



## Cover Memorandum

### Authorized Defensive Weapons, JHPD Directive #403

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#### **Purpose of the Directive**

This Directive establishes procedures for the approval, issuance, use and care of the Johns Hopkins Police Department (JHPD) authorized firearms, Oleoresin Capsicum (OC) or “pepper spray” and collapsible baton.

#### **Summary of Directive Requirements**

The Directive requires that the use of authorized firearms, OC and collapsible baton should be strictly in accordance with JHPD Directive #401, De-escalation and #402 Use of Force.

This Directive requires that all JHPD officers, before being issued or authorized to carry any firearm, must complete all required training, and demonstrate proficiency in the use of the firearm. In addition, it requires that all officers are responsible for the safety and security of any firearm issued or authorized by the JHPD. The Directive requires that on a semi-annual basis all officers must demonstrate knowledge and qualifying proficiency with any issued less lethal weapon and receive training and be tested on the requirements of JHPD Directive #401, De-escalation and #402 Use of Force. All officers must score a 100% on all training regarding the requirements of JHPD Directive #401, De-escalation and #402 Use of Force.

In addition, the Directive mandates the models of firearms that JHPD officers are authorized to carry and establishes rules for off duty carrying of lethal weapons, including a prohibition on carrying a firearm after consuming any alcohol and prohibiting secondary employment as a police officer.

As for OC and collapsible baton, this Directive requires that those weapons be inspected and approved for use prior to their issuance to JHPD officers. In addition, the Directive requires that warnings be given, when possible, prior to the use of any defensive weapon.

Importantly, this Directive generally prohibits the use of OC and collapsible baton against any individual who is already under physical control, handcuffed or otherwise restrained, engaged in a passive civil demonstration or is only passively resistant or aggressive.

Finally, it provides specific guidance regarding the unintended consequences of the use of OC and collapsible baton, such as the potential of serious harm caused by a strike with a collapsible baton to a vulnerable area of the body, or the potential spread of OC.

The Directive mandates annual training and certification on OC and collapsible baton.

The Directive mandates that inspections will be conducted by an instructor certified in the instruction of the weapon being inspected and, the inspector's findings will be documented.

### **Blueprint for the Policy Development Process**

The draft JHPD policies (hereinafter referred to as "directives") shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD's draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall's Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

- a. **Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;
- b. **National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts's "Racially Just Policing: Model Policies for Colleges and Universities"; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.
- c. **National and local higher education institutions that are based in comparable environments and make policies publicly available**, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing

safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



**POLICE DEPARTMENT**

**AUTHORIZED  
DEFENSIVE WEAPONS**

**OPERATIONAL  
PROCEDURE #403**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
Dr. Branville G. Bard, Jr.  
Issued: [full date]  
Revised: [full date]

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**Policy Statement**

The sanctity of human life is paramount. Johns Hopkins recognizes and respects the value of all human life and views the preservation and improvement of human life as central to its mission. It is therefore the policy of the Johns Hopkins Police Department (JHPD) that officers seek to avoid any use of force by applying de-escalation strategies. When de-escalation is not possible, officers may only use the least amount of force that is reasonable, necessary, and proportional to control an incident, effect an arrest, or protect themselves or others from harm or death. In addition, it is the policy of the JHPD to only issue firearms and less-lethal defensive weapons to its officers who have been thoroughly trained on the JHPD’s policies on de-escalation and use of force and qualified in the proper care and use of those weapons to ensure officers are equipped with the effective tools to protect and provide for the defense of life.

**Who is Governed by this Policy**

All sworn police officers, as defined by MD Code, Public Safety, § 3-201 in service with the JHPD are governed by this Directive.

## Purpose

To establish procedures for the approval, issuance, and care of authorized firearms and defensive weapons.

## Definitions

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<b>Active Aggression:</b>	Active Aggression is when a person presents an Imminent Threat of physical harm to the officer or another person based on the Totality of the Circumstances. Examples include violent attacks or attempts to attack an officer or another person, with hand strikes, kicks, or attempted strikes or kicks with hands, fists, the head, elbows, knees, or an instrument. Even when confronted with Active Aggression, the officer is required to make every reasonable effort to de-escalate and to continuously assess their use of force.
<b>Aggravated Aggression:</b>	Aggravated Aggression is when a person presents an Imminent Threat of death or serious physical-injury to the officer, or to another person based on the Totality of the Circumstances. Aggravated Aggression represents the least encountered but most serious threat towards an officer or other person. Even when confronted with Aggravated Aggression, the officer is required to make every reasonable effort to de-escalate and to continuously assess the officer's use of force.
<b>Firearm:</b>	An issued/authorized handgun or patrol rifle to be utilized in accordance with applicable JHPD written directives and training.
<b>Expandable Baton:</b>	An issued/authorized Monadnock Autolock Expandable metal Baton is an impact weapon to be utilized in accordance with applicable JHPD written directives and training.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
<b>O.C. – Oleoresin Capsicum (Pepper Spray/Gel)</b>	O.C. Spray is a less-lethal alternative that is an effective tool used to gain compliance. Its use qualifies as a use of force, and members shall only use O.C. Spray consistent with training and certification.
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD
<b>Passive Resistance:</b>	Passive Resistance is when a non-assaultive person fails to comply with the officer's commands without attempting to flee. Passive Resistance may include, but not be limited to, going limp, standing stationary and not moving based upon lawful direction, and/or verbally signaling an intention to avoid or prevent being taken into custody.

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## Policy

JHPD recognizes and respects the value of all human life and views its preservation as central to our mission. Inasmuch, JHPD equips officers with firearms and less lethal defense weapons as a measure of protection for themselves and others against serious injury or death during the performance of official responsibilities. Personnel authorized to carry defensive weapons will be provided with professional training in their use to ensure that proficiency is acquired and maintained. Officers are considered available for duty at all times. When on-duty, all officers shall be armed with an agency-issued firearm and carry their badge and credentials unless otherwise directed. While armed off-duty, officers will carry their badge and credentials. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 1.2.2).

## Procedures

### I. Approval of Firearms

Before being authorized and/or issued for use, all firearms must be inspected and approved by the agency Training Supervisor, certified firearms instructor, and certified armorer in accordance with the standards of the Baltimore Criminal Justice Training Council. (CALEA 1.3.9.c)

### II. Authorized Firearms (CALEA 1.2.1, 1.3.9.a, 1.3.10, 41.3.4)

Before being issued or authorized to carry any firearm, officers must complete all required training and demonstrate proficiency in the use of the firearm. Officers are responsible for the safety and security of any firearm issued or authorized by the JHPD. Only the following firearms are authorized for on and off duty carry or use:

#### A. **Glock Semi-Automatic Pistol**

- Glock Model 45, 9mm semi-automatic pistol,
- Glock Model 19, 9mm semi-automatic pistol,
- Glock Model 26, 9mm semi-automatic pistol.
  - o Magazines will be standard factory issued and specific to that particular firearm.
- Prior to issue, the armorer will install or cause to be installed: a Glock extended slide stop, the interchangeable back strap which best fits the officer's hand, and when needed, reverse the magazine catch for a left-handed shooter.
- While on duty, uniformed officers assigned to or actively engaged in patrol responsibilities will carry a minimum of two (2) fully loaded spare magazines in addition to the one (1) fully loaded magazine in the handgun.
- Non-uniformed police officers or administrators will carry at least one (1) spare magazine in addition to the one (1) in the handgun.

- Uniformed officers assigned to full-time patrol responsibilities will carry their pistol with the issued Surefire X300 series weapon light attached.

#### **B. Off-Duty Carry of Department Firearms**

- Officers are authorized to carry their issued firearm while off-duty but are not required to do so unless they are in uniform or operating a JHPD vehicle.
- When carrying their issued firearms, they shall comply with all restrictions regarding the carrying in certain locations, including on the Johns Hopkins campus.
- No officer may wear, carry, or use a firearm while their ability to use the firearm is impaired for any reason or after having consumed any amount of alcohol, controlled dangerous substances, or if they are suffering from any condition that inhibits their physical or mental faculties.
  - o Firearms will be carried in an approved, properly fitting holster designed to carry that particular firearm.
  - o Unless the officer is in uniform, all firearms carried while off-duty must be concealed from public view when not in use.
- Officers are not permitted to engage in extra-duty employment as a police officer or secondary/ off duty employment of any other kind where the carry or use of a firearm or status as a police officer is a condition of employment. See JHPD Directive #313, Secondary Employment for additional guidance.
- The JHPD does not train, qualify, or authorize police officers to wear or carry any handgun other than a JHPD-issued duty weapon while off-duty.

#### **D. Patrol Rifle Program**

Deployment and use of the Patrol Rifle is covered in JHPD Directive #404, Patrol Rifle.

### **III. Ammunition** (CALEA 1.3.9.b)

Use of reloaded or confiscated ammunition is prohibited. Only the following issued or authorized factory ammunition is approved for use:

- A.** 124-147 grain Jacketed Hollow Point 9mm ammunition is authorized for issued handguns.
- B.** 62 grain or heavier, bonded 5.56mm ammunition is authorized for Patrol Rifles.

- C. No specialty ammunition, to include but not limited to armor piercing, exploding, incendiary, or re-loaded ammunition will be utilized in any JHPD-issued firearm.
- D. When the procurement of authorized duty ammunition is adversely affected by market availability, the agency firearms instructor, upon approval of the Chief of Police, may authorize the purchase and use of an ammunition other than that specified herein.

#### IV. **Holsters** (CALEA 41.3.4)

Only issued or authorized holsters are permitted for on-duty or off-duty.

- A. **On-Duty** – Uniformed Officers will use only the issued duty holster (Safariland #6360) or administrative holster (Safariland #6377) while on-duty or assigned to an extra duty detail.
  - Officers in plainclothes assignments may wear either the issued administrative holster (Safariland #6377) or a personally owned holster that is approved for use in that assignment by an agency firearms instructor and Deputy Chief.
    - o Holsters must have some form of positive retention device (i.e., Safariland ALS system or thumb snap) unless worn fully concealed.
    - o All holsters must hold the firearm with sufficient tension to ensure retention of the firearm within the holster when inverted.
- B. **Off-Duty** – While off-duty, officers shall carry firearms in a properly fitting holster designed to securely carry that particular firearm. The holster must have a covered trigger guard and be adequately concealable from public view. The Training Supervisor will maintain a list of authorized holsters.
  - If the firearm is carried in a purse or bag, the item must have a dedicated pocket designed specifically to carry the firearm.
  - Officers may request to have a particular holster added to the authorized list, provided that it meets the above criteria. The holster must be presented to and inspected by the Firearms Instructor before being authorized by a Deputy Chief or Chief of Police.
- C. **Prohibited Holsters** – Any holster that requires the trigger finger to actuate release of the firearm (such as the Blackhawk Serpa) are prohibited from use while on or off-duty.

#### V. **Officer Responsibilities**

- A. Issued firearms are for law enforcement purposes and other related activities such



as off-duty carry, range practice, and approved professional firearms training and qualification.

- B.** The use of any firearm shall be strictly in accordance with JHPD Directive #401, De-escalation and #402 Use of Force.
- C.** Issued firearms are not authorized for hunting, competitions, or any other activity.
- D.** All issued firearms shall be maintained in good working condition, clean and free of rust.
- E.** Firearms must be cleaned after each use and lubricated in accordance with the manufacturer's instructions.
- F.** All officers will only be armed with the issued handgun.
- G.** Officers are prohibited from making any modifications, repairs, or adding any accessories to any authorized issued firearm.
  - No person, other than a JHPD armorer, is authorized to repair agency-issued firearms. When an issued firearm needs repair, the officer must take their assigned firearm to the armorer. If the firearm cannot be repaired immediately, it must be replaced with an identical firearm. (CALEA 1.3.9.c)
- H.** When not in use, officers shall store issued firearms and ammunition in a safe and secure manner to prevent unauthorized access. Acceptable locations in the JHPD facility include locked cabinets, lockers, or the armory. Patrol Rifles stored in vehicles will be secured in racks, lock boxes, or cased in vehicle trunks. (CALEA 1.3.9.f)
- I.** Officers shall not store or leave JHPD-issued firearms and weapons unattended in a privately-owned vehicle, at any time.
- J. **Lost or Stolen Firearms & Weapons**** - All lost or stolen firearms, including personal and JHPD-owned/ issued, will be reported immediately to the law enforcement agency having investigative jurisdiction at that location by the officer to whom those weapons are assigned or has ownership.
  - The officer will also report this incident immediately to the on-duty supervisor, who will notify the Chief of Police through the chain of command.
  - The officer will be held accountable, to include any financial loss of JHPD-owned property in conformance with JHPD Directive #350, Complaints Against Police Personnel if the investigation determines neglect or any dereliction of duty by the officer.

## **VI. Firearms Training** (CALEA 1.3.10, 1.3.12)

Prior to being issued or authorized to carry any firearm, officers must complete all required training and demonstrate a minimum proficiency score on the Maryland Police Training Commission (MPTC) qualification course in the use of any firearm or defensive weapon.

- A.** In addition, officers must have received initial training on JHPD Directive #401, De-escalation and #402 Use of Force. The receipt of these directives and training must be documented in accordance with JHPD Directive #202, Written Directive System.
- B.** Annually, in-service training shall include training on JHPD Directive #401, De-escalation and #402 Use of Force, and officers shall demonstrate knowledge and qualifying proficiency with any issued or authorized lethal firearm.
- C.** On a semi-annual basis, all officers must demonstrate knowledge and qualifying proficiency with any issued less lethal weapon and receive training and be tested on the requirements of JHPD Directive #401, De-escalation and #402 Use of Force. (CALEA 1.3.11.a, 33.5.1)
  - All officers must score a 100% on all training regarding the requirements of JHPD Directive #401, De-escalation and #402 Use of Force.
  - Any officer who does not score a 100% will receive immediate remedial training with an instructor, after which they will be retested. If an officer does not receive 100% after re-instruction, the instructor shall retain the agency-issued firearm and immediately submit a report to the Training Supervisor.
  - The Training Supervisor will develop a remedial training plan for the officer, which will be forwarded to the Deputy Chief. The officer will not be allowed to resume enforcement duties until successful scores are achieved. If successful scores cannot be reached, the officer will be referred to the Public Safety Accountability Unit (PSAU) for potential disciplinary sanctions.
- D.** Only instructors certified by and in good standing with the MPTC as firearms instructors will conduct training for each issued and authorized firearm and will administer approved qualification proficiency tests. (CALEA 1.3.11.a)
- E.** Following the participation in the training for each authorized firearm, a record of attendance and qualification must be documented and maintained by the Training Supervisor to include the type of training, make of firearm, identifying model, and caliber. (CALEA 1.3.9.e, 1.3.11.b, 33.1.6)
  - The record will include the instructor, the date of the approval, the course fired, the officer's score, and whether the officer passed or failed.

- Officers who miss annual qualifications with any firearm due to non-duty status must qualify immediately upon returning to full duty.

**F.** If an officer is unable to pass the MPTC qualification course with any issued authorized firearm (Handgun, Shotgun, or Rifle), they shall receive remedial one-on-one training, and the officer will be allowed to attempt the qualification course a second time. (CALEA 1.3.11.c)

- If the officer is unable to successfully qualify on the second attempt, the firearms instructor will provide brief remedial instruction in the area of deficiency before permitting the officer to attempt the qualification course a third time.
- Should the officer fail to qualify on the third attempt, the firearms instructor shall retain the agency-issued firearm and immediately submit a report to the Training Supervisor. The Training Supervisor will develop a remedial training plan for the officer, which will be forwarded to the Deputy Chief. The officer will not be allowed to resume enforcement duties until successful qualification scores are achieved.
- All remedial trainings and attempts shall occur on the same day.
- The Deputy Chief shall:
  - Reassign the officer to non-enforcement duty in civilian attire;
  - Suspend (with pay) the officer's law enforcement powers;
  - Notify the Chief of Police.
- The Training Supervisor will schedule the officer for remedial firearms training and retesting, to be conducted within five (5) working days of the employee's last testing date.
  - The Training Supervisor shall prohibit the officer from wearing or utilizing that firearm for which they failed to qualify;
  - The officer will be permitted to use the firearm for remedial training, but **only** while under the supervision of a firearm instructor;
  - At the conclusion of this remedial training, the officer will be given the approved qualification proficiency test.
- If the officer passes the approved qualification proficiency test following remedial training, no further training will be required for that period.
- If the officer fails to qualify following remedial training, the Training Supervisor will provide a written recommendation to the Chief of Police, that based upon their observations of the officer at the remedial training session:
  - The officer should receive additional remedial training dates due to

demonstrated improvement; or

- The officer is not able to meet the required standards for certification by the MPTC.

**G.** An officer's failure to qualify and/or poor performance with any issued or authorized firearm will be documented by the firearm instructor who will maintain the original report and forward copies to the Training Supervisor, the officer's immediate supervisor, and the Deputy Chief.

- Once the officer successfully completes the remedial training, the firearm instructor will indicate the results on the original report and immediately forward the original report to the Training Supervisor.
- The Training Supervisor will forward the original report to the Deputy Chief for placement in the officer's training file and notify the officer's supervisor to take the appropriate action concerning the officer.
- At minimum, a copy of the report will be forwarded to the officer's supervisor for placement in the officer's Supervisory File for Performance evaluation, coaching, and goal setting.

**H.** The Armorer shall maintain a record on each firearm authorized for use to include the type, description, identifying model, and serial number of each firearm, as well as the identity of the officer assigned. (CALEA 1.3.9.e)

## **VII. Inspection of Firearms** (CALEA 1.3.9.c.d)

The agency armorer shall conduct an annual inspection of all issued firearms to ensure proper function and serviceability just prior to the officer's annual firearms training and qualification. This inspection will include a detail strip, function check, and examination to detect unauthorized modifications. This inspection must be documented on the applicable inspection form. The armorer must remove any unsafe firearm from service until repairs can be made.

- At the start of each shift, officers shall inspect their issued pistol to ensure that a round is chambered, the magazine is fully seated, and the weapon light produces sufficient illumination.
- Supervisors may, at their discretion, inspect firearms, pursuant to proper inspection procedures, to determine condition and compliance with standards. Supervisors are responsible for ensuring that any deficiencies are reported to the armorer and corrected through re-inspection of the firearm.

## **VIII. Less Lethal Defensive Weapons**

All less lethal defensive weapons, O.C. Spray and Expandable Baton, will be inspected and approved for use prior to their issuance to officers. Initial inspections will be

conducted by an instructor certified in the instruction of the weapon being inspected and the inspector's findings will be documented.

- A. The use of any less lethal defensive weapon shall be strictly in accordance with JHPD Directive #401, De-escalation and #402, Use of Force. Any weapon deemed to be non-operational or unsafe will not be issued and instead returned to the manufacturer or authorized vendor for repair or replacement.
- B. All officers are strictly prohibited from carrying and/or using any weapons not authorized and issued by JHPD.
- C. **Initial Training** - Personnel who are authorized to carry any less lethal weapon will successfully complete all required training with that weapon, demonstrate proficiency prior to carry or use, and be certified to carry.
  - In addition, officers must have received and become familiar with JHPD Directive #401, De-escalation and #402, Use of Force.
  - Receipt of these directives must be documented in accordance with JHPD Directive #202, Written Directive System.
- D. Both initial and refresher training will include observed performance evaluations, written examinations, and a documented annual training and testing on JHPD Directive #401, De-escalation and #402, Use of Force.
- E. **Recertification Training** - Continuing training will occur annually. Officers who fail to successfully complete refresher training on any defensive weapon will be restricted from carrying the weapon until successful re-training occurs.
  - Proficiency, as observed by a certified weapons instructor, must be demonstrated at least annually.
- F. **Records** – Following the participation in training for each authorized weapon, a record of attendance and proficiency scores will be documented and maintained by the Training Division to include the type of training, instructor, the type of weapon, and course approval.
- G. Officers who fail to successfully complete refresher training and demonstrate proficiency on any defensive weapon will be restricted from carrying the weapon until successful re-training occurs.
- H. **Conducted Electrical Weapon (CEW)**  
Deployment and use of the CEW is covered in JHPD Directive #405, Conducted Electrical Weapon (CEW).

## H. **Special Impact Weapon**

Deployment and use of the Special Impact Weapon is covered in JHPD Directive #406, Special Impact Weapon.

## IX. **O.C. – Oleoresin Capsicum (Pepper Spray/Gel)**

- A. Oleoresin Capsicum (O.C.) is an effective restraint that, when used in a manner consistent with training, can reduce injuries to the subject and the officer. O.C. is authorized for use by JHPD officers to defend members of the public, themselves, or other officers. Each application of O.C. Spray constitutes a discrete use of force and may only be used when reasonable, necessary, and proportional under the circumstances. Any use of force must be preceded by an analysis, to the greatest extent possible, that applies the principles of the sanctity of life, critical thinking and decision-making, and de-escalation. The use of O.C. shall be strictly in accordance with JHPD Directive #401, De-Escalation and #402 Use of Force.
- B. **Specifications:** O.C. is an organically based, less lethal aerosol/gel designed to neutralize aggression and incapacitate an attacker that may be used as a protective force option in accordance with JHPD Directive #402, Use of Force. The JHPD issues MK-III canisters.
- C. **Effects:** O.C. causes a burning sensation that temporarily irritates the skin, eyes, and respiratory system. While effective against the majority of people, officers deploying O.C. must be prepared to use other force options if the O.C. fails or the person is not otherwise affected.
- D. **Officer Responsibility:** Officers shall only carry and use the issued and approved O.C. dispersal system. Before dispersing O.C., officers shall consider their location, whether outdoors, indoors with recirculating air/ventilation systems, and/or in the presence of vulnerable persons who may be unintentionally exposed.
- Whenever practical and reasonable, officers should issue a verbal warning prior to using the O.C. on a person.
  - When possible, officers should be upwind and between three (3) to ten feet (10) from the suspect when deploying O.C. and avoid entering the spray area immediately following use.
  - O.C. is an irritant to many animals. Care must be exercised when police mounted units, canine units, or service animals are present.
  - Officers will not disperse O.C. in a hospital or patient care setting unless the individual is about to commit, or is committing, a serious assault and other efforts to de-escalate or control the individual have failed or are not otherwise practical.
    - o When possible, advise nearby hospital or clinical staff of the intent to deploy O.C.

- As required by JHPD Directive #401, De-escalation and #402, Use of Force, when feasible, officers shall provide a warning and allow a reasonable amount of time for the person to comply with the warning, prior to using O.C. against a person.
  - O.C. Spray **shall not** be used against any individual who is already under physical control, is handcuffed or otherwise restrained, or who engaged in a passive civil demonstration or is only passively resistant or aggressive.
    - o Note: Officers are advised that they should use caution when deploying O.C. Spray, especially in windy conditions as it can hit people other than intended targets, including other officers.
- E.** When any amount of O.C. is dispersed from the issued container, including malfunctions and unintentional discharges, the officer will notify the on-duty supervisor and arrangements will be made to obtain a replacement from Logistics.
- Each deployment of O.C., except for authorized training, will require completion of an Incident Report and the Use-of-Force Report and the Use-of-Force Report in conformance with JHPD Directives #402, Use of Force and #407, Use of Force, Review, Assessment, and Investigation.
  - Unexplained depletions, unintentional dispersal, or malfunctions of any O.C. canister causing a discharge shall require an intradepartmental memorandum prepared by the on-duty supervisor and forwarded through the chain of command to the Vice President for Public Safety, with a copy to the Director of Training.
- F. Decontamination:** Officers deploying O.C. on any person will bring restrained persons under control to be seated in an upright position, monitoring the person's breathing, and provide first aid as soon as it is practical and safe to do so. Additional treatment may consist of:
- Fresh air
  - Cool water, if available
  - Patting of the affected area(s) with paper towel(s)
  - Assistance with decontamination from Emergency Medical Services and/or Emergency Department personnel
    - o Officers shall not place a person face-down in restraints as it may cause Positional Asphyxia. Placing a person on their back can also cause radial nerve damage to the wrist and forearm area.
- G. Storage:** Officers will not store O.C. products in a vehicle when temperatures may exceed 110 Degrees Fahrenheit. O.C. canisters may explode due to pressure from extreme temperatures.

- H. **Expiration:** Officers shall adhere to the expiration date stamped on the O.C. container and report its expiration to Logistics.

## X. **Expandable Baton**

- A. The JHPD issues the Monadnock Expandable Baton impact weapon. The use of an Expandable Baton shall be strictly in accordance with JHPD Directive #401, De-escalation and #402 Use of Force.
- B. **Authorized:** The Expandable Baton is a less lethal instrument that may only be used as a measure of force in accordance with JHPD Directive #401, De-escalation, #402 Use of Force, and departmental training.
- Only the issued baton is authorized for carry and use by officers who have successfully completed initial training and certification. The Expandable Baton may not be modified from its original configuration.
    - When authorized, the baton is carried on the duty belt in the issued Monadnock polycarbonate scabbard.
  - As required by JHPD Directive #401, De-escalation and #402, Use of Force, when feasible, officers shall provide a warning and allow a reasonable amount of time for the person to comply with the warning, prior to striking the person with a Baton.
- C. **Prohibited:**
- No baton strikes may be directed at the head or neck of a person unless there is an imminent threat of death or Serious Bodily Injury to the officer or other persons. Such strikes are considered deadly/lethal force.
  - NOTE: Officers should avoid targeting other vulnerable parts of the body such as the chest, spine, groin, or kidneys. Strikes to these parts of the body could cause serious injury and could be considered deadly force, pursuant to JHPD Directive #402, Use of Force.
  - Use of the Expandable Baton to perform choke holds, vascular control holds, and other restraints to the head or neck area are expressly prohibited.
  - Baton strikes **shall not** be used against any individual who is passively resistant or aggressive, or against any restrained person, even if they are noncompliant, unless they pose an imminent threat of serious bodily harm to officers or others.
    - Note: Officers shall not use other hard objects (flashlights or other improvised weapons) to strike individuals.



- D. Maintenance:** The officer who is issued a baton is responsible for the care of the weapon. Proper maintenance will include:
- Examining the expandable baton for damage by personal inspection at least once per month, after the baton becomes wet, and after each use. Officers will:
    - o Ensure the end cap is tightly screwed onto the handle,
    - o Check each section of the baton for any loose parts or fractures, and
    - o Clean the baton with a dry, soft cloth – no lubricants or oil should be used on the shaft of the baton.
- E.** Damage or other problems with the baton noted during inspection shall be brought to the attention of Logistics or Training personnel, who will arrange for the baton's removal, replacement, and/or repair.
- F.** The Logistics Section shall maintain a record of the issued date of each expandable baton, any maintenance completed, and the officer to whom each is assigned, or the location if the expandable baton is placed in storage.
- G. Officer Responsibility:** Any use of force involving the baton will require notification of the on-duty supervisor as soon as is practical. The officer will provide first aid for any injury incurred, and Emergency Medical Services and/or Emergency Department personnel will be requested to assist.
- The officer will complete the Incident Report and the Use-of-Force Report in conformance with JHPD Directives #402, Use of Force and #407, Use of Force, Review, Assessment, and Investigation.

## **XI. Advisement**

- A. Securing Weapons Required** - During administrative, preventative, and any other non-emergency visit into any secure behavioral health treatment area, Johns Hopkins Public Safety personnel and any law enforcement officer with non-emergency business will secure **all** weapons in their possession using a weapons locker before entering the secure area.
- Nothing shall prohibit allied law enforcement officers from securing their weapons in an agency vehicle if that agency's policy permits such measures.
  - This section does not apply to JHPD and other Public Safety personnel responding to an in-progress emergency where an individual is about to commit or is committing a serious assault or, while taking any other action to confront an immediate threat to the life of others within the secure area.

- B. Intentional misuse of issued firearms and less lethal, defensive weapons, including but not limited to brutality, retaliation, or the unreasonable use of force, is prohibited. This is grounds for disciplinary action, up to and including termination, possible criminal prosecution, and/or civil liability.

## **XII. Reclamation of Issued Firearms and Defensive Weapons**

- A. An on-duty supervisor will reclaim JHPD-owned firearm, Defensive Weapons, and Conducted Energy Weapons (CEW) from their officers under the following circumstances:
  - Upon orders of the Chief of Police/Vice President for Public Safety;
  - An officer’s suspension;
  - An officer’s failure to complete annual training and qualification requirements established by the MPTC;
  - When an officer is served with a Protection from Abuse Order.
    - An officer who is served with any Abuse Protection Order or other judicial order requiring the surrender of a firearm shall comply with the provisions of the order and make immediate notification to the on-duty supervisor, who shall notify the Chief of Police through the Chain of Command.
  - Termination of an officer’s employment;
  - As determined by an Internal Investigation, and/or
  - A leave of absence or other temporary separation from the JHPD.
- B. JHPD-issued firearms and defensive weapons recovered from an officer will be submitted to an armorer or firearms instructor for secure storage within the JHPD Armory.

### **Policy Enforcement**

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this directive should be reported to the Professional Standards Unit.

## Related Resources

<b>University Policies and Documents</b>
Administrative Procedure #202, Written Directive System Personnel Procedure #350, Complaints Against Police Personnel Operational Procedure #401, De-escalation Operational Procedure #402, Use of Force Operational Procedure #407, Use of Force Review, Assessment & Investigation
<b>External Documentation</b>
<b>Police Department Forms and Systems</b>

## Contacts

<b>Subject Matter</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>E-mail/Web Address</b>
Policy Clarification and Interpretation			