



BELOIT POLICE DEPARTMENT POLICY MANUAL

PD-303

CONTROL DEVICES AND TECHNIQUES

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Special Instructions/Attachments/Sources
WI Defense and Arrest Tactics manual.

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Beloit Police Department authorizes officers to use control devices in accordance with the guidelines in this policy, Use of Force Policy 300, and the WI Defense Tactics (DT) manual.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device. To request approval for non-department issued devices, officers shall complete a departmental memo describing the control device, the necessity for the device, and training received and forward through the chain-of-command to the Chief of Police.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 SUPERVISOR RESPONSIBILITIES

The Supervisor may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 DT INSTRUCTOR RESPONSIBILITIES

A designated DT instructor shall control the inventory and issuance of all control devices and shall ensure that

all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be inspected annually by a DT Instructor or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the designated DT Instructor for disposition. A memo shall be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

The current issued baton is the 26" wooden baton. Expandable batons can be carried with the authorization of the Chief of Police.

303.6 CHEMICAL MUNITIONS GUIDELINES

Chemical munitions may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Supervisor, Incident Commander, or SWAT Commander may authorize the delivery and use of chemical munitions, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of chemical munitions to control any fires and to assist in providing medical aid or gas evacuation if needed.

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.7.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be

examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE

Whenever chemical munitions or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean-up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.9 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent and/or lethal confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potential deadly force situation.

303.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed or believed to be armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed,
- (c) Type and thickness of the subject's clothing.
- (d) The age of the subject.
- (e) The subject's proximity to others.
- (f) The location of the subject.
- (g) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

Before using the device, officers should give a verbal warning about its intended use, unless doing so would put their safety at risk or if circumstances make it impractical. The warning serves to provide individuals with a reasonable chance to comply voluntarily and to alert other officers and individuals that the device is being used.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head, neck, spine and groin should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.9.3 SAFETY PROCEDURES

Officers trained in its use will inspect the 40mm single launcher and projectiles at the beginning of each shift to ensure- the 40mm single launcher is in proper working order and the projectiles are of the approved type and appear to be free from defects. When it is not deployed, the 40mm single launcher will be unloaded and properly and securely stored in the vehicle.

303.10 DISTRACTION DEVICES

Distraction devices are low-explosive, less-lethal mechanical devices that emit a bright light, loud noise or heat intended to disorient a person and provide a tactical advantage for officers conducting a planned operation, such as a search warrant, etc. The use of distraction devices should be approved by the Operations Director pursuant to the Operations Planning and Deconfliction Policy (608). This does not preclude the ability of the tactical team leader to direct their use in a dynamic situation.

Personnel deploying distraction devices should be outfitted with appropriate personal protective equipment, to include protective eyewear, gloves, and hearing protection.

303.10.1 USE OF DISTRACTION DEVICES

Distraction devices may be used in the following circumstances:

- (a) High-risk warrant service.
- (b) Barricaded or hostage situations.
- (c) In situations in which the use of the device to distract a person(s) is deemed necessary in order to facilitate apprehension or prevent harm to others.

303.10.2 DEPLOYMENT CONSIDERATIONS

Distraction devices should not be deployed in the following circumstances:

- (a) When deployment may knowingly cause unnecessary injury, such as a person secreted in a closet, etc.
- (b) When children or elderly persons are known or suspected to be present.
- (c) In any area in which other explosive materials are known or suspected to be present.
- (d) In any area in which flammable materials are known or suspected to be present.

303.10.3 STORAGE OF DISTRACTION DEVICES

Distraction devices shall be stored and secured in conformity with state and federal laws.

Distraction devices shall be inventoried, accounted for, and their use reported in conformity with this policy.

303.11 TRAINING FOR CONTROL DEVICES

The Assistant Chief or designee shall ensure all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or DT instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

303.12 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.