

SIGNIFICANT **TACTICAL** POLICE CASES

LEARNING FROM PAST EVENTS TO
IMPROVE UPON FUTURE RESPONSES



TOMAS C. MIJARES, PH.D.
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**SIGNIFICANT
TACTICAL POLICE CASES**

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Learning from Past Events to Improve upon Future Responses

By

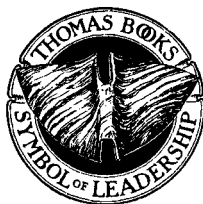
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PREFACE

In today's world there appears to be a disturbing lack and understanding of history, how it impacts the present, and how it ultimately affects the future. Among high school and even college students, history is viewed as the memorization of names, dates, and places. Consequently, history's flow and its actual effects are unaddressed. Among career professionals, including police officers, the emphasis is placed on skill development. Admittedly, skill development is important in the world of law enforcement, particularly for personnel assigned to be first responders and for the tactical officers who are tasked to control, contain, and de-escalate most violent and critical of incidents. However, without the reference of history, even the most skilled operator in any field easily becomes the personification of Jorgé Santayana's admonition that those who fail to study and learn from history are doomed to repeat it.

Accordingly, the primary purpose of this book is to provide the professional SWAT officer with the appropriate historical references in order to improve the individual and overall performance of this very specialized aspect of law enforcement. To accomplish this goal, an analysis of significant case histories will be offered, much in the same manner as the approach to learning used by the Harvard Business School and the United States Army War College. Tactics, equipment, organizational preparedness, and operational execution will be examined to identify what was successful and can be maintained or improved for future use or what was ineffective and should be avoided. In so doing, we have no intention to fix blame for failure or to criticize on a personal level. We are guided solely by a desire to enhance the ability of today's police officer to safeguard the populace in the future through the hope that the readers may view our recording of these events so that successful operations may be replicated and refined and failures may be avoided.

To accomplish this task we sought input from subject matter experts by asking them to identify significant events. More importantly, we asked them why they considered these particular events to be so important. A variety of methods was used for data collection, including original police and court records,

interviews with participants in these events, and even direct observation. From our professional backgrounds and our continuous attention to unfolding events we were able to determine which responses were successful and which were unsuccessful. We acknowledge that tactical decisions are often made in nano-seconds and that skill levels can vary greatly. However, we maintain that there are standards in any profession. By examining these case histories, the reader becomes better equipped and more able to understand how the standards were developed in the police tactical world and why they are so important to operational success. We maintain that constructive criticism is much more meaningful and effective when it is conducted by people with experience in the field than by shrills from the outside.

For the same reasons, this book is also written for police officers of all levels, particularly those who are charged with the responsibilities of supervising personnel, allocating scarce resources, and making policy. Without a proper historical reference, performance of these skills often becomes an exercise in futility and even counter-productive.

This book will also be beneficial to college and university students of criminal justice and to those whose vocations take them close to the criminal justice world such as politicians, journalists, social workers, and other caregivers. The events described in this book do not take place in a vacuum, and we have made every effort to describe the totality of circumstances. In so doing, we have responded not just to the basic interrogatives of who, what, where, and when but also to the more complex questions of how and why. In so doing we have endeavored to foment an appreciation for the decision-making process.

Finally, this book will benefit the reader from the general public. Countless books have been written about military events where national security has been threatened from foreign aggressors. In comparison, relatively little has been written about the lessons learned from encounters between law enforcement personnel and extremely violent criminals, terrorists, and mentally disturbed persons. The importance of these lessons becomes particularly evident when we consider that the American system of criminal justice has put so many conditions on the very same people who are charged with the responsibility of being the first to respond to these extremely dangerous and unpredictable situations.

Note should be taken of two considerations that we have made when presenting these various case histories: we have included several incidents that are international in scope because we have much to learn from all of them and we have excluded cases where litigation is still pending.

T.C.M.
R.M.M.

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With today's emphasis on digital technology, it has become easy, and in some cases fashionable, to overlook the past. As a society, we tend to live for the present moment with only a vague expectation that we have a future without realizing that the present has been shaped by previous events. Thus, the purpose of this book is to acquaint the present-day reader with significant events in the relatively short history of tactical operations in law enforcement. More importantly, the authors wish to show what we have learned from these events in terms of both the success and the failures.

As authors, we are the individuals who receive the credit for putting our thoughts onto the printed page. In truth, many individuals deserve recognition: Mr. Michael P. Thomas for his patience and support; Maxwell Murphy, Don Muchow, Gerald M. Solai, Patricia Ryan, and Kevin Jennings for their proofreading and suggestions in both substance and presentation; our wives, Janet Mijares and Sandra McCarthy, for their continuous encouragement and helpful suggestions and for their tolerance for our occasional lapses into single-mindedness when working on this project; and our children, all adults, who still remind us that our goal has always been to make our world a safer place for them and for their children. Most of all, we wish to thank God for putting us in the right place and equipping us with the ability to do this work.

We also wish to point out that royalties for this book will be deposited in endowments to support the *Les Early Memorial Scholarship* through the Texas Tactical Police Officers Association and in the *Yari Mokri Memorial Scholarship* through Texas State University. Mr. Early was killed while serving a warrant to search for narcotics in Texas while Mr. Mokri was killed by an IED in Iraq shortly after graduating from Texas State University. We may have given a little time and effort to finish this project, but they gave their lives for our safety and for our freedom.

CONTENTS

	<i>Page</i>
<i>Preface</i>	v
<i>Chapter</i>	
1. INTRODUCTION	3
The Value of History in Tactical Policing	3
Goals and Methods of This Book	7
Organizational Case History: The Battle of Jericho: The First Barricaded Suspect Situation	8
Individual Case History: David and Goliath: The First Application of the Ooda Loop	13
2. THE TEXAS TOWER (1966)	17
Historical Background	17
Organizational Readiness	21
Operational Execution	22
Conclusions and Ramifications for the Future	22
3. THE LOS ANGELES POLICE DEPARTMENT SWAT RAID ON THE BLACK PANTHER HEADQUARTERS (1969)	26
Historical Background	26
Organizational Readiness	29
Operational Execution	29
Conclusions and Ramifications for the Future	33
4. NASHVILLE-JACKSONVILLE SKYJACKING AND <i>DOWNS V. UNITED STATES</i> (1971)	41
Historical Background	41
Organizational Readiness	46
Operational Execution	47

Conclusions and Ramifications for the Future	48
5. THE MUNICH MASSACRE (1972)	52
Historical Background	52
Organizational Readiness	56
Operational Execution	58
Conclusions and Ramifications for the Future	59
6. MASS MURDER IN NEW ORLEANS (1973)	62
Historical Background	62
Organizational Readiness	67
Operational Execution	69
Conclusions and Ramifications for the Future	70
7. THE SLA SHOOTOUT (1974)	75
Historical Background	75
Organizational Readiness	77
Operational Execution	82
Conclusions and Ramifications for the Future	100
8. THE ENTEBBE HOSTAGE RESCUE (1976)	104
Historical Background	104
Organizational Readiness	105
Operational Execution	106
Conclusions and Ramifications for the Future	108
9. OPERATION MAGIC FIRE – THE MOGADISHU HOSTAGE RESCUE (1977)	113
Historical Background	113
Organizational Readiness	116
Operational Execution	119
Conclusions and Ramifications for the Future	121
10. THE ATTEMPTED HOSTAGE RESCUE AT THE LARNACA, CYPRUS AIRPORT (1978)	125
Historical Background	125
Organizational Readiness	127
Operational Execution	127
Conclusions and Ramifications for the Future	128
11. THE IRANIAN EMBASSY INCIDENT (OPERATION NIMROD) (1980)	132
Historical Background	132

Organizational Readiness	134
Operational Execution	135
Conclusions and Ramifications for the Future	138
12. DETROIT'S SPRINGLE STREET INCIDENT (1988)	141
Historical Background	141
Organizational Readiness	147
Operational Execution	149
Conclusions and Ramifications for the Future	151
13. ATF HIGH-RISK WARRANT SERVICE ON THE BRANCH DAVIDIAN COMPOUND IN WACO, TEXAS (1993)	156
Historical Background	156
Organizational Readiness	157
Operational Execution	162
Conclusions	167
14. THE NORTH HOLLYWOOD BANK OF AMERICA INCIDENT (1997)	170
Historical Background	170
Organizational Readiness	174
Operational Execution	175
Conclusions and Ramifications for the Future	177
15. COLUMBINE HIGH SCHOOL (1999)	180
Historical Background	180
Organizational Readiness	182
Operational Execution	183
Conclusions and Ramifications for the Future	183
16. COBB COUNTY, GEORGIA (1999)	191
Historical Background	191
Organizational Readiness	193
Operational Execution	194
Conclusions and Ramifications for the Future	196
17. THE MOSCOW THEATER INCIDENT (2002) AND THE INCIDENT AT BESLAN SCHOOL NUMBER ONE (2004)	200
Historical Background	200

Organizational Readiness	203
Operational Execution	204
Conclusions and Ramifications for the Future	206
Aftermath: Another Incident in Russia	208
18. MUMBAI, INDIA (2008)	213
Historical Background	213
Organizational Readiness	216
Operational Execution	219
Conclusions and Ramifications for the Future	220
19. PITTSBURGH (2009)	223
Historical Background	223
Organizational Readiness	225
Operational Execution	226
Conclusions and Ramifications for the Future	228
20. THE CHRISTOPHER DORNER MURDERS AND MANHUNT (2013)	231
Historical Background	231
Operational Execution	233
Organizational Readiness	236
Conclusions and Ramifications for the Future	237
21. CONCLUDING REMARKS	239
Leadership	239
Continuous Training	241
Intelligence	243
Research	244
Adherence to the Standards of the Profession	245
Summation	250
<i>Index</i>	257

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Chapter 1

INTRODUCTION

THE VALUE OF HISTORY IN TACTICAL POLICING

In today's world with its emphasis on developing the job skills needed for surviving in a dwindling economy, the study of history receives scant attention. At best, it is dismissed as irrelevant to the needs of many professionals regardless of the career path. At its mistaken worst, it is disdainfully perceived as a mere memorization of names, dates, and places and is often offered in diluted, boutique forms to satisfy collegiate distribution requirements (Haurwitz, 2013). For the police tactical officer, the need for studying the history of the profession is as important as it is in any other field of endeavor.

More than skill and competence is needed in the preparation of any police officer. The law enforcement world greatly needs personnel at all levels, particularly in leadership positions, who can respond to more than the basic interrogatives of who, what where, and when. The "how" and "why" are best explained when put into the context of historical analysis.

There are several reasons why the study of history is important in many different fields. First, historical analysis provides a solid perspective on the nature of human growth and development (Jones & Johnstone, 2012). Innovation and change occur over time and their implementation may require several years. For example, the communications ability of police personnel responding to the Texas Tower incident in 1966 was limited by the technology available at the time. The shift from vacuum tubes to transistors and later to solid-state circuitry had just begun. Until the mid-1960s, radios were vehicle-mounted only.

Portable two-way radios were extremely rare and their ability to transmit and receive, particularly in urban settings, was often sporadic and weak. Today's communication devices are vastly superior to even the science fiction of the *Star Trek* television episodes of the mid-1960s. However, through a transfer of technology from other fields, the improvements were not overnight phenomena and resulted from the space race and the Vietnam War. Even the countermeasures to improved communications, such as electromagnetic pulses, are in a state of continuous refinement. Without at least a cursory understanding of the history of these events and their interrelationship with each other, knowledge of the developments in police communication is incomplete. Thus, history provides the materials necessary to understand human and technological development by focusing on social change and the many factors leading to the evolution.

Second, historical knowledge prevents having to "reinvent the wheel." Whether the topic of discussion is tactics, techniques, or technology, there are some approaches to problem resolution that have been successful while others have been dismal failures. All police officers, including the specialists such as tactical personnel, can benefit from Jorgé Santayana's admonition that those who refuse to study and learn from history are doomed to repeat it. Each event in history of tactical operations can be a source of information for subsequent events. If a solution to a critical incident was a success, it can be recorded, reused, and perhaps even refined. Similarly, history can provide advice on what to avoid (Radford, 2008). Although Radford's discussion addressed the impact of various forms of government and what should be avoided based on historical patterns, its application to law enforcement tactical operations is obvious: History provides instructive examples from both ends of the adherence-avoidance spectrum to use as benchmarks, models, and pitfalls. If a particular tactic, technique, or technology was a failure, it should still be recorded with a notation indicating the progressive steps that led to the ultimate failure. If it was a success, a similar process should be followed so that it can be duplicated, practiced, and kept in reserve as a future option. Regardless of the final outcome and analysis, it is important to indicate the criteria used to reach a conclusion. Criticism without a suggestion for improvement is meaningless. To be valid, the critic should indicate the reasons for an opinion. These reasons can become the criteria for evaluating other case histories. Evaluation of any topic is most effective when it is conducted

in the context of its history.

Third, the critical analysis of historical events requires much more than the mere memorization of names, dates, and places. It requires an examination of cause and effect. In the case of tactical operations, the explanation of how an event evolved must include a clarification of why specific actions were taken when multiple options may have existed. A major goal of police tactical training is to develop, refine, and practice a variety of options so that automatic adjustments can be made for any fluid situation. The events discussed in this book are characterized by conditions that change at differing speeds and similarly vary in terms of intensity, duration, and frequency. The success or failure of the actions taken by the responding police personnel is highly dependent on not only the type of action taken but also on the smoothness of the adjustments to the changing conditions. Understanding the causes and effects of similar situations is a major factor in John Boyd's *OODA Loop* of Observe, Orient, Decide, and Act. The decision phase requires consideration of several items such as cultural traditions, genetic heritage, new information and knowledge of previous events even if the information is obtained through the experience of others (Coram, 2002). An understanding of similar historical events provides that vicarious experience.

In his classic *1984*, George Orwell's Ministry of Truth was guided by the precept, "Who controls the present controls the future. Who controls the present controls the past." This idea can be easily modified to say that in order to influence the future, we must understand the present, but to comprehend the present, we must first appreciate the past. Only by a study of relevant history can we comprehend the factors that cause change in a particular discipline and only through historical analysis can we understand what elements of an institution or a society persist despite change (Stearns, 1993).

The past half-century of American law enforcement has been characterized by changes that were unimaginable at their onset. The deployment of female police officers, improvements in weapons and ballistic protection, digitized communications, investigative technology, and the weakening of the American economy were inconceivable at their onset. The likely direction of these changes in the future can be understood best by a thorough knowledge of their impact on the present and how these changes developed in the past. In the specialized area of tactical operations in law enforcement, we have seen marked