



Santa Clara Police Department In House Training for Less Lethal Tools

October 2023 V1



40mm, Pepperball, & CED Safety Protocols

- 1) Treat all **KEP's/CED's** as if they are **LOADED** & **NEVER ASSUME** their condition & ability to function
- 2) Never point at **ANYONE/ANYTHING** you don't intend to use **KEP/CED against**
- 3) Be sure of your **TARGET, FORE & BACKGROUND**, and **SURROUNDING** areas
- 4) Keep your trigger **FINGER OFF THE TRIGGER** & safety on until decision is made to deploy KEP/CEW
- 5) Be sure to **VISUALLY/PHYSICALLY INSPECT** the **KEP/CED IS LOADED** with the **DESIGNATED KEP/CED MUNITION/ CARTRIDGE** (the operator must reverify the KEP launcher has been out of the operator's control)
- 6) Verbally **COMMUNICATE** when **KEP/CED** munitions/cartridge are to be **DEPLOYED** to avoid "sympathetic fire" from other officers



Why do we verbalize **I O W** and/or “40, Pepperball, Taser” prior to Less Lethal deployment?

- Allows suspect to **COMPLY**
- Avoids **SYMPHETIC FIRE**
- **WARNS SUSPECT** of possible use of force
- In line with **LEGAL UPDATES**
- Further verbal de-escalation is preferred
- Tactical repositioning should be considered



When can we deploy the CED?

The CED may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person: (Lexipol 304.5.1)

- The subject is **VIOLENT** or is **PHYSICALLY RESISTING**.
- The subject has demonstrated, by words or action, an **INTENTION TO BE VIOLENT** or to **PHYSICALLY RESIST**, and reasonably appears to present the potential to harm officers, him/herself or others.
- Can we use the CED on a suspect for mere flight (without other known circumstances)? **NO**



Possible Medical Crisis Signs

Watch for medical crisis and stage fire/medical if practicable.

- Disoriented, disrobing, or doesn't feel pain
- Emotional instability, hallucinations, or inability to focus
- Incoherence, irrational aggression, or lack of tiring
- Profuse sweating, random violence, or respiratory distress



We should avoid using the CED against:

- Known to be **PREGNANT**
- Obviously **JUVENILE/ELDERLY**
- Sickly/**LOW BODY MASS**
- **HANDCUFFED**/restrained
- **POSITION/ACTIVITY** may result in **COLLATERAL DAMAGE**
 - **ELEVATED HEIGHT**
 - **OPERATING VEHICLES**
 - **NEAR WATER**
- Sprayed with **ALCOHOL BASED OC/MACE** or near combustible/**FLAMMABLE VAPORS**
- Extended/**REPEATED APPLICATIONS**
 - Control & restrain quickly to minimize exposure
 - Ensure there is justification for each activation



CED Standard Operating Procedures

- You should spark test your CED prior to **EVERY SHIFT/week**
- CED shall be carried on your **WEAK/strong**
- Uniformed officers **SHALL/should** wear the CED in an approved holster on their person
- Officers shall/**SHOULD** not hold both a firearm and a CED at the same time
- A verbal warning of intended use shall/**SHOULD** precede it's application
- Officers **CAN/can't** display electrical arc or laser to gain compliance
- What is the max distance? **CQ 15' & SO 25'**



What areas should we target on a subject?

/ Use Preferred Target Zones (**Rear**)

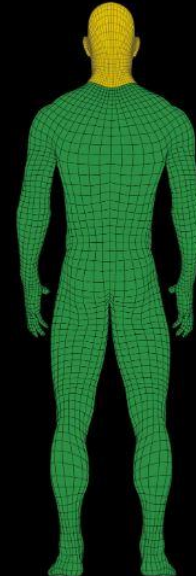
When Practicable:

Below neck (**green zone**)

- Large muscles
- Avoid head and neck

The back is the most preferred target area because it contains larger muscle groups and reduces the risk of hitting sensitive body areas.

The preferred target zone on the back begins just below the neck and extends all the way down the legs.



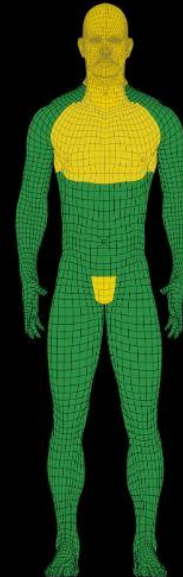


What areas should we target on a subject?

/ Use Preferred Target Zones (Front)

When practicable:

- Lower torso (green zone below chest)
- More effective than hitting the chest
 - Larger muscles (legs)
 - Split the beltline
- Reduces risk of hitting sensitive body areas (see product warnings)
- Do not intentionally target the head, eyes, throat, chest, or genitals unless legally justified





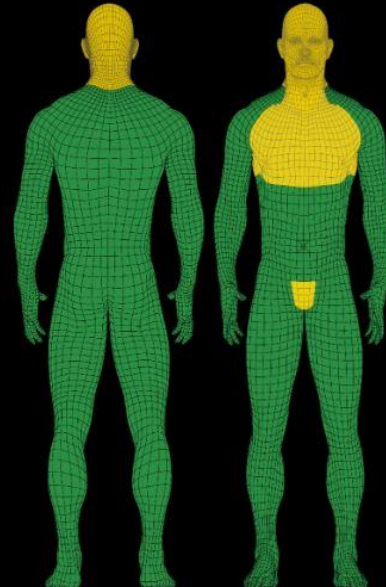
What areas should we target on a subject?

/ Use Preferred Target Zones

TASER energy weapon cardiac risks are low, but not zero.

To reduce cardiac risks (when practicable):

- Target the back
- Avoid targeting the chest and heart region unless justified
- Avoid repeated or continuous exposures unless justified





Drive Stun Considerations

Probe mode is the preferred method of deployment. Drive-stun may be appropriate for:

- Complete circuit or increase probe spread
- “Break contact” or distraction tactic to create reactionary distance
- Attempt focused pain compliance

Transition to other use of force options if drive-stun objective is not achieved.

Drive-stuns are **unlikely to gain compliance** of individuals experiencing a mind-body disconnect (psychotic episode) or increased pain tolerance (drugs/alcohol).

Review warnings regarding drive-stun application and effects. Remember, as with any application of force, each energy weapon cycle or deployment must be legally justified.



Drive Stun Considerations

- To activate drive stun, depress ARC switch on Taser 7
- Which one is more desirable/effective, drive stun or probe deployment?
- Can drive stun cause incapacitation?
- Drive stun with cartridge deployment can be effective if applying a 3rd or 4th contact point with drive stun

- Use care when applying the drive-stun near the neck or groin (**yellow**)
- Avoid areas that can be easily crushed, like the trachea (**red**), the back of the neck, and the genitals
- Follow agency policy





When can we deploy the 40mm or Pepperball (KEP)? (Lexipol 303.9)

When the suspect has/is:

- A **WEAPON** and **SITUATION & TIME** allow for safe deployment
- Made credible **THREATS** to harm self/others
- PC/commit **VIOLENT** crime and **REFUSING TO COMPLY** with orders
- Engaged in riotous behavior (threat of collective violence, destruction of property, & unlawful acts) and authorized use from incident commander or is throwing rocks, bottles, or other dangerous projectiles at officers/others
- Has **DEMONSTRATED**, by **WORDS OR ACTION**, an **INTENTION** to be **VIOLENT** or to **PHYSICALLY RESIST**, and reasonably appears to present the potential to harm officers, themselves, or others.



Protests:

AB 48/13652 PC prohibits use of kinetic energy projectiles or chemical agents to disperse a protest except to:

- 1) Defend against threat to life/ serious bodily injury to any individual**
 - **Factor in crowd density and possibility of collateral injuries due to deflection**
- 2) Incident Commander's Approval**
 - **Bring an objectively dangerous & unlawful situation safely & effectively under control when certain requirements are met**
 - **Do not use KEP merely for:**
 - **Violation of imposed curfew**
 - **Verbal threat**
 - **Non-compliance with law enforcement directive**



Protests:

AB 48/13652 PC prohibits use of kinetic energy projectiles or chemical agents to disperse a protest except to:

- **De-escalation techniques/other alternatives to force have failed**
- **Multiple warnings for use of less lethal munitions (type) and/or chemical agents (type)**
- **Given time and opportunity to disperse**
- **Effort to ID and target subjects engaged in violent acts**
 - **Do not aim indiscriminately into a crowd**
- **Only used with frequency, intensity, and proportional to threat**
- **Minimize impact to bystanders, medical professionals, journalists, or unintended targets**
- **Objectively reasonable effort to extract individuals in distress**
- **Prompt medical attention if reasonably safe to do so**
- **Kinetic energy munitions shall not be aimed at restricted areas**



Patrol:

When can we deploy the 40mm or Pepperball (KEP)?

When the suspect has:

- **A WEAPON** and situation/**TIME ALLOWS** for safe deployment
- **MADE CREDIBLE THREATS** to harm self/others
- Committed **VIOLENT CRIME** and **REFUSING TO COMPLY** with lawful orders
- Has **DEMONSTRATED**, by **WORDS OR ACTION**, an **INTENTION** to be **VIOLENT** or to **PHYSICALLY RESIST**, and reasonably appears to present the potential to harm officers, themselves, or others.



We should avoid using the 40mm or Pepperball (KEP) against:

- Known to be **PREGNANT**
- Obviously **JUVENILE/ELDERLY**
- Sickly/**LOW BODY MASS**
- **HANDCUFFED**/restrained
- **POSITION/ACTIVITY** may result in **COLLATERAL DAMAGE**
 - **ELEVATED HEIGHT**
 - **OPERATING VEHICLES**
 - **NEAR WATER**
- **REPEATED APPLICATIONS**
 - Impacted in the same area multiple times and there is no desired effect
 - Re-evaluate options



Considerations when using the 40mm or Pepperball (KEP)

- Lethal cover officer
 - * Avoid crossfire (Blue on Blue)
- Angle to target
 - * Increased angle = increased deflection
- Subject's clothing
- Whether subject's action dictate need for immediate response and use of 40mm or Pepperball (KEP)
- **AIM LOW MISS LOW**



Considerations when using the:

40mm KEP

- Distance to target
 - Minimum safe distance is **6'** (authorized target area)
 - Maximum effective range is **75'** (authorized target area)

Pepperball KEP

- Distance to target
 - Minimum safe distance is **0'** (authorized target area)
 - Maximum effective range is **60'** (authorized target area)
 - Maximum effective range **150'** (area saturation)
- PAVA may not work on certain persons
 - **MENTALLY ILL, FOCUSED, OR UNDER THE INFLUENCE** (drugs or alcohol)
 - Make sure to perform tactical pause to **assess effectiveness**



Protest

- Defend against a threat to life or **SERIOUS BODILY INJURY** to any individual

Or

- **INCIDENT COMMANDER'S APPROVAL**

vs

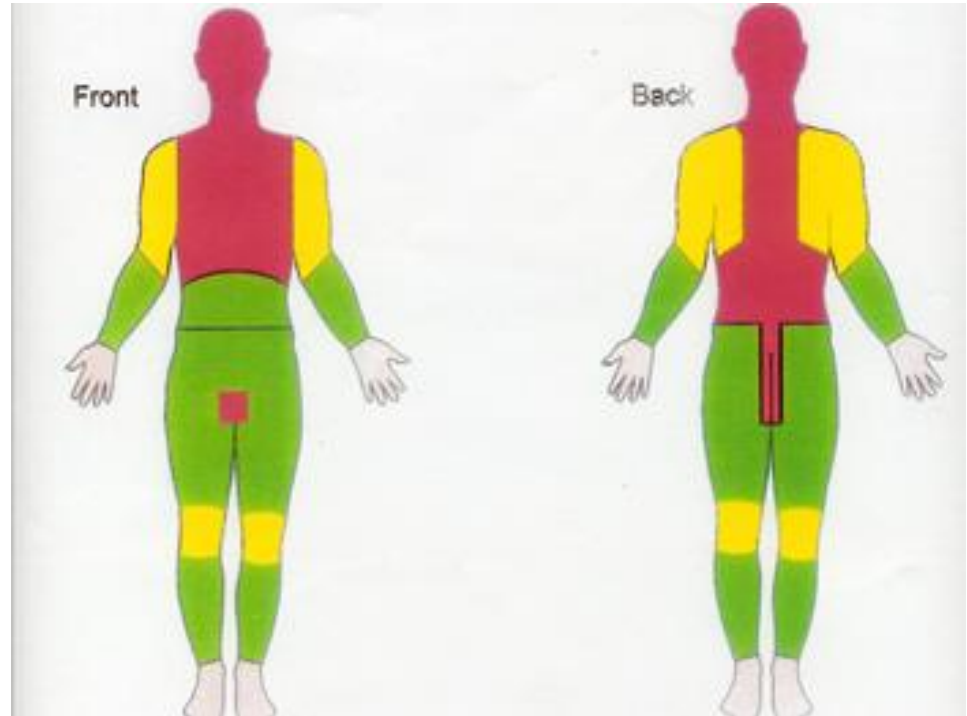
Patrol

Suspect has:

- A **WEAPON** and the situation/time allow for safe deployment
- Made credible **THREATS** to harm self/others
- Committed **VIOLENT CRIME** and **REFUSING TO COMPLY** with lawful orders
- Has **DEMONSTRATED**, by **WORDS OR ACTION**, an **INTENTION** to be **VIOLENT** or to **PHYSICALLY RESIST**, and reasonably appears to present the potential to harm officers, themselves, or others.

What are the target zones?

- **Primary**
 - **Secondary**
 - **Restricted**
- Each deployment/round of the 40mm or Pepperball (KEP) is its' own separate use of force
 - If 40mm or Pepperball is ineffective, target another area or transition to another option





40mm Munitions

California Police Fired Wall-Penetrating Tactical Projectiles At BLM Protesters Last Summer, Report Reveals





40mm Deployment

Beginning of shift

- Verify launcher is safe, chamber is empty, & barrel is free of obvious debris
- Verify munitions are 40mm Foam Baton rounds (4557)
- Store launcher in vehicle locking cabinet

Loading

- Visually & physically inspect munition being loaded
 - Squeeze (foam tip/plastic hull vs hard plastic tip/metal hull)
 - Orange rangemaster initials “RG” & expiration date
 - Black sharpie on hulls are reloads **(NOT FOR DUTY USE)**

End of shift

- Verify launcher is safe & chamber is empty
- Verify munitions are 40mm Foam Baton rounds (4557)
- **STORE LAUNCHER IN OPS ROOM (ATF CONTROLLED ITEM)**





40mm Maintenance

Deployed munitions during patrol functions

- 40mm bore brush located at range cleaning table or patrol operations room
- If 40mm is deployed in the field:
 - * Verify launcher is safe & chamber is empty
 - * 40mm is pointed in safe direction (clearing barrel)
 - * Use 40mm bore brush to clean out debris in barrel



Deployed munitions during protests

- 40mm bore snake located in MFF orange ammo can
- If 40mm is deployed during MFF (10+ Rds):
 - * Verify launcher is safe & chamber is empty
 - * 40mm is pointed in safe direction
 - * Use 40mm bore snake to clean out debris in barrel



Minimum Safe Distance is 6'
Maximum Effective Range is 75'



Pepperball

- **NON FLAMMABLE & NON LETHAL** chemical agent delivery system that uses high pressure air and large capacity hoppers to deliver PAVA powder projectiles from a safe distance
- Combines chemical agent exposure with kinetic impact and pain
- Effective on **INDIVIDUALS OR LARGE GROUPS** of people for riot/crowd control
- PAVA is one of six capsaicinoids found in pepper plants (used in Tabasco sauce, spice packs and cooking oils) and is the hottest capsaicinoids and is an amide of Pelargonic Acid and Vanillyamine (thus, PAVA)
- Pepperball products contain pharmaceutical grade purified non-oil based PAVA
- Thousands of actual uses & no judgements levied against Pepperball (reduces liability)
- Chemical agents can be effective when suspect is not in view and can be used to deny access or egress to specific areas (area saturation)
- Safe at Point-Blank Range at approved target areas
- Quick recovery from PAVA powder



Pepperball Projectiles



- Purple/White (Inert)
- Scented powder
- No chemical agent
- **USED FOR TRAINING PURPOSES**
- 0-60 feet (0-20 yds) direct impact/150+ feet (50 yds) area saturation
- Operation temperature range -30F to 150F (-34C to 65C)



- Red/White (Live)
- PAVA Payload
- 0.5% Chemical Agent
- **DUTY USE** for direct impact, area saturation, & MFF/crowd control
- 0-60 feet (0-20 yds) direct impact/150+ feet (50 yds) area saturation
- Operation temperature range -30F to 150F (-34C to 65C)
- * Make sure the projectiles are not frozen



Pepperball Projectiles



- Red/Black (Live X)
- Concentrated version of Live projectile
- 5% Chemical Agent
- **DUTY USE** for direct impact, area saturation, & MFF/crowd control
- 0-60 feet (0-20 yds) direct impact/150+ feet (50 yds) area saturation
- Operation temperature range -30F to 150F (-34C to 65C)



- Black/White (Max)
- MAXSAICIN PAVA Payload
- 5% Chemical Agent
- **SRT** use only
- 0-60 feet (0-20 yds) direct impact/150+ feet (50 yds) area saturation
- Operation temperature range -30F to 150F (-34C to 65C)



Pepperball Deployment

Beginning of shift

- Verify launcher is on safe, chamber empty, air gauge (min 1500 PSI), & barrel is free of debris
- Verify equipment is in backpack (launcher, air tank, hopper, orange thermos with munitions, 68 caliber bore snake, & reference guide)
- Verify munitions are white/red or red/black (remove any cracked, broken, or questionable munitions)
- Store launcher in vehicle trunk

End of shift

- Verify launcher is on safe, chamber empty, air gauge (min 1500 PSI), & barrel is free of debris
- Verify equipment is stored in backpack (launcher, air tank, hopper, orange thermos with munitions, 68 caliber bore snake, & reference guide)
- Store launcher in Ops Room locker





Communication?

Dispatch

- Call sign
- Arrival
- Kinetic energy projectile
- Location

“404”

“10-97”

“40mm” or “Pepperball”

“3 side” or “REACT team”

Subject

- Identify, Order, & Warn

“Police, stop or force may be used!”

Officers

- Prior to deployment
- Primary & secondary
- Contingencies

“40, 40, 40”

Pepperball

Taser





First Aid & Medical Clearance

Pepperball (no impact only exposure)

- PAVA can transfer, cross-contaminate, & be aware of wind direction prior to deploying
- Stage fire/paramedics if possible
- Provide medical attention when reasonably safe to do so:
 - Try to make the suspect move to you
 - “I/we want to provide you aid. Follow our instructions so we can help you.”
- Similar to OC exposure:
 - Begin decontamination (rinse with water & expose to air) after suspect is in custody
 - Keep suspect calm and reassure effects are temporary & look for unusual reactions

Pepperball (impact & exposure)

- Same as above
- Transport and obtain medical clearance from hospital if:
 - Impacted with Pepperball
 - Suspect complains of further severe effects
 - Signs of distress in coherence and/or respiration (Excited Delirium)



First Aid & Medical Clearance

40mm

- Stage fire/paramedics if possible
- Provide medical attention when reasonably safe to do so:
 - Try to make the suspect move to you
 - “I/we want to provide you aid. Follow our instructions so we can help you.”
- Transport and obtain medical clearance from hospital

Unlawful Protest

- Stage fire/paramedics at command post/safe area if possible
- Stage arrest/rescue team as part of MFF contingency if possible
- Provide medical attention when reasonably safe to do so
 - Try to make the suspect move to you
 - “I/we want to provide you aid. Follow our instructions so we can help you.”
- Transport and obtain medical clearance from hospital
- If unable to contact suspect, broadcast BOL and document in a UOF report



First Aid & Medical Clearance

Taser

- **Stage fire/paramedics if possible**
- **Multiple deployments are not recommended**
 - * **What are your contingencies?**
- **“Full lock up” is common**
- **Be cautious during cuffing under phase**
 - **Contact with any portion of the body in between CED probes**
- **Only appropriate medical personnel should remove CED probes from a person’s body**
- **Transport and obtain medical clearance from hospital**



Reporting Purposes

- Notify supervisor
- Statements/interviews/document injuries (or lack of)
- Security/BWC footage & photos of all persons involved, physical injuries, & the scene
- Review BWC footage prior to submission of report
- Refer to policies and explain “totality of circumstances”:
 - * Crime, Threat, level of Resistance, Escape or Evasion
 - * Objectively reasonable threats & other factors
 - * De-escalation attempts/establishing contact
 - * Use/non-use of other alternatives
 - * Each deployment is individual UOF (reason for 2nd deployment)
 - * Use the term “Kinetic Energy Projectiles” or “Conducted Energy Device”



Reporting Purposes (Taser Specific)

Officers

- Dock Taser 7 battery to upload activations & connections

Supervisors

- Once BWC & Taser 7 battery is docked/uploaded:
 - * Number of activations
 - * If connection was good/bad
 - * Which bay was effective

Evidence Collection

- Probes & cartridge only (biohazard)
- No more "AFID" collections