

Training to Fail:

The Failure of Police Firearms Training For the Real World

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“From the ready position...two rounds. Fire!” A volley of shots echo across the firing range as two rounds each from the officer’s weapons speed downrange and impact their respective paper targets. The range officer then shouts, “Recover and move up to the ten yard line.” The line of police officers holster their weapons and move up to the ten yard line where they await further commands from the range officer. After observing that all officers are safely standing in position, the range officer shouts, “From the holster...two rounds. Fire!” A volley of shots rings out again and the drill is repeated ad nauseam. This scenario is typical of the firearms training that many police officers receive from their training department. While this method of training may be satisfactory in shooting for accuracy and punching holes in stationary paper targets, it can severely handicap the officer who finds themselves in an actual, real world fire fight.

How can this method of training handicap a police officer who religiously attends their department’s firearms training? The answer is, when an officer is trained to shoot in one style only, that one style becomes ingrained through repetitiveness and muscle memory.

This became evident to me when my department began using Simunition in our training. Simunition is the name of a product line of small caliber training ammunition and weapon conversion kits manufactured by General Dynamics. The less-than-lethal ammunition is referred to as an FX Marking Cartridge fired from a converted duty weapon using an operational magazine. The projectile consists of a balanced, stable, hollow projectile filled with a brightly colored detergent paste that leaves a tell-tale mark on a person's clothing when struck by the projectile. Even though protective equipment is worn when using Simunition, the projectiles may leave welts, scrapes, or bruises when making contact with any unprotected area, such as arms or legs (General Dynamics-Ordinances and Tactical Services, 2007, p. 9, p. 23).

Being an eleven year veteran and sniper on my department's Special Weapons and Tactics (S.W.A.T.) Team, I considered myself to be an excellent marksman with all weapons, and more than capable of handling myself in a fire fight, due to all the tactical training that I had been subjected to. The problem though, was even with the advanced training, I

had never been subjected to a “real world” type of situation where I was being shot at with a projectile.

While later reviewing the video of the mock shootout, I observed that time after time, I would fire two rounds at the aggressor, go to the ready position, and then fire two more rounds. This process continued until I hit the aggressor with a ‘fatal’ shot. I was not hit due to correct positioning behind a barricade, but my concern was that I was lowering my weapon instead of keeping it pointed at my target, and when I was pointing my weapon at the aggressor, only firing two rounds at a time. While at the same time, the aggressor was sending a continual barrage of rounds in my direction: the result of repetitively training to fail.

The Problem

Officers are trained to shoot, but not how to shoot effectively in life threatening situations, which is closely akin to sending soldiers into battle with guns but no bullets (www.ohioccw.org). Police agencies have an obligation to train their officers for the recurring tasks that those officers will face during their career.

For many years, law enforcement agencies trained officers in “how to” shoot by using marksmanship courses for firearms training. Officers would stand at various distances from paper targets and take aim. As training progressed, agencies began creating combat and stress courses that incorporated officer movement, target movement, and limits on the amount of time an officer would have to fire. While these courses are sufficient in training officers how to shoot; they fail in training an officer when to shoot, and they fail to reflect the conditions under which most officers are required to work. Even “combat” training programs do not adequately address “decisional” training needs (www.patc.com).

Almost twenty-five years ago, the courts began telling law enforcement that firearms training had to be more reflective of the conditions that officers would face while working. In *Popow v. City of Margate* (www.llrmi.com), an officer in foot pursuit of a suspected kidnapper fired his weapon as the kidnapper ran down the street. As a result, the officer accidentally shot Mr. Popow, killing him. The court held that the firearm’s training received was inadequate for the circumstances

officers had to operate under. More specifically, the court said that training needs to include:

- a) moving targets
- b) low light or adverse light shooting
- c) residential areas

or any experience with film or simulations designed to teach the practical application of deadly-force decision making. The court held that firearm's training should also include instruction on State Laws, City Regulations (and/or policies) on shooting, and how they are applied in practice. The court also held that firearms training must be given on a continual basis (www.degrata.com).

In *Zuchel v. Denver* (www.patc.com), the United States Court of Appeals for the 10th Circuit examined a case which began when members of the Denver Police Department responded to a disturbance call at a fast-food restaurant. Upon arrival, officers were told that the subject responsible for the disturbance had gone around the corner. As officers

turned the corner they observed Zuchel, who had his back to the officers, arguing with some teenagers. Someone shouted that Zuchel had a knife. As the officers approached, Zuchel turned toward the officers, at which time Officer Spinharney fired four times, killing Zuchel. A pair of fingernail clippers was found next to Zuchel. Officer Spinharney's partner testified that she was surprised when Officer Spinharney fired because she was right next to Zuchel and about to grab him.

Following a civil trial against the City of Denver, (the case against Officer Spinharney had been settled prior to trial); a jury returned a verdict against the city for \$330,000 based upon a failure to adequately train. The City of Denver appealed. In upholding the verdict, the court cited testimony by a Denver police detective as well as testimony from the plaintiff's expert on police training. The detective testified that the only "shoot-don't shoot" training that existed at the time of Zuchel's death "consisted of a lecture and a movie." The plaintiff's police practices expert testified that if the only "shoot-don't shoot" training officers received was a lecture and a movie, then the training was grossly inadequate.

In reviewing these two decisions, *Popow* and *Zuchel*, it is clearly established that law enforcement agencies must conduct firearms training on a regular basis; the firearms training must reflect the environment that officers are likely to face, i.e. moving targets, moving officers, low-light conditions and residential areas if applicable to the agency being trained; and finally agencies must conduct decision making training with respect to when to use deadly force. Annual or semi-annual qualification courses are simply insufficient for purposes of assisting officers in making deadly force decisions and for purposes of avoiding liability. The need for training on the “when to” shoot is now accepted fact among the courts.

Unfortunately, many police agencies, due to a lack of resources, still have not developed training in this area. The failure to have “judgment” or “decisional” training with respect to the use of deadly force is a risk that agencies cannot afford to take.

Even more unfortunate is the fact that there are police training departments that eschew the idea of proper training on the grounds that, “someone will just get hurt if we try to do that,” or, “Why do we need to

teach that? This isn't S.W.A.T. training." Perhaps those apathetic training officers should be transferred to another division, as they clearly do not have other officer's best interests in mind.

There have been many times when I have observed training officers attempt to implement new training scenarios, then neglect their duty to correct an officer's mistakes, such as improper positioning from behind a barricade. The training officers were more concerned with how many officers they could run through the course in a day, rather than running the officers correctly through the course.

The Solution

The latest F.B.I. statistics report that the average distance for a police shooting is less than twenty (20) feet (www.policemag.com). In contrast, a lot of police agencies firearms training only consist of a standard PPC (Practical Pistol Course) with distances ranging from three (3) to twenty-five (25) yards. While this type of course is adequate for marksmanship training, it is woefully lacking for a "real world" type of training. Training should be based on the fact that most officers are killed at short distances.

Because seventy percent (70%) or more of law enforcement shootings occur under reduced or diminishing light conditions, significant training with an officer's duty illumination tools is a must (www.policeone.com). Target identification and threat recognition are critical parts of this training as well. The illumination tools that officers carry will have a significant impact on how those officers handle their weapons. Training officers should keep in mind that flashlights are needed in the daytime hours also, and an officer's firearms training should encompass the use of these tools.

Dim and no light training should be emphasized just as much as daylight training.

"Moving then shooting" and "moving while shooting" techniques should be integrated into the firearms training program. If an officer maintains a picture-perfect stance during a gunfight, then they are not doing it correctly. If the officer is not moving to create distance, then they should be moving to cover. The ability of an officer to shoot effectively

while incorporating lots of movement gives that officer a dramatic tactical advantage.

Training should also be based on the fact that officers will have limited fine and complex motor control. Our bodies undergo various physiological responses during a combat situation. Manual dexterity is the one we are focusing on here. As blood flows away from our extremities and toward our core, we lose a degree of fine and complex motor control in our fingers and hands (www.policeone.com). Unfortunately, elements of good marksmanship like trigger control can be the first to go. Teaching basic marksmanship skills, like proper trigger control, is absolutely vital and should not be ignored. However, instruction should be made available in the training program for the fact that fine and complex motor control will be decreased.

One of the best ways to demonstrate the effects of stress to officers is to make them run, get their heart pumping and their adrenaline flowing, then send them into an interactive scenario with dye marking rounds and

role-playing bad guys shooting back at them in a force-on-force situation.

The breakdowns in technique will be startling.

Training for one-handed firing of a handgun, including dominant and support hand, plus drawing, reloading and stoppage clearing should be incorporated into training. Many law enforcement shootings occur with one hand, and using one hand is often a tactical benefit, based on the situation. Even if an officer is not injured, a traditional two-handed grip may be impractical or even dangerous if it means giving up too much cover or concealment.

Knowing how to shoot, reload, and clear malfunctions with only one hand (both left and right) is imperative. Our officers must be confident in their ability to win the fight, even if they are injured. They must also be comfortable with these techniques in order to gain that confidence.

Integrate multiple-person contact and teams involved in realistic scenarios. Just because an officer knows how to safely and effectively engage multiple threats, reload efficiently and move from one piece of

cover to another, does not mean that officer knows how to do those things with two or more other officers running around, trying to do the same thing at the same time. Where is my muzzle? Where is my partner? Where is my partner's muzzle? Proper communication is absolutely critical. Have two- and three-man teams go through tactical scenarios together. Use portable targets in a variety of locations and configurations. Have the teams shoot side-by-side so their partner's brass is bouncing off them or going down their uniform shirt. Condition them to be profoundly muzzle conscious, and make them realize the importance of communication when it comes to moving, reloading and staying in the fight.

Integrate engagement techniques for moving targets, both laterally and charging. When was the last time you were in a violent confrontation with someone who just stood still? Because running seems to be a part of most gunfights, the ability to fire safely and accurately at moving threats can be one of an officer's greatest assets. It is important to train for both lateral movement and charging movement because each requires a specific skill set and response from the trainee (www.policeone.com).

While it may not be feasible due to budget constraints for a department to implement a moving target system at their range, the use of Simunition or paintball guns could be employed to simulate these conditions at a more reasonable cost.

Conclusion

Tests show that officers under stress revert back to their training (articles.latimes.com). Although I have witnessed some officers complain when subjected to more realistic training, most of those officers would later reply that they could see where this type of training would be beneficial to them in a “real world” situation.

Being a law enforcement firearms trainer today is an extremely difficult job. One has to be part teacher, part motivator, part mechanical engineer, part lawyer, part drill sergeant, part counselor, part maintenance staff, part etc. etc. Failure to properly train police officers can lead to poor decisions by officers and may result in civil law suits, which directly affect

our entire community. More importantly, the lack of realistic training can also lead to officers being hurt or killed. We, as firearms instructors, have a duty to provide the best, most realistic training to our officers that is available.

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