

Bloomington Indiana Police Department
19 February 2018

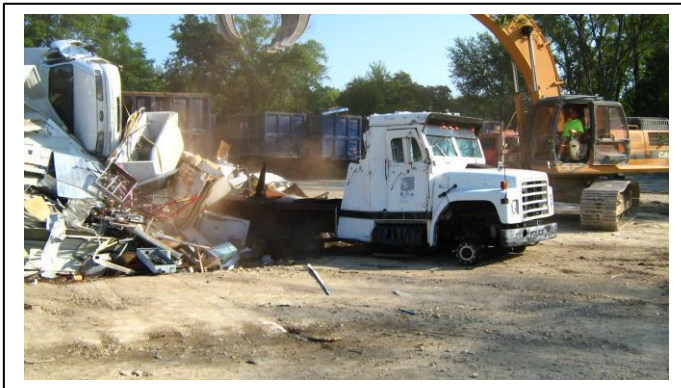
Executive Report:

The Bloomington Police Department Planned Purchase
of a Lenco Bearcat Armored Vehicle



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In June of 2017, the City of Bloomington on behalf of the Police Department, entered into a contract with Lenco Industries of Pittsfield, MA for the purchase of a 2018 Lenco Bearcat armored vehicle. With the purchase price of slightly over \$226,000 this purchase represented a significant and continuing investment in the response capability of the Bloomington Police Department to violent events which may befall the community.

While the Department had previously used an armored vehicle obtained from Brinks, Inc., the vehicle succumbed to the elements and the lack of available funding to facilitate needed repairs. It was removed from service via scrapping in 2012.



With the passage of the Public Safety Local Income Tax in 2016-the proceeds from which can only be used by the City of Bloomington for police and fire expenditures – the Department sought to regain the capability lost when the prior unit had been removed from service.

Background

Armored vehicle use by police departments is not new, but has recently become quite controversial due to concerns about the intended use of these vehicles. Unfortunately, some law enforcement agencies have used the vehicles in situations that even other police professionals have questioned. This use has contributed to the fear and concerns expressed by some in those communities and in our own.

Law enforcement agencies are not, and should never be seen as, an 'occupying army' to any portion of the community that we serve. Law enforcement is, however, charged with the responsibility to have the capabilities to safely and effectively deal with situations that could be reasonably foreseen that threaten both life and property. It is unfortunate that some of the equipment necessary to meet that obligation resembles that which is used by the military. Having the equipment does not mean that an agency has to adopt the mentality to go with it.

Law enforcement armored vehicles are not tanks, as some have mistakenly alluded, nor are they new to police service. They are heavy duty trucks that

have ballistic grade metal plating on the sides, top, and bottom in order to resist the penetration of bullets or other fragments and have been in service with law enforcement since the 1930s. It is important to note that these vehicles are **armored, not armed.**

An armored vehicle is designed to protect officers from known high-risk situations where a suspect is armed with a weapon. In this situation the vehicle itself, due to its armor, actually makes a lethal confrontation much less likely as there is very little risk to the officers in approaching the suspect to try and end the situation.

Similarly, the vehicle provides for a safe and secure area from which officers may undertake negotiations. The armor plating of the vehicle precludes the need to place the officers or the armed suspect in jeopardy while these negotiations are ongoing.

As an example, the Bloomington Police Department's tactical unit, known as the Critical Incident Response Team (CIRT) used an armored vehicle to successfully negotiate an end to a standoff with a group of robbery suspects who were barricaded in a residence in the 1100 block of South Fairview. Rather than place nearby residents and officers at risk by attempting to force entry into the home to arrest the suspects, the armored vehicle was positioned in a manner that allowed for the negotiators to see the home and to safely be seen by the suspects. Once recognizing and understanding that they could pose no reasonable threat to the officers, they chose to surrender without incident.

An armored vehicle also provides a rescue option for those who are in a gunman's line of fire. Due to the safety afforded by the vehicle armor, innocents may be evacuated when trapped in hazardous areas. In October 2007, CIRT used an armored vehicle for such during a well-publicized sniper incident at an apartment complex on S. Adams and Arch Haven on the City's near west-side. During this event the suspect was armed with both AK47 and AR15 style rifles and had been firing from a balcony toward several buildings in the area when patrol officers arrived.



In another incident, CIRT used the vehicle to remove patrol officers and bystanders from the area of a large apartment complex when they were threatened by a suspect with an AK47-style rifle who had barricaded himself in an apartment at 3000 South Walnut.

There are times, however, when officers must approach

and enter structures known to contain persons who have committed serious

criminal acts and who are known to possess weapons that can penetrate bullet-resistant vests and standard patrol vehicles. A vehicle that has an armored capability allows a safe approach to the location.

CIRT used an armored vehicle in such a manner to arrest a homicide suspect in a home on East State Road 45 that had to be approached over a long open distance where no cover was available for the officers. After his arrest, the suspect made comments about not resisting officers after seeing the armored vehicle as he knew that it would be futile.

Likewise, CIRT used the vehicle in a similar manner during the arrest of another homicide suspect, who had killed a corrections officer and was located within a home in Kelly Heights in Ellettsville. The suspect, who had been involved in previous events where he had fired on law enforcement, was armed with multiple weapons and had vowed 'not to be taken alive'.

During the search for a suspect who had tried multiple times to kill his own small child with a heavy caliber rifle and was believed to be located in a mobile home deep inside a tree line on Burma Road, the vehicle was used to initially approach the residence so that officers could then enter and secure the home.

The need for acquiring a vehicle of this type was brought into focus as a direct result of a September 2000 incident on Bluebird Lane, just outside the southeast city limits of Bloomington. During this incident, which actually started at the Woodbridge III apartment complex on East 10th Street, officers were pinned down by a gunman who had entered a home and shot his estranged girlfriend.

The gunman, who had previously set several fires and attempted to blow up his own apartment at Woodbridge, withdrew from the house on Bluebird after shooting the female and hid in a wooded area waiting for officers to arrive. As officers approached the home they were repeatedly under fire and were unable to get near the home to effect a potential rescue of the female or deal with the gunman.

Since BPD had no effective way to deal with the situation, an armored vehicle belonging to the Indianapolis Police Department was ultimately dispatched to assist, arriving some 90 minutes later which was more than three hours after the incident began. This vehicle allowed CIRT officers to quickly close in on the gunman who, unfortunately, chose suicide rather than being taken into custody. Tragically, the female who had been shot died of her wounds by the time that officers were able to reach her.

In early 2001, the Bloomington Police Department sought and acquired a used bank truck from Brink's Inc. This vehicle, a 1975 International Armored Truck with more than 300,000 miles, had been used in the Chicago area and was in need of some repair. The vehicle suffered from significant issues in regard to power, protection, and in the end, life cycle duration and costs. It did, however, offer armor protection for officers and civilians who would find themselves at risk.

Once the vehicle was acquired from Brinks, the Bloomington Police Department understood the potential public concerns and undertook a very proactive policy of education. The vehicle was featured in numerous public displays such as the Park's Department yearly 'Touch a Truck' gathering, tours of the truck were provided to various interested groups, and the truck was used as a means of soliciting community involvement with the Police Department at social gatherings and neighborhood festivals such as 'National Night Out'.

Militarization of the Police

A replacement source for the original armored vehicle presented itself in the form of the Defense Reutilization Marketing Office (DRMO), a United States Government run program that makes surplus military equipment available to law enforcement agencies for no, or limited, cost.

Through the DRMO program, the Department could acquire a vehicle known as a Mine Resistant Ambush Protected (MRAP) vehicle. These vehicles, which were designed to transport troops safely in Iraq, and to a much lesser extent Afghanistan, are now being made available to law enforcement agencies, sans any armament, for the cost of transportation of the vehicle to the agency's location.

Twice in 2014, BPD did not take vehicles which would have been both suitable and affordable. BPD is cognizant of the public concern that has arisen from this type of vehicle and the perceived militarization of police departments.

Much of the continuing controversy concerning MRAPs and other armored vehicles is due to their very public use during the riots that occurred in and around the Ferguson Missouri (St. Louis County) area in 2015 and the perceived 'militarization of the police' during that event.

It is important to note is that, on numerous occasions during the life of the armored vehicle that BPD previously had in service, the Department successfully handled protests, demonstrations and other events without using the armored vehicle. Some of these events were both riotous and volatile, yet never did the Department contemplate the need to deploy either a tactical unit or an armored vehicle in the same manner as the authorities in the St. Louis County region.

' Law enforcement agencies should create policies and procedures for policing mass demonstrations that employ a continuum of managed tactical resources that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine civilian trust'²

² *United States Department of Justice, Final Report on the Presidents Task Force on 21 Century Policing* Recommendation 2.7

The Bloomington Police Department has a long history and culturally-ingrained methodology of dealing with protests and demonstrations that are considered a critical civil right protected by the First Amendment to the United States Constitution.

The Department has unequivocally stated that the replacement armored vehicle would not be used in conjunction with the response to protests, but would be limited to use by the Departments special weapons and tactics unit, the Critical Incident Response Team (CIRT).

In a report entitled, *"War Comes Home, The Excessive Militarization of American Policing"*, the American Civil Liberties Union (ACLU) documented numerous concerns and laid out a series of recommendations for law enforcement special weapons and tactics units (SWAT).

Those include:

- Police Departments should adopt internal deployment standards as a matter of policy;
 - Tactical Deployments should be limited to situations where there is a likelihood that the situation represents an imminent threat to the lives of civilians or police personnel;
 - Each deployment (of SWAT/CIRT) should be pre-approved by a supervisor or other high-ranking official;
 - Each deployment should be preceded by a written planning process that documents the specific need for the deployment, describes the operation to be conducted and how the operation is to be conducted including whether children, pregnant women, and/or elderly people are likely to be present (except in emergency scenarios in which engaging in such a process would endanger the lives or well-being of civilians or police personnel);
 - All SWAT / CIRT deployments should include a trained crisis negotiator;
 - SWAT officers should wear body cameras, and police department should have in place rigorous safeguards regarding retention, use, access, and disclosure of data captured by such systems.
 - All deployments should be proportional to the need;
 - Each deployment should be followed by a post-deployment record that allows for documents to be easily analyzed including items such as the
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need for the deployment, the purpose of the deployment, whether there was forcible entry, if a distraction device was utilized, whether an APC was used, the race, sex, and age of each individual encountered as well as any injuries to personnel or animals, a list of any controlled substances, weapons, contraband or evidence of a crime that was found on the premises or any individuals and a brief narrative describing any unusual circumstances not otherwise captured.

Each of the eight ACLU recommendations has been a matter of policy and practice within the Bloomington Police Department's Critical Incident Response Team for over twenty years (with the exception of the wearing of body cameras which was instituted in 2015)

The Critical Incident Response Team is a tightly controlled specialty unit within the Bloomington Police Department responsible for the resolution of especially hazardous police duties including the resolution of hostage situations, barricaded persons who are armed with a deadly weapon, high-risk warrant services as well as providing VIP and dignitary escorts as well as pre-planning strategies for the resolution of unusual occurrences which threaten the public safety. The team, and its use, is governed by several specific department general orders which mandate and accomplish each of the ACLU's recommendations.³

Each CIRT deployment request requires permission from numerous layers within the Department's Chain of Command which culminates with the Chief of Police. At any stage the request can be denied during the chain of command review that includes a Lieutenant, the Captain of Operations, the Deputy Chief of Police and, finally, the Chief of Police.

Prior to any request to use the team for a high-risk warrant service a risk assessment matrix form⁴ is filled out and submitted by the requesting division. While the warrant service matrix is solely to determine if a tactical unit is needed, a further form, the Bloomington Police Department Operational Plan⁵ is also submitted and will detail the background of the proposed operation including if there are counter-indications to serving the warrant such as children, pregnant women or elderly within the residence and the proximity of the warrant location to areas of concern such as schools.

Each year requests for deployment are denied for various reasons including the presence of young children, pregnant women and the elderly or mobility challenged. In fact on several occasions each year, CIRT leadership, who is

³ Attachments 1-3

⁴ Attachment 4

⁵ Attachment 5

involved in consultation with the requesting unit or division of the Department, denies the request before it even goes through the chain of command review.

Additionally, in numerous cases each year, a partial deployment consisting of 2-5 officers is authorized to assist with serving warrants that do not necessitate the entire Team being present.

Selection of the Lenco Bearcat

During the selection process for obtaining a replacement armored vehicle, it was deemed prudent that certain criteria should be met with any future purchase.

The vehicle should:

- Be of domestic U.S manufacture
- Maintenance of the vehicle should not require specialty tooling, parts or personnel⁶
- Armor capable of defeating rifle level ballistic threats
- Capable of holding at least eight fully equipped personnel
- Be gasoline powered, not diesel
- Be a law enforcement specific, non-military Ford, Chevrolet or Chrysler based platform⁷
- Four wheel drive capable
- Have sufficient electrical power to support exterior lights and winches
- Have a standing GSA⁸ or State Bid pricing schedule

In researching the vehicles in common use for law enforcement armored vehicles, the Lenco Bearcat met all specifications the Department was seeking.

In speaking with Lenco, the Bearcat was available in several colors and configurations suitable for our use and met each of the specifications required. In the end the Bearcat G2, in blue, platform was chosen.

⁶ MRAPs and other military vehicles often require specialty tooling, personnel or equipment for maintenance and repair. While the cost of obtaining an MRAP from the military is low, the overall life cycle cost is often exceedingly high due to the specialized nature of the parts.

⁷ Lenco is not a defense contractor. While certain bases or units acquired Bearcats for their use, there was no large military contract until January of 2017 when the Special Operations Command purchased Bearcats in a COTS (Commercial Off The Shelf) purchase

⁸ Government Schedule Contract



The Bearcat, which has rifle level ballistic armor, is based upon the Ford F550 truck-of which the City of Bloomington already owns nine- and features a gasoline powered V10 motor, 4x4 capability and automatic transmission. The vehicle has sufficient power to facilitate exterior lights and winches and has seating for 10-12 fully equipped tactical officers.

Further, the City of Bloomington Fleet Maintenance Division is a Ford Certified warranty repair station meaning that all repairs to the vehicle can be handled 'in-house'. As the City already owns a number of these trucks the history of maintenance requirements is well known and established within the City and does not pose an issue in terms of specialized parts, personnel or repair equipment

Why not armor regular squad cars?

One of the questions that has naturally arisen is why BPD does not simply armor standard patrol vehicles rather than purchasing one armored vehicle.

While this would seem to be an alternative to the purchase of a costly and single piece of equipment, this, like the MRAP solution, becomes more costly during the life cycle of the vehicle as opposed to a single specialty vehicle with a twenty-year life span. It also does not meet the full capability the Department is seeking in a vehicle as laid out previously because it would not allow us to rescue citizens or officers who may have become wounded. The interior of a squad car is actually quite compact and does not lend itself to carrying fully-equipped tactical officers or anyone who may be wounded.

Armor in the doors is available from Ford directly, but it does not automatically extend to the windows of the vehicle. While windows can be armored, all of that comes at a weight penalty to the vehicle as a whole and, again, does not add to the rescue or transport capabilities.

Finally, as the Department has to replace squad cars every two to three years due to their level of use, the armor would also need to be replaced every two to three years resulting in a continuing cost versus one vehicle being armored and lasting twenty-years.

Why not simply acquire a used bank truck?

Again, this would seem to be an option on its surface, but history has shown the Department that a used 'bank truck' is not a cost effective option. Also, it does

not support the required need in terms of ballistic capabilities, ease of use in an evacuation scenario, and overall maneuverability as does a law enforcement specific vehicle designed for that purpose. A bank truck, while similar in that it has 'gun ports', some armor, and some of the other features of a law enforcement armored vehicle like the Bearcat, suffers from its large size, complex maneuverability, and the fact that it has not been designed from the ground up to support law enforcement operations.

Lenco Industries, the manufacturer of the Bearcat, started as a corporation that designed and built 'bank trucks' for the 'cash-in-transit' industry. Realizing the shortcomings of this vehicle style for law enforcement operations, they created what was originally known as the B.E.A.R., an acronym which stands for Ballistic Engineered Armored Response and Rescue. Essentially, they developed a bank truck style vehicle built specifically for law enforcement agencies.

The Bearcat, which is not an acronym despite an assertion on Wikipedia to the contrary, was developed from the bank style BEAR to be a smaller, more maneuverable vehicle designed specifically for use as a law enforcement vehicle.



Like armoring squad cars, the prospect of a bank truck-style vehicle is alluring in many respects as it would 'seem just as good' and not be as intimidating in appearance. Where that appearance breaks from reality is not in the one round ability of the vehicle to stop a bullet, it is in the ability of the vehicle to stop multiple rounds. Pictured is a Bearcat from Henderson

County, Texas that was struck in excess of 30 times by a suspect armed with an AR15 rifle yet the deputies inside remained safe and continued to negotiate with the deranged male.

It is this level of performance-one that is needed in the real world that neither a bank truck nor up-armored squad cars can match and, thus, one of the multitude of reasons behind the selection of the Bearcat.

Closing

From the onset of the decision to replace the first armored vehicle, this process has been carefully routed to manage not only the tactical needs of the Department, but also the perceptions that are not only prevalent, but also shared by the Police Department, concerning the militarization of the police.

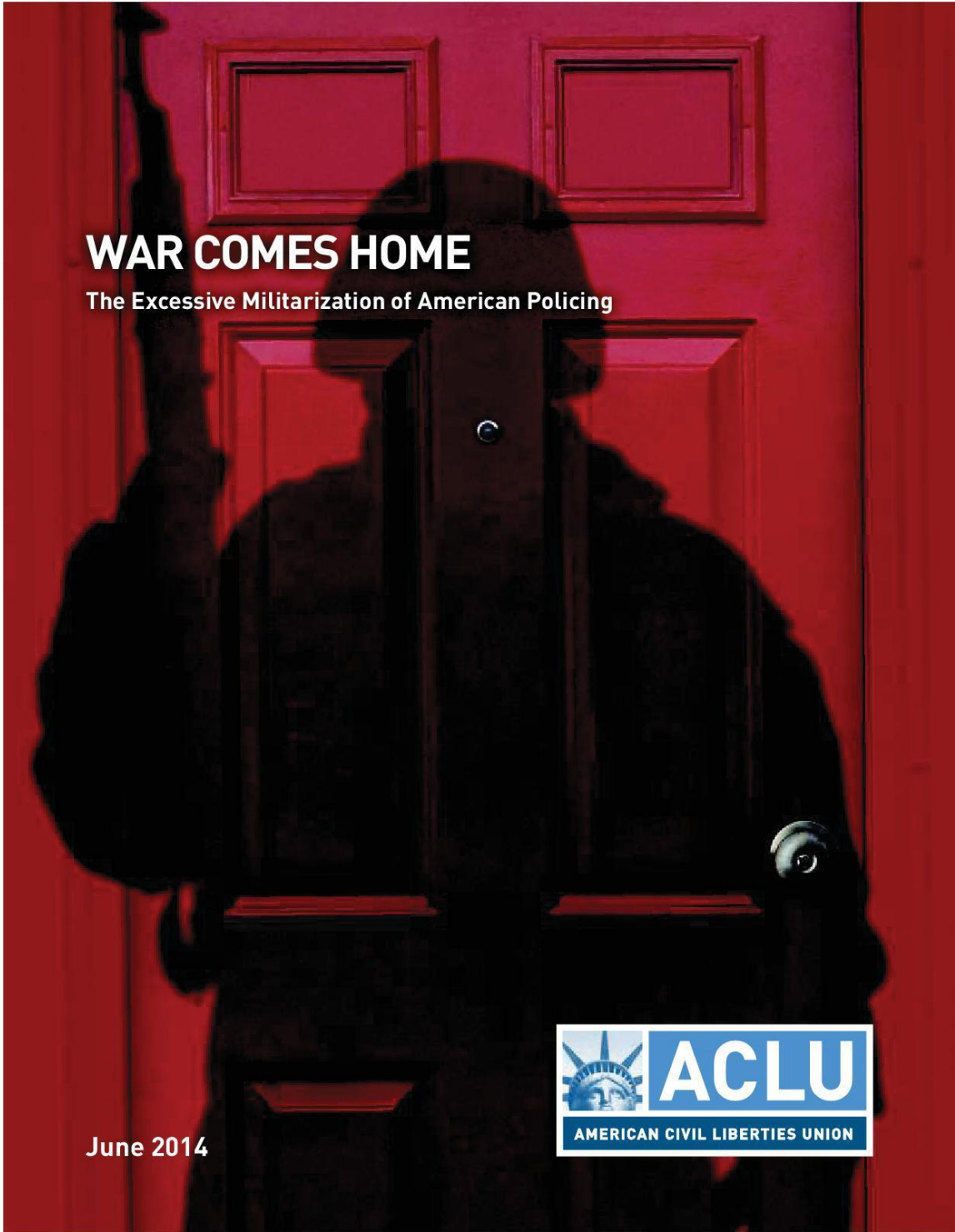
Decades before the Obama Administration's *21st Century Policing Report* and the ACLU's *War Comes Home* documents, the Bloomington Police Department was fully aware of the concerns and appearance of militarizing the police. This purchase is a piece of equipment, not a mentality.

While the equipment of law enforcement tactical units and military units is often similar, the nature in which it is used is the crucial difference. Law enforcement tactical units such as CIRT exist to protect the public, period. In the thirty-two year historyⁱ of CIRT there has never been any attempt or desire to use that very specialized tactical unit to quell or otherwise intervene in a protest march or demonstration. CIRT has, as its core mission, the preservation of life. This includes all lives whether it is an innocent person, a suspect, or a police officer. In order to achieve this core mission, years of specialized training and a variety of specialized equipment is necessary in order to bring the precise level of police intervention needed to safely end an event without injury or loss of life.

The purchase of the Lenco Bearcat is but another tool that is, unfortunately, necessary to render violent or potentially violent incidents safe with the least use of force possible.

ⁱ CIRT was formed originally by the Indian University Police Department in 1986 in response to the Pan American games being hosted on Indiana University property and the desire to adequately protect those games. CIRT became a BPD lead unit in 1993. Currently the team has members from BPD, IUPD, the Monroe County Sheriff's Office and the IU Health Bloomington Hospital Ambulance Service.

Attachment 1



To State Governments

1. States should enact laws encouraging the restrained and appropriate use of SWAT teams and similar tactical teams. Tactical deployments should be limited to scenarios in which there is a likelihood that the situation for which the SWAT team is being deployed presents an imminent threat to the lives of civilians and/or police personnel. When SWAT is deployed for warrant service, the basis for believing such a likelihood exists should have to be established explicitly and approved by a supervisor or other high-ranking official before the deployment.
2. States should remedy the problem created by the Supreme Court's decision in *Hudson v. Michigan* by enacting laws requiring that evidence obtained in violation of the traditional rule that requires that the police knock and announce their presence should be excluded from any subsequent legal proceedings.
3. States should enact laws requiring transparency and oversight of state and local law enforcement use of SWAT teams.
 - States should require local law enforcement agencies that maintain a SWAT team to use a standardized form to record specific data related to SWAT deployments. These forms should be used to generate quarterly reports.
 - States should require every state or local law enforcement agency that maintains a SWAT team to submit a quarterly report to the legislature that contains the number of times the SWAT team was activated or deployed, as well as the following for each activation/deployment: the address of the location of activation/deployment; the reason for each activation/deployment; the specific factors establishing compliance with the applicable deployment standard; whether forcible entry or a breach was conducted and, if so, the equipment used in forcing the entry or conducting the breach and for what purpose; whether a distraction device was used and, if so, what type and for what purpose; whether an APC was used and, if so, for what purpose; the race, sex, and age of each individual

encountered during the deployment, whether as a suspect or bystander; whether any civilians, officers, or domestic animals sustained any injury or death; and a list of any controlled substances, weapons, contraband, or evidence of crime found on the premises or any individuals.

- States should ensure that there is an agency responsible for overseeing and monitoring SWAT activity, and for implementing necessary reforms, including developing a process for addressing civilian complaints regarding SWAT tactics.

To City and County Governments and Law Enforcement Agencies

4. As an immediate step, law enforcement agencies should adopt internal deployment standards as a matter of local policy. Tactical deployments should be limited to scenarios in which there is a likelihood that the situation for which the SWAT team is being deployed presents an imminent threat to the lives of civilians and/or police personnel. When SWAT is deployed for warrant service, the basis for believing such a likelihood exists should have to be established explicitly and approved by a supervisor or other high-ranking official before the deployment.
5. Law enforcement agencies should adopt local policies requiring the implementation of the following best practices in the use of SWAT teams:
 - Each deployment should be pre-approved by a supervisor or other high-ranking official.
 - Each deployment should be preceded by a written planning process that documents the specific need for the deployment, describes how the operation is to be conducted, and states whether children, pregnant women, and/or elderly people are likely to be present (except in emergency scenarios in which engaging in such a process would endanger the lives or well-being of civilians or police personnel).
 - All SWAT deployments should include a trained crisis negotiator.

- SWAT officers should wear “on-officer recording systems” (so-called “body cameras”) during deployments, and police departments should have in place rigorous safeguards regarding the retention, use, access, and disclosure of data captured by such systems.
 - All deployments should be proportional to the need; a full deployment consisting of numerous heavily armed officers in an APC is often excessive. Many scenarios do not necessitate the use of a SWAT team at all, and partial deployments involving the minimal amount of military equipment necessary should be encouraged.
 - For each SWAT deployment, a post-deployment record should be made that documents the following, in a manner that allows for the data to be easily compiled and analyzed:
 - The purpose of the deployment
 - The specific reason for believing that the situation for which the SWAT team was being deployed presented an imminent threat to the lives or safety of civilians and/or police personnel.
 - Whether forcible entry or a breach was conducted and, if so, the equipment used and for what purpose
 - Whether a distraction device was used and, if so, what type and for what purpose
 - Whether an APC was used and, if so, for what purpose
 - The race, sex, and age of each individual encountered during the deployment, whether as a suspect or bystander
 - Whether any civilians, officers, or domestic animals sustained any injury or death
 - A list of any controlled substances, weapons, contraband, or evidence of crime that is found on the premises or any individuals
 - A brief narrative statement describing any unusual circumstances or important data elements not captured in the list above.
 - Law enforcement agencies should provide training programs for all SWAT teams that do not promote an overly aggressive or “warrior” mentality.
6. Local and county governments should ensure that there is an agency responsible for ensuring that its police are not excessively militarized, which could include civilian review boards. Such responsibilities should include the following:
- Approving/disapproving all (a) requests for the receipt of weapons and vehicles under the 1033 Program; (b) requests for grant funding from the federal government that will be used to purchase military-style weapons and vehicles; and (c) proposals to purchase military-style weapons and vehicles from vendors
 - Developing a process for addressing civilian complaints regarding SWAT tactics, including a system for submitting complaints, conducting hearings, and providing for individual remedies
 - Making appropriate recommendations for agency-wide reforms
 - Considering, on an annual basis, whether continued maintenance of a SWAT team is appropriate and, if not, to recommending the dissolution of the agency’s SWAT team.

To Congress

7. Congress should condition state and local law enforcement agencies’ receipt of federal funds on an agreement not to use the funds to purchase automatic or semi-automatic rifles or APCs. This condition should be applied to grants made through the Department of Homeland Security’s Homeland Security Grant Program, the Department of Justice’s Byrne JAG grant program, and all other funding streams through which money is transferred from the federal government to state and law enforcement agencies.

Attachment 2

BLOOMINGTON POLICE DEPARTMENT

GENERAL ORDER: Critical Incident Response Team

Original Date of Issuance: May 19, 2003
Dates of Review: May 19, 2003; Jan. 12, 2016; March 15, 2017
Current Effective Date: March 17, 2017

I. Purpose.

The purpose of this General Order is to establish the formation and procedures for use of the Critical Incident Response Team by the Department.

II. Policy.

It is the policy of the Department that the Critical Incident Response Team may be called upon to handle especially hazardous police duties.

III. Definition(s).

A. Critical Incident Response Team (CIRT). A special operations group whose members are sworn employees of Bloomington Police Department and employees of other agencies assigned through a Memorandum of Understanding (MOU). The overall direction and supervision of the team will be under the authority of the Team Leader/Coordinator of CIRT, which shall be a BPD supervisor.

The primary mission of CIRT is to preserve life and protect property. CIRT achieves this by the utilization of specially equipped officers who have received tactical training in the handling of especially hazardous police duties.

Some examples of these duties are:

1. To dislodge barricaded suspects;
2. To conduct rescue operations for persons held hostage, citizens or police officers endangered by gunfire, injured citizens or police officers in areas inaccessible to normal rescue operations;
3. To neutralize and capture snipers by use of tactical operations and/or deployment of special weapons;
4. To pre-plan strategies in the event of an unusual occurrence.
5. To provide V.I.P. and dignitary escorts; and
6. To complete high risk warrant service.

B. Significant Disciplinary Action. An action that results in an officer being suspended without pay for any time period for conduct found to be in violation of any Rule and Regulation or General Order, except those that relate to officer-involved traffic collisions. This also includes any reprimand for a use of force violation or violations regarding the use of weapons.

IV. Legal & Other Reference(s).

N/A.

V. Procedure(s).

A. Application to Fill Team Vacancies.

1. The Chief, or his or her designee, shall appoint officers to CIRT based on the demonstrated skills and experience of those applicants who successfully meet and maintain the following criteria:
 - a. Endorsement of application by the officer's shift/division supervisor.
 - b. Minimum of two (2) years of experience as a full-time officer with the Department. No probationary officers shall be appointed to the unit.
 - c. Able to have a reasonable response time when off duty.
 - d. Satisfactory performance evaluations for the previous twelve (12) months.
 - e. Be free of Significant Disciplinary Action for a period of at least two (2) years prior to application.
2. All officers applying for CIRT shall be subject to a competitive selection process which is set out in writing prior to filling any team vacancy. This testing will, at a minimum, include a physical fitness test as well as an interview board to be made up of several senior team members, the Team Commander and representatives of the Departmental Command Staff.
3. Officers may be removed from the unit upon the request of CIRT Leadership with permission from the Chief.
4. All officers assigned to CIRT shall be aware that CIRT is considered a duty assignment subject to the needs of the Department and is continuous only by permission of the Chief, which may be revoked at any time without cause.

B. Call Out Procedures. Should the shift supervisor determine that there is a need for CIRT, the procedure described below shall be followed in the order listed unless exigent circumstances exist which necessitate the immediate deployment of CIRT:

1. Contact the CIRT Coordinator or his or her designee for a tactical advisement. This will include an explanation of the circumstances of the event and reasoning for the need for CIRT. The CIRT Coordinator or his or her designee will advise the shift supervisor if CIRT can or should be used based on that information.
2. Call the Chief's designee to request CIRT be activated.
3. Designees shall be contacted in the following order:
 - a. Captain of Operations
 - b. Administrative Captain
 - c. Deputy Chief
4. The contacted designee shall then contact the Chief to either approve or deny the request for the deployment of CIRT.
5. If approved, the Chief's designee shall contact the CIRT Coordinator or his or her designee to advise of approval.
6. The CIRT Coordinator, or his or her designee, shall contact Dispatch to send out an activation page/text with reporting instructions.
7. In order to provide for adequate supervision of an incident as well as ongoing patrol operations, additional supervisory personnel may be called to duty.

C. CIRT Response Procedures. When officers who are assigned to CIRT receive a call-out for the team, they shall notify the Department in the following procedures:

1. If the officers are on duty when they receive the call-out, they shall immediately notify their shift supervisor(s); shift supervisors shall release these officers upon notification.

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2. If the officers are off duty when they receive the call-out, they shall immediately contact Dispatch to confirm that they received the page and are responding.

D. Preliminary Actions for Officers On Scene During CIRT Activation.

1. In any situation wherein emergency action is needed, the non-CIRT officers shall not hesitate to take necessary and appropriate action.
2. Steps shall be taken to implement basic Incident Command and determine a location for such.
3. CIRT officers on scene shall provide tactical advisement to the Incident Commander until relieved by CIRT leadership.
4. Every reasonable effort shall be made to contain the suspect(s) in one location prior to CIRT arrival.
5. If tactically feasible, all bystanders and anyone who may possibly interfere with the operation or be at risk shall be evacuated prior to the arrival of CIRT.
6. The Incident Commander shall assign officers to take positions as perimeter guards in the following manner:
 - a. Inner Perimeter shall be staffed by CIRT MEMBERS ONLY.
 - b. Outer Perimeter shall be staffed by non-CIRT officers.
 - i. Officers shall be assigned to points in the immediate vicinity of the building or scene location.
 - ii. These positions shall be at locations which provide the greatest visibility along with the most protective cover for the officers.
7. Traffic Perimeter: additional officers shall be assigned to this position to block off all traffic into the area (vehicular and pedestrian). Officers assigned to perimeter traffic control positions shall have the following duties:
 - a. To seal off the area.
 - b. To deny entry into the area to any unauthorized person.
 - c. To check all vehicles and pedestrians leaving the perimeter to ensure that the suspect does not escape.

E. Incident Supervision.

1. A Department supervisor shall remain in direct control of CIRT at all times irrespective of any mutual aid considerations or requests.
2. The Incident Commander shall remain in charge of the overall scene.

F. Permission Requirements. CIRT members shall obtain permission from supervisory personnel before executing the following:

1. Deployment of Chemical Munitions:
 - a. Chemical Munitions may be introduced into an incident when, in the best judgment of CIRT leadership as well as that of the Incident Commander, the munitions would likely dislodge the suspect from a barricaded position or would facilitate the apprehension of the suspect(s).
 - b. In all but the most extreme circumstances, chemical munitions should not be used when there are hostages present other than immediately prior to

CIRT entering a contested area in an attempt to rescue the hostages and apprehend the suspect(s).

2. Deployment of Less Lethal Munitions or Diversion Devices:

- a. Less Lethal Munitions are those munitions that are designed to be fired at the suspect(s) in an attempt to bring the suspect(s) into custody without the use of deadly force. It should be recognized that Less Lethal Munitions are designed to minimize the risk of death or serious bodily injury to a suspect. Under some circumstances, they may still result in injury or death and their use should be carefully weighed against other options.
 - i. Less Lethal Munitions may be used when, in the judgment of CIRT leadership as well as that of the Incident Commander, are likely to facilitate the apprehension of a suspect(s) and lesser means of force would likely not bring about the same result.
- b. Diversion Devices, also known as Noise Flash Diversion Devices (NFDD), are those munitions constructed to temporarily create distraction and sensory overload in a suspect(s) so as to assist officers' entry into a contested location to facilitate the rescue of endangered persons and/or the apprehension of the suspect(s).
 - i. In all but the most extreme circumstances, NFDDs shall not be used when small children (under 5 years of age) or elderly adults are known to be present.
 - ii. No NFDD constructed with an ejecting submunition shall be used in an indoor environment.
 - iii. NFDDs shall be deployed with due regard to the safety of all persons by officers trained in their use who have visually scanned the targeted area prior to NFDD insertion.

3. Use of Controlled Explosives to breach into a contested location:

- a. Controlled Explosives may be used in circumstances when, in the judgment of CIRT leadership along with that of the Incident Commander, the immediate breaching of an obstruction is imperative to the safety of officers, hostages, or the suspect(s).
- b. Only that amount of explosives needed to defeat an obstacle shall be used.
- c. Controlled Explosives shall only be used by trained personnel.
- d. Consideration shall be given to the type of obstruction to be breached and to the possible effect to the structural integrity of the target area.

4. Use of a Counter-Sniper to resolve an incident:

- a. Counter-Sniper fire may be used to bring an incident to a close when:
 - i. The suspect(s) pose(s) a threat to that would justify the use of deadly force.
 - ii. When, in the judgment of CIRT leadership along with that of the Incident Commander, no other feasible option to safely neutralize the suspect remains.

-
- b. A pre-planned use of precision gunfire to resolve an incident must be approved as a tactical plan of action by the Incident Commander. However, the authority of CIRT officers acting in accordance with state and federal laws when they believe themselves or others to be in imminent risk of death or serious bodily harm shall not be infringed upon.

G. Tactical Plan and Documentation.

1. CIRT shall provide a tactical plan of action to resolve an incident. The Incident Commander shall either accept or reject this plan of action. If rejected, CIRT shall again formulate a plan of action and re-present it to the Incident Commander until such a time as the tactical plan is approved.
2. Once a breach of a contested area is achieved, control of CIRT rests with CIRT leadership until such a time that the approved plan of action is carried out.
3. CIRT shall complete documentation of any event in which CIRT has involvement and forward the documentation to the Chief in a timely manner to assist in a review of the incident and the potential development of Departmental training or retraining as indicated.

H. Training.

1. CIRT officers shall maintain themselves in physical condition so as to be able to carry out their assigned duties.
2. Time shall be made available to CIRT officers each month so that they may train together as a unit. Each officer shall receive duty time to complete this training.
3. It is recognized that throughout the career of officers assigned to CIRT, each will be required to complete a variety of specialized training courses to ensure that the unit is maintained in the highest state of readiness. Requests for training shall be forwarded through normal Departmental channels for approval.
4. Training and readiness standards shall be set by CIRT leadership.

I. Readiness.

1. Officers assigned to CIRT agree to maintain themselves in an on-call status and agree to respond to call-outs as needed. Exemptions to this requirement may be granted by Team leadership upon justification (e.g., vacation, injury, etc.).
2. Officers assigned to CIRT, due to their on-call status, shall refrain from consuming alcoholic beverages while off-duty. Officers may request exemption from this requirement two times per calendar month. Exemptions may be granted by Team leadership.
3. CIRT officers agree to maintain themselves and their equipment in a constant state of readiness.
4. CIRT officers shall report any injury or illness that would cause them to be unable to respond in case of a call-out to CIRT leadership.
5. CIRT officers shall notify CIRT leadership when they are traveling any distance that would make their timely response to a call-out unreasonable.
6. The presence of one or more individual CIRT officers at the scene of any incident does not constitute the unit being present. No effort or request shall be made to use these officers to rectify an event without calling for the entire unit unless such an exigency exists that any delay would constitute an unacceptable risk to life.

-
7. Due to the special circumstances of CIRT deployments, officers acting within their capacity as CIRT officers are exempted from the standard maximum time on-duty.

J. Equipment.

1. It is recognized that CIRT officers will be issued equipment that is not available to other officers. CIRT officers shall maintain and use this equipment to the best of their ability. Any deficiency in equipment shall be immediately reported to CIRT leadership.
2. It is also recognized that due to the rapidly changing field of munitions and weaponry, it may not be feasible to change all policies which might encompass these articles. It shall be taken as tacit approval that the Department has provided or approved the use of these munitions or weapons that they are summarily authorized by this policy. All other policies regarding munitions or weaponry are subordinate to this policy. However, only personnel trained in the use of these devices are so authorized.
3. Requests for equipment purchases shall be made to CIRT leadership and forwarded to appropriate command authorities.

NOTE: It is recognized that no policy can be so encompassing as to effectively be on point in all tactical situations. In support of this belief, during tactical operations where the lives of hostages, suspects or officers are deemed to be at risk, all standing policies are subordinate to the safe outcome of the incident. Any action taken by CIRT officers shall comply with all State and Federal laws.

Attachment 3

Incident Report
Bloomington Police Department

2/20/2018

Use of Force Review

For: [REDACTED]

By: [REDACTED]

Case #:

B18-[REDACTED]

Time:

04:45 AM

Location:

[REDACTED]

Officer Injury:

No

officer medically treated:

no

BBP exposure?:

no

equipment damaged?:

no

Subject Name:

[REDACTED]

Race:

White Non-Hispanic

Sex:

male



Subject DOB:

[REDACTED]

Subject's OLN/SSN:

[REDACTED]

was subject injured:

no

prior injury?:

no

Was subject treated at ER:

no

criminal charges:

DOMESTIC BATTERY, BATTERY, CRIMINAL CONFINEMENT, STRANGULATION,
INTIMIDATION WITH DEADLY, INTERFERING WITH REPORTING OF A CRIME

Did subject flee from officer?:

No

Environmental Condition:

outdoor

Lighting Conditions:

Artifical

Subject Clothing:

light clothing

subject condition:

Intoxicated

type of force used:

open hand, Firearm

Type of Weapon:

KNIFE



video available:

Yes

Was subject armed?:

believed to be

was subject hobbled:

no

weather condition if event was outdoor:

calm

[REDACTED] pointed firearms at subject. Once outside [REDACTED] pointed a less lethal shotgun at subject. [REDACTED] and [REDACTED] then went hands on by using wrist locks. All methods effective.

Attachment 4

**BPD WARRANT SERVICE
RISK ASSESSMENT MATRIX**

POINTS	FACTS	SCORE
SEARCH WARRANTS		
1	Search warrant is for evidence relating to property crime only	
8	Search warrant is for narcotics	
5	Search warrant is for evidence of a crime against a person	
10	Search warrant is for evidence of a violent crime against person	
ARREST WARRANTS		
1	Arrest warrant is for property crime only	
4	Arrest warrant is for a crime against a person	
8	Arrest warrant is for narcotic possession/distribution	
10	Arrest warrant is for a violent crime against a person	
SUSPECT INFORMATION		
1	Subject of warrant has history of property crime only	
5	Subject has history of crimes against persons	
10	Subject has made statements regarding resisting apprehension and/or search of his property	
6	Subject of warrant has history of arrests and/or involvement in narcotics	
10	Subject has a history of violent crimes against persons	
15	Subject has a history of resisting arrest/assault on police	
25	Subject has used firearms in the commission of crimes	
FORCED ENTRY		
1	Warrant may require minimal forced entry	
8	Warrant requires use of battering ram/halligan bar, etc	
25	Warrant location is fortified, requires specialty breaching (Shocklocks, etc)	
FIREARMS		
10	Firearms are readily available to suspects at location of warrant	
10	Subject of warrant is known to carry firearm or has previous arrest for firearm violation	
15	Subject of warrant is known to be always armed	
25	Subject is known to be armed with an assault rifle	
OTHER RISK FACTORS		
8	Location of warrant has "guard" dogs or other threatening animals	
8	Location of warrant is known to have numerous persons inside	

Decision Matrix:

01-14 points: The investigating unit may serve the warrant, but a supervisor must be notified prior to the service.
15-24 points: Service by CIRT is optional, and consultation with a CIRT team leader is encouraged. A supervisor must be present at time of service
25+ points: CIRT team is required for service, CIRT supervisor must be present at time of service.

Created 1998, updated 2004, reviewed 2008, 2013, updated 2016

Attachment 5

Bloomington Police Department Operational Plan



Current Date 2/21/18

Event Number: _____

Background of Investigation

Situation

Surveillance:	_____	Buy Bust:	_____
Controlled Delivery:	_____	Clan Lab:	_____
Controlled Buy:	_____	Arrest:	_____
Undercover:	_____	Search Warrant:	_____

Mission Instructions

Current Date 2/21/18 Time: _____

Location of Operation _____

Staging Location: _____

Details:

Communication Channels

Primary: _____ Secondary: _____ Emergency: _____

Undercover Personnel

Detective/Officer: _____

PIN #: _____ Mobile #: _____

Description: _____

Vehicle: _____ Model: _____ Year: _____

Color: _____ License Plate #: _____ State: _____

Detective/Officer: _____

PIN #: _____ Mobile #: _____

Description: _____

Vehicle: _____ Model: _____ Year: _____

Color: _____ License Plate #: _____ State: _____

Confidential Informant

Code Name (If Applicable): _____

Sex: _____ Race: _____ Age: _____

Height: _____ Weight: _____ Hair: _____

Vehicle: _____ Model: _____ Year: _____

Color: _____ License Plate #: _____ State: _____

Monitoring

Body Wire/Kel Channel: _____

Worn By: _____

Monitored By: _____

Tracking Transmitter: _____

Vehicle: _____

Arrest Signals: _____

Distress Signals: _____

Targets Information

Name: _____
Sex: _____ Race: _____ Age: _____
Height: _____ Weight: _____ Hair: _____
Targets Address: _____
Description of Address: _____
Targets Phone: _____
Alternate Address: _____
Vehicle: _____ Model: _____ Year: _____
Color: _____ License Plate #: _____ State: _____
Criminal History: _____

Notes:

Name: _____
Sex: _____ Race: _____ Age: _____
Height: _____ Weight: _____ Hair: _____
Targets Address: _____
Description of Address: _____
Targets Phone: _____
Alternate Address: _____
Vehicle: _____ Model: _____ Year: _____
Color: _____ License Plate #: _____ State: _____
Criminal History: _____

Notes:

Emergency Notifications

Hospital Name: _____
 Hospital Address: _____
 Hospital Phone: _____
 Police Jurisdiction: _____
 Police Address: _____
 Police Phone: _____

Detectives/Officers Involved

Detective	Call Sign	Cell Phone	Assignment	Special Weapons
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Checklist

Operational Plan to Comm Center: _____	Entry Tools: _____
Portable Radios: _____	Raid Jackets: _____
Comm Check: _____	Weapons, Handcuffs: _____
Kel/Receiver Check: _____	Briefing: _____
Deconfliction Notified: _____	Assignments: _____
Threat Matrix Attached: _____	Evidence Equipment: _____
Maps Attached: _____	

Signatures

Investigative Detective: _____ Supervisor: _____

Signature _____ Current Date: 2/21/18

Signature _____ Current Date 2/21/18
