



# ERIE POLICE DEPARTMENT



## Written Directives

Number: **020.002**

<b>Title: <u>Less-Lethal Impact Weapons</u></b>		<b>Pages: 5</b>
<b>Effective Date: 07/16/14</b>	<b>Review Date: 06/01/20</b>	<b>Amended Date: 05/29/19</b>

### **POLICY:**

The primary duty of police officers is to protect the public, themselves and other officers. Less-lethal force and control options may assist officers in performing these duties, but are not intended to substitute for the use of deadly force when it is reasonable and necessary. There is neither a requirement nor an expectation officers attempt to use or exhaust less-lethal options in situations requiring the use of deadly force.

This policy addresses the training and use of less-lethal impact weapons. The police department recognizes combative, non-compliant, armed and/or violent subjects cause handling and control problems which require special training and equipment. Thus, the Erie Police Department has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations. The use of less-lethal force should always be in compliance with department **written directive 020.000** "Use of Force."

### **DEFINITIONS:**

**LESS-LETHAL FORCE PHILOSOPHY:** A concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional police tactics.

**LESS-LETHAL FORCE:** Less-lethal force, as used in this directive, will refer to beanbag rounds fired from a 12-gauge shotgun. The term "less-lethal" implies a type of force which is less likely to cause death or serious physical injury than conventional types of lethal force. However, less-lethal force may cause death or serious physical injury when used in certain applications.

**LESS-LETHAL IMPACT WEAPON:** A firearm designed and/or designated for firing kinetic energy impact projectiles.

**KINETIC ENERGY IMPACT PROJECTILES (LESS LETHAL ROUNDS):** Projectiles which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles.

**SAFETY PRIORITIES:** The department safety priorities are established as follows:

1. Hostages
2. Any citizen
3. Police officers

#### 4. Subjects

SUBJECT: The person who is the focus of the police operation.

LETHAL COVER: One or more officers who are assigned the task of “covering” or protecting the officer deploying the less-lethal impact weapon with lethal cover. These officers should be in a position and prepared to protect the officer deploying the less-lethal impact weapon with deadly force if necessary.

**PROCEDURES:**

**CACP STANDARD 20.2**

### **I. LESS-LETHAL IMPACT MUNITION**

The type of less-lethal impact munition authorized by the Erie Police Department is the flexible sock 12-gauge round.

### **II. TECHNICAL ASPECTS – KINETIC ENERGY IMPACT PROJECTILES**

The authorized 12-gauge kinetic energy impact projectiles used by the Erie Police Department are rounds firing a sock style bag filled with lead shot or a similar weight.

### **III. EVALUATION OF KINETIC ENERGY IMPACT PROJECTILES**

Less-lethal rounds used by the Erie Police Department will be evaluated on the following criteria:

1. Accuracy
2. Effectiveness
3. Potential for causing death or serious physical injury

### **IV. DEPLOYMENT OF KINETIC ENERGY IMPACT PROJECTILES**

- A. Only those officers who have been trained and qualified in the use of less-lethal rounds are authorized to deploy such rounds.
- B. Before deploying less-lethal rounds, the officer shall consider:
  1. The level of force being confronted;
  2. The proximity or access of the subject to officers; and
  3. The department safety priorities.
- C. At least one officer will be assigned the task of lethal cover whenever less-lethal rounds are deployed.

- D. In preparation for deploying less-lethal rounds, notification will be made via radio that less-lethal or beanbag rounds are being deployed.
- E. If possible, prior to actually firing a less-lethal round, the officer who will be firing the weapon, or a nearby officer, should inform other officers in the area a less-lethal round is about to be used. This should be done by shouting out loudly “beanbag round, beanbag round”.
- F. Less-lethal rounds will be delivered to subject target areas based on the threat presented, the established safety priorities, and the appropriate amount of force authorized. See Department Directive 020.000 “Use of Force.”

## V. TARGET CONSIDERATIONS

- A. The Erie Police Department recognizes the amount of force used when deploying a kinetic energy impact projectile depends on the target area impacted by the projectile. As the target area changes, the chance of injury or death to a subject may increase or decrease.
- B. The following descriptions will be used to determine target areas for less-lethal rounds:
  - 1. Zone 1 – Buttocks, thigh and calf will be considered when incapacitation is necessary and a minimal potential for injury is the appropriate response.
  - 2. Zone 2 - Abdomen area will be considered when an escalation of force is necessary and appropriate, acknowledging an increase in the potential for injury or a misapplication to the chest area.
  - 3. Zone 3 – Chest, spine, head and neck area will be considered when an escalation of force is necessary and appropriate, acknowledging a significant increase in the potential for serious physical injury or death. See Department Directive 020.000 “Use of Force.”
  - 4. Shoulders and arms are primarily skeletal areas, and due to their mobility, there is a greater potential to miss and unintentionally strike another zone.
  - 5. The groin area should not be intentionally targeted.

## VI. DEPLOYMENT TECHNIQUES

The approved less-lethal 12 gauge shotgun for deploying kinetic energy impact projectiles will be department issued.

**1. Department shotguns that are designated as Less-Lethal Impact Weapons will be used exclusively for kinetic energy impact projectiles and marked so they can be clearly identified as a less-lethal firearm.**

- a. Less-lethal ammunition will be stored at the police department in containers clearly marked as less-lethal ammunition.

- b. The less-lethal shotgun will be carried fully loaded with kinetic energy impact projectiles inside the magazine. (The chamber shall be empty).
- c. Shotguns will be marked as less-lethal impact weapons by having orange markings.

2. A less-lethal shotgun is **not** appropriate to use:

- a. Against any subject already handcuffed.
- b. When a suspect is fleeing from officers for a misdemeanor or non-violent offense, unless the suspect is armed and poses an immediate threat to the officer or another person.
- c. Against persons displaying passive resistance (passive resistance means a subject offers no physical resistance to arrest, simply goes limp, or makes no overt act of aggressive behavior);
- d. Against a woman who is obviously pregnant; a child who, by physical stature and size, appears to be under the age of 14; an obviously disabled individual, or an elderly individual who appears to be over the age of 75. The Erie Police Department recognizes at times it may be difficult to determine the age or special circumstances which may exist.
- e. When a person is being physically controlled, (physically restrained), by officers and the subject is not presenting an imminent threat of injury to himself, others, or officers.

## **VII. HANDLING OF INJURED SUBJECTS**

- A. Medical personnel should be notified and requested to standby at a nearby-specified secure area as soon as possible.
- B. Subjects who are struck with a less-lethal round shall be transported by medical personnel to a medical facility as soon as it is safe to do so. This shall be done even if there are no visible injuries or complaints of injury.

## **VIII. REPORTING**

### **CACP STANDARD 20.7**

- A. The firing of a less-lethal projectile at a subject will always be considered a use of force requiring a Use-of-Force report be completed prior to the end of an officer's duty day. Refer to Department Directive #020.000 "Use of Force" reporting procedures.
- B. All uses of force involving less-lethal rounds will be reviewed by command staff. Written reports will be required as per Department Directive #020.000 "Use of Force."

**IX. TRAINING**

A. All sworn officers will be trained in the use of kinetic energy impact projectiles prior to deploying less-lethal impact weapons.

B. Training will be performed by a certified trainer in the area of less-lethal rounds and consist of classroom training and actual hands-on firing of department issued less-lethal rounds.

**CACP STANDARD 60.14**

C. All officers will be required to attend additional recertification in the use of less-lethal rounds every fourteen (14) months.

**RULES:**

NONE

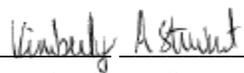
**REFERENCES:**

Springfield MS. Police Department

N.T.O.A. Training Materials

Combined Tactical Systems

The Safariland Training Group

  
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Kimberly A. Stewart  
Chief of Police