

CHEMICAL AGENTS

STANDARD NO(S):

NYSSA # 21, 40

DATE:

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REFER TO:

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I. OBJECTIVE:

To assist in providing safety and good order to the facility while minimizing injuries to staff and inmates during violent or potentially dangerous confrontations.

II. POLICY:

It is the policy of the Seneca County Correctional Facility to ensure that the use of chemical agents within the facility be controlled and reasonably applied only when necessary to protect the safety, security and good order of the facility.

III. DETAILS:

A. Authorized Chemical Agents

1. The only chemical agent which will be used in the facility will be oleoresin capsicum (OC).
2. Chemical agents will be administered by the use of aerosols. Grenades, projectiles, and fogging devices may be used if specifically authorized by the Sheriff.

B. Authorization for the use of Chemical Agents

1. No chemical agent will be used by any officer without proper authorization pursuant to the requirements of this section.
2. Authorization for the use of chemical agents will emanate from the highest authority available within the facility. Except as otherwise provided in subdivision (C) of this section, only Shift Supervisors who have been trained in the use of chemical agents will have the authority to order the use of such agents.
3. In the case of an emergency, when a delay in the use of a chemical agent presents an immediate threat of death or serious injury or threatens the safety or security of the facility, officers trained in the use of chemical agents will have the authority to use such agents without first requesting proper authorization.

C. Use of Chemical Agents

1. Chemical agents will not be used as a form of punishment.
2. The use of any chemical agent will be overseen by a Shift Supervisor who has been trained in the use of chemical agents, except in the case of an emergency.
3. The CERT Commander/Team Leader will oversee the use of chemical agents when CERT has been activated.
4. Prior to the use of chemical agents, the Shift Supervisor will notify the facility nurse, except in the case of an emergency.
5. Prior to the use of chemical agents, the facility nurse will make reasonable efforts to inform the Shift Supervisor whether such use may aggravate any existing injuries, illnesses or other physical conditions of any inmate who may be exposed.
6. Prior to the use of chemical agents, all officers will consider the following:
 - a. The safety hazards such agents can produce when used under certain conditions for certain periods of time in enclosed areas.
 - b. The safety hazards presented by the use of grenades and projectiles in the vicinity of combustible materials.
 - c. The distinctive characteristics of each type of agent and how these characteristics will affect the situation for which they are being considered for use.
7. No chemical agent will be used on any inmate if a determination has been made pursuant to subdivision (5) of this section that the use of such agent may aggravate any existing injuries, illnesses or other physical conditions of such inmate except in the case of an emergency.
8. Whenever possible, prior to the use of any chemical agent, all reasonable efforts will be made to evacuate all persons for whom the use of such agent is not intended.
9. Whenever possible, prior to the use of any chemical agent, such use will be announced to the inmate(s) for whom the use of such agent is intended.
10. In all cases of exposure to any chemical agent, the facility nurse will examine and treat all persons exposed to such agent as soon as practicable. Treatment for exposure will begin with those inmates most seriously affected.
11. All facility physicians and nurses will be properly trained in the treatment of persons exposed to chemical agents.
12. Appropriate decontamination of persons and area cleanup procedures will be completed in accordance with section (G) of this part, as soon as practicable after the use of any chemical agent.
13. No chemical agent munitions or devices will be used after they have passed the predetermined expiration date established by the manufacturer.
14. Information pertaining to the requirements of this section will be included in the training program required pursuant to section (D) of this part.

D. Training in the Use of Chemical Agents

1. All officers who have the authority to order the use of chemical agents pursuant to section (B) of this part, who supervise such use pursuant to section (C) of this part or who use such agents will have successfully completed a chemical agents training program approved by the New York State Division of Criminal Justice Services Office.
2. Such training program will incorporate accepted practices in the use of chemical agents and will be submitted to the NYSDCJS for approval before delivery to officers.
3. All officers who have the authority to order the use of chemical agents pursuant to section (B) of this part, will supervise such use pursuant to section (C) of this part, or who use such agents will also receive additional New York State Division of Criminal Justice Services approved training on an annual basis to ensure continued proficiency in chemical agent issues.

E. Storage and Maintenance of Chemical Agents

1. All chemical agent equipment, munitions or devices stored within the facility will be maintained in a safe and secure manner. Such storage will ensure that only officers trained in the use of such articles have access to them.
2. Inspections at intervals not to exceed six (6) months of all equipment, munitions or devices will be conducted by the facility's chemical agent instructor who will record such inspections on an inventory/inspection form.
3. The inventory/inspection form will include, but not be limited to, the following information:
 - a. The name of the officer inspecting the articles
 - b. The date of the inspection
 - c. The type and quantity of articles stored and inspected
 - d. The description of their condition to include:
 1. Expiration date of the agent
 2. Approximate amount of agent remaining
 3. Physical condition of the canister – damage or excessive wear
4. Munitions and devices which have passed their predetermined expiration date will be stored separately from the useful stock.
5. Such expired munitions and devices will be disposed of in compliance with accepted practices or used for training purposes only.

F. Recording the Use of Chemical Agents

1. In any situation where a chemical agent has been utilized during an incident, except when such devices are used for training purposes, the following will occur:
 - a. A log entry will be recorded on the computer terminal which is located in the affected area. The entry will include the following information:

1. The date of the incident
 2. The time of the incident
 3. The name of the inmate(s) the agent was used on
 4. A brief statement of the facts or circumstances surrounding the use of the agent
- b. Completion of Form CF-009 (Incident Report) and SCSO-LE-001 (Subject Resistance Report) and submittal in the following manner:
1. The original to the Chief Deputy
 2. One (1) copy each to the Chief Administrative Office, Correction Lieutenant and affected Shift Supervisor

G. Decontamination

1. Read the inmate the (O. C.) administrative warning.
2. Have the inmate lay still, breathe normally and relax.
3. Move them to an uncontaminated area as soon as possible.
4. Use cool fresh water to flush face and eyes.
5. Do not allow inmate to rub eyes or face.
6. If irritation persists in nose, have the inmate blow nose
7. Effects should dissipate within 15-30 minutes.
8. A non-oil based soap may be used to wash affected area(s).
9. Pat with wet and dry paper towels, do not rub.
10. Subjects wearing contact lens should remove them before decontamination.
11. Ventilate by opening doors/windows where appropriate.
12. Effects should be gone within an hour.