



# GENERAL ORDER

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## 3605.01 POLICY

Defensive equipment shall be used to gain control of an individual or group of individuals, or to effect an arrest to ensure the protection of the public, the officer, and any arrestees.

## 3605.02 GENERAL PROVISIONS

- A. For the purpose of this General Order, the term "defensive equipment" shall be used for oleoresin capsicum agent, tear gas dispensers, batons, Electronic Control Devices (ECD), and other such equipment. Procedures for firearms, however, are covered in General Order 3601 "Firearms."
- B. An officer shall follow the policies and procedures outlined in this General Order; however, applicable Regional/Field Office policy and procedures shall take precedence.
- C. An officer is only authorized to carry defensive equipment that has been issued and/or approved by the Force. An officer who carries oleoresin capsicum agent may not carry a tear gas dispenser.
- D. An officer shall only use defensive equipment in which he/she has successfully completed a Force-approved training program.
- E. An officer shall use only Force-approved methods and only that force necessary to subdue an individual.

- F. An officer shall follow the procedures outlined in Section .05 of General Order 2103 "Arrest Procedures" when the use of defensive equipment results in a subject needing medical attention.
- G. An officer shall be responsible for the proper care and security of all assigned defensive equipment. In addition, the officer shall ensure that the assigned defensive equipment is properly worn with the uniform of the day, unless otherwise authorized by a Division Commander.
- H. An officer shall immediately report to an immediate supervisor any use of defensive equipment or other equipment/property used to defend/protect the officer or the public. The involved officer shall submit a detailed report of the incident, including the circumstances concerning the use of the equipment/property. The supervisor shall investigate the incident and submit a supplemental report. The supervisor shall forward a copy of all reports within 24 hours to the Commander, Office of Professional Responsibility, and the appropriate Division Commander through the appropriate chain of command.
- I. If an injury occurs from the use of the equipment/property, then a copy of the reports shall be sent to the Commander, Office of Professional Responsibility, and the appropriate Division Commander by the end of the tour of duty.
- J. Each Division Commander shall ensure that all incidents involving the use of defensive equipment by personnel within his/her command are properly recorded, investigated, and reviewed.

3605.03 TEAR GAS

- A. Tear gas dispensers shall be worn in the following manner:
  - 1. Large dispenser - carried head down in the issued case, which is attached to the uniform belt.
  - 2. Small dispenser:
    - a. Clipped to the inside pocket of the blouse or carried in its case and attached to the uniform belt.
    - b. Worn in an inconspicuous manner and readily available for use, when worn with civilian clothes.
- B. An officer shall make every reasonable attempt to avoid using tear gas in the following manner:

1. Discharge of tear gas directly into the eyes.
  2. Discharge of large quantities of tear gas at a person not responding to normal applications.
  3. Discharge of tear gas in a confined space, such as a small room or closed automobile.
  4. Discharge of tear gas in the immediate vicinity of an infant since an infant's respiratory system is especially sensitive to irritating vapors.
- C. An individual exposed to tear gas irritants shall be treated in the following manner:
1. Flush the contaminated area for 3 to 4 minutes with plain cold water.
  2. Keep the contaminated area exposed to fresh air.
  3. Do not apply oil, grease, or similar agents that could trap the irritant and cause skin blisters.
  4. If pain continues after the above procedures are followed, medical attention should be sought.
  5. An officer shall offer assistance to any bystander who advises he/she feels the effects of the tear gas.
- D. An officer shall ensure that an assigned tear gas dispenser is replaced every 4 years, or upon depletion or damage.
- E. An officer is strictly prohibited from carrying or transporting tear gas agents on commercial aircraft.
- F. When an officer carries a taser, any chemical spray carried by the officer must be non-flammable.

3605.04

OLEORESIN CAPSICUM (OC) AGENT (PEPPER SPRAY)

OC agents affect the respiratory system in contrast to tear gas type agents; therefore, OC is most effective when sprayed directly into the face. It is also effective on mentally ill persons, individuals under the influence of alcohol or drugs, and animals.

A. Carrying/Transporting OC Agents on Commercial Aircraft

An officer is strictly prohibited from carrying or transporting OC agents on commercial aircraft.

B. Use of OC

When the decision to use an OC agent is made, the officer using it shall give an audible verbal warning to the intended recipient and other persons nearby immediately prior its use, if practicable.

C. Guidelines for After OC Agents are Used

1. A person sprayed with an OC agent should be monitored and verbally reassured that he/she is safe and will be all right. The person should be told to calm down, relax, and to try to breathe normally. The person should not be allowed to lay on the side or stomach as this could cause asphyxiation. A person who is exposed to an OC agent should be transported in an upright, seated position.
2. A person sprayed with an OC agent should be removed to an area with uncontaminated air and faced into the wind if possible. Cool water will allow quicker recovery from the effects of OC. A person should be allowed to rinse the OC agent from his/her face and flush his/her eyes with cool water. A person wearing contact lenses who is sprayed should remove the contact lenses. **Do not rub!** Do not use warm or hot water, which tends to open the pores of the skin and may increase the effect. Cleaning the affected skin areas with soap and water will expedite recovery since the resin that sticks to the skin will be removed. Any skin still wet from the OC agent should be air- or pat-dried prior to transporting, to prevent contaminating the transporting officer(s).
3. All symptoms should disappear within 15 to 45 minutes with no aftereffects. A medical review should be sought if symptoms persist beyond the normal 45-minute recovery period without any relief to eyes, skin, and respiratory system, or as soon as a citizen advises a need for medical attention.
4. An officer shall offer assistance to any bystander who advises that he/she suffers the effects of the OC agent.
5. If an officer sprays a person with an OC agent and that person experiences a medical emergency, or death occurs, the OC container shall be treated as evidence and shall be relinquished to the appropriate investigator/ID technician or supervisor.

D. Claims of Serious Physical Injury or Death

The following procedures shall be used when a person is sprayed with an OC agent and claims serious injury, or when a person who was sprayed with an OC agent dies.

The officer who discharged the OC agent shall:

1. Immediately notify the Communications Section, who shall notify the officer's supervisor, Criminal Investigations Branch personnel, and the Shift Commander.
2. Render first aid and secure the scene as necessary.
3. Relinquish the OC agent canister to the appropriate investigator/ID technician or supervisor for evidence.

E. Storage and Unit Inspection

The active agent, oleoresin capsicum, is not altered by age; however, it may separate from the propellant and collect at the top after 1 year. To prevent this, the unit should be shaken vigorously before initial use and at least once a month thereafter. Do not store canisters near heat or an open flame. Prolonged exposure to sunlight and to temperature above 120 degrees may cause bursting of the canister. Also, prolonged exposure to temperatures below 32 degrees will result in a slower discharge of the agent. Each officer assigned an OC agent shall weigh the canister yearly and after each use, and replace it before actual weight is less than the listed net weight. For example, if a unit weighs 2.4 ounces new and the net weight listed is 1.68 ounces, the unit should be replaced if the total weight of the unit is less than 1.68 ounces. A unit shall also be replaced if the trigger mechanism or guard is damaged or altered.

3605.05 BATONS

- A. An officer shall carry only the Force-issued or Force-approved baton. It shall be placed in the baton holder when carried on the officer's person and shall not be removed while in public view except in an emergency or for defensive use.
- B. The baton may be used in the following situations:
  1. A subject resists arrest.
  2. The officer is physically assaulted by an assailant.

3. It is necessary for crowd control.
4. An emergency situation.

3605.06      ELECTRONIC CONTROL DEVICES (ECD)

A.      Authority to Carry

1. Only sworn officers who have successfully completed the Force-approved training program shall be authorized to carry a Force-issued ECD.
2. All personnel authorized to carry these devices shall meet annual refresher training requirements as established by the U.S. Park Police Training Branch.

B.      Training

The ECD can cause strong muscle contractions that may result in physical exertion or athletic-type injuries. In certain instances this may be serious for some people. Therefore, exposure to an ECD during training is prohibited.

C.      Carrying

1. Uniformed officers shall carry the ECD in a Force-approved holster. The holster shall be carried on the duty belt, on the side opposite the duty firearm, in a cross-draw position.
2. Non-uniformed officers shall carry the ECD in an approved ECD holster on the side opposite the duty firearm.
3. The ECD shall be carried with an inserted cartridge, power source in place, with the safety on. The strength of the power source shall be checked at the beginning of each shift. The power source shall be replenished when it is below 20% power. Manufacturer recommendations for long-term storage of the ECD shall be followed. A spark test shall be conducted at the beginning of each shift. ECDs shall not be stored in a vehicle except temporarily when secure storage in a building is unavailable.
4. Officers authorized to use/carry the device shall be issued a minimum of one spare cartridge as a back-up in case of cartridge failure, the need for reapplication, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the

cartridges replaced consistent with the manufacturer's expiration requirements.

5. Only battery powered sources recommended by the manufacturer shall be used in the ECD.

D. Deployment

1. An ECD may be used when such force is legally justified and in accordance with General Order 3615 "Use of Force." ECDs may be used on individuals who are actively resisting and/or to prevent individuals from harming themselves or others.
2. ECDs may be used on animals if they pose an imminent danger to the officer or others, in accordance with General Order 3213 "Animal Incidents."
3. A non-contact demonstration of the ability to discharge electricity (i.e., a "spark display") may be used with verbal commands, to attempt to gain compliance to a lawful command without the ECD being deployed in the "drive stun" or "probe mode." A spark display is conducted only when the cartridge has already been deployed or has been removed from the weapon. A "spark display" is considered a "use of defensive equipment" and the procedures in Section 3605.02.H shall be followed.
4. The device may also be used in a "drive stun" mode. Use of the "drive stun" mode is subject to the same deployment (use) guidelines and restrictions as that of the ECD in cartridge deployments.
5. When the decision to use an ECD is made, the officer using it shall give an audible verbal warning to the intended recipient and other persons nearby immediately prior its use, if practicable.
6. When an ECD has been used, the officer shall collect the air cartridge, wire leads, darts, and as many Anti-Felon Identification Tags (AFIDS) as practicable. These items shall be labeled a "bio-hazard," processed, and held as evidence. If there is no injury to the suspect, the ECD shall be transported to the Shift Commander's Office or Force-designated location and the internal ECD data report downloaded for submission with the supervisor's required reports prior to placing the ECD back in service.

7. After each deployment and use (each 5-second application) of the ECD, the officer shall re-evaluate the need for additional applications.
8. The ECD should not be used in the following circumstances (unless there are compelling reasons to do so that can be clearly articulated):
  - a. In any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that may be ignited by an open spark (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).
  - b. In, on, or immediately adjacent to a body of water in which the intended recipient could fall during any stage of the application of the ECD.
  - c. In any environment where the suspect's fall from a significant height could reasonably result in direct or secondary injuries.
  - d. On women believed to be pregnant.
  - e. On the frail and/or infirm elderly or very young.
  - f. On a subject exhibiting passive resistance.
  - g. When the subject is operating a moving vehicle or machinery.
  - h. Where deadly force is clearly justifiable, unless another officer is present and capable of providing deadly force to protect the officers/civilians if necessary.
9. The ECD shall not be used in the following circumstances:
  - a. In a punitive or coercive manner
  - b. To awaken an unconscious individual
  - c. On handcuffed or secured prisoners, absent overtly assaultive behavior
10. An officer who has deployed an ECD shall immediately notify his/her supervisor after using the device.

E. Post-Deployment Procedures

1. Normally the ECD darts may be removed from the subject once he/she has been restrained, using the procedure outlined in training.
2. Universal precautions shall be followed to protect the officer from the transfer of body fluids.
3. The suspect shall be taken to an emergency care facility for the following situations:
  - a. For removal of the dart in cases where it has penetrated sensitive tissue areas (such as the groin, eye, female breast, face, or neck), when the deploying officer or supervisor determines that it is necessary.
  - b. High-risk subject (pregnancy, excited delirium, elderly or very young, under the influence of drugs, known relevant medical conditions, etc.).
  - c. Individuals who receive more than 3 exposures.
  - d. If the victim displays any signs of distress, including loss of consciousness, chest pain, difficulty breathing, etc.

Photographs of the affected area should be taken before and after the dart is removed. Removal of the dart shall not be unnecessarily delayed to obtain a photograph if a camera is not available.

Darts shall be put back into the expended cartridge or deposited in a "sharps" type or other suitable container. The expended cartridge is then placed into an evidence bag and secured as evidence.

F. Serious Physical Injury or Death

The following procedures shall be used when an ECD is deployed and results in serious injury or death.

The officer who deployed the ECD shall:

1. Immediately notify the Communications Section, who shall notify the officer's supervisor, Criminal Investigations personnel, and the Shift Commander.
2. Render first aid and secure the scene as necessary.

3. Secure the ECD in its current condition, if practicable.

The supervisor or Criminal Investigations personnel shall:


1. Collect the air cartridge, wire leads, darts, and as many Anti-Felon Identification Tags (AFIDS), as practicable. These items shall be labeled a "bio-hazard," processed, and held as evidence in accordance with the Evidence/Property Guideline Manual.
2. Transport the ECD to the Shift Commander's Office or Force designated location and the internal ECD data report downloaded for submission with the required Force reports. The ECD shall be processed and held as evidence in accordance with the Evidence/Property Guideline Manual.

3605.07

OTHER DEFENSIVE EQUIPMENT

- A. An officer shall be issued other defensive equipment only when certified in its use by the appropriate Force-certifying authority. Such authorization shall be kept on file. Any time the certification is withdrawn, except as provided for in Section .07.C, the officer shall be notified.
- B. Each Branch/Field Office Commander shall be responsible for maintaining a current list of officers authorized by the Division Commander to be issued other defensive equipment. This list shall include:
  1. The officer's name, badge number, and worksite
  2. Type of equipment to be issued
  3. Date of approval/certification
- C. Authorization to use special defensive equipment shall be terminated upon transferring out of a current assignment. Reapplication must be made for each assignment.

Approved

  
Salvatore R. Lauro, Chief of Police