	Winchester City Sheriff's Office Manual of General Orders Administration 127	Effective Date: February 24, 2015 Accreditation Standards:
		Original Policy: February 24, 2015 Last Review Date: October 31, 2023 Next Review Date: October 31, 2024
Subject: Less than Lethal Impact Devices		By Authority of: <hr/> William E Sales, Sheriff

I. PURPOSE

This directive is intended to inform, direct, and provide general guidelines for officers trained and authorized to use less lethal impact devices and to insure the deployment of these devices are completed in a uniform and professional manner. The less lethal impact devices will be used as an additional police tool and are not intended to replace firearms, batons, chemical spray, or other self-defense techniques.

II. POLICY

It is the policy of the City of Winchester Sheriff's Office to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. The employment and use of less lethal impact devices are decisive actions that can assist in achieving the goal of protection of life and property and/or the restoration of order. Less lethal impact devices should be considered whenever the use of less lethal options would assist in enabling an arrest, restoring order, and/or reducing the risk of more serious injury.

III. DEFINITIONS

A. Less Lethal Impact Device

Any device designated to fire, launch, or otherwise propel a less lethal impact projectile for the purpose of encouraging compliance, overcoming resistance, or preventing serious injury without posing a significant potential of causing death.

B. Less Lethal Impact Projectiles

Those munitions that can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance, or preventing serious injury without posing a significant potential of causing death.

IV. PROCEDURES

A. Guidelines

1. Only personnel who have successfully completed a department approved training course in the proper use and deployment of less lethal impact devices and less lethal impact projectiles shall be authorized to use those impact devices and impact projectiles during actual operations.
2. Only those less lethal impact devices and less lethal impact projectiles issued and authorized by the department shall be used by department personnel.
3. Upon receiving any less lethal impact device or less lethal impact projectiles, the person deploying the less lethal impact projectile is ultimately responsible for ensuring that the projectiles are less lethal and used in accordance with department directives.
4. The use of Less lethal impact devices is considered intermediate force as defined in the City of Winchester Sheriff's Office Use of Force General Orders, (GO 106).
5. Intentional less lethal projectile impacts to the head and neck area of a person shall be avoided unless the use of deadly force is justified, necessary, and appropriate.
6. Persons who are struck by a less lethal impact projectile shall be evaluated by medical personnel and given the appropriate level of medical treatment.
7. Circumstances justifying the use of less lethal impact devices include, but may not be limited to:
 - a. When the person's actions constitute active resistance and the officer's perception of the threat is volatile;
 - b. To protect a person when that person is either attempting to injure him or herself or commit suicide;
 - c. Whenever a situation arises where the use of force techniques expose the officer, the person, or the public to unnecessary danger, and when other force techniques have been or may be ineffective;
 - d. Restoration or maintenance of order during civil disturbances;
 - e. Controlling a dangerous or vicious animal; and
 - f. Situations wherein the authorizing person deems their use necessary to safely resolve an incident.

B. Training

1. Authorized sworn officers shall successfully complete an approved less lethal impact device basic course of instruction. The course of instruction shall include classroom and practical application training under the direction of a certified less lethal impact device instructor.

2. Authorized sworn personnel shall qualify annually with department issued less lethal impact devices on an approved firearms range and under the supervision of a department approved and certified less lethal impact device instructor. Less lethal impact device qualification is a combination of skill and discretion. When to shoot is as important as how to shoot. Officers shall periodically review GO 106, Use of Force.

3. Officers authorized to use less lethal impact devices must qualify with the minimum department qualification score. Any officer who fails to qualify with a minimum score on a third consecutive qualifying attempt on the same date, shall be placed in remedial training as soon as practicable. Officers who fail to qualify shall have their authorization to use less lethal impact devices revoked at the discretion of the Sheriff, until the standards expressed in this directive are met.

4. Officers who have taken extensive leave or suffered an illness or injury that could affect the use of firearms or less lethal impact devices shall requalify before returning to law enforcement duties.

C. Reporting Requirements

1. Any incident in which a less lethal impact device is discharged, with the exception of training shall require:

- a. Immediate notification to the appropriate supervisor; and
- b. Completion of an incident report, Use of Force Report, and full supplemental report of all pertinent information.

2. When a less lethal impact device is discharged, with the exception of training, an incident report and a Use of Force Report shall be completed by the officer. The report, in addition to the regular information required, must contain the following information:

- a. Less lethal impact device serial number;
- b. Type of less lethal impact projectile discharged;

- c. Location of the projectile strike and photographs of the strike area, if possible;
- d. Injuries sustained;
- e. Any treatment rendered;
- f. Responding supervisor; and
- g. Discharging officer's name.

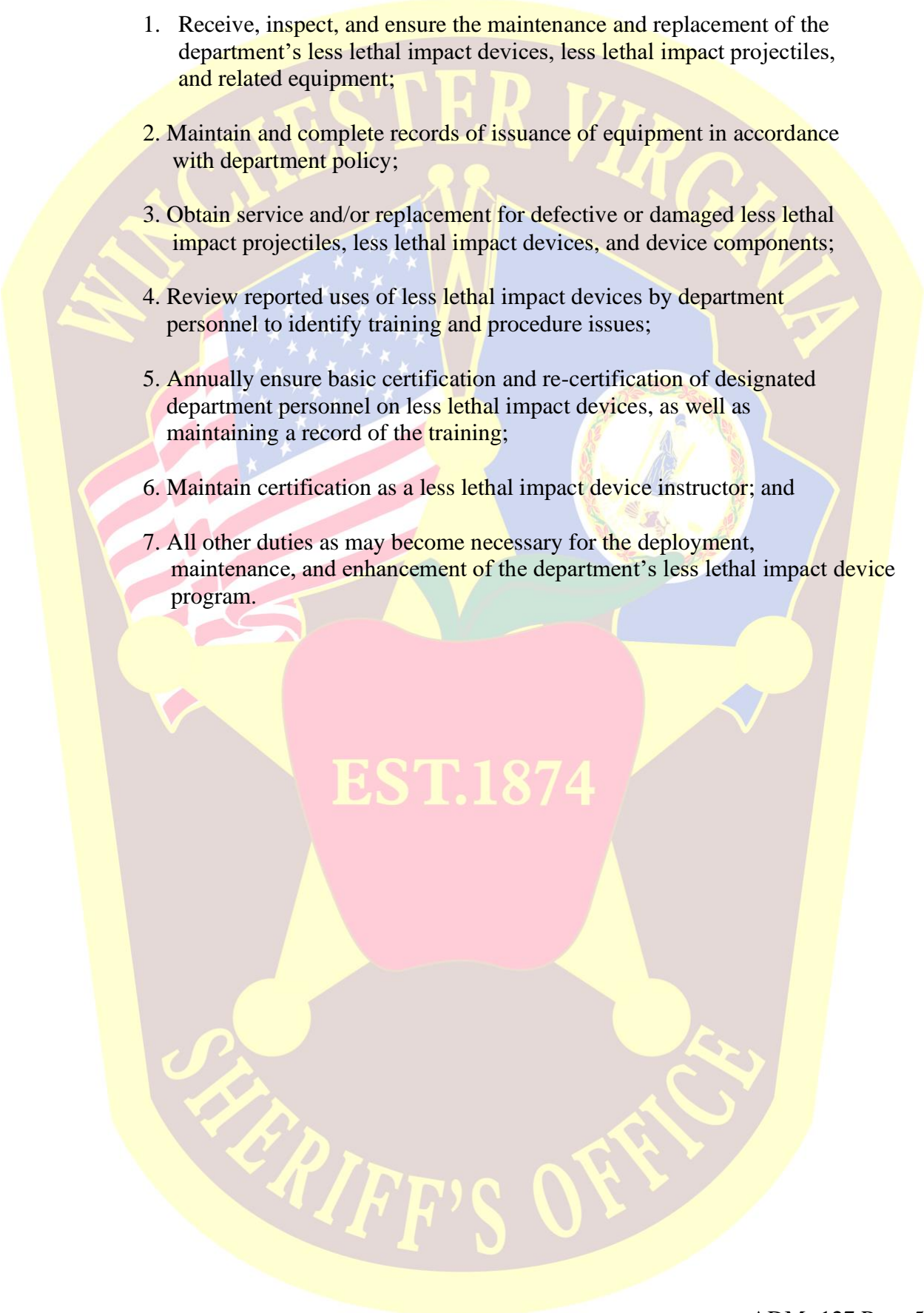
3. Any officer who unintentionally discharges a less lethal impact device in a non-training session, shall immediately notify their supervisor and submit a written report of the incident in memo form as soon as is practical. The report of this incident shall be forwarded to the Sheriff through the chain of command. The incident shall be reviewed by the officer's immediate supervisor to determine if remedial training may be required.

D. Storage, Transportation, and Handling

- 1. Storage of less lethal impact projectiles shall conform to manufacturer's recommendations. Generally they should be stored in their original container in a cool, dry area.
- 2. Less lethal impact projectiles that have been removed from their original container shall be clearly and conspicuously identified as "Less Lethal" to prevent confusion with lethal munitions. Under no circumstances shall less lethal impact projectiles be kept in a manner which might lead to confusing them with lethal munitions. Generally, less lethal impact projectiles shall be stored in a separate clearly marked container and in a separate area from lethal munitions.
- 3. Under no circumstances shall any person tamper with or alter in any manner any less lethal impact projectiles.
- 5. Less lethal impact projectiles or devices which have misfired, malfunctioned, are duds, or are damaged shall be recovered, rendered safe, and removed from service in the appropriate manner. The impact projectile shall be forwarded to the less lethal impact device instructor for examination.

E. Responsibilities of Designated Less Lethal Impact Device Instructor

The designated less lethal impact device instructor(s) will:

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- The background of the page features a large, semi-transparent watermark of the Winchester Virginia Sheriff's Office badge. The badge is shield-shaped with a yellow border. At the top, it reads "WINCHESTER VIRGINIA" in a yellow arc. In the center, there is a crest with a crown on top, a shield with a figure holding a scale, and a banner below it that says "EST. 1874". At the bottom, it reads "SHERIFF'S OFFICE" in a yellow arc. The badge is overlaid with a list of seven numbered items.
1. Receive, inspect, and ensure the maintenance and replacement of the department's less lethal impact devices, less lethal impact projectiles, and related equipment;
 2. Maintain and complete records of issuance of equipment in accordance with department policy;
 3. Obtain service and/or replacement for defective or damaged less lethal impact projectiles, less lethal impact devices, and device components;
 4. Review reported uses of less lethal impact devices by department personnel to identify training and procedure issues;
 5. Annually ensure basic certification and re-certification of designated department personnel on less lethal impact devices, as well as maintaining a record of the training;
 6. Maintain certification as a less lethal impact device instructor; and
 7. All other duties as may become necessary for the deployment, maintenance, and enhancement of the department's less lethal impact device program.