

MISSOULA POLICE DEPARTMENT POLICY MANUAL



Subject: USE OF FORCE - IMPACT WEAPONS		
Effective Date: 3/15/2021	Original Date: 3/15/2021	Next Review: 3/15/2022
Chapter 7	Policy # 7.50	Distribution:
References: <i>Graham v. Conner, MCA 45-3-102, MCA45-3-105, MCA 45-3-106, MCA 45-3-108, MCA 45-7-301, MCA 46-5-401, MCA 46-6-104, MPD Use Of Force Policy 7.10</i>		

I. Purpose

The purpose of this policy is to provide law enforcement officers of this agency with guidelines for the use of hand-held impact weapons including fixed and expandable batons.

II. Policy

Missoula Police Officers are permitted to carry impact weapons including fixed and expandable batons as an intermediate use of force option. Only Department issued or authorized fixed and expandable batons are authorized to be carried on duty. "Saps," "blackjacks," "billyclubs," and other such devices are expressly prohibited by this policy. Officers will be trained and certified to use Department-approved impact weapons before being authorized to carry these weapons.

III. Procedures

- A. Use of an impact weapon to strike or otherwise bring about compliance or effect arrest of a person is considered a use of force and shall be employed in a manner consistent with the Missoula Police Department policy on Use of Force.
- B. A verbal warning should be given before an impact weapon is employed unless it is impractical, unreasonable, or dangerous to do so.
- C. Officers shall not use impact weapons on subjects who are restrained and under control, or complying with police direction.
- D. Officers shall not intentionally target the head, throat, neck, spine, genitals, or kidneys with any impact weapon, unless deadly force is justified.
- E. Officers shall not use improvised impact weapons, except in exigent circumstances.
 1. The use of improvised impact weapons, such as flashlights, may present a greater risk of injury than authorized impact weapons.
 2. The failure to carry an authorized impact weapon, in and of itself, does not justify the use of an improvised impact weapon. Routine reliance on improvised impact weapons is prohibited.

F. Officers must justify each separate impact weapon application in their Use-of-Force report

1. Once the suspect is compliant, the use of an impact weapon is no longer justified.

G. Specific impact weapon techniques and preferred targeting areas will be determined through Department authorized training.

IV. Equipment

A. Only Department issued impact weapons are authorized to be carried on duty.

B. Issued expandable impact weapons shall be ASP or Peacekeeper brand, 24-29" in length, unmodified aside from OEM replacement tail caps.

C. The department may issue/authorize other impact weapons depending on operational requirements.

D. Batons shall be carried in department authorized baton holders or pouches.

V. Subject Post Care

A. Immediately after employing an impact weapon and the suspect is no longer a threat, officers shall be alert to any possible injuries that require medical attention. Injuries that can occur with the application of impact weapons include, but are not limited to abrasions, bruising, broken bones, or tendon or ligament damage. Strikes to head, throat, neck, spine, genitals, or kidneys can result in more serious injuries and if delivered, shall result in mandatory medical clearance prior to booking.

B. If an injury appears to require medical attention, that medical attention shall be summoned immediately from trained medical personnel. Officers at the scene shall provide any first aid that the officers are qualified to provide

VI. Reporting Procedures

When an officer uses an impact weapon in the line of duty, the incident shall be documented in the manner, which is consistent with the Department's overall Use of Force policy, before leaving shift and the report will be forwarded to the division captain.