


<b>EASTHAMPTON POLICE DEPARTMENT</b>		Department Manual: Policy No. <b>1.09</b>
Subject: <b>PepperBall Policy</b>		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS  REFERENCED: <b>1.3.4; 1.2.2</b>		GENERAL ORDER
Issue Date: <b>September 7, 2021</b> Revision Date:	Issuing Authority <b>Robert J. Alberti</b>  Robert J. Alberti Chief of Police	

**PEPPERBALL SYSTEM:**

PepperBall has multiple applications in the use of force continuum. In some instances, it will be used to deliver Oleoresin Capsicum (OC) powder or liquid in a manner comparable to OC spray without placing the officer at risk due to the increased distance from the subject it allows.

Direct targeting of the subject shall be avoided unless exigent circumstances exist. The PepperBall delivery system allows the officer to utilize the device as an impact tool when the subjects' actions are assaultive.

The PepperBall launcher may be used where the application of OC is authorized under the use of force continuum, against an Active Resistant Subject or an Assaultive (bodily harm) Subject. In this instance direct targeting of the individual shall be avoided unless exigent circumstances exist.

When a subject is encountered where direct targeting is utilized, the areas of the head, face, eyes, base of neck, throat and spine shall be avoided.

This device may be used effectively as a compliance tool for crowd routing during civil disturbances and to saturate an area with OC to disperse crowds, or to control access or egress from certain locations.

Any time the PepperBall system is utilized, the appropriate reports must be completed. PepperBall may be used when physical force is necessary to:

- protect an officer or other person from an assault.
- subdue a person who resists arrest, or other lawful custody, when it is obvious that a physical confrontation will occur.
- to prevent a person from inflicting self-harm upon themselves.
- control persons engaged in riotous or violent conduct.

## **I. PURPOSE**

- a) To provide sworn members of the Easthampton Police Department with guidelines in the use of the PepperBall system.

## **II. POLICY**

- a) It is the policy of the Easthampton Police Department that the use of the PepperBall system on a person be in compliance with this protocol and the Easthampton Police Department's Use of Force Policy.

## **III. DEFINITION**

- a) PepperBall: PepperBall projectiles are plastic spheres that are filled with powdered or liquid 5% Oleoresin Capsicum (OC). The projectiles, when delivered by an airpowered launching device, burst on impact, and release the OC. PepperBall projectiles subdue suspects by inflaming the mucous membrane in their nose, lungs, and respiratory tract. When inhaled, PepperBall Projectile OC leads to coughing, shortness of breath, and involuntary closing of the eyes. Response to inhaling PepperBall Projectile OC Powder varies greatly among individuals. In most cases the symptoms last for a few (five to twenty-five) minutes. The PepperBall System can deliver projectiles with enough kinetic energy to produce temporary abrasions, bruises, and or welts.

## **IV. PROCEDURE**

- a) The Easthampton Police Department authorizes sworn members who are trained and certified in the use of the PepperBall to use this tool under the following situations:

1. Officers may use this system when they reasonably believe the subject to be taken into custody is either an **Active Resistant or Assaultive - Bodily Harm**.
2. **The Active Resistant Subject**: Officers may use the PepperBall System to deliver OC to an area when the use of OC is justified, but unsafe for an officer to approach a subject within contact range (4-8 feet). Direct, intentional contact of the PepperBall projectiles with the subject is **not** authorized at this level of resistance.
3. **The Assaultive (bodily harm) Subject**: Officers may use the PepperBall System to directly impact a subject with the projectiles in accordance with the Use of Force Continuum for the perceived threat, or; When higher use of force options may be justified, but an opportunity exists for the use of OC or impact techniques before these other options are employed, or; Upon the order of a supervisor on the scene, PepperBall may be used to disperse unruly or rioting crowds threatening unlawful property damage or physical force.

## V. MEDICAL AID

- a) Officers shall render appropriate medical aid, when tactically feasible, after the use of any lethal and less-Lethal force.

## VI. REPORTING PROCEDURES

- a) The use of the PepperBall System is considered a reportable use of force. All Department personnel shall follow all reporting procedures as outlined in the Department Use of Force Policy.
- b) PepperBall reporting shall be documented on Appendix C & D - Use of Force reporting forms and turned in prior to the end of the Officer's tour of duty and Supervisor's/OIC tour of duty.