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|  | <i>Administrative Regulation</i> | |
| | PEPPER SPRAY | Policy #: 10.04 |
| | | Effective: 09/25/2006 |
| | | Revised: 09/09/2024 |
| | Owner: Human Resources | |

Note: Terms that are ***bolded and italicized*** the first time they appear in this regulation are defined below. After the first occurrence, defined terms appear in *italics only*.

PURPOSE:

To establish guidelines and procedures for non-police City employees regarding the possession, use, and storage of both personal and City-issued ***pepper spray*** to ensure safety and compliance with legal standards.

SCOPE:

This regulation applies to all employees, except those covered by Springfield Police Department (SPD) general orders.

POLICY:

Employees with work assignments that include working in isolated or potentially threatening areas or in proximity to potentially dangerous animals, may request to use City-issued ***pepper spray*** for self-defense purposes in the course of City employment. Only employees who have received explicit approval and proper training are permitted to carry ***pepper spray*** while on duty.

Human Resources will issue ***pepper spray*** to employees who have received authorization and completed required training.

Employees are permitted to carry and use personal ***pepper spray*** for lawful self-defense.

PROCEDURE:

1. Approval

A. City-Issued Pepper Spray

- a. Employees who request City-issued ***pepper spray*** must first obtain written approval from their department.
- b. The department director's review will consider the nature of the work, alternative self-defense methods available, and the need for protection.
- c. Approval to carry ***pepper spray*** will be documented with the [Pepper Spray Authorization and Acknowledgement form](#) signed by the director acknowledging the authorization and the employee's acceptance of responsibilities related to the use of the approved ***pepper spray***.
- d. The department is responsible for all expenses associated with the issuance of ***pepper spray***, including but not limited to the cost of the spray, training, replacement, and disposal.

B. Personal Pepper Spray

- a. Employees are encouraged to notify their supervisor or HR if they choose to carry personal *pepper spray* on City property or during work-related activities, especially if their job involves regular public interaction or potentially hazardous environments.

2. Training

A. City-Issued Pepper Spray

- a. Employees who receive approval to carry *pepper spray* at work must participate in a mandatory safety training course provided by a City authorized trainer prior to carrying *pepper spray* while performing their duties.
 - (1) Recertification is required every two (2) years thereafter.
- b. Documentation of training(s) will be placed in the employee's training record.
- c. Training will be coordinated by Human Resources and shall include the following elements:
 - (1) Instruction on the capabilities of *pepper spray* and its limitations.
 - (2) How to correctly and safely administer the spray.
 - (3) How and where the *pepper spray* must be stored and secured.
 - (4) Steps to take once the spray has been administered.
 - (5) Warning to employees about the possible adverse consequences of the improper use of *pepper spray* including disciplinary action, criminal charges (e.g. assault), and civil tort liability for damages.

B. Personal Pepper Spray

- a. While training for personal *pepper spray* use is not mandatory, employees are strongly encouraged to seek self-defense training to ensure they know how to use it safely and effectively.

3. Possession and Storage

A. City-Issued Pepper Spray

- a. Employees who are issued *pepper spray* are responsible for securing it.
- b. City-issued *pepper spray* should be stored in a secure, designated location when not in use and must be returned to this location at the end of each shift or workday.
- c. City-issued *pepper spray* may not be used for any personal (non-City) matters.

B. Personal Pepper Spray

- a. Employees who choose to carry personal *pepper spray* must ensure it is securely stored and not easily accessible to unauthorized people. It should be kept in a personal bag, pocket, or another secure location when not in use and never left unattended in common areas.

4. Permissible Use

A. **City-Issued Pepper Spray**

- a. Use of *pepper spray* must comply with all applicable local, state, and federal laws.
- b. The use of *pepper spray* is restricted to:
 - (1) Protecting oneself;
 - (2) Protecting others from immediate injury from a person; or
 - (3) Protecting others from immediate injury from an animal.
- c. Employees should never attempt to physically restrain someone they have pepper-sprayed unless there is no other option.
- d. Employees should back off to a safe distance, contact the Police Department and await assistance as only police officers are properly trained in control techniques and legally authorized to initiate restraint measures.

B. **Personal Pepper Spray**

- a. Employees are permitted to carry and use personal *pepper spray* for self-defense in situations where they reasonably believe they are at risk of ***immediate physical harm***.
- b. Use of personal *pepper spray* must be a last resort and should only occur when other means of protection are unavailable or ineffective.

5. Reporting Use of Pepper Spray

A. **City-Issued Pepper Spray**

- a. Employees who use *pepper spray* in the course of City employment must report any use of the spray to the Police Department immediately so law enforcement can take any required action.
- b. After notifying police, employees must contact Risk Management (within Human Resources) and their immediate supervisor.
- c. Employees must also document the incident by completing a Report of Discharge of Pepper Spray Form.

B. **Personal Pepper Spray**

- a. Employees must comply with all applicable local, state, and federal laws regarding the possession and use of *pepper spray*. This includes adhering to restrictions on where *pepper spray* can be carried and who can legally possess it.

6. Inspection, Replacement, and Disposal

A. **City-Issued Pepper Spray**

- a. Employees are responsible for following the manufacturer's instructions for care and storage of the *pepper spray* container.
- b. *Pepper spray* devices shall be maintained in an operational and charged state by authorized employees or the approved vendors.
- c. Employees must notify their department and return any damaged, empty, or inoperable devices to Human Resources.
- d. If an employee loses their City-issued device, it shall be reported to their department director immediately.
- e. The Risk Manager (or designee) will conduct a documented inspection of the issued device annually.

B. Personal Pepper Spray

- a. Employees are required to regularly inspect, replace, and properly dispose of their personally purchased *pepper sprays* to ensure they remain functional and safe for use.

7. Liability

A. City-Issued Pepper Spray

- a. The City assumes responsibility for the use of City-issued *pepper spray* when used in accordance with this policy and the associated training.

B. Personal Pepper Spray

- a. The City assumes no liability for the personal use of *pepper spray* by employees. Employees who carry and use personal *pepper spray* do so at their own risk and are personally responsible for any consequences of its use.

DEFINITIONS:

Immediately:

The prompt notification to the local police department following the use of pepper spray, ideally within a few minutes of the incident. Timely notification ensures law enforcement is aware of the situation, can provide necessary support, and can assume responsibility for any legal or investigative actions.

Immediate Physical Harm:

Refers to bodily injury or impairment that occurs directly and instantaneously as a result of an attack or threatening situation. This includes actions or threats that cause acute pain, temporary incapacitation, or imminent danger to personal safety. The presence of immediate physical harm justifies the use of pepper spray to prevent or mitigate further injury or assault.

Pepper Spray:

A chemical compound in aerosol or gel form that causes irritation to the eyes and respiratory system, commonly containing oleoresin capsicum (OC). It is used for self-defense or to deter individuals from

posing an immediate threat.

RESOURCES:

Forms:

- [Pepper Spray Authorization and Acknowledgement Form](#)
- Report of Discharge of Pepper Spray Form

Administrative Regulations

- [Violence-Free Workplace](#)