

CHAPTER 26
AEROSOL SUBJECT RESTRAINT
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CHAPTER 26

AEROSOL SUBJECT RESTRAINT

1. INTRODUCTION.

a. Aerosol Subject Restraint. This chapter is applicable to uniformed members of the California Highway Patrol. Aerosol subject restraint (ASR) can be an effective aid to the officer when attempting to control an uncooperative subject. Oleoresin capsicum (OC) spray is the Department's ASR. The Department has determined that OC spray is far more effective and reliable than chemical mace (chloroacetophenone). in controlling combative individuals, including individuals who are not incapacitated by mace. Oleoresin capsicum spray can be effective when used on humans and animals; however, it is not 100 percent effective. Oleoresin capsicum spray may incapacitate a subject for 15 to 45 minutes.

b. Purpose. The purpose of this chapter is to ensure the uniformed application of enforcement methods meet professionally acceptable standards and to provide for the safety of officers and subjects. Oleoresin capsicum spray shall only be utilized as permitted by the Department's use of force policy (refer to Chapter 1, Use of Force, of this manual).

2. POLICY.

a. Carrying.

(1) During the course of uniformed enforcement duties, all uniformed employees may carry the departmentally issued OC spray.

(2) Aerosol subject restraint devices shall not be carried on departmental aircraft.

(3) Officers shall not carry or use OC spray unless they have been trained and certified in its use by a Department instructor.

(4) Uniformed personnel who elect not to carry OC spray on their duty belt may carry OC spray within their duty bag, provided the OC spray is properly secured within a departmentally issued holster to avoid accidental activation.

(5) At their discretion, officers may carry departmentally issued OC spray while off duty.

(6) If an officer uses OC spray or an aerosol tear gas while off duty, departmental policy and procedures, as well as legal restrictions, shall apply.

(7) The OC canister shall not be stored in a departmental vehicle overnight or for prolonged periods of time while the vehicle is not in use.

b. Quarterly Review. The contents of this chapter shall be reviewed on a quarterly basis with all uniformed employees at the rank of sergeant and below.

d. Effects.

(1) Oleoresin capsicum spray can be used safely and effectively to temporarily incapacitate a subject. A subject who has received a discharge of OC spray should suffer considerable discomfort for a short period of time but will normally recover within 15 to 45 minutes.

e. Precautions.

- (1) Caution should be used prior to spraying OC on resisting subjects who are engaged physically with other officers or who are not isolated from bystanders.
- (2) Care should be taken prior to spraying OC under windy conditions.
- (3) Oleoresin capsicum spray canisters should be shaken once a month to ensure the active ingredient is properly mixed.
- (4) Some OC agents contain flammable carriers and shall not be used where exposure to open flames or sparks (taser devices) may cause ignition. The OC spray issued by the Department is nonflammable.

f. Tactics.

- (1) Oleoresin capsicum spray should be carried on the duty belt so as not to be visible to a subject when in a position of advantage. When needed, it can be drawn and used without giving the subject time to react.
- (2) Due to the close range of many encounters, it is extremely important for officers to discharge the OC spray and immediately move laterally or sidestep an attempted attack, and gain control of the subject.

g. First Aid.

(1) Once sprayed with OC, the subject shall be handcuffed. Attempt to calm the subject and have them breathe normally. Move the subject to uncontaminated air and begin first aid measures. Flushing the affected area with cool water and/or saline solution as soon as possible will help to reduce the effects of the OC spray.

(2) All symptoms should disappear within 15 to 45 minutes without aftereffects. Should the symptoms persist beyond this time limit, medical attention should be obtained as soon as possible.

(3) In the event water is not readily available, an acceptable method of decontaminating a subject is to flush the affected area with saline solution. This should be done at the scene or, in any event, within 30 minutes after the initial application of the OC spray.

(4) Area commanders shall ensure that each patrol car in their command is provided with at least one 500-milliliter bottle of saline solution which shall be available to decontaminate a subject. Containers of saline solution can be requisitioned from the Business Services Section (BSS), Supply Services Unit (SSU).

(5) Whenever OC spray is utilized on a subject taken into custody, its use shall be noted on the booking sheet and called to the attention of the booking officer.

(6) If the OC spray has struck the clothing of the subject and they are to be incarcerated, the individual should be given the opportunity to shower and be provided jail clothing.

h. Distribution. The ASR OC spray is required safety equipment and shall be issued to all uniformed employees at the rank of captain and below.

(1) Oleoresin capsicum projectors shall be obtained by preparing a separate requisition. It may be requisitioned at any time from the BSS, SSU.

i. Replacement. All OC canisters are to be replaced during their fourth year during the annual inspection of safety equipment in conjunction with completion of the CHP 311, Annual Safety/Protective Equipment Inspection.

(1) Disposal of outdated OC canisters is the responsibility of each commander. Since OC is a food substance, a derivative of cayenne pepper, expired canisters may be completely emptied and disposed of locally.

(a) This should be accomplished in a geographical area where the OC canister can be totally discharged, and the container crushed.

(b) In the event of an OC canister malfunction, it is to be returned to the BSS, SSU, with a CHP 266, Credit Memo - Equipment, that includes a statement of the problem.

1 The OC canister should be placed in a plastic bag, then boxed properly using packing materials.

(c) For control purposes, a listing of serial numbers of all destroyed OC canisters should be maintained at the Area level for the current year plus one.

j. Reporting Guidelines for the Use of Oleoresin Capsicum Spray. Whenever the use of OC spray results in an injury, complaint of injury, or subsequent claim of injury, the use shall be documented in accordance with Chapter 1 of this manual. The incident shall be documented utilizing the CHP 216, Arrest – Investigation Report; or the CHP 202, Driving Under the Influence Arrest – Investigation Report. This documentation shall be completed in addition to the documentation required in any other reports or memoranda of incidents.

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