

# DALTON POLICE DEPARTMENT

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<i>Subject</i> <b>Less-lethal Weapons</b>			
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## I. Policy

It is the policy of the Dalton Police Department to use only that level of force reasonably necessary to control or otherwise subdue individuals and only utilize less-lethal weapons authorized by this Department.

## II. Definitions

- A. *Less-lethal Force* – Any use of force other than that which is considered deadly force that involves physical effort to control, restrain, or overcome the resistance of another.
- B. *Less-lethal Weapon* – Any weapon that is not specifically designed as a lethal weapon or lethal force option.

## III. De-escalation

- A. De-escalation tactics and techniques are actions used by Officers, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.
- B. When safe, feasible, and without compromising law enforcement priorities, Officers shall utilize de-escalation tactics in an attempt to reduce the need to use force.
- C. De-escalation tactics include, but are not limited to:
  - 1. Utilizing verbal persuasion
  - 2. Providing clear instructions
  - 3. Using verbal techniques to calm an agitated subject and promote rational decision-making

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4. Avoiding language of a taunting or insulting nature that could escalate the situation
  5. Considering whether the lack of compliance is a result of a medical condition, mental impairment, developmental disability, language barrier, mental crisis, or drug interaction
  6. Making contact with the person's caregiver or family member, if identity and contact information is available
  7. Attempting to slow down the situation so that more time, options, and resources are available to resolve the incident
  8. Stabilizing the scene by limiting access to unsecured areas, limiting mobility, and preventing bystanders from becoming unnecessarily involved
  9. Calling for extra resources, such as less-lethal options or Officers that have received Crisis Intervention Team training
  10. Maximizing tactical advantage by increasing distance to allow for greater reaction time
  11. Placing barriers or utilizing natural barriers between Officers, the subject, and others
- D. Officers should utilize a contact and cover approach to de-escalation tactics in which one Officer focuses on communication with the subject while other Officers are positioned to quickly respond with lethal and / or non-lethal force, if necessary.
- E. The Watch Commander or other Supervisor shall respond to any incident in which prolonged attempts to de-escalate a situation are occurring.
- F. De-escalation tactics shall not be attempted if the safety of Officers or others may be jeopardized.

IV. **Less-lethal Weapons**

- A. Prior to an Officer carrying a weapon, it shall be reviewed, inspected, and approved by a qualified weapons instructor. The Officer being issued a less-lethal weapon shall demonstrate proficiency in the use of the weapon prior to being approved to carry it on duty.
- B. Each Officer that is issued a less-lethal weapon shall be issued a copy of and receive instruction on policy GO88-5.1, Use of Force, and any other policy that specifically pertains to the type of weapon. Receipt of the policies and instruction provided to the Officer shall be documented and that documentation forwarded to the Training Coordinator.
- C. Oleoresin Capsicum (O.C.) Spray

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1. O.C. spray with 10% pepper solution, as issued by the Department, is an appropriate less-lethal weapon that can be effectively used in situations falling between physical strength (hands, fists, feet) and impact weapons to control persons who demonstrate they intend to do violence to an Officer or third party. It is to be used to avoid physical combat and possible injury to an Officer and / or suspect by making it difficult or impossible, for an otherwise violent person, to fight effectively.
2. All persons sprayed or exposed to O.C. spray shall be provided with a list of instructions on decontamination (see Appendix A).
3. Officers are only authorized to carry and use O.C. spray issued by the Department.
4. O.C. spray is not to be used against persons who are only offering passive resistance.
5. Reporting requirements:
  - a. A Supervisory Review of Use of Force shall be completed anytime O.C. spray is used against a person, except in training.
  - b. The incident report shall document the circumstances which led to the use of O.C. spray, as well as any care provided to the person.
6. Issuance
  - a. O.C. spray shall only be issued to Officers that have received training on this directive and the proper use of O.C. spray, which includes an exposure.
  - b. Only water-based O.C. spray shall be issued.

**D. Impact Weapon**

1. Officers are authorized to carry the Department-issued impact weapon, the ASP collapsible baton. (See Appendix B)
2. The impact weapon is generally used against an aggressive, unarmed suspect or when lesser levels of control have failed or have been determined by the Officer to be inadequate.
3. The impact weapon, when properly used, is capable of delivering extremely powerful blows to stun and incapacitate an aggressive opponent. It is also capable of delivering lethal or permanently disabling blows. Blows to the head, throat, side of the neck, armpit, or chest cavity shall be avoided, whenever possible.
4. Officers shall carry only impact weapons authorized by the Department. Only those Officers trained and / or certified shall be authorized to use impact weapons.

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5. Reporting requirements:

- a. A Supervisory Review of Use of Force shall be completed anytime the ASP is used against a person, except in training. Photographs of marks or injuries, along with any medical reports, shall be attached to the review.
- b. The incident report shall document the circumstances which led to the use of the impact weapon, as well as any care provided to the person.

E. Less-lethal Shotgun

1. The 12-gauge less-lethal shotgun is a shoulder-mounted weapon capable of firing a projectile to immobilize a suspect by means of pain compliance. Its use can assist an Officer in the protection of life and property and / or the restoration of order. The less-lethal shotgun shall be considered whenever the use of less-lethal options would assist in an arrest, restoring order, and / or reducing the risk of a more serious injury.
2. Deployment:
  - a. The less-lethal 12-gauge shotgun shall primarily be used by Supervisory personnel with the rank of Sergeant or above **and may be issued to other personnel approved by Division Commander.**
  - b. The weapon shall be used in accordance with Department training and the manufacturer's instructions.
  - c. The less-lethal shotgun may be used in emergencies that require deployment of personnel in dangerous situations or as considered alternative to the use of more lethal force.
  - d. The weapon is normally used during tactical operations, which require the temporary disabling, maneuvering, or capturing of target individuals.
  - e. Only personnel trained in the use of the less-lethal 12-gauge shotgun shall be authorized to deploy this weapon.
  - f. Officers assigned to deliver these rounds shall be backed up by other Officers armed with Departmental-approved firearms.
3. Reporting requirements:
  - a. After using a 12-gauge less-lethal shotgun in tactical incidents, an incident report shall be completed that includes:
    - (1) The name of the Supervisor using the less-lethal shotgun or authorizing the use of the weapon.

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- (2) Identification of Officer(s) deploying the weapon.
- (3) Number of rounds expended.
- (4) Effects on targeted person(s) and injuries.
- (5) Any collateral or unintended injury or damage.

- b. A Supervisory Review of Use of Force shall be completed. Photographs of marks or injuries, along with any medical reports, shall be attached to the review.

F. Conducted Energy Weapon

Refer to policy GO10-5.3, Conducted Energy Weapons.

V. **Rendering Medical Aid**

- A. Following the use of force against another person who sustains injuries, Officers shall render appropriate medical aid as quickly as reasonably possible, recognizing scene safety, control of the individual, and environmental circumstances that may influence these actions and the timing of the response.
- B. Appropriate medical aid includes, but is not limited to:
  - 1. Increased observation to detect obvious changes in condition
  - 2. Flushing chemical agents from the eyes
  - 3. Applying first aid
  - 4. Requesting an evaluation from EMS personnel
- C. If it is determined that the individual has obvious severe or life-threatening injuries, is in medical distress, or is unconscious, Officers shall immediately request assistance from EMS and the Dalton Fire Department by notifying Whitfield County 911.
- D. While awaiting the arrival of EMS and / or Dalton Fire, Officers shall administer immediate medical aid, consistent with their level of training, for any obvious severe injury or unconsciousness.

VI. **Unsafe Weapons**

- A. If a weapon is determined to be unsafe or unserviceable, the Officer shall notify his / her Supervisor of the deficiency.
- B. If another weapon is available, the Officer shall be issued a replacement weapon after it has been reviewed, inspected, and approved by a qualified weapons instructor.

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- C. If there is not a replacement available, the Supervisor shall determine if the Officer can continue to work in a sworn capacity without the weapon. The Officer shall be issued a replacement weapon as soon as one becomes available.

VII. **Safety Considerations**

- A. Officers are prohibited from loaning Department less-lethal weapons to any person that is not a sworn Department member. Less-lethal weapons may be handed-off or loaned to another sworn Department member only in emergency situations.
- B. Officers, to whom a Department less-lethal weapon are issued, are responsible for the safety and security of the weapon while in the Officers' possession.
- C. Officers shall secure their Department-issued less-lethal weapons out of the reach of children and others not familiar with the use and danger of the weapons to prevent possible injury to family members and others.
- D. Officers should be aware of the great burden of responsibility and liability that accompany the issuance of Departmental less-lethal weapons.

VIII. **Training**

- A. All Officers shall receive refresher and / or in-service training at least annually concerning less-lethal weapons that they are authorized to use.
- B. This training shall require the Officer to demonstrate proficiency with all less-lethal weapons they are authorized to carry.
- C. This training shall be conducted by a certified weapons instructor. This training shall be documented, the documentation forwarded to the Training Coordinator, and the documentation entered into the Officer's training file.
- D. If an Officer fails to demonstrate proficiency with any less-lethal weapon, the Officer shall not be authorized to carry the weapon until remedial training is completed and proficiency achieved. The Training Coordinator shall contact the Officer to arrange for remedial training as outlined in policy GO88-2.11, Training.

IX. **Records**

- A. The Property and Evidence Section shall maintain a complete record of all weapons, including less-lethal weapons, approved by the Department through the Records Management System and the Property Issue / Return Form.
- B. The record shall include the type, description, and any other identifying information for the weapon, such as a serial number, inventory number, manufacturer name, or model number, as well as the identity of the Officer being assigned the weapon.

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*This policy supersedes any previous policies issued.*

**BY ORDER OF**

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**CHIEF OF POLICE**

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## Appendix A

### OLEORESIN CAPSICUM (OC) EXPOSURE

You are receiving this document in order to answer some of your questions regarding your exposure to an Oleoresin Capsicum (OC) aerosol spray. You were exposed to an OC aerosol spray with a 10% concentration. This is a form of Pepper Spray. This product does not contain CN, CS, or MACE. OC is a natural pepper derivative.

You need to know the following:

1. If you experience difficulty breathing, you should seek competent medical attention immediately.
2. The severe symptoms of the OC exposure should dissipate within 45 minutes after exposure. If the severe symptoms do not substantially dissipate within 45 minutes, you should seek competent medical attention immediately.
3. You may experience the following for up to 36 hours:
  - a. ***Redness of the affected skin areas***
  - b. ***A burning sensation to the affected skin areas. The sensation may return while shaving, wetting the skin with warm water, etc.***
  - c. ***Reddened, sensitive eyes***
4. You should:
  - a. ***NOT TOUCH any sensitive body areas without first THOROUGHLY cleansing your hands with soap and water. Should you unthinkingly touch your genitalia or other sensitive body part(s) with OC contaminated hands, you will experience excruciating pain.***
  - b. ***Remove all OC exposed clothing as soon as practical to do so. Wash the clothing as you normally would to remove any remaining OC particles.***
  - c. ***Thoroughly wash all OC exposed body areas as soon as practical. Before showering/bathing, thoroughly wash any exposed hair and facial area. This is very important because if you take a shower without first thoroughly washing your hair and facial area, the shower will cause the OC particles to be washed from your head down your body's natural channels to your lower level mucous membranes and your genitalia. This will cause you EXCRUCIATING PAIN.***
5. Do **NOT** rub your eyes - you may only cause any remaining OC particles to become more deeply embedded. Rinse your eyes with sterile water or other appropriate clear, clean, fresh water.
6. Do **NOT** apply any salve, lotion, lanolin, cold cream, etc., to OC exposed body areas. The salve may result in holding the OC particles against the skin and cause further irritation.

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## Appendix B

### Dalton Police Department Specifications for issued Less-lethal Weapons

Item: *ASP Baton*

Description: Expandable metal baton used as an impact weapon. Overall length is 21 - 26 inches.

Item: *Oleoresin Capsicum (OC) aerosol spray*

Description: A natural pepper derivative with a 10% concentration of active material. The spray, when exposed, causes tearing and irritation of the mucus membranes and is intended to reduce the effectiveness of the offender's attack.

Item: *Department-issued 12-gauge Less-lethal Pump-Action Shotgun and projectile*

Description: A designated less-lethal shotgun capable of firing a projectile that impacts the person causing disabling of the individual to facilitate capture.

Projectile: A 12-gauge bean bag round.

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