

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 **3-6-003**, dated **08/18/23**
- FORMS:** Use of Force Report (ICMS Automated)
Special Incident Report (ICMS Automated)
- PURPOSE:** To establish procedures for the use of Oleoresin Capsicum (OC) spray by Deputy **Probation** Correctional Officers (DPCOs), Senior **Probation** Correctional Officers (SrPCOs) and Supervising Probation Correctional Officers (SPCO) in the course and scope of duties. For the purposes of this PMI, the term DPCOs will be used to refer to both DPCOs and SrPCOs.

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./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 DPCOs and SPCOs 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. **All DPCOs and SPCOs who are authorized to carry department issued OC spray are provided one (1) Net 3.0 oz. canister of Sabre Red Crossfire, SR-52CFT30-Gel. It is the staff's responsibility to maintain proper storage and possession of the OC spray canister. Staff are encouraged to leave all assigned equipment in their assigned locker. However, there may be times when staff are required to report to another facility/location for coverage, training or other duties; that may require staff to take their equipment (excluding assigned facility keys) with them the night prior, in preparation for reporting the**

following day. Staff should maintain their equipment in a secure space, such as their residence.

2. The Juvenile Hall Institutional Security Unit (ISU) supervisor or an assigned camp SPCO 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.
3. 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 are advised during the orientation process that DPCOs are authorized to use chemical agents in all juvenile **facilities** and under what conditions OC Spray can be deployed.
2. OC Spray may 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. When possible, DPCOs shall provide a clear **verbal** warning (**example: "OC Clear"**) 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, **or there is no opportunity to utilize de-escalation efforts**, then OC Spray can be used without warning.
4. Prior to the **deployment** of chemical agents, whenever possible, allow an opportunity for non-involved persons to leave the area **or get into a duck and cover position**.
5. Ensure that no greater amount of chemical agent is used than is necessary to subdue the youth(s).
 - a. **Chemical agents shall only be deployed using department-approved training techniques and utilizing the minimum amount reasonably necessary to stop the imminent threat.**
 - b. **Unless exigent circumstances exist, OC spray should not be used at a range of less than three (3) feet or any greater than ten (10) feet away.**
 - c. **The target area is the youth's face but specifically the area from ear to ear across the youth's eyes. If the impact area is different than the target area it may be necessary to deploy another burst of OC spray to gain compliance. If you miss the eye target area, deploy the spray back across the subject's eyes in the opposite direction.**
 - d. **To stop deploying, release pressure from the actuator.**

- e. **If you miss the intended target area, it may be necessary to deploy additional bursts if the youth(s) continue to be physically aggressive. The DPCO shall assess the effectiveness following each burst.**

D. Medical Considerations

1. **Whenever known or reasonably believed, staff should consider medical conditions that may increase the risk of adverse effects when determining whether deployment is appropriate: Youth(s) medical conditions/history will be taken into consideration by staff before the deployment of OC Spray.**
 - 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 **youths** who admit to any of the above medical **conditions** or those whom the arresting officer or a booking staff recognizes as being present should be identified **on the youth's medical sheet or the unit desk console as "no OC profile"**. All reasonable efforts should be made to avoid spraying these youth with **OC Spray**. However, because staff and youth safety is our primary responsibility, there may be occasions where **OC Spray** may have to be used on **youth with medical conditions** to prevent serious injury. **In these instances, staff must note this in a Special Incident Report.**

E. Notification and Documentation

1. Use of OC spray **shall** be verbally reported as soon as possible to supervisor/Duty Officer and **announced over the Pak-set Radio.**
2. A Special Incident Report and **Use of Restraint/Force - Pepper Spray** 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. **Time medical was notified, responded and name of medical staff, include medical treatment and any identification of injuries.**
- h. **Time CEGU was notified, responded and name of CEGU staff who conduct the Mental Health Evaluation.**
- i. **Time and staff who notified parents/guardians of youth involved in UOF or OC Spray exposure.**
- j. Attorney notification, if applicable, **including time of notification and name of staff.**

F. Decontamination/Aftercare Procedures

- 1. **If necessary to safely maintain control and prevent further injury, youth may remain restrained during the initial stages of decontamination. Restraints shall be removed as soon as it is safe to do so and shall not remain in place longer than reasonably necessary.**
- 2. **Staff are to ensure all exposed youth(s) are given the opportunity to decontaminate. Following any deployment of OC spray, staff shall identify all youth who may have been exposed, either directly or indirectly. Each potentially exposed youth shall be individually asked whether they are experiencing the effects of OC spray and whether they would like the opportunity to decontaminate. Youth who request decontamination or display signs or symptoms consistent with OC exposure shall be provided decontamination as soon as practicable. Staff assessments, the youth's responses, and any decontamination provided or declined shall be documented in ICMS.**
- 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. **Youth are to decontaminate** in 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 entering the shower, **at the sink, or on the patio with a garden hose**, if the youth is **compliant**.
- 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, **including notifications to Medical, CEGU, and parents/guardians.**
7. Any staff contaminated with a **OC spray** should follow the same procedure.
8. **Youth who have been exposed to OC spray shall not be left unattended until they are fully decontaminated or no longer experiencing the effects of the OC spray.**
9. Observe the youth in 5-minute intervals **or be in direct observation of youth for one hour after the decontamination process.**
10. All youth exposed to **OC spray** at Juvenile Hall or the Youth Leadership Academy must be seen by the Medical Unit immediately. **Staff shall advise** medical personnel or others of the decontamination procedures (water/air). The Medical Unit will respond to the decontamination location.
11. 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.
12. Symptoms should disappear within 15 to 45 minutes without aftereffects.
13. If **OC spray** is ingested, allow the youth to rinse **their** mouth and drink water.
14. **As soon as practical following decontamination, staff shall notify CEGU and refer the youth to Mental Health staff. A licensed clinician from the Health Care Agency (CEGU) will determine whether the youth requires an evaluation and, if so, will assess the youth within 24 hours and submit a report to the DO, or SPCO of the involved facility.**
15. The SPCO or designee will contact the youth's parent or legal guardian at the earliest time possible and no longer than **24 hours** from the incident. The call **will** be documented once completed, **and shall include staff who made the notification, time of the notification, and who they spoke with. If the staff or designee are unable to contact the parents/guardians after two (2) attempts, the assigned Deputy Probation Officer (DPO) will be advised of the incident.**
16. The SPCO or designee will organize a debrief on a particular incident as needed.
17. 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.

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 DPJCO 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 Force (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: