

**MARIN COUNTY SHERIFF'S OFFICE  
GENERAL ORDER**

**CHAPTER 4 - WEAPONS**

GO-04-07  
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**DATE**  
09/03/04

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**LESS LETHAL  
(EXTENDED RANGE IMPACT MUNITIONS)**

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**POLICY**

It is the policy of the Marin County Sheriff's Office that the use of a Less Lethal weapon may be authorized in an effort to stop the violent behavior of an individual that threatens the safety of law enforcement and/or the public.

**DEFINITIONS**

**LESS LETHAL WEAPONS**

The following items are classified as, "less lethal weapons" and are approved for the use by the Sheriff of Marin County:

- Remington model 870 12 gauge Shotgun, equipped with a green stock and green fore stock and labeled "Less Lethal".
- Penn Arms L6-37 MM Launcher and its munitions.
- Def Tech 1315, 37 MM, Gas Gun and its munitions.
- Def Tech #15 Stinger Grenades.

Less Lethal Extended Range Impact Munitions include, but are not limited to, 12 gauge less lethal "sock" rounds, 37 MM less lethal rounds and Stinger Grenades.

37 MM "non-flexible" extended range impact munitions and 37 MM "sting ball" munitions should only be "skip fired" at a target(s).

**PROCEDURE**

Use of Less Lethal Extended Range Impact Munitions on armed or unarmed subjects is authorized after an evaluation of the tactical situation by the personnel on scene taking into consideration available circumstances, including, but not limited to:

- The presence of a weapon, whether visible or reported to be in possession of the subject.
- The subject's stated or exhibited intent to resist being taken into custody or refusal to comply with deputy's orders.
- The credibility of that threat as evaluated by the deputy(s) present.
- Additional information immediately available to deputy (s); such as knowledge of the subject's expertise in martial arts or other unarmed defensive tactics.

- Indications of drug use/alcohol intoxication.
- Availability of other force options and their possible effectiveness/appropriateness.
- Other actions by the subject that appear to dictate the need for a use of force response and extended range impact munitions reasonably appear appropriate, especially if the only other option to deal with those actions may be the use of lethal force.
- Controlling vicious animals.
- During approved training exercises.

During civil unrest and/or riotous situations, a specific subject(s) may be targeted with extended range impact munitions when any of the following conditions are present:

- The subject(s) is identified as inciting a violent or potentially violent crowd.
- The subject(s) is identified as a threat to an officer or the public by throwing rocks, bottles or other items that are potentially dangerous.
- The subject(s) exhibits such actions that are identified as a potential threat to cause human injury and/or property damage.
- The subject(s) behavior indicates that he/she is actively resisting a lawful dispersal order. This may include, but not limited to, a subject(s) who is within or outside a specified crowd.

Only personnel who have successfully completed a departmental approved training course in the proper use and deployment of "less lethal extended range impact munitions" shall be authorized to deploy them during actual operations. However, any deputy may make a request for the deployment of extended range impact munitions.

Deputies will ensure that the use of less lethal munitions reasonably appears appropriate to the circumstances at hand.

Whenever practical, a team of officers will be involved in the use of the less lethal extended range impact munitions. This may include but is not limited to:

**Less Lethal Operator**

Deploys Extended Range Impact munitions.

**Cover Officer**

Necessary in the event that the subject reasonably appears to become an immediate threat to the lives of those present requiring the use of lethal force to stop that threat.

**Arrest Team**

Preferably, at least two deputies.

**Negotiator/Distraction Deputy**

If available, attempt to negotiate with the subject and/or distract the subject's attention just prior to the deployment of extended range impact munitions.

Whenever possible, the Less Lethal Operator, (or other personnel) should announce to the

nearby officers that less lethal munitions are about to be deployed so as to prevent "contagious" fire. If appropriate, it may be advantageous to make a similar announcement over the radio. Use of force warnings to subjects shall be given, if possible, prior to deployment.

When preparing to deploy less lethal munitions, deputies shall observe manufacturers' recommendations. An exception to these recommendations may, however, arise when officers are dealing with a subject who is involved in behavior so dangerous and potentially lethal that the only other force option reasonably available to personnel appears to be the use of lethal force.

Deploying against specific body areas will be based on the capabilities of the extended range impact munitions being used as well as the need to gain compliance from the subject as dictated by his or her behavior. An additional related factor is the subject's actions: A stationary target is preferable. Deputies should keep in mind that a moving subject is a more difficult target to accurately hit. Extended range impact munitions should not be deployed at the head, neck, and throat, unless against a potentially lethal threat.

Depending upon the extended range impact munitions being used, deputies are cautioned to avoid firing multiple rounds at the same target area. Shifting the point of aim from one area to another should be considered when multiple rounds appear necessary to resolve the situation. In addition, personnel deploying extended range impact munitions must be alert to the potential that they may not always generate compliance. In such cases, alternate use of force options should be considered as appropriate.

When an extended range impact weapon is requested or deployed, a sergeant or watch commander shall be immediately notified. Approval from the sergeant or watch commander is not necessary to deploy or fire an extended range impact weapon. The sergeant or watch commander shall respond to the incident as soon as practical. It is not necessary for the sergeant or watch commander to arrive on the scene before discharging an extended range impact munitions.

Only a sworn officer with the rank of Sergeant or above can authorized the deployment and use of extended range impact weapons in the Marin County Jail, Court Floor, and other custodial facilities.

### **Medical Treatment**

Medical screening/treatment is mandatory for any subject against whom extended range impact munitions have been deployed. The subject shall be medically cleared by a physician prior to booking into the jail.

The only exception would be when a subject flees the scene after the deployment and efforts to locate him/her have been unsuccessful.

Jail personnel will be notified by the arresting deputy and/or transporting deputy whenever a subject who was apprehended with the use of extended range impact munitions is booked into the jail.

If extended range impact weapons are deployed in the Jail facility, the inmate(s) will be transported to the hospital to be medically cleared.

### **Reporting Procedure**

In instances where extended range impact munitions are deployed, except in training situations, the following documentation shall be required:

The deploying officer's report shall include the circumstances justifying the use of "less lethal"

munitions, the locations deployed, the deploying deputy, and any injury as a result of its use. The report shall also include how many extended range impact munitions were deployed, from what distance, and how many made contact with the subject. The report shall describe the area of the body hit with munitions.

Photographs of the person who was struck by extended range impact munitions will be taken. The photographs will include the areas struck and the area alleged by the person to be injured. The photographs will be submitted as evidence along with the report.

Any extended range impact munitions used against a subject will be collected and booked into evidence. If it cannot be located, the deploying deputy will document the efforts taken to locate the munitions.

Should there be any indication of a potentially life threatening injury or death to the subject resulting from the use of extended range impact munitions, the supervisor on scene will treat the incident as an Officer Involved Shooting.

**RELATED STANDARDS:**

None

**AFFECTED DIVISIONS:**

Patrol  
Custody  
Investigations  
Task Force

**DATE OF REVISIONS:**

By order of:

**ROBERT T. DOYLE  
SHERIFF**