

***THIRD REPORT TO THE STATE OF MARYLAND
UNDER PUBLIC SAFETY ARTICLE § 3-507***

Maryland Statistical Analysis Center,
Governor's Office of Crime Control & Prevention

August 28, 2012

INTRODUCTION

On May 19, 2009 Governor O'Malley signed into law Senate Bill 447/ House Bill 1267, which was subsequently enacted under the *Annotated Code of Maryland, Public Safety Article § 3-507*. This law requires law enforcement agencies that *maintain* a SWAT Team,¹ as a part of its regular deployment and operation, to report specific activation and deployment information to the Maryland Statistical Analysis Center (MSAC) located in the Governor's Office of Crime Control & Prevention (GOCCP), under Executive Order 01.01.2007.04. MSAC and the Police Training Commission worked with law enforcement and legal representatives to develop a standardized, efficient, user-friendly format to record and report data required under this law.

METHODOLOGY

The 2012 SWAT report represents eligible SWAT Team deployments that were reported to MSAC during Fiscal Year 2012 (July 1, 2011 through June 30, 2012); data were submitted biannually. The first data set were submitted by January 15, 2012 which included data from July 1, 2011 through December 31, 2011. The second six months of data were submitted by July 15, 2012 and included SWAT deployment data from January 1, 2012 through June 30, 2012. Both data sets were then combined, merged, standardized, and analyzed using SPSS version 20.0 to formulate this report; SPSS version 20.0 is a system package that is widely accepted and used by researchers and social scientists.

An eligible SWAT deployment occurred when a Team took SWAT-related tactical police action; however, SWAT-related police action did not include: manpower security, executive protection, or general law enforcement duties. Law enforcement agencies were required to electronically submit verification to MSAC regardless of SWAT deployment. MSAC received 100% compliance from law enforcement agencies that were required to report. Every law enforcement agency that maintains a SWAT Team reported:

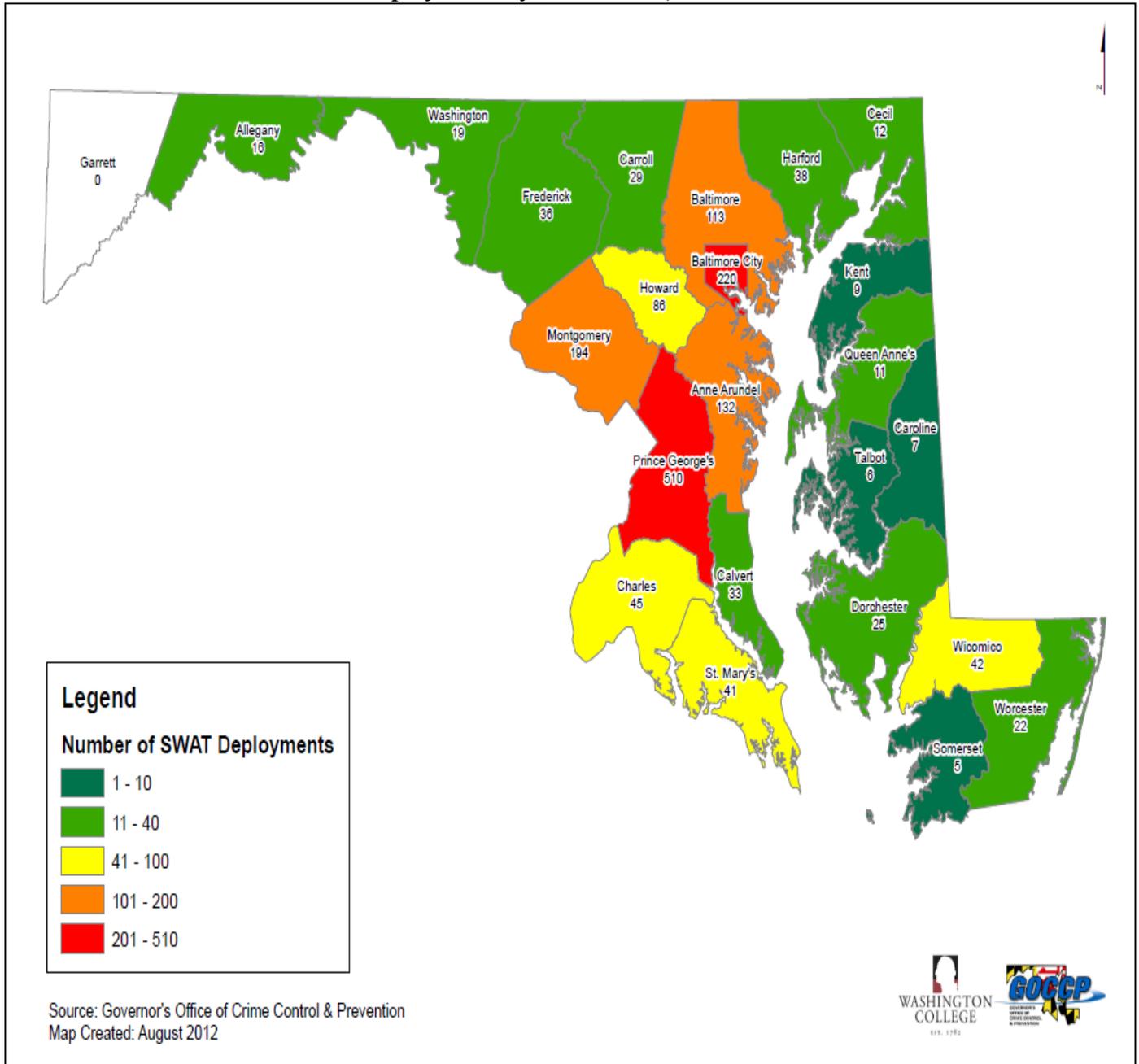
- The number of times the SWAT Team was “activated and deployed;”
- The location where the SWAT Team was deployed (e.g., zip code);
- The legal authority for each activation and deployment (i.e., Arrest Warrant, Search Warrant, Barricade, Exigent Circumstances, or Other);
- The reason for each activation and deployment (i.e., Part I Crime, Part II Crime, Emergency Petition, Suicidal, or Other); and
- The result or outcome of each deployment (i.e., whether forcible entry was used; whether property or contraband was seized; whether a weapon was discharged by a SWAT Team member; the number of arrests made; whether any person or domestic animal was injured or killed by a SWAT Team member; and whether there were any injuries of a SWAT Officer).

¹ According to the *Annotated Code of Maryland, Public Safety Article, § 3-507 (A)(2)*, a SWAT Team is defined as a special unit composed of two or more law enforcement officers within a law enforcement agency trained to deal with unusually dangerous or violent situations and having special equipment and weapons, such as rifles more powerful than those carried by regular police officers.

RESULTS

During FY 2012, a total of 1,651 SWAT deployments were activated throughout the State. This total resembles an increase of 10 SWAT deployments, compared to FY 2011 (n = 1,641). SWAT deployments took place in 23 of Maryland's 24 jurisdictions as depicted on the map below.

SWAT Deployments by Jurisdiction, Fiscal Year 2012



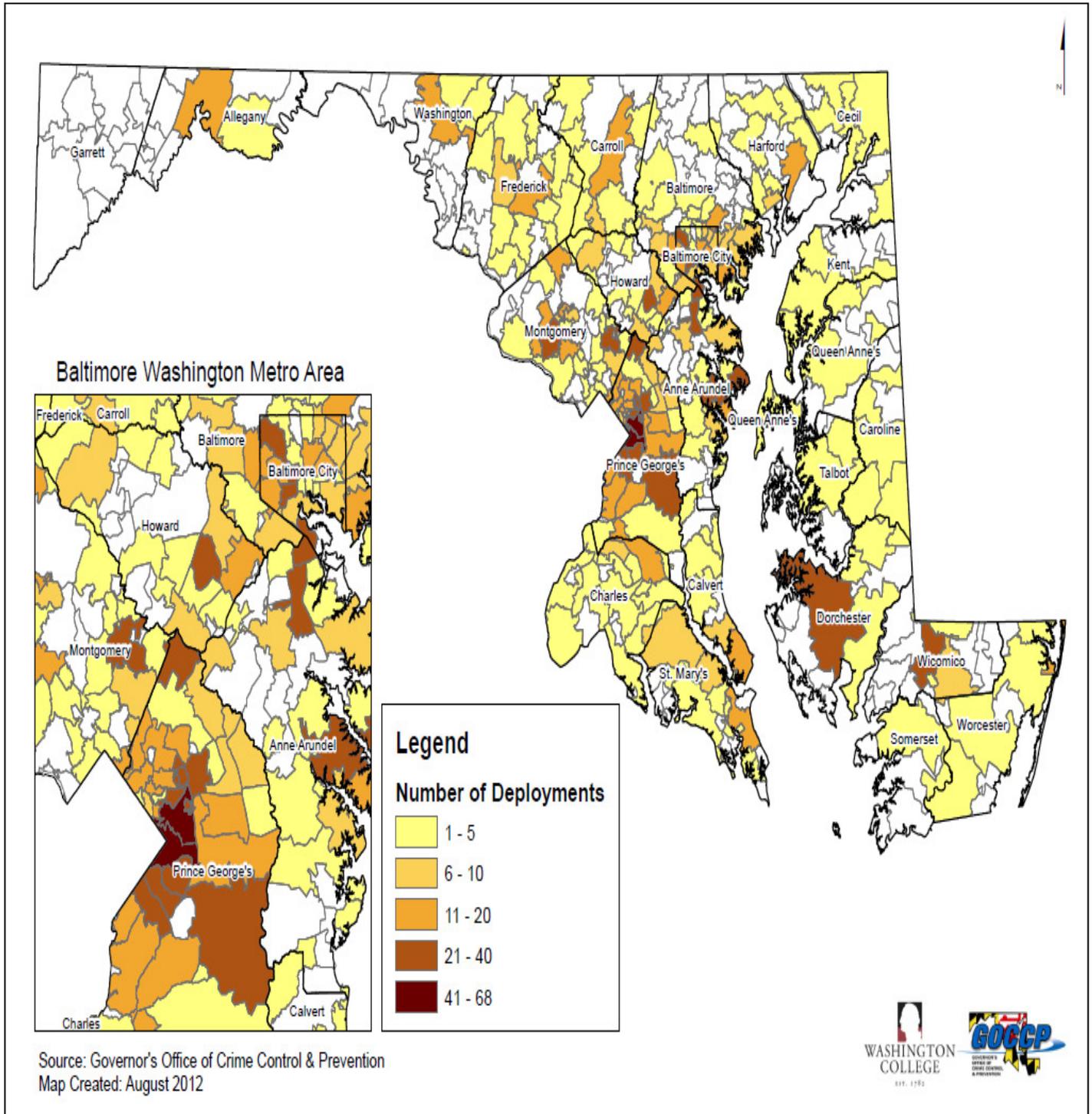
A total of 37 police departments reported at least one SWAT deployment and activation in Fiscal Year 2012. An additional 4 agencies had an active SWAT Team but did not make a deployment in the reported period. All of the remaining law enforcement agencies in Maryland were excluded from this report because they do not have a SWAT Team. *Table 1 illustrates the breakdown of deployments activated by police agency.*

Table 1. Number of SWAT Deployments and the Percent of Total Deployments by Police Agency (n = 37)					
	Frequency	Percent		Frequency	Percent
Aberdeen Police Department	12	0.7%	Kent County Sheriff's Office	4	0.2%
Annapolis City Police Department	39	2.4%	Laurel Police Department	24	1.5%
Anne Arundel County Police Department	92	5.6%	Maryland State Police	59	3.6%
Baltimore City Police Department	220	13.3%	Montgomery County Police Department	188	11.4%
Baltimore County Police Department	112	6.8%	Montgomery County Sheriff's Office	4	0.2%
Berlin Police Department	2	0.1%	Natural Resources Police	4	0.2%
Calvert County Sheriff's Office	35	2.1%	Ocean City Police Department	12	0.7%
Cambridge Police Department	9	0.5%	Prince George's County Police Department	446	27.0%
Charles County Sheriff's Office	43	2.6%	Prince George's County Sheriff's Office	7	0.4%
Chestertown Police Department	3	0.2%	Queen Anne's County Sheriff's Office	11	0.7%
Cumberland Police Department	14	0.8%	Salisbury Police Department	18	1.1%
Dorchester County Sheriff's Office	15	0.9%	Somerset County Sheriff's Office	2	0.1%
Easton Police Department	5	0.3%	St. Mary's County Sheriff's Office	39	2.4%
Frederick County Sheriff's Office	19	1.2%	Takoma Park Police Department	7	0.4%
Frederick County Police Department	12	0.7%	Washington County Sheriff's Office	4	0.2%
Greenbelt Police Department	8	0.5%	Westminster Police Department	27	1.6%
Hagerstown Police Department	13	0.8%	Wicomico County Sheriff's Office	24	1.5%
Harford County Sheriff's Office	24	1.5%	Worcester County Sheriff's Office	10	0.6%
Howard County Police Department	84	5.1%			

Location of SWAT Deployment

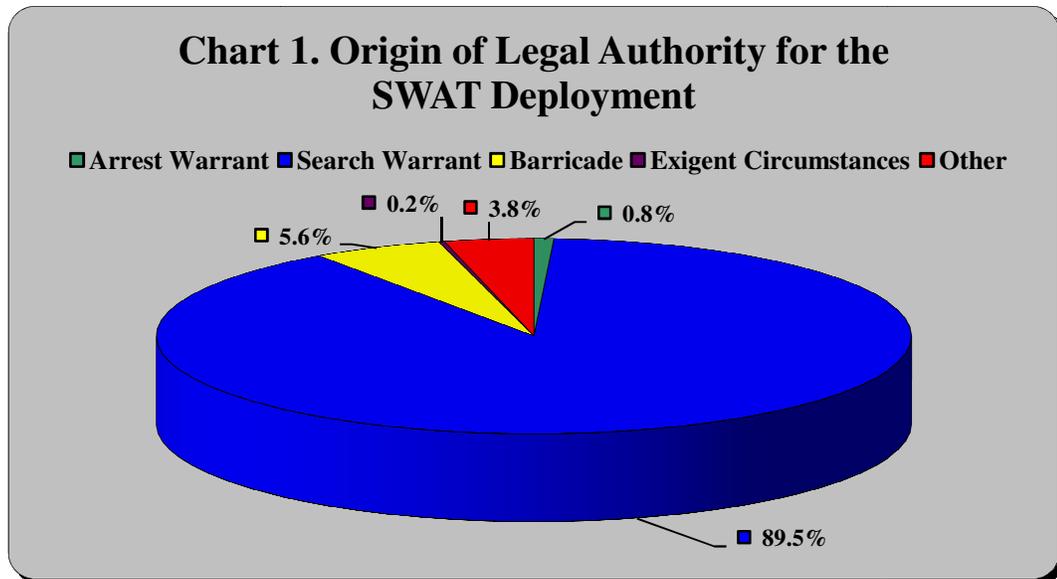
The map below depicts the number of SWAT deployments by zip code. The number of deployments per zip code ranged from 0 to 68, in FY 2012.

SWAT Deployment by Zip Codes, Fiscal Year 2012



Legal Authority for Activation

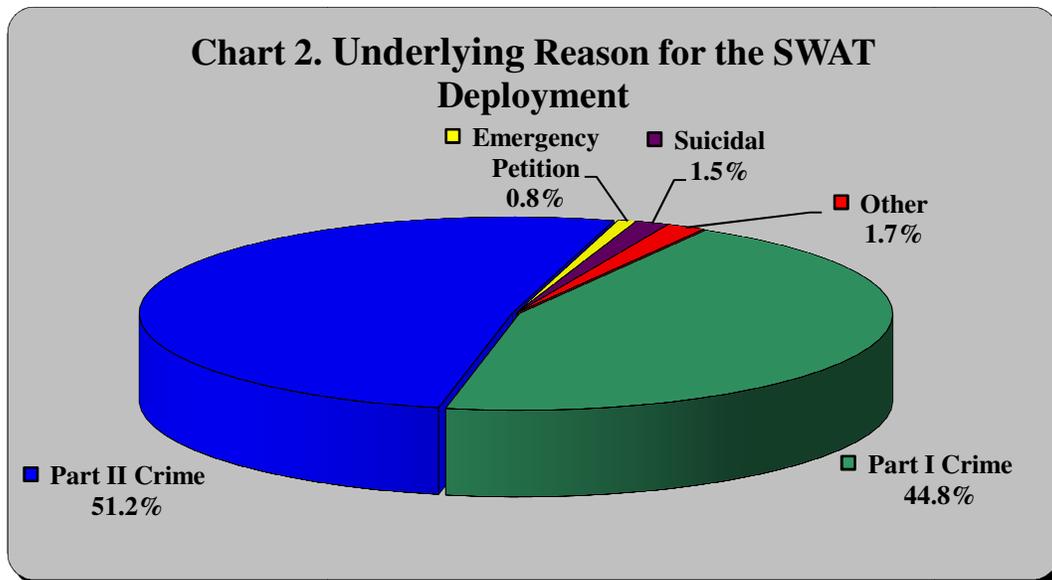
The majority of deployments occurred in conjunction with the execution of a search warrant (89.5%, n = 1,478). The remaining categories accounted for almost 10% of the deployments, including: barricade (5.6%, n = 92), other (3.8%, n = 63), arrest warrant (0.8%, n = 14), and exigent circumstances (0.2%, n = 4). Similar results were acknowledged in the previous reported period (FY 2011). *Chart 1 displays the legal authority for every activated SWAT deployment.*



Reason for Deployment

The underlying reason for SWAT Team activation consists of responses to Part I Crimes, Part II Crimes, Emergency Petitions, Suicidal persons, or Other reasons. In the Uniform Crime Reports, Part I Crimes consist of eight crimes: homicide, rape, robbery, aggravated assault, breaking and entering, larceny/theft, motor vehicle theft, and arson. Part II Crimes can consist of a variation of offenses; however, for the purposes of a SWAT Team, most deployments would be activated to recover and seize illegal drugs and other contraband items from the offender.

The majority of deployments (96%, n = 1,586) were activated through the commission of a Part I Crime (44.8%, n = 740), or a Part II Crime (51.2%, n = 846). In comparison, FY 2011 showed a similar prevalence in the response to Part I Crimes and Part II Crimes (42.9% and 54.0%, respectively). Additional reasons for deployment activation consisted of: other reasons (1.7%, n = 28), responding to a suicidal person (1.5%, n = 24), and answering to an emergency petition (0.8%, n = 13). Regardless of the reason for the SWAT deployment, all Teams are deployed to respond to potentially dangerous or violent situations in order to minimize the risk of harm to police officers and members of the public. *Chart 2 shows the underlying reason for each SWAT Team deployment.*



Most deployments occurred in conjunction with the execution of a search warrant for Part I and Part II Crimes (89.9% and 95.6%, respectively). Emergency petitions and responding to a suicidal person are primarily barricade situations. *Table 2 displays the cross tabulation of deployment reason stratified by the legal authority.*

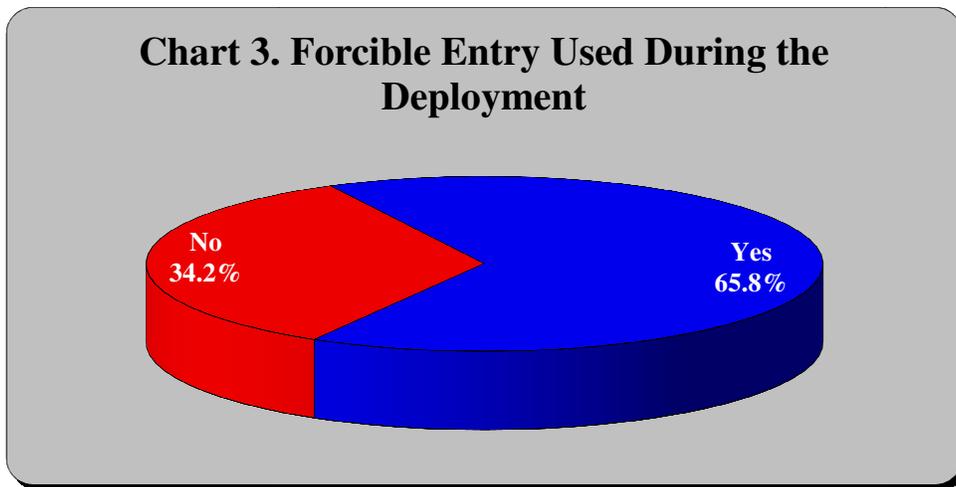
Table 2. Legal Authority as Underlying Reason for SWAT Deployment							
Legal Authority		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
Arrest Warrant	Count	7	2	0	1	4	14
	Pct	1.0%	0.2%	0.0%	4.2%	14.3%	0.8%
Barricade	Count	47	11	12	19	3	92
	Pct	6.3%	1.3%	92.3%	79.1%	10.7%	5.6%
Exigent Circumstances	Count	1	1	1	1	0	4
	Pct	0.1%	0.1%	7.7%	4.2%	0.0%	0.2%
Other	Count	20	24	0	3	16	63
	Pct	2.7%	2.8%	0.0%	12.5%	57.1%	3.8%
Search Warrant	Count	665	808	0	0	5	1478
	Pct	89.9%	95.6%	0.0%	0.0%	17.9%	89.6%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Outcome of Deployment

Forcible Entry

Forcible entry is defined as ANY entry during which the occupant does not consent to entry. A nonconsensual entry to penetrate the premises includes any physical force whether or not damage to the location actually occurs. Forcible entries include a deployment where notice has not been given to the occupants prior to the tactical Team’s entry and entries where the occupant refused consent to enter.

Nearly 2/3 of all SWAT deployments involved forcible entry (65.8%, n = 1,087). Similar results were acknowledged in the previous reported period (FY 2011), in which forcible entry was used in 68.1% of deployments. *Chart 3 illustrates the percent of forcible entries that occurred during deployments.*

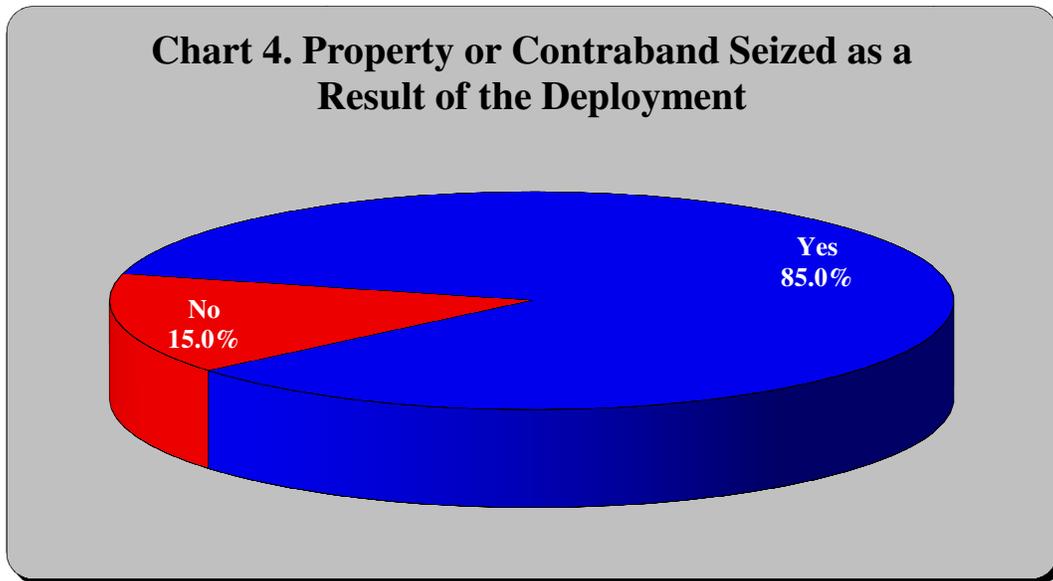


Forcible entry was utilized similarly during responses to Part I and Part II Crimes (68.0% and 66.2%, respectively), and less likely to be used during a response to emergency petitions, suicidal persons, or other deployments. *Table 3 displays the cross tabulation of deployment reason stratified by the use of forcible entry.*

Table 3. Forcible Entry by Underlying Reason for the SWAT Deployment							
Forcible Entry		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
No	Count	237	286	9	17	15	564
	Pct	32.0%	33.8%	69.2%	70.8%	53.6%	34.1%
Yes	Count	503	560	4	7	13	1087
	Pct	68.0%	66.2%	30.8%	29.2%	46.4%	65.9%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Property or Contraband Seized

During the reported period, SWAT Teams recovered or seized property or contraband in 85% of all deployments (n = 1,403), compared to deployments where no property or contraband was seized (15.0%, n = 248). Similar to FY 2011, property or contraband was seized in 83.3% (n = 1,367) of all deployments, compared to deployments where no property or contraband was seized (16.7%; n = 274). *Chart 4 illustrates whether the police agency seized any property or contraband as a result of the Team’s activities during the deployment.*



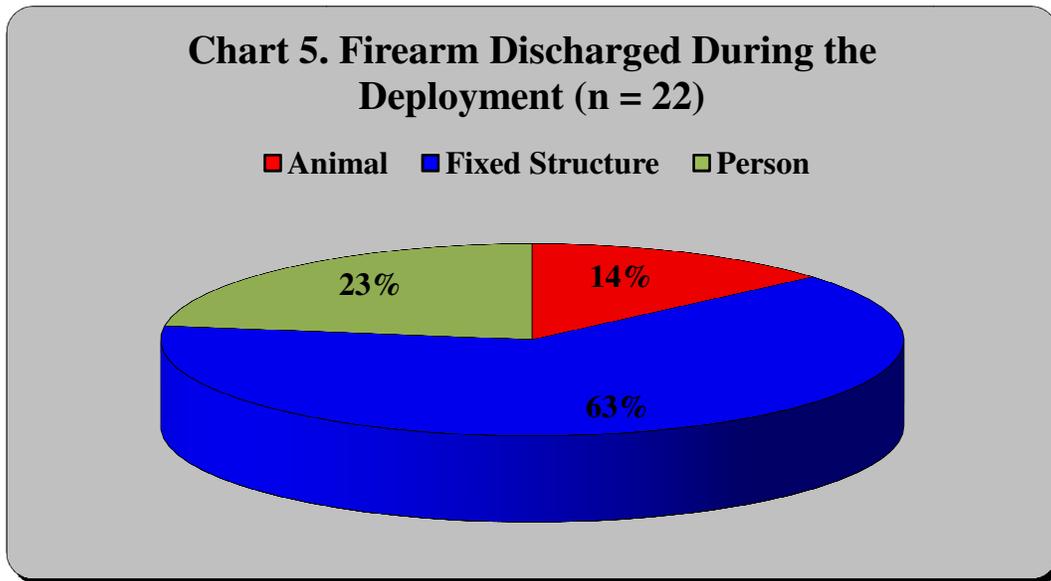
Property or contraband seizure was frequent during activated deployments due to a Part I or a Part II Crime (85.5% and 88.4%, respectively). Property or contraband was less likely to be seized in response to emergency petitions, suicidal persons, and other reasons. *Table 4 represents the cross tabulation of deployment reason stratified by the seizure of property or contraband.*

Table 4. Property or Contraband Seized by Underlying Reason for the SWAT Deployment							
Property or Contraband Seized		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
No	Count	107	98	4	15	24	248
	Pct	14.5%	11.6%	30.8%	62.5%	85.7%	18.4%
Yes	Count	633	748	9	9	4	1403
	Pct	85.5%	88.4%	69.2%	37.5%	14.3%	81.5%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Weapon Discharged by SWAT Team Member

Under the *Annotated Code of Maryland, Public Safety Article, 5-101*, a weapon is defined as a firearm that consists: (i) of a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive; or (ii) the frame or receiver of such a weapon; or (iii) a starter gun.

A firearm was discharged by a SWAT Team member in 22 of the 1,651 deployments (1.3% of total deployments.) The most common target of these discharges was a fixed structure (door, window etc.) *Chart 5 displays the target of the weapon discharged during each SWAT deployment.*

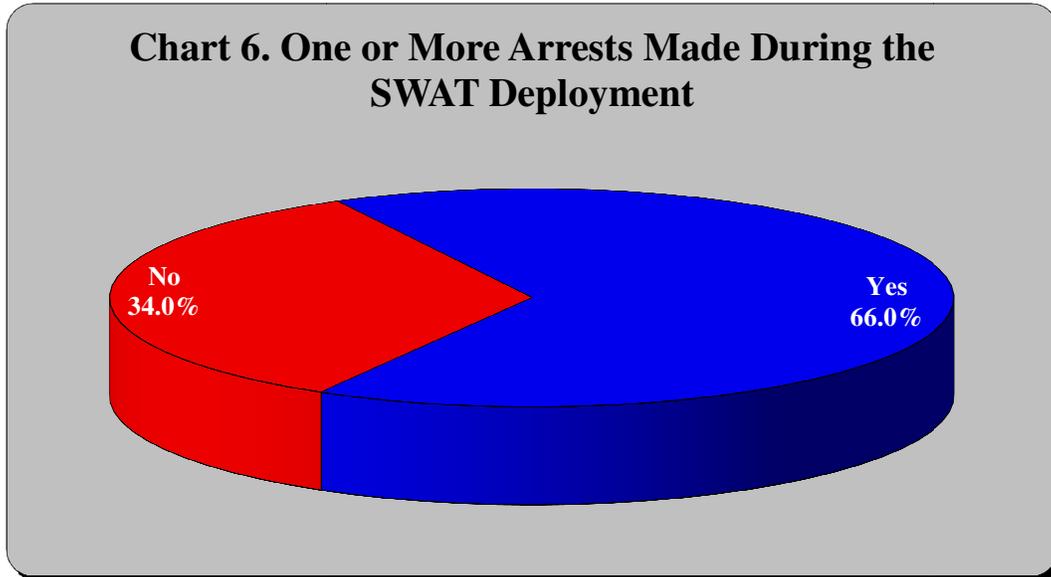


Over 85% of deployments where a firearm was discharged, were in response to a Part I or Part II Crime (86.4%). *Table 5 represents the cross tabulation of deployment reason stratified by a firearm discharge.*

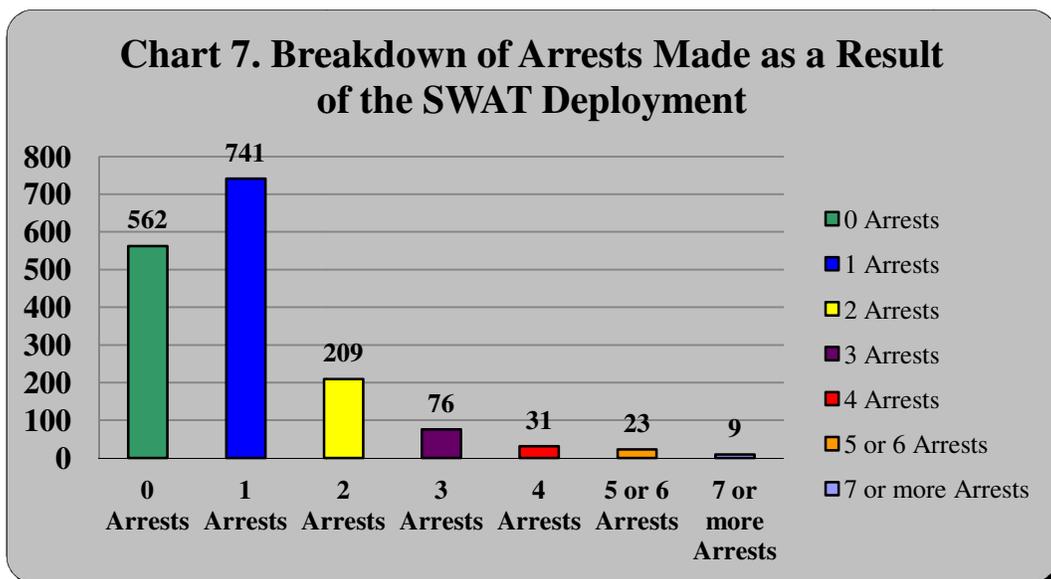
Table 5. Firearm Discharged by Underlying Reason for the SWAT Deployment							
Firearm Discharged		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
Animal	Count	1	2	0	0	0	3
	Pct	0.1%	0.2%	0.0%	0.0%	0.0%	0.2%
Fixed Structure	Count	6	6	1	1	0	14
	Pct	0.8%	0.7%	7.7%	4.2%	0.0%	0.8%
Person	Count	3	1	0	0	1	5
	Pct	0.4%	0.1%	0.0%	0.0%	3.6%	0.3%
No Firearm Discharge	Count	730	837	12	23	27	1629
	Pct	98.7%	99.0%	92.3%	95.8%	96.4%	98.7%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Arrests Made by SWAT Teams

Similar to statistics shown in previous years, at least one arrest was made in nearly two-thirds of all SWAT Team activations (66.0%, n = 1,089); whereas, no arrest was reported in 562 deployments (34.0%). *Chart 6 displays the prevalence of arrests made as a result of the SWAT deployments.*



The number of arrests made during a single deployment ranged from 1 to 15. From these arrests, 44.9% resulted with only one arrest made (n = 741), followed by 209 deployments that resulted in 2 arrests made (12.7%), 76 deployments that resulted in 3 arrests (4.6%), 31 deployments that resulted in 4 arrests (1.9%), 23 deployments where 5 or 6 arrests were made (1.4%), and 9 activations where 7 or more arrests were made (0.5%). *Chart 7 provides a breakdown of all arrests made by law enforcement as a direct result of the SWAT deployment.*

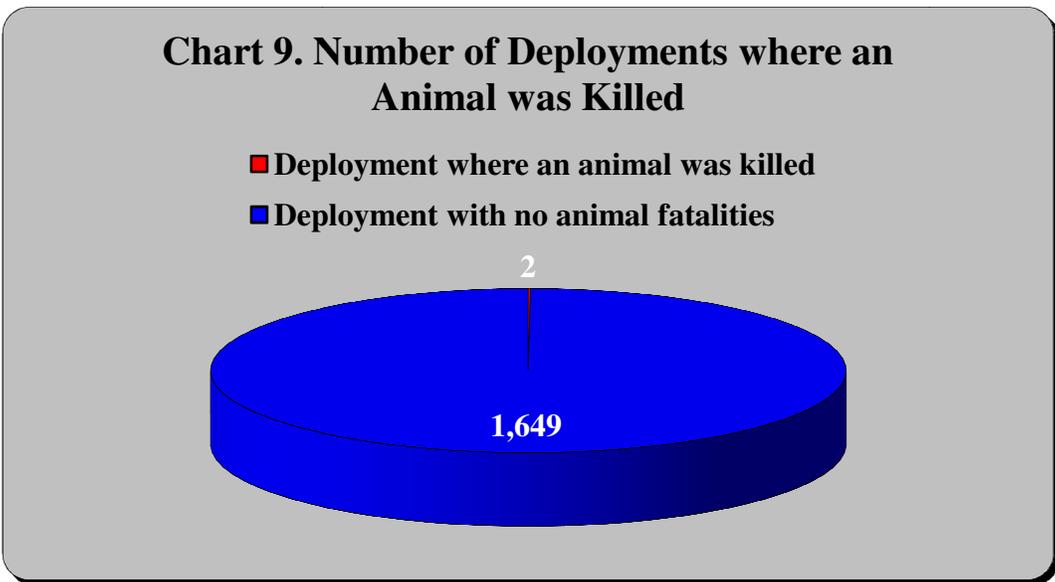
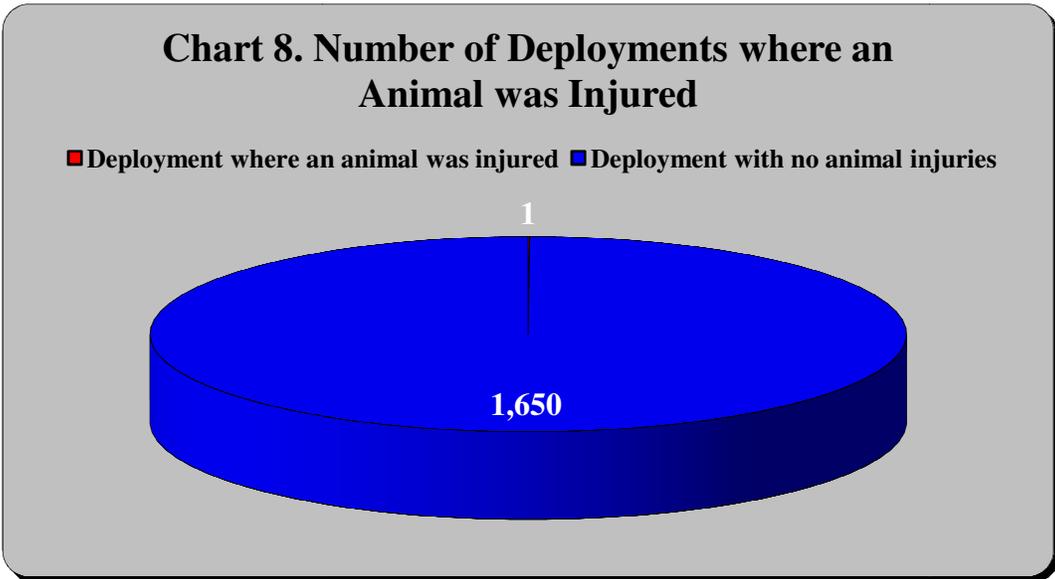


Arrests were equally predicted to occur during deployments initiated by a Part I and Part II Crime (65.0% and 68.4%, respectively). An arrest occurred in only 17.9% of “other” deployments. *Table 6 displays the cross tabulation of deployment reason which is stratified by the number of arrests made by law enforcement.*

Table 6. Number of Arrests by Underlying Reason for the SWAT Deployment							
Number of Arrests		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
0	Count	259	267	4	9	23	562
	Pct	35.0%	31.6%	30.8%	37.5%	82.1%	34.0%
1	Count	380	333	9	15	4	741
	Pct	51.5%	39.4%	69.2%	62.5%	14.3%	44.9%
2	Count	65	143	0	0	1	209
	Pct	8.8%	16.9%	0.0%	0.0%	3.6%	12.6%
3	Count	23	53	0	0	0	76
	Pct	3.1%	6.3%	0.0%	0.0%	0.0%	4.6%
4	Count	4	27	0	0	0	31
	Pct	0.5%	3.2%	0.0%	0.0%	0.0%	1.9%
5	Count	4	11	0	0	0	15
	Pct	0.5%	1.3%	0.0%	0.0%	0.0%	0.9%
6	Count	2	6	0	0	0	8
	Pct	0.3%	0.7%	0.0%	0.0%	0.0%	0.5%
7	Count	1	3	0	0	0	4
	Pct	0.1%	0.3%	0.0%	0.0%	0.0%	0.2%
8	Count	1	1	0	0	0	2
	Pct	0.1%	0.1%	0.0%	0.0%	0.0%	0.1%
9	Count	1	0	0	0	0	1
	Pct	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%
11	Count	0	1	0	0	0	1
	Pct	0.0%	0.1%	0.0%	0.0%	0.0%	0.1%
15	Count	0	1	0	0	0	1
	Pct	0.0%	0.1%	0.0%	0.0%	0.0%	0.1%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

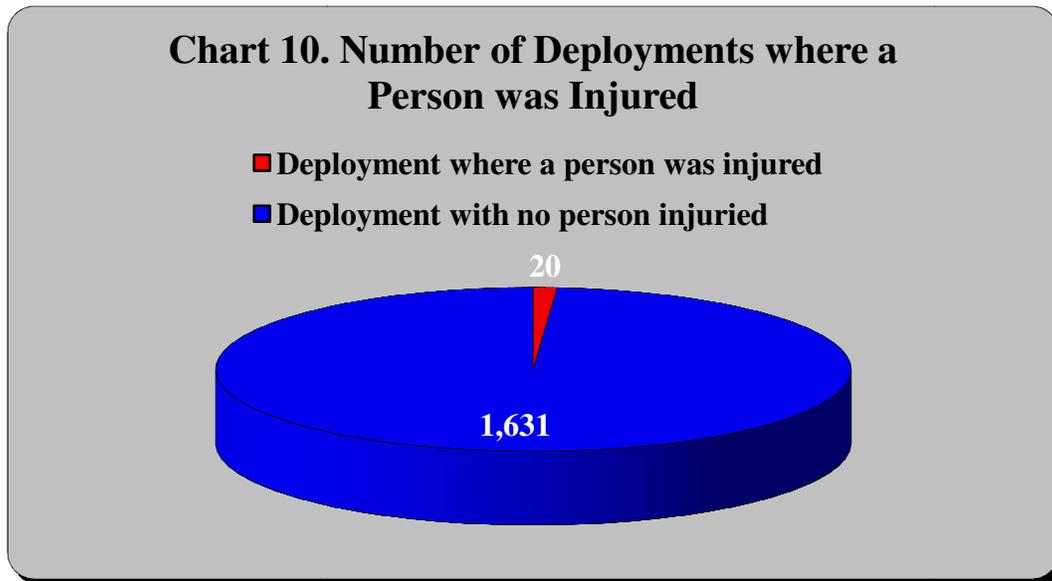
Injured or Killed Animal

During the reporting period, 1 deployment resulted in an animal being injured and 2 deployments resulted in an animal fatality. *Charts 8 and 9 depict the number of SWAT deployments that resulted in an animal being injured or killed.*



Injured or Killed Person

In Fiscal Year 2011, 20 deployments resulted in a person being injured by a SWAT Team member; less than 2% of all eligible deployments. From the 1,651 SWAT Team deployment activations, no deployment resulted in the death of a human being. This statistic excludes cases of suicide. *Chart 10 illustrates the number of deployments that resulted in a human being injured.*

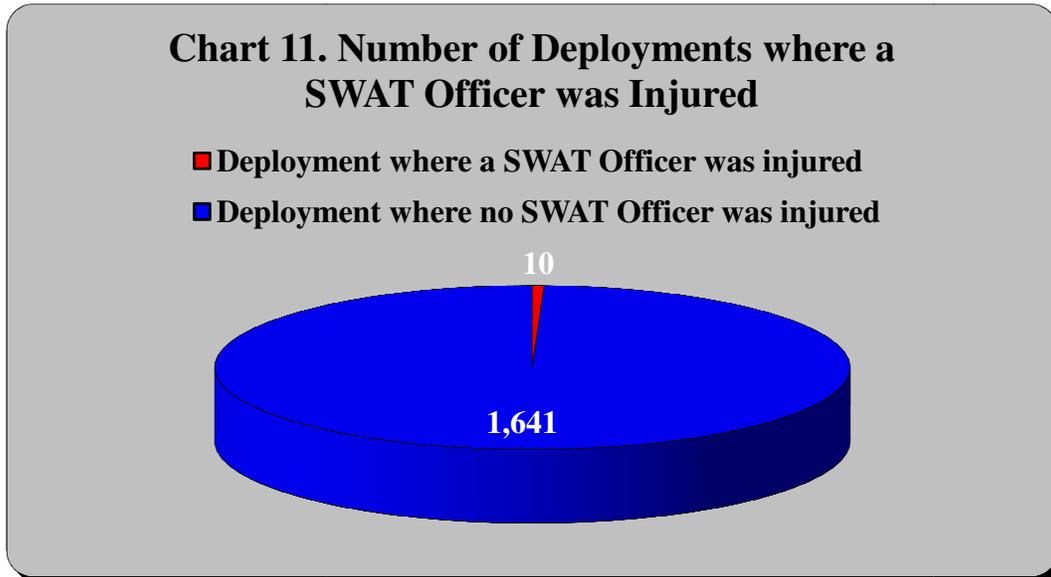


The majority of deployments where a person was injured by a SWAT Officer were in response to a Part I or Part II Crime (90.0%). *Table 7 displays the cross tabulation of deployment reason which is stratified by a person being injured.*

Table 7. Person Injured by Underlying Reason for the SWAT Deployment							
Person Injured		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
No	Count	732	836	12	24	27	1631
	Pct	98.9%	98.8%	92.3%	100.0%	96.4%	98.8%
Yes	Count	8	10	1	0	1	20
	Pct	1.1%	1.2%	7.7%	0.0%	3.6%	1.2%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

SWAT Officer Injured

In Fiscal Year 2012, 10 deployments resulted in a SWAT Officer being injured by another person; less than 1% of all eligible deployments. *Chart 11 illustrates the number of deployments that resulted in a SWAT Officer being injured.*



Of the 10 deployments where a SWAT Officer was injured by another person, 9 (90.0%) were in response to a Part I or Part II Crime. *Table 8 displays the cross tabulation of deployment reason which is stratified by a SWAT Officer being injured.*

Table 8. SWAT Officer Injured by Underlying Reason for the SWAT Deployment							
SWAT Officer Injured		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
No	Count	739	837	13	24	28	1641
	Pct	99.9%	98.9%	100.0%	100.0%	100.0%	99.4%
Person	Count	1	9	0	0	0	10
	Pct	0.1%	1.1%	0.0%	0.0%	0.0%	0.6%
Total Deployments	Count	740	846	13	24	28	1651
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

DISCUSSION AND RECOMMENDATIONS

Consistent with the prior reported period (FY 2011), SWAT deployments in Maryland were activated and initiated, almost exclusively in conjunction with the execution of a search warrant in Fiscal Year 2012. Search warrants typically are initiated as a response to a Part I Felony Crime or a Part II Crime drug investigation. The majority of SWAT deployments involved forcible entry and the seizure of illegal property or contraband. In addition, SWAT deployments resulted in at least one arrest almost two-thirds of the time. Furthermore, a discharged weapon, an injury or death of a domestic animal or person by a SWAT Team member, or an injury of a SWAT Officer during a deployment were rare occurrences and accounted for less than two percent of all deployments.

Reported data regarding a discharged firearm, an injury and fatality of an animal or person by a SWAT Team member, or an injury of a SWAT Officer were reported to MSAC in a format consisting of “yes” or “no.” The situation or reason surrounding these occurrences was not required to be reported.

This reported evaluation was conducted to provide an overview of SWAT deployments in Maryland and the nature of these specialized units. MSAC will continue to work with law enforcement to ensure completeness and accuracy of data for future years of SWAT deployment data reporting.