

# Bowie City Police Department - General Orders



TITLE: OC CHEMICAL AGENT		NUMBER: 409
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<b>Chief John K. Nesky</b>	1.3.4, 1.3.5, 1.3.10	3

## I. PURPOSE

To provide Departmental guidelines to officers in the use and carry of Oleoresin Capsicum Spray, as well as when medical attention is needed after the use.

## II. POLICY

This policy regulates the issuance and use of Oleoresin Capsicum Spray, a less-than-lethal weapon. It is imperative that the Department's officers are properly trained and qualified in the use of all authorized weapons, and that proper inspections and maintenance are conducted to ensure that they meet minimum safety requirements.

## III. LESS-LETHAL PHILOSOPHY (CALEA 1.3.4)

A concept of planning and applying force which meets operational objectives while lessening the potential for death or serious injury.

## IV. OC CHEMICAL AGENT (PEPPER SPRAY)

Oleoresin Capsicum (OC) Spray (also commonly referred to as Pepper Spray) is an inflammatory agent that occurs naturally in cayenne pepper and, when deployed into the face of a violent, resistant or uncooperative subject, results in the swelling of the eyes and airway, yet should cause no permanent injury to the subject.

**NOTE:** A small portion of the population will not have an adverse reaction to OC Spray.

### A. Training and Inspection: (CALEA 1.3.5)

1. Officers who are qualified and authorized by the Department may carry or use OC Spray during the course of his/her duties.
2. Officers assigned to carry and use OC Spray must maintain their certifications by successfully completing the bi-annual re-certification course.
3. Officers who fail to re-certify with the OC Spray will be subject to immediate remedial training before being allowed to carry OC Spray.

4. Supervisors shall inspect their subordinates' OC Spray on a monthly basis to ensure there are no defects or leaks in the canister and to check the expiration date. Any canisters deemed defective or which are expired shall be given to the Administrative Sergeant for disposal and the officer will be issued a new canister.

## **B. Acceptable Use and Restrictions**

1. OC Spray may be deployed in, but not limited to, the following circumstances:
  - a. When necessary to defend the officer or others.
  - b. When lower levels of force would be ineffective or inappropriate, and the officer's objective is to effect an arrest of the subject to be sprayed.
2. OC Spray normally should not be deployed under the following circumstances:
  - a. Against a handgun or other firearm.
  - b. Against a knife.
3. OC Spray should not be deployed under the following circumstances:
  - a. In an emergency room or other places where people may have difficulty breathing.
  - b. When deployment could create a mass stampede or evacuation.
  - c. Sprayed in the air as a warning.
  - d. Against a person operating a motor vehicle.

## **C. Availability and Deployment of OC Spray**

1. OC Spray is considered a low-level control and restraint technique that, can be utilized whenever an officer is confronted with active resistance.
2. All officers who have demonstrated proficiency may carry OC spray on their duty belts. All officers in the field shall carry all Departmentally issued less-lethal weapons on their person at all times (Taser, ASP/expandable baton and/or OC).
3. When the agent is deployed, officers must exercise caution not to contaminate themselves or others.

## **D. Special Attention Subjects**

These persons shall be closely monitored after being sprayed:

1. Elderly persons.
2. Subject substantially impaired by alcohol or drugs.
3. Very obese person with known medical conditions, such as diabetes or heart trouble.
4. Known persons with chronic respiratory problems, such as asthma.
5. Small children.
6. Women who are visibly pregnant.

## **E. Decontamination and Medical Attention (CALEA 1.3.10)**

1. After deploying OC Spray and after the subject has been secured, officers will make every effort to relieve the subject's discomfort after exposure. Officers will provide contaminated

subjects with fresh air and water. When practical, officers will allow the subject a short decontamination period prior to transport.

2. If normal breathing does not resume after the first five (5) minutes, emergency medical assistance shall immediately be requested. Officers shall immediately request medical assistance when an exposed person:

- a. Hyperventilates
- b. Loses consciousness
- c. Stops breathing
- d. Suddenly becomes incoherent
- e. Turns pale

3. Officers shall notify ambulance personnel that the person was exposed to a chemical agent.

4. An officers transporting a subject or causing a subject to be transported to a medical facility shall request that the Communications Unit notify the medical facility to provide advanced notice of a contaminated subject arriving at their facility for treatment and decontamination.

## **F. Handcuffing**

Officers shall use caution when attempting to handcuff a sprayed subject. After handcuffing the subject, officers should avoid placing the subject on his/her back or stomach. This may prevent normal breathing and lead to serious medical complications.

## **G. Post Deployment and Documentation**

1. If the officer exhausts his/her supply of OC Spray, the officer shall report, as soon as practical, to the Administrative Sergeant for a new canister.

2. The Shift Supervisor or his/her designee shall respond to the scene and photograph the subject and the site of the OC Spray exposure.

3. Whenever an officer deploys OC Spray in the course of his/her duties, the deployment shall be documented on the Incident Report and Use of Force Report. A copy of all reports, including photographs, shall be forwarded to the Administrative Sergeant for review.

4. Storage:

a. OC Spray shall not be stored in direct sunlight or in places where the temperature may reach 120 degrees Fahrenheit, such as in the trunk of a car.

b. While at home, officers shall store Department-issued OC Spray out of the reach of children.