



Approved by Joseph Sbranti
City Manager

Use of Pepper Spray by City Staff (Excluding Police Staff)

Purpose:

To provide a policy on the proper use and management of pepper spray for those employees whose job duties and activities have been approved to carry this chemical for the purposes of self-defense.

Policy:

Use of Force: Given that no policy can realistically predict every possible situation an employee might encounter in the field, it is recognized that the employee must be entrusted with well-reasoned discretion in determining the appropriate use of force if faced with an incident that requires such. While it is the ultimate objective to minimize encounters and injuries with animals and individuals, nothing in this policy requires an employee to sustain physical injury before applying reasonable force.

Pepper spray, also known as Oleoresin Capsicum, will be herein referred to as O.C. The City of Pittsburg has authorized Public Works and Water Utility employees who have successfully completed a mandated training course in the proper use of O.C., to carry this chemical, strictly for the purpose of self-defense. Authorized employees are to carry O.C. on their person only when performing their duties as paid employees of the City of Pittsburg. Authorized staff must use O.C. in strict accordance with Federal and state laws while acting in their official capacity.

Use of O.C is authorized only when necessary and when fully justified by the circumstances, and in a manner deemed "objectively reasonable" in an effort to protect themselves from imminent bodily harm. The use of O.C for self-defense is authorized when an employee is presented with a physical threat of bodily harm. Any willful misuse of O.C. by an employee could lead to disciplinary action.

The following guidelines shall be followed in regards to O.C.:

A. Training:

1. All employees approved and authorized to carry O.C. shall be required to take an initial course in proper use, storage, possession and discharge of pepper spray provide by the Police Department.
2. Each employee shall pass the initial course and shall be required to complete and pass annual refresher courses or as required or deemed necessary by the Police Department or Inquiry Panel.
3. Each approved and authorized employee shall only use O.C. provided by the Police Department.
4. At the completion of training, employee shall sign a training form that will be maintained by the Department in the employee's training file, in the central training files and in Human Resources.

B. Storage, Possession, and Discharge of Pepper Spray:

1. O.C. shall be kept in personal possession when working as a City employee. A holster with belt clip will be provided for this purpose.
2. The City issued O.C. shall never be carried or used off-duty, and only City issued O.C. may be carried on duty.
3. O.C. shall never be left unattended and shall be turned into their Supervisor daily to be stored in a secure manner.
4. O.C. shall be stored in a secure area at the end of the shift and at all times when the work assignment precludes the possibility of use.
5. Each employee shall make sure the nozzle is pointed in the proper direction away from his/her face prior to discharging the chemical.
6. Employee shall direct the spray in a direction that will cause minimal exposure to bystanders.
7. Employee shall use discretion when discharging O.C. when windy conditions present the possibility of the employee or a bystander being exposed to the material.
8. In all cases of O.C. discharge, the employee shall immediately notify his/her supervisor, and complete a written incident report. Supervisors shall verbally notify the Superintendent/Manager and/or the Director.
9. All discharge incidents will be reviewed by an Inquiry Panel consisting of one member from the Police Department, Human Resources and the Department Director. The employee may have its union representative present if requested.

10. Use of O.C. in any manner not authorized above will result in disciplinary action according with City Personnel Rules, up to, and including, termination.

C. Duty to Render Aid/Assistance to Subjects Exposed to O.C.

1. When a discharge occurs:
 - Call 911 immediately once the employee feels he/she is in a safe location to call and report. Police Department will determine required aid necessary including animal service, ambulance or other services.
 - A written report shall be taken by the Police Department on the incident and be made available to the Inquiry Panel.
 - Call Supervisor to report incident.