

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-1.1.2

DATE: 8/16/05

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SUPERSEDES: 7/14/98

SUBJECT: INTERMEDIATE WEAPONS - OLEORESIN CAPSICUM (OC)

AUTHORITY: Not Applicable

PURPOSE: To establish policy and procedures for parole officer use of Oleoresin Capsicum spray (pepper spray) for defensive purposes.

PROCEDURE:

- I. Division-issued Oleoresin Capsicum (OC) may be carried by parole officers while on duty only if they have received training and authorization. Carrying of OC is optional for staff who do not carry firearms.
- II. The OC shall be carried in a manner that allows the device to be accessible to the officer but also secure, such as on a belt or in a holster.
- III. The OC shall be used only when there is a threat or potential threat of physical injury to the parole officer and when the use of one of these devices will allow the parole officer to remove him/herself from the danger and to contact appropriate law enforcement authorities. Mere verbal threats are not sufficient justification for the use of intermediate weapons. The threat must be a physical threat such as verbal abuse or aggressive posture accompanied by apparent movement to initiate physical contact with the officer.
- IV. When the OC is used as authorized and the perceived danger is neutralized, use of the device shall immediately cease and the device shall be secured.
- V. Immediately following use of the OC, the parole officer shall contact the nearest law enforcement authorities and report the incident. The parole officer shall file an assault complaint against the assailant and shall be prepared to provide necessary information, including the date, time, place, and identity of persons involved in the incident.

- V. When the parole officer uses the OC either for the purposes authorized herein or in any other circumstances, he/she shall report such use to his/her immediate supervisor and complete a Safety Officer's Investigation of Accident/Incident (Report of Inquiry) within one (1) work day of the incident.

Bryan Collier
Director, Parole Division