

## 208 TASER Device Guidelines

### 208.1 PURPOSE AND SCOPE

The TASER® is intended to control a violent or potentially violent individual while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device will result in fewer serious injuries to officers and suspects.

#### 208.1.1 PHILOSOPHY

The use of a TASER Device upon a subject by an officer shall only occur when the officer, while in the performance of their lawful duties, has an objectively reasonable belief that it is necessary to gain control of the subject.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. It is also understood that vesting officers with the authority to use lawful and objectively reasonable force to protect the public welfare requires a careful balancing of all human interests.

#### 208.1.2 DEFINITIONS

**ARC Display** – A momentary warning arc feature on the Taser 7 that, prior to cartridge deployment, users may activate by pressing the ARC switch on their Conductive Energy Weapon (CEW). This procedure does not deploy the probes.

**Close Quarters Cartridges (CQ)** – TASER 7 CEW cartridges that are engineered with a 12 degree probe spread designed to achieve desirable CEW effects at a range between four feet to eleven feet.

**Standoff cartridges (SO)** – TASER 7 CEW cartridges that are engineered with a 3.5 degree probe spread designed to achieve desirable CEW effects at a range between eleven feet to twenty-two feet.

**Functional Test Mode** – A software mode for the TASER 7 CEW that is used to conduct an internal diagnostic and spark test.

**Tilt Select** – A feature on the Taser 7 that allows the user to choose which cartridge to deploy first by designating the active bay. This feature enables users to quickly select between a close-quarter or stand-off cartridge, depending upon which cartridge is the most optimal to deploy under the circumstances.

### 208.2 POLICY

Personnel who have completed department approved training may be issued a TASER Device for use during their current assignment. Personnel leaving a particular assignment may be required to return their issued device to the Department's inventory.

Officers shall only use the TASER Device and cartridges that have been issued by the Department. Officers approved to carry the TASER 7 CEW shall be issued two cartridges, one close quarter (CQ) cartridge and one standoff (SO) cartridge. The TASER 7 CEW shall be preloaded with a CQ cartridge in cartridge bay 1 and a SO cartridge in cartridge bay 2. All cartridges shall be replaced consistent with the manufacturer's expiration requirements.

If an officer is issued a TASER®, the device must be carried as a part of a uniformed officer's equipment in an approved holster.

- (a) When the TASER Device is carried as a part of a uniformed officer's equipment, the TASER Device shall be carried on the side opposite from the duty weapon.
- (b) All TASER Devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (c) Whenever practicable, officers [carrying a TASER X26](#) should carry a total of two ~~or more~~ TASER Device cartridges on their person while carrying a TASER Device.

### **208.3 VERBAL WARNINGS**

A verbal announcement of the intended use of the TASER Device shall precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances.

- (a) The purpose of the warning is for the following:
  - 1. Provide the individual with a reasonable opportunity to voluntarily comply.
  - 2. Provide other officers and individuals with warning that a TASER Device may be deployed.
- (b) The aiming laser should never be intentionally directed into the eyes of another.
- (c) The fact that a verbal and/or other warning was given, or the reasons it was not given, shall be documented in any related reports, as well as any responses by the subject.
- (d) When given, the verbal warning should be "TASER, TASER, TASER" to prevent any confusion as to which weapon system is being deployed.

### **208.4 USE OF THE TASER DEVICE**

As with any law enforcement equipment, the TASER Device has limitations and restrictions requiring consideration before its use. The TASER Device should only be used when its operator can safely approach the subject within the operational range of the TASER Device. Although the TASER Device is generally effective in controlling most individuals, officers should be alert to the potential for failure and be prepared with other options.

Generally, an assisting officer should be present with lethal cover in the event the TASER Device is ineffective or defective and the subject initiates a potentially life threatening confrontation.

Officers should never hold both a firearm and the TASER device at the same time.

#### **208.4.1 APPLICATION OF THE TASER DEVICE**

Authorized personnel may use the TASER Device when circumstances known to the officer at the time indicate that such application is objectively reasonable to control a subject in any of the following circumstances:

- (a) Apprehend a subject fleeing lawful arrest or detention.
- (b) A violent or physically resisting subject.
- (c) There is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.
- (d) A subject who by words or action has demonstrated an intention to be violent or to physically resist and who reasonably appears to present the potential to harm officers, themselves, or others.

1. Officers should give a verbal warning of the intended use of the TASER Device followed by a reasonable opportunity for the subject to voluntarily comply, when practicable.
2. Officers must be able to articulate their use of the TASER Device in an incident report.

(e) An ARC display may be utilized in conjunction with a verbal TASER warning in an effort to deescalate the situation and gain compliance without a probe deployment. The ARC display shall only be utilized in circumstances where deployment of the TASER probes or other use of the Taser would be justified. An ARC display is not a use of force, but shall be documented in the “study” section of Versadex if compliance is gained through the use of the ARC display.

#### 208.4.2 PROHIBITED USES

The following are prohibited uses of the TASER Device:

- (a) The TASER Device shall not be used to torture, psychologically torment, elicit statements or to punish any individual.
- (b) Horseplay or practical jokes.
- (c) Demonstrations, without the permission of a supervisor.
- (d) Against passively resisting subjects.
- (e) Individuals who are covered in, or in close proximity to, any combustible material.

#### 208.4.3 SPECIAL DEPLOYMENT CONSIDERATIONS

- (a) The use of the TASER Device should generally be avoided in the following situations unless the totality of the circumstances indicate that other available options reasonably appear ineffective, impractical, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the TASER Device.
  1. Obviously pregnant females.
  2. Elderly individuals or obvious juveniles.
  3. Individuals who are handcuffed or otherwise restrained.
  4. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).
- (b) Individuals suspected of being under the influence of drugs/alcohol or exhibiting extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and impervious to pain, or requires a protracted physical encounter with multiple officers to be brought under control may be more susceptible to serious medical problems and shall be closely monitored following the application of the TASER Device until they can be examined by paramedics or other medical personnel.
- (c) Because the application of the TASER Device in the drive-stun mode (i.e. direct contact without darts) relies primarily on pain compliance and requires close proximity to the subject, additional caution should be exercised. The application in drive- stun mode should be limited to brief applications in which pain compliance would reasonably appear necessary to achieve control.

#### 208.4.4 TARGETING CONSIDERATIONS

While manufacturers generally recommend that reasonable efforts should be made to target lower center mass and to avoid intentionally targeting the head, neck, chest and groin, it is recognized that the dynamics of each situation and officer safety may not permit the officer to

limit the application of the TASER Device darts to a precise target area. As such, officers should take prompt and ongoing care to monitor the condition of the subject if one or more darts strikes the head, neck, chest or groin until they are released to the care of paramedics or other medical personnel.

#### 208.4.5 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Only one officer shall deploy their TASER Device on an individual unless it is obvious the deployment was not effective.

- (a) If the first application of the TASER Device appears to be ineffective in gaining control of an individual and if circumstances allow, the officer should consider the following before additional application of the TASER Device:
  - 1. Whether the probes or darts are making proper contact.
  - 2. Whether the application of the TASER Device is interfering with the ability of the individual to comply.
  - 3. Whether other options or tactics may be more effective.
- (b) This does not preclude an officer from multiple, reasonable applications of the TASER Device on an individual. Before each additional deployment, officers must consider factors including:
  - 1. The effectiveness of prior TASER deployment(s);
  - 2. The severity of the crime at issue;
  - 3. Whether the suspect poses an immediate threat to the safety of the officers or others;  
and
  - 4. Whether the suspect is continuing to actively resist arrest or is still attempting to evade arrest by flight.

#### 208.4.6 REPORT OF USE

All TASER Device discharges shall be documented in the related incident report/supplements and notification made to a supervisor in compliance with General Order 211 (Response to Resistance Inquiry, Reporting and Review).

- (a) Specific information on the use of a TASER Device should include, but is not limited to, the following:
  - 1. Articulable reasons for the use of the TASER Device.
  - 2. Information on the type of individual who was subject to the TASER Device (e.g., age, sex, health conditions).
  - 3. Any special circumstances surrounding the use of the TASER Device (e.g., handcuffed prisoner).
  - 4. Whether one or both of the TASER Device darts penetrated a subject's clothing and/or skin.
  - 5. How many applications/cycles of the TASER Device were used.
  - 6. Whether the TASER Device application was successful.
  - 7. How many cartridges were used.
  - 8. Serial numbers of any used cartridge(s).
  - 9. Whether multiple officers used the TASER Device.
  - 10. Any pain compliance use of the TASER Device (e.g., drive stun).
- (b) TASER Device memory:
  - 1. For the TASER X26, the on-board TASER Device memory will be downloaded through the data port by a supervisor and saved with the related incident reports.
  - 2. For the TASER 7, once the TASER battery is docked into the docking station it will automatically upload the memory into Evidence.com.

- (c) Photographs of probe sites should be taken, Anti-Felon Identification (AFID) tags should be collected and the expended cartridge along with both probes shall be submitted into evidence for future reference. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

### **208.5 MEDICAL TREATMENT**

Officers will remove TASER Device darts as trained once the subject is in custody. Used TASER Device darts shall be considered a sharp biohazard, similar to a used hypodermic needle. Universal precautions should be taken accordingly.

All subjects who have been struck by TASER Device darts or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, an individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The subject is suspected of being under the influence of controlled substances and/ or alcohol.
- (b) The subject may be pregnant.
- (c) The subject reasonably appears to be in need of medical attention.
- (d) The TASER Device darts are lodged in a sensitive area (e.g., groin, female breast, near the eyes).
- (e) The subject requests medical attention.

Subjects who exhibit an extreme ~~agitation~~ agitated chaotic state, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and impervious to pain or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death and shall be examined by qualified medical personnel. Officers shall call EMS to diagnose and treat any individual exhibiting these signs as soon as the signs are recognized. Any such individual shall be medically cleared prior to booking.

If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or the interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person receiving custody or any person placed in a position of providing care that the individual has been subjected to the application of the TASER Device. All subjects shall be evaluated by the jail nurse prior to booking.

### **208.6 TRAINING**

In addition to the initial department-approved training required to carry and use a TASER Device, all employees carrying a TASER Device shall demonstrate proficiency annually.

- (a) Employees who have not carried a TASER Device as a part of their assignment for a period of six months or more shall be recertified by a department approved TASER Device instructor prior to again carrying or using the device.
- (b) A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training commander.

## **208.7 FUNCTIONALITY CHECK**

Spark testing the TASER 7 CEW shall be conducted while the device is in the “functional test mode.” This will properly log the event as a spark test rather than a regular ARC activation. Conducting a spark test in the “functional test mode” will not activate body worn cameras in the immediate vicinity.

After a Response to Resistance incident, supervisors shall download the firing data from an employees' TASER Device and comply with the reporting procedures outlined in General Order 211 (Response to Resistance Inquiry, Reporting and Review).

Officers shall download data from their assigned TASER Device when it is reassigned to another officer or retired from active police inventory:

- (a) One copy of the data report shall be filed with the officer's property inventory retained by Police Equipment.
- (b) One copy of the data report shall be retained by the officer.

### **208.7.1 PROPER MAINTENANCE**

Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order. If a defect is found, the officer should report such to their supervisor.

TASER 7 CEW users shall replace their CEW battery every thirty (30) days, or as soon as practicable if the battery level drops to 20% or lower or the TASER is used in an intentional or unintentional discharge.

Officers are prohibited from taking a spare battery from the TASER 7 battery docking/recharging stations. Officers shall only conduct a one-for-one battery swap. Officers are prohibited from swapping or borrowing a battery from one another. All battery replacements should be retrieved from the TASER 7 battery docking/recharging stations.

If an officer has a TASER deployment in the field, that officer should return to the substation as soon as practicable to swap out their CEW battery. When placed into the Axon Dock, the TASER 7 rechargeable battery pack will upload the weapon data and firmware automatically as well as recharge and condition the battery.

## **208.8 DEPLOYMENT RECORD RETENTION**

All TASER Device deployment information shall be maintained by the Department for a minimum of three (3) years.