

## **REPORT TO CHIEF BRATTON BY THE SWAT BOARD OF INQUIRY**

### **INTRODUCTION.**

This is the first time in its 35 years history that SWAT has been the subject of searching inquiry both from within the LAPD and from the outside. What this Board of Inquiry concludes will likely have a substantial impact on the SWAT unit's operations for years to come. Accordingly, we proceed with care but nonetheless recognize that Chief Bratton has given us an opportunity to look exhaustively at SWAT— an opportunity which may not come again for many years. It behooves us, therefore, to be clear, honest, and thoughtful, and to state our conclusions and recommendations forthrightly.

This Report represents an extraordinary effort by the members of this Board to harmonize strongly held and occasionally divergent views about what is best for the LAPD, the residents of Los Angeles, and SWAT. To one degree or another, each of us has given ground to reach this unified perspective. Our mutual regard and respect animated our willingness to compromise for the sake of this unified document. Whatever differences between us that remain are few, and this Report dignifies and respects and acknowledges them.

We strived to be fair-minded and balanced. We found SWAT personnel to be dedicated professionals who trained arduously, take their responsibilities seriously, and, by and large, discharge them ably. LAPD's SWAT pioneered SWAT operations, and, in the main, it is among the best in the profession. It would be serious error to read this report either as a stinging indictment or a ringing endorsement of SWAT. Yet, like every other human endeavor, SWAT must be improved. To be sure, this Report at times is critical and reproofing of past practice and forcefully advocates change. In substantial measure,

however, this Report is supportive and approving of various new practices instituted under current command leadership.

We have worked with diligence for more than a year and have donated a great deal of our time to this effort. Our research has been deep and thorough. Each of us has learned as much about special weapons and tactics as we possibly could absorb. We have taken our responsibility seriously. We know that Chief Bratton will receive this Report and its recommendations in the same spirit.

### BACKGROUND.

On August 16, 2005, Mayor Antonio Villaraigosa and Chief William Bratton announced the formation of this Board of Inquiry to study the LAPD's Special Weapons and Tactics team (SWAT) in the wake of the death of Suzie Peña, a 19-month-old child who died during a SWAT operation on July 10, 2005. Suzie Peña's death was the first time in its 35 year history that SWAT killed a hostage in the course of an attempted rescue. The death saddened Angelenos and disheartened members of SWAT as well. In announcing the Board of Inquiry, Chief Bratton stated, "For the safety of the public and officers, we need to understand intimately what transpired in that incident." *Los Angeles Times*, August 16, 2005, B3.

Along with a number of other SWAT operations that had been of concern to Chief Bratton, the Peña incident raised questions about SWAT's tactics and the devolution of discretion and authority to team leaders. Although this Board was ultimately precluded from gaining a full and complete understanding of what transpired in Peña until after this Report was finalized, we examined a number of other SWAT operations in depth; heard from approximately 50 witnesses; conducted focus groups; observed SWAT operations; reviewed thousands of pages of documents (including records of all SWAT operations for 2003-2005); performed independent research and interviews; and gathered statistical data.

