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NOTE: This Directive is for internal use only and does not *increase* the Division's, the Commission's, or any officer's civil or criminal liability in any way. It is not *intended to establish* a particular standard of safety or care in an evidentiary sense with respect to any complaint, demand for settlement or any other form of grievance or litigation. Violations of this Directive, if substantiated, can only form the basis for Division administrative sanctions.

I. Purpose

To establish policy and procedures for the training, certification, availability, use, decontamination, maintenance and storage of Oleoresin Capsicum (OC) Aerosol Sprays by members of the Division.

II. Policy

It is the policy of this Division to provide the tools necessary for its personnel to do their job in a productive, effective and safe manner. The use of OC is classified as a use of force and will be governed by this policy and *Division Directive Use of Force*.

III. Definitions

A. Oleoresin Capsicum (OC) - is classified as an inflammatory. OC exposure generally has the following characteristics:

1. works immediately;
2. symptomatic effects may last up to 45 minutes; and
3. there are no documented long lasting harmful effects to the person who is sprayed with OC.

B. Non-Flammable Propellant - A propellant or delivery system that will not enhance an open flame or cause a fire from a spark.

IV. Approved O.C. Aerosol Sprays -Officers will only carry OC products which are issued by the Division and which do not contain flammable propellants or known carcinogens.

V. Training - Officers will be trained and successfully complete a Division approved OC training program prior to being issued OC. Re-certification will be conducted, at least biennially, by certified instructors. This training will include but not be limited to:

- A. Tactical use and applications of OC.
- B. Specific tactics (including hands-on training).
- C. OC use on animals
- D. OC safety considerations (officer and suspect)
- E. OC vicarious liability
- F. OC maintenance considerations

VI. Effects of O.C. Usage

The general effects of OC exposure include:

- A. Inflammation of the eyes and mucus membranes causing:
 - 1. the involuntary closing *and weeping* of the eyes,
 - 2. *runny nose*; and
 - 2. uncontrollable coughing and hacking;
- B. impairment of the person's breathing;
- C. an intense burning sensation of the affected areas; and
- D. emotional anxiety.

VII. Procedures

A. Use

1. Officers responding to calls for service, their supervisors and officers temporarily assigned to patrol duties (i.e. overtime details or traffic details), will carry OC spray on duty belt. Plainclothes officers or detectives must have OC spray readily available when responding to calls.
2. OC may be used in situations where:
 - a. verbal direction is ineffective or inappropriate; or
 - b. passive resistance techniques have failed and officers may have to use physical force to maintain control.
3. Officers should avoid the use of OC in areas where the use of OC could reasonably and foreseeably cause a panic (e.g., a darkened room).
4. OC will only be used as a control and compliance measure and will never be used for any illicit/unlawful purpose (e.g., as a means of punishment and/or interrogation).
5. The use of OC will be consistent with the guidelines for the Division Directive "Use of Force" and the manufacturer's specific guidelines for use.
6. Officers should only use the amount of OC reasonably needed to achieve the desired effects. Once the desired effects are achieved, the officer will discontinue usage.
7. Officers may spray a combative restrained/handcuffed prisoner only when other available means of control have been exhausted or would clearly be ineffective.

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8. Officers will not intentionally or knowingly create a situation whereby a person sprayed by OC who is temporarily blinded would or could walk into the path of oncoming traffic or walk off an elevated area causing unreasonable injury.
 9. If an officer, confronted by a suspect/assailant wielding or threatening the use of OC, cannot reasonably and safely retreat from the scene, or if there are not sufficient backup/support officers present to reasonably and safely protect the officer from attack or injury after OC exposure, the officer may use reasonable force up to and including deadly force against the attacker.
- B. OC decontamination procedures – humans
1. After control has been established, and/or resistance has ceased, the officer will make reasonable efforts to allow the OC affected subject relief from the discomfort associated with the application of OC.
 2. Severe symptoms of OC exposure are expected to disappear in 45 minutes or less with only minor aftereffects (red skin, mild burning sensations, etc.).
 3. Secondary contamination or effects on the user are generally negligible. The subject may be handled immediately after being subjected to the OC. The user should exercise caution to avoid contact between their hands and face.
 4. Whenever possible, officers will request medical attention.
 5. Reasonable efforts to decontaminate buildings after OC exposure may include, as practical under the circumstances of the exposure:
 - a. opening doors and windows as soon as possible for at least 30 minutes;
 - b. washing affected areas with mild *non-oil based* soap and water;
- C. Documentation
- Pursuant to the provisions of the Division Directive "Use of Force", every use of OC in other than a training session will be documented in a written report.
- D. Maintenance and Storage
1. Officers should not:
 - a. store OC in direct sunlight;
 - b. store OC in areas where the temperature may exceed 120 degrees Fahrenheit, such as in an unattended vehicle, unless the OC product has been issued for storage in a vehicle and is contained in a separate and authorized container.
 - c. incinerate containers.
 2. Officers will regularly inspect their OC canisters for signs of erosion, leakage, dirt in the nozzle and/or damage.

3. Any used, malfunctioning, or damaged OC canister will be safely removed and properly disposed of by a supervisor, defensive tactics instructor, or the Property Specialist. The OC canister contents shall be emptied in an outside environment (note wind direction) and away from human contact, ventilation systems, ducts, etc... The empty canister should be disposed of in the proper receptacle.

**Approved Park Police Document
Signed Original on File**

End of Directive