SWAT everywhere?  
A response to Jenkins, Semple, Bennell, and Huey

Kevin Walby
Department of Criminal Justice, University of Winnipeg, Winnipeg, Manitoba, Canada

Abstract
This paper is a response to an article on public police special weapons and tactics (SWAT) teams written by Jenkins and colleagues (2020). Jenkins and colleagues are responding to a study showing that tactical units and members are being used more in Canadian policing. For Jenkins and colleagues, not only are SWAT teams being used properly, but drawing from interviews with tactical members they suggest SWAT teams should be used more in the future. This response focuses on conceptual, methodological, and empirical deficiencies in the work of Jenkins and colleagues. This response shows that Jenkins and colleagues ignore social theory, ignore relevant contrary data, are ignorant of the harms of policing, and are ignorant of the violence that Black and Indigenous peoples face from Canadian police. Relatedly, this response offers a criticism of what is called evidence-based policing scholarship. Using the work of Jenkins and colleagues as an example, the argument here is that evidence-based policing scholars are in a conflict of interest because of how closely they work with police and due to the funding they receive from police agencies and justice ministries. This conflict of interest decreases the credibility and trustworthiness of the claims of evidence-based policing scholars. Overall, this response draws attention not only to the harms of public policing and criminalization, but also to how evidence-based policing scholarship is supporting the expansion of violent, harmful, and regressive forms of social control.

Keywords
Public police, dynamic entry, special weapons and tactics, use of force

Corresponding author:
Kevin Walby, Department of Criminal Justice, University of Winnipeg, Centennial Hall, 3rd Floor, 515 Portage Avenue, Winnipeg, Manitoba, Canada R3B 2E9.
Email: k.walby@uwinnipeg.ca
Introduction

On October 7, 2020, the Ottawa Police Tactical Unit, or Special Weapons and Tactics (SWAT) team, executed a search warrant at the apartment of Anthony Aust and his family in Canada’s capital city. Police used a dynamic entry, also referred to as a no-knock entry. Members of the family were so terrified that they fled the kitchen and living room in a panic. Aust jumped from the condo and fell several stories to his death. He was 23 years old. Aust’s death is not a unique situation. SWAT teams are responsible for numerous deaths each year, as the research of many scholars (Kraska, 1996; Kraska and Kappeler, 1997; also see Delehanty et al., 2017; Lawson, 2019; Radil et al., 2017) has shown. The SWAT team shooting of Breonna Taylor in Kentucky, USA, in 2020 sadly brought this to light as well.

Police and SWAT teams justify these practices by suggesting that risk and threat in society is growing each year, and thus policing with greater tactical use of weapons and strategies is required. In their article on the use of tactical officers in three Canadian police services, Jenkins and colleagues (2020) suggest much the same. Their argument is that regular duty police are not able to respond to most calls that are so-called high risk and that more and more calls involve such risk (p. 2). For these authors, more use of the SWAT team in any city is justified, perhaps necessary. Jenkins and colleagues critique earlier works of mine (Roziere and Walby, 2018, 2020) in which I argue increasing SWAT use is a failed public policy. We are witnessing a militarization of policing in Canada and elsewhere based on alarming rises in SWAT team use in cities and rural areas. Jenkins and colleagues feel somehow more SWAT use will decrease instances of transgression and make society safer.

When I read the article by Jenkins and colleagues, I was not surprised by their claims. I felt I had seen these words before. I had. I had submitted Freedom of Information (FOI) requests to police services examined in my earlier study, searching for communications by SWAT team leaders regarding those findings. I found some curious assertions made by police from the same cities Jenkins and colleagues focus on. Jenkins and colleagues echo those police complaints, in ways that I argue call into question the credibility of their research. Relatedly, Jenkins and colleagues work in an area now referred to as evidence-based policing scholarship, where academics work in tandem with police to create an approach to research that privileges the voice of police but excludes other critical forms of data. It refers to the words of police as evidence and the accounts of other persons as biased, normative or political. Here I show that the opposite is true, that evidence-based policing scholarship is biased because of the conflict of interest it has given how closely it works with police (and given the funds evidence-based policing scholars receive from police). I also comment on a number of conceptual, methodological, and empirical issues I see with the article by Jenkins and colleagues.

SWAT practices in context

The police services who I sent FOI requests to were not pleased with our findings on rising SWAT use in Canada, though these figures on the rise of SWAT in Canada come directly from their own records. As noted, we submitted FOI requests to all of the police
services examined in our earlier study, asking for communications appearing in response to my publications. In these communications, a police officer from Winnipeg Police Service suggested that it was necessary for police tactical units to be responding to calls for service because regular duty officers are not capable of doing so when risk is involved (Winnipeg Police Service, 2018: 28–29). They suggested that more incidents are high risk, which is the reason why SWAT teams are being used more (p. 24). However, that assertion is not backed up with empirical data, and ignores the fact that the monumental rise in SWAT in Canada happened in the 2000s when all crime rates in the country were declining (Roziere and Walby, 2018, 2020). The SWAT team leader for Winnipeg Police Service also curiously suggested that public police today do not have SWAT teams, but rather they have tactical teams, suggesting that SWAT teams are some kind of relic of the past and that tactical teams are different (p. 35). This is a false assertion. The officer goes further to suggest that SWAT teams are already established and resourced, therefore using SWAT teams more will generate good value for money for the taxpayer (p. 28). These assertions are circular, unfounded and dangerous because they normalize increasing SWAT use.

Jenkins and colleagues convey many of these police claims almost verbatim. Jenkins and colleagues suggest public police are facing a number of high risk calls today, with more weapons being found in the homes after search (pp. 3, 11). These are assertions from the very same officers conducting said searches and also participating in these interviews. There is no context added, there is no social science interpretation. If the officers found a knife in a drawer or baseball bat in a closet after the fact, that hardly qualifies as a weapon in any meaningful sense. If it does qualify, every single household in any city in any country would be full of weapons, which would justify SWAT deployment carte blanche. That logic would justify using SWAT teams and tactics for every single call for service. That cannot stand to reason as a public policy or even as a criminal justice practice. Canadian courts have chastised policing for such faulty reasoning in the past. In \textit{R v Ruiz}, members of the Toronto Police Service decided to execute a warrant by dynamic entry as part of a drug search. Several officers were called on to testify about their decision to conduct the dynamic entry. The officers were unable to explain how the decision was made. The trial judge found that the departure from ‘knock and announce’ could not be justified as it appeared ‘the police officers simply showed up at the property, which was previously un-investigated, and employed a dynamic entry’ despite ample time to proceed otherwise. A similar finding was made in \textit{R v Bahlawan}. Tactical officers of the Ottawa Police Service had used a dynamic entry on a house. The police used a no-knock entry out of habit. The trial judge noted ‘I cannot uphold a decision-making process that simply did not occur’. The courts do not view wanton use of SWAT teams as appropriate, so how can academics claim it is? Jenkins and colleagues also suggest that SWAT teams are being used in what they call special environments, where there could be harm to the public (p. 14). This is police phrasing for referring to public space. According to this definition, public space is a special environment and therefore SWAT teams should be assigned in public spaces to conduct policing work. Jenkins and colleagues are simply echoing police discourse. It is a recipe for full militarization of police and SWAT deployment everywhere.
In the article by Jenkins and colleagues, there are a number of empirical problems and problems with the literature review. First, Jenkins and colleagues cite a number of studies and reports in a misleading way. They suggest that SWAT teams are necessary for many kinds of policing activities, because police officers are likely to be assaulted or killed in domestic disputes, mental health calls, and warrant executions (p. 3). Most killings of police in the last two decades in Canada involve lone wolf shooters who target police, as well as traffic stops and vehicular incidents. Sending SWAT teams everywhere will not prevent these horrendous events from happening. This is a disingenuous use of statistics on the safety of police officers. Jenkins and colleagues suggest that police are facing numerous instances of use of weapons in their encounters (p. 3). Again, this idea of a weapon is too broad because it entails simply counting the kinds of household goods post hoc that could be used as a weapon, which could be anything.

Another problem with the work of Jenkins and colleagues is that they ignore critical literature and ignore components of existing literature on the topic. For instance, Jonathan Mummolo’s (2018) study in the United States shows that SWAT use has no influence on community safety or on officer safety other than to decrease both. Mummolo uses Freedom of Information requests to cross reference statistics on SWAT team use and crime rates, and found that SWAT team use was associated with decreases in community safety and officer safety. In other words, SWAT team use is generating the conditions of risk that these authors are talking about, not responding to it. What this means is that SWAT team use is generative of a riskier society. Jenkins and colleagues ignore Mummolo’s (2018) study, which was published well prior to the publication of their paper. Lawson, (2019) likewise finds an association between police militarization and police killings in the USA (also see Delehanty et al., 2017; Radil et al., 2017). Although Canadian police do not receive equipment through federal military departments as happens in the USA (Cyr et al., 2020), the rise of SWAT and dynamic entries in Canada is similarly alarming and headed in the same direction as the USA in terms of frequency of deployments.

Jenkins and colleagues also point to statistics suggesting that police rarely use force in their encounters, suggesting it is less than 1% of the time (p. 4). This is, again, a disingenuous understanding of police work and how the public experiences police work. I can assure you Anthony Aust and his family experienced that dynamic entry as police violence and, at the same time, the entry and the terror created by police is likely not categorized as a use of force by the Ottawa police. Ottawa police likely categorize that no-knock entry as a non-use of force, which reveals the gross discrepancy between police views of the world and the way that everyone else, especially Black and Indigenous and people of colour, experience police work.

Jenkins and colleagues claim that they are conducting qualitative work from a constructivist paradigm and that they bracketed out their biases (p. 5). They interviewed police and then report on what police officers, including SWAT team members, say about their work. The officers justify high SWAT use by pointing to high-risk calls, weapons believed to be present, threats to self, threats to other, and a number of other factors like hostage takings and bomb calls (p. 12). It defies logic why police continue to
think that when one presents a threat to oneself, sending a militarized SWAT team to intercept that person is going to serve or protect anyone. Mental health advocates have long called for this practice to stop. Immigrant and newcomer groups have long been calling for this practice to stop. This is a large number of the calls for service to which public police are responding. Jenkins and colleagues and the officers they interview continue to justify the practice, which again points out the invested nature of Jenkins and colleagues’ approach here. There are copious reports and communications from mental health advocates asking for this practice to stop, asking for creation of integrated response teams to respond to mental health calls instead of sending SWAT teams (also see Owen, 2020). Though this social change is already happening, the idea is not intelligible to Jenkins and colleagues.

The authors also suggest that SWAT team use is justified when additional resources are necessary, or when experience of a SWAT team could be handy (pg. 16). These are police views on police work, not academic research findings. Kraska (1996) has found that regular duty police honour and emulate SWAT teams, which can change police culture and make it more aggressive. However, Jenkins and colleagues ignore any previous findings in this regard.

**SWAT everywhere?**

Jenkins and colleagues are painting a picture of the world as too risky for regular duty policing, which requires more SWAT team use. This is not a tenable social or public policy, but this is the way that police see it. They demand loyalty and conformity to their vision of the world, which positions police as the only remedy for transgression and distress occurring in our neighbourhoods and communities. Evidence-based policing scholars have been drawn into this vortex of police thinking. There are no sociological or social science concepts used in this article by Jenkins and colleagues, for instance. All of the categories and classifications are derived from the police lexicon. In fact, there is almost no difference between the article by Jenkins and colleagues and the FOI disclosures I received of police correspondence about my original publications critiquing militarization of policing. To return to the FOI requests that I filed, the officers were upset by my findings regarding SWAT team intensification. I believe the officers who were part of the evidence-based policing network in Canada probably contacted Laura Huey and Craig Bennell and pitched the idea of this paper to defend SWAT team use. Finally, when it comes to the empirical data and its interpretation, divergent interpretations of the issue are not even mentioned. Notably, mental health advocate calls for the end of SWAT team use for wellness checks are ignored.

To conclude, when I read this article by Jenkins and colleagues I was not surprised that it read verbatim like the FOI disclosures I had received about police responses to my original articles. I am not surprised that evidence-based policing scholars are using their platform to defend these policing practices rather than investigating what is a significant realm of social and public policy. This is because evidence-based policing scholars receive funds from police to conduct such research. In further FOI requests, I have found the grants and the amount of money received from Justice Ministries and police to support their work (Carleton University, 2020; Western University, 2020). This
represents a conflict of interest between scholars who are willing to compromise their scientific values and police who are seeing their legitimacy challenged like never before in 2020-2021. These authors receive monies from these agencies, so it should come as no surprise that their work is one-sided in defending SWAT practices. The authors cannot comprehend the problems with SWAT team use as a public or social or even fiscal policy, but more importantly, they cannot comprehend the problems that the continued criminalization of social issues presents to our society. Jenkins and colleagues and the police they work with do not want to contemplate the experiences of Black and Indigenous Canadians who live in fear of police, who are disproportionately targeted by police, and who end up as statistics in these reports that Jenkins and colleagues point to on use of force and risk.

Evidence-based policing scholars have abandoned the principles of social science. Given the data I have presented in the form of FOI disclosures, I contend the work of Jenkins and colleagues represents a public relations communiqué on the part of police. The issue of SWAT team use in policing is significant, and deserves academic inquiry, but this article by Jenkins and colleagues is not academic inquiry. It is a flawed signal from a police echo chamber now out of contact from the general public and human civilization.

**Declaration of conflicting interests**

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

**Funding**

The author(s) received no financial support for the research, authorship, and/or publication of this article.

**ORCID iD**

Kevin Walby https://orcid.org/0000-0002-5107-2309

**References**

Cyr K, Ricciardelli R and Spencer D (2020) Militarization of police: a comparison of police paramilitary units in Canadian and the United States. *International Journal of Police Science & Management* 22(2): 137–147.

Delehanty C, Mewhirter J, Welch R, *et al.* (2017) Militarization and police violence: the case of the 1033 program. *Research & Politics* 4(2). DOI: 10.1177/2053168017712885.

Jenkins B, Semple T, Bennell C and Huey L (2020) An exploration of the use of tactical officers in three Canadian police services. *The Police Journal* 0032258X20962833.

Kraska P (1996) Enjoying militarism: political/personal dilemmas in studying US police paramilitary units. *Justice Quarterly* 13(3): 405–429.

Kraska P and Kappeler V (1997) Militarizing American police: the rise and normalization of paramilitary units. *Social Problems* 44(1): 1–18.

Lawson E (2019) Police Militarization and the use of lethal force. *Political Research Quarterly* 72(1): 177–189.
Mummolo J (2018) Militarization fails to enhance police safety or reduce crime but may harm police reputation. *Proceedings of the National Academy of Sciences* 115(37): 9181–9186.

Owen B (2020) Advocates call for community-led crisis intervention, not police. *CBC News* June 28. Available at: https://www.cbc.ca/news/canada/british-columbia/advocates-call-for-community-led-crisis-intervention-not-police-1.5630445 (accessed 7 January 2021).

Radil S, Dezzani R and McAden L (2017) Geographies of US police militarization and the role of the 1033 program. *The Professional Geographer* 69(2): 203–213.

Roziere B and Walby K (2020) Special weapons and tactics teams in Canadian policing: legal, institutional, and economic dimensions. *Policing & Society* 30(6): 704–719.

Roziere B and Walby K (2018) The expansion and normalization of police militarization in Canada. *Critical Criminology* 26(1): 29–48.

**Freedom of information disclosures**

Winnipeg Police Service (2018) FOI. 18 01 95.

Western University (2020) FOI. 2020-16.

Carleton University (2020) FOI. 2020-17.

**Legal cases**

*R v Ruiz*, 2018 ONSC 5452 [*Ruiz*].

*R v Bahlawan*, 2020 ONSC 952 [*Bahlawan*].