



WICHITA POLICE DEPARTMENT

POLICY MANUAL



POLICY 912

LESS-LETHAL IMPACT WEAPONS - MUNITIONS

I. PURPOSE

To establish guidelines and procedures governing Wichita Police Department (“Department”) impact weapons, munitions and chemical exposure (CS/Pava) including training, qualification, safety, deployment and reporting standards.

II. POLICY

The Wichita Police Department recognizes the sanctity of human life and there are situations in which less-lethal impact weapons are an alternative to lethal force, keeping in mind the following points:

1. Use only the amount of force necessary to accomplish lawful objectives;
2. Utilize less-lethal weapons, when appropriate, as a means of overcoming resistance to reduce the risk of injury to both officers and subjects;
3. Use lethal force as a last resort when other reasonable means are exhausted or unavailable, due to intense, uncertain or rapidly evolving circumstances, to prevent death or great bodily harm to officers or other persons.

III. PROCEDURES

A. Authorized Equipment

1. 40MM Launcher and foam-tipped round description:
 - a. The 40MM launcher to be used by authorized department members is the AMTEC Less-Lethal Systems ALSTAC-40 single shot launcher.
 - b. A foam-tipped round is approximately 4 inches long with a white colored casing
2. Beanbag and beanbag shotgun description:
 - a. The beanbag shotgun to be used by authorized department members is a Remington 870PM 12 gauge shotgun identified by a blaze orange buttstock and forend on the weapon.
 - b. A beanbag shotgun shell is a standard 2 ³/₄ inch, 12 gauge shotgun shell with a transparent hull.

3. PepperBall Launcher

- a. The PepperBall Launcher to be used by authorized department members is a PepperBall VKS Launcher identified by blaze orange butt stock and forend on the weapon.
- b. The VKS Launcher fires .68 caliber projectiles in semi-automatic from a coffer or magazine attached to the launcher.
- c. Authorized PepperBall Rounds:
 1. A blue and red in color, round projectile containing a CS/PAVA mix of powder and is utilized as a direct impact or area saturation munition.
 2. A green in color, round projectile Marking Round utilized for suspect identification or location marking.
 3. A purple and white in color, round projectile with an inert powder utilized as a Training and Qualifications Munition or as Impact Munition when chemical exposure is not desired.

B. Guidelines For Use of the Less Lethal Impact Weapons:

Personnel who use impact weapons shall be cognizant of the fact impact munitions are known to have caused serious physical injury and even death, and any application of this force option shall be made with the utmost judicious consideration.

1. Use of a Less-Lethal Impact Weapon during crowd control or civil unrest must be approved by the Chief of Police or designee.
2. When circumstances exist meeting the guidelines for deployment of impact munitions, officers shall request via Dispatch; an impact munitions equipped officer to respond to the scene.
3. Dispatch shall make a bureau-wide broadcast for the closest available trained and equipped personnel to respond to the scene.
4. When possible, a supervisor will be on scene to assist in the overall scene management.
5. Wichita Police Department personnel are authorized to use impact munitions when it is reasonably believed such force is necessary:
 - a. After successfully completing the departmentally approved course provided by the Firearms Training Section;
 - b. To defend themselves or another;
 - c. To prevent an arrest from being defeated by resistance;
 - d. To prevent an attempt to evade an arrest by flight;
 - e. A suicidal person presents an imminent risk of serious physical harm to themselves or others;

- f. A person is threatening an officer or other(s) with a sharp-edged instrument, blunt object, instrument or substance with the potential to cause serious harm, in conjunction with lethal cover;
 - g. Verbal commands have failed to achieve compliance;
 - h. Hand techniques and other use of force options such as the ASP baton, Taser, or aerosol weapons are not prudent or have not been effective;
 - i. The person is within the safe range of the respective impact weapon accuracy and effectiveness;
 - j. On animals, when necessary for the safety of the member or public.
6. Members shall not subject themselves or others to undue risk while waiting for the arrival of personnel equipped with impact munitions. The situation must be continually assessed, and other appropriate action must be taken if the risk to self or others demands immediate attention.
 7. To protect others from the harm of a misdirected impact munition round, personnel shall use the equivalent standard precautions as used with all firearms.
 8. A second officer shall be present to provide lethal cover when deploying impact munitions.
 9. Prior to deploying, the officer shall alert other law enforcement by stating in a loud, audible voice, "less-lethal, less-lethal".
 10. Personnel may fire impact munition rounds as necessary. However, after each impact munition round deployment, an assessment will be made. In the event the impact munition rounds prove to be ineffective, personnel shall exercise other options.
 11. Personnel deploying impact munitions should aim for the abdomen, buttocks, thigh, or calf. While shoulders and arms are a viable target zone, careful consideration should be given before aiming for the shoulders or arms. Due to the mobility of the shoulders and arms there is greater potential to miss and unintentionally strike another zone. The body's upper center mass, head, neck, spine, and groin should be avoided, unless lethal force is the intent.
 12. The optimal effective range for the deployment of the 40MM foam-tipped round is 7 feet to 25 Yards. At less than 7 feet, the risk of serious injury or death is greatly increased. At over 25 Yards, the effectiveness and accuracy of the foam-tipped round is diminished to the point this option may not achieve its purpose.
 13. The optimal effective range for the deployment of the 12 gauge beanbag round is 7 yards to 25 yards. At less than 7 yards the risk of serious injury or death is greatly increased. At over 25 yards the effectiveness and accuracy of the 12 gauge beanbag round is diminished to the point this option may not achieve its purpose.

14. The optimal effective range for the deployment of the PepperBall round is within 20 yards due to reduced accuracy beyond.
15. While not prohibited, caution shall be used when deploying impact munitions on the following:
 - a. Persons who are noticeably pregnant;
 - b. Persons who have a physical condition the officer reasonably perceives would prevent a person from physically withstanding an impact munition deployment;
 - c. Persons who are on an elevated position (on rooftops, stairwells, etc.), in water, or other circumstance where a fall may cause drowning, substantial injury or death;
 - d. Young children and elderly persons;
 - e. Persons who are handcuffed and/or shackled, unless they are actively resisting or exhibiting active aggression, and/or attempting to harm themselves or others.

In these instances, personnel may consider aiming at thighs and extremities if practical in their judgment, and to the extent it does not compromise the safety of the officer or innocent bystanders.

C. Deployment of Impact Munitions

1. The Range Master shall maintain an adequate supply of all impact munitions utilized by Field Services personnel and provide for its inventory control and issuance.
2. Field Services Bureau Commanders shall be responsible for the distribution of impact weapons to trained personnel within their respective bureaus.
3. At the start of each tour of duty, each Less-Lethal Certified member should be assigned an impact weapon who shall inspect its condition and secure the unloaded impact weapon in its case in the trunk of the assigned vehicle.
4. No member shall load regular shotgun ammunition into a beanbag shotgun or beanbag ammunition into a regular shotgun. Personnel shall ensure there is an adequate degree of separation between the two types of ammunition to minimize any chance of the ammunition being inadvertently interchanged.
5. When deploying the 40MM launcher as a less-lethal impact weapon, members shall ensure only impact munitions and not gas munitions are loaded into the launcher. An adequate degree of separation needs to be maintained between the two types of munitions so as to minimize any chance of the munitions being inadvertently interchanged.
6. Steps for loading the impact weapon:
 - a. Remove impact weapon from its case;
 - b. Unload and/or verify weapon is “clear”;

- c. Confirm less lethal-impact munition rounds visually and physically;
 - d. The second officer will visually and physically verify less-lethal munition rounds;
 - e. Primary officer loads impact weapon with less-lethal munition rounds.
7. Any member who discovers a malfunction or defect in any impact weapon or impact munition shall be responsible for having it repaired or replaced by the Firearms Training Facility staff.
 8. Authorized members of the department utilizing the PepperBall Launcher will insure the proper munition is used based on the tactical needs of the situation and upon direction from a supervisor.

D. Ammunition

Only department authorized factory munitions may be used in department issued impact weapons.

E. Defective Weapons

1. The Firearms Section shall be responsible for inspecting all impact weapons.
2. During an inspection period, any impact weapon found to be defective or not in compliance with the manufacturer's specifications will be removed from inventory.
3. The Firearm Section is responsible for repairing all impact weapons.

F. Less Lethal Training

1. Commissioned personnel authorized to deploy with impact weapons shall be required to maintain departmental proficiency standards.
2. Impact Weapon proficiency testing shall be held semi-annually.
3. The Chief of Police may approve a member's request for a waiver of impact weapon proficiency testing. The member will be notified of the Chief of Police's decision on the waiver. Any waiver granted by the Chief of Police shall be sent to the Firearms Section with a copy included in the member's personnel file.
4. Every member will be allowed two (2) initial attempts to meet departmental impact weapon proficiency standards.
5. Any member failing to meet departmental impact weapon proficiency standards shall be scheduled to attend remedial impact weapon training session, during which the member will be given two (2) additional attempts to meet departmental impact weapon proficiency standards.

6. The Training Bureau Commander shall submit an Officer's Report to the Chief of Police advising of any member who still has not met impact weapons proficiency standards. The member shall attempt to meet the minimum impact weapon proficiency standard as soon as possible, but no later than thirty (30) calendar days following failure to qualify after remedial training.
7. The required impact weapon qualification course and departmental shotgun proficiency standards shall be developed by the Range Master.

G. Use of Force Reporting

1. Members of the Department shall include in their reports an explanation of any use of force. In situations where the officer was defending themselves or another, the report should include the suspect's ability and opportunity to pose a threat, and the jeopardy present. In addition, the report should document any injury to the suspect or Department member. If an individual is injured during an arrest, a field supervisor shall immediately be notified. Anytime physical contact is made during a use of force incident a photograph of the suspect and the impact area or areas shall be taken, if possible. The Department recognizes photographic documentation may not be feasible if the suspect is no longer able to be contacted (i.e. during the disbursement of a Civil Disturbance).
2. An Electronic use of Force/Restraint Evaluation Form shall be completed utilizing Blue Team for each person force is used upon, and by each member who uses force. This includes instances where the person the force is used upon is unable to be contacted.
3. When a member of the Department discharges a less-lethal firearm [except at the firing range], a Blue Team entry shall be completed and submitted to the Professional Standards Bureau. A copy of the entry shall be forwarded through Blue Team to the Range Master. If the use of force is determined to not be objectively reasonable, or if any violations of policy or regulation are identified, an internal investigation shall be conducted in accordance with Policy 901.

The Chief of Police, or designee, may grant administrative leave to an officer involved in a less lethal incident.

EXCEPTION: Members of the Department are not required to complete a Response to Resistance Form, Electronic Use of Force/Restraint Evaluation Form or a Tactical Evaluation of Police Combat Form when they are formally interviewed by Investigations Division personnel or an outside law enforcement agency about their use of force or firearm discharge. When formally interviewed by Investigations' personnel, the member's taped statement/transcript and the investigators' notes/reports shall be relied upon to properly document the incident.

4. The Professional Standards Bureau Commander will compile an annual report of Less-Lethal Impact Munition use which will be sent to the Chief of Police for review.

H. Medical Treatment

1. Members on the scene shall notify Emergency Medical Services via dispatch to respond and convey persons struck by an impact munition round to the hospital for medical evaluation.
2. When booking in a prisoner struck by an impact munition round, officers shall ensure the booking Deputy is advised the prisoner was struck with an impact munition round. The same notification shall be made when transporting or transferring the prisoner to any other entity outside the Wichita Police Department.

I. Evidence Procedures

1. Impact munition rounds having blood and/or body-fluid on them should be treated as if they are contaminated with an infectious disease, as described in Policy 209.
2. Body impact areas except for the groin area associated with an impact munition deployment will be photographed along with an overall photograph of the subject.
3. The evidentiary value of an impact munition round(s) will be determined by the facts of each individual case. This would include the nature of the crime(s) involved, and the severity of injuries, etc.