

LOS ANGELES POLICE DEPARTMENT
Chemical Agent
Expanded Course Outline
T257 (4 Hours)

Instructional Goal: To provide students with current information and application regarding gas masks, its use, affects, laws, policies, and decontamination procedures for chemical agents used in law enforcement.

Performance Objectives: Using group discussion and learning activities the student will demonstrate an understanding of how our Department's guiding value of Reverence for Human Life is the moral and ethical foundation of de-escalation, tactics, reasonable force, and officer safety. Students will:

- Be able to inspect, deploy and clear a gas mask.
- Be able to identify the chemical agents used by law enforcement.
- Understand the effects of chemical agents used by law enforcement.
- Understand and have the ability to apply the laws regarding chemical agents.
- Understand Department policies regarding the use, medical treatment and reporting procedures for Oleoresin Capsicum (OC).
- Demonstrate the proper spraying of OC.
- Complete drills after being sprayed/contaminated with OC.
- Experience the effects of OC and Orthochlorobenzalmalononitrile (CS).
- Perform a gas mask clearance drill in a contaminated area.
- Properly decontaminate from exposure to OC and CS
- Review Use of Force Policy and Guidelines

References: Instructors, facilitators, and training supervisors shall ensure that the most current references are utilized

This course provides updated legislative content of Penal Code Section 835(a)

I. INTRODUCTION AND OVERVIEW

(30 min)

- A. Introduction of instructor(s)
 - 1. Name, assignment
 - 2. Experience
- B. Overview Block of Training
 - 1. History of Chemical Agent
 - 2. Deployment
 - 3. Legal Issues
 - 4. Use of Force Review
 - 5. Practical Applications
- C. Overview Safety Plan: Illness and Injury Prevention Program (IIPP)
 - a. Distribute and discuss safety guidelines handout
 - b. IIPP safety guidelines apply to all training given by the Department. These guidelines ensure that staff and participants are aware of potentially hazardous situations and how to avoid them
 - c. All personnel should be instructed that a copy of the IIPP is in the training office of Metropolitan Division
 - d. Anyone participating in the training, whether student, observer or instructor has the authority to "STOP" the exercise if they observe an unsafe act or condition that may cause imminent injury or death and/or damage to the facilities
 - e. Protective eyewear and hearing protection (American National Standards Institute (ANSI) approved) shall be worn if blanks or live-fire rounds are used during a practical application or during any demonstration using the same

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- f. A Metro Emergency Medical Technician (EMT) shall be assigned to and present for all live-fire firearms training classes
- g. Students shall immediately notify an instructor(s) or the training staff of any injury sustained during training and use the following steps in the event of a severe injury
 - 1) Render first aid and obtain appropriate medical assistance. Notify the Fire Department rescue ambulance via phone (213-485-6185) or communications via police radio. Advise responders that this is a "training accident" and give specific directions to the location
 - 2) In case of severe injury, all IIPP notifications and protocol shall be followed
 - 3) The Metro EMT shall evaluate injuries to determine level of care needed
 - 4) In the absence of a Metro EMT, all minor injuries should be transported to local hospital for treatment

II. CHEMICAL AGENT TRAINING

(30 min)

GROUP DISCUSSION: Procedures: Large group activity

A. HISTORY OF CHEMICAL AGENT

1. In 2300 BC, the Chinese used stinkpots made of burning oil mixed with red peppers.
2. In 311 BC the Japanese threw rice paper containers filled with pepper into the faces of their enemy.
3. In 1200 glass and clay jars were filled with pepper and oil. This allowed the jars to be catapulted a greater distance. When the jars broke the oil was ignited, contaminating their enemy. Cowhide suits were used for protection against the burning oil and pepper mixture.
4. In 1869 a German chemist discovers Chloroacetophenone (CN).
5. In 1912 Paris Police are the first to use chemical agents in law enforcement. They used CN "Hand Bombs" on organized gangs.
6. In 1920 OC was developed by Edgewood Arsenal. It then sat on a shelf because test showed it was not as effective as CS agent.
7. In 1928 American Scientists discovered CS agent.
8. In 1960 the M-17 gas mask is introduced with three levels of filtration. Green for riot control, black for biological agents, and gold for radiological particles.
9. In 1982 Lucky Police Products introduced OC into law enforcement.
10. In 1989 the FBI approved the use of OC for its field agents.
11. In 1992 OC is legalized for law enforcement in California.
12. In 1994 OC is legalized for citizens that have completed a training course.
13. In 1996 California de-regulates civilian use of OC

B. Gas Masks

1. Inspection of gas masks
2. Deploying (Donning) the gas mask
3. Clearing the gas mask
4. Removing (Doffing) the gas mask
5. Decontamination of the gas mask
6. Storing the gas mask

C. Chemical Agent Descriptions

1. Give Color Code Handout (when available)
2. Overview of CS, CN, OC, Hexachloroethane (HC), Phenylchloromethylketone (Mace), Diphenylaminechlorasine (DM), and Dibenzoazepine (CR).

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- a. Emphasis on CS and OC
- b. Psychological effect is the number one symptom

D. Decontamination Procedures

- 1. Fresh air and time for all agents. CN requires washing with soap and water
- 2. Avoid water unless there is a large supply
- 3. Do not use lotions, first aid creams or oil-based products
- 4. Wash Clothing
 - a. Wash as normal but separate from other clothing
 - b. Run a rinse cycle through the washing machine to eliminate any residue
 - c. Machine dry, not air dry

III. DEPLOYMENT

(30 min)

A. Deploying chemical agents

- 1. Types of delivery systems
 - a. Pyrotechnic dispersal by burning outdoor use only (fire hazard)
 - b. Blast Expulsion-a small explosive disperses the agent
 - c. Fogger-a mechanical device with an engine, very loud
 - d. Aerosol-pressurized container
 - e. CAPS (Compressed Air Projectile System)
- 2. Wind, aim upwind of target location
- 3. Location (Inside/Outdoors, Hospital-elderly/ill, Pre-School-young children)

B. OC Spray Deployment Briefing

- 1. Department Manual¹
- 2. Carry Location²
 - a. Uniform Personnel, the MK-III OC canister is carried between the ammo pouch and baton holder
 - b. Plain clothes personnel may carry the smaller MK-VI OC canister
- 3. Range is 3 to 12 feet
- 4. Use support hand
- 5. Shake canister to mix
- 6. Target is suspect's face and eyes
- 7. Notify other officers by yelling "OC Stand By, OC Stand By"
- 8. After spraying move to different location in case suspect attacks

C. Medical treatment

- 1. No medical treatment is required unless:
 - a. Effects last longer than 45 minutes
 - b. Emergency (Call R/A)-loss of conscience, etc.
 - c. Removal of contact lenses to decontaminate eyes

D. Reporting

The use of OC is a reportable use of force when the spray makes contact with the suspect's clothing or skin; or when used to;

- 1. Compel a person to comply with directions, or,
- 2. Overcome resistance, or,
- 3. Defend against aggressive action
- 4. An arrest report or a 15.7, depending on the deployment.
- 5. Use of Force Report

¹ LAPD Manual 4/246.15 Chemical Irritant Control Device Guidelines

² LAPD Manual 3/622.55 & 3/627.20 Chemical Irritant Control Device, Optional Equipment Plainclothes Duty

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IV. LEGAL ISSUES

(30 min)

- A. Reverence for the law
 - 1. Laws regarding use and possession of chemical agents
 - a. Penal Code has an exception for peace officers (12403 PC)
 - b. Citizens may purchase, possess, and use chemical agents for self-defense only (12403.7a PC)
 - c. Schools
 - d. Court (Dept. Manual 3/783)
 - e. Aircraft-may not be transported as “carry on” luggage
- B. Use of Force Review
 - 1. OC, an officer may use OC Spray as a reasonable force option to control a suspect when the suspect poses an immediate threat to the safety of the officer or others.
 - 2. Crowd Control
 - a. Dept. Manual 1/572, Use of Chemical Agents, Approval from Commander or above³
 - b. Guidelines for Crowd Management and Crowd Control
- C. Use of force discussed
 - 1. California Penal Code Section 835(a)⁴
 - 1) Updated pursuant to Assembly Bill 392 that was signed into law on August 19, 2019 and effective as of January 1, 2020.
 - 2) Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to:
 - (1) Effect the arrest,
 - (2) Prevent escape, or
 - (3) Overcome resistance.
 - 3) The authority to use physical force, conferred on peace officers by this section, is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life.
 - 4) A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force in compliance with subdivisions (b) and (c) to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this subdivision, “retreat” does not mean tactical repositioning or other de-escalation tactics.
 - 2. Department Use of Force policy states that force must be “objectively reasonable” to:
 - a. Defend themselves
 - b. Defend others
 - c. Effect an arrest or detention
 - d. Prevent escape
 - e. Overcome resistance
 - f. Use of force policy does not change in crowd control situations
 - g. Department Tactical De-Escalation Techniques In circumstances not involving imminent threat of death or serious bodily injury, officers should consider tactics and techniques that may persuade the suspect/s to

³LAPD Manual 1/572, Use of Chemical Agents

⁴ California Penal Code Section 835a

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- voluntarily comply or that may mitigate the need to use a higher level of force to resolve the situation safely.
- h. Tactical de-escalation does not require that an officer compromise their safety or increase the risk of physical harm to the public.
 - 1) Guided by the principal of reverence for human life.
 - 2) The use of techniques to:
 - a) Reduce the intensity of an encounter with a suspect; and,
 - b) Enable an officer to have additional options to gain voluntary compliance; or,
 - c) Mitigate the need to use a higher level of force.
 - d) All while maintaining control of the situation.
 - i. De-escalation techniques (PATROL) should only be used when safe to do so:
 - 1) Planning- Arrive and Coordinate
 - 2) Assessment- Change tactics as needed
 - 3) Time- Distance + Cover= Time for planning and communicating
 - 4) Redeployment and/or Containment- Maintain control and buy time
 - 5) Other Resources- Request additional resources and/or specialized personnel
 - 6) Lines of Communication- Helps to improve decision-making
 - j. Deadly Force can only be used when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:
 - (1) To defend against an imminent threat of death or serious bodily injury to the officer or another person; or,*
 - (2) To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.*

Note: In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible.

- 1) "Deadly force" means any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
- 2) "Totality of the circumstances" means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.
- 3) A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm,

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but is one that, from appearances, must be instantly confronted and addressed.

- 4) A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

Note: The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with California Penal Code Section 835(a) as well as the factors articulated in *Graham v. Conner*.

- k. Proportionality⁵
- l. Rendering Aid. After any use of force, officers shall immediately request a rescue ambulance for any person injured. In addition, officers shall promptly provide basic and emergency medical assistance to all members of the community, including victims, witnesses, subjects, suspects, persons in custody, subjects of a use of force and fellow officers:
 - a) To the extent of the officer's training and experience in first aid/CPR/AED; and
 - b) To the level of equipment available to an officer at the time assistance is needed.
- m. Requirement to Intercede when Excessive force is observed
- n. Requirement to report potential excessive force
- o. Vulnerable Populations - include, but are not limited, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
 - a) Age is not a legal consideration
 - b) The Department has always utilized extreme caution with respect to the use of deadly force against youthful offenders
 - c) Nothing in the use of force policy is intended to reduce the degree of care required in such cases
- p. Command and Control⁶
 - a) The use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk.
 - b) Initial responsibility to begin the process to develop a plan of action falls upon the senior officer, or any officer on-scene who has gained sufficient situational awareness.
Ensure reasonable numbers of Designated Cover Officers (DCO) for both lethal and less-lethal cover.
Reduce over-response or over-deployment to specific duties and responsibilities.
Maintain officer safety through personnel location and assignment

D. CLOSING: Reinforce key learning points

- 1. Containment, communication, control
- 2. Search team tactics
- 3. Search team tactics

⁵ Department Manual, 1/556.10, Policy on Use of Force

⁶ LAPD Training Bulletin, Volume XLVII Issue 4, COMMAND AND CONTROL

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V. PRACTICAL APPLICATION

(120 min)

- A. Mask exercises and experience the effects of CS Gas
1. Gas house briefing. Do not open both doors of any room simultaneously. Remain calm and do not panic.
 - a. Entry room (room 1)
 - Low concentration of chemical agent
 - Test mask for leaks (cover filter inlets and inhale)
 - Become familiar with the odor of the agent (pepper)
 - b. Gas room (room 2)
 - High concentration of chemical agent
 - Deploy one "517" CS canister in burn bucket
 - Deploy additional canisters if necessary due to dissipation or duds
 - Gas room is 2464 square feet, 11 grams of agent equals an LCT of 2.7 hours.
 - Perform mask clearance drills (seal exhaust ports and exhale forcefully then cover filter and inhale)
 - Remove mask
 - Say the words, "Get back" three times
 - c. Exit room (Room 3)
 - Moderate concentration of chemical agent
 - Exit gas house
 - d. "Catchers" guide contaminated personnel to decontamination location.
 2. Decontaminate from CS
 - a. Fresh air and time
 - b. Short run to shake off agent particles and open lungs
- B. OC Exercises and experiencing the effects of OC
(If time permits)
1. Use orange handle inert pistols at Stations 1, 2, and 3
 - a. Simunition gun, ammo, and safety equipment at Station 3
 2. Officers spray each other and act as suspects during prone drill
 3. Officers work their way through 3 stations
 - a. Station 1 (Spray and prone) (2 instructors)
 - 1) Officer 1 draws ad OC sprays Officer 2 (1 sec to both eyes)
 - 2) Officer 2 opens eyes and feels the effects of the OC
 - 3) Officer 2 verbally moves Officer 1 approximately 5 feet to a mat, and prone him out.
 - 4) When the student has successfully proned the suspect on the mat the instructor will guide Officer 2 to Station 2
 - 5) Officer 1 is next to be sprayed and performs the drills
 - 6) Continue until all students have been sprayed and performed the drills
 - b. Experiencing the effects of OC will provide officers with first hand knowledge of what it feels like to be sprayed with OC. This will give them the confidence that they can continue their mission even though they are contaminated. It will also provide them with compassion for citizens that have been sprayed because they know what they are experiencing.
 4. Decontaminate from OC
 - a. Fresh Air
 - b. Force eyes open as soon as possible

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- c. Advise officers to avoid water
- d. Do not let officers leave area

C. Debrief

- 1. Discuss the effects of CS and OC
 - a. Burning sensation, involuntary eye closure, coughing, and inflammation
- 2. Discuss individual effects and their response
- 3. Stress the ability to fight and operate even after being exposed
- 4. First-hand knowledge of effects may be used for court testimony
- 5. Discuss Lethal Force options when confronted with or exposed to gas