


Office of the City Manager

April 17, 2015

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

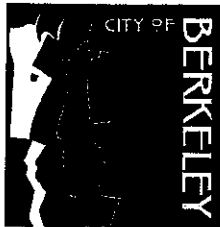
From: Christine Daniel, City Manager 

Subject: Use of Pepper Spray Incident

Attached is the use of pepper spray report relating to the use of Oleorisin Capsicum (OC) that occurred on March 28, 2015.

**Attachment**

cc: Dee Williams-Ridley, Deputy City Manager  
Michael Meehan, Chief of Police  
Ann-Marie Hogan, City Auditor  
Mark Numainville, City Clerk  
Matthai Chakko, Public Information Officer



Police Department

April 15, 2015

To: Christine Daniel, City Manager

From: Michael K. Meehan, Chief of Police *mm*

Subject: **USE OF PEPPER SPRAY INCIDENT**

Attached please find the Use of Pepper Spray report that occurred on March 28, 2015.

Attachment: Use of Pepper Spray Report Case 15-18019



# 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:** March 28, 2015  
Date of Pepper Spray Report

**From:** Ofc Kishiyama

*PK*  
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):** 2015-18019

**Incident Date:** March 28, 2015

**Incident Time:** 1119

**Incident Location:** Haste St

**Application was:**  Effective  Ineffective

**Subject:**  Adult  Juvenile

**Subject description:** M                                            
Sex Height Weight

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

**Additional comments on First Aid rendered:**

Information redacted is protected  
from public disclosure by  
California Government Code  
6254 (f), (k).

**Nature of Incident:**

On 3/28/15, at approximately 1119 hrs,                      pulled the fire alarm, discharged a fire extinguisher, pulled the water main valve and emptied the water from the fire sprinklers, and broke a 4' by 3' window. He charged a fire fighter. The fire fighter called for Code 3 cover. BPD units arrived.                      was naked and covered in blood. He was holding a glass shaped knife. Sgt Rittenhouse gave clear commands to drop the knife but                      refused. I did not want to

approach  
knife.

and I believed there was a fire. I used OC spray in which

dropped his

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

WITH THE BUILDING REPORTED TO BE ON FIRE, A NON COMPLIANT,  
NAKED AND BLOODY SUBJECT HOLDING A SHARD OF BROKEN GLASS,  
OFFICERS DEPLOYED OC FOR THEIR SAFETY AND THE SAFETY  
OF THE SUBJECT.

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

SFS2

Duty Supervisor

6259 FOLG

Watch Commander

Operations Captain

[Signature]

Chief of Police

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California Government Code  
6254 (f), (k).