



Lawmaker Seeks More Transparency for SWAT Team Raids

By KEN BRAUN | June 18, 2011

The part-time mayor of an upper middle class Maryland suburb of Washington, D.C. found himself and his mother-in-law handcuffed in his own home by a Prince George's County SWAT team one July evening three years ago. His two black Labrador retrievers had been shot dead, the second one from behind as it fled the officers who had broken into the home in a 'no knock' raid as part of a drug investigation. Five months later, Berwyn Heights Mayor Cheye Calvo and his entire family had been cleared of all wrongdoing and suspicion, but the county police were still refusing to provide documentation to justify why they had violently entered the home of an innocent man.

One expert analyst on SWAT raids says the use of them for non-violent offenders, let alone innocent targets, has become alarmingly routine, yet way under the public radar because most of the targets are not as high profile as Calvo. A Michigan lawmaker will soon introduce legislation aimed at giving citizens a better look at what their militarily-equipped police teams are up to.

Rep. Tom McMillin, R-Rochester Hills, will be seeking co-sponsors for a bill that would require an annual report from police agencies regarding how often they deploy their SWAT teams. Largely due to Calvo's influence, a similar bill was swiftly approved in Maryland following the raid on his home. The results of the very first reports were sobering, showing that Maryland's SWAT teams raided buildings on an average of 4.5 times per day during the last six months of 2009.

And in Prince George's County, the police department that hit Calvo's home reported that half of its SWAT raids were conducted for investigations of misdemeanors or non-serious felonies, according to Radley Balko, formerly a senior editor for Reason Magazine and now a senior writer with the Huffington Post.

"That means more than 100 times last year Prince George's County brought state-sanctioned violence to confront people suspected of nonviolent crimes," wrote Balko, shortly after the report was released. "And that's just one county in Maryland."

Balko has been researching and reporting on SWAT raids for several years. While working for the Cato Institute in 2006, he authored a comprehensive examination of the history and impact of SWAT deployments. In "Overkill: The Rise of Paramilitary Police Raids in America," Balko gives accounts of what he says are 150 'botched' raids. He also notes one estimate showing that as many as 40,000 SWAT raids may be happening each year – a steep increase from the early 1980s when they were "largely confined to extraordinary, emergency situations such as hostage takings, barricades, hijackings, or prison escapes."

Where Balko is convinced that there is a general and serious national problem with the use of militarized police units, McMillin is just looking for answers and is quick to stress that his bill is not intended to criticize the police who must follow these policy orders, nor even necessarily much of the general policy surrounding SWAT raids. Instead, he believes the public is entitled to more information and greater transparency from its government.

"We're not talking about traffic tickets," he said Friday evening. "We're talking about police using automatic weapons,

sometimes flash grenades, and busting down doors. Shining a light on these activities is something simple and would keep citizens informed about these kinds of activities.”

As an example, McMillin notes the May 2010 death of 7-year old Detroit Aiyanna Jones. The Detroit Police Department’s SWAT team raided the home where she was sleeping in search of a murder suspect who was indeed at the location and surrendered without incident. No rounds were fired by the occupants of the home, but one officer’s gun was discharged, hitting only Aiyanna with a fatal shot to the neck. The police initially claimed that the girl’s aunt had reached for the officer’s weapon, but later backtracked from the claim.

The Detroit News reports that the officer who allegedly fired the weapon has previously been accused in a federal lawsuit for “being part of a team that broke into a home, shot two dogs and pointed a pistol at children, including an infant.”

Mayor Cheye Calvo filed a lawsuit following the incident that led to the death of his two dogs and reached a settlement with Prince George’s County that included an undisclosed amount of money. Calvo also told a local TV station that “the county has agreed to come up with new protocols in the way SWAT teams operate. Protocols that will include guidelines on how to treat animals in the course of a raid.”

Controversial Detroit-area attorney Geoffrey Fieger is representing the family of Aiyanna Jones in their wrongful death lawsuit against the city. One legal expert asserts in the Detroit News that "If the version of the facts that have been reported by Mr. Fieger is proven to be true, the city of Detroit will likely face a substantial settlement or perhaps an even greater verdict rendered against it. The potential for a multimillion-dollar verdict would have no clear ceiling in my estimation."

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