

MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER



BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: May 8, 2025	DATE EFFECTIVE: August 23, 2025 <u>January 1, 2026</u>	NUMBER: SO25-014 <u>A</u>	PAGE: 1 of 88
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 5-304 Use of <u>Authorized and Prohibited</u> Force Control Options 5-501 – Introduction/Purpose 5-502 – Chemical Munitions 5-503 – Diversionary/Distractive Devices 5-5014 MPD Community Chaplain Program 3-201 Authorized Equipment and Weapons 3-202 City Property – MPD Issued 3-2023 Required Equipment 3-2034 Authorized Equipment and Specifications 3-2045 Riot Helmets and Helmet Bags 3-2056 Bicycles 3-2067 Body Armor 3-2067.01 Ballistic Vest Reimbursement <u>5-305 Force Option- Restraints</u> <u>5-306 Force Option- Empty Hand Techniques</u> <u>5-307 Force Option- Impact Projectiles and Launchers</u> <u>5-308 Force Option- Hand-Held Chemical Aerosols</u> <u>5-309 Force Option- Conducted Energy Weapons (CEWs)</u> <u>5-310 Force Option- Batons</u> <u>5-311 Force Option- Canines</u> <u>5-312 Force Option- Firearms</u> <u>5-313 Force Option- Chemical Munitions</u> <u>5-314 Force Option- Flash Sound Distraction Devices</u>			APPROVED BY: <i>Chief O'Hara</i>

MP-8806

Introduction: This special order includes splitting the force options policy into individual policies for each force option (5-305 through 5-314). The new policies incorporate language from the equipment policies in 3-200 and from the specialty unit policies in 5-500.

This special order was updated with minor changes to ensure better clarity and operational effectiveness.

- The new changes are tracked and highlighted in yellow.
- The originally scheduled third session of Use of Force training was delayed. Training has been completed and the new policy effective date is 01/01/26.

Effective with the issuance of this Special Order, Chapter 5-300, Chapter 3-200 and Chapter 5-500 of the MPD Policy and Procedure Manual shall be amended as follows:

5-304 ~~Use of Authorized and Prohibited Force Control Options~~

~~(09/08/20) (12/22/20) (04/04/21) (01/01/23) (03/30/23) (06/26/23) (02/08/24)~~

~~(08/23/25)~~ **(01/01/26)**

Revisions to prior policies: (05/29/02) (10/16/02) (08/17/07) (12/15/09) (10/01/10) (04/16/12) (06/01/12) (07/16/12) (09/04/12) (06/10/13) (10/07/13) (06/13/14) (04/30/15) (09/23/15) (04/05/16) (07/28/16) (07/13/17) (04/02/18) (07/16/19) (10/18/19) (06/11/20) (06/16/20) (08/21/20)

I. Purpose

The purpose of this policy is to ensure that members' use of force control options adheres 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.

A. 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.

A.B. The MPD recognizes that combative, non-compliant, armed or otherwise violent **subjects** **people** may cause handling and control problems that require special training and equipment.

~~B. The MPD has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations.~~

C. This policy provides definitions, authorizations, restrictions and prohibitions that apply to addresses the use and deployment of all authorized and improvised use of force control options that are available to sworn employees.

Control options covered:

Restraints:

Handcuffing

Maximal restraint technique (MRT) (Hobble Restraint) and Hogtie (prohibited)

Bodily force

Less-lethal 40mm launcher and impact projectiles

Chemical agents

Conducted electronic weapons (CEWs)

Impact weapons

Canine
Neck restraints and choke holds (prohibited)
Firearms

H. Definitions

[Moved to [III]]

Carry: Carrying a weapon or tool means having it 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.

Deliver: Delivering means to launch a weapon or technique to make impact with a subject or to strike a subject with an impact weapon or bodily force.

Discharge: Discharging means ejecting something out of the end or nozzle of a weapon (firing, spraying, launching, etc.).

Display: Display means having a weapon in hand, while engaged with a subject. For a handgun, this means having it out of the holster, while engaged with a subject. For larger weapons such as rifles, this means having it in hand (slung or unslung), while engaged with a subject.

Engaged with a Subject: This means treating someone as a potential suspect or dealing with a person who is the focus of law enforcement attention in an incident, while using some level of reportable force (such as display or pointing). An example of a person who is the focus of law enforcement attention is an individual in crisis who may not be a potential suspect.

Point: Pointing a weapon means directing it towards a subject, while engaged with them as a potential suspect or as a focus of law enforcement attention in an incident (such as an individual in crisis), with the intent to use or imply the use of the weapon. This includes arcing or red-dotting a CEW, pointing impact weapons and aiming firearms.

Use: Using a weapon or tool means activating or applying any of its mechanical functions, pointing a weapon, or making contact with a subject with the weapon or tool. This includes discharging a weapon such as a firearm, CEW, aerosol, or 40mm launcher, arcing, red-dotting or activating a CEW, applying handcuffs or restraints, making bodily contact with a subject with an impact weapon or with bodily force.

III.II. Policy

A. Authorized ~~Control Force~~ Options and ~~Use of Unauthorized Control~~ Improvised Force Options

All uses of force shall be in accordance with the standards and requirements in P&P 5-301.

1. ~~Sworn MPD employees~~Members shall only carry weapons and force devices and use MPD-approved weapons and force devices approved by MPD for which they are currently trained and authorized to use through the MPD Training Division, except in the rare circumstances described below in section [II-A-2]in exigent circumstances.

~~1.a.~~ An authorized device is a device ~~an officer~~ a member has received permission from the MPD to carry and use in the discharge of that ~~officer's~~ member's duties, and for which the ~~officer~~ member has:

~~i.~~ Obtained/Completed the required training in the technical, mechanical and physical aspects of the device;

~~a.~~ -and

~~b.ii.~~ Developed a knowledge and understanding of the MPD policy, law, rules and regulations regarding the use of such a device.

b. Knives, utility tools, and medical shears are not MPD-approved weapons or force devices (P&P 3-203).

~~2. All use of force control options and weapons shall be in accordance with the standards and requirements in P&P 5-301.~~

~~a. Force control options shall only be used in a manner that would be found objectively reasonable (in accordance with P&P 5-301).~~

~~b. If lower levels of force are ineffective, higher levels of force may be used for control and safety, subject to any additional restrictions on specific options or limitations in P&P 5-300.~~

~~2. MPD Training provides the foundation for decision-making and the use of force. While this training is as comprehensive as possible, it is recognized that not all situations are linear, and that in rare circumstances it may be reasonably necessary for use of force to deviate from trained techniques. If an exigent circumstance exists that poses an imminent threat to the safety of the employee or the public requiring the immediate use of an improvised weapon of opportunity, the employee may use the weapon in accordance with the standards in P&P 5-301 (including, but not limited to, the section on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

~~3.a. Members shall only use improvised weapons when they lack an approved intermediate weapon as an alternative. In the event that a member's use of force incorporates improvised weapons or techniques, the member shall still adhere to the force guiding principles and ensure their actions are objectively reasonable, necessary, and proportional (P&P 5-301).~~

~~4.3. The use of a firearm, vehicle, less-lethal or non-lethal weapon Using empty hand techniques, a vehicle, intermediate weapon, or other improvised weapon by an officer may constitute the use of deadly force, depending on how the weapon or technique is used. This policy does not prevent a sworn employee from drawing a firearm or being prepared to use a firearm in threatening situations, in accordance with P&P 5-301 and the firearm section in this policy (P&P 5-302).~~

B. Carry Intermediate Weapons

1. While on-duty or while engaged in off-duty work, members wearing the Class 'C' uniform (P&P 3-114) who are carrying a firearm shall carry on their person the hand-held chemical aerosol (P&P 5-308), and either the CEW (when issued- see P&P 5-308) or the baton (P&P 5-310).
2. While on-duty or while engaged in off-duty work, members in modified uniforms, plainclothes, or civilian attire, whose duties routinely involve conducting enforcement activities and who are carrying a firearm, shall carry on their person at least one intermediate weapon.

B.C. Limitations on the Use of Certain Restraints and Prohibitions

1. Statutory prohibition

~~In accordance with MN Statute section 609.06, the following restraints shall not be used unless MN Statute section 609.066 authorizes the use of deadly force to protect the officer or another from death or great bodily harm:~~

- ~~a. Securing a person in any way that results in transporting the person face down in a vehicle.~~
- ~~b. Less lethal measures must be considered by the officer prior to applying these measures.~~

2. Prohibition on neck restraints and choke holds

[Moved to [II-C-2]

~~Neck Restraints and choke holds are prohibited, in accordance with the section in this policy (P&P 5-302) covering neck restraints and choke holds.~~

3.1. Prone positioning

In accordance with P&P 7-350, members shall not secure a person in any way that results in transporting the person face down in a vehicle. See P&P 7-350 for other conditions around prone positioning.

- ~~a. People in MPD custody shall not be placed in the facedown prone position or any other position that causes a breathing restriction, other than briefly when necessary to secure the person or to prevent the person from causing harm to themselves or others.~~
- ~~b. If a person is in a position that causes a breathing restriction, for the purpose of securing the person or preventing the person from causing harm to self or others, the person shall be placed in a sitting position, or laying on their side, in a recovery position, as soon as safely possible for all parties. These positions allow the person to breathe freely, reducing the possibility of bodily harm or death from any part of the body respiratory system being restricted or manipulated.~~

2. ~~2.~~ Prohibition on neck restraints and choke holds

~~Neck Restraints and choke holds are prohibited, in accordance with the section in this policy (P&P 5-302) covering neck restraints and choke holds.~~

Neck ~~R~~estraints and choke holds are prohibited. Instructors are prohibited from teaching the use of neck restraints or choke holds.

[Moved from [III-K]]

3. ~~Prohibition on hogties~~

~~2.~~ Hogtying a **subject-person** is prohibited.

[Moved from [III-D-2]]

- ~~A hogtie involves tying the feet of the~~ **subject-person** ~~directly to their hands behind their back.~~

4. ~~D. Prohibition on the~~ Maximal Restraint Technique (MRT) ~~and Hogtie (prohibited)~~

[Moved from [III-D]]

~~1.~~ The Maximal Restraint Technique (MRT) and the Hobble Restraint Device (and related devices) are prohibited.

- ~~The Maximal Restraint Technique (MRT) is a technique used to secure a~~ **subject's person's** ~~feet to their waist, through the Hobble Restraint Device or other related devices.~~

~~C. Handcuffing~~

[Moved to 5-305]

~~1. Authorized use~~

~~a. Arrests~~

- ~~To minimize the risk of injury to officers and others during arrest situations, officers shall handcuff all persons arrested as soon as possible (in accordance with P&P 9-100).~~
- ~~Handcuffs are authorized when transporting in-custody subjects (in accordance with P&P 9-100).~~

~~b. Investigative detentions (“Terry Stops”)~~

- ~~i. Handcuff use during investigative detentions is authorized when one or more of the following factors are present:~~
 - ~~aa. Articulable facts that the subject is physically uncooperative;~~
 - ~~ab. Articulable facts that a subject’s actions at the scene may present physical danger to themselves or others if not restrained;~~
 - ~~ac. Reasonable possibility of flight based on the circumstances;~~
 - ~~ad. Information that the subject is currently armed;~~
 - ~~ae. The stop closely follows a violent crime and the subject matches specific parts of a description;~~
 - ~~af. The number of subjects involved in the stop causes an articulable safety concern; or~~
 - ~~ag. Articulable facts that a crime of violence is about to occur.~~
- ~~ii. Care and discretion should be used with individuals at extremes of age in handcuffing such individuals during an investigative detention.~~
- ~~iii. The authority to handcuff during investigatory stops continues for only as long as the circumstances above exist.~~

~~c. Suicidal persons~~

~~Handcuffs are authorized when engaging a person who is reasonably believed to be suicidal.~~

~~d. Search warrant service~~

- ~~i. Handcuffs are authorized when executing a search warrant at a private residence as is reasonably necessary to execute the warrant in safety.~~
- ~~ii. Handcuffs are authorized when executing a search warrant at a commercial business open to the public if it reasonably appears that handcuffing is necessary to protect an officer or others from physical harm. Circumstances that justify initial handcuffing may change and eliminate continued justification.~~

~~e. Detoxification subjects~~

~~Handcuffs are authorized when transporting detoxification subjects.~~

~~2. Unauthorized use~~

- ~~a. If medical circumstances make it unreasonable to handcuff an arrestee, officers shall refrain from handcuffing.~~
- ~~b. When responding to a scene where a subject has already been placed in handcuffs prior to arrival, officers shall not place MPD handcuffs on the subject until they have reasonable suspicion or probable cause based on their independent investigation or findings.~~

~~3. Checking handcuffs~~

- ~~a. Officers shall check handcuffs for tightness and double lock as soon as it is safe to do so prior to transport.~~
- ~~b. When a handcuffed subject first complains that handcuffs are too tight or are hurting the subject, the officer having custody of the handcuffed subject shall, as soon as reasonably possible, check the handcuffs to make sure that they are not too tight. If they are too tight (per training), they shall be loosened and relocked.~~

~~D. Maximal Restraint Technique (MRT) and Hogtie (prohibited)~~

[Moved to [II-C-4]]

- ~~1. The Maximal Restraint Technique (MRT) and the Hobble Restraint Device (and related devices) are prohibited.~~

~~The Maximal Restraint Technique (MRT) is used to secure a subject's feet to their waist, through the Hobble Restraint Device or other related devices.~~

- ~~2. Hogtying a subject is prohibited.~~

~~A hogtie involves tying the feet of the subject directly to their hands behind their back.~~

~~E. Bodily Force~~

[Moved to 5-306]

~~1. Bodily force types~~

~~Bodily force (also known as empty hand tactics) includes but is not limited to:~~

- ~~• Escort holds (temporary holding of the hand, wrist, arm or shoulder to physically control or direct a subject)~~
- ~~• Joint manipulations (physically contorting a subject's joint to control or limit movement)~~
- ~~• Nerve pressure points (touch pressure)~~
- ~~• Joint locks (manipulating a subject's joint until it reaches its maximal degree of motion and hyperextension—wrist lock, shoulder lock, elbow lock, etc.)~~

- ~~Body weight to pin~~
- ~~Control pressure~~
- ~~Takedown techniques or tackles (Using physical force to direct a person to the ground)~~
- ~~Pushes (using physical force to press forward in an effort to effect movement)~~
- ~~Strikes (punches, kicks, knees, slaps)~~

2. ~~Body weight to pin and control pressure~~

a. ~~Body weight to pin definition~~

~~Restricting a subject's movement by use of body weight to pin the subject to the ground or floor.~~

b. ~~Control pressure definition~~

~~Restricting a subject's movement while the subject is upright by use of body weight to pin the subject to a fixed object (such as applying pressure while the subject is against a vehicle or building).~~

c. ~~Reporting~~

~~Body weight to pin and control pressure require a report and Use of Force details page. The requirement to notify a supervisor for body weight to pin and control pressure varies based on where the pressure was applied:~~

i. ~~Supervisor notification required~~

~~A supervisor notification is required for:~~

- aa. ~~Body weight to pin or control pressure resulting in injury or alleged injury (including loss of consciousness).~~
- aa. ~~Body weight to pin on the front rib cage area or the head.~~
- ab. ~~Control pressure on the head.~~

ii. ~~Supervisor notification not required~~

~~A supervisor notification is not required for the following types, unless another condition applies such as an injury:~~

- aa. ~~Body weight to pin on limbs, hips, the back or the stomach.~~
- ab. ~~Control pressure on limbs, hips, or the torso.~~

3. ~~Pushing to the ground~~

~~If a push or shove propels the subject to the ground or floor, it is considered a takedown.~~

~~4. Vehicle extractions to the ground~~

~~Vehicle extractions that end on the ground or floor are considered takedowns.~~

~~5. Neck restraints and choke holds covered elsewhere~~

~~Neck restraints and choke holds are considered separate control options under this policy (and are not included as bodily force).~~

~~6. Strikes (punches, kicks, knees, slaps)~~

~~a. Strikes may be delivered:~~

~~i. To subjects who are exhibiting Aggressive Resistance or Assault, or;~~

~~ii. For life saving purposes, or;~~

~~iii. To subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

~~b. Strikes shall not be delivered to persons who are Compliant or are Passively Resisting as defined by policy.~~

~~7. Treatment and medical aid~~

~~In addition to standard medical treatment after use of force (in accordance with P&P 5-301), when officers deliver strikes, or if bodily force causes a subject's head to strike an object or surface, treatment for the subject shall include visually inspecting the areas struck for signs of injury, when appropriate. Officers shall routinely monitor the medical condition until they are released to medical or other law enforcement personnel.~~

F. Less Lethal 40mm Launcher and Impact Projectiles

[Moved to 5-307]

~~The 40mm less-lethal round is a direct fire round used in situations where maximum deliverable energy is desired for the incapacitation of an aggressive, non-compliant subject.~~

~~1. 40mm less-lethal round authorization~~

~~a. This policy applies to officers who are not working in a certified SWAT capacity.~~

~~b. The 40mm launcher with the 40mm less-lethal round should not be used in deadly force situations without firearm backup.~~

~~i. The discharge of the 40mm less-lethal round should be considered a level slightly higher than the use of an impact weapon and less than deadly force when delivered to areas of the subject's body that are considered unlikely to cause death or serious physical injury.~~

- ~~ii. Prior to using less-lethal options, officers need to consider any risks to the public or themselves.~~
- ~~iii. When discharging the 40mm less-lethal round, consideration shall be given as to whether the subject could be controlled by any other reasonable means without unnecessary risk to the subject, officers, or to the public, in accordance with knowledge and training in use of force and MPD policies governing the use of deadly and non-deadly force.~~
- ~~c. Only officers trained in the use of the 40mm launcher and 40mm less-lethal round are authorized to carry and use them.~~
- ~~d. All carrying and use of 40mm launchers for crowd control purposes or during civil disturbances and assemblies shall only occur in accordance with P&P 7-805.~~

~~2. Standard projectiles~~

- ~~a. Officers shall only carry MPD-approved 40mm rounds. Ammunition specifications are available from the Range Master.~~
- ~~b. The MPD Range shall issue 40mm rounds with each launcher depending on the needs of the 40mm Operator Program. The MPD Range shall replace any rounds discharged or damaged as needed.~~

~~3. Target areas~~

- ~~a. The primary target areas for the 40mm less-lethal round should be the large muscle groups in the lower extremities including the buttocks, thigh, knees. Alternative target areas include the ribcage area to the waist, and the larger muscle areas of the shoulder areas.~~
- ~~b. Officers shall be aware that the delivery of the 40mm 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.~~
- ~~c. Officers shall not intentionally discharge less-lethal impact munitions at a person's head, neck, throat, face, armpit, spine, kidneys, or groin unless deadly force would be justified.~~

~~4. 40mm launcher use~~

- ~~a. The 40mm launchers can be discharged when the incapacitation of a violent or potentially violent subject is desired. The 40mm launcher can be a psychological deterrent and physiological distraction serving as a pain-compliance device.~~
- ~~b. If a supervisor or responding officers believe that there is a call or incident that may require the use of less-lethal capability, they may request via radio or other means that an on-duty MPD-trained operator with a 40mm launcher respond to the scene.~~

- ~~c. Officers shall announce over the radio that a 40mm launcher will be discharged, when time and tactics permit.~~
- ~~i. It is important that whenever possible, all officers involved and possible responding officers know that a 40mm less-lethal projectile is being discharged so they do not mistake the sight and noise from the 40mm projectile discharge as a live ammunition discharge.~~
- ~~ii. 40mm launchers have an orange barrel indicating they are the less-lethal platform.~~
- ~~d. When appropriate given the situation, officers discharging a 40mm less-lethal projectile should yell "Code Orange!" prior to and during the discharge.~~

~~5. Carrying and Storage~~

- ~~a. 40mm launchers shall be assigned to each precinct, City Hall and specialty units as needed.~~
 - ~~i. Each 40mm launcher shall be kept its own case and in a secured gun locker.~~
 - ~~ii. Only commanders or their designee and MPD-trained operators will have keys to the 40mm armory lockers.~~
- ~~b. MPD-trained operators shall have the 40mm launchers available during their assigned shift, when possible.~~

~~6. Maintenance of 40mm launchers~~

~~Only MPD-certified Range personnel shall perform maintenance and repairs to the 40mm launcher.~~

~~7. Subjects injured by 40mm less-lethal projectiles~~

- ~~a. Medical assistance shall be rendered as necessary in accordance with P&P 5-301 and the Emergency Medical Response policy (P&P 7-350).~~
- ~~b. If possible, photographs should be taken of any injuries to the subject.~~

~~8. Use of Force reporting~~

- ~~a. Officers who discharge a 40mm less-lethal round shall report the force in accordance with P&P 5-303.~~
- ~~b. Officers who discharge a less-lethal round shall immediately notify dispatch, who will notify a supervisor.~~
- ~~c. A supervisor shall respond to the scene any time a 40mm less-lethal round is discharged. The responding supervisor shall review the incident and complete a use of force review in accordance with P&P 5-303.~~

- d. ~~Supervisors shall ensure that all spent 40mm less-lethal rounds are collected and property inventoried if possible.~~

~~G. Chemical Agents~~

[Moved to 5-308]

~~1. Use of Chemical Agents~~

- a. ~~MPD approved chemical agents may be used as a non-lethal use of force. The use of chemical agents shall be consistent with current MPD training and MPD policies governing the use of force (including all sections in P&P 5-300).~~
- b. ~~Chemical agents, regardless of canister size, shall only be discharged at subjects under the following circumstances:~~
- i. ~~During civil disturbances and assemblies, only when authorized in accordance with P&P 7-805.~~
 - ii. ~~In situations not involving civil disturbances or assemblies:~~
 - aa. ~~On subjects who are exhibiting Aggressive Resistance or Assault, or;~~
 - ab. ~~For life saving purposes, or;~~
 - ac. ~~On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~
- c. ~~Chemical agents shall not be discharged at persons who are Compliant or are Passively Resisting as defined by policy.~~
- d. ~~Sworn MPD employees shall exercise due care to ensure that only intended persons are exposed to the chemical agents.~~

~~2. Treatment and Aid for Chemical Agent Exposure~~

- a. ~~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 one or more of the following:~~
- ~~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).~~
- b. ~~Sworn employees shall keep a person exposed to the chemical agent under close observation until they are released to medical or other law enforcement personnel.~~
- c. ~~An officer who has discharged a chemical agent at a person shall inform individuals accepting custody that it was discharged at the person.~~

~~d. Discharging chemical agents to prevent the swallowing of narcotics is prohibited.~~

~~H. Conducted Energy Weapons (CEWs)~~

[Moved to 5-309]

~~Terms related to Conducted Energy Weapons (CEWs):~~

~~Activating: Activating a CEW means engaging the Arc switch, or the trigger after probes have been discharged, to generate electricity through arcing or cycling. Activating on a subject means engaging the arc switch in touch/contact stun or drive-stun applications or engaging the arc switch or the trigger after probes have been discharged at a subject.~~

~~Apply: When a CEW is used for touch/contact stun or drive/stun applications (involving contact with the subject by the CEW).~~

~~Arcing: Un-holstering the CEW and activating the CEW for purposes of threatening its use prior to actual discharge or drive-stun or touch/contact stun application. In some cases, this may be effective at gaining compliance without having to actually discharge at or apply drive-stun or touch/contact stun on at a subject.~~

~~Drive-Stun: Touch/Contact Stun and Drive—Applying drive-stun mode is when the CEW is strongly, with forceful pressure, pushed directly into a subject's nerve bundle and touch/contact stun mode is applied.~~

~~Probe Mode: When a CEW is used to discharge probes (also called darts) at a person for the purpose of incapacitation.~~

~~Red Dotting: Un-holstering and pointing a CEW at a person and activating the laser aiming device. In some cases, this may be effective at gaining compliance without having to actually discharge a CEW. Also known as "painting" the target.~~

~~Touch/Contact Stun: Applying touch/contact stun mode is when a CEW's electrodes contact a subject's body and the trigger or arc button is activated with no cartridge or probes being discharged. Contact from the CEW with the subject completes the electrical circuit which causes pain but does not cause an incapacitating effect.~~

~~1. CEW authorization~~

- ~~a. The MPD approved Conducted Energy Weapon (CEW) (P&P 3-200) is considered a less-lethal weapon.~~
- ~~b. MPD officers are only authorized to carry CEWs that are issued by the department. Personally owned CEWs, or those issued by another agency, are not authorized to be carried or utilized while an MPD officer is acting in their official MPD capacity.~~
- ~~c. CEWs may be used:~~
 - ~~i. On subjects who are exhibiting Aggressive Resistance or Assault, or;~~

- ~~ii. For life saving purposes, or;~~
- ~~iii. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~
- ~~d. CEWs shall not be used against subjects who are Compliant or are Passively Resisting as defined by policy (P&P 5-301).~~
- ~~e. CEWs should generally be used in the probe mode. Application of CEWs in the drive stun mode shall be limited to defensive applications or to gain control of a subject who is exhibiting Aggressive Resistance or Assault if lesser attempts at control have been ineffective, or if the probe mode was ineffective.~~

~~2. CEW use~~

~~a. Cycles~~

~~When activating a CEW on a subject, personnel should activate it for one standard cycle (a standard cycle is five seconds) and pause to evaluate the situation to determine if subsequent cycles are necessary.~~

- ~~i. If subsequent cycles are necessary, officers should restrict the number and duration to only the minimum amount necessary to control or place the subject in custody under the existing circumstances.~~
- ~~ii. Personnel should constantly reassess the need for further activations after each CEW cycle and should consider that exposure to multiple applications of the CEW for longer than 15 seconds may increase the risk of serious injury or death.~~
- ~~iii. Officers should be aware that a lack of change in a subject's behavior often indicates that the electrical circuit has not been completed or is intermittent. If there is a need for another cycle based on the standards above, officers should immediately discharge another cartridge or transition to other control options rather than activating continued ineffective cycles.~~

~~b. One officer at a time~~

~~Unless exigent circumstances exist as defined by policy (P&P 5-301), no more than one officer should intentionally activate a CEW against a subject at one time.~~

~~c. Warnings~~

~~Officers shall, unless it is not feasible to do so, give verbal warnings or announce their intention to discharge a CEW prior to actual discharge. Use of the CEWs' laser pointer (red dotting) or arcing of the CEW may be effective at diffusing a situation prior to actual discharge of the CEW.~~

~~d. Holstering~~

~~The CEW shall be holstered on the sworn MPD employee's weak (support) side to avoid the accidental drawing or firing of their firearm. (SWAT members in tactical gear are exempt from this holstering requirement.)~~

~~e. Subject factors~~

~~i. Officers must consider the possible heightened risk of injury and adverse societal reaction to the use of CEWs upon certain individuals. Officers must be able to articulate a correspondingly heightened justification when activating a CEW on:~~

- ~~• Persons with known heart conditions, including pacemakers or those known to be in medical crisis;~~
- ~~• Elderly persons or young children;~~
- ~~• Frail persons or persons with very thin statures (i.e., may have thin chest walls);~~
- ~~• Women known to be pregnant;~~

~~ii. Prior to activating a CEW on a subject in flight the following should be considered:~~

- ~~• The severity of the crime at issue;~~
- ~~• Whether the subject poses an immediate threat to the safety of the officer or others, and;~~
- ~~• Whether the officer has a reasonable belief that activation of the CEW would not cause significant harm to the subject fleeing unless use of deadly force would otherwise be permitted.~~

~~f. Situational factors~~

~~In the following situations, CEWs should **not** be activated unless the use of deadly force would otherwise be permitted:~~

- ~~• On persons in elevated positions, who might be at a risk of a dangerous fall;~~
- ~~• On persons operating vehicles or machinery;~~
- ~~• On persons who are already restrained in handcuffs unless necessary to prevent them causing serious bodily injury to themselves or others and if lesser attempts of control have been ineffective;~~
- ~~• On persons who might be in danger of drowning;~~
- ~~• In environments in which combustible vapors and liquids or other flammable substances are present;~~
- ~~• In similar situations involving heightened risk of serious injury or death to the subject.~~

3.—Loss or damage

~~Lost, damaged or inoperative CEWs shall be reported to the CEW Coordinator immediately upon the discovery of the loss, damage or inoperative condition.~~

4.—Use during off duty employment

[Covered by 5-302 and 3-801]

- ~~a.—Officers who use their MPD issued CEW during the scope of off duty employment within the City shall follow MPD policy and procedure for reporting the use of force and downloading their device.~~
- ~~b.—If officers carry their MPD issued CEW during the scope of off duty employment outside of the City (e.g. working for another law enforcement agency) that agency shall sign a waiver (Letter of Agreement for Off Duty Employment) which indicates that certification through the Minneapolis Police Department is sufficient for use while working for that agency.~~

5.—Downloading and reporting

~~a.—CEW downloading guidelines~~

- ~~i.—The CEW shall be downloaded, when used in probe mode, touch/contact stun mode or drive stun mode, prior to the end of the officer's shift.~~
- ~~ii.—The CEW shall be downloaded for any incident that is recorded that the officer believes might have evidentiary value.~~
- ~~iii.—If a CEW was used during a critical incident, the CEW will be inventoried by the investigating agency for processing video and firing data evidence.~~

~~b.—CEW reporting guidelines:~~

- ~~i.—When a CEW is discharged at or applied in touch/contact stun or drive stun mode on a subject, the officer shall report its use in accordance with the Force Reporting requirements in P&P 5-303. Officers shall document de-escalation attempts in their Narrative Text.~~
- ~~ii.—When a CEW is threatened by means of displaying, red dotting or arcing, the threatened use shall be reported in accordance with P&P 5-303.~~
- ~~iii.—When a CEW is used during the scope of off duty employment outside of the City (e.g. another law enforcement agency) officers shall obtain a Minneapolis CCN from MECC and complete a Police Report titled AOA and refer to the outside employer's incident report in the Narrative Text. Officers shall then download the device and store the information under the Minneapolis CCN.~~

[Moved to 5-302]

~~6. Post exposure treatment and medical aid~~

- ~~a. 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 electricity from the CEW shall include the following:~~
 - ~~i. Request EMS response for probe removal if probes are located in sensitive areas (face, neck, groin or breast areas).~~
 - ~~ii. Wear protective gloves and remove probes from the person's non-sensitive body areas.~~
 - ~~iii. Secure the probes (biohazard "sharps") point down into the expended cartridge and seal with a safety cover.~~
 - ~~iv. When appropriate, visually inspect probe entry sites or drive stun locations for signs of injury.~~
 - ~~v. When appropriate, photograph probe entry sites or drive stun locations.~~
- ~~b. Sworn employees shall routinely monitor the medical condition of a person who has been exposed to the electricity from a CEW until they are released to medical or other law enforcement personnel.~~

~~I. Impact Weapons~~

[Moved to 5-310]

- ~~1. MPD approved impact weapons (P&P 3-200) are considered less-lethal weapons, and may be used as impact weapons:~~
 - ~~a. On subjects who are exhibiting Aggressive Resistance or Assault, or;~~
 - ~~b. For life saving purposes, or;~~
 - ~~c. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~
- ~~2. Strikes from impact weapons shall not be delivered to persons who are Compliant or are Passively Resisting as defined by policy (P&P 5-301).~~
- ~~3. In addition to standard medical treatment after use of force (in accordance with P&P 5-301), treatment for a person that has been struck with an impact weapon shall include visually inspecting the areas struck for signs of injury, when appropriate.~~
- ~~4. Sworn employees shall routinely monitor the medical condition of a person that has been struck with an impact weapon until they are released to medical or other law enforcement personnel.~~

J.—Canine

[Moved to 5-311]

- ~~1.—Canines shall only be deployed in accordance with P&P 7-807 Authorized Use of Canines.~~
- ~~2.—When canines are used for apprehensions, handlers shall disengage their canines as soon as reasonably possible after the subject is able to be controlled or secured.~~
- ~~3.—Officers are responsible for ensuring any person injured by an MPD canine receives medical treatment as soon as reasonably possible.~~
 - ~~a.—Officers shall request an ambulance to the scene whenever a person is apprehended by a canine.~~
- ~~4.—The canine handler shall notify the Canine Sergeants immediately after any canine apprehension or accidental bite.~~
 - ~~a.—Officers will be debriefed by Canine unit supervisors and trainers as soon as possible following notification.~~
 - ~~b.—If a Canine Sergeant is not available, another MPD sergeant may be asked to do the force review (in accordance with P&P 5-303).~~
- ~~5.—Canine handlers shall photograph all injuries and ensure the images are uploaded in accordance with P&P 10-400.~~
- ~~6.—Upon notification of a bite or apprehension, a Canine Sergeant shall complete the K-9 Unit Apprehension Review form (MP-9090) and will send it electronically to the members of the review panel.~~

K.—Prohibition on Neck Restraints and Choke Holds

[Moved to [II-C-2]

~~Neck Restraints and choke holds are prohibited. Instructors are prohibited from teaching the use of neck restraints or choke holds.~~

~~MN Statute section 609.06 Subd. 3 (b) defines a choke hold “as a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.”~~

[Moved to [III Definitions]]

~~L. Firearms~~

[Moved to 5-312]

~~1. Firearm discharges when authorized~~

~~An MPD sworn employee may lawfully discharge a firearm in accordance with policy in the following circumstances:~~

- ~~a. In deadly force situations, in strict compliance with the Use of Force policy (P&P 5-301), and with a high degree of restraint. Firearm use shall never be considered routine and is permissible only when alternative means do not work, would not work or are too unsafe to try (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~
- ~~b. To dispatch an animal that is dangerous, or one that humane treatment requires its removal from further suffering and alternative methods of disposition are impractical.~~
- ~~c. To participate in authorized training.~~
- ~~d. To participate in any authorized competition or legitimate sporting activity.~~

~~2. Firearm discharges when prohibited~~

~~Officers shall not discharge firearms under the following conditions:~~

- ~~a. As a warning or to command attention.~~
- ~~b. Against persons who present a danger only to themselves.~~
- ~~c. Solely to protect property.~~

~~3. Shooting at motor vehicles~~

- ~~a. Firearms shall not be discharged at a moving or fleeing vehicle, unless:~~
 - ~~i. The officer or another person is currently being threatened with deadly force by an occupant by means other than the moving vehicle and the officer reasonably believes there are no other reasonable means available to avert the threat, or~~
 - ~~ii. In the extreme case of a 'vehicle ramming attack' where a vehicle is being used as a weapon to target people to cause great bodily harm or death, or~~
 - ~~iii. In the extreme case when an officer is stuck in the path of a vehicle, and:~~
 - ~~• has no means of escape, and~~
 - ~~• the officer reasonably believes there are no other reasonable means available to avert the threat, and~~
 - ~~• the officer is unable to issue commands or the driver is disregarding commands to stop.~~

~~aa. Officers shall consider their positioning and avoid placing themselves in the path of a vehicle whenever possible. If officers find themselves positioned in the path of a vehicle, they shall attempt to move safely out of the path of the vehicle instead of discharging a firearm at it or any of its occupants.~~

~~ab. Being in the path of a moving vehicle shall not be the sole reason for discharging a firearm at the vehicle or any occupant.~~

~~b. This prohibition includes attempting to disable the vehicle by discharging at it.~~

~~c. Considerations in this prohibition:~~

~~i. A vehicle may be occupied by additional passengers and it may not be readily apparent how many occupants are in the vehicle.~~

~~ii. Bullets discharged at moving motor vehicles are extremely unlikely to immediately cease the movement of the vehicle or successfully disable it.~~

~~iii. Bullets discharged at or from moving motor vehicles have a higher probability of missing the intended target or ricocheting and possibly injuring officers or other innocent persons, including passengers in the vehicle.~~

~~iv. Bullets discharged at moving motor vehicles may disable or disorient the driver, causing the vehicle to crash and possibly injuring officers or other innocent persons, including passengers in the vehicle.~~

~~4. Drawing and displaying a firearm~~

~~a. An officer's decision to draw or display a firearm will be based on the tactical situation and the officer's reasonable belief that lethal force is necessary, or that there are indicators of a substantial risk the situation may escalate to the point where lethal force may be necessary.~~

~~b. Unnecessarily or prematurely drawing or displaying a firearm may limit an officer's alternatives in controlling a situation and may inhibit or limit communication between the officer and the subject.~~

~~5. Notification of firearm discharges~~

~~a. Employee responsibility~~

~~Any employee who discharges a firearm, whether on or off duty, shall make direct contact with their immediate supervisor or the on-duty Watch Commander and the local jurisdiction as soon as possible **except:**~~

- ~~• While at an established target range;~~
- ~~• While conducting authorized ballistics tests;~~
- ~~• When engaged in legally recognized activities while off duty.~~

b. ~~Supervisor responsibility~~

- ~~i. The supervisor shall respond to any scene in which an employee has discharged a firearm while on duty or in the course of duty.~~
- ~~ii. The supervisor is responsible for notifying the Watch Commander and when appropriate, the employee's Deputy Chief and the on-duty Homicide investigator. This does not include the discharge of a firearm with the intention of dispatching an animal, unless it results in injury to a person.~~
- ~~iii. Notifications to the Internal Affairs unit shall be made in accordance with the Duty to Report policy (P&P 2-101).~~
- ~~iv. The advised supervisor shall ensure that drug and alcohol testing is conducted in accordance with P&P 3-1000 Drug and Alcohol Testing.~~
- ~~v. At any officer involved shooting incident, the Critical Incident Policy (P&P 7-810) shall be followed.~~

c. ~~Reporting firearms discharges to the State~~

~~MN Statute section 626.553 requires the Chief of Police to report to the State Commissioner of Public Safety whenever a peace officer discharges a firearm in the course of duty, other than for training purposes or when killing an animal that is sick, injured or dangerous. Written notification of the incident must be filed within 30 days of the incident. The notification shall include information concerning the reason for and circumstances surrounding discharge of the firearm. The Internal Affairs unit supervisor shall be responsible for filing the required form(s) with the State Bureau of Criminal Apprehension.~~

6. ~~Written report on discharge of firearms~~

- ~~a. All employee firearm discharges that require notification, other than Critical Incidents, shall be reported in a PIMS report, including a Narrative Text, by the employee involved and the supervisor who was notified. The report shall be titled, "DISWEAP." The employee shall complete Force Reporting in accordance with P&P 5-303 and the supervisor shall then complete a Supervisor Force Review in accordance with P&P 5-303.~~
- ~~b. The Watch Commander shall include all case numbers on the Watch Commander log.~~

III. H. Definitions

[Moved from [II]]

Carry Weapons and Force Devices: ~~Carrying a weapon or tool means H~~having it 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.

Choke Hold: ~~MN Statute section 609.06 Subd. 3 (b) defines a choke hold “as a~~ method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, ~~and includes including~~ but ~~is~~ not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. ~~A c~~Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.” ~~(MN Statute section 609.06 Subd. 3(b))~~

[Moved from [III-K]]

Deliver: ~~Delivering means to launch a weapon or technique to make impact with a subject or to strike a subject with an impact weapon or bodily force.~~

Discharge: ~~Discharging means ejecting something out of the end or nozzle of a weapon (firing, spraying, launching, etc.).~~

Display: ~~Display means having a weapon in hand, while engaged with a subject. For a handgun, this means having it out of the holster, while engaged with a subject. For larger weapons such as rifles, this means having it in hand (slung or unslung), while engaged with a subject.~~

Engaged with a Subject: ~~This means treating someone as a potential suspect or dealing with a person who is the focus of law enforcement attention in an incident, while using some level of reportable force (such as display or pointing). An example of a person who is the focus of law enforcement attention is an individual in crisis who may not be a potential suspect.~~

Intermediate Weapon: Weapons that are not intended to cause death or serious physical injury and are not empty hand techniques. These include CEWs, chemical aerosols, chemical munitions, impact projectiles, and batons.

Pointing a Weapon: ~~Pointing a weapon means Ddirecting a weaponit towards a~~ subject person, while engaged with them as a potential suspect or as a focus of law enforcement attention in an incident (such as an individual in crisis), with the intent to use or imply the use of the weapon. This includes arcing or red-dotting a CEW, pointing impact weapons and aiming firearms.

Use Weapons and Force Devices: ~~Using a weapon or tool means Aactivating or applying any of a weapon's or force device's~~ mechanical functions, pointing a weapon, or making contact with a subject person with the weapon or ~~tool~~force device. This includes discharging a weapon such as a firearm, chemical aerosol, or impact projectile launcher, deploying a CEW, aerosol, or 40mm launcher, arcing, performing a CEW warning alert, activating a CEW, red-dotting or activating a CEWlaser painting a subject person, applying handcuffs or restraints, and making bodily contact with a subject person with ~~an impact weapona baton or other impact weapon or with bodily force.~~

Using Empty Hand Techniques: Using force that employs the member's own body as the mechanism of force (also called bodily force).

This section outlines procedures that may be utilized by MPD Specialty Units. Units include but are not limited to Special Weapons and Tactics (SWAT).

5-502 Chemical Munitions
(10/16/02)

[Moved to 5-313]

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. (08/16/07)

When chemical munitions are used, the Fire Department and an ambulance will be on standby at a safe distance near the target area. After the scene is secured, SWAT team members shall remove and dispose of any canisters in the area. (8/16/07)

5-503 Diversionary/Distractive Devices
(10/16/02)

[Moved to 5-314]

Diversionary/Distractive devices will only be distributed by and used under the authority of the SWAT Commander or designee, who will make a decision about the use of such a device on a case-by-case basis. Diversionary/distractive devices shall be MPD-approved. The SWAT Commander or designee shall distribute and supervise the use of the devices. (08/16/07)

Only personnel trained in the use of these devices shall deploy them. Department-approved training shall include the nomenclature, mechanical operation, and tactical deployment of Diversionary/Distractive devices. All members of SWAT shall also be trained by the Minneapolis Fire Department in the use of dry chemical fire extinguishers. Emphasis will be placed upon safety considerations/measures to be utilized when using these tools. (08/16/07)

When the device is used, one member of the entry team shall carry a dry chemical extinguisher for use in the event of a fire.

5-5045-301 MPD Community Chaplain Program
(07/21/16) (08/23/25) (01/01/26)

3-201 Authorized Equipment and Weapons
(03/08/02) (03/01/05) (07/19/07) (12/30/10) (08/23/25) (01/01/26)

I. Purpose

To provide regulations and procedures regarding the distribution, maintenance and possession of both City-owned and personal police-related equipment. (12/30/10)

II. Policy

While working, sworn MPD ~~employees-members~~ shall only carry and use equipment ~~and weapons~~ that ~~have has~~ been authorized by the MPD Training ~~Unit~~ Division, ~~and only the weapons the employee has been trained to use by the MPD Training Unit or its designee.~~ Members shall only carry weapons and force devices and use weapons and force devices approved by MPD for which they are currently trained and authorized to use through the MPD Training Division, except in exigent the rare circumstances as outlined in P&P 5-304.

The MPD Training ~~Unit~~ Division shall be responsible for conducting research and product testing of any new equipment ~~or and~~ weapons prior to authorization for carry and use by sworn MPD ~~employees-members~~. Documentation of any ~~employee-member~~ authorized to conduct field testing of new equipment or weapon shall be retained by the MPD Training ~~Unit~~ Division.
(07/19/07)

~~MPD employees shall comply with directives as outlined unless otherwise authorized in writing by the Chief of Police or his/her designee. (12/30/10)~~

III. Procedures / ~~Rules~~ / Regulations

- A. Equipment shall not be altered in any way to change its general appearance or function.
(03/08/02)
- B. All MPD purchased equipment shall be marked with the full “Minneapolis Police” designation before ~~being issued or used~~ issue/use. Markings may include “Mpls Police” or “MPD.” Police Stores will provide uniform markings and advise units of the best marking for equipment type. If equipment is purchased/shipped directly to a unit, the unit supervisor ~~commander~~ shall ensure that the items are brought to Police Stores for Department marking before use. This directive does not apply to standard “police” labeled clothing. (07/19/07)
(12/30/10)
- C. All ~~employees-members~~ on leave of absence in excess of 180 days, disability status, resignation, termination or retirement shall relinquish all ~~city~~ City-issued equipment immediately upon the start of such status to Police Stores. A ~~CAPRS Police Report report~~ will be filed for any item not returned. (03/08/02) (03/01/05) (07/19/07) (12/30/10)
- D. MPD ~~employees-members~~ under suspension shall report as ordered and surrender their badges, identification card and any other city issued equipment requested by ~~the~~ Internal Affairs ~~Unit~~.
1. ~~While under suspension, members shall not~~ No employee may wear the MPD uniform, ~~be armed,~~ or carry a badge or police identification ~~while under suspension~~. (07/19/07)
 2. During a suspension period, ~~an employee~~ a member cannot carry ~~a weapon~~ weapons and force devices based on their status as a licensed peace officer with the Minneapolis Police Department. This also includes the ability to carry a weapon into other states based on federal law. ~~An employee~~ A member may only carry a weapon during the suspension period, ~~provided if~~ they have other legal authority to do so (e.g. such as a State of Minnesota Permit to Carry a Handgun). (12/30/10)

~~3-202~~ ~~City Property~~ ~~MPD Issued~~

~~(03/08/02) (07/19/07) (12/30/10) (12/17/18)~~

~~A. The City of Minneapolis will issue the following equipment to all sworn employees:
(12/30/10) (07/01/11)~~

- ~~• Ammunition~~
- ~~• Bloodborne Pathogen Kits~~
- ~~• Breast Badge~~
- ~~• Chemical Agent~~
- ~~• Gas Mask (APR)~~
- ~~• Gas Mask (APR) Carrier~~
- ~~• Gas Mask Filter~~
- ~~• Hat Badge~~
- ~~• Handgun—Primary Duty (if hired after 12/01/18)~~
- ~~• Identification Card~~
- ~~• Name Tag~~
- ~~• Office Keys/Access Cards (when applicable)~~
- ~~• Police Radio~~
- ~~• Riot Helmet~~
- ~~• Riot Stick~~
- ~~• Shoulder Patches (10)~~
- ~~• Squad Car keys~~
- ~~• Traffic Vest~~

~~B. The City of Minneapolis may issue the following equipment to civilian employees:~~

- ~~• Cellular Phones~~
- ~~• Office keys/Access Cards (when applicable)~~
- ~~• Identification Card~~
- ~~• Other equipment as deemed necessary by the Precinct/Division Commander.~~

~~C. The City of Minneapolis may issue additional equipment (tactical and administrative) to employees as needed for specialized assignments. (12/30/10)~~

3-2023 Required Equipment

(03/08/02) (07/19/07) (11/06/07) (12/30/10) (07/01/11) (12/17/18) (08/23/25) (01/01/26)

I. Purpose

To list the required equipment that members must carry, and which equipment will provided to members and which equipment must be supplied by the members themselves.

II. Required Equipment to Carry

~~A. Every sworn MPD employee shall supply the following equipment at his/her own expense:~~

- ~~Firearm- Handgun (unless hired after 12/01/18)~~
- ~~Leather equipment and accessories~~
- ~~Handcuffs~~
- ~~Flashlight~~
- ~~Impact Weapon~~

B.A. Every sworn MPD ~~employee-member~~ shall carry the following equipment unless assigned to undercover duty where it is necessary to conceal their identity. ~~(12/30/10)~~

- MPD issued ammunition (P&P 5-408).
- MPD authorized badge.
- MPD authorized firearm- primary duty handgun (P&P 5-414).
- MPD authorized handcuffs and key (P&P 5-305).
- MPD issued identification card.
- MPD cell~~ular~~ phone ~~(if issued)~~ (P&P 4-220).

C.B. Every sworn MPD ~~employee-member~~ working in a Class 'C' uniformed capacity (P&P 3-114) shall carry the following authorized equipment and weapons. ~~(11/06/07) (12/30/10)~~

- MPD authorized body worn camera (P&P 4-223).
- MPD authorized ~~CED-CEW~~ (if issued) (P&P 5-309).
- MPD authorized ~~impact weapon~~ baton (optional for those issued a ~~CEDCEW~~) (P&P 5-310).
- MPD issued ~~chemical agent~~ hand-held chemical aerosol (P&P 5-308).
- MPD authorized flashlight (P&P 3-204).
- ~~MPD authorized hobble~~
- MPD authorized nametag (P&P 3-119).
- MPD issued ~~portable police~~ radio.

D.C. Every sworn MPD ~~employee-member~~ working in a Class 'C' uniformed capacity (P&P 3-114) shall have accessible the following equipment: ~~(12/14/07) (07/01/11)~~

- MPD issued gas mask (APR).
- MPD issued gas mask (APR) ~~c~~Carrier.
- MPD issued gas mask filter.

III. City Issued and Member Purchased Equipment

A. The City of Minneapolis will issue the following equipment to all sworn members:

- Ammunition (P&P 5-408).
- Bloodborne pathogen kits.
- Body worn camera (P&P 4-223).
- Breast badge.
- Cellular phone (P&P 4-220).
- Gas mask (APR).
- Gas mask (APR) carrier.
- Gas mask filter.

- Hand-held chemical aerosol (P&P 5-308).
- Hat badge.
- Firearm- primary duty handgun (if hired after 12/01/18) (P&P 5-414).
- Identification card.
- Name tag (P&P 3-119).
- Office keys/access cards (when applicable).
- Police radio.
- Reflective traffic vest (P&P 3-204).
- Riot helmet (P&P 3-205).
- Riot stick (P&P 5-310).
- Shoulder patches (10).
- Squad car keys.

B. The City may issue the following equipment to non-sworn members:

- Cellular phone (P&P 4-220).
- Office keys/access cards (when applicable).
- Identification card.
- Other equipment as deemed necessary by the Inspector or Commander.

C. The City may issue additional equipment (tactical and administrative) to members as needed for specialized assignments.

D. Every sworn MPD member shall supply the following equipment at the member's own expense:

- Firearm- primary duty handgun (unless hired after 12/01/18) (P&P 5-414).
- Leather equipment and accessories (P&P 3-120).
- Handcuffs (P&P 5-305).
- Flashlight (P&P 3-204).
- Baton (if not carrying a Conducted Energy Weapon) (P&P 5-310).

3-2034

Authorized Equipment and Specifications

(03/08/02) (03/01/05) (07/19/07) (12/30/10) (02/06/12) (08/23/25) (01/01/26)

I. Purpose

To provide specifications for several small pieces of equipment carried by members.

II. Policy

A. Handcuffs

(03/08/02) (07/19/07)

1. Every sworn MPD employee shall carry at least one set of handcuffs while working in a uniform or plainclothes capacity.

~~2. Handcuffs shall comply with the following requirements:~~

~~a. Authorized Brands: Smith & Wesson or Peerless~~

~~b. Authorized Styles: Hinged or Chain~~

~~c. Double locking mechanism~~

~~d. Black or Chrome finish~~

~~3. Plastic handcuffs may be used to supplement standard handcuffs in emergency situations.~~

~~a. Plastic handcuffs may be used in mass arrest situations and should be available in all sergeants' vehicles.~~

~~b. Plastic handcuffs should not ordinarily be used in felony arrests or for restraining mentally ill individuals.~~

~~c. When using plastic handcuffs, the employee should monitor the arrestee to prevent injury. (03/01/05) (07/19/07)~~

~~B. Hobbles~~

~~(07/19/07)~~

~~1. Uniformed employees shall have the hobble readily accessible in their duty vehicle or on their person.~~

~~2. The hobble shall be of the authorized brand RIPP Restraint Hobble.~~

~~C.A. C. Flashlights~~

~~(03/08/02) (07/19/07)~~

1. Every sworn MPD ~~employee member~~ shall carry a flashlight while working in a Class 'C' uniform (P&P 3-114) capacity.

2. The flashlight shall comply with the following requirements:

a. Diameter not to exceed 1-1/2 inches.

~~a.b.~~ Black finish.

~~b.c.~~ Minimum of two cells or equivalent.

~~c.d.~~ Maximum of five cells or equivalent.

~~D.B. D. Knives~~

Employees-Members may carry a knife as a tool. The knife blade length shall not exceed 4 inches. ~~(03/08/02) (07/19/07)~~

E.C. E. Traffic Whistle

If used, traffic whistles shall be of military or police design only. ~~(03/08/02)~~

F. Chemical Agents

~~(10/30/02) (09/04/12) (07/01/13)~~

~~3. Every sworn MPD employee shall carry a 4 oz. canister of chemical agent on their person at all times while working in uniform. In addition, canisters larger than 4 oz. may be carried by sworn MPD employees when authorized by a supervisor. (07/01/13)~~

~~4. Employees shall only carry the chemical agent issued to them by the department. (07/19/07)~~

~~5. Authorized chemical agents are: (09/04/12)~~

~~b. Aerko Freeze +P, 1% CS/1% OC~~

~~• 4 oz 2k3~~

~~• 17.5 oz M9 Streamer~~

~~c. Defense Technology Oleoresin Capsicum (OC) Solution .2%~~

~~• 12oz MK9 Streamer~~

G. Batons (Impact Weapons)

~~(03/08/02) (07/19/07) (12/30/10) (07/01/13)~~

~~6. Every sworn MPD employee, whose job assignment would reasonably require them to respond to 911 calls or initiate calls for service, shall carry an impact weapon while working in uniform unless issued a CED. Impact weapons are optional for employees issued a CED.~~

~~7. The impact weapon shall comply with the following requirements:~~

~~d. Authorized Brands—ASP or Monadnock~~

~~d. Overall extended length not to exceed 26 inches.~~

~~e. Black or Chrome finish~~

H. Riot Stick

~~(07/19/07)~~

~~8. Every sworn MPD employee, while working in a uniformed capacity, shall keep in their possession (and readily available, i.e. in the squad) a riot stick for response to civil disturbances when needed.~~

~~9. Employees shall only carry the riot stick issued to them by the MPD.~~

~~I. Conducted Energy Device (CED)~~

~~(07/19/07) (12/30/10) (07/01/13)~~

~~10. Sworn MPD employees shall carry a CED (if issued) while working in a uniform capacity.~~

~~11. The CED shall comply with the following requirements:~~

~~e. Authorized Brand — TASER®~~

~~Authorized Model — X26~~

~~Authorized Ammunition — TASER® Brand compressed air cartridges (Department issued only)~~

~~Or~~

~~f. Authorized Brand — TASER®~~

~~Authorized Model — X2~~

~~Authorized Ammunition — TASER® Brand compressed air smart cartridges (Department issued only)~~

J.D. J. Reflective Traffic Vests

All sworn MPD ~~employees~~ members shall wear reflective traffic vests when involved in traffic direction or control. ~~(03/08/02) (07/19/07)~~

3-2045 Riot Helmets and Helmet Bags

~~(03/08/02) (12/30/10) (02/06/12)~~ (08/23/25) (01/01/26)

3-2056 Bicycles

~~(03/08/02) (12/30/10) (02/06/12)~~ (08/23/25) (01/01/26)

3-2067 Body Armor

~~(01/01/13)~~ (08/23/25) (01/01/26)

3-2067.01 Ballistic Vest Reimbursement

~~(03/08/02) (12/30/10) (02/06/12) (01/01/13)~~ (08/23/25) (01/01/26)

5-305 Force Option- Restraints

~~(08/23/25) (01/01/26)~~

Revisions to prior policies: (09/08/20) (12/22/20)

C. Handcuffing

[Moved from 5-304 [III-C]]

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 restraints, 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.

II. Policy

A. Conditions for Use of Handcuffs~~1. Authorized Use~~

[Moved from 5-304 [III-C]]

Handcuffs, including metal and temporary plastic handcuffs, shall only be used to restrain a person's hands in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of handcuffs must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using handcuffs, 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.

a. — Arrests

~~i. — To minimize the risk of injury to officers and others during arrest situations, officers shall handcuff all persons arrested as soon as possible (in accordance with P&P 9-100).~~

~~ii. — Handcuffs are authorized when transporting in-custody subjects (in accordance with P&P 9-100).~~

b. — Investigative detentions (“Terry Stops”)

~~i. — Handcuff use during investigative detentions is authorized when one or more of the following factors are present:~~

1. Situational factors

Situations in which handcuff use may be objectively reasonable, necessary, and proportional can include the following (including during arrests, investigative detentions, execution of search warrants, etc.):

- aa. — Articulable facts that the ~~subject-person~~ is physically uncooperative.;

- ~~ab.~~—Articulate facts that ~~a subject's actions at the scene~~ the person may present a physical danger to themselves or others if not physically restrained.;
- ~~ac.~~—Reasonable possibility of flight based on the totality of the circumstances.;
- ~~The person is under arrest and will be transported off-scene.~~
- ~~ad.~~—Information that the subject person is currently armed; possesses or has access to weapons, and presents a danger to the safety of the member or others.
- ~~ae.~~—~~The stop closely follows~~ Reasonable suspicion that the person was involved in a recent violent crime ~~and the subject matches specific parts of a description.;~~
- Reasonable suspicion that the person is about to engage in a violent crime.
- ~~af.~~—The number of subjects people involved in the stop action causes an articulable safety concern.;
- ~~ag.~~—Articulate facts that ~~a crime of violence is about to occur.~~

~~ii.~~—Care and discretion should be used with individuals at extremes of age in handcuffing such individuals during an investigative detention.

~~iii.~~—The authority to handcuff during investigatory stops continues for only as long as the circumstances above exist.

~~c. Suicidal persons~~

~~Handcuffs are authorized when engaging a person who is reasonably believed to be suicidal.~~

~~d. Search warrant service~~

~~i.~~—Handcuffs are authorized when executing a search warrant at a private residence as is reasonably necessary to execute the warrant in safety.

~~ii.~~—Handcuffs are authorized when executing a search warrant at a commercial business open to the public if it reasonably appears that handcuffing is necessary to protect an officer or others from physical harm. Circumstances that justify initial handcuffing may change and eliminate continued justification.

~~e. Detoxification subjects~~

~~Handcuffs are authorized when transporting detoxification subjects.~~

- a. In accordance with P&P 5-302, members shall document the circumstances necessitating handcuffing in the Narrative Text.

~~2. Unauthorized use~~

~~a. If medical circumstances make it unreasonable to handcuff an arrestee, officers shall refrain from handcuffing.~~

~~b. When responding to a scene where a subject person has already been placed in handcuffs prior to arrival by another agency, officers members shall not place MPD handcuffs on the subject person until they have reasonable suspicion or probable cause~~

based on their independent investigation or findings confirmed the factors necessitating handcuffs.

2. Handcuffing vulnerable populations

a. Consider individualized factors

In accordance with P&P 5-301, before handcuffing a person who is a minor, obviously pregnant, elderly, or frail, or who has another apparent physical condition, mental health condition, or developmental or intellectual disability or condition, limiting their ability to cause physical harm, or when handcuffing would exacerbate an injury or medical condition, members shall take into account individualized factors of the person including:

- Apparent age.
- Body size.
- Strength relative to the member.
- Known or perceived disabilities or conditions.
- Apparent ability to cause physical harm.
- Other risks posed by the person.

- i. If necessary to handcuff such a person, the member shall document their considerations in the Narrative Text.

b. Handcuff use on minors limited

- i. Members shall avoid, when feasible, the use of handcuffs on a minor who the members know, or reasonably should know through inquiry or observation, is under the age of 14.

Situations when it may not be feasible to avoid the use of handcuffs include transporting an arrested minor to the Juvenile Detention Center (JDC).

- ii. When feasible, members shall make reasonable attempts to notify a minor's parent or guardian that the minor was handcuffed.

B. Explain the Use of Handcuffs

When feasible to do so, members should explain to the person prior to handcuffing why they will be handcuffed and the steps that will occur in the process.

C. ~~3.~~ Checking Handcuffs

[Moved from 5-304 [III-C-3]]

1. ~~a. Officers-Members~~ shall check handcuffs for ~~tightness~~ proper spacing and double lock as soon as it is safe to do so ~~prior to transport~~.

2. ~~b.~~ When a handcuffed subject-person first complains that handcuffs are too tight or are ~~hurting the subject~~causing pain, the ~~officer-member~~ having custody of the handcuffed subject-person shall, as soon as reasonably possible, check the handcuffs to make sure that they are ~~not too tight~~properly spaced and properly applied. If they are ~~too tight~~not properly spaced or applied (per training), they shall be ~~loosened~~readjusted and ~~relocked~~double-locked.

D. Plastic Handcuffs

1. Plastic handcuffs may be used ~~to supplement standard handcuffs in emergency situations.~~ ~~They may also be used~~ in mass arrest situations (P&P 7-805) ~~when the conditions for standard handcuff use apply.~~ ~~They should be~~ and are available in all Sergeants' vehicles.

[Language from 9-109]

2. ~~3.~~ Plastic handcuffs may also be used to supplement standard handcuffs in emergency situations.

[Moved from 3-203/4]

- a. ~~Plastic handcuffs may be used in mass arrest situations and should be available in all sergeants' vehicles.~~
b. ~~Plastic handcuffs should not ordinarily be used in felony arrests or for restraining mentally ill individuals.~~
3. ~~e.~~ When using plastic handcuffs, the ~~employee-member shall keep the person under close observation should monitor the arrestee~~ to prevent injury.

b. Flex-cuffs

[Language from 7-805]

4. ~~i.~~ ~~Officers-Members~~ should be cognizant that ~~flex-cuffs~~plastic handcuffs may tighten when ~~arrestees~~the person's hands swell or move, sometimes simply in response to pain from the cuffs themselves.

~~ii. When an arrestee complains of pain from overly tight flex cuffs, officers shall examine the cuffs and ensure proper fit.~~

~~iii. Arrestees in flex cuffs shall be monitored to prevent injury.~~

5. ~~iv.~~ Each unit involved in detention or transportation of arrestees with ~~flex-cuffs~~plastic handcuffs should have a ~~flex-cuff~~plastic handcuff cutter and adequate supplies of extra ~~flex-cuffs~~plastic handcuffs readily available.

E. Prone Positioning and Transportation

In accordance with P&P 7-350:

1. People in MPD custody shall not be placed in the facedown prone position or any other position that causes a breathing restriction, other than briefly when necessary to secure the person or to prevent the person from causing harm to themselves or others.
2. If a person is in a position that causes a breathing restriction, for the purpose of securing the person or preventing the person from causing harm to self or others, the person shall be placed in a sitting position, or laying on their side, in a recovery position, as soon as safely possible for all parties. The purpose of placing the person in these positions it to allow the person to breathe freely, reducing the possibility of bodily harm or death from any part of the person's respiratory system being restricted or manipulated.
3. Members shall not secure a person in any way that results in transporting the person face down in a vehicle.

F. A. Specifications for Handcuffs

[Moved from 3-204]

1. 1. Every ~~sworn MPD employee~~member shall carry at least one set of handcuffs ~~and the handcuff key~~ while working in a uniform or plainclothes capacity.
2. 2. Handcuffs shall comply with the following requirements:
 - a. a. Authorized Brands: Smith & Wesson or Peerless.
 - b. b. Authorized Styles: Hinged or Chain.
 - c. e. Double locking mechanism.
 - d. d. Black or Chrome finish.

III. Definitions

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.

Use Weapons and Force Devices: Activating or applying ~~any of~~ a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a ~~subject~~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 ~~subject~~person, applying handcuffs or restraints, and making bodily contact with a ~~subject~~person with a baton or other impact weapon.

5-306 Force Option- Empty Hand Techniques

(08/23/25)(01/01/26)

Revisions to prior policies: (09/08/20) (12/22/20) (04/04/21) (01/01/23)

E. Bodily Force

[Moved from 5-304 [III-E]]

I. Purpose

The purpose of this policy is to ensure that members using empty hand techniques 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.

II. Policy

A. Conditions for Use

Empty hand techniques may only be used in accordance with the requirements described below. In addition to the conditions in this policy, the use of empty hand techniques must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using empty hand techniques 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. Restriction on weaponless strikes

~~6. Strikes (punches, kicks, knees, slaps)~~

[Moved from [III-E-6]]

~~a. Strikes may be delivered:~~

~~i. To subjects who are exhibiting Aggressive Resistance or Assault, or;~~

~~ii. For life saving purposes, or;~~

~~iii. To subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

~~b. Weaponless Strikes shall not be delivered to persons used with people who are Compliant complying with orders or are pPassively rResisting as defined by policy.~~

2. Choke holds prohibited

In accordance with P&P 5-304, choke holds are prohibited. Accordingly, members shall not use their knees or other body parts to pin a subject's person's neck to the ground.

~~5. Neck restraints and choke holds covered elsewhere~~

[Moved from [III-E-5]]

~~Neck restraints and choke holds are considered separate control options under this policy (and are not included as bodily force).~~

3. Separate uses of force

~~Each use of empty hand techniques is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional.~~

B. 7. Treatment and Medical Aid

[Moved from [III-E-7]]

~~In addition to standard medical treatment after use of force (In accordance with P&P 5-301), any member who uses force when officers deliver strikes, or if bodily force causes a subject's head to strike an object or surface, treatment for the subject shall, as soon as reasonably practical, determine if anyone displays a visible injury or signs of medical distress, has lost consciousness, has complained of injury or medical distress, or has requested medical attention, include visually inspecting the areas struck for signs of injury, when appropriate and shall render medical aid consistent with current training and request Emergency Medical Service (EMS) if necessary (in accordance with P&P 7-350). Officers Members shall routinely monitor the medical condition keep the person under close observation until they are released to medical or other law enforcement personnel.~~

III. Definitions

1. Bodily force types

[Moved from [III-E-1]]

Empty Hand Technique: Force that employs the member's own body as the mechanism of force (also called bodily force). Empty hand techniques do not include the use of an intermediate or improvised weapon. Empty hand techniques include the following:

~~Bodily force (also known as empty hand tactics) includes but is not limited to:~~

~~• Body weight to pin~~

~~2. Body weight to pin and control pressure~~

~~a. Body weight to pin definition~~

[Moved from [III-E-2-a]]

Body Weight to Pin: Restricting a subject's movement by use of Using body weight to pin ~~the subject~~ a person to the ground or floor, or to a fixed object while the person is lying down.

~~• Control pressure~~

b. ~~Control pressure definition~~

[Moved from [III-E-2-b]]

Control Pressure: ~~Restricting a subject's movement~~ Pressing a person into a fixed object while the subject person is upright not lying down by use of body weight to pin the subject to a fixed object (such as applying pressure while the subject person is against a vehicle or building).

• **Control or Escort Holds:** ~~(Temporary holding of~~ part of the person's body, such as the hand, wrist, arm or shoulder, to physically control or direct ~~a subject~~the person.)

• **Joint Manipulations:** ~~(physically contorting~~ Forcefully controlling a subject's person's joint to ~~control or~~ limit or direct movement). This also includes • Joint locks ~~(manipulating a subject's joint until it reaches its maximal degree of motion and hyperextension such as~~ wrist locks, armbars, shoulder locks, elbow joint locks, etc.)

• **Nerve Pressure Points Compliance:** ~~(Directed touch pressure)~~ that is delivered to gain compliance and may result in brief transitory pain.

• Pushes (using physical force to press forward in an effort to effect movement)

Shove: A forceful or severe push, intended to suddenly displace the person or disrupt their balance. Shove does not involve the deliberate blow of a strike.

• Takedown techniques or tackles (Using physical force to direct a person to the ground)

Takedown: Bodily force used by the member that compels a standing or seated person to the ground or floor, or forceful actions that result in the person ending up on the ground or floor (whether intentional or unintentional).

Examples of actions that constitute takedowns include, but are not limited to:

1. Two-officer or single-officer takedown.

3. Pushing to the ground

[Moved from [III-E-3]]

2. If a push, pull or shove (including baton pushes and baton shoves) that results in propels the subject person ending up on to the ground or floor, it is considered a takedown.

4. Vehicle extractions to the ground

[Moved from [III-E-4]]

3. A vehicle extractions that ends on the ground or floor are considered takedowns.

4. Tackling the person.

5. A leg sweep.

Touch Contact: Gentle or moderate force applied to a person who offers minimal or no resistance. Touch is intended to create space, guide or move someone, but is not forceful.

• ~~Strikes (punches, kicks, knees, slaps)~~

Weaponless Strike: A deliberate hit or blow intended to cause injury or pain. Strikes are more aggressive and are intended to achieve pain compliance or incapacitate the person. Strikes can involve a kick, punch, slap, knee, or any similar action.

Using Empty Hand Techniques: Using force that employs the member's own body as the mechanism of force (also called bodily force).

e. Reporting

[Covered by 5-302]

~~Body weight to pin and control pressure require a report and Use of Force details page. The requirement to notify a supervisor for body weight to pin and control pressure varies based on where the pressure was applied:~~

~~i. Supervisor notification required~~

~~A supervisor notification is required for:~~

~~aa. Body weight to pin or control pressure resulting in injury or alleged injury (including loss of consciousness).~~

~~ab. Body weight to pin on the front rib cage area or the head.~~

~~ac. Control pressure on the head.~~

~~ii. Supervisor notification not required~~

~~A supervisor notification is not required for the following types, unless another condition applies such as an injury:~~

~~aa. Body weight to pin on limbs, hips, the back or the stomach.~~

~~ab. Control pressure on limbs, hips, or the torso.~~

5-307 Force Option- Impact Projectiles and Launchers

(08/23/25) (01/01/26)

Revisions to prior policies: (07/16/19) (08/21/20) (09/08/20) (04/04/21) (01/01/23)

F. Less Lethal 40mm Launcher and Impact Projectiles

[Moved from 5-304 [III-F]]

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

1. 40mm less lethal round authorization

[Moved from [III-F-1]]

~~a. This policy applies to officers who are not working in a certified SWAT capacity.~~

~~b. The 40mm launcher with the 40mm less lethal round should not be used in deadly force situations without firearm backup.~~

~~i. The discharge of the 40mm less lethal round should be considered a level slightly higher than the use of an impact weapon and less than deadly force when delivered to areas of the subject's body that are considered unlikely to cause death or serious physical injury.~~

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. ~~d.~~ 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.

[Moved from [III-F-1-d]]

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 Subject Person

4. 40mm launcher use

[Moved from [III-F-4]]

~~a. The 40mm launchers can be discharged when the incapacitation of a violent or potentially violent subject is desired. The 40mm launcher can be a psychological deterrent and physiological distraction serving as a pain compliance device.~~ Impact projectiles may only be used on a subject 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

[Moved from [III-F-3]]

- a. a. The primary target areas for ~~the 40mm less-lethal round~~ 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 ~~ribcage area~~ to the waist, ~~and the larger muscle areas of the shoulder areas.~~
- b. b. ~~Officers~~ Members shall be aware that the delivery of ~~the 40mm~~ 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. ~~c. Officers-Members~~ shall not intentionally discharge ~~less-lethal~~ impact ~~munitions~~ projectiles at a person's head, neck, throat, face, chest, armpit, spine, ~~kidneys~~, or groin unless deadly force would be ~~justified~~authorized.

4. Consider risks and other means of control

- ii. Prior to ~~using less-lethal options~~discharging impact projectiles at a person, ~~officers~~ members shall need to consider:

- a. ~~-~~Any risks to the public or ~~themselves~~to the members.

- b. ~~iii. When discharging the 40mm less-lethal round, consideration shall be given as to~~
~~whether the subject person could be controlled by any other reasonable means~~
~~without unnecessary risk to the subject person, officersmembers, or to the public, in~~
~~accordance with knowledge and training in use of force and MPD policies governing~~
~~the use of deadly and non-deadly force.~~

[Moved from [III-F-1-b]]

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

~~i.~~ It is important that whenever possible, all ~~officers-members~~ involved, and possible responding ~~officers-members~~, know that an ~~40mm less-lethal-impact~~ projectile is being discharged so they do not mistake the sight and noise from the ~~40mm-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:

[Moved from [III-F-4-c-i]]

- 1. ~~e. Officers-Members~~ shall announce over the radio that an ~~40mm-impact projectile launcher~~ will be discharged, when time and tactics permit.

[Moved from [III-F-4-c]]

- 2. ~~d. Whenever feasible appropriate given the situation, officers-members who discharging impact a 40mm less-lethal~~ projectiles should yell "Code Orange!" prior to and during the discharge.

[Moved from [III-F-4-d]]

Note: ~~ii. Impact projectile 40mm~~ launchers have an orange barrel indicating they are ~~the less-lethal platform~~ intermediate weapons (see the specifications in section [M]).

[Moved from [III-F-4-c-ii]]

G. Requesting a 40mm Operator

~~b.~~ If a supervisor or responding ~~officers-member~~ believes that there is a call or incident that may require ~~the use of less-lethal~~ 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.

[Moved from [III-F-4-b]]

H. 5. Carrying, and Storage and Tracking of 40mm Launchers

[Moved from [III-F-5]]

1. ~~a.~~ 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. ~~i.~~ Each 40mm launcher shall be kept its own case and in a secured gun locker.
3. ~~ii.~~ 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. Only commanders or their designee and MPD-trained operators will have keys to the 40mm armory lockers.
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. ~~b.~~ MPD-trained operators shall have the 40mm launchers available during their assigned shift, when possible.

I. Collecting Spent Projectiles

~~d.~~ Supervisors and operators shall ensure that all spent ~~40mm less-lethal impact projectiles rounds~~ are collected and property inventoried if possible (P&P 10-400).

[Moved from [III-F-8-d]]

J. 6. Maintenance of 40mm Impact Projectile Launchers

[Moved from [III-F-6]]

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

K. 7. Subjects injured by 40mm less-lethal projectiles Treatment and Medical Aid

[Moved from [III-F-7]]

In addition to standard medical treatment after uses of force (in accordance with P&P 5-301 and P&P 7-350), when a **subjectperson** is struck by an impact projectile, treatment for the **subjectperson** 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.~~a. Medical assistance shall be rendered as necessary in accordance with P&P 5-301 and the Emergency Medical Response policy (P&P 7-350).~~

~~b. If possible, photographs should be taken of any injuries to the subject.~~

8. Use of Force reporting

~~a. Officers who discharge a 40mm less-lethal round shall report the force in accordance with P&P 5-303.~~

~~b. Officers who discharge a less-lethal round shall immediately notify dispatch, who will notify a supervisor.~~

~~c. A supervisor shall respond to the scene any time a 40mm less-lethal round is discharged. The responding supervisor shall review the incident and complete a use of force review in accordance with P&P 5-303.~~

L. Training Required

1. ~~c. Only officers-members who have completed the required training trained~~ in the use of the 40mm launcher and 40mm ~~less-lethal~~ rounds are authorized to carry and use them.

[Moved from [III-F-1-c]]

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. Standard projectiles

2. ~~a. Officers-Members~~ shall only carry MPD-approved 40mm rounds that are issued by the Department. ~~Ammunition specifications are available from the Range Master.~~

b. The MPD Range shall issue 40mm rounds with each launcher depending on the needs of the 40mm Operator Program. The MPD Range shall replace any rounds discharged or damaged as needed.

[Moved from [III-F-2]]

a. The approved 40mm rounds for the 40mm Operator Program (patrol) are:

- Defense Technology eXact iImpact 40mm Standard Range Sponge Round.

b. The approved types of 40mm rounds for SWAT are:

- Defense Technology eXact iImpact 40mm Standard Range Sponge Round (or similar type by another manufacturer).
- Defense Technology eXact iImpact 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.

III. Definitions

40mm Round: ~~The 40mm less-lethal round is~~ Aa direct fire impact projectile round used in situations where maximum deliverable kinetic energy is desired for the incapacitation of an aggressive, non-compliant a subjectperson. (P&P 5-307)

[Moved from [III-F]]

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 subjectperson. (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 subjectperson.

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, and
- 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.

An imminent threat is not merely a fear of future harm, no matter how great the fear, and no matter how great the likelihood of harm.

Impact Projectile: An object launched from a tool designed to incapacitate the subjectperson 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 any of a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a subjectperson 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 subjectperson, applying handcuffs or restraints, and making bodily contact with a subjectperson with a baton or other impact weapon.

5-308 Force Option- Hand-Held Chemical Aerosols

~~(08/23/25)(01/01/26)~~

Revisions to prior policies: (10/16/02) (08/17/07) (10/01/10) (09/04/12) (06/10/13) (06/16/20) (08/21/20) (09/08/20) (12/22/20) (04/04/21) (01/01/23)

G. Chemical Agents

[Moved from 5-304 [III-G]]

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 chemical aerosols, 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 hand-held, pressurized, containerized, chemical aerosols. Chemical munitions are covered by P&P 5-313.

II. Policy

A. Chemical Aerosols as Intermediate Weapons

1. Use of Chemical Agents

[Moved from [III-G-1]]

~~a. The MPD approved chemical agents aerosol may be used as a non-lethal use of force is an intermediate weapon. The use of chemical agents shall be consistent with current MPD training and MPD policies governing the use of force (including all sections in P&P 5-300).~~

~~Chemical aerosols are generally intended to cause the eyes and respiratory tract to become inflamed and irritated. Physical effects can include involuntary closing of the eyes, the sensation of difficulty breathing, coughing, choking, discharge of mucous, lack of coordination and nausea. When properly used, chemical aerosols are usually effective in incapacitating most people temporarily, without permanent injury, though the effectiveness varies from person to person.~~

B. Civil Disturbances and Assemblies

~~i. During civil disturbances and assemblies, chemical aerosols, regardless of canister size, shall only be discharged when authorized in accordance with P&P 7-805.~~

[Moved from [III-G-1-b-i]]

C. Conditions for Use

~~Chemical aerosols may only be used on a subjectperson in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of chemical aerosols must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using chemical aerosols 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. Permitted use

~~Chemical aerosols may be used when objectively reasonable, necessary, and proportional, on a subjectperson who is actively resisting or to prevent imminent physical harm.~~

~~b. Chemical agents, regardless of canister size, shall only be discharged at subjects under the following circumstances:~~

[Moved from [III-G-1-b]]

~~ii. In situations not involving civil disturbances or assemblies:~~

~~aa. On subjects who are exhibiting Aggressive Resistance or Assault, or;~~

~~ab. For life saving purposes, or;~~

~~ac. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

2. People in restraints

- a. Members shall not use chemical aerosols on any person who is handcuffed or otherwise physically restrained, unless the person presents an imminent threat of physical harm to the safety of the member, the person themselves, or others.
- b. Prior to using chemical aerosols on the physically restrained person, members must first attempt to exercise additional control over the person using empty hand techniques other than strikes (P&P 5-306), when feasible.
- c. Members shall only use chemical aerosols against the physically restrained person once all feasible empty hand techniques other than strikes (P&P 5-306) have been attempted by the member, and if the imminent threat of physical harm persists.

3. Compliant and passively resisting people

~~e. Members shall not discharge chemical agents aerosols shall not be discharged at persons-people who are cComplying with orders or are pPassively rResisting as defined by policy.~~

[Moved from [III-G-1-c]]

4. Restricted use on people in a car

Members shall not discharge chemical aerosols at a person in a car, unless all of the following apply:

- The person presents an imminent threat of physical harm to a member or others.
 - No reasonably effective alternative exists, meaning lower degrees of force or alternatives to force such as de-escalation techniques and tactics did not work, would not work, were not feasible or were too unsafe to attempt (P&P 5-301).
- a. Members shall consider whether incapacitating the driver with the chemical aerosol poses risks to passengers or others nearby and shall consider whether there are others nearby or passengers in the vehicle who could be adversely affected.
 - b. If members discharge chemical aerosols at a person in a car, members shall allow available air circulation, which could include opening doors or windows or allowing the person to exit the vehicle.

5. Consider vulnerable people

Members must consider the possible heightened risk and adverse societal reaction to the use of chemical aerosols upon certain people.

- a. Unless such force is necessary to protect the member, the **subject**person posing the **risk**, or another person from objectively imminent physical harm, members shall **not** discharge chemical aerosols at a person when a reasonable officer would know that the person is:

- Pregnant.
- Elderly.
- A small minor.
- A visibly frail person.
- A person with a pre-existing condition (such as asthma, emphysema, bronchitis, or heart ailment) that may be aggravated by the chemical aerosol.

b. Members shall also consider whether there is a risk of exposing vulnerable people who may be nearby when discharging chemical aerosols.

6. People swallowing narcotics

~~d. Discharging chemical agents-aerosols to prevent the swallowing or ingesting of narcotics is prohibited. See P&P 7-350 for requirements around medical treatment when a person may have swallowed narcotics or have narcotics in their mouth.~~

[Moved from [III-G-2-d]]

D. Tactics and Requirements When Using Chemical Aerosols

1. Only deliver chemical aerosols to intended people

~~d. Sworn MPD employees~~Members shall only discharge chemical aerosols at intended ~~subjects~~people and shall exercise due care to minimize exposure of non-targeted peopleensure that only intended persons are exposed to the chemical agents. Members shall consider the risk of unintended exposure.

[Moved from [III-G-1-d]]

2. Warning required

Prior to discharging a chemical aerosol, members shall provide oral warnings indicating that they intend to use chemical aerosols unless the person submits to their authority, when it is feasible to do so (in accordance with P&P 5-301).

- a. Members shall allow a reasonable amount of time for a person to comply with a warning, when feasible to do so.
- b. The warning shall only occur in situations that a member reasonably believes may result in the use of the chemical aerosol.

3. Re-assess after discharge

Chemical aerosols that emit a stream shall be discharged in one to two second bursts, except in exigentare circumstances where there is an imminent threat of physical harm and pausing to reassess is not feasible. After each discharge of a chemical aerosol members shall stop, re-assess the situation and subject behavior, and determine whether any subsequent discharges are objectively reasonable, necessary, and proportional.

4. Separate uses of force

Each discharge of a chemical aerosol is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional.

E. 2. Treatment and Aid for Chemical Agent Aerosol Exposure

[Moved from [III-G-2]]

1. a- In addition to standard medical treatment after uses of force (in accordance with P&P 5-301 and P&P 7-350), post exposure treatment for a person that has been exposed to the chemical agent-aerosol shall include ~~one or more~~ 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).
- Placing the person in an upright seated position, or if that is not feasible, in the side recovery position.

2. A person who has been exposed to a chemical aerosol shall not be left lying on their stomach once handcuffed or restrained.

3. b. Sworn employees~~Members~~ shall keep a person exposed to the chemical agent-aerosol under close observation until they are released to medical or other law enforcement personnel and shall watch for symptoms of a significant adverse reaction, which could include, but are not limited to blistering, burns, difficulty breathing, excessive pain, visual disturbance, or an altered mental state.

a. If the person exhibits such symptoms after having flushed the affected areas, or the person indicates that they have a pre-existing condition (such as asthma, emphysema, bronchitis, or a heart ailment) that may be aggravated by the chemical aerosol, members shall arrange for immediate transportation to a hospital for medical treatment.

4. c. An officer who has discharged a chemical agent at~~When transferring custody of a person that has been exposed to chemical aerosols, the members shall inform-notify individuals the entity accepting custody that it was discharged at the person of the exposure.~~

F. Training Required

MPD members shall only be issued, carry and use chemical aerosols if they have successfully completed approved annual training on chemical aerosols.

G. Specifications for Chemical Aerosols

F. Chemical Agents

[Moved from 3-204]

1. 1. Every sworn ~~MPD employee~~member shall carry a 4 oz. canister of chemical ~~agent aerosol~~ on their person at all times while working in uniform.
2. ~~In addition, C~~anisters larger than 4 oz. may be carried by ~~sworn MPD employees~~members when authorized by a supervisor.
3. Members shall not carry expired canisters of chemical aerosol. Prior to expiration, members shall coordinate with the Range to exchange the older canister for a replacement.
4. ~~2. Employees~~Members shall ~~are~~ only authorized to carry ~~the~~chemical ~~agent aerosols~~ that ~~are~~ issued ~~to them~~ by the ~~D~~department. Personally owned chemical aerosols, or those issued by another agency, are not authorized to be carried or utilized while a member is acting in their official MPD capacity.
5. 3. Authorized chemical ~~agents aerosols~~ are:
 - a. ~~a. Aerko, Freeze +P,~~ 1% CS/1% OC Solution.
 - ~~Freeze +P~~ 4 oz 2k3.
 - ~~Deep Freeze 15.717.5~~ oz MK9 Streamer.
 - b. ~~b. Defense Technology Oleoresin Capsicum (OC) Solution .2%.~~
 - ~~12oz~~ MK9 Streamer, .2%.
 - 12oz MK9 Streamer, .4%.
 - 12oz MK9 Streamer, .7%.
 - 12oz MK9 Streamer, 1.3%.
 - c. Sabre OC Solution.
 - 16oz MK9 Streamer, .67%.
 - 16oz MK9 Streamer, 1/3%.
 - d. Defense Technology OC Solution- these shall only be carried by MPD SWAT members when directed by the SWAT supervisor.
 - 12oz MK-9S Vapor, .7%.
 - 12oz MK-9S, Vapor 1.3%.

III. Definitions

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.

Chemical Aerosol: Aerosol, hand-held, pressurized, containerized chemical aerosol agents that emit a stream or vapor. (P&P 5-308)

Chemical Aerosol Agent: The active chemical ingredient in the chemical aerosol, such as 2-chlorobenzalmalononitrile (CS) and Oleoresin Capsicum (OC). (P&P 5-308)

Deliver Chemical Aerosols: When a discharged chemical aerosol comes into contact with a subjectperson (when a subjectperson is sprayed).

Discharge Chemical Aerosols: Using the actuator to release the contents from the canister, regardless of whether it impacts the intended subjectperson.

Use Weapons and Force Devices: Activating or applying any of a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a subjectperson 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 subjectperson, applying handcuffs or restraints, and making bodily contact with a subjectperson with a baton or other impact weapon.

5-309 Force Option- Conducted Energy Weapons (CEWs)

(08/23/25)(01/01/26)

Revisions to prior policies: (08/17/07) (10/01/10) (07/16/12) (10/07/13) (09/08/20) (12/22/20) (04/04/21) (01/01/23) (05/01/25)

H. Conducted Energy Weapons (CEWs)

[Moved from 5-304 [III-H]]

I. Purpose

The purpose of this policy is to establish guidelines for deployment of conducted energy weapons (CEWs) and to ensure that members who carry weapons and force devices, and who use weapons and force devices, including CEWs, 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.

II. Policy

A. CEW as an Intermediate Weapon

1. CEW authorization

[Moved from [III-H-1]]

~~a. The MPD approved Conducted Energy Weapon (CEW) (P&P 3-200) is considered a less-lethal weapon~~ an intermediate weapon, but can result in great bodily harm or death depending on how members use the CEW, situational factors, vulnerability of the person, duration of exposure, the area of impact on the person's body, etc.

B. Conditions for Use

CEWs 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 CEWs must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using CEWs 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.

~~c. CEWs may be used:~~

[Moved from [III-H-1-c and d]

~~i. On subjects who are exhibiting Aggressive Resistance or Assault, or;~~

~~ii. For life saving purposes, or;~~

~~iii. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

~~d. CEWs shall not be used against subjects who are Compliant or are Passively Resisting as defined by policy (P&P 5-301).~~

1. Use on a person who is **not** fleeing

Members shall only deploy a CEW at a person who is not fleeing when both of the following conditions apply:

a. There is probable cause for arrest or reasonable suspicion for detention.

and

b. Such force is necessary to protect the member, the **fleeing** person, or another person from objectively imminent physical harm.

2. Use on a fleeing person

~~ii. Prior to activating a CEW on a subject in flight the following should be considered:~~

[Moved from [III-H-4-d-ii]]

~~• The severity of the crime at issue;~~

~~• Whether the subject poses an immediate threat to the safety of the officer or others, and;~~

~~• Whether the officer has a reasonable belief that activation of the CEW would not cause significant harm to the subject fleeing unless use of deadly force would otherwise be permitted.~~

Members should be aware that deploying a CEW at a person who is fleeing may result in serious physical injury, depending on the surface and surrounding environment. Therefore, the following conditions apply:

a. Flight shall never be the sole reason for members to deploy a CEW at a person.

b. Members shall only deploy a CEW at a person who is fleeing when either:

i. The member has probable cause to believe the person has committed one of the following serious or violent felonies or violent misdemeanors:

Violent crimes, including crimes such as:

- Any assault (including domestic assault).
- The attempt or act of murder.
- Violent sex crimes.
- Robbery.
- Arson.
- Kidnapping.
- Carjacking.
- Felony firearm discharges.
- Firearm pointing in violation of MN Statute section 609.66 Dangerous Weapons.
- 1st degree burglary.

And these specific non-violent felonies:

- Auto theft (not including theft from motor vehicle).
- 2nd and 3rd degree burglary.

or

ii. Such force is necessary to protect the member, the subject fleeing person, or another person from objectively imminent physical harm.

<u>3. d. Subject factors Consider vulnerable people</u>
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[Moved from [III-H-4-d]]

i. ~~Officers~~Members must consider the possible heightened risk of injury and adverse societal reaction to the use of CEWs upon certain ~~individuals~~people. ~~Officers must be able to articulate a correspondingly heightened justification when activating a CEW on:~~

a. Except where deadly force is the only other option, members shall **not** deploy a CEW at or re-energize a CEW on a person when a reasonable officer would know that the person is:

- ~~Women known to be p~~Pregnant.;
- ~~Elderly persons.~~

- ~~or young children;~~ A small minor.
- ~~Persons with known heart conditions, including pacemakers or those known to be in medical crisis;~~
- ~~An infirm or visibly frail persons person,~~ or persons with a very thin statures or low body mass (i.e., may have thin chest walls).;

b. ~~Officers~~ Members must be able to articulate a correspondingly heightened justification when they deploy activating a CEW at or re-energize a CEW on 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).

c. Members shall not deploy a CEW at or re-energize a CEW on a person solely because they are exhibiting signs of a crisis (P&P 7-803). The other conditions in this policy must apply.

d. In accordance with the requirement that the use of CEWs must be objectively reasonable, necessary, and proportional, members shall only use a CEW on a minor when no reasonably effective alternative exists, meaning lower degrees of force or alternatives to force such as de-escalation techniques and tactics did not work, would not work, were not feasible or were too unsafe to attempt.

4. e. Situational factors

[Moved from [III-H-4-e]]

Except where In the following situations, CEWs should not be activated unless the use of deadly force would otherwise be permitted is the only other option, members shall not deploy a CEW at or re-energize a CEW on a person in situations when it is reasonably evident that activation may cause serious physical injury. Such situations include, but are not limited to:

- ~~On a persons in an elevated positions,~~ who might be at ~~a risk of a dangerous fall~~ falling from a significant height, onto a sharp object, or onto a dangerous surface.;
- On a person who may fall from a vehicle in motion.
- ~~On a persons who is in physical control of a operating vehicles or machinery in motion;~~
- ~~On persons who are already restrained in handcuffs unless necessary to prevent them causing serious bodily injury to themselves or others and if lesser attempts of control have been ineffective;~~
- ~~On a persons~~ who might be in danger of drowning.;
- ~~In an environments~~ in which combustible vapors and liquids or other flammable substances are present.;
- On a person who has been exposed to chemical aerosols or chemical munitions.
- On a person who has been exposed to flammable material, such as gasoline or an alcohol-based pepper spray.

- ~~In similar situations involving heightened risk of serious injury or death to the subject person.~~

5. People in restraints

- ~~Members shall not deploy a CEW at or re-energize a CEW on any person who is handcuffed or otherwise restrained, unless the person presents an imminent physical threat to the safety of the member, the person themselves, or others.~~
- ~~Prior to deploying a CEW at or re-energizing a CEW on a restrained person, members must first attempt to exercise additional control over the person using empty hand techniques other than strikes (P&P 5-306), when feasible.~~
- ~~Members shall only deploy a CEW at or re-energize a CEW on a restrained person once all feasible empty hand techniques other than strikes (P&P 5-306) have been attempted by the member, and if the imminent threat of physical harm persists.~~

6. Drive-stun mode is prohibited

~~The CEW model authorized and issued by the Department does not come equipped with a drive-stun mode, and using a drive-stun mode is prohibited.~~

~~e. CEWs should generally be used in the probe mode. Application of CEWs in the drive stun mode shall be limited to defensive applications or to gain control of a subject who is exhibiting Aggressive Resistance or Assault if lesser attempts at control have been ineffective, or if the probe mode was ineffective.~~

[Moved from [III-H-1-e]]

C. 4. Tactics and Requirements When Using a CEW

[Moved from [III-H-4]]

1. ~~b.~~ Warnings and announcements

[Moved from [III-H-4-b]]

In addition to the requirements in “Identify Self and Warn of Intent” in P&P 5-301:

- Whenever feasible, members who deploy a CEW should attempt to yell "taser, taser, taser!" prior to or during the deployment.
- Officers shall, unless it is not feasible to do so, give verbal warnings or announce their intention to discharge a CEW prior to actual discharge. In situations that a member reasonably believes may result in the authorized use of a CEW, the member should consider using the CEW warning alert or Use of the CEWs’ laser pointer painting (a form of pointing a CEW also sometimes called “red dotting”) or arcing of the CEW, which may be effective at diffusing a situation prior to actual discharge of the CEW deployment.

2. Targeting the CEW

When they deploy a CEW, members shall target the person's back or lower center mass. The CEW shall not be intentionally targeted at the person's head, neck, chest or groin.

~~2. Cycles with a TASER 7~~

[Moved from [III-H-2]]

~~For members with a TASER 7, the following applies:~~

~~When activating a CEW on a subject, personnel should activate it for one standard cycle (a standard cycle is five seconds) and pause to evaluate the situation to determine if subsequent cycles are necessary.~~

~~a. If subsequent cycles are necessary, officers should restrict the number and duration to only the minimum amount necessary to control or place the subject in custody under the existing circumstances.~~

~~b. Personnel should constantly reassess the need for further activations after each CEW cycle and should consider that exposure to multiple applications of the CEW for longer than 15 seconds may increase the risk of serious injury or death.~~

~~c. Officers should be aware that a lack of change in a subject's behavior often indicates that the electrical circuit has not been completed or is intermittent. If there is a need for another cycle based on the standards above, officers should immediately discharge another cartridge or transition to other control options rather than activating continued ineffective cycles.~~

3. 3. Cycles and deployment of additional probes ~~with a TASER 10~~

[Moved from [III-H-3]]

~~For members with a TASER 10, the following applies:~~

a. ~~a.~~ Initial deployment

Each trigger pull deploys a single probe. A minimum of two deployed probes are required to make a connection. The second probe should be deployed as quickly and accurately as possible to ensure a full-circuit connection. The initial deployment of two probes is considered a single use of force.

b. ~~b.~~ Additional probes

Each deployment beyond the initial two probes is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional. Additional probes may be deployed when the conditions for use still apply, and:

- ~~•~~ The probes have not completed a circuit.

- ~~•~~ The probes have completed a circuit, but the circuit is not resulting in a sufficient change in the person's behavior. For example, the position of the probes results only in localized pain and the subject behavior continues.
- ~~•~~ A previously completed circuit fails.

c. ~~e.~~ Re-energizing

After the conclusion of a cycle where neuro-muscular incapacitation has been achieved, the member shall assess the person to determine if an additional cycle is necessary based on the person's behavior. Re-energizing the CEW is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional.

- i. ~~i.~~ In determining whether any additional cycle is objectively reasonable, members shall consider whether the person has the ability to comply and has been given a reasonable opportunity to comply prior to re-energizing the CEW.
- ii. ~~ii.~~ If subsequent cycles are necessary, members shall restrict the number and duration to only the minimum amount necessary to place the person into custody or safely control the situation, and subject to the limits stated ~~in this policy below~~ in [II-C-3-d].

d. Three complete cycles or 15-second limit

Members shall not energize a CEW on a person for more than three complete cycles or 15 total seconds during a single incident unless deadly force is authorized, and no other non-deadly force option is feasible.

If deadly force is not authorized and members have energized a CEW on a person for three complete cycles or 15 total seconds and the person continues to present the same subject behavior, members shall not continue with the CEW and shall transition to other control options.

4. Quickly control during the cycle

Members should consider attempting to control (and disarm when applicable) the person during the CEW cycle, when feasible. By controlling the person during the cycle, members can minimize the likelihood that the subject behavior continues, reducing the need for additional cycles.

5. ~~a.~~ Only ~~o~~One officer member deploys at a time

[Moved from [III-H-4-a]]

Unless exigent circumstances exist as defined by policy (P&P 5-301), Only no more than one officer member should shall intentionally activate-deploy a CEW at or re-energize a CEW on against a subject person at one the same time.

6. ~~e.~~ Holstering on weak side

[Moved from [III-H-4-c]]

The CEW shall be holstered on the ~~sworn MPD employee's~~member's weak (support) side, on the member's belt or vest, to avoid the accidental drawing or firing of their firearm. ~~(SWAT members in tactical gear are exempt from this holstering requirement.)~~

D. Function Test Required

All members who have been issued a CEW shall conduct a function test at the start of any shift in a uniformed capacity. Any damage or issues with operability shall be reported to the member's supervisor and to the MPD Training Division immediately upon discovery.

E. ~~5.~~ Loss or ~~D~~amage

[Moved from [III-H-5]]

Lost, damaged or inoperative CEWs shall be reported to the ~~CEW Coordinator~~member's supervisor and to the MPD Training Division immediately upon the discovery of the loss, damage or inoperative condition.

F. ~~7. Downloading and reporting~~ Uploading and Inventorying

[Moved from [III-H-7]]

1. ~~a.~~ CEW ~~downloading~~ uploading guidelines

a. Whenever the CEW is armed during an incident, the member shall dock the CEW battery prior to the end of their shift, so the device log and audit trail can be uploaded (arming a CEW begins entries in the device log).

~~i. The CEW shall be downloaded, when used in probe mode, touch/contact stun mode or drive stun mode, prior to the end of the officer's shift.~~

~~ii. The CEW shall be downloaded for any incident that is recorded that the officer believes might have evidentiary value.~~

b. ~~iii.~~ If a CEW was used duringIn a critical incident, the CEWCEWs will be inventoriedmanaged by the investigating agency ~~for processing video and firing data evidence.~~

2. Inventorying cartridges

Members shall inventory the deployed cartridges and probes (P&P 10-400).

G. ~~8. Post exposure t~~ Treatment and Medical Aid

[Moved from [III-H-8]]

~~a.~~ In addition to standard medical treatment after use of force (in accordance with P&P 5-301 and P&P 7-350), post exposure treatment for a person that has been ~~exposed to the electricity from the CEW~~ struck by CEW probes shall include the following:

1. Probe removal

a. Members may remove CEW probes only if all the following conditions are met, otherwise the probes shall be removed by appropriate medical personnel:

- The member has received training on at least an annual basis on the medical implications of CEW use, mechanisms to remove probes with limited pain, and infection control.
- i. Request EMS response for probe removal if The probes are not embedded located in a sensitive areas (face, neck, groin or breast areas).
- The member has assessed the person and determined that there are no indications of lasting effects from the CEW use.
- ii. Wear The member is wearing protective gloves and remove probes from the person's non-sensitive body areas has adequate medical equipment including bandages and alcohol wipes.
- The probes are removed in the presence of a second member.

b. iii. If removing probes, members shall sSecure the probes (biohazard "sharps") point down into the expended cartridge and seal with a safety cover.

2. Inspect application sites

a. iv. When appropriate, members shall visually inspect probe entry sites or drive-stun locations for signs of injury.

b. v. When appropriate, members shall photograph probe entry sites or drive-stun locations.

3. Monitor the person

~~b. Sworn employees~~ Members shall routinely monitor the medical condition of a keep the person under close observation who has been exposed to the electricity from a CEW until they are released to medical or other law enforcement personnel and shall inform medical personnel of the CEW use.

H. Training and Certification Required

Members shall only be issued, carry and use CEWs if they have successfully completed approved annual training on CEWs, including a testing component, and are currently certified.

I. Specifications for CEWsI. Conducted Energy Device (CED)

[Moved from 3-204]

- ~~1. 1. Sworn MPD employees~~Members shall carry a ~~CED-CEW~~ (if issued) while working in a uniform capacity.
- ~~2. b. MPD officers~~Members are only authorized to carry CEWs that are issued by the ~~Department~~. Personally owned CEWs; ~~or and~~ those issued by another agency; are not authorized to be carried or utilized while ~~an MPD officer~~a member is acting in their official MPD capacity.

[Moved from [III-H-1-b]]

- ~~3. 2. The CED shall comply with the following requirements~~approved CEW issued by MPD is:

[Moved from 3-204]

- Axon TASER 10.

This model is not equipped with a drive-stun mode.

~~a. Authorized Brand—TASER®~~

~~Authorized Model—X26~~

~~Authorized Ammunition—TASER® Brand compressed air cartridges (Department issued only)~~

~~Or~~

~~b. Authorized Brand—TASER®~~

~~Authorized Model—X2~~

~~Authorized Ammunition—TASER® Brand compressed air smart cartridges (Department issued only)~~

III. Definitions

Terms related to Conducted Energy Weapons (CEWs):

[Moved from [III-H]]

~~Apply: When a CEW is used for touch/contact stun or drive/stun applications (involving contact with the subject by the CEW).~~

~~Drive-Stun: Touch/Contact Stun and Drive—Applying drive-stun mode is when the CEW is strongly, with forceful pressure, pushed directly into a subject's nerve bundle and touch/contact stun mode is applied.~~

~~Probe Mode: When a CEW is used to discharge probes (also called darts) at a person for the purpose of incapacitation.~~

~~Touch/Contact Stun: Applying touch/contact stun mode is when a CEW's electrodes contact a subject's body and the trigger or arc button is activated with no cartridge or probes being discharged. Contact from the CEW with the subject completes the electrical circuit which causes pain but does not cause an incapacitating effect.~~

Arming a CEW: Moving the selector switch on the CEW up to the "on" position, which activates the CID, laser and illumination, and begins entries in the device logs.

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.

CEW Warning Alert~~Arming:~~ Un-holstering the CEW and activating the ~~CEW alert~~ for purposes of threatening its use prior to actual ~~discharge or drive-stun or touch/contact stun application~~deployment. ~~In some cases, this may be effective~~The warning alert is intended to be an effort to gain at gaining compliance without having to actually discharge at or apply drive-stun or touch/contact stun on at a subjectdeploying probes.

Conducted Energy Weapon (CEW): An intermediate weapon that is designed to temporarily incapacitate a person from a distance, using an electrical current for neuromuscular incapacitation.

Deploy a CEW: Using the trigger on the CEW, resulting in the ejection of probes.

Energize a CEW~~Activating:~~ Activating a CEW means engaging the Arc switch, or the trigger after probes have been discharged, to generate electricity through arcing or cycling. ~~Activating on a subject means engaging the arc switch in touch/contact stun or drive-stun applications or engaging the arc switch or the trigger after probes have been discharged at a subject~~Cycling the electricity through successfully deployed probes or through re-energizing probes that have already been deployed.

Laser Painting~~Red Dotting:~~ Un-holstering and pointing a CEW at a person and activating the laser aiming device. In some cases, this may be effective at gaining compliance without having to actually ~~discharge a CEW~~deploy probes. Also known as "painting red dotting." ~~the target.~~

Pointing a CEW: Directing a CEW towards a person, with the intent to use or imply the use of the weapon.

Use Weapons and Force Devices: Activating or applying any of a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a subjectperson 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 subjectperson, applying handcuffs or restraints, and making bodily contact with a subjectperson with a baton or other impact weapon.

5-310 Force Option- Batons

(08/23/25)(01/01/26)

Revisions to prior policies: (08/17/07) (10/01/10) (09/08/20) (12/22/20) (04/04/21)

I. Impact Weapons

[Moved from 5-304 [III-I]]

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 batons, 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.

II. Policy

A. Impact Weapons as Intermediate Weapons

1. MPD approved ~~impact weapons (P&P 3-200)~~ batons are generally considered ~~less-lethal~~ intermediate weapons, and but may be used as impact weapons: can result in great bodily harm or death depending on how members use the baton.

[Moved from [III-I-1]]

~~a. On subjects who are exhibiting Aggressive Resistance or Assault, or;~~

~~b. For life saving purposes, or;~~

~~c. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

B. Civil Disturbances and Assemblies

During civil disturbances and assemblies, batons shall only be used when authorized in accordance with P&P 7-805.

C. Conditions for Use

Batons may only be used on a **subjectperson** in accordance with the requirements described below. In addition to the conditions in this policy, the use of batons must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using batons 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. Restrictions on baton strikes

a. Imminent harm

i. Batons shall only be used to strike a person to protect the member, the subject person, or another person anyone else from objectively imminent physical harm.

~~2. Strikes from impact weapons shall not be delivered to persons who are Compliant or are Passively Resisting as defined by policy (P&P 5-301).~~

[Moved from [III-I-2]]

ii. Batons shall not be used to strike a person who is handcuffed or otherwise restrained unless deadly force is the only other option.

iii. Members shall consider the ability of vulnerable people to cause physical harm or likelihood of injury and likelihood of injury to the vulnerable person (P&P 5-301).

b. Target areas

i. The primary target areas for baton strikes are the arms and legs. Alternative target areas include the abdominal area to the waist.

ii. Members shall not intentionally use a baton to strike a person's head, neck, throat, face, sternum, armpit, spine, kidneys, or groin unless deadly force would be authorized.

c. Separate uses of force

Each baton strike is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional.

D. Treatment and Medical Aid

[Moved from [III-I-3 and 4]]

1. ~~3.~~ In addition to standard medical treatment after uses of force (in accordance with P&P 5-301 and P&P 7-350), treatment for a person that has been struck with an impact weapon a baton shall include visually inspecting the areas struck for signs of injury, when appropriate.

2. ~~4.~~ If a person has been struck with a baton, Sworn employees members shall keep the shall routinely monitor the medical condition of a person under close observation that has been struck with an impact weapon until they are released to medical or other law enforcement personnel.

E. Training Required

Members shall only be issued, carry and use batons if they have successfully completed approved annual training on batons, including baton pushes, baton shoves, and baton strikes.

F. G. Specifications for Duty Batons (Impact Weapons)

[Moved from 3-204]

1. 1. Every sworn MPD employee, whose job assignment would reasonably require them to respond to 911 calls or initiate calls for service~~If a member has not been issued a CEW, they shall carry an impact weapon~~a duty baton while working in a Class 'C' uniform (P&P 3-114)~~unless issued a CED. Impact weapons~~Duty batons are optional for ~~employees~~members ~~issued~~carrying a ~~CED~~CEW.
2. 2. The impact weapon~~duty baton~~ shall comply with the following requirements:
 - a. a. Authorized Brands~~— ASP or Monadnock.~~
 - b. b. Overall extended length not to exceed 26 inches.
 - c. c. Black or Chrome finish.

G. H. Specifications for Riot Sticks

[Moved from 3-204]

1. 1. Every sworn MPD employee, while~~member~~ working in a uniformed capacity, shall keep ~~in their possession (and a riot stick~~ readily available, ~~(e.g.i.e. in the squad) a riot stick~~ for response to civil disturbances when needed (P&P 7-805).
2. 2. Employees~~Members~~ shall only carry the riot stick issued to them by the MPD.
3. The Department-issued riot stick is the:
 - Monadnock Wood Straight 36 inch Baton.

III. Definitions

Baton: A handheld, rigid, stick-like intermediate weapon. Batons are typically made of materials such as wood and metal, and come in various lengths and styles. (See the specifications section in P&P 5-310 for authorized types)

Baton Pushes: A gentle or moderate force, applied with two hands on the baton, to a person who offers minimal or no resistance. A baton push is intended to create space, guide or move someone but is not as forceful as a shove or a strike.

Baton Shoves: A more forceful push applied with two hands on the baton, intended to suddenly displace someone or disrupt their balance. It is more aggressive than a push, but does not involve the deliberate blow of a strike.

Baton Strikes: A deliberate hit or blow intended to cause injury or pain. Baton strikes are more aggressive and are meant to achieve pain compliance or incapacitate the person.

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.

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, and
- 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.

An imminent threat is not merely a fear of future harm, no matter how great the fear, and no matter how great the likelihood of harm.

Use Weapons and Force Devices: Activating or applying any of a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a subjectperson 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 subjectperson, applying handcuffs or restraints, and making bodily contact with a subjectperson with a baton or other impact weapon.

5-311 Force Option- Canines

(08/23/25)(01/01/26)

Revisions to prior policies: (09/08/20) (01/01/23)

J. Canine

[Moved from 5-304 [III-J]]

I. Purpose

The purpose of this policy is to ensure that members' use of canines adheres 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 covers canine apprehensions and accidental bites. Other canine uses are covered in P&P 7-807.

II. Policy

A. Conditions for Use

Canine apprehensions may only be used on a **subjectperson** in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of canine apprehensions must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using canines, 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 (see also the section below on disengaging).

1. Deploying canines

~~1. Canines-Members~~ shall only ~~be deployed~~deploy a canine in accordance with P&P 7-807 Authorized Use of Canines.

[Moved from [III-J-1]]

In accordance with P&P 7-807, Department canines may only be used to search for or apprehend a **subjectperson** if:

a. The canine handler reasonably believes that the person has either committed or is about to commit a serious offense.

and

b. Any of the following conditions exist:

- There is a reasonable belief that the person poses an immediate threat of violence or serious harm to the public or any member.
- The person is actively resisting or aggressively resisting arrest or attempting to evade arrest, and the use of a canine is reasonably necessary force under the circumstances to overcome such resistance or prevent the escape of the person.
- The person is believed to be concealed in an area where entry by a member would pose a threat to the safety of members or the public.

2. Warnings and announcements

In addition to the requirements in “Identify Self and Warn of Intent” in P&P 5-301:

a. Whenever feasible, the required warning shall be given loud enough to be reasonably heard by **other peopleanyone nearby** (in addition to the **person who is the subject of the search or apprehension**) prior to deploying the canine, and shall include the following additional components:

- The identification of the MPD.
- That the canine is being released.

- That the person is under arrest.
- That the person may be bitten by the canine.

3. Consider vulnerable populations

In accordance with P&P 5-301, members shall consider the characteristics and conditions of vulnerable people when determining the lowest degree of force necessary, and shall calibrate their force practices accordingly.

Vulnerable people may not have the ability to comprehend the threat associated with the deployment of a canine against them, may fail to comply with orders or not fully understand orders of the canine handler, or may act in an unpredictable manner that could impact the decision to deploy a canine.

B. Disengaging Canines

2. When ~~canines are~~ used for canine apprehensions, handlers shall disengage ~~their~~ canines as soon as reasonably possible after the ~~subject person~~ is able to be controlled or secured (in accordance with the policy on modulating force in P&P 5-301).

[Moved from [III-J-2]]

C. Treatment and Medical Aid

1. ~~3. Officers-Members~~ are responsible for ensuring any person injured by an MPD canine receives medical treatment as soon as reasonably possible (P&P 5-301 and P&P 7-350).

[Moved from [III-J-3]]

2. ~~a. Officers~~Members shall request an ambulance to the scene ~~after any canine apprehension or accidental bite~~ whenever a person is apprehended by a canine.

D. Sergeant Notifications and Review

1. ~~4.~~ The canine handler shall notify the Canine Sergeants immediately after any canine apprehension or accidental bite.

[Moved from [III-J-4]]

2. ~~a. Canine~~ Officers will be debriefed by Canine ~~unit supervisors~~ Sergeants and trainers as soon as possible following notification.

3. ~~b. The Canine Sergeant shall complete the required force review in accordance with P&P 5-303.~~ If a Canine Sergeant is not available, another MPD ~~S~~ergeant may be asked to do the force review (in accordance with P&P 5-303).

E. Documentation

The following steps are required in addition to the documentation requirements in P&P 5-302 and P&P 5-303:

1. ~~5.~~ Canine handlers shall photograph all injuries and ensure the images are uploaded in accordance with P&P 10-400.

[Moved from [III-J-5]]

2. ~~6.~~ Upon notification of a canine apprehension or accidental bite ~~or apprehension~~, a Canine Sergeant shall complete the K-9 Unit Apprehension Review form (MP-9090) and will send it electronically to the members of the review panel.

[Moved from [III-J-6]]

F. Reviews

All canine apprehensions undergo force reviews, and all canine apprehensions and accidental bites undergo a review by the canine review panel and a review by the appropriate MPD force review board.

III. Definitions

Accidental Bite: Any time a canine bites a person who is not the subject of a search or a directed canine apprehension.

Canine Apprehension: When a police canine makes physical contact with the subjectperson or bites the subjectperson, in an effort to take them into custody.

Canine Handler: A sworn member specifically trained to use a canine.

Deploy a Canine: Any time a canine is used outside of training or a demonstration.

Disengage Canines: The tactical decision of a canine handler to call off the canine and end the canine apprehension.

5-312 Force Option- Firearms

(08/23/25)(01/01/26)

Revisions to prior policies: (10/16/02) (08/17/07) (04/30/15) (04/05/16) (09/08/20) (12/22/20) (04/04/21) (01/01/23)

I. Firearms

[Moved from 5-304 [III-L]]

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 firearms, 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 covers uses of force involving firearms. Other requirements for handling of firearms, training, equipment specifications, etc. are primarily covered in P&P 5-400.

This policy does not cover impact projectiles and launchers (P&P 5-307), conducted energy weapons (CEWs) (P&P 5-309), or chemical munitions (P&P 5-313).

II. Policy

A. Authorized Use of Deadly Force

In accordance with P&P 5-301:

The authority to use deadly force is a critical responsibility that shall be exercised judiciously and with respect for human rights, dignity and respect for the sanctity of every human life, and shall always be the last resort.

Deadly force shall not be used against a person whose conduct is only a threat to property.

1. The use of deadly force by a peace officer in the line of duty is justified only if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary (MN Statute section 609.066 Subd. 2):

a. To protect the peace officer or another from death or great bodily harm, provided that the threat:

i. Can be articulated with specificity.

and

ii. Is reasonably likely to occur absent action by the law enforcement officer.

and

iii. Must be addressed through the use of deadly force without unreasonable delay.

or

b. To effect the arrest or capture, or prevent the escape, of a person, when both of the following apply:

i. The peace officer knows or has reasonable grounds to believe the person has committed or attempted to commit a felony.

and

- ii. The officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in clause [1-a], items [i] to [iii], unless immediately apprehended.
2. A peace officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time, and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the peace officer or to another under the threat criteria as detailed in this policy in clause [1-a], items [i] to [iii] (MN Statute section 609.066 Subd. 2).
3. Before using deadly force, members shall first consider all reasonably safe and feasible alternatives (MN Statute section 626.8452 Subd. 1a).

This means that members shall not use deadly force unless they have exhausted feasible de-escalation techniques and tactics, and intermediate weapons or empty hand techniques have been tried, have failed, or would be impractical or unsafe based on the totality of the circumstances.

B. Conditions for Use

Firearms may only be used in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of firearms must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using firearms 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. ~~4.~~ Drawing and displaying a firearm or pointing a firearm

[Moved from [III-L-4]]

- a. a. An officer's decision to draw or display a firearm will be based on the tactical situation and the officer's reasonable belief that lethal force is necessary, or that there are indicators of a substantial risk the situation may escalate to the point where lethal force may be necessary. Because firearms are a type of lethal or deadly force, members shall only display or point a firearm if there is an objectively reasonable belief that the situation may escalate to create an imminent threat of death or great bodily harm to the member or another person.

- Members shall not point firearms with a tactical flashlight mounted solely to illuminate. The above requirements still apply.

- b. b. Unnecessarily or prematurely drawing or displaying a firearm may limit an officer's alternatives in controlling a situation and may inhibit or limit communication between the officer-member and the subjectperson.

2. ~~1.~~ Authorized firearm discharges—when authorized

[Moved from [III-L-1]]

~~An MPD sworn employee may lawfully discharge a firearm in accordance with policy in the following circumstances:~~

~~a. In deadly force situations, in strict compliance with the Use of Force policy (P&P 5-301), and with a high degree of restraint. Firearm use shall never be considered routine and is permissible only when alternative means do not work, would not work or are too unsafe to try (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).~~

a. The intentional discharge of a firearm, 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 Subd. 1).

i. Members shall only intentionally discharge a firearm in the direction of another person, or at vehicle in which another person is believed to be, in accordance with the Authorized Use of Deadly Force and the other requirements in this policy.

ii. Before discharging a firearm, members shall identify themselves as law enforcement officers, and clearly and precisely warn of their intent to use deadly force, when it is safe and feasible to do so (P&P 5-301).

b. In situations where deadly force is not authorized, sworn members may only lawfully discharge a firearm in accordance with this policy when:

i. ~~b. To D~~ispatching an animal that is dangerous, or ~~one that humane treatment requires its removal~~ to humanely remove an animal from further suffering and alternative methods of disposition are impractical.

ii. ~~c. To P~~articipating in authorized training and testing.

iii. ~~d. To P~~articipating in any authorized competition or legitimate sporting activity.

3. ~~2. Prohibited f~~Firearm discharges ~~when prohibited~~

[Moved from [III-L-2]]

In addition to the prohibitions in the Authorized Use of Deadly Force regarding protecting property and people who present a danger only to themselves, members ~~Officers~~ shall not discharge a firearms under the following conditions:

a. ~~a.~~ As a warning or to command attention.

b. ~~Against persons who present a danger only to themselves.~~

c. ~~Solely to protect property.~~

b. ~~At a crowd.~~

c. When the **subject person** is not in the member's sight, including through walls or closed doors, unless the following conditions are met:

- The member has a reasonable belief, based on clear and articulable evidence, that a person behind the barrier poses an imminent threat of death or great bodily harm to the member or another person, and must be addressed through the use of deadly force without unreasonable delay.
- All other reasonable means of addressing the threat have been exhausted or are not feasible under the circumstances.
- The member has verified, through sound or visual cues, the location of the person posing the threat.
- The member has determined that other people are not in the line of fire.

4. Environmental factors

Members shall consider environmental factors such as field of fire, backdrop, bystanders, potential for ricochet, possibility of over-penetration, and other risks, when feasible.

5. 3. Shooting at or from motor vehicles

[Moved from [III-L-3]]

a. At moving vehicles

~~a. Members shall not discharge a firearm~~ Firearms shall not be discharged at a moving or fleeing vehicle, including when attempting to disable a vehicle by discharging a firearm at the vehicle, unless one of the following narrow exceptions apply:

i. Imminent threat of death or great bodily harm by means other than the vehicle

- ~~i. The officer-member~~ or another person is currently being threatened with death or great bodily harm by an occupant of the moving vehicle, and
- The threat is by means other than the moving vehicle, and
- ~~-The officer-member~~ reasonably believes there are no other reasonable means available to avert the imminent threat, or

ii. Ramming attack

~~ii. In the extreme case of a 'vehicle ramming attack' where a vehicle is being used as a weapon to target people to cause death or great bodily harm or death, or~~

iii. Member stuck in path of vehicle

~~aa. iii. In the extreme case when an officer~~ a member is stuck in the path of a vehicle, and this exception may apply if the following conditions apply:

- ~~-The member~~ has no means of escape, and
- ~~-The officer-member~~ reasonably believes there are no other reasonable means available to avert the threat, and

- ~~1. The officer-member~~ is unable to issue commands or the driver is disregarding commands to stop.

~~ab. aa. Officers-Members~~ shall consider their positioning and ~~avoid placingshall not place~~ themselves in the path of a vehicle, whenever possible. If ~~officers members~~ find themselves positioned in the path of a vehicle, they shall attempt to move safely out of the path of the vehicle instead of discharging a firearm at ~~it-the vehicle~~ or any of its occupants.

~~ac. ab. Being in the path of a moving vehicle shall not be the sole reason for discharging a firearm at the vehicle or any occupant~~The moving vehicle itself does not presumptively constitute a threat that justifies a member's use of deadly force.

~~b. This prohibition includes attempting to disable the vehicle by discharging at it.~~

[Combined with [a] above]

b. From a moving vehicle

Members shall not discharge a firearm from a moving vehicle unless:

- The member or another person is currently being threatened with death or great bodily harm by another person, and
- The threat is by means other than a moving vehicle, and
- The member reasonably believes there are no other reasonable means available to avert the threat.

c. ~~e.~~ Considerations in ~~this-these~~ prohibitions:

When feasible, members shall consider the following when determining whether to discharge a firearm at a vehicle under one of the above exceptions:

- ~~i. i.-~~A vehicle may be occupied by additional passengers and it may not be readily apparent how many occupants are in the vehicle.
- ~~ii. ii.-~~ Bullets discharged at moving ~~motor~~ vehicles are extremely unlikely to immediately cease the movement of the vehicle or successfully disable it.
- ~~iii. iii.-~~ Bullets discharged at or from moving ~~motor~~ vehicles have a higher probability of missing the intended target or ricocheting and possibly injuring ~~officers members~~ or other innocent ~~personspeople~~, including passengers in the vehicle.
- ~~iv. iv.-~~ Bullets discharged at moving ~~motor~~ vehicles may disable or disorient the driver, causing the vehicle to crash and possibly injuring ~~officers-members~~ or other innocent ~~personspeople~~, including passengers in the vehicle.

v. Such risks, in most cases, weigh against discharging a firearm at or from a moving vehicle.

6. Shooting at a fleeing person

Members shall not discharge a firearm at a person who is running away from a member except to counter an imminent threat of death or great bodily harm to the member or another person (and in accordance with the other requirements in [II-A] and the rest of this policy).

7. Prohibition on striking with a firearm

Members are prohibited from using firearms as an impact weapon or a striking tool against a person or property unless deadly force would be justified.

- This includes, but is not limited to, breaking windows with a firearm and striking someone with any part of a firearm.
- Using a firearm in such a manner increases the possibility of discharging the firearm and firearms may have sharp edges that can cause additional injuries.

C. Treatment and Medical Aid

Members shall, as soon as reasonably practical, provide medical treatment to any person who is shot, in accordance with P&P 5-301 and P&P 7-350.

D. 5. Notification of Firearm Discharges

[Moved from [III-L-5]]

1. a. Employee-Member responsibility

Any employee-member who discharges a firearm, whether on or off duty, shall make direct contact with their immediate supervisor (P&P 2-101) or the on-duty Watch Commander and the local jurisdiction as soon as possible **except**:

- ~~While at an established target range;~~
- ~~While conducting authorized ballistics tests;~~
- Intentional discharges during training, testing or legal recreation purposes~~When engaged in legally recognized activities while off duty.~~

2. Unintentional firearm discharges

All unintentional firearm discharges shall be reported in accordance with P&P 2-101.

The investigation by Internal Affairs will include a determination of whether the discharge was intentional and must be reported as force (P&P 5-302).

3. ~~b.~~ Supervisor responsibility

- a. ~~v.~~ At any officer-involved shooting incident, the Critical Incident Policy (P&P 7-810) shall be followed.
- b. ~~i.~~ The supervisor shall respond to any scene in which ~~an employee~~ a member has discharged a firearm while on-duty or in the course of duty.
- c. ~~ii.~~ The supervisor is responsible for notifying the Watch Commander and when appropriate, the ~~employee's member's~~ Deputy Chief and the on-duty Homicide investigator. This does not include the discharge of a firearm with the intention of dispatching an animal, unless it results in injury to a person.
- d. ~~iii.~~ Notifications to the Internal Affairs unit shall be made in accordance with the Duty to Report policy (P&P 2-101).
- e. ~~iv.~~ The advised supervisor shall ensure that drug and alcohol testing is conducted in accordance with P&P 3-1000 Drug and Alcohol Testing.

4. ~~c.~~ Reporting firearms discharges to the State

MN Statute section 626.553 requires the Chief of Police to report to the State Commissioner of Public Safety whenever a peace officer discharges a firearm in the course of duty, other than for training purposes or when ~~killing~~ dispatching an animal that is sick, injured or dangerous. Written notification of the incident must be filed within 30 days of the incident. The notification shall include information concerning the reason for and circumstances surrounding discharge of the firearm. The Internal Affairs unit supervisor shall be responsible for filing the required form(s) with the State Bureau of Criminal Apprehension.

E. ~~6.~~ Required Written ~~R~~eports ~~on discharge of firearms~~

[Moved from [III-L-6]]

- 1. ~~a.~~ All ~~employee-member~~ firearm discharges that require notification, other than Critical Incidents, shall be reported in a ~~PIMS-Police Report~~ report, including a Narrative Text, by the ~~employee-member~~ involved and the supervisor who was notified. The report shall ~~be titled, include the code~~ “DISWEAP.”
- 2. ~~-~~ The ~~employee-member~~ shall ~~report the force complete Force Reporting~~ in accordance with P&P 5-3023 and the supervisor shall ~~then complete a Supervisor Force Review~~ review the force in accordance with P&P 5-303.
- 3. ~~b.~~ The Watch Commander shall include all case numbers on the Watch Commander log.

III. Definitions

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)

Discharge a Firearm: Firing a bullet or projectile from the end or muzzle of the weapon.

Displaying a Firearm: Displaying means having a firearm in hand, while engaged with a subject. For a handgun, this means having it fully out of the holster (including the holster index position), while engaged with a subject. This does not include having the handgun holster ready. For larger firearms such as rifles, this means having it in hand (slung or unslung), while engaged with a subject.

Engaged with a Subject: Treating someone as a potential suspect or dealing with a person who is the focus of law enforcement attention in an incident. An example of a person who is the focus of law enforcement attention is a person in crisis who may not be suspected of committing a crime.

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, and
- 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.

An imminent threat is not merely a fear of future harm, no matter how great the fear, and no matter how great the likelihood of harm.

Intermediate Weapon: Weapons that are not intended to cause death or serious physical injury and are not empty hand techniques. These include CEWs, chemical aerosols, chemical munitions, impact projectiles, and batons.

Pointing a Firearm: Directing a firearm towards a person, with the intent to use or imply the use of the firearm.

Use Weapons and Force Devices: Activating or applying any of a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a subjectperson 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 subjectperson, applying handcuffs or restraints, and making bodily contact with a subjectperson with a baton or other impact weapon.

5-502 Chemical Munitions

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 chemical munitions, 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 chemical munition use. Impact projectiles that include chemical munition agents are covered both by this policy and by P&P 5-307.

II. Policy

A. Only for Use by SWAT

Chemical munitions shall only be used by trained Special Weapons and Tactics (SWAT) personnel, ~~and only on the orders of the on-duty Watch Commander or SWAT Commander in accordance with the requirements below.~~

[Moved from 5-502]

B. 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.

C. Conditions for Use

Chemical munitions may only be used in accordance with the factors and requirements described below. In addition to the conditions in this policy, the use of chemical munitions must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force necessary (P&P 5-301). When using chemical munitions 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

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

- a. For life-saving purposes.

or

b. When approved by Deputy Chief or higher, the Commander of the Special Operations Division, or the SWAT Commander.

or

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 40mm rounds containing OC or CS for use on the vehicle (P&P 5-307).

2. Method of use

In the above situations, 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 munition agents to an area to expose nearby **subjects** or for area denial.

c. Directed at a person when the chemical munitions are 40mm rounds containing OC or CS and intended for direct impact with a person, and when used in accordance with P&P 5-307.

d. As an obscurant (when containing smoke).

3. Consider risks and other means of control

Prior to using chemical munitions, members shall consider:

a. The risks to any person who may be 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**, members, or to the public.

c. Vulnerability of the **subject** (P&P 5-301).

D. Warnings and Announcements

1. Warning required

Prior to using a chemical munition, members shall provide oral warnings indicating that they intend to use chemical munitions unless the person submits to their authority, when it is feasible to do so (in accordance with P&P 5-301).

a. Members shall allow a reasonable amount of time for a person to comply with a warning, when feasible to do so.

- b. The warning shall only occur in situations that a member reasonably believes may result in the use of chemical munitions.

2. Announcements for impact projectiles

Any discharges from an impact projectile launcher shall follow requirements in P&P 5-307 regarding announcements, which are incorporated here for ease of reference:

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 [II-D-1] above:

- a. Members shall announce over the radio that an impact projectile launcher will be discharged, when time and tactics permit.
- b. Whenever feasible, members discharging an impact projectile 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 P&P 5-307).

E. Treatment and Medical Aid

1. In addition to standard medical treatment after uses of force (in accordance with P&P 5-301 and P&P 7-350), post exposure treatment for a person that has been exposed to the chemical munition 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).
 - Placing the person in an upright seated position, or if that is not feasible, in the side recovery position.
2. A person who has been exposed to a chemical munition agent shall not be left lying on their stomach once handcuffed or restrained.
3. Members shall keep a person exposed to the chemical munition agent under close observation until they are released to medical or other law enforcement personnel and shall watch for symptoms of a significant adverse reaction, which could include, but are not limited to blistering, burns, difficulty breathing, excessive pain, visual disturbance, or an altered mental state.
- a. If the person exhibits such symptoms after having flushed the affected areas, or the person indicates that they have a pre-existing condition (such as asthma, emphysema, bronchitis, or a heart ailment) that may be aggravated by the chemical munition agent, members shall arrange for immediate transportation to a hospital for medical treatment.

4. A member transferring custody of a person exposed shall inform the entity accepting custody that the person was exposed to a chemical munition agent.

F. 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.

[Moved from 5-502]

G. Canister Removal

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

[Moved from 5-502]

H. Documentation

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

I. Training Required

Only members who have completed the required training are authorized to use chemical munitions.

J. Specifications for Chemical Munitions

Members are only authorized to use chemical munitions that are issued by the Department. Members shall not modify or cause to be altered approved chemical munitions.

Impact projectile and impact projectile launcher specifications are described in P&P 5-307. Other chemical munitions are authorized by the Commander of the Special Operations Division.

III. Definitions

Area Denial: Preventing people from entering a room or similar area through the use of chemical munitions.

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.

Chemical Munition: Munitions designed to deliver chemical munition agents from a launcher or be propelled by hand. (P&P 5-313)

Chemical Munition Agent: The active chemical ingredient in the chemical munition, such as 2-chlorobenzalmalononitrile (CS), Oleoresin Capsicum (OC), Hexachloroethane (HC-smoke), or Saf-Smoke™. (P&P 5-313)

Impact Projectile: An object launched from a tool designed to incapacitate the **subjectperson** 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)

Use Weapons and Force Devices: Activating or applying **any of** a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a **subjectperson** 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 **subjectperson**, applying handcuffs or restraints, and making bodily contact with a **subjectperson** with a baton or other impact weapon.

5-314 Force Option- Flash Sound Distraction Devices (10/16/02) (08/16/07) **(08/23/25)(01/01/26)**

5-503 Diversionary/Distractive Devices

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 flash sound distraction devices (FSDDs), 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.

II. Policy

A. Prohibition on Use in Civil Disturbances and Assemblies

In accordance with P&P 7-805, FSDDs shall not be used for crowd control, crowd containment, or crowd dispersal.

B. Conditions for Use

FSDDs may only be used on a **subjectperson** in accordance with the requirements described below. In addition to the conditions in this policy, the use of FSDDs must be objectively reasonable, necessary, and proportional, and members shall use the lowest degree of force

necessary (P&P 5-301). When using FSDDs 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. Authorization and supervision

~~Diversionary/Distractive devices FSDDs will shall~~ only be distributed by and used under the authority of the SWAT ~~Commander or designee~~supervisor, who will make a decision about the use of such a device on a case--by--case basis. ~~Diversionary/distractive devices shall be MPD approved. The SWAT Commander or designee shall distribute and supervise the use of the devices.~~ Situations for use may include, but are not limited to:

[Moved from 5-503]

- Barricaded ~~subject~~person.
- Hostage situation.
- High-risk search warrants.
- When distraction of a violent ~~suspect~~person may be necessary to take the ~~suspect~~person into custody or safely control the situation.

2. Deployment considerations

- a. When FSDDs are used, the location of deployment shall be visually observed by the member making the deployment, to reasonably confirm that the deployment is not made directly at or directly next to a person.
- b. FSDDs shall not be deployed when members should reasonably know the following circumstances are present:
 - In an indoor environment when flammable liquids, explosive gases, or hazardous materials are nearby.
 - When there are infants or elderly people present.

C. Extinguisher Available

When ~~the device~~an FSDD ~~is will be~~ used, ~~one member on scene~~ members of the entry team shall ~~carry~~ensure a dry chemical extinguisher is available for use ~~(in the event of a fire).~~

[Moved from 5-503]

D. Treatment and Medical Aid

Members shall provide any necessary medical treatment in accordance with P&P 5-301 and P&P 7-350.

E. Documentation

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

F. Training Required

[Moved from 5-503]

1. Only ~~personnel trained~~ members who have completed the required training in the use of these devices shall deploy them.
2. Department approved training shall include the nomenclature, mechanical operation, and tactical deployment of ~~Diversionary/Distractive devices~~ FSDDs.
3. All members of SWAT shall also be trained by the Minneapolis Fire Department in the use of dry chemical fire extinguishers. Emphasis will be placed upon safety considerations and ~~/~~ measures to be utilized when using these tools.

G. Specifications for FSDDs

Members are only authorized to use FSDDs that are issued by the Department.

FSDDs shall be stored in accordance with federal regulations.

III. Definitions

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.

Flash Sound Distraction Device (FSDD): A device (also called a "flash-bang" device) that deflagrates and produces a loud bang with a brilliant light that is intended to cause confusion and distraction to provide a tactical team with a few seconds of advantage. (P&P 5-314)

Use Weapons and Force Devices: Activating or applying ~~any of~~ a weapon's or force device's mechanical functions, pointing a weapon, or making contact with a ~~subject~~ 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 ~~subject~~ person, applying handcuffs or restraints, and making bodily contact with a ~~subject~~ person with a baton or other impact weapon.