

TASER™ Guidelines

309.1 PURPOSE AND SCOPE

The TASER™ device is intended to assist officers in the apprehension of violent or potentially violent individuals while minimizing the risk of serious injury to suspects and officers. Studies have shown the Taser™ is an effective and safe tool to be used in subduing and in the apprehension of non-compliant and combative subjects.

309.2 DEPLOYMENT AND AUTHORIZATION

Personnel who have completed department-approved training may be issued the TASER™ for use during their current assignment. Personnel leaving a particular assignment may be requested to return the TASER™ to the department's inventory.

Officers shall only use the TASER™ and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER™ shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER™ in the driver's compartment of their vehicle or other location as approved by their supervisor.

When the TASER™ is carried as part of a uniformed officer's equipment, the TASER™ shall be carried on the side opposite the duty weapon.

- (a) All TASER™ devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry a total of two or more TASER™ cartridges on their person when carrying the TASER™.
- (c) Officers shall be responsible for ensuring that their issued TASER™ is properly maintained and in good working order at all times.
- (d) Officers should never hold both a firearm and the TASER™ at the same time.

309.3 VERBAL WARNINGS

A verbal warning of the intended use of the TASER™ should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is for the following:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that a TASER™ may be deployed.

The fact that a verbal or other warning was, or was not, given shall be documented by the officer deploying the TASER™ in the related report.

309.4 USE OF THE TASER

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

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Any TASER™ equipped with a laser sighting system shall not be deployed merely to intimidate or gain compliance by shining the laser light into the eyes or on the person of any subject.

309.4.1 FACTORS TO DETERMINE REASONABLENESS OF FORCE

The application of the TASER™ is likely to cause intense, but momentary pain. As such, officers should carefully consider and balance the totality of circumstances available prior to using the TASER™ including, but not limited to, the following factors:

- (a) The conduct of the individual being confronted (as reasonably perceived by the officer at the time).
- (b) Officer/subject factors (i.e., age, size, relative strength, skill level, injury/exhaustion, number of officers vs. subjects).
- (c) Influence of drugs/alcohol (mental capacity).
- (d) Proximity of weapons.
- (e) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (f) Time and circumstances permitting, the availability of other options (what resources are reasonably available to the officer under the circumstances).
- (g) Seriousness of the suspected offense or the reason for contact with the individual.
- (h) Training and experience of the officer.
- (i) Potential for injury to citizens, officers and suspects.
- (j) Risk of escape.
- (k) Other exigent circumstances.

309.4.2 APPLICATION OF THE TASER

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

- (a) The subject is violent and/or physically resisting.
- (b) A subject who by actions has demonstrated an intent to be violent or to physically resist and who reasonably appears to present the potential to harm officers, himself/herself, or others.
 - 1. When practicable, the officer should give a verbal warning of the intended use of the TASER™ followed by a reasonable opportunity to voluntarily comply.
 - 2. The officer must be able to articulate a reasonable belief that the subject presented a danger to the officer, the subject, or others.
- (c) Absent meeting the conditions set forth in (a) or (b) above, or a reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from a pursuing officer shall not serve as good cause for the use of the TASER™ to apprehend an individual.

309.4.3 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER™ 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

ADOPTED 4/22/13
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others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the TASER™:

- (a) Pregnant females.
- (b) Elderly individuals.
- (c) Individuals who are handcuffed or otherwise restrained.
- (d) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any flammable material.
- (e) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER™ 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.

The TASER™ shall not be used to torture, psychologically torment, elicit statements, or to punish any individual.

309.4.4 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, 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™ 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 he/she is released to the care of paramedics or other medical personnel.

309.4.5 MULTIPLE APPLICATIONS OF THE TASER

If the first application of the TASER™ appears to be ineffective in gaining control of an individual and if circumstances allow, the officer should consider the following before additional applications of the TASER™:

- (a) Whether the probes or darts are making proper contact.
- (b) Whether the application of the TASER™ is interfering with the ability of the individual to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

This, however, shall not preclude any officer from deploying multiple, reasonable applications of the TASER™ on an individual.

309.4.6 REPORT OF USE

All TASER™ discharges shall be documented in the related arrest/crime report. Accidental discharges of a TASER™ cartridge when a subject is contacted by the TASER™ or TASER™ darts, or property is damaged shall be documented in a report. Any report documenting the discharge of a TASER™ cartridge will include the cartridge serial number and an explanation of the circumstances surrounding the discharge.

The on-board TASER™ memory will be downloaded through the data port by a supervisor or TASER™ Instructor and saved with the related report. Photographs of probe sites should

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be taken, Anti-Felon Identification (AFID) tags should be collected. The cartridge serial number should be noted and documented on the evidence paperwork.

309.5 MEDICAL TREATMENT

When practical and without causing additional injury, officers may carefully remove TASER™ darts from a person's body. Used TASER™ darts shall be considered a sharp bio-hazard, similar to a used hypodermic needle. Universal precautions should be taken accordingly.

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

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium") 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 should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter 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 an 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.

309.6 TRAINING

In addition to the initial department approved training required to carry and use a TASER™, any personnel who have not carried a TASER™ as a part of their assignment for a period of six months or more shall be re-certified by a department approved TASER™ Instructor prior to again carrying or using the device. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant.

The Training Coordinator should ensure that all training includes the following:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy § 300.
- (c) Target area considerations, to include techniques or options to reduce the intentional application of probes near the head, neck, and groin.
- (d) De-escalation techniques.