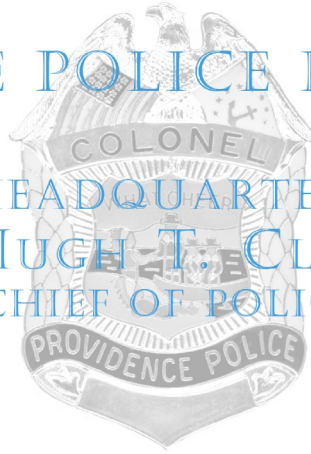


PROVIDENCE POLICE DEPARTMENT

HEADQUARTERS

COLONEL HUGH T. CLEMENTS, JR.
CHIEF OF POLICE



TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	310.05	9/6/2013	9/8/2013
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Less-Lethal Munitions & 37mm Launcher		Supersedes G.O. #19 Series 2005	
REFERENCE		RE-EVALUATION DATE	
CALEA Standards 1.3.4; 1.3.5; 1.3.6; 1.3.9 - 1.3.11		8/10/2014	
SUBJECT AREA		DISTRIBUTION	
Law Enforcement Operations		All Sworn Personnel	

PURPOSE

The purpose of this policy is to provide Officers with guidelines regarding the issuance and deployment of Department-issued less-lethal munitions (LLM) and 37 mm launchers.

POLICY

The Providence Police Department issues less-lethal munitions and 37 mm launchers to specially selected and trained officers as less-lethal force options for use in the field.

These less-lethal weapons are not intended to replace verbal problem solving skills, self-defense techniques, firearms, or any other force options as outlined in the Providence Police Department Use of Force Continuum.

These weapons shall only be utilized in order to assist officers in bringing certain incidents under control while protecting the safety of the officers and others, and only when deemed reasonable according to Department training. Under no circumstances shall these weapons, or any use of force option, be used as a means of interrogation, coercion, or punishment.

DISCUSSION

For the purpose of this General order, the following definitions shall apply:

LLM EQUIPMENT: The Department-issued 37mm less-lethal munitions launcher and less-lethal munitions.

LLM OFFICER: A sworn officers of the Providence Police Department who is in good standing with the Department; who has successfully passed all required training; and who has been selected and authorized by the Department to carry and use LLM equipment in the line of duty.

This directive is an adjunct to General Order 300.01, "Use of Force". As such, this policy shall be considered within the context of the other.

The following Department-issued LLM equipment is the only such equipment authorized for field deployment and use:

- 1) The DefTec™ 37mm munitions launcher.
- 2) Combined Tactical Systems™ Model #3581 37mm Super-Sock.
- 3) Combined Tactical Systems™ 37mm sting ball pellets.
- 4) SRU ONLY: DefTec™ 37mm #14 OC Barricade Round.
- 5) SRU ONLY: DefTec™ 37mm #12 CS Barricade Round.

PROCEDURE

I. TRAINING

- A. Only Department-certified LLM instructors shall provide training for LLM Officers.
- B. No members of this Department may deploy or discharge an LLM unless they have successfully passed all required LLM training courses.
- C. In-service training covering LLM usage/proficiency, and a thorough review of the Department's Use of Force and LLM policies, shall be conducted and completed biannually by all LLM Officers.
 1. Training records shall be well documented, providing the date of attendance, persons in attendance, identity of instructor(s), pass/fail scores of all LLM Officers, and a copy of the lesson plan.
 2. LLM Officers who fail to meet the training requirements will be prohibited from deploying and/or using LLM equipment unless and until a remedial training course is successfully completed.
 3. Training records shall be maintained by the Weapons Bureau, and shall be made available to the Chief of Police or his designee(s), and to the Office of Professional Responsibility.

II. LLM EQUIPMENT

- A. The Department will make available 37mm tactical launchers (LLM launchers) to officers who have successfully completed all required certification courses and who are authorized to deploy and/or use these weapons.
- B. Each LLM Officer will be issued two (2) Combined Tactical Systems™ #3581 37mm Super-Sock and two (2) 37mm sting ball pellets.
- C. If there is a mechanical malfunction or question of the performance of the LLM equipment, the Weapons Bureau is to be notified and the weapon is to be taken out of service immediately.

III. LLM STORAGE AND TRANSPORT

- A. LLM Officers must utilize the designated secured locker in the weapons locker room located in the Patrol Bureau that is reserved for the storage of LLM equipment when such equipment is not in use.
- B. LLM equipment shall be stored in the trunk of the LLM Officer's police vehicle during field deployment, and shall only be removed from the trunk when the potential use of the weapon is imminent.
- C. LLM Officers will relinquish their LLM equipment whenever ordered to do so by proper authority.

IV. LLM DISCHARGE PARAMETERS

- A. Only Department-approved LLM Officers are authorized to carry and discharge the LLM as a less-lethal force option. The LLM may be used when any of the following scenarios exist AND deadly force is not justified:
 - 1. A subject is exhibiting active resistance or active aggression, and any attempts to subdue the subject by lesser force options have been, or will likely be, ineffective in the situation at hand.
 - 2. To prevent an individual from harming themselves or others.
- B. The less-lethal munitions officer shall not carry or display the 37 mm launcher on calls or incidents unless, the officer has specific information that the call or incident reasonably indicates there is a potential for the its use.
- C. Under no circumstances shall an LLM be displayed, drawn, or used as a dispersal device.
- D. Under no circumstances shall an LLM be displayed, drawn, or used as a means of interrogation, coercion or punishment.

- E. Alternative force techniques shall be considered in lieu of using LLM equipment when dealing with pregnant women, elderly persons, young children, and visibly frail persons, unless exigent circumstances warrant otherwise.
- F. LLM Officers should always be cognizant of a subject's location when evaluating the consequences of an LLM discharge (i.e., situations where a subject falling may cause substantial risk of injury or death).
- G. Unless exigent circumstances exist, LLM Officers shall refrain from discharging an LLM on subjects who are in physical control of any moving vehicle.
- H. AN LLM Officer shall neither simultaneously draw nor have drawn their firearm and their LLM launcher.
 - 1. This does not preclude other officers on scene from drawing a firearm should circumstances require it.
- I. Only One (1) LLM Officer should discharge an LLM upon a subject at any one time.
- J. When tactically feasible, LLM Officers shall:
 - 1. Notify the dispatcher and the officers in the surrounding area that an LLM discharge is imminent. The dispatcher shall then re-broadcast this information.
 - 2. Issue a warning to a subject prior to discharging the LLM launcher, unless doing so would place any person at risk.
- K. Officers (other than the LLM Officer discharging the LLM launcher) should be prepared to handcuff or control the suspect while the suspect is incapacitated by the LLM.
- L. At the discretion of the LLM Officer, the LLM launcher may be discharged to control animals, such as vicious dogs, when circumstances warrant such usage.

VI. MEDICAL ATTENTION

- A. Any suspect who has been subjected to an LLM discharge will be transported as soon as practicable by an EMS vehicle to a medical facility for evaluation by trained medical personnel.
- B. Detention personnel will be notified by the transporting officer whenever a detainee has sustained an LLM discharge, and shall increase physical

observations of the detainee while the detainee is in custody.

VII. POST-INCIDENT REQUIREMENTS

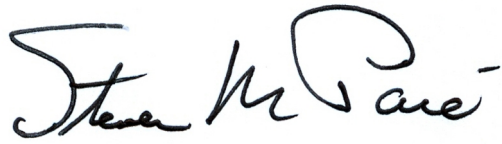
- A. A supervisor not involved in the LLM discharge incident shall be notified of and shall respond to the scene of the discharge as soon as practicable. This includes responding to accidental discharges of any nature.
- B. The Officer-In-Charge of the Patrol Bureau (OIC) shall report all LLM discharges to the Commanding Officer of the Uniform Division, who shall in turn notify the Chief of Police.
- C. The Force Investigation Team (FIT) will be notified of the incident by the OIC, and shall respond to the scene of any LLM discharges.
 - 1. The FIT representative from the Office of Professional Responsibility (OPR) shall seize the LLM pending further investigation.
- D. Documentation and further investigative actions shall be completed in accordance with the following written directives:
 - 1. Training Bulletin T300.1, entitled "Supervisor's Use of Force Inquiry".
 - 2. General Order 300.01, entitled "Use of Force".
 - 3. General Order 310.02, entitled "Force Investigation Team / Use of Force Review Board Procedures".

VIII. AUDITS

- A. An audit of all LLM equipment shall be conducted at least biannually by the Commanding Officer of the OPR or his designee, with the assistance of the Weapons Bureau Commanding Officer or his designee. Audit results shall be forwarded to the Chief of Police.

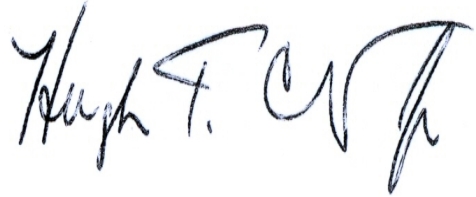
NOTE: This order is for internal use only, and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

APPROVED:

Handwritten signature of Steven M. Paré in black ink.

STEVEN M. PARÉ
COMMISSIONER
DEPARTMENT OF PUBLIC SAFETY

APPROVED:

Handwritten signature of Hugh T. Clements, Jr. in black ink.

HUGH T. CLEMENTS, JR.
COLONEL
CHIEF OF POLICE