

USE OF TASER

Directive 5.06
Date Revised 06-06-12

Office of Primary Responsibility:
PATROL

- I. PURPOSE - The TASER® Model X26 and X2 are electronic control devices (ECD) that can stop an individual through the use of Neuro-Muscular Incapacitation (NMI). NMI technology temporarily overrides the nervous system by directly stimulating motor nerve tissue and causing incapacitation regardless of mental focus, training, size, or drug induced dementia. When applied in accordance with this policy, the Taser is considered a less-lethal device. It is important to remember that the use of a less than lethal device has the potential to result in serious injury or death. The use of the Taser must comply with state laws and other department policies and procedures.
- II. PROCEDURES - An officer who has completed department approved training may be issued a Taser for use during his/her current assignment. An officer leaving a particular assignment may be expected to return his/her device to the department's inventory.

Officers shall only use a Taser and cartridges that have been issued by the department. The device will be carried as a part of an officer's equipment, in an approved holster.

- A. When the Taser is carried as part of a uniformed officer's equipment, the Taser shall be carried on the side opposite from the duty weapon.
- B. Whenever practical, an officer should carry at least two Taser cartridges on his/her person while carrying a Taser.
- C. Each officer is responsible for insuring that his/her issued Taser and cartridges are properly maintained and in good working order.
- D. An officer should not hold both a firearm and a Taser at the same time.

III. TYPES OF DEPLOYMENT

- A. Laser Only: The thumb safety is moved from the off position to the on position activating the laser sight, which is then placed on the suspect.
- B. Spark Demo: The X26 cartridge is removed from the end of the Taser and the Taser is then cycled. An electrical spark arcs across the front contacts. The X2 cartridges are not removed. The ARC switch is depressed and not the trigger.
- C. Drive Stun: The X26 Taser (with or without a cartridge affixed) is placed against a suspect and cycled. With the X2, the trigger is not pulled and the ARC switch is utilized. A drive stun can also be conducted as a follow up to a probe deployment, or at close range with a probe deployment.

- D. Probe Deployment: The Taser is cycled with the cartridge in place deploying both probes up to 25' feet. The probes are connected to the TASER device by insulated wire.

IV. VERBAL AND VISUAL WARNINGS - When practical, a verbal warning of the intended use of the Taser shall precede the deployment of a Taser in order to:

- A. Provide the individual with a reasonable opportunity to voluntarily comply.
- B. Provide other officers and individuals with warning that a Taser may be deployed.

V. USE OF TASER

- A. Type - X26 or X2 (X2 currently authorized for instructors only)
- B. Cartridge - 25' foot XP or 25' SC
- C. As with any less lethal weapon, the Taser has limitations and restrictions requiring consideration before its use. The Taser should only be used when the operator can safely approach the subject, within the operational range of the Taser. Although the Taser may be generally effective in subduing most individuals, officers should be prepared with other force options in the event it is not effective.
- D. Because the application of the Taser in the "Drive Stun" mode (i.e., direct contact without probes) affects a smaller area of the body and requires close proximity to the subject, additional caution should be exercised, because controlling effects may be limited. Application of the Taser in the Drive Stun mode is effective as a method to complete the circuit when one of the probes fails to connect with the subject.
- E. Primary target for the Taser is Lower Center Mass (below the chest), and lower extremities for front shots and below the neck area for back shots. The entire body below the neck is a potential target area, but maximum effectiveness will only be achieved when the deployment involves large muscle groups.
 - 1. Acceptable target areas:
 - a. Air Taser Mode: Below the neck, i.e., Lower Center of Mass (below the chest), upper chest (below the neck), back, legs, buttocks, and arms.
 - b. Drive Stun Mode: Below the neck, i.e., chest, back, legs, buttocks, arms.
 - 2. Non-target areas:
 - a. The head, neck, and groin are not acceptable target areas for either of the two modes.

VI. AUTHORIZED USE OF TASER - Authorized personnel may use the Taser when circumstances known to the individual officer, at the time, indicate that the application of the Taser is reasonable to subdue or control:

- A. A person whom the officer reasonably believes creates an immediate, credible threat to the physical safety of the officer, or safety of another person.
- B. A person who engages in, or displays the intent to engage in, active physical resistance to a lawful police action.
- C. A person who has been placed under arrest and engages in active physical resistance. A Taser may be used to gain control of a person in lieu of engaging in a struggle with him/her that would create an increased risk of injury to the subject or officers.
- D. A person who flees from arrest for a crime, in lieu of using another force option more likely to result in injury to the subject or officer, such as tackling or striking. Officers should consider the severity of the offense, the threat the person poses to others, the person's history of violent behavior, what other options are available to apprehend the individual, and other relevant circumstances to determine whether the use of a Taser is reasonable for the situation. Officers must have reasonable suspicion to detain a fleeing subject prior to deploying the Taser.
- E. Active physical resistance, as used in this section, means physical actions which attack or threaten to attack the officer or others, coupled with the ability to carry out the attack, which may result in physical injury.
- F. The Taser may be used to defend against an aggressive animal which poses a threat to the officer, another person, or another animal.

VII. RESTRICTIONS ON USE OF TASER - The use of the Taser is restricted under the following circumstances:

- A. The Taser shall not be used against the individuals listed below, who may be more susceptible to injury, unless one of the exceptions following this list is met:
 - 1. Females who are known to be, or who are obviously pregnant.
 - 2. Elderly individuals or young children (e.g., obviously less than 12 years of age).
 - 3. Individuals who are known to be, or who appears to be medically fragile.
 - 4. Individuals who have been sprayed with alcohol-based OC spray or who are otherwise in close proximity to, or contaminated with flammable liquids or gases.
 - 5. Individuals whose position or activity may result in collateral injury (e.g., falls from an elevated surface, operating vehicles, in or near a pool or body of water).
 - 6. Persons engaging only in verbal or passive resistance.
 - a. For purposes of this policy, "passive resistance" means non-compliance with an officer's orders unaccompanied by any act of violence or threatened physical resistance.

Exceptions that would permit the use of the Taser in these circumstances are:

- 7. The person is armed with a dangerous or deadly weapon.
- 8. The person is engaging in suicidal behavior.
- 9. The person cannot be safely controlled with other available force options.

- B. A Taser should not be used in "Air Mode" on an individual who is handcuffed or otherwise restrained, unless the suspect's behavior is overtly combative or assaultive and cannot be reasonably dealt with in a less intrusive manner.

Officers may use a Taser on a restrained individual if the individual physically resists officer directions; i.e.; physically refusing to be placed in a patrol vehicle.

1. The Taser should be used only in "drive stun mode" to the extent required to gain compliance of the person.
 2. The officer should give the subject a verbal warning and a 'spark demo', unless it is not practical under the circumstances.
- C. A Taser shall not be used as a prod or escort device, or to arouse unconscious, impaired, or intoxicated individuals.
 - D. The Taser shall not be used punitively, to harass or inflict undue pain on any individual.

VIII. MULTIPLE APPLICATIONS OF TASER - As with any use of force, force must be limited to the degree and duration which the officer reasonably believes necessary to accomplish that objective (Policy 4.01). If, after a single application of the Taser, an officer is still unable to gain control of an individual and circumstances allow, the officer should consider whether or not the Taser is making proper contact, whether the Taser is limiting the person's ability to comply, or if other tactics may be more appropriate or effective. After each application of the Taser, the officer should weigh the circumstances involved to determine whether an additional Taser discharge would be appropriate under provisions of this policy. When practical, officers should give a verbal warning prior to each activation.

If more than one Taser is unholstered for potential use, officers should communicate with each other in order to prevent multiple discharges or a sympathetic discharge of additional Tasers. When practical, officers should wait for a cover officer to take an individual into custody who has been Tased.

IX. REPORTING / EVIDENCE

- A. All Taser discharges other than for training or testing shall be documented on an Incident Report and the Use of Force Report Form. Any report documenting the discharge of a Taser will include at a minimum, suspect actions, justification and circumstances surrounding its use, injuries, and evidence.
- B. Any time a Taser is air deployed or used in drive stun mode; photographs of the locations where the device was applied will be taken and entered into evidence. Consent should be obtained before photographing personally sensitive areas. If a person adamantly opposes photographs of a sensitive area (groin or breast), document the refusal in the police report.
- C. The spent Taser cartridge along with wires and probes will be packaged per directive

8.05 and placed into evidence.

D. Accidental discharges of a Taser cartridge will be documented on a memorandum and routed through the chain of command.

X. DEFENSE AGAINST TASER - If a person armed with a Taser or similar device, uses or threatens to use the device against an officer, reasonable force may be used to prevent the officers from becoming incapacitated and risking the possibility that the person could gain control of the incapacitated officer's firearm.

XI. MEDICAL TREATMENT

A. Officers who are trained to do so may remove the metal probes from a person struck with the Taser probes. If a person is struck with the probes in a sensitive area (neck, groin, eye, head) or a probe is damaged, the individual will be transported to a medical facility where the probes should be removed by a medical professional.

B. EMS will be summoned to examine individuals who have been subjected to the electric discharge of a Taser and/or struck by Taser probes when:

1. The person is younger than 12 years of age, or older than 60 years of age.
2. The person is known to be, or is obviously, pregnant.
3. The person is known to be, or appears, medically fragile.
4. The person is exhibiting symptoms of hyper stimulation or excited delirium.
5. The person falls and suffers an injury or strikes their head.
6. The officer observes that the individual is experiencing any distress beyond what would normally be expected under the circumstances, or the person requests medical treatment or EMS response.

C. Excited Delirium - Individuals exhibiting symptoms of "excited delirium" (e.g., nudity, profuse sweating, irrational behavior) may be more susceptible to certain medical problems and should be closely monitored following the application of the Taser until they can be examined by paramedics or other medical personnel. Following use of a Taser, officers should use a restraint technique that does not impair respiration. EMS will be summoned to examine and transport the individual to a medical facility.

D. Individuals suspected of being under the influence of drugs or alcohol should be monitored closely. Once control is gained, the suspect will be placed in a recovery position and monitored.

XII. JAIL NOTIFICATION - Upon arrival at the correctional facility, the transporting officer will notify jail personnel that the Taser has been used on the subject. The name of the jail staff notified will be documented in the Use of Force Report (Form 267).

XIII. TRAINING

A. Officers assigned Tasers will be required to qualify with their Taser annually. Qualification will consist of successfully passing the practical examination, written test, and a review of all applicable directives.

- B. During annual qualifications, Tasers and cartridges will be inspected by a certified trainer.
- C. Un-excused training absences or failure to pass re-certification shall terminate the officer's authorization to carry the Taser. Authorization for personnel to carry the Taser remains at the discretion of the department.
- D. Personnel and Training Unit will coordinate and maintain records of annual re-qualification for officers assigned Tasers.

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