

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

POLICY: 6.3 LESS-THAN LETHAL FORCE WEAPONS

REVISED DATE: 11.05.13

POLICY

In the interest of public safety, the department provides officers with a range of non-lethal and less than lethal options. The department's policy ensures that members are properly trained in the use of these tools and the circumstances of their use. Supervisors shall rigorously enforce departmental weapons standards.

All sworn personnel shall qualify at least annually with departmental non-lethal and less-than-lethal weapons. Officers shall not carry or use any non-lethal or less than lethal weapon where they have not received training and been qualified.

I. PURPOSE

To establish policy and procedures governing the issuance, training, care and maintenance, and qualification of non-lethal and less-lethal weapons.

II. GENERAL PROCEDURES

A. Approved Weapons

1. Non-lethal and less than lethal weapons currently approved by the department include:
 - a. Baton (personal issue)
 - b. Pepper Spray (personal issue)
 - c. Conducted Energy Device (CED) (Duty Issue)

B. Security of weapons

Officers are responsible for the care and security of departmental weapons issued to them. Officers shall report any weapon loss or malfunction to the Director via email.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

C. Modification and maintenance of weapons

1. Departmental weapons shall not be modified or altered without written approval of the Director.
2. Officers are responsible for cleaning and maintenance of non-lethal or less lethal weapons that are issued to them.

D. Weapon inspections

1. Officers shall inspect issued weapons at the beginning of each duty assignment to ensure they are in proper working order.
2. The Sergeant shall inspect issued weapons at least monthly and shall document the inspections in a memorandum to the Director indicating the officers inspected and the results of the inspection.

III. QUALIFICATION REQUIREMENTS

A. Required instruction and qualification

1. All department personnel shall receive training with any non-lethal and less lethal weapons that they will carry. Training shall cover the mechanics of the weapon, sound safety practices, and departmental policy governing the use of the weapon and the use of force. Tactical considerations shall be a part of this training. Department issued weapons will training will be provided by the department. For "Personal Issue" weapons the officer will be responsible to seek certification or recertification and present it to the Director in order to carry the weapon.
2. Officers will receive training and demonstrate proficiency (qualify) at least annually on all departmental non-lethal or less lethal weapons systems.
3. Instructors for any non-lethal or less lethal weapon where the manufacturer recommends the instructors be certified before

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

providing initial or refresher training shall be certified before providing the said training.

IV. BATON

- A. The department authorizes the carrying and use of the baton(ASP, PR-24) as the only striking weapon for officers. All other forms of striking or punching weapons are prohibited, including but not limited to saps, blackjacks, slapjacks, nunchaku and similar sticks, and brass knuckles. Flashlights carried by officers are not to be used as striking instruments, except as a last resort to protect the officer from injury.
- B. Officers who carry the baton shall be trained and demonstrate proficiency in its use. The weapon may be used in quelling confrontations involving physical violence where higher levels of force are unnecessary or inappropriate and lesser levels are inappropriate or ineffective.
 - 1. The baton should not be used to strike handcuffed individuals or to threaten or intimidate people.
 - 2. Officers shall not raise the baton above the head to strike a blow to a person's head or neck area.
- C. All uses of the baton will be immediately reported to a supervisor and documented in an incident report.

V. OC PEPPER SPRAY

- A. Authorization
 - 1. Only officers who have completed the prescribed course of instruction on the use of OC are authorized to carry the device.
- B. Uniformed officers if they choose shall carry only departmentally authorized OC canisters in the prescribed manner on the duty belt. Non-uniformed officers may carry OC in alternative devices as authorized by the agency.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

C. Usage Criteria

1. OC spray is considered a use of force and shall be employed in a manner consistent with this agency's use-of-force policy.
2. OC may be used when:
 - a. verbal dialogue has failed to bring about the subject's compliance, and
 - b. the subject is actively resisting or has signaled his intention to actively resist the officer's efforts to make the arrest.
3. Whenever practical and reasonable, officers should issue a verbal warning prior to using OC against a suspect.
4. Once a suspect is incapacitated or restrained, use of OC is no longer justified.

D. Usage Procedures

1. Whenever possible, officers should be upwind from the suspect before using OC and should avoid entering the spray area.
2. An officer should maintain a safe distance from the suspect of between two and 10 feet.
3. A single spray burst of between one and three seconds should be directed at the suspect's eyes, nose and mouth. Additional burst(s) may be used if the initial or subsequent burst proves ineffective.
4. Use of OC should be avoided, if possible, under conditions where it may affect innocent bystanders or contaminate a public facility.

E. Effects of OC and Officer Response

1. Within several seconds of being sprayed by OC, a suspect will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain and/or impaired thought processes.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

2. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect—to include, if necessary, other force options consistent with agency policy—if he does not respond sufficiently to the spray and cannot otherwise be subdued.
3. Immediately after spraying a suspect, officers shall be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.
4. Suspects that have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody.
5. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
6. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. However, once the suspect has been restrained, officers shall call for medics to assist him by rinsing and drying the exposed area.
7. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. \

F. Reporting Procedures

1. Accidental discharges as well as intentional uses of OC spray against an individual in an enforcement capacity shall be reported to the officer's supervisor as soon as possible.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

2. A use-of-force report shall be completed following all discharges of OC spray except during testing, training, malfunction or accidental discharge.

G. Replacement

1. All OC spray devices shall be maintained in an operational and charged state by assigned personnel. Replacements for damaged, inoperable or empty devices are the responsibility of officers to whom they are issued.
2. Replacements of OC spray canisters shall occur when the unit is less than half full, as determined by weighing the canister.
3. OC canisters shall be inspected and weighed at the firing range during firearms qualification. A record of this fact shall be maintained by the appropriate agency authority.
4. Unexplained depletion of OC canisters shall require an investigation and written report by the officer's supervisor to the commanding officer.

VI. CONDUCTED ENERGY DEVICE

A. Conducted Energy Device

1. A Conducted Energy Device (CED) is used to electrically disrupt muscular control and allow officers to quickly subdue a resisting subject without having to resort to the use of deadly force. The CED is considered a less than lethal weapon but is discussed in policy 6.4.

Approved: *M. Shackleford*
M. Shackleford