

**Policy
804**

**EFFECTIVE
DATE
10-28-20**

**Eugene
Police Department**



PepperBall Projectiles

804.1 PURPOSE AND SCOPE

PepperBall projectiles represent another less-lethal force option available for use by trained officers to help defend themselves or to gain compliance of resistant or aggressive individuals. PepperBall projectiles are frangible spheres which are filled with powdered Oleoresin Capsicum (OC) designed to break apart into multiple pieces and release the OC upon striking a person or object. The plastic projectiles can also deliver a low degree of kinetic energy. While this policy refers to PepperBall projectiles (a specific brand), it applies as well to any similar system that the department might employ in the future. This policy is intended to be used in a manner consistent with other department policies, including *Policy 800 – Use of Force*, *801 - Use of Force Reporting*, and *Policy 803 – Oleoresin Capsicum*.

804.2 RESPONSIBILITIES AND PROCEDURES FOR ALL PERSONNEL

A. Generally

1. The department has adopted a less-lethal force philosophy to assist in the de-escalation of potentially violent situations.
2. The less-lethal force philosophy shall not preclude the use of non-lethal and/or deadly force.
3. PepperBall launchers may only be employed in a manner consistent with the department's policy on use of force (refer to Policy 800).
4. Only personnel who have completed the prescribed course of instruction on the use of the PepperBall system are authorized to carry or use it.

B. Usage criteria

1. PepperBall projectiles should be used at distances and in a manner consistent with department training and the manufacturer's recommendations.
2. PepperBall projectiles may be used when there is a need to use OC against multiple subjects, or when the OC powder may be more safely and accurately delivered from a greater distance than OC spray could be.
3. PepperBall projectiles may be used to disperse crowds, and when reasonably necessary to defend persons or to assist in effecting an arrest.
4. Inert PepperBall projectiles may be used to disable unaccompanied lights, cameras, and other physical objects as necessary to make a scene safer for officers (for example cameras attached to a building with a barricaded subject inside, and area lights that illuminate officers and officer movements).
5. PepperBall projectiles may be used against aggressive animals, like OC spray.

C. Usage procedures

1. Although classified as a less-lethal device, the potential exists for PepperBall projectiles to inflict significant injury when they strike the face, eyes, neck and groin. Therefore, avoid intentionally striking those body areas unless justification for the use of deadly force exists.
2. Only department-issued PepperBall projectiles will be used.
3. If feasible, officers should warn the person prior to using PepperBall projectiles against them.
4. If used in a crowd dispersal situation, a warning that riot control agents may be used should be given if there is time to do so.
5. PepperBall projectiles should not be used when the person is in danger of falling from a significant height.
6. Use of PepperBall projectiles should be avoided, if possible, under conditions where they may affect innocent bystanders, and should not be used in the vicinity of infants unless absolutely necessary.
7. Any information known about a person's pre-existing medical or physical conditions which might exacerbate the effects of PepperBall projectiles should be considered in determining whether and how to use the PepperBall projectiles.

8. PepperBall projectiles should not be used by an individual officer without cover officers and/or a tactical plan.

D. Post-usage procedures

1. Following the use of PepperBall projectiles, persons who have been struck should be monitored (when possible) for the effects of OC and any impact injury from the projectile itself. (For a more extended discussion of the effects of OC and proper after-care, refer to Policy 803).
2. If any medical problems are observed, or if the person requests medical assistance, immediately summon medical aid.
3. In situations where multiple persons are affected, or potentially affected, by PepperBall projectiles or the OC released from them, ensure that reasonable steps are taken to contact those persons and assist them in obtaining any needed treatment to the extent that the circumstances and situation allow.
4. The use of PepperBall projectiles against an individual is a reportable use of force under department policies on use of force through Blue Team (refer Policy 801.)
5. Use of PepperBall projectiles in a crowd dispersal situation should not be documented in Blue Team, but instead documented in police reports and incident after-action reports.

E. Equipment inspection and maintenance

1. Any damaged PepperBall equipment or that is not functioning properly should be reported to the officer's supervisor.
2. PepperBall devices will be inspected at least annually for proper functioning by the Defensive Tactics Supervisor or designee.

**Chris Skinner
Chief of Police**