

Glendale Heights Police Department

GENERAL ORDER # 132

SUBJECT: OC Aerosol Restraint Spray

ACTIVE DATE: 12-03-2018

RESCINDS: GO #132, issued 11-7-2013

AUTHORITY: Douglas Flint, Chief of Police

RELATED DOCUMENTS:

.01 Purpose

This order establishes policies for the issuance and use of OC Aerosol Restraint Spray to members of the Glendale Heights Police Department. OC Aerosol Restraint Sprays are an authorized less lethal weapon for use by members. They are not intended as a replacement for the present Taser, ASP police baton or service weapons. OC Aerosol restraint spray provides officers with additional use of force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. Used as directed, OC Aerosol Restraint Spray becomes a humane means of dealing with violent subjects and making a safe arrest.

.02 CALEA Standards

4.1.1, 4.1.4, 4.1.5, 4.2.1, 4.2.2, 4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.2.4

.03 Policy

It shall be the policy of the Glendale Heights Police Department to provide direction to its members regarding the use of OC Aerosol Restraint Spray, in response to resistance occurring in the performance of their duties. Training shall be provided and proficiency demonstrated by members prior to being authorized to carry this weapon. The Department shall review and analyze all incidents of the use of OC Aerosol Restraint Sprays as a part of the review of use of force by its members annually.

.04 Definitions

Less Lethal—A technique or weapon, the use of which is not designed to, and is less likely to, cause death or great bodily harm.

Non-Deadly Force—Any use of force other than that which is considered deadly force. This includes any physical effort used to control or restrain another, or to overcome the resistance of another by the application of defensive or offensive techniques or weapons. Such force or weapon use is not intended to cause death or great bodily harm.

Oleoresin Capsicum (OC)—A natural, oil-based derivative of cayenne peppers. OC is classified as an inflammatory substance.

OC Aerosol Restraint Spray—A commercially produced spray or foam containing oleoresin capsicum solution, used as a less lethal weapon. Also known as Capstun or pepper spray. Department-issued OC Aerosol Restraint Spray shall utilize non-flammable propellant.

OC Aerosol Restraint Spray Instructor—Instructors shall be selected by the Deputy Chief of Operations and approved by the Chief of Police. Instructors shall meet the following minimum qualifications:

1. Successfully completed an OC Aerosol Restraint Spray Instructor course from North East Multi-Regional Training Unit or other similar instructor's certification course, for the instruction of OC Aerosol Restraint Spray use.
2. Department instructors shall be sworn officers with a minimum of two years of service.

3. Certified instructors from outside agencies may be authorized by the Chief of Police to assist the Department in providing OC Aerosol Restraint Spray training and qualification when no Department instructor is available.

Subject—The person who is the focus and the intended recipient of the OC Aerosol Restraint Spray deployment.

ORDER

.10 Authorization for Use

A. OC Aerosol Restraint Spray is authorized for use by sworn officers and Community Service Officers of the Glendale Heights Police Department.

1. The Deputy Chief of Operations shall issue all Department OC Aerosol Restraint Spray and maintain a list of the names of certified users and instructors. The Deputy Chief of Operations shall visually inspect each can prior to issuance for damage and expiration date.
2. The Chief of Police shall maintain all records of use of OC Aerosol Restraint Spray according to Department Use of Force reporting requirements.

B. Only members who have successfully completed a Glendale Heights Police Department-approved training course in the proper use and deployment of the OC Aerosol Restraint Spray and received instruction shall be authorized to use the spray.

C. Authorized members shall be required to pass the Department-approved biennial recertification training for continued authorization. The training course and recertification training consist of the following:

1. Training shall be coordinated by the In-Service Training Coordinator / Supervisor.
2. Training shall be conducted by a certified OC Aerosol Restraint Spray Instructor and shall be conducted biennially.
3. Training shall also include instruction on the Department's Use of Force GO #120.
4. Proficiency for the OC Aerosol Restraint Spray includes demonstrated familiarity with the effects of the spray, care and treatment of sprayed persons, and successful completion of instructional testing on its use.
5. Use of Force policy receipt and a record of the training and certification shall be documented and maintained in the member's training file.

D. Members failing to successfully complete the training or identified as having performance deficiencies with the spray shall not be authorized to carry OC Aerosol Restraint Spray until they have successfully completed remedial training in accordance to section .10(C) above.

.15 Justification for the Use of OC Aerosol Restraint Spray

A. OC Aerosol Restraint Spray may be used under General Order #120, section .20 (Use of Non-Deadly/Less-than-Lethal Force).

B. OC Aerosol Restraint Spray is an alternative to other less lethal applications of force. Deployment of OC Aerosol Restraint Spray shall be backed up with the availability of lethal force. Circumstances justifying the use of these devices include, but are not limited to:

1. Effecting arrests.
2. Dealing with combative subjects/arrestees that are resisting control, or whose conduct presents a potential threat to themselves or another person.
3. Persons that appear mentally disturbed, or under the influence of alcohol, drugs, or otherwise out of control.
4. Control of animals that present a potential risk to the safety of the general public, officers, or themselves.

C. OC Aerosol Restraint Spray shall not be used outside the parameters allowed in this order. Misuse by officers may lead to disciplinary action.

.20 Effects of OC Aerosol Restraint Spray

A. The potential effects of OC Aerosol Restraint Spray products can last about 30 minutes. Some effects include:

1. Burning sensation on skin
2. Inflammation of the eyes, causing temporary loss of vision
3. Inflammation of mucous membranes
4. Coughing
5. Choking
6. Nausea
7. Emotional anxiety

.25 Carrying of OC Aerosol Restraint Spray

A. OC Aerosol Restraint Spray shall be carried in a specifically designed holster on the duty belt or in a tactical pouch on the external body armor (vest) carrier. Plainclothes members may carry OC Aerosol Restraint Spray at their discretion.

B. When not in use, OC Aerosol Restraint Spray shall be properly secured and will only be removed from the holster/carry pocket or other secured location when it is to be checked, discharged, or taken in and out of service.

.30 Precautions in Using OC Aerosol Restraint Spray

A. There is a four year limitation on the shelf life of OC Aerosol Restraint Spray products. The canister should be shaken once a month to insure that the ingredients do not separate.

B. OC Aerosol Restraint Spray may not work effectively against persons who have reduced sensitivity to pain, the mentally ill, or persons heavily under the influence of alcohol or narcotics. Officers should be aware of potential failure and be ready to take additional defensive steps as necessary.

C. At no time will officers render their opinion as to the feasibility of the use of OC Aerosol Restraint Spray for public information or news media release, without the permission of the Chief of Police or the Deputy Chief of Operations.

.35 OC Aerosol Restraint Spray Use in Holding Facility

OC Aerosol Restraint Spray is authorized for use in the Holding Facility. Procedures herein for the use of OC Aerosol Restraint Spray shall apply.

.40 OC Aerosol Restraint Spray Deployment

A. When deploying OC Aerosol Restraint Spray, officers must consider the following:

1. The desired target is the subject's face, eyes, nose and mouth.
2. The canister should be held upright.
3. An officer should maintain a safe distance from the suspect of between two and 10 feet.
4. Officers should employ a one-second burst rather than a prolonged spray.
5. A standard canister of OC Aerosol Restraint Spray contains enough spray to employ ten one-second bursts.
6. Officers should position themselves so the wind does not blow the spray into their own faces.
7. Officers should be prepared as the suspect may suddenly fall to the ground. Steps should be taken to reduce the risk of accidental injury to the suspect.
8. Consideration should be given before OC Aerosol Restraint Spray is used inside any public facility, as the area may have to be evacuated until it can be ventilated.

.45 Use on Animals

A. If feasible, OC Aerosol Restraint Spray may be used against an animal exhibiting aggressive or threatening behavior towards an officer or a third party, before a higher level of force is used. The officer should advise the owner of the animal, if present, that if he or she cannot or will not control the animal and it continues to threaten the officer or a third party, it will be sprayed. The owner should also be advised that if he/she is in close proximity to the animal when sprayed, he/she could be subject to the effects of the OC Aerosol Restraint Spray as well. If the OC Aerosol Restraint Spray is not effective on the animal, the officer may have to use other measures to control the animal. In the context of this directive, an animal is any non-human creature, domestic or wild, that may or may not be considered a common house pet.

B. Use of OC Aerosol Restraint Spray on an animal shall not be subject to Use of Force policies as outlined in GO #120. If the spray inadvertently affects the animal's owner, the policies outlined in GO #120 apply.

.50 Post Deployment

A. The subject is to be handcuffed to minimize the threat of injury to officers and the subject.

B. When a subject who has been sprayed with OC Aerosol Restraint Spray has been secured and resistance has ceased, the officer should make every reasonable attempt to relieve the discomfort of the subject or any affected bystanders. If conditions permit, clear water will relieve the eye irritation in about four minutes. Moving air and natural body actions will relieve all other symptoms in about thirty minutes or less, with no after effects. Officers should wash their hands as soon as possible after exposure to prevent receiving irritation.

C. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.

D. Officers shall be alert to any indications that the subject needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and/or loss of consciousness. Upon observing these or other medical problems, or if the subject requests medical assistance, the officer shall immediately summon emergency medical aid.

E. Suspects that have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody.

F. Do not put a salve or lotion on an OC exposed area. This will trap the irritant against the skin and could cause skin blisters. Salves include butter, cold cream, Vaseline, lanolin and similar materials.

.55 Reporting

A. The officer deploying OC Aerosol Restraint Spray shall complete the appropriate Incident or Supplemental report on his/her actions, including the circumstances of the deployment, in accordance with Department reporting requirements and the Use of Force General Order #120.

B. The supervisor shall review the reports and complete a review of the incident. All reports shall be forwarded to the Deputy Chief of Operations for review.

.60 Maintenance and Inspection of OC Aerosol Restraint Spray

A. It is the duty of each authorized member, regardless of rank, to maintain a functional OC Aerosol Restraint Spray can when carried. Shift supervisors and commanding officers may inspect any officers under their command at any time and without notice, to ascertain if their OC Aerosol Spray can is clean, ready for duty, and the Department-issued spray.

B. Any OC Aerosol Spray can discovered to be non-functional or empty shall immediately be reported to the Watch Commander or applicable supervisor, who shall ensure another spray can is obtained from the Deputy Chief of Operations.

.65 Annual Review

The Chief of Police shall cause an annual review of OC Aerosol Restraint Spray in accordance with the Department's Use of Force GO #120 review requirements.