

Bowie City Police Department - General Orders



TITLE: LESS LETHAL PROJECTILE LAUNCHERS		NUMBER: 810
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I. PURPOSE

To provide Departmental guidelines to officers in the use and carry of less-lethal projectile launchers, as well as when medical attention is needed after the use of such weapons.

II. POLICY

It is the policy of the City of Bowie Police Department to regulate the types of authorized less-lethal projectile launchers officers are issued and permitted to carry and use on duty. It is imperative that the Department's officers are properly trained and qualified in the use of all authorized launchers, and that proper inspections and maintenance are conducted to ensure that they meet minimum safety requirements.

III. LESS-LETHAL PHILOSOPHY

A concept of planning and applying force which meets operational objectives while lessening the potential for death or serious injury.

IV. LESS-LETHAL LAUNCHERS

Launchers issued by the Department for the sole purpose of discharging less-lethal projectiles. All less-lethal launchers will be distinctively marked with a bright orange stock and fore end.

A. Training and Inspections:

1. Only those officers who are qualified and authorized by the Department can carry and use a less-lethal launcher during the course of his/her duties.
2. Prior to being authorized to carry the less-lethal launcher, an officer must successfully complete the, less-lethal launcher course with a score of at least 90%.

3. Officers assigned to carry and use the less-lethal launcher must maintain their certification by successfully completing the re-certification course biannually.
4. Officers who fail to re-qualify with the less-lethal launcher will be subject to remedial training before being allowed to carry the weapon.
5. Supervisors will routinely conduct monthly inspections of the less-lethal launcher assigned to their Squad/Unit. Inspection shall include:
 - a. ensuring air reservoir is charged;
 - b. ensuring sufficient supply of OC rounds are available;
 - c. dry firing the system;
 - d. ensuring proper overall condition of the weapon.

B. Ammunition:

1. Less-Lethal Projectiles which are intended to incapacitate a subject and have less potential for causing death or serious injury than conventional projectiles. Certified Officers are only allowed to carry the approved ammunition for the assigned launcher.
2. With the exception of initial training and biannual qualification, only the less-lethal rounds issued by the Department will be loaded into the less-lethal launcher.

C. Assignment of Less-Lethal Launcher:

1. Each Patrol Squad will be assigned a less-lethal launcher by the Operations Services Division.
2. The Squad Supervisor shall ensure, when able, that more than one officer on his shift is approved to carry the less-lethal launcher.
3. Patrol Supervisors shall assign properly trained officers to carry less-lethal launcher during the tour of duty.

D. Pre-Deployment:

1. Lethal cover will always be present to protect the less-lethal launcher operator.
2. All officers should remain cognizant of the “21 foot safety circle,” where a subject’s action is faster than an officer’s reaction.
3. Prior to each tour of duty, officers who are assigned and authorized to carry less-lethal launcher shall inspect the ammunition to ensure only less-lethal ammunition is in the weapon.

E. Deployment, Acceptable Uses and Restrictions of Less-Lethal Launcher:

1. The deployment and/or discharge of the less-lethal launcher will be consistent with the training provided.
2. The less-lethal launcher may be deployed in circumstances including, but not limited to the following:
 - a. Suicidal subject (where a weapon is displayed).

- b. Subject armed with a knife or impact weapon.
 - c. Subject violently resisting arrest.
 - d. Hostage or barricade situations.
3. The less-lethal launcher may **not** be deployed as follows:
- a. When lesser force will accomplish the task.
 - b. Against a subject with a handgun or other firearm.
 - c. Against a person already in handcuffs.

F. Target Areas: The less-lethal launcher operator will aim the weapon at the suspect's body area as is consistent with training. The Less-Lethal launcher will never be aimed at a subject's head unless lethal force is justified.

G. Weapon Discharge: Prior to discharging a less-lethal launcher, the operator will announce his/her intent to discharge the weapon to warn other officers with a warning. Once the operator has stopped firing the weapon, the operator will announce that he/she has ceased firing.

H. Medical Attention and Documentation:

- 1. Anytime a suspect is struck with a less-lethal round, he/she will be transported to a medical facility for a physical examination of the impact site.
- 2. The Shift Supervisor or his/her designee shall respond to the scene or the hospital to photograph the suspect and the impact site.

I. Post Deployment:

- 1. The Operations Services Supervisor will issue replacement less-lethal rounds.
- 2. Following deployment, the less-lethal launcher will be returned to the car in a car safe position and returned to its case.
- 3. Following the discharge of a less-lethal round(s), the deploying officer shall ensure that the less-lethal launcher is field stripped and cleaned as soon as practical.
- 4. During annual firearm re-qualifications, the Department's Range Master will ensure inspections of each less-lethal launcher is performed to ensure proper cleaning and maintenance.

J. Reporting: Whenever an officer deploys a less-lethal round in the course of his/her duties, the deployment shall be documented on the Incident Report and Use of Force Report. A copy of the Use of Force Report and photographs will be forwarded via the chain of command, with supervisory endorsement to the Operations Services Section for review. A copy of the Use of Force Report will also be forwarded, by the Operations Services Supervisor, to the Office of the Chief of Police once review is completed.

K. Storage and Transportation:

1. When not in use, the less-lethal launcher will be carried and transported in the carrying case at all times.
2. The less-lethal launcher shall remain loaded in a car safe position at all times, while the officer is on duty.
4. The less-lethal launcher will be stored and transported in the trunk of the officers' vehicles while on duty.
5. The less-lethal launcher will be stored in the safe by a supervisor located inside of the Sergeant's Office at the end of each tour of duty.

FN 303 PROJECTILE LAUNCHER

A. The FN 303 Projectile Launcher is designed to launch a Fin stabilized projectile by the means of compressed air to a maximum effective range of 55 yards. A projectile striking an offender will first deliver kinetic energy in an attempt to modify or control threatening behavior. The same projectile will also contain liquid Oleoresin Capsicum (OC) chemical agent as a secondary effect to the kinetic energy strike.

1. The FN 303 is categorized as less-lethal force and may be used to control a dangerous or violent subject when:

i. Lethal force does not appear to be justified; attempts to control the subject by other conventional tactics have been ineffective;

ii. There is reasonable expectation it is unsafe for officers to approach within contact range of the subject.

2. The preferred target area when deploying the FN 303 should be center mass and lower extremities of the body. The head, face, neck, groin or other sensitive areas are to be avoided, if possible.

3. The deploying officer will be responsible to direct the actions of any other on-scene personnel concerning the restraint of the subject. Assisting personnel should allow a few moments, if practical, for the chemical agent to take effect prior to making any arrest.

B. Officers authorized to deploy the FN 303 will not disassemble or tamper with the internal mechanisms. Any repair for malfunction, damage, or parts replacement will be completed by an authorized agency armorer.

C. Reporting:

All instances of FN 303 use will be reported on a Use of Force Report.

40mm SMOKE TEAR GAS LAUNCHER

A. Only officers certified in the use/deployment of tear gas are authorized to dispense tear gas for crowd control purposes or in situations where other options are not desirable. During prolonged emergency operations, the Deputy Chief for Operations or Incident Commander may designate additional members to deploy tear gas. Any time tear gas is deployed, officers shall complete an Incident Report and a Use of Force Report.

B. The 40mm launcher is a weapon that can deliver various chemical agents and/or less lethal impact rounds. Specifications for both the 40mm launcher and the various authorized projectiles are indicated in the appendix.

C. The 40mm launcher may be carried and utilized by members of the CDU certified in the use of the launcher with Command approval.

D. The Operations Services Division shall prescribe the process required for certification to carry and use the 40mm launcher. A written test and demonstrated proficiency shall be included in this process

E. The Operations Services Division shall prescribe the requirements for biannual recertification to carry and use this weapon.

F. When not in use, the 40mm launcher shall be carried and transported in the issued case. This weapon may be stored and transported in the trunk of the officer's police vehicle while on duty. The weapon shall be secured inside the Police Station at the end of his/her shift, as directed by the Operations Services Division Commander.

G. The 40mm launcher shall be stored in a safe and secure manner at all times.

H. Chemical agents

1. Keep the application to the absolute minimum required to effectively control the subject.
2. Do not use on persons who are visibly sick or who are not in possession of their normal protective reflexes (such as being able to turn away from the applied spray). NOTE: Applying a chemical agent to such persons can result in injury out of proportion to the threat they may present.
3. If the use of tear gas is authorized by Command Staff, observe the following:
 - a. These chemicals are used primarily in dealing with unruly crowds and armed barricaded subjects.
 - b. Gas canisters or projectiles are used to disperse unruly crowds and induce the surrender of barricaded subjects when negotiations have failed.
 - c. Tear gas gun is used to fire projectiles into the area of an armed, barricaded suspect when the use of hand-tossed canisters is unsafe or impractical.