

INTRADEPARTMENTAL CORRESPONDENCE

DIVISIONAL ORDER #09-05

June 25, 2009

TO: Metropolitan Division Personnel

FROM: Commanding Officer, Metropolitan Division

SUBJECT: USE OF AERIC INTERNATIONAL PUNCH II M-5-G BY K9 PLATOON  
PERSONNEL

**EFFECTIVE IMMEDIATELY**

Metropolitan Division's K-9 Platoon deploys canines for various purposes including searching, detecting and apprehending felony and armed misdemeanor suspects. It is not unusual for suspects to secrete themselves in confined areas such as attics and underneath residences. Often times, K-9 supervisors and officers utilize hand held mirrors, infrared imaging devices, and the canine in an attempt to pinpoint a suspect's location. Once a suspect's location is reasonably confirmed, it is the K-9 search team's responsibility to apprehend the suspect. Suspects who place themselves in the aforementioned locations, which present community and officer safety issues and a tactically disadvantageous environment for the K-9 search team, often refuse to obey verbal commands. Many of these situations may fall short of a "barricaded suspect" or satisfy criteria requiring a Special Weapons and Tactics (SWAT) response; yet present extraordinary challenges for patrol personnel. This is when the utilization of the on-scene K-9 search team and K-9 supervisor is warranted and prudent for assisting in taking the suspect into custody.

In incidents where the K-9 search team has reasonably confirmed the location of a suspect who has secreted himself in a tactically disadvantageous position, refuses to surrender, and does not meet the criteria for a barricaded suspect (i.e. armed or believed to be possibly armed), the use of the Aeric International Punch II M-5-G, Oleoresin Capsicum (OC) is authorized.

**SPECIFICATIONS**

The six-ounce canister of Aeric International Punch II M-5-G contains 5% Oleoresin and .678 Capsaicin. The product is a non-flammable and non-heat generating chemical agent. Each canister has a four-year shelf life. The canister is deployed by depressing the tab and placing the canister in an upright position to allow the product to dispense in a rotating fashion. The product will dispense for approximately 28 seconds.

DEPLOYMENT PROTOCOL

Once a tactical situation has developed which gives rise to the necessity for the deployment of the chemical agent and the Incident Commander has concurred with the on-scene K-9 supervisor regarding its use, the K-9 supervisor shall contact the K-9 Officer in Charge (OIC) or, in his/her absence, the SWAT OIC, for approval of its use. A pre-deployment *Deorle* Warning to the suspect shall be given at the discretion of the on-scene K-9 supervisor, depending on tactical issues and adherence to Department policy. The deployment of the chemical agent shall be conducted in the presence of a K-9 supervisor.

Note: In the event that additional canisters are required, each additional canister shall be approved by the on-scene K-9 supervisor.

Department guidelines regarding medical treatment and follow-up pertaining to the use of a chemical agent on a suspect shall apply. Normally, medical treatment is not required. A suspect who experiences difficulty breathing or vision impairment shall immediately receive medical treatment, consistent with Department policy.

REPORTING PROCEDURES

When the Punch II M-5-G is deployed, the on-scene K-9 supervisor shall complete an After Action Report on an Employee's Report, Form 15.07. The report shall include detailed information regarding the incident, the suspect, weapons, K-9 personnel involved, whether a *Deorle* warning was given, OIC notification/approval, walk through, debrief, deployment of Punch II and its effectiveness. A copy of the approved After Action Report shall be attached to the Deployment and or Contact Report.

The Punch II M-5-G irritant is not a direct-contact deployment, but rather an area infusion deployment designed to obtain suspect compliance. Therefore, deployment of the chemical agent is **not** a Non-Categorical Use of Force for reporting purposes.



DENNIS H. KATO, Captain  
Commanding Officer  
Metropolitan Division

7-1-09  
Per Lt Arcos,  
copies to all  
supervisors

mailed

