

**SB**

**309**

# Alaska State Legislature

## Senate



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### Sponsor Statement SB 309

“An Act relating to the use of force by peace officers and correctional officers.”

SB 309 will protect law enforcement officers from legal action when acting within their training and operational guidelines. The use of non-lethal munitions, such as rubber bullets and bean bag rounds, are an accepted method of rendering certain suspects harmless without doing long-term or permanent injury. A bean bag round or other non-lethal projectile is designed to serve as a far reaching baton which does not require the officer to get too close to a person who might want to harm themselves or others. However, accidents do happen. It is this unlikely accident that SB 309 addresses.

Under current law, a fully trained police officer acting within departmental guidelines could be held civilly liable for injuries resulting from the use of non-lethal projectiles. SB 309 would protect law enforcement officers and continue to allow police departments the full range of tools needed to protect the citizens of Alaska.

## Bullet stops suicide

### Beanbag draws bruise, not blood

By RACHEL D'ORO  
Daily News reporter

A woman sat on the steps outside of her Muldoon home Tuesday with a butcher knife in her hand.

Twenty feet away, Anchorage police crouched behind a mailbox, a parked car and a snow berm in case the woman charged them with the knife.

Sobbing, she told officers she wanted to hurt herself. She asked police to kill her. Then she pressed the knife to her wrist.

A member of the Crisis Intervention Response Team took aim and shot the woman in the thigh. But instead of a bullet, he fired a beanbag made from lead shot and canvas. The round, flat bullet shot out of a 37 mm tear-gas gun only bruised the woman. She dropped the knife and ended up in the hospital for psychiatric evaluation.

Anchorage police have joined a growing number of law enforcement agencies across the country to add beanbag ammunition to their cache of what are called "less-lethal" weapons. The idea of shooting beanbags is decades old but in the last few years has been refined to make them more accurate and easier to use.

The technology became part of the Anchorage arsenal two years ago, but CIRT officers use it very infrequently and, so far, only in certain cases of attempted suicide. Alaska State Troopers have never used the bullets, although they've had them on hand for a year.

"It's a very good intermediate tool for resolving a cri-

## BEANBAG: When a bullet isn't needed

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sia," said CIRT supervisor Sgt. Ken Spadafora. "We would rather send someone home with a few bruises than have them kill themselves."

But beanbag bullets are not without controversy. Delivering the punch of a heavyweight boxer or a fastball, they have caused at least five deaths outside, including that of a suicidal Canadian man who died last year after Ottawa-Carleton police shot him with a beanbag from a 12-gauge shotgun. The beanbag struck him right above the heart, lodging in his chest.

Sometimes they don't work at all, especially when the targets are feeling no pain, either because they are seriously wounded or hyped-up on drugs, police agree.

The first time police in Springfield, Mo., used beanbag bullets four years ago, nine 12-gauge rounds failed to stop a frail, 72-year-old man who had already shot himself in the head, said Lt. Ron Hartman of the Springfield Police Department. Hartman trained Anchorage police in the proper technique two years ago and trains officers nationwide. The elderly man finally sat down, and an officer grabbed him while he was momentarily distracted, he said.

Beanbag mishaps are rare, and the bullets save more lives than not, authorities say. Misfires can happen when the bullets, which are packed inside shells, fail to properly unfold. Serious injury or death is possible if the bullets strike vulnerable body parts instead of large muscle masses like legs or abdomens, Hartman said.

"The bottom line is, they are important tools for preventing further deaths," he said. "Basically, it's like delivering a baton strike from a safe distance. Everybody's getting in on it."

Anchorage police have used beanbag bullets at least a dozen times since they got them, Spadafora said. In one case, a round broke a small bone of one suicidal person. All the others caused only bruises. As far as he's concerned, making too much of the risk factor is misleading.

"A baton can kill you if it hits you in the wrong place too many times," he said.

In the '60s, some police agencies used a crude and clumsy version of beanbag ammunition for riot and crowd control, said Larry Glick, executive director of the National Tactical Officers Association in Pennsylvania. The old-style beanbags were inaccurate, however, and fell from favor until the improved version came out in mid-1990s.

"They're a real hot item right now," said Glick, who added that about 3,000 officers a year are trained to use beanbags instead of bullets. "They're definitely a wave of the future."

Police have used the new beanbags for such a short time that no one yet keeps complete statistics, Glick said.

Hartman's colleague, Springfield Police Capt. Steve James, told the Ottawa Citizen newspaper last year, however, that four people had died from beanbags before the Ottawa death. And none of the beanbags in those earlier cases pierced the skin. For example, a Texas man died in 1994 after a beanbag struck him in the throat, said James, a leading authority on less-lethal weapons, who also helped train Anchorage CIRT officers.

Locally, police use two sizes of beanbag bullets, Spadafora said. The smaller, square bullets can be fired from 12-gauge shotguns while the larger, round ones are fired from 37 mm tear gas guns.

So far, only about 30 of the 325 officers in Anchorage have been trained in the use of beanbag ammunition. Eventually, all officers

### Non-lethal bullets



■ **Material:** Canvas and lead shot  
■ **Sizes:** 12-gauge shotgun and 37 mm tear-gas gun are the two sizes that Anchorage police use.

■ **12 gauge:**  
Surface: Two-inch square (pictured above upper right)

Weight: 40 grams or 1.4 ounces

Velocity: 300 feet per second

Operating range: 10 to 25 yards

Cost: \$5 per bullet

■ **37 mm:**

Surface: Three-inch diameter circle (pictured above lower left)

Weight: 150 grams or 5.2 ounces

Velocity: 180 feet per second

Cost: \$18-20 per bullet

■ **What happens:**

The bag is wrapped tightly into a shell and is shot out of a 12-gauge shotgun or a 37 mm tear-gas gun. As it moves toward the target, the bag unfolds. Upon impact, the bag collapses and conforms to the target. The lead shot acts as a fluid medium, distributing the energy over the whole surface.

■ **What can go wrong:**

The 12-gauge bag doesn't completely unfold until it reaches 25 yards.

If shot at close range, 30 or 40 feet away, the impact could cause serious injury or death.

Sources: Anchorage Police Department, The Oregonian

RON ENGSTROM / Anchorage Daily News

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will be trained. But the new bullets will never supplant real guns or bullets, which always will be on hand as a back-up in every situation, Spadafora said.

"Beanbags are just another option," he said. "They're not replacing anything."