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Active shooter – challenge for law and tactics in Europe

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

And that madness is stoked and sheltered, nurtured and fed by another kind of crazy -- a widespread denial about the price of our love affair with firearms, a disbelief that borders on delusion¹.

Cynthia Tucker

ACTIVE SHOOTER – CHALLENGE FOR LAW AND TACTICS IN EUROPE

Robert Częścik, J. Radosław Truchan

ABSTRACT

The article presents one of the current threats, i.e. active shooter. Described are features, causes of

the phenomenon and the most important examples of events including an active shooter. Presented is also active shooter's definition and ways of tackling the problem.

KEYWORDS

Active shooter, danger, counterterrorism

Undoubtedly one of the most dangerous threats in the modern world is an intensifying phenomenon of mass murders committed by an individual person (called active shooter). By analyzing the time and place of such events we may come to a conclusion that localization of potential attacks is being selected on the basis of the assumed effect, which purpose is to cause the biggest possible social and political damages, that is above all based on physical elimination of specific people. The fact that in Poland such case have not occurred yet gives the services responsible for internal security a chance to optimally prepare to minimize this kind of threat on the territory of Poland. While preparing to counteract such dangers it is necessary to make a full cognition of the previous events in following aspects: psychiatric, psychological, sociological, criminological as well as in technical and tactical police activities².

“HATE! I'm full of hate and I Love it. I HATE PEOPLE and they better fucking fear me if they know whats good for em”³.

Events in Columbine High School in 1999, when 12 people died, tragedy in elementary school in Newtown on 14 December 2012 (a twenty-year old shot 20 children and 6 adults, and then committed suicide after noticing that the police had arrived to the crime scene), events in the cinema in Denver on 20 July 2012 when during the premiere of the Batman movie James Holmes killed 12 people and injured 58 or the massacre on the Norwegian island Utoya, where in July 2011 Andreas Breivik killed 69 people and injured 66 shows that the incidents involving an active shooter have become one of the most serious threats of the latest time and a real challenge for services responsible for security of citizens. The essence of this threat is the fact that anyone may become a victim of such an anti-social desperate, even an entirely random person around. An active shooter is unpredictable, his only objective is to kill the greatest number of people and he does not take the consequences of his acts into account. Therefore it is extremely

¹ P. Milewski, Spluwa, moja miłość, „Newsweek” No. 1/2013, p. 80.

² In Police Academy in Szczytno in years 2013-2015 realized is research task no. IBiPP – 4/2013/P/JT entitled „Reagowanie podmiotów bezpieczeństwa państwa krajów europejskich na zagrożenia związane z użyciem broni palnej oraz niebezpiecznych materiałów i narzędzi w miejscach publicznych”.

³ Eric Harris' Diary
<http://www.acolumbinesite.com/eric/writing/journal.html>
[February 2013].

important to optimally prepare the services responsible for security of the state in the area of investigation, counteracting and fighting this kind of incidents.

ACTIVE SHOOTER – SPECIFIC KIND OF SERIAL KILLER

Active shooter is a person psychologically and emotionally unstable, who tries to kill as many people from the surrounding (without any specified profile of victim), in crowded places and objects that are the so-called soft targets (i.e. in schools, workplaces, malls etc.) in a short time, usually using a firearm and committing suicide right after⁴.

The incidents with an active shooter have usually some serious effects, especially considering the fact that apart from the aim of killing as many people as possible, he does not plan to escape from the crime scene. Such situation frequently ends up in two ways: either with a suicide of a perpetrator or his elimination by institutions established for providing state security (which is usually also a suicide committed with help of officers).

Another aspect specific for activity of an active shooter is, apart from staying at the place of event (without a plan of escape), the fact that such person does not negotiate with people, who are in the field of his interaction.

Active shooter usually acts in one localization and stays until the end in the place, where he starts his attack. He does not move from this place, unless localization of his victims forces him. He commits his crimes at one time without any breaks between the incidents. He operates in more or less planned way. With advance he plans activities that are focused on gaining measures necessary for realizing the plan (weapon, bulletproof vest, uniforms etc.)⁵. Sometimes such activity is preceded by publications in online forums, blogs, private websites, diaries or posting videos on popular websites⁶. Many active

shooters trains before the attack, learns how to shoot or checks the weapon⁷.

An active shooter is usually well armed⁸. (he uses long guns, short guns, various kinds of explosive materials) and motivated to act. Analyzing the silhouettes of these people we may state that they are fascinated with militaries and focused on using the equipments efficiently to physically eliminate people. They commit their crimes personally.

Observing his way of acting, one may notice that an active shooter usually has a knowledge on tactics of the intervention groups. Generally he is aware of his actions and their consequences. He does not act under the influence of alcohol, drugs and other intoxicants. One may assume then that an active shooter wants to fully experience all stimuli of acts performed. An active shooter acts on his own, does not negotiate and does not take any hostages. Launching the attack is always abrupt. It surprises the victims and the accuracy of shots is less than 50%. Often at the moment of entering of the special services he starts to panic (and then usually commits suicide). The whole of his actions is dynamic and variable⁹.

Massacres made by the active shooters have a lot in common with the terrorist attacks, but they are not to be equated. The aim of terrorist's activity is to impact within using violence to governments and societies, whereas the active shooters are generally madmen, who are not able to deal with their own lives and problems of everyday life. What links this phenomena is mediality of acts and publicity surrounding them.

THE REASONS WHY ACTIVE SHOOTERS ACTS

Considering the fact that the attacks by active shooters usually ends up with their suicide it is hard to determine the causes of their actions. Such ending of the incident influences that there is no possibility to ask them directly or to infer from the testimony. However one must assume

⁴ J. Kudliński, *Active shooter*, "Terroryzm" 2010, no. 2, p. 38-40.

⁵ *Ibidem*, p. 86.

⁶ Eric Harris was writing about his plan on his website, which contained content directed against students and teachers from Columbine High School in USA.

⁷ J. Kudliński, *Active shooter...*, p. 39.

⁸ active shooter is not the same as active killer, who uses various kinds of tools, other than firearm, such as sharp objects. V. J. Kudliński, *Active shooter*, "Terroryzm" 2010, no. 2, p. 39.

⁹ T. Małysa, *op. cit.*, p. 15.

that, as in case of every kind of human's activity, the background may be either internal or external. This refers also to actions of an active shooter. Internal causes may be for example strong childhood or adolescence experiences, external – unsuccessful family life or professional failures¹⁰. Internal causes should be to some extent identified with the causes of suicides, for an active shooter is a peculiar kind of a suicide, who differs from the others due to his desire to “take with him to the grave” as many people. According to that on his actions influence may have:

- 1) Mental illnesses;
- 2) Solitude and the sense of isolation;
- 3) Desire to punish innocent people¹¹;
- 4) Mental disorders;
- 5) States of frustration;
- 6) Stress;
- 7) Anxiety states¹²;
- 8) Crisis of recognized values¹³.

All of the external causes cannot be indicated. However, undoubtedly we may include here life in the so-called mass society, where we have to our disposal smaller territories and social spaces (where one cannot live peacefully and without conflicts). In such societies social bounds are no longer of authentic and long-termed character, relations between people are more and more complicated, civilisationally entangled and unpredictable¹⁴.

Everyone of us is able to intuitively conclude, which factor impacts performing the discussed act in case of a particular active shooter. For example the so-called school shooters are pushed to act by resentments, mental disorders, manias, desire to commit suicide or to be famous¹⁵.

However the truth is that causes, or in other words – motivation of active shooters is as many as perpetrators. To define them we need to look closer to particular cases.

A. NORWEGIAN HORROR

Anders Breivik was planning his revolution for 3 years. He began with creating a 1518 pages long “European Declaration of Independence”, in which he presented his hatred for Muslims, condemnation of multiculturalism and anger at his own State. He published the document on the internet few hours before the attack. On July 22, 2011 he first blew up a car bomb in front of the government building in Oslo killing 7 people. Then he got through to the island Utoya, where he carried out mass execution of participants of a youth camp of the governing Labour Party. He killed 69 people and injured 66. He did it for, as he claims, he considers himself a modern crusader, whose duty is to fight with “Islamic colonization of Europe” and “flood of cultural Marxism” that is with multiculturalism. This attack was unusual because it was a native Norwegian turned against his own State and fellow citizens. He did not kill immigrants or Muslims, who he hated so much, but those, who have opened the gates of Norway for them. The manifest indicates that Breivik feels redemptive vocation and therefore unlike other active shooters he did not commit suicide. He let the police to intercept him to continue his crusade from behind the prison walls¹⁶.

B. APOCALYPSE AT THE UNIVERSITY

Harris and Klebold in April 1999 started to plan a revenge on the society for two reasons: as “general war with the society, they have just declared” and necessity of undertaking an action against those, who they hated. On April 20, 1999 they came to the territory of Columbine High School and planted an incendiary bomb. After the explosion they fused bombs made of two 9 kilos propan bottles, put them in a big bag and took to a café. After doing this they went back to the car and waited. When the bomb didn't explode they took a gun and moved to the school. They killed

¹⁰ Tomek, *Active shooter (2)*..., p. 87.

¹¹ K. Borkowska, *Przyczyny samobójstw*, „Remedium” 2012, no. 4 (230), p. 12.

¹² B. Hołyst, M. Staniaszek, M. Binczycka-Anholcer (ed.), *Samobójstwo*, Warszawa 2002, Wydawnictwo Polskie Towarzystwo Higieny Psychicznej, p. 70.

¹³ R. Bielecki, *Dynamika, uwarunkowania, profilaktyka samobójstw w ostatnim ćwierćwieczu XX wieku w Polsce*, Toruń 2004, Dom Wydawniczy Duet, p. 31.

¹⁴ J. Borkowski, *Człowiek zagrożony i niebezpieczny. Socjologia i psychologia zagrożeń*, Warszawa 2011, Wydawnictwo Elipsa, p. 108.

¹⁵ J. Kudliński, *Active shooter*..., p. 39.

¹⁶ T. Walat, M. Ostrowski, W. Smoczyński, *Strach krąży po Europie*, „Polityka” 2011, no 31 (2818), p. 8-10.

15 people and wounded 24. After that they both committed suicide by shot in the head. On April 16, 2007 Cho Seung Hui, Korean student at State University in Blacksburg, Virginia (USA), armed in two automatic pistols killed on the campus 32 people and wounded 23, then committed suicide. The motive of the crime was punishing other for deep frustration and humiliation, general lack of understanding and hatred for rich people.

Usually main motive of active shooters acting on university or school premises is existence of closed, hermetic groups of people, who live only among similar to themselves, despising others. It favors development of such behavioral states, which lead to outbreak of aggression in some people¹⁷.

C. POLISH TRAGEDY

On 26 March 2007 to the detention center in Sieradz came 3 policemen, who were to take and transport a detainee. Around 8.30 a.m. a drama began. When the policemen were leaving the station in unmarked police car, shots from a machine gun were fired down from the watchtower. Damian Ciolek (who had sniper training during his compulsory military service), one of the Prison Service officers, was shooting from his service AK-47 assault rifle from the distance of 7,5 meters 24 times with single fire.

Sergeant Bartłomiej Kulesza, who was sitting behind the steering wheel, died first. Deputy Inspector Andrzej Werstal, who was sitting next to the driver, tried to save himself, he crawled out of the car and died near the entrance door to the administrative building. Police Sergeant Major Wiktor Będkowski was trapped on the back seat behind the driver. He was shot in the stomach and in the chest¹⁸. He died of wounds on the way to the hospital, because fire of the courtyard made it impossible to carry out the injured. The officer attacked also police mediators and operators from antiterrorist unit of Łódź. He was stopped after shot in the left arm. Motives of his action were never entirely identified. Expert suspected that his behavior was influenced by adaptive problems

related to his family life¹⁹. The officer, who committed this crime serves life sentence in Prison Unit in Kielce. He may apply for early release after 25 years of served time.

COUNTERACTING THE INCIDENTS INVOLVING ACTIVE SHOOTER

As it was mentioned before incidents involving active shooters are very dynamic. He moves fast, changing his position constantly and killing people around. Hence often there is no time for the arrival of specialized units (which have their time standards of achieving combat readiness) and direct action focused on elimination of danger must be undertaken by the first officers who arrive at the place. It must be underlined that these are actions requiring caution.

Therefore in such situations fundamental are so-called *first respondents*, that is officers (The Police, Military Police, Border Guard, special services or soldiers), who arrived first at the place of reported incident or are already there performing their duties. Their responsibility grows and so does the expectations towards them. During incidents involving active shooters the priority is to take the fire from civilians to police services and to reduce the danger before the shooter manages to kill anyone else. Therefore the tactics and individual training of officers must be constantly improved. "Ordinary" officers have to deal with more and more complicated and complex tasks, which involve responsibility and danger. So trainings are necessary. Also taking into account fact that professionalism of the uniformed persons influences both, acting of the victims (uniform has a great power of influence on wounded and scared) and development of the situation. Therefore it is so important that officers should be able to immediately act without waiting until the action constitutes (police operation or arriving of support).

First patrols arriving at the place must immediately take direct action. Their work should be focused on such actions that in the shortest possible time allow to prepare plan, help to make a reconnaissance and contribute to appropriate choice of tactics. All of this must happen without

¹⁷ M. Zimny, *Apokalipsa na uniwersytecie*, Terroryzm 2007, no. 6 (171), p. 24-31.

¹⁸ A. Krawczyńska, *W pułapce*, Policja 997 2007, no. 5 (26), p. 8-10.

¹⁹ www.nasze.fm/news,8318 [October 2012].

waiting for closing and surrounding the area (creating a ring). Moreover, highly important in such situation is constantly collecting information and exchange of them between the groups that are at the place but also the “central”. As it was mentioned before, proper preparation of officers is of fundamental importance.

In countries of western Europe (such as Germany, Holland, Finland, Belgium or Swiss) policemen goes through the so-called AMOK training²⁰, which consists of theory and practice exercises. Participants inter alia learn the definition of amok (“amuk” – mad with rage), basics of psychology of a perpetrator and discuss high-profile cases from the past. They learn intervention tactics (approaching the facility, dividing it to sides and levels, moving in the facility, way of entering premises), exercise communication with partner and unit, try to act like the staff of the police car, which receives a report of incident and shoot at the shooting range²¹. Such training are also needed in Poland. However, so the polish policemen could go through such training it should be adapted to our legal regulation or these regulation should be changed, since currently ending a situation involving active shooter is a big problem. In accordance with the existing provisions police sharpshooter is obliged to adhere to the same rules that applies to regular officers (in situations where the life isn’t threatened – he may fire a warning shot, when the danger exists – he has to shout “police” before the shot). A lot of communities – especially representatives of public order services – postulate implementing to polish legal order, like in other democratic countries, the institution of so-called *rescue shot*, that is firing a shot in direction of the offender in such a way that allow to save directly threatened life of a victim. Such a shot often results in offender’s death. Therefore it is requested that sniper could shoot after receiving the order without warning and without being bound by principle of inflicting as little damage to a person against whom the firearm was used.

Authors of the paper, realizing mentioned in the beginning research task, among so-called soft targets, which the perpetrators may choose, took into account inter alia:

- Shopping and business centers;
- Educational institutions (kindergartens, schools, universities, university campuses);
- Religious sites;
- Critical infrastructure facilities – especially airports, maritime stations, train stations.

In first six months of researches carried out, lustrated were 36 biggest facilities in the country, in which commercial operations are conducted (so-called shopping centers), 3 stations (2 airports and one railway station), 3 educational facilities (universities and university campuses), 4 religious sites and 5 other facilities including inter alia 2 large hotels, facilities of Poznań International Fair and the seat of the Supreme Court. Every one of the groups of facilities specified has its own vulnerability and specifics, however regardless of the risks previously diagnosed and statistics, particular attention was paid to the most numerous, available and meeting the criteria of perpetrators – shopping centers. These centers ranging in size from a few to several dozen hectares, are visited by thousands of customers (annually from few to over twenty millions). In this giant facilities located are leading shops of polish and foreign brands, restaurants, cafes, service points and cinemas. Multi-level parking may accommodate few thousands customer’s vehicles. The subject of scientific investigation were above all formal and legal regulations, good practices aiming to prevent the active shooters’ attacks, and range of cooperation of entities responsible for security.

Already first results of the research received due to interviews and surveys taken, allowed to formulate general conclusions. In all examined facilities persons responsible for the security are indicated by name. Depending on the entity these are members of management board of the company, managers and directors of security or persons, whose responsibilities includes providing security. More than 80% of facilities have security program in case of extraordinary events, in 60% of them trainings for the entire staff were held. In the vast majority of

²⁰ A. Wicik, *First responder – po dramacie w Norwegii*, „Policja 997” 2011, no. 8 (77), p. 37.

²¹ A. Wicik, *Liczy się każda sekunda*, *Policja 997* 2011, no. 9 (78), p. 28.

facilities a system to inform users about the threat and the way of evacuation, and at least every two years evacuation exercises are carried out. Cooperation with local police was also good. Unfortunately among defined threats dominative are fires and planting explosives. Although some of the respondents (36%) claimed there were procedures in case of shooting in the facility and attack of a single shooter or aggressor with a dangerous tool (substance), the documentation did not confirm it. Moreover conducted interviews showed that in the opinion of the persons responsible for security in the facility there is no big difference between method and rules of evacuation in case of fire, bomb threat or shooting in the building (!). In their opinion, security in Poland is adequate to the level of threats and employees are constantly trained. It is true that regular object protection is unable to prevent situation including using a gun or to predict when they may occur, but important is the ability to behave in a way that minimizes the consequences and to cooperate with intervening police forces. Although the system of rationing weapons in Poland strictly limits availability of sharp weapon, it is not tantamount to lack of threat. In sum, knowledge of security managers on threats coming from a potential active shooter must be assessed as low-leveled, and the problem itself seems to be marginalized when the most important thing is commercial success²².

As more professional and adequate to the level of danger must be assessed procedure at the airports²³. It is obviously determined by the fact that they are included to critical infrastructure facilities, and more restrictive provisions regarding security, inter alia international and professional protection by Border Guard and Airport Protection Officers. It should be emphasized that taking into account potential events including active shooter, protection watches kept by the Border Guard play an important role. It is a team of armed officers who use in action tactical rules aiming to counteract attacks of lawless interference on airports and airplanes.

It should be underlined that protection watches are somewhat the last line of defense in case the security system at airports did not work. The fact of existence of such groups shows that despite the efforts regarding elimination of emergencies, there is still real risk of danger, which may appear in the air.

Another area of minimizing consequences of such perpetrator's actions is prophylaxis. Above all worth is distribution of informative brochures intended for regular citizens that include practical leads. It is also important to make access to public places (such as schools or offices) more difficult. Used may be for example gates which detect dangerous items in the entrance to premises, monitoring of schools combined with police units. Implemented may be also appropriate educational campaigns for service and employees of public places. Fundamental is education system for entire society. Citizens should be educated that such action as hide or escape give them greatest chances for surviving in a confrontation with active shooter, whereas fight is extremity²⁴.

At the same time it needs to be underlined that the Polish Police already has a specific training platform, which may be a thematic framework base for trainings like "AMOK". Among others in Police Academy in Szczytno carried out are professional development courses:

- 1) Specialized course for policemen responsible for detaining dangerous criminals. It is designed for preventive and criminal service. Objective of the course is to prepare policemen to realize professional tasks related to detaining dangerous criminals.
- 2) Course for policemen, who undertake interventions against aggressive and dangerous persons. Designed for prevention service, which task is to intervene against aggressive and dangerous persons²⁵. Its objective is to prepare policemen to take immediate action

²² <http://www.citysecurity.pl/files/gh1.pdf> [05.11.2013]

²³ At the airport in Los Angeles twice a shooting took place (in 2002 and 2013). In result of these events three people died and over a dozen was injured.

²⁴ G. Mikołajczyk, *Szansa na przeżycie*, „Policja 997” 2011, no. 10 (79), p. 15.

²⁵ Both courses were conducted by the authors of this paper.

- 3) Specialized course in first aid – designed for policemen, who perform action in special conditions. Includes such thematic areas as: rescue procedure at the place of event, resuscitation by the ERC standards (BLS-AED), handling of injured, acting in unusual situations when life is threatened, preparing the injured to evacuation and supervising their condition until the medical rescue will take care of them.

SUMMATION

Active shooter phenomenon as the events shows is a growing threat for modern societies. Single, unpredictable man, who gained access to weapons and ammunition is able to attack every neighboring citizen.

Worth mentioning is also that despite of researches and still growing level of knowledge about the phenomenon, it is still not possible to talk about exact systematic motives of those people. Every single active shooter has his individual motivation to such actions. Most of them is really hard to specify, because usually active shooter's attacks end up with his suicide. Generalizing, it can be concluded that the reasons of committing this kind of actions are frustration and not coping with surrounding reality.

In relation to the seriousness of this phenomenon, the services began to attribute increasingly important role to so called 'first responders' (...) because in the active shooter incidents there is no time for waiting for specialized services arrival. Therefore it is necessary to train the ordinary officers properly to learn them how to behave in these certain situations. In the Western Europe showed up a special training called „AMOK”, however to introduce such courses in Poland it should be adjusted to our legal system or change the provisions.

In sum, it should be noted that the massive suicide phenomenon committed during terrorist act by one single perpetrator (“active shooter”) can be classified as one of the most serious security threats of the modern world.

Events of the last few years which have occurred in Europe in the context of the quotation cited at the outset from a titled American publicist Cyntia Tucker requires to put a question **whether it is for sure „American form of madness” and whether it should be linked directly with the systems of rationing weapons.**

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