

TASER

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of Conducted Electrical Weapons from here on referred to as TASERS.

304.1.1 DEFINITONS

TASER - A conducted electrical weapon designed to control a subject through the use of electrical energy to interrupt the central nervous system of the affected individual.

TASER Cartridge - A sealed unit that contains, amongst other things, the probes and wires that complete the electrical circuit.

TASER Cycle - A 5 second span of time, during which electrical energy is sent through the device.

Drive Stun - The physical application of the main TASER unit to the body of another for the specific purpose of pain compliance.

Display - The removal of the TASER from the officer's holster for the purpose of deploying the probes.

Discharge - The actual firing of the TASER at a person.

304.2 POLICY

The TASER is intended to control a violent or potentially violent individual, or an individual that is attempting to harm themselves, while minimizing the risk of serious injury to officers, suspects, and subjects.

304.3 ISSUANCE AND CARRYING TASERS

Only officers who have successfully completed department-approved training and Crisis Intervention Team (CIT) training may be issued and carry the TASER. Officers shall only use the TASER and cartridges 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.

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 on the side opposite the duty weapon.

- (a) All TASERs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry at least two 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.

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- (d) Officers should not hold both a firearm and the TASER at the same time.

304.4 VERBAL AND VISUAL 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 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.

If, after a verbal warning, an individual is unwilling to voluntarily comply with officer's lawful orders and the TASER discharge appears reasonable under the circumstances, the officer may, but is not required to, display the TASER 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 discharging the TASER in the related report.

304.5 USE OF THE TASER

The use of drive stuns (the physical application of the TASER to the body of another for the specific purpose of pain compliance) is prohibited.

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.

304.5.1 APPLICATION OF THE TASER

The TASER may be used when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a subject or suspect who is actively aggressive and the behavior imminently threatens serious physical harm to any person.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER to apprehend an individual. Officers however are authorized to use a TASER on a fleeing suspect wanted or suspected of committing a felony involving violence.

Officers are also authorized to use a TASER on a fleeing subject that has verbalized and/or demonstrated that they will harm themselves or others and needs to be stopped without delay.

304.5.2 SPECIAL DISCHARGING CONSIDERATIONS

The TASER shall not be used to psychologically torment, elicit statements or to punish any individual. Officers are prohibited from using a TASER on any handcuffed subject/suspect unless the behavior is so egregious, and other methods are not appropriate, that a higher level of force would be justified.

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The use of the TASER on certain individuals should generally be avoided in all but extraordinary circumstances.

These individuals include:

- (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 in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (e) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles, in water such that would pose a drowning risk).

Extraordinary circumstances exist when 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.

304.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. In the event a probe strikes one of the previously listed areas officers should monitor the condition of the subject until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE TASER

The officer should stop and evaluate the situation after one standard cycle or application before administering an additional shock. The officer should evaluate the situation to determine whether the suspect still presents active aggressive behavior or behavior that continues to threaten serious physical harm to any person. If no such threat is present, no further shocks shall be permitted.

Officers should not intentionally discharge multiple TASERs against an individual simultaneously.

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.

If it appears that probe contact has not been made, completion of the probe contact with the main unit would be allowed to complete the electrical circuit.

304.5.5 ACTIONS FOLLOWING DISCHARGES

As soon as practical officers shall notify an on duty supervisor of all TASER discharges. Confetti tags referred by the manufacturer as anti-felon identification (AFIDS) should be collected and

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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.

304.5.6 VIDEOS

Officers should be equipped with a body worn camera when they are carrying a TASER. The policy governing the use of body worn cameras delineates the use of the body worn camera.

304.5.7 OFF-DUTY CONSIDERATIONS

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

Officers shall ensure that TASERs 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. Instances of unauthorized use or activation of a TASER while an officer is off-duty shall be reviewed as a discharge. It shall be documented by the officer as if the officer was on-duty. If the discharge or activation was not within policy, officers are subject to discipline as they would be if they were on-duty.

304.6 DOCUMENTATION

Officers shall document all TASER discharges in the related incident 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.

304.6.1 TASER FORM

Items that shall be included in the TASER report form are:

- (a) The type and brand of TASER and cartridge and cartridge serial number.
- (b) Date, time and location of the incident, and case number
- (c) Whether any display or laser deterred a subject and gained compliance.
- (d) The approximate range at which the TASER was used.
- (e) The type of mode used (probe or circuit completion follow through).
- (f) Location of any probe impact will be diagrammed on the TASER report form.
- (g) Location of contact in circuit completion follow through will be diagrammed on the TASER report form.
- (h) Description of where missed probes went.
- (i) Whether medical care was provided to the subject.
- (j) Whether the subject sustained any injuries.
- (k) Whether any officer sustained any injuries.
- (l) Race, sex, age, height and weight of subject.

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- (m) Whether subject was included in a special discharging consideration category and if so, what specifically.
- (n) Did officers employ Excited Delirium Protocol.
- (o) Was subject engaged or intended in engaging in self-harm behavior.

The Response to Resistance Committee will periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Response to Resistance Committee will also conduct audits of data downloads and reconcile TASER report forms with recorded activations. TASER information and statistics, with identifying information removed, will be periodically made available to the Civilian Police Review Board (CPRB).

304.6.2 REPORTS

The officer should include the following in the incident report:

- (a) Identification of all personnel firing TASER
- (b) If ordered to discharge a TASER, from whom did the order come
- (c) Identification of all witnesses
- (d) Medical care provided to the subject
- (e) Observations of the subject's physical and physiological actions
- (f) Any known or suspected drug use, intoxication or other medical problems

304.6.3 CPRB NOTIFICATION

The Chief of Police or his designee shall report all discharges to the CPRB.

304.7 MEDICAL TREATMENT

TASER probes should be removed at the earliest opportunity. Only officers trained in the removal of probes or qualified medical personnel, including certified paramedics, should remove TASER probes from a person's body. If a probe is broken under the skin or embedded so as to preclude easy removal, the subject shall be provided appropriate medical attention by a trained medical personnel to facilitate the removal of the object. Used TASER probes shall be considered sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken. Officers shall ensure that first aid is provided following the removal of the probes. Photographs of the probe impact sites and other related injuries should be taken when practical.

Any 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.

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- (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 applications (i.e., more than 2 applications) 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 the refusal by the subject occurred while they were in the rear of a squad car, that video shall be tagged and retained as evidence.

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

304.8 SUPERVISOR RESPONSIBILITIES

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 displayed. As soon as practicable, the supervisor shall retrieve the TASER for download.

A supervisor should 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 TASER Program Coordinator and saved with the related incident report. Photographs of probe sites should be taken, witnesses interviewed, and any other reasonable investigative steps as required by the Use of Force Policy

304.8.1 CPRB TASER REVIEW

All TASER discharges will be reviewed by members of the CPRB as soon as practicable pursuant to existing CPRB guidelines. Documentation, including video and audio recordings, consistent with CPRB guidelines, shall be submitted to the CPRB for this purpose.

304.9 TRAINING

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 TASERs should occur every year. A reassessment of officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the TASER Program Coordinator. All training and proficiency for TASERs 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.

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

Prior to being eligible to go through the TASER training, officers must have completed the Crisis Intervention Team (CIT) course. Participation in TASER training is voluntary, however participation in the training requires that officers experience an actual TASER discharge on themselves. The TASER Program Coordinator is responsible for ensuring that all members who carry a TASER have received initial and annual proficiency training. Periodic audits should be used for verification.

The TASER Program Coordinator should ensure that all training includes (this list is not exhaustive):

- (a) A review of this policy, to include philosophy of use.
- (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.
- (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.
- (h) Review of defensive tactics
- (i) Review of Excited Delirium protocol
- (j) Review of documentation - both reports and forms

304.10 DANGEROUS ANIMALS

The TASER may be discharged 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.