



Minneapolis Police Department Policy and Procedure Manual

Number:
5-300

Volume Five – Code of Conduct and Use of Force

Use of Force

5-307 Force Option- Impact Projectiles and Launchers

(01/01/26)

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I. Purpose

The purpose of this policy is to ensure that members who carry weapons and force devices, and who use weapons and force devices, including impact projectiles and launchers, adhere to the force guiding principles described in P&P 5-301. The force guiding principles include, but are not limited to, the Sanctity of Life (as incorporated below), the Duty to De-escalate, and Objectively Reasonable, Necessary, and Proportional Force.

MPD and its members shall uphold the sanctity of life (P&P 0-102 and P&P 5-301) by striving to protect and preserve human life in all situations and keep the community and MPD members safe from harm.

This policy addresses impact projectile use. Chemical munitions are covered by P&P 5-313.

II. Policy

A. Impact Projectiles as an Intermediate Weapon

Impact projectiles are generally considered an intermediate weapon when delivered to areas of the person's body that are considered unlikely to cause death or serious physical injury. Depending on how members use the projectiles, including factors such as distance from the person, vulnerability of the person, and the area of impact on the person's body, impact projectiles could result in great bodily harm or death.

B. Civil Disturbances and Assemblies

1. All carrying and use of 40mm launchers and impact projectiles for crowd control purposes or during civil disturbances and assemblies shall only occur in accordance with P&P 7-805.
2. Bean bag shotguns and bean bag rounds shall not be carried or used for crowd control purposes.

C. Pointing an Impact Projectile Launcher

1. Members shall only point an impact projectile launcher at a person when there is an objectively reasonable belief that the use of impact projectiles may be necessary in the situation, as outlined in [II-D] and [II-E] below.
2. Unnecessarily pointing an impact projectile launcher may limit a member's alternatives in controlling a situation and may inhibit or limit communication between the member and the person.

D. Conditions for Use on a Person

Impact projectiles may only be used on a person in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of impact projectiles must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using impact projectiles members must apply the critical decision-making model (CDM) (P&P 7-801) to continually assess the situation and modulate their use accordingly as the subject behavior changes.

1. Subject factors

Members shall only discharge impact projectiles at a person when:

- a. Such force is necessary to protect the member, the person, or another party from objectively imminent **substantial** bodily harm or greater.

or

- b. Both of the following apply:

- i. The member has reasonable suspicion to believe the person has committed one of the following offenses:

- Sexual assault involving the use or threatened use of a dangerous weapon.
- Homicide.
- 1st and 2nd degree assault.
- Aggravated robbery.
- Kidnapping.
- Firearms- felony firearm discharges, firearm pointing in violation of MN Statute section 609.66 Dangerous Weapons.

and

- ii. Such force is necessary to place the person into custody or take control of the situation. Force may only be considered necessary when no reasonably effective alternative exists, meaning lower degrees of force or alternatives to force did not

work, would not work, were not feasible or were too unsafe to attempt (P&P 5-301).

or

- c. A SWAT supervisor approves use by a member working in a SWAT capacity to provide a tactical advantage, in order to place the person into custody or take control of the situation, and no reasonably effective alternative exists meaning lower degrees of force or alternatives to force did not work, would not work, were not feasible or were too unsafe to attempt. This does not apply to the use of impact projectiles for crowd control purposes or during civil disturbances and assemblies (which shall only occur in accordance with P&P 7-805).

2. Consider vulnerable people

Members must consider the possible heightened risk of injury and adverse societal reaction to the use of impact projectiles upon certain people.

- a. Except where deadly force is the only other option, members shall not discharge impact projectiles at a person when a reasonable officer would know that the person is:
 - Pregnant.
 - Elderly.
 - A small minor.
 - A visibly frail person.
- b. Members must be able to articulate a correspondingly heightened justification when they discharge impact projectiles at a person when a reasonable officer would know the person is:
 - Any minor (under the age of 18).
 - A person in crisis (P&P 7-803).

3. Target areas

- a. The primary target areas for impact projectiles should be the large muscle groups in the lower extremities including the buttocks, thigh, and knees. Alternative target areas include the abdominal area to the waist.
- b. Members shall be aware that the delivery of impact projectiles to certain parts of the human body can cause grievous injury that can lead to a permanent physical or mental incapacity or possible death. This could include loss of vision, damage to organs, skull fractures, brain injury, etc.

- c. Members shall not intentionally discharge impact projectiles at a person's head, neck, throat, face, chest, armpit, spine, or groin unless deadly force would be authorized.

4. Consider risks and other means of control

Prior to discharging impact projectiles at a person, members shall consider:

- a. Any risks to the public or to the members.
- b. Whether the person could be controlled by any other reasonable means without unnecessary risk to the person, members, or to the public.

5. Separate uses of force

Each impact projectile discharge at a person is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional.

E. Conditions for Use on a Surface

Impact projectiles may only be used on a surface in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of impact projectiles must be objectively reasonable, necessary, and proportional, and members are reminded that they shall use the lowest degree of force necessary (P&P 5-301). When using impact projectiles members must apply the Critical Decision-Making Model (CDM) (P&P 7-801) to continually assess the situation and modulate their use accordingly as the subject behavior change.

1. Authorization

Members shall only discharge impact projectiles at a surface such as a window, structure or stationary vehicle in one of the following situations:

- a. For life-saving purposes.
- b. When approved by the Chief or the Chief's designee.
- c. When an occupant of a vehicle who is reasonably believed to be armed with a firearm refuses to exit the vehicle following a lawful command to do so, a SWAT supervisor can approve the use of impact projectiles on the vehicle.
- d. As a means to breach a structure and communicate with the occupants or introduce technology such as unmanned aerial systems (P&P 4-226) or reconnaissance robots into the structure, and such use of the impact projectiles is approved by a SWAT supervisor. Deployment in this situation is intended to allow for de-escalation tactics such as establishing new lines of communication or observation.

- e. To break a window to allow for delivery of chemical munitions, when the chemical munition use has been authorized in accordance with P&P 5-313.

2. Method of use

When using an impact projectile on a surface, the impact projectile may only be used in one of these ways:

- a. Directed away from the person's location as a distraction.

or

- b. Used to breach a window.

3. Consider risks

Prior to using impact projectiles on a surface, members need to consider the risks to any person who may be struck by the projectile or by debris caused by the projectile's impact on the surface.

F. Announcements

It is important that whenever possible, all members involved, and possible responding members, know that an impact projectile is being discharged so they do not mistake the sight and noise from the impact projectile discharge as a live ammunition discharge. In addition to the requirements in "Identify Self and Warn of Intent" in P&P 5-301:

1. Members shall announce over the radio that an impact projectile will be discharged, when time and tactics permit.
2. Whenever feasible, members who discharge impact projectiles should yell "Code Orange!" prior to and during the discharge.

Note: Impact projectile launchers have an orange barrel indicating they are intermediate weapons (see the specifications in section [M]).

G. Requesting a 40mm Operator

If a supervisor or responding member believes that there is a call or incident that may require 40mm capability, they may request via radio or other means that an on-duty MPD-trained operator with a 40mm launcher respond to the scene.

H. Carrying, Storage and Tracking of 40mm Launchers

1. 40mm launchers shall be assigned to each precinct, City Hall and specialty units as needed. Only certified operators are authorized to carry 40mm launchers.

2. Each 40mm launcher shall be kept its own case and in a secured gun locker.
3. All 40mm rounds stored at the precincts shall be checked out by a supervisor, except in exigent circumstances. Operators shall check their unused 40mm rounds back in with a supervisor at the end of their shift. The Operator and a Supervisor shall sign the rounds out and back in using the 40mm Sign-Out Sheet.
4. Patrol supervisors shall assign at least one 40mm launcher to a certified operator at the start of the shift (if the shift has an operator who is current with their certification).
5. MPD-trained operators shall have the 40mm launchers available during their assigned shift, when possible.

I. Collecting Spent Projectiles

Supervisors and operators shall ensure that all spent impact projectiles are collected and property inventoried if possible (P&P 10-400).

J. Maintenance of Impact Projectile Launchers

Only MPD certified Range personnel and trained SWAT personnel shall perform maintenance and repairs to the 40mm launcher and bean bag shotgun.

K. Treatment and Medical Aid

In addition to standard medical treatment after uses of force (in accordance with P&P 5-301 and P&P 7-350), when a person is struck by an impact projectile, treatment for the person shall include visually inspecting the areas struck for signs of injury, when appropriate. Members shall keep the person under close observation until they are released to medical or other law enforcement personnel.

L. Training Required

1. Only members who have completed the required training in the use of the 40mm launcher and 40mm rounds are authorized to carry and use them.
2. Only members who have completed the required training in the use of bean bag rounds and bean bag shotguns are authorized to carry and use them.

M. Specifications for Impact Projectile Launchers and Impact Projectiles

1. Members are only authorized to carry MPD approved 40mm launchers that are issued by the Department. Personally owned 40mm launchers, or those issued by another agency, are not authorized to be carried or utilized while an MPD member is acting in their official MPD capacity.
 - a. The approved 40mm launchers for the 40mm Operator Program (patrol) are:

- 40mm LMT Tactical Single Launcher.
- b. The approved 40mm launchers for SWAT are:
- 40mm LMT Tactical Single Launcher (or similar type by another manufacturer).
- c. 40mm launchers shall be clearly marked with orange on the barrel, indicating that they are an intermediate weapon.
2. Members shall only carry MPD approved 40mm rounds that are issued by the Department.
- a. The approved 40mm rounds for the 40mm Operator Program (patrol) are:
- Defense Technology eXact iMPact 40mm Standard Range Sponge Round.
- b. The approved types of 40mm rounds for SWAT are:
- Defense Technology eXact iMPact 40mm Standard Range Sponge Round (or similar type by another manufacturer).
 - Defense Technology eXact iMPact LE 40mm Extended Range Sponge Round (or similar type by another manufacturer).
 - Defense Technology Direct Impact 40mm Marking Crushable Foam Round (or similar type by another manufacturer).
 - Defense Technology Direct Impact 40mm OC Crushable Foam Round (or similar type by another manufacturer). See also P&P 5-313.
 - Defense Technology Direct Impact 40mm CS Crushable Foam Round (or similar type by another manufacturer). See also P&P 5-313.
- c. The Range Master may temporarily authorize additional rounds of similar type based on supply issues or interruptions.
3. The MPD Range shall issue 40mm rounds with each launcher depending on the needs of the 40mm Operator Program.
4. Members are only authorized to carry MPD approved bean bag shotguns that are issued by the Department.
- a. The approved bean bag shotgun for use with bean bag rounds is:
- Remington 870 12-Gauge Shotgun.
- b. Bean bag shotguns shall only be used with bean bag rounds. Members shall not use bean bag shotguns with lethal ammunition.

- c. Bean bag shotguns shall be clearly marked with orange on the barrel, indicating that they are intended for use with impact projectiles.
5. Members shall only carry MPD-approved bean bag rounds issued by the Department and shall only use them with the approved bean bag shotgun.
 - a. The approved bean bag rounds are:
 - Combined Systems, Inc. 2581 – 12GA Super-Sock Bean Bag Point Control Impact Munition.
 - Defense Technology Drag Stabilized 12-Gauge Bean Bag Round.

Glossary

40mm Round: A direct fire impact projectile round used in situations where maximum deliverable kinetic energy is desired for the incapacitation of a person. (P&P 5-307)

Bean Bag Round: A direct fire impact projectile round fired from a bean bag shotgun and used when maximum deliverable kinetic energy is desired for the incapacitation of a person. (P&P 5-307)

Carry Weapons and Force Devices: Having a weapon or force device on one's person. This includes having it in a pocket, holster, or backpack or similar container, as well as having it slung or having it in hand.

Deadly Force: "Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm other than a firearm loaded with less-lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force." (MN Statute section 609.066)

Delivery of Impact Projectiles: When a discharged impact projectile comes into contact with a person.

Discharge Impact Projectiles: Ejecting an impact projectile out of the end or nozzle of the weapon.

Imminent Threat: A threat is imminent when all of the following apply:

- It can be articulated with specificity.
- It is reasonably likely to occur absent action by the law enforcement officer.
- It must be addressed through the use of objectively reasonable, necessary, and proportional force without unreasonable delay.

A fear of future harm is only an imminent threat if it must be addressed without unreasonable delay, no matter how great the fear or likelihood of harm.

Impact Projectile: An object launched from a tool designed to incapacitate the person or achieve pain compliance, exclusively through blunt-force trauma of kinetic energy from the mass of the projectile. Impact projectiles include the 40mm round and the bean bag round fired from a bean bag shotgun. (P&P 5-307)

Impact Projectile Launcher: The authorized tool designed to launch impact projectiles. This includes, but is not limited to, the 40mm launcher and the bean bag shotgun. (P&P 5-307)

Pointing an Impact Projectile Launcher: Directing an impact projectile launcher towards a person, with the intent to use or imply the use of the weapon.

Substantial Bodily Harm: Bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member (MN Statute section 609.02 Subd. 7a).

Use Weapons and Force Devices: Activating or applying a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a person with the weapon or force device. This includes discharging a weapon such as a firearm, chemical aerosol, or impact projectile launcher, deploying a CEW, performing a CEW warning alert, activating a CEW, laser painting a person, applying handcuffs or restraints, and making bodily contact with a person with a baton or other impact weapon.