

# Taser Device

## 309.1 PURPOSE AND SCOPE

Best Practice MODIFIED

This policy provides guidelines for the issuance and use of Taser's.

## 309.2 POLICY

Best Practice MODIFIED

The Taser is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

## 309.3 ISSUANCE AND CARRYING TASER'S

Best Practice MODIFIED

Only members who have successfully completed department-approved training may be issued and carry the Taser.

Taser's are issued for use during a member'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 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 or shall secure it in their vehicle in a location that is readily accessible. Non-uniformed officers may secure the taser in the driver's compartment of their vehicle.

Members carrying the taser should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the taser in a weak-side holster on the side opposite the duty weapon.

- (a) Whenever practicable, officers should carry two or more cartridges on their person when carrying the taser.
- (b) Officers shall be responsible for ensuring that their issued taser is properly maintained and in good working order.
- (c) Officers should not hold both a firearm and the taser at the same time.

## 309.4 VERBAL AND VISUAL WARNINGS

Best Practice MODIFIED

A verbal warning of the intended use of the taser will 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 may be deployed.

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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, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the taser. The aiming 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 in the related report.

#### 309.4.1 <STRONG>EQUIPMENT</STRONG>

**Agency Content**

- (a) The air cartridges and probes used shall be tagged into evidence. Since the probes will probably have blood on them (biohazard), officers should wear latex gloves when handling them. The wires shall be wound around the cartridge. The probes shall be inverted into the portals, which they were fired from (this will prevent sharp ends from penetrating the evidence envelope). Tape should be placed over the portals to secure the probes in the cartridge.
- (b) AFID (Anti-Felon Identification): Every time an air cartridge is fired, it disperses 20-30 identification tags called AFIDs. These tags are printed with the serial number of the cartridge and can be used to determine who fired the cartridge. At least three (4) AFID's will be placed inside the evidence envelope with the air cartridge. The number from the AFID's shall be logged on the use of force report.
- (c) The taser shall be turned over to the taser Instructor or his/her designate for downloading of information from the device within ten (10) days of usage.
- (d) The taser Instructor will retain all records and downloaded information.

#### 309.5 USE OF THE TASER

**Best Practice** **MODIFIED**

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 device. Although the taser 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.

##### 309.5.1 <STRONG>APPLICATION OF THE TASER</STRONG>

**Best Practice** **MODIFIED**

When a subject causes an immediate threat of harm to any person or when public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is;

- (a) Likely to cause injury to the officer; or

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- (b) If hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of a taser

In either of the above circumstances, the force must be objectively reasonable, necessary and proportional.

#### 309.5.2 <STRONG>SPECIAL DEPLOYMENT CONSIDERATIONS</STRONG>

**Best Practice** **MODIFIED**

The use of the taser on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective 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 device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (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).

Because the application of the taser 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 shall not be used to psychologically torment, elicit statements or to punish any individual.

#### 309.5.3 <STRONG>TARGETING CONSIDERATIONS</STRONG>

**Best Practice** **MODIFIED**

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 probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

#### 309.5.4 <STRONG>MULTIPLE APPLICATIONS OF THE TASER</STRONG>

**Best Practice** **MODIFIED**

Officers should apply the taser for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the taser against a single individual

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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.

If the first application of the taser appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the taser, 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 at a time against a single subject.

#### 309.5.5 <STRONG>ACTIONS FOLLOWING DEPLOYMENTS</STRONG>

Best Practice MODIFIED

Officers shall notify a supervisor of all taser discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. 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.

#### 309.5.6 <STRONG>DANGEROUS ANIMALS</STRONG>

Best Practice MODIFIED

The taser 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.

#### 309.5.7 <STRONG>OFF-DUTY CONSIDERATIONS</STRONG>

Best Practice MODIFIED

Officers who have met the Department standards are authorized to carry department taser's while off-duty. The taser shall be carried concealed and in the Department issued holster at all times.

Officers shall ensure that taser's 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.

### **309.6 DOCUMENTATION**

Best Practice MODIFIED

Officers shall document all taser discharges in the related arrest/crime report and the taser report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

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#### 309.6.1 <STRONG>REPORTS</STRONG>

Best Practice **MODIFIED**

The officer will include the following in the arrest/crime report:

- (a) Identification of all personnel firing taser's
- (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

#### 309.7 MEDICAL TREATMENT

Best Practice **MODIFIED**

Officers should remove CEW probes from a person's body unless they are lodged in a sensitive area (e.g., groin, female breast, head, face, neck). If the probes are lodged in a sensitive area, they should only be removed by appropriate medical personnel. Used CEW probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by taser probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, 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 probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated 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 providing medical care or receiving custody that the individual has been subjected to the application of the taser.

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### **309.8 SUPERVISOR RESPONSIBILITIES**

Best Practice **MODIFIED**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the taser may be used. A supervisor should respond to all incidents where the taser was activated.

A supervisor will review each incident where a person has been exposed to an activation of the taser. The device's onboard memory should be downloaded through the data port by a supervisor or Rangemaster and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

### **309.9 TRAINING**

Best Practice **MODIFIED**

Personnel who are authorized to carry the taser shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the taser as a part of their assignment for a period of six months or more shall be recertified by a department-approved taser instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued taser's 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 Training Sergeant. All training and proficiency for taser's will be documented in the officer's training file.

Command staff, supervisors and investigators should receive taser training as appropriate for the investigations they conduct and review.

Officers who do not carry taser's should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Sergeant is responsible for ensuring that all members who carry taser's have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of taser's during training could result in injury to personnel and should not be mandatory for certification.

The Training Sergeant should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest and groin.

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- (e) Handcuffing a subject during the application of the taser and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the taser.