



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Andy Bohlen, Chief of Police
MEETING DATE: April 13, 2021
SUBJECT: Approve Police Department Policy #322 – PepperBall Launcher System

Background:

It is the policy of the Faribault Police Department to utilize non-lethal methods whenever possible when dealing with a non-compliant, violent or armed subject. One such method is through the use of a PepperBall Launcher which deploys PepperBall projectiles with compressed air.

During this time of civil unrest, this method can also be utilized in crowd management and crowd control to disperse, displace or direct non-compliant crowds. Further, this method is an effective means to protect officers and others from harm.

Only Officers trained in the use of the PepperBall Launcher will be allowed to deploy the PepperBall Launcher.

Recommendation:

Approve Policy #322 – PepperBall Launcher System

Attachments:

- Policy #322 – PepperBall Launcher System

Faribault Police Department

Policy # 322	Subject: PepperBall Launcher System
Issued by: Chief Andy Bohlen	Date Issued: April 13, 2021
Personnel: Sworn Personnel	

POLICY

It is the policy of the Faribault Police Department to utilize the PepperBall launcher systems as an authorized police tool to control a non-compliant, violent, or armed subject in order to protect officers and others from harm. It may also be utilized in crowd management and crowd control to disperse, displace or direct non-compliant crowds.

DEFINITIONS

Non-Lethal: Chemical agent delivery system that uses HIGH-PRESSURE AIR (large capacity hoppers), and CO2 (limited capacity magazines) to deliver PAVA powder PROJECTILES.

- Combines chemical agent exposure with kinetic impact.
- Effective on individuals as well as large groups of people for riot and crowd control.

PepperBall Launcher: PepperBall Launchers are intermediary force tools with orange markings that deploy projectiles with compressed air of multiple types. PepperBall should be deployed to areas of the subject's body that are considered unlikely to cause death or serious physical injury.

PepperBall Projectiles: PepperBall projectiles are a .68 caliber projectile of varying functionality manufactured and approved by PepperBall in different forms, including but not limited to chemical irritants, glass breaking functionality, inert and marking.

Target Areas: Approved PepperBall target areas include the torso and limbs. PepperBall should not intentionally be targeted at the head, neck, throat and spine unless deadly force is authorized.

PROCEDURE

- A. PepperBall launchers in most cases should be delivered in accordance with the manufacturer's recommendations and guidelines however, each situation must be evaluated on the totality of the circumstances at the time of deployment. Officers are not restricted solely to use according to manufacturer's recommendations.
- B. Only officers trained in the use of PepperBall launchers are authorized to deploy them.
- C. Only City approved PepperBall launchers are authorized for use.
- D. Only a designated PepperBall launcher will be used to deploy the PepperBall projectiles.

- E. Only officers who are trained may load or refill the PepperBall launchers with the projectiles and compressed air.
- F. Prior to firing the launcher, an officer should give verbal warning, if feasible, to the subject unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances.
- G. Prior to firing the launcher, an officer should, in practicable, inform other officers on scene that PepperBall launchers are available and ready for deployment.
- H. The PepperBall system shall not be deployed unless lethal cover is available.
- I. A narrative report will be completed by the deploying officer in all Pepperball system deployments.
- J. Only officers trained as a PepperBall instructor or armorer may alter or adjust the pressure (PSI) of the launcher and its air tank.

DEPLOYMENT AREAS

- A. PepperBall projectiles will be delivered to the suspect target areas based on the circumstances involved in the incident. The threat level of the suspect, the proximity of officers to the suspect, the position of the suspect related to the availability of potential target areas, the physical layout of the incident scene, and officer safety issues present are all factors to consider when selecting a target area.
- B. Intentional impacts to the head, neck, throat and spine area are considered deadly force, and will be avoided unless the use of deadly force is justified.
- C. The PepperBall system may be used to effectively control animals with kinetic impacts and chemical irritant projectiles when necessary.
- D. PepperBall projectiles can be used to saturate an area around a subject in an effort to gain compliance.
- E. The officer should adjust targeting for wind conditions by adjusting his/her position and/or by using test rounds to determine wind direction.
- F. Upon the discharge of any PepperBall projectile, the on-duty supervisor should be notified as soon as practicable.
- G. The use of the glass-shattering projectile should not be used on any person unless the situation calls for the use of deadly force.

- H. The PepperBall launcher system is authorized for the use during a crowd control situation. Prior to firing the launcher, an officer should give verbal warnings, if feasible, to the subject(s).
- I. Photographs of the scene and affected person shall be taken after each deployment if possible.

TREATMENT AND DECONTAMINATION

- A. All subjects who are struck by a PepperBall projectile should be evaluated for injuries and if deemed necessary or requested, be seen by emergency medical services. Any subject struck by a PepperBall projectile has the right to refuse medical treatment. Photographs of the subject's injuries will be taken whenever possible. A medical release form should be requested if the subject is evaluated at a medical facility.
- B. The affected subject(s) should be removed to an area of fresh air.
- C. Shake any pepper powder off the subjects clothing. Cool, clean water can be used to wash powder off exposed skin.

STORAGE/MAINTENANCE

- A. PepperBall launchers have several delicate parts that can wear out easily if the system is not cared for properly.
- B. The following steps should be followed in the order listed to maintain the life of the launcher:
 - i. Safety on.
 - ii. Turn pressure off.
 - iii. Remove magazine from the stock.
 - iv. Remove the projectile from the chamber.
 - v. Place projectile back in the magazine.
- C. PepperBall launchers will only be stored in designated locations and within assigned squad cars.
- D. Only trained PepperBall armorers are allowed to lubricate and clean the PepperBall launchers.