

 Kinston Police Department	<u>POLICY: Special Weapons and Tactics (SWAT) and Hostage Negotiation Team</u>					<u>POLICY #:</u> 900-1
	<u>NCLEA Standards: 2.08; 6.17; 7.03; 7.04</u>					
	<u>CALEA Standards: 17.5.2; 33.1.5; 33.6.2</u>					
	<u>NCLM Standards: II.12;</u>					<u>Effective Date:</u>
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Approval: Chief of Police						

I. PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Kinston Police Department's Special Weapons and Tactics Team (SWAT), as well as the Hostage Negotiations Team. The Major of the Operations Division shall have overall responsibility of this unit.

II. DEFINITIONS

Negotiation team - Designated officers who are specifically trained and equipped to provide skilled verbal communications to de-escalate or effect surrender in situations where suspects have taken hostages or barricaded themselves or are suicidal.

Tactical team - Designated officers who are specifically trained and equipped to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigators. This includes but is not limited to hostage taking, barricaded suspects, snipers, terrorist acts, and other high-risk incidents. As a matter of office policy, a tactical team may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues necessitate such use.

III. POLICY

The Kinston Police Department SWAT team shall allocate for fifteen (15) specially qualified police officers who are selected, trained, equipped and deployed in high-risk law enforcement situations. The members of the SWAT team are assigned other full-time duties and serve on the SWAT team as needed. The SWAT team operates under the tactical command of the SWAT Commander. The Chief of Police or his/her designee in charge of the department shall hold strategic command of the SWAT team during the activation of this unit.

IV. MANAGEMENT AND SUPERVISION

Under the direction of the Chief of Police, or through his designee, the SWAT Team shall be managed by the appointed SWAT Commander.

VI. TEAM SUPERVISORS

The SWAT team and negotiation team will be under the direction of designated team supervisors, who shall be selected by the SWAT Commander.

The primary responsibility of the team supervisors is to oversee the operation of their teams, which includes deployment, training, first-line supervisor participation, and other duties as directed by the SWAT Commander.

V. OPERATIONAL READINESS (CALEA 17.5.2)

An operational readiness assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to the department. The assessment should consider the capabilities, training, and limitations of the SWAT team and should be reviewed annually by the SWAT Commander or the authorized designee.

VI. EQUIPMENT INSPECTIONS (NCLEA 6.17) (NCLEA 7.04 f) (CALEA 17.5.2)

The Kinston Police Department shall provide specialized equipment for SWAT team operations. Weapons and equipment used by the SWAT specialized teams and any supporting resources should be office-issued or approved, including any modifications, additions, or attachments. Any modification, alteration, or attachment to any weapon must have the prior approval of the SWAT Commander.

SWAT team personnel are responsible for care, maintenance, and operational readiness of assigned personal equipment. Personal equipment assigned to SWAT personnel includes: portable communications systems; flashlight(s); chemical agent masks; body armor/ballistic panel carrier vests; utility uniforms (BDU uniform, T-shirts and black boots); ballistic helmets; assigned weapons system; and assigned binoculars and spotting scopes.

Additional SWAT team equipment shall be maintained in a state of operational readiness in the SWAT Van. Additional SWAT team equipment includes: ballistic shields; breaching devices (rams, pry bars, etc.); chemical munitions; distraction devices; ladder(s); lighting systems; and repelling equipment and ropes

An inspection of all SWAT team equipment and vehicles will be completed annually by the SWAT Team Commander.

Quarterly, the SWAT Team Commander is responsible for completing an inspection on special use equipment and vehicles assigned to the SWAT Team (A more detailed inspection will be completed on each SWAT Team member's equipment annually). The SWAT - Special Use Equipment & Vehicles Inspection Form shall be turned in the NCLEA Accreditation Manager and then then placed in the appropriate folder in Power DMS. The following items shall be inspected quarterly:

1. MRAP
2. SWAT Van
3. SWAT Thermal Imager
4. Radio/Communication Equipment
5. Pepper ball Gun
6. SWAT Gas Gun
7. SWAT Sniper Rifles
8. SWAT Firearms

VII. PROCEDURES

Situations that necessitate the need for a SWAT response vary greatly from incident to incident and often demand on-scene evaluation. Members of the Kinston Police Department, including the SWAT Team will utilize the KPD Risk Assessment Matrix system (See KPD Risk Assessment Form). Risk assessment is based on facts and circumstances stated in the affidavit for the arrest or search warrant, knowledge of the target location and the criminal history of the suspect(s). A copy of the warrant should be attached to the Risk Assessment Matrix.

ORGANIZATIONAL PROCEDURES

The department shall develop a separate written set of organizational procedures that should address, at a minimum:

1. Specific missions the SWAT is capable of performing.
2. SWAT organization and function.
3. Member selection, retention, and termination criteria.
4. Training and required competencies including record production and retention.
5. Procedures for notification, activation, deactivation, and deployment.
6. Command and control issues, including a clearly defined command structure and dedicated lines of communication.
7. Multi-agency response.
8. Out-of-jurisdiction response.
9. Specialized functions and supporting resources.

OPERATIONAL PROCEDURES

The department shall develop a separate written set of operational procedures in accordance with the determination of the SWAT Teams level of capability, using sound risk-reduction practices. The operational procedures should be patterned after the National Tactical Officers Association's (NTOA) SWAT Standard for Law Enforcement Agencies. Because such procedures are specific to SWAT members and outline negotiation, tactical, and officer safety issues, they are not included within this policy.

The operational procedures should include, at a minimum:

1. Designation of members who are responsible for developing an operational or tactical plan prior to, and/or during SWAT operations (time permitting).
 - a. All SWAT members should have an understanding of operational planning.
 - b. SWAT training should include planning for both spontaneous and planned events.
 - c. SWAT planning should incorporate medical emergency contingency plans as part of the SWAT operational plan.
2. Plans for mission briefings conducted prior to an operation, unless circumstances require immediate deployment. When possible, briefings should include the specialized teams and other supporting personnel.
3. Protocols for a sustained operation to be developed that may include relief, rotation of members, and augmentation of personnel and resources.
4. Using the KPD SWAT Matrix to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of the SWAT Team.
5. Roles for the negotiations team and negotiators.

6. A standard method of determining whether a warrant should be regarded as high risk.
7. A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.
8. Protocols for post-incident scene management, including:
 - a. Documentation of the incident.
 - b. Transition to investigations and/or other divisions.
 - c. Debriefing after every deployment of the SWAT Team. (NCLEA 7.03)
 - i. After-action team debriefing provides evaluation and analysis of critical incidents, affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound risk management practices.
 - ii. Such debriefing should not be conducted until involved members have had the opportunity to individually complete necessary reports or provide formal statements.
 - iii. In order to maintain candor and a meaningful exchange, debriefing will generally not be recorded.
 - iv. When appropriate, debriefing should include specialized teams and supporting or assisting personnel.
9. A sound risk management analysis.
10. Standardization of equipment deployed. In all operations protective vests shall be worn by all members. (NCLEA 7.04 d, e)

VIII. OPERATIONAL GUIDELINES

The following are guidelines for the operational deployment of the SWAT. Generally, the tactical team and the negotiation team will be activated together. It is recognized, however, that the teams can be activated independently as circumstances dictate. The tactical team may be used in a situation not requiring the physical presence of the negotiation team, such as warrant service operations. The negotiation team may be used in a situation not requiring the physical presence of the tactical team, such as handling a suicidal person. Operational deployment of the specialized teams shall be at the discretion of the SWAT Commander.

APPROPRIATE USE

Incidents that may result in the activation of the SWAT Team include: (NCLEA 7.04 b)

1. Barricaded suspects who refuse an order to surrender.
2. Incidents where hostages are taken.
3. Individuals who are threatening suicide and have refused to surrender.
4. Arrests of potentially armed or dangerous persons.
5. Service of high-risk search warrants.
6. Any situation that could threaten or undermine the ability of the Office to preserve life, maintain social order, and ensure the protection of persons or property.

SWAT Team activation should be requested by the Supervisor and approved by the Chief of Police or On-Call Administrator. Any out-of-jurisdiction request must be approved by the Chief of Police.

ON-SCENE DETERMINATION AND NOTIFICATION

The supervisor-in-charge at the scene of a particular event will be designated as the Incident Commander and will assess whether the SWAT Team is to respond to the scene. With input from the Incident Commander, final determination will be made by the Supervisor, who shall then notify the SWAT Commander. If the SWAT Commander is unavailable, then a specialized team supervisor shall be notified.

The Supervisor should brief the SWAT Commander about the incident. Such information should include:

1. The type of crime involved.
2. The number of suspects, identity, and criminal history.
3. The known weapons and resources available to the suspect.
4. If the suspect is in control of hostages and/or barricaded.
5. Whether contact has been made with the suspect and whether there have been demands.
6. If potential victims are still within the inner perimeter.
7. If the suspect has threatened or attempted suicide.
8. The location of the command post and a safe approach to it.
9. The extent of any inner or outer perimeter and the number of personnel involved.
10. Any other assets or resources at the scene including other involved agencies.
11. Any other important facts critical to the immediate situation.

The SWAT Commander or team supervisor shall then follow current callout procedures. A current mobilization list shall be maintained in the 911 Communication Center by the SWAT Commander.

The Supervisor will notify the On-Call Administrator as soon as practicable.

FIELD PERSONNEL RESPONSIBILITIES

While waiting for the SWAT to respond, field personnel should, if determined to be safe and practicable and sufficient resources exist:

1. Establish an arrest/response team in case the suspect takes action. The response team's tasks may include:
 - a. Taking action to mitigate a deadly threat or behavior either inside or outside the location.
 - b. Securing any subject or suspect who may surrender or attempt to escape.
2. Evacuate any injured persons in the zone of danger.
3. Evacuate or provide safety instructions to other people in the zone of danger.
4. Establish an inner and outer perimeter.
5. Establish a command post outside of the inner perimeter.
6. Attempt to establish preliminary communication with the suspect. Once the SWAT TEAM has arrived, all negotiations should generally be halted to allow the negotiation and tactical teams time to organize, position, and assume the appropriate roles and responsibilities.
7. Plan for, and stage, anticipated resources.

ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the SWAT Team at the scene, the Incident Commander shall brief the SWAT Commander and team supervisors. Upon review, it will be the SWAT Commander's decision, with input from the Incident Commander, whether to deploy the SWAT Team. Once the SWAT Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation, and media access and will provide support for the SWAT Team. The Incident Commander and SWAT Commander or the authorized designee shall maintain direct communication at all times.

IX. ELIGIBILITY, SELECTION, RETENTION & REMOVAL

ELIGIBILITY: (NCLEA 7.04 c)

The Kinston Police Department Special Weapons and Tactics Team (SWAT) consists of officers who are assigned other full-time duties and who serve on the SWAT Team on a, part time basis. Assignment to the SWAT Team is subject to approval by the Chief of Police. To be eligible for consideration for consideration for assignment to the SWAT Team, a officer must:

1. Have a minimum of 1 year of uninterrupted service with the Kinston Police Department.
2. Have no disciplinary suspensions within the past year and no more than 2 written warnings within the past year.
3. Oral interview: The oral interview will be conducted by individuals selected by the SWAT Commander. Applicants will be evaluated by certain criteria, which includes:
 - a. Recognized competence and ability, as evidenced by performance.
 - b. Demonstrated good judgment and understanding of the critical role of a tactical team member.
 - c. Special skills, training, or appropriate education as it pertains to this assignment.
 - d. Commitment to the SWAT team, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.
4. Physical agility: Meet the established physical fitness requirements (POPAT Course).
5. Firearm qualification: Have at least a 90% firearms qualification score.
6. Team evaluation: Current team members will evaluate each candidate on field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.

SELECTION: (NCLEA 7.04 a)

Officers who meet the eligibility requirements above must submit a written request for consideration.

A review of the candidate's personnel files to include disciplinary actions and firearm qualifications will be performed by the SWAT Commander.

Successful completion of established physical fitness, agility and firearms proficiency test. (See SWAT Selection Sheet for points guidelines)

Candidates combined points and recommendation will then be submitted to the Chief of Police for consideration. Candidates approved by the Chief of Police will undergo a drug screening and psychological examination before being placed on the SWAT Team.

RETENTION:

The following guidelines are used to retain a position on the SWAT team.:

1. Maintain the highest integrity within the department.
2. Remain in good physical health.
3. Maintaining a good level of physical condition.
4. Pass any and all physical fitness tests as required by the SWAT Team.
5. Maintain a minimum of 90% during annual firearms qualification.
6. Maintaining the ability to work as a team member and not as an individual.
7. Maintaining the ability to follow instructions at all times; failure to meet these requirements may result in the member's removal.

REMOVAL:

1. Any member receiving a written disciplinary action will be placed on probation with the team for a six-month period. (Excluding minor motor vehicle collision disciplinary actions)
2. Any member receiving two written disciplinary actions within a twelve-month period will be subject to suspension from the team by the SWAT Commander.
3. SWAT Team members receiving any written disciplinary action must notify the SWAT Commander in writing detailing the events.
4. All SWAT members must maintain their level of individual and team skills. Failure to maintain skill levels and/or stay physically fit is grounds for removal from the team.
5. Failure to maintain minimum physical fitness and/or skill levels will be dealt with by immediate remedial instruction and re-testing. Failure to reach minimum levels during re- testing will result in the team member being placed in a non-deployable status for a period of thirty (30) days, during which the team member will be required to bring skill levels back up to minimum. Failure to do so will result in removal from the team.
6. A team member may request to be voluntarily withdrawn from assignment to the SWAT Team. at any time. The team member must submit a letter of resignation to the SWAT Commander, who may grant or deny the request after a review of the circumstances.
7. Any member removed from the SWAT Team can reapply after 6 months.

X. TACTICAL TRAINING (NCLEA 2.08) (NCLEA 7.04c) (CALEA 33.1.5 B)

Training shall be coordinated by the SWAT Commander. All Kinston Police Department personnel assigned to the SWAT team shall participate in training and readiness exercises on a monthly basis. Training shall consist of the following:

1. Each SWAT member shall perform a physical fitness test annually. A minimum qualifying score must be attained by each team member.
2. Any SWAT member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.
3. Those who are on vacation, are ill, or are on light-duty status with a medical professional's note of approval on the test date shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member who fails to arrange for and perform the physical fitness test within the 30-day period shall be considered as having failed to attain a qualifying score for that test period.
4. SWAT members shall complete the tactical team qualification course with all assigned weapons annually. Failure to qualify will require remedial training resulting in a qualifying score. The team member will not be assigned SWAT duties until qualified. Failure to qualify within 30 days, with or without remedial training, may result in dismissal from the team. **(CALEA 33.1.5 b)**
5. Each SWAT member shall complete the tactical qualification course for any specialty weapon issued to, or used by, the team member during tactical team operations annually. Failure to qualify will require remedial training resulting in a qualifying score. SWAT members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.
6. The Kinston Police Department SWAT team snipers shall document and maintain records of his/her cold bore shots, qualification and any training that is done with their assigned sniper weapon. Snipers shall shoot a minimum of one cold bore shot a month. Snipers shall submit a copy to the SWAT Commander and the Training Section. The Training Section shall file and maintain the records for further reference. Documentation should be submitted by the last day of the month. Training section shall notify the SWAT Commander if documentation is not received by the last day of the month
7. All SWAT Team members shall complete a Tactical Medic course or equivalent, as well as a SWAT I course (or equivalent) within one year of joining the SWAT Team.

The SWAT Commander or designee shall be responsible for documenting the SWAT team training and readiness exercises and maintaining the records for future reference. Training records shall be submitted for file to the Training Section. The Training Section shall notify the SWAT Commander if training records have not been received by the end of the month.

XI. NEGOTIATION TEAM

The negotiation team has been established to provide skilled verbal communicators who will attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages or barricaded themselves or have suicidal tendencies.

The following procedures serve as directives for the operation of the negotiation team.

SELECTION OF NEGOTIATION MEMBERS

Interested officers shall submit a request to their appropriate Division Major. A copy will be forwarded to the SWAT Commander and the negotiation team supervisor. Qualified applicants will then be invited to an oral interview. The oral interview board will consist of the SWAT Commander, the negotiation team supervisor, and a third person to be selected by the two. Interested members shall be evaluated by certain criteria, which include:

1. Recognized competence and ability as evidenced by performance.
2. Demonstrated good judgment and understanding of the critical role of a negotiator and the negotiation process.
3. Effective communication skills.
4. Assessment of the candidate's emotional and mental suitability for the assignment.
5. Special skills, training, or appropriate education as it pertains to the assignment.
6. Commitment to the SWAT TEAM, realizing that the assignment may necessitate unusual working hours, conditions, and training obligations.
7. The oral interview board shall submit a list of successful applicants to the Chief or designee for final selection.

NEGOTIATION TRAINING

Training shall be coordinated by the SWAT Commander. The SWAT Commander may conduct training exercises that include a review and critique of members and their performance in the exercises, in addition to specialized training. The SWAT Commander may require periodic training with the tactical team. Outside training on negotiation techniques will also be conducted.

Negotiators may or may not be a part of the tactical team. Negotiators that are not a member of the tactical team will not be required to meet the tactical training requirements.

XII. TACTICAL MEDIC (NCLEA 7.04 g)

It is the ultimate goal of the Kinston Police Department to utilize a Tactical Medic during all high-risk SWAT Operations. This is dependent on the availability of the designated personnel, at a minimum a medical plan must be in place and when feasible EMS shall be notified prior to the team deployment.

The role of the Tactical Medic is to provide ALS (Advance Life Support) to anyone injured during the course of a SWAT Operation. This includes officers and civilians. Due to the unexpected nature of the events, Tactical Medics will be allowed into “Hot Zone” upon request by any team member, however due to being unarmed and non-sworn they must be escorted in and out of the area by a member of the SWAT Team.

When applicable, any Tactical Medic entering the “Hot Zone” should only do so once the scene has been declared as under control or secure.

Tactical Medics must remain unarmed, but will be trained on the proper methods for clearing and securing SWAT Team Members weapons when it is necessary to provide medical care to a team member.

All Tactical Medics will adhere to the policy of their primary organization as it relates to the use of his/her assigned equipment and methods utilized when providing medical care.

XIII. TRAINING

The SWAT Commander shall conduct an annual SWAT training needs assessment to ensure that training correlates to the team’s capabilities and office policy.

TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

INITIAL TRAINING (NCLEA 2.08)

SWAT members should not be deployed until successful completion of a basic SWAT course or its equivalent that has been approved by the SWAT Commander.

Negotiation Team members should not be deployed until successful completion of a Hostage Negotiation Course or its equivalent that has been approved by the SWAT Commander.

1. To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content or topics meet or exceed requirements determined by the SWAT Commander.
2. Untrained members may be used in a support or training capacity.

MANAGEMENT TRAINING

Command and leadership personnel are encouraged to attend training for managing the SWAT functions at the organizational level. This is to ensure that those who provide active oversight at the scene understand the purpose and capabilities of these specialized teams.

Command personnel who may assume incident command responsibilities should attend a tactical commander or critical incident commander course or its equivalent that has been approved by the department.

SCENARIO-BASED TRAINING

The SWAT and Negotiation teams should participate in scenario-based training that simulates the critical field operations environment. Such training is an established method of improving performance during an actual deployment.

TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the Training Coordinator. Such documentation shall be maintained in each member's training file. A separate office SWAT team training file shall be maintained with documentation and records of all team training.

XIV. SWAT COMPENSATION

SWAT Members shall be financially compensated by the department. Refer to Kinston Police Department Policy 100-12 Career Development for guidelines on SWAT compensation.