

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

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

August 31, 2011

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 2011 SWAT report represents eligible SWAT Team deployments that were reported to MSAC during Fiscal Year 2011 (July 1, 2010 through June 30, 2011); data were submitted biannually. The first data set were submitted by January 15, 2011 which included data from July 1, 2010 through December 31, 2010. The second six months of data were submitted by July 15, 2011 and included SWAT deployment data from January 1, 2011 through June 30, 2011. Both data sets were then combined, merged, standardized, and analyzed using SPSS version 16.0 to formulate this report; SPSS version 16.0 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 duty. 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 maintained 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);

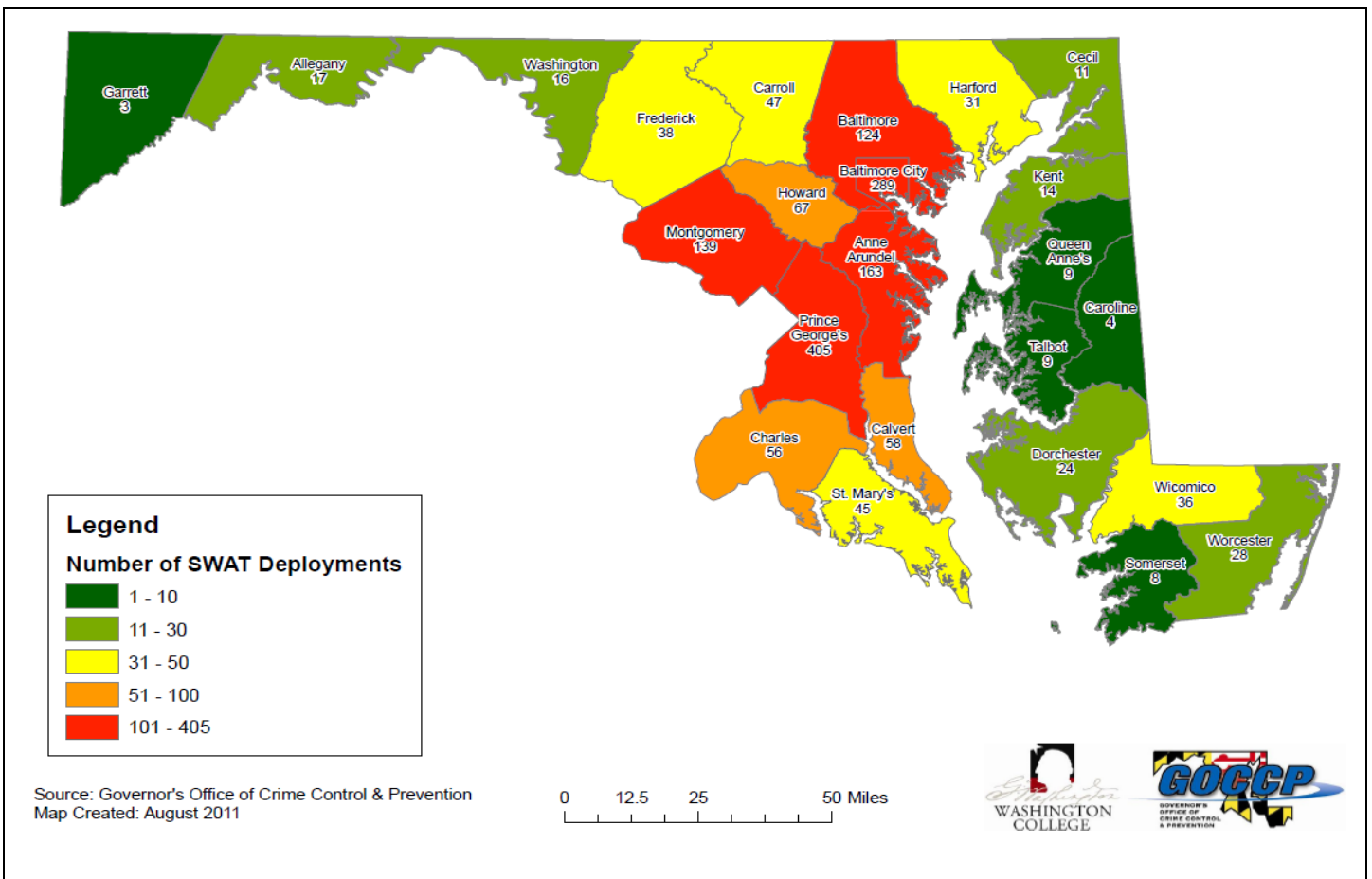
¹ According to the *Annotated Code of Maryland, Public Safety Article, § 3-507 (A)(2)*, a SWAT Team is defined as a special unit composed of two or more law enforcement officers within a law enforcement agency trained to deal with unusually dangerous or violent situations and having special equipment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

- 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 was seized; whether a weapon was discharged by a SWAT Team member; the number of arrests made; and whether any person or domestic animal was injured or killed by a SWAT Team member).

RESULTS

During FY 2011, a total of 1,641 SWAT deployments were activated throughout the State. This total resembles an increase of 23 SWAT deployments, compared to FY 2010 (n=1,618). SWAT deployments took place in all 24 jurisdictions and predominately occurred in the Baltimore-Washington Metropolitan Region.

SWAT Deployments by Jurisdiction, Fiscal Year 2011



A total of 36 police departments reported at least one SWAT deployment and activation in Fiscal Year 2011. 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.

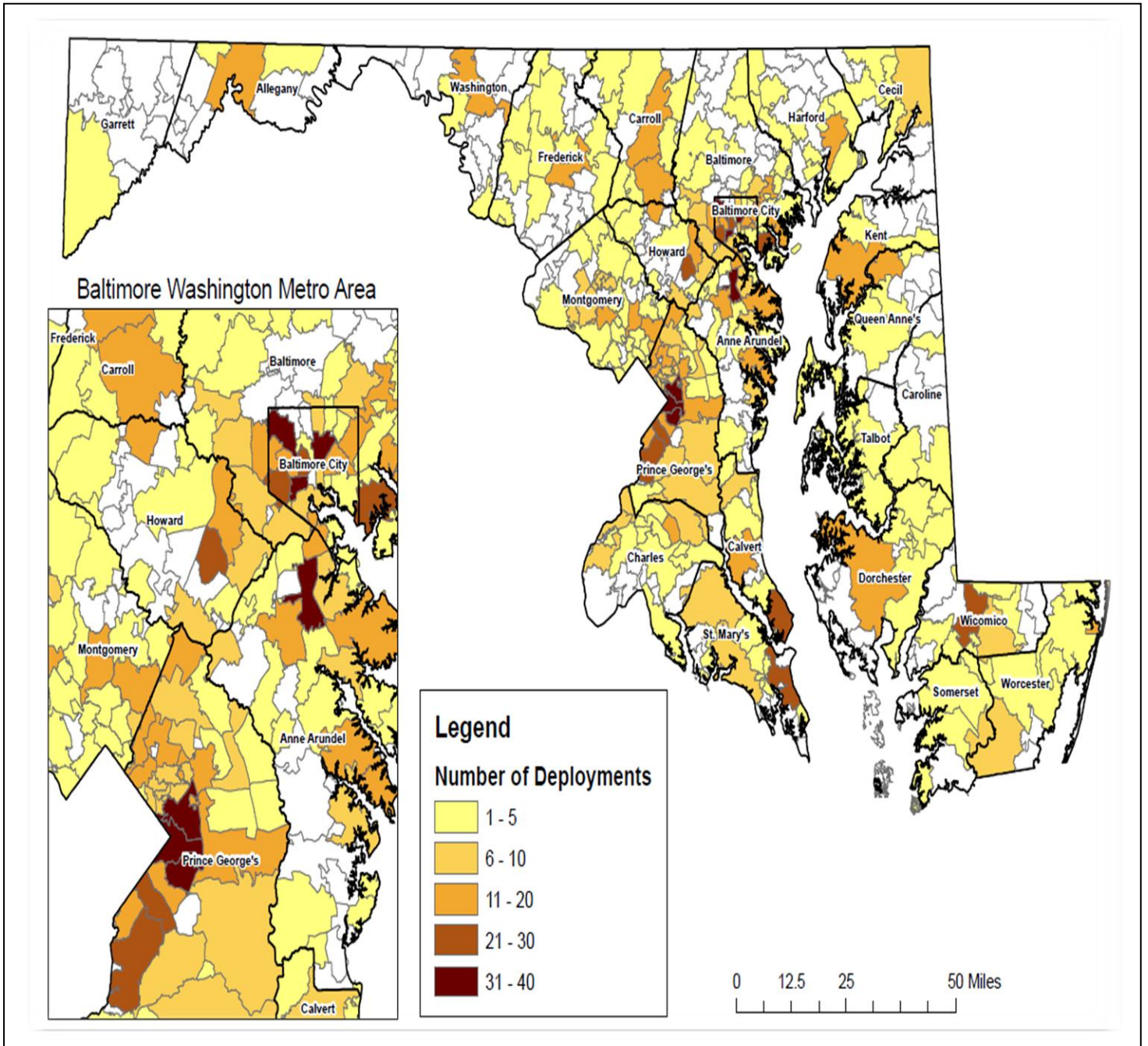
Table 1 illustrates the breakdown of deployments activated by Police Agency.

Table 1. Number of SWAT Deployments and the Percent of Total Deployments by Police Agency (n=40)					
	Frequency	Percent		Frequency	Percent
Aberdeen Police Department	16	1.0%	Howard County Police Department	75	4.6%
Annapolis City Police Department	35	2.1%	Hyattsville City Police Department	6	0.4%
Anne Arundel County Police Department	118	7.2%	Kent County Sheriff's Office	6	0.4%
Baltimore City Police Department	289	17.6%	Laurel Police Department	15	0.9%
Baltimore County Police Department	120	7.3%	Maryland State Police	94	5.7%
Berlin Police Department	0	0.0%	Montgomery County Police Department	139	8.5%
Calvert County Sheriff's Office	65	4.0%	Montgomery County Sheriff's Office	0	0.0%
Cambridge Police Department	5	0.3%	Natural Resources Police	5	0.3%
Charles County Sheriff's Office	52	3.2%	Ocean City Police Department	13	0.8%
Chestertown Police Department	5	0.3%	Prince George's County Police Department	343	20.9%
Cumberland Police Department	13	0.8%	Prince George's County Sheriff's Office	3	0.2%
Denton Police Department	0	0.0%	Princess Anne Police Department	0	0.0%
Dorchester County Sheriff's Office	19	1.2%	Queen Anne's County Sheriff's Office	6	0.4%
Easton Police Department	4	0.2%	Salisbury Police Department	17	1.0%
Frederick County Sheriff's Office	22	1.3%	Somerset County Sheriff's Office	2	0.1%
Frederick County Police Department	10	0.6%	St. Mary's County Sheriff's Office	38	2.3%
Garrett County Sheriff's Office	3	0.2%	Washington County Sheriff's Office	5	0.3%
Greenbelt Police Department	8	0.5%	Westminster Police Department	34	2.1%
Hagerstown Police Department	10	0.6%	Wicomico County Sheriff's Office	21	1.3%
Harford County Sheriff's Office	10	0.6%	Worcester County Sheriff's Office	15	0.9%

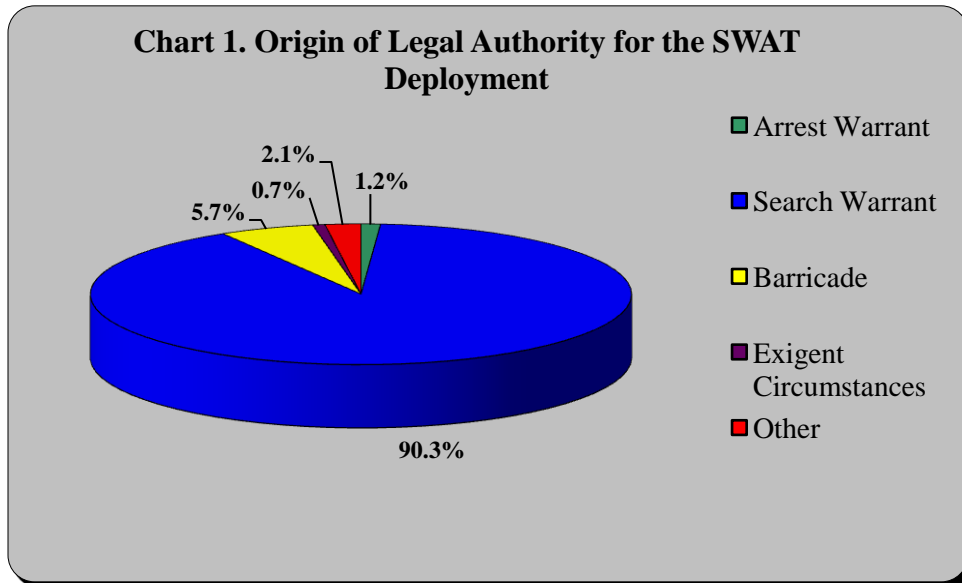
Location of SWAT Deployment

The predominate number of deployments, within a designated zip code, were conducted in the Baltimore-Washington Metropolitan Region. The number of deployments per zip code ranged from 0 to 40, in FY 2011.

SWAT Deployment by Zip Codes, Fiscal Year 2011



The majority of deployments were initiated by a judge in the form of a search warrant (90.3%, n = 1,482). The remaining categories accounted for less than 10% of the deployments which included: barricade (5.7%, n = 93), other (2.1%, n = 35), arrest warrant (1.2%, n = 19), and exigent circumstances (0.7%, n = 12). Similar results were acknowledged in the previous reported period (FY 2010). *Chart 1 displays the legal authority for every activated SWAT deployment.*

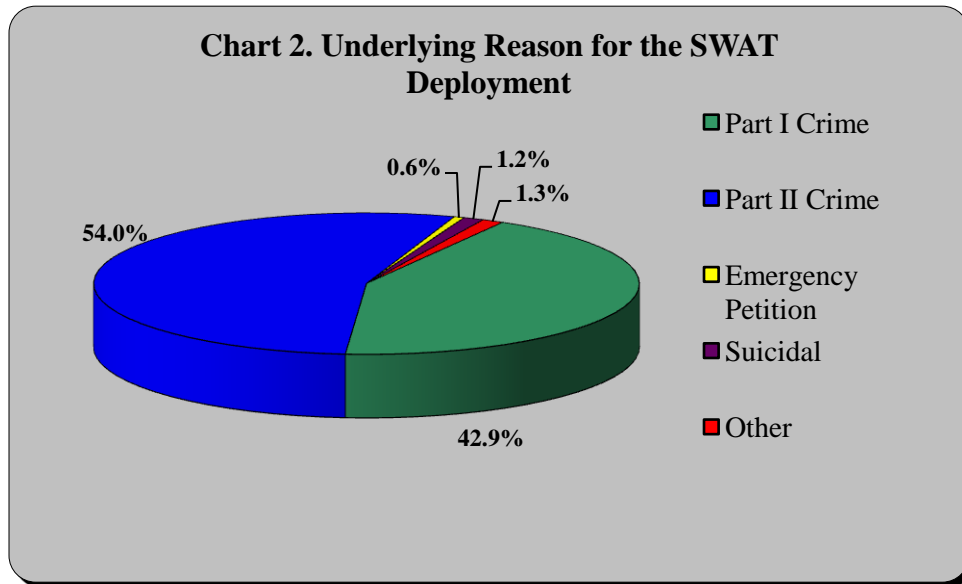


Reason for Deployment

The underlying reason for SWAT Team activation consists of Part I Crimes, Part II Crimes, Emergency Petition, Suicidal, or Other. In the Uniform Crime Reports, Part I Crimes result from one of the eight felonious 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, deployment would be activated to recover and seize illegal drugs and other contraband items from the offender.

The majority of deployments (96.9%, n = 1,590) were activated through the commission of a Part I Crime (42.9 %, n = 704), or a Part II Crime (54.0%, n = 886). In comparison, FY 2010 showed a greater prevalence in the response to Part I Crimes then Part II Crimes (48.1% and 47.0%, respectively). Additional reasons for deployment activation consisted of: other (1.3%, n = 21), responding to a suicidal person (1.2%, n = 20), and answering to

an emergency petition (0.6%, n = 10). Regardless of the reason for the SWAT deployment, all teams were deployed to respond to extremely dangerous or violent situations where using traditional police officers would put them at a high risk for injury. *Chart 2 shows the underlying reason for each SWAT Team deployment.*



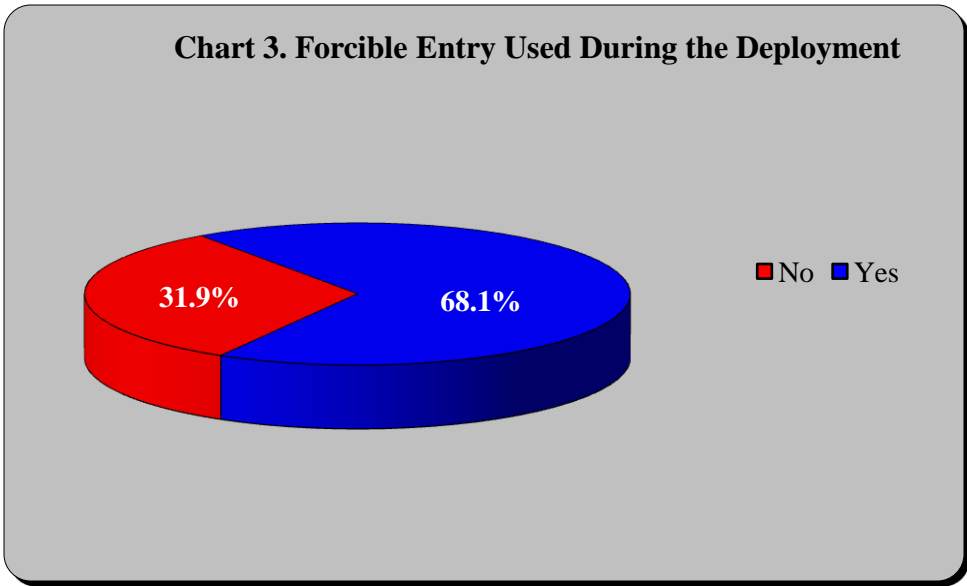
Outcome of Deployment

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.

SWAT deployments that involved forcible entry (68.1%, n = 1,117) were more common than deployments without forcible entry (31.9%, n = 524). Similar results were acknowledged in the previous reported period (FY 2010), in which forcible entry was used in 69.1% of deployments. *Chart 3 illustrates the percent of forcible entries that occurred during deployments.*

Chart 3. Forcible Entry Used During the Deployment



Forcible entry was utilized similarly during responses to Part I and Part II Crimes (70.7% and 67.7%, respectively). *Table 2 displays the cross tabulation of deployment reason stratified by the use of forcible entry.*

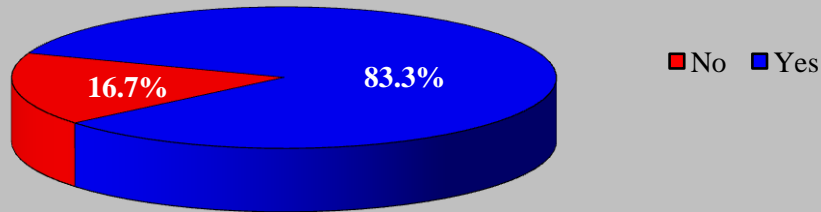
Table 2. Forcible Entry by Underlying Reason for the SWAT Deployment

Forcible Entry		Underlying Reason for the SWAT Deployment					Total
		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	
No	Count	206	286	5	12	15	524
	Pct	29.3%	32.3%	50.0%	60.0%	71.4%	31.9%
Yes	Count	498	600	5	8	6	1117
	Pct	70.7%	67.7%	50.0%	40.0%	28.6%	68.1%
Total Deployments	Count	704	886	10	20	21	1641
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Property Seized

During the reported period, SWAT Teams recovered or seized property in over 80% of all deployments (83.3%, n = 1,367), compared to deployments where no property or contraband was seized (16.7%, n = 274). *Chart 4 illustrates whether the police agency seized any property as a result of the Team’s activities during the deployment.*

Chart 4. Property Seized as a Result of the Deployment



Property seizure was frequent during activated deployments due to a Part I and Part II Crime (83.0% and 86.2%, respectively). Property was less likely to be seized in response to emergency petitions, suicidal persons, and other reasons. *Table 3 represents the cross tabulation of deployment reason stratified by the seizure of property.*

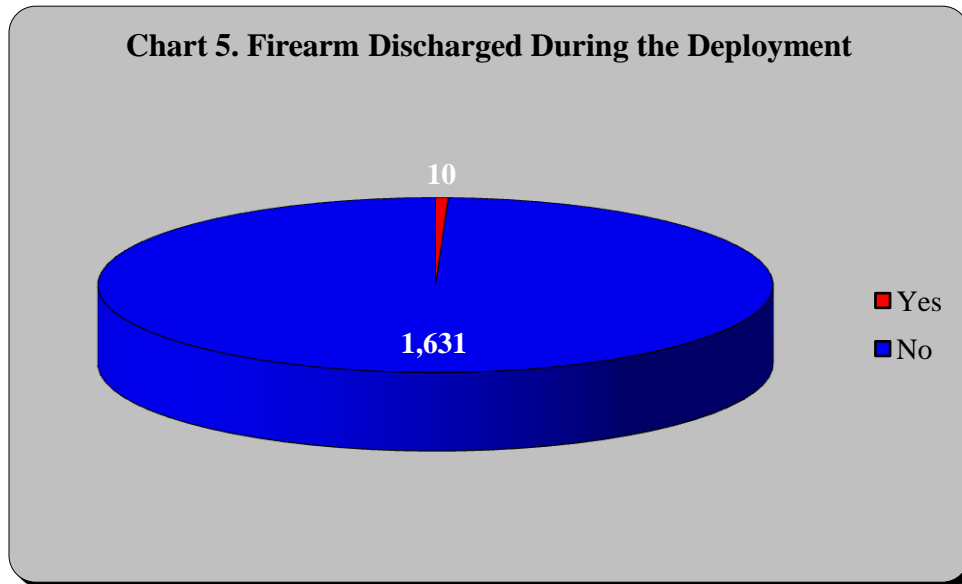
Table 3. Property Seized by Underlying Reason for the SWAT Deployment

Property Seized		Underlying Reason for the SWAT Deployment					Total
		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	
No	Count	120	122	6	9	17	274
	Pct	17.0%	13.8%	60.0%	45.0%	81.0%	16.7%
Yes	Count	584	764	4	11	4	1367
	Pct	83.0%	86.2%	40.0%	55.0%	19.0%	83.3%
Total Deployments	Count	704	886	10	20	21	1641
	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.

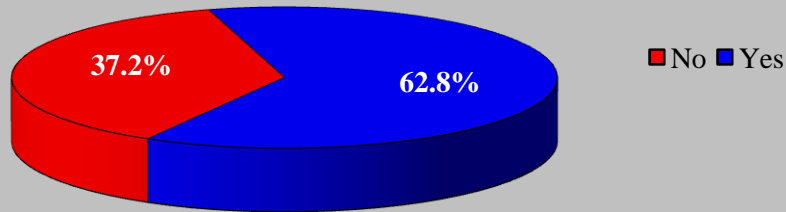
The number of firearms that were discharged by a SWAT Team member occurred in 10 out of the 1,641 deployments, resembling less than one percent of all eligible SWAT activations. *Chart 5 illustrates the number of SWAT deployments where a weapon was discharged.*



Arrests Made by SWAT Teams

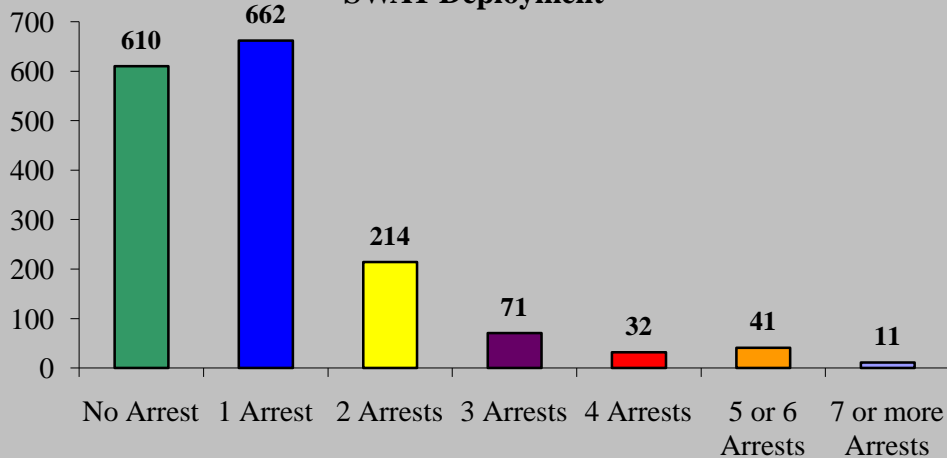
Similar to previous statistics shown, at least one arrest was made in nearly two-thirds of all SWAT Team activations (62.8%, n = 1,031); whereas, no arrest was reported in 610 deployments (37.2%). It is possible that in a deployment coded as an arrest, another law enforcement agency could have made the arrest, while the SWAT Team's responsibility was to clear the area. It is also possible that a deployment coded as no arrest may have actually included an arrest by a law enforcement agency other than the SWAT Team that was not reported. *Chart 6 displays the prevalence of arrests being made as the result of the SWAT deployments.*

Chart 6. One or More Arrests Made During the SWAT Deployment



The number of arrests made during a single deployment ranged from 1 to 15. From these arrests, 40.3% resulted with only one arrest made (n = 662), followed by 214 deployments that resulted in 2 arrests made (13%), 71 deployments that resulted in 3 arrests (4.3%), 32 deployments that resulted in 4 arrests (2%), 41 deployments where 5 or 6 arrests were made (2.5%), and 11 activations where 7 or more arrests were made (0.7%). *Chart 7 provides a breakdown of all arrests made by law enforcement as a direct result of the SWAT deployment.*

Chart 7. Breakdown of Arrests Made as a Result of the SWAT Deployment



Arrests were equally predicted to occur during deployments initiated by a Part I and Part II Crime (63.1% and 63.8%, respectively). *Table 4 displays the cross tabulation of deployment reason which is stratified by the number of arrests made by law enforcement.*

Table 4. Number of Arrests by Underlying Reason for the SWAT Deployment							
Number of Arrests		Underlying Reason for the SWAT Deployment					
		Part I Crime	Part II Crime	Emergency Petition	Suicidal	Other	Total
0	Count	260	321	4	10	15	610
	Pct	36.9%	36.2%	40.0%	50.0%	71.4%	37.2%
1	Count	331	312	5	10	4	662
	Pct	47.0%	35.2%	50.0%	50.0%	19.0%	40.3%
2	Count	74	138	1	0	1	214
	Pct	10.5%	15.6%	10.0%	0.0%	4.8%	13.0%
3	Count	21	49	0	0	1	71
	Pct	3.0%	5.6%	0.0%	0.0%	4.8%	4.3%
4	Count	9	23	0	0	0	32
	Pct	1.3%	2.6%	0.0%	0.0%	3.6%	2.0%
5	Count	5	23	0	0	0	28
	Pct	0.7%	2.6%	0.0%	0.0%	3.6%	1.7%
6	Count	4	9	0	0	0	13
	Pct	0.6%	1.0%	0.0%	0.0%	0.0%	0.8%
7	Count	0	4	0	0	0	4
	Pct	0.0%	0.5%	0.0%	0.0%	0.0%	0.2%
8	Count	0	2	0	0	0	2
	Pct	0.0%	0.2%	0.0%	0.0%	0.0%	0.1%
10	Count	0	2	0	0	0	2
	Pct	0.0%	0.2%	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%
12	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	704	886	10	20	21	1641
	Pct	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Injured or Killed Animal

During the reporting period, 2 deployments 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.*

Chart 8. Number of Deployments where an Animal was Injured

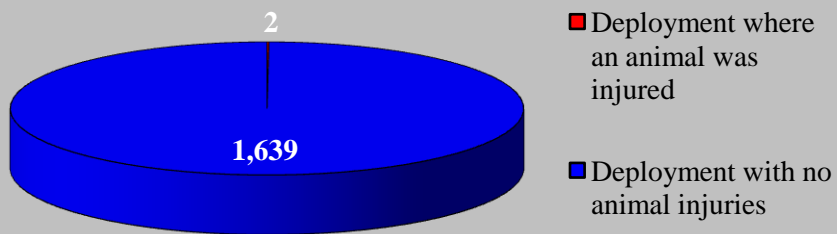
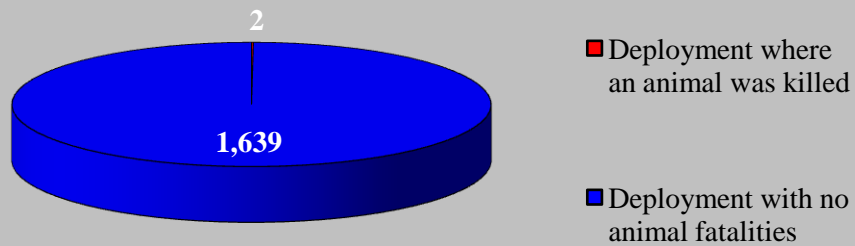


Chart 9. Number of Deployments where an Animal was Killed



Injured or Killed Person

In Fiscal Year 2011, 13 deployments resulted in a person being injured by a SWAT Team member; less than 1% of all eligible deployments. From the 1,641 SWAT Team deployment activations, only one deployment resulted in the death of a human being. This statistic excludes cases of suicide. *Chart 10 and 11 illustrate the number of deployments that resulted in a human being injured or killed.*

Chart 10. Number of Deployments where a Person was Injured

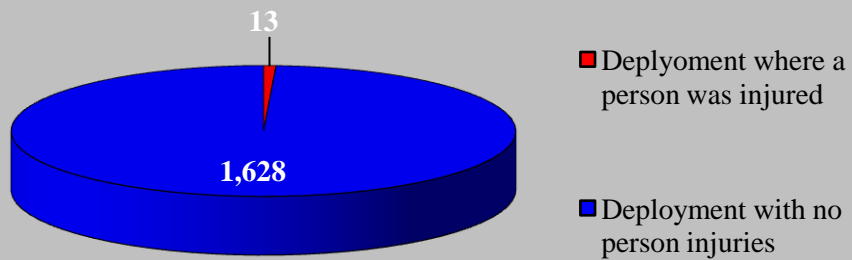
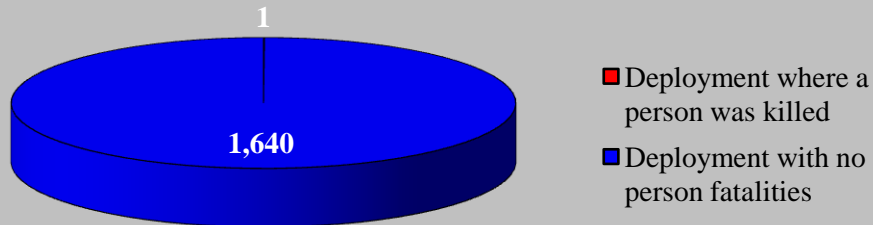


Chart 11. Number of Deployments where a Person was Killed



DISCUSSION AND RECOMMENDATIONS

Consistent with the prior reported period (FY 2010), SWAT deployments in Maryland were activated and initiated, almost exclusively in the form of a search warrant signed by a judge in Fiscal Year 2011. Search warrants typically were initiated as a response to a Part I Felony Crime or a Part II Crime drug seizure. The majority of SWAT deployments resulted in forcible entry and the seizure of illegal property or contraband. In addition, SWAT deployments resulted in at least one arrest, almost 2/3 of the time. Furthermore, a discharged weapon, an injury or death of a domestic animal or person by a SWAT Team member during a deployment were rare and accounted for less than one percent of all deployments.

Reported data regarding a discharged firearm, an injury and fatality of an animal or person by a SWAT Team member 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.

Fiscal Year 2012 Changes

Changes to the reported SWAT deployment data was recently formatted during a workgroup meeting with the Police Training Commission, law enforcement, and public safety representatives. Alterations of the reporting format will begin during Fiscal Year 2012. The proposed changes were made to further the effectiveness of the data for the next reporting cycle.

In FY 2012, two variables will be changed (i.e., number of arrests, and weapons discharged), and an additional variable will be included (i.e., whether any SWAT Team Officers were directly injured by any people or animals at the scene of the deployment). The variable weapons discharged, instead of “yes” or “no” format; will now include a dropdown menu to indicate the intended target of the discharge (i.e., fixed structure, person, animal, or accidental discharge). One limitation of the current data pertains to the number of arrests variable as there is some confusion and ambiguity as to what constitutes a reportable arrest. When a SWAT Team clears an area and the jurisdictional law enforcement agency makes an arrest, it may not be recorded accordingly. To rectify this uncertainty, the response for arrests will now reflect the number of arrests at the scene of the deployment by any law enforcement agency. MSAC will also continue to work with law enforcement to ensure completeness and accuracy of data.