



*Oversight Investigation: RPD Beanbag Gun Policies*

**Scope of the investigation**

The scope of this oversight investigation is: The PAB seeks to conduct an oversight investigation to analyze the efficacy of RPD’s current program, its rollout, and its training programs. The PAB will complete budgetary and equipment audits and a comparison of best practices from other departments, as well as recommendations from academic stakeholders, and produce a plan with clear, community-centered recommendations that can be shared with the public.

The Policy and Oversight Division will analyze existing general orders. We will evaluate beanbag gun related policies for (a) whether they are effective and implementable and (b) to make recommendations to strengthen these policies. Similar to our protest policy audit, we plan to conduct exhaustive research and close readings of RPD policies and practices, compare those guidelines to other jurisdictions, and recommend the best path forward.

**Investigative Plan**

Narrative Summary: In wake of the March 10, 2021 fatal officer involved shooting of Tyshon Jones, the Rochester Police Department announced a plan to equip each of their patrol vehicles with beanbag-firing shotguns. While less-lethal, Beanbag shotguns are still weapons that can cause serious injury on those on the receiving end of the weapon’s impact.

**Involved RPD Divisions:**

1. Administration Bureau
  - a. Administrative Services Division
    - i. Professional Development Section
  - b. Research and Evaluation Section
  - c. Police Budget and Personnel Offices

**Relevant Policy-making/Training RPD Staff:**

1. Deputy Chief Elena Correia
2. Commander Sammie Drayton Jr.
3. Lt. Michael Ciulla
4. Sgt. John Drew

### **Policies, practices, procedures & Laws:**

1. Any, and all, RPD policies related to the usage of kinetic impact weapons.
2. RPD General Order 115, Written Orders.
3. RPD General Order 337, Use of Force.
4. RPD General Order 335, Subject Resistance Reports.
5. RPD General Order 342, Firearms Qualification and Possession.
6. RPD General Order 205, Field Training & Probationary period.
7. RPD General Order 207, Performance Assessment & Career Development.
8. RPD General Order 561, Psychiatric Crisis Intervention.
9. RPD General Order 560, Crisis Intervention team.

### **Investigation Questions:**

1. What are the purchasing and maintenance cost of Beanbag guns?
2. Current number of Patrol vehicles active in the RPD Fleet?
3. Current number of RPD Patrol vehicles equipped with Beanbag guns?
4. Number of RPD Officers trained on the usage of Beanbag guns?
5. How are officers trained in the usage Beanbag guns?
6. Are there separate protocols for the usage of Beanbag guns in cases involving mental health crises?
7. Are there separate protocols for the usage of Beanbag guns in cases involving Juveniles?
8. Have documented deployments of RPD beanbag guns been compliant and consistent with RPD trainings?

### **Initial Investigative steps**

#### Potential interviews:

Relevant RPD Policy-making staff.

#### Suggested reading materials/sources:

RPD records:

1. SRRs from all Beanbag gun field deployments
2. Training memos/bulletins related to beanbag gun
  - a. RPD Training Bulletin L-58-15
  - b. RPD Training Bulletin P-39-01

#### Peer Reviewed Articles:

New England Journal of Medicine [Penetrating Injuries from “Less Lethal” Beanbag Munitions | NEJM](#)

Columbia Human Rights Law Review:

[https://www.westlaw.com/Document/I405108114a6b11db99a18fc28eb0d9ae/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cb1t1.0](https://www.westlaw.com/Document/I405108114a6b11db99a18fc28eb0d9ae/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cb1t1.0)

**Anticipated difficulties:**

1. The PAB still lacks direct access to RPD Databases that would provide relevant information and evidence.

For more information about this press release, please contact PAB Chief of Community Affairs Natalie Banks at [natalie.wilson@cityofrochester.gov](mailto:natalie.wilson@cityofrochester.gov).