



CHAIRMAN'S MEMORANDUM

NO. 5-2002 JANUARY 31, 2002

TO: SHERIFFS, JAIL ADMINISTRATORS, COMMISSIONERS OF CORRECTION, TRAINING COORDINATORS

RE: COMMISSION'S POLICY ON THE USE OF PEPPER BALL WEAPONS

Within the past year, several county correctional facilities have inquired as to the Commission's position on the use of pepper ball weapons. This memorandum will serve to clarify the Commission's policy on use of such weapons.

9 NYCRR, Part 7063, Chemical Agents, requires that all staff who are authorized to use chemical agents satisfactorily complete a training program incorporating accepted practices (including agents and delivery devices) that is pre-approved by the Commission.

At this time, the Commission of Correction will not certify training curricula for the use of pepper ball weapons or similar devices within a correctional facility, including facility grounds. This position is based on the fact that such weapons discharge high velocity projectiles which could cause injury and as such, pose a potential danger to staff and inmates.

The Commission believes that existing alternative means (e.g., aerosol sprays, foggers) of chemical agent delivery in use of force situations are sufficient and pose less risk.

Alan J. Croce, Chairman/Commissioner