

West County SWAT



Policy Manual

Updated: January 17, 2019

WEST COUNTY SWAT

Policy Manual

Table of Contents

	<u>PAGE</u>
1. Introduction	3
2. Mission Statement.....	3
3. Call-Out Response Procedures/Request to Utilize SWAT.....	4
4. Use of Force.....	5
5. Administrative Investigations and Responsibilities.....	6
6. Tactical Dispatch	8

1. Introduction

West County SWAT is the result of a regionalized effort combining the resources of the participating agencies' Special Weapons and Tactics Teams. West County SWAT provides the participating agencies with improved police services to high-risk, critical incidents.

West County SWAT enhances critical response by combining tactical operators (SWAT), Tactical Emergency Medical Services (TEMS), Crisis Negotiation Teams (CNT) and Tactical Dispatch Teams (TDT).

The West County SWAT Team is trained to respond to critical incidents, high-risk warrant service and dignitary support/protection that require specialized training and equipment. West County SWAT utilizes tactics that may resolve hazardous operations with an emphasis on safety to citizens, officers and suspects.

Officers assigned to West County SWAT are required to meet rigorous standards in the areas of physical fitness, mental discipline and weapons use. Members must be able to successfully carry out a tactical operation plan under highly stressful and adverse conditions.

West County SWAT personnel operate in accordance with their own agency's policies and procedures and in accordance with guidelines and mandates offered through state and federal laws. This includes use of force issues pertaining to less than lethal and firearms applications.

West County SWAT operates under a joint Memorandum of Understanding and is governed by the Chiefs of Police representing the involved law enforcement agencies. The participating law enforcement agencies in West County SWAT are:

- Cypress Police Department
- Fountain Valley Police Department
- Los Alamitos Police Department
- Seal Beach Police Department
- Westminster Police Department

2. Mission Statement

The primary goal of the West County SWAT Team is risk reduction while protecting life and property. West County SWAT shall safely execute high-risk missions and resolve hazardous tactical field operations in a manner that minimizes the likelihood of injury or

death to citizens, officers and suspects. This will be accomplished through extensive and continuous training of personnel, through the application of established policies and through the implementation of sound tactics and operational procedures.

3. Call-Out Response Procedures

In order to facilitate a timely response, the following procedures will be utilized when a West County SWAT call-out has been initiated:

A. Immediate Action Operation by West County SWAT

Criteria for Immediate Action Operation by West County SWAT:

Immediate action operations are spontaneous criminal events that may require the SWAT Team's specialized training and resources to resolve the incident in a manner that reduces risk to persons and property. Four elements should exist before immediate action operation activation of West County SWAT:

1. The suspect(s) are armed, or there is a reason to believe they are.
2. The suspect(s) are believed to have been involved in a criminal act or pose a significant threat to the lives and safety of the public and/or police.
3. The suspect(s) are in a position of advantage, affording cover and concealment or are contained in an open area and the presence or approach of police officers could precipitate an adverse reaction by the suspect.
4. The suspect(s) refuse to surrender.

Procedures to Request an Immediate Action Operation by West County SWAT:

The Incident Commander (or his/her designee) of the requesting agency should contact the West County SWAT Commander to request activation of the West County SWAT Team. If the Incident Commander is not available, Dispatch or any SWAT member on scene will contact the West County SWAT Commander to make the request.

An outside agency, not affiliated with West County SWAT, may request services of the Team by contacting either the West County SWAT Commander or any of the Police Chiefs of the involved West County agencies. In either instance, the West County SWAT Commander will approve or deny activation of the Team under this condition.

The SWAT Commander (or his/her designee) will implement the Team call-out through

the efforts of West Cities Communications. Upon confirmation of receiving the call-out, Team members will be briefly notified of the type of incident, told where to respond and the assigned tactical radio frequency.

B. Planned Tactical or Staged Operation by West County SWAT

Criteria for Planned Tactical or Staged Operation by West County SWAT:

A planned tactical deployment of West County SWAT is a pre-planned event in which a dedicated unit with specialized training and resources may be required to reduce risk and enhance the protection of life and property. These events include, but are not limited to: high risk search or arrest warrant service or dignitary protection. Staged operations are unfolding events such as civil unrest, riots, demonstrations, or other significant events of public disorder. Planned tactical and staged operations are utilized in response to incidents that pose hazards to the safety of persons and property. These hazards should be significant enough to indicate a dedicated unit with specialized training and resources may be required to keep the peace, to gain and/or maintain control, or resolve such event.

Procedures to Request a Planned Tactical or Staged Operation by West County SWAT:

Any request for a planned tactical or staged operation involving West County SWAT must be requested by the Incident Commander (or his/her designee) of the affected agency and approved by the West County SWAT Commander. The SWAT Commander will evaluate and determine what resources are needed to accomplish the mission.

The SWAT Commander (or his/her designee) will implement the Team call-out through the efforts of West Cities Communications. Upon confirmation of receiving the call-out, Team members will be briefly notified of the type of incident, told where to respond and the assigned tactical radio frequency.

Note: The SWAT Commander has the authority to refuse activation of the Team, under any circumstances, if the request does not meet the activation criteria.

4. Use of Force Reporting

Use of force incidents involving the West County SWAT Team will be documented in an after-action report written by the Operations Sergeant, reviewed by the SWAT Commander and filed in an incident activity file. Individual reports documenting use of force as part of a crime and/or arrest report will be written by the individual officer(s) involved in the incident.

All officers participating in West County SWAT will follow their own agency's policies and procedures on use of force reporting, as well as any and all existing state and federal guidelines governing use of force.

Any officer-involved shooting incident involving a member of West County SWAT will be investigated by that officer's assigned agency and will follow Orange County's County-Wide Officer Involved Fatal Incident Protocol, as outlined in the West County SWAT MOU.

A SWAT team member's parent agency will investigate any accidental or unintentional discharge of a firearm by that member, in accordance with the agency's policy, if the incident occurs during his or her participation in a SWAT activation, training, or other SWAT-related activity. The West County SWAT Commander will prepare a written report detailing the incident and provide relevant recommendations to the Police Chiefs of the participating agencies to resolve SWAT-related training, personnel, or equipment issues associated with the discharge.

5. Administrative Investigations and Responsibilities

Evaluation and investigation of personnel complaints alleging misconduct on the part of any West County SWAT member(s) affiliated with a single agency shall be referred to and handled by the member's parent agency.

All West County SWAT supervisors shall cooperate with and provide all reasonably available assistance to any parent agency conducting an administrative investigation of its own member personnel. In the event that a parent agency wishes to interview any West County SWAT member, who is not the subject of the investigation (i.e. witness), a SWAT supervisor shall make such witness member(s) reasonably available for an on-duty interview.

Should any witness member refuse to provide a voluntary statement to another parent agency, a SWAT supervisor may administratively order such member to provide a statement to either the parent agency conducting the investigation or, in the alternative, directly to a SWAT supervisor bearing in mind the following:

A. Any witness member subjected to an administrative order to provide a statement shall be afforded all rights under the Peace Officers Bill of Rights including, but not limited to, the right to an uninvolved representative.

B. Any statement(s) obtained from members during the course of an administrative investigation shall be maintained by the agency conducting the investigation as a part of that agency's confidential peace officer personnel file with all rights and

privileges afforded thereto.

C. Upon request, the witness member or his/her parent agency shall be provided with a copy of the member's recorded statement.

D. Evaluation and investigation of personnel complaints alleging misconduct on the part of West County SWAT members from more than one agency shall be referred to a SWAT supervisor for the limited purpose of conducting an administrative fact finding investigation. A SWAT supervisor shall promptly notify the parent agency of each involved member, and each parent agency retains the right to conduct its own separate and parallel investigation of its own personnel.

If a West County SWAT supervisor or any parent agency feels that a SWAT supervisor would have an actual or perceived conflict of interest, the SWAT supervisor should promptly refer the matter to the SWAT Commander for further handling. Should the SWAT Commander or any parent agency continue to feel that an actual or perceived conflict of interest exists, the matter should be promptly referred to the Police Chiefs representing the involved law enforcement agencies for assignment to a neutral fact finder.

A SWAT supervisor or other authorized SWAT member fact finder shall have the authority to administratively order any SWAT member to provide a statement in the course of such investigation. The following shall apply:

1. Any member subjected to an administrative order to provide a statement shall be afforded all rights under the Peace Officers Bill of Rights including, but not limited to, the right to an uninvolved representative.
2. Upon request, the member or his/her parent agency shall be provided with a copy of the member's recorded statement.

Any administrative investigation conducted by West County SWAT or its authorized representative shall be considered a confidential peace officer personnel file pursuant to Penal Code § 832.5 et seq. and shall not be released except to the involved parent agencies or pursuant to lawful process.

Upon the completion of any administrative investigation conducted by the West County SWAT Team, or its authorized representative, all relevant portions shall be promptly provided to each involved parent agency for appropriate disposition by that agency.

Except for any specific violation of Team policies and procedures, the disposition of any personnel complaint shall remain exclusively with each member's parent agency.

Violations of West County SWAT policies and procedures will be addressed by a Team supervisor(s) and may, with the recommendation of the SWAT Team Commander and concurrence of the Police Chiefs representing the involved law enforcement agencies, result in the removal of a member from the Team. The following options shall be in effect:

- A. Any member not satisfied with the actions or enforcement of any policy or procedure by a SWAT supervisor may take the matter directly to the SWAT Commander either in writing or by scheduling an appointment. The SWAT Commander shall have the final authority to resolve all matters pertaining to policies and procedures of the Team.
- B. Should any member remain unsatisfied with the decision of the SWAT Commander, the parent agency of such member [not the member] may elect to pursue the matter further with the Police Chiefs representing the involved law enforcement agencies. The decision of the Police Chiefs shall be final and binding on both the member and the parent agency.
- C. In the event that any action taken by a SWAT supervisor, SWAT Commander or Police Chief representing the involved law enforcement agencies results in the loss of any property interest or other protected interest of any member, the member's remedy for such loss shall remain with his or her parent agency according to such agency's procedures.

6. Tactical Dispatch

There are Tactical Dispatchers from participating agencies assigned to the West County SWAT Team. The primary duty of the Tactical Dispatcher is to assist the SWAT Team in communications during tactical incidents. They are responsible for monitoring and responding to all radio traffic in the Tactical Operations Center (TOC). Tactical Dispatch Team members respond to all West County SWAT incidents and participate in training events that involve the entire SWAT Team or would be otherwise beneficial to the proficiencies of the dispatchers.

By design, the implementation of a Tactical Dispatch system provides relief for Team supervision during a tactical incident. By Tactical Dispatch assuming radio communication responsibilities, supervision is provided crucial time and opportunity that can be used to create a response plan to an incident and to focus on developing strategies in evolving circumstances.

The Tactical Dispatchers not only manage all communications coming through the TOC by the Team, but also handle communications with other police and fire agencies. This

includes liaison with other dispatch centers, as well as securing tactical channels during operations through Control 1. Tactical Dispatchers maintain documentation and chronology of events and will exchange information with other SWAT Teams in mutual aid operations.

Tactical Dispatcher capabilities include plotting maps, maintaining accounting of SWAT personnel during a mission and monitoring team movement during large-scale area or building searches. Tactical Dispatchers have access to the Department's computer systems where they can access any available information that may be needed on scene.

Tactical Dispatchers play an integral role in the process of running an efficient Tactical Operations Center.