

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: DECEMBER 18, 2020
NUMBER: 1.36 – ADMINISTRATION
SUBJECT: USE OF SPECIALTY MUNITIONS
RELATED POLICY: 1.04, 1.05, and 1.06
ORIGINATING DIVISION: OPERATIONAL SUPPORT (SRT/SWAT)
NEW PROCEDURE:
PROCEDURAL CHANGE: **MAJOR CHANGES**
SUPERSEDES: DP 1.36 – 03/25/2016

I. PURPOSE

This Department procedure establishes guidelines for the authority and use of specialty munitions.

II. SCOPE

This procedure applies to all sworn members of the Department.

III. DEFINITIONS

Specialty munitions – munitions used during high-risk situations and civil unrest. Special Weapons and Tactics (SWAT) Officers, who have special training, use these munitions to assist others in critical incidents. Specialty munitions include:

NEW

- A. Chemical agents – compounds, devices, and delivery systems utilized by SWAT and not covered by Department Procedure 1.06, Use of Liquid Chemical Agent. Compounds can include irritants such as Chlorobenzalmalononitrile (CS) or an inflammatory agent such as Oleoresin Capsicum (OC) or Pava (synthetic OC). Chemical agents can be liquid, powder, or gaseous. Delivery systems can be pyrotechnic, blast dispersion, OC Fogger, or aerosol.
- B. Diversionary devices – canisters that emit a loud noise and bright light. They are intended to temporarily distract, confuse, and disorient subjects. They can also be used as “attention-getting” devices.

NEW

- C. Extended-range impact ammunition – designed to be used when “hard impact” weapons, such as a flashlight, PR-24, or OPN, would be reasonable, but impractical. Extended-range impact ammunition includes: 40MM foam rubber rounds and 12-gauge bean bag rounds.
- D. Frangible slugs – commonly referred to as Avon rounds, are designed to break into a powder upon impact with a solid object. They are fired from a 12-gauge shotgun and are used primarily to breach locked doors. They may be used in other situations as determined by the SWAT Commander.
- E. Pepper Ball – munitions system that employs paint ball launchers to fire “pepper balls” that contain powdered OC in place of the paint. Pepper Ball munitions also include glass breaking rounds and marking rounds.
- F. Sting Ball munitions – canisters that are designed to emit loud noise, bright light, and rubber projectiles.

IV. PROCEDURES

- A. Only SWAT personnel who have completed an approved training course and annual refresher training are authorized to deploy specialty munitions. Non-SWAT personnel who have completed an approved training course are authorized to deploy the extended range impact weapon system per Department Procedure 1.38 – Extended Range Impact Weapon System.
- B. Specialty munitions may be used in situations that include, but are not limited to:
 - 1. A violent subject who is armed with a non-traditional weapon, such as a baseball bat, crowbar, shovel, or any other object capable of inflicting injury;
 - 2. Jail or civil disturbances (to include Mobile Field Force (MFF) munitions team deployments);
 - 3. A subject who is armed with an edged weapon;
 - 4. A suicidal person armed with a dangerous weapon, or who is attempting to force officers into shooting him or her; and,
 - 5. An active or passive resistive subject reasonably believed to possess or have immediate access to a deadly weapon.
- C. Patrol supervisors may request the use of all specialty munitions and may authorize the use of extended range impact weapons and pepper balls; however,

NEW

the final decision for the deployment of specialty munitions only available to SWAT personnel rests with the SWAT operator deploying the munition. Except in emergencies involving the immediate threat of serious bodily injury or death, specialty munitions only available to SWAT personnel shall not be used without prior authorization of a SWAT supervisor.

NEW

D. Use of Munitions in a Mobile Field Force (MFF) activation

1. Unlawful assemblies are created when some or all involved in the assembly begin to violate local, state or federal laws. It poses a unique situation for law enforcement in the need to potentially control or arrest a large group of people, acting in concert.
2. In these situations, less lethal tools may be a force multiplier, making it safer for all involved following the declaration of an unlawful assembly in moving/dispersing the crowd and/or making arrests.

NEW

- E. Use of Specialty Munitions – Generally, munitions 1-4, listed below, may be used while on the line and should be a coordinated effort directed by an Incident Commander. Munitions 1-4 may generally be used in coordination with the SWAT Munitions Team.

Authorization for munitions 5 and 6, listed below, shall be obtained by an Assistant Chief level officer and carried out by the SWAT Munitions Team Leader.

1. OC spray (Oleoresin Capsicum)
2. 40 mm foam baton rounds
3. Pepperballs (OC)
4. Flashbangs
5. CS gas grenades
6. Rubber Sting balls - defensive maneuver for law enforcement personnel when faced with overwhelming aggression placing officers in immediate physical risk of serious bodily injury or death.

F. Safety Considerations

1. Generally, specialty munitions should not be deployed without a tactical plan and a cover officer;
2. Only factory-loaded ammunition will be used during operations;
3. Specialty munitions should not be used when the subject is in danger of falling from a significant height;
4. The SWAT operator using specialty munitions shall inspect their gear prior to being deployed to ensure proper condition and application; and,

NEW

5. Consideration shall be given to the fire hazard associated with deployment of diversionary devices and other pyrotechnic devices.

V. **MEDICAL TREATMENT**

NEW

A. An individual who has been struck by a specialty round shall be examined by paramedics, excluding the pepper ball munitions. Pepperballs can be used for area saturation. In this instance, an individual may be exposed to the Pava/OC agent and not have been struck by the munition. The kinetic energy of a pepperball impact is minor in relation to other extended range impact weapons. An individual struck by a pepperball round on bare skin typically experiences some minor redness or abrasions. An individual that was struck by a pepperball and sustains a more significant injury as a result of being impacted shall be examined by paramedics. This does not include merely exposure to the Pava/CS Agent.

B. It may be necessary to transport individuals to the nearest medical facility in compliance with Department Procedure 6.12, Paramedic Procedures and Emergency Treatment.

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C. During any incident that requires the use of chemical agents, which includes exposure to Pepper ball rounds, the following medical treatment shall be administered:

1. Once the subject is taken into custody the Incident Commander or Mission Leader must ensure the subject's eyes are flushed with large amounts of water;
2. Expose the subject's face and eyes to fresh air;
3. If contact lenses are worn, have the subject or qualified medical personnel remove them;
4. Avoid rubbing the contaminated area; and,
5. Do not apply creams, salves, oils, or lotions as they may trap the agent on the skin.

NEW

D. First aid treatment shall be rendered as soon as possible. It shall be done within 30 minutes of applying the chemical agent unless exigent circumstances make the treatment impractical or the subject is not in police custody. If the subject voices objection or physically resists, a reasonable attempt will be made to persuade the subject to allow decontamination prior to transporting from the scene.

- E. The Mission Leader shall document, in the SWAT Incident Report, the type of chemical agent used and the first aid administered.

VI. REPORTING PROCEDURE

Whenever specialty munitions are deployed, appropriate documentation shall be completed. A SWAT Incident report, if appropriate, shall be prepared by the PRT leader. The deploying officer shall complete the following:

- A. SWAT Incident Report; and/or,
- B. Arrest Report or Officer's Report, and Use of Force, BlueTeam entry as described in Department Procedure 1.04. In addition to the elements required in that Department Procedure, the report shall also contain:
 - 1. Date of incident;
 - 2. Time;
 - 3. Location;
 - 4. All officers present at the time of deployment;
 - 5. The subject's name and date of birth;
 - 6. The name of the medical personnel treating the subject and the results of that examination; and,
 - 7. The effectiveness of the specialty munitions deployed at the incident.
- C. Photographs shall be taken to document the existence or absence of injury to the subject, officers, or other persons. Photographs shall also be taken of any damage to the clothing or personal property of the subject, officers, or other persons at the scene, for evidentiary and investigative purposes. The officer taking the photographs shall note the date and time the photographs were taken and include his/her name and ID number in the report. Photographs taken at the scene shall be impounded in accordance with Department Procedure 3.02.
- D. Report Routing
 - 1. The SWAT Incident Report shall be retained by the SWAT/SRT Unit for a minimum of two years.

2. The original Arrest Report(s) and/or Officer's Report(s) will be routed to Records Division.
3. Copies of the Arrest Report(s) and/or Officer's Report(s), as well as the photos taken, shall be routed to the appropriate investigative unit(s) for follow-up.

VII. NOTIFICATION

- A. Whenever a person has been struck by specialty munitions, the officer who deployed the munitions shall notify a SWAT supervisor, or field supervisor in the case of 40mm, beanbag, or pepper ball.
- B. The SWAT supervisor shall respond to the scene and evaluate the circumstances surrounding the incident.
- C. When appropriate, the SWAT supervisor shall notify the Watch Commander of the incident, in accordance with Department Procedure 1.04, Use of Force.

VIII. REVIEW PROCESS

The SWAT Commanding Officer shall review the use of specialty munitions as soon as practical following each incident or operation. The review will determine if the munitions functioned properly and were used in accordance with Department Procedure.