


# PINE BLUFF POLICE DEPARTMENT POLICY/PROCEDURES MANUAL

	<b>SUBJECT:</b>	<b>POLICY NUMBER</b> 510
	<b>Electronic Restraint Device -Taser</b>	<b>ISSUE DATE</b> 07/16/2007
	<b>CHAPTER: USE OF FORCE</b>	<b>EFFECTIVE DATE</b> 07/16/2006
	<b>ISSUED By: Chief of Police John Howell</b>	<b>TOTAL PAGES</b> 11

## I. PURPOSE

It is the purpose of this policy to provide officers with written guidance on and set forth policy for the Pine Bluff Police Department regarding the training, handling, deployment, reporting of use, and follow-up procedures involving the Taser® electronic restraint device.

The Taser is an additional law enforcement tool and is not intended to replace verbal problem solving skills, self-defense techniques, or firearms. The Taser shall be deployed only in circumstances where it is deemed reasonably necessary to control a dangerous or violent subject. The Taser may reduce the need for other types of physical force by the officer. The Taser shall be deployed when deadly force does not appear to be justified and/or necessary, and attempts to subdue the subject by other tactics have been, or will likely be, ineffective in the situation at hand; or there is a reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

## II. DEFINITIONS

**TASER:** Specifically the Taser X-26 manufactured by Taser International of 7860 E. McLain Drive, Suite 2, Scottsdale, Arizona 85260.

**“ERD (TASER)”:** ELECTRONIC RESTRAINT DEVICE -TASER

**DEPLOYMENT:** The activation of a Taser resulting in the arching of the unit, a contact maneuver on a subject or animal and/or the discharge of an air cartridge whether or not the probes strike their intended target. The mere display of a Taser without activation is not considered deployment.

**“TASED”**. The acceptable word indicating that a person or animal has received an electrical charge from a Taser.

**TASER CONTROL MANAGER**: A Taser Instructor who has been appointed by the Chief of Police or their designee to administer the Taser Program.

**TASER INSTRUCTOR**: All approved Taser Instructors of the Pine Bluff Police Department who have completed the twelve (12) hour Taser International Instructor Certification Course and who hold a current Taser Instructor's Certification.

**TASER OPERATOR**: Any employee of this agency who has completed the four (4) hour Taser Operator Training by a Taser Instructor and who holds a current certification as a Taser Operator.

**MEDICAL PERSONNEL**: Includes, but is not limited to, doctors, Physicians Assistant, Nurses, Paramedics, and Emergency Medical Technicians.

**SUPERVISOR**: A Pine Bluff Police Department officer above the rank of Patrolman to include Sergeant, Lieutenant, Deputy Chief, and Chief.

**SPARK TEST**: Activation by pulling the trigger while cartridge is NOT attached in order to test the function of the Taser.

### III. **POLICY**

Consistent with this law enforcement agency's policy of using only the level of force that reasonably appears necessary to control or otherwise subdue violent or potentially violent individuals; the Pine Bluff Police Department authorizes the use of the Taser® electronic restraint device (ERD (TASER)) by designated units within the agency. The primary purpose for employing the ERD (TASER) is to save human lives. The ERD (TASER) is authorized as an alternative to employing deadly force in situations where time and circumstances exist for ERD (TASER) use. It is not intended to be used as a general substitute for other non-lethal force options.

### IV. **PROCEDURES**

#### A. **DISCUSSION**

1. ERD (TASER)s are designed to restrain violent individuals, where alternative restraint tactics have been or are reasonably likely to fail and/or where it would be unsafe for officers to approach a subject to apply restraints.
2. Tasers shall be issued to and handled by only those officers who have completed the Pine Bluff Police Department Taser Training Program or a Taser Training Program from Taser International and only those officers who hold a current Taser certification. The Taser shall be handled in the same manner and treated with the same degree of care and discretion as a firearm.

3. The ERD (TASER) fires two darts connected to the device by fine wires. Once in place, electricity can be discharged into the subject at the control of the ERD (TASER) operator. The subject should normally be immobilized and dazed by the electricity long enough for officers to apply restraints. Manufacturers claim that the ERD (TASER) under normal conditions causes no permanent damage; however, precautions in its use shall be followed in accordance with provisions of this policy.
4. Only properly functioning and charged Tasers shall be issued and carried for field use. The Taser battery shall be checked daily at the beginning of each work shift in accordance with the training. Should the battery level displayed on the X-26 Taser's CID (Central Information Display) become lower than 20, the Taser is to be returned to the Taser Control Manager for battery replacement. A spark test shall be performed at the beginning of each work shift.
5. Any Taser or component thereof found to be defective or damaged shall be returned to the Taser Control Manager for repair or replacement, with a detailed explanation in writing of the malfunction or cause of damage. Tasers are not to be disassembled, repaired, modified, or altered in any way by the Operator.
6. All Tasers and associated equipment shall be properly secured when not in use. When carried in the field, the Taser shall be carried in the issued or approved holster only. The holster shall only be carried on the opposite side of officer's issued sidearm or in an approved manner by a certified Taser Instructor.

## **B. TRAINING**

1. To receive certification during the Taser Operators Course it shall be required that the officer pass a written examination and successfully deploy the Taser into a target. It is not required the officer receive a "hit" from the Taser to pass the Taser Operators Course. To receive a "hit" from the Taser is solely at the officer's discretion. Taser Operators, in order to maintain certification, must recertify annually. Re-certification for Taser Instructors shall be completed every two years.
2. Only officers who have successfully completed the agency's approved course of instruction on the ERD (TASER) are authorized to use it in tactical situations.
3. Officers of this agency shall receive refresher training in use of the ERD (TASER) on an annual basis or in accordance with manufacturer's recommendations.

4. Tasers shall be used as instructed in the Taser Training Course and only in accordance with Pine Bluff Police Department Policy and Arkansas State Law. The deployment of a Taser is considered a use of force of one level greater than “Level 2 Minor Physical Force” (as defined in Pine Bluff Police Department Policy 550) The Taser is on level 3, the same use of force level as Oleoresin Capsicum (O.C. or Pepper Spray). See usage criteria below.

**C. USAGE CRITERIA**

1. Tasers are considered a use of force and shall be employed in a manner consistent with this Department’s use-of force policy. Tasers are a force option following verbal compliance tactics on the use-of-force continuum.
2. **Tasers may be used when:**
  - a. Verbal dialogue has failed to bring about the subject’s compliance, and,
  - b. The subject has signaled his intention to actively resist the officer’s efforts to make the arrest.
3. Whenever practical and reasonable, officers should issue a verbal warning prior to deploying a Taser against a suspect.
4. An officer may use deadly force to protect himself from the use or threatened use of an electronic restraint device, such as a Taser, when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.
5. Once a suspect is incapacitated or restrained, the use of Tasers is no longer justified.

**D. DEPLOYMENT**

1. Only properly functioning and charged Tasers shall be issued and carried for field use. The Taser battery shall be checked daily at the beginning of each work shift in accordance with procedures specified in training. Should the battery level displayed on the X-26 Taser’s CID (Central Information Display) become lower than 20, the Taser is to be returned to the Taser Control Manager for battery replacement.
2. The ERD (TASER) may be used when other less-than lethal force options have been ineffective or when it reasonably appears that such options will be ineffective in subduing the subject.

3. Examples of situations in which the ERD (TASER) may be used include, but are not limited to, the following:
  - a. Dealing with the mentally ill subject who is perceived to be violent.
  - b. Armed subjects.
  - c. Warrant service where the subject is perceived to be violent.
  - d. Violent persons under the influence of drugs and/or alcohol.
  - e. Persons expressing the intent and having the means to commit suicide.
  - f. When deemed a reasonable alternative to lesser force options that will likely be ineffective or greater force options that may be inappropriate given objective circumstances.
4. Whenever a Taser is to be deployed it is the responsibility of the deploying officer and/or on-scene supervisor to make certain that officers on the scene understand that the Taser is being deployed and not lethal force, prior to the deployment of the Taser if at all possible. This shall be accomplished through the warning announcement "TASER!" to alert other officers, as well as to provide the subject an additional opportunity to cease the conduct that has given rise to the deployment of the Taser.
5. When an officer approaches a subject with the intent to deploy the Taser an additional officer should also approach whenever possible to provide lethal cover should it become necessary for the protection of life. Verbal commands should be used constantly before (when practical), during, and after the deployment of the Taser to warn the subject to cease his/her aggressive demeanor or action.
6. The Taser is programmed to give a five (5) second deployment. The Operator can shorten or extend this time to affect the arrest. The probes should not be touched during deployment as the officer would receive the same effects. In addition, officers should avoid stepping on or tripping over the wires that connect the probes to the cartridge.
7. **NEVER** purposely aim the Taser at the neck, eyes, or the face. The Taser is laser sighted and the top probe will follow the sights and the laser sight. The bottom probe will travel at an eight (8) degree downward angle below the point of aim. The rule of thumb for the bottom probe (due to the 8-degree drop) is that it drops one (1) foot for every seven (7) feet of travel. The X-26 Taser has a range of twenty-one (21) feet. The optimum distance for deployment is seven (7) to fifteen (15) feet.
8. **DO NOT** fire the Taser near flammable liquids, fumes, clandestine methamphetamine labs, or any subject who is contaminated with such as the Taser can ignite flammable substances. Some self-defense sprays are flammable due to the propellant contained in them, therefore the Taser and any self-defense spray is not be used in conjunction.

9. Where possible, the ERD (TASER) operator should consult with a supervisor prior to ERD (TASER) use.
10. The ERD (TASER) should not be pointed at any individual unless the officer involved reasonably believes it will be necessary to use the device.
11. For maximum effectiveness, ERD (TASER)s should be fired at center body mass.
12. **In non-lethal force situations**, when possible, officers should avoid using the ERD (TASER) on:
  - a. persons in wheelchairs
  - b. pregnant women;
  - c. people with known heart problems;
  - d. people with apparent debilitating illness or the elderly;
  - e. children or those under 80 pounds;
  - f. individuals with known neuromuscular disorders such as muscular sclerosis, muscular dystrophy or epilepsy; or
  - g. persons known to be wearing pacemakers or other biomedical devices sensitive to electrical current.
13. Officers must be aware of the possibility of injuries to a suspect who has been "Tased" that may be caused from falling from a standing position. Officers are to provide or cause to be provided any medical treatment necessary as a result of these injuries.
14. ERD (TASER) cartridges shall not be carried loosely in pockets or in similar fashion as static electricity may cause discharge and serious injury. All ERD (TASER) cartridges shall be stored in their shipping boxes until deployed for discharge.
15. Once the subject is safely secured and in custody the Taser Operator shall remove the air cartridge from the Taser and collect the cartridge, wires, and probes. The probes are to be treated as a biohazard and shall be packaged and handled as such. The probes are to be disposed of in a suitable "sharps" container to prevent accidental infection.
16. If the Taser is deployed or activated for a test, public relations demonstration, training, or any other reason other than a field deployment no report is required.

## **17. Tasers shall not be deployed:**

- a. When the operator cannot, for safety or other reasons, approach the subject within effective range of the device;
- b. In proximity to flammable liquids, gases, blasting materials or any other highly combustible materials that may be ignited by use of the device, including but not limited to any subject who may have been contaminated with combustible liquids;
  - i. Some-self defense sprays are flammable due to the propellant contained in them. Therefore, the Taser and any self-defense spray is not to be used in combination.
- c. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death (e.g., incidents as noted in item D.8., and situations where the suspect's fall may result in injury or death); or
- d. In conjunction with another ERD (TASER) or any other electrical restraint device that may collectively exceed electrical power levels on the subject.
- e. From or at a subject in a moving vehicle unless justifiable in defense of one's life, or that of another.
- f. On any subject who may fall from significant heights (i.e., rooftops, stairs, etc) or into a deep body of water; unless the subject has moved away from the area of risk.
- g. On any subject who is handcuffed or shackled; unless there is an immediate threat of safety to the Officer, suspect, or bystander.
- h. On any subject as a tool of coercion or punishment.
- i. On any subject in an excessive manner more than what is needed to affect an arrest or bring a situation under control.

## **E. DART REMOVAL**

1. Once the subject is safely secured and in custody the Taser Operator shall notify their immediate supervisor of the incident if one is not present at the scene.
2. Once the subject is safely secured and in custody, the Taser Operator shall as soon as possible remove the probes, if affixed to the subject, and provide treatment to any wounds caused by the probes or contact with an electrical charge as instructed in the Taser Operating Training Course.

3. Only medical personnel may remove or direct to be removed, any Taser probes that are embedded in soft/sensitive tissue areas such as the neck, face, groin, female breast area, or any other area deemed to be a sensitive area. If medical treatment is provided at the hospital emergency room the officer shall obtain a medical release prior to transporting the subject to jail.
4. If the probes are no longer affixed to the subject and medical treatment is not needed, the subject may be transported to the jail. Once at the jail the arresting officer shall notify the jail nurse of the Taser incident and have the jail nurse to examine and provide any further medical attention needed.
5. Taser darts that have penetrated the skin shall be considered a biohazard and disposed of accordingly.

**F. AFTER-ACTION REPORTING**

1. Use of the ERD (TASER) is considered a Use of Force and is subject to the same reporting requirements as other uses of force required by this agency.
2. A Use Of Force Report shall be completed as provided for in Pine Bluff Police Department Policy 550 (Use of Force).
3. The deploying officer is responsible for documenting the deployment in the department's report system (DRS) prior to completing their shift. The report shall contain the details of the incident-giving rise to the use of force. The report shall contain the serial number of the Taser and serial number of the cartridge(s) used in the deployment. The report shall identify the subject(s) to which the Taser was deployed.
4. If the officer who deployed the Taser is not the primary reporting officer, the deploying officer shall provide a supplemental report to the initial primary report. The initial primary reporting officer shall document their role in the deployment of the Taser.
5. The officer deploying the Taser shall ensure that photographs are taken of injuries or the lack of injuries to the subject who has been "Tased". Special attention is to be given to any area where the charge was received and/or to any injuries caused from a fall. The photographs are to be made a part of the Use of Force Report. The deploying Officer shall include in their report detailed descriptions of any in injuries or the lack of injuries and how the injuries occurred.
6. With the exception of training, all instances of ERD (TASER) usage, including accidental deployments, shall be reported on this agency's use-of-force reporting document.
7. The Office of Professional Standards shall indicate in its report, in addition to other requested information, the serial number of the unit used, the distance from the subject from which the ERD (TASER) was fired, locations of impact on the subject and an evaluation of the effectiveness of the device.



8. The Taser that was deployed shall be removed from service until such time that the deployment report is downloaded from the Taser's Data Port. The Taser Control Manager shall perform the download function. Once a printed report is obtained, the Taser may be returned to service.
9. A copy of the printed deployment report shall include the date prior to the deployment, the date of the deployment on a subject, and the day after if available. The deployment report shall be attached to the Incident Report and forwarded up the chain of command for the administrative review process.
10. It shall be the responsibility of the Taser Operator to present the issued Taser to the Taser Control Manager on or as near to as possible, the 1<sup>st</sup> of every yearly quarter for download and inspection regardless of whether or not the Taser has been deployed.

**G. MAINTENANCE**

1. Testing and maintenance of the ERD (TASER) shall be consistent with manufacturer's specifications.
2. After each discharge, the firing bay shall be cleaned with an alcohol-treated cotton swab to prevent buildup of carbon residue and potential firing complications.
3. After each use, the ERD (TASER) battery shall be replaced with a fully charged battery. (Note: Batteries can be adversely affected by exposure to high temperatures and should not be stored in a vehicle.)
4. Ammunition should be stored in a cool, dry environment and should normally be replaced after two years.
5. ERD (TASER)s should not be left in direct sunlight due to the possible adverse effects on plastic parts.
6. This agency's Administrative Services Division shall develop a testing and maintenance schedule for all agency ERD (TASER)s and their component parts.

**H. INDIVIDUALLY PURCHASED ERD (TASER)'S**

1. Individually purchased ERD's (TASER)'s are authorized on a case-by-case basis by the Chief of Police.
2. As set forth in this policy for the Pine Bluff Police Department regarding the training, handling, deployment, reporting of use, and follow-up procedures involving the Taser® electronic restraint device is also mandatory for employees who purchase their own ERD (TASER)'s.

3. A memo must be submitted to the Chief of Police in writing justifying the specific need for the ERD (TASER).
4. If approval is granted the ERD (TASER) shall not be purchased until after the employee has successfully completed the approved training course as outlined in Section B of this policy.
5. The employee understands and agrees that if approval is granted all repairs, cartridges, batteries, maintenance, etc... will be performed at the same level as a department purchased ERD (TASER), but solely at the employee's own expense.
  - a. Example: The Taser battery shall be checked daily at the beginning of each work shift in accordance with procedures specified in training. Should the battery level displayed on the X-26 Taser's CID (Central Information Display) become lower than 20, the Taser cannot be used until the employee replaces the battery at their own expense.
  - b. Example: When replacing cartridges, prior to their deployment they must be inspected by Taser Control Manager and the serial number recorded.
6. The ERD (TASER) and cartridges authorized for individual purchase shall be the same make and model as issued by the department. No others will be authorized.
7. The purchasing employee also recognizes and agrees that upon their departure from the Pine Bluff Police Department the ERD (TASER) shall become the property of the Pine Bluff Police Department with no reimbursement due them for the purchase or subsequent cost relating to its deployment or maintenance.
  - a. A written agreement/contract will be on file in the officer's ERD (TASER) file attesting to their agreement with this policy's guidelines for personally purchased ERD (TASER).
  - b. The ERD (TASER) authorized for purchase is for law enforcement use only and shall not be released to civilian use or to other law enforcement agencies.
8. Prior to the ERD (TASER)'s deployment the employee shall have it inspected by the Taser Control Manager. The weapon's serial number shall be recorded. Serial numbers of the cartridges shall also be recorded and the Taser Control Manager shall be provided documentation, as with any deployment or discharge, when the cartridge has been expended as well as for any replacement cartridges.
9. The ERD (TASER) will not be sold, traded, or in any way the ownership be transferred to another employee of the Pine Bluff Police Department without the written permission of the Chief of Police.

## **I. TASER CONTROL MANAGER'S RESPONSIBILITIES**

The Taser Control Manager shall:

- a. Receive, inspect and insure the maintenance and replacement of the department's Taser devices and related equipment.
- b. Establish and maintain systems to record issuance inventory of Tasers and related equipment.
- c. Return defective or damaged Tasers and air cartridges to the suppliers.
- d. Obtain service and/or replacement for defective or damaged Taser components from the supplier.
- e. Ensure that initial Taser Operator Certification is completed and that annual re-certification is completed as needed. Ensure that Taser Instructor re-certification is completed biennially.
- f. All other duties as may become necessary for the employment, maintenance, and enhancement of the department's Taser Program, to include individually purchased ERD's (TASER's) as per the guidelines of this policy.