

Volume Five – Code of Conduct and Use of Force

Use of Force

5-310 Control Option- Impact Weapons

(<mark>xx/xx</mark>/23)

Revisions to prior policies: (08/17/07) (10/01/10) (09/08/20) (12/22/20) (04/04/21)

I. Purpose

The purpose of this policy is to expand on the requirements of other force policies, specifically related to authorized impact weapons and improvised impact weapons.

II. Definitions

Terms defined in P&P 5-304:

- Carry
- Deliver
- Discharge
- Display
- Engaged with a Subject
- Point
- Use

III. Policy

A. Policy and Guiding Principles

In addition to the specifications in this policy, employees shall follow the requirements of all other applicable policies, including but not limited to, the Guiding Principles and other standards in P&P 5-301.

B. Impact Weapons as Less-Lethal Force

MPD approved impact weapons (P&P 3-200) are generally considered less-lethal forms of force, but can be lethal in certain circumstances.

C. Consistent With Policy and Training

Officers shall only use impact weapons in a non-discriminatory manner, and only when such force is objectively reasonable and consistent with current MPD training and MPD policies governing the use of force (including all sections in P&P 5-300) including when used for crowd dispersal or protection.

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D. Civil Disturbances and Assemblies

Impact weapons shall only be used during civil disturbances and assemblies when authorized in accordance with P&P 7-805.

E. Conditions for Use

- 1. Impact weapon strikes
 - a. Imminent substantial harm

Impact weapon strikes shall only be delivered when such force is necessary to protect the officer, the subject, or another party from objectively imminent **substantial** bodily harm.

b. Target areas

Officers shall not intentionally use an impact weapon to strike a person's head, neck, throat, face, armpit, spine, kidneys, or groin unless deadly force would be justified.

2. Impact weapon use (other than strikes)

This section applies to push aways and other similar uses of impact weapons that are not strikes.

- a. When such force is necessary to protect the officer, the subject, or another party from objectively imminent physical harm.
 - or
- b. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).

F. Treatment and Medical Aid

- In addition to standard medical treatment after use of force (in accordance with P&P 5-301), treatment for a person that has been struck with an impact weapon shall include visually inspecting the areas struck for signs of injury, when appropriate.
- 2. Sworn employees shall routinely monitor the medical condition of a person that has been struck with an impact weapon until they are released to medical or other law enforcement personnel.