

BASE BILL PROPOSED AMENDMENT 5

Amendment Name: Pepper Spray Restrictions

Sponsor: Councilmember Sawant

Effects Statement: Prohibits the use of pepper spray for crowd control in a demonstration or rally.

Proposed Amendment:

Modify Sections 2.D and 2.E as follows:

D. ~~((Oleoresin capsicum (OC) spray, forty millimeter launchers and noise flash diversionary devices are not ((is not a crowd control weapon))less lethal ((crowd control))weapons for purposes of owning, purchasing, renting, or storing under subsection 3.28.146.A., unless such weapons are used for crowd dispersal purposes.))~~ Neither 40-millimeter launchers to deploy chemical irritants, nor pepper spray, nor noise flash diversionary devices are banned as less lethal weapons for purposes of subsection 3.28.146.A. with the exception that they may not be used for crowd control in a demonstration or rally, and only in circumstances in which the risk of serious injury from violent actions outweighs the risk of harm to bystanders. Only Special Weapons and Tactics (SWAT) officers may deploy such 40-millimeter launchers to deploy chemical irritants and noise flash diversionary devices and only for purposes other than crowd control in demonstration or rally.

~~((E. Oleoresin capsicum (OC) spray is not banned as a less lethal weapon for purposes of subsection 3.28.146.A. with the exceptions that a) it may not be used for crowd control in a non-violent demonstration or rally and b) it may be used only in circumstances in which the risk of serious injury from violent actions outweighs the risk of harm to bystanders.))~~

ReNUMBER following sections accordingly.