

SWAT TEAM ACTIVATION & DEPLOYMENT DEFINITIONS AND FORMAT GUIDE

A. OBLIGATIONS

This legislation requires the reporting of a certain type of tactical law enforcement operation, and applies to law enforcement agencies that *maintain* a SWAT team as a part of its regular deployment and operations. MD Code Ann., Public Safety Art., § 3-507 (B).

Specifically, a law enforcement agency that maintains a SWAT team must report every six months to GOCCP the following information:

1. The number of times the SWAT team was “activated and deployed” by the agency in the previous six months;
2. The name of the county and/or municipal corporation and the zip code(s) of the location(s) where SWAT team was deployed for each activation;
3. The reason(s) for each activation and deployment;
4. The legal authority (e.g. type of warrant, emergency, exigent circumstances, etc.) for each activation and deployment;
5. The result or outcome of each deployment including whether arrests were made, and how many, whether property was seized, whether forcible entry was made, whether any weapon was discharged by a SWAT team member, whether any person or domestic animal was injured or killed by a SWAT team member (by whatever means). MD Code Ann., Public Safety Art., § 3-507 (B), and whether any SWAT Team officer was injured by a person or an animal during the deployment.

B. PROCEDURE

The following DEFINITIONS shall be used when recording SWAT Team (“Team”) activation and deployment data:

SWAT Team means 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. MD Code Ann., Public Safety Art., §3-507 (A) (5).

Law Enforcement Agency means an agency that is listed on MD Code Ann., Public Safety Art., § 3-101 (E) (the definitional section of the Law Enforcement Officers’ Bill of Rights) that maintains a SWAT team. MD Code Ann., Public Safety Art., § 3- 507 (A)(2).

Forcible entry refers to 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 actual damage to the premises occurs. Includes entries where notice has not been given to the occupants prior to entry and entries where the occupant has refused consent to enter.

A *weapon* is a firearm as defined by Annotated Code of Maryland, Public Safety Article, § 5-101.1¹

¹ Firearm” means (i) 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

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To meet the criteria of a reportable incident the Team must be BOTH activated AND deployed:

- “Activated” means to put a Team on notice of potential deployment for an unusually dangerous or potentially violent situation.
- “Deployment” means that a Team has taken SWAT-related tactical police action. “SWAT-related” police action shall not include: manpower, security, executive protection, or general law enforcement duties.

C. REPORTING REQUIREMENTS

1. An agency that maintains a SWAT team must compile and submit its data in the described format (see below) no later than the 15th day of the month following the 6-month reporting period (i.e., reports for July 1 thru December 31st are due to the Maryland Statistical Analysis Center by January 15th , and reports for January 1st thru June 30th are due by July 15th). This requirement shall take effect July 1, 2009 and remain effective until June 30, 2014.

If any agency fails to make the report as required, GOCCP shall report the noncompliance to the Maryland Police Training Commission for follow-up with the agency. Upon contact, the law enforcement agency must comply within 30 days or GOCCP and the Maryland Police Training Commission shall report the noncompliance to the Governor and the Legislative Policy Committee of the General Assembly.

2. An agency that maintains a SWAT team must also provide a copy of the report to the local governing body (e.g. County Council/Commissioners) or chief executive officer of the jurisdiction served by the law enforcement agency.
3. *Reporting Responsibility in Situations Involving Multiple SWAT Teams:*
 - In cases where multiple SWAT teams are deployed and/or multiple entries are made into different addresses, each entry will be considered a single deployment and will require separate reporting.
 - In situations where multi-agency or multi-jurisdictional teams are deployed for one location, the agency that employs the Tactical Commander or Supervisor of the operation has responsibility of reporting that deployment.
 - In situations where multi-agency or multi-jurisdictional teams are deployed for multiple locations, each entry is considered a single deployment, and the agency that employs the Tactical Commander or Supervisor of the operation has responsibility of reporting that deployment.

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FORMAT GUIDE:

Data should be formatted into Microsoft Excel or Microsoft Access. Please visit www.goccp.maryland.gov to download the Excel template (sample attached).

Please format your data according to the guidelines below and label fields in the manner indicated. To be consistent, please use lower case letters for responses. In situations where more than one response is applicable, please use the most appropriate response. If you have questions regarding this, please contact Jeffrey Zuback at jzuback@goccp.state.md.us or 410.821.2843

NOTE: To meet the criteria for a reportable incident the Team must be BOTH activated AND deployed. Do not report if a Team is only activated.

Description of the Fields to be Included:

1. ORI #
 - Be consistent
 - The ORI # should correspond to the agency (i.e., the local governing body of the jurisdiction served by the law enforcement agency that employs the Team (see definition for “Agency”).
 - For multiple-team deployments and activations, please see above definition *“Reporting Responsibility in Situations Involving Multiple SWAT Teams.”*
2. Deployment Date
 - Date the Team was deployed
 - Format should be MM/DD/YYYY for each entry.
3. Authority
 - This should indicate the origin of legal authority for which the Team is deployed.
 - Responses will indicate one of the following (dropdown box):
 - Arrest warrant (aw)
 - Search warrant (sw)
 - Barricade (b)
 - Exigent Circumstances (ec)
 - Other (o)
4. Reason
 - The underlying reason for the deployment of the Team.
 - Response should indicate one of the following reasons for the deployment or activation of the Team (dropdown box):
 - Part I Crime (p1)
 - Part II Crime (p2)
 - Emergency Petition (ep)
 - Suicidal (su)
 - Other (o)
5. Forcible Entry
 - *Forcible entry* refers to ANY entry during which the occupant does not consent to entry. A non-consensual entry to penetrate the premises includes any physical force whether or not actual damage to the premises occurs. Includes entries where notice

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- has not been given to the occupants prior to entry and entries where the occupant has refused consent to enter.
- Responses will be either “yes” or “no” (dropdown box)
6. Property Seized
- Records should indicate whether the agency seized any property as a result of the Teams’ activities.
 - Responses will be either “yes” or “no” (dropdown box)
7. Weapon Discharged
- If a firearm as defined by Annotated code of Maryland, Public Safety Article, § 5-101 is discharged during deployment, what was the target of the discharge (dropdown box):
 - No firearm was discharged (no)
 - Fixed Structure (door, window, etc.) (fixed)
 - Person (person)
 - Animal (animal)
 - Accidental (accident)
8. Arrests
- Response should reflect the number of arrests at the scene of the deployment by any law enforcement agency.
9. Animal Injured
- Indicates whether any animals were injured as a result of the deployment.
 - Responses will be either “yes” or “no” (dropdown box)
10. Animal Killed
- Indicates whether any animals were killed as a result of the deployment.
 - Responses will be either “yes” or “no” (dropdown box)
11. Person Injured
- Indicates whether any human beings were injured as a result of the deployment.
 - Responses will be either “yes” or “no” (dropdown box)
12. Person Killed
- Indicates whether any human beings were killed as a result of the deployment.
 - Responses will be either “yes” or “no” (dropdown box)
13. SWAT Team Officer Injured
- Indicates whether any SWAT officers were directly injured by any persons or animals at the scene of the deployment (dropdown box):
 - No SWAT officer injuries by people or animals (no)
 - Injured by a person (person)
 - Injured by an animal (animal)