



HEADQUARTERS MEMORANDUM 24-03

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Subject: PepperBall Launcher Program

This Headquarters Memorandum (HQM) aims to establish guidelines for the PepperBall Launcher Program, which launches less-lethal projectiles containing PepperBall Nonivamide Powder (PAVA) and is classified as a protective instrument.

Using any protective instrument is a reportable Use of Force, and it must be done in accordance with Function Code 0131—Response to Resistance and Use of Force.

A. Policy

It is the policy of the Montgomery County Department of Police (MCPD) that only officers trained and authorized to carry the PepperBall Launcher may utilize the platform. The PepperBall Launcher is a less-lethal platform. When practicable, officers should ensure the presence of lethal coverage if deploying against an armed subject. Authorized uses of the PepperBall Launcher shall include, but are not limited to, the following:

1. Officers may use the PepperBall Launcher to defend themselves or others from an imminent threat.
2. Officers may use the PepperBall Launcher to prevent self-destructive acts of violence, such as any violent or potentially violent act by a suspect who is attempting or threatening to commit suicide by any means or cause serious bodily injury to themselves by any means.
3. Officers may use the PepperBall Launcher to prevent an apparently unarmed barricaded suspect from re-acquiring cover or concealment when it is believed that the suspect was previously armed or may have been armed and that failure to stop the suspect could result in the suspect re-arming themselves.
4. In crowd control situations, officers may use the PepperBall Launcher to prevent specifically identified suspect(s) from throwing objects (such as rocks, bottles, or other hard objects) that could cause serious bodily injury to police or third persons.
5. In crowd control situations, officers may use the PepperBall Launcher to disperse large crowds of moving or resisting subjects including violent or potentially violent crowds refusing general dispersal orders.
6. Officers may use the PepperBall Launcher to prevent suspects from preparing any explosive device such as “Molotov Cocktails” or other destructive devices.
7. The PepperBall Launcher may be used at distances as close as ZERO feet and as far away as 60 feet for a single targeted suspect and 120-150 feet for area saturation.

B. Definitions:

1. Foot-pounds: Units of energy used to measure force, equal to the amount required to raise one pound at a distance of one foot.
2. PepperBall Launcher: This less-lethal chemical delivery system uses high-pressure air launchers to deliver projectiles from a distance.
3. PepperBall Live X: A .68 caliber projectile containing a 5% PAVA Powder.

C. Training

1. Officers shall use the system in accordance with the training they have received.
2. Officers must attend an initial certification training and annual re-certification training.
3. Officers who fail to attend annual recertification training shall return the device to the Director, Training and Education Division (TED) or their designee.

D. Officer Responsibilities

1. Decontaminate individuals exposed to PepperBall Nonivamide Powder (PAVA).
2. As soon as practical, notify a supervisor when a PepperBall Launcher is used.
3. Document the use of the PepperBall Launcher as required by FC 0131 – Response to Resistance and Use of Force.
4. Do not store the PepperBall in a vehicle when the interior vehicle temperature may exceed 150 degrees Fahrenheit (F).
5. Only department-issued PepperBall Launcher systems and projectiles may be used.
6. Departmental-issued PepperBall Launcher systems and/or projectiles may only be used during an officer's official duties.

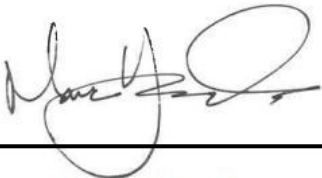
E. Characteristics

1. PepperBall Nonivamide Powder (PAVA) is pharmaceutically manufactured. PAVA acts as an inflammatory agent in the mucous membranes of humans and animals.
2. When the PAVA contacts the face, it typically causes mucous membrane swelling, involuntary eye closing, gagging, coughing, shortness of breath, and intense burning in the exposed areas.
3. Most people encountering PAVA involuntarily bend at the waist or drop to their knees, even if they are intoxicated or in a highly emotional state.

4. PAVA can be effective against combative people with reduced pain sensitivity and vicious animals.
5. The symptoms are temporary, lasting up to 45 minutes if untreated. PAVA decontamination is easier and more effective than with other chemical agents.
6. In addition, when delivered directly, the kinetic impact (10-12 foot-pounds) can cause pain, bruising, abrasions, and welts, which can cause a suspect to surrender.

F. Decontamination

1. Once a PepperBall Nonivamide Powder (PAVA)-contaminated suspect has been taken into custody, undertake decontamination as soon as practicable.
2. Handcuff the contaminated individual, reassuring them to continue breathing normally.
3. Move the contaminated individual to fresh air when possible.
4. Most symptoms should disappear within 10-20 minutes. If not, obtain medical attention immediately.
5. In accordance with FC 0131, if the subject requests medical attention, the officer shall provide medical assistance.



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