7-05/010.00 Aerosol Chemical Agents

In accordance with CDM section 5-01/030.05, “Identification and Classification Symbols for Pregnant Inmates,” and for the purposes of this section, “pregnant inmate” means an inmate that is known to the Department to be pregnant. Inmates known to be pregnant will wear an [REDACTED TEXT] wristband loop along with the [REDACTED TEXT] sub-classification code displayed on the wristband. Their uniform consists of a [REDACTED TEXT] shirt with a [REDACTED TEXT] front side and a [REDACTED TEXT] back side, and [REDACTED TEXT] pants.

The following aerosol chemical agents are classified as special weapons:

- Mark 46 (OC) aerosol canister
- Orthochlorobenzalmalononitrile (CS) + (OC) blend canisters larger than 4 ounces

The deployment and use of these chemical agents are subject to the provisions of the Custody Division Manual (CDM) section 7-08/000.00, "Deployment of Special Weapons."

The use of some of these aerosol chemical agents have the potential to affect those deploying them. For this reason, all personnel should be aware of the possibility of being exposed to the agent. Personnel deploying OC and OC/CS blend agents classified as special weapons shall wear Department-approved particulate masks during the application of the agent.

The following aerosol chemical agents are not classified as special weapons and may be carried by all personnel:

- Two to four ounce (OC) spray canisters
- Two to four ounce (OC) foam canisters
- Two to four ounce OC/CS blend canisters
- Mark 9 (MK-9) Oleoresin Capsicum (OC) aerosol canister

Aerosol chemical agents are defensive weapons designed to incapacitate aggressive individuals with no permanent after effects and with a minimum of contact on the part of the user.

Absent circumstances that justify the use of deadly force, chemical agents, including aerosol chemical agents, shall not be used against an inmate known to be pregnant. In addition, personnel shall not intentionally expose an inmate known to be pregnant to chemical agents. Absent exigent circumstances requiring immediate use of chemical agents, personnel shall request pregnant inmates move from areas where unintentional exposure to the chemical agents may be reasonably foreseeable. Any refusal by a pregnant inmate shall be video recorded by a supervisor with the rank of sergeant or higher, and medical personnel shall be summoned to the location.

When dealing with a hostile/violent individual, personnel may use their Department-issued aerosol chemical agents without prior authorization, and must notify their immediate supervisor and the watch commander immediately after such use. All incidents involving the use of aerosol chemical agents shall be recorded on the facility log and reported to the unit commander through the watch commander.

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

exposure.

The use of aerosol chemical agents constitutes a use of force. All members utilizing aerosol chemical agents must do so only when fully justified, and in conformance with:

- Department Manual of Policy and Procedures (MPP) and Custody Division Manual (CDM) use of force policies
- MPP section 5-06/040.45, "Use of Chemical Agents"
- CDM section 7-01/020.00, “Authorized Use of Force,” and 7-05/000.00, “Chemical Agents”

Members will be considered qualified to use aerosol chemical agents only after successful completion of the Academy course of instruction or upon successful completion of the course of instruction presented under the direction of the Custody Training and Standards Bureau (CTSB). No Department member shall use a chemical agent or variation of a chemical agent in which they have not been certified in its use.