

# THURMONT POLICE DEPARTMENT

## GENERAL ORDER

Date Issued: May 2, 2014

Effective Date: May 2, 2014

Order No: Chapter 1.3.2

Authority: Chief of Police

Gregory L. Eyster

Manual Page No:

Subject: Less Lethal Force: OC Spray / Chemical Munitions

Replaces Page No:

Accreditation Standard: Chapter 1.3.2

Distribution: ALL

Amends:

Number of Pages: 5

Related Documents:

Rescinds: New Policy

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

### I. PURPOSE:

To specify the type of chemical agents approved for use by sworn members of the agency, the appropriate uses for these weapons, and to provide the training and reporting guidelines required for officers to carry them.

### II. DISCUSSION:

Appropriate, effective chemical agents have long been considered necessary personal protective equipment to be carried by law enforcement personnel. The Thurmont Police Department currently issues for use by all sworn personnel an oleoresin capsicum dispenser as a primary chemical agent weapon. In addition, the Department recognizes the need for deployment of other chemical agents under certain circumstances and may purchase and train personnel in the deployment of other chemical agents when directed by Chief of Police.

### III. POLICY:

It is the policy of the Thurmont Police Department that its members will use chemical agent weapons only in accordance with the use of force policy and guidelines specified in General Order Chapter 1.3 "Subject Management". In addition, no member will be issued or permitted to carry or use any chemical agent weapon until they have been trained in its use, demonstrated proficiency, and understand the effectiveness and limitations of

these weapons. Members will only carry and use chemical weapons issued to them by the Department. The provisions of this Order apply to personnel both while on and off duty.

### **III. DEFINITIONS:**

**CHEMICAL AGENT WEAPON:** A less lethal weapon which operates by irritation, inflammation, or similar chemical or biological interaction with the body of the target.

**O.C. SPRAY:** A chemical agent aerosol weapon manufactured by Defense Technology/Federal Laboratories, an Armor Holdings Company, which contains oleoresin capsicum solution.

### **IV. PROCEDURE:**

#### OC Spray:

A. Officers may be issued and certified in the use of OC Spray, which:

1. is considered less lethal weapons and may be carried by officers at their discretion;
2. may only be used in accordance with provisions of this General Order and established training standards; and,
3. officers will ensure appropriate medical aid is provided if injuries occur during the use of OC Spray.

B. Officers shall be issued, and shall be trained in the use of O.C. (Oleoresin Capsicum) aerosol spray. Only the O.C. aerosol spray issued by the Thurmont Police Department is approved for use by Department personnel. No personnel shall be issued O.C. aerosol spray before the completion of the O.C. aerosol spray entry level training, in-service training, or a comparable course of instruction.

C. O.C. (Oleoresin Capsicum) is an organically based less-than-lethal aerosol weapon designed to incapacitate, with no lasting after-effects. In most cases an attacker will feel the effects for up to 45 minutes. O.C. is an inflammatory agent that:

- a. produces rapid physiological and psychological reactions
- b. affects eyes, respiratory system, skin, lips and face
- c. causes immediate swelling of mucous membranes
- d. causes uncontrollable coughing, gagging and gasping for breath
- e. produces eye irritation
- f. produces an intense burning sensation on skin, nose and mouth

D. O.C. agents are considered an alternate use of less lethal force, and not intended to replace the use of a firearm where deadly force is determined necessary. With few exceptions, (i.e., crowd control, etc.), incidents that necessitate the use of O.C. spray should result in arrest and appropriate charges. Officers contemplating the use of O.C.

spray will be cognizant of the presence of other officers and bystanders, especially infants and the elderly, who may be accidentally affected by the O.C. spray. All reasonable precautions will be taken to prevent or minimize the exposure to O.C. spray of persons other than the target.

1. After spraying a combative or threatening subject, extreme caution should be used. O.C. is not fail-safe, and subjects may still be dangerous after deploying O.C.
  - a. The subject who has been sprayed should be ordered to remain still, and assured they will be treated, and that the effects they are experiencing will dissipate shortly.
  - b. First aid and/or medical attention must be rendered after the use of O.C. as soon as practical. The following measures will help to dissipate the effects of O.C.:
    - removal from the contaminated area
    - facing into the wind or breeze
    - flushing the affected area with cool water
    - blowing the nose
    - washing with a non-oil based soap or detergent
    - use of wet towel or ice packs to reduce inflammation
    - removal and thorough cleaning of contact lenses
  - c. **DO NOT** use any of the following:
    - lotions, salves, or creams
    - commercial eye wash
  - d. If symptoms persist beyond 45 minutes, seek medical attention immediately. If an arrestee wishes medical attention it should be provided. Persons exposed to O.C. spray will not be placed in a position or location which restricts their airway. Persons exposed to O.C. spray who are under the influence of drugs or alcohol or who report any allergies, respiratory problems, serious medical conditions, or recent eye surgery will not be left unattended for any period of time while in custody. Medical treatment will be obtained immediately if the subject exhibits a significantly severe reaction to the O.C. spray, if the subject has pre-existing medical conditions which are exacerbated by the O.C. spray, if the subject continues to exhibit more than mild discomfort or still cannot open their eyes after thirty minutes of decontamination, or any time that circumstances indicate that medical treatment is necessary.

2. Any use or discharge of O.C. aerosol spray for purposes other than training shall be reported on a **Subject Management Report and Incident Report**.
  - a. Accidental discharges shall be reported to the shift or other appropriate supervisor before the end of the tour of duty; and in the case of an off-duty accidental discharge, within 24 hours of its occurrence.
- E. Supervisors will inspect issued O.C spray dispensers and holsters for damage, serviceability, and expiration of shelf life from date of manufacture during monthly inspections. O.C. spray dispensers and holsters which are damaged, unserviceable, or expired will be immediately removed from duty, replaced with spares, and reported to the Deputy Chief of Police.
- F. Larger O.C. Spray canisters and other types of Chemical Munitions may be purchased and deployed by trained personnel upon authorization of the Chief of Police or his designee.

**DOCUMENT DATES :**

*Amended Date:*

*Review Date:*

*Review Date:*

*Review Date:*

*Rescinds:*

*Order Written By: Lt. P. Allen Droneburg*

*Order Edited and Approved By: Chief Gregory L. Eyer*

*Accreditation Standards Included in this Order*

*CHAPTER 1.3.2*