

## Energy Conducted Weapon System-X26 Taser

### 641.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of Energy Conducted Weapon System (ECW) hereby also referred to as "TASER," by authorized departmental personnel.

#### 641.1.1 DEFINITIONS

Definitions related to this policy include:

**TASER** - The TASER is a less lethal weapon used to temporarily incapacitate a dangerous, violent, potentially violent and/or non-compliant individual (other than passively resisting) by discharging an electronic current causing electro-muscular disruption (EMD).

**Passive Resistance** - Passive resistance is defined as physical actions that do not prevent an officer's attempt to control the individual (i.e. a person who remains in a limp, prone position, passive demonstrators, etc.).

### 641.2 AUTHORITY AND REFERENCES

- Executive Committee;
- <http://www.taser.com/products/law-enforcement/taser-x26p>

### 641.3 POLICY

The TASER® device is intended for use under special circumstances where less lethal force may be effective to resolve a situation and reduce injuries to officers and suspects. Consistent with the Use of Force policy, officers will only use force that is reasonable to effectively bring an incident under control.

### 641.4 ISSUANCE AND CARRYING TASER DEVICES

Only officers who have successfully completed department-approved training may be issued and carry the TASER device. When permission is granted for an officer to carry a TASER device, the authorization will be documented on a TASER Authorization Form and placed in the officer's personnel file, subject to annual review by the Chief Probation Officer or designee. The Chief Probation Officer or designee has the absolute discretion to revoke the authorization to carry a TASER device at any time.

TASER devices are issued for use during an employee's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

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

Officers carrying the TASER device should perform a spark test on the unit prior to every shift.

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- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) [REDACTED]
- (c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times.
- (d) [REDACTED]
- (e) [REDACTED]

**641.5 VERBAL AND VISUAL WARNINGS**

A verbal warning of the intended use of the TASER device 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 to:

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

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, aim the laser in a further attempt to gain compliance prior to the application of the TASER device. The laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in related reports.

**641.6 USE OF THE TASER DEVICE**

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 device. Although the TASER device rarely fails and is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options in the unlikely event of such a failure.

**641.6.1 APPLICATION OF THE TASER DEVICE**

Authorized officers may use the TASER device when circumstances known to the individual officer at the time indicate the application of the TASER device is reasonable to subdue or control:

- (a) A violent or physically resisting subject; or

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- (b) The subject has demonstrated, by words or actions, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others. The officer has given the subject a verbal warning of the intended use of the TASER device followed by a reasonable opportunity to voluntarily comply; or other available options reasonably appear ineffective; or would present a greater danger to the officer or subject.

### 641.6.2 SPECIAL DEPLOYMENT CONSIDERATIONS

Officers should give additional consideration to an individual's unique circumstances prior to the application of the TASER device. Criteria to consider include:

- (a) Individuals who are known to be pregnant.
- (b) Age - Elderly or Children.
- (c) Individuals who have received multiple discharges from a TASER device.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).
- (g) Individuals with known health problems.

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

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

### 641.6.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strike the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

### 641.6.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

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If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

#### **641.6.5 POST-DEPLOYMENT PROCEDURE**

After a qualified officer uses the TASER device to take a subject into custody, the officer shall do the following;

- (a) Secure the subject to minimize the threat of injury to either the officer or the subject. Officers are to use caution and ensure that any restraint device or technique used does not impair the breathing of the subject.
- (b) Follow MEDICAL TREATMENT section of this policy.
- (c) Photograph the suspect, all injuries and the area of the probe contact points. In addition, photograph the cartridges and probes. All photographs shall be booked into evidence.
- (d) An armed probation supervisor shall be immediately notified of any discharge of the TASER device.

#### **641.6.6 DANGEROUS ANIMALS**

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

#### **641.6.7 OFF-DUTY CONSIDERATIONS**

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

#### **641.7 DOCUMENTATION**

Officers shall document all TASER device discharges on the Incident Report Form and shall also include such information in any related arrest/crime reports.

##### **641.7.1 TASER INCIDENT REPORTING**

Items that shall be included in TASER device incident reports are:

- (a) The type and brand of TASER device and cartridge, and cartridge serial number.
- (b) Date, time and location of the incident.

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- (c) Observation of suspect's actions justifying activation of the TASER device.
- (d) Activation of the TASER device (To include if more than one five second cycle was used).
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Response of suspect to the TASER device [REDACTED].
- (j) Whether medical care was provided to the subject (by whom and what was done).
- (k) Suspect transported to the local hospital for medical clearance and by whom.
- (l) Whether the subject sustained any injuries.
- (m) Whether any officers sustained any injuries.
- (n) Any weapons possessed by the suspect.
- (o) Police report number and any new charges (i.e. 148(a)(1) PC Resist/Delay/Obstruct a Peace Officer in Discharge of their Duties).
- (p) Copy of deployment information from the TASER device.

### 641.7.2 REPORTS

The officer should include the following in the arrest/crime/incident report:

- (a) Identification of all personnel deploying TASER devices.
- (b) Identification of all witnesses.
- (c) Medical care provided to the subject.
- (d) Observations of the subject's physical and physiological actions.
- (e) Any known or suspected drug use, intoxication or other medical problems.

### 641.8 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Officers shall request medical personnel (i.e. Fire or Ambulance) to respond to the scene as soon as possible and render first aid to the subject.

Used TASER device probes shall be treated as a sharps biohazard and shall be handled in accordance with Universal Precautions, photographed and disposed of in an appropriate "sharps" container. Prior to disposal, the serial number of all air cartridges used shall be recorded and documented in the incident report.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any

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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 device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Once medical personnel on the scene deem the subject(s) stable for transport, subjects who have been exposed to a TASER device deployment shall be transported to a medical facility for examination (OK to Book) 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.

An officer shall remain at the hospital until the subject is medically cleared for transportation and housing at a detention facility, unless the subject is admitted and sufficient custodial safeguards are in place, or the subject is otherwise released from custody.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

During booking of the subject, jail personnel shall be advised of the use of the TASER device for monitoring of the subject for any possible ill effects.

### **641.9 SUPERVISOR/LEAD RANGEMASTER RESPONSIBILITIES**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated. Upon notification of any discharge of a department-issued TASER device, the armed probation supervisor shall notify the division director or assistant director immediately.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device.

The primary responsibility for maintenance and tracking of department issued TASER devices shall rest with the Lead Rangemaster. The Lead Rangemaster or designee shall:

- (a) Log and track all TASER devices and cartridges to minimally include the issuance of each weapon/cartridge and the employee assigned to that TASER device.
- (b) Upon discharge notification of a TASER device, download the discharge memory of the involved TASER device for record keeping purposes. Additionally, an electronic

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copy (CD) of the discharge memory is to be attached to the applicable incident report and related arrest/crime/incident reports. Records of all discharges shall be part of the Rangemaster binder.

- (c) Order and maintain adequate cartridges and maintenance supplies.
- (d) Conduct inspections of the TASER devices.

#### **641.10 TRAINING**

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the 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.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Lead Rangemaster. All training and proficiency for TASER devices will be documented in the officer's training file.

The Lead Rangemaster is responsible for ensuring that all employees who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

TASER device training shall be provided by the Riverside County Probation Department as coordinated by the Lead Rangemaster and the Staff Development Unit, and include the following:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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