

**LOS ANGELES POLICE DEPARTMENT**  
**Stand Alone: 07 Firearms**  
**Learning Domain #35 Firearms/Chemical Agents**  
**Session 23a – Oleoresin Capsicum**

**Chemical Agent Training, 2 Hours**

**LEARNING OBJECTIVES**

**LD35, VI A,B,C,E,F1,**

- State the statutory requirement for possession and use of chemical agent (35.VI.A)
- Describe four methods used to deploy Chemical Agents (35.VI.B)
- Describe the environmental and physical conditions that can impact the effectiveness of a chemical agent (35.VI.C)
- Apply decontamination procedures that should be followed after a chemical agent has been used (35.VI.E)
- Discuss the physiological and psychological effects of each of the following chemical agents used by peace officers: (35.VI.F)
  - OC (Oleoresin Capsicum) (35.VI.F.1)
- Each student will participate in a simulation that requires deployment of Inert OC on another student
  - Decontamination techniques

**Chemical Agent Training**

1. Classroom preparation
  - a. Use of Force-Tactics Directive Oleoresin Capsicum-Directive No.5.2 July 2018

**I. INTRODUCTION TO CHEMICAL AGENTS**

A. Introduction

1. Instructor
  - a. Name
  - b. Assignment

B. CHEMICAL AGENT DEFINED

Any solid, liquid or gas that creates a substantial risk of death or which causes death or serious and protracted disfigurement , incapacitation or serious bodily injury, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. (CA 11415-11419 P.C.)

C. DISCUSSION

1. ASK: "Who has been exposed Chemical Agents in the past?"
2. ASK: "What did it feel like?"

- **USE OF FORCE REVIEW** **(35.VI.A)**

**II.**

- A. Reverence for the law- LAPD Core Value
- B. LAPD Use of Force-Tactics Directive No.5.1
- C. 835 (a) PC: Any peace officer who has a reasonable cause to believe that the person to be arrested has committed a public offence may use reasonable force to;

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1. Effect an arrest
2. Overcome resistance
3. Prevent an escape

**Note:** A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the of the person being arrested; nor shall such officer be deemed an aggressor or lose his rights to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

D. Review of *Young v. County of Los Angeles*; 9<sup>th</sup> Circuit Court, (Aug 2011.)

\*Provide Description of incident.

1. A suspect's verbal refusal to comply or simply being non-compliant is **NOT** sufficient cause to justify the use of OC.
2. However, factors to consider that might justify the intrusion of the subject's 4<sup>th</sup> amendment rights through the use of force would be:
3. Severity of the crime; radio call, investigative stop or arrest.
  - a. An imminent threat posed to the police officer or the public to justify the deployment of the OC
  - b. Age and size of the suspect
  - c. Current mental state or condition
  - d. Current behavior or physical action of the subject. Whether the subject is aggressive, threatening, or agitated, etc.
  - e. Statements or threats made by the subject
  - f. The officers training and experience in dealing with similar events
  - g. The officers evaluation whether the subject might be unsafe to approach
  - h. Prior knowledge of the subject or his/her prior bad acts
4. Whether he is actively resisting arrest or attempting to evade arrest by flight
5. **Of all the factors listed above, the most important is whether the individual posed an immediate threat to the officer or the public**
6. The circumstances of every force case vary widely. Consider all factors, (Totality of circumstances) before using force.

E. LAPD Policy

1. *Graham vs. Conner*- "Objectively Reasonable"
2. The court established the "reasonableness of the seizure" requires a careful balancing of the nature and quality of the intrusion on the individual against the countervailing governmental interests at stake.
3. The Court cautioned that; "The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on scene rather than 20/20 vision of hindsight."

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4. TOC / OR = Graham v. Conner
- F. Graham vs. Conner: List of factors balancing an individual's rights v. an officer's:
  1. Severity of the crime at issue
  2. Whether the suspect poses an immediate threat to the safety of the officers or others
  3. Whether he is actively resisting arrest or attempting to evade arrest by flight

**III. HISTORY OF OC**

- A. Overview of Chemical Agent throughout history
  1. 2300 BC, the Chinese used stink pots made of burning oil mixed with red peppers
  2. 311 BC, the Japanese threw rice paper containers filled with pepper into the faces of the enemy
  3. In 1200 AD, glass and clay jars were filled with pepper oil. The glass and jars to be catapulted a greater distance. When the jars broke the oil ignited, contaminating their enemy. Cowhide suits were used for protection against the burning oil and pepper mix
  4. In 1982 Lucky Police Products introduces OC into Law Enforcement
  5. In 1992 California de-regulates civilian use of OC

**IV. CHEMICAL AGENT**

A. Chemical Agent color and Description

1. Give color code handout

B. Discuss the physiological and psychological effects of OC

1. OC Symptoms **LD 35 VI.F1**
  - a. OC is classified as an “Inflammatory”
  - b. Twitching and closure of the eyes
  - c. Respiratory inflammation, coughing & shortness of breath
  - d. Gagging sensation
  - e. Exposed skin inflammation
  - f. Loss of upper body motor control
  - g. Temporary paralysis of the larynx
  - h. The psychological effect- Panic

D. Decontamination Procedures for OC

**LD 35 VI E**

1. Fresh air

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2. Water (Avoid water unless used in large amounts)
    - a. Decontamination may take in excess of 45 minutes. Some symptoms may take longer to dissipate.
  3. **Note:** 9<sup>th</sup> District Court of Appeals decision regarding water being provide to a suspect if the asked for it
  4. Do not use lotions, first aid creams or oil based skin products
  5. Clothing
    - a. Wash as normal
    - b. Run and rinse cycle through the washer to eliminate residual
- E. Deploying Chemical Agents
1. Delivery systems **LD 35 VI.B**
    - a. Aerosol- Expelling by force, project the chemical agent
    - b. Pyrotechnic- Burning granulated chemical agent in a pyrotechnics mixture. Releases in the air as a smoke cloud, and is an extreme fire hazard
    - c. Fogging-hot gases are used to vaporize the liquid chemical agent. Deployed by a device known as “Pepper Fogger”
    - d. Blast Expulsion- Uses explosive or others forces to eject a micro pulverized chemical agent into the air
  2. Pre-Cautions- Considerations before use **LD 35 VI.C**
    - a. Wind direction, wind drift back into officers
    - b. Rain, light rain may assist in settling the agent on intended target. Heavy rain may dampen the clouding and dispersal effect of the agent to quickly
    - c. Location (hospitals, preschools...)
    - d. Temperature, hot days may cause chemical agents to drift upwards
    - e. Distance, depends on the type of device deployed and duration of the chemical burn. Some hand held devices have an effect range of approximately 15 feet
  3. May be used in the following situations
    - a. To control a suspect
    - c. Control a specific suspect (target specific) in a crowd control situation
    - d. On a crowd (non-target specific) during a crowd control incident when approved by a Department Commander or above
    - d. Uncooperative, resistive suspect (not passive)
    - e. Deployment of OC Spray
      - 1) Range 3 to 12 feet
      - 2) Use the support hand to hold the can, and support thumb on activation button
      - 3) Target area (face and eyes)

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- 4) When Deploying OC, announcement to other officer/partner(s) "OC stand By"- To notify them OC is being deployed
- 5) Move after deploying OC to change your location, See "Procedures "Directive No.5.1

***V. Debrief:***

- A. Discuss the deployment accuracy combined with varying distances.
- B. Discuss difficulty with hitting target area
- C. Discuss any wind conditions