

	ANDOVER POLICE DEPARTMENT GENERAL ORDER		Number: O2702
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			Distribution: All
Title: OLEORESIN CAPSICUM SPRAY		Section: Administration	
Issued: 02/22/2011	Effective: 03/02/2011	Revised: 12/14/2015	
Rescinds: All Previous		Amends:	
CALEA References: 1.3.4 – 1.3.12			
Review: Annual	Authority: Chief Michael A. Keller 		

I. Purpose

The purpose of this General Order is to establish guidelines for the use of oleoresin capsicum (OC) aerosol restraint spray.

II. Policy

This agency has made available OC aerosol restraint spray to provide officers with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of the Andover Police Department that officers use OC when warranted, but only in accordance with the guidelines and procedures set forth here and in this agency's use-of-force General Order.

III. Definitions

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IV. Regulations

- A. Members of the department will not engage in unsafe handling of OC spray. A member is responsible for and will be held accountable for any incident that occurs from the unsafe handling of a OC Spray [B].
- B. OC aerosol restraint spray containers will be properly secured at all times to prevent unauthorized use [B].
- C. Prior to carrying any OC spray, the OC Spray must be authorized and the member must successfully complete Use of Force and OC spray training [C] (1.3.10).

V. Procedures

A. Authorization

1. Only officers who have completed the prescribed course of instruction on the use of OC spray are authorized to carry the device (1.3.10).
2. Uniformed officers shall carry only department authorized OC canisters in the prescribed manner on the duty belt. Non-uniformed officers may carry OC in alternative devices as authorized by the agency.



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3. The department defensive tactics instructor will maintain a list of OC spray approved by the Chief of Police for agency use. The list will include the brand and type of each (1.3.9a, 1.3.9e).
4. OC spray retraining will occur biennially and will be monitored, if not conducted, by a certified defensive tactics instructor and will include training on the content of General Order O2102 Use of Force and this General Order (1.3.11a, 1.3.12).
5. The training coordinator must maintain documentation of the training and individual proficiency results (1.3.11b, 1.3.12).
6. Officers who are unable to demonstrate proficiency with OC spray will not be authorized to carry the weapon until they have completed remedial training and successfully demonstrated proficiency (1.3.11c, 33.1.5).

B. Usage Criteria

1. OC spray is considered a use of force and shall be employed in a manner consistent with General Order O2102 Use of Force.
2. OC may be used when
 - a. Verbal dialogue has failed to bring about the subject's compliance, and
 - b. The suspect has signaled their intention to actively resist the officer's efforts to make the arrest.
3. Whenever practical and reasonable, officers should issue a verbal warning prior to using OC against a suspect.
4. An officer may use deadly force to protect himself from the use or threatened use of OC spray when the officer reasonably believes that deadly force will be used against the officer if the officer becomes incapacitated.
5. Once a suspect is incapacitated or restrained, use of OC spray is no longer justified.

C. Usage Procedures

1. Whenever possible, officers should be upwind from the suspect before using OC spray and should avoid entering the spray area.
2. An officer should maintain a safe distance from the suspect of between two and 10 feet.
3. A single spray burst of between one and three seconds should be directed at the suspect's eyes, nose and mouth. Additional burst(s) may be used if the initial or subsequent burst proves ineffective.
4. Use of OC spray should be avoided, if possible, under conditions where it may affect innocent bystanders.

D. Effects of OC Spray and Officer Response

1. Within several seconds of being sprayed by OC spray, a suspect will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain and/or impaired thought processes.



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2. The effects of OC spray vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect – to include, if necessary, other force options consistent with agency policy – if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
3. Immediately after spraying a suspect, officers shall be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid (1.3.5).
4. Suspects that have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody.
5. Officers should provide assurance to suspects who have been sprayed that the effects are temporary and encourage them to relax.
6. Air will normally begin reducing the effects of OC spray within 15 minutes of exposure. However, once the suspect has been restrained, officers shall assist the suspect by rinsing and drying the exposed area.
7. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. All such incidents shall be reported as soon as possible to the officer's immediate supervisor and shall be detailed in an incident report.

E. Reporting Procedures

1. Accidental discharges as well as intentional uses of OC spray against an individual in an enforcement capacity shall be reported to the officer's immediate supervisor as soon as possible.
2. A use-of-force report shall be completed following all discharges of OC spray except during testing, training, malfunction or accidental discharge (1.3.6c).
3. The procedures in General Order O2519 Officer's Use of Deadly Force will be followed whenever a person who has been subject to an OC spray deployment dies proximately to the deployment (1.3.8).

F. Issue and Replacement

Rev. 04022015

1. The initial issue and any subsequent replacement of OC spray will be conducted by the departments Defensive Tactics Instructor. OC spray will be issued to officers following the successful completion of OC spray training.

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2. Upon issuance or replacement of OC spray, the departments Defensive Tactics Instructor will forward the information to the departments Administrative Assistant.

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3. The department's Defensive Tactics Instructor will maintain a supply of extra OC as a part of the department's operational readiness, as well as, initial issuance and replacement.

4. All OC spray devices shall be maintained in an operational and charged stated by assigned personnel. It is the responsibility of officers to obtain replacements for damaged, unsafe, inoperable or empty devices.

Rev. 05022013

5. Replacements of OC spray canisters shall occur when the unit appears to be near empty, or is in an unsafe or inoperable condition (1.3.9d).

Rev. 12142015

6. OC canisters shall be inspected prior to being issued and annually at the departments Defensive Tactics training. A record of the fact shall be maintained by the department defensive tactics instructor (1.3.9c).

7. Unexplained and excessive depletion of OC canisters shall require an investigation and written report by the officer's supervisor to the Chief of Police.