



EVEREST METROPOLITAN POLICE DEPARTMENT

Serving the Communities of Schofield and Weston

Chief: Wally Sparks

Captain: Clayton Schulz

Captain: Mark Hull

Testimony of Mr. Wallace L. Sparks

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In front of the United States Senate Homeland Security and Governmental Affairs Committee

Hearing on "Frontline Response to Terrorism in America"

February 5, 2016

Chairman Johnson, Ranking Member Carper, and Members of this Committee, thank you for the invitation to speak to you today on this very important subject.

On behalf of the Everest Metro Police Department and all of the countless smaller local police agencies across the country, I would like to thank you for the opportunity to discuss the challenges faced by local law enforcement in today's threat environment. I will discuss some of the efforts undertaken to prepare our officers for these potential threats and how we coordinate our efforts with our neighboring law enforcement agencies as well as our colleagues at the state and federal levels.

I think one of the most important aspects to understand is that the vast majority of this country is served by smaller local police agencies. According to the recent census compiled by the U.S. Department of Justice - Bureau of Justice Statistics (2008), you will find that the local police and sheriff's departments account for 84% of all sworn personnel in the U.S. The following statistics will also reveal that the majority of these sworn officers come from small agencies, which face some distinct challenges when compared to large cities and heavily populated metropolitan areas.

- *Local police departments were the largest employer of sworn police personnel, accounting for 60% of the total. Sheriff's offices were next, accounting for 24%.*
- *86.2% of local police agencies have less than 50 sworn officers*
- *72.8% of local police agencies have less than 25 sworn officers*
- *77% of Sheriff's departments have less than 50 sworn deputies*
- *58.3% of Sheriff's departments have less than 25 sworn deputies*
- *49% of all law enforcement agencies employ fewer than 10 full-time officers*

I provide these stats, because I feel it is important for this committee to understand that while events in the larger, metropolitan areas tend to dominate the headlines, the majority of policing efforts occur in smaller communities. The size of a law enforcement agency can have a significant impact on the delivery of policing services in a community, particularly when discussing threats like terrorism.

To provide greater context, I will share some background on the Everest Metro Police Department, which I have been fortunate enough to lead since 2009. This is a multi-jurisdictional department created in 1993 when two municipal police departments serving the Town of Weston and the City of Schofield merged to create the Everest Metro Police Department. Our department provides police services to the City of Schofield, the Village of Weston and the Town of Weston with a combined population of around 18,000. The department has 29 employees, 25 of which are sworn officers with four civilian support staff. We are located adjacent to the City of Wausau (population 39,000) and located in Marathon County (population 135,000) which is the largest geographic county in Wisconsin covering 1,576 square miles.

We have nine law enforcement agencies in Marathon County, only three of which have 25 or more sworn officers/deputies. The remaining six law enforcement agencies all have 10 or fewer officers. The three largest agencies are Wausau PD with 70 sworn officers, the Marathon County Sheriff's Department with 66 sworn deputies and Everest Metro PD with 25 sworn officers. Our three departments are all located in close proximity in the Wausau/Metro area. The greater Wausau/Metro area is located in North Central Wisconsin and sits at the intersection of two major highway systems, halfway between Milwaukee, WI and Minneapolis/St. Paul, MN. This area is also a drug distribution hub to the northern third of Wisconsin and is considered a major area of drug trafficking from both Chicago/Milwaukee and Minneapolis/St. Paul.

Within the Everest Metro jurisdiction, we have the DC Everest School System and two private parochial schools with eight school campus locations and a total enrollment of 5,924 students. We also have a number of large international businesses, some of which have military contracts, as well as a large power plant located just a mile outside of our jurisdiction. We have a large hospital complex, a number of churches, including two large churches with 3,000 to 4,000 members each. Needless to say, these all represent potential terrorism targets, and are usually served by only three patrol officers on duty with a patrol area covering approximately 44 square miles.

Why is it important for you to know this? Because this is closer to the norm for the law enforcement agencies across this nation, most of which face the same challenges as we do. Large cities like New York, Los Angeles, Chicago, Boston and many others have very different structures and policing models that provide for greater levels of specialization than local police departments, which as articulated by the statistics, represent over 80% of all sworn officers in this country. When you look at the response capabilities from past terrorist events in New York, Boston and San Bernardino, the amount of personnel and the level of specialized equipment that responded to these scenes within minutes is remarkable. Unfortunately, if a similar attack occurred in a community similar to ours, the amount of personnel able to respond, the promptness of that response and the level of tactical equipment available will be drastically lower.

We understand that terrorists typically look for soft targets and that they are learning and adjusting to how we respond to threats. Just this week the FBI arrested an individual in Milwaukee for plotting to kill at least 30 people at a Masonic Temple. A couple of our local churches have up to 1,000 people attending a single church service, one of which is 15 seconds from an on/off ramp for a major highway. A shooter could kill hundreds and be back on the highway by the time officers were even dispatched. These are the thoughts that run across my mind and probably trouble thousands of other police chiefs and sheriffs across this country as they consider what threats and challenges they face in their own communities.

So, what has our department done to prepare for such an attack? It starts with training and like the rest of law enforcement across the country; we have provided active shooter training to all our officers since the Columbine school shooting caused law enforcement to adapt their response protocols to active shooter events. Since I have been here in 2009, we have upgraded our tactical rifles, and progressively expanded our training which is summarized in the timetable below:

- 2010 - We acquired Tactical Response Threat Vests to include extra rifle and pistol magazines and other tactical accessories for officers to carry in the event of a critical incident. These vests included drag straps so officers could be pulled from incident scenes if they were shot or wounded at scenes.
- 2011 - We conducted Active Shooter Response training at one of our elementary schools with the Sheriff's department and three other local police departments so all our officers could train together to help with coordinated responses.
- 2011 – We worked with the Sheriff's Department, and Wausau PD to train officers/deputies from our three departments as MACTAC Instructors. MACTAC stands for Multiple Assault Counter Terrorism Action Capabilities.

- 2012 - The MACTAC instructors trained all Everest Metro officers on MACTAC and had both live fire exercises at the range as well as scenario exercises at a local elementary school.
- 2012 – One of our instructors, who also served on the Marathon County SWAT team attended TEMS Training and served as the TEMS operator for the SWAT team. TEMS stands for Tactical Emergency Medical Specialists and was derived from the military experience with Tactical Combat Casualty Care. This allows officers to provide immediate life saving measures to wounded officers and civilians in the field, which is critical in preventing loss of life.
- 2012 - The Marathon County SWAT team was licensed as the first TEMS team in Marathon County
- 2013 - All Everest Metro officers were trained in TEMS and the department purchased TEMS equipment kits for all officers to be placed on their Tactical Vests and deployed in every squad.
- 2013 – All SWAT team members were trained in TEMS as basic operators.
- 2013 - Everest Metro PD conducted an Active Shooter Joint Training Exercise with our local Hospital.
- 2013 - Everest Metro PD SWAT officers worked with the Marathon County Sheriff's Department to develop presentations to local groups and organizations regarding Active Shooter Responses.
- 2014 – Everest Metro conducted scenario training at a local Jr. High School to include all the disciplines of Active Shooter, MACTAC and TEMS.
- 2014 – An Everest Metro Detective and SWAT team member co-authored the Wisconsin Department of Justice Training Guide for Tactical Emergency Casualty Care for the Law Enforcement Manual that was approved by the Law Enforcement Standards Board and is now included in the Law Enforcement Academy Training Curriculum for 2016.
- 2015 – Our department purchased a .308 AR-10 Designated Marksman Rifle to be placed in one of the patrol supervisor's squads to upgrade our threat response to a terrorist style attack. The department plans to purchase another in 2016 when more budget funds are available.
- 2015 – Our department sent four officers through CIT (Crisis Intervention Training) conducted by NAMI (National Alliance on Mental Illness) and we are working with Marathon County Sheriff's Department and North Central Technical College to host CIT trainings locally in 2016 to get the remainder of our officers trained in CIT.
- 2015 – Worked with our local Hospital to conduct and debrief another Active Shooter exercise and debriefing.
- 2015 – Reached out to all the local churches to offer presentations and advice regarding active shooter threats. A presentation was made to one of the large churches in 2016.

This timeline illustrates the steps we have taken as a department, but it also reveals how much coordination we have with the other agencies in our community. I cannot underscore just how important those relationships are in smaller communities. In Marathon County, we have departments that work extremely well together. Both Everest Metro PD and Wausau PD have members on the County SWAT team and the Special Investigations Unit (drug unit). We have a Countywide Dispatch Center and a shared records system that allows information to be shared and flow freely through all the law enforcement agencies. Having spent 23 years in law enforcement in another community and in speaking with fellow police chiefs throughout Wisconsin and other states, I can tell you that this is far from the norm.

Our relationships with the fire department and EMS first responders has also been outstanding with seven members from both the Wausau Fire Department and the Safer Fire District (which serve the majority of the metro area) serving as TEMS operators for the SWAT team. As President of the Wisconsin North Central Chiefs of Police Association (NCCPA) which I had the privilege of leading for the past 18 months, we have also developed great relations with our neighboring counties and the law enforcement leaders from local, county, state and federal agencies. We have regular meeting attendance and representation from the Wisconsin Division of Criminal Investigation, the local FBI field office in Wausau as well as Tribal police and even Canadian Railroad Police. These relationships and information sharing at our meetings has resulted in formal mutual aid and assistance agreements with our respective departments to assist each other in the event of a major critical incident in any of our communities.

I believe these are the key successes our department and community have achieved and are the foundation of our preparation for responding to an attack in our community. With this foundation laid as the starting point, there are still challenges we face and areas that we need to improve upon. One major challenge is budgetary and trying to prioritize expenditures for things like tactical equipment. I am in the process of drafting a proposal to purchase ballistic shields and helmets for our patrol squads so that they will have the appropriate equipment if they have to respond to an active shooter. This equipment is not worn and is only used in the event of a critical shooting incident. I will be asking to use some non-designated fund balance proceeds to purchase this equipment if approved.

Along those same lines, is staffing levels. While training is, and always will be, a priority for our department, it is difficult to send staff away for some of these specialized trainings and maintaining sufficient staffing levels to staff the road. With 25 sworn officers, we are able to juggle our schedule enough to accommodate most of the training needs, but that is not true for many of the other departments, most of which have only one or two officers working at any given time. That is why only the three largest departments in Marathon County have staff

trained in such critical areas like TEMS, MACTAC, SWAT and other specialty disciplines. We also have one combined SWAT team that, based upon the average duration of the active shooting events that have occurred this country, would arrive well after the "active" threats have been eliminated or fled the area. This means that our patrol officers and deputies will be engaging these threats with only the tools available to them in their patrol squads.

As an example, if we had an active shooter incident on the west end of Marathon County, there would be one or two officers / deputies arriving while waiting a significant amount of time for back-up officers and probably close to an hour before any highly trained officers or SWAT members or the lone tactical vehicle from Marathon County Sheriff's Department SWAT team could arrive. While there will be countless resources coming from both State and Federal agencies, the response times would be well after the attack and resulting carnage. These resources would still be needed to handle the lengthy aftermath of an event, but would not help prevent or limit the amount of casualties.

This reflects the need for additional training and equipment for rural police officers and deputies. We know from previous incidents that those precious minutes at the onset of any incident are critical. All officers should have basic training in Active Shooter Scenarios, MACTAC and TEMS and have TEMS kits and ballistic shields and helmets to give our officers a fighting chance of survival. Next, we need to be engaged with our local EMS providers, who should also have TEMS training and the necessary TEMS equipment. Our current EMS provider has trained their staff in TEMS and conducted some warm zone training with the SWAT team, but they have no equipment to wear (ballistic vests and helmets) that would be necessary to respond as a Rescue Task Force (RTF). Our department is including SAFER Fire District in our Active Shooter Response training in 2016, but they don't have funding for the equipment needed to fully implement the program right now.

To this point, my testimony has been focused on our training and capabilities when responding to events, but perhaps the biggest area for improvement lies in how to prevent events. I have talked about local cooperative efforts, information sharing and how critical those are to the success of the average smaller community. One key preventative measure is in hardening our targets. As a community, taking those steps outlined above through proper training, the acquisition of equipment needed to respond to events and reaching out to community leaders and organizations and teaching them how to prepare are vital.

On the wake of the San Bernardino incident, there has been a significant focus on the "*If you see something, say something*" campaign. This is obviously an extension of the basic neighborhood watch model that law enforcement has been successfully using for years. And,

like the neighborhood watch program, those “say something” comments are most likely going to be delivered to their local police agencies. Suspicious activity calls are one of the most common calls received from law enforcement agencies. Some are related to possible drug activity, some just nosy neighbors and some are just nuisance activities. Many of these calls are unsubstantiated, some result in arrests and drug investigations, while many others are just normal everyday activities.

So how do local police agencies vet these calls to determine if there is any merit? One is obviously looking through our previous contacts in our police records systems, checking address histories and making contact if the fact situation warrants it. The problem is that rather innocuous behaviors for someone with no known history or problems may find this information being closed out by a patrol officer with nothing to act upon. But, what if local law enforcement knew that this person was on a FBI watch list? Those innocuous behaviors may lead to a very different conclusion and warrant contact with our local FBI office or the closest Joint Terrorism Task Force.

In my 30 years in law enforcement, I had numerous interactions with local FBI agents on some higher profile cases or interstate cases where federal involvement was warranted. Not to disparage anyone or the agency as I have a good relationship with our local agents, but the historical dialogue has been primarily a one way street. There have been efforts to improve this and I have seen some progress, but if we as a country are going to be effective in proactively trying to disrupt and prevent these attacks, vital information must be passed down to the local police and sheriff’s departments. The FBI has its hands full just trying to monitor those they already know about and if we are not effectively engaging local law enforcement and providing such information as known potential offenders that have been designated as suspicious or placed on a watch list, we are missing a key piece of the preventative puzzle.

I understand the need for secrecy on active investigations or current surveillance measures, but absent that, I would want to know if I have someone living or working in my community that is on the FBI radar. I have spoken with fellow law enforcement executives and I can assure you that they feel the same way. Unfortunately, we do not have the staffing level to have a member of our department assigned to the JTTF and the closest location is in Milwaukee, which is three hours away. We do receive some intelligence bulletins, which are helpful, but we generally do not receive targeted intelligence that has direct bearing on our community. I am not familiar with the policies governing information sharing at the federal level, but if they are inhibiting the free flow of such information with local law enforcement, this is something that needs to be changed.

In speaking with my colleagues from the North Central Chief of Police Association, most do not have anyone assigned as a Threat Liaison Officer or Fusion Liaison Officer. While these are great programs, very few small departments have the staffing, time or training dollars to send staff to participate in these programs. If it were not for our local North Central Chiefs of Police Association, most of our local chiefs would probably not even know who their area FBI agents are. I credit our local agents for attending these meetings and being able to establish a rapport with local law enforcement leaders. As law enforcement executives, we are barraged with emails and correspondence from multiple organizations, training bulletins and networks. For the larger state and federal agencies to be effective with information sharing outlets, those personal connections and relationships are absolutely critical.

Summary and Recommendations

The landscape of law enforcement has been forever changed with the increasing occurrences of terrorism in our country. The thought of small communities feeling that “it would never happen here” is changing. Local law enforcement leaders throughout the country should be realizing that “it may very well happen here” and if it does, are we prepared?

Training:

- Develop and provide at least partial funding or grants for training programs in the area of Active Shooter, MACTAC, TEMS, Rescue Task Force, and Crisis Intervention Training that can be delivered regionally throughout each state so local public safety responders can receive this vital response training. Grant funding should be prioritized for communities and agencies providing joint and shared services to encourage training and working together in these vital disciplines. Most grant funds, including the current COPS program goes to large metropolitan agencies who have full time staff with significant grant writing experience.

Information Sharing:

- Review current policies and protocols as it relates to information sharing among federal, state and local law enforcement agencies. We need law enforcement leaders who will break down parochial and bureaucratic boundaries and work together for the greater good and provide for the safety of all our citizens. Information must be pushed down to the operational levels of organizations. As a police department, we are only effective if our front line officers have the information they need to properly assess potential threats and respond accordingly.

Narrative and Optics:

- The profession of policing has been placed under intense scrutiny and while accountability should be one of the top priorities for any police chief or sheriff, disparaging the profession as a whole through the acts of a few has caused considerable damage. We ask our brave men and women to place their lives on the line to protect the communities we serve. Highlighting the actions of a few bad apples while ignoring the dedicated and unselfish actions of the majority is causing severe damage to a profession that is desperately needed with these increasingly dangerous threats.
- The militarization of the police has been unfairly represented. These weapons and equipment are needed when we face these extreme threats. We need the tools to counter the threats we face and our officers deserve to have equipment that will hopefully allow them to survive an encounter and return home to their families.

I would like to thank you for the opportunity to share this information with this esteemed Committee and will be happy to answer any questions you may have.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'W. Sparks', with a stylized, flowing script.

Chief Wallace L. Sparks