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A MATTER OF LIFE AND DEATH

In an era of highly lethal firearms, keeping patrol informed is job #1

By Julius (Jay) Wachtel. On October 8, 2016 Palm Springs police officers Lesley Zerebny and Jose “Gil” Vega were shot and killed as they stood outside a residence to which they had been called over a “simple family disturbance.” (Another officer who responded to the scene was wounded but is doing well.) Only moments earlier the father of John Felix, a 26-year old ex-con, had [frantically begged a neighbor for help](#). “My son is in the house, and he’s crazy. He has a gun. He’s ready to shoot all the police.” Tragically, the officers learned that Felix was armed [only after they arrived](#). When they called on him to come out he opened fire with an AR-15 .223 caliber semi-automatic rifle, shooting multiple rounds through the home’s front door.

Officers Zerebny and Vega were wearing soft body armor. Given the weapon used, we can assume that it was ineffective. Due to their extreme velocity, .223 caliber (5.56 mm) and similar rifle ammunition [readily penetrate the soft body armor](#) that street cops typically wear. Specialized ceramic or hard metal inserts can stop these rounds, but vests so equipped are too heavy and uncomfortable to wear on patrol. (Felix reportedly used “armor-piercing” ammunition whose composition and construction is intended to pierce armor plates. But ordinary .223 rifle ammunition readily defeats soft body armor.)

And the bad news doesn’t stop there. Once high-velocity projectiles strike flesh they cause devastating wounds, creating temporary cavities that can be more than ten times the projectile’s diameter, affecting large areas of tissue and damaging or destroying nearby organs. ([Gunshot Wounds](#), DiMaio, p. 152)

Felix’s weapon, the Colt AR-15, is specifically banned under California law. Enacted in 1989 after a deranged man used an AK-type rifle to kill five children and wound dozens more in a Stockton schoolyard, [the State’s “assault weapon” ban](#) prohibits the possession of certain enumerated weapons including the AR-15. More generally, the law bans any semi-automatic, centerfire rifle that has one or more of certain external features such as a handgrip, requires that ammunition magazines for semi-auto rifles be removable only with a tool, and limits magazine capacity of semi-auto pistols and rifles to ten rounds. (A similar but weaker Federal law was passed in 1994. For more about that statute, which expired in 2004, click [here](#).)

Eager to safeguard their best-selling, most profitable products, gun manufacturers [adjusted to the original bans](#) and to every tweak thereafter, promptly renaming weapons on the “bad-gun” list, stripping rifles of external baubles such as handgrips and flash suppressors, and limiting magazine capacity to ten rounds. When California tried to impair quick reloading by requiring that magazines only be removable with a tool, savvy entrepreneurs quickly [devised a simple add-on](#) that uses a bullet tip to drop empties (hence, the infamous “bullet button.”) In time [the state countered](#) with an [amendment](#), to be effective next year, that rifles be so configured that reload necessitates a partial “disassembly.” As one might expect, [an easy workaround](#) is already being marketed. Bottom line: citizens can select from a veritable cornucopia of “Federal” and “California legal” weapons that comply with every restriction that’s been imposed but are in most important aspects functionally identical to the bad old “assault rifles” they replaced. (For a taste simply Google “semi auto rifles California legal.” [Here](#) is one example.)

All through this decades-long struggle, the elephant in the room – ballistics – has been studiously ignored. Despite the carnage – in 2015 [nearly as many deaths](#) were caused by guns (33,736) as by motor vehicles (33,804) – America’s gun makers continue enthusiastically marketing firearms whose projectiles defeat protective garments worn by police and inflict potentially life-threatening wounds nearly anywhere they strike. While some States have addressed peripheral issues such as magazine capacity, Government experts are well aware of the lethality of .223 and similar projectiles, but the imperatives of politics and commerce apparently demand that lawmakers look the other way.

We’ve had a lot to say about such things before (see, for example, “[A Ban in Name Only](#)” and “[Cops Need More Than Body Armor](#)”). Here, our focus is on mitigating the risk. According to the FBI, between 2006-2015 [nineteen officers were killed](#) by bullets that penetrated body armor. (The toll of those injured but not killed is unknown.) All these deaths but one were caused by rifle ammunition. Assumedly, most of these cops, like most of those who battled the perpetrators of the recent [San Bernardino massacre](#), weren’t “militarized”: they were ordinary patrol officers, using ordinary police cars, wearing conventional, soft body armor. (That’s probably true everywhere. FBI statistics indicate that only [seven of the 41 officers killed in 2015](#) were specialists engaged in a designated “tactical situation.”)

Had the citizen who called Palm Springs PD (reportedly, the shooter’s mother) alerted dispatch about Felix’s threat to kill officers, and that he was armed with a rifle, the information would have certainly been passed on, and officers Zeregnny and Vega would have undoubtedly chosen a different approach. But as their distraught chief later

pointed out, the call came out as a “simple” family disturbance. Alas, if there’s a takeaway from this tragedy, it’s that little is “simple” anymore. The civilian firearms market [has become so militarized](#) that, regardless of how minor a situation might seem, it’s become imperative to probe every caller about possible threats, and particularly the presence of a weapon.

Naturally, what’s important can’t always be gleaned over the phone. What else can be done?

- Some States and localities have gun purchase and/or registration databases that can be queried by name and address. While this wouldn’t have helped in Palm Springs (the killer’s weapon was supposedly stolen) it might have prevented the infamous [Santa Barbara massacre](#) of April 2014.
- Information about prior calls and outcomes is of course important. That’s why it’s imperative to collect everything that’s potentially useful, index it by name and address, and make it instantly available to patrol.
- Individuals with violent histories and those on probation and parole can be flagged. Entries should include an account of their past offending and whether violence was involved. (The Palm Springs suspect, a notorious gang member, had done prison time for a shooting. His brother is currently incarcerated.)
- Members of the public can be solicited for information about mentally disturbed family members.

One might think that in a time of Internet-connected cell phones and mobile data terminals cops no longer need rely on dispatch to warn them of possible risks. That couldn’t be farther from the truth. Officers caught up in the hurly-burly of taking calls need knowledgeable, inquisitive souls with ready access to a wide range of information to help keep them safe, or as safe as possible. In this brave new world of ballistic threats, a robust, patrol-oriented information platform isn’t a luxury: it’s a pressing need.