
	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 1 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

I. Purpose

The purpose of this order is to establish policy for the Ann Arbor Police Department concerning the use of less-lethal force. It establishes guidelines for what weapons and tactics may be used. The policy provides for the treatment of injuries or the complaint of injuries. It requires review procedures when less-lethal force is used.



II. Policy

The use of less-lethal force shall be restricted to circumstances authorized by law. Officers are authorized to use less-lethal force if it appears reasonably necessary to accomplish lawful objectives, effectively make an arrest, bring an incident under control, or to protect the life of the officer or another. All reasonable attempts should be made to de-escalate a situation prior to application of physical force. The level of force must be based on the actions and behavior of the suspect in conjunction with the totality of the circumstance existing at the time force is utilized.

Excessive or unauthorized force is never justified. Employees of the Ann Arbor Police Department that observe a department employee or employee from another agency using force that is clearly beyond that which is objectively reasonable under the circumstances will, when in a position to do so, safely intercede to prevent the use of such excessive force. Departmental employees will promptly report these observations to include, but not limited to, violations of department policy, local ordinance, state, and federal law to a supervisor.

III. Definition

- A. Less-lethal force: That amount of force which when used is not intended to result in serious physical harm or death.
- B. Serious physical harm: an injury reasonably believed to require hospitalization, or which could reasonably be expected to cause death.
- C. Reasonable force: What constitutes reasonable force depends on the facts in the particular case. The reasonableness of the force used will be judged in light of the circumstances as they appeared to the officer at the time, he/she acted. The measure of reasonableness is generally considered to be that which an ordinarily prudent and intelligent person, with the similar knowledge, experience, and in the similar situation as that of the officer, would have deemed necessary under the circumstances. Personnel covered under these guidelines have discretion, within reasonable limits, to determine the amount of force the circumstances require, and they are not guilty of wrongdoing unless they arbitrarily abuse the powers confided in them. Moreover, it is presumed that the officer acted in good faith.
- D. Conducted Electrical Weapons: are commonly referred to as the "Taser." This is

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 2 of 10
	Issued By: Chief Andre Anderson	<div>CALEA Standards</div>  <div>4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2</div>	
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			



a weapon capable of firing metal barbs into an individual and introduces an electrical current into the body. The electrical current overrides the central nervous system and renders the individual temporarily incapacitated.

- E. Specialty Impact Munitions-trained officer: is a certified operator or operator instructor in the use of a Less Lethal Launcher system.

IV. Authorized Use of Less-Lethal Force

- A. Using the PPCT Use of Force Continuum as a guide, less-lethal force may be used in the following situations and when other alternatives are not available or have failed:
 1. In self-defense or defense of another person.
 2. To affect the arrest of persons physically or passively resisting a lawful arrest, attempting to flee from custody, or when necessary to prevent the escape or to re-capture one whom the officer has arrested. In an escape, the officer is **justified** to use up to that degree of force which they might rightfully have used to effect the original arrest.
 3. To prevent a person from injuring themselves or someone else.
 4. Against persons creating a public disturbance in order to maintain public order.
 5. Against animals menacing or attacking persons or officers.
 6. To control an arrested individual who is either actively or passively refusing to comply with arrest, search, booking and other necessary directives.
 7. Specialty Impact Munitions may be used in any situation where deadly force would be authorized.
 8. Although the use of less lethal force is generally allowed against those individuals who are passively or inactively resisting, the specific use of Conducted Electrical Weapon Tasers) is prohibited in these situations.
- B. The on-scene supervisor or executive in charge of the station at the time of an incident has the authority to authorize the use of chemical agents to control, contain, or stop a disturbance.



Any currently certified member of the Washtenaw Metro SWAT Team is qualified to actually deploy chemical agents, once a supervisor with competent authority to authorize its use has given approval.

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 3 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

- C. Any currently certified Specialty Impact Munitions-trained officer who has been certified with the individual system they are assigned to employ, may do so once a supervisor with competent authority to authorize its use has given approval. However, if there is an imminent threat to themselves or another person, such force is authorized without command approval.
- D. Officers shall only use the degree of force they reasonably believe is necessary to control the situation. Factors to be considered in determining the degree of force to be used;
 - 1. Physical size, strength and weaponry of the person(s) compared to the officer(s).
 - 2. Nature of the encounter.
 - 3. Actions of the person(s).
 - 4. Exigent conditions (e.g., availability of back-up, number of persons involved).
- E. Any technique that is likely to restrict the intake of oxygen for the purpose of controlling a subject, such as "choke holds," is prohibited in a less-lethal force situation.
- F. Officers who escalate their use of force to less-lethal weapons must be able to articulate why empty-hand control was either not effective, or not reasonable to use.
- G. Officers are prohibited from using the cuffing tactic commonly known as hog-tying, where the subject has his/her hands and feet bound, and then these are bound together behind their back. This is due in part to the fact that positional asphyxia deaths can result from this type of confinement.

V. Use of Less-Lethal Weapons

AAPD officers are authorized to carry three less lethal weapons. These are the expandable baton, pepper spray (OC) and the Taser. Officers will be trained in the use of all three weapon systems during the in-house training program. Officers must demonstrate proficiency with each of these less lethal weapons prior to being authorized to carry the weapons. Uniformed officers are required to carry a minimum of two of these weapons systems on their person when on duty outside City Hall, with the Taser being one of the required options. **EXCEPTION-** Police Administration is exempt from carrying the Taser and will not be issued one as part of their required department equipment. Lieutenants will have the option to carry the Taser if they elect to do so. All officers are required to maintain certification in each of these three systems they

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 4 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

are issued whether they choose to carry them on duty or not.



- A. **Pepper spray**, aka OC or oleoresin capsicum spray, is an authorized less-lethal weapon for law enforcement use. This device is a weapon and it is not to be used indiscriminately. It is intended to reduce the possibility of injury to both the offender and to the officer.

1. When pepper spray is used, the following precautions will be taken:

- a. Pepper spray is not to be discharged directly into the eyes of a person at a distance of less than three feet unless there is a serious threat of danger to the officers which would prevent the officer from doing otherwise.
- b. The prolonged discharge into the face of a person will not be permitted. Short one (1) second bursts are sufficient.
- c. Pepper spray should normally not be used in a confined space where there is no ventilation.
- d. Pepper spray is normally not to be used in the immediate vicinity of infants since their respiratory systems are especially sensitive.
- e. Pepper spray can be used on persons who are intoxicated, under the influence of drugs, have serious mental problems, or on violent animals. However, caution should be used as the pepper spray may not always be effective and follow up control measures may also need to be employed.

2. Training and Certification prior to issuance of pepper spray.

- a. Only Department approved instructors who have received the required certification will be used to train officers in the use of pepper spray. Instructors shall document training with an approved lesson plan and roster of when each officer was certified and by which instructor.
- b. No Police Officer, Police Service Specialist or Community Standards Officer who is working in an official capacity shall carry or possess pepper spray without first successfully completing the department approved training course.
- c. Police Officers, Police Service Specialists and Community Service Officers are required to recertify in the proper use of pepper spray when scheduled.

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 5 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

3. Pepper Spray Issuance and Carry

- a. Police Officers, Police Service Specialists and Community Standards Officers shall be issued Defense Technologies MK-6 pepper spray.
- b. Pepper Spray will be carried in the plain black or Clarino holster designed to carry Pepper Spray and worn on the individual's belt, opposite the firearm if applicable. All uniformed personnel will have the option to carry pepper spray during any period they are performing road patrol duties or uniformed special assignments.
- c. Only department issued pepper spray may be carried by uniformed personnel.

4. Emergency use of squad-sized pepper spray/OC canisters, model MK-9.



- a. Squad-sized pepper spray shall be carried in each command vehicle. Additional canisters are stored in the Quartermaster Room within the rifle cabinet. Any supervisor removing/using pepper spray from the rifle cabinet shall send an email to the property officer making notification of its use. The property officer shall replenish the supply ensuring continued availability.

5. Ordering new or replacement pepper spray.

- a. The Property Unit will issue Pepper spray to newly sworn Police Officers as well as Police Service Specialists and Community Standards Officers.
- b. Any employee requiring a replacement OC unit shall complete the Equipment Replacement form and forward to Property via chain of command.

- B. A department issued baton** is an authorized less-lethal weapon. Officers will use only department issued or approved service batons. Batons shall not be altered in any way without the written permission of the Chief of Police. It must be remembered that a service baton is a weapon and if used improperly can inflict serious injury to a person and even death. Use of the baton should only be considered when other tactics have failed, or the situation dictates this level of force. The proper use of a service baton is intended to reduce the possibility of injuries to the officer while inflicting minimum injury to the assailant. Only the department issued expandable baton will be carried while on patrol.

1. The authorized method of baton use shall be consistent with department

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 6 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

approved and provided training. Officers must successfully complete training on the proper use of a baton before carrying and/or using the baton in the field.



2. The baton is not to be used as a club except as a last resort, where the use of deadly force can be justified.
3. Officers must successfully complete "Pressure Point Control Tactics - Impact Weapons" refresher training when scheduled.
4. All sworn officers will maintain and have readily available their issued collapsable batons for use in crowd control situations and other special details.

C. The **Less Lethal Launcher** system is an authorized device for law enforcement use by a Specialty Impact Munitions-trained officer (which includes supervisors, SWAT personnel and those trained and certified as operators only). This weapon is not to be used indiscriminately. Its use is intended to reduce the possibility of injury to both the offender and to the officer. These weapons will be inspected at least once annually.

1. Specialty Impact Munitions-trained officer shall be trained by a certified instructor annually on the use and operation of each less lethal launcher device before its utilization is authorized by any individual.

2. Authorized Less Lethal Launcher Systems:

- a. FN Herstal, FN303 Less Lethal Launcher
 1. Patrol applications - for use by supervisors, SWAT personnel and those trained and certified as operators. projectiles allowed:
 - a). Training rounds – water – clear
 - b). Marked rounds – permanent – yellow
 - c). Marked rounds – washable – pink
 - d). OC rounds – PAVA – orange ***(Use only authorized under conditions outlined in P&P 046-009 – Response to Large-Scale Civil Disturbances)**
- b. Defense Technology 40mm single shot launcher
 1. Patrol applications - for use by supervisors, SWAT personnel and those trained and certified as operators.

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 7 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

projectiles allowed:



a). Exact Impact 40mm projectile

3. Specialty Impact Munitions-trained officers must qualify at least annually with the FN 303 and the Defense Technology 40mm single shot launcher.
 4. Specialty Impact Munitions-trained officers should consider whether or not lethal cover is necessary and appropriate when utilizing Less Lethal Launcher devices. Lethal cover **will** be used in all cases involving subjects with firearms.
 5. All Less Lethal Launcher devices are maintained by department instructors and armorers. Notification should be made to an instructor or armorer in the event the device is deployed so that replacement ammunition can be obtained, and the weapon system inspected.
- D. Conducted Electrical Weapons (Tasers): Uniform officers trained in the use of the Taser, will carry it while on duty in a department approved holster. Taser deployment and tactics are discussed in [P&P 001-018](#)
- E. Flashlights will not be used as a striking instrument, except as a last resort, where the use of deadly force can be justified.
- F. Officers may carry folding knives with a blade no longer than three (3) inches for utility purposes while on duty. Fixed blade knives are authorized for members of the Washtenaw Metro SWAT Team only while operating in such a capacity.
- G. Officers are prohibited from carrying or using a less-lethal weapon that is not authorized by this order. This prohibition does not apply to SWAT officers when engaged in activities covered in P&P 047-001. This does not prohibit an officer from using another approved technique at their disposal for which they was properly trained in an approved department training program.

VI. Medical Treatment

A. General

1. All personnel shall be alert to any injury or complaint of injury occurring as a result of the use of less-lethal force. Any visible injury or complaint of injury shall result in the injured subject being transported immediately, to a medical facility for examination.

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 8 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			



2. Subjects who have received an impact weapon or kinetic energy impact projectile strike shall be transported to a medical facility for examination and/or treatment.

B. Treatment after Pepper Spray Has Been Used

1. The individual receiving an exposure should be kept under constant observation until recovered.
2. The areas of the body exposed to pepper spray will be flushed with water as soon as possible.
3. Contact lenses should be removed, and persons who have contaminated clothing who are going to be incarcerated will be given an opportunity to wear jail clothing.
4. Persons who have been pepper sprayed will be interviewed not less than **30** minutes or more than **60** minutes after exposure. The physiological effects of pepper spray/OC should dissipate within **30** minutes allowing the subject to comprehend an interview. If the effects have not dissipated within **60** minutes, medical attention should be obtained.
5. Persons who, if after receiving an exposure, lose consciousness, do not maintain their bodily functions, or do not begin to recover, should receive immediate medical attention. If the arrestee requests, the individual will be taken to the hospital emergency room for examination.
6. In all cases where a person has received a direct exposure to the eyes within a three (3) foot distance, they will be taken to the hospital emergency room to be examined by a physician.



VII. Reporting and Review Procedures

- A. Officers shall immediately report to a supervisor the use of any less lethal force against a person. This includes the use of Pepper Spray, Baton, Taser, Less Lethal Launcher, or other less-lethal force against a person.
- B. Supervisors shall view the subject in question and report on observable injuries.
- C. Department personnel involved in any use of less-lethal force situations will notify their supervisor, complete an incident report, and the use of force form regarding the incident prior to the end of their tour of duty. These reports will not be "held out." The use of force form, incident report, and any other additional information to include but not limited to Body Worn Camera (BWC), in-car video, or Taser

	POLICY AND PROCEDURAL ORDER		001-004
	Use of Less Lethal Force		Page 9 of 10
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Effective: 07/12/2004	Updated: 04/14/2025		
Last Reviewed: 04/14/2025			

download report, will be reviewed by a supervisor when available in accordance with established Response to Resistance/use of force review procedures.

- D. The supervisor reviewing the Response to Resistance/use of force incident shall complete a memorandum to the Chief of Police via the chain of command. The memorandum will contain a summary of their review of the officer's actions. This review will articulate why force was or was not justified. This memo will then be reviewed by the Section Lieutenant. The Section Lieutenant will review the memorandum completed by the reviewing supervisor, the incident report, and any other additional information related to the incident before signing off in agreement. If the Section Lieutenant deems the supervisor's memorandum requires additional articulation on why force was or was not justified, they will complete a separate memorandum. The memorandums from the reviewing supervisor and the Section Lieutenant will be forwarded to the reviewing Deputy Chief.
- E. A copy of the incident report, along with a copy of the completed use of force form will be forwarded by the Section Lieutenant to the appropriate division Deputy Chief with the results of the supervisor's review of the incident.
- F. The report shall give a detailed account of the incident including the nature and extent of the resistance and force used. The report should also include:
 - 1. The circumstances which brought about the need for force and/or injury.
 - 2. The extent and subsequent treatment of apparent injuries sustained.
- G. A copy of all documents related to the use of force being reviewed will be forwarded to the Professional Standards Section when it is determined the force used was not justified.
- H. If death or a serious injury that could result in death occurs, all procedures outlined in [P&P 001-003](#), Use of Deadly Force, Section V, will be followed.

	POLICY AND PROCEDURAL ORDER		001-004	
	Use of Less Lethal Force		Page 10 of 10	
	Issued By: Chief Andre Anderson		 CALEA Standards 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2	
Effective: 07/12/2004	Updated: 04/14/2025			
Last Reviewed: 04/14/2025				

ATTACHMENT 1

Authorized Less-lethal Force Weapons

A. Service Baton

1. Expandable Baton, PPCT Tac 20-F, 21", black, metal

B. OC - (Oleoresin Capsicum) Personal Defense Spray, Inflammatory Agent

1. Manufactured by Defense Technologies, model MK-6 in 2% concentration

C. Less Lethal Launcher Projectiles

1. FN 303 .68 caliber fin stabilized liquid projectile.
2. Defense Technology 40mm single shot launcher.

D. Conducted Electrical Weapon Devices

1. The Taser 7 and X2 Taser devices, manufactured by Axon, are authorized for use.

E. Active Metro SWAT members are authorized to use the following less lethal weapons:

1. SL-6 37 mm Launcher
2. SL-1 37mm Launcher
3. Deuce 37 mm Launcher
4. L-8 40mm Launcher
5. Single Shot 40 mm Launcher

F. Chemical Agents (Utilized by SWAT personnel and those departmental training only)

1. CN - Chloroacetophenone, tearing agent (red canister)
2. CS - Orthochlorbenzalmalononitrile, irritant agent (blue canister)
3. Smoke - white, yellow or black
4. Manufactured by Defense Technologies, model MK-9 squad-size OC/CS canisters