




## Clayton County Police Department

# PROCEDURES

Subject <b>USE OF OLEORESIN CAPSICUM (OC)</b>			Procedure # <b>D19</b>
Authorizing Signature 	Effective <b>02-03-2026</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages <b>5</b>

### I. PURPOSE

To establish standardized guidelines for the deployment, training, and documentation of Oleoresin Capsicum (OC) spray.

### II. POLICY

Consistent with the Clayton County Police Department's (CCPD's) policy of using the level of force reasonable and necessary to control or otherwise subdue violent or potentially violent individuals, the CCPD authorizes the use of less-lethal options, such as Oleoresin Capsicum (OC) spray, by designated sworn personnel, who have received the required training and certification. Only Department-issued OC is permitted to be carried and/or used.

### III. DEFINITIONS

Oleoresin Capsicum (OC) Spray: OC spray is a potent pepper-derived inflammatory agent used by law enforcement as a less-lethal tool to temporarily incapacitate resistant subjects by causing intense burning, temporary blindness (due to involuntary eye closure), and breathing difficulty, helping to de-escalate confrontations and reduce injuries.

Sworn Officers: Sworn officers employees of the Clayton County Police Department (CCPD) who have taken an Oath of Office and are Georgia Peace Officer Standards and Training (POST) certified. This grants them full law enforcement authority, including the power to make arrests within the jurisdictional limits of Clayton County.

### IV. PROCEDURES

#### A. Authority

1. OC spray is an additional law enforcement tool, and is not intended to replace firearms or other Department-recognized defensive tactics. It is a less-lethal force option that can be used to control violent or potentially violent subjects, as well as those who actively resist arrest.
2. OC spray is authorized to be used when it is objectively reasonable under the totality of the circumstances and what is known to the officer at the time.

The deployment of OC against a subject is considered a use of force and must be consistent with the manufacturer's guidelines, departmental training, this policy (D19) and the Department's use-of-force policy (A5). **See also CCPD SOP: A5: Use of Force.**

3. Only sworn officers who have been trained by a certified instructor, demonstrated proficiency and successfully completed the Department-approved OC Training Program(s) and maintain their certification are authorized to carry and use OC spray.

## B. Training

1. The Academy/Training Unit is responsible for the administration of all Department-approved OC training programs, ensuring they align with established standards. **All training must be conducted by certified Defensive Tactics (DT) Instructors within the Department.**
  - a. Newly sworn officers authorized to carry OC will be permitted to do so only after successfully completing the initial Department-approved OC training program.
    - 1) Demonstrating proficiency in accordance with established standards.
    - 2) Scenario based practice and adherence to manufacturer recommendations.
    - 3) Comprehensive legal training regarding departmental policies (i.e., A5 and D19), search and seizure laws, and relevant case law to ensure appropriate use and minimize liability.
  - b. At least biennially, all officers authorized to carry OC, must successfully complete in-service training covering OC usage and proficiency demonstration, legal updates, and a thorough review of this policy (D19) and use-of-force (A5), in order to maintain their certification.
2. Remedial training will be provided for any officer who fails to meet the proficiency standards set during OC training.
3. Officers who lose certification for any reason shall not carry OC until they are successfully recertified.
4. Officers who do not carry OC shall receive training that is sufficient to familiarize them with the nature, effects, and proper procedures associated with the OC spray that officers use.
5. Officers shall have access to this policy (D19) and all other departmental policies via PowerDMS which is accessible through the Department's intranet site (<http://ccpd/>).
6. Training and proficiency records shall be documented, including a list of authorized users. Training records shall be maintained by the Department and made available to the Chief of Police, or authorized designee, and the Accreditation Unit.

## C. Issuance, Care and Replacement

1. The Logistics & Operations Unit Commander, or authorized designee, shall issue OC spray to authorized, trained, and certified sworn officers.
2. Uniform personnel shall perform a visual inspection before each shift to verify the integrity of the safety mechanism, check for signs of leakage/damage to the nozzle/canister, ensure the OC canister is not past its expiration date, and ensure it is properly secured inside its holder.
  - a. If any issues, damage, or concerns are observed during the inspection, the inspecting officer shall immediately report this to their supervisor.
  - b. Supervisors are responsible for coordinating the replacement of damaged, defective, expired, or used OC.
3. Uniformed personnel shall carry OC on their duty belt or outer vest carrier in a Department-issued holder.
4. OC shall be stored in a manner consistent with both the manufacturer's guidelines and departmental training protocols.

OC shall not be stored or kept inside a vehicle or any other area that is susceptible to excessive heat.

5. OC spray canisters shall be replaced after any use, even a partial discharge.
6. The Logistics & Operations Unit Commander, or authorized designee, shall replace OC that is damaged, defective, expired, or used, only after receiving a written report detailing why the item needs replacement.
7. When a canister of OC spray is past its expiration date, it may be used for training or safely discharged and discarded.

#### D. Delivery of OC Spray on Resistant Subjects

Although OC is generally effective in controlling most subjects, officers should be aware that OC spray may not achieve the intended results and officers must be prepared to transition to other reasonable use of force options.

1. When multiple officers are on scene and OC is to be used, only one (1) officer shall deploy the spray. If the initial spray is reasonably believed to be ineffective and the subject remains non-compliant, another officer may deploy their OC. Officers must verbally communicate with each other on who will deploy OC and who will act to take the subject in custody or provide cover.
2. When tactically feasible, officers will give a **verbal warning** to the subject prior to using OC. The verbal warning serves to:

- a. Notify other officers that OC is being deployed, so they can take appropriate precautions, such as repositioning or preparing for the subject's reaction; and
- b. It also gives the subject an opportunity to comply before force is used.

The fact that a verbal warning was given or the reason(s) it was not given shall be documented by the officer deploying the OC in their report.

3. OC spray should be aimed at the subject's facial area, concentrating on the eyes, nose, and mouth, whenever possible.

Consideration must be given to apprehending the subject as soon as possible after exposure, to ensure control and prevent them from engaging in further dangerous behavior or self-harm.

4. The OC spray should be dispensed in short, one (1)-second to two (2)-second bursts. Combative subjects may require additional and/or longer bursts.
5. Officers must continually assess a subject's resistance after each application of OC, and adjust their response (maintain, escalate or de-escalate) proportionally, ensuring force matches the threat and ceases when control is achieved.
  - a. Each separate application or burst of OC spray is considered a distinct use of force.
  - b. Each application must be individually justified as objectively reasonable and proportional to the circumstances perceived by the officer at that specific moment.
6. If an officer has utilized OC spray against a subject, they will notify responding officers via radio and upon arrival to the scene.
7. OC spray and other authorized less-lethal chemical agents may be utilized by members of the Special Weapons and Tactics (SWAT) team in a tactical situation when directed to do so by appropriate supervisory personnel.
8. Some OC sprays and chemical agents used by law enforcement are flammable. **A TASER shall not be used if an officer knows that a subject has been sprayed with a flammable agent.**

#### E. Post-Application Protocol for OC Spray

1. After OC has been dispensed, and when it is safe to do so, the subject will be handcuffed and searched for weapons.
2. Officers will immediately notify the E911/Communications Center via radio to inform the dispatcher that a subject was sprayed with OC and to request:
  - a. Emergency Medical Services (EMS) to respond to the scene for medical assistance; and
  - b. A supervisor to respond to the scene, regarding the use of force.
3. The subject will be promptly removed from the contaminated area and their physical condition must be continuously monitored by the arresting officer, or designee.
4. An officer who exposes a subject to OC will administer first aid or have first aid administered to the subject as soon as possible. Officers should inform the subject that the effects of OC are temporary to reduce anxiety and encourage compliance.
5. Most significant symptoms of irritation from OC spray should begin to abate or substantially resolve within forty-five (45) minutes to one (1) hour after exposure, provided the subject is removed from the contaminated area and decontaminated.

Such symptoms may include:

- a. Dilation to the capillaries of the eyes causing immediate, temporary closing of the eyes.
- b. Swelling of the mucous membranes of the respiratory system and temporary uncontrolled coughing, gasping, gagging.
- c. Temporary nausea.
- d. Temporary loss of muscular strength and coordination.
- e. Watery, irritated eyes.
- f. Runny nose.
- g. Irritated throat.
- h. Respiratory distress.
- i. An intense sensation of skin burning that may persist thirty (30) to ninety (90) minutes after exposure to OC.

If significant symptoms, particularly those affecting the eyes or the respiratory system (e.g., severe difficulty breathing, chest pain, continuous blurred vision), persist for longer than forty-five (45) minutes to an hour, prompt medical attention shall be sought.

#### F. Delivery of OC Spray on a Vicious/Dangerous Animal

1. OC spray may be used as a means of protection from a vicious/dangerous animal. It is to be used when possible and practical, but should not be substituted for a higher force option if the situation warrants such action.

If deployed on a domestic animal, officers should have an animal control officer on scene, if feasible, to restrain the animal. Note: Animals may only be momentarily incapacitated and could recover quickly.

2. OC spray should be aimed at the animal's face, concentrating on the eyes and nose, whenever possible.

Consideration must be given to quickly create distance or move to apprehend, allowing the spray to incapacitate the animal preventing further aggression.

3. OC should be dispensed in one (1)-second to two (2)-second bursts. Aggressive animals may require additional and/or longer bursts.

4. The unnecessary use of OC against an animal is not authorized under any circumstance and may constitute cruelty to animals.
5. When OC is used against an animal, whether on/off-duty, the deploying officer will immediately notify an on-duty supervisor, as soon as possible. The officer will also report the incident to their direct supervisor. The deploying officer shall document in their *Incident Report* or *Incident Supplemental Report* the facts and circumstances that reasonably justified the use of OC.

#### G. Decontamination for OC

Buildings, vehicles, etc. exposed to OC may be decontaminated by opening all windows and doors, washing all areas with soap and water and discarding all contaminated items that cannot not be salvaged or decontaminated.

#### H. Post-Incident Reporting Requirements

1. Use of OC spray against a subject is considered a use of force and requires the completion of a *Use of Force Report*. Any deployment of OC will be reported, whether on or off duty, except those connected with departmental training exercises.
2. When OC is used, whether on or off duty, the deploying officer will immediately notify an on-duty supervisor to respond to the scene, as soon as possible. The officer will also report the incident to their direct supervisor.
3. The deploying officer shall fully document in their *Incident Report* or *Incident Supplemental Report* the facts and circumstances that reasonably justified the use of OC spray.
4. In any incident in which OC is displayed to gain compliance or attempt to gain compliance, but is **not** utilized to apply force, a *Use of Force Report* **shall not** be completed. In such incidents, the officer that displayed the OC shall complete an *Incident Report* or *Incident Supplemental Report* justifying such action in the narrative section.
5. Normally, accidental discharges that occur during on or off-duty will be reported in memorandum (*Memo*) format and forwarded through the chain of command.
6. The investigating supervisor is responsible for the following:
  - a. Interviewing the subject against whom the force was applied.
  - b. Interviewing and identifying all sworn personnel who were involved in and/or present for the use of force incident.
  - c. Interviewing and identifying parties who assisted, witnessed or were involved in the use of force incident, to include personnel from other law enforcement agencies.
  - d. Gathering any evidence related to the use of force incident.
  - e. Forwarding relevant information and documentation through the chain of command.
7. Documentation and further investigative actions shall be completed in accordance with CCPD SOP: A5: *Use of Force*.

### V. CANCELLATION

This procedure amends and supersedes the following standard operating procedure: *D19: Use of Oleoresin Capsicum (OC)*, dated April 9, 2020.