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RISKY BUSINESS

Warrant service is killing cops

By Julius (Jay) Wachtel. Aggressive policing is back in style. With support from [NIJ](#) and university-based researchers, police departments across the U.S. have implemented a variety of hard-hitting, targeted approaches to combat violence and get guns off the street. Assessments of their efforts have been largely positive. Of course, whether it's Boston's new and improved [Ceasefire](#), Memphis' [Blue CRUSH](#) or Philadelphia's [Operation Pressure Point](#), in the end it all comes to the same thing: cull violent men from the streets and send them to prison for a very long time.

What's seldom pointed out, though, is that not all the bad guys get "culled" right away, and many who do are released before trial. Indeed, for the most serious crimes, such as murder, enough evidence to file charges may not be developed for weeks or months, leaving dangerous men – the "worst of the worst" – free to roam the streets until they're picked up, if at all, on warrants.

Over the years virtually every major law enforcement agency has created specialized warrant service teams. Many work in concert with task forces organized by the U.S. Marshals Service. Dubbed [Fugitive Apprehension Strike Teams \(FAST\)](#), these groups [reportedly arrested more than 90,000 fugitives](#), including nearly 1,000 murder suspects, during 2005-2009. In February 2011 the [Dallas-Fort Worth FAST](#), which includes U.S. deputy marshals and officers from the Dallas and Fort Worth police and sheriff's departments, arrested its 10,000th. fugitive since the team's 2004 inception. Two of its most recent captures were being sought for aggravated robbery; its 10,000th. was a man wanted for the aggravated sexual assault of a child.

Warrant service can be very productive. Just this month, [the Trenton, New Jersey](#) sheriff's fugitive unit worked with deputy U.S. marshals from the New York/New Jersey Fugitive Task Force to capture four highly sought-after fugitives, including three gang members, on warrants charging drug dealing, burglary, aggravated assault and felony weapons offenses. One suspect was surprised at work. Two others were caught at their rural "hideout" and gave up without a struggle. So did the fourth. A member of the Latin Kings, he had bolted into a home and hid in a closet.

Regrettably, not all encounters end so peacefully. And the toll this year has been frightening. On January 20 Miami-Dade detectives [Amanda Haworth, 44](#) and [Roger Castillo, 41](#) were working with a Marshal's fugitive task force hunting a wanted killer. They tracked the man to an apartment and were let in by his mother. Gunfire broke out; by the time it was over both detectives and the wanted person lay dead.

Four days later another tragedy played out in [St. Petersburg, Florida](#). Officers with a fugitive task force were told that the ex-con they sought for aggravated battery was hiding in an attic. They called for backup. Two St. Petersburg police officers not on the warrant team, [Jeffrey A. Yaslowitz, 39](#) and [Thomas Baitinger, 48](#) entered the home and were shot to death. A deputy U.S. Marshal was seriously wounded.

Three weeks later, on February 16, West Virginia [Deputy U.S. Marshal Derek Hotsinpiller, 24](#) was killed and two colleagues were wounded when a man wanted for drug trafficking opened fire with a shotgun. Catastrophe then struck in St. Louis. On March 8 [Deputy U.S. Marshal John Perry, 48](#) was killed and another marshal and a police officer were wounded by a fugitive who ambushed them inside a residence. A tactical unit found the man dead from gunshot wounds an hour later. He was being sought on drug and assault charges.

Members of fugitive squads train together and develop special expertise. However, they and the ordinary cops who come to their aid lack the firepower, protective gear and chemical weapons available to full-fledged SWAT teams. SWAT operations are planned with safety in mind. Locations are surrounded and neighbors evacuated. Suspects are called out or, if necessary, flushed out with chemical munitions. Few if any warrant teams are prepared to take such measures. It's not that they would want to. Turning felony arrests into major tactical events would seriously impair their productivity, allowing dangerous offenders to stay on the streets far longer, or as some fear, permanently.

Dallas PD nonetheless decided two years ago to tip the scales in favor of safety. On January 6, 2009 [gang unit Corporal Norman Smith](#) and other officers went to an apartment to serve a warrant for aggravated assault. They tried to use a pretext to get in but were met with gunfire. Corporal Smith was fatally shot in the face. Dallas PD promptly revamped training and procedures. Carrying ballistic shields and using standard "knock and announce" procedures are now required.

In a [July 1998 overview of "pulling levers"](#) NIJ endorsed the use of aggressive police tactics, including warrant service, as a way to help tame violent drug markets (photos depicting plainclothes cops raiding an apartment appeared on the journal cover.) To forewarn citizens and discourage potential criminals, it recommended that the following message be conveyed to the community in advance (boldface added):

We have three serious crackdowns ready to deploy. They will involve heavy police and probation presence, **warrant service**, and the like. Those arrested will receive special prosecutorial attention and, if convicted to probation, will be put on strict supervision probation regimes; groups and individuals with a history of violence will be screened for added attention by DEA and the U.S. Attorney. We will decide, over the next 2 weeks, where to direct those crackdowns. We will make our decisions based on whether, between now and then, there is any violence associated with your drug market....

Aggressive policing can have unintended consequences. It can anger residents of crime-impacted areas, cause anxious officers to mistakenly shoot innocent persons, and, as discussed above, lead to officer deaths and woundings. NIJ has been inexplicably silent about these side effects. [Now that there's a new director on board](#) – and a criminologist, no less – here's hoping that a more well-rounded approach will prevail.