



Paramilitary police training spooks Rutherford County residents

Mayberry Mayday

by JONATHAN MEADOR

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On a clear, mild December afternoon, Roland Marvin navigates a thicket of brambles behind his Rutherford County property. In a hushed and nervous voice, the balding retiree asks his companion if he brought any dog spray.

"Dog spray?"

"Yeah," he says. "Mace. For the dogs. I meant to tell you to bring some, because sometimes they've got attack dogs with them." He motions to his walking stick, a meter-long metal pole. "This should keep them at bay," he says, "but hopefully we won't have to use it."

Gunshots ring out ahead, growing louder as he approaches a clearing on a nearby property where just yards away, a half-dozen fatigues-clad men are practicing their aim with sniper rifles. Standing under a makeshift awning, the men train their sights on an unseen target and fire. The muzzle report reverberates loudly across this rural Murfreesboro neighborhood just off of U.S. Route 41.

Although there are no attack dogs present, Marvin is nervous. In the years since men with guns have been utilizing this stretch of private property as a dedicated firing range, he's never seen them this close. But each time a shot is fired, he mutters a plea to the divine. Like others of his neighbors who spoke to the *Scene*, he's scared by the prospect

of military-grade weaponry — including reports of large-caliber weaponry powerful enough to stop a tank — being fired so close to his home.

But after sustained inquiry, Marvin discovered that the gun-toting men were members of the Rutherford County Sheriff's Department's Felony Arrest Search Tactical (FAST) squad — one of hundreds of SWAT-like paramilitary law enforcement units across the nation that have become increasingly visible in the wake of the police brutality that marked the early days of the Occupy Wall Street movement.

"I've been writing about this issue for about six years, trying to pitch a book on it, and it got no reception until the Occupy stuff happened," says Radley Balko, the Nashville-based *Huffington Post* investigative journalist who has reported exclusively on the increasing militarization of American police departments. Balko, who will speak 6:30 p.m. Monday, Feb. 13, at Vanderbilt's Buttrick Hall 206 about his upcoming book, says that while the Occupy clashes brought the issue of paramilitary police squads to the fore of public discourse, "This issue has been going on for more than 30 years."

Balko says there has been a 1,500 percent increase in SWAT deployments across the county since the early '80s — i.e., the birth of the modern-day War on Drugs — and that those deployments are often for minor offenses, usually drug-related. He cites an infamous incident last year in which the U.S. Department of Education dispatched a federal paramilitary team to the Stockton, Calif., home of Kenneth Wright for reasons the department won't elaborate on, citing a pending investigation.

"Why in the hell do they [the Department of Education] have a SWAT team in the first place?" Balko asks rhetorically. "Unfortunately, we've become too comfortable with this idea of cops dressed up like soldiers breaking into people's homes in the middle of the night. ... I don't know if I should say we should all be paranoid, but the paranoid people are closer to being right than the public that has gotten too comfortable with this."

As it turned out, the DOE got the wrong man — or woman, actually. The feds were after Wright's wife, who wasn't home — rendering Wright's alleged six-hour detainment in a sweltering patrol car a constitutional calamity.

According to the libertarian Cato Institute, paramilitary police raids in Tennessee are not without controversy, either. In 1999, Lexington, Tenn., resident Stacie Renae Walker was shot and killed by police following an inaccurate tip by an informant alleging she possessed methamphetamine and marijuana. In 2002, Memphis gravedigger Jeffery Robinson was killed by police following a botched drug raid, which also involved an inaccurate informant who alleged Robinson sold drugs at the cemetery where he worked. (A grand jury found in October 2004 that police planted a box-cutter on Robinson to justify the shooting.)

More recently, a SWAT team accompanied the Tennessee Highway Patrol–led crackdown on Occupy Nashville last October, which netted 58 arrests — in full disclosure, one of them was mine, on charges eventually dropped — that were ultimately declared unconstitutional by night court magistrate Thomas Nelson, who ordered those arrested immediately released.

"SWAT teams are a perfectly legitimate use of force when you're using violence to defuse an already violent situation," says Balko, who in a 2006 research paper argued that botched police raids are the rule, not the exception, putting both civilians' and officers' lives at unnecessary risk. "But that's not how they're used; they're overwhelmingly used to create a violent situation where there wasn't one before."

In an interview, the Rutherford Sheriff's FAST commander, Sgt. Chris Kauffman, downplays such concerns. He is proud of his job as leader of the county's first line of defense against any and all threats, and was promoted to his current position last year. He dismisses the concerns of Marvin and others as paranoia and denies the shooting range was putting residents in jeopardy, due to the ballistics of the rounds they use and the overall length of the range — some 2,370 feet — which is bounded by several residential properties.

Kauffman — along with Maj. Jacoby O'Gwynn — stresses that the department was perfectly within the law to utilize the private property as a shooting range, despite the lack of a backstop which would absorb the munitions. But for whatever reason, the department will no longer utilize the property at 7380 Cobb Road, opting instead to practice on a range at Arnold Air Force Base in Tullahoma in addition to their on-site firing facility at Rutherford Sheriff's headquarters.

Kauffman and Jacoby confirmed that FAST officers were on duty during the training and used only department-issued weapons and ammunition. According to documentation they provided, FAST has used the Cobb Road range only four times since July 2011. Attempts to contact the owner of the property were unsuccessful.

Training documents and equipment requisition forms from 2008 and 2009 provided by the Rutherford County Sheriff's Department that were reviewed by the *Scene* offer a mere glimpse of FAST's hardware prowess: eight night-vision goggles; nine Heckler & Koch MP-5 submachine guns (which the department ultimately replaced with the higher-powered and longer-range M-4 assault rifle); pole-mounted Sony digital cameras — even a tactical home-entry training manual published by private military contractor Academi, née Blackwater Worldwide.

As of 2009, the department was seeking an armored personnel carrier through grants offered by the U.S. Department of Homeland Security. Such grants account for roughly 60 to 70 percent of their funding, according to Kauffman.

When asked why the need for such equipment in Rutherford County (population 262,000), Kauffman explained that they must be prepared for anything, including biochemical terrorists attacks or events like the March 11, 2004, Madrid train bombings.

"It's insane," Balko counters. "No terrorists are going to attack rural Tennessee. It's just not going to happen."

The *Scene* also contacted the Murfreesboro Police Department concerning reports that it has utilized the Cobb Road range for similar training purposes. Public information officer Kyle Evans initially declined to comment and denied that any training records existed involving the property, but sent an email later confirming the training sessions.

"The training took place at various locations including Cobb Road," Evans wrote. "Training at Cobb Rd was conducted no more than 4 times last year. A total of 8–10 shots were fired each time. MPD will no longer use this private property."

Evans also revealed that Murfreesboro police have fired .50-caliber anti-tank weaponry on the property, but have not done so since 2006. Kauffman said the sheriff's department was also in possession of a .50-caliber weapon, which was donated by Murfreesboro-based arms manufacturing company Barrett (whose founder, Ronnie Barrett, is famous as the inventor of the first shoulder-fired .50-caliber rifle). According to the sergeant, though, they never used it and eventually gave it back.

But residents say they've heard shooting on Cobb Road as recently as last weekend — though who was firing is unclear. They wonder if it will ever end.

"It's been going on for years," says A.J. Mullins, a neighbor of Marvin's who has lived off U.S. 41 for 35 years.

"My only concern is the noise pollution. In the summertime, maybe I want to sit out on my patio and have a glass of iced tea, but you can't hardly do it," he says. "I've got grandchildren, and they want to run in the house when they start shooting, and sometimes it goes on all day long. It bothers me."

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