

CITY OF CHICO
Administrative Procedure and Policy Manual

Subject: PEPPER SPRAY POLICY		Number: 13-51
		Effective Date: 02/04/2020
Department(s) Affected: All Departments		Supersedes: N/A
Authority: N/A		File Reference:
		Approved: <i>Mark Orme</i>

I. PURPOSE

The purpose of this policy is to provide guidance to non-sworn City employees, in the course of City employment, regarding the position and use of Oleoresin Capsicum hereafter referred to as Pepper Spray.

II. POLICY

- A. Authority: Department Directors shall determine which employees are authorized to carry City issued pepper spray at work. Only City issued pepper spray shall be carried and/or utilized while on duty.
- B. Use Criteria: If City 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, call Police 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 City staff is unable to withdraw, persons or animal fail to respond to verbal dialog to calm the situation and City staff believes that an attack is imminent, pepper spray may be utilized in accordance with training.

The use of City 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 police and/or animal control officers.

C. Training:

Some non-sworn City employees have expressed a desire to carry pepper spray for self-defense purposes in the course of City employment. The City must ensure that any authorized City employee who chooses to carry pepper spray in the course of his/her work with the City 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 City of Chico Police Department, or authorized trainer, on an as-needed basis.

The Police Department shall also provide periodic training updates every three years. Any authorized City employee using pepper spray more than once in a calendar year shall be required to attend another training sessions within six (6) months.

D. Storage, Maintenance and Replacement:

1. City 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 by the staff in which they are assigned and must be operational and in a charged state at all times.