

HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL		
Issue Date June 2023	Review Date June 2024	Directive Number 6.3.3
Accreditation Index: 1.3.4, 1.3.5, 1.3.9, 1.3.10		Rescinds: Directive 6.3.3 of February 2021
Chapter: Six – General Procedures		Section: Three – Use of Force
Chief of Police: <i>John F. Viola</i>		

SUBJECT: OLEORESIN CAPSICUM AEROSOL SPRAY

I. PURPOSE

The purpose of this directive is to establish guidelines on the use of oleoresin capsicum aerosol spray. This spray is a less lethal weapon available to officers of the Department that have been trained and certified on the use of this device.

II. POLICY

The Department is committed to protecting and preserving the lives of all citizens and police officers. The use of oleoresin capsicum (OC) spray provides officers with a tool to subdue and apprehend a violent/dangerous person without subjecting the officer or the citizen to unnecessary risk of serious injury or death. (PLEAC 1.3.4)

III. DEFINITIONS

- Bodily Injury:** Impairment of physical condition or substantial pain.
- Deadly Force:** Is defined by the Pennsylvania Crimes Code as: “Force, which under the circumstance in which it is used, is readily capable of causing death or serious bodily injury.”
- Force:** Any degree of conduct beyond mere restraint used to control someone.
- Non-Deadly Force:** A force application that is not intended or expected to cause death or serious bodily injury.
- Less Lethal Weapon:** A weapon authorized by this Department that when deployed is not intended or expected to cause death or serious bodily injury and that is commonly understood to have less potential for causing death or serious bodily injury than conventional, more lethal police weapons.

Nonetheless, use of a Less Lethal Weapon can result in death or serious bodily injury.

Reasonable Force: Force that satisfies the constitutional standard as “objectively reasonable” under the totality of the circumstance.

Serious Bodily Injury: Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Oleoresin Capsicum Aerosol Spray – An all natural, non-enduring, less lethal substance derived from the cayenne pepper plant. It has an instant effect causing active burning and involuntary closing of the eyes, along with inflammation of the mucous membranes, resulting in coughing, gagging and the sensation of shortness of breath.

IV. PROCEDURES

- A. The decision to use O.C. spray shall be made based upon the actions of the subject or threats facing the officer and the totality of the circumstances of the incident. The use of this device must be reasonable and necessary.
1. Oleoresin Capsicum is the only authorized aerosol incapacitation agent approved for use by officers of this Department.
 2. Only officers who have completed a department-approved training course may carry and use OC spray.
 3. Officers shall not utilize OC on subjects known, or suspected to have a pepper allergy.
 4. When utilizing OC spray and time allows, officers shall announce “Spray” or “OC” to warn other officers.
 5. The officer should create distance between themselves and the subject and allow time for the spray to take effect.
 6. When deploying OC at an individual or animal, it should be directed from the canister into the facial area; i.e., the eyes, nose, and mouth of the subject intended to be neutralized.

- B. O.C. may only be used to restrain, control, immobilize, incapacitate, or subdue a person who overtly refuses to comply with legal commands. O.C. spray may be used when verbal commands and empty-hand control are ineffective, or these tactics would place an officer or another at risk for injury. O.C. spray is intended to temporarily incapacitate a person or animal. Officers attempting to perform an official duty and meeting resistance are authorized to use O.C. spray. Officers shall use O.C. spray in accordance with the department's Use of Force policy.

- C. The effects of O.C. spray are both physiological and psychological. O.C. spray has been found effective in controlling persons who are highly agitated or motivated and those who are mentally unbalanced. O.C. spray also works well against aggressive animals.

- D. Discharging Officer Responsibilities:
 - 1. O.C. spray is considered a use of force and shall not be used indiscriminately;
 - 2. O.C. spray should be sprayed directly into the face of the subject, assuring coverage of the eye area and secondarily, the nose and mouth area;
 - 3. O.C. spray should not be used in the vicinity of infants or the elderly, since their respiratory systems are especially sensitive to irritating vapors;
 - 4. Use of O.C. spray will be documented in the officer's incident report;
 - 5. Officers using O.C. spray will complete a Department Use of Force Report;
 - 6. Subjects sprayed with O.C. will be exposed to fresh air as soon as possible;
 - 7. Officers shall advise the subject to flush the contaminated area with large amounts of cold water, use a non-oil based soap and water, if necessary;
 - 8. Officers shall advise the subject to wash contaminated clothing prior to reuse, paper suits may be given to a prisoner needing to remove contaminated clothing while in the holding cell.
 - 9. Officers will advise the subject not to apply any salves, creams, oils or lotions to contaminated areas.
 - 10. Subjects exposed to O.C. spray shall be transported in an upright seated position and shall be monitored for, at least, 2 hours after exposure to the spray:

- a) Decontamination of O.C. spray is relatively quick and simple (usually not more than 30 to 35 minutes) therefore medial treatment is not always necessary.
- b) Medical personnel shall evaluate immediately any person who is sprayed and suspected of being under the influence of alcohol and/or drugs due to the potential of depressed respiratory effectiveness from the alcohol or drugs.
- c) Medical personnel shall evaluate immediately any person who reports a potentially serious medical condition, such as, but not limited to, a heart or lung related illness.

(PLEA 1.3.5)

- 11. Individuals exposed to O.C. spray will be given a copy of the OC Spray Wash-Up Information form (Appendage "A").

E. Supervisor Responsibilities:

- 1. Supervisor shall respond to the scene and take overall command of the incident;
- 2. Shall ensure that all procedures on the use and deployment of O.C. spray are followed;
- 3. Shall ensure that proper medical attention is afforded to the subject of the deployment and police officers or citizens, if necessary;
- 4. Notify the Duty Commander of the incident;
- 5. Ensure that a Department Use of Force Report is completed;
- 6. Ensure that all reports associated with the incident are completed properly and submitted prior to the end of the tour of duty.

F. Training Officer Responsibilities:

- 1. Establish and maintain a training program for use of O.C. spray.
- 2. Maintain a record keeping system to include officers trained and date of qualification or re-qualification.
- 3. Ensure initial qualification training for all officers is completed prior to their approval to carry, use and deploy O.C aerosol spray.

(PLEAC 1.3.9)

- 4. Ensure re-qualification training for all officers trained in the use and deployment of O.C. aerosol spray is completed annually.

(PLEAC 1.3.10 c)

BY ORDER OF THE CHIEF OF POLICE



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Carmen D. Pettine
 Chief of Police

O.C. Spray Wash-up Information

You have been exposed to O.C. spray, an aerosol containing Oleoresin Capsicum the oils and resins extracted from common garden peppers. You may experience localized heat sensation, redness of the exposed skin, pain, and involuntary closure of the eyes and shortness of breath.

Although highly irritating and uncomfortable, these effects last only a short time and are not dangerous.

To avoid possible skin irritation, the following steps should be taken:

- Flush contaminated area with large amounts of cool running water.
- Open eyes in the running water to help flush out the O.C.
- Remove contaminated clothing and contact lenses. Thoroughly wash clothing and hard contact lenses and replace soft contact lenses (Do not reuse a contaminated soft contact lens they cannot be washed)
- A non oil-based soap, shampoo or detergent can be used to help remove the remainder of resin from the skin. (Baby Shampoo is very effective)
- See a physician if irritation persists.

DON'TS

DON'T rub your eyes.

DON'T use creams, salves or lotions to sooth the pain.

DON'T use commercial eye wash or eye drops, such as Visine® while washing-up.

DON'T bandage the exposed area as this can also trap the irritant.

Integrity ● Service ● Professionalism