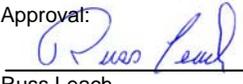


Effective Date: 5/27/97
Revision Date: 11/29/2000
Revision 2 Date: 1/2/2002
Revision 3 Date: 2/1/2008
Approval:

Russ Leach
Chief of Police

**4.49 LESS LETHAL WEAPONS SYSTEMS AND DEPLOYMENT:**

**A. PURPOSE:**

The purpose of this policy is to ensure that each officer has access to, and training in the use of, less lethal weapons systems and to establish procedures for their use.

**B. POLICY:**

It is the policy of the Department to provide officers access to, and training in the use of less lethal weapons systems so that employees have options available to them in responding to situations in which force must be used. Less lethal weapons shall only be deployed by personnel certified in their use through a Departmentally approved training course. Less lethal munitions shall be deployed in a manner consistent with the Use Of Force Policy, as set forth in Section 4.30 of the Riverside Police Department Policy and Procedures Manual, at Level 5 - Impact Weapons or Level 6 - Lethal Force and meet one or more of the following criteria:

1. The subject has made threats, or exhibited the intent, to harm officers, others or themselves, and the subject appears to have the present ability to carry out the threat, or
2. The subject stated, or exhibited the intent, to violently resist being taken into custody, or
3. The subject's violent actions and/ or presence of weapons dictate the need for an immediate response and the use of a less lethal weapon is otherwise appropriate.

**C. AUTHORIZED WEAPONS AND PROJECTILES:**

**1. 12 Gauge Shotgun:**

- a. Remington model 870 12 gauge shotgun dedicated exclusively to less lethal projectiles. The stock and forearm of the dedicated weapon shall be orange in color.
- b. The authorized less lethal projectile for this weapon is the 12 gauge Defense Technology 23DS drag stabilized round.

**2. 40 mm Weapon:**

- a. Defense Technology model 1325, 40 mm single shot projectile launcher.
- b. Defense Technology model 1375, 40 mm multi-shot launcher.
- c. Penn Arms model PGL 65-40, 40 mm multi- shot launcher.
- d. The authorized less lethal projectiles for this weapon are:

1. Defense Technology model XM1006 40 mm projectile;
2. Combined Tactical Systems model 4557 "Foam Baton";
3. Defense Technology model 6096 .32 ca. "Stinger Rubber Ball" round;
4. Defense Technology model 6097 .60 ca. "Stinger Rubber Ball" round;
5. Defense Technology model 6098 "Wood Baton" round.

**3. 37 mm Weapon:**

- a. Penn Arms/Sage International model SL-6 37 mm multi-shot launcher.
- b. Defense Technology model 1315, 37 mm single shot launcher.
- c. Smith & Wesson model 276, 37 mm single shot launcher.
- d. The authorized less lethal projectiles for these weapons are:
  1. Sage International model K01LE "Rubber Baton";
  2. Defense Technology model 20F "Foam Baton";
  3. Defense Technology model 20W "Wood Baton";
  4. Defense Technology model 28B "Stinger Rubber Ball" round.

**D. PROCEDURE:**

The following procedures shall be followed:

1. Field Operations personnel shall check out Less Lethal Shotguns from the patrol equipment room after briefing. A printed record of issued and returned Less Lethal Shotguns for each shift shall be maintained in the patrol equipment room.
  - a. A sergeant of the watch or his/her designee shall issue Less Lethal Shotguns and ensure a sling is attached and all less lethal munitions (6) are in the side-saddle attached to the weapon.
  - b. The issuing person shall utilize the computerized barcode system according to the on-screen instructions, scanning both the receiving officer's barcode and the shotgun's barcode.
  - c. After checking out a shotgun, officers shall carry the shotgun directly to their patrol car.
  - d. At the end of the officer's shift, Less Lethal Shotguns shall be turned into the watch sergeant or his/her designee, using the computerized barcode system, and secured in the rack. The watch sergeant or his/her designee shall ensure a sling is attached and all less lethal munitions (6) are in the side-saddle attached to the weapon.
  - e. If a Less Lethal Shotgun is deployed, the shotgun shall be returned to the

patrol equipment room and a replacement issued. The issuing person shall complete a Weapon Repair Tag stating "DEPLOYED" in the comments section and affix the tag to the weapon. The weapon shall then be secured in the rack and the Rangemaster notified.

- f. The Watch Commander or his/her designee shall be responsible for replenishing less lethal munitions.
  - g. If a deficiency is noted by an officer during the daily inspection of an issued Less Lethal Shotgun, the shotgun shall be returned to the patrol equipment room and a replacement issued. The issuing person shall complete a Weapon Repair Tag and affix the tag to the weapon. The weapon shall then be secured in the rack and the Rangemaster notified.
  - h. The Rangemaster (or designee) shall inspect and clean Less Lethal Shotguns annually and maintain a record of the inspections.
  - i. No repairs or modifications shall be made to weapons other than by the Rangemaster (or designee). The Rangemaster shall be responsible for creating and implementing a maintenance schedule for Less Lethal Shotguns.
- 2. Less lethal weapons stored or transported in police units shall be kept **unloaded** in a protective case or designated gun rack until deployed.
  - 3. The weapon shall be loaded by the officer assigned to use the weapon. This will ensure only less lethal projectiles are loaded. When practicable, the status of the less lethal weapon should be verified by another officer prior to deployment.
  - 4. A minimum of one additional officer, with lethal force capability, shall be deployed to cover/protect each officer deploying a less lethal weapon.
  - 5. An announcement of the deployment of a less lethal weapon on scene and a second announcement, prior to actual use of the weapon, shall be made. The announcement should be made by the officer deploying the less lethal weapon in a manner to alert other officers present of its use.
  - 6. When discharged, the less lethal projectile should be directed toward the subject's extremities, where bone is closest to the skin. Where the distance is greater and such targeting is likely to be unsuccessful, the projectile should be directed toward the subject's center body mass. Generally, less lethal weapons will not be aimed at the head, throat, neck, spine, or groin areas except when lethal force is otherwise appropriate.
    - a. Less lethal weapons should **not** be used in the apprehension of the following individuals, except when lethal force is otherwise appropriate:
      - 1. Women **known** to be pregnant.
      - 2. People **known** to have diseased hearts.
      - 3. Obviously debilitated people or elderly people who are at greater risk
      - 4. Children under age 12.

5. People in danger of falling to their death or being caught in dangerous equipment or machinery.
7. Whenever a less lethal weapon is used and a subject is struck and taken into custody, the subject shall be evaluated by medical personnel prior to being transported to a facility and/or booked. The subject shall be taken to Riverside Regional Medical Center or, in an emergency, to the nearest hospital emergency room for a medical release.
8. Supervisors should assume a supervisory role while a trained officer deploys the less lethal weapon, however, if circumstances necessitate, a field supervisor may deploy and use the weapon. A supervisor deploying a less lethal weapon shall adhere to all sections of this policy.

**E. OFFICER RESPONSIBILITIES:**

The officer discharging the weapon shall:

1. Summon medical aid, if needed.
2. Promptly prepare a police report including:
  - a. The subject's actions and/or behavior prior to the deployment of the less lethal weapon.
  - b. Any use(s) of force attempted, and the results, prior to the deployment of the less lethal weapon.
  - c. The number of less lethal projectiles discharged by the officer and at what distances. Include the number of "strikes" (if known) and which areas of the subject's body were affected.
  - d. The names of medical personnel and location where treated.
  - e. Any person(s) and/or officer(s) injured prior to or during the deployment.
  - f. Any witness(es) to the incident and statement(s) obtained.
  - g. The supervisor authorizing and/or reviewing the use of less lethal force and the Watch Commander who was notified.
3. Photograph, or cause to be photographed, the scene and all injuries. Photographs should show the location of the injury clearly and should be taken after the injury is cleaned but before treatment, if possible. Due to privacy concerns, do not photograph injuries to the subject's private areas. Competent medical staff should conduct a visual check, inspect and treat injuries, and make appropriate notations on medical records.
4. Document and collect all projectiles and other evidence at the scene.

**F. SUPERVISOR RESPONSIBILITIES:**

1. It shall be the responsibility of the supervisor who authorized and/or reviewed the discharge of the less lethal weapon to ensure that the subject is given a medical evaluation and appropriate treatment, as determined by medical personnel, is provided.

2. The supervisor who authorized/reviewed the discharge of the less lethal weapon is responsible for completing a use of force investigation and memorandum pursuant to Section 4.30 of the Riverside Police Department Policy and Procedures Manual.
3. When a less lethal weapon is used and as a result of usage, the subject sustains a fatal or life threatening injury, the Watch Commander shall notify the on-call Investigations Sergeant. The on-call Investigations Sergeant shall notify the Investigations Lieutenant (or Captain in his/her absence). The Investigations Lieutenant will determine if a response by the Officer Involved Shooting Team (OIS) is necessary. If so, the Investigations Lieutenant will notify the Crimes Against Persons Sergeant who will respond the OIS Team and assume control of the investigation pursuant to Section 4.8 of the Riverside Police Department Policy and Procedures Manual.
4. In all cases involving the use of a less lethal weapon, the Watch Commander shall be notified.

**G. TRAINING:**

Training in the application and use of less lethal weapons systems by qualified instructors will be the responsibility of the Training and Development Bureau. Less lethal operators must be re-certified yearly.