



TIVERTON POLICE DEPARTMENT

GENERAL ORDERS

Individual: Less Lethal Munitions		General Order Number: 390.60
Section: 300 – Law Enforcement Operations		Subsection: 90 – Use of Force
Amends/Supersedes:		
Effective Date: 08/27/2021	Revised Date: 08/27/2021	Review Date: As Needed
Per Order Of: Patrick W. Jones, Chief of Police		
RIPAC: 2.12, 2.19		
Distribution: Sworn Department Members		

NOTE: This written directive is for the internal governance of the Tiverton Police Department, and is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

I. PURPOSE

To establish guidelines for authorized department members regarding the use of Less Lethal Munitions.

II. POLICY

It is the policy of the Tiverton Police Department to equip and train appropriate persons in the deployment of less lethal munitions as a use of force option.

III. DEFINITIONS

Less Lethal Munitions: Flexible and non-flexible projectiles deployed from a variety of weapons to include the 12 Ga. Shotgun, M203, 37 and 40mm gas guns.

Flexible Projectiles: Lead shot #9 sewn or tied in a cloth or nylon bag, intended to conform to shape by reducing energy density.

Non-flexible Projectiles: Rubber Bullets, Wood Batons, Foams Batons, and Sting Balls.

Authorized Peron(s): Defined as certified officers who have successfully completed a Tiverton Police Department approved certification.

IV. PROCEDURE

A. Delivery Systems

1. Only department authorized 12 Ga. Pump Style Shotguns will be used to deploy less lethal munitions.
2. A dedicated weapon system marked “LESS LETHAL” and identified by an orange stock and orange fore-end.

- B. The officer deploying the less lethal projectiles will visually/physically inspect the chamber, shell gate, and magazine for any LETHAL rounds before loading any less lethal munitions.
- C. Deployment
 - 1. Less Lethal munitions will only be deployed by authorized person(s) who have successfully completed a department approved certification course.
 - 2. The Patrol Shift Officer in Charge (OIC) will assign at least one officer a weapon carrying less lethal munitions per shift. This weapon shall be secured in the patrol vehicles shotgun mount. The weapon shall take the place of the department issued shotgun during that officer's shift.
 - 3. The officer(s) assigned a weapon carrying less lethal munitions shall remove the weapon from the patrol vehicle at the end of his/her shift. The weapon shall be placed in a designated secure storage area.
 - 4. The optimum shooting distance for a less-lethal munition is dictated by each rounds characteristics.
 - 5. Deployment of non-flexible munitions will be restricted to tactical situations by authorized person(s).
 - 6. Less Lethal Munitions may be used whenever an officer finds it reasonably necessary to use physical force to gain and maintain control of a non-compliant subject who is posing a threat to officers or other persons and who is in possession of an edged or blunt force weapon, in accordance with the department's Use of Force Policy (*General Order 390.10*).
 - 7. Just like the police expandable baton (*General Order 390.50*) less lethal impact munitions may be fatal or cause serious physical injury if the projectile impacts the following areas:
 - a. Head
 - b. Neck
 - c. Solar Plexus
 - d. Groin
 - e. Kidney
 - f. Tail Bone
 - g. Rib Cage
 - h. Spine Shots to the above-restricted areas are strictly prohibited unless they are consistent with *General Order 390.10 Use of Force*.
 - 8. Any person injured as a result of deployment of less-lethal munitions will be transported to a medical facility for treatment.
 - 9. All use of less-lethal munitions will be documented on the Tiverton Police Department Response to Resistance Report.
- D. Training and Qualifications
 - 1. At least annually, each officer is required to demonstrate proficiency with the Less Lethal Munitions which he/she is authorized to use. Proficiency standards are established as follows:
 - a. Attainment of minimum qualifying scores on a prescribed course;

- b. Attaining and demonstrating a knowledge of the laws concerning the use of the less lethal munitions and knowledge of the department policy(s) on the use of force, escalating force, and deadly force;
 - c. Being familiar with recognized safe-handling procedures for the use of less lethal munitions.
 - 2. The program of instruction will be conducted by a qualified instructor who has achieved and maintained certification in the use of Less Lethal Munitions.
 - 3. The Planning and Training Lieutenant will maintain training documentation to include lesson plans, attendance sheets, and proficiency records.
 - 4. Proficiency standards shall be satisfied prior to an officer being authorized to carry and/or utilize Less Lethal Munitions.
 - 5. Officers who are unable to show proficiency with Less Lethal Munitions in accordance with department testing procedures will be given remedial training by the department's Less Lethal Munitions Instructor(s).
 - a. Upon successful completion of this training, the officer will be re-tested.
 - b. If after a second attempt, the officer does not display proficiency, a report will be forwarded to the Planning and Training Lieutenant and the Chief of Police by the department's Less Lethal Munitions Instructor.
 - c. The Chief of Police will then take such action as he/she deems necessary and consistent with this policy.
- E. Department Less Lethal Munitions Instructor
- The duties of this assignment include but are not limited to:
- 1. Inspect all less lethal munitions at least annually to ensure that they are clean and serviceable.
 - 2. Oversee the repair or malfunctioning of damaged less lethal shotguns. All repairs will be performed by an authorized armorer and/or gunsmith as needed.
 - 3. Maintain records of issuance, care, and maintenance of departmental less lethal shotguns and associated items.
 - 4. Maintain a record of all less lethal munitions which have been determined as serviceable and with which officers are qualified.
 - 5. Develop training programs in the use of less lethal munitions.
 - 6. Develop the department's annual less lethal munitions' course.
 - 7. Train and qualify all new officers in the use of less-lethal munitions.
 - 8. Conduct annual less lethal munitions qualifications.