



VSP-DIR-328

Chemical Agent Munitions

1.0 Purpose

- 1.1. To establish a procedure for the use of chemical agent munitions (CMs) used by the Vermont State Police.

2.0 Policy

- 2.1 Only trained members of the Tactical Services Unit (TSU) and/or the Critical Action Team (CAT) may deploy CMs.
- 2.2 Trained members will comply with Department policy when deploying CMs at any incident.
- 2.3 Deployment of CMs by a department member is a use of force as defined within VSP-DIR-701; Use of Force. The Team Commander (or designee) of TSU and/or CAT will be responsible for submitting the necessary data from any deployment of CMs to the Use of Force Training Committee.
- 2.4 Each deployment of CMs will be documented. Any incident reviews will be authorized by the Director in accordance with VSP-DIR-623; Critical Incident Review Process.

3.0 Procedure

- 3.1 Chemical agent munitions (CMs) used by the Vermont State Police include, but are not limited to CS gas, Oleoresin Capsicum (OC), Vapor and Smoke. These munitions come in various deployment methods, which include but are not limited to 12 gauge shotgun; 37mm and 40mm launchers; pepper ball guns; canisters and foggers.
- 3.2 Proper training on the handling and use of CMs is necessary for the protection of both Department members and members of the public.

4.0 Storage and Handling of Chemical Agent Munitions

- 4.1 CMs are to be stored in accordance with their manufacturer's

recommendations.

- A. Generally, CMs should be stored in their original container, in a cool, dry place.
 - B. Careful attention should be given to the manufacturer's expiration date.
 - C. Members receiving CMs are ultimately responsible for their storage and their disposition once deployed or they have expired.
- 4.2 CMs removed from their original containers must be clearly identified as "less lethal" to prevent confusion with lethal munitions.
- 4.3 At no time shall CM projectiles be kept in a manner that could cause a member to confuse them with lethal munitions.
- 4.4 No member shall be authorized to tamper with or alter CMs in any manner.
- 4.5 It shall be the responsibility of the member to visually and physically inspect the deployment tool to ensure that only the appropriate munition is used for deployment.
- A. Whenever practical, a second member will inspect the deployment tool to ensure only the appropriate munitions are used for deployment.
- 4.6 Misfired CMs shall be recovered, rendered safe and removed from service.
- A. If a misfire of a CM should occur, the user of the CM shall document the misfire and contact a certified instructor, who will document the misfire and provide a replacement CM to the CM user, if necessary.

5.0 Carrying of Chemical Agent Munitions

- 5.1 Only members who have attended and obtained certification through a Department approved training program may carry and/or deploy CMs. Certification records will be kept on file at the Office of Professional Development.
- A. Members authorized to carry and/or deploy CMs will complete a recertification course annually overseen by a certified instructor. This recertification course will include a documented review of this policy on an annual basis.

- B. Only Department approved CMs shall be carried and deployed.
- 5.2 CMs shall be carried in a safe manner and separate from any lethal munitions.
- 5.3 CMs should not be deployed without the member wearing a protective gas mask.
- 5.4 The Vermont State Police shall issue protective gas masks to all members that could be asked to deploy CMs.
 - A. Fit testing of the masks shall occur on an annual basis and conform to all OSHA regulations regarding protective gas masks. See VSP-DIR-349, Respiratory Protection for additional details.
- 5.5 Any member carrying CMs shall have a protective gas mask readily available.

6.0 Deployment, Use and Delivery of Chemical Agent Munitions

- 6.1 All CMs will be deployed and used in accordance with the recommendations of the manufacturer. Members will also take into consideration manufacturer aiming recommendations when deploying CMs, however members shall ensure all deployments of CMs are in accordance with Department policy.
- 6.2 CMs can be deployed whenever the use of a less lethal diversion or tool would facilitate entry, enable arrest or potentially reduce the risk of injury to law enforcement and/or others.
- 6.3 CMs may potentially cause short-term incapacitation of a person so that he or she cannot continue to engage in unlawful and/or dangerous conduct.
- 6.4 If a member injures a person through the deployment of CMs, the member shall take the necessary and appropriate actions required to provide medical attention, once the threat is no longer. This includes arrangement for transportation to a medical facility if needed.
- 6.5 CMs shall be aimed based on the totality of the circumstance of the given incident, with due regard given to the following, but not limited to; the threat, available target, munitions, distance, back drop, clothing on the suspect, age of the suspect, physical condition, mental condition, immediate surroundings, effectiveness of prior munitions fired and the situational use of force options available.

- 6.6 CMs shall only be deployed at a demonstration, protest or other gathering of people in accordance with VSP-DIR-419; Crowd Control and Management. Prior to any delivery of CMs during such an incident, the TSU commander or CAT commander, or in their absence, the incident commander in consultation with a trained member, shall develop and communicate a plan to deploy CMs.
- A. The commander developing said plan shall ensure all members are wearing gas masks prior to deployment of CMs.
 - B. In such situations, CMs shall not be delivered without prior authorization from the commander who established the plan to deploy CMs as well as the incident commander.
- 6.7 When aiming CMs into a structure such as a building and/or residence, an appropriate trajectory level is to be used to reduce the likelihood of a direct impact with any person inside the structure. Example: Most cases, low to high is suggested.
- A. The windows of any structure that has been exposed to CMs shall be opened as soon as practicable, to the extent reasonable and necessary.
- 6.8 Careful consideration must be given to wind direction, speed and turbulence in order to avoid, to the fullest extent possible, impacting areas and persons not intended to be affected by the delivery of CMs.
- A. When feasible, areas and/or nearby residences that might be unintentionally affected by the delivery should be evacuated prior to the use of the CMs.
- 6.9 During each deployment, only the minimum amount of CMs necessary to overcome resistance or to effectively resolve the situation shall be used.
- 6.10 The deployment of SMOKE into a confined area, particularly a structure, shall be considered use of lethal force. The deployment of any SMOKE into a structure shall be authorized by the TSU commander or tactical team designee.

7.0 Decontamination and First Aid

- 7.1 The first step in the decontamination process is to remove the affected person(s) from the contaminated area as soon as feasible. Members should reassure the person, attempt to keep them calm and remind them to continue

to breathe normally.

- 7.2 The person affected by the CMs should try to keep their eyes open and blink.
 - A. Water may be used to flush the person's eyes; however only EMS personal or other medical professionals shall introduce saline solution and/or remove contact lenses.
- 7.3 If significant recovery from the effects is not observed within a reasonable amount of time, the affected person shall be evaluated by medical personal as soon as feasible.
- 7.4 After each deployment of CMs into any structure, it is the responsibility of the TSU Commander, or designee, to post our "Vermont CS Warning Poster" as well as provide our "Gas Deployment letter" to the homeowners or owners of the building. The forms provide warnings of the chemicals inside, instructions for decontamination and contacts for private cleaning companies.
- 7.5 Prior to leaving the scene in which CMs were deployed, law enforcement should open windows to the structure, to begin the decontamination process, if feasible.

8.0 Report Use of Chemical Agent Munitions

- 8.1 Every deployment of CMs will be documented and submitted to the chain of command within (72) hours. Documentation shall consist of a TSU mission form and/or a Vermont State Police Use of Force entry. The report shall explain the circumstances of the deployment, including but not limited to; the type of CM deployed, location, number of rounds and a description of any injury that occurred as a result.
- 8.2 The team commander (TSU or CAT) shall be responsible for ensuring the data contained in the report is presented to the Use of Force Training Committee.

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