



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject: *Pepperball Launching System*

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Rescinds: The Pepperball Launching System

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Approved By:

PURPOSE

To establish guidelines and procedures regarding Pepperball Launching Systems (PLS). Included in the document are topics relating to personnel selection, qualification and training, deployment, maintenance, storage and issuance. This regulation applies to uniformed patrol utilization of the Pepperball Launching System. Detention utilization will be addressed in a separate Detention SOP. In all cases, utilization of the Pepperball Launching System will be considered nonlethal force and the use of such will begin strict compliance with Myrtle Beach Police Department Administrative Regulation and Operating Procedure 206-E, Use of Force.

DEFINITIONS

1. Pepperball Launching System (PLS) – A non-lethal chemical agent delivery system that uses high pressure air launchers to deliver projectiles from a distance. It can be used on individual suspects as well as large groups of people for riot and crowd control.
2. Projectile – Pepperball projectiles are plastic, frangible spheres that are filled with PAVA powder. The projectiles, when delivered by an air powered launching device, burst on impact and release the PAVA Powder. The PLS can deliver the projectiles with enough kinetic energy to produce temporary abrasions, bruises, and/or welts.

3. PAVA – Also known as Capsaicin II, is a naturally occurring compound found in pepper plants. PAVA subdues suspects by strongly irritating their nose, eyes, and lungs. When inhaled, PAVA may lead to coughing, shortness of breath, and in some instances, vomiting. Although response to inhaling the PAVA Powder varies greatly among individuals, in most cases, the symptoms last for five to ten minutes.

PROCEDURE

1. INTRODUCTION

- A. The Pepperball Launching System (PLS) provides officers with a safe, effective and simple-to-use alternative to existing compliance systems. Pepperball projectiles combine a non-lethal level of kinetic impact with a pepper powder (PAVA-Capsaicin II). These projectiles are accurately delivered at distances up to 60 feet using a compressed air system. As the projectile strikes, it breaks apart, the resulting powder envelops the eyes and enters the breathing passages.

2. JUSTIFICATION FOR USE

- A. The employment and use of the Pepperball Launching System (PLS) can assist in overcoming resistance directed at the officer or others; or to protect the officer, or a third party from unlawful force; or to protect property; or to effect other lawful objectives, such as to make an arrest. Circumstances justifying the use of the PLS include, but are not limited to:
 - 1) When a suspect exhibits violent or potentially violent behavior that threatens the safety of the officer or others;
 - 2) When it is unsafe for an officer to approach a suspect within contact range;
 - 3) In the event an officer is confronted with a suspect who is armed or suspected to be armed with an edged weapon or impact weapon; Pepperball may be deployed if practical. Pepperball allows deployment from a SAFE distance when a suspect is armed with an edged or impact weapon. **NOTE: IN THESE CASES, THERE WILL BE AT LEAST ONE ARMED COVER OFFICER TO SUPPORT THE OFFICER DEPLOYING PEPPERBALL.**
 - 4) To defend oneself or another from an aggressive and/or attacking animal;

- 5) Pepperball may be used in crowd control situations. If a crowd gathers illegally and refuses to disperse, Pepperball may be used to gain compliance. Prior to utilizing Pepperball, the officer will issue verbal orders to disperse. If the crowd is not compliant, Pepperball may be used to saturate the area. Care will be taken to ensure that shots are not directed at the crowd.

3. UTILIZATION

- A. Only qualified, trained officers shall be authorized to deploy and use the Pepperball Launching System (PLS).
- B. Officers shall only use Myrtle Beach Police Department launchers and projectiles.
- C. Officers encountering a deployment situation shall, when feasible, immediately notify a supervisor. The system can be deployed prior to the arrival of a supervisor when the situation dictates such use. The supervisor will respond to all PLS deployments. The supervisor shall make all notifications and ensure that reports are submitted in compliance with Myrtle Beach Administrative Regulation and Procedure 206-F, Use of Force. In the event of an accidental discharge, the supervisor will insure that reporting is in compliance with Myrtle Beach Administrative Regulation 263 – Accidental Weapon Discharge.
- D. Officers will target the center mass of the body, unless the suspect is wearing heavy clothing, then the less padded areas such as legs and arms as well as the surfaces around the suspect will be targeted to disperse the PAVA. Officers will not intentionally target the face, eyes, throat, groin or spine.
- E. Officers shall give a verbal warning, loudly and clearly before dispensing projectiles. Officers hearing this warning should immediately break contact with the intended target and create distance while the projectiles are deployed.
- F. The number of projectiles fired should be no more than necessary to gain and maintain compliance.

4. MEDICAL ATTENTION REQUIRED

- A. When a suspect has been brought under police control, restraints applied and the suspect no longer presents a threat to the officer or others, the officer will render appropriate first aid to the suspect.
- B. When an officer has used the Pepperball Launching System (PLS), EMS will be notified as soon as practical. EMS personnel will determine if the suspect needs transport to a hospital for further medical evaluation.
- C. Any suspect that has been injured through the use of the PLS will be taken to the hospital for medical clearance **prior** to booking.

5. PERSONNEL SELECTION

- A. To be considered eligible for assignment to carry the Pepperball Launching System (PLS), an officer shall have:
 - 1) Reached the rank of Police Officer First Class;
 - 2) No disciplinary action for:
 - a. Insubordination;
 - b. Weapons Violations or;
 - c. Any other violations that reflect poor judgment on the part of the officer that may impact the safety of fellow officers or the public.
 - 3) Achieved at least 70 percent on the last three department handgun qualifications;
 - 4) Be recommended by their Division Captain;
 - 5) Be approved by the Chief of Police;
 - 6) If an officer, while certified to carry a Pepperball Launching System (PLS), does receive disciplinary action as stated above, the officer's Division Commander will make a recommendation to the Chief of Police regarding the officer's ability to continue to carry a PLS.
 - 7) If the officer does not receive a 70 percent proficiency score on future handgun qualifications, the Training Unit shall make notification to the officer's Division Commander who will make a recommendation to the Chief of Police regarding the officer's ability to continue to carry a PLS.

6. QUALIFICATION AND TRAINING

- A. In order to carry a Pepperball Launching System (PLS) on duty, officers must have:
- 1) Successfully completed the Department's Pepperball Launching System (PLS) training course.
 - 2) Subsequent re-qualifications as determined by the Departmental Training Sergeant and approval by the Chief of Police will be required for continued authorization to carry a PLS. All training and qualifications will be monitored by a qualified PLS instructor and documented in the officer's Departmental Training File.
 - a. Officers are required to successfully recertify annually via approved departmental training.
 - b. Any officer who fails to successfully complete any training/qualification sessions will no longer be authorized to carry the PLS without successfully retaking the initial course.
 - c. Officer's authorization to utilize the PLS may be removed at the discretion of the Uniform Division Commander or the Chief of Police.

7. ASSIGNMENT

- A. The Patrol Division of the Myrtle Beach Police Department has the following types of Pepperball Launching Systems (PLS), each is assigned to a specific function as identified below:
- 1) Custom Carbine-TX – Assigned to patrol officers. Carbines will be issued at the beginning of shift and carried in the trunk of the patrol car.
 - 2) SA-4 Launcher – Assigned to Waterfront Supervisors and will be issued at the beginning of shift with holster.
 - 3) Flashlauncher – Assigned to Waterfront officers and will be issued at the beginning of shift with holster.

8. ISSUANCE

- A. Upon completion of training, officer will be issued a card identifying that they are authorized to be issued a Pepperball Launching System (PLS). The PLS will be stored in the vault at the Police Department. The weapons will be stored with a full tank of compressed air. The tank valve will be turned to the off position

and the safety engaged until ready to deploy. The hopper will be filled with the approved number and type of rounds for the weapon.

- 1) At the beginning of each shift, the officer will present their card to the on duty supervisor who will issue the officer, based upon his/her duty assignment, the appropriate type of PLS from the vault. The supervisor will then place the officer's card in the vault. NOTE: If the officer does not present a card, the PLS will not be issued.
- 2) At the end of the shift , the supervisor will retrieve the PLS from the officer, ensuring that it is in good order, return it to the vault, and return the issued card to the officer.
- 3) The on-duty supervisor will be responsible if the PLS is not in the vault and a card is not present.
- 4) If a PLS is removed by the training unit, an armory card will be placed in the vault.

9. MAINTENANCE

- A. Officers are responsible for inspecting their respective Pepperball Launching System (PLS) at the beginning of each shift.
- B. Officers are responsible for ensuring the weapon is clean and free of exterior debris and defects and the storage bag is in serviceable condition.
- C. All Pepperball Launching System (PLS) weapons are subject to inspection at any time.
- D. The training unit is responsible to conduct random inspections of the weapon.
- E. Personnel assigned to the Pepperball Launching System (PLS) at the time of the inspection will be held accountable for the condition of the weapon.
- F. Only the designated department armorer will perform maintenance, other than exterior cleaning and lubricating.