Clear Out Gas

PURPOSE

The purpose of this order is to establish guidelines for the use of Clear Out gas to facilitate the removal of recalcitrant/combative inmates from a jail cell.

SCOPE

This order shall apply to all station personnel assigned to Marina del Rey Station.

ORDER

Clear Out gas is made from a combination of Oleoresin Capsicum (OC) spray and CS gas. It is non-flammable and may be used inside a structure when residual contamination or fire is a concern. The use of Clear Out has proven to be very effective when used during cell extractions and riot situations.

Directed cell removals are accomplished through directed force in situations where it becomes necessary to remove an inmate, who refuses to exit a cell. The goal in a cell removal is to restore order, maintain the security of the facility and remove inmates, when necessary, with a minimal amount of force.

The tactics, equipment, special weapons, and force used to remove an inmate from a cell shall be employed to overcome only that level of resistance confronting Department personnel. Therefore, the force utilized to remove an inmate should begin and end at the lowest possible level.

The inmate shall be afforded the opportunity to comply with instructions and exit voluntarily prior to implementing such measures. If simple instructions and requests fail to cause an inmate to exit his cell, the watch sergeant shall be notified. If the watch sergeant is unsuccessful in gaining the inmate's cooperation, the watch commander shall be notified and respond to the area. Negotiations shall resume to gain the inmate's cooperation.

The authorization for the deployment of Clear Out gas can only be given by the watch commander, or higher authority in the chain of command. In no instance will authorization be given for the use of Clear Out gas by other than authorized personnel.

Clear Out gas or OC spray will normally be the initial tools of choice in a removals, and will, when feasible, be employed before any other weapons are used. In such cases, it is important that the agent be given time to take effect. Deputy personnel should consider delaying entry until such time.

The use of Clear Out has the potential to affect those deploying it. For this reason, all personnel should be aware of the possibility of being exposed to the agent. Personnel deploying Clear Out shall wear Department approved particulate masks during the application of the agent. Authorization to use Clear Out shall only be given to qualified personnel. Personnel deploying the gas shall have completed the required special weapons training for this chemical agent.

Watch Commander Responsibility:

Once it is determined that a cell removal may be necessary, the watch commander shall be notified and shall:

- Respond to the location and assume incident command responsibility,

- Confer with the watch sergeant/field sergeant to ensure all other options have been exhausted,
- If appropriate, notify the unit commander,
- Plan the removal and tactics to be used with the watch sergeant/field sergeant,
- Time permitting, evaluate the inmate(s) medical screening form to determine if the Fire Department/medical personnel should be notified prior to the commencement of the removal process,
- Approve the plan, and standby during team and supporting personnel briefing, deployment and completion of removal,
- Ensure the inmate is secured,
- Ensure the inmate receives appropriate medical treatment,
- Conduct the necessary interviews.

NOTE: The watch commander shall ensure the use of Clear Out is appropriate. The use of Clear Out may cause cross contamination in the adjacent jail cells and other parts of the administrative building. Evacuating the jail, including all non-involved inmates, and administrative personnel from the building should be evaluated prior to the use of gas products in the station's jail.

NOTE: A cell removal shall not escalate to a cell extraction without the presence of a life threatening emergency, exigent circumstances or unit commander's approval (or his/her designee when he/she is not available).

Videotaping:

To ensure accurate records regarding tactical operations and injury allegations, the watch commander shall ensure the documentation of the incident with videotape. This shall include:

- Videotaping the entire removal; including all attempts made requesting the inmate's compliance,
- Videotaped interviews of all inmates involved in the incident,
- Videotaped documentation of all alleged injuries. Each inmate shall be questioned relative to his injuries on videotape,
- Specific commentary as to the decision factors that led to use of Clear Out gas to effect the cell removal.

Cell removals shall be noted in the watch commander's log. Verbal notification shall be made to the unit commander. The use of aerosol chemical agents constitutes the use of force. The watch commander shall ensure the appropriate documentation detailing the use of force is completed by involved personnel.

All inmates exposed to chemical agents shall be given medical assistance as soon as possible after exposure.

Clear Out gas will be stored in the Marina del Rey Station armory and shall not be issued for any purpose of a routine nature. The station's inventory of gas products shall be inventoried annually by the armory sergeant.

Incident Analysis and Review:

The watch commander shall ensure that all phases of the cell removal are debriefed with involved personnel. A critical incident debriefing form shall be completed and submitted to the unit commander for review.