


POLICY NUMBER:	POLICY TITLE: Pepper Spray (Oleoresin Capsicum)	
RESOLUTION NUMBER:		
ORIGINAL ISSUE DATE: REVISION DATE:	POLICY CONTACTS: Director of Planning and Building Department	
RELATED DOCUMENTS:	RELATED POLICIES:	

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## SECTION I – PURPOSE

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The purpose of this policy is to provide guidance to non-sworn county employees who conduct field inspections for the Planning and Building Department in the course of county employment, regarding the possession and use of Oleoresin Capsicum hereafter referred to as Pepper Spray.

## SECTION II – APPLICABILITY

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This policy applies to all County of Humboldt Planning and Building Department employees who conduct field inspections. These positions include but are not limited to, Code Compliance Officers and Investigators (Code Enforcement), Building Inspectors and Planners.

## SECTION III – DEFINITIONS

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Imminent Danger or Threat means an immediate threat of harm that could reasonably be expected to cause death or serious physical harm.

Oleoresin Capsicum Spray (also known as “O.C. Spray” or “pepper spray”) means a chemical compound recognized to be a significant skin and mucus tissue irritant; generally recognized to be a non-deadly weapon, it is used to subdue and deter an attacker or assailant, either human or animal.

## SECTION IV – POLICY

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- A. Authority: The Planning and Building Department Director shall determine which employees are authorized to carry county issued pepper spray at work. Only county issued pepper spray shall be carried and/or utilized while on duty.
- B. Reporting Use of Pepper Spray: All non-law enforcement employees who use pepper spray in the course of their county employment must do the following:
  - 1. Immediately call for emergency help, i.e.: law enforcement personnel and medical personnel as necessary.
  - 2. Notify their supervisor of the incident.
  - 3. Upon returning back to the office, the employees must document and prepare a report of the incident for their supervisor.

C. Storage, Maintenance and Replacement:

1. County issued pepper spray shall be stored in a secure location and left at work when not on duty.
2. All pepper spray devices shall be maintained according to the manufacturer's recommendations by the staff in which they are assigned and must be operational and in a charged state at all times.

SECTION V – PROCEDURE

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- A. Use Criteria: If county staff suspects that inspection of a property, contact with the public or an encounter with an animal has a high probability of aggression or violence, request assistance from the law enforcement or animal control and request an officer respond to keep the peace while work is performed. In the event of a threat, staff should withdraw from the property or situation.

If county staff is unable to withdraw, persons or animal fail to respond to verbal dialog to calm the situation and county staff believes that an attack is imminent, pepper spray may be utilized in accordance with training.

The use of county issued pepper spray by employees other than sworn peace officers is restricted to:

1. Defensive purposes when protecting oneself from personal injury and/or to stop further physical injury to oneself or to others, but only after all defensive procedures have been exhausted, in compliance with Penal Code Sections 692, 693.1, and 694;
2. Responding to the direct order of a law enforcement officer;
3. Coming to the aid of assistance of a law enforcement officer who is not able to give a direct order; or
4. Use by an animal control officer in compliance with departmental procedures.

Staff shall not attempt to restrain an individual or animal that has been sprayed. The responsibility to restrain and place into custody is with responding law enforcement and/or animal control officers.

B. Training: The county must ensure that any authorized county employee who chooses to carry pepper spray in the course of his/her work with the county does so in a safe and responsible manner. Therefore, all non-sworn authorized employees who choose to carry pepper spray at work must participate in a mandatory, personal safety training course provided by the County of Humboldt Sheriff's Office, or authorized trainer. Training will be updated on an as-needed basis, but no less frequently than every three years. Any authorized county employee using pepper spray more than once in a calendar year shall be required to attend another training sessions within six (6) months.

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Board Approved:

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, Chair of the Board

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Date

Pursuant to Board Order \_\_\_\_\_ Dated \_\_\_\_\_