**SAMPLE POLICY – SPIT NET PROCEDURES**

The materials provided in this correspondence are for general informational and educational purposes only and are not intended to be and should not be considered legal advice or opinions. Prior to making any policy or rule changes seek the advice of your municipal attorney.

There may situations where a prisoner refuses to cooperate by continually spitting at officer(s) or objects in the processing room. This conduct creates a risk of exposure to an infectious disease. To control this situation, the officer processing the prisoner will verbally direct the prisoner to stop spitting. If the prisoner refuses, the officer may use the Spit Net Hood.

CONDITIONS FOR USE:

DO NOT USE THE SPIT NET UNLESS:

* Prisoner must be under control and restrained
* Wearer must be under constant visual supervision
* DO NOT USE on anyone that is vomiting, having difficulty breathing, or is bleeding profusely from the mouth or nose area.
* Remove prisoner’s jewelry and eyewear before application
* If there is difficulty applying due to a large head discontinue use.

INSTRUCTIONS FOR USE:

* Open and remove Spit Net
* Place over the head of the person so that the long straps are hanging down the front of the wearer. The non-mesh barrier cloth will cover the wearer’s nose and mouth.
* The mesh should be positioned just below the eyes to allow for the person to see.
* Bring the straps under the armpits and through the loops in the back.
* Tie the two ends of the straps together to secure the Spit Net in position. The straps should be snug to keep the Spit Net in place but should not interfere with circulation or breathing.
* Check fit in front to allow for vision of wearer.
* Continuous monitoring of the wearer is required. Be sure the wearer’s airway, nose and mouth are unobstructed at all times.

The Spit Net is a single person use item, and should never be reused. Remove when destination is reached or the prisoner is to be left unattended; or as advised by a Supervisor and Safely Discard.

CRIMINAL CHARGES:

A person who throws a bodily fluid at a law enforcement officer should be charged with:

**2C:12-13 / “THROWING BODILY FLUID at… any sheriff, undersheriff or sheriff’s officer or any municipal, county or State law enforcement officer while in the performance of his duties or otherwise purposely subjects such employee to contact with bodily fluid commits an aggravated assault. (See 2C:12-13 for additional details.)**