

## MISSOULA POLICE DEPARTMENT POLICY MANUAL



<i>Subject:</i> <b>USE OF FORCE – OLEORESIN CAPSICUM</b>		
<i>Effective Date:</i> <b>6/8/2017</b>	<i>Original Date:</i> <b>12/12/2001</b>	<i>Next Review:</i> <b>6/8/2018</b>
<i>Chapter</i> <b>7</b>	<i>Policy #</i> <b>7.40</b>	<i>Distribution:</i>
<i>References:</i>		

### I. Purpose

The purpose of this appendix is to establish guidelines for the use of oleoresin capsicum (OC) restraint spray and Pepperball powder.

### II. Policy

The Missoula Police Department issues OC restraint spray to provide officers with an additional use of force option. Missoula Police Department Officers will only carry this restraint spray as authorized by the department. Officers that carry OC will be required to attend a 90-minute block of instruction. This instruction will include classroom presentation and hands-on use of this agent.

### III. Procedures

- A. OC is considered a use of force and shall be employed in a manner consistent the Missoula Police Department policy on Use of Force.
- B. Unless it is impractical, unreasonable, or dangerous to do so, a verbal warning should be given before OC is employed.
- C. OC may be used where:
  1. Verbal dialogue has failed to bring about the subject's compliance, or the conditions of paragraph B (above) have been met.

#### **AND**

2. The subject has signaled his intention to actively resist the officers' efforts to make the arrest.

#### **OR**

3. The subject is involved in a physical fight or other activity that make it hazardous for an officer to approach the subject.

- D. Once a suspect is compliant, the use of OC is no longer justified.

#### **IV. Effects of Oleoresin Capsicum**

The effects of OC are temporary. The effects will wear off in approximately 30-45 minutes. However, attempts should be made to relieve the discomfort of the individual, who has been exposed, as soon as reasonably possible under the circumstances.

#### **V. Post Care**

- A. Immediately after spraying a subject, officers shall be alert to any indications that the individual needs medical care. This includes, but is not limited to, prolonged or significant breathing difficulties, displaying evidence of a compromised airway, gagging, profuse sweating, and loss of consciousness. If any of these symptoms are present, or if the subject requests medical assistance, the officer shall immediately summon emergency medical aid.
- B. Once the subject has been properly handcuffed, he/she should be cared for. While no medical attention should be necessary to eliminate the product's effects, the following steps will aid in the subject's recovery:
  - 1. Remove the subject from the contaminated area.
  - 2. Reassure the subject that the effects of the product are temporary and discomfort will diminish in a short period of time if the subject does not fight it.
  - 3. Where possible, flushing the subject's face with water or applying a wet towel will expedite the recovery. Bottled water or saline solution may be used if available.
  - 4. The officer and subject should avoid touching their eyes, nose, mouth and other sensitive skin areas until able to wash their hands.
  - 5. Assistance shall be offered to any individual accidentally exposed to OC who feels the effects of the agent.

#### **IV. Reporting Procedures**

- A. When an officer uses OC in the line of duty, the incident shall be documented, which is consistent with this policy, before leaving shift and the report will be forwarded to the division captain.
- B. If an officer uses OC, issued by the department, or under color of his authority as an officer, while off duty he shall file a report as soon as reasonably possible.