



AP 6520.2 – Pepper Spray

References:

Education Code § 35291, 49330-49335

Penal Code § 245, 22810 – 22840

Use of OC Aerosol Projector (Pepper Spray)

I. BACKGROUND:

- a. Situations may occur in which campus safety officers may find it necessary to defend themselves, defend others, or restrain a suspect against their will to provide immediate protection against imminent danger or harm. Inherent in these situations is the risk of injury to both campus safety officers and other members of the academic community. In an effort to reduce these risks, and as an alternative to what would otherwise require a greater level of force, the use of an OC Aerosol Projector (Pepper Spray) is authorized as outlined below.
- b. Further, non-safety officers, including students, may possess Pepper Spray if the following conditions are met:
 - i. The person possessing the Pepper Spray is eighteen (18) years or older,
 - ii. The person possessing the Pepper Spray has no past conviction of a felony or any crime involving an assault,
 - iii. The Pepper Spray is contained in an aerosol canister of 2.5 ounces or less net weight,
 - iv. The Pepper Spray mechanism does not expel gas by any method other than aerosol spray,
 - v. The Pepper Spray is only carried and used for self-defense purposes, and
 - vi. The Pepper Spray includes a warning label stating that the Pepper Spray is for self-defense use only and must be used with care.
- c. Any person using Pepper Spray, as authorized by this Section, shall report the incident immediately to the District's Campus Security Department.

II. APPROVED OC AEROSOL PROJECTOR (Pepper Spray)

A First Defense OC Aerosol Projector is authorized for use by OC Aerosol Projector Certified Officers pursuant to the requirements set forth in Sections III through VI below.

III. OC AEROSOL PROJECTOR (Pepper Spray) TRAINING

- a. Prior to being issued Pepper Spray, an officer shall attend a Pepper Spray device training session approved by the Santa Clarita Community College District and conducted by a certified OC Aerosol Projector (Pepper Spray) instructor, who will ensure the officer successfully demonstrates proficiency in the use of the device. The training will provide campus safety officers instruction in the safe, effective and efficient use of the devices. Training will include:
 - ii. Authority for and limits on the proper use of Pepper Spray and the use of force at the Santa Clarita Community College District;
 - iii. Proper and safe handling and storage procedures; and,
 - iv. Procedures for OC decontamination and medical assistance after use of Pepper Spray.
- b. The certified OC Aerosol Projector (Pepper Spray) instructor is responsible for certifying officers' proficiency for those devices.
- c. Upon successful completion of initial Pepper Spray training, the Director, Campus Safety will record the following in the Campus Safety Officer's personnel file:
 - i. Date, location, instructor's name (and organization), specific device used and a notation that the officer has successfully completed training.
- d. OC Aerosol Projector (Pepper Spray) certified officers must successfully complete annual in-service training approved by the Santa Clarita Community College District and conducted by a certified OC Aerosol Projector (Pepper Spray) instructor in order to remain qualified to carry the device. In-service OC Aerosol Projector (Pepper Spray) training shall be documented and shall require demonstrated proficiency with the device and knowledge of use of Pepper Spray procedures.
- e. The instructor will promptly notify the Director of Campus Safety if an officer fails to demonstrate competency with an issued OC Aerosol Projector (Pepper Spray). Human Resources will be notified of the outcome of the training. The safety officer will not be issued Pepper Spray until satisfactorily completing remedial training.
- f. The Director of Campus Safety shall maintain a log of all Pepper Spray issued by the department. The log will contain the make, model number, serial number and will

identify the officer to whom the Pepper Spray is issued, the date of issue, and the name of the person issuing the Pepper Spray to the officer.

- g. Each OC Aerosol Projector (Pepper Spray) will be inspected and approved for use by a certified OC Aerosol Projector (Pepper Spray) instructor prior to initial issue and during annual in-service training. Unsafe or defective Pepper Spray will be taken out of service.

IV. OC AEROSOL PROJECTOR (Pepper Spray) USE

- a. The Pepper Spray will be utilized only by officers who have successfully completed all required training in the use and deployment of the device (OC Aerosol Projector Certified Officer).
- b. Any incident in which Pepper Spray is used upon an individual(s) by a Campus Safety Officer will be considered a use of force incident. All use of force incidents will be appropriately documented and reviewed by the Director and Assistant Director of Campus Safety as soon as possible, as well as by officials from the Sheriff's Department.
- c. Pepper Spray can be deployed by a certified officer when the use is reasonable and necessary to overcome or prevent assaultive behavior and/or when other means of physical force are not reasonable or practical to bring a subject under control without risk of injury to the subject. While acknowledging that situations involving assaultive behavior or a dangerous situation that require the use of Pepper Spray are inherently difficult to assess at the time, certified officers shall take all actions necessary to limit the use of Pepper Spray to situations that require it to protect against imminent harm or danger and limit the use of Pepper Spray to the extent necessary to address the immediate harm or danger.
- d. Officers will target the face, aiming at the eyes and brow. Pepper Spray is not 100% effective. Officers should quickly evaluate the effectiveness and be ready to re-deploy or utilize other available means for control as necessary.
- e. Officers will NOT use Pepper Spray in the following circumstances:
 - i. On a subject who is near, or has been exposed to, potentially flammable, volatile or explosive materials, including potential use of an electronic control device (ECD).
 - ii. When a subject is in a position where a fall will cause substantial injury or death.
 - iii. Punitively, as a means of coercion or in any other unjustified manner.

- f. Special consideration, consistent with training, should be given for use of Pepper Spray on a subject who:
 - i. is visibly pregnant
 - ii. is operating a functioning, operable motor vehicle
 - iii. is physically limited (age related, young child, or frail)
 - iv. is handcuffed

As with any use of force, officers should clearly document justification for use of Pepper Spray, particularly on those identified as requiring special consideration.

- g. Once the suspect is in custody, the Campus Safety Department shall take any and all actions necessary to address the ramifications of the incident including calling the local Sheriff's department and/or alerting any necessary medical personnel, including Emergency Medical Technicians (EMT).
- h. Officers may use Pepper Spray to defend themselves or others from a vicious or attacking animal. Should such an occasion arise, the officer will make reasonable attempts to notify the owner of the animal, and shall thoroughly document the incident in a departmental report.
- i. Officers shall handle and store Pepper Spray in the same manner as a firearm, exercising a due regard for safety.
- j. Officers shall periodically check their Pepper Spray canisters for proper function.

V. POST-EXPOSURE PROCEDURES

Following deployment of Pepper Spray, and upon control of the suspect, a District employee will call for medical assistance, without delay. The suspect will then be transported as necessary, to a safe location. A campus safety officer will remain with the suspect until EMT or Sheriff arrive and through the conclusion of the event. Campus safety officers are not responsible for transporting a suspect off campus. The suspect may be transported off campus by EMT or Sheriff as necessary.

VI. DOCUMENTATION AND REPORTING OF OC AEROSOL PROJECTOR (Pepper Spray) USE

- a. The Director of Campus Safety shall include Pepper Spray utilizations in an annual analytical report of incidents involving non-lethal uses of force by Campus Safety personnel.

- b. Campus Safety Officers shall notify their immediate supervisor as soon as possible after Pepper Spray has been deployed. A supervisor will immediately respond to the scene of any deployment of Pepper Spray, including unintentional discharges.

Endorsed by CPC on 09/28/2021