



Colorado Springs Police Department Standard Operating Procedure

DL-500-03 Specialty Impact Munitions

Section 500 – Use of Force

Effective Date: 6/16/2022

Supersedes Date: 12/17/2018

.01 Purpose

This directive provides guidelines for the proper storage, maintenance, issue, carry, and deployment of Specialty Impact Munitions (SIM) and Specialty Impact Delivery Systems, including the 40-Millimeter Launchers and Pepper Ball Projectile System.

.02 Cross Reference

[GO 500 Use of Force](#)

[GO 510 Reporting Use of Force](#)

[DL-1210-2 Public Order Response Team](#)

[DL-1210-03 Mass Arrest Operations](#)

[DL-1011-02 Field Medical Clearance](#)

.03 Definitions

Active Aggression: A threat or overt act of an assault, coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent. Threatening body language includes but is not limited to blading the body, assuming a boxer stance, circling officer, or marshal's position, clenching of the hands from an open to closed position, forming a fist, etc. Active Aggression is a higher level of resistance than Active Resistance.

Active Resistance: Physically evasive movements to defeat an officer or marshal's attempt to control, including but not limited to bracing, tensing, pushing, flailing arms, running away, or verbally signaling an intention to avoid or prevent being taken into or retained in custody. Active Resistance also includes attempting to avoid apprehension and failing to comply with an officer or marshal's order to reveal themselves from concealment or surrender. Walking away may be considered active resistance if the person continues to walk away from an officer or marshal after

having been given a lawful order or having been told the person is under arrest. Active Resistance is a higher level of resistance than Passive Resistance.

Passive Resistance: Physical actions that do not prevent the officer or marshal's attempt to control; for example, a person who remains in a limp, prone position, or passive demonstrators.

Pepperball Projectiles: Plastic spheres that are either inert or filled with a derivative of oleoresin capsicum (OC) powder or a non-chemical powder (Inert) delivered through a Pepperball Projectile System. Because the compressed gas launcher delivers the projectiles with enough force to inflict blunt trauma, pain compliance, mental distraction, as well as burst on impact and release the OC powder, the rounds are considered both an extended range impact weapon and chemical agent.

Specialty Impact Delivery System: A specialty impact delivery system is a weapon designated to launch Specialty Impact Munitions. CSPD utilizes 40 MM, Pepperball and FN 303 delivery systems. The FN303 are only authorized for use by members of the Specialized Enforcement Division (SED) who have received specialized training for their use in tactical situations.

Specialty Impact Munitions (SIMs): Specialty Impact Munitions are rounds designed to deliver less lethal physical force with sufficient energy to inflict blunt trauma, pain compliance, and mental distraction. The rounds are considered extended range impact weapons. These rounds consist of 40 MM Foam Baton Rounds, 40 MM OC rounds, Pepperball OC Projectiles, 40 MM Inert Rounds and FN303 projectiles.

.04 Procedure

It is the policy of the Colorado Springs Police Department (CSPD) that officers use only the force reasonably necessary to effectively bring an incident under control.

Use of SIMs and Specialty Impact Delivery Systems

The 40mm Launcher, Pepperball Projectile System and FN303 may be deployed only by users who are currently certified by the department in their use. Absent exigent circumstances, the deployment of SIMs must be in conjunction with a cover officer prepared to use deadly force should the situation so warrant. CSPD personnel are not authorized to deploy any frozen rounds.

Authorized Deployment of SIMs Directed at a Person

Officers allowed to use SIMs by this policy are authorized to use it on a person if:

- Officers have grounds to arrest or detain the person and the person's actions are at a level of Active Resistance or Active Aggression; and/or
- The officer has a reasonable belief the person poses an imminent danger to themselves or others.

Requirements for Deployment of SIMs Directed at a Person

WARNING BEFORE USE OF SIMs

Before using SIMs, an officer will warn the subject of an impending use of force and give them the chance to comply with verbal orders. This warning is not necessary when delaying the discharge would be unsafe, the element of surprise is necessary to minimize the risk of harm or is otherwise not feasible.

[Redacted]

Deployment Considerations

Officers will give special attention to the deployment of SIMs to ensure the safety of all persons involved.

In evaluating tactical situations, officers and supervisors will consider whether the circumstances at hand might be better addressed by specially trained and equipped personnel or units, such as the Tactical Enforcement Unit (TEU), and seek assistance from such specialized units when appropriate.

Shot placement is critical to the successful outcome of the situation and minimizing the risk of serious injury or death. When making the shot placement decision, the need for immediate incapacitation must be weighed with the potential for causing injury. An intentional strike to the head, neck, throat, groin, back, heart and kidneys with any impact weapon is prohibited except when deadly force is authorized.

Officers must use extreme caution in areas where minimal deployment distances are likely to be encountered (e.g., residences, small enclosures, and other confined areas).

Absent exigency or supervisory approval, officers will not deploy SIMs when the subject is in an elevated position or location where a fall may cause substantial injury or death.

Deployment into Vehicles or Structures

Vehicles

The 40mm SIM launcher has the ability to fire specialty munitions, to include the 4557 Foam Baton round and 4556 OC round. The Pepperball Projectile System fires plastic spheres, OC projectile or Inert projectile. The FN303 fires a Pava (OC) projectile. With on-scene supervisor approval, any of these rounds can be used by a certified user into a vehicle as long as there is grounds to arrest or detain the person and the persons' actions are at a level of active resistance or active aggression; and/or the officer has a reasonable belief the person poses an imminent danger to themselves or others.

Users will not deploy these systems on the driver of a moving vehicle.

Structures

Users will not deploy SIMs into a structure unless they have a search warrant and/or the person poses an immediate threat to a victim, other citizen, or police officer.

Post-Deployment Actions

Reports

As with all use of force incidents, officers will complete a detailed case or incident report of the event, describing the circumstances leading to the deployment of the SIM. A Blueteam Use of Force (UoF) report will be completed.

Each use of the SIM on a person is considered to be a separate use of force and this justification must be present and articulated in written reports. These separate uses of force are reported in one Blueteam report. Photographs will be taken of any persons who were the subject of a use of force.

Accidental Discharge

All accidental firings of a SIM that strike a citizen will be documented in a Use of Force Report.

Medical Considerations

Following the use of SIMs officers will secure the subject and request a medical unit response. The subject must be carefully monitored following the use of SIMs for signs of medical distress. If distress is observed, the officer will request the medical response to be emergent ('code 3').

The officer will brief arriving medical personnel of the SIM usage on the subject. In cases where medical personnel determine that transport to a hospital is not necessary, a *Field Medical*

Clearance (or Refusal of Treatment) must be obtained from an on-scene paramedic. If the subject is to be booked into jail, a copy of the medical clearance will accompany the arrestee and be provided to booking personnel at the jail.

Logistical Considerations

Training and Qualifications

Only those personnel specifically trained in their use will deploy SIMs. Prior to the using SIMs, each selected officer will attend and successfully complete an approved course of training in their use. Training will include the following:

- Classroom instruction
- Scenario exercises
- Live-fire exercises
- A written test

To maintain certifications and to train new users, CSPD will designate personnel to attend instructor training every three years. The instructors will then train new basic users at CSPD and give refreshers. Both the basic and refresher courses will include a review of relevant directives, de-escalation techniques, and deployment considerations with live fire exercises.

The HOT-DART Lieutenant is the Patrol Bureau's 40mm launcher and the Pepperball Projectile Systems Manager. The Lieutenant will assign a designee to oversee the 40mm and Pepperball Projectile Systems program, including training and certification requirements. It is the responsibility of the assigned designee to ensure all users have current certifications and training. Training records related to SIMS will be provided to the Training Academy for records retention.

SED will maintain their own oversight, training and inventory of SIMS authorized for specific units to include TEU, K9, REU and PORT Team. The Tactical Operations Lieutenant will assign a designee to oversee the 40mm, Pepperball and FN303 program to include training and certifications requirements.

Pepperball Projectile System Training

Basic User courses for new users of the Pepperball Projectile System will be provided by a trained CSPD Pepperball Instructor. Because these systems are assigned only to HOT-DART personnel, new users will be trained on an as-needed basis.

Training for new users consists of completing a basic user's course. Users will be required to complete training every year, which will include legal updates and system refresher.

The HOT-DART Lieutenant or designee will be responsible to ensure users have completed the basic user's course and the refresher training to maintain certifications.

40 mm Launcher Training

Basic User courses for new users of the 40 MM Launcher will be provided by a trained CSPD 40 MM Launcher Instructor. New users will be trained on an as-needed basis to ensure adequate 40 MM Launcher staffing for patrol.

Training for new users consists of completing a basic user's certification course. Users will be required to complete training every year, which will include legal updates and launcher refresher.

The HOT-DART Lieutenant or designee will be responsible to ensure users have completed the basic user's course and the refresher training to maintain certifications.

FN303 Launcher Training

Training for new users consists of completing a basic user's course. Users will be required to complete training every 3 years, which will either be a refresher course training or re-certification course training.

Weapons and Munitions Maintenance and Control

Strict procedures must be followed to ensure that lethal ammunition is not in the SIM weapon or its associated carry case.

The 40mm Launcher, Pepperball, and FN303 Projectile Systems will:

- Remain black in color and will be carried in a carrying case.
- Be equipped with a sling.
- Conform to department-approved models for the weapon and munitions.
- Be stored in a division armory when not being carried by on duty personnel.

SIMs users assigned to specialized units may take their weapons home or store their assigned launcher(s) in the unit's respective armory and/or secured areas of department vehicles (trunk or lock box), as authorized by weapons storage policy.

Carry of the weapons

When carried by a certified officer or supervisor in a vehicle, the 40mm Launchers, Pepperball Projectile System and FN303 will be carried in the following condition:

- In the approved carrying case.
- With the weapon's chamber empty.
- With the munitions stored in the approved carrying case or on the approved sling.
- Electronic sights and the sight mounts (40mm launchers and FN303) will be checked to ensure they are in working order and secured appropriately.

The HOT-DART Lieutenant will be responsible for submitting ammunition and replace equipment requests for purchase through the Gold Hill Division Commander.

40mm Launchers Assigned to the Patrol Bureau

The HOT-DART Lieutenant or designee will be responsible to ensure each substation has 40 mm certified users available on each shift. It will be the responsibility of each shift lieutenant at each division to ensure 40 mm launchers are deployed on patrol shifts. At the beginning of each year, training will be conducted to ensure each patrol shift at the divisions had the below number of authorized users.

0530 hours:	Three users
0900 hours:	Three users
1400 hours:	Three users
1700 hours:	Three users
2100 hours:	Five users

New users are selected in January of each year to ensure that each shift has the number of 40 mm users listed above. Selection of users is at the discretion of each patrol shift lieutenant, subject to commander approval.

Authorized 40mm users will sign a launcher out of Quartermaster at the beginning of their shift and sign the launcher back in at the end of their shift. This will ensure at least one 40mm Launcher is deployed at each patrol division during each shift.

Pepperball Projectile Systems

Pepperball Projectile Systems will be assigned to certified DART officers and certified HOT officers. HOT team officers and DART team officers will be trained to carry the Pepperball Projectile System. DART team and HOT team officers can respond city wide if there is a need to deploy the Pepperball Projectile System.

Officers will not deploy the Pepperball Projectile System outside of approximately 12 yards from their target. The Pepperball Projectile System is intended for engagement of individual suspects.

When deploying the Pepperball Projectile Systems, users will deploy three to five rounds on their target as deploying a single round is not consistently effective. After no more than a five round deployment, officers will reassess the need for additional force/deployment.

Glass break Pepperball rounds are not authorized for deployment for patrol.

When a user intends to deploy the Pepperball Projectile System they will shout “pepper, pepper, pepper.” This is to notify other officers that the system is being deployed.

Pepperball Projectile System users will sign the weapon out of Quartermaster at the beginning of their shift and sign the weapon back in at the end of their shift.

Division Armorers

Division armorers are responsible for the 40mm Launchers assigned to their division.

Gold Hill Division armorers are responsible for the Pepperball Projectile Systems.

Armorers will place the weapons into the Quartermaster system and assign them to their division. Armorers will also conduct weapons inventory checks and safety inspections of each weapon system; this will be done one time per year. This will be completed no later than February of each year. The DART-HOT Lieutenant is responsible for the retention of the weapons inventory checks and safety inspections.

Any issues found with the weapons system during an inspection will be sent to the HOT-DART Lieutenant.

TEU/PORT SIMs & Chemical Munitions

The Tactical Enforcement Unit (TEU) and Public Order Response Team (PORT) utilize multiple technologies and systems to deploy Less Lethal Impact and Chemical munitions. As new technologies are developed, TEU and PORT conduct evaluations and testing of these systems that often lead to the implementation into Patrol and other Specialized Units. Approval for deployment of these new systems for TEU and PORT may be authorized by the Specialized Enforcement Lieutenant and Commander.

Deployments guidelines will be consistent with manufacturer recommendations and training, CSPD Use of Force Policy and Colorado Revised Statute. Some examples include but are not limited to: 40MM Launchers and munitions from both Defense Technologies and Combined

Systems (Less-Lethal, Chemical and Distraction Devices), FN 303 launcher and available munitions, Pepperball and available munitions.

SED will maintain weapon systems, inventory and specific assignments to unit personnel.