




Office of the City Manager

September 27, 2012

To: Honorable Mayor and Members of the City Council  
The Police Review Commission

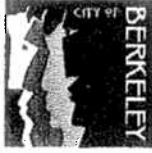
From: Christine Daniel, City Manager 

Subject: **USE OF PEPPER SPRAY INCIDENT**

Attached please find the use of pepper spray report relating to the use of Oleorisin Capsicum (OC) that occurred September 22, 2012.

Attachment: Use of Pepper Spray Report 12-52306

cc: William Rogers, Deputy City Manager  
Michael Meehan, Chief of Police  
Mark Numainville, Acting City Clerk  
Ann-Marie Hogan, City Auditor  
Mary Kay Clunies-Ross, Public Information Officer  
Police Review Commissioner



# BERKELEY POLICE DEPARTMENT USE OF PEPPER SPRAY REPORT



*(Note – this is a public document)*

This report is to be completed by any Department employee who use "Oleoresin Capsicum" OC spray during the performance of his or her duties. The authorization for this report comes from City of Berkeley Council action taken September 16, 1997, directing that any use of "OC" be reported to the City council and the Police Review Commission via the Police Department's Chain of Command as a public record within seven (7) days of its use.

**Date:** September 22, 2012  
Date of Pepper Spray Report

**From:** Sgt. A.B. Rateaver  
Note: This form is to be completed by the Department employee using the spray. If that person is unable to complete this form due to injury, it shall be completed by his or her immediate supervisor.

**Case Number(s):** 12-52306

**Incident Date:** September 22, 2012

**Incident Time:** 0736

**Incident Location:** University and San Pablo Aves: area of

**Application was:**  Effective  Ineffective

**Subject:**  Adult  Juvenile

<b>Subject description:</b>	<u>F</u>	<u>5'11</u>	<u>180</u>
	Sex	Height	Weight

**First Aid for Subject:** Paramedic responded and administered First Aid Yes  No

**Additional comments on First Aid rendered:** Taken by BFD ambulance to ABH

**Nature of Incident:**

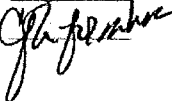
Arrest Situation

**Summary and justification of the Actions of Officer(s) Involved:**

**RECEIVED**  
**SEP 24 2012**  
**OFFICE OF THE CHIEF**

Officers were summoned to the Rainbow Donut shop via citizen phone call to 911, after the subject attacked the cashier and a patron. Upon contact with the subject, the officers were not able to gain compliance. The subject brandished officers and citizens with a pair of metal scissors. Subject would not submit to detention or arrest and was non-compliant. Subject was sprayed with OC in an attempt to overcome resistance.

Please print and route through Chain of Command to the Office of the Chief.

<u>RFL-B</u>	Duty Supervisor
	Watch Commander
<sup>for CS</sup>	Operations Captain
	Chief of Police