



# Minneapolis Police Department Policy and Procedure Manual

Number:  
5-300

## Volume Five – Code of Conduct and Use of Force

### Use of Force

#### 5-313 Control Option- Chemical Munitions

(10/16/02) (08/16/07) (xx/xx/24)

##### I. Purpose

This policy is intended to recognize and respect the sanctity of life and value of all human life, and to expand on the requirements of other force policies, specifically related to chemical munitions.

##### II. Definitions

**40mm Round:** The 40mm round is a direct fire round used in situations where maximum deliverable energy is desired for the incapacitation of a subject.

**Chemical Munitions:** Munitions designed to deliver chemical agents from a launcher or be propelled by hand.

##### Terms defined in P&P 5-302:

- Carry
- Display
- Engaged with a Subject
- Point
- Use

##### III. Policy

###### A. Civil Disturbances and Assemblies

All use of chemical munitions for crowd control purposes or during civil disturbances and assemblies shall only occur in accordance with P&P 7-805.

###### B. Conditions for Use

1. Objectively reasonable, necessary and proportional

Chemical munitions may only be used when objectively reasonable, necessary and proportional, in order to provide for the safety of an officer or a third person, stop an attack, make an arrest, bring a person or situation safely under control, or prevent escape.

(as described in P&P 5-301). Officers are reminded that they shall use the lowest degree of force necessary (P&P 5-301).

When using chemical munitions, officers must continually assess the situation and modulate their use of force accordingly as the level of resistance changes.

## 2. Authorization

When not used for crowd control purposes or during civil disturbances (P&P 7-805), chemical munitions may only be used on a subject, surface or structure in one of the following situations:

- a. For life-saving purposes.
- b. When the use of 40mm rounds containing OC or CS is approved by a SWAT supervisor for an occupant of a vehicle who is armed with a firearm or reasonably believed to be armed with a firearm and refuses to exit the vehicle following a lawful command to do so (P&P 5-307).
- c. When approved by the Deputy Chief of Patrol or higher.

## 3. Method of use

The chemical munition may be used in one of the following ways:

- a. Directed away from the person's location as a distraction.
- b. Directed at a surface such as a window, structure or vehicle, to deliver chemical agents to an area.
- c. Directed at a subject when the chemical munitions are 40mm rounds containing OC or CS and are used in accordance with P&P 5-307.

## 4. Consider risks and other means of control

Prior to using chemical munitions, officers shall consider:

- a. The risks to any person who may inside a structure or vehicle, and to any person outside who might also be exposed.
- b. Whether the subject could be controlled by any other reasonable means without unnecessary risk to the subject, officers, or to the public.

## C. Treatment and Medical Aid

1. In addition to standard medical treatment after use of force (in accordance with P&P 5-301), post exposure treatment for a person that has been exposed to the chemical agent shall include as many of the following as possible:

- Removing the affected person from the area of exposure.
  - Exposing the affected person to fresh air.
  - Rinsing the eyes and skin of the affected person with cool water (if available).
2. Officers shall keep a person exposed to the chemical agent under close observation until they are released to medical or other law enforcement personnel.
  3. An officer transferring custody of a person exposed shall inform the entity accepting custody that the person was exposed to a chemical agent.

#### **D. Only for Use by SWAT**

Chemical munitions shall only be used by trained Special Weapons and Tactics (SWAT) personnel on the orders of the on-duty Watch Commander or SWAT Commander.

#### **E. Emergency Services**

When chemical munitions are used, the Fire Department and an ambulance will be on standby at a safe distance near the target area.

#### **F. Canister Removal**

After the scene is secured, SWAT team members shall remove and dispose of any canisters in the area.

#### **G. Documentation**

Officers shall document use of chemical munitions as a use of force in accordance with the policy on reporting force (P&P 5-302).

#### **H. Training Required**

Chemical munitions shall only be used by officers who have successfully completed approved training.

#### **I. Specifications for Chemical Munitions**

MPD officers are only authorized to use chemical munitions that are issued by the department.