

Misunderstandings, mischaracterizations, and malicious accusations: A reply to Walby's (2021) *SWAT Everywhere?*

The Police Journal:
Theory, Practice and Principles
1–10

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DOI: 10.1177/0032258X211008950
journals.sagepub.com/home/pjx



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Abstract

To develop a more informed understanding of why tactical officers are used in Canada, we interviewed patrol and tactical officers from three Canadian police services (Jenkins et al., 2020). Interviewees indicated that tactical officers tend to be used on calls that go beyond the capabilities of patrol officers, including high-risk calls and calls unfolding in special environments, and that their use results in reduced threat to police and public safety. In response, Walby (2021) has argued that evidence-based policing (EBP) research of the sort we conducted is inherently biased. He also criticized our understanding of existing literature, took aim at our research methodology and conclusions, and questioned our academic integrity by claiming that we were paid by the participating police services to conduct the research. While Walby makes some valid criticisms of our research, his response is riddled with misunderstandings, mischaracterizations, and malicious (unfounded) accusations. After setting the record straight with respect to allegations regarding our nefarious motives to conduct the research, we argue that Walby completely misrepresents EBP research when he argues that it aims to support harmful police practices in exchange for financial support. We then correct numerous instances where Walby either mischaracterizes existing research or misrepresents our views (and those of our interviewees) when it comes to the use of tactical officers. We

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conclude by calling for more inclusive conversations to take place to address the issue of police militarization. These conversations must include community members, but they must also include the police.

Keywords

Police, police militarization, police tactical units, special weapons and tactics

Currently, little research has focused on when or why police tactical officers in Canada are used. To develop a more informed understanding of these issues, we interviewed patrol and tactical officers from three Canadian police services to gain insight into the situations that tactical officers respond to and to examine potential consequences associated with their use (Jenkins et al., 2020b). Walby (2021) recently responded to our publication, and the Editor has graciously provided us with this opportunity to reply to his response.

We thank Dr. Walby for reading our article and taking the time to write his critique. To say that he did not appreciate our research seems like a significant understatement. In his reply, he suggests that evidence-based policing (EBP) research is inherently biased, he criticizes our understanding of existing literature, he takes aim at our research methodology and conclusions, and he questions our academic integrity. Unfortunately, while Walby makes some valid criticisms of our article, his response is riddled with misunderstandings, mischaracterizations, and malicious (and unfounded) accusations. In this reply, we'd like to briefly address these issues, and clarify our position on several key points.

Malicious accusations

We don't wish to waste too much space dealing with those parts of Walby's response that involve unfounded accusations about the project in question and our research more generally, but it is important to set the record straight given that these accusations are used by Walby to question our integrity. The two most egregious accusations relate to why we conducted our study and to issues of research funding.

It is unclear why Walby thinks he knows what motivated our study. He claims the police services that participated in our research pitched us the idea for the study 'to defend SWAT team use' after Walby's original publication. This is completely inaccurate. To be clear, none of the police services involved in the study requested our help to conduct the research, nor did any other service. The idea to conduct the study was solely ours. It was based on significant concerns we had with Walby's original research (Roziere and Walby, 2017, 2018); specifically, the fact he and his colleague drew strong conclusions about the use of tactical teams in Canada by relying on a type of data (i.e., call type) that we didn't feel provided enough context to understand when and why tactical officers are used. We approached police services that were discussed in Walby's publications to see if they would participate in a study on this topic. In our view, what

better way to start understanding the context around the use of tactical officers in Canada than to ask the police directly?

Walby also incorrectly states that we were paid by the police services involved in our study to conduct the research and thus, were in a conflict of interest. To the contrary, no funding was provided to us to conduct our study, by the participating police services or anyone else. We make this clear in the funding and conflict of interest declarations included in the paper, which Walby clearly ignored. Despite what Walby claims, this was also made clear to him in the Freedom of Information (FOI) releases he discusses (e.g., see the information included in the Carleton [2020] FOI release here, <https://osf.io/3w7km/>, along with information about Dr. Huey's research projects). Importantly, these releases also show, in stark contrast to Walby's claims, that Bennell and Huey have not received funds as Principal Investigators from any police service to carry out their other research. While Walby's claims may fit the narrative he has created to explain why researchers disagree with his views, his claims are categorically false.

Misunderstandings

Another concerning aspect of Walby's response is how he misunderstands both the field of EBP research and the operational use of tactical officers. For example, Walby suggests that the goal of EBP research is essentially to pander to police services, by taking money from them to conduct biased research that reinforces current police practices and policies. According to Walby, one of the ways EBP researchers do this is by privileging the voice of police and ignoring other forms of data, particularly the voices of community members, and especially marginalized community members, who he believes we all see as 'biased, normative, or political'. We would like to address these points, and by doing so, clarify what the field of EBP is *actually* trying to achieve. However, in light of Walby's expressed concern for the lack of representation of diverse community voices in our research and in EBP more generally, it is worth noting first that Walby's own methodology of choice is problematic in this regard. Accessing institutional records, and the emails of academic colleagues and police practitioners, through FOI requests does not create space for community voices.

So, what is EBP research all about? First, the goal of EBP research is to *reform* policing by identifying police practices and policies that actually work (for reducing crime, improving public safety, enhancing perceptions of police legitimacy, etc.; Corner, 2020). Second, in attempting to achieve this goal, EBP advocates rely on a range of research methodologies and data sources to critically study and evaluate police practices and policies (Huey and Ricciardelli, 2016). Anecdotal evidence from anyone, *including police officers*, is given relatively little weight relative to more rigorous methodologies and data sources (Ratcliffe, 2019), but this doesn't mean that the perspectives of police officers and community members don't have a place in EBP research (e.g., as part of rigorous research designs; Saulnier et al., 2020; White et al., 2021). That being said, we, like others, accept that more can be done to broaden the methodologies regularly used in EBP research (e.g., to include a greater focus on qualitative methods; Brown et al., 2018), and that this will provide even greater opportunities for individual voices to be heard, including those from Indigenous and Black communities. Third, some EBP

research is funded by the police, but just like our own research programmes, the vast majority isn't. Finally, in contrast to Walby's conceptualization of EBP research as being consistently biased in favour of the police, research produced by EBP advocates can support police practices (e.g., demonstrating the effectiveness of focused deterrence), but it can also refute common police practices (e.g., Drug Abuse Resistance Education) (see Sherman et al., 1998). This is nicely illustrated by the Square 1 initiative of the Canadian Society of Evidence-Based Policing, which provides assessments of popular policing programmes in Canada, many of which are negative (see <https://www.can-sebp.net/squareone>).

With respect to the operational use of tactical officers in Canada, Walby suggests that we, and our interviewees, promote the view that these officers should regularly respond to non-typical tactical calls, such as those involving domestic disturbances and mental health crises. More specifically, he states that, 'For these authors, more use of the SWAT team in any city is justified, and perhaps necessary'. As we discuss in more detail below, this does not represent our views, or those of our interviewees, *especially for mental health calls*, and such a suggestion reveals a misunderstanding of how tactical officers in Canada are typically used. Not only do tactical officers rarely attend such calls, but as described in our paper, tactical officers do not respond to 'call types' so much as the presence of potential risk-factors. In other words, it isn't a 'domestic disturbance call' or a 'mental health call' that precipitates a tactical response, but instead the presence of factors that lead the police to believe that subject, officer, or public safety would be enhanced by the presence of tactical officers. These factors can include the presence of weapons (e.g., firearms), the individual making threats (e.g., to members of the public), or environmental conditions (e.g., a balcony on a high-rise building) that might require specialized skills or equipment (e.g., rappelling).

Walby injects further confusion into his discussion of the use of tactical officers when he focuses on the issue of weapons. In countering interviewee responses that weapons are an important risk factor that police need to consider when deciding to use tactical officers, Walby states '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*'. Two points require clarification.

First, the interviewees in our study were not speaking to weapons found *after a search*. Instead, they were referring to the a priori belief that potential weapons were present in a particular incident, which might justify the use of tactical officers. Second, the discussion of weapons in our interviews, as made clear in our paper, did not centre on common household items, such as 'baseball bats in closets', but on objects that were being brandished as weapons and the potential presence of firearms. A re-examination of some of the data released to Roziere and Walby (2018) confirmed the importance of weapons as a potential risk factor (Jenkins et al., 2021). For example, our re-analysis of tactical responses in Winnipeg that included additional contextual information ($n = 1019$)¹ suggested that responding officers believed that weapons were on scene *prior to* responding in nearly 60% ($n = 610$) of calls, and that the majority of these weapons ($n = 460$, 75%) were believed to be firearms, such as rifles, handguns, and sawed-off shotguns. Interestingly, this was also observed during calls dispatched as

suicide threats and wellbeing checks. For example, of the 58 mental health calls where additional context was provided, tactical officers were informed *prior to* arriving that the individual was armed with a weapon in approximately 72% ($n = 41$) of cases. Again, the majority of these weapons were firearms ($n = 26$, 46%).

Mischaracterizations

In addition to issues of misunderstanding, we also believe that Walby makes a number of questionable comments in his response, mischaracterizes the state of existing research, and misrepresents our own views, and the views of our interviewees, on the use of tactical officers in Canada.

Questionable comments

Walby opens his paper by discussing the recent deaths of civilians in Canada (Anthony Aust)² and the US (Breonna Taylor) in incidents involving the police. While any death at the hands of the police is a tragedy that must be investigated and prosecuted if the evidence suggests wrongdoing, to blame Louisville's SWAT team for the death of Breonna Taylor is simply inappropriate. Taylor was not shot by the SWAT team, but by frontline officers and detectives who raided her home. In fact, the SWAT team did not know about the shooting until after it occurred, and 'have condemned the planning and execution of the March raid on Breonna Taylor's home', calling it an 'egregious act' (Costello et al., 2020).

Walby also questions the need for tactical officers in Canada, and doubts whether they are actually being used for high-risk calls, in part because their use appeared to rise at the same time that crime rates in Canada were declining. However, Walby doesn't consider that, while crime rates may be decreasing, incidents that police respond to may be becoming riskier, thus prompting a tactical response. For example, incidents involving firearms are increasing in each of the cities we examined in our research, sometimes dramatically (e.g., CBC News, 2019; Mangione, 2020; Pindera, 2020).

At another point in his critique, Walby questions the value of using tactical officers (not wearing full tactical gear) to support strained front-line resources because Kraska (1996) suggested, based on his own personal experience taking part in an unofficial training session with police officers and military personnel, that front-line police officers might honour and emulate tactical teams, making police culture more aggressive. Perhaps Walby meant to refer to Kraska's more extensive ethnographic work on this topic (e.g., see Kraska, 2021). Regardless, while we are very open to this possibility, there is no compelling evidence that this emulation process even occurs in Canada, or what it might mean for police culture in Canadian police services. Given the high demand for police response in the cities we investigated, there may be significant delays before patrol officers are able to respond to calls. In Winnipeg, for example, an hour may pass before patrol officers are able to respond to calls deemed 'urgent', including calls involving potential domestic assaults (Griffiths and Pollard, 2013). In these cases, we believe an argument could be made for sending a well-trained tactical officer (obviously

not in tactical gear) to assist with the call if they are available (Cyr et al., 2020; den Heyer, 2014).

Mischaracterizations of research

In other parts of his critique, we believe Walby does the very thing he claims we do – mischaracterizes research that he cites. For example, in response to our claim that the use of tactical officers may result in safer outcomes (e.g., Brimo, 2012; Klinger and Rojek, 2008; Rojek, 2005), in part through improved decision-making (e.g., Vickers and Lewinski, 2012; Ward et al., 2011), Walby asserts that we have misled readers by ignoring research that shows the exact opposite. While we can accept that our literature review could have been more comprehensive, we question whether the research Walby cites actually demonstrates that tactical team use is associated with *decreased* public safety. Take Mummolo's (2018) study for example, which Walby discusses in some detail to make his point. Mummolo's study is very interesting, but it speaks to broad relationships between the presence of tactical teams and public safety, using violent crime rates as a proxy. At best, Mummolo's study demonstrates no relationship between the use of tactical officers and public safety, because when agencies were allowed to trend uniquely over time, there was no significant effect of tactical teams on public safety. To our knowledge, the only research that directly speaks to the issue at hand, without relying on crude proxies like those used by Mummolo (2018) and others (e.g., Delehanty et al., 2017), finds no significant differences in the use of force between patrol and tactical officers when responding to patrol calls (Williams and Westall, 2003).

Misrepresenting our views and those of our interviewees

Walby also misrepresents our views about the use of tactical officers, and the views expressed by our interviewees. This is most apparent when Walby questions the role of tactical officers in mental health calls. His claims that we, and our interviewees, feel that tactical officers should somehow be the default option for crisis-related calls couldn't be further from the truth. In contrast to his claims, we strongly support calls for alternative response models to manage mental health calls (e.g., co-responding teams involving police officers and mental health professionals), and are working towards these efforts ourselves (e.g., Graham, 2021; Semple et al., 2021).

What our interviewees highlighted, and what we attempted to convey in our paper, is that there are *rare circumstances* where calls involving a mental health crisis might warrant the use of tactical officers because of the circumstances surrounding the call (involving the types of risk factors and environmental conditions highlighted above). In fact, it is plausible that such a response to high-risk mental health calls could enhance the safety of those involved. One reason for this is that tactical officers have a wider array of tactics and equipment that provide alternatives to lethal force, so in cases where an individual who is in crisis is threatening the safety of an officer, a member of the public, or themselves, these less-lethal options may be used. In fact, numerous inquiries into the fatal shootings of individuals experiencing a crisis have called for increased accessibility to less-lethal weapons (e.g., Alberta Government, 2015; British Columbia Government,

2018). It is also important to remember that the sorts of specialized crisis teams that Walby refers to in his response, and that we've studied (Semple et al., 2021), typically act as secondary response units that respond only *after* the scene has been deemed safe for the team (Kozziarski et al., 2021). This means that these teams would likely not respond in the first instance to particularly high-risk mental health calls (Coleman and Cotton, 2010; Compton et al., 2009).

Viewing Walby's response through a constructive lens

While we disagree with how Walby has characterized our research, it is important to view these exchanges through a constructive lens. In the spirit of trying to improve our research, and EBP research more generally, there are at least two important things we have taken away from Walby's response.

First, based on Walby's comments regarding EBP research, and his contention that conflicts of interest have led EBP scholars to abandon the principles of social science altogether, it is clear that EBP advocates like ourselves still have a lot of work to do to clear up common misconceptions about EBP research, such as the idea that it is designed to simply reinforce current police programmes. While we are not convinced that we will change Walby's mind on these issues, this is still something that has to be done for the betterment of the discipline (see Huey et al., 2018, for a discussion of this).

Second, in responding to our presentation of use of force statistics, Walby draws attention to two important issues. One is the threshold that police services use to define force, which is not necessarily in sync with how the public likely perceives force. This will provide a distorted view of how often the police use force based on official statistics. While we, and others, recognize this issue (e.g., Jenkins et al., 2020a), Walby's comments are an important reminder that additional work is needed to generate more valid use of force statistics. A second important point raised by Walby in relation to use of force statistics is that most studies indicate that police force is applied disproportionately to members of marginalized communities, including here in Canada (e.g., Wortley et al., 2020). As Walby states, it is often these individuals who 'end up as statistics in these reports that Jenkins and colleagues point to on use of force and risk'. It is never a bad thing to be reminded of this, and we need to do better to reflect these facts in our future writings.

Conclusion

We conclude by highlighting one other major point where we seem to agree with Walby. To allow for a fuller understanding of police use of force generally, and the use of tactical officers specifically, researchers must listen to a diverse range of voices. Unfortunately, because our most recent research focused on the police perspective, Walby perceived that we are not interested in learning from the perspectives of community members. This isn't the case. We believe that now more than ever we all need to come together, to have honest and informed conversations about how to best address current policing issues that are being hotly debated, including police militarization. Members of the community, especially those most likely to experience force by police officers, are a

critical element of these conversations. Given the knowledge that police officers have about policing issues, including the use of tactical teams, they also need to be a part of these conversations.


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.

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Notes

1. The lack of contextual information in other calls does not mean that those calls were absent of risk factors. For example, we identified at least another 526 calls where the call type indicated a weapon was present (e.g., stabbing, gun call, shots fired, etc.), but no call description was provided. The lack of contextual information is more likely due to time constraints, which prevented detailed data entry.
2. We won't discuss the Aust case because we believe it is still under investigation by Ontario's Special Investigations Unit.

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