

On Wednesday, September 21, 2011, I attended a meeting with Chief Steven B. Carl, Deputy Chief Craig W. Davis, Lieutenant Robert F. Downing, and Sergeant Vincent E. Stuart. The purpose of the meeting was to review the report produced by SWAT Expert Steve Ijames and to address concerns raised by Downing and Stuart. Sgt. Stuart is the Department's lead M-4 rifle instructor and Lt. Downing is the SWAT team leader, who is also actively involved in training.

The chief concern of Downing and Stuart was that the Ijames report attributes training regarding threat assessment, as it relates to the position of the M-4 selector switch, as a contributing cause of the death. The report states, "the training Officer Duncan received as it relates to threat assessment and the status of the M-4 rifle safety/selector were contributing causes in the death of Mr. Stamps." More specifically, the report states that "the training Officer Duncan received resulted in him removing his weapon from 'safe' in the absence of a defined threat."

Sgt. Stuart and Lt. Downing claim that officers are trained to keep their rifles "on safe" unless the officer "perceives a threat" or he is 'actively clearing rooms / danger area.' This means that Duncan should have had his weapon "on safe," because neither of the above 2 conditions existed.

According to Downing and Stuart, Officer Duncan received training regarding the principles of "contact and cover." This foundational concept is taught as part of the patrol rifle course, SWAT training courses, and in the "applied patrol procedures" section of every basic police academy in Massachusetts. Under the "contact and cover" concept, the officer who is engaging in "hands-on" contact with a suspect will not have his weapon "off safe." Instead, the weapon will be slung, with the selector in the "safe" position, while the contact officer has physical contact with the suspect. During the physical contact, the contact officer is "covered" by the cover officer.. According to both Downing and Stuart, Officer Duncan's training instructed him to place his weapon on "safe" and sling it prior to assuming the role of the "contact officer." Further, if Officer Duncan perceived Stamps as having posed a threat, he should have maintained his position as a "cover officer" and waited until another (contact) operator was available to search and/or secure Stamps.

