



# **Report of the Pepper Spray Committee**

## **Civilian Complaint Review Board**

**Hon. Charles M. Greinsky**

**Hon. Sheri Holland**

**Hon. Jules Martin**

*October 2000*

# **Report of the Pepper Spray Committee of the Civilian Complaint Review Board**

October 2000

## *Table of Contents*

<b>Preface</b>	3
<b>The NYPD and Pepper Spray</b>	3
<b>Patrol Guide 212-95</b>	
<b>NYPD Training on the Use of Pepper Spray</b>	
<b>Effectiveness and Health Hazards of Pepper Spray</b>	7
<b>Analysis of Pepper Spray Cases</b>	10
<b>Disposition of Pepper Spray Allegations</b>	
<b>Characteristics of Complainants</b>	
<b>Characteristics of Subject Officers</b>	
<b>Analysis of Substantiated and Exonerated Cases</b>	
<b>Conclusions and Recommendations</b>	16
<b>Appendix</b>	18
<b>Patrol Guide 212-95</b>	
<b>Baltimore County OC Data Collection Sheet</b>	
<b>On Line Booking System Arrest Worksheet (PD 244-159)</b>	
<b>Medical Treatment of Prisoner (PD 244-150)</b>	
<b>Aided Report Worksheet (PD 304-152b)</b>	

The Board wishes to acknowledge Gene Lopez, CCRB's Executive Director, Raymond Patterson, CCRB's Director of Communications and ADR, the late James Gaynor, former Director of Research and Statistics, Wing Ng and Rachana Pathak, research assistants, for their valuable contributions to this report.

## **Preface**

In May 1997, the New York Civilian Complaint Review Board (CCRB) published a review of the New York Police Department's (NYPD) policy on pepper spray use. Since that time, community leaders, elected officials, and the public have raised new concerns over the safety and effectiveness of pepper spray use by the NYPD. These concerns were precipitated most recently by the shooting death of Gidone (Gary) Busch in August 1999.<sup>1</sup> Busch, an alleged emotionally disturbed person from Borough Park, Brooklyn, was shot by officers in a confrontation after the use of pepper spray failed to incapacitate him. In response to the renewed concerns of the public over the use of pepper spray and its possible ineffectiveness against emotionally disturbed persons, the CCRB reconvened the Pepper Spray Committee in October 1999 and charged its members to review the original report and revise it if necessary. This report of the Committee discusses the NYPD's current policy on pepper spray, reviews the scientific literature on the effectiveness and health hazards of this substance, analyzes CCRB complaints in which officers were alleged to have used pepper spray, and formulates recommendations to the NYPD regarding its current policy on the use of pepper spray.

## **The NYPD and Pepper Spray**

The NYPD began to use pepper spray, formally known as oleoresin capsicum (OC)<sup>2</sup> spray, in a limited capacity in February 1991, when its use was restricted to the Emergency Services Unit. Use of pepper spray, which replaced mace, was expanded to the entire department in October 1994.<sup>3</sup> The spray is designed for use as less-than-lethal force, adequate

---

<sup>1</sup> The CCRB would like to acknowledge the Honorable Fernando Ferrer, the Bronx Borough President, for bringing to the agency's attention the issue of the effectiveness of pepper spray use on emotionally disturbed persons. Mr. Ferrer's office also submitted to the CCRB printouts of pepper spray-related Internet sites that they received from Doris Busch Boskey, the mother of Gidone Busch. The CCRB considered the information in those printouts in the preparation of this report.

<sup>2</sup> In this report, "pepper spray" and "OC spray" are used interchangeably.

<sup>3</sup> According to Officer John Lopes of the Police Academy, one reason the NYPD switched from mace to pepper spray was that the former was believed to be ineffective against animals, intoxicated individuals, and emotionally disturbed persons. Pepper spray, on the other hand, is believed by the NYPD to be effective against these same groups.

for incapacitating dangerous or violently resisting suspects. Intended results of the use of pepper spray are inflammation and swelling of the mucous membranes of the eye, nose, and throat and involuntary closure of the eyes. Known side effects include coughing, gagging, and hyperventilation. The National Institute of Justice ranks the use of pepper spray “just above hands-on pain compliance and immediately below the use of impact weapons” on the use-of-force continuum.<sup>4</sup>

The active ingredient in pepper spray is capsaicin, a substance derived from the cayenne pepper plant. When the stream spray was first introduced, the NYPD purchased a brand of canisters made by Defense Technology of America (DTA), which contained 0.63 ounces of a solution made of 10% oleoresin capsicum. In January 1997, the NYPD switched to a brand made by Mace Security International (MSI) of Bennington, Vermont. This brand also features a 10% solution of oleoresin capsicum, carried in a solution principally composed of water, antifreeze, and denatured alcohol. The canisters of the new product are larger than the DTA canisters, holding roughly three times the amount of solution (1.76 ounces), and have an effective range of 3 to 15 feet.

#### *Patrol Guide 212-95*

The NYPD’s Patrol Guide Procedure Number 212-95 governs the circumstances in which pepper spray can be used and the proper procedure for using the spray.<sup>5</sup> The purpose of Patrol Guide 212-95 is “to inform uniformed members of the service of circumstances under which pepper spray may be intentionally discharged and to record instances where pepper spray has been discharged, intentionally or accidentally.”<sup>6</sup>

Patrol Guide 212-95 lists five situations in which an officer may use pepper spray. Pepper spray may be used when a police officer “reasonably believes” that it is necessary to: 1) protect himself, or another from unlawful use of force (e.g., assault); 2) effect an arrest, or

---

<sup>4</sup> Jami Onnen. “Oleoresin Capsicum.” *Science and Technology*. International Association of Chiefs of Police. June 1993, p. 3. In New York State, pepper spray has been legally available to the civilian population since November 1, 1996.

<sup>5</sup> See Appendix for copy of Patrol Guide 212-95.

<sup>6</sup> Patrol Guide, p. 976.

establish physical control of a subject resisting arrest; 3) establish physical control of a subject attempting to flee from arrest or custody; 4) establish physical control of an emotionally disturbed person (EDP); and 5) control a dangerous animal by deterring an attack, to prevent injury to persons or animals present. The Patrol Guide states that officers should aim and discharge pepper spray into a subject's eyes, nose, and/or mouth in two short one-second bursts at a minimum of three feet for maximum effectiveness.<sup>7</sup>

The Patrol Guide prohibits the use of pepper spray against subjects who passively resist (e.g., going limp, offering no active physical resistance). It further cautions that if possible, pepper spray should not be used against persons who appear to be in frail health, young children, women believed to be pregnant, or persons with known respiratory conditions.

In situations where pepper spray is used, the Patrol Guide stipulates several guidelines to ensure the safety of the subject. Officers are required to request the response of the Emergency Medical Services (EMS) once the situation is under control. If tactically feasible, according to the Patrol Guide, the subject should be removed from the contaminated area and exposed to fresh air while awaiting the arrival of EMS or transportation to a hospital or station house. The Patrol Guide warns that the subject should be positioned on his/her side or in a sitting position to promote free breathing and that he/she should “*never* be maintained or transported in a face down position.”<sup>8</sup> Additionally, officers should not sit, stand, or kneel on a subject's chest or back. If water is readily available, officers should flush the contaminated skin area of a subject with profuse amounts of water. Lastly, officers are reminded that subjects should be transported to the emergency room of the nearest hospital if he or she is “demonstrating difficulty breathing, or exhibiting signs of severe stress, hyperventilation, etc.”<sup>9</sup>

Upon the subject's arrival at the station house, desk officers are responsible for ensuring that prisoners who have been pepper-sprayed are properly monitored. A Command Log entry is to be made stating whether the prisoner has had his/her skin flushed with water, been examined by EMS, or been transported to the hospital. Officers are then required to prepare an Online

---

<sup>7</sup> The Police Department's protocol for interacting with emotionally disturbed persons is defined in Patrol Guide 216-05. However, PG 216-05, as currently published, does not contain any reference to the use of pepper spray on emotionally disturbed persons.

<sup>8</sup> *Id.*, p. 977. Emphasis in Patrol Guide.

<sup>9</sup> *Id.*, p. 978.

Booking System Arrest Worksheet (PD 244-159) and Medical Treatment of Prisoner (PD 244-150) in arrest situations. In non-arrest situations, an Aided Report Worksheet (PD 304-152b) must be prepared and the box “OC Spray Used” checked. If applicable, the time, doctor’s name, and diagnosis is also noted in the worksheet.

*NYPD Training on the Use of Pepper Spray*

As stated in the 1997 “Report of the Pepper Spray Committee,” the NYPD implements a three-pronged training program to instruct officers on proper usage of pepper spray. During recruit training at the Police Academy, OC procedure is taught as part of firearms training, and all recruits are required to attend a thirty minute class. Officers in uniformed patrol participate in a training session one day every twenty-four months that includes thirty minutes on the proper use and follow-up procedures for OC. Finally, every six months, during firearms training, thirty minutes are devoted to OC.

During these training sessions, officers are not only instructed on the circumstances under which use of OC is justified, as per the Patrol Guide, but also on proper procedural usage for the spray. Officers are told to use verbal techniques to de-escalate the confrontation, if possible, before resorting to pepper spray. They are taught not to fire the spray from within three feet of subjects, not to use the spray on a windy day, and not to use OC in group settings or for crowd control; they are trained to fire a maximum of two one-second bursts of the spray. Although the Patrol Guide recommends the use of pepper spray against emotionally disturbed persons, officers are warned during training that the spray might not work on such persons or on people under the influence of drugs or alcohol, and to be prepared to change tactics should the spray not work. They are cautioned that ineffectiveness is not a reason to escalate force used; rather the independent circumstances continue to dictate appropriate force, regardless of the effectiveness of pepper spray. Officers are trained to look out for an allergic reaction (which takes place about one time in one hundred) to transport subjects who have been sprayed either on their sides or sitting up, and to flush the subject’s eyes with cool water as soon as possible. Officers learn that the effects of pepper spray should dissipate in about forty-five minutes.<sup>10</sup>

---

<sup>10</sup> On Friday, January 28, 2000, Commissioners Sheri Holland and Jules Martin, along with Executive Director Gene Lopez and CCRB staff, attended a presentation and demonstration on the use of pepper spray at the Police Academy by Officer John Lopes. After the lecture, CCRB Board members and staff were given the opportunity to fire inert canisters of pepper spray in a firing range.

## **Effectiveness and Health Hazards of Pepper Spray**

Recent studies have offered two different views of the advantages and disadvantages of using pepper spray as a law enforcement tool. While some reports supply documented evidence of the effectiveness of pepper spray in subduing subjects and aiding arrest, other reports have warned about the potential health hazards of pepper spray. Although the methodologies varied amongst the reports discussed below, a review of the most important literature on pepper spray is nonetheless helpful in the CCRB's assessment of pepper spray use in the NYPD.

*Pepper Spray Evaluation Project* (1995), a 60-page study on pepper spray use by officers in the Baltimore County Police Department, was based on research conducted by the International Association of Chiefs of Police (IACP) for the National Institute of Justice and the US Department of Justice. This project examined 194 incidents in which police officers used pepper spray in confrontations with humans or animals.<sup>11</sup> The report shows that of the 174 human subjects sprayed by officers between July 1993 and March 1994, 156, or 90%, were incapacitated enough to be effectively arrested. Eighteen, or 10%, of the subjects were classified by officers as not fully incapacitated and of these the pepper spray had no effect on seven suspects.

In January 2000, the NYPD conducted a survey to determine the effectiveness of pepper spray use by its officers in arrest situations and aided report cases<sup>12</sup> between April 1 and December 31, 1999. Although the manufacturer of the spray used by the NYPD claims an effectiveness rate of 98%,<sup>13</sup> the Department's survey found that of the 89 responses from officers

---

<sup>11</sup> The Baltimore County Police Department, at the time the study was conducted, used a product containing 5% concentration of oleoresin capsicum delivered through a fogger system. The NYPD uses a stream spray product containing 10% concentration of oleoresin capsicum.

<sup>12</sup> According to the Patrol Guide Procedure Number 216-01, an aided case is "any occurrence coming to the attention of a uniformed member of the service which requires that a person, OTHER THAN A PRISONER, receive medical aid or assistance because such a person is: a. sick or injured (except vehicle accident), b. dead (except vehicle accident), c. lost person, d. mentally ill, e. an abandoned, destitute, abused or neglected child, f. runaway child, g. adult requiring care due to arrest, hospitalization, death of parent/guardian/person responsible for case."

<sup>13</sup> Information provided by Officer John Lopes, Police Academy, January 28, 2000.

who discharged pepper spray in arrest situations, 76, or 85%, indicated that the spray was effective.<sup>14</sup> Of the 37 responses from officers who used pepper spray in aided cases, 30, or 81%, indicated that the spray was effective. During the time period covered, there were 575 arrest incidents and 503 aided incidents involving the discharge of pepper spray. The overall results of the survey indicated that in 106 of the 126 arrest and aided incidents for which the Department has data, or 84% of the time, pepper spray use was effective. Thus, despite the discrepancies in effectiveness rates, the NYPD's data and the IACP's study of the Baltimore County Police Department suggest that pepper spray is effective as a law enforcement tool in the great majority of cases.

While the IACP's report argued that "implementation of a well developed OC spray program can have a variety of operational benefits for law enforcement agencies,"<sup>15</sup> some scientific studies have called into question the safety of pepper spray. A 1994 study examined in detail twenty-two reported deaths in custody which occurred after police sprayed someone with pepper spray.<sup>16</sup> The authors of this study concluded that "in none of the twenty-two cases was OC considered to be cause of, or contributor to, the deaths." They found that "in eighteen of the twenty-two cases, positional asphyxia was the cause of death, with drugs and/or disease also being contributing factors," and that of the others, "three involved a drug (cocaine)-related death, and one involved a drug (cocaine)/disease-related death."<sup>17</sup> Though the study was small and can by no means be considered exhaustive, it appears that in the reported deaths, conditions other than OC exposure resulted in fatalities. However, at least one group, the ACLU of Northern

---

<sup>14</sup> The results of the Department survey was provided by Joseph A. Flynn, Director of the NYPD's Disciplinary Assessment Unit, on June 30, 2000. The survey was conducted by the Department's Firearms and Tactics Section. The surveys were sent on a random basis to members of the Department documenting the use of the spray on either arrest or aided reports. Mr. Flynn reported that the survey did not collect information such as the number of emotionally disturbed persons in the pepper spray incidents.

<sup>15</sup> *Pepper Spray Evaluation Project*, p. 59.

<sup>16</sup> John Granfield, Jami Onnen, Charles S. Petty. "Pepper Spray and In-Custody Deaths." *Science and Technology*. International Association of Chiefs of Police. March 1994.

<sup>17</sup> *Id.*, p. 2. The authors caution that a number of similarities exist in the positional asphyxia deaths, notably intoxicated subjects who are severely overweight (usually with "big bellies") who are placed face down and often bound by one of a number of questionable methods, including hog-tying (the binding of handcuffed hands to secured feet), which is prohibited by Patrol Guide Procedure No. 104-01, pp. 11-12.



California, has cautioned that these conditions “may become particularly acute when a suspect has been doused with a weapon designed to attack the respiratory system.”<sup>18</sup>

A 1995 report by the US Army summarizing the scientific literature provides valuable information regarding the toxicity of capsaicin, the active ingredient in OC spray.<sup>19</sup> The report concludes that there are a variety of dangers in capsaicin, including cardiovascular and pulmonary toxicity, and that there “is a risk in using this product on a large and varied population.” However, the bulk of the scientific studies supporting toxicity were conducted by introducing large doses of capsaicin into the internal organs of laboratory animals. These large doses do not accurately simulate the 10% concentration found in the canisters used by the NYPD.

Scientific and objective data on the effects of pepper spray on emotionally disturbed persons are sparse. A few studies, however, have indicated caution in using this device against such persons. Edwards, Granfield, and Onnen (1997), in a review and summary of the IACP study on the Baltimore County Police Department, noted that the seven individuals on whom pepper spray had no effect “exhibited drugged behavior or seemed to have emotional problems.”<sup>20</sup> They added that the “data indicate that individuals who are heavily intoxicated, drugged, or mentally unstable may be resistant or immune to OC’s effects or that OC may actually exacerbate the difficulty associated with controlling such persons.”<sup>21</sup> In a footnote, the authors conceded that “more research is required to obtain definitive answers to the question of how intoxication, drug use, and/or mental illness affect a person’s reaction to OC spray.”<sup>22</sup>

Dr. Woodhall Stopford, a researcher from Duke University Medical Center, echoes the view that pepper spray might not work against emotionally disturbed persons. In a recent survey of the scientific literature on pepper spray and its active ingredient, capsaicin, Dr. Stopford and

---

<sup>18</sup> John M. Crew, Director of the Police Practices Project for the American Civil Liberties Union of Northern California, in a letter to the San Francisco Police Commission on May 2, 1996, p. 4.

<sup>19</sup> H. Salem, E. J. Olajos, L. M. Miller and S. A. Thomson. *Capsaicin Toxicology Overview*. US Army Englewood Research Development Engineering Center. 1995.

<sup>20</sup> Steven M. Edwards, John Granfield, Jamie Onnen. “Evaluation of Pepper Spray.” *Research in Brief*. National Institute of Justice. March 1997, p. 6.

<sup>21</sup> *Id.*, p. 6.

<sup>22</sup> Edwards, Granfield, and Onnen, p. 8.

his colleague Dr. Gregory Smith noted that it is important to “remember that subjects who are highly aggressive, agitated, intoxicated, or suffering from mental illness may have altered perception of and response to pain, and consequently may not be affected by—or may even become enraged after—being sprayed.”<sup>23</sup> Thus, some researchers question the effectiveness of using pepper spray against emotionally disturbed persons and suggest that it may, in fact, exacerbate the situation.

## Analysis of CCRB Pepper Spray Cases

### *Disposition of Pepper Spray Allegations*

From January 1996 through June 1999, the CCRB received 263 complaints in which at least one of the allegations was inappropriate use of pepper spray by a police officer. As of August 2000, 261 of these 263 cases have been closed and 2 were still pending investigation. Of the 261 closed cases, 120 were administratively closed or truncated for a variety of reasons,<sup>24</sup> and 141 were fully investigated.

**Table 1**  
**Disposition of Fully Investigated Pepper Spray Allegation Compared to Fully Investigated Allegations in All Closed CCRB Cases, January 1996 to June 1999 (as of August 2000)**

Disposition	Pepper Spray Allegations		Total Closed Cases	
	Number	Percent	Number	Percent
Substantiated	22	15.6%	1,147	13.2%
Unfounded	12	8.5%	1,343	15.4%
Employee Exonerated	66	46.8%	871	10.0%
Unsubstantiated	28	19.9%	4,239	48.7%
Employee Unidentified	8	5.7%	810	9.3%
Referred to IAB	0	0.0%	1	0.0% <sup>25</sup>
Miscellaneous	5	3.5%	287	3.3%
<b>Total Full Investigations</b>	<b>141</b>	<b>100.0%</b>	<b>8,698</b>	<b>100.0%</b>

<sup>23</sup> C. Gregory Smith and Woodhall Stopford. “Health Hazards of Pepper Spray.” *North Carolina Medical Journal*. Vol. 60, No. 5, Sept./Oct. 1999.

<sup>24</sup> For example, some complainants withdrew their complaints. Others were either uncooperative or unavailable.

<sup>25</sup> Percentages are rounded off to the nearest decimal place.

In 22, or 15.6%, of the 141 full investigations, the CCRB found sufficient evidence to believe that the alleged act of inappropriate pepper spray use occurred. (See Table 1.)<sup>26</sup> In 12 cases, or 8.5%, the pepper spray allegations were unfounded. In 66 cases, or 46.8%, the officers were exonerated for the alleged act of inappropriate pepper spray use. In 28 cases, or 19.9%, the CCRB found insufficient evidence to prove or disprove the pepper spray allegation, which lead to the finding of unsubstantiated. In 8 cases, or 5.7%, the CCRB was unable to identify the police officer engaged in the alleged act of pepper spray use. Finally, 5 cases, or 3.5%, were classified as miscellaneous.<sup>27</sup>

Some disparities emerge when the disposition of pepper spray allegations are compared to the total number of CCRB full investigations closed during the same time period. For example, the substantiation rate—the percentage of full investigations in which the CCRB found sufficient evidence to believe that the alleged act(s) of police misconduct occurred—was slightly higher when looking at total pepper spray allegations than when looking at the total population of cases: 15.6% versus 13.2%. The number of cases in which the CCRB exonerated police officers is significantly higher for total pepper spray allegations than for the total population of CCRB cases: 46.8% versus 10.0%. Until further research is conducted, the CCRB is unable to explain these and other disparities in the dispositions of pepper spray allegations and total CCRB cases.

The Police Department has taken various actions on the officers in the 22 cases in which the pepper spray allegation was substantiated by the CCRB. Twenty-three officers were involved in these 22 cases, and to date, cases for 6 of these officers are still open at the NYPD. Of the 7 officers who received discipline, one received instructions on proper police procedures from his/her commanding officer, two received command discipline (which ranges from oral warning to forfeiture of up to 10 vacation days), one was suspended for 15 days, one was

---

<sup>26</sup> The “Total Closed Cases” column in Table 1 details the *case* disposition (as of August 1999) while the “Pepper Spray Allegation” column shows the disposition of the pepper spray *allegation* (as of August 2000) in the 141 full investigations. CCRB cases usually contain more than one allegation. The disposition of a CCRB case is determined by the highest disposition code of any one allegation in that case.

<sup>27</sup> “Miscellaneous” usually refers to cases in which the subject officer is deceased or no longer works for the NYPD.

suspended for 10 days, one lost 20 vacation days and was placed on one year's probation, and, finally, one lost twenty-five vacation days and was placed on one year's probation. The remaining 10 officers did not receive disciplinary action for the following reasons: 4 cases were deemed by the Department to lack prima facie evidence; 2 officers were found not guilty after their cases went to trial in the City's Office of Administrative Trials and Hearings; the charges against 3 officers were dismissed by the Deputy Commissioner of Trials; and the Department was unable to prosecute one case for reasons unknown to the CCRB.

### *Characteristics of Complainants*

The racial distribution of the pepper spray complaints shows that a disproportionate number of complainants were African-American.<sup>28</sup> Of the 195 cases in which the race of the complainant was available, 70.3%, or 137, were African-American; 15.4%, or 30, were Latino; 11.8%, or 23, were white; and 2.6%, or 5, were classified as Other.<sup>29</sup>

When that racial distribution is compared to the racial distribution of complainants in all CCRB cases received and the population of New York City, African-American complainants in pepper spray cases are overrepresented and white complainants are underrepresented. While African-Americans accounted for 70.3% of the pepper spray complaints, they comprised 51.9% of all CCRB cases received during the same time period and only 25.2% of New York City's population.<sup>30</sup> White complainants, on the other hand, constituted 11.8% of pepper spray complaints but 21.5% of all CCRB cases received and 43.2% of New York City's population.

---

<sup>28</sup> The Committee looked into whether the abnormal number of complainants who were African-Americans was actually due to a unique incident that took place at the Universal Calvary Church in Queens in 1995. Over 200 complaints arising out of that incident were filed with the CCRB in 1996, but were eventually consolidated into ten complaints. (See CCRB's *Semiannual Report January-December 1996*, pp. 28-30.) A comparison of the cases reviewed for this report and the Calvary Church cases showed that only four of the latter cases were included in this study. Of those four cases, only two had data about the race of the complainant, who was African-American in each case. With only two of 137 African-American complainants coming from the Calvary Church cases, it is clear that the particular incident did not substantially affect the results of this study.

<sup>29</sup> Percentages are calculated by dividing the number of complainants in each racial category by the total number of complainants whose race was available. In the 263 pepper spray cases, the race of 68 complainants was not available. The unavailability of racial information is due to a number of factors. Some complainants declined to offer such information while others were involved in truncated investigations in which the complainant did not offer the information.

<sup>30</sup> Data is based on the CCRB's *Semiannual Report January-June 1999* and *January-December 1999*. Population figures are based on 1990 Census as reported in *Demographic Profiles*.

At this time, the CCRB is unable to explain why a disproportionate number of pepper spray complainants were African-American. However, the CCRB hopes to begin a dialogue with the Police Department, the civil rights community, and other interested parties on this issue.

The gender distribution of the complainants in the pepper spray cases seems more even than that in the total population of CCRB cases. Of the 244 pepper spray cases in which gender information was available, males accounted for 52.0%, or 127, of all complainants, and females accounted for 48.0%, or 117.<sup>31</sup> For the total population of CCRB cases, however, the percentage of male complainants is 58.8% while for female complainants the percentage is 41.2%. Finally, according to the 1990 Census, 47.3% of the New York City population is male and 52.7% female.

#### *Characteristics of Subject Officers*

The racial distribution of subject officers in pepper spray cases does not differ markedly from that in the total population of CCRB cases received during the same time period. Of the 285 identified subject officers, 68.4%, or 195, were white; 15.4%, or 44, were African-American; 13.3%, or 38, were Latino; and 2.8%, or 8, were classified as Others. During the same time period, the racial distribution of subject officers in the total population of CCRB cases received was 65.8% white, 14.2% African-American, 18.4% Latino, and 1.5% Others.<sup>32</sup> Furthermore, when compared with the racial distribution of all officers in the NYPD, the racial characteristics of subject officers in pepper spray cases do not differ significantly. Over the five-year period from 1995 to 1999, white officers constituted approximately 67.8% of the NYPD, African-American officers 13.6%, Latino officers 17.1%, and Other officers 1.5%.

A comparison of the gender distribution of subject officers in pepper spray cases and total CCRB cases also does not reveal significant differences. Of the 285 identified subject officers, 92.3%, or 263, were male and 7.7%, or 22, were female. During the same time period, the gender distribution of subject officers in the total population of CCRB cases was 90.9% male and 9.1% female. When compared to the NYPD, male officers in pepper spray cases were slightly overrepresented while female officers were slightly underrepresented. Over the five-year period

---

<sup>31</sup> The gender information was unavailable in 19 cases.

<sup>32</sup> Data is based on the CCRB's *Semiannual Report January-June 1999* and *January-December 1999*.

from 1995 to 1999, male officers constituted approximately 85% of the NYPD and female officers 15%.<sup>33</sup>

### *Analysis of Substantiated and Exonerated Cases*

A comparison of the factors in substantiated and exonerated cases is useful for understanding the reality of pepper spray use by officers. In these two types of cases, the CCRB determined that the alleged act did occur and that the act was either misconduct (in substantiated cases) or proper police action (in exonerated cases). Fifty cases, 22 substantiated and 28 exonerated, were examined in detail for similarities and differences such as location where pepper spray was used, rationale offered by the officer, characteristics of the sprayed civilian, and medical attention provided.<sup>34</sup>

In the majority of both substantiated and exonerated cases, officers fired pepper spray in an open area such as a street rather than an enclosed area such as an apartment or a car. In the 22 substantiated cases, pepper spray was fired in an open area in 16 cases and in an enclosed area in 6 cases. In the 28 exonerated cases, pepper spray was used in an open area in 15 cases and in an enclosed area in 13 cases.

The rationales offered by officers for discharging pepper spray differed between substantiated and exonerated cases. In exonerated cases, a majority of officers stated that resisting arrest or threat of attack as the justification for using pepper spray. In 16 of the 28 exonerated cases, officers cited resisting arrest as the rationale for employing pepper spray. In 10 of these cases, officers cited the civilian's threatening behavior or physical aggression as the rationale for using pepper spray. In one case, the officer cited obstruction of justice. (Information for one exonerated case was unavailable.)

In substantiated cases, however, officers offered a greater variety of reasons for using pepper spray. Of the 22 substantiated cases, officers in three cases cited a civilian's refusal to heed the officer's command as grounds for pepper-spraying them. In three cases, officers used pepper spray on a large crowd or a group of people. In another three cases, officers claimed that the civilians were engaged in disorderly conduct. In seven cases, officers offered the civilian's

---

<sup>33</sup> CCRB *Semiannual Status Report*, January-December 1999.

<sup>34</sup> At the time the analysis for this section was completed in January 2000, there were only 28 exonerated cases.

threatening behavior or physical aggression as the rationale for using pepper spray. In another case, the officer pepper-sprayed a civilian for cursing. In four other cases, officers cited resisting arrest as the rationale for using pepper spray. In the final case, the officer had no apparent reason for using pepper spray since the civilian was already subdued.

The Patrol Guide advises officers to avoid using pepper spray against persons who appear to be in frail health, young children, women believed to be pregnant, or persons with known respiratory conditions. In the substantiated and exonerated cases, the overwhelming majority of alleged victims were not elderly, young children, pregnant women, or persons who appear to be in frail health. However, in the substantiated cases, one nine-year old was sprayed, and in the exonerated cases, four cases involved intoxicated individuals while one case involved a civilian with a history of mental illness.

Furthermore, in the great majority of cases, no serious injuries occurred as a result of pepper spray use. In the 22 substantiated cases, medical attention (either the civilian was taken to hospital or EMS was called) was provided in nine cases. In these nine cases, civilians sustained minor injuries, but many of them were not caused by pepper spray. Only one civilian reported “chemical burn to eye.” In the 28 exonerated cases, medical attention was provided in 12 cases. Like the substantiated cases, no serious injuries were sustained by civilians in the course of their encounters with officers.

## Conclusions and Recommendations

The CCRB, after consideration of relevant research reports and review of the agency's pepper spray cases, has concluded that the NYPD should continue to use pepper spray as a less-than-lethal physical force alternative, and makes the following recommendations:

- **Follow-up:** When the NYPD switched to pepper spray from other chemical sprays in October 1994, the “mace report,” previously prepared by an officer when a chemical spray was used, was eliminated. Instead, officers have been required only to check off a box on the on-line booking system arrest worksheet, fill out a medical treatment of prisoner form (if the subject is arrested) or an aided report form (if the subject is not arrested).<sup>35</sup> However, the IACP study of the Baltimore County Police Department shows that minimal paperwork prepared after each use of the pepper spray can help protect officers as well as civilians by contributing to determinations of how often and under what circumstances the spray may not function, and documenting the possibility of inappropriate use. Therefore, the CCRB recommends that a simple form modeled on the Baltimore County Oleoresin Capsicum Data Collection Sheet (see Appendix) be prepared whenever pepper spray is used. The forms ought to be collected and filed in a central repository for information, so that researchers can access them in order to review effectiveness and safety concerns. At a minimum, the CCRB recommends that the NYPD modify its on-line booking system arrest worksheet and aided report form to include checkboxes on the effectiveness of the pepper spray use and the status of the civilian prior to being sprayed. For example, on the effectiveness of the pepper spray, checkboxes for “effective,” “moderately effective,” and “ineffective” could be included in the forms.
- **Emotionally Disturbed Persons:** There is insufficient objective, scientific evidence to conclude that pepper spray can or cannot be used effectively against emotionally disturbed persons. Therefore, until further scientific research has been conducted, the CCRB recommends that the NYPD restrict the use of pepper spray against emotionally disturbed persons where possible. The NYPD should highlight to its officers during training that



pepper spray might not work against emotionally disturbed persons and might in some cases exacerbate the difficulties in controlling such persons. Furthermore, the Patrol Guide and officer training should be modified to underscore the possibility of the ineffectiveness of using pepper spray against emotionally disturbed persons.

- **Training:** CCRB Commissioners and staff had the opportunity to fire canisters of inert pepper spray at the Police Academy and experienced first-hand the difficulty of aiming the spray accurately. Since officers are instructed to use their less-dominant hand for firing the canisters, it is crucial that officers are trained on a regular basis to practice their aiming. The CCRB recommends that the NYPD stress the proper procedures for pepper spray use during training sessions and allow ample time for officers to practice the use of pepper spray.

The review of CCRB pepper spray cases and the growing body of information on pepper spray appear to show that, if used within careful guidelines and if subjects are carefully monitored and given prompt medical treatment, the spray can be a useful alternative to traditional non-lethal force. Adoption of the above recommendations regarding the use of pepper spray will assure the public of its safe and effective use by the NYPD.

---

<sup>35</sup> See Appendix for copies of these forms.

# **Appendix**

## USE OF PEPPER SPRAY DEVICES

### PURPOSE

To inform uniformed members of the service of circumstances under which pepper spray may be intentionally discharged and to record instances where pepper spray has been discharged, intentionally or accidentally.

### SCOPE

Use of Oleoresin Capsicum (O.C.) pepper spray constitutes physical force under the New York State Penal Law. Use of pepper spray is proper when used in accordance with Article 35 of the Penal Law and Department procedures. O.C. pepper spray may be used when a member reasonably believes it is necessary to effect an arrest of a resisting suspect, for self-defense or defense of another from unlawful force, or to take a resisting emotionally disturbed person into custody. In many cases, pepper spray will reduce or eliminate the need for substantial physical force to effect an arrest or gain custody. It will often reduce the potential for injuries to members and suspects that may result from physical restraint and it should be regarded as a possible alternative to such force and restraint, where practical. Pepper spray shall not be used in situations that do not require the use of physical force. O.C. pepper spray may be used in arrest or custodial restraint situations where physical presence and/or verbal commands have not been, or would not be, effective in overcoming physical resistance.

### PROCEDURE

When necessary to use pepper spray device:

#### UNIFORMED MEMBER OF THE SERVICE

1. Hold pepper spray in an upright position, aim and discharge pepper spray into a subject's eyes for maximum effectiveness, using two (2) one second bursts, at a minimum distance of three (3) feet, and only in situations when the uniformed member of the service reasonably believes that it is necessary to:
  - a. Protect self, or another from unlawful use of force (e.g., assault)
  - b. Effect an arrest, or establish physical control of a subject resisting arrest
  - c. Establish physical control of a subject attempting to flee from arrest or custody
  - d. Establish physical control of an emotionally disturbed person (EDP)
  - e. Control a dangerous animal, by deterring an attack, to prevent injury to persons or animals present.
2. Effect arrest of criminal suspect against who pepper spray was used and charge with crime which initiated use of the pepper spray.
  - a. Add resisting arrest charge, when appropriate
  - b. P.G. 210-13, "Release Of Prisoners - General Procedure" will be complied with if it is determined that arrested person did not commit the crime or that no crime was committed.
  - c. P.G. 216-05, "Mentally Ill Or Emotionally Disturbed Persons," will be complied with, when appropriate.

**NOTE** Do not use pepper spray on subjects who passively resist (e.g., going limp, offering no active physical resistance). If possible, avoid using pepper spray on persons who appear to be in frail health, young children, women believed to be pregnant, or persons with known respiratory conditions. Avoid discharging pepper spray indiscriminately over a large area for disorder control. (Members who are specifically trained in the use of pepper spray for disorder control may use pepper spray in accordance with their training, and within Department guidelines, and as authorized by supervisors.) In addition, avoid using O.C. spray in small contained areas such as automobiles and closets.

3. Request response of Emergency Medical Service (EMS) once the situation is under control.
  - a. Advise person sprayed that EMS is responding.
4. Remove the subject from the contaminated area and expose to fresh air while awaiting the arrival of EMS, or transportation to hospital/ stationhouse *if tactically feasible*.
  - a. Determine whether the person sprayed is wearing contact lenses. (It is strongly recommended that contact lenses be removed as soon as possible after exposure to O.C. spray.)
5. Position subject on his/her side or in a sitting position to promote free breathing.
  - a. The subject should never be maintained or transported in a face down position.
  - b. Do not sit, stand, or kneel on subject's chest or back.
6. Provide assistance to subject as follows:
  - a. When consistent with member's safety, and provided a source of water is readily available, the uniformed member should flush the contaminated skin area of a subject with profuse amounts of water.
  - b. Repeat flushing at short intervals, if necessary, until symptoms of distress subside.
  - c. Continue flushing the contaminated skin of the subject in custody, at the stationhouse as needed.
  - d. Commence the flushing of a subject's contaminated skin upon arrival at the stationhouse, if this has not already been done.

**NOTE** Do not rub or touch skin of contaminated person, as the initial effect of pepper spray does not dissipate for 15 - 20 minutes. Also, do not use salves, creams, ointments, commercial eye washes or bandages. The desk officer will ensure that all prisoners who have been sprayed with pepper spray receive appropriate first aid, if needed, upon arrival at the stationhouse. Desk officers are also responsible for ensuring that prisoners who have been sprayed with pepper spray are properly observed throughout the arrest process, and that they receive prompt medical attention if they need or request it. A Command Log entry will be made stating whether the prisoner has had his/her skin flushed with water, been examined by EMS, or been transported to the hospital.

**UNIFORMED MEMBER OF THE SERVICE (continued)**

7. Transport prisoner immediately to the emergency room of the nearest hospital if he/she is demonstrating difficulty breathing, or exhibiting signs of severe stress, hyperventilation etc.
  - a. Windows of transport vehicle should be kept open
  - b. Members who come in contact with persons who have been exposed to pepper spray must thoroughly wash their hands afterward and avoid having any contaminated clothing make contact with their face
  - c. Advise hospital staff that pepper spray has been used on prisoner.
8. Prepare **ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD 244-159)** and **MEDICAL TREATMENT OF PRISONER (PD 244-150)** in arrest situations.
9. Complete the **AIDED REPORT WORKSHEET (PD 304-152b)** in non- arrest situations, e.g. EDP, and:
  - a. Check box "O.C. Spray Used"
  - b. Enter rank, name, and tax registry number, of each MOS who discharged spray in the "Details" caption
  - c. List the time, doctor's name, and diagnosis under "Details" caption, when applicable.

**COMMANDING OFFICER, M.I.S.D.**

10. Provide a quarterly printout of all arrest and aided incidents where pepper spray was discharged to the commanding officer, Firearms and Tactics Section.

**COMMANDING OFFICER, FIREARMS AND TACTICS SECTION**

11. Analyze situations where O.C. spray was employed to evaluate its effectiveness.
  - a. As appropriate, modify existing training/tactics relative to the use of pepper spray.

**ADDITIONAL DATA**

*The only pepper spray authorized for use is the type issued to all uniformed members through the Firearms and Tactics Section.*

*In order to maintain the effectiveness of the spray, it is recommended that the device be shaken at the start of each tour. Carrying the pepper spray device during normal patrol duty should be sufficient to keep the solution thoroughly mixed.*

*Pepper spray will not automatically stop all subjects, and even when it does incapacitate, the effects are temporary. Members should therefore be ready to use other appropriate force options and tactics.*

*When performing duty in uniform, the pepper spray shall be carried in its holster attached to the non-shooting side of the gun belt. When performing enforcement duty in civilian clothes the pepper spray must be carried, in the holster attached either to a belt or in another appropriate manner. Undercover members may opt not to carry the pepper spray. Members of the service may carry the pepper spray device during off duty hours.*

Procedure No: 212-95

---

**RELATED PROCEDURES**

*Lost or Damaged Uniform (P.G. 204-07)*  
*Prisoner Requiring Medical/Psychiatric Treatment (P.G. 210-04)*  
*Release of Prisoners - General Procedure (P.G. 210-13)*  
*Hazardous Material (P.G. 212-37)*  
*Hostage/Barricaded Persons (P.G. 212-38)*  
*Aided Cases - General Procedure (P.G. 216-01)*  
*Preparation of Aided Report Worksheet (P.G. 216-02)*  
*Mentally Ill or Emotionally Disturbed Persons (P.G. 216-05)*  
*Loss or Theft of Department Property (P.G. 219-20)*

**FORMS AND REPORTS**

*AIDED REPORT WORKSHEET (PD304-152b)*  
*ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)*



# IACP/Baltimore County Oleoresin Capsicum Data Collection Sheet



CC# \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
 Name \_\_\_\_\_ Precinct/Function \_\_\_\_\_

**NATURE OF INITIAL CONTACT**

BCPD Situation Found Code \_\_\_\_\_

**USE**

Indoors     Outdoors     In Vehicle

**WEATHER CONDITIONS IF OUTDOORS**

Sunny     Cloudy     Windy     Rainy     Snowy     Other \_\_\_\_\_

**SUSPECT INFORMATION**

Name \_\_\_\_\_ DOB \_\_\_\_\_  
 Race \_\_\_\_\_ Sex \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_  
 Body Frame:     Small     Medium     Large

**SUSPECT BEHAVIORAL CONDITION AT ENCOUNTER**

Calm/Passive     Intoxicated     Drugged     Mentally Ill     Belligerent  
 Other (describe) \_\_\_\_\_

**FORCE OR THREAT OF FORCE AGAINST OFFICER**

Firearm     Knife     Physical Force     Other (specify) \_\_\_\_\_

**OC INFORMATION**

Application point on body \_\_\_\_\_  
 Distance sprayed \_\_\_\_\_ Number of sprays \_\_\_\_\_  
 Describe actions of suspect after application. \_\_\_\_\_

Was suspect incapacitated enough to ease arrest? (explain) \_\_\_\_\_

**INJURY**

Officer:     Yes     No                      Suspect:     Yes     No

If yes, describe injury. \_\_\_\_\_

First Aid Administered:     Yes     No

If yes, describe. \_\_\_\_\_

**DECONTAMINATION NEEDED**

Yes     No

If yes, describe. \_\_\_\_\_

**ANIMAL USE**

Animal Type \_\_\_\_\_ Distance Sprayed \_\_\_\_\_

Animal Behavior:     Attacking     Threatening

Animal Size:     Less than 25 lbs.     25-50 lbs.     50 lbs. plus

**ADDITIONAL COMMENTS** \_\_\_\_\_

*(Continue additional comments on reverse side if necessary.)*

Shift Comm. Review: Sign, Date \_\_\_\_\_

Pc Comm. Review: Sign, Date \_\_\_\_\_

REFER TO REVERSE SIDE TO COMPLETE SHADED AREAS



**ON LINE BOOKING SYSTEM ARREST WORKSHEET**

PD 244-159 (Rev 11-95) -Pent

Arrest ID
Felony Case Development Classification: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D

GANG UNIT NTFD.	NITRO NTFD. <input type="checkbox"/> YES <input type="checkbox"/> NO	C.C.I.U. NTFD. <input type="checkbox"/> YES <input type="checkbox"/> NO	C.C.I.U./NITRO LOG NO.
-----------------	---	--	------------------------

**ARRESTING OFFICER INFORMATION**

1. Tax Reg. No.	Name (Last, First, M.I.)	Rank	Command
2. Shield No.	Social Security No. (If Not NYPD)	On Duty? <input type="checkbox"/> Yes <input type="checkbox"/> No	In Uniform? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Used Force? <input type="checkbox"/> Yes <input type="checkbox"/> No	Type: A <input type="checkbox"/> Handgun B <input type="checkbox"/> Physical Force C <input type="checkbox"/> Chemical Agent D <input type="checkbox"/> Nightstick, Blunt Instrument E <input type="checkbox"/> Firearm Z <input type="checkbox"/> Other	Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Reason Force Used:	A <input type="checkbox"/> Overcome Assault B <input type="checkbox"/> Restrain C <input type="checkbox"/> Prevent Escape Z <input type="checkbox"/> Other		
5. Officer Assigned <input type="checkbox"/> Yes <input type="checkbox"/> No	Arresting Officer's Dept.	Precinct of Arrest	

**DEFENDANT INFORMATION**

6. Last Name	First Name	M.I.
7. Race W <input type="checkbox"/> White B <input type="checkbox"/> Black O <input type="checkbox"/> White-Hispanic P <input type="checkbox"/> Black-Hispanic A <input type="checkbox"/> Asian/Pacific Islander I <input type="checkbox"/> American Indian/Alaskan Native		
8. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Age	Date of Birth
No. Associates Also Arrested		

**CHARGES INFORMATION**

	ATTEMPT	LAW	SECTION	SUB.	CLS.	TYPE	COUNTS	DESCRIPTION
9. Top Chg.	<input type="checkbox"/> Yes <input type="checkbox"/> No							
2nd Chg.	<input type="checkbox"/> Yes <input type="checkbox"/> No							
3rd Chg.	<input type="checkbox"/> Yes <input type="checkbox"/> No							
4th Chg.	<input type="checkbox"/> Yes <input type="checkbox"/> No							
5th Chg.	<input type="checkbox"/> Yes <input type="checkbox"/> No							

10. Occurrence:	Time	Date	Specific Location
-----------------	------	------	-------------------

11. Narrative:
----------------

11a. Defendant's Firearm -- At either time of offense or time of arrest (Check Appropriate Box)  
 A  None/Unknown B  Possessed C  Displayed D  Discharged

**DEFENDANT INFORMATION**

12. Aka/Nickname	Gang Member? <input type="checkbox"/> Yes <input type="checkbox"/> No	Gang Name	Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No	State/Country of Birth	Social Security Number
13. Resident Precinct	or 1 <input type="checkbox"/> Other in N.Y.C. 2 <input type="checkbox"/> N.Y. State 3 <input type="checkbox"/> Other State 4 <input type="checkbox"/> No Home				
14. Address (Include City, State, Zip)	Apt. No.	Home Telephone No.			
15. Skin Tone L <input type="checkbox"/> Light M <input type="checkbox"/> Med D <input type="checkbox"/> Dark	Height	Weight	Eye Color	Hair Color	
16. Social Status	Def. Related to Victim As			Living Together 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No	
17. Physical Condition	Type Drug Used				
18. Occupation	License/Permit Type (Exc. Driver's License)			License/Permit No.	
19. Telephone Calls	Name		Name		

**ARREST INFORMATION**

20. Time	Date	Weapon Poss./Used (Type)
21. Arrest Location	DAT? <input type="checkbox"/> Yes <input type="checkbox"/> No	Return Date
A/O Excused? <input type="checkbox"/> Yes <input type="checkbox"/> No		
22. Assoc. Arrests Numbers	1.	2.
		3.

**PROPERTY VOUCHER INFORMATION**

23. 1. Number	Command	Value	Type 22 <input type="checkbox"/> Drugs 54 <input type="checkbox"/> Veh. 56 <input type="checkbox"/> Curr. 59 <input type="checkbox"/> Firearm 57 <input type="checkbox"/> Jwlry. 36 <input type="checkbox"/> Boat 97 <input type="checkbox"/> Other
2. Number	Command	Value	Type 22 <input type="checkbox"/> Drugs 54 <input type="checkbox"/> Veh. 56 <input type="checkbox"/> Curr. 59 <input type="checkbox"/> Firearm 57 <input type="checkbox"/> Jwlry. 36 <input type="checkbox"/> Boat 97 <input type="checkbox"/> Other
3. Number	Command	Value	Type 22 <input type="checkbox"/> Drugs 54 <input type="checkbox"/> Veh. 56 <input type="checkbox"/> Curr. 59 <input type="checkbox"/> Firearm 57 <input type="checkbox"/> Jwlry. 36 <input type="checkbox"/> Boat 97 <input type="checkbox"/> Other



**COMPLAINANT DATA**

24.	Is Comp A Corp? <input type="checkbox"/> Yes <input type="checkbox"/> No	or PSNY? <input type="checkbox"/> Yes <input type="checkbox"/> No	or Disabled? <input type="checkbox"/> Yes <input type="checkbox"/> No	Total Victims
25.	Name	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> N/A	Race	Age
26.	Address			Home Telephone Number ( )
27.	Aided No.	Command	Accident No.	Command
28.	Complaint No.	Precinct	Sec.	Jurisdiction of Complaint

**NATURE OF CRIME/METHOD (FOR TOP CHARGE) - SEE REVERSE FOR OTHER SELECTION POSSIBILITIES**

29.	Robbery 5 <input type="checkbox"/> Purse Snatch 3 <input type="checkbox"/> Payroll 1 <input type="checkbox"/> Neck Chain V <input checked="" type="checkbox"/> Hijack D <input type="checkbox"/> Bicycle Z <input type="checkbox"/> Other
	Larceny B <input type="checkbox"/> of Vehicle 6 <input type="checkbox"/> Shoplifting 9 <input type="checkbox"/> Veh. Accessories <input type="checkbox"/> Other Selection (Specify):
	Drugs L <input type="checkbox"/> Crack G <input type="checkbox"/> Opium Deriv. I <input type="checkbox"/> Synthetic 2 <input type="checkbox"/> Other Cocaine 7 Other Drug
	Other Crimes (Specify As Indicated On Reverse Side):
30.	Premises Type 13 <input type="checkbox"/> Comm. 12 <input type="checkbox"/> Resid. 33 <input type="checkbox"/> Bank 09 <input type="checkbox"/> Street 32 <input type="checkbox"/> Truck 05 <input type="checkbox"/> Church 04 <input type="checkbox"/> Cemetery <input type="checkbox"/> (Specify): Other Selection

**ARRESTING OFFICER INFORMATION**

31.	Chart	Squad	Primary Assignment (Check Appropriate Box) 5 <input type="checkbox"/> Beat Officer 1 <input type="checkbox"/> Other Uniform 2 <input type="checkbox"/> Anti-Crime 3 <input type="checkbox"/> Investigatory 4 <input type="checkbox"/> Other
-----	-------	-------	--

**JUVENILE INFORMATION**

32.	Gang	School	Mother's Maiden Name
33.	Number Priors	Relative Notified:	Time Notified

**ADDITIONAL DEFENDANT INFORMATION FOR PHOTOGRAPHABLE ARRESTS**

34.	If Vehicle Was Used: 1	Make	Color	Year
-----	------------------------	------	-------	------

**PHYSICAL DESCRIPTION (Check Features that are Distinctive, Unique, Unusual or Prominent)**

35.	<input type="checkbox"/> Beard <input type="checkbox"/> Mustache <input type="checkbox"/> Sideburns <input type="checkbox"/> Wig/Hair Dyed	<input type="checkbox"/> Part Bald <input type="checkbox"/> Glasses <input type="checkbox"/> Unusual Eyes <input type="checkbox"/> Pocked Face	<input type="checkbox"/> Pimpled Face <input type="checkbox"/> Freckled Face <input type="checkbox"/> Unusual Ears/Hearing Aid <input type="checkbox"/> Unusual Nose	<input type="checkbox"/> Unusual Teeth <input type="checkbox"/> Limp or Foot/Leg Missing/Deformed <input type="checkbox"/> Arm/Hand Missing <input type="checkbox"/> Left Handed
36.	Facial Complexion			
37.	Hair ST <input type="checkbox"/> Straight CR <input type="checkbox"/> Crew PR <input type="checkbox"/> Processed CU <input type="checkbox"/> Curly KY <input type="checkbox"/> Kinky AF <input type="checkbox"/> Afro DL <input type="checkbox"/> Dread Locks NH <input type="checkbox"/> No Hair BR <input type="checkbox"/> Braids PP <input type="checkbox"/> Corn Row ZZ <input type="checkbox"/> Other			
38.	Hair Length S <input type="checkbox"/> Short N <input type="checkbox"/> Normal L <input type="checkbox"/> Long			
39.	First Body Mark 1 <input type="checkbox"/> Scars 2 <input type="checkbox"/> Birthmarks 4 <input type="checkbox"/> Word Tattoo 3 <input type="checkbox"/> Picture Tattoo 5 <input type="checkbox"/> Tattoo with Both 9 <input type="checkbox"/> Marks of Unk. Origin 8 <input type="checkbox"/> Other Second Body Mark 1 <input type="checkbox"/> Scars 2 <input type="checkbox"/> Birthmarks 4 <input type="checkbox"/> Word Tattoo 3 <input type="checkbox"/> Picture Tattoo 5 <input type="checkbox"/> Tattoo with Both 9 <input type="checkbox"/> Marks of Unk. Origin 8 <input type="checkbox"/> Other			
	First Mark Location 1 <input type="checkbox"/> Face 2 <input type="checkbox"/> Neck 3 <input type="checkbox"/> Torso 4 <input type="checkbox"/> Arm 5 <input type="checkbox"/> Hand 6 <input type="checkbox"/> Leg 9 <input type="checkbox"/> Unk.		Second Mark Location 1 <input type="checkbox"/> Face 2 <input type="checkbox"/> Neck 3 <input type="checkbox"/> Torso 4 <input type="checkbox"/> Arm 5 <input type="checkbox"/> Hand 6 <input type="checkbox"/> Leg 9 <input type="checkbox"/> Unk.	
40.	Impersonated <input type="checkbox"/> Police Officer <input type="checkbox"/> Female <input type="checkbox"/> Other		Other Identifying Data <input type="checkbox"/> Team Member	
41.	Reviewing Supervisor's Name (Printed)		Signature	Tax Reg. No.

**MEDICAL TREATMENT OF PRISONER**

PD 244-150 (Rev. 12-99)-Pent-RMU

Date

**SECTION I - TO BE COMPLETED BY N.Y.P.D.**

Prisoner's Name (Last, First, M.I.) (Print)							Age	Sex
Address			Street		Zip Code	Apt.	Telephone No.	
<b>Arresting Officer:</b>	Rank (Print)	Name (Last, First, M.I.)			Signature	Shield No.	Tax Reg. No.	Command
Arrest No.	Cmd. Of Arrest		Charge					
<b>Escort Officer:</b>	Rank (Print)	Name (Last, First, M.I.)			Signature	Shield No.	Tax Reg. No.	Command
Prisoner Requests/Requires Medical Aid		Prisoner Refused Medical Aid		Date	Time	Prisoner's Signature		
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No						
Transported To Hospital (Name)		Date	Time	Via Patrol Wagon #	RMP #	ACR #	Operator Rank (Print) Name (Last, First, M.I.)	
Returned From Hospital		Attempted Suicide		Nature Of Illness/Injury			If Injury	
Date	Time	<input type="checkbox"/> Yes <input type="checkbox"/> No					<input type="checkbox"/> Old <input type="checkbox"/> New	
Restraining Devices Used				E. S. U. Responded		If Yes, Respondent's Rank (Print) Name (Last, First, M.I.)		
<input type="checkbox"/> Yes Type _____ <input type="checkbox"/> No				<input type="checkbox"/> Yes <input type="checkbox"/> No				
Prescription Medication		Prescription Number And Name Of Physician		Pharmacy / Phone No.		Property Clerk Invoice No./Cmd.		
<input type="checkbox"/> Yes <input type="checkbox"/> No								

Remarks:

---



---



---



---



---



---



---



---

Prisoner Refused Medical Aid In The Field	<input type="checkbox"/> Yes <input type="checkbox"/> No	Prisoner Refused Medical Aid At The Command	<input type="checkbox"/> Yes <input type="checkbox"/> No	Prisoner Refused Medical Aid Within The Court Section	<input type="checkbox"/> Yes <input type="checkbox"/> No	Recommend Prisoner Be Separated From General Population	<input type="checkbox"/> Yes <input type="checkbox"/> No
E.M.S. Field Personnel	Print Name (Last, First, M. I.)		Shield #	Date	Time	Refer To Hospital Emergency Room <input type="checkbox"/> Yes <input type="checkbox"/> No	
E.M.S. Court Section	Print Name (Last, First, M. I.)		Shield #	Date	Time	Refer To Hospital Emergency Room <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>NYPD Supervisor/Desk Officer</b>	Rank (Print)	Name (Last, First, M.I.)		Signature	Cmd. Of Arrest/Court Section	Date	Time

**SECTION II - TO BE COMPLETED BY HOSPITAL MEDICAL STAFF**

Admitted To Hospital	<input type="checkbox"/> Yes <input type="checkbox"/> No	Suicide Watch Recommended By Hospital Staff	<input type="checkbox"/> Yes <input type="checkbox"/> No	Transfer to Psychiatric Hospital Recommended By Hospital Medical Staff	<input type="checkbox"/> Yes <input type="checkbox"/> No	Medication Prescribed	<input type="checkbox"/> Yes <input type="checkbox"/> No	Medication To Be Taken As Prescribed	<input type="checkbox"/> Yes <input type="checkbox"/> No
Medication To Travel With Prisoner	<input type="checkbox"/> Yes <input type="checkbox"/> No	Refer To Psychiatric Hospital		<input type="checkbox"/> Yes <input type="checkbox"/> No					
Print Name (Last, First, M. I.)			Signature			Title	Date	Time	
<b>NYPD Court Section Supervisor:</b>	Rank (Print)	Name (Last, First, M.I.)		Signature		Court Section	Date	Time	
<b>Received By Department Of Correction:</b>	Rank (Print)	Name (Last, First, M.I.)		Signature		Shield / I. D. #	Date	Time	

DISTRIBUTION: 1. WHITE, 2. BLUE, 3. PINK - DEPT. OF CORRECTION, 4. BUFF - CMD. OF ARREST, 5. GREEN - ARRAIGNING JUDGE  
 (Receipt will be obtained by Escorting Officer on PINK COPY and returned to COURT SECTION facility. Upon receipt of PINK COPY, COURT SECTION Supervisor will remove BUFF COPY from FILE and forward it to COMMAND OF ARREST FOR FILE)  
 NOTE: A PHOTO COPY OF THIS FORM MAY BE PROVIDED UPON REQUEST TO HEALTH AND HOSPITALS CORPORATION (HHC) PERSONNEL.



### AIDED REPORT WORKSHEET

PD 304-152b (Rev. 10-97)

Pct.		Aided #	
Jurisdiction Code		Card No. of	
Date of Occ.	Time of Occ.	Sex	Race Age Date of Birth
Surname		First Name M.I.	
Address		Apt No.	City State ZIP
Aided Homeless?		Telephone	
<input type="checkbox"/> Yes <input type="checkbox"/> No		Home ( ) Work ( )	
Place of Occ. <input type="checkbox"/> in front of <input type="checkbox"/> opposite <input type="checkbox"/> inside of <input type="checkbox"/> subway at			
<input type="checkbox"/> Subway Line		Is Aided victim of a crime? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Sick/Injured Person	<input type="checkbox"/> Emotionally Disturbed	<input type="checkbox"/> Lost Person	
<input type="checkbox"/> Sick/Injured MOS on Duty	<input type="checkbox"/> Runaway Child	<input type="checkbox"/> Unconscious	
<input type="checkbox"/> Abused/Abandoned/ Neglected Child/etc	<input type="checkbox"/> Bicycle Involved (Explain in Details)	<input type="checkbox"/> Deceased <input type="checkbox"/> Other (Explain in Details)	
Medical Aid was refused <input type="checkbox"/>		ACR, PCR #	
Removed To <input type="checkbox"/> Hospital <input type="checkbox"/> Morgue <input type="checkbox"/> N/A (which?)			
Treated by Admission # if unidentified and hospitalized			
Notification Required if Aided is admitted or dies			
Name		Relationship	
Address		Phone	
If Notification Was Made	Time	Date	Made by (Name, Tax #)
Children or Dependent Adults Uncared for? <input type="checkbox"/> Yes <input type="checkbox"/> No (if Yes indicate their disposition under Details on the reverse of this card.)			
City Involved? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Dept or Agency Involved			
NOTE: If City may be involved, enter in Details if MOS witnessed incident and MOS who examined scene, roadway/sidewalk condition and any contributing factors.			
Notifications to <input type="checkbox"/> Harbor Unit <input type="checkbox"/> Missing Persons Squad			
<input type="checkbox"/> Pct Youth Officer <input type="checkbox"/> Emergency Service Unit			
Additional Reports prepared (e.g. LOD, Domestic Incident Report, etc.)			
Complaint No.		Pct.	
Exposure Report #			

If CPR administered (by MOS):  
 Mouth to Mouth  Yes  No  
 Aided resuscitated  Yes  No

Actions of EDP (Check all that apply):  
 Unable to care for self   
 Other (specify)

Prior History?  Yes  No  Unk  
 Physically threatened others   
 Verbally threatened others   
 Spoke or harmed self or others

Details for all Aided Cases: Give nature of any injury or illness. When CPR is administered by non-ESU MOS, identify MOS administering and list protective equipment used (e.g. mask, gloves, etc.)

Reported By	Rank	Name (Type or Print)	Tax #	Command	Signature
Reviewed By	Rank	Signature	Tax #	Command	