

Posted 5/30/10

BIGGER GUNS AREN'T ENOUGH

Cops need protection from rifle rounds, not just the ability to shoot back



“Brandon and Bill had no chance against an AK-47. They were completely outgunned.

We are dealing with people who rant and rave about killing. They want government officials dead. We had a 16-year-old better armed than the police.”

By Julius (Jay) Wachtel. Five days after a father-and-son duo of right-wing extremists [opened fire during a traffic stop](#), killing West Memphis police sergeant Brandon Paudert and officer Bill Evans, chief Bob Paudert, the late sergeant’s grieving father, came to roll call to help his officers deal with the deeply traumatic experience of losing two beloved colleagues.



On May 13 sergeant Paudert (left) and officer Evans were on patrol when a white minivan with Ohio plates caught their attention. They pulled the vehicle over and approached its driver, Jerry Kane, 45. What they didn’t notice, at least not in time, was that Kane’s son Joe, 16, had grabbed an AK-47 rifle that his father always carried in the vehicle. Within moments both officers lay dead.

The van sped away. It was later spotted in a Wal-Mart parking lot. As sheriff Dick Busby and his top deputy, W. A. Wren approached the vehicle shots rang out, wounding both. Other officers then rushed in and enveloped the van in a hail of gunfire, killing both occupants.

A self-styled [sovereign citizen](#), Kane traveled around the midwest [coaching homeowners fighting foreclosure](#). Kane's services were [advertised on an extremist website](#). Visitors were encouraged to print out letters advising creditors that they were due nothing because the entire mortgage process is a fraud. (There's even a sample complaint letter to send to the FBI.)

Kane also posted debt nullification and patriot videos on YouTube. One, featuring Kane and his son chuckling about "taking a bat" to an IRS agent, carries the father's prophetic threat: "I don't want to have to kill anybody, but if they keep messing with me, that's what it's going to have to come out...And if I have to kill one, then I'm not going to be able to stop, I just know it."

Kane wasn't just talking. Recently while driving through New Mexico he encountered a police ("Nazi") checkpoint. Unable to produce a driver license or identification – as a "sovereign citizen" he didn't feel that he needed either – he turned a simple ticket into an arrest and jailing. Indeed, as far back as 2004 his antagonistic attitude towards police had so [worried an Ohio sheriff](#) that he warned deputies to be wary should they run into him.

Kane's legacy is defended by a number of supporters. With his passing they've [posted a memorial](#) that praises Kane's patriotism and questions the official account of his and his son's demise.



On April 26 Nye County (Nev.) sheriff's deputies [responded to a call](#) about a domestic argument with shots fired. Diverting to a nearby casino where the woman supposedly went to take refuge, they encountered her male partner in the parking lot. Without warning the man retrieved an SKS semi-automatic rifle from his vehicle and opened fire. Deputy Ian Deutch, 27, was struck and killed by a round that penetrated his body armor. A member of the National Guard, the deputy had just returned from a tour in Afghanistan.

Both the AK-47, its commonplace MAK-90 variant (depicted) and the SKS use the 7.62 x 39 rifle cartridge, often called the Russian cartridge because of its adoption by that country's armed forces. Federal Cartridge Company's fully jacketed, [124 grain version](#) has a muzzle velocity of



2350 fps and a muzzle energy of 1520 ft/lbs. To



compare against typical

handgun ammunition, a fully jacketed Federal [9mm. Luger bullet](#) of the same weight has, at 1150 fps., only half the muzzle velocity, and at 364 ft/lbs. only one-quarter the muzzle energy.

It's the velocity, hence the energy of centerfire rifle ammunition that explains why an ordinary [.30 caliber carbine bullet](#) (1990 fps, 967 ft/lbs.) can penetrate all soft body armor commonly worn by police. Resisting penetration from centerfire rifle bullets requires hard panel inserts. [NIJ](#) tests these using conventional and armor-piercing 7.62 mm ammunition. As one might expect, the resulting garments, known as Type III and IV, are far too heavy, hot and clumsy for use on patrol. (Left: [Rank Enterprises](#) type III, non-armor piercing vest with alumina panels.)

Centerfire rifle bullets cause devastating wounds. According to Di Maio ("Gunshot Wounds," 2nd. Ed.) as these projectiles traverse tissue they create a temporary, undulating cavity that can be as much as 12.5 times the bullet diameter. "Organs struck by these bullets may undergo partial or complete disintegration. The pressures generated are sufficient to fracture bone and rupture vessels adjacent to the permanent wound track but not directly struck by the bullet." (p. 171)

FBI's most recent [Law Enforcement Officers Killed and Assaulted](#) report indicates that 486 law enforcement officers were feloniously killed with firearms between 1997-2008. Ninety (18.5 percent) [were shot with rifles](#). Forty of these fatalities were caused by [7.62 x 39 ammunition](#), used in the AK-47, its MAK-90 variant and the SKS. In second place, responsible for twelve deaths, was the .223 caliber, used in the Colt AR-15, Colt Sporter, Ruger Mini-14 and assorted variants. (It's likely that 7.62 x 39 ammunition figures so prominently because American importers brought in huge numbers of MAK-90's from China, where they were manufactured for the U.S. market.)

Sixty-four percent (309) of the slain officers were [killed while wearing body armor](#). Two-hundred ninety-one died from strikes in unprotected areas, with head

shots (115) predominating. One-hundred officers succumbed to [wounds in the torso](#). Of these, 82 were struck in unprotected areas, including armholes and shoulder (38), below the vest (15), above the vest (13) and between side panels (11).

[Rounds penetrating the vest](#) caused eighteen fatalities. All but one involved rifle ammunition (the sole exception, a death caused by a 9mm. pistol, was attributed to a failure of vest material.) Six were caused by 7.62 x 39 ammo, four by .223/5.56, two each by .30-06 and .30-30, and one each by .300, .308 and 7mm.

In 2009 things took a turn for the worse. According to [preliminary FBI data](#) 48 officers were feloniously

killed, an increase of seven from 2008. All but three fell to gunfire, and a full third (15) to rifles.

The latter group includes two incidents with three or more fatalities, the shooting deaths of [three](#)



[Pittsburgh officers](#) and the wounding of two by a deranged youth armed with an “assault rifle” and a pistol, and the gunning down of [four Oakland officers](#) (right) by a wanted parolee, two with a handgun and two with an “assault rifle” that he fired through a closet door as SWAT stormed in.

Officers continue to be imperiled by rifles. [In an example](#) earlier this year a 44-year old Pennsylvania man killed his wife, then fashioned a “perch” from which he shot and killed a trooper responding to what he thought was an ordinary domestic quarrel. The weapon used? An equally “ordinary” .30-30.

Realizing the threat that they and law-abiding citizens face, police rightfully clamor to carry rifles. [Three weeks ago](#) a Los Angeles County sheriff’s deputy on patrol heard rapid gunfire. Fetching his department-issue AR-15, he arrived at a residence just in time to wound and disable a man who had just shot up a home with an AK-47, killing three and wounding two, and was apparently on his way to shoot others. That, too, was a domestic quarrel.

Of course, better arming the police isn’t a complete solution. Cops can’t brandish rifles or handle every call like a tactical assault, and should someone be unexpectedly lying in wait, as happened in Pittsburgh and rural Pennsylvania, there may be no opportunity for self-defense. (The West Memphis chief [reportedly instructed his](#)

officers to henceforth handle traffic stops in pairs, with one carrying a shotgun, but the long-term viability of that approach seems questionable.)



What about reinstating the 1994 Federal assault weapons ban? In [Reviving an Illusion](#) we pointed out that the “ban” was crafted to pose the least

possible impediment to the gun industry, focusing on meaningless external characteristics such as flash suppressors and pistol grips while avoiding the key issue of ballistics altogether. Colt, for one, quickly circumvented the law by renaming the



AR-15 the “Sporter,” removing the flash suppressor and limiting magazine capacity to ten rounds. Naturally, Sporters continued to chamber the same ammunition – the [super-lethal .223 cartridge](#) (muzzle velocity 3240 fps, muzzle energy 1282 ft/lbs.) Here’s some of what the [Violence Policy Center](#) had to say when the “ban” came up for renewal ten years later:

The 1994 law in theory banned AK-47s, MAC-10s, UZIs, AR-15s and other assault weapons. Yet the gun industry easily found ways around the law and most of these weapons are now sold in post-ban models virtually identical to the guns Congress sought to ban....”

It’s clear that the firearms industry intends to keep marketing ever more lethal semi-automatic rifles and that nothing to change that is on the horizon. So one would think that the government would be pulling out all the stops to give cops more physical protection. Sadly, one would be wrong. As we pointed out in [DNA’s Dandy, But What About Body Armor?](#) practical improvements have been glacial, with soft body armor that’s suitable for patrol now somewhat more comfortable but no more resistant to bullet penetration than twenty years ago.

Really, considering what street cops face there ought to be a body armor Manhattan Project, but Federal funding has been stingy and leadership scant. What’s to be done? Well, if you’ve read this far, stop what you’re doing, get on the horn (or keyboard) and press the IACP, PERF, Major Chiefs and DOJ to establish a vigorous, coordinated, well-funded program to improve police body armor, not in another two decades, but tomorrow.

With ballistic threats reaching ever-higher levels, we need to give our cops a fighting chance. It's the least we can do, for them and ourselves.