


Rockville City Police Department

GENERAL ORDER



Subject PepperBall System		Procedure G.O. #4-60
Authorizing Signature 	Effective: 06-12-2025 Revised: 06-26-2026	Total Pages 7

I. POLICY

It is the policy of the Rockville City Police Department to utilize the safest and most effective tools in law enforcement to detain and apprehend subjects with the lowest risk of injury ratio for both officers and subjects.

II. PURPOSE

The purpose of this policy is to establish guidelines for the training, maintenance, deployment, documentation, and decontamination procedures for the PPC PepperBall Launcher System.

III. DEFINITIONS

- A. PPC PepperBall Launcher: A non-lethal force alternative that is a semi-automatic, high-pressure air launcher, which uses compressed air to propel .68 caliber frangible projectiles filled with PAVA powder that is disbursed upon impact. The device is considered a chemical irritant delivery device and can be used as a direct impact or area saturation weapon.
 - 1. **Direct Impact:** The discharge of a PepperBall projectile directly onto the body of a person. Direct impact discharges use a combination of kinetic impact and chemical agent exposure to achieve the intended law enforcement objective.
 - 2. **Area Saturation:** The discharge of a PepperBall projectile at a fixed object that allows the projectile to break open and create a cloud of PAVA. Area saturation is designed to expose a subject(s) to a PAVA cloud to achieve the intended law enforcement objective.
- B. Deployment: Producing the PepperBall System during an incident to achieve a law enforcement objective.
- C. Discharge: The firing of an authorized projectile from the PepperBall System.
- D. PepperBall Projectiles: Two categories, Round and Shaped (VXR)
 - 1. Round Live-X: 5% PAVA Powder, red and black, used for direct impact, area saturation and crowd control.
 - 2. Round Live – MAXX: 5% Maxsaicin PAVA Powder, white and black, most potent, and powerful projectile. Used for direct impact, area saturation and crowd control.

3. Round Inert: scented powder, white/purple, used for direct impact, training qualification and ventilation testing.
 4. VXR Live – X: 5% PAVA Powder, red/black, spin stabilized and offers greater distance and accuracy. Used for direct impact, area saturation and crowd control.
 5. VXR Live-X-MAXX: 5% Maxsaicin PAVA Powder, white and black, spin stabilized and offers greater distance and accuracy. Used for direct impact, area saturation and crowd control.
 6. VXR Inert: scented powder, purple, spin stabilized and used for training.
- E.** PAVA: Is a pepper derivative that is extremely hot. The ingredients in hot peppers that are responsible for the heat are called capsaicinoids. Capsaicinoids are a family of chemicals and they come with various qualities. PAVA (Capsaicin II) is the hottest of the capsaicinoids family.
- F.** Passive Resistance: Refers to displays of defiant behavior refusing to comply with an officer’s verbal command or physical control techniques by non-violent actions. Passive resistance may include, but is not limited to, standing stationary and not moving in a lawful direction, falling limp, and refusing to move (dead weight), or other non-compliant behavior that does not pose a threat to the officer or another.
- G.** Active Resistance: Refers to any action or evasive movements a subject takes to avoid or physically counteract an officer's attempts to detain or place them in custody, and/or take control. Active resistance movements or behaviors may include, but are not limited to, pushing away, tensing arm muscles to avoid handcuffing (bracing), twisting, fleeing arrest, or refusing to be taken into custody by exerting some degree of physical force in response to the lawful performance of an officer’s duties.
- H.** Active Aggression: Refers to any physically aggressive or combative movements displayed by a subject which may cause injury to the officer or another. This aggression may manifest itself through actions that include, but are not limited to, a fighting stance, punching, kicking, biting, pushing, threat of an instrument that may be perceived as a weapon or other actions which present an imminent threat of harm to the officer or another.
- I.** De-escalation Tactics and Techniques: Proactive actions and approaches used by a law enforcement officer to stabilize the situation so that more time, options, and resources are available to gain a person's voluntary compliance and reduce or eliminate the need to use force, including verbal persuasion, warnings, tactical repositioning techniques, slowing down the pace of an incident, waiting out a subject, creating distance between the officer and the threat, and requesting additional resources to resolve the incident.
- J.** Air Bottle (Scuba Tank): Bottle of compressed air used to charge the PepperBall System.

IV. AUTHORIZED USERS

- A.** Instructors: Instructors of the PepperBall System will be trained and certified by PepperBall Technologies Inc. All instructors will be required to maintain their certification through PepperBall Technologies – those certified instructors will train selected Police Department operators.

- B. Operators: Only selected officers trained and certified by the Department shall use the PepperBall System. Operators shall maintain annual recertification.

V. ISSUANCE AND CARRY

- A. Only qualified operators shall carry the PepperBall System. The PepperBall system shall be carried in the issued carrying case until it is deployed. The round Live-X and VXR Live PepperBalls will be loaded into separate marked magazines so the operator will know what rounds are loaded.
- B. The PepperBall operator is responsible for their teams assigned PepperBall system and ensuring it is in proper working condition. The PepperBall operator is responsible for reporting a system that needs repair to a PepperBall Armorer and/or the program coordinator.
- C. The assigned PepperBall system will be stored in a secure location in the police station and will only be removed by the assigned operator. The weapon will be stored in the safe unloaded, magazine expelled, chamber empty, and in a designated rifle bag. It may be signed out at the beginning of the shift and must be returned at the end of the shift.
- D. Officers will not make any modifications to the PepperBall System without authorization from the Chief of Police or his designee. Only certified PepperBall Armorers shall make alterations or repairs to the PepperBall system.
- E. The PepperBall system will only deploy authorized PepperBall projectiles.
- F. The PepperBall system will be inspected annually by a certified PepperBall armorer.

VI. USE OF PEPPERBALL SYSTEM

In conjunction with General Order 4-1 – Response to Resistance and Aggression, force must be necessary and proportional based on the totality of the circumstances. The PepperBall System will only be discharged when an objectively reasonable officer would conclude the circumstances presented could be mitigated using the PepperBall System, the officer’s presence and verbal dialogue has failed to bring about the subject’s compliance, and the following conditions exist:

- A. The subject(s) displays active aggression and/or active resistance, and
- B. Attempts to subdue the subject(s) by other methods have been, or will likely be, ineffective in the situation at hand, or
- C. A reasonable expectation exists that it is unsafe for officers to approach the subject(s) to effect an arrest.

VII. WARNINGS AND PEPPERBALL APPLICATION:

The PepperBall operator shall announce their intent to deploy the PepperBall system unless it would otherwise endanger the safety of officers or when it is not practicable under the circumstances. Announcements let involved officers know the PepperBall system is being discharged so it is not mistaken by sight or sound as a firearm – it will also give the subject an opportunity to comply. The

PepperBall operator will document whether a verbal warning was given or the reasons it was not in related reports.

- A. Typical effects of PAVA irritant exposure occur immediately and include a burning sensation of the skin, burning sensation in the lungs, tearing and involuntary closure of the eyes, coughing and gagging. Officers must be aware the PepperBall discharge may not achieve the intended results and must be prepared to use other force options.
- B. Although the impact of a pepper ball projectile is less than that of a baton strike, officers must consider the impact characteristics of the situation at hand when determining whether to proceed with direct impact or area saturation.
- C. Officers will order and direct the subject, as the incident requires, in an effort to minimize the number of discharges needed for compliance. Officers must continually assess the situation to ensure the continued application of force is appropriate.
- D. The PepperBall system may also be used for area saturation against hard surfaces at distances up to 150 feet. As with the discharge of any chemical agent, wind, temperature, and humidity conditions need to be considered when evaluating the use of the PepperBall System.
- E. The preferred target area is the upper torso or center of mass for direct impact discharges. Intentional impact to the head, neck, spine, and groin should be avoided – under no circumstances will the PepperBall System be applied after resistance has ceased.
- F. Officers will order and direct the subject(s), as the incident requires, in an effort to minimize the number of PepperBall System discharges needed for compliance. Officers must recognize that subject(s) may not be able to respond to commands while under the effects of the PAVA irritant and should give the subject(s) an opportunity to comply with orders while continually assessing the situation to ensure the continued application of force is appropriate.
- G. When practical, prior to discharging the PepperBall system, officers should attempt to use verbal warnings/commands to gain compliance and de-escalate the situation. During deployment of the PepperBall system one officer will be dedicated to the PepperBall system and secondary officers should be on scene to be the cover officer and to take control of the subject as an arrest team.
- H. The PepperBall System is not a substitute for deadly force and generally should not be used in those situations. If an officer is faced with a deadly force situation and utilizes the PepperBall System in an attempt to de-escalate the situation, they must have another officer present to provide deadly force cover.
- I. After the suspect(s) is in custody, officers shall avoid restraining them in a position that contributes to positional asphyxia.

VIII. SPECIAL DISCHARGE CONSIDERATIONS

The use of the PepperBall System should be avoided on the following individuals unless the totality of the circumstances indicates the potential benefit of using the system reasonably outweighs the associated risk.

- A. The following are circumstances/risk factors to consider in the discharge of the PepperBall System:

1. Children
2. Elderly Persons
3. Persons with known respiratory issues
4. Persons with known heart related issues
5. Females known or appear to be pregnant
6. Persons under medical care/visibly frail

IX. RESTRICTED USE

As with all law enforcement equipment, the PepperBall System has limitations and restrictions requiring consideration before its use.

- A. Officers will utilize the PepperBall System under the guidelines set forth in General Order 4-1 – Response to Resistance and Aggression and this policy.
- B. The PepperBall System will not be discharged on subjects who display passive resistance, nor will it be used in a punitive or coercive manner to inflict unnecessary pain and/or injury.
- C. Officers shall not hold a firearm and the PepperBall System at the same time; holding both weapons at the same time may lead to a sympathetic hand response and an unintentional discharge.

X. DECONTAMINATION/MEDICAL EVALUATION

- A. Suspect(s) exposed to PAVA powder through Direct Impact or Area Saturation shall be decontaminated by EMS personnel. Once on scene, EMS personnel will advise if further medical care is required – this will allow EMS personnel to assess the subject for any adverse reaction to the PAVA powder.
- B. Officers shall ensure that anyone exposed to PAVA powder is not restrained and/or transported in a manner that contributes to positional asphyxia.
- C. During riot situations or when an unruly crowd is encountered, it may not be possible to arrest or provide medical attention regarding all PepperBall discharges, as the subject(s) struck may wander off or be carried off within the crowd.

XI. REPORTING

The post incident documentation of a PepperBall system discharge requires the justification for the application of force, the collection of witness statements, photographs, evidence, and related reports. All field discharges of the PepperBall system will be documented on a Response to Resistance and Aggression Report (RRAR) and forwarded for review in accordance with General Order 4-1 – Response to Resistance and Aggression, Section X.

- A. Show of Force: Pointing the PepperBall system at a subject(s) is considered a Use of Force and will be reported on an RRAR.

- B.** Unintentional Discharge: Unintentional discharges will be investigated and recorded in accordance with General Order 4-1 – Response to Resistance and Aggression, Section V111. Within 72-hours of the discharge, the officer will be re-educated on the PepperBall System and must successfully complete PepperBall training. Any remedial or disciplinary action related to the incident will be investigated in accordance with department policy and procedure.
- C.** RRAR will outline the following:
 - 1. PepperBall application and justification;
 - 2. Subject(s) level of resistance;
 - 3. PepperBall system serial number;
 - 4. Number of PepperBall projectiles deployed;
 - 5. Effectiveness in gaining compliance;
 - 6. Type of decontamination/medical treatment received and where occurred;
 - 7. Malfunctions during deployment.
- D.** Additionally, PepperBall operators must:
 - 1. Notify a supervisor;
 - 2. Photograph all PepperBall projectile impact marks – welts and/or bruising;
 - 3. Obtain all medical/EMS paperwork if further medical care is needed;
 - 4. Complete all applicable reports and Response to Resistance and Aggression report in accordance with GO 4-1 – Response to Resistance and Aggression prior to the end of their shift unless the respective officer is incapacitated (Md. Code PS § 3-514).
- E.** Supervisor Responsibilities:
 - 1. Conduct monthly inspections on PepperBall Systems assigned to personnel under their charge;
 - 2. Immediately respond to all PepperBall deployments and ensure all aspects of PepperBall protocols and procedures are followed in a manner consistent with department policy and applicable law;
 - 3. Ensure proper medical treatment is provided for injured parties;
 - 4. Ensure the post incident investigation includes the collection of all evidence to include witness statements, photographs, and a canvas for any cameras that may have captured the incident;
 - 5. Review, approve and forward all related reports through the proper chain of command;
 - 6. Ensure all notifications are made in accordance with General Order 2-16, Chief of Police Notifications.

XII. TRAINING

- A.** Initial Training Certification: PepperBall operators must complete an initial 4-hour course of instruction prescribed by PepperBall/RCPD, pass a written examination proffered by a certified instructor, pass a practical exam, qualifying course of fire developed by RCPD, and review all PepperBall informational updates.
- B.** Re-Certification: All PepperBall operators must be re-certified annually and complete a 4-hour course of instruction and continue to show proficiency in the use of the PepperBall system through a written exam with a passing score, practical exam, a qualifying course of fire, and review all PepperBall informational updates.
- C.** Instructor Certification: PepperBall instructors must complete the PepperBall Instructor certification course taught by PepperBall and be a MPTSC instructor. PepperBall instructors must re-certify biennially.

XIII. CANCELLATION

This policy cancels, supersedes, and replaces any policy or directive that conflicts with it regarding PepperBall Systems.