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| New Berlin Police Department Procedures Manual | | Procedure Title: Less Lethal Impact Munitions | | |  |
| Issue Date: 04/09/15 | Published Date: 10/12/2020 | Next Review Date: 08/01/2021 | Total Pages: Page 1 of 2 | Procedure Number: 5101.03 | Related Directive: 5101 |

1. The New Berlin Police Department recognizes that combative, non-compliant, armed and/or violent persons cause handling and control problems that require special training and equipment. Thus, the department has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations. The purpose of this procedure is to address the training and use of Less Lethal Impact Munitions (LLIM).
2. The less-lethal force philosophy is a concept of planning and force application with less potential for causing death or serious physical injury than other police tactics. This is the intentional use of an instrument to impede a subject, the use of which is not likely to cause death.
3. Less lethal impact munitions are flexible or non-flexible projectiles which are intended to impede a subject, but not likely to cause death. Only less lethal munitions authorized by the department shall be used.
4. The authorized weapons for use in deploying less lethal impact munitions are dedicated Remington 870, 12-gauge shotguns, Def-Tec #1325 40mm launchers and Penn Arms PGL65 40mm launchers.
5. To deploy the LLIM is to have it on scene and available for use. When less lethal impact munitions are being deployed, appropriate tactics, verbalization and guidelines concerning the use of force should be followed. All officers on the scene should be made aware that the LLIM weapon is being deployed and fired. A cover officer, armed with a long gun or handgun, will serve as "lethal cover" for the LLIM officer. If possible, an arrest team will be in position and ready to take the suspect into custody if the less lethal impact munitions are effective. Prior to firing a less lethal impact munitions (LLIM) round, the LLIM officer should alert other officers by loudly saying, "Orange."
6. Less lethal impact munitions will be directed at suspect target areas based on the threat level presented by the suspect, the threat assessment of the LLIM officer and the immediacy of the need to impede the suspect to ensure the safety of officers and civilians. LLIM projectiles should primarily be directed at the thighs, buttocks, calves, and lower abdomen. Intentional impacts to the head, neck, chest, spine, and lower back will be avoided unless deadly force is justified and efforts to subdue the suspect using primary areas are ineffective or too dangerous. The department recognizes that officers may not intentionally target a specific area that is struck; however, due to the dynamics of a situation and the flight characteristics of each LLIM round, rounds may impact areas not identified as primary target areas.
7. The shotguns authorized for deployment of 12-gauge less lethal impact munitions will have an orange stock and fore stock. The LLIM shotguns will be secured in the weapon rack in the interior passenger compartment of all patrol vehicles in the "squad ready" condition. (Chamber empty; safety on; six rounds in the magazine.) The Def-Tec #1325 launchers will be secured in the weapon rack of assigned patrol vehicles. The Penn Arms PGL65 will be assigned to the SCIT patrol squad and a supervisor vehicle.
8. Only officers who have successfully completed a departmentally-approved training course in the use and deployment of less-lethal less lethal impact munitions shall be authorized to utilize them. Officers who fire less lethal impact munitions will notify a supervisor as soon as practical.

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9. All persons who are struck with LLIM rounds will receive medical treatment at an emergency medical care facility in situations involving the firing of less lethal impact munitions. Officers will photograph all areas struck with LLIM rounds. Officer follow-up considerations will include proper documentation concerning the use of force, collection of evidence at the scene, and retrieval of fired LLIM projectiles.