

**TITLE: LESS LETHAL WEAPONS****CODIFIED:** 73.1**EFFECTIVE:** 07/23/04**RESCINDS/AMENDS:** G 5**PAGES:** 6**PURPOSE**

This directive establishes procedures for the use of department issued less lethal weapons: the Expandable Baton, OC Spray, Taser, 37/40mm Projectile, 12 ga. Beanbag rounds, and Pepperball launcher.

**DISCUSSION**

Less Lethal weapons are not intended to be an alternative to the use of deadly force when such use is clearly authorized and necessary.

The appropriate use of Less Lethal options for the Santa Fe Police Department may vary. The least intrusive level of force should be deployed based upon the facts/circumstances and availability for each individual incident.

**POLICY**

Officers of the Santa Fe Police Department shall use physical force only when necessary for legitimate law enforcement purposes and only to the extent necessary to accomplish those purposes. To such an end, the use of the Expandable Baton, Oleoresin Capsicum (OC) spray, Taser, 37/40 mm Projectile baton rounds, 12 gauge Bean Bag rounds, and Pepperball Launchers are authorized to provide officers with an alternative to the use of deadly force, when appropriate and in accordance with the Department's Use of Force Policy.

**PROCEDURE****BATON**

**73.1.01** The Department issued expandable baton is the only authorized baton for use by sworn departmental personnel.

- A.** The expandable baton shall be issued and carried only by officers who have completed the Department's baton training.
- B.** Uniformed Officers assigned regular field duties will carry the baton as part of required equipment.
- C.** Plain clothes and administrative officers will be required to have the baton readily accessible, in their police vehicles while on duty.
- D.** Officers are responsible for ensuring the baton is in good condition. Broken or otherwise unserviceable batons will be replaced as soon as a defect is noted.
- E.** The baton is to be used as a defensive weapon only. Its use shall be governed by departmental training criteria and the use of force policy.
- F.** Use of the baton as an offensive weapon, or intentional misuse of the baton, may subject the violator to disciplinary action.
- G.** The baton shall remain in the holster until such time as the officer perceives an apparent threat.

**BATON TRAINING****73.1.02** Initial Certification

- A.** All officers shall satisfactorily complete a 10-hour certification course on the Use of Force, use and application of the baton, prior to receiving authorization to carry the weapon.

**73.1.03** Annual Certification

- A.** All officers shall attend a four-hour re-certification course annually on the use and application of the baton.

### Oleoresin Capsicum (OC) Spray

#### 73.1.04 Initial Certification

- A. All officers shall satisfactorily complete a 4 hour certification course on the use of force, and on the use and application of OC Spray, prior to receiving authorization to carry OC Spray.

#### 74.1.05 Biannual Certification

- A. All officers shall receive refresher training every two years on the use and application of OC Spray.

**73.1.06** OC Spray shall be issued to and used only by officers who have completed the Department's OC Training

**73.1.07** OC Spray is not intended to be an alternative to the use of deadly force when such use is clearly authorized and necessary.

**73.1.08** When all reasonable efforts have failed to calm a person who is acting violently and presenting a definite danger to himself or others, a minimum stream may be fired at the person in accordance with the manufacturer's recommendations and departmental training received.

**73.1.09** The OC Spray may be used to terminate violent behavior, or the threat of violent behavior, or to aid in the apprehension of a person who resists custody, which could result in injury to the officer, other persons, or the violent individual.

**73.1.10** OC Spray should not be discharged in the immediate vicinity of an infant, unless the infant's life is in danger, since their respiratory system is developing and especially sensitive to irritating vapors.

**73.1.11** OC Spray will normally be discharged from a distance of at least six (6) feet. Bursts closer than three (3) feet may cause eye damage and should only be used in extreme conditions where serious bodily harm to the officer or other persons may be imminent.

**73.1.12** Only under conditions which represent an extreme hazard (Potential threat of serious injury

or death to the officer or others) will the OC Spray be used in the following manner:

- A. Prolonged discharge at any effective distance into the face of a person already incapacitated or not responding to normal application of the chemical agent formulation who is continuing an assault which may result in serious injury.
- B. Discharge of large quantities of the chemical irritant in a confined space such as a small room or closed automobile.
- C. Discharge of OC Spray in close proximity of an infant.

### TASER

**73.1.13** It is the policy of the Santa Fe Police Department to utilize the Taser on individuals who:

- A. An officer has probable cause to believe have committed a violent crime and are fleeing to avoid apprehension.
- B. Are unarmed, but pose an immediate threat of bodily harm to themselves, the officer, or another.
- C. Are armed and need to be restrained for their safety, the safety of the officer, or the safety of another.
- D. Are actively resisting, assaulting, or battering an officer.
- E. Use of the Taser is not intended to be an alternative to the use of deadly force when such use is clearly authorized and necessary.

**73.1.14** Taser users shall adhere to all warnings as outlined in Taser Certification.

**73.1.15** In order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely. Officers should assess the situations where force is warranted. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

**73.1.16** Officers will be trained and familiarized with the Reactive Control Model (RCM) prior to use of a Taser and shall comply with the RCM in the use of the Taser.

Note: The Taser is an intermediate weapon

**TASER TRAINING**

**73.1.17 Initial Certification**

**A.** All officers shall satisfactorily complete a 10-hour certification course on the use and application of the Taser, prior to receiving authorization to carry the weapon.

**73.1.18 Annual Certification**

- 1. All officers shall attend a four-hour re-certification course annually on the use and application of the Taser.

**DOCUMENTATION**

**73.1.19** It shall be the Policy of the Santa Fe Police Department to document **any** use of the Taser:

**A. On duty Field Deployment:**

- 1. Santa Fe Police Department Offense Incident Report
- 2. Santa Fe Police Department Use of Force report
- 3. Taser User Report
- 4. Photograph
- 5. If a Taser cartridge is deployed it shall be submitted as evidence as outlined in Taser Training
- 6. Officer will update User Log

**B. Taser Function Test(s):**

Officer will update copies of log forwarded to the Office of Chief of police on the first Monday of each month.

**C. Training:**

- 1. It shall be the responsibility of the Taser Instructor to document the following information when conducting training:
  - a. Serial number of Taser(s) utilized
  - b. All Taser Cartridges Deployed
  - c. Date and Times of Training
  - d. Personnel who attended

**73.1.20** Copies of all Taser uses will be forwarded to the Office of the Chief and/or his designee for tracking and review.

**37/40 MM PROJECTILE BATON AND/OR 12 GAUGE BEAN BAG**

**73.1.22** It is the policy of the Santa Fe Police Department to utilize the 37/40 mm Projectile and/or the 12 ga. Bean Bag on individuals who:

- A. An officer has probable cause to believe have committed a violent crime and are fleeing to avoid apprehension.
- B. Are armed with a deadly weapon and pose a threat of bodily harm to themselves, the officer, or another.
- C. Need to be restrained for their safety.
- D. Are actively resisting, assaulting, or battering an officer.

**73.1.23** In order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely, Officers should assess the situations where force is warranted. Officers shall use only that force which is reasonably necessary to effect lawful objectives.

**73.1.24** Officers will be trained and familiarized with the Reactive Control Model prior to use of a 37/40 mm Projectile and/or the 12 ga. Bean Bag.

**37/40 MM Projectile Launcher and/or 12 ga. Bean Bag Round Training****73.1.25 Initial Certification**

A. All officers shall satisfactorily complete a 2-hour certification course on the use and application of the Projectile Launcher and 12-ga. beanbag round. All officers must qualify with each weapon prior to receiving authorization to carry the weapon.

**B. Annual Certification**

C. All officers shall attend a qualification course annually on the use and application of the Projectile Launcher and/or 12-ga. beanbag round.

**73.1.26 PEPPERBALL LAUNCHER**

It is the policy of the Santa Fe Police Department to utilize the Pepperball launcher on individuals who:

- A. An officer has probable cause to believe have committed a violent crime and are fleeing to avoid apprehension
- B. Are armed with a deadly weapon and pose a threat of bodily harm to themselves, the officer, or another
- C. Need to be restrained for their safety
- D. Are actively resisting, assaulting, or battering an officer
- E. Are causing civil disobedience (such as in riot situations)

**73.1.27 PEPPERBALL TRAINING****Initial Certification**

A. All officers issued a Pepperball launcher shall satisfactorily complete a certification course on the use and application of the Pepperball Launcher prior to receiving authorization to carry the weapon.

**Annual Certification**

B. All officers issued a Pepperball launcher shall attend a qualification course annually on the use and application of the Launcher.

**73.1.28 Miscellaneous**

- A. Only certified a Pepperball armorer shall perform maintenance on the system.
- B. No modifications will be made to the launcher unless performed by the pepperball armorer
- C. At no time will "Paintballs" be fired from the launcher.
- D. Munitions will only be issued by Pepperball instructors.
- B. The pepperball system shall only be deployed based upon the officers training.

**MEDICAL TREATMENT****73.1.29 BATON**

- A. Medical treatment procedures as outlined in the Use of Force directive shall be followed.
- B. First aid shall be rendered by paramedics and/or trained medical personnel.
- C. After the subject is treated, the officer will obtain a signed medical release form from the attending physician for Detention Center personnel.
- D. Failure to provide appropriate care after exposing a person to a baton strike is considered a violation of this policy.
- E. After-action photographs shall be taken of any individuals subjected to this weapon.

**73.1.30 OC SPRAY**

- A. Medical treatment procedures as outlined in the Use of Force directive shall be followed.

- B.** The contaminated area will be flushed with water.
    - 1. The time between OC exposure and wash-up should be as soon as possible.
  - C.** No officer shall apply, nor permit another person to apply oil or grease medications such as butter, cold cream, lanolin, Vaseline, lotion or salves which could trap the irritant to the skin and thereby cause blistering unless authorized by a physician.
  - D.** Exposed areas should not be bandaged; the areas should be exposed to fresh air for evaporation.
  - E.** Upon exposing a person to the OC Spray the officer will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to St. Vincent Hospital Emergency Room. The paramedics will assess the subject on scene and make the determination to transport by ambulance or by the officer. Prior to arriving at the Emergency Room, the officer will request dispatch notify hospital staff that a person contaminated with OC Spray is being transported.
  - F.** After the subject is treated, the officer will obtain a signed medical release form from the attending physician for Detention Center personnel.
  - G.** Upon arrival at the Detention Center the officer will notify jail staff that the subject and his/her clothing has been contaminated with OC Spray.
  - H.** Failure to provide appropriate care after exposing a person to OC Spray is considered a violation of this policy.
  - I.** After-action photographs shall be taken of any individuals subjected to this weapon.
- 1. Checked by User as soon as safely possible and first aid rendered to the user's level of training.
  - 2. If Probes are discharged and penetrate the skin the User may remove the probes as outlined in Department training.
    - a. Photographs should be taken before and after removal.
    - b. Officers shall have the individual transported to a medical facility (St. Vincent's Hospital) for probe removal as outlined in the Taser certification.
- C.** First aid shall be rendered by paramedics and/or trained medical personnel.
  - D.** Upon exposing an individual to the Taser in the Taser/stun mode the officer will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to St. Vincent Hospital Emergency Room. The paramedics will assess the subject on scene and make the determination to transport by ambulance or by the officer. Prior to arriving at the Emergency Room, the officer will request dispatch to notify hospital staff that a person who has received a Taser/stun cycle is being transported.
  - E.** After the subject is treated, the officer will obtain a signed medical release form from the attending physician for Detention Center personnel.
  - F.** Failure to provide appropriate care after exposing a person to the Taser is considered a violation of this policy.
  - G.** After-action photographs shall be taken of any individuals subjected to this weapon.

#### **73.1.31 TASER**

- A.** Medical treatment procedures as outlined in the Use of Force directive shall be followed.
- B.** The effected area will be:

#### **73.1.32 37/40 mm Projectile and/or 12 Gauge Bean Bag**

- A.** Medical treatment procedures as outlined in the Use of Force directive shall be followed.

B. The effected area will be checked by User as soon as safely possible and first aid rendered to the user's level of training.

C. After-action photographs shall be taken of individuals subjected to this weapon.

D. First aid shall be rendered by paramedics and/or trained medical personnel.

E. Upon exposing an individual to the 37/40-mm Projectile and/or 12 Gauge Bean Bag the officer will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to St. Vincent Hospital Emergency Room. The paramedics will assess the subject on scene and make the determination to transport by ambulance or by the officer. Prior to arriving at the Emergency Room, the officer will request dispatch notify hospital staff that a person who has received a projectile baton or beanbag strike, is being transported.

F. After the subject is treated, the officer will obtain a signed medical release form from the attending physician for Detention Center personnel.

G. Failure to provide appropriate care after exposing a person to the projectile baton or beanbag, is considered a violation of this policy.

### 73.1.33 PEPPERBALL LAUNCHER

A. Medical treatment procedures as outlined in the Use of Force directive shall be followed.

B. The effected area will be checked by User as soon as safely possible and First aid rendered to the users level of training.

C. First aid shall be rendered by paramedics and/or trained medical personnel. Upon exposing an individual to the Pepperball the officer will request Emergency Medical Technicians or Paramedics to the scene. The person exposed will be transported to St. Vincent Hospital Emergency Room. The paramedics will assess the subject on scene and make the

determination to transport by ambulance or by the officer. Prior to arriving at the Emergency Room, the officer will request dispatch notify hospital staff that a person, who has received a projectile pepperball, is being transported.

D. After the subject is treated, the officer will obtain a signed medical release form from the attending physician for Detention Center personnel.

Failure to provide appropriate care after exposing a person to the Pepperball is considered a violation of this policy.

## REPORTING

**73.1.34** Officers will photograph the person's affected area as soon as possible, under normal circumstances whenever a less lethal weapon is deployed.

**73.1.35** A use-of-force form shall be completed and submitted to the Office of the Chief of Police any time the expandable baton, OC Spray, Taser, 37/40 mm Projectile, 12 ga. Bean Bag, or Pepperball launcher is utilized as a weapon. Use-of-force forms will be completed and submitted in accordance with the use of force policy.

**73.1.36** All additional deployment forms will be completed and submitted to the Office of the Chief of Police and/or to their appropriate tracking unit, I.E. Offense Incident, Criminal Complaints/Probable Cause Statements, and Taser Use Report.

**73.1.37** Video recordings and/or photographs shall be submitted to the property section as evidence.

Drafted (awm) 05/03 revised (njb) 09/06, (gcr) 03/10

APPROVED: \_\_\_\_\_

Aric M. Wheeler,  
Chief of Police

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