



DEPARTMENTAL  
GENERAL  
ORDER

C-8

Index as:

Oleoresin Capsicum (OC)

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## OLEORESIN CAPSICUM

The purpose of this order is to set forth Departmental policy and procedures for ordering, receiving, and issuing Oleoresin Capsicum (OC), "Pepper" Spray.

### I. NOMENCLATURE

- A. Small - Defense Technology Federal Laboratories (DefTec), Mk VI OC Projector, Part No. 5069, .68 oz.
- B. Large - Defense Technology Federal Laboratories (DefTec), Mk IV OC Projector, Part No. 5049, 3 oz.

### II. PURCHASING, RECEIVING, DISTRIBUTION, AND DESTRUCTION

- A. The Property and Evidence Unit (PEU) shall be responsible for the purchasing, receiving, and distribution of OC spray.

The PEU Supervisor or designee shall:

1. Inventory OC supply and order the appropriate size OC canisters when either inventory falls to less than 50 units or less than 100 units when a recruit training class is in session;
2. Log the date and time OC inventory was received;
3. Ensure the shipment is not damaged and has not been tampered with;
4. Ensure the shipment received reconciles with the quantity requisitioned on the Purchase Order;

5. Prepare and forward a memorandum to the Bureau of Investigation Deputy Chief, detailing any discrepancy, damage, or tampering of the shipment;
6. Notify the vendor of any discrepancy, damage, or tampering of the shipment.
7. Ensure the inventory is stored in a secure location within the PEU.
8. Coordinate the periodic destruction of accumulated used, expired, damaged, and non-functioning canisters in accordance with state and local laws.

B. Distribution of OC Spray Canisters

1. PEU personnel shall:
  - a. Be responsible for the initial issuing of OC spray to new personnel.
    - 1) Upon notice, prior to graduation from the Recruit Academy or Lateral Course; or
    - 2) Upon completion of the certification process.
  - b. Only issue OC spray canisters to members and eligible employees whose names appear on a list verifying completion of certification or training provided by the Training Section.
  - c. Only issue **ONE** small and/or large OC canister to any one person.
  - d. Issue a new OC spray canister under the following conditions:
    - 1) Replacement after an OC use of force incident;
    - 2) Replacement of an exhausted or partially used canister (i.e., due to test firing or used on animal);

- 3) Replacement of a date-expired canister (5-year shelf life);
  - 4) Replacement of a non-functioning or damaged canister;
  - 5) Replacement of a lost/stolen canister;
  - 6) Training; or
  - 7) Replacement of a canister turned in as evidence.
- e. Receive the empty, expired, partially used, damaged or non-functioning OC spray canister from the member or employee prior to issuance of a new OC spray canister.
  - f. Ensure the OC Control Log is completed;
  - g. Advise the member or employee that, if a canister is not turned-in, he/she is required to notify and have his/her immediate supervisor submit a memorandum detailing the circumstances and requesting the issuance of a replacement canister of OC;

If a member or employee cannot submit a signed memorandum for the issuance of a replacement canister, prior to deploying into the field, PEU personnel shall issue a new canister of OC spray and document this occurrence on the OC Control Log;

- h. Record his/her name and serial number on the OC Control Log.
2. The PEU supervisor or designee shall:
    - a. Enter the appropriate information on the OC Control Log into the appropriate database.
    - b. Track all OC spray canisters issued without a signed memorandum.

- c. Prepare and forward a monthly report to the BOI Deputy Chief and the designated Compliance Assessor detailing the following:
  - 1) Name of requesting member/employee;
  - 2) Date of issuance;
  - 3) Whether an old OC canister was turned in;
  - 4) Reason the old OC canisters was turned in;
  - 5) Whether a memorandum was submitted, if required;
  - 6) Name of requesting member/employee's supervisor

### **III. TRAINING SECTION RESPONSIBILITIES**

- A. The Training Section Commander shall:
  - 1. Provide the PEU with funding for the purchase of OC.
  - 2. Ensure a list of non-sworn personnel trained in the use of OC spray is prepared and forwarded to the PEU. This list shall be compiled from the Training Management System (TMS) within five (5) days after a certification class.
  - 3. Direct the Rangemaster to maintain an adequate supply of OC spray canisters for training purposes.
- B. The Rangemaster shall:
  - 1. Maintain and store the OC canister training inventory in a secure location as directed by the Training Section Commander.
  - 2. When inventory is needed:
    - a. Enter the appropriate information on the OC Control Log along with an old OC canister, for each new OC canister obtained from the PEU, in accordance with Part V of this order.
    - b. When an old OC canister cannot be turned in, the Rangemaster shall obtain and submit a memorandum from the Training Section Commander to the PEU detailing the reason an old OC canister was not turned in.

3. Return empty, expired, partially used, damaged or non-functioning OC canisters to the PEU for replacement.

#### IV. PERSONNEL RESPONSIBILITIES

- A. Members or employees shall only carry OC Canisters issued by the Department.
- B. Members or employees may check out a maximum of one small and/or large OC canister.
- C. Members or employees shall turn in their OC canister after an OC use of force incident, unless the canister has been turned in as evidence, and check out a new OC canister.
- D. Members or employees shall turn in empty, expired, damaged or non-functioning OC spray canisters to the PEU for a replacement canister and enter the appropriate information on the OC Control Log. Partially used OC canisters may be turned in for new canisters at the discretion of the member/employee.
  1. The OC Control Log shall contain the following information:
    - a. Name or requestor;
    - b. Serial number;
    - c. Date of issuance;
    - d. OC Control Number (PEU use only);
    - e. New OC canister serial number;
    - f. Reason for replacement;
      - 1) Training;
      - 2) Defective;
      - 3) Expired;
      - 4) Used on animal;
      - 5) Due to test firing;
      - 6) Initial issue;
      - 7) Use of Force;
      - 8) Stolen; and
      - 9) Lost.
    - g. Whether old OC canister turned in;
    - h. Old OC serial number;
    - i. Old OC canister replacement code;
    - j. Document if memorandum required;

- k. Supervisor of personnel requesting canister; and
  - l. Issuing PEU personnel and serial number.
- E. Members or employees unable to turn in an OC spray canister to the PEU for a replacement canister shall notify his/her immediate supervisor detailing the circumstances. Members or employees unable to locate a canister shall consider the canister lost and notify his/her immediate supervisor in accordance with the provisions of Departmental General Order N-5, LOST, STOLEN, DAMAGED CITY PROPERTY.
- F. A lost or stolen OC spray canister shall be reported, documented, and investigated in accordance with the provisions of Departmental General Order N-5.
- G. The member or employee shall present PEU personnel with a memorandum, signed by his/her immediate supervisor, if a canister is not turned-in. The memorandum shall detail the circumstances and request the PEU issue a replacement canister of OC.
- H. When a member or employee, assigned to field duties, cannot obtain a signed memorandum prior to deploying into the field, that member or employee shall:
  - 1. Request that the PEU issue a replacement canister of OC spray; and
  - 2. Indicate the name of his/her supervisor on the OC Control Log.

## V. SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- A. Determine if an OC canister is of evidentiary value after a use of force incident and direct the appropriate personnel to submit the OC canister to the PEU as evidence.
- B. Prepare and forward a memorandum for OC replacement to the PEU, within 48 hours after being notified by a member or employee that a canister was not turned in at the time a replacement canister was issued;
- C. Document, investigate, and report cases of lost or stolen OC canisters, in accordance with the provisions of DGO N-5; and

- D. Monitor their subordinates and investigate any unexplained or unusual depletion of OC spray and for compliance with the OC policy.
- E. Supervisors shall access the OC Database on a monthly basis to ensure compliance with this order.

## **VI. COMMANDER RESPONSIBILITIES**

- A. Commanders shall access the OC Database on a monthly basis to ensure that personnel under their command are in compliance with this order.
- B. If the Commander finds a member or employee not in compliance, he/she shall review all K-4 reports submitted to the Bureau of Field Operations Administration and Training Section with the member or employee's name. The Commander shall also check the appropriate Internal Affairs Division database. The Commander shall note any patterns or trends and take appropriate action for those subordinates who are not adhering to this policy, and, if appropriate, recommend an Internal Affairs investigation.
- C. The Bureau of Investigation Deputy Chief shall have the added responsibility to ensure an audit is conducted regarding the use of OC spray by Departmental personnel for compliance, inconsistencies, and overuse.

## **VII. MAJOR RESPONSE OPERATIONS**

- A. The MRO Logistics Commander shall:
  - 1. Designate a Logistics Officer to be responsible for the sign-out and control of up to 25 canisters of OC from the Property and Evidence Unit (PEU);
  - 2. Advise the PEU of the following:
    - a. Name of the Logistics Officer;
    - b. Date of the MRO; and
    - c. Number of OC canisters needed.

B. Initial Check-Out

1. The Police Property Specialist (PPS) shall provide the Logistics Officer with the following:
  - a. A "Master" OC Control Card (TF-3326) for each type of OC canister requested (i.e., one (1) card each for small and one (1) card for large) indicating the sequential range of OC Control Numbers.
  - b. The requested number of OC canisters;
  - c. An OC Control Card for each OC canister.
2. The Logistics Officer shall complete the Master OC Control Card(s) to be retained by the PEU.

C. Issuance in the field

1. In the event personnel are in need of a replacement OC canister during the MRO, he/she shall notify the Logistics Officer.
2. The Logistics Officer shall ensure the member/employee receiving a replacement OC canister completes an individual OC Control Card and turns in the expended/unused/damaged OC canister.

In the event an OC canister is not turned in, the procedures enumerated in Part IV, E of this order shall be followed.

3. The Logistics Officer shall keep each individual OC Control Card with each OC canister turned in.

D. Return of OC to PEU

1. At the conclusion of the MRO, the Logistics Officer shall return the following to the PEU:
  - a. All unissued OC canisters;
  - b. Completed individual OC Control Cards; and
  - c. OC canisters turned in by members/employees.



2. PEU Staff shall:
  - a. Reconcile the Master OC Control Card(s) with the individual OC Control Card(s) and OC canisters turned in by the Logistics Officer;
  - b. Return unused OC canisters to inventory;
  - c. Ensure the supervisor of any member/employee who did not turn in an OC canister is notified;
  - d. Include OC canister issuance during an MRO in the monthly report to BOI Deputy Chief and the designated Compliance Assessor; and
  - e. Dispose of accumulated OC canisters in accordance with the provisions of Part II, A, 8.

By order of

Anthony W. Batts  
Chief of Police

Date Signed: \_\_\_\_\_