



Kern County Sheriff's Office
Policies and Procedures

TITLE: Use of Force-Extended Range Impact Weapons (40 MM) NO: F-0810			
APPROVED: Donny Youngblood, Sheriff-Coroner			
REFERENCE: Penal Code 835a & 4023.8; DPPM F-0100, F-0200, F-1100, F-1200, F-1300, P-0600; Government Code 7286 & 7286.5			
EFFECTIVE: January 18, 2019	REVIEWED: January 26, 2026	REVISED: January 26, 2026	UPDATED: January 26, 2026

APPLICABILITY

When used in this policy the terms, “officer,” “peace officer,” “deputy,” or “deputies” shall include Sheriff’s Deputies, Detentions Deputies, Park Rangers, and Detentions Officers.

GUIDING PRINCIPLES

In all uses of force, deputies shall adhere to the provisions and Guiding Principles outlined in DPPM F-0100 Use of Force – General and Deadly Force. This policy provides further guidelines regarding approved methods and devices available for the application of force.

POLICY

The purpose of this Directive is to familiarize Kern County Sheriff’s Office personnel with the guidelines for the use of the 40mm LMT Tactical Single Launcher (40mm LMTS) and 40mm Defense Technology Multi-Launcher.

The Sheriff’s Office utilizes extended range impact weapons to subdue subjects when the Sheriff’s Office member is acting within the guidelines of Penal Code 835a, and the use of extended range impact weapons reasonably appears necessary to effect an arrest, prevent escape, or overcome resistance. All deputies shall ensure the use of 40mm LMTS impact weapons conforms with the policies and procedures set forth in this manual.

The use of extended range impact weapons on an individual(s) shall meet the use of force policy criteria for the following types of resistance: actively resisting, assaultive, and/or life-threatening. Extended range impact weapons are not intended to produce deadly effects, however, just as with other impact weapons (i.e., batons), these projectiles can cause serious injury or death, especially if not used appropriately.

DEFINITIONS

- 1. EXTENDED RANGE IMPACT WEAPON** - Means any type of device designed as less lethal, to be launched from any device as a projectile that may cause bodily injury through the transfer of kinetic energy and blunt force trauma.
- 2. IMPACT MUNITIONS** - Refers to a group of projectiles that have a low probability of causing serious bodily injury or death when they strike a human target. Even though these munitions are considered less lethal, they are not to be considered non-lethal. For purposes

of this policy, the term includes, but is not limited to, items commonly referred to as rubber bullets, plastic bullets, beanbag rounds, and foam tipped plastic rounds.

3. **CHEMICAL AGENTS** - Means any chemical agent that can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure. For purposes of this policy, the term includes, but is not limited to: chloroacetophenone tear gas (CN tear gas), 2-chlorobenzalmalonitrile gas (CS gas); and items commonly referred to as pepper balls, pepper spray, or oleoresin capsicum (OC).

PROCEDURE A: USE OF FORCE WARNING & DE-ESCALATION

In accordance with DPPM F-0100, deputies shall exercise de-escalation techniques, when feasible, to attempt to resolve tense and evolving incidents without using force whenever possible. This includes giving a verbal warning, prior to using an extended range impact weapon, unless it is not feasible to do so. The deputy(s) assigned to deploy the extended range launcher shall provide an alert by shouting “less lethal, less lethal, less lethal.”

- **Exception:** The warning is not required if deputies are being assaulted and must immediately defend themselves. Also, if the tactical plan requires an element of surprise, a verbal warning is not required.

A warning alerts nearby deputies that use of an extended range impact weapon is about to occur. This also gives the subject a reasonable opportunity to voluntarily comply. If the subject is reasonably perceived to be a Spanish speaking, Limited English Proficient (LEP) individual and deputies are fluent in that language, efforts should be made to give the warning in English and Spanish, if feasible. Warnings shall be documented as outlined in DPPM F-0100.

PROCEDURE B: DEPLOYMENT OF EXTENDED RANGE IMPACT WEAPONS

Only deputies who have successfully completed the required training are authorized to deploy extended range weapons during field or custody-related operations. Consistent with reasonable intermediate force standards, extended range impact weapons may be used to control a subject when:

- It is reasonably believed that a subject(s) is assaultive, combative, or actively resisting arrest.
- A subject(s) exhibits aggressive or potentially violent behavior that threatens the safety of deputy(s) or civilians.
- The subject(s) actions dictate the need for an immediate response from a position where approach by deputies would be unsafe and availability/effectiveness of other force options is diminished.
- It is necessary to defend civilians or deputies against assaultive / life-threatening behaviors.
- It is necessary to prevent a subject from dying by suicide.

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PROCEDURE C: GENERAL DEPLOYMENT CONSIDERATIONS

The following guidelines govern use of extended range impact weapons:

- Extended range impact weapons application(s) shall be used only when objectively reasonable and proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.
- Each application of an extended range impact weapons is considered a separate use of force and must be consistent with KCSO policy and separately justified in reporting.
- When deploying an extended range munitions impact weapon, deputies should assess the effectiveness of each round deployed.
- If the application of extended range impact weapons is ineffective, deputies shall consider other objectively reasonable force options proportional to the subject's resistance level.
- A deputy's decision to draw, exhibit, or use an extended range impact munition should be based on the tactical situation and/or the subject(s)' actions.

Extended range impact weapons should be part of an overall plan to safely take an actively resisting, assaultive, and/or life-threatening subject into custody. When feasible, this plan should include:

- De-escalation techniques, crisis intervention tactics and personnel, and other alternatives to force.
- Presence of a supervisor or senior deputy on-scene to coordinate the situation.
- Availability of additional personnel.
- Assignment of personnel to deploy less lethal munitions.
- Assignment of Designated Cover Officers (DCO).
- Assignment of personnel to apply restraints.
- Consideration of numbers of subject(s) versus personnel (numerical advantages).
- Assessment of subject's clothing (heavy clothing or body armor).
- Assessment of subject's condition:
 - Whether they appear to be having a mental health crisis or have a disability.
 - Whether they appear to be under the influence of alcohol/drugs.
 - Age and physical condition.
 - Armed or access to weaponry.
- Known history of subject(s):
 - Mental illness.
 - Past violent behavior.
 - Gang affiliation, military service or special training.
- Background and foreground:
 - What and who is behind, in-front of or next to intended target.
 - Bystanders' involvement and location.

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PROCEDURE D: EXT. RANGE IMPACT WEAPONS – SPECIAL CONSIDERATIONS

Vulnerable Populations

The use of extended range impact weapons is prohibited on the following individuals unless deputies can articulate, based on the totality of the circumstances, why they reasonably believe that other options lack feasibility (such as appears ineffective, impractical, or presents a greater danger to the deputy or others) and that the deputy reasonably believes that the need to control the individual outweighs the risk of using the extended range impact weapon:

- Is reasonably believed to be pregnant¹.
- Appear to be or are known to be elderly (65 or Older).
- Regardless of age, are believed to have a pacemaker or visibly frail or with obviously low body mass.
- Appears to be or is known to be a dependent adult or possesses a physical/developmental disability.
- Appears to be or is known to be a minor under the age of 14.
- Are in a position or conducting an activity that may increase the risk of substantial injury if the extended range impact weapon is deployed. Examples include, but are not limited to:
 - On an elevated platform or other unstable surface where a fall would result in a serious injury or death.
 - Operating motor vehicles or riding a mode of transportation.
 - In physical control of an infant or small child where use of the extended range impact weapon may result in the child being dropped or injured.

Crowd Control Situations

All use and reporting of force including the use of extended range impact weapons, chemical agents, including OC, and conducted energy weapons (CEWs) for crowd control incidents must comply with the Sheriff's Office Crowd Control Policy F-1300.

PROCEDURE E: PROHIBITED USE OF EXTENDED RANGE IMPACT WEAPONS

The following provisions are unauthorized uses of extended range impact weapons and are prohibited:

- The use of extended range impact weapons against a subject (s) who is passively resisting or merely failing to comply with commands.
- The use of extended range impact weapons against subjects who are handcuffed or otherwise restrained, except where the individual is actively resisting, attempting escape, or poses an imminent threat to or themselves or others.
- Refer to DPPM F-1300 for additional prohibitions in crowd control situations

¹ See "Procedure E - Vulnerable populations" for specific prohibitions on incarcerated pregnant persons.

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Vulnerable Populations

Penal Code Section 4023.8, subdivision (h), and this policy strictly prohibits the use of a CEW, Oleoresin Capsicum (pepper spray), or exposure to other chemical weapons on an “incarcerated” pregnant person. This prohibition shall include the use of an extended range impact munitions (e.g. 40mm eXact iMpack™ OC crushable foam rounds) containing OC or similar irritant spray.

- Whenever staff has knowledge or reasonably believes that an incarcerated person is pregnant, the use of such rounds will not be used for direct impact or area treatment against that inmate.
- In situations where the use of such rounds may be used in a location where pregnant incarcerated persons may be exposed to the OC or irritant powder, reasonable steps will be taken to remove the pregnant incarcerated person(s) or otherwise avoid exposing them.
- For this policy, an incarcerated pregnant person is a pregnant person who has received a booking number, whether booked into an actual jail facility or absentee booked away from a jail facility.

PROCEDURE F: OPTIMAL RANGE AND TARGET AREAS

Optimal Range

The maximum effective deployment range for the 40 LMTS and the Defense Technology Multi-Launcher using a 40mm exact impact round (blue sponge tip) is 100 feet. The recommended minimum distance using a 40mm exact impact round is 5 feet. Sheriff’s Office personnel should always consider weapon retention principles when deploying the 40mm LMTS.

Optimal Target Areas

The primary target area for extended range impact weapons is the lower center mass area (lower abdomen / belt line). If the primary target area is obstructed other areas of the body may be targeted (known as secondary target areas). Secondary target areas are the back, arms, hands, and legs. Deputies shall always be aware of their background as well as if their intended target is obstructed.

Prohibited Target Areas

Deputies resorting to using an extended range impact weapon, as with any other impact weapons, shall avoid any intentional striking in the following areas unless necessary to defend against an imminent threat of death or serious injury to the deputy or others, and no other resources or techniques are reasonably safe or feasible as perceived by an objectively reasonable officer.

- Head
- Neck
- Face/Eyes
- Throat
- Chest (specifically areas directly over the heart)
- Spine
- Kidney
- Groin

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It is recognized that the dynamics of each situation and officer safety may not permit deputies to limit the application of the extended range impact weapon to a precise target area. As such, deputies shall take prompt and ongoing care to monitor the condition of the subject if one or more of these prohibited areas are struck with an extend range impact weapon and immediately seek medical attention. Deputies shall thoroughly document the circumstances that led to any impact munitions strikes in these areas, which will be thoroughly assessed in the review process by management.

All intentional extended range impact munition strikes to the head shall be considered a lethal use of force and subject to a Category 3 UOF review as outlined in F-1100 and F-1200.

PROCEDURE G: POST-APPLICATION CONSIDERATIONS

Medical Treatment

Immediately after the use of extended range impact weapons, deputies shall evaluate and render medical aid as outlined in DPPM F-0100 and DPPM P-0600. When an extended range impact weapon related use of force has occurred and a subject is impacted by a less lethal munition(s), complains of an injury, and/or has a visible injury, then the subject shall be transported to a medical facility for medical clearance prior to booking. Furthermore, the transporting deputy and medical personnel shall be advised that an impact projectile was used.

Any deputy transporting an arrested person on which an extended range impact weapon has been used will advise detentions facility personnel of the circumstances and advise any medical treatment or first aid given. The transporting deputy will comply with any requests by detention facility personnel for further medical treatment before booking.

Stage Emergency Medical Services (“EMS”)

When possible, deputies responding to calls for service that include information indicating possible pre-existing conditions, possible overdose, cocaine psychosis, person in crisis, or other signs of medical distress², etc., should request additional deputies and consider having medical units and additional resources staged before using an extended range impact weapon. Subjects experiencing these pre-existing conditions need immediate medical treatment.

Evidence Collection

Per DPPM P-0600, photographs of the affected areas of the subject’s body shall be taken to show the existence or absence of injury following a use of force.

² Refers to indicators of medical distress such as an individual exhibiting extreme agitation, violent or irrational behavior, extraordinary strength beyond their physical characteristics, and imperviousness to pain. These signs may indicate an increased risk of sudden death requiring immediate medical attention. See DPPM P-600 for further details.

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Report of Use

All extended range impact weapon applications, including accidental strikes, shall be documented in the related Incident Report and the Use of Force Reporting System as outlined in DPPM F-0200. Deputies shall thoroughly document the circumstances that led to any intentional or accidental strikes, which will be thoroughly assessed in the review process by management.

Supervisor Notification

In all cases in which deputies use an extended range impact weapon, intentional or accidental, they shall make a notification to the on-duty supervisor or watch lieutenant as soon as safely possible. All supervisors shall conduct a review of the application per DPPM F-0200.

Death or injury likely to cause death in conjunction with an extended range impact weapon:

Any incidents involving death or serious bodily injury after the use of an extended range impact weapons will be investigated as outlined in F-1100 and F-1200.

PROCEDURE H: EXTENDED RANGE IMPACT WEAPON – 40MM SPECIFICATIONS

The purpose of 40mm less lethal launchers is dedicated to reducing lethality and to facilitate a safe and effective response to situations which may jeopardize the life and safety of Sheriff's Office personnel, inmates, and/or the security of a custody facility.

Lewis Machine & Tool (LMT) Tactical Single Launcher 40 MM (40MM LMTS)

The 40mm LMTS is designed for use in a wide variety of tactical applications and is designated as a less than lethal weapon. The 40mm LMTS is a tactical 40mm single shot launcher that will fire standard 40mm less than lethal munitions, up to 4.8 inches in length. It is not designed, and Sheriff's Office personnel are not authorized to fire 40mm high velocity ammunitions.

For patrol and custody operations, there are two different authorized impact projectiles used by the 40 MM LMTS:

- 40mm eXact iMpact™ 40mm standard range sponge round (blue sponge tip).
- 40mm eXact iMpact™ OC crushable foam round (orange or black tip).

40 MM Defense Technology Multi-Launcher

The Defense Technology Multi-Launcher is designed for use in a wide variety of tactical applications and is designated as a less than lethal weapon. The multi-launcher is a tactical 40mm six (6) shot launcher that will fire standard 40mm less than lethal munitions, up to 4.8 inches in length. It is not designed, and Sheriff's Office personnel are not authorized to fire 40mm high velocity ammunitions.

For patrol and custody operations, there are two different authorized impact projectiles used by the 40mm multi-launcher:

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- 40mm eXact iMpack™ 40mm standard range sponge round (blue sponge tip).
- 40mm eXact iMpack™ OC crushable foam round (orange tip).

For tactical operations, only SWAT operators who are properly trained are authorized to utilize the single and multi-launchers may deploy penetrating munition rounds during tactical deployments. These rounds are **NOT** to be deployed at any human unless deadly force is authorized and there are no other reasonable alternatives.

- Defense Technology 40mm Liquid CS (6.9g) Ferret round (black smooth top).
- Defense Technology 40mm Liquid CS (8.0g) Ferret round (blue smooth top).
- Defense Technology 37mm Powder CS (6.0g) Ferret round (blue castle top).
- Defense Technology 40mm Muzzle Blast CS (12.3g) Ferret round (blue flat top).
- Defense Technology 40mm Liquid OC (5.0g) Ferret round (orange smooth top).
- Defense Technology 37mm Powder OC (.59g) Ferret round (orange castle top).

Modifications

40 MM Less Lethal Launchers shall not be altered or modified in any way. Only approved munitions shall be fired from this weapon. All repairs to the weapon shall be made by the Sheriff's Office armorer.

PROCEDURE I: CERTIFICATION AND TRAINING

The Sheriff's Office Firearms Range Instructor and the SWAT Team Specialty Impact Munitions Instructor are responsible for training and certifying Sheriff's Office personnel in the proper deployment of extended range impact weapons and impact munitions.

Sheriff's Office personnel will only be considered qualified to use the 40mm LMTS and Multi-Launcher after attending and successfully completing an 8-hour operator curriculum, including a qualification and scenario-based training. Sheriff's Office personnel who have been trained in using the 40mm LMTS and multi-launcher, will re-qualify once a year.

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