



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Legislation Text

File #: RES. 2020-R048, **Version:** 1

To request that the Chief Administrative Officer cause the Department of Police to revise its policies to ban the use of certain non-lethal weapons to control unlawful assemblies.

WHEREAS, pursuant to section 18.2-405 of the Code of Virginia (1950), as amended, “[a]ny unlawful use, by three or more persons acting together, of force or violence which seriously jeopardizes the public safety, peace or order is a riot;” and

WHEREAS, pursuant to section 18.2-406 of the Code of Virginia (1950), as amended, an unlawful assembly, in part, is an assembly of three or more persons who “share the common interest to advance some lawful or unlawful purpose by the commission of an act or acts of unlawful force or violence likely to jeopardize seriously public safety, peace and order;” and

WHEREAS, section 18.2-411 of the Code of Virginia (1950), as amended, provides, in part, that, “[w]hen any number of persons . . . are unlawfully or riotously assembled . . . [e]very endeavor shall be used, both by . . . officers and by the officer commanding any other force, which can be made consistently with the preservation of life, to induce or force those unlawfully assembled to disperse before an attack is made upon those unlawfully assembled by which their lives may be endangered;” and

WHEREAS, upon information and belief of the Council, non-lethal and “less lethal” weapons used to disperse unlawful and riotous assemblies include bean bag rounds, flash-bang grenades, pepper balls, rubber bullets, and tear gas; and

WHEREAS, in an article published by the Scientific American entitled “What ‘Less Lethal’ Weapons Actually Do,” Kelsey D. Atherton asserts that “less lethal” weapons, such as rubber bullets and tear gas, to “disperse crowds and subdue individuals” are not harmless; and

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council request that the Chief Administrative Officer cause the Department of Police to revise its policies to ban the use of the aforementioned non-lethal weapons to control unlawful and riotous assemblies;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council hereby requests that the Chief Administrative Officer cause the Department of Police to revise its policies to ban the use of bean bag rounds, flash-bang grenades, pepper balls, rubber bullets, tear gas, and other non-lethal weapons to control unlawful and riotous assemblies.