

## OLEORESIN CAPSICUM (OC) SPRAY – FACILITIES

- AUTHORITY:** Administrative Directive  
California Penal Code (CPC) Sections 830.5, 13514, and 22820  
Welfare and Institutions Code 871.5  
Title 15 Minimum Standards for Juvenile Facilities Section 1357
- RESCINDS:** Procedure Manual Item 3-1-056, dated 12/17/2020
- FORMS:** Use of Force Report (F057-10034)  
Special Incident Report (F057-7018)
- PURPOSE:** To establish procedures for the use of Oleoresin Capsicum (OC) spray by Deputy Juvenile Correctional Officers (DJCOs) and Senior Juvenile Correctional Officers (Senior JCOs) in the course and scope of duties. For the purposes of this PMI, the term DJCOs will be used to refer to both DJCOs and Senior JCOs.

### I. GENERAL INFORMATION

- A. Departmental policy regulates training, possession, and use of OC spray by employees of the Orange County Probation Department in the course and scope of their duties.
- B. Use of OC spray is considered a use of force event. By statute, deputized staff who have a reasonable cause to believe that a person has committed a public offense, may use objectively reasonable force to effect arrest, prevent escape, or to overcome resistance. DJCOs are referred to Procedure Manual Item (PMI) *3-1-015 Use of Force – Facilities* for detailed information regarding force options available.
- C. OC Spray may only be used when there is an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.**
- D. The decision to carry OC spray as a private citizen is an individual one. The peace officer status of deputized employees, coupled with successful completion of the Peace Officer Standards and Training (P.O.S.T.) approved training course, meet the legal requirements for possession and use of tear gas as a private citizen. However, WIC 871.5 prohibits any person from bringing any weapon, including OC spray, tear gas, or tear gas weapon into any county juvenile facility except as authorized by law, or when authorized by the person in charge of that facility. All Probation Department employees who possess OC spray, tear gas, or tear gas weapon as a private citizen are prohibited from bringing said weapon onto any facility grounds.
- E. Only department-issued OC spray canisters, [REDACTED], shall be used in the course and scope of employment.

## II. PROCEDURE

### A. Training and Authorization

1. The Chief Probation Officer shall designate those persons authorized to carry and use OC sprays. Approved staff must:
  - a. Be sworn as a peace officer.
  - b. Have successfully completed the P.O.S.T./S.T.C-certified OC spray course. This course is provided during the Juvenile Correctional Officer Core course.
  - c. Be on duty.
  - d. Attend update training annually to ensure understanding of the limitations of use, potential dangers of use, authorization to use, and use techniques, and pass annual re-certification by an approved trainer.
  - e. Be able and proficient in empty hand/physical restraint control holds and pass annual re-certification by an approved trainer.
  - f. All DJCOs, Senior JCOS, and Supervising Juvenile Correctional Officers (SJCOs) are authorized to carry departmentally issued OC spray while on duty, contingent on compliance with sections a., b., c., d., and e. above.
2. Authorization to possess and use OC spray may be withdrawn at the discretion of the Chief Probation Officer or a Chief Deputy Probation Officer.

### B. Storage, Tracking, and Replacement

1. Authorized OC sprays will be stored in specific designated areas only. Authorized staff will be issued a canister at the beginning of their shift and return the canister at the end of their shift. Under no circumstances is anyone to take a OC spray out of the building when going off duty or while on break. The Juvenile Hall Institutional Security Unit (ISU) supervisor or an assigned camp SJCO will establish a master list for all OC spray canister in the facility that includes unit assigned, serial number, and expiration.
2. At the beginning of each shift, staff will conduct an equipment check and account for all OC spray canisters assigned to the unit, and will document in ICMS, as noted in PMI 3-1-049. Unit SJCOs shall arrange for monthly testing of OC spray canisters, and document same on the monthly security equipment form.

### C. Use of OC Spray

1. Youths housed at Juvenile Hall (JH), Youth Guidance Center (YGC, and/or YLA are advised during the orientation process that DJCOs are authorized to use OC sprays in all juvenile institutions and under what conditions OC Spray can be deployed.

2. Whenever possible, DJCOs shall provide a clear warning that OC Spray may be deployed if voluntary compliance is not accomplished. However, if the youth continues to be **so physically aggressive that it is reasonable to believe that even a momentary delay would result in injury to the youth or another, then OC spray can be used without warning.**
3. Prior to the dispensing of OC sprays, whenever possible, allow an opportunity for non-involved persons to leave the area.
4. Ensure that no greater amount of OC spray is used than is necessary to subdue the youth. OC sprays shall not be used on youth who are resistive, but not physically aggressive.



D. Medical Considerations

1. Whenever possible, staff should avoid deploying OC spray against youth who have the following medical histories or profiles:
  - a. Youth under the influence of PCP, cocaine, or methamphetamines.
  - b. Youth who are currently taking psychotropic, stimulant medications, Dexedrine, Ritalin, Cylert and Desoxyn.
  - c. Youth who have a history of asthma or limited lung capacity disease and are currently, or within the last six months, using an inhaler and/or prescription medication.
  - d. Youth who have a history of heart disease.
  - e. Youth who are known to be pregnant.
  - f. Youth who have a current seizure disorder that is being treated with anticonvulsants or youth who have a history of seizure within the last year.
  - g. Youth with severe skin disorders in which they have severe dermatitis, or multiple large open draining lesions.
2. All individuals who admit to any of the above medical histories or those who the arresting officer and/or a booking staff recognizes as being present should be identified upon booking and tagged with a colored medical alert ID bracelet. The purpose of this bracelet will be to alert staff of a "no OC profile." All reasonable efforts should be made to avoid spraying these youth with a OC spray. However, because staff and non-aggressive youth safety is our primary responsibility, there may be occasions where a OC spray may have to be used on medical alert youth to prevent serious injury.

E. Notification and Documentation

1. Use of OC spray in the course of employment is to be verbally reported by the individual discharging the canister as soon as possible to his or her immediate supervisor/Duty Officer.
2. A Special Incident Report and Restraint Report shall include the following:
  - a. A clear and factual justification for its use.
  - b. Efforts to de-escalate prior to the discharge of OC spray or reasons why de-escalation tactics were not reasonably possible.
  - c. Youth and staff involved.
  - d. Date, time, and location of use.
  - e. A description of how OC Spray was used, and the results obtained.
  - f. A complete description of decontamination procedures.
  - g. Medical treatment and any identification of injuries.

F. Decontamination/Aftercare Procedures

1. **Youth who are restrained and handcuffed after an OC spray deployment shall remain handcuffed until they are no longer physically resistive. Please see PMI 3-1-006 Handcuffs, Transportation Belts, Shackles, and Flex Cuffs for further information on the use of handcuffs.**
2. **If possible, DJCOs who restrain youth exposed to OC spray shall wear gloves to minimize the potential effects of being exposed to a chemical agent.**
3. Decontamination measures must be undertaken as soon as practical after a youth is subdued and restrained.
4. Place the youth, fully clothed, into a shower, at a sink, or on the patio with the garden hose, **allowing cold water to freely fall onto the youth** until the youth no longer feels the effects of the OC spray.
5. **If the OC spray deployment occurred inside a building/unit/room, staff may escort a youth outside of the contaminated location for fresh air.**
6. Subsequent to decontamination, sanitize the area used.
7. Have youth remove contaminated clothing and place in a marked plastic bag, and issue clean clothing.
8. In the event of over spray to other youth in the area, they will receive the same decontamination process.
9. Any staff contaminated with a OC spray should follow the same procedure.
10. Staff will be with the youth throughout the entire decontamination process.

11. Juvenile Hall Court Holding decontamination procedures:
  - a. Court Holding staff will keep one spray bottle of water marked in red "OC" in the staff restroom.
  - b. Staff will start the decontamination process by spraying water on the youth's face while in route to the IRC/Y/Z showers.
12. Observe the youth in █-minute intervals for █.
13. All youth exposed to a OC spray at Juvenile Hall or the Youth Leadership Academy must be seen by the Medical Unit immediately. The staff member who sprayed the individual is responsible for advising medical personnel or others of the decontamination procedures. The Medical Unit will respond to the decontamination location.
14. At the Youth Guidance Center when a camp nurse is available, the camp nurse will determine the need to respond to the decontamination location. Any youth exposed to OC spray at the camps must be seen by the onsite camp nurse or transported to Juvenile Hall as soon as is safely practical after decontamination procedures are completed. Any time a youth has been exposed to OC Spray; they must be removed to Juvenile Hall.
15. Symptoms should disappear within 15 to 45 minutes without aftereffects.
16. If a OC spray is ingested, allow the youth to rinse his/her mouth and drink water.
17. Immediately following decontamination, the youth must be referred to Mental Health staff. A licensed clinician from the Health Care Agency (CEGU) will determine if the youth needs to be seen and if so, will see the youth within 72 hours and submit a report to the Director of the involved institution.
18. The **SJCO/Duty Officer** or designee will contact the youth's parent or legal guardian. This call should be made at the earliest time possible and no longer than 24 hours from the incident. The call should be documented once completed.
19. The SJCO or designee will organize a debrief on a particular incident as needed.

G. Reporting Lost or Damaged OC Spray Canisters

1. Any loss of a Department-issued OC spray canister is to be reported immediately to the immediate supervisor and/or duty officer. Additionally, the DJCO must complete a Special Incident Report and submit to their immediate supervisor and/or duty officer.
2. Any damage, leakage, or other maintenance problems with a Department-issued OC spray canister is to be reported immediately to the immediate supervisor and/or duty officer.

H. Use of Force Review Board

Whenever an OC spray canister is discharged, either accidentally or intentionally (except for testing) during the course of employment the Use of Force Review Board will review the incident. Refer to PMI 1-4-108 Use of Force Review Board.

**REFERENCES:**

Procedures:	1-4-105	Use of Physical Restraint (Field Services)
	1-4-108	Use of Force Review Board
	1-4-110	Threats, Harm, or Danger to Employees and Others
	3-1-015	Use of Force - Facilities
Policies:	D-1	Threats, Harm, Danger to Employees and Others
	D-9	Tear Gas

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**APPROVED BY:**