

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

### POLICY: 6.4 TASER CONDUCTED ENERGY DEVICE

REVISED DATE: 11.05.13

#### I. PURPOSE

The purpose of this order is to provide members of this department with guidelines for the use of the Taser X-26 Conducted Energy Device.

#### II. PROCEDURES

##### A. General Procedure

1. Members of the Department shall deploy the Taser only in accordance with the Department's Use of Force General Order regarding the use of Non-Deadly Force.

##### B. Specific Procedure

1. Members of the Department who have successfully completed departmental training and who have been issued a Taser may use a Taser when circumstances known and perceived by 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
  - b. a potentially violent or potentially physically resistant subject who has verbally or physically demonstrated an intention to resist or to use physical violence toward the officer(s) or others at the scene
  - c. a subject who threatened to harm or kill himself with a weapon and the use of the Taser will likely prevent or reduce the chance of injury to the subject.
  - d. a dangerous animal

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

### C. Tactics

1. When an officer determines that a Taser deployment may be necessary, the deploying officer shall, to the extent practical, consider assembling a sufficient number of officers to assist in taking the subject into custody following Taser deployment. The number of additional officers and their responsibilities shall be within the discretion of the deploying officer and shall be dictated by the dynamics of each incident.
2. If there is sufficient time to plan the deployment and sufficient resources available, the deploying officer shall consider designating responsibilities to the additional officer(s) to take the subject into custody following deployment of the Taser and to provide additional force cover in the event that the Taser deployment is unsuccessful.
3. During the initial 5-second deployment of the Taser, the deploying officer or officers assisting the deploying officer shall, if feasible, move into position to immediately attempt to take the subject into custody. Further deployments of the Taser beyond the initial 5-second deployment may be utilized only if:
  - a. the subject is using or attempting to use physical aggression or violence toward the officer(s) or others present at the scene, or
  - b. the subject has verbally demonstrated his/her intention to continue to resist through physical aggression or violence toward the officer(s) or others at the scene, or
  - c. the subject appears to be reaching for a weapon or other object that may harm the officer(s) or others present at the scene, or

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

- d. the subject is attempting to get up from the ground or flee the area.

The failure or refusal to comply with the officer's directions and/or passive resistance alone, absent one or more of the above factors, is insufficient cause for further deployment(s) of the Taser beyond the initial 5-second deployment.

### D. Obligation Following Deployment

1. The officer deploying the Taser shall document all deployments of a Taser in the corresponding arrest and/or offense reports in addition to the Use of Force Form including:
  - a. the specific circumstances of each deployment,
  - b. the location of the probe impact sites on the subject's body, and
  - c. the serial number of the Taser and Taser cartridge.
2. The officer deploying the Taser shall, after a subject has been handcuffed or otherwise secured, determine where the Taser probes have struck the subject. If the officer determines that the probes did not strike the subject's groin, face, neck or breasts (in the case of female subjects), and the officer believes that the probes can be safely removed, the officer shall carefully remove the probes in accordance with departmental training. If the officer believes that the probes have struck the subject in the groin, face, neck or breasts (in the case of females), or otherwise believes that the probes cannot be safely removed, the officer shall request a paramedic respond to remove the probes or transport the subject to an appropriate medical facility for treatment.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

3. The officer deploying the Taser shall request medics to respond to the scene to examine and treat any subject who:
  - a. has received 1 or more Taser deployments
  - b. evidences signs of excited delirium
  - c. evidences or complains of difficulty breathing, chest pains, or who discloses a pre-existing respiratory, cardiac, or other serious medical condition.
4. The officer deploying the Taser shall ensure that photographs are taken of the probe impact sites and any injuries sustained by the subject.

### E. Maintenance

1. Testing and maintenance shall be in accordance with the manufacturers specifications. Each officer who carries a Taser shall
  - a. inspect the Taser at the beginning of each tour of duty to ensure that the battery level is above 20%
  - b. discharge the Taser with the cartridge removed for one second to insure that the Taser is operational and maintains a charge.

### F. Prohibited Use

1. Use of the CED is strictly **prohibited** under the following circumstances:
  - a. When flammable gases or liquids are known to be in close proximity to the subject.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

- b. Where the suspect is at an elevated location and there exists risk of serious injury or death from a fall. This includes proximity to deep water or other similar locations.
  - c. On visibly pregnant females, young children under the age of 14 or less than 100 pounds, the visibly frail or elderly persons over 65 or less than 100 pounds, unless deadly force is otherwise justified and the CED is used as an attempt to avoid the use of deadly force.
  - d. On handcuffed prisoners, without the expressed authority of a supervisor. Exigent circumstances must exist (such as to prevent the subject from injuring himself or others and other means of control are ineffective or unavailable).
  - e. On a subject who is visibly confined to a wheelchair unless it is objectively clear to prevent serious injury to himself/herself and/or if deadly force is justified.
  - f. On a subject in control of a vehicle.
  - g. On individuals with known neuromuscular disorders such as muscular sclerosis, muscular dystrophy or epilepsy; or persons known to be wearing pacemakers or other biomedical devices sensitive to electrical current, or known to have heart conditions.
  - h. On any subject believed to be under the influence of Methamphetamine unless deadly force is otherwise justified and the CED is used as an attempt to avoid the use of deadly force.
2. No more than one officer should activate a CED against a person at a time.

Approved: *M. Shackelford*

M. Shackelford

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# CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES