

DEKALB POLICE DEPARTMENT

Policy: **Less Than Lethal Projectile Weapons**

Policy #: **406.11**

Effective Since: 1-1-19 (as Less Than Lethal Shotgun Use)

Revision Effective: 3-1-23

FTO Training Task: # 9

Reference Material: Policy 304.7, Firearms; Policy 103.3, Use of Force

ILEAP Standards Covered: NA

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PURPOSE: The purpose of this policy is to set forth policies regarding the approval, training, use, and deployment of less than lethal projectile weapons and to establish standards in regard to weapon type, caliber, mandatory training, and deployment.

POLICY: It is inherently necessary for officers to use weapons that will assist them in protecting others as well as themselves from physical injury. In choosing the appropriate weapon it is also important to select the weapon that will cause the least amount of physical injury to those subdued by such weapons. The DeKalb Police Department recognizes that combative, armed and/or violent subjects create handling and control problems that require special training and equipment. It shall be the policy of the department to equip, train and certify selected officers and supervisors in the utilization of extended range projectile weapons utilizing kinetic energy impact munitions, in order to assist with the de-escalation of these potentially violent confrontations.

It is the policy of the DeKalb Police Department to ensure that sworn officers who employ less than lethal projectile weapons are properly trained in their use, have passed a departmental qualification course, and maintain an acceptable qualification status.

Each less than lethal projectile weapon to be carried on-duty shall have its serial number, make, and model recorded with the Department.

DEFINITIONS:

- **Extended range kinetic energy impact munitions:** Munitions which can be propelled for the purpose of encouraging compliance, overcoming resistance, or preventing more serious injury without posing a significant potential of causing death (commonly referred to as less-lethal munitions).
- **Beanbag rounds:** Flexible, heavy cloth bags containing lead shot that have the potential to conform to the shape of the target.
- **40mm Less Lethal Projectiles:** foam or rubberized bulletlike projectiles.
- **Less Lethal Deployment Officer, or LLDO:** Officers who have successfully completed the department approved training course and are certified/authorized to deploy beanbag rounds.
- **Subject:** The person who is at the focus of the police operation.

PROCEDURE

A. Authorized Munitions and Delivery Systems

1. Department-issued 12-gauge shotguns or 40mm launcher with rifle sights.
2. The specified ammunition is the appropriate primary extended range kinetic energy impact munition authorized for use by trained department personnel.

B. Training

1. To become certified to deploy extended range kinetic energy impact munitions, officers must complete the following:
 - a. Department approved training course.

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- b. Review the state statute regarding less-lethal munitions.
- c. Be qualified with the department issued weapon.
- d. Shoot five beanbag rounds for familiarization with the less lethal shotgun.
- e. Shoot five 40mm less lethal rounds for familiarization with the less lethal rifle.
- f. Pass the five rounds qualification course.

2. To maintain certification, officers must complete an annual recertification course.

C. Deployment Areas

1. The extended range kinetic energy impact munitions will be delivered to the department-established target areas based upon the circumstances and the level of force authorized.
2. The designated target areas have been divided into three zones, with the Green Zone being the preferred target area:
 - a. Green Zone, Thigh, Buttocks and Calves - These areas will be considered appropriate when incapacitation is necessary and a minimal potential for injury is the appropriate response. The groin area should not be intentionally targeted.
 - b. Yellow Zone, Abdominal Area - These areas will be considered when an escalation of force is necessary and appropriate, acknowledging an increase in the potential for serious physical injury. The groin, spine and kidneys should not be intentionally targeted.
 - c. Red Zone, Chest, Spine, Back, Head & Neck - Intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate, acknowledging the high potential for serious physical injury or death.

D. Storage and Inspection s

1. The designated projectile weapons will be available in certain vehicles. These will be visually identifiable with orange on the stock portion of the weapon.
2. At no time will lethal ammunition of any kind be stored with or inserted into a designated less lethal weapon or their hard protective case.

E. Deployment Requirements and Techniques

1. When a qualified Less Lethal Deployment Officer (LLDO) obtains a less lethal weapon for deployment, it shall be loaded with less-lethal ammunition in the following manner: The LLDO and a second law enforcement officer on the scene will visually and physically inspect the chamber and magazine to ensure that no lethal duty ammunition is present in or around the weapon.
2. The LLDO will then load the less-lethal rounds into the weapon, visually inspecting each round prior to insertion, ensuring that each round is in fact a less-lethal round as witnessed by the secondary officer.

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3. The less lethal weapon may be deployed when the situation dictates that the utilization of beanbags or rubber batons is possible.
4. When deploying the less lethal weapon, the LLDO shall consider the level of force being confronted and the proximity/access of the subject to the deputy. There should always be a second officer to act as lethal cover for the LLDO, but a situation may arise when the LLDO will determine that the second deputy is not necessary, or the situation may dictate that the LLDO cannot wait for a second officer to arrive. The LLDO must verbally direct and/or confirm that the cover officer knows that they are the lethal cover officer by verbally communicating, "you're my lethal cover."
5. The LLDO should announce via radio and/or verbally, "I have less lethal ammo." This ensures that the other officers on the scene are aware that the less lethal weapon has been deployed.
6. When time permits and the tactical situation allows it, the LLDO or his cover officer will announce that beanbags or rubber batons will be used at the next available opportunity.
7. When engaging a subject, the LLDO should evaluate the effectiveness of each round. Compliance and/or incapacitation is the desired goal, and alternative target areas/responses should be considered when rounds are not effective. Alternative target areas/response considerations will be based on the circumstances the officer is encountering and the level of force authorized. The situation and circumstances shall dictate the actions taken by the LLDO, not the manufactures specifications.
8. When engaging a subject, the LLDO or his cover officer will establish voice contact with the subject, giving verbal commands and directions.

F. Handling of Persons Struck by Less Lethal Munitions

1. Subjects who are successfully struck by a projectile will be transported to the hospital for examination by a physician.
2. If possible, the LLDO will report to the hospital to brief the hospital staff on the type of ammunition used, approximate distance of engagement, number of impacts and locations of impacts.

G. Reporting Requirements

1. The deployment of less lethal munitions against a subject constitutes a use-of-force and shall be documented in the narrative section of, or as a supplement to, a case report.
2. The shift supervisor will conduct an initial investigation into any situation involving the firing of a less lethal round at a suspect. The depth of the investigation will be decided by the extent of the subject's injuries.
3. Each impact area must be photographed, to include a full body shot and close-up of each impact.

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4. The spent beanbags or shells shall be gathered and collected as evidence, unless otherwise directed by a supervisor.
5. The Patrol Commander or their designee will be notified whenever less lethal projectiles are utilized.

NOTE: Nothing in this policy shall supercede the established Use of Force policy outlined in Policy 103.3.

Policy originally issued 1-1-19; this revision becomes effective on 3-1-23 by authority of the Chief of Police .

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.