

The Niagara Shield Drill

A S.W.A.T. / K9 Tiered Response of "Less-than-Lethal Options" (2001)

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Several years ago, the Chief of one of Canada's largest Police Departments was asked if the introduction of "OC" spray would eliminate the use of firearms by Police. He was quoted in Toronto newspapers as stating, " There is no alternate to deadly force". As the popularity and development of "less-than-lethal" weapons continue that statement remains true in life-threatening situations. When the use of deadly force is required to save a life, it is needed immediately and must be 100% effective. It is this point that challenges us as law enforcement professionals because "less -than-lethal" alternatives are not 100% effective.

Less is Not Necessarily More

Despite manufacturer claims, there is that percentage of the population who will fight through the alternative measures. We have all seen incidents when tear-gas, mace, OC spray, rubber bullets, beanbag rounds, tazers and police dogs have been somewhat, or totally ineffective. Therefore, it is impossible for us to expect Police Officers to deploy these technologies in situations where they feel their lives are in danger.

In 1994, the Niagara Regional Police - Emergency Task Unit was called to an incident where an estranged boyfriend had attended a residence and used a shotgun to shoot his way through the front door. The terrified resident had fled and upon arrival of Police it was unknown at the time if the suspect was still inside. Once containment, including K9 was in place, a telephone call was made to the house.

The call was answered by numerous shotgun shots from inside; this was a real call. Over the next few very tense hours it became clear that this might be a "suicide by cop" situation. Eventually, after telling negotiators that he had a .38 in the back of his pants, the suspect came outside with the shotgun in hand. At that time he was challenged from

cover by a containment position of two Tactical Officers and a K9 officer. Additionally an arrest team of four Tactical Officers was also in position to observe the suspect.

After several minutes of gunpoint direction, during which time a four-officer tactical arrest team had moved into position, the suspect dropped his shotgun. However, rather than surrender, the suspect placed his hand behind his back as though he was drawing the .38 (that didn't exist) and charged towards the Officers.

Without any previous coordination, three officers from two different elements deployed "less-lethal" options virtually simultaneously. An officer fired a muzzle blast from a 37-mm gas gun, another officer fired a 12-ga. beanbag round and the K9 officer deployed his dog. The entire incident occurred under the watchful eye of a TV news camera. What the film later revealed was that it was the three options in totality that had been successful in stopping the suspect. The film shows that the muzzle blast had very little effect, while the beanbag round knocked him off balance and the dog was then able to take him to the ground. What had happened by accident, was we had witnessed the effectiveness of tiered or layered response of less-than-lethal options.

Some readers may be thinking that the police would have been more than justified in using deadly force. However, to paraphrase Darryl Gates from his book "Chief", it would not be a crime to use deadly force in this incident, but it sure would not be a "Medal of Valour" shooting either.

Not More; Just Better

Over the years the Police have come under repeated criticism for their use of deadly force in these types of situations, particularly those involving Emotionally Disturbed Persons (EDP's). At the same time, we cannot risk our Officers' lives with individual technologies that may or may not work.

It was with these suppositions in mind that the Niagara Regional Police Services Emergency Task Unit and Canine Unit joined forces to tier a response to these types of incidents, partially those involving non-fired weapons.

The drill is as flexible as needed, however, there are some underlying principles that must be adhered to. Some readers may be familiar with the term a "firm foot on the ground". The first premise of the "Niagara Shield Drill" is that in certain circumstances

there is no alternative to deadly force. In each and every stage there is an Officer assigned to lethal cover. This way, within this team concept, the other Officers are conformable and able to take reasonable risks in the attempt to save the suspect's life while knowing that their life is protected. Secondly, as proven in past case studies, no single "less-than-lethal" option is always fully effective. However, these options, when combined or used in a "tiered" response are more likely to be successful. In other words, in a team response we can put numerous alternatives to deadly force in the Officer's hands as a team, working in conjunction with a team leader. This becomes the third principle of the drill. The Team Leader's coordination brings the individual options together to save the suspect's life in as safe a manner for all concerned. It becomes critical that the Team Leader provides clear direction at all stages of the operation. This includes a thorough briefing of any changes to the practiced drill, easy to understand commands (preferably one word) and each team member's area of responsibility. These principles combine to provide a unified delivery of options, each level of which is a force multiplier creating a stronger element to resolve the crisis.

In simple terms, we take the best combination of tools available at the time of the incident and use them to bring the situation under control. The size of the team can range from a minimum of three officers and a dog to a team of eight officers and a dog. The tools used will vary somewhat to what is available on-scene at the time and will also provide the best chance of success, provided the principles are followed.

One particularly effective addition to this option over other shield drill tactics is the addition of the Police Service Dog (PSD). There may be a likelihood of false bravado from a criminal to confront tactical officers knowing full well that they are legally bound to use the least amount of force to affect the arrest and highly trained to ensure that the line is not crossed. However, with the canine team there is that slight area in the criminal's mind of not knowing quite how the dog will react. In the "suicide by cop" scenario, an Emotionally Disturbed Person may be willing to accept being shot to death by the police but less prepared for a confrontation with a Police Service Dog. In all cases, the sight and sound of the intense fury of a Police Service Dog has an incredible shock effect on a situation and at the very least makes a formidable distraction.

Similarly, without prior joint training between tactical officers and canine, there can be the same shock effect on the tactical officers or the dog. The tactical officers need to understand what the capabilities and limitations of the dog are. Likewise, the canine team must be familiar with the tactics and exposed to working in close proximity with the tactical officers. Practice is needed in the formation and the movement of the team with the dog. The dog must be exposed to firearms and all the other possible distractions

that could occur during an operation. You cannot just take a Police Service Dog with good apprehension training and throw him in with a Tactical Team with a good shield drill and expect success. Joint training is without question mandatory prior to putting this drill into operation.

Line-up

The minimum team consists of three officers. A Tactical Officer, acting as Team Leader controls the shield and his handgun upon entry to the situation. He is the lethal-force option. A second Tactical Officer is armed with a "less-lethal" option such as the Arwen 37-mm with a high velocity rubber baton. The Arwen, equipped with the trijgon sighting system is exceptionally accurate. The third and fourth member of the team is a Canine Officer with his PSD. In addition to his dog, the Canine Officer may handle an OC Spray Fogger or ASP baton at the direction of the team leader.

As more resources become available they are added to fill in holes dictated by the situation. A fourth team member can take the shield which becomes his sole responsibility. The team leader maintains lethal cover and may have a second "less-than-lethal" option.

When five members are available a second shield can be brought into the picture. If six and seven officers are on-scene they are assigned hands on duty. The team leader may assign one as the negotiator if he chooses.

The team is formed with the shield(s) up front creating a wall. The others deploy behind the wall and on either flank. Lethal coverage is made from either flank, while the fired impact weapon is usually on the opposite. The canine team usually forms up on the left flank to keep the dog on the outside. If the Team leader has assigned lethal coverage to another officer he may position himself between the two shields with an aerosol weapon. From here he is central to the entire team and better able to give directions. Room entry is made with a shield first, followed closely by lethal coverage and then the remainder of the team. Distraction Devices may be considered in some situations, and in others sending the lethal coverage in an alternate portal prior to entry should be considered.

Options

- The Use of Force Options, regardless of the number of officers remains the same.
- Officer Presence: Just being there may bring a situation to an end;
- Tactical Communications: Clear direction from one of the officers. Preferably this is not the Team Leader who is busy watching the situation develop and must be ready to order the other options when required.
- Tactical Movement: The approach in formation to an advantageous proximity to the suspect. The team leader can adjust the location as required. Team members should practice simple one-word directions such as "Forward", "Back", "Left" and "Right".
- Aerosol Weapon: OC Spray or tear gas can be an effective tool to obtain compliance or to distract the suspect during movement.
- Impact Weapon: When close to the suspect, many other less-lethal options become unserviceable due to cross contamination or over penetration. When very close, the shields can be used as Impact Weapons and are very effective in pinning the suspect while handcuffing.
- Fired Impact Weapon: Bean bag or rubber baton rounds can be a very safe way to gain compliance from a distance, negating the need to approach a suspect armed with a knife or club.
- Police K9: Either by presence or by barking, a police dog creates a dynamic that promotes compliance. The dog can be sent to seize the suspect and prevent the use of a club or knife and either called out or left in while the approach by the team is made.
- Firearm: Again, lethal cover is an overriding principle of this option which allows the use of the "less lethal" options.

These options are on a loop and not a continuum. The team leader decides from the actions of the suspect, with an understanding of the limitation of his team, which option or options will be used; at what time and in what order. This freedom of action and small unit tactics is what allows this drill to be so successful and conformable for the team members.

As the team makes entry, their very presence with tactical gear, shields and dog may bring the situation to surrender. It is a very impressive and imposing picture that will take the bravado out of many suspects. The team moving in unison or advancing towards the suspect may be required to cause his or her compliance. The deployment of a "less-lethal" option maybe followed by a repeat of the same or an alternate measure including the continuation of tactical communications.

As always, the actions of the suspect control the response of the team leader in his attempt to bring the suspect into custody. A possible scenario may be the case where a knife-wielding suspect holds police off by refusing to drop the knife. If Officer presence and tactical communication fail to bring an end to the confrontation, the team leader orders the deployment of a fired impact weapon. This causes the suspect to bend over but not drop the knife and he continues not to respond. At this point the team leader has numerous options: use the fired impact weapon again; send the dog; advance and use the shield as an impact weapon to name a few.

In Close Quarters

During the final approach and particularly when using multiple shields the shields themselves become excellent impact weapons. The two shield officers pivot-in to form a backstop for each other and butt their shields together with the suspect in between. This causes a good distraction and allows the suspect to be pushed to a wall or the ground where he can be controlled as he is handcuffed.

When using the minimum number of officers, the lethal cover officer must pass the lethal coverage to the Arwen officer. The Arwen itself becomes the lethal cover. Care must be taken to ensure that lethal coverage is not lost, even momentarily. The firearm can then be put away and the officer can take on the hands-on role. In all other circumstances the lethal cover officer remains as such throughout the arrest.

Conclusion

The openness of the Drill is a function that allows it to be utilized in a variety of circumstances with very little modification. It can be utilized in situations where only two Tactical Officers and one Canine Team are available to bring a simple situation under control on their own. In more complicated situations a whole team can rehearse a more complex take down, such as officer or agitator extraction in crowd situations, immediate action drill at outlaw motorcycle gang stops or a high risk arrest as an open air option. In any circumstance it is the variety of tools at the officer's disposal and their ability to work as a team that will enhance the safe contact with a suspect and a successful conclusion to the incident.



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