

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

CHEMICAL AGENT OR RIOT CONTROL EQUIPMENT
SUBJECT

DATE: AUGUST 10, 2020

NO: Q-1h

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Chemical Agent and Riot
Control Equipment
Agents of Chemicals for Riots
Riot Control Equipment

I. POLICY

The Stockton Police Department will use chemical agents and other riot control equipment when necessary. Officers shall give a verbal warning of the force that they intend to use, when feasible, before using any force.

II. PROCEDURE

A. Authority

1. The authority to use chemical agents and other riot control equipment is vested with The Chief of Police or designated command personnel.
 - a. Oleoresin Capsicum Spray (OC-Pepper Spray) worn by uniform personnel is not controlled by this General Order; refer to General Order Q-1d for the use of pepper spray.
2. The Field Commander will keep their upper chain of command fully apprised during a civil disorder or a field situation that is believed could deteriorate into a civil disorder where chemical agents might be necessary.
3. The Incident Commander will request permission from his/her upper chain of command to use chemical agents only when other means have been exhausted and the Field Commander is certain that if chemical agents are not used, substantial property damage and/or personal injury to citizens and/or officers will occur.
4. Chemical Agents will be dispensed by SWAT/MFF Teams personnel whenever possible.
 - a. If SWAT/MFF Team personnel are not available or the time element precludes their use, only personnel qualifying under Section 12403 of the Penal Code will dispense the chemical agents (persons who have completed training in tear gas).
5. Chemical agents will be maintained in the armory and the special SWAT Unit Vehicle.
 - a. The Mobile Field Force team will keep a supply of chemical agents secured in the lockers used to store their equipment.
6. A ranking officer may authorize the use of chemical agents in critical emergency situations where the lives of citizens and/or officer are in immediate danger (snipers, barricaded suspects who are shooting).

- a. Caution - when such authorization is given, the circumstances must support the action taken.
7. During an unlawful assembly during which action is to be taken to restore order and cause dispersal, etc., the following command should be given at least three times, using the best available loudspeaker system:
- a. "THIS IS (OFFICER'S NAME), A PEACE OFFICER OF THE STATE OF CALIFORNIA AND A POLICE OFFICER OF THE CITY OF STOCKTON, I DO HEREBY DECLARE THIS AN UNLAWFUL ASSEMBLY, AND IN THE NAME OF THE PEOPLE OF THE STATE OF CALIFORNIA, I COMMAND YOU TO IMMEDIATELY DISPERSE. IF YOU FAIL TO DO SO AT ONCE, YOU WILL BE ARRESTED FOR SECTION 409 OF THE PENAL CODE."
 - b. If possible, officers should be positioned at the perimeter so they can testify to having heard the order to disperse.
8. All persons using or possessing chemical agents and/or riot control equipment shall have them formally issued.
- a. As soon as possible, officers will report in writing the location, number of munitions deployed, and reason the chemical agent was used.
- B. Application of Chemical Agents in Civil Disorders
1. The following instructions should generally be followed as the situation dictates. It should also be kept in mind that there are many variables and things which can happen; judgment must be employed.
- a. The CS (irritant smoke).
 - (1) An officer should be positioned with the officer's back to the wind, allowing the wind to carry the particles to the desired area.
 - b. An avenue of escape must be left open.
 - c. If chemical agents are to be used in an area that is inhabited, the residents should be notified in advance if possible.
 - (1) This may be accomplished by personal contacts or loudspeakers.
 - (2) Advise the inhabitants to keep their doors and windows closed, to turn off their air conditioning, and to either stay inside or leave the area.
 - d. In situations involving public buildings, hotels, stores, etc., considerable thought must be given since the problem of decontamination will generally exist.
 - (1) Using chemical agents may cause the building to be contaminated for several days or even longer.
- C. Other Riot Control Equipment
1. Ricochet Rounds (silly putty)
- a. These are fired from a 12-gauge shotgun only upon orders of the Incident Commander.

- b. The rounds will not be used at close range unless lethal force is justified.
 - c. The rounds should be ricocheted off the pavement or ground so the impact area would be below the subject's waist unless lethal force is justified.
2. The MFF team will be equipped with a less-than-lethal projectile impact weapon and will adhere to the use-of-force policy regarding its use.