

**SAN DIEGO POLICE DEPARTMENT  
PROCEDURE**

**DATE:** MAY 24, 2022  
**NUMBER:** 1.38 - ADMINISTRATION  
**SUBJECT:** KINETIC ENERGY WEAPON SYSTEMS  
**RELATED POLICY:** [1.04](#), [1.05](#)  
**ORIGINATING DIVISION:** TRAINING/EMPLOYEE DEVELOPMENT  
**NEW PROCEDURE:**   
**PROCEDURAL CHANGE:**  **MAJOR CHANGES**  
**SUPERSEDES:** DP 1.38 – 07/29/2021

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**I. PURPOSE**

NEW

This Department procedure establishes guidelines for the use of Kinetic Energy Weapon (KEW) Systems.

**II. SCOPE**

This procedure applies to all sworn members of the Department. This does not limit SWAT Personnel from using additional KEW systems. For use of specialty munitions by SWAT, refer to Department Procedure 1.36, Use of Specialty Munitions.

**III. BACKGROUND**

- A. The San Diego Police Department recognizes and respects the value of human life and the dignity of every individual. It further recognizes that the primary duty of our officers is to preserve human life.
- B. The officer's use of a KEW will be evaluated and reviewed in accordance with policies and procedures outlined in Department Procedure 1.04, Use of Force.

**IV. DEFINITIONS**

- A. 40MM - this KEW is a 40MM single shot launcher; the Penn Arms model GL1-40, and DEF TECH model 1426, are just two examples.

NEW

B. 40MM ammunition - the 40MM KEW round is a sponge baton cartridge. The current Department-authorized 40MM round is manufactured by Defense Technology Corporation (eXact iMpaCt sponge round, approximately 36 to 38 grams). The sponge round has a blue-colored nose with a black base. The casing is stainless.

C. Beanbag shotgun - this KEW is a standard Remington Model 870, 12-gauge shotgun that has been modified with an orange stock and fore-end.

NEW

D. Beanbag ammunition - the 12-gauge KEW ammunition, commonly known as a beanbag round, consists of a fabric sock containing lead shot contained within a standard 2 ¾ inch shot shell casing. The current Department-authorized round is manufactured by Combined Tactical Systems (12-gauge round, shot-filled flexible sock, approximately 40 grams, with an opaque shell, labeled “2581 Super-Sock”).

E. Contact officer - the officer who deploys the beanbag shotgun or 40MM.

F. Cover officer - the officer(s) who provides “deadly force” backup.

NEW

G. Kinetic Energy Weapon (KEW) Systems - the KEW Systems consist of a device firing a special projectile designed to gain compliance, overcome resistance, or prevent serious injury or death to suspects, officers and bystanders. The Department currently uses two KEW systems. Both the beanbag shotgun and 40MM single shot launching system shall be classified as “Kinetic Energy Weapon” for identification within Department Procedure 1.04, Use of Force.

## V. FIRING DISTANCES

A. All distances for KEW systems shall be measured from the muzzle end of the weapon’s barrel.

B. Officers generally should not fire either KEW from a distance of less than five (5) feet, or 1.5 meters. Severity of the circumstances at hand and shot placement, rather than deployment range, - are the critical factors in determining the extent of any injury caused by either projectile.

NEW

C. The maximum effective range of the beanbag shotgun is generally sixty (60) feet (20 yards).

NEW

D. The maximum effective range of the 40MM single shot launcher is generally one hundred twenty (120) feet (40 yards).

NEW

E. The target area from all distances should be the lower girdle area of the subject. This would include the lower abdominal region (belly button area) and below. Generally, the head, neck, thorax, heart, groin, and spine area should not be targeted.

## VI. PROCEDURES

### A. Authorized Users

1. Officers shall not deploy a KEW until they have successfully completed the required Department-approved training.
2. After the initial training, officers will be required to qualify annually with the KEW systems in conjunction with a Department Proficiency Shoot.
3. All Patrol personnel trained in the use of the beanbag shotgun will carry one in the field; currently beanbag shotguns are assigned to every marked patrol vehicle.

### B. KEW Storage

1. Beanbag shotguns and 40MM are maintained in firearm cases that shall be carried horizontally within police vehicles that have an available trunk. In the case of the police SUVs, the beanbag shotguns shall be placed horizontally in the provided spring-loaded metal clasp mounted below the rear cargo compartment divider of the vehicle. The 40MM shall be maintained in firearms cases and carried in the lower portion of the rear cargo compartment of the police SUV. Officers are prohibited from carrying the KEW in the vehicle interior rack.
2. Beanbag shotguns shall be carried unloaded until time of deployment - safety "on", hammer down on an empty chamber with four rounds in a buttstock mounted sleeve.
3. The 40MM shall be carried unloaded until time of deployment. If the 40MM round is not used during deployment, the unused round will be unloaded and inspected for integrity.
4. All officers deploying the KEW systems are responsible for ensuring that only KEW ammunition is loaded into, or stored with, the designated weapons.
5. Officers are prohibited from "cross-loading" either the beanbag shotgun or standard shotgun with inappropriate rounds.

### C. KEW Loading and Unloading

1. To reduce the danger of injury associated with unintentional discharge, the beanbag shotgun shall never be loaded or unloaded inside a vehicle, in a police station, or under any overhead structure. If close to multi-storied buildings (e.g., Headquarters E Street parking lot), ensure the muzzle is pointed in a safe direction at all times.
  - a. At the beginning of the shift, the driver of the unit shall ensure the

beanbag shotgun is unloaded, safety “on”, hammer down on an empty chamber, empty magazine tube. The beanbag shotgun should not be loaded until time of deployment. When loaded for deployment, the beanbag shotgun shall be loaded to “patrol ready” in the prescribed manner - safety “off”, hammer down on an empty chamber with four rounds in the magazine tube.

NEW

b. **In addition to the above-mentioned loading procedures, prior to the time of deployment, the officer in charge of deploying the weapon shall have a witness officer present to observe, confirm, and ensure the correct munitions are loaded into the appropriate corresponding KEW. This process will take place each time the KEW changes possession between officers or has been retrieved after being secured for any length of time.**

c. Upon conclusion of the incident in which a beanbag shotgun round has been chambered, the officer who chambered the round shall unload the beanbag shotgun in the currently prescribed manner and return it to the trunk unloaded with the rounds in the buttstock sleeve.

2. The 40MM should not be loaded until time of deployment.

D. KEW Cleaning, Maintenance, Repairs, and Inspections

1. Area commands will assign qualified SWAT personnel to conduct a monthly maintenance program for their assigned KEW systems. The maintenance program shall include removal, cleaning, and inspection of the beanbag shotguns and 40MM.

2. Any beanbag shotgun or 40MM requiring repair shall be taken out of the field and taken to the Range.

3. All KEW systems shall be inspected pursuant to the Police Department Inspection Guide.

NEW

4. All patrol KEW systems shall be inspected monthly, and if necessary, test-fired to establish “Point-of-Aim / Point-of- Impact.

NEW

5. SWAT shall maintain their issued KEW systems to their established guidelines.

E. KEW Deployment Procedures

1. Officers may deploy a KEW on subjects demonstrating assaultive behavior or life-threatening behavior, as defined in Department Procedure 1.04, Use of Force. The KEW may also be used to control an actively resistive subject reasonably believed to possess or have

immediate access to a deadly weapon, within the force guidelines of Department Procedure 1.04, Use of Force.

2. Officers shall always have immediate “deadly force” backup when deploying the KEW.
3. The contact officer shall inform assisting officers that the KEW is 10-97 at a scene and, whenever possible, notify Communications Division. Communications shall repeat this information to responding units and activate the “emergency tone” when appropriate.
4. If a subject fails to comply with commands, officers should verbally warn the subject of their intention to fire prior to discharging the KEW, unless a warning would not be feasible, due to safety concerns.
5. When feasible, prior to deploying each KEW round, officers will announce they are firing their KEW to prevent “contagious” or “sympathetic” fire. Officers should state, “Firing Beanbag” or “Firing Forty” when discharging either KEW.
6. Officers, generally, should not deploy a KEW at a subject when there is a danger of the subject falling from a significant height.
7. The KEW is intended to assist in gaining compliance from the subject. Multiple shots to the same body part should be avoided. If additional shots are required, they shall be directed to different parts of the body. The subject should be taken into custody as soon as possible after the discharge of the round(s).
8. KEW systems are limited use weapons. They shall not be used for any other purpose than those listed in section VI, E, 1.

F. Medical Treatment

1. In the event a person is struck by a KEW projectile, the arresting officer shall ensure that the subject is taken to a medical facility for treatment prior to being booked into jail or released.
2. The name of the medical facility, attending physician(s), sustained injuries, or lack of injuries, shall be documented in the arresting officer’s report.
3. Jail personnel will be notified of the use of the KEW. The information on which system was used shall be noted on the booking slip.

G. Reporting Requirements

1. The discharge of a KEW shall be considered the same as any authorized impact weapon when reporting the use of force. The KEW shall not be reported as the use of a firearm. Officers discharging KEW ammunition shall report the incident in accordance with Department Procedure 1.04, Use of Force, and complete the required report, e.g. Case Report or Officer's Report, in addition to a **BlueTeam** entry.
2. Whenever a person has been struck by a KEW, the officer who deployed the munitions shall notify a field supervisor.
3. The field supervisor shall respond to the scene and evaluate the circumstances surrounding the incident.
4. When appropriate, the field supervisor shall notify the Watch Commander of the incident, in accordance with Department Procedure 1.04, Use of Force.
5. The unintentional discharge of a KEW shall be treated the same as the unintentional discharge of a firearm, as outlined in Department Procedure 1.05, Firearm Procedures. In the event of an unintentional discharge, the officer shall report the incident immediately to a supervisor. The supervisor shall conduct an investigation and complete a Shooting Incident Report form (PD-128), as well as a **BlueTeam** entry.
6. In all incidents where a KEW has been fired, the expended rounds should be impounded, if feasible. The officer's report shall include:
  - a. Approximate distance from the suspect when fired;
  - b. Point of aim/point of impact; and,
  - c. Injuries or property damage.
7. In accordance with Department Procedure 1.23, Department Equipment Accountability Procedures, officers who misplace or lose any KEW ammunition shall prepare an Officer's Report describing the loss. The report shall be submitted to their commanding officer for approval.

NEW