



**Colorado Springs Police Department  
Standard Operating Procedures  
DL-705-02 Use of Force: Oleoresin Capsicum (OC)  
Department-Level SOP**

Active Date: **4/17/2018**  
Supersedes Date: **None.**

**Purpose**

It is the policy of the Colorado Springs Police Department that officers and marshals use only the force that is reasonably necessary to effectively bring an incident under control. A use of force must be objectively reasonable as defined in General Order 705, Use of Force.

This directive provides guidelines for the proper storage, maintenance, issue, carry, and deployment of Oleoresin Capsicum (OC). This directive further defines the appropriate use of this particular use of force tactic.

**Cross Reference**

[GO 705, "Use of Force"](#)  
[GO 710, "Reporting Use of Force"](#)  
[GO 480, "Civil Disturbances and Demonstrations"](#)  
[SOP P1-126, "Field Medical Clearance"](#)

**Definitions**

**Passive Resistance:** Physical actions that do not prevent the officer or marshal's attempt to control, for example, a person who remains in a limp, prone position, or passive demonstrators.

**Active Resistance:** Physically evasive movements to defeat an officer or marshal's attempt to control, including, but not limited to, bracing, tensing, pushing, flailing arms, running away, or verbally signaling an intention to avoid or prevent being taken into or retained in custody. Active Resistance also includes attempting to avoid apprehension and failing to comply with an officer or marshal's order to reveal themselves from concealment or surrender. Walking away may be considered active resistance if the person continues to walk away from an officer or marshal after having been given a lawful order or having been told the person is under arrest. Active Resistance is a higher level of resistance than Passive Resistance.

**Active Aggression:** A threat or overt act of an assault, coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is

imminent. Threatening body language includes, but is not limited to, blading the body, assuming a boxer stance, circling officer or marshal's position, clenching of the hands from an open to closed position, forming a fist, etc. Active Aggression is a higher level of resistance than Active Resistance.

### **Use of Oleoresin Capsicum (OC)**

The only chemical agent authorized for use without supervisory direction is Oleoresin Capsicum, which is derived from Cayenne Pepper plants.

All marshals, community service officers, and police officers at the rank of Sergeant and below performing duty in uniform, including voluntary assignments and extra duty, shall carry the approved OC product supplied by the department at all times. Lieutenants who choose to work extra duty shall also carry the approved OC during the extra duty assignment. An exception to this mandate is the Tactical Enforcement Unit, which is authorized to deploy OC with specific officers in an operational deployment as the situation dictates.

Officers performing a non-uniformed assignment have the option of carrying the approved OC product supplied by the department.

If any department member required or allowed to carry OC has a known allergy to the OC spray, it should be documented and presented to his/her supervisor immediately.

### **AUTHORIZED DEPLOYMENT OF OLEORESIN CAPSICUM (OC)**

Officers and marshals allowed to carry OC are authorized to use OC on a person if:

Officers or marshals have grounds to arrest or detain the person and the person's actions are at a level of Active Resistance or Active Aggression and/or

The officer or marshal has a reasonable belief the person poses an imminent danger to themselves or others and/or

A supervisor has authorized its use to disperse a civil disturbance or demonstration. Absent exigent circumstances dictating immediate action, a dispersal order must be given prior to the use of OC, as described in GO 480: Civil Disturbances and Demonstrations.

Community service officers are authorized to use OC on a person if they have a reasonable belief it is necessary to defend themselves from imminent danger.

Department members who are required or allowed to carry OC may also use OC to subdue animals when circumstances warrant.

### **REQUIREMENTS FOR DEPLOYMENT OF OC**

#### ***WARNING BEFORE USE OF OC***

Before using OC, a department member should warn the subject of an impending use of force

and give them the chance to comply with verbal orders. This warning is not necessary when delaying the OC discharge would be unsafe, the element of surprise is necessary to minimize the risk of harm, or is otherwise not feasible.

### ***DEPLOYMENT CONSIDERATIONS***

Department members should use the recommended short burst (1/2 to 1 second) when using the spray. The OC takes effect within different time frames with each individual and must be given a chance to work.

### **POST-DEPLOYMENT ACTIONS**

**Reports:** As with all uses of force, department members will complete a detailed case or incident report of the event, describing the circumstances leading to the deployment of OC. A Blue Team Use of Force (UoF) report will be completed as required by General Order 710 Reporting Use of Force. The narrative of the Blue Team report should include the canister lot number and the manufacture date.

Each use of OC is considered to be a separate use of force and this justification must be present and articulated in written reports. These separate uses of force are reported in one Blue Team report. As described in GO 710, photographs must be taken of any persons who were the subject of a use of force.

**Accidental Discharge:** All accidental use of OC that sprays a citizen shall be documented on a Use of Force Report.

**Medical Considerations:** Following the use of OC, officers and marshals should avoid using a restraint technique that could impair respiration/breathing.

Following the use of OC, officers or marshals shall secure the subject if feasible and request a medical unit response. Community service officers shall not attempt to secure the subject. The subject must be carefully monitored following the use of OC for an allergic reaction to the OC or other signs of medical distress. If distress is observed, the officer shall request the medical response to be Code 3.

The department member will brief arriving medical personnel of the OC usage on the subject. In cases where medical personnel determine that transport to a hospital is not necessary, a *Field Medical Clearance (or Refusal of Treatment)* must be obtained from an on-scene paramedic. If the subject is to be booked into jail, a copy of the Medical Clearance will accompany the arrestee and be provided to booking personnel at the jail.

### **LOGISTICAL CONSIDERATIONS**

**Training:** Only those personnel specifically trained in its use will deploy OC. Prior to the issuance and use of OC, each department member who is required to carry or opts to carry OC will attend and successfully complete an approved course of training in the use of OC.

Periodic training should include a review of relevant directives, de-escalation techniques, and deployment considerations. Department members who are authorized to use OC are required to complete refresher training every two years.

The Training Academy shall maintain documentation of all OC training.

**Assignment of OC:** Replacement canisters of OC will be maintained by each Patrol Division and the Operations Support Bureau and will be obtained through a Patrol Sergeant or Section Lieutenant, as appropriate. Unusable OC canisters will be sent to the CSPD Supply Office for disposal. OC canisters shall be replaced at a minimum of every four years, due to the effective shelf life of the product.