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THE USE OF PEPPER SPRAY IN SCHOOLS

Pepper spray is being used in our nation's schools, as numerous headlines attest. As security concerns have created an increasingly difficult job for school security and police forces, pepper spray has been adopted as an alternative to more forceful engagement.

However, while using pepper spray to help detain an individual can mitigate escalating violence and, in so doing, prevent injuries to both officer and student, there are numerous instances where its use in school districts has sparked concern from parents and civil rights groups, such as the American Civil Liberties Union. When the spray is released, many individuals can be affected – individuals who may have no part in the incident and who are even trying to comply with an official's request. Furthermore, the health and safety of students with allergies or respiratory conditions, which can be exacerbated by pepper spray, are of serious concern.

WHAT IS PEPPER SPRAY?

Pepper spray, also known as OC spray, contains oleoresin capsicum, the oily extract of pepper plants. The content of the extract OC varies depending on the manufacturer and can range from 1.2% to 12.6%.

The propellants that discharge the OC vary as well and may contain water, alcohols, nitrogen, carbon dioxide or halogenated hydrocarbons. These propellants can be in the form of a mist, a stream or a foam spray that offers the most direct contact. Pepper spray can come in small personal-use canisters or the large canisters that police officers carry for crowd control.¹

Human response to pepper spray can include intense burning of the skin, throat, nose and eyes; swelling; redness of the skin; shortness of breath; gagging and gasping. OC spray may worsen existing skin conditions, and some scientists affirm that it can have adverse effects on existing respiratory conditions or allergies.



WHY IS PEPPER SPRAY BEING USED MORE FREQUENTLY?

Pepper spray is used because it is effective. It is difficult for someone to resist after having been sprayed with the chemical.

Injuries during a struggle between a security officer and student include cuts, exposure to blood-borne pathogens, damage to soft tissue, eyes, back or neck, even bone fractures. Pepper spray employed as crowd control is used to disperse crowds immediately to prevent a tense situation escalating to an out-and-out fight.



Proponents of its use, therefore, maintain that pepper spray reduces the chance for more serious injuries between student(s) and security officers and can stop the escalation of crowd violence, which can cause injury to many. Opponents of the use of pepper spray claim that it always injures the individual sprayed, even though the injuries might only be short term.

SCHOOL PEPPER SPRAY INCIDENTS

There is little argument that the use of pepper spray helps in controlling crowds and student altercations at the high school level. However, examples of negative fall-out to guilty and innocent alike from the use of pepper spray by campus security are many. A few examples follow.

- **Galveston, Texas.** Fifty Ball High School students were sent to the school nurse and 42 more were sent home at their own request after a security guard used pepper spray to break up a fight and disperse the crowd.²
- **Round Rock, Texas.** On November 5, 2007, a student at Stony Point High School was sprayed with pepper spray by a campus police officer after being questioned about not paying for lunch in the cafeteria. A police spokesman said the student was uncooperative and charged with resisting arrest. The parents of the student planned to file an excessive force complaint.³
- **St. Petersburg, Florida.** Pepper spray was used to break up a fight at the Pinellas Park Middle School. Reports say that, after the incident, up to 40 students were treated by paramedics, and a student with asthma was taken to the hospital.⁴

Currently, The Texas Youth Commission, which oversees the juvenile corrections system for the state of Texas, is up against various state advocacy groups for what they say is a much too liberal use of pepper spray in their facilities.⁵

WHAT SHOULD YOUR SCHOOL DISTRICT DO?

Review your district's use-of-force policy. Consult your campus police department or safety resource officer and determine the guidelines for the use of pepper spray. Some district policies state that it is to be used in cases of imminent danger or harm and used only to the extent necessary to gain compliance and/or to prevent harm. However, some proposals against more liberal use of pepper spray state that it should be used only after security personnel determine that imminent harm exists and that manual restraints are not practical.

Your district may want to evaluate the type of spray used. The foam propellant type may provide more direct contact, limiting the number of students affected. Security officers may want to carry more than one type (foam and mist, or foam and stream propellant) if crowd control is still a consideration for them.

Security staff should be trained in the district's policy for using pepper spray, and the training should be annually reviewed and updated. While not required by law, it is strongly recommended that only trained security personnel be allowed to administer pepper spray; district faculty and staff are not generally qualified to carry or administer pepper spray, and your policy should reflect this. Also, pepper or OC spray is a controlled substance and students are not allowed to bring pepper spray onto school grounds. Your district's policies should be reviewed and updated if needed.

Your district should also have guidelines for assisting students after the spray has been released. Anyone in direct contact with pepper spray or having symptoms related to the spray should be decontaminated as soon as possible and monitored for signs of adverse effects. If effects linger or become serious students should see the school nurse and seek medical attention as needed immediately.

CONTACT INFORMATION

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¹ **Smith, C. Gregory MD and Stopford Woodhall MD.** *Health Hazards of Pepper Spray*

² **Meyers, Rhiannon.** *The Galveston County Daily News.* 9/21/2007.

³ *The Austin American-Statesman.* 11/08/2007.

⁴ *The St. Petersburg Times.* 4/19/2003

⁵ **Ward, Mike.** *The Austin American-Statesman.* 11/30/2007