

CB 120105 PROPOSED AMENDMENT 3

Amendment Name: Pepperball launchers

Sponsor: Councilmember Herbold

Effects Statement: This amendment clarifies that the restrictions in Section 1E apply to the deployment of pepperballs regardless of the caliber of the launcher (40mm or otherwise).

Proposed Amendment:

Modify Section 1E as follows:

E. Forty-millimeter launchers used to deploy chemical irritants and launchers used to deploy pepperballs are not banned as less lethal weapons for purposes of subsection 3.28.146.A if:

1. Used by SWAT officers outside the setting of a demonstration or rally in circumstances in which the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders; or
2. Used by SWAT officers in a demonstration or rally for purposes other than crowd control in circumstances in which the risk of serious bodily injury from violent actions outweighs the risk of harm to bystanders.