

OLEORESIN CAPSICUM (OC) SPRAY – FACILITIES

- AUTHORITY:** Administrative Directive
California Penal Code (CPC) Sections 830.5, 13514, and 22820
Welfare and Institutions Code 871.5
Title 15 Minimum Standards for Juvenile Facilities Section 1357
- RESCINDS:** Procedure Manual Item 3-1-056 04/13/21
- FORMS:** Use of Force Report (F057-10034)
Special Incident Report (F057-7018)
- PURPOSE:** To establish procedures for the use of Oleoresin Capsicum (OC) spray by Deputy Juvenile Correctional Officers (DJCOs), Senior Juvenile Correctional Officers (**SrJCOs**) and **Supervising Juvenile Correctional Officers (SJCO)** in the course and scope of duties. For the purposes of this PMI, the term DJCOs will be used to refer to both DJCOs and **SrJCOs**.

I. GENERAL INFORMATION

- A. Identify who is approved to carry and utilize chemical agents in the facility and the type, size, and approved method of deployment for those chemical agents.
- B. Mandate that chemical agents only be used when there is an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.
- C. Outline the facility's approved methods and timelines for decontamination from chemical agents. This shall include that youth who have been exposed to chemical agents shall not be left unattended until that youth is fully decontaminated or are no longer suffering the effects of the chemical agent.
- D. Define the role, notification, and follow-up procedures required after use-of-force incidents involving chemical agents for medical and mental health staff and parents or legal guardians.
- E. Provide the documentation of each incident of use of chemical agents, including the reasons for which it was used, efforts to de-escalate prior to use, youth and staff involved, the date, time, and location of use, decontamination procedures applied and identification of any injuries sustained as a result of such use.
- F. Facilities shall develop policies and procedures which require that agencies provide initial and regular training in the use of force and chemical agents when appropriate that address:
 1. Known medical and behavioral health conditions that would contraindicate certain types of force;
 2. Acceptable chemical agents and the methods of application.

3. Signs or symptoms that should result in immediate medical or behavioral health referral.
4. Instruction on the Constitutional Limitations of Use of Force.
5. Physical training force options that may require the use of perishable skills.
6. Timelines the facility uses to define regular training.

II. PROCEDURE

A. Training and Authorization

1. The Chief Probation Officer shall designate those persons authorized to carry and use chemical agents. Approved staff must:
 - a. Be sworn as a peace officer.
 - b. Have successfully completed the P.O.S.T./S.T.C-certified chemical agent course. This course is provided during the Juvenile Correctional Officer Core course.
 - c. Be on duty.
 - d. Attend update training annually to ensure understanding of the limitations of use, potential dangers of use, authorization to use, and use techniques, and pass annual re-certification by an approved trainer.
 - e. Be able and proficient in empty hand/physical restraint control holds and pass annual re-certification by an approved trainer.
 - f. All DJCOs and SJCOs are authorized to carry departmentally issued OC spray while on duty, contingent on compliance with sections a., b., c., d., and e. above.
2. Authorization to possess and use OC spray may be withdrawn at the discretion of the Chief Probation Officer or a Chief Deputy Probation Officer.

B. Storage, Tracking, and Replacement

1. Authorized chemical agents will be stored in specific designated areas only. Authorized staff will be issued a canister at the beginning of their shift and return the canister at the end of their shift. Under no circumstances **can anyone** take a chemical agent out of the building when going off duty or on break. The Juvenile Hall Institutional Security Unit (ISU) supervisor or an assigned camp SJCO will establish a master list for all OC spray canisters in the facility **including who the pepper spray is assigned to**, serial number, and expiration.

2. At the beginning of each shift, staff will conduct an equipment check and will document in ICMS, as noted in PMI 3-11-002. **Pepper spray will be verified annually on the Annual Audit list with all equipment.**

C. Use of OC Spray

1. Youths housed at Juvenile Hall (JH), Youth Guidance Center (YGC), and **Youth Leadership Academy (YLA)** are advised during the orientation process that DJCOs are authorized to use chemical agents in all juvenile institutions and under what conditions OC Spray can be deployed.
2. OC Spray may only be used when there is an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.
3. Whenever possible, DJCOs shall provide a clear warning that OC Spray may be deployed if voluntary compliance is not accomplished. However, if the youth continues to be resistant and the behavior exhibited is of such a nature that even a momentary delay would result in injury to the youth or another, then OC Spray can be used without warning.
4. Prior to the dispensing of chemical agents, whenever possible, allow an opportunity for non-involved persons to leave the area.
5. Ensure that no greater amount of chemical agent is used than is necessary to subdue the youth. Chemical agents shall not be used on youth who are resistive but not physically aggressive. Press **the** actuator to fire at **the** subject's face in ½ to 1-second bursts. To stop firing, release pressure from **the** actuator. Deploy ear to ear across subjects' eyes. If you miss the eye target area, deploy the spray back across the subject's eyes in **the** opposite direction. If you are unable to restrain the subject after 3, ½ to 1-second bursts, employ the next appropriate force option.

D. Medical Considerations

1. Whenever possible, staff should avoid deploying OC spray against youth who **are known to** have the following medical histories or profiles:
 - a. Youth under the influence of PCP, cocaine, or methamphetamines.
 - b. Youth who are currently taking psychotropic, stimulant medications, Dexedrine, Ritalin, Cylert, and Desoxyn.
 - c. Youth who have a history of asthma or limited lung capacity disease and are currently, or within the last six months, using an inhaler or prescription medication.
 - d. Youth who have a history of heart disease.
 - e. Youth who are known to be pregnant.

- f. Youth **with** a current seizure disorder that is being treated with anticonvulsants or youth who have a history of seizures within the last year.
 - g. Youth with severe skin disorders in which they have severe dermatitis or multiple large open draining lesions.
2. All individuals who admit to any of the above medical histories or those whom the arresting officer or a booking staff recognizes as being present should be identified upon booking and tagged with a colored medical alert ID bracelet. The purpose of this bracelet will be to alert staff of a "no OC profile." All reasonable efforts should be made to avoid spraying these youth with a Chemical Agent. However, because staff and non-aggressive youth safety is our primary responsibility, there may be occasions where a Chemical Agent may have to be used on medical alert youth to prevent serious injury.

E. Notification and Documentation

- 1. Use of OC spray in the course of employment is to be verbally reported by the individual discharging the canister as soon as possible to his or her immediate supervisor/Duty Officer.
- 2. A Special Incident Report and Restraint Report shall include the following:
 - a. A clear and factual justification for its use.
 - b. Efforts to de-escalate prior to the discharge of OC spray or reasons why de-escalation tactics were not reasonably possible.
 - c. Youth and staff involved.
 - d. Date, time, and location of use.
 - e. A description of how OC Spray was used and the results obtained.
 - f. A complete description of decontamination procedures.
 - g. Medical treatment and any identification of injuries.
 - h. **Mental Health Evaluation**
 - i. **Parental Notification**
 - j. **Attorney notification, if applicable**

F. Decontamination/Aftercare Procedures

- 1. Youth exposed to chemical restraint are to be restrained and handcuffed while still feeling the initial effects.
- 2. Staff who restrain youth exposed to a Chemical Agent spray must wear gloves in that OC affects the mucus membranes of humans and animals.

3. Decontamination measures must be undertaken as soon as practical after a youth is subdued and restrained. Immediately flush contaminated areas with large quantities of cold water. If outside, assist individual to fresh air.
4. Place the youth, fully clothed, into a cold shower, at a sink, or on the patio with the garden hose, until the youth no longer feels the effects of the chemical agent. Handcuffs may be removed **before** to entering the shower if the youth is following directions. Subsequent to decontamination, sanitize the area used.
5. Have youth remove contaminated clothing place it in a marked plastic bag, and issue clean clothing.
6. In the event of overspray to other youth in the area, they will receive the same decontamination process.
7. Any staff contaminated with a chemical agent should follow the same procedure.
8. Staff will be with the youth throughout the entire decontamination process.
9. Juvenile Hall Court Holding decontamination procedures:
 - a. Court Holding staff will keep one spray bottle of water marked in red "OC" in the staff restroom.
 - b. Staff will start the decontamination process by spraying water on the youth's face while enroute to the IRC/Y/Z showers.
10. Observe the youth in 5-minute intervals for one hour.
11. All youth exposed to a Chemical Agent at Juvenile Hall or the Youth Leadership Academy must be seen by the Medical Unit immediately. The staff member who sprayed the individual is responsible for advising medical personnel or others of the decontamination procedures (water/air). The Medical Unit will respond to the decontamination location.
12. At the Youth Guidance Center, when a camp nurse is available, the camp nurse will determine the need to respond to the decontamination location. Any youth exposed to OC spray at the camps must be seen by the onsite camp nurse or transported to Juvenile Hall as soon as is safely practical after decontamination procedures are completed. Any time a youth has been exposed to OC Spray, they must be removed to Juvenile Hall.
13. Symptoms should disappear within 15 to 45 minutes without aftereffects.
14. If a Chemical Agent is ingested, allow the youth to rinse his/her mouth and drink water.
15. Immediately following decontamination, the youth must be referred to Mental Health staff. A licensed clinician from the Health Care Agency (CEGU) will determine if the youth needs to be seen and, if so, will see the

youth within 72 hours and submit a report to the Director of the involved institution.

16. The SJCO or designee will contact the youth's parent or legal guardian. This call should be made at the earliest time possible and no longer than 24 hours from the incident. The call should be documented once completed.
17. The SJCO or designee will organize a debrief on a particular incident as needed.

G. Reporting Lost or Damaged OC Spray Canisters

1. Any loss of a Department-issued OC spray canister is to be reported immediately to the immediate supervisor or duty officer. Additionally, the DJCO must complete a Special Incident Report and submit it to their immediate supervisor or duty officer.
2. Any damage, leakage, or other maintenance problems with a Department-issued OC spray canister is to be reported immediately to the immediate supervisor or duty officer.

H. Use of Force Review Board

Whenever an OC spray canister is discharged, either accidentally or intentionally (except for testing) during the course of employment, the Use of Force Review Board will review the incident. Refer to PMI 1-4-108 Use of Force Review Board.

REFERENCES:

Procedures:	1-4-105	Use of Physical Restraint (Field Services)
	1-4-108	Use of Force Review Board
	1-4-110	Threats, Harm, or Danger to Employees and Others
	3-6-001	Use of Force - Facilities

Policies:	D-1	Threats, Harm, Danger to Employees and Others
	D-9	Tear Gas

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APPROVED BY: