

SAN DIEGO POLICE DEPARTMENT PROCEDURE

DATE: JANUARY 2, 2018

NUMBER: 1.06 - ADMINISTRATION

SUBJECT: USE OF LIQUID CHEMICAL AGENT

RELATED POLICY: 1.04, 1.06

ORIGINATING DIVISION: TRAINING AND VOLUNTEER SERVICES

NEW PROCEDURE:

PROCEDURAL CHANGE: **EXTENSIVE CHANGES**

SUPERSEDES: DP 1.06 – 04/11/2014

I. PURPOSE

This Department procedure establishes guidelines on the use of liquid chemical agents.

II. SCOPE

This procedure applies to all members of the Department.

III. PROCEDURES

A. Guidelines for Use:

1. Oleoresin Capsicum (OC) shall be carried by all uniformed personnel who are authorized to use liquid chemical agents in the performance of their duties.
2. OC may only be used on a person who is engaged in active resistance, assaultive behavior, or life threatening behavior. Department Procedure 1.04, Use of Force, describes the various levels of resistance and assaultive behaviors.
3. OC may only be used on handcuffed prisoners who are violent, are about to cause or are causing injury to themselves or others, or are causing damage to property.

4. OC should not be used on a person who is completely restrained in a safety control chair.
5. Generally, OC should not be used to disperse a crowd without the approval of the on-scene field supervisor or the incident commander. In a crowd control situation, it is imperative that officers respond in a coordinated manner.
6. OC may be used on a spitting person in order to gain control and/or when applying a spit-sock.

B. Directions for Use of the First Defense Liquid Chemical Agent

1. The Def-Tec Mark – 4 (3 oz. canister), can be used with accuracy and effectiveness from three to twelve feet in calm, still air. The Mark IX (12 oz. canister) is generally limited for use in crowd control situations requiring larger amounts of liquid chemical agent.
2. To be effective, the OC stream should be directed across the brow of the subject's face. The spray will cause involuntary closing of the eyes, as well as swelling of the mucous membranes. Effects generally last 20 to 30 minutes.
3. The OC is mixed with a liquid carrier and deployed from a pressurized container. The agent is discharged from the container in a stream and can cause damage to soft tissues of the eye. Generally, officers using OC should not spray the liquid chemical agent at a subject's face from a distance of less than three feet.

C. Reporting the Use of a Liquid Chemical Agent

1. Any officer who uses a liquid chemical agent shall complete a detailed and accurate report concerning the circumstances of its use. In the event an on-scene supervisor authorizes the use of liquid chemical agents, that supervisor shall be responsible for ensuring that appropriate reports are submitted. This information shall be contained in an Arrest Report (ARJIS-8) if an arrest is made, or in an Officer's Report (ARJIS-9) if an arrest is not made. In addition, officers will document the incident as a use of force in BlueTeam and send it up the chain of command. Refer to Department Procedure 1.04, Use of Force, for further details on reporting procedures.

D. Medical Treatment

1. Any Department member who uses a liquid chemical agent shall ensure that appropriate treatment is administered.
2. Any member who uses a liquid chemical agent shall render first aid according to the following manufacturer's guidelines:
 - a. Flush the subject's eyes with large amounts of cool water;
 - b. Expose the subject's face and eyes to fresh air;
 - c. If contact lenses are worn, have the subject or qualified medical personnel remove them. Contacts may be contaminated and require discarding;
 - d. Avoid rubbing the contaminated area; and,
 - e. Do not apply creams, salves, oils, or lotions as they may trap the agent on the skin.
3. First aid treatment should be rendered as soon as possible. It must be done within 30 minutes of applying the chemical agent unless exigent circumstances make the treatment impractical. If the subject voices objection or physically resists, the officer shall make a reasonable attempt to persuade the subject to allow decontamination prior to transporting from the scene.
4. Officers shall document, in the appropriate report, the type of first aid given (and/or attempted) and the time aid was rendered.
5. The arresting or transporting officer shall inform receiving personnel at County Jail, Juvenile Hall, or the San Diego County Psychiatric Hospital whenever a liquid chemical agent has been used on a subject being admitted. The officer shall also advise whether first aid was administered.

E. Control and Issuance of Liquid Chemical Agents

1. Department members are responsible for the liquid chemical agent equipment issued to them and shall not loan or give this restricted equipment to persons outside the Department.
2. Department members will go to Operational Support to obtain a replacement for empty or expired OC spray. Commanding Officer approval is not necessary.

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3. Department members who need to replace a liquid chemical agent shall do the following:
 - a. Return empty or damaged canisters to Operational Support for proper disposal and a replacement canister. After business hours, return empty or damaged canisters to the Watch Commander's Office and, if available, a replacement canister will be issued.
 - b. Report any theft or loss of issued liquid chemical agent on a Crime Report (ARJIS-2). A copy of the report will be forwarded to the Records Division.
4. Commanding Officers are responsible for quarterly inspections of issued safety equipment. All liquid chemical agents shall be checked at least once during each of the scheduled inspections.
5. As required by law, serial numbers and other marks of identification must remain on liquid chemical agent canisters. Personnel shall not remove any label or marks of identification from any chemical agent container.

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IV. CIVILIAN MEMBER OLEORESIN CAPSICUM (OC) PROCEDURES

- A. Civilian members of the Department may be authorized to carry Oleoresin Capsicum (OC) during the course of their duties and within the scope of their City employment at the discretion of the Chief of Police. State legislation allows any person to purchase, possess, and use OC without prior authorization or training. However, the City of San Diego must ensure that any City employee who carries OC in the course of his or her work with the City does so in a safe and responsible manner.
 1. No civilian member may carry OC during the course of his or her duties and while employed by the Department unless directly approved by the Chief of Police and only after successful completion of the In-Service Training Unit OC certification course for civilian employees.
 2. Civilian members shall not be issued Department OC unless directly approved by the Chief of Police.
- B. Civilian members of the Department who receive approval from the Chief of Police to carry OC during the course of their duties shall conform to the following procedures:
 1. Civilian members assigned to specific duties shall conform to all OC qualification standards as outlined in the In-Service OC Training certification course.

2. Civilian members authorized by the Chief of Police to carry OC shall carry only Department-approved and issued OC while on duty.
 3. The authorization to carry OC during the course of City employment shall only be for the duration of the specific assignment and/or duties that justify the approval of the original authorization.
- C. Civilian members of the Department authorized to carry OC shall not discharge OC in the performance of their duties except under the following circumstances:
1. During OC training at a location approved by the In-Service Training Unit.
 2. Self-defense: When the civilian employee has a reasonable belief that a subject (or animal) poses an imminent threat of death or serious bodily injury to them or another person.
 3. To counter assaultive or life-threatening behavior.
- D. Civilian members are responsible to maintain the security of all Department-issued equipment. Civilian employees shall follow the guidelines below when possessing or securing their OC spray:
1. Department lockers and desk drawers containing OC shall be kept securely locked.
 2. Civilian members shall not leave OC canisters unattended at any time.
 3. Off-duty civilian members shall store their OC in accordance with any applicable state and/or federal laws.
 4. When not being used on-duty or transported off-duty, civilian members shall ensure their Department-issued OC is in a secured area to prevent unauthorized use or misuse.