



# ALLEGANY COUNTY OFFICE OF THE SHERIFF

## LAW ENFORCEMENT POLICY & PROCEDURE

Number: **L.E. 306**

Effective Date: 03/15/2015

Subject: **Oleoresin Capsicum**

Reference:

Approved By: **Sheriff Ricky L Whitney**

Supersedes:

### I. PURPOSE:

A. To establish within the Allegany County Sheriff's Office a policy and procedure for the use of Oleoresin Capsicum (OC).

### II. POLICY:

#### A. Use of Chemical Sprays - Patrol

1. It shall be the policy of the Sheriff's Office to utilize an organic inflammatory agency, oleoresin capsicum (OC), as a mid-level force option to temporarily incapacitate violent or potentially violent subjects allowing agency members to bring them under physical control.
2. It is the intention of this agency that the use of OC will provide agency members a non-lethal, temporarily incapacitating, force option which will act to protect the safety of the violent or potentially violent subject, as well as the safety of the agency member. It is further the intention of this agency that the use of OC shall prevent the escalation of force for both the offender and the agency member.
3. The use of OC by agency members shall be only for the purposes identified above and in compliance with the agency's use of force procedures, the manufacturer's recommendations, and in the manner in which agency members are trained.

#### B. Prohibitions

1. Agency members shall not utilize OC without first having reasonable cause to do so.
2. Agency members shall not use OC in a punitive or retaliatory manner against a subject.
3. Agency members shall not discharge OC directly into the eyes of a subject at a distance of less than 3 feet unless circumstances are such that they are justified in the use of force that is capable of causing serious physical injury (i.e., officer in danger of losing his weapon).

4. Agency members shall not discharge OC in quantities grossly in excess (over contamination) of those necessary to temporarily incapacitate a violent or potentially violent subject and bring him/her under control.
5. Agency members shall not delay, without reasonable cause, the provision of decontamination of a subject who has been contaminated with OC.
6. Agency members shall not carry nor utilize any other type or brand of OC, which has not been approved by the Sheriff.

C. Justification

1. The use of OC shall be authorized for those situations in which a subject must be taken into custody and is either physically violent or potentially physically violent and will not submit to verbal commands to do so, and does not justify the use of deadly physical force. The goal of the officer shall be the use of the minimum force necessary to overcome the resistance presented.
2. Prior to using OC, the agency member shall consider the following:
  - a. The likelihood of the subject being taken into physical control by using a lesser degree of force.
  - b. The presence or imminence of physical violence to bystanders or the agency member.
  - c. The degree of physical threat to the subject, bystanders, and agency member.

D. Use of OC

1. OC shall be dispensed, without warning by the officer, using the face area of the subject as the point of aim.
2. OC shall be dispensed, unless otherwise reasonably justified, from a distance of no less than 3 feet. (First Defense's effective range is from 3 to 8 feet.)
3. OC shall be dispensed with two (2) initial burst. If this proves ineffective, the series of bursts shall be continued until the subject is incapacitated to the point that he/she can be brought under physical control safely.

E. Procedures for Physical Control

1. Once the subject is temporarily incapacitated from the effects of OC, the officers shall obtain physical control of the subject.
2. Officers shall ensure that the contaminated subject is prevented from injuring himself/herself or others. These individuals will be experiencing a sense of panic and physiological overload and must be brought under immediate control through the use of

physical restraint and verbal calming techniques.

3. Officers shall handcuff the contaminated subject from the back to insure maximum control of the subject and to insure that the subject does not rub his/her eyes causing damage to the eyes.

F. Decontamination

1. Flush contaminated area with large amounts of cold water. Expose areas to fresh air.
2. Have contaminated subject remove contact lenses, if necessary.
3. Do not apply salves, creams, oils or lotions, which can trap the OC causing skin blisters.
4. Transport subject to medical facility if subject requests treatment.