

404.5 TASER GUIDELINES

When properly applied in accordance with this policy, the Taser is considered a non-deadly control device which is intended to temporarily incapacitate a violent or potentially violent individual without causing serious injury. It is anticipated that the appropriate use of such a device will result in fewer serious injuries to officers and suspects.

404.51 CARRYING THE TASER

Personnel who have completed department approved training may sign out a device and an approved holster prior to going on duty. At the direction of the Watch Commander, officers may be assigned to carry a Taser if one is available.

- (a) Officers shall only use Tasers, holsters and cartridges that have been provided by the department.
- (b) Uniformed officer's may carry the Taser, either as part of the uniform in the approved holster or secured in the driver's compartment or trunk of the officer's vehicle so that it is readily accessible at all times.
- (c) If the Taser is carried as a part of a uniformed officer's equipment, the Taser shall not be carried on the same side as the officer's duty weapon.
- (d) All Taser devices shall be clearly and distinctly marked to differentiate them from the officer's duty weapon and any other device.
- (e) Whenever possible, officers shall carry a total of two or more Taser cartridges on their person at all times while carrying a Taser.
- (f) Officers shall be responsible for insuring that their issued Taser is properly maintained and in good working order at all times.
- (g) Officers should never hold both a firearm and a Taser at the same time unless lethal force is justified.

404.52 VERBAL AND VISUAL WARNINGS

Unless it would otherwise endanger officer safety or is impractical due to circumstances, a verbal announcement of the intended use of the Taser shall precede the application of a Taser device in order to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.

Provide other officers and individuals with warning that a Taser device may be deployed.

If, after a verbal warning, an individual continues to express an unwillingness to voluntarily comply with an officer's lawful orders and it appears both reasonable and practical under the circumstances, an officer may, but is not required to display the electrical arc (provided there is not a cartridge loaded into the Taser) or laser in a further attempt to gain compliance prior to the application of the Taser device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair their vision.

The fact that a verbal and/or other warning was given or reasons it was not given shall be documented in any related reports.

404.53 USE OF THE TASER

As with any law enforcement equipment, the Taser has limitations and restrictions requiring consideration before its use. The Taser should only be used when its operator can safely approach the subject within the operational range of the Taser. Although the Taser device rarely fails and is generally effective in subduing most individuals, officers should be aware of this potential and be prepared with other options in the unlikely event of such a failure.

Authorized personnel may use a Taser device 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 violent or physically resisting subject, or

A potentially violent or physically resisting subject if:

1. The subject has verbally or physically demonstrated an intention to resist; and
2. The officer has given the subject a verbal warning of the intended use of the Taser followed by a reasonable opportunity to voluntarily comply; and
3. Other available options reasonably appear ineffective or would present a greater danger to the officer or subject.

Although not absolutely prohibited, officers should give additional consideration to the unique circumstances involved prior to applying the Taser to any of the following individuals:

1. Pregnant females.
2. Elderly individuals or obvious juveniles.
3. Individuals who are handcuffed or otherwise restrained.
4. Individuals who have been recently sprayed with alcohol based Pepper Spray or who are otherwise in close proximity to any combustible material.
5. Passively resisting subjects.
6. Individuals whose position or activity may result in collateral injury (e.g. falls from height, operating vehicles, etc.)

Individuals suspected of being under the influence of drugs/alcohol or exhibiting symptoms of "excited delirium" (e.g. nudity, profuse sweating, irrational behavior) may be more susceptible to collateral problems and should be closely monitored following the application of the Taser until they can be examined by paramedics or other medical personnel;

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 and the controlling effects may be limited.

The Taser device shall not be used to torture, psychologically torment or inflict undue pain on any individual.

404.54 MULTIPLE APPLICATIONS OF THE TASER

If, after a single application of the Taser, an officer is still unable to gain compliance from an individual and circumstances allow, the officer should consider whether or not the Taser device is making proper contact, the use of the Taser is limiting the ability of the individual to comply or if other options or tactics may be more appropriate. However, this shall not preclude any officer from multiple, reasonable applications of the Taser on an individual.

404.55 REPORT OF USE

All Taser discharges shall be documented in the related arrest/crime report. Accidental discharges of a Taser cartridge will also be documented on a report classified as a miscellaneous report. Any report documenting the discharge of a Taser cartridge will include the cartridge's serial number and an explanation of the circumstances surrounding the discharge.

The on-board Taser memory will be downloaded through the dataport, and saved with the related arrest/crime report.

404.56 MEDICAL TREATMENT

Individuals who have been subjected to the electric discharge of a Taser and/or struck by Taser darts and who are also suspected of being under the influence of controlled substances and/or alcohol should also be examined by paramedics or other qualified medical personnel as soon as practicable.

Any person who has been subjected to the electric discharge of a Taser and/or struck by Taser darts shall be medically cleared prior to booking. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practical, should be witnessed by another officer and/or medical personnel. If an audio recording is made of contact or an interview with the individual, any refusal should be included, if possible. Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, imperviousness to pain or who require a protracted physical encounter with multiple officers to bring 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.

404.57 RE-CERTIFICATION OF TASER USERS

Training will be provided by the Department Rangemaster, or other designated Department trainers, to all personnel approved by Staff to carry the Taser. Only those officers that have completed the Department's Taser training program are authorized to use and carry a Taser. A reassessment of an officer's knowledge and/or practical skill may be required at any time deemed appropriate by the Department's Rangemaster or Professional Standards Bureau Lieutenant.