CHEMICAL AGENTS TRAINING MANUAL

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FRAZIER BAPTIST – Instructor
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HISTORY OF CHEMICAL AGENTS

Chemical Agents have been used in one form or another all thought out history. Around 311 BC, the Chinese used pepper to create “stink pots” that were made of pepper burned in oil. This caused an irritating smoke. As they advanced on the enemy, the Chinese used finely ground pepper wrapped in rice paper to throw in the faces of their enemies causing temporary blindness. Around 431–404 BC, the Athenians and Spartans used a chemical compound saturated with sulfur in order to produce choking fumes.

During the Vietnam War, there was more Chemical Agents used by the United States than ever before in our history. In 1964, the United States used DM, a nauseating gas, in Saigon during the Buddhist riots. More Chemical Agents were used on United States soil against United States citizens during this same period than overseas in enemy territory.

In 1959, the United States Army declassified CS and used it as a riot control agent. The General Ordinance Equipment Company introduced “Mace” in 1959 as the first Hand–Held Aerosol Chemical Agent.

In January 1969 the California Tear Gas Act went into effect. It addressed the sale, transportation, use of Chemical Agents, and established Chemical Agent training requirements.

These early forms of Chemical Agents were made of all natural ingredients. More modern types of Chemical Agents, like some of those used by law enforcement and citizens today, are man–made synthetic chemicals. Traditional “tear gases”, are not chemical gases at all, they are micro–pulverized chemical particles that are deployed in a variety of methods including aerosol sprays, incendiary devices, and expulsion devices. They produce various types of irritation including causing the eyes to water extensively and close involuntary. Thus the term, “tear gas”.

Oleoresin Capsicum (OC) Pepper Spray was first authorized for use by California Law Enforcement in August 1992 and for Civilian use in March 1994. Chemical Agents have proven to be a very humane and effective less–than lethal force option for law enforcement. Although they do not generally cause permanent injury, like any use of force, Security Officers must always use Chemical Agents responsibly.
CHEMICAL AGENTS AND THE LAW

All of the laws relating to the use of Chemical Agents by Peace Officers, Security Officers and Citizens are found in California Penal Code Sections 22810–23025.

Chemical Agents used by Law Enforcement are referred to as “Tear Gas” in the Penal Code.

According to Penal Code 17240, “Tear Gas” is defined as “all liquid, gaseous, or solid substances intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispersed in the air, but does not apply to, and shall not include, any substance registered as an economic poison...” i.e. Animal Repellants and Insecticides.

According to the Use Of Force Continuum, Chemical Agents are considered to be Less Than Lethal Force.

According to Penal Code 22835, POST is responsible for developing training requirements for Peace Officers and Security Officers. All Peace Officers and Security Officers must complete a POST approved course of training in Chemical Agents before using Chemical Agent devices in an official capacity.

Peace Officers and Security Officers may use Chemical Agents for what reasons:
- To make an Arrest (Penal Code 834)
- Overcoming Resistance while making an Arrest (Penal Code 843)
- Preventing an Escape after making an Arrest (Penal Code 490.5)
- Crowd and/or Riot Control (Penal Code 404)
- Self Defense (Penal Code 692)

According to Penal Code 22810(e)(1) Citizens and Security Officers are authorized to carry Chemical Agents Aerosol Canisters of with a content net weight of 2.5 ounces or less.

According to Penal Code 22810(e)(2), Chemical Agents may be used solely for self-defense purposes.

According to Penal Code 22810(g)(1), it is a FELONY to use Chemical Agents offensively.

According to Penal Code 23020, Security Officers are required to carry a Chemical Agents Permit on his/her person while On Duty at all times. Peace Officers may ask to inspect the Security Officers proof of training at anytime while On Duty.
CHEMICAL AGENTS AND THE LAW Continued:

In January 1996, legislation eliminated all of the civilian training requirements and all product monitoring and control by the California Department Of Justice.

Citizens are not required to complete a training course prior to purchasing, possessing, transporting or using any Chemical Agents or Chemical Agent weapon.

Security Officers are still required to complete a POST approved course of training in Chemical Agents before using Chemical Agent devices in an official capacity.

Chemical Agents Cards do not expire, however your Chemical Agents Card is only valid when you have a Current and Valid (BSIS) Guard Card, so do not let your Guard Card expire.

According to Penal Code 22810 these persons cannot possess Chemical Agents.
- Persons Convicted of any Felony
- Persons Convicted of Crimes of Assault / Battery
- Persons Convicted of Misusing Chemical Agents
- Persons Addicted to Narcotics

According to Penal Code 22905 each purchased Canister must have a Label bearing the Manufacturer Name and Serial Number.

According to Penal Code 22810(f) each purchased Canister must include Instructions of Proper Use / Storage / First Aid.

According to Penal Code 22910 it is a Crime to Remove the Manufacturer Label from the Canister.

According to Penal Code 22815 minors 16 years old or older may purchase, possess and use Chemical Agents weapons if they obtain written permission from their parents. The Parents will assume all civil liability for the use of Chemical Agents by their children if use unlawfully.

According to Penal Code 23025 your Chemical Agents Permit can be Revoked and/or Suspended if you Violate The Law.

Civilians may use Chemical Agents for self–defense purposes only. Civilians are not required to provide first aid. Civilians are not required to notify law enforcement, although it is recommended to avoid any allegations of misuse.
USE OF FORCE PENAL CODES

A Civilian and/or Security Officer may use JUSTIFIABLE / NECESSARY / RATIONAL / REASONABLE Force To Make An Arrest as measured by another person with similar training and experience. It is important for each Security Officer to understand the Penal Codes that govern them.

Penal Code 15 defines a Crime

Penal Code 17 defines a Felony and a Misdemeanor

Penal Code 18 punishment for committing a Felony

Penal Code 19 punishment for committing a Misdemeanor

Penal Code 20 there must be Intent + Act = Crime

Penal Code 834 defines an Arrest as taking custody of a suspect in a case and manner authorized by law.

Penal Code 837 gives a Civilian and/or Security Officer the authority to make an arrest. This is commonly known as a “Citizen’s Arrest”

Penal Code 841 requires a Peace Officer and/or Security Officer to inform the suspect of his/her intention to make an arrest.

Penal Code 839 allows a Peace Officer and/or Security Officer to request the assistance of others to make an arrest.

Penal Code 843 allows a Peace Officer and/or Security Officer to Use NECESSARY Force to make an arrest.

Penal Code 490.5(f)(2) allows a Merchant and/or Security Officer to Use REASONABLE Force to make an arrest.

Penal Code 490.5(f)(4) allows a Merchant and/or Security Officer to only search a suspect’s belongings not the suspect after making an arrest.

Penal Code 846 allows a Peace Officer and/or Security Officer to search and remove weapons from a suspect after making an arrest.

Penal Code 847 requires a Civilian and/or Security Officer to deliver an arrested suspect to the police (courts).
PEACE OFFICER REQUIREMENTS

Penal Code 849(b) gives a Peace Officer the choice to cite and release a suspect.

Penal Code 142 gives a Peace Officer the choice to refuse to accept a Citizen’s Arrest. (Effective January 1, 2003)

PERSONAL SAFETY / SELF–DEFENSE LAWS

Penal Code 692 allows Any Person to use force to stop Another Person from causing them injury during the commission of a crime.

Penal Code 693 allows Any Person to use force in defense of a Love One that is about to be injured during the commission of a crime.

Penal Code 694 allows Any Person to use force in defense of Another Person that is about to be injured during the commission of a crime.

CRIMINAL / CIVIL LIABILITIES

CRIMINAL LIABILITY is the potential for criminal penalty for committing a criminal act. This liability may include an arrest, booking, CRIMINAL TRIAL and IF CONVICTED a sentencing. A sentence may include payment of a fine, monetary restitution, community service, probation and/or JAIL / PRISON. Criminal Convictions are PUBLIC.

CIVIL LIABILITY is the potential for non–criminal legal consequences for the commission or omission of an act. A civil liability is separate from the criminal process and will not result in a person being arrested or sentenced to jail / prison. Civil judgment may result in a CIVIL TRIAL (getting SUED) and one party being ordered by the civil court to pay “DAMAGES” (MONEY) to another party. Civil Agreements are PRIVATE.

VICARIOUS LIABILITY is the transferring of “Civil Liability” from the Security Officer to his/her Security Company and/or Security Client for the commission or omission of an act. If a Security Officer commits a wrongful act his/her Security Company and/or Security Client could also be sued.
TYPES OF CHEMICAL AGENTS

CHLOROACETOPHENONE – CN (Cry Now)

- CN is a lacrimator (tear ducts), irritant
- CN odor is similar to apple blossoms / sweet
- CN is sometime used in liquid form
- CN solid lacrimators are dispersed as mixture of vapor and fine particle smoke by burning typies munitions such as projectile and grenades.

CN is a synthetic compound found in a liquid form (called Ethylbromacetate) and in a solid form (called Chloroacetophenone).

CN was first developed in 1870 by German scientist named Graebe. This was the first patented form of “tear gas”. It was used during World War One to test gas mask. It was first used successfully by the French to break up riots in the late 1920’s. By the 1930’s CN was used all over the world by law enforcement.

When CN comes in contact with the pores of the skin, it causes an intense burning sensation. CN causes profuse tearing (called Lachrymation), partial closing of the eyes, and an increased sensitivity to light (called Photophobia). The burning sensation felt on the skin is amplified with respiration as the pores of the skin open and become more receptive to the CN particles.

In addition to the physical effects, CN can have a psychological effect as well depending on the suspect’s prior experience with the Chemical Agent exposure and the degree of surprise with which the agent is delivered.

- CN target area is the eyes and face.
- CN should take affect within 5 – 10 seconds.
- CN is reported to be 83% effective when used a normal human.

One of the negative aspects of CN in that it has caused injuries. Approximately one (1) out of every one thousand (1000) people may experience an allergic reaction to CN. There have been reported cases of dermatitis, erythematous, crusted eruption and vesicular dermatitis.

These conditions are most likely to affect those with very sensitive skin or those who do not decontaminate properly after being exposed to CN.
ORTHOCOLOROBENZALMALONITRILE – CS (Cry Sooner)

- CS is a lachrymator (tear ducts), irritant, sternutator (lungs)
- CS odor is pepper like
- CS is disseminated by burning, explosion and aerosol
- CS is faster acting, more potent and less toxic than CN

CS is also a synthetic compound found in a liquid form, however, CS particles are smaller in its purest form.

CS was first developed in 1928, but was not widely used by law enforcement until 1958. CS was quickly recognized to be a more effective Chemical Agent than the CN for riot and crowd control situations because of its more irritating effects.

The effects of CS are realized in the same method as CN through the pores of the skin and effects on the lacrimal glands of the eyes. In addition to causing profuse tearing and burning sensation, CS irritates the respiratory system causing coughing, difficulty breathing and tightness and even vomiting. Like CN, the effect of CS is increased with the increase in physical activity and respiration.

The psychological effects of CS on suspects are more vivid because of the agents’ effect on breathing and cause of burning sensation in the throat.

- CS target area is the eyes and face.
- CS should take affect within 3 – 10 seconds.
- Just like with CN, if the suspect is intoxicated on alcohol or drugs CS is not as readily affective because of the reduced sensitivity to pain.

One of the negative aspects of CS is it’s flammable. CS is an alcohol–based agent; Law Enforcement has stopped using CS, because Electronic Devices can spark CS into a fire.
TYPES OF CHEMICAL AGENTS Continued:

OLEORESIN CAPSICUM – OC (Pepper Spray)
- OC is a inflammatory agent (swelling)
- OC odor is sweet pepper
- OC is disseminated by aerosol

OC is also known as pepper spray. OC is not a synthetic chemical like CN and CS. OC is derived from over 20 different species and 300 varieties of pepper plants.


OC is a lacrimator as well as inflammatory agent. It causes an immediate and involuntary closing of eyes, profuse tearing, and extreme burning sensation and difficulty breathing, When OC is exposed to the throat and nose, it causes a swelling of the mucus membranes which can impair breathing.

The psychological effect of OC is significant and includes a loss of balance, loss of motor skills and panic.

- OC primary target area is the eyes and face.
- OC should take affect is immediate.
- OC is reported to be 87% effective when used a normal human.
- OC is far more powerful than CN or CS and may be more effective on suspects intoxicated on alcohol and drugs.

OC is the most popular type of Chemical Agent used by Security Officers and Law Enforcement.
HANDHELD AEROSOL CANISTERS

There are various ways to deploy Chemical Agents; Aerosol is the most common type of devices used by law enforcement. Aerosol Canisters come in all sizes from key ring to large containers resembling fire extinguishers.

Security Officers are only authorized to carry Chemical Agents Aerosol Canisters with a content net weight of 2.5 ounces or less.

There are four (4) types of Aerosol Sprays:
- Stream
- Gel
- Foam
- Mist

Water is normally used as the carrier of the agent. When the water evaporate the agent remains.

Aerosol Canisters should not be used inside a distance of Three (3) Feet (The pressure could damage a person’s eyes if used at a closer distance)
- Aerosol Canisters are pressurized to 140 PSI
- Aerosol Canisters should not be stored in an area with a temperature above 120 degrees
- Aerosol Canisters should be shaken daily to insure the proper contents mixture
- Aerosol Canisters average about 5% – 15% Agents the remainder is Water

Factors to consider prior to using an Aerosol Canister:
- Target area is the Eyes and Face
- Distance (Are not effective when used at long distances)
- Wind Direction (Can blow back into your face)
- Cross Contamination (Straying another Security Officer or Bystanders)

Aerosol Canisters may be held in either hand. Hold the canister straight up using a fist type grip. Press the actuator with your thumb and aim for the target area. Spray using an “INFINITY” pattern (Sideways Number Eight).

After spraying a suspect, Officers should assess the threat and either spray again or use another force option if the spray is not effective.

The Canister may be carried anywhere on your Duty Belt, as long as you can remove it quickly and effectively when it is time to use it.
DISPOSAL OF EXPIRED CANISTERS

If the Chemicals in your Canister ever reach the Expiration Date listed on the Label, you need to dispose of it properly.

- Empty all the Chemicals out of the Canister in a Safe Place
- Disable (Break) the Trigger Mechanism on the Canister
- Chemical Agents are considered to be Hazardous Waste, you could also call your local Garbage Collection Company to ensure how to dispose for the Canister
DECONTAMINATION

All three commonly used Chemical Agents (CN / CS / OC) will cause irritation as long as the particles remain in contact with the skin pores, the eyes or respiratory system. When Chemical Agents are deployed using an aerosol canister, the carrier is also present on the skin and eye area along with the Chemical Agent. The carrier typically evaporates quickly leaving the dry Chemical Agent.

The Security Officer is responsible for decontaminating a Suspect when Chemical Agents are used. There has been more Civil Liability resulting from Officers who do not decontaminate properly or who leave suspects unattended after the arrest than with the direct use of Chemical Agents itself.

Once the Chemical Agent has affected the Suspect, the Officer should take the Suspect into custody (handcuffed) and then immediately decontaminate the Suspect.

Decontamination Procedures (Removing the Chemical Agent from the Suspect’s Face)
- Flush the eyes and face with cool Water
- Expose the suspect to fresh Air / Wind / Fan / Air Conditioner
- There are also decontaminating Sprays and Towelettes on the market
- Re-assure the suspect everything is going to be alright
- Monitor breathing consciousness

If the suspect continues to experience the symptoms of the Chemical Agent beyond 30 minutes or at anytime they experience extreme difficulty breathing call (911) Emergency Medical Services (EMS) immediately. (You do not need to wait 30 minutes to all 911)

Chemical Agent particles also settle on hair, clothing and any area around where they were deployed. Clothing should be removed and washed to remove Chemical Agents. Exposed persons should also shower in order to remove any Chemical Agents from their hair.

An enclosed room and/or furniture exposed to Chemical Agents can be decontaminated by opening windows to create a draft. A vacuum should also be used on carpeted areas and furniture to help remove particulate matter.

Never leave a suspect unattended after they have been sprayed with a Chemical Agent.
DECONTAMINATION Continued:

Once the Chemical Agent has affected the Suspect, the Officer should take the Suspect into custody (handcuffed) and then immediately decontaminate the Suspect.

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<th>SYMPTOMS</th>
<th>TREATMENT</th>
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<td></td>
<td>Remove affected person from the contaminated area.</td>
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<td></td>
<td>Remain calm, restrict activity.</td>
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<td></td>
<td>Major discomfort should disappear within 30 minutes.</td>
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<td>EYES</td>
<td>Burning sensation, heavy flow of tears. Involuntary closing of eyes.</td>
<td>Keep eyes open facing wind. Do not rub eyes. Tearing helps clear the eyes. If particles of Chemical Agent are lodged in eyes, wash out with copious amount of cool water. Tears can be blotted away.</td>
</tr>
<tr>
<td>SKIN</td>
<td>Stinging or burning sensation on moist skin areas. Blisters from very heavy concentrations.</td>
<td>Sit and remain quiet to reduce sweating. Expose the affected areas to air. Gross contamination can be relieved by flushing with cold water for at least 10 minutes.</td>
</tr>
<tr>
<td>THROAT CHEST</td>
<td>Irritation, burning sensation. Coughing, feeling of suffocation. Tightness in chest, often accompanied by a feeling of panic.</td>
<td>The victim should relax and keep calm. Reassuringly the victim will help to relieve his discomfort and prevent panic.</td>
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</tbody>
</table>

If after 30 minutes of being exposed to Air and/or Water does not correct the Suspects ailments, call (911) Emergency Medical Services (EMS) immediately. (You do not need to wait 30 minutes to call 911)
IDENTIFYING POSSIBLE HIGH RISK SUSPECTS

It is imperative that Security Officers be aware of the signs and symptoms exhibited by a suspect who may become a high risk to manage after being taken into custody. The proper care must be provided and decontamination procedures must be followed after every Chemical Agent use.

These suspects may not feel the effects of Chemical Agents.

Particular attention should be provided to the following suspects:

- Panic
- Paranoia
- Shouting
- Bizarre Behavior
- Profuse Sweating
- Aggressive Behavior
- Erratic Mood Changes
- Violence Towards Others
- Alcohol Involvement
- Drug Involvement
- Unexpected or “Super Human” Strength
- Mental Illness

There are a multitude of adjectives that can be used to describe a suspect’s actions, make sure to explain them thoroughly in your written report.

If a suspect does not recover from an exposure to a Chemical Agent within a reasonable period of time or appears to be having any other kind of medical problem, call (911) Emergency Medical Services (EMS) immediately.

Never leave a suspect unattended after they have been sprayed with a Chemical Agent.
SERIOUS MEDICAL CONDITIONS

POSITIONAL ASPHYXIA occurs when body position interferes with respiration, such as when a suspect is restrained and places face down causing pressure on the diaphragm from the stomach.

To avoid Positional Asphyxia while a suspect is being taken into custody, do not put weight on the suspect’s back. Do not leave suspects on their stomachs once they are properly restrained.

DRUG INDUCED PSYCHOSIS can occur when drugs, such as Methamphetamine, Cocaine or PCP are used. These drugs cause the body’s normal functions to accelerate.

Some prescription drugs including those used to treat mental illnesses can have the same effect. When combined with fear and physical exertions, such as when in a fight or resisting arrest, the body can literally overheat and shut down.

EXCITED DELIRIUM can occur without the use of drugs or alcohol. Fear, physical exertion, poor physical condition and panic can create the same effect. Persons experiencing Excited Delirium can have heartbeats exceeding 200 beats per minute and body temperatures exceeding 105 degrees.

AFTER THE ARREST

Putting the Suspect in a Recovery Position, after gaining control (Handcuffing) can minimize the effects of these conditions. The Recover Position is when the Suspect is seated, where they can breathe comfortably.

Never leave a suspect unattended after they have been sprayed with a Chemical Agent.
DOCUMENTING THE USE OF CHEMICAL AGENTS

ALL / ANY / EVERY Level Of Force used by a Security Officer MUST be documented thoroughly in a Written Report, including the use of CHEMICAL AGENTS.

A complete use of force report includes a description of the suspect’s behavior such as:
- Physical Attributes (Size / Age)
- Physical Condition / High Risk Attributes (Drugs / Alcohol)
- Verbal Statement of Resistance
- Physical Actions of Resistance

The report should include what the officer was thinking and perceiving at the time and what the officer did including:
- All Verbal Instructions / Commands given
- The Type and Amount of Chemical Agent used
- Suspect Response to Each Level Of Force used

Since Security Officers have to remain aware of Civil Liability, the Use Of Force Report should also include:
- The CHEMICAL AGENTS information: Manufacture / Type (OC / CS / CN)
- List what Decontamination Procedures performed
- The Suspect’s Condition after Decontamination
- List when the Medical Professionals were Called, when they Arrived and what Medical Facility the Suspect was Transported to
- The Suspect’s Condition (Conscious / Unconscious) when they were turned over to a Peace Officer (Penal Code 847)

Always carry your (BSIS) Guard Card and (BST) Chemical Agents Card with you when you are on duty. You must provide proof of training, if you ever use Chemical Agents while on duty.
## SECURITY OFFICER BASIC USE OF FORCE CONTINUUM

<table>
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<tr>
<th>Category</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>PRESENCE</strong></td>
<td>Being a Highly Visible with a Professional Appearance</td>
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<tr>
<td><strong>VERBAL</strong></td>
<td>Being Articulate / Authoritative / Professional</td>
</tr>
<tr>
<td><strong>CONTACT</strong></td>
<td>Control Holds / Pressure Points / Handcuffs</td>
</tr>
<tr>
<td><strong>LESS LETHAL</strong></td>
<td>Chemical Agents / Electronic Devices (Tasers / Stun Guns)</td>
</tr>
<tr>
<td><strong>INTERMEDIATE</strong></td>
<td>Batons (Expandable / Straight / Side–Handle)</td>
</tr>
<tr>
<td><strong>LETHAL</strong></td>
<td>Firearms (Semi–Automatics / Revolvers)</td>
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## A BRIEF SUMMARY OF THE LEGAL SYSTEM

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<th>Role</th>
<th>Choice</th>
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<td><strong>SUSPECT</strong></td>
<td>Has a choice to COMMIT CRIME or NOT</td>
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<tr>
<td><strong>SECURITY</strong></td>
<td>Has a choice to MAKE ARREST or NOT</td>
</tr>
<tr>
<td><strong>POLICE</strong></td>
<td>Has a choice to ACCEPT ARREST or NOT</td>
</tr>
<tr>
<td><strong>ATTORNEY</strong></td>
<td>Has a choice to FILE CHARGES or NOT</td>
</tr>
<tr>
<td><strong>JUDGE</strong></td>
<td>Decides go to TRIAL (With Enough Evidence) or NOT</td>
</tr>
<tr>
<td><strong>JURY</strong></td>
<td>Decides GUILTY or NOT (Innocence)</td>
</tr>
<tr>
<td><strong>IF CONVICTED</strong></td>
<td>JAIL (Life / Death) or NOT (Probation / Fine)</td>
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<tr>
<td>Section</td>
<td>Constitution Amendment</td>
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<tr>
<td>1</td>
<td>Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the Freedom of Speech, or the Press; or the right of the People Peaceably Assemble, and to petition the Government for a redress of grievances.</td>
</tr>
<tr>
<td>2</td>
<td>A well–regulated Militia, being necessary to the security of a free State, the right of the People to keep and bear Arms, shall not be infringed.</td>
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<tr>
<td>3</td>
<td>No Soldier shall, in time of peace be quartered in any House, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by Law.</td>
</tr>
<tr>
<td>4</td>
<td>The right of the People to be secure in their Persons, Houses, Papers, and Effects, against Unreasonable Searches and Seizures, shall not be violated, and no Warrants shall issue, but upon Probable Cause, supported by Oath or Affirmation, and particularly describing the Place to be Searched, and the Persons or Things to be Seized.</td>
</tr>
<tr>
<td>5</td>
<td>No Person shall be held to answer for a capital, or otherwise infamous Crime, unless on the presentment or indictment of a Grand Jury, except in to cases arising in Land or Naval Forces, or in the Militia, when in actual service in time of War or Public Danger; nor shall any Person be subject for the Same Offence to be Twice put in Jeopardy of life or limb; nor shall be compelled in any criminal case to be a Witness against Himself, nor be deprived of life, liberty, or property, without Due Process of Law; nor shall Private Property be taken for public use without just compensation.</td>
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</tbody>
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