

MEDINA POLICE DEPARTMENT GENERAL ORDER

ORDER NO: 2019-044

SUBJECT: 12 ga Less Lethal Shotguns

EFFECTIVE DATE: June 1, 2019

RESCINDS ORDER NO:

DISTRIBUTION: Sworn Police Personnel

PURPOSE: The purpose of this policy is to ensure that all officers are familiar with the usage, operation, maintenance, and deployment procedures for the 12 ga Less Lethal Shotgun

I. **POLICY:** Some Patrol vehicles will be equipped with specially marked 12 Gauge Shotguns for the purpose of firing a 12 gauge less lethal drag stabilized bean bag round. Only trained Officers may use the less lethal guns and such use must be in accordance with Article 35 of the New York State Penal Law and the policies of the Medina Police Department, specifically the General Orders for Use of Force and Firearms/Use of Firearms. Less Lethal Drag Stabilized Rounds will only be fired from a 12 gauge shotgun that has orange markings and is labeled "Less Lethal"

II. PROCEDURE

All Officers will complete training consisting of classroom and range certification before deploying the Less Lethal Shotgun.

The Less Lethal Shotgun will be a Remington Model 870 12 gauge shotgun, and will be designated by an orange stock and fore grip marked with the words "Less Lethal" conspicuously printed on the Shotgun, along with an orange sling.

The Less Lethal Shotgun will be mounted in the rear of the vehicle away from lethal weapons and stored unloaded with the 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds stored in a scabbard mounted to the weapon.

The Less Lethal Shotgun will be deployed at Officers discretion, preferably when lethal coverage is available. Officers shall not subject themselves or others to undue risk in an effort to deploy Less Lethal Force. The situation must be continually assessed and other action must be taken if the risk to self or others demands immediate action. Supervisors will have final say on deployment tactics.

The Less Lethal Shotgun will be loaded after being deployed from the rear of the vehicle. The Officer deploying the Less Lethal Shotgun is responsible to assure that only 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds are loaded into the weapon. The weapon must be loaded by the deploying officer and if the gun is turned over to another officer for deployment the shotgun must be unloaded and reloaded by the deploying officer.

The Less Lethal Shotgun will be unloaded and 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds placed back in the scabbard BEFORE being placed back in the vehicle.

If 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds are fired and impact is made on a suspect, The subject will be transported, by ambulance or patrol, to a hospital for evaluation and medical clearance

If 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds are fired and impact is made on a suspect, photographs of impact sites must be done along with the completion of an Incident Report and Subject Resistance Form.

Command Staff (Chief and Lieutenant) will be notified pursuant to the Use of Firearms General Order.

DISCHARGE (DEPLOYMENT):

Unless failure to take immediate action would likely result in death, serious injury, or serious property damage, deployment decisions regarding the use of 12 Gauge Less Lethal Shotgun should be at the direction of or understanding of the Supervisor or the on duty OIC.

While not prohibited, extreme caution shall be used when deploying 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds on the following:

- Persons who are obviously pregnant
- Persons who have a physical condition that the officer reasonably perceives would prevent the person from physically withstanding the deployment
- Persons who are in an elevated position, in water or other circumstances where a fall or other circumstance will cause serious physical injury or death from the deployment.
- Young Children or elderly persons
- Persons who are handcuffed / or shackled, unless other circumstances exist when the deployment of the 12 Gauge Less Lethal Drag Stabilized Bean Bag Round is the most effective option.

Officer may fire 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds as necessary. However, after each discharge an assessment will be made as to the need for additional rounds being fired. In the event the 12 Gauge Less Lethal Drag Stabilized Bean Bag Round is ineffective other options should be exercised.

During standard, Less Lethal deployment, the 12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds will not be fired at a suspect closer than the **Minimum Standoff distance or 20 feet.**

12 Gauge Less Lethal Drag Stabilized Bean Bag Rounds will not be fired at a suspect farther than the Maximum range or 75 Feet

TARGETING:

Zone 1: being the legs and areas below the waist

Zone 2: being the abdomen and pelvic region

Zone 3: being the head, neck, spinal cord, kidney area and center of mass

Zone 1 and Zone 2 will be the Targeted Zones.

Intentional Targeting of genitals shall be avoided

Intentional Targeting of any area above zone 2 (abdomen) will be considered lethal force.

III. AMMUNITION, and CLEANING

The ammunition designated for less lethal use will be the Defense Technology Safariland 12 ga. Drag Stabilized Marking Bean Bag Round.

Cleaning and lubrication of the less lethal shotguns will be consistent with the standard Model 870 Patrol Shotgun. Assembly, disassembly, and cleaning will be the same procedure. This should occur in the designated weapon cleaning area.

By Order Of:

Chad Kenward
Chief of Police