

Warrior or guardian or both?

Effective counter terrorist tactics and police integrity, to shoot or not to shoot: is this the question?

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Abstract

As we proceed to safeguard democratic principles, with the assistance of law enforcement organizations on the ground, we continue to encounter the challenges of the mandate to use coercive force as one of the most extreme tools in the toolkits of our officers. It has been a long term belief of this author, that the more civilized we become as a society the more we resent the concept of coercive use of force as a solution to the myriad of problems we need to solve to safeguard the so highly cherished democratic principles. This article will focus on the three challenges we need to address and incorporate into law enforcement training and especially counter-terrorist training, at the basic academy level, in order to achieve a more effective and less criticized performance of the officers charged with delivering the impossible: preventing and solving violent crimes with much less violent means. In order to do the impossible we need to integrate the following 3 concepts: technology, quality and performance. While the first concept appears to be fairly self-explanatory the two others seem to be more complicated. Yet, enabling the best possible future had always been one of the main challenges facing scholars and not just in the field of law enforcement and this attempt to identify what needs to be done is just another endeavour to create the best possible template for effective and respected law enforcement.

Technology: policing is hard on democracy

In the 21st century, it has become quite a cliché to talk about the importance of technology in daily enforcement strategies and tactics. However, the unchallenged truth about effective enforcement is tied directly to the legitimate nature of policing. Without the trust and legitimacy attributed to law enforcement tactics there is no real way to safeguard our democratic principles and continue policing as a respected profession that will not only attract the best and the brightest candidates but will also generate the highest possible respect from the public. Given the recent de-

velopments in the way police forces are perceived by its publics around the world this might seem however unrealistic, but the need to at least attempt to reach these high standards is long overdue and cannot be postponed any longer (Haberfeld, 2016).

The continues and endless coverage of any high profile law enforcement response, is especially true with regard to terrorist attacks and active shooter situations that might or might not be ideologically motivated. Over half a century has passed since Berkley (1969) mentioned the idea of *Policing Being hard on Democracy*, and as much as his concepts rang true in the aftermath of the Civil Rights era of the 1960s, they have be-

come much more important with the advent of new technologies. This includes two types: the technologies that track and report police conduct and misconduct, like the various smart phone, cameras and related devices; Secondly, the technologies representing military high grade equipment, normally used in remote global locations to decimate enemies of the nations and now used by various law enforcement tactical units to eliminate the enemy within, in the cities and villages populated by civilians. Further, in the 1980s Tyler and Folger (1980) found that when citizens call the police for assistance or are stopped by the police, their perception of the fairness of their treatment by the police has an impact upon their satisfaction with the police that is independent of whether the police: (1) solve the problem about which the citizen calls; or (2) cite the citizen they have stopped for a violation of the law.

While the idea of knowing the key to failure, by trying to satisfy everybody, appears to be yet another cliché we struggle with while trying to devise the most effective counter-terrorist responses the power of negative perceptions cannot be ruled out from our attempts to achieve legitimacy from the public we police.

The ever present concept that the criminals amongst us do not come from some extraterrestrial space but rather, increasingly so, are home grown with parents, siblings, friends and supporters, we need to address the interrelated issues of effective response paired with much effort to legitimize the nature and scope of this response.

The use of force never looks pretty, and in the era of counter-terrorist and active shooter response it will continue to look even uglier and the proliferation of various visuals of the aforementioned responses, over the multitude of media and social media outlets, who continue to manipulate the way such images are presented to the public, requires a proactive approach on

the part of local law enforcement. Such a proactive response can be achieved in the most successful manner through an elevation of standards for recruitment, selection and training with a simultaneous public relations campaign aimed at the public, through which the necessary steps that need to be taken by the first responders are explained and justify **prior** to any high profile event and not in the aftermath (Haberfeld, 2013).

Technology: or maybe democracy is hard on policing?

Crazy, crusader or criminal?

The discipline of marketing and communication are well developed in other spheres, both public and private, unfortunately, this has been one of the weakest points of any law enforcement agency (Haberfeld and Cerrah, 2007; Habersfeld, 2013). Not only it is very challenging for local law enforcement to explain why they do what they do, it is also frequently something they are prohibited from doing, for various political considerations. Well, the time has come to revisit the way policing is presented to the public, especially with regard to counter-terrorist response on the ground and the necessitated tactical response, which includes the use of deadly force or in other words: *to shoot or not to shoot: is this the question?*

Fredrik Hacker (1977) coined the term of *Crazy, Crusade or Criminal* when discussing the most effective police response when dealing with a hostage situation. Although his theoretical framework has been ignored by local law enforcement agencies throughout the world, for more than 5 decades, most recently, in the aftermaths of many high profile events police departments around the United States and some other countries, started to incorporate Hacker's ideas into their active shooter training.

Crazy,	Crusader or	Criminal?
1. Motives and goals clear only to the perp.	Motives and goals driven by a 'higher cause'	Motivated by personal goal and profit
2. Willingness to negotiate limited	Rarely willing to negotiate	Willing to negotiate
3. Expectation of survival strong but not realistic	No substantial expectation of survival	Strong expectation of survival

While it is finally gratifying to see the incorporation of Hacker's vision from decades ago into the 21st century tactical response on the ground, much work

still needs to be done in order to pacify the critical audiences that already had and, undoubtedly, will continue to raise their voice in anger when faced

with the scenario which includes the following variables:

What if the crazy, crusader or criminal is:

1. A child
2. A pregnant woman
3. A disabled person

It is our duty as law enforcement scholars and practitioners to ensure that the public is ready and well-informed about the real possibility and challenges involved in countering, effectively and safely, perpetrators who represent the traditionally viewed 'vulnerable' populations like children, pregnant women and disabled persons. The time has come to look, very seriously, not just at our response on the ground but also at the quality of our recruitment and selection standards in order to counter the critiques, achieve legitimacy and enhance performance that will, ultimately, lead to a safer and more effective tactical response (Haberfeld, 2012; Habelfeld and von Hassell, 2009; Habelfeld, Clarke and Sheehan, 2011).

The terror attack in Nice, France, July 2016 — Some questions to ponder

In order to highlight what needs to be done and what exact parameters were missing from the law enforcement response on the ground, an example of the terrorist attack in Nice, France in July of 2016 is presented. Despite a multitude of possible explanations that could attribute the blame for the inadequate response to the event in Nice on, among other routinely offered justifications by many law enforcement agencies that have a relatively limited experience in tactical response to various mega attacks, the manpower shortage and deficiency in training of the municipal police forces, it is imperative to ponder about possible responses to the following two questions, as they are tied directly to the type of standards for recruitment and training that are advocated for in this article.

1. What are the short term, immediate, training needs from the tactical aspect to ensure the most effective containment of the terrorist attack while minimizing the number of casualties?

2. What are the mid and long term educational needs that will emphasize the necessity to develop new training modules on ethics, to ensure that officers authorized to use deadly force, prior to actual crime being committed, but based on the totality of circumstances, will not abuse the rights of their office but use this discretion with the ultimate caution and ethical considerations and will be ready to report forms of misconduct while witnessing such?

There are no easy answers to the above questions, that will not be met with various forms of criticism, primarily based on a long held belief that effective response to crime, in general or more specifically to terrorist attacks, is primarily related to manpower. Although there is some truth to the idea that more officers will make it more difficult for people determined to commit crimes to be successful in their endeavours, it can also be posit that it is about tactics and common sense that seems to be missing from the current response. For one, learning from the past is always a very good idea when one prepares for the future attacks but, it becomes a much better idea when it is paired with creative imagination that takes into consideration customized circumstances and possible scenarios that are not based on events past but rather on the ability and willingness to execute them (Okochi and Habelfeld, 2013).

Looking at the unfortunate events in Nice, one could very easily identify the weaknesses in the proactive preparedness and the actual response on the ground. While keeping in mind the shortage in manpower and resources, it is not hard to envision effective training modules that can be based on hypothetical scenarios, created by the officers themselves while scanning the environment they police for generic targets like high profile events, locations and people. It is one of the most cost-effective ways of training officers, when you engage each one of them in creation of hypothetical threats and ways they can be addressed, while identifying possible resources and the highest priorities. It is beyond the scope of this article to go into these concepts with any further details as they should be worked on by each and every law enforcement agency that feels seriously about the level of threat directed at their jurisdictions.

The final transition from these paradigms into the quality dimensions of such responses has to do with

who are the police leaders involved in creative thinking that will enable the most effective, cost rigorous and ethical tactics that will not only engage the public in understanding why officers did what they did but will also ensure that future attacks will be minimized and mitigated based on the successful level of reaction.

The second dimension of a successful counter — terrorist approach has to do with the quality of response. Not necessarily the purely tactical/operational response but rather the thinking behind the plans and actions. It is no secret that the general public, the one on whose legitimate approval democratic policing is so dependent upon, does not have much admiration for the profession itself (Haberfeld, Walancik and Uydess, 2002). Effective counter-terrorist response however, is only as good as the support from the general public, paired with the understanding of what needs to be done and why.

For decades now, scholars started to look at individual intelligence as a function of 4 separate categories; IQ or the Intellectual intelligence, EQ or the emotional intelligence, SQ or the social intelligence and CQ or the change intelligence (Clawson, 2006). While most people are quite familiar with what the IQ entails, very few know how important the other 3 types of intelligence are for effective policing, especially when it comes to the discretionary process of the use of deadly force. For police officers charged with the authority to use deadly force in a proverbial split second decision, or using the more up-to-date terminology, a nano-second decision, the ability to have a high EQ which means that he/she has a good grasp of their own emotions, is absolutely critical. This intelligence needs to be paired with high SQ or the ability to understand the emotions and feelings of others and the CQ that allows him/her to adapt, rapidly, to the changes in the environment and the Standard Operating Procedures of a given police organization.

Quality: in search of the qualified officer

SL = High IQ + High EQ + High SQ + High CQ

In the second half of the 20th century human intelligence received a totally new and different orientation and understanding as social scientist began looking at intelligence as a social rather than physical phenomenon.

New levels of intelligence were identified, dividing this quality into four specific categories:

1. Intellectual intelligence = IQ
2. Emotional Intelligence = EQ
3. Social Intelligence = SQ
4. Change Intelligence = CQ

(Haberfeld, 2012, 2013).

What if the new leaders are the ones who need to be developed from the earliest stage of their careers?

It has been a topic of some debate, whether leaders are born or made and what constitutes leadership traits. Early trait theory, also known as the 'Great Man' theory held that leadership characteristics were innate, fixed and relevant to all situations (Hollander and Offermann, 1993). In the nineteenth century, the leadership traits included physical characteristics such as height (Bryman, 1992).

A pure trait approach is characterized by viewing personality traits as determining leadership in isolation. Particular situations, or the context of the individual possessing the traits, are not emphasized (Stogdill, 1974; Bass 1990). From approximately 1900 to 1940 leadership researchers attempted to establish intrinsic traits which differentiated leaders from non-leaders by profiling such leaders as Napoleon, Hitler, Gandhi and Kennedy (Jago, 1982). Sarachek (1968) uses characters in Homer's *Iliad* to build archetypal leadership qualities: Agamemnon represented justice and judgment; Nestor embodied wisdom and counsel; Odysseus possessed shrewdness and cunning; and Achilles represented valour and action (Stogdill, 1974). More modern applications of trait theory emphasize that a combination of personal characteristics contribute to successful leadership, but that situations may also be important (Stogdill, 1974). Many leadership scholars have declared trait theory dead because it failed the test of social science (Owens, 1973; Baruch and Lessem, 1997; Jago 1982), but it continues to appear in modern leadership materials.

Calder (1977) puts forth that leadership is built on traits, but that the traits need only to exist in the perception of others for the leader to be successful. People define others as either possessing or not possessing leadership traits. From this approach, called the *attribution theory of leadership*, the followers' perceptions of lead-

ership qualities determine whether the leader will be effective (Jago, 82).

In addition, Bass (1990) argues that there is an interaction effect between the situation and the traits possessed by the leaders. 'There is no overall comprehensive theory of the personality of leaders. Nonetheless, evidence abounds that particular patterns of traits are of consequence to leadership, such as determination, persistence, self-confidence and ego strength' (p. 87).

Social scientific evaluations of leadership traits (Bass, 1990)

1. Drive for responsibility
2. Completion of tasks
3. Vigour and persistence
4. Originality in problem solving
5. Social initiative
6. Self-confidence
7. Sense of personal identity
8. Acceptance of consequences
9. Tolerance of frustration and delay
10. Ability to influence others' behaviour
11. Capacity to structure social interaction

It is probably safe to say that the correct answer to the query of whether leaders are born or made would be 'both', with a caveat, that there are probably more made than born. One undisputable concept though has to do with the way people, the public in general, perceive the need for solid and ethical leadership as it is probably one of the most craved public desires of our times. Given the sense that police profession, at least in most of the democratic countries around the world, is not considered to be on the list of the top desirable professions and when things go wrong policing is, probably, one of the most criticized professions, at least in the United States, a fresh look at what it takes to be the new and respected police leader, who will be afforded by the public with full legitimacy, is long overdue.

In search of the new leader

- **Intellectual intelligence (IQ)** is the only one identified as a genetic trait, it is revealed in curiosity, honed by discipline and supported by a range of experiences.
- **Emotional intelligence (EQ)** depends upon the level and ability to recognize your own emotions,

the ability to handle them and the level of control one exercise over those emotions.

- **Social intelligence (SQ)** is the ability to recognize emotions in others, the ability to listen and care about others' emotional state and the ability to help others to gain control and manage their own emotions.
- **Change intelligence (CQ)** calls for the ability to recognize the need for change, the ability to understand the change process and a level of comfort in managing it (Clawson, 2006)

What qualifies you to be a successful leader?

What are then the ultimate qualifiers for a successful law enforcement leader, one who will receive full support of the public, regardless of how 'bad' the tactical response to a terrorist attack will look like? Based on the 4 types of intelligence identified above, such a successful leader will need to have a combination of high IQ, EQ, SQ, and CQ. This is not to say that a person who does not fit the SL (successful leader) formula cannot be a good leader or a successful one but, the degree to which one is deficient in one of the variables and/or categories of different types of intelligence will significantly affect his/her overall success.

However, the good news is that, from the perspective of police education and training, while not much can be done to increase a person's IQ (although some studies have shown that this is also a real possibility, Lynn and Vanhanen, 2006) honing one's EQ, SQ and CQ are entirely possible and thus our attention should be devoted into creation of training and educational modules that enhance one's ability to excel in these 3 types of intelligence. The ability to translate the combination of these 4 types of intelligence, the IQ, EQ, SQ and CQ cannot not be overestimated when identifying the best possible way to create legitimate and effective tactical responses to terrorist and active shooter situations.

SL = successful leader

This is not to say that anybody who does not fit the SL formula cannot be a good leader or a successful one, but the degree to which one is deficient in one of the variables will significantly affect his/her overall leadership success, thus:

SL = High IQ + High EQ + High SQ + High CQ

Performance: integrity management as an essential tactical concept

Finally, to compliment the concepts of technological advances and the accountability awareness they create for an effective tactical reaction one needs to look at the integrity level of any police force as part of the effective tactical response. The 5 Step Approach to Integrity Management, developed by a team of researchers headed by the late Carl Klockars (2003; 2006) over a decade ago, one that this author was part of, is presented here as a necessary building block for an effective counter-terrorist training and education (Klockars, Ivkovich and Haberfeld, 2003, 2006; Haberfeld, Klockars, Ivkovich and Pagon, 2009; Ivkovich and Haberfeld, 2015).

Why we need to ensure that Integrity becomes a part of a tactical response

The main reason why we need to be concerned with the level of integrity in any police force has to do with the themes introduced under the concept of *Democracy is hard on Policing*. While nobody questions the need for legitimacy for any democratic police force, it is hard to achieve the desired level of legitimacy when a given force is not recognized for its integrity. This is especially true when a given police force response is judged by the public in high profile situations where use of deadly force became a necessary tactic.

One of the first steps in the Integrity Management formula is asking the officers about the knowledge of their organization's rules. It might come as a surprise to some of the people concerned with education and training of police officers but our research in over 30 countries around the world (Kutnjak Ivkovich and Haberfeld, 2015; 2016) has proved that many officers do not know the rules of their respective organizations and this can become a truly significant part of their emergency response performance and the degree to which their reaction is effective or ineffective, not

just from the perspective of the immediate, short term outcome, but rather from the angle of the long term legitimacy related paradigms.

Is knowing the rules sufficient enough?

If and when, through the appropriate training modules, we can assure that the officers in a given organization actually know the rules pertaining to their tactical responses, it will be equally critical to ensure that they actually support these rules. As stated before, the level of one's SQ and CQ will be critical in properly internalizing and understanding what is at stake if and when such rules are violated and/or ignored.

Is supporting the rules always necessary?

When it comes to supporting the rules of a given organization the EQ of an officer becomes critical. The higher the EQ the better the chances that an officer will follow the rules out of understanding of their importance rather his/her emotional feelings that might prompt them to violate the orders at the heat of the moment. Such violations might occur more frequently than one can assume due to the discretionary nature of police work and especially during the stress generated by the nano-second decision-making process.

When the end justify the means and trump the fear?

Questions 3 and 4 exemplify the need for a combination of high EQ, SQ and CQ. No matter how much training and education officer will receive prior to the engagement in an active shooter or a terrorist attack in progress situation, there are always a myriad of situational variables that cannot be predicted or anticipated ahead of time. This is precisely why field officers are afforded with a relatively high level of discretion that has to do with their perceptions and assessment of the situations (Ivkovich and Haberfeld, 2016). If we use the example of the terrorist attack in Nice, we can illustrate this point even further. One of the officers present at this attack can be seen at a You Tube posted video (2017) chasing after the truck and shooting in its direction. In some jurisdictions, in the United States and around the world, the rules of police organizations prohibit the officers from shooting at a moving vehicle, as it is not recognized as a deadly threat. Now, given the number of casualties that this attack generated, it is hard to argue that this particular moving vehicle should have been certainly designated as a deadly threat. However, it had to be a decision to be made by the officer at the scene and this decision should have

been enabled, in the best possible way, by a combination of high EQ, SQ and CQ.

How high is the concept of integrity on your 'effective responses' list?

Finally, in order to complete the illustration of the SL (successful leader) formula we need to look at the level of personal integrity displayed by an individual police officer and how this ethical stand compares again the ultimate outcome of an effective response or, using the old term label: does the end justify the means? Or, even in a more blunt approach one needs to ask: how high is the concept of integrity on your 'effective responses' list?

To clarify this paradigm a bit further, by using a hypothetical scenario, if an officer sees a fellow officer/s engaging in a violation of the organizational rules, while responding to an ongoing terrorist attack or threat, how willing he/she will be to report or stop this misconduct? This is where the combination of a high IQ, EQ, SQ and CQ becomes a mandatory component of every officer's effective response to a terrorist attack. Since it is not the victory over one event that will change police effectiveness but rather a long term support from the public that will not only legitimize their tactical responses but, will also contribute to the legitimization of police profession for years to come and, ultimately, mitigate the threats.

Conclusions

I would be remiss if I did not conclude this article with a very clear statement that it was not intended to criticize police forces, of any jurisdiction, for their inability to respond, more effectively, to an active crime scene that, in most cases, is very unpredictable, complex and complicated in its nature, scope and intensity. Studying police training and response to various problematic and complex events exposes a host of issues that require skills and tools that are yet to be found in most law enforcement organizations. Police profession is frequently undervalued and even more frequently misunderstood, not just by the public they serve but also by the politicians in charge of standards for recruitment, selection, training and resource allocation.

Those who study policing as a profession and the ones who actually practice the profession can easily point to the volumes of criticism directed at police performance, be it from the individual or organizational standpoint. Most of the 'remedies' and 'panaceas' are directed, primarily, at organizational structures, units, and individuals that operate in a deficient manner and point to a myriad of accountability mechanisms that need to be put in place in order to improve performance and transparency.

While nobody argues with the validity of these perspectives and their relative contribution to the profession, the larger picture, of looking at the complexity of tactical response to a constantly changing and evolving threat of terrorism, is needed, one that combines a new look at the leadership skills and integrity levels required of the police professional in the 21st century, be it a warrior, a guardian or both.

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