

## FREDERICK POLICE DEPARTMENT GENERAL ORDER

<b>Section 07:</b>	Force, Detention, and Arrest	<b>Order Number:</b>	713
<b>Topic:</b>	LESS LETHAL FORCE: IMPACT MUNITIONS	<b>Issued by:</b>	Chief of Police
<b>Approved:</b>	01/15/25		
<b>Review:</b>	Annually in February by Special Response Team Commander		
<b>Supersedes:</b>	Section .60 of G.O. 712, dated 02/23/24		

### **.01 PURPOSE:**

To specify the type of Less Lethal Impact Munitions Systems (LLIMS) approved for use by sworn members of the agency, to specify the appropriate uses for these weapons, and to provide the training and reporting guidelines required for officers to carry them.

### **.02 CROSS-REF:**

G.O. [452](#), "Special Response Team (SRT)"  
G.O. [480](#), "Civil Disturbance and Demonstrations"  
G.O. [705](#), "Use of Force"  
G.O. [712](#), "Less Lethal Force: Impact Weapons"  
G.O. [773](#), "Sick or Injured Prisoners"  
G.O. [1125](#), "Inventory and Inspection"

### **.03 DISCUSSION:**

Appropriate, effective impact weapons have long been considered necessary personal protective equipment to be carried by law enforcement personnel. As such, the Department authorizes the use of LLIMS under certain circumstances.

### **.04 POLICY:**

It is the policy of the Frederick Police Department that its authorized members will use LLIMS only in accordance with use of force policy and guidelines specified in [G.O. 705, "Use of Force."](#) In addition, no member will be issued or permitted to carry or use any LLIMS until he has been trained in its use, and has demonstrated proficiency with it on an annual basis. The provisions of this Order apply to personnel both while on and off duty.

### **.05 DEFINITIONS:**

LESS LETHAL IMPACT MUNITIONS SYSTEMS (LLIMS): Any firearm-based or explosive-based weapons platform, which used to delivery less lethal impact munition to the body of the target.

LESS LETHAL IMPACT MUNITIONS (LLIM): Any firearm-based or explosive-based less lethal projectile, which functions by striking the body of the target.

FLEXIBLE PROJECTILES: Projectiles generally composed of lead or silica-filled cloth bags. Characteristically, flexible projectiles conform to the contour of the surface they strike.

MULTIPLE-PROJECTILE MUNITIONS: Munitions, such as sting-ball rounds, that are in-directly deployed (skip-fired) by trained SRT members for crowd control emergencies and for protection of deployed chemical munitions

DIRECT FIRE MUNITIONS: Munitions that are intended to be directly fired at a person or an object. These munitions are either spin-stabilized or drag-stabilized. Direct fire munitions are normally single projectile munitions.

BLUNT TRAUMA: The maximum desired effect of SIMS. Described as the impact from an object

that leaves the body surface intact, which may cause sufficient non-life threatening injury to distract, control, and/or incapacitate a subject.

**.10 LEGAL STANDARD:**

This Order is for departmental use only and does not alter any criminal or civil standard of care. The Department's policy and procedures should not be construed as creating a greater or higher legal standard of safety or duty of care in an evidentiary sense with respect to third party claims. Violations of this Order will only form the basis for departmental administrative sanctions.

**.20 TRAINING:**

1. Use of SIMS is restricted to members of the Special Response Team (SRT) and other officers specifically designated by the Deputy Chief of Police.
2. Training will be developed and conducted by certified SIMS instructors. Training will include, at least, the use of LLIM, laws concerning the use of LLIM, Department policy on the use of force, escalating force, and deadly force, recognized safe-handling procedures for LLIM, and legal updates on use of force issues concerning LLIM. This training will only be instructed by a less lethal impact munition instructor. Designated members will complete a written exam, and must attain a minimum score of 80%.
3. Designated members will then complete a live fire qualification course to demonstrate proficiency with either or all of the 40mm single launcher, 40 mm multi-launcher, 12 gauge and FN 303 platforms. The designated member must attain a minimum qualification score of 90% on any and/or all platforms. To maintain this certification, each member will complete annual classroom re-training and re-qualification. All training and testing, both academic and practical/skills, will be documented. The less lethal impact munition instructor will submit all documentation to the Training Unit.
4. The SRT and the Training Unit will coordinate inventory control and issuance of LLIMS. They will maintain proper munitions rotation by utilizing the issued LLIM for annual qualifications and training.
5. In the event that an officer is unable to successfully demonstrate proficiency with any LLIMS platform during annual re-training, the course instructor will immediately notify the Training Supervisor. If, after reasonable remedial training avenues have been exhausted, the officer is unable to demonstrate proficiency with the LLIMS, the Training Supervisor will notify the SSD Commander, in writing and via chain of command, of the officer's unsatisfactory performance, and the officer's designation to deploy LLIM will be removed. The Training Supervisor or the officer's supervisor may also immediately suspend the officer's designation to deploy LLIM at any time.
6. During initial LLIMS training, and before being issued LLIM, all designated officers will be issued copies of, and instructed in, all of the Department's General Orders concerning the use of force. The SRT and the Training Unit will document the issuance of, and instruction in, these General Orders. Receipt of orders will be tracked in PowerDMS.

**.30 DELIVERY SYSTEM, ISSUANCE, AND INSPECTION:**

1. Following the successful completion of initial LLIMS training, the SRT and the Training Unit will coordinate to issue designated officers the DEFTEC 23DS beanbag with a 12-gauge-shotgun platform or any other LLIM.
2. Officers will carry and utilize only those LLIM issued and approved by the Department.
3. No changes, alterations, modifications, or substitutions will be made to the LLIMS other than

those approved by the Deputy Chief of Police.

4. The Training Unit will document and track the issued equipment in Skills Manager.
5. All LLIM 12 gauge shotguns will be issued and will be utilized in one of two manners:
  - A. Certified members will be issued a 12 gauge shotgun platform specifically designated for LLIM with an orange stock that readily identifies the shotgun as "LLIM-only."
  - B. Certified SRT members, who are qualified to carry LLIMS and have a rifle-sighted shotgun, will utilize the rifle-sighted shotgun for the dual purposes of both LLIM and regular use.
6. All designated LLIMS 12 gauge shotgun will follow the below procedures:
  - A. Members will receive a designated number of DEFTEC 23DS beanbag rounds in a zip lock plastic bag.
  - B. The zip lock plastic bag with the DEFTEC 23DS beanbag rounds will be initialed by a SRT Supervisor, and will have the date of issue written on it. Members will keep each zip lock bag as a reference of issue date, and will store the DEFTEC 23DS beanbag rounds in the sidesaddle of the shotgun.
  - C. The shotgun will be stored in the trunk of the member's departmental vehicle, unloaded and clear of all ammunition.
  - D. No lethal ammunition will be stored in the shotgun case.
  - E. Members will inspect, and will conduct a safety check of their assigned shotguns and DEFTEC 23DS beanbag rounds prior to each tour of duty. Damaged or unserviceable DEFTEC 23DS beanbag rounds or shotguns will be immediately removed from duty and returned to the Training Unit or the SRT for repair or replacement.
  - F. A bi-annual inventory will be conducted by the SRT and the Training Unit LLIMS inventory control officers, and will be documented per [G.O. 1125, "Inventory and Inspection."](#) The SRT Team Leader and the operational supervisors of non-SRT members will inspect LLIMS and LLIMS shotguns monthly.
7. All designated LLIMS 40 mm single/ multi-launcher and FN303 will follow the below procedures:
  - A. Members will receive a designated number of LLIM rounds.
  - B. LLIM will be issued by a SRT Supervisor. Members will keep LLIM separate from the LLIMS until the point of deployment.
  - C. No compatible ammunition besides LLIM will be stored in the member's vehicle.
  - D. The LLIMS will be stored in the trunk of the member's departmental vehicle, unloaded and clear of all LLIM ammunition.

- E. Members will inspect, and will conduct a safety check of their assigned LLIMS and LLIM prior to each tour of duty. Damaged or unserviceable LLIMS or LLIM will be immediately removed from duty and returned to the Training Unit or the SRT for repair or replacement.
  - F. The SRT Team Leader and the operational supervisors of non-SRT members will conduct a documented inspection of LLIMS and LLIMs shotguns twice a year for the purposes of inventory, ordering and team preparedness. A copy of the inventory/inspection will be forwarded to the Accreditation Manager.
8. The Training Unit, in conjunction with the SRT, will continually evaluate the effectiveness of the Department's LLIMS in comparison to other available less-lethal weapons systems. In the event that the Training Unit and the SRT believe that the Department should replace its LLIMS with more effective less-lethal weapons, they will submit such recommendation in writing, via chain of command, to the Chief of Police.

#### **.40 TACTICAL PROCEDURES:**

The following tactical procedures will be followed when deploying SIMS:

1. Any use of LLIMS will be in accordance with the use of force policy and guidelines specified in [G.O. 705, "Use of Force,"](#) and as defined in that order as "appropriate force."
2. The LLIMS is a less-lethal weapon, and is not intended to replace the firearm in deadly force situations.
3. Officers may request that a certified LLIMS operator respond to their location for potential appropriate application of the LLIM as a use of force under circumstances dictated in this general order and in [G.O. 705, "Use of Force."](#) Requesting officers will broadcast a brief description of the circumstances involved, and will notify their supervisor, if feasible. Supervisors will monitor all requests for LLIMS responses, and will intervene when appropriate.
4. Upon arrival at the scene, the certified member deploying LLIM will announce, via the police radio that he intends to potentially deploy LLIM. The deploying officer will notify his supervisor, unless exigent circumstances exist, and the supervisor will respond to the scene.
5. The certified member deploying LLIMS will **not** take from his vehicle, or have on his person, both LLIM and lethal ammunition that is compatible with the designated LLIM platform.
6. Whenever practical, the certified member deploying LLIM will utilize a second officer to witness the deploying officer loading the LLIM rounds into his LLIMS, and to confirm that the LLIM is clear of lethal rounds. Certified members will practice this procedure during LLIM training.
7. In deadly force scenarios, an officer capable of deploying deadly force will always be designated as a cover officer to the officer potentially LLIM. This officer will be in the cover position, ready to deploy deadly force as a back up, prior to the deployment of the LLIM. Ballistic shield protection should be utilized if possible. The on-scene supervisor or the LLIM deploying officer will designate the officer to be used for deadly force cover, and will make the appropriate radio announcements, if practical.
8. The LLIM deploying officer will aim for the body target areas taught during LLIMS training and certification.

9. The on-scene supervisor or the officer deploying the LLIM will attempt to position the arrest team in a location where the arrest team can cover the distance to effectively control the arrestee after successful LLIM deployment. This will assist with ensuring that the arrestee does not recover from the psychological and physiological effects of LLIM prior to being taken into custody, and will prevent the arrestee from taking aggressive or other alternative actions.
10. Upon securing the arrestee, arrest team members will immediately administer first aid and will summons EMS.
11. LLIM may be used to break patio doors and windows when legally justified and appropriate to effectively force entry into a residence.

#### **.50 MULTIPLE-PROJECTILE MUNITIONS:**

Multiple-projectile munitions will only be issued to and deployed by trained and certified SRT members during appropriate crowd control emergencies at the direction of the on-scene incident commander. The training and certification process, the issuance and inspection procedures, and the reporting requirements for multiple-projectile munitions will be the same as for other LLIM.

#### **.60 SUPERVISOR RESPONSIBILITIES:**

1. The supervisor will respond to the scene of the LLIM deployment, and investigate the use of force per [G.O. 705, "Use of Force."](#)
2. Supervisors will respond to any anticipated LLIM deployments.
3. Supervisors will ensure that EMS is activated following all LLIM deployments, and that subjects that LLIM have been used on are evaluated and treated by medical personnel.
4. Supervisors will conduct visual inspections of subordinates' assigned DEFTEC 23DS beanbag rounds and LLIM shotguns during monthly inspections.

#### **.70 REPORTING SIMS USE:**

1. A Blue Team Use of Force Entry will be submitted by any officer who deploys LLIM as required under [G.O. 705, "Use of Force."](#) The deploying officer will include the physical stature of the impacted subject, clothing worn by the impacted subject, and the distance between the deploying officer and the impacted subject at the time of deployment.
2. The mere presentation of a LLIM shotgun will not require a Blue Team Use of Force Entry to be completed, if the LLIM shotgun was not pointed at the subject.
3. The spent LLIM and DEFTEC 23DS beanbag casing will be photographed and collected at the scene. These items will be placed on property, and an *Incident Report* will be completed.
4. Officers will photograph the LLIM impact site on the subject following a LLIM deployment. If the LLIM impact site is in a private area, the officer will ask permission of the subject to have a same sex officer or medical personnel photograph the LLIM impact site.

#### **.80 MEDICAL TREATMENT OF INJURED PERSONS:**

1. Following the deployment of LLIM, the officer utilizing the weapon will ensure that appropriate steps are taken to determine if the use of the LLIM caused injury to the suspect or any other person. All injured persons will be provided with appropriate medical aid as described in [G.O. 705, "Use of Force."](#)

2. EMS will be summonsed for all persons struck by LLIM.