



Town of Marlborough Police Department

GENERAL ORDER

SUBJECT: Non-Lethal Weapons

Order Number: 3.23

DATE ISSUED: 09/10/10 BY ORDER OF POLICE CHIEF: COCOZZA

DATE EFFECTIVE: 09/10/10 REPLACES ORDER #(S): APR

NON-LETHAL WEAPONS

PURPOSE: To outline policy and procedure for the use of authorized nonlethal weapons.

I. POLICY

The police baton, side-handle baton, taser and oleoresin capsicum, as issued, are the only "nonlethal" weapons authorized for use by members of the police department. The use of all police department approved nonlethal weapons shall be used in accordance with authorized police department training.

II. PROCEDURE

A. Baton

1. The police baton shall be used in accordance with the training techniques received in the Police Academy.
2. Members are authorized to carry the side-handle baton after they successfully complete and pass a course of instruction on the use of the weapon and become certified in same.
3. The use of the police baton or side-handle baton is regarded by the police department as an escalation in the use of force to a level less than deadly physical force but greater than physical force. As their improper or unreasonable use may cause serious physical injury or even death, they should be resorted to only in those instances where lesser means of restraint or protection have failed, or are clearly inappropriate.
4. Officers are prohibited from using a police baton or side-handle baton in the following circumstances:
 - a) As a threat to make a person comply with an officer's verbal order, when no physical violence is imminent.
 - b) In retaliation for nonphysical abuse towards an officer.
 - c) As a threat to elicit information from any person.

d) On persons secured and properly in custody.

e) To "stop" a person for a field interrogation.

B. Chemical Weapon

1. All members will be issued the aerosol restraint product and be required to attend police department training classes. Officers are not authorized to carry Oleoresin Capsicum Aerosol spray until obtaining usage certification.
2. The aerosol restraint agent will be carried on the officer's person or secured in his/her patrol vehicle and treated as a weapon at all times.
3. Decontamination after deploying aerosol restraint shall be done as soon as the officer determines that the further aggression has stopped. Decontamination shall be carried out according to training. Medical attention will be summoned if the subject requests it or if symptoms persist beyond 45 minutes.
4. When an officer determines that his/her aerosol restraint container is empty or is not functioning properly, the officer will turn it in to the chemical agent officer for reissue. A material safety data sheet on the aerosol restraint shall be made part of this policy.
5. Only police department issued chemical weapons that are compatible with the Taser will be carried and utilized by officers.

C. Taser

1. See "Taser" General Order (3.27)