

USE OF FORCE OPTIONS



USE OF FORCE

- **Force Defined:** Any action taken to control, restrain, overcome or stop a suspect's actions.
- Use of Force **must** be justifiable! (**SITARE**)
 - **S**everity of the crime
 - **I**mmEDIATE **T**hreat posed by the suspect
 - **A**ctively **R**esisting
 - Attempting to **E**scape arrest by flight
- Adjust the amount of force as the situation changes



USE OF FORCE

- ***Reasonable Force: Only the amount of force reasonably necessary to control a subject to prevent recurrence of the incident.***
 - What would a reasonable man do with the same training and experience?
 - Scott v. Heinrich (9th Circuit 1994): “Officers need not to avail themselves of lesser alternatives of force. The test is one of reasonableness, not escalation.”



USE OF FORCE

- **California Penal Code on Use of Force**

- **835a PC:** Use of force to effect arrest, prevent escape or overcome resistance.
 - “Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance.”



USE OF FORCE

- Force Must Be Within Law and Policy
 - Federal Law
 - State Law
 - Case Law
 - Policies and Procedures
 - Peterson v. Long Beach: Wrongful death, actions justifiable.
 - Appeal: ruling was reversed
 - Officer did not exercise due care
 - Officer did not follow Long Beach PD guidelines



USE OF FORCE

- ***Unreasonable Force: When it becomes apparent that the TYPE, DEGREE AND DURATION of force employed was neither REASONABLE nor APPROPRIATE.***



USE OF FORCE

- Levels of Force

- Mere Presence
- Verbal Commands
- Empty Hand Controls
- Hard Hand Controls
- Less Lethal Weapons
- Deadly Force

*** De-escalation of force is as important as escalation of force.



USE OF FORCE

- Other Case Law
 - Graham v. Conner
 - Perspective of reasonable officer
 - At time force was applied
 - Fact confronting officer
 - Officer acted properly under established law



USE OF FORCE

- Considerations
 - Any Force by a SWAT team will be scrutinized
 - Failure to use appropriate force in a timely manner will be criticized
- Civil Liability Considerations
 - Appropriate Uniform
 - Failure to Train
 - Equipment Considerations
 - Fatigue Considerations
 - Emotional Attachment



USE OF FORCE

- Event Specific Considerations
 - Search Warrants
 - Call-Out Verifications
- Incident Documentation
 - Team Involvement
 - Supplemental Reports
 - Reason
 - ID of personnel
 - Injuries
 - Equipment used or lost
 - Property damage



POLICIES

- Lexipol 300 – Use of Force
- Lexipol 303 – Less Lethal



RANGE SAFETY

- Treat every firearm as if it was loaded.
- Never point a firearm at anything you do not intend to destroy
- Keep your finger straight and off the trigger until you intend to fire
- Be aware of your target and background

- Never try and catch a falling firearm
- Always secure your firearms



EMERGENCIES

- Nearest Hospital is CHOMP
- Nearest first aid kit



LESS LETHAL MUNITIONS



Monterey Police Department

Chief David J. Hober

LESS LETHAL MUNITIONS

- *Definition: Less Lethal Munitions are weapons capable of creating blunt trauma or discomfort that may be used from a distance for the purpose of compelling a subject to cease violent or self destructive actions.*
- Less Lethal Force Defined: A force applied with the intention of rendering a subject non-threatening, which over a given number of occurrences a death can occur.



LESS LETHAL MUNITIONS

- Types of Less Lethal Munitions
 - Non Flexible: Rigid projectiles that are delivered from a launching system and do not conform to the body upon impact.
 - Wood and foam baton rounds, rubber sabot, wood dowels, 40mm plastic baton
 - Flexible: Projectiles that are delivered from a launching system and upon impact conform to the body
 - 12 gauge and 40mm fabric shot bags (“bean bags”)



LESS LETHAL MUNITIONS

- Delivery Systems
 - 40mm Launcher
 - 12 Gauge Shotgun



LESS LETHAL MUNITIONS

- Deployment Concerns
 - Verification of Less Lethal Munitions Use
 - Keep all less lethal munitions separate from other 12 gauge ammunition
 - Must Have Accurate Shot Placement
 - The need for immediate incapacitation and the potential for injury must be considered when deciding on shot placement
 - Distance to Target
 - This may be deciding factor on which weapon or ammunition to use



LESS LETHAL MUNITIONS

- Deployment Concerns (cont.)
 - Subject Information
 - Age, Body Mass, Clothing, Mental and Medical History
 - Weather Conditions
 - Training and Qualifications of Officer Deploying
 - Prevention of “Contagious Fire” by Other Officers



LESS LETHAL MUNITIONS

- Tactical Deployment Concerns
 - Weapon(s) Subject Armed With
 - Subject's Intent: suicide, homicide, refusal to submit
 - Available Cover For Officers
 - Safety Priorities in High Risk Incidents
 - Hostages, innocent bystanders, officers, suspect
 - Less Lethal Officer
 - More than one available
 - Should also be armed with lethal weapon



LESS LETHAL MUNITIONS

- Tactical Deployment concerns (cont)
 - Cover Officer
 - Armed with lethal force firearm
 - Primary task to protect less lethal officer
 - Alternate Force Officers
 - Taser, hand held impact weapon, pepper spray, pepper ball gun, K-9, etc.
 - Arrest Team: Close proximity to Less Lethal Officer and may also include Less Lethal Officer



LESS LETHAL MUNITIONS

- Tactical Deployment Considerations (cont)
 - Should Have Alternate Plan in Place in Case Less Lethal Fails
 - Target Areas of the Body to Avoid
 - Head
 - Neck
 - Spine
 - Heart
 - Groin



LESS LETHAL MUNITIONS

- Medical Evaluation and Treatment
 - Striking critical areas of the body could cause serious injury or death
 - Medical treatment must be provided as soon as possible without causing further risk to officers, citizens or the subject
- Documentation
 - Report of factors leading to use and munitions deployed
 - Statements
 - Medical treatment provided
 - Evidence collected and final outcome of incident



LESS LETHAL MUNITIONS

- Maintenance of Less Lethal Weapons
 - Must be maintained on a continual basis to ensure proper function when needed
 - Failure to maintain may result in less than desired outcome



40 MM PENN ARMS



LESS LETHAL WEAPON

HISTORY

- Developed in late 70's for riot control by the British Army
- When first developed, it was a single shot
- Original weapon was the ARWEN and put into use in 1979
- SAGE replaced ARWEN due to unavailability of ARWEN
- Now 40mm replacing SAGE
- Legally classified as a firearm



PURPOSE

- Riot situations for taking out the ring leaders
- Incapacitating an armed or violent inmate
- Intervening in suicide attempts
- As a show of force to defuse a potential incident
- Delivery of chemical agents



NOMENCLATURE



UNLOADING

- Open weapon, dispense empty casing backwards over shoulder
- Visually inspect to make sure it is unloaded



40MM MULTI LAUNCHER

- Pump Action Cylinder
- Double Action Trigger
- 6 Shot, No Winding Needed
- Break Open Frame
- Rifling: 1:47 twist
- Barrel Length 11 inches
- Weight: 9.672 lbs Unloaded



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40 MM WEAPON

- Multi Launcher (Penn Arms)
- Multiple Types of Munitions
- We Use
 - **Blue Tip eXact Impact Sponge Round**

Other types of rounds are

- Direct Burst on Impact (Inert)
- Direct Burst on Impact O/C
- Rubber Ball Round (Stinger)



BLUE TIP EXACT IMPACT

- Foam Tip
 - Velocity: 325 feet per second
 - Maximum Effective Range: 120 feet
 - Optimal Range: 15-115 feet
 - Point of Aim, Point of Impact
 - 5 year warranty
- Projectile Specs:
 - 4.0 inches long
 - 2.4 inches high
 - 1.6 inches diameter
 - 1.1 ounces weight
 - Aluminum Casing
 - Smokeless Powder



TARGET ZONES

- Large muscle groups
- Thighs
- Biceps
- Buttocks



Monterey Police Department

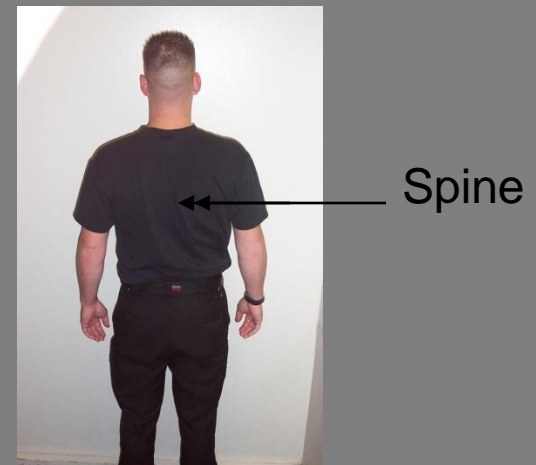
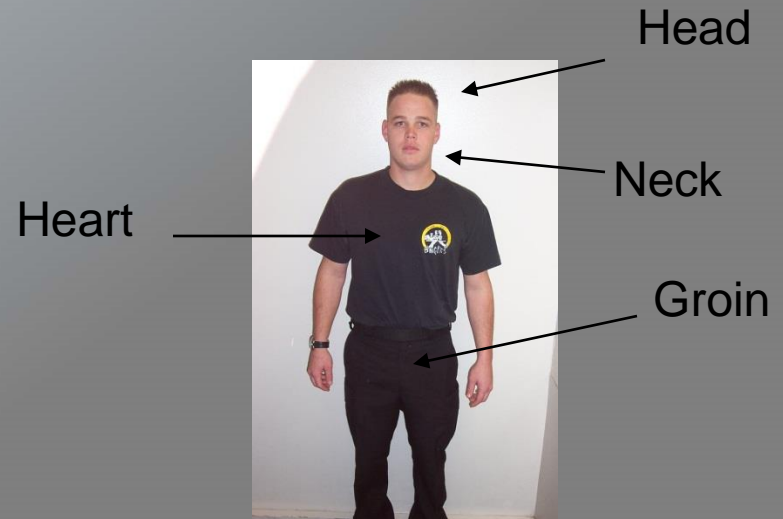
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TARGET AREAS TO AVOID

- Head, Neck, Spine, Heart, Groin

- May cause death or serious bodily injury

- Movement of suspect may result in these areas being struck



TACTICAL CONSIDERATIONS

- Distance and cover
 - Minimum distance 2 meters (6 ½ feet)
- Lighting
- Threat suspect poses to others and self
- Weapons available to suspect
- Safe area to deploy
- Use of cover officer for lethal coverage



REMINGTON 870 SHOTGUN



LESS LETHAL WEAPON

HISTORY

- Developed in 1950
- Most popular shotgun ever made

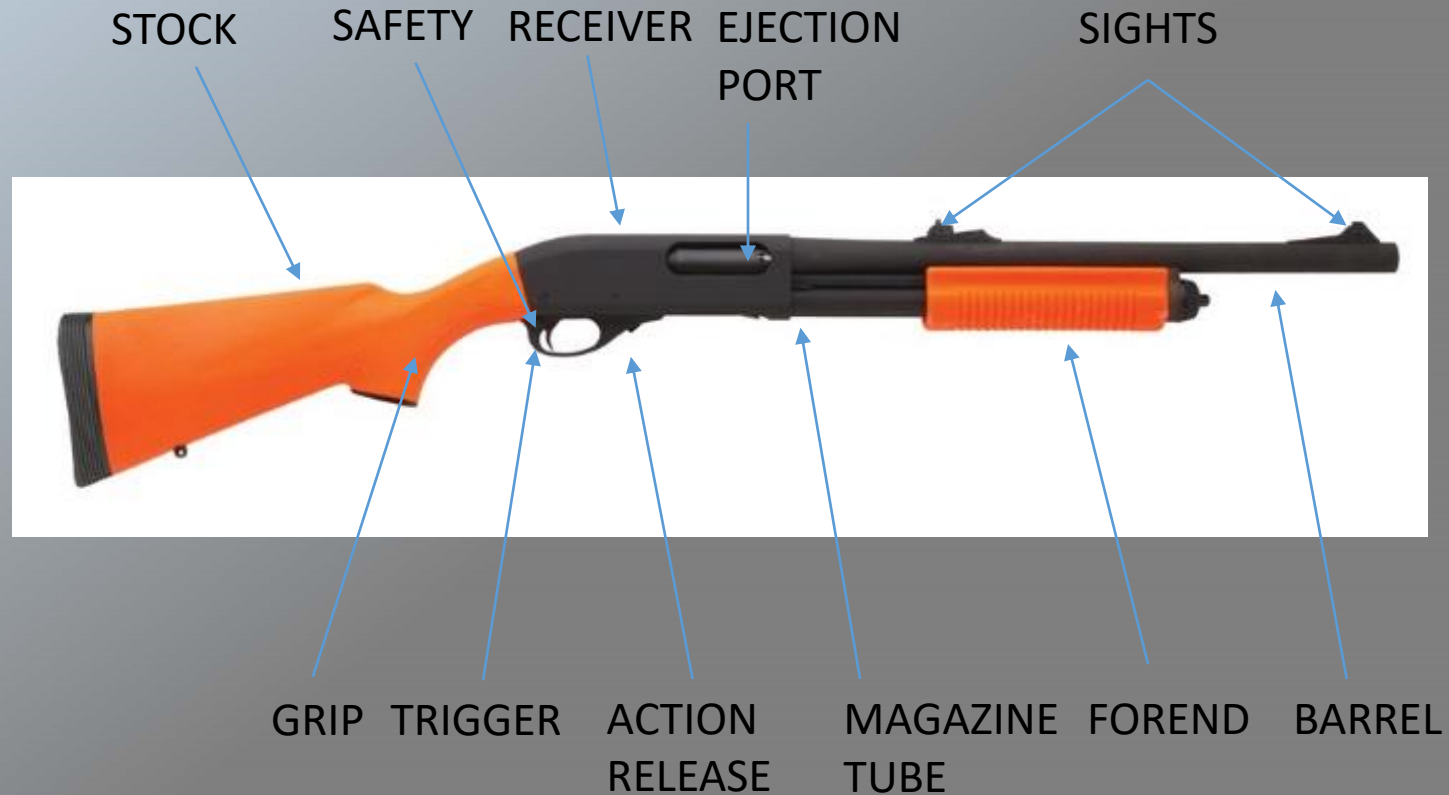


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NOMENCLATURE



UNLOADING

- Pull back forend to open ejection port
- Visually inspect barrel and magazine tube to make sure it is unloaded



REMINGTON 870 SHOTGUN

- Pump Action Slide
- Bottom Loading
- Magazine tube holds 6 rounds
- Rifling barrel
- Barrel Length 20 inches



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12 GA SHOTGUN

- We Use
 - **SUPER SOCK BEAN BAG**

Other types of rounds are

- Direct Burst on Impact (Inert)
- Direct Burst on Impact O/C
- Rubber Ball Round (Stinger)



12GA SUPER-SOCK BEAN BAG

- Shot filled ballistic fiber
- Velocity: 270-290 feet per second
- Optimal Range: 21-75 feet
- Maximum Effective Range: 75 feet
- 5 year warranty
- Projectile Specs:
 - 2.4 inches long
 - 51 grams weight



TARGET ZONES

- Large muscle groups
- Thighs
- Biceps
- Buttocks

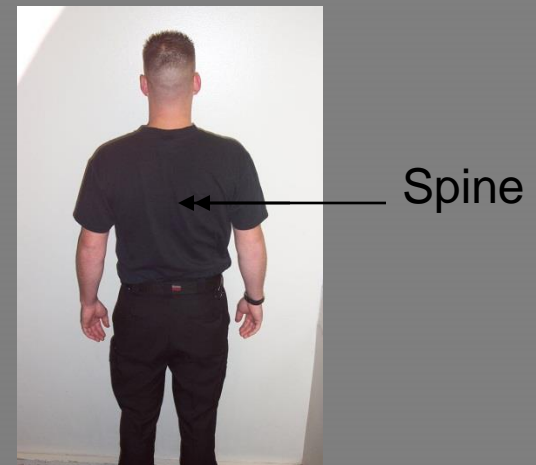
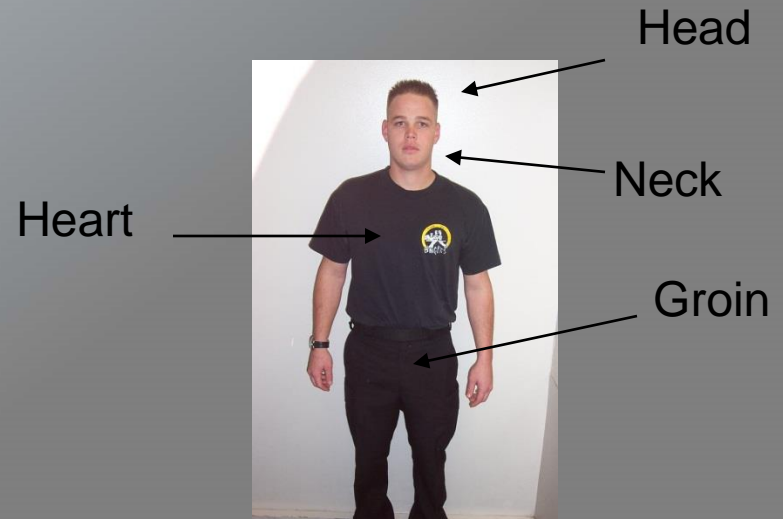


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