



THE CUYAHOGA COUNTY SHERIFF'S DEPARTMENT

THE JUSTICE CENTER 1215 West 3rd Street, Cleveland, Ohio 44113

CUYAHOGA COUNTY SHERIFF'S DEPARTMENT DIVISION of PROTECTIVE SERVICES INDIVIDUAL CHEMICAL REPELLENT SPRAY POLICY

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REVISED: June 2015

POLICY

It shall be the policy of the Cuyahoga County Sheriff's Department ("CCSD") to regulate the type of Oleoresin Capsicum ("OC") aerosol spray used by Protective Service Officers ("PSOs"). This policy includes, but is not limited to, the carrying, handling, discharging, training, and qualifications of all personnel authorized to carry OC spray, while on duty or off, special assignments, or working an extra detail. OC spray is considered a chemical spray and defined as soft intermediate weapons on the force continuum.

Policy on the Use of Less Lethal Instruments

Aerosol Projector

The only aerosol projector that is to be carried will be issued by the CCSD. The PSO will make every effort to give a verbal warning before the use of OC. Though not applicable in all situations, the spray should generally be used in the following situations:

1. In defense of yourself against a physical attack, or reasonable belief that a physical attack will occur (self-defense);
2. To reasonably protect citizens against harm, attack, or injury;
3. To control domestic or wild animals displaying hostile or aggressive behavior;
4. Disperse violent crowds or riots if a reasonable belief it is necessary.

OC Spray shall never be used or administered as a punishment. If a PSO's lawful order or direction is met with force, the PSO's use of force must not exceed that necessary to overcome the resistance.

PSOs will not use aerosol sprays on subjects who are exhibiting only verbal and/or passive resistance (passive resistance means the subject offers no physical resistance to arrest, simply goes limp, and makes no overt action or indication of aggressive behavior).

General Provisions:

1. No PSO will be issued an aerosol spray until they have successfully completed the required instruction as determined by the CCSD. All PSOs carrying OC will be sprayed/exposed to OC by a certified instructor before course completion. Only the sheriff or his designee can grant an exception.
2. The aerosol spray projector will not be used as a practical joke on persons or animals. The aerosol spray projector will not be used against any handcuffed prisoner unless there is an immediate threat of harm.
3. After a person has been sprayed and once the situation is controlled, it is the PSO's responsibility to make every effort to relieve the subject's discomfort. The suspect must be handcuffed and/or under control when decontaminated. EMS shall be notified. Medical attention will be given to a subject whether or not they request it.
4. Upon use of the OC spray, the PSO shall notify Radio/Master Control that OC has been deployed and request an incident number. The PSO shall complete all reports before going off duty on the shift.
5. The OC canister will either be saved by the range officer or the manufacturer's lot number recorded.

DISCLAIMER

This policy is only for CCSD's use and is not applicable in a civil or criminal proceeding. The standard of care and safety required of CCSD personnel and promulgated in this directive is not to replace the legal standard application to civil and criminal proceedings. Violation of this policy will only form the basis for CCSD investigation.



Clifford Pinkney
Sheriff