



OC SPRAY

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I. PURPOSE

The purpose of this policy is to establish guidelines for the use of oleoresin (OC) aerosol restraint spray.

II. POLICY

This department has issued OC aerosol restraint spray to provide officers with additional use of force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of this department that personnel may use OC spray when warranted, but only in accordance with the guidelines and procedures set forth here and in this department's use of force policy.

III. PROCEDURES

A. Authorization

- 1. Only personnel who have demonstrated proficiency with OC spray are authorized to carry and use it. Proficiency must be demonstrated at least biennially (every two years), and be monitored by a certified weapons instructor.
- 2. All uniformed officers and sergeants on patrol are required to carry the issued OC Stream Spray on their duty belt while on duty.
- 3. Only the OC sprays meeting department specifications and issued by the department may be used by agency personnel in law enforcement responsibilities, both on and off duty.

B. Usage Criteria

- 1. OC spray is considered a use of force and will be employed in a manner consistent with this department's use of force policy.
- 2. OC spray may be used when verbal dialogue has failed to bring about a subject's compliance, and the subject indicates the intention to actively resist the officer's efforts to arrest him or her.
- 3. Whenever practical and reasonable, personnel should issue a verbal warning prior to using OC spray on a person.
- 4. Officers may use deadly force to protect themselves from the use or threatened use of OC spray when the officer reasonably believes that deadly force will be used against them if they become incapacitated.
- 5. Once a person is handcuffed or otherwise restrained and they are still combative and/or violent, officers must first attempt to exercise additional control over the individual by using empty handed or non-striking impact tool techniques before the use of OC spray is justified. (Any officer who uses OC spray on an already-restrained person must be prepared to explain that use.) Once an individual is incapacitated, the use of OC spray is no longer justified.
- 6. Trained Patrol Supervisors are authorized to carry and use the departmentally issued OC spray fogger unit. The unit may be used as a crowd control device when unruly crowds spontaneously develop, officer safety is compromised, and participants refuse to obey lawful orders to disperse.

C. Usage Procedures

1. Whenever possible, personnel should be upwind from the suspect before using OC spray and should avoid entering the spray area.
2. Personnel should maintain a safe distance from the suspect of between two and *eight* feet.
3. A single spray burst of between one and three seconds should be directed at the suspect's eyes, nose and mouth. Additional bursts may be used if the initial bursts prove ineffective.
4. Use of OC spray should be avoided, if possible, under conditions where it may affect innocent bystanders.

D. Effects of OC Spray

1. Within several seconds of being sprayed by OC spray, a suspect will normally display symptoms of temporary blindness, have temporary difficulty with breathing, a burning sensation in the throat, nausea, lung pain and/or impaired thought processes.
2. The effects of OC spray vary among individuals. Therefore, all suspects will be handcuffed as soon as possible after being sprayed. CAUTION: Personnel should also be prepared to employ other means to control the suspect – to include, if necessary, other force options consistent with department policy – if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
3. Immediately after spraying a suspect, personnel will be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating, and loss of consciousness. Upon observing these or other medical problems, or if the suspect requests medical assistance, personnel will immediately summon emergency medical aid.
4. Suspects that have been sprayed will be monitored for indications of medical problems and will not be left alone while in police custody, until the effects have subsided.
5. Personnel should provide assurance to suspects who have been sprayed that the effects are temporary, and should encourage them to relax.
6. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. If the suspect is cooperative, personnel should assist him or her by rinsing the exposed area with water.
7. Assistance will be offered to any individuals accidentally exposed to OC spray. All such incidents will be reported as soon as possible to the officer's immediate supervisor and will be detailed in an incident report.

E. Reporting Procedures

1. Accidental discharges as well as intentional uses of OC spray will be reported to the immediate supervisor as soon as possible.
2. A Use of Force Report will be completed following all discharges of OC spray except during testing, training, or accidental discharge.
3. As the OC spray fogger unit is intended for unruly crowd dispersal, the supervisor may not have the required information for the "Suspect Information" section of the Use of Force Report. In that event, the supervisor will enter "Disorderly, Threatening Crowd" in the "Suspect Information" section. An incident or supplement report will be written to accompany the Use of Force Report. The supplement will describe the circumstances for deployment, to include an estimated number of persons in the crowd. In the event that known suspects were in the crowd, or affected suspects are identified during the incident, the supplement report will list the full name, gender, race, DOB, and address of all identified persons.

F. Replacement

1. All OC spray devices will be maintained in an operational and charged state. Replacements for damaged, inoperable or empty devices are the responsibility of personnel to whom they are issued.
2. Replacements of OC spray canisters will occur when the unit has had 2 or 3 significant uses, or the canister has expired. The expiration date is 5 years beyond the manufacture date printed on the canister.
3. OC spray canisters shall be inspected at least biennially by Academy staff. This should consist of a test spray, to determine if the canister is still functional.

IV. PROPONENT UNIT: Training Academy.

V. CANCELLATION: This directive cancels Index Code 404, dated 07-01-07.