

WEST PALM BEACH POLICE DEPARTMENT

III-16 LESS-LETHAL LAUNCHED AMMUNITION AND ORDNANCE SYSTEM

EFFECTIVE DATE: 04/07/2008

CALEA Standards: 1.3.4, 1.3.5, 1.3.9

CFA Standards: N/A

I. POLICY: The West Palm Beach Police Department has authorized the use of a less-lethal weapons system when non-compliant, violent, combative, and/or armed subjects are involved in situations that may lead to potentially violent confrontations. The Department realizes that special training and equipment are necessary to effectively de-escalate these dangerous situations with a lesser risk of great bodily injury or death to the subject.

II. DEFINITIONS:

A. Less-Lethal Tactic- A concept of planning and force application which meets operational objectives with less potential for causing great bodily harm or death than conventional police tactics.

B. Less-Lethal Force- Force intended to subdue, incapacitate, or render a subject non-threatening with a lesser possibility of causing great bodily harm or death.

C. Kinetic Energy Impact Projectiles- Ammunition designed and developed to be launched at human targets with a lesser possibility of producing fatal results. These munitions may cause injuries similar to those of traditional police impact weapons and can be referred to as "extended range impact weapons." Although designed to incapacitate without causing great bodily harm or death, that possibility always exists even when the munitions are deployed properly.

D. Powder Ball Projectile- Plastic spheres filled with a powdered chemical agent such as Oleoresin Capsicum which are propelled by a compressed air-powered launching device, that burst on impact releasing the Oleoresin Capsicum

E. Safety Priorities- The Department safety priorities are established as follows:

1. Hostages,
2. Involved non-subject civilians,
3. Police officers, and
4. Subjects (the person(s) who is the focus of the police operation).

III. TRAINING:

A. Training in the use of the less-lethal weapon system (Appendix A) and extended range kinetic energy projectiles consists of a twelve (12) hour program designed by the Range Master. The material for the course is taken from the manufacturer's recommendations and the National Tactical Officers Association (NTOA).

B. Officers who have successfully completed Powder Ball Projectile System training designed by the training coordinator are authorized to use issued Powder Ball Projectile Systems to establish control over subjects who are physically resisting or offering to physically resist arrest, or are resisting lawful commands

C. No officer may operate the less-lethal weapon system until he or she has successfully completed Departmental training and has obtained Department authorization.

D. All less-lethal weapon system operators will qualify on a biennially basis.

IV. EQUIPMENT STORAGE AND ACCESSIBILITY:

A. Less-lethal weapon systems available for use in the Patrol Division will be secured in a high impact, waterproof case and transported in the trunk of the on-duty Shift Commander's vehicle.

B. Special units, i.e., SWAT and E.F.F. will issue, secure and maintain the less-lethal weapons in the same manner as any other specialized weapon.

V. DEPLOYMENT TECHNIQUES:

A. Less-lethal weapon systems will not be deployed by any authorized officer unless there is a Shift Commander or other command supervisor on the scene to authorize deployment.

B. The intended use of Less-Lethal Force will be communicated to the other officers present prior to deployment to negate any perception of gunfire.

C. The authorized officer will ensure the weapon is fully loaded and ready for immediate deployment prior to engaging a target.

D. Each time there is a potential for the use of the less-lethal weapon system, the operator will have an officer with him or her to provide protective cover.

E. Whenever possible, Emergency Medical Services (EMS) will be notified to stand by at the scene prior to the use of Kinetic Energy Impact Projectiles.

F. Prior to the deployment of the less-lethal weapon system, an arrest team of two (2) officers will be selected to approach the subject and take him or her into custody.

G. Prior to deploying less-lethal force, officers will consider:

1. The level of force being confronted;
2. The proximity and/or access of subject to officers; and
3. The Department safety priorities.

H. Target areas on the subject will be determined by the severity of each situation. The target areas are defined as:

1. Low severity- extremities.
2. Moderate severity- lower abdomen.
3. Extreme severity- chest/torso area.
4. Only if the event escalates into a lethal force confrontation will any round be fired at the head or neck area of the subject.

I. Although the first round in the magazine of the Kinetic Energy Impact Projectiles Weapon System is a "low energy" round, the operator may choose to bypass this round after analyzing the situation.

J. Subjects who are struck with a Kinetic Energy Impact Projectile will be transported to a medical facility as soon as is practical.

1. The potential, although reduced, for causing serious bodily injury or death by such projectiles is a reality. This potential is greatly reduced when impacts to the neck and head are avoided and when proper medical treatment is provided in cases where the subject is struck in an area that may conceal a closed injury. These areas include, but are not limited to, the chest, back, thoracic and abdominal areas, and the groin.

2. When engaging a target, the officer will evaluate the effectiveness of each round during the volley. Compliance and/or incapacitation is the desired goal and alternative target areas should be considered when rounds are not effective. Alternative target area considerations will be based on the circumstances the officer is encountering and the Department safety priorities.

K. At any time during the incident, the Shift Commander or command supervisor may order the weapon operator to disengage and not fire.

1. Conversely, at no time will the Shift Commander or command supervisor issue an order for the operator to fire the weapon if it is not warranted.
 2. Even when authorized, the operator need not fire if he or she feels it is unnecessary, unsafe, or not prudent.
- L. The assigned officer, when returning the weapon to the Shift Commander or command supervisor, will report any damage and/or required repairs. The weapon will be delivered to the Range Master for inspection and/or repair as soon as practical.

VI. INSPECTIONS:**A. Kinetic Energy Impact Projectile Ordnance System**

1. The on-duty Shift Commander will ensure the weapon system is in the trunk compartment of the vehicle he or she takes into service.
2. The Shift Commander will inspect the weapon system to ensure it is fully loaded with six (6) rounds.
 - a. The first round will contain a KO-1LE less energy projectile.
 - b. The remaining five rounds are KO-1 standard energy projectiles.
3. The Shift Commander will ensure six (6) spare rounds are present in the carrying case
4. The Shift Commander will complete the "Less-Lethal Weapon/Ammo Inspection Log" (See Appendix B) after each daily inspection.
5. The completed log will be forwarded to the Range Master at the end of each month.
 - a. The Range Master will maintain a file of the logs.
 - b. Logs will be maintained for two (2) years.
6. The Range Master will inspect the weapon and replace the ammunition at six (6) month intervals. The inspection will be noted on the Less-Lethal Weapon/Ammo Inspection Log.

B. Powder Ball Projectile Ordnance System.

1. The deploying officer will ensure that the weapon is in good working condition, cleaned and reloaded after each use.
2. The weapon will be returned to the Watch Commander at the end of the tour of duty for safe keeping.

VII. USE OF FORCE REPORTING:

- A. The operational use of less-lethal force will be documented prior to going off duty in an Offense Incident Report to include the number of and type of rounds expended by the officer initiating the use of force.
- B. Photographs depicting the subject and the point of contact will be taken at the earliest possible opportunity.
- C. A "Control of Persons" report to include the number and type of rounds expended will be completed by the appropriate commanding officer who was present at the scene.
- D. Copies of the report will be forwarded to the Internal Affairs Division and to the Range Master for review.

E. After the Kinetic Energy Impact Projectile Ordnance System has been fired, the Shift Commander will take the weapon out of service and turn it over to the Range Master for inspection and reissue of the expended rounds.

VIII. REFERENCE:

- SOP # III-13 Use of Force.
- SOP # III-15 Aerosol Subject Restraint (ASR)/Use of Oleoresin Capsicum (OC).
- SOP # IV-22 Internal Affairs Function.

Delsa R. Bush, Chief of Police

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History: SOP # changed to III-16 on 01/01/2005
Old SOP # 4.03
Revision Dates: 12/15/1999, 01/01/2005, 04/07/2008

Job Title Task Files: Operator, Shift Commander, E.F.F. Commander, Range Master

Appendix A

A. Approved Less-Lethal Weapon Systems:

1. SAGE SL-6 Multi-Role Projectile Launcher, 37mm with a rifled barrel.
 - a. The authorized 37 mm Less-Lethal rounds are manufactured by Sage Control Ordnance. These rounds are the KO1 and the KO1-LE (less energy).
 - b.. The 37 mm round contains a non-flexible polyurethane projectile.
2. PepperBall SA200 .68 Caliber Semi Automatic Powder Ball Launcher with 200 round Hopper.
 - a. The Live PepperBall projectiles are red in color and are filled with potent PAVA (Capsaicin II) powder

