



Police Department

July 19, 2019

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

From: *DWR* Dee Williams-Ridley, City Manager

Subject: **USE OF PEPPER SPRAY INCIDENT**

Attached please find the Use of Pepper Spray report that occurred on July 9, 2019. The authorization for these reports comes from the City of Berkeley Council action taken September 16, 1997, directing that any use of "Oleoresin Capsicum" OC spray 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.

Attachment: Use of Pepper Spray Report 19-37316

cc: Paul Buddenhagen, Deputy City Manager  
David White, Deputy City Manager  
Andrew Greenwood, Chief of Police  
Mark Numainville, City Clerk  
Jenny Wong, City Auditor  
Matthai Chakko, Public Information Officer



# 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:** July 9, 2019  
Date of Pepper Spray Report

**From:** D. Morales #47

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):** 19-37316

**Incident Date:** July 9, 2019

**Incident Time:** 2245 hours

**Incident Location:** 63<sup>rd</sup> Street / Herzog Street, Oakland CA

**Application was:**  **Effective**  **Ineffective**

**Subject:**  **Adult**  **Juvenile**

**Subject description:** F 5'-06" 250  
Sex Height Weight

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

**Additional comments on First Aid rendered:** Jones was transported to Alta Bates Hospital via ambulance for medical evaluation.

**Nature of Incident:**

Ebony Jones had kidnapped her wife in her vehicle, and struck and threatened her wife while driving around in the vehicle. Jones was located at the above location and refused to comply with officers' commands to exit the vehicle.

**RECEIVED**

**JUL 12 2019**

**OFFICE OF THE CHIEF**

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

Jones eventually exited the vehicle and physically resisted officers' attempts to handcuff her. Less-lethal rounds were not immediately effective in obtaining compliance from Jones. In order to overcome her resistance and gain compliance without further escalation of force, I discharged OC spray at her face for approximately 2-3 seconds from a distance of approximately 7 feet. Jones then surrendered to officers and allowed herself to be handcuffed.

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

<u>EMS-20</u>	Duty Supervisor
<u>19</u>	Watch Commander
<u>DR</u>	Operations Captain
<u>AG-1</u>	Chief of Police