

## OpTac International Tabletop Challenge Answers

We want to thank the many readers who submitted their excellent responses to the OpTac International Tabletop Challenge. Criteria for selecting the best answer included attention to detail, alternative options/back-up plans, officer and innocent civilian safety, and decisive action within the confines of a tabletop exercise. The decision on whether to employ deadly force was not a factor in our selection, as either option could be legally justified. Additionally, the answers and our commentary are not meant to tell you or anyone what to do in a given situation---they are designed to facilitate a meaningful discussion and to provide guidance on this particular subject. Sergeant James Perkins, SWAT Commander of the Boone County Sheriff's Office submitted the following response:

### Part 1

1. As the tactical commander my primary concern upon arrival is securing the perimeter of the incident so it can be contained and attempting to verify that there is no one else inside the residence with the suspect who could be in danger.
2. Secondary concerns would be to start initiating a planned evacuation of other surrounding structures including transportation to a place of safety. We would begin contacting other agencies like the Red Cross who could come in to help with providing food and water to those who were evacuated.
3. Our deadly force policy allows us to protect life, not property, with the application of deadly force. We are required to exhaust all other reasonable means for apprehension and control before resorting to deadly force. My interpretation of our policy would not give us the ability to present a subject firing a weapon into the air and into his own garage with deadly force. We would need to contain and develop a plan in the event of the subject exiting the residence and becoming mobile.
4. I would not foresee shooting the suspect if [he is] in his garage firing into the walls, unless the suspect is placing others in danger/jeopardy. This is something that is difficult to determine based on a table top exercise and would require an on-site evaluation during the incident. We would also need to attempt to develop information to confirm if the subject is alone in the residence.
5. I would not instruct my team members to shoot the suspect at this point. I don't believe we have been encountered with a deadly force decision yet. We would need to constantly assess whether the subject is placing others in jeopardy by indiscriminately shooting into the walls of the residence. If others are being placed in jeopardy then we encounter a deadly force situation where shooting the suspect would be justified.
6. I would begin by setting up containment on the residence with lethal and less lethal operators and sniper overwatch positions. The operators would not allow the suspect to become mobile beyond our established perimeter. If the suspect attempted to exit our perimeter he would be challenged by the perimeter teams. If he did not comply with the perimeter teams they would employ the less lethal option with lethal cover to take the suspect into custody (Based on the wording of the scenario it appears we would have charges of Unlawful Use of a Weapon in my jurisdiction). Our snipers would watch the situation and be prepared to engage if a deadly force scenario presented itself.

After the perimeter was set we would set up a rapid response team whose only job at that point would be to make a hasty response to contact the subject in the event he decided to surrender/we learned of a hostage who required immediate assistance/etc. We would begin evacuation of the neighboring residences with the situation being contained. This would likely require requesting armored vehicles from neighboring agencies to assist in the evacuation. I would contact our crisis negotiators and have them respond so we could attempt to develop a

conversation with the subject. I would also contact our Detective unit so they could begin writing a search warrant for the residence to give us further justification for entry if it was needed later.

The situation would be developing and we would consider deploying gas munitions at some point into the residence in an attempt to get the subject to surrender. If deploying gas was not successful then we would need to request a robot for assistance in an effort to begin searching the residence prior to placing our team members inside. Our last effort would be to enter the residence with sniper overwatch in an attempt to take the suspect into custody for the crimes committed.

There are many things that could change depending on the subject's reactions to some of the items listed; it is possible we would avoid entering the residence with the SWAT team. The subject has firepower that could penetrate our tactical shields. We would need to request heavier armor/armored vehicles from other tactical teams in our area.

## Part 2

1) Does the fact that the suspect is an off-duty police officer from a neighboring jurisdiction change your plans and answers to the questions from Part 1? If so, what are the changes? I don't think I need to change any of the action plans after discovering the subject is an off-duty officer. We would need to get the info out to the people on the team and make them aware the subject could have knowledge of our tactics and begin countermeasures.

2) Has your patrol shift and/or tactical team discussed the possibility of having to kill another police officer on a call for service, especially one who might be known to them?

We have not discussed it specifically on my team.

3) For Commanders: Would you instruct your officers to shoot the suspect if they have not yet done so? Why/why not?

Based on the information in the scenario, I don't believe we have reached a deadly force decision yet. The subject is contained by the perimeter and we would be working on evacuations.

4) What is your revised plan for successful incident resolution?

My plan has not changed. I would continue with the initial plan outlined in the first table top.

## Actual Outcome and OpTac International Commentary

The tactical team involved in the actual call-out allowed the suspect to go inside of his residence. The commander and a negotiator then knocked on the front door and conducted face-to-face negotiations with the suspect, who subsequently surrendered. While this tactic was effective in this situation, we do not recommend it be followed. Potentially dangerous tactics that meet with operational success become validated for future use where the outcome might not be as favorable. Only employ tactics that can consistently lead to successful incident outcomes, and do not mistake luck, for sound tactics and effective decision-making.

We also recommend that all SWAT teams and patrol shifts discuss the psychological impact and tactical considerations with regard to killing a law enforcement officer who is involved in criminal activity. Several commanders and officers have shared their experiences in this situation during our tactical programs. Their reactions included: hesitation, guilt over killing someone they knew, and anger at being placed in this particular situation by the suspect. One commander commented that he was at a local coffee shop with an officer from a neighboring jurisdiction one hour before being called to the same officer's house under almost identical

circumstances to this tabletop. For these reasons, whenever practical, officers who personally know a suspect should be removed from a position where he/she may have to employ deadly force.