

KENSINGTON POLICE DEPARTMENT

Chief of Police Michael Gancasz



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Less Lethal Weapon Definition:

Less-Lethal weapons are weapons or any devices that are intended to be less likely to kill a living target than are traditional weapons. Such weapons are also termed as non-lethal weapons, less-than-lethal weapons, non-deadly weapons, compliance weapons, or pain-inducing weapons. Non-lethal weapons may be used in circumstances where conventional weapons are restricted, or lethal force is prohibited or undesirable. They are also used in combat situations to limit the escalation of conflict. Military police, United Nations forces, and occupation forces also use less-lethal weapons for peacekeeping and stability operations. Less-Lethal weapons are commonly used by police forces in self-defense, riot control, prisoner control, crowd control, and refugee control. The following is an example of a state statute (California) defining the term: Cal Pen Code § 16780. (Operative January 1, 2012) "Less lethal weapon"

(a) "Less lethal weapon" means any device that is designed to or that has been converted to expel or propel less lethal ammunition by any action, mechanism, or process for the purpose of incapacitating, immobilizing, or stunning a human being through the infliction of any less than lethal impairment of physical condition, function, or senses, including physical pain or discomfort. It is not necessary that a weapon leave any lasting or permanent incapacitation, discomfort, pain, or other injury or disability to qualify as a less lethal weapon.

(b) Less lethal weapon includes the frame or receiver of any weapon described in subdivision (a), but does not include any of the following unless the part or weapon has been converted as described in subdivision (a):

(1) Pistol, revolver, or firearm.

(2) Machinegun.

(3) Rifle or shotgun using fixed ammunition consisting of standard primer and powder and not capable of being concealed upon the person.



- (4) A pistol, rifle, or shotgun that is a firearm having a barrel less than 0.18 inches in diameter and that is designed to expel a projectile by any mechanical means or by compressed air or gas.
- (5) When used as designed or intended by the manufacturer, any weapon that is commonly regarded as a toy gun, and that as a toy gun is incapable of inflicting any impairment of physical condition, function, or senses.
- (6) A destructive device.
- (7) A tear gas weapon.
- (8) A bow or crossbow designed to shoot arrows.
- (9) A device commonly known as a slingshot.
- (10) A device designed for the firing of stud cartridges, explosive rivets, or similar industrial ammunition.
- (11) A device designed for signaling, illumination, or safety.
- (12) An assault weapon.