

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: OLEORESIN CAPSICUM PEPPER SPRAY

Date of Issue: 01-01-1999

Number of Pages: 3

Policy No. P044

Review Date: 06-01-2007

Distribution: Departmental

Revision Date: 08-12-2020

I. Purpose

To provide guidelines for the issue, training and use of OC Pepper Spray by police personnel.

II. Statement of Policy

It shall be the policy of the Covington Police Department to allow officers, who have successfully completed a certified course in the use of the chemical agent, Oleoresin Capsicum (OC), to use such spray while in the course of their official duties.

III. Authorized OC Pepper Spray

- A. All uniform and investigative personnel will be issued Body Guard LE-10 pepper spray or foam containing ten percent (10%) Oleoresin Capsicum and two million Scoville Heat Units.
- B. No officer shall carry or use any other OC pepper spray than the one described in paragraph "A" above, while in performance of their duties as a police officer. The Chief of Police may grant exceptions for officers engaged in any special operations such as ESU or narcotics operations. In all cases, the officer must be properly trained and certified with the OC pepper spray before being allowed to carry it.

IV. Carrying of OC Pepper Spray Off Duty

The Chief of Police has complete authority in determining if any other types of OC pepper spray will be carried off duty. Request for approval must be in writing and sent to the departmental instructor. The OC pepper instructor will then forward the request to the Chief of Police.

V. Use of Pepper Spray

- A. OC Pepper Spray is considered a compliance tech tool that will be used to gain compliance against actively resisting suspects. The weapon may be used to protect citizens and law enforcement officers from physical attack and in gaining compliance and restraint of aggressive individuals in arrest and other enforcement situations.

- B. The use of OC Pepper Spray can sometimes be avoided through the use of de-escalation techniques and other non-dynamic law enforcement tools when reasonable. Officers will use de-escalation and other techniques to reduce the immediacy of threats to other peoples' safety and stabilize incidents. Officers will seek, when reasonable, to slow things down but realize not every situation can be de-escalated. An officer's behavior can escalate a situation, but the officer(s) should not attempt to intentionally escalate situations unnecessarily.
- C. An officer who sprays anyone with OC Pepper Spray while in performance of his or her duties as police officer on or off duty shall complete a Police Response to Aggressive Resistance Report within twenty-four (24) hours of the incident. The report will be reviewed in the manner described in standard operating procedures # P040, Section V.
The Watch Commander will forward a copy of the Police Response to Aggressive Resistance report to the Patrol Division Captain or his designee.
- C. The officers of this department have an affirmative duty to intervene if they witness a use of force that is clearly unreasonable. The officer, if he/she observes another officer exceeding the use of force, permitted by law, shall intervene to prevent the use of unreasonable force and if necessary, separate the person being arrested from the arresting officer. The Intervening officer shall promptly report these observation(s) and his/her actions to the supervisor.
- D. When an individual has been sprayed with OC Spray, the following steps will be taken.
1. All suspects will be handcuffed as soon as possible and once secured, officers should provide assurance to suspects who has been sprayed that the effects are temporary and encourage them to relax.
 2. Once the individual is restrained, and the officer feels the scene is secure, the officer will begin rinsing and drying the individual's contaminated area as soon as possible after contamination.
 3. The officer will continuously monitor the suspect for indications of medical problems. The suspect will not be left alone until the contaminated area has been cleaned.
 4. Officers will seek medical attention for the suspect, if requested.
- E. Officers have an affirmative duty to care for persons in their custody. Officers and supervisors are responsible for providing or obtaining appropriate medical attention to any person in their custody who is injured or complains of injury. This pertains whether injuries preceded custody, occurred during apprehension, or were sustained during custody, even if the arrested persons are believed to be feigning an injury, officers should still take the complaint serious and ensure medical attention is given.
- F. Additionally, officers have an affirmative duty to provide or obtain medical attention for members of the public who are injured because of police involved actions. Officers restraining a subject should be cognizant of, and avoid, positional asphyxia. This department prohibits prolonged face-down prone restraint. The officer should properly restrain the subject and place the subject in an upright position (sitting or standing) or side laying position.

- G. After each use, the OC Pepper Spray instructor will issue the officer a new canister of OC Pepper Spray. The contents left in the canisters that are turned in will be used for training.

VI. OC Pepper Spray Certification

Each officer is required to complete a four-hour basic certification class for the OC Pepper Spray. Review of this policy and the Police Response to Aggression/Resistance policy are required at the recertification training, which will be conducted at least on a biennial basis. At that time, each canister will be inspected by a certified instructor.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton

Stacey L. Cotton
Chief of Police