No meeting -
Summer Vacation

September 2010
Annual Training
Conference

October 26, 2010
Location TBA

Nov. 23, 2010
Location TBA

December 2010
Merry Christmas

Watch your E-mail for last minute changes and details

Police-on-Police Shootings Task Force by Deputy Chief William Brooks

Lt. Fred Leland is a frequent contributor to the CASE HEAD and has his own training company - Law Enforcement & Security Consulting (www.LESC.net).

The follow article is the testimony of Deputy Chief William Brooks when he appeared before the NYPD Police on Police Shootings Task Force. It appeared on Fred's website and should be of interest to all firearms instructors.

I want to thank Governor Patterson for establishing this task force, and the members of the task force for their service. In spite of the fact that law enforcement officers have tragically been victims of accidental shootings at the hands of their brother and sister officers for more than a century, this undertaking is, to my knowledge, the most comprehensive examination of police-on-police shootings in our nation's history. The breadth of your research is extraordinary, and I hope your recommendations will be embraced by the entire law enforcement community.

Background

I have been a police officer for over 32 years. During that time, I led a detective squad for 14 years and have for the past 22 years led a multi-agency drug task force on a part-time basis. I have always believed that, in addition to the traditional threat of being assaulted by a criminal, my detectives and I were in danger at some level of being shot by police officers who did not recognize us. And so, years ago, I sought to understand the tragedy of police-on-police shootings, or friendly fire.

In addition to my other duties, I have served as a police academy instructor for over 20 years. For more than ten years, I have conducted training that included the topic of friendly fire. I teach a half-day course on off-duty issues to police recruits that includes instruction on home firearms safety, off-duty encounters, the carrying of police identification, carrying a firearm off-duty and friendly fire. I have also taught about friendly fire during two week programs for new detectives and new narcotics officers, as well as at the annual conference of

the New England Narcotic Enforcement Officers Association.

I must acknowledge that when I first began teaching about friendly fire, I found that the best information had been developed by the New York City Police Department. The NYPD academy provided me with their lesson plan and with a videotape that I still use today.

The Causes of Friendly Fire

For friendly fire to occur, two factors must first be in place; a law enforcement officer must be in plainclothes, and the officer must have his/her^[1] firearm drawn. This is the reason that most victims of friendly fire were either off-duty or working a plainclothes assignment when they were shot.^[2] It should be noted that both factors must be present. An officer who is in plainclothes but has his weapon holstered is highly unlikely to be a victim.

Because there will always be circumstances where a plainclothes or off-duty officer will need to draw his weapon, there will always be a risk of friendly fire. The bad news is that there is no easy answer to the problem, no switch we can flip. But the good news is that there are ways to decrease the frequency of these shootings; there are things we can do.

Perhaps the most effective way to understand the dilemma of friendly fire is to break down a police encounter chronologically. In doing so, one should examine the encounter from "both sides of the gun", in other words from the perspective of the officer challenging a person he believes to be a threat, as well as from the perspective of the plainclothes or off-duty officer who is being challenged. Rather than using the more accurate terms of "challenging officer" and "challenged officer", I will refer here to the challenging officer as the "patrol officer" and the officer being challenged as the "plainclothes officer".

The first issue is something referred to above. A patrol officer who sees a man running with a gun in his hand is often struck with the impres-

sion that the man must have done something wrong. There is nothing inherently wrong with that perception; it might make the officer cautious and serve to protect him from harm. In fact a citizen might think the same thing, and citizens have called the police to report a gunman who turned out to be a plainclothes officer. But the officer's perception that the gunman must be a criminal can also be problematic if the man with the gun turns out to be an innocent citizen or a law enforcement officer.

Second, the sight of a man with a gun can cause the patrol officer to focus on the gun itself. This factor, called "weapon focus" in studies on eyewitness memory, can cause the officer to focus so intently on the other man's firearm that he misses other cues or details of his surroundings.^[3]

Psychologists studying the phenomenon inattention blindness have routinely demonstrated that an observer, in this case the patrol officer, can completely miss a visible but unexpected object such as a police radio in the hand of a gunman or a police shield clipped to his coat.^[4]

The third problem has to do with the manner in which a handgun is sighted. As anyone who has trained with a firearm knows, a shooter must align his eye, the weapon's rear sight, the front sight, and the target. If all four points are in line, the bullet should strike the target. But the way the human eye works, one cannot focus on the sights and the target at the same time. One must be blurry if the other is to be in focus. Someone unfamiliar with firearms can try this out himself by pointing to an object in the distance. You can put your finger in focus and the object will be blurry, or you can focus on the object and your finger will blur. But you cannot focus on both at the same time. The same is true when you hold a handgun on a target, as a handgun can only be accurately sighted if the sights are in focus. If the sights are in focus, details about the target, such as facial features or even a police shield hanging around the target's neck, may not be discern-

Police on Police Shootings (continued from previous page)

able. This might explain how an off-duty Providence police officer could have been shot and killed by a police academy classmate who knew him well but did not recognize him.^[5]

The sighting of a handgun causes a second and perhaps even more obvious problem. Police officers are taught to aim their weapons at “center of mass”, or at the center of the visible target. The purpose of this is to enhance the likelihood of hitting the target. In most cases, the center of mass is the chest area of the target. But as soon as they pull their weapon up to that level, their hands obstruct their view of the bottom portion of the target. Again, a novice can simulate this problem by drawing an imaginary handgun and pointing it at a target. As soon as you get the weapon on target, you can no longer see below its chest area. So if the target were a police officer with a shield on his belt, or perhaps even hanging around his neck, the shield would not be visible to an officer properly sighting his handgun.

The fourth issue has to do with whether or not the patrol officer seeks cover before confronting the gunman. While most police officers view cover as something that will protect them from incoming rounds, cover also affords an officer more time to make a decision about whether or not to fire. If an officer is out in the open and the gunman begins to turn in his direction, the officer may believe that he has no time to wait, that he must fire now. But if the officer is behind sufficient cover as the subject begins to turn, he may have the time to shout additional orders. Unfortunately, cover is not always present or readily attainable.

The fifth aspect is the “verbal challenge”, the order that an officer gives to a suspect before or instead of firing. While television depicts police officers yelling all sorts of odd commands to suspects, real life law enforcement officers should be required to use the verbal challenge of “Police! Don’t move!” The word “police” identifies the police officer, while “don’t move” is intended to freeze the action. Even if the person holding the handgun is a

police officer, so long as he obeys the command to not move, he should be safe.

The close variation of “Police! Drop the weapon!” should be avoided as it commands the subject to do something immediately, rather than freezing the action. This is a particular problem if the person being challenged is a police officer because officers are trained not to drop their weapons. This unintentional non-compliance may heighten a patrol officer’s fear that the subject is hostile.

The sixth factor in the examination of friendly fire shootings is perhaps the most difficult to correct. The NYPD in its training materials has dubbed it “reflexive spin”. Reflexive spin refers to the tendency of an officer who hears a verbal challenge to turn towards the officer issuing it. For instance, a patrol officer sees a man with a gun in his hands and yells, “Police! Don’t move!”. The man with the gun, who is an off-duty officer pursuing a suspect, turns to answer the officer - to identify himself - and is shot.

The real issue with reflexive spin is not that the plainclothes officer turns to identify himself, it is the fact that his arms swing in the patrol officer’s direction as he does so. If a person with his arms outstretched turns to speak to you, his arms will turn as his head does whether he realizes it or not. The patrol officer, who is obviously concerned primarily with the “suspect’s” hands and the direction in which the weapon is pointing, perceives the movement of the arms as a threat and shoots. The shooting can occur quite quickly if the patrol officer has already sighted his weapon and readied himself to fire.

It is a matter of human nature that when someone speaks to you, or even yells for you not to move, you turn to face the person who has spoken. But it is this sudden and unexpected move of the hand holding the firearm that has often been described as the event that caused a uniformed officer to fire his weapon. Unfortunately, this reflex

has sometimes been described in the press as the victim officer not obeying the instructions of an officer who gave clear commands. While it may seem unnatural, officers must train themselves to lock their arms in place whenever they hear a verbal challenge.

The seventh and last issue explored here is unintentional non-compliance by the victim officer. In some cases, the patrol officer has challenged the plainclothes officer, but the plainclothes officer inexplicably disobeys the instructions. In the case of the death of Providence, RI police officer Cornel Young, uniformed officers had arrived on the scene and yelled for Young, who was off-duty and in plainclothes, to drop his weapon. But Young continued to advance, pointing his weapon in the general direction of the subject of the radio call. Young was killed by gunfire from the two officers. While he must have heard their commands, it is clear he did not realize they were talking to him.^[6] In cases such as this, plainclothes officers do not intentionally disobey instructions from patrol officers. They simply don’t realize that the orders are meant for them.

As noted above, the issues behind friendly fire are complex and varied. There is no simple solution, no switch to flip. But there are steps law enforcement agencies can take to protect officers and decrease the occurrences of these tragic shootings. These steps exist in the areas of training and policy.

Training

Police training occurs in a variety of settings. New police officers attend academies, and veteran officers receive training at roll calls or by being taken off their shift for lengthier sessions.

Police Academies:

A block of instruction on the dangers of friendly fire should be taught at every U.S. police academy. Topics within the block of instruction should include awareness of the presence of

Continued on Page 7

BACK UP GUNS – A Consideration For Every Officer, Even In Massachusetts

By Todd Bailey

In the liberal bastions of Massachusetts, the concept of the back up gun (BUG) does not get the respect or attention it should. In fact, it is a valuable piece of equipment which has proven itself in many other parts of the country for many years.

The idea of a BUG makes a lot of sense when you consider we carry spare handcuffs, spare ammo and have a patrol rifle or shotgun to augment our service pistol. If you've ever had a Type III malfunction at the range, you understand why a back up weapon is important. There is no way you are going to fix a broken firing pin or other part on your pistol in a gunfight.

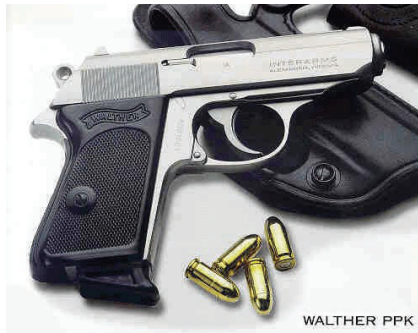
Back up guns are frowned upon by most agencies if not outright prohibited. The reason is rarely stated but is most likely because the command staff associates a BUG with a so called "throw down" gun. Many departments prohibit carrying any other weapon other than the department issued service weapons while on duty. This is short sighted at best.

Back up guns should be treated no differently than any other weapon authorized by the agency. The make, model and serial number is recorded along with who the weapon is issued (or belongs) to. If the weapon was purchased by the officer there is a paper trail with the FA-10 and ATF4473. The idea of an officer "throwing down" a department owned or officially documented personally owned weapon is pretty absurd.

The best situation would be if the department purchased and issued back up weapons but in these lean times, that is unlikely. An alternative solution is to have a list of department

approved back up weapons. Perhaps this could be accomplished by declaring that approved off duty carry weapons can also be used in a BUG role when on duty.

This list of compact pistols and revolvers which are found suitable for use will allow the officer plenty of leeway on making their own purchase. Regardless of whether the back up gun is department owned/issued or privately owned, the department should issue the ammo or at least specify which commercially loaded rounds are authorized. The last thing you need is the accusation that your officer was hand loading ammunition designed to "kill better".



All back up guns should be subject to an initial and annual inspection by the department armorer. As with any other weapon carried on duty, the officer should be expected to train and qualify with the back up weapon on a regular basis. Scores and courses of fire should be kept. Courses of fire should be suitably modified for the purpose of the weapon. In all cases, the back weapon needs to be drawn from where it will be carried.

Once the concept of the back up weapon has been accepted, the next hurdle will be to decide which weapon and caliber will be authorized. Many will argue for a miniaturized version of your duty pistol in the same caliber as the ideal solution. This view has merit as there is continuity in training and equipment. Spare duty weapon magazines will be compatible with the back up gun. On



the other hand, will a mini version of your duty pistol be the easiest weapon to hide and carry?

A very strong argument can be made for carrying a small frame revolver or a thin semi-auto pistol with a single stack magazine. Smith & Wesson's J-frame revolver and pistols by Walther (PPK or PPS) and Ruger (LCP) amongst others have proven themselves over time as reliable backup guns.

I will go on record and state that .22LR, .25ACP and .32 caliber weapons have no business as backup weapons. While very concealable and capable of inflicting a lethal wound, they rarely provide the ability to rapidly stop the threat. The wound cavity is small and their ability to penetrate to a vital target is limited in all but the best of circumstances. The .380 ACP (9mm Kurz) is barely acceptable. Better results can be had with a 9mm or .38 Special especially if loaded with +P rounds. While not perfect, both these rounds have sufficient velocity to penetrate to vital organs and will create a decent permanent wound cavity.

The selection of a back up weapon for issue or by the individual officer should take into consideration size, compatibility with the officer



MPTC Firearms Training News (continued from Page 2)

On one hand a cash strapped department could get by with running nothing but a 50 round qualification course annually with no associated training. In contrast a highly motivated agency could run quarterly training with annual qualification in all weapon systems. Neither would be right or wrong. Proposals on the table will mandate a minimum level of qualification and training. At this stage these minimums will only apply to handgun however it is logical that if it is successful, it would evolve to include all firearms systems.

The basic instructor certification course was increased from five days to eight to incorporate more hands on teaching time. The firearms training committee is looking at increasing this further to ten days to incorporate all the upcoming changes. This may also allow more time for the revolver which was all but removed to make room for other material.

Another priority is to update the shotgun qualification course of fire. The current ten round course is long overdue for a change. This goes hand in hand with the changes made to the handgun and patrol rifle courses and instructors should look forward to a more dynamic course of fire. It is too soon to say just what the new course will look like but it is safe to say it will parallel the changes made to other courses of fire. Instructors can look for the new course as part of the 2011/2012 Instructor Update Program.

One of the most interesting changes coming is the proposed addition of two new instructor levels. Currently the system is a two level certification. Instructors come into the system as a Firearms Instructor after completing the MPTC 8 Day program or an equivalent outside training class and attendance at a one day MPTC recertification. Instructor Trainers are selected from this level.

The proposed structure under consideration could the new level of Advanced Firearms Instructor between the Basic Instructor and Instructor Trainers. The pre-requisites for Advanced Instructors are still being worked out however it is envisioned this will be the minimum certification required to teach recruits at the academy level.

A new Master Instructor level is being looked at which would fall above Instructor Trainer. This small cadre of dedicated trainers would, among other things, be tasked with carrying out tasks and duties specifically assigned by the Firearms Training Coordinator. Details will be released as this system is firmed up and approved by the Executive Director.

With the increased interest in "less lethal" munitions, it is logical that the MPTC would develop a program. This is currently in the early stages but at this time it looks like it will be a stand alone program rather than being piggy backed on to the shotgun program. Work on this program con-

tinues to progress rapidly towards approval and implementation.

There are several departments which use a mobile firearms range to meet their annual firearms qualification requirements. The firearms committee is looking at how the differences in the dimensions of the shooting trailer affect running a MPTC qualification course. They are also looking at how to best adapt the new qualification courses which involve movement into the mobile shooting range.

Budget cuts and the declining availability of training funds has forced the MPTC to look at alternative methods of delivering quality training at little to no cost which Massachusetts departments have come to expect. The cost of classroom space and instructors can be eliminated with on line training using the distance learning concept which the military has used for years. While officers will never be able to requalify with their service pistols on line, there are some aspects of firearms training such as safety and use of force review which could logically be handled in this way.

MLEFIAA is fortunate enough to have a very good working relationship with Bill Leanos and several members of the firearms committee have an interest in MLEFIAA as well.

The Case Head will keep you posted with all the new program changes as they become approved and implemented.

Back Up Weapons (continued from previous page)

and above all reliability. Short of carry the second pistol (or revolver) on your duty belt like NYPD officers did several decades ago, only the biggest officers will get away with carrying a full size pistol as a back up. Carrying a "compact" version of your duty pistol solves the size issue and if your officers are not "gun people", the continuity in the operating system means their duty pistol training carries over to the BUG. The biggest drawback to compact duty

pistols is they tend to be 'thick'. Since they are normally a duty gun which the barrel and grip length has been shortened, the width of the pistol remains thick to accommodate the double stack magazine and wide slide. This makes the single stack magazine pistol an ideal choice as it lays flat with less bulk. Ironically, the revolver remains a popular back up weapon despite the thickness of the cylinder and limited ammunition capacity. This is most likely due to

the reliability of the revolver. Unlike the small pocket pistol, the revolver can be fired reliably from inside a pocket if necessary. It also tends to be more reliable when exposed to the dirt and elements associated with carrying the weapon in a pocket or ankle holster.

All in all, the back up weapon is a legitimate tool for law enforcement here in Massachusetts. If your agency does not authorize them or has not recognized their value, it may be time to change that.

Police-on-Police Shootings Task Force (Continued from Page 3)

plainclothes and off-duty officers, exposure to the issues of weapon focus and inattention blindness, the two-fold importance of cover, proper verbal challenge, the limitations of the traditional sight picture, and reflexive spin.

On the topic of verbal challenge, officers should be warned that a plainclothes officer may not realize that commands are meant for him. An officer who confronts a subject who ignores a command to stop can reinforce the command by describing the person he is talking to. "Hey Yankees jacket, Police! Don't move!" This should cause the plainclothes officer to realize that the patrol officer is talking to him. Additionally, officers should be instructed that a plainclothes officer will be reluctant to drop his weapon and that there may be a need to verify his identity. Telling a person who claims to be a law enforcement officer that you need to verify his identity and then instructing him to "holster up" or place the weapon on the ground and step back will help settle a tense situation. Once the firearm is out of the hands of the person being challenged, the patrol officer can ask him a question that only a police officer could answer. The NYPD uses such a protocol, and discussing potential questions and answers with recruits will ready them for this situation.

In addition to the specific tactics described above, friendly fire shootings from across the country should be explored in detail so that recruits develop an appreciation of the issue.

Aside from classroom instruction, friendly fire should figure in scenario training at all police academies. Some police academies use "airsoft" weapons that shoot small plastic BB's, or converted firearms that shoot "simmunitions" pellets. It would be helpful for police officers undergoing this type of training to be exposed to armed subjects who turn out to be police officers.

Finally, academy instructors must remember to train from "both sides of the gun". Training new recruits not to shoot detectives is simply not enough

if those officers will carry firearms while off-duty. Officers must be trained in tactics that will be effective whether they are challenging a subject or taking enforcement action while off-duty. See Tactics for Plainclothes and Off-Duty Officers below.

Roll Call Training:

Most police officers start their shifts by attending roll calls or shift briefings. Friendly fire refresher training can easily fit into a block of ten to fifteen minutes and should be given every six months or so. Teaching friendly fire only at recruit academies is insufficient as officers may soon forget that it is a reality in the field.

Officers who have never received formal training on friendly fire should first attend a lengthier training session. For this purpose, a stand-alone course on friendly fire should be developed and made available to U.S. law enforcement agencies. Because the tactics used by plainclothes officers could be exploited by criminals, the program and associated materials should be marked Law Enforcement Sensitive – For Official Use Only and be appropriately protected.

Firing Range:

Sound tactics that could avert the shooting of a plainclothes officer should be imbedded into all tactical training, including firearms training on the range. Most law enforcement officers spend several days each year at the firing range. The focus of much of this training is on how quickly the officer can get his weapon out of the holster and get the first shot off. This training is beneficial and the skill could save the officer's life, but firearms training should be developed that tests an officer's perceptions before he fires his weapon. Simmunitions training, or the use of firearms simulators, may also fit this need.

Another aspect missing on most firing ranges is lateral movement and use of available cover. Officers are for the most part taught to stand flat-footed as they draw their weapons and fire. Lateral movement to cover, or even movement slightly forward and to one side, would train officers to draw on

their target while seeking effective cover. The downside of this type of training is that it can be dangerous if conducted with more than one or two officers at a time, so it can become expensive.

Some police firearms instructors fail to include verbalization in their range training. At the range instructor's command, officers simply draw and fire. There is an old adage in police training that you will do in the field as you were trained to do on the range, so having officers draw and fire in silence may fail to prepare them to verbalize during a confrontation in the field. The best technique would be to require officers to yell "Police! Don't move!" as they draw and sight their weapons.

Training for Plainclothes Officers:

Officers assigned to detective squads, anti-crime units and multi-agency task forces face particular risks because they work out of uniform. Officers assigned to such units should be required to attend friendly fire training within the first few months of their assignment.

Tactics for Plainclothes and Off-Duty Officers

The study of friendly fire shootings and the reasons they occur can generate useful tactical recommendations for police officers who work in plainclothes or carry their firearms while off-duty.

Officers should understand that while a uniformed officer who draws his weapon may place himself in a safer position, the drawing of a firearm by an officer who is out of uniform exposes him to the risk of friendly fire, not only from responding officers, but from armed citizens as well. As such, weapons should be pulled only when absolutely necessary and should be quickly re-holstered once the threat has passed.

If an officer is carrying a firearm, he should have his shield in his pocket, in a case that allows him to get at it and display it quickly. Too many shield cases are made with flaps that make them difficult to manipulate with one hand. The shield case should either be

one that has the shield on the outside, or one that can be flipped open one-handed using gross motor skills. Obviously the shield should always be carried on the opposite side from the weapon so the officer can pull it out with one hand while holding the weapon in the other. Due the effect of weapon focus discussed above, an officer drawing his firearm should make an effort to hold the shield in close proximity to his firearm so that anyone who sees the gun will see the shield too. On the other hand, if the plainclothes officer is being challenged, he should not reach for anything without the permission of the officer challenging him.

Officers who take enforcement action while in plainclothes should use a radio to announce themselves and to provide a description of their clothing whenever possible. This warns other units, including those from other agencies that are monitoring the local channel, that plainclothes officers are in the area. Dispatchers who hear detective units signing off at an active scene should also announce that plainclothes officers are present.

Shouting "Police!" is even more important for officers who are out of uniform than it is for uniformed officers because it lets everyone in the area know that they are law enforcement. Some plainclothes officers, however, identify themselves only once. This can be problematic if they move from one location to another or if patrol officers arrive afterwards. As visual cues are often missed, plainclothes officers should continue to verbally identify themselves as the police throughout any enforcement event.

Any officer who hears a verbal challenge by another officer must lock his arms in place and remain still in case the officer is talking to him. Officers must fight the natural tendency to turn towards the voice issuing the commands.

When participating in a search for a subject, officers who are not in uniform should team up with a uniformed officer, or even another plainclothes officer. Most friendly fire victims were alone when they were shot. Plainclothes officers participating in

enforcement events should wear raid jackets.

Finally, regardless of rank or agency affiliation, the uniformed officer is always in command during an armed confrontation. Plainclothes officers should obey the commands of an officer who is in uniform.

Policy Issues

Some law enforcement agencies have instituted policies, orders or procedures which are either designed to prevent friendly fire or that have that effect. Many are focused on the work of plainclothes squads. Below are a few examples.

Uniformed officers should not merely be thrown into plainclothes without at least preliminary instruction about armed encounters. They should have a basic understanding of the perils of plainclothes work before being assigned to it.

Patrol units working the area of an anticipated enforcement event, such as a raid or buy-bust operation, should be notified and given clear instructions. If possible, they should attend the briefing and be in direct radio contact with plainclothes units. Briefings should include instruction on confrontation protocols and the introduction of all plainclothes and undercover officers. All officers not in an undercover role should be attired in raid jackets.

Where available, plainclothes units should utilize event de-confliction programs. These programs work by gathering information about enforcement events just prior to their execution, and checking a database to determine whether other law enforcement agencies are targeting the same subject or planning enforcement events for the same time and location.

Plainclothes officers should use portable emergency lights in their vehicles to signal police presence during a takedown. This will prevent patrol units from happening upon the event and mistaking it for a robbery, carjacking or other violent crime.

Several decades ago, the NYPD created a system called "color of the day" whereby plainclothes officers of its anti-crime unit wore a brightly colored item — a different color every day, hence the name — to signify they were

police officers. While the system was of some benefit in New York City, it might be less effective in areas populated by many smaller police agencies. Undercover officers should not participate in the arrest of their target. The signal to arrest a subject should be given only after the undercover officer has disengaged from the subject. Otherwise, responding officers may mistake the undercover officer for a subject.

When a dispatcher learns that plainclothes or off-duty officers have arrived or are en route to the scene of an enforcement action, they should broadcast an advisory that plainclothes officers are in the area. This procedure heightens the awareness of responding officers.

Uniformed officers should wear hats whenever outside their patrol vehicles as the hat provides an easily identifiable silhouette.

Some departments place signs in their buildings to remind officers about the dangers of friendly fire. The NYPD has featured the verbal challenge "Police! Don't move!" on stickers displayed on every officer's locker as a reminder.

Law enforcement agencies are cautioned against attempting to address friendly fire merely by issuing new policies. As stated here, the issue of friendly fire is complex and it cannot be sufficiently cured through policy alone. The issuance of policies without training may leave the false impression that the problem has been sufficiently addressed.

In the wake of friendly fire shootings, some police departments scale back their mandatory off-duty carry policies. Clearly, if there are fewer officers carrying firearms off-duty, there will be fewer opportunities for friendly fire. But such a policy shift does nothing for the officer who chooses to carry off-duty even though he is not mandated to do so. He can still become a victim if circumstances present themselves and the confrontation goes poorly. In addition, such a policy shift may ignore the fact that lives have been saved by armed off-duty officers.

Conclusion

Police-on-Police Shootings Task Force (Continued from previous page)

Friendly fire is a complex issue that must be addressed through awareness, training and thoughtful policy. The work of the New York Police-on-Police Task Force is unparalleled and should be widely applauded.

FOOT NOTES

[1] For ease of reading all further references will be to males.

[2] There have been rare instances where a uniformed officer was shot, but these typically occur in low light settings and are more likely to occur if the officer is not wearing a hat. Uniformed officers can somewhat protect themselves from friendly fire by wearing their hats, as the hat provides an easily identifiable silhouette.

[3] Loftus, E.F., Loftus, G.R., & Messo, J. (1987). Some facts about weapon focus. *Law and Human Behavior*, 11, 55-62

[4] Arien Mack & Irvin Rock, MIT (1998). Inattentional Blindness; An Overview.

[5] Officer Cornel Young, Jr. of the Providence Police Department was

shot and killed January 28, 2000 by two uniformed officers, one of whom was Officer Carlos A. Saraiva, his classmate from the police academy.

[6] "Q: What did he do when you shouted the commands?

A: He paid no mind to me. It ... appeared that he was ignoring me and he was intent on walking towards the operator of the vehicle. He – there was no break in his stride. He just walked. He continued to walk that way."

Grand Jury testimony of Carlos A. Saraiva, Providence Police Department.

Recycle Your Old Body Armor For Our Troops

Long time MLEFIAA member and firearms instructor Fred Mabardy is once again collecting used ballistic vests for shipment overseas to our troops serving in Southwest Asia. Fred is asking your assistance in supporting this program. If you have a vest (new or old) which you are not using, please consider donating it so that it can save a life.

Please ask around your agency to see if anyone has ballistic panels or vests which they are not using. It makes no difference if the certification date has passed since the panels are also used to augment vehicle armor.

Fred has been very successful in securing as many as 300 vests from agencies as far away as Cleveland, Ohio. The state police donated 150 vests which had been replaced with a newer model. Other agencies have promised to send in their old ones as replacements are received.

The vests get sent to a facility in Kansas where they are sorted and re-shipped overseas. Once in theater, they are distributed to troops who use them to augment their existing armor, beef up vehicle armor or give them to the local forces who often have no armor at all. To further personalize this project, Fred has asked donors to sign their vests so that the troops know who is supporting them.



Photo credit: Worcester Telegram & Gazette Staff / Mark C. Ide

This is a great way to say "Merry Christmas" to some of the troops serving in Iraq and Afghanistan.

If you have any questions, you may contact Fred Mabardy at fpm420@aol.com.

**Send vests to:
Southborough Police Department
Attn: Officer Fred Mabardy
19 Main Street
Southborough, MA 01772**

Mass. Basic Firearms Safety Course Ethics Question

Chief Ron Glidden (Lee PD) has been the “go to guy” for Massachusetts firearms law and licensing issues for the past several years. Chief Glidden also moderates an excellent forum on Mass. firearms licensing issues on Yahoo. The following question and answer regarding BFS courses taught by the Licensing Officer appeared on this forum and may be of interest to the membership involved in licensing.

Question: Does anyone have any information about a possible conflict of interest if a licensing officer for a PD also teaches the BFS class as a

private citizen for a fee?

The following answer was provided by Milford PD Chief O’Loughlin:

I would suggest that you contact the Ethics Commission and speak with the lawyer of the day. My understanding of the ethics laws is that it is clearly a perception of a conflict (i.e. people that go to that course will get a permit) if not an absolute violation (the licensing officer is deriving a financial benefit from the process). If the Ethics Commission attorney tells you that there is a perception, they can tell you how to cure that issue, however, if it is absolute, you cannot do it or you face a fine of

\$2000 for each transaction. If they say there is no conflict, then I would suggest that you seek a written opinion as this serves as an absolute defense if the Commission were to bring a cause of action against you.

Finally, it is important to note that the person who has the perceived or actual conflict has to be the person seeking the advice or opinion, they will not provide 3rd party opinions or opinions to hypothetical situations.

Tom O’Loughlin
Chief of Police
Milford Police Department

Random Thoughts on Handgun Reliability & Longevity By Tom Givens

The following article was published in the Tenn. Firearms Instructor Assn newsletter “The Rangemaster”.

I am often asked which pistols work better or hold up longer under heavy use. I personally see about a million handgun rounds go downrange every year, both here at Rangemaster and in classes on the road. In addition, we have a selection of range rental/class guns here, which see very heavy use. The following are my observations over the past seven years of full time teaching. Your mileage may vary. Guns are commented on in no special order.

1. SIG- The SIG line of handguns are very ergonomic and the controls are well placed. We see a LOT of P229’s in .40, and a LOT of P239’s in 9mm or .40. We see fewer P220’s in .45. Reliability seems to be first rate, as long as you stay with SIG factory magazines and decent ammo. There does not seem to be a lot of aftermarket accessories for the SIG, which undoubtedly contributes to their reliability.

The weak point in the SIG seems to be the trigger return spring, which will eventually break if you shoot enough without replacing it. I would definitely replace this spring by 20,000 rounds. The recoil spring needs to be replaced every 3,000

rounds. Keep the grip screws snugged up, but do not over tighten.

2. GLOCK- The Glock line seems to be among the most reliable right out of the box and have few long term issues. They are not, however, perfect. The most common problems include aftermarket parts. If it says “extended” or “titanium” don’t put it on your Glock for self defense. Almost every Glock we see actually break on the range has such parts in it.

Cleaning. It seems to be a point of honor among Glock shooters to see how long they can go without cleaning or lubing their gun. This accelerates wear and can lead to serious issues. The factory applied grease is NOT permanent. Glocks do blow up, especially in .40 or .45. I have personally seen five .40’s and one .45 let go. In each case, a dirty chamber or cruddy ammo was involved, preventing full chambering of the round. The Glock will fire out of battery, resulting in a blown case head. Keep the barrel clean, lube the gun properly, and use good ammo and the odds of this happening are reduced greatly. The 9mm mid-size guns, G17 or G19 seem to hold up the best of just about all common handguns.

Smith & Wesson - The DA and DAO Smith & Wesson autos hold up pretty

well, except for several small parts in the lock work, such as the drawbar. Inspect them frequently on any defensive pistol.

The 1911 pattern pistol is made by so many manufacturers, in so many countries, in so many configurations that it is impossible to make sweeping generalizations about them with any degree of credibility. Saying “1911’s don’t work” is like saying “cars don’t go fast”. There is a world of difference between a WWII GI gun that is flat worn out, a 1911 clone made in the Philippines, and a quality 1911 like a Kimber or S/A.

Stay with a 5” barrel, steel frame gun. Anything else is a departure from the original design, and will increase your problems. Replace your recoil spring every 3,000 rounds, just like changing the oil in your car. The gun will run better and last longer. Get quality magazines. Many 1911 functional problems are not gun problems at all, but the result poor quality magazines. A properly fitted 1911 has probably the longest service life of any common pistol. The .45 ACP cartridge works at low pressure (17,000 psi, compared to 35,000+ for the 9mm or .40 S&W), and the steel frame contributes to long service. Take care of your gun and it will be more likely to take care of you.

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