

# SOUTH KINGSTOWN POLICE DEPARTMENT

1790 KINGSTOWN RD., WAKEFIELD, RI 02879



POLICY NUMBER	ORDER TYPE	ORIGINAL ISSUE DATE	EFFECTIVE DATE
410.02	STANDING ORDER	5/29/07	07/13/2020
CHAPTER : SUBSECTION		TITLE	
LAW ENFORCEMENT OPERATIONS : USE OF FORCE		OLEORESIN CAPSICUM (OC) SPRAY	
REVIEW DATES		REVISION DATES	
8/13/17, 6/3/19, 07/13/20		8/13/17, 7/22/19, 07/13/20	
DISTRIBUTION	REFERENCE		PAGES
SWORN PERSONNEL	RIPAC 2.12 – 2.14		4

## I. PURPOSE

The purpose of this policy is to minimize injury to police officers and arrestees through the use of Oleoresin Capsicum as an approved chemical substance and use of force tool.

## II. POLICY

It is the policy of the South Kingstown Police Department to equip and train appropriate persons in the use of Oleoresin Capsicum spray as a use of force option.

## III. DEFINITION

*Oleoresin Capsicum (OC) Spray* - A less-than-lethal aerosol spray containing a solution of OC, a derivative of hot peppers, which affects the mucous membranes, eyes, and respiratory system.

## IV. PROCEDURE

Officers will undergo certified training prior to carrying and using OC spray.

### A. Use of OC spray:

1. OC spray will be utilized by officers only:
  - a. In self-defense or defense of another.
  - b. When necessary to subdue a person physically resisting arrest.
  - c. To deter or restrain persons physically violent to themselves or others or those

engaged in riotous conduct.

- d. When a police officer or citizen is threatened with attack or under attack by an animal.
2. OC spray will be used accordance with SKPD Standing Order 410.01 Lethal & Less Lethal Force.
3. OC spray will not be used by officers:
  - a. When such use will result in direct exposure to innocent bystanders or other police officers, except when the safety of the officer is in jeopardy.
  - b. If the officer has not received certified approved training.
4. Whenever an officer uses OC spray, the OIC will be notified and its use and the reason for its use will be documented in the officer's police report and the department's Use of Force report.

#### B. Use of OC Spray in Cell Block and Booking/Detention Area

1. OC spray may be used upon a prisoner in a cell when the subject is behaving in a violent manner and injuring him/herself and must be restrained.
2. OC spray may be used on a prisoner when the cell is damaged or has malfunctioned and the prisoner must be removed, but is physically violent and a danger to officers.

#### C. Delivery of OC Spray

1. OC spray is an aerosol spray, which emits a stream or cone shaped mist, which is propelled for a distance of several feet in calm conditions. The normal reactionary gap is four (4) to six (6) feet from the subject; however, there is no required minimum distance at which it can be used. OC spray must be sprayed directly into the subject's face. A one (1) to two (2) second burst is sufficient to disable the most determined attacker. **Once resistance from the attacker stops, the use of OC spray must stop.** Once the individual is controlled, he should be ground stabilized and handcuffed.
2. If the control is not gained with the use of OC spray, then the officer must reevaluate the situation and either disengage or escalate the level of force to meet the subject's resistance.
3. The officer must exercise caution when deciding to utilize OC spray in that he /she must not contaminate fellow officers or bystanders. The officer should warn fellow officers and bystanders before using OC spray.
4. In the event that an innocent bystander should become contaminated, the officer should reassure the individual that the effects are only temporary and medical attention should be summoned. The officer should obtain data on such bystanders and include the data in his/her report.
5. OC spray has been found to be effective on subjects who are intoxicated, under the influence of narcotics or drugs, mentally unstable subjects, and animals.
6. When OC spray is used on a person suspected of Driving While Intoxicated, a

breathalyzer test may not be given. Other credible evidence will be necessary to sustain a DUI charge and a blood test may be utilized. This is still the case with non-alcohol based OC spray.

#### D. After Use Care of Exposed Subject

1. An arrested person must be verbally reassured that they are safe and all right. They must be told to calm down, breathe normally and obey all police directions and commands.
2. Once an individual has been controlled with OC Spray and removed from exposed air, the officer should be sure that the individual is not wet with OC spray; otherwise the officer or cruiser may be affected. Drying is very quick and normally occurs before the individual reaches the police cruiser. Once in the detention area, if aggressive behavior has stopped, allow the individual to splash cool water in his face to quicken recovery.
3. The OIC will ensure that the exposed subject is monitored for a minimum of 45 minutes after arrival at the detention area to ensure cessation of all symptoms. See Section IV, E: Symptoms of OC Spray Exposure.
4. If symptoms persist after 45 minutes, the OIC will ensure the subject receives medical treatment.
5. The OIC may acquire medical treatment at any time when it is believed the subject requires greater care than water irrigation.
6. Particular attention will be given to those subjects known to suffer from pulmonary disease, asthma, allergies, or other problems, which may be exacerbated by exposure.

#### E. Symptoms of OC Spray Exposure

1. Dilates the capillaries of the eyes causing immediate, temporary closing of the eyes.
2. Causes swelling of the mucous membranes of the respiratory system and induces temporary uncontrolled coughing, gasping, gagging.
3. May induce temporary nausea.
4. Produce temporary loss of muscular strength and coordination.
5. Symptoms normally disappear in 30 to 40 minutes.

#### F. Issuance and Replacement of OC Spray

1. Officer's initial issue of OC spray will be upon entrance to the RI Municipal Police Academy or upon hire should he or she have already successfully attended the academy.
2. OC spray will be reviewed, inspected and approved by a certified OC instructor prior to issuance.
3. OC spray will be kept secured in its holder and on the officer's duty belt or load bearing vest, or in a secure, non-public location.

4. OC spray will be replaced by a Supervisor, at the time of expiration, after complete discharge, during retraining or after discovery of malfunction. Replacements are located in the Patrol Lieutenant's office.
5. The officer in possession of the OC spray is responsible for periodically checking the expiration date and for damage. If the OC spray is expired, or should the OC spray appear damaged or inoperable, the officer will request a replacement from his or her supervisor.
6. Only department issued OC spray will be used by an officer.

By Order of:



Joel J. Ewing-Chow  
Interim Chief of Police