

	Policy & Procedures				No. 1.26	
	Subject: O.C. Policy					
	Issuing Authority: Chief of Police				Effective Date: 01/23/09	Review Date: 12/14/2023
					References:	
Review						
Revision	11/15/13					
Reissued	11/12/15					
Dates:	11/20/17					
	10/30/2020					

CALEA STANDARDS

1.1.4 1.1.6 1.1.9 1.1.11
1.1.5 1.1.7 1.1.10

GENERAL CONSIDERATIONS AND GUIDELINES

Oleoresin Capsicum (OC) is a powerful inflammatory agent that occurs naturally in cayenne peppers. Variations of it have been used in pharmacology and for food spicing for years. It conforms to requirements of the Federal Food, Drug, and Cosmetic Act. Oleoresin is a naturally occurring mixture of oil and resin extracted from plants. Capsicum can be any of the various tropical plants in the genus CAPSICUM, the common pepper of the garden ranging from mild to hot and having pungent seeds. The Canton Police Department utilizes two systems to deploy OC, individual units issued to each officer and large fogger units for mass deployment. OC used in spray and powder form causes swelling of the eyes and airways, thus making anyone susceptible. When a person's eyes and airways swell, vision is limited and breathing is difficult even if he/she is high on drugs. Adding to this situation is the burning sensation on skin that has been exposed to OC. Because of these effects, OC-non-lethal, soft deterrent- is emerging as an alternative weapon for law enforcement. **1.1.9**

POLICY

I. Statement of Purpose:

To establish uniform standards governing the use of Oleoresin Capsicum by members of the Canton Police Department while in performance of their official Police duties.

II. Definition:

Oleoresin Capsicum (OC) is a powerful inflammatory agent that occurs naturally in cayenne peppers. OC used in spray and powder form causes swelling of the eyes and airways, thus making anyone susceptible. Adding to this situation is the burning

sensation on skin that has been exposed to OC. Oleoresin Capsicum (OC) may be used as an enforcement tool to control subjects.

III. Policy: 1.1.9; 1.1.10; 1.1.11

It is the policy of the Canton Police Department that Oleoresin Capsicum (OC) Spray is to be used in accordance with the “Oleoresin Capsicum Aerosol Training” Municipal Police Training Committee Manual.

Oleoresin Capsicum (OC) may be used when physical force is necessary:

- A. To protect an officer or third party from an assault; or
- B. To subdue a person who resists arrest or other lawful custody;
- C. When it is obvious that a physical confrontation will occur with a person about to be placed in custody;
- D. To prevent a person from inflicting self-harm upon themselves;
- E. To deter persons engaged in riotous conduct or barricaded subjects.

IV. Guidelines:

- A. Oleoresin Capsicum spray should be used at a distance of 4’ to 6’ from the aggressor. It should not be used at such a close distance that force of the discharge (propellant) might reasonably cause injury to the eyes, unless exigent circumstances exist. Such circumstances will be detailed in the Use of Force check sheet.
- B. Oleoresin Capsicum is not to be used against persons the officer reasonably believes to be a juvenile, persons over sixty years of age, handicapped person, or pregnant females, unless exigent circumstances exist. Those circumstances are to be detailed in the Use of Force sheet.
- C. Oleoresin Capsicum is not to be used under circumstances which will create an unreasonable risk to the subject being sprayed, unless exigent circumstances exist. Examples of unreasonable circumstances are: at the top of a stairway, in front of an open flame, or while operating a moving motor vehicle.
- D. Whenever a person who has been sprayed insists on medical attention while in our custody, an EMS unit will be summoned to examine/treat him/her. The Shift Supervisor shall be notified by radio or phone. **1.1.5**
- E. Detainees IN OUR JAIL CELLS ARE NOT to be sprayed with OC, unless authorized by the Shift Supervisor or when exigent circumstances exist. The OIC will document (in writing) to the Lieutenant on duty detailing the circumstances that led to the OC use. This report will be done prior to the end of the tour of duty.

- F. The Use of Force Report will be completed by the deploying officer every time OC is used. **1.1.6**
- G. The Use of Force Report will be submitted to the Shift Supervisor who in turn will submit said form to the Lieutenant on shift: **1.1.6; 1.1.7**

V. Use Compliance:

- A. OC is considered an alternative use of force option and is not intended to replace a firearm, service baton, Taser, or any other authorized piece of equipment, nor is it intended to replace defense and control techniques used within the Canton Police Department.
- B. Any on-duty officer failing to have the proper issued equipment at his immediate disposal for use, as trained, will be subject to departmental disciplinary action.

VI. Training: 1.1.11 (3A-C)

All new full-time employees will receive initial training and/ or proficiency testing in the use of OC during training at the Municipal Police Academy.

Annually, agency personnel who are authorized to carry OC will receive training (which shall be document) by a certified instructor **1.1.11 (4,5)** on:

- The department's Use of Force policy
- The department's OC Policy
- Proficiency in the use of OC spray. Remedial training will be required for those employees who are unable to qualify prior to resuming official duties. **1.1.11 (6)**