



Legislation Text

File #: 61250, Version: 2

**Fiscal Note**

The proposed ordinance prohibits the Madison Police Department from using tear gas, mace and impact projectile devices. Costs fluctuate from year to year in correspondence with usage, training needs or expiration. In 2019, the department spent approximately \$7,000 on these items. Additionally, the Common Council approved the expenditure of \$60,000 for less lethal equipment in the 2020 Capital Improvement Plan. While there would be savings associated with not purchasing these items, an alternative could consume some or all of these savings or require additional funding from the Common Council.

A resolution prohibiting the use of tear gas as of November 17, 2020 and requesting a study of alternatives by the Madison Police Department, Legistar file ID #61265, is also being introduced.

**Title**

SUBSTITUTE - Creating Section 5.17 of the Madison General Ordinances to prohibit the Madison Police Department from using tear gas, mace and impact projectile devices ~~as crowd control measures~~.

**Body**

DRAFTER'S ANALYSIS: This ordinance prohibits all Madison Police Department commissioned officers while on duty, and any commissioned officers employed by any other law enforcement agency responding to a request for mutual aid by the Madison Police Department, from using tear gas, mace, pepper mace, pepper gas or projectile devices ~~as crowd control measures~~.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 5.17 entitled "Prohibition of Tear Gas, Mace and Impact Projectile Devices" of the Madison General Ordinances is created to read as follows:

**"5.17 PROHIBITION OF TEAR GAS, MACE AND IMPACT PROJECTILE DEVICES.**

- (1) While on duty, all commissioned officers employed by the Madison Police Department and any commissioned officers employed by any other law enforcement agency responding to a request for Mutual Aid by the Madison Police Department are prohibited from using the following ~~as crowd control measures~~:
  - (a) Tear gas, the active ingredient of which is either Chloroacetophenone (CN) or o-Chlorobenzylidene malononitrile (CS).
  - (b) Other chemical agents commonly known as mace, pepper mace, or pepper gas.
  - (c) Impact projectile devices, including 40mm sponge rounds and small beanbags."