



Cover Memorandum

Special Impact Weapon, JHPD Directive #406

Purpose of the Directive

The purpose of this Directive is to establish guidelines for the issuance, maintenance, safekeeping, deployment and training for a limited number of Johns Hopkins Police Department (JHPD) officers in the use of the special impact weapon system (SIW).

Summary of Directive Requirements

The SIW is meant only for single subject engagement in high-risk of physical harm or death situations, where de-escalation or intervention by the officer or Behavioral Health Crisis Support Team (BHCST) has failed, or is not feasible, and the person is contained to an area where their flight is limited, and they are posing an imminent threat of physical harm to themselves or others. The SIW may only be used in specific situations where officers, from a safe and extended distance, and using a less than lethal force option, are attempting to prevent a person that poses an imminent threat of bodily harm to themselves or others from effectuating that harm.

The SIW is a less-lethal impact munition system consisting of two parts, the 40 MM single shot launcher, and the munition. The SIW is dedicated solely to the use of the 40 MM exact or direct impact sponge type projectile, which is designed to disorient or incapacitate, but not permanently injure, the person struck.

The SIW may only be used when an officer would conclude that its use is reasonable, necessary, and proportional to eliminate or mitigate an imminent threat of bodily harm or death posed by the person to themselves or others under the totality of circumstances. See JHPD Directive #402, Use of Force. Such situations may include: a person who is armed with a deadly weapon and poses an imminent threat of bodily injury to themselves (attempting or threatening suicide) or others.

In any situation where the SIW use might be authorized, the BHCST will be immediately dispatched to the scene and if possible, should handle communications with the person prior to deployment of force.

Importantly, the use of the SIW is prohibited in any response to assemblies or demonstrations, or other acts of expression protected by the First Amendment.

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
SPECIAL IMPACT
WEAPON

OPERATIONAL
PROCEDURE #406

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. Further, each officer has a duty to intervene to prevent the use of unreasonable or excessive force by other officers of the public safety team toward any person, render aid to those injured, and report misconduct.

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

The purpose of this Directive is to establish guidelines for the issuance, maintenance, safekeeping, training associated with, and use of the JHPD special impact weapon (SIW). While officers must at all times comply with the minimum legal requirements governing the use of force, they must also comply with even stricter standards set forth by this Directive.

Definitions

Cover Officer:	For purposes of this directive, a cover officer is a designated officer who is engaged in a lethal threat encounter and ready to deploy a force option that is designed to cause serious physical harm or death should a less lethal option be ineffective. This may include the display or use of a firearm, patrol rifle, or any other approved tool that is likely to cause serious physical harm or death to a subject if used by the officer.
Member:	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.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Specialty Impact Weapon Munitions:	Projectiles that are intended to incapacitate a subject with a reduced potential for causing death or serious physical injury, when compared to conventional projectiles. The SIW projectile for the 40 MM Tactical Single Shot Less Lethal Launcher is known as the "Exact Impact" or "Direct Impact". The Exact/ Direct Impact munition is a sponge round, lightweight, high-speed projectile consisting of a plastic body and sponge nose that spin stabilizes via the incorporated rifling collar and the 40 MM launcher's barrel.
Sling:	A strap, usually of leather or sturdy webbing, fitted to the fore and aft (usually) of the SIW as an aid when carrying the weapon over the shoulder or holding the SIW steadily while aiming.
Team Response Concept:	When the Less Lethal Force Philosophy is considered by an officer as a reasonable response to a subject exhibiting lethal threat behavior(s), it is imperative that officers do not put themselves, or others, in an exposed dangerous situation. Officers shall take reasonable and prudent precautions designed to prevent the subject from causing serious physical harm or death to the officer(s) utilizing less lethal tools, other officers in the area, or any other persons. An officer deploying a non-lethal tool while attempting to control a lethal threat subject shall confirm one or more officers are present and ready with an appropriate lethal force response before deploying and/or using any less lethal tool. This "team" response is a necessary precaution to protect the lives of officers and others on scene should the display/use of a less lethal tool be ineffective, circumstances within the encounter rapidly change and the threat of deadly force is needed, or immediate

action is required to stop an imminent threat of serious physical harm or death.

Policy

Proper de-escalation requires that officers use time, distance, and cover, along with proper communication skills to resolve situations without the use of force. When force is necessary reasonable and proportional, officers shall use the least amount of force possible to resolve an encounter and must have less-lethal use of force options. Therefore, the JHPD provides officers with specialized training and access to less than lethal munitions for use in specific situations where officers are attempting to control or diminish the capabilities of a person who poses an imminent threat of physical harm to themselves or others from a safe and extended distance, using a less than lethal force option. Only those officers who have been trained and demonstrated proficiency in the use of the special impact weapon may deploy agency-issued SIWs. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 4.1.4).

Core Principles

- I. **Sanctity of Human Life.** Officers shall make every effort to preserve human life in all situations.
- II. **Value of All Persons.** All human beings have equal value and worth. officers shall respect and uphold the value and dignity of all persons at all times through actions that avoid causing unnecessary injury, pain, or harm.
- III. **Peaceful Resolutions.** Officers shall avoid the Use of Force unless it is not possible to do so.
- IV. **De-escalation.** Officers shall use De-escalation Techniques and tactics in conformance with JHPD Directive #401, De-escalation, to reduce any threat or gain compliance to lawful commands without the Use of Force or with the lowest level of force possible.
- V. **Avoiding Escalation.** Officers shall not do or say anything that escalates an encounter unless necessary to achieve a lawful purpose.
- VI. **Assessment.** Officers shall continuously assess each situation and change their response as the circumstances change. Officers may be justified in using force in one instance, but not justified in using force an instant later. This duty to assess includes the continuous assessment of circumstances before and after the officer uses force.
- VII **Reasonable, Necessary, and Proportional.** Officers shall use only the force that is reasonable, necessary, and proportional to respond to a threat or

resistance and safely resolve an incident, and will immediately reduce the level of force as the threat or resistance diminishes.

VIII. Retaliatory Force Prohibited. Officers are prohibited from using force against persons engaged in acts of expression protected by the First Amendment as described in JHPD Directive #486, Assemblies, Demonstrations, and Disruptions of Campus Activities, or to punish persons for fleeing or resisting arrest, assaulting an officer, or for any other reason.

IX. Duty to Intervene. Officers shall intervene to prevent abusive conduct or the use of retaliatory and excessive force by another officer in conformance with JHPD Directive #111, Duty to Intervene. (CALEA 1.2.10)

X. Duty to Provide Medical Assistance. After any Use of Force incident, officers shall immediately render aid to any injured person consistent with the officer's training and request medical assistance. If restrained, persons are not to be positioned facedown as it may cause positional asphyxia, and placing restrained persons on their back may lead to radial nerve damage to the wrists and forearms. Restrained persons are to be placed in a seated position or on their sides.

XI. Accountability. All officers shall be held accountable for any use of force that violates the law or JHPD Directives.

Procedures

I. Equipment

The Special Impact Weapon (SIW) is a Less-Lethal Impact Munition System consisting of two parts, the 40 MM Tactical Single Shot Launcher and the munition. The SIW is dedicated solely to the use of the 40 MM exact or direct impact sponge type projectile, which is designed to disorient or incapacitate, but not permanently injure, the person struck. The SIW includes: (CALEA 4.3.1.a.b)

A. **Launcher:**

- Deftec #1325/1327 or LMT #1425
- Single-shot, 40mm, SIWd bore
- Double/single action
- Rail for optics
- Aimpoint Red-dot sight mounted
- Orange colored stocks
- Two-Point Sling, attached
- Light

B. **Munition**

- Exact Impact/Direct Impact Munition
- Minimum stand-off distance: 5 feet (1.7 yards)
- Maximum effective range: 120 feet (40 yards)

II. General

Officers should consider use of the SIW only for single subject engagement in high-risk of physical harm or death situations, where de-escalation or intervention by the officer or Behavioral Health Crisis Support Team (BHCST) has failed or is not feasible, and the suspect is contained to an area where their flight is limited and poses an Imminent Threat of physical harm to themselves or others.

- A.** The SIW may only be used when a reasonable officer would conclude that its use is reasonable, necessary, and proportional to eliminate or mitigate an Imminent Threat of physical harm posed by the person to themselves or others under the totality of circumstances. See JHPD Directive #402, Use of Force. Such situations may include:
- A person who is armed with a deadly weapon and poses an Imminent Threat of physical harm to themselves (attempting or threatening suicide) or others.
 - Note: The BHCST should be immediately dispatched to the scene of these types of encounters and if possible, should handle communications with the person prior to use of force option. See JHPD Directive #417, Behavioral Health Crisis Support Team Dispatch.
- B.** The SIW shall not be used in any response to assemblies, demonstrations, or other expression of acts protected by the First Amendment.
- C.** Officers shall not deploy the SIW without the approval of the on-duty supervisor.

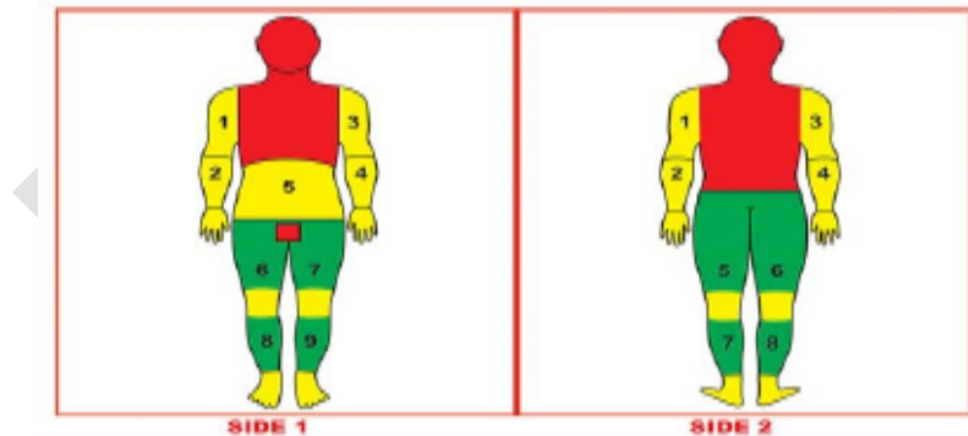
III. Additional use requirements and considerations

Officers will always consider the potential consequences of their actions and outcomes and the totality of the circumstances when making the decision to use a SIW. In addition to the requirements of JHPD Directive #402, Use of Force, and of Section II above, officers must consider the following factors:

- A.** A Cover Officer must be provided for the certified less-lethal officer. Use of a patrol shield is also recommended when available.
- B.** The SIW Launcher will be loaded prior to engaging the person; the remaining SIW rounds will be secured in the issued stock pouch or bandolier. Each round will be visually inspected before it is loaded into the SIW Launcher to confirm that it is a less lethal round.

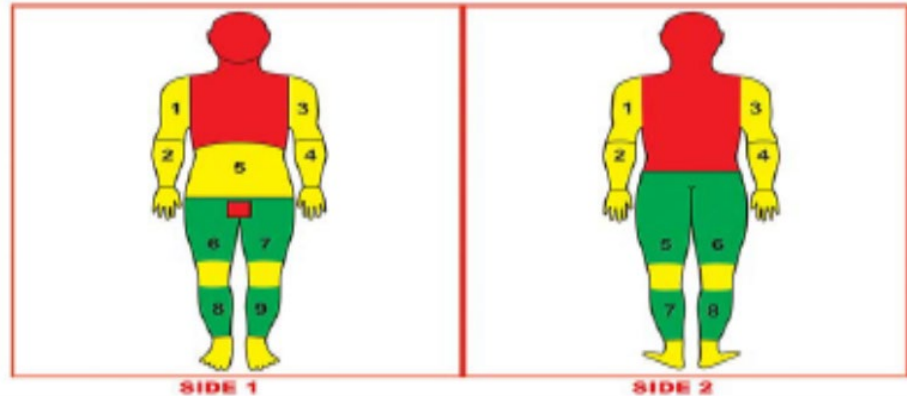
- It is the SIW-certified officer's responsibility to ensure that only the Exact Impact/Direct Impact Munition is loaded.
- C. Unless it is impossible to do so, the officer will give a verbal warning and point the SIW Launcher at the person prior to discharging the SIW Launcher. This warning should include a command to obey police orders and cease illegal or dangerous behavior, such as "drop the weapon" or "stop what you are doing."
- D. Use of the SIW shall only occur at a range of 10-90 feet, unless Deadly/Lethal Force is appropriate.
- E. Prior to discharging the SIW, the officer will loudly announce, "**Less Lethal, Less Lethal, Less Lethal BEING DEPLOYED!**"
- F. The actual targeting and discharge of the SIW will be consistent with training. Officers shall consider the need for immediate incapacitation as well as the potential for causing injury, and then balance these factors while making the point of aim decision. The SIW projectile should be directed at:

- **Zone 1, (Green):** Zone 1 is the area that has the greatest amount of muscle mass and least number of vital organs. When the threat level is appropriate and this zone is viable, it should be considered first due to its lower potential for injury and the ability to still cause painful stimuli. Zone 1 includes the buttocks, thigh, and calf.

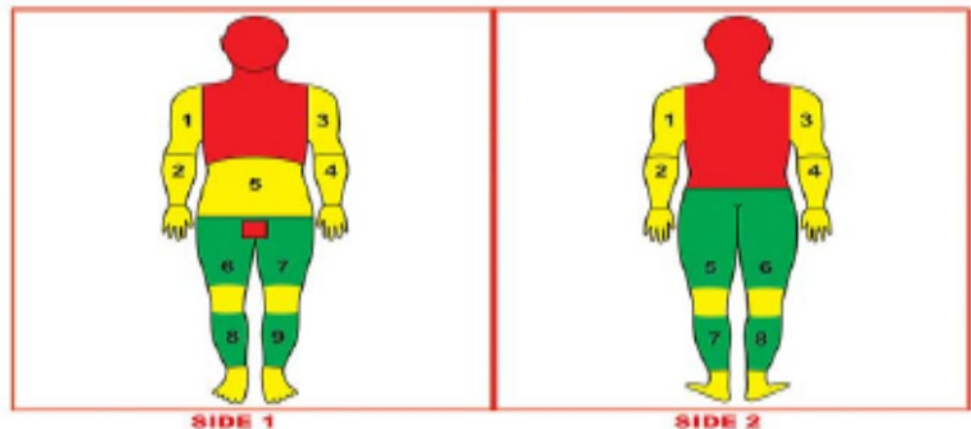


- **Zone 2 (Yellow):** Zone 2 has a greater potential for injury when struck by a SIW, which is due to the area's lack of muscle density. Zone 2 should be purposefully targeted only if Zone 1 is unavailable due to the dynamics of the encounter, previous impact(s) to Zone 1 are ineffective, or the officer reasonably believes the subject would not be affected by an impact to Zone 1. Zone 2 is the abdominal, groin, shoulders and arms.
 - o **Shoulders and Arms:** Shoulders and arms lack muscle density due to the fact that these areas are constructed primarily of the skeletal system. Due to their lack of muscle density, the shoulders

and arms have a limited ability to absorb kinetic energy from a SIW round and transfer that energy appropriately to the body. There may be situations where the shoulders/arms are the only viable areas presenting themselves as targets in an encounter, but because of their mobility, careful consideration should be given before aiming at them.



- **Zone 3, (Red):** Zone 3 carries the greatest potential for a serious physical injury or death to the subject, so impact in this area would be considered a Level 3 Use of Force. This zone should only be targeted when the officer deploying the SIW reasonably believes the subject poses an imminent lethal threat and the lethal cover officer(s) are unable to engage or are prevented from engaging the subject. Zone 3 may also be targeted in very limited circumstances where impacts to Zone 1 and 2 were ineffective and the subject's continued actions pose significant risk to the officers or others. Zone 3 includes the chest (center mass), spine, head, neck, and kidney area.



- G. Officers using the SIW should be prepared to launch a follow-up munition if the first was ineffective.

- H.** All subjects impacted with a SIW munition should be controlled and restrained by officers as soon as tactically feasible.
- I.** Engagements at distances less than 45 feet may deliver extreme energy that may increase the likelihood of incapacitation, but equally increase the risk of penetration or excessive trauma. Whenever a person is struck with a SIW munition: (CALEA 4.1.5)
- Emergency medical services (EMS) shall be summoned for medical assistance.
 - Injuries sustained from a SIW munition impact may not be visible to officers, nor may a subject always be aware they have been injured.
 - The person shall be transported to a medical facility.
 - The on-duty supervisor and shift commander shall be notified.

J. Effective Range

The minimum/maximum range of the SIW is approximately 5 feet to 120 feet. Many factors may prohibit use within the desired optimal range (10-90 feet). Officers deploying the SIW should do so only when absolutely necessary for the safety of those persons at the scene.

- It is not always possible to deploy the SIW within the optimal range, although caution must be used when deploying the SIW within 10 feet of the individual.
 - In situations where uses are within this range, the officer must consider the proportionality of whether the increased potential for injury to the individual caused by using the SIW would be less than the injury the individual is causing themselves or others, (i.e. suicidal subject actively harming themselves).
 - Extreme caution should be used when using a SIW at distances of less than five (5) feet. Whenever possible, and unless Deadly/Lethal Force would be authorized, use of the SIW at distances less than five (5) feet shall be avoided due to the potential for more serious injury. See JHPD Directive # 402, Use of Force.
- Alternatively, long-range engagements should also be avoided as the distance will erode accuracy and could allow a subject to change positions prior to impact. In addition, energy will decrease over distance and a sufficient amount of energy may not be available to incapacitate the subject.

- K. Unless Deadly/Lethal Force would be appropriate, the SIW should not be used on an individual who is mobile, particularly if they are relocating quickly (i.e., running, walking quickly). This may cause the highly mobile subject to be impacted in an area of extreme risk, such as the head, neck, and spine.
- L. Only officers certified in the use of the SIW will be authorized to use the SIW in the course of their duties.
- M. Responsibility for use of the SIW rests ultimately with the certified officer.

IV. **Reporting** (CALEA 4.2.1.c.d)

- A. Anytime a SIW is discharged other than for training, the officer will complete and submit an Incident Report, or Supplemental Incident Report in conformance with JHPD Directive #470, Field Reporting System detailing their actions before the end of their shift. (CALEA 1.3.6 a)
 - A completed Use of Force Report, in conformance with JHPD Directive #402, Use of Force and #407, Use of Force Review, Assessment & Investigation.
 - The on-duty supervisor shall be notified of the request, and if approved, of the discharge and shall ensure the completion of all notifications required by JHPD Directive #407, Use of Force Review, Assessment & Investigation.
- B. All primary components of the expended 40mm round, to include the sponge nose cone with the rifling ring and the casing, shall be collected and submitted into evidence. This should be collected after the scene is secure.
 - Any impact munition rounds contaminated with blood and/or body fluids shall be processed and handled in conformance with JHPD Directive #468, Collection and Preservation of Evidence and #469, Property & Evidence Management.
- C. Photographs of the area where the individual was struck by the munition, including any injuries before and, when possible, immediately following any treatment, including:
 - Photographs of the scene, documenting where munitions were fired from, and where the individual was located, and
 - Copies of medical treatment and release documentation from paramedics, hospital, etc.
- D. If the use of the SIW results in physical injury or death or where the SIW munition is deployed to a target area recognized as likely to cause death or serious physical injury, it should be considered a Level 3 Use of Force. Officers shall

immediately follow the procedures for Level 3 Use of Force in accordance with JHPD Directive #407, Use of Force Review, Assessment and Investigation.

V. Maintenance (CALEA 4.3.1.c)

- A. At the beginning of every shift, officers should inspect the SIW in their assigned vehicle to ensure proper condition of readiness, including that the red dot sight is operational and the weapon light produces sufficient illumination.

The armorer is responsible for scheduling quarterly cleaning, lubrication, and inspection of an officer's assigned SIW. Only the armorer shall perform maintenance on the SIW. The armorer will maintain all records of maintenance to the SIW. (CALEA 4.3.1.c)

- B. Officers shall be responsible for promptly reporting any damage or malfunction of an issued SIW to their supervisor by a memorandum, and,
- Any mechanical failure of the SIW or other debilitating damage or deficiencies will result in the removal of the SIW from active service and immediate report to the armorer.

VI. Transportation & Storage (CALEA 4.3.1.f)

When carried on patrol, the SIW will be secured by the certified officer in a vehicle carrying configuration, which consists of an empty chamber. SIW rounds may be loaded on a sling, stock mount, or tactical use vest. When not in use, the SIW will be secured in the vehicle's locked container provided in the vehicle storage device (e.g., trunk vault, shotgun/SIW rack). (CALEA 4.3.1.f)

- A. The SIW will be kept unloaded until use, with the SIW ammunition stored in an attached stock pouch or bandolier.
- B. Except for when the SIW is deployed for an incident, maintenance, or training, officers shall secure it in the vehicle storage vault, rack, or protective case in the officer's assigned vehicle.
- C. Officers shall not leave a vehicle carrying an issued SIW unlocked or unattended while the keys are in the ignition.
- D. Officers shall store the SIW in the vehicle carry configuration when transported to or from training, the armory, or other maintenance.
- E. When not carried on patrol, the SIW and munitions will be stored in a JHPD weapons locker. The SIW will be stored unloaded with the chamber closed.

VII. Selection, Training & Qualification

Officers selected for assignment of a SIW must successfully complete a SIW course approved by the Maryland Police Training Commission (MPTC) before being issued a SIW for carry and use. (CALEA 4.3.2)

- A. During training, those officers assigned a SIW will be issued and asked to acknowledge receipt by signature copies of applicable policies and procedures before being authorized to carry a SIW. (CALEA 4.3.4)
- B. In conformance with the firearms training protocol identified in JHPD Directive #403, Authorized Firearms & Weapons, officers certified with the SIW will be re-certified semi-annually. This shall include updated or refresher training, a review of JHPD use of force directive and companion procedures, and a demonstration of proficiency in accurately deploying the SIW. (CALEA 4.3.3)
 - Instructors will be recertified in accordance with the SIW MPTC and manufacturer guidelines.
- C. A Qualification course will be developed by an SIW Instructor in accordance with MPTC and equipment manufacturer guidelines.
- D. During semi-annual qualification, participating officers will also receive familiarization training with the SIW, this procedure, and training and testing on JHPD Directive #401, De-escalation, and #402, Use of Force. (CALEA 4.3.3.b)
- E. Remedial training, reassignment, and removal of an officer who fails to successfully complete MPTC training and qualification requirements with the SIW will be in conformance with the firearms training protocol identified in JHPD Directive #403, Authorized Defensive Weapons. (CALEA 4.3.3.c)
 - The Chief of Police may remove officers from the SIW Program based on agency need or supervisory or firearms instructor recommendation.
- F. All training and qualification records will be maintained by the Public Safety Training Section in conformance with JHPD Directive #305, Training. (CALEA 4.3.3.b)
- G. Familiarization training will be provided to assist all police officers in recognizing specific circumstances where a lethal threat has materialized. Other factors that reasonably indicate a non-deadly response by officers may be effective in stopping or diminishing the lethal threat, thus providing an opportunity for officers to successfully gain conclusive control of an aggressive individual without using deadly force.

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this Directive.
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Reporting Violations	Individual violations of this directive should be reported to the Public Safety Accountability Unit.
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Related Resources

University Policies and Documents
Operational Procedure #401, De-escalation Operational Procedure #402, Use of Force Operational Procedure #403, Authorized Defensive Weapons Operational Procedure #407, Use of Force Review, Assessment and Investigation Operational Procedure #468, Collection & Preservation of Evidence Operational Procedure #469, Property & Evidence Management Operational Procedure #470, Field Reporting System Operational Procedure #486, Assemblies, Demonstrations and Disruptions of Campus Activities
External Documentation
Police Department Forms and Systems

Contacts

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