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Approval: Chief of Police	Manual: Policy and Procedure			

I. PURPOSE

This policy addresses the training and use of the less-lethal weapons and projectiles. The Kinston Police Department recognizes that combative, noncompliant, armed and/or violent subjects cause handling and control problems that require special training and equipment. Thus, the Kinston Police Department has adopted the less-lethal force philosophy to assist in the de-escalation of these potentially violent confrontations.

II. DEFINITIONS

- A. Less-Lethal Force Philosophy - A concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional methods.
- B. Kinetic Energy Impact Projectiles - Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles.
- C. Suspect - The person who is the focus of the police operations.
- D. Safety Priorities - The Kinston Police Department priorities are established as follows:
 - 1. **First priority is Hostages.**
 - 2. **Second priority is involved non-suspect civilians.**
 - 3. **Third priority is Police officers.**
 - 4. **Fourth priority is Suspect(s).**

III. POLICY

- A. There are many projectiles considered “less-lethal”. The primary types issued by the Kinston Police Department are the:
 - 1. Flexible projectiles - 12 gauge
 - 2. Flexible and non-flexible - 37 mm
- B. The less-lethal projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities and the level of force authorized.
- C. Areas of impact approved by Kinston Police Department as contact areas for kinetic energy impact weapons, based on potential for injury.

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1. Zone 1 (Thigh, Calf, Buttocks) - These areas will be considered when incapacitation is necessary and a minimal potential for injury is the appropriate response.
 2. Zone 2 (Stomach) - These areas will be considered when an escalation of force is necessary and appropriate, acknowledging an increase in the potential for death or serious physical injury.
 3. Zone 3 - Intentional impacts to these areas will always be avoided **unless** the use of deadly force is justified, necessary and appropriate.
- D. Dedicated System - The issued shotgun will be dedicated to less-lethal projectiles and marked in some fashion consistent with such designation (Orange). Officers assigned such weapons will visually/physically inspect the chamber and magazine of the weapon(s) under their control at the beginning of each squad and at any time the weapon was out of their control to ensure the total absence of lethal ammunition.
1. Before deploying to less-lethal ammunition, the officer shall consider:
 - a. The level of force being confronted;
 - b. The proximity/access of subject to officer; and,
 - c. The department safety priorities.
 2. Lethal cover should be used in all cases involving any armed and/or dangerous subjects, even if no firearms are involved. This is consistent with the safety priority system placing the safety of the officer above that of the subject. The second or subsequent officer(s) arriving at the scene would then provide the less-lethal option.
- E. Suspect(s) struck by a less-lethal round **SHALL** be transported to a medical facility for examination.
- F. An investigation will be conducted into any situation involving the firing of a less-lethal round at a suspect. The operational use of kinetic energy impact projectile will be documented in the same manner as all other use of force issues used by the Kinston Police Department.
- G. Only personnel who have successfully completed a departmental approved training course in the proper use and deployment of department approved weapons, equipment and less-lethal impact projectiles shall be authorized to use them during actual operations.
- H. Once an officer has completed a department approved training course in the proper use and deployment of less-lethal impact projectiles and/or weapons, the officer shall attend annual training/re-training and testing.
- I. Less-lethal force devices shall not be used on passive resisters or resistant individuals unless the non-compliance or resistance creates an immediate danger and safety risk that can be mitigated by the use of force options.