

Sample Policy With Commentary
Electronic Control Devices (ECD's) or "Tasers"
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1.0 Purpose

The purpose of this policy is to establish guidelines for the use of the TASER by members of the police department.

The department has approved the use of the Taser to provide officers with an additional use of force option. This is a less lethal device that falls under Level 3 as set forth in the linear use of force continuum and is to be used to control actively resisting subjects, aggressive non-compliant subjects, violent or potentially violent subjects.

The Taser is not a replacement for the officer's duty firearm. In those incidents where the officer reasonably believes the actions of another constitute an immediate threat of death or serious bodily injury to the officer or a third party, the Taser should not be used without firearm backup.

Horry County PD: The purpose of this policy is: (1) to ensure the safety of officers and the community; (2) to set forth guidelines governing the use of the Taser . . . , (3) to ensure all Taser weapons are properly controlled and accounted for; and (4) to ensure all officers are trained and qualified to carry/operate the Taser weapon.

2.0 Definitions

Taser—A less lethal device used to incapacitate subjects by discharging an electronic current into the subject. The Taser is an Electro-Muscular Disruption (EMD) system and uses propelled wires to conduct energy to a remote target thereby controlling and affecting the central nervous system. The Taser can also be used in touch application without shooting the probes. Upon impact with the body (skin or up to 2 inches of clothing) the electrical pulses of the Taser then override the central nervous system and take direct control of the skeletal muscles.

Discharge—To fire a Taser cartridge, display the arc, or to touch or to attempt to touch a subject with the Taser while the Taser is in the stun mode.

Penetrate—To enter or diffuse through or into (the clothing or skin).

Activate: Depressing the trigger of an ECD causing an ECD to arc or to fire probes. (PERF)

AFIDS: Confetti-like pieces of paper that are expelled from the cartridge when fired. Each anti-felon identification (AFID) tag contains an alpha-numeric identifier unique to the cartridge used. (IACP)

Discharge: Barbs fired at a subject. (PERF)

Drive Stun: To stun a subject with an ECD by making direct contact with the body after an ECD cartridge has been expended or removed for pain compliance. (PERF)

Securing Under Power: Techniques used to secure a subject during the activation cycle.

Standard ECD Cycle: A 5-second electrical discharge occurring when a Taser-ECD trigger is pressed and released. The standard five-second cycle may be shortened by turning the ECD off. (Note: If an ECD is pressed and held beyond five seconds, the ECD will continue to deliver an electrical discharge until the trigger is released.) (PERF)

3.0 Authorization

- 3.1 Only officers who have completed a prescribed course of instruction are authorized to carry the Taser or another make and/or model as approved by the Chief of Police.
 - 3.1.1 All authorized Tasers, either Department issued or privately purchased, shall be registered with the Chief of Police.
- 3.2 All personally owned Tasers will require a memo in an officer's personnel file containing information pertaining to the registered Tasers such as model and serial number of authorized Tasers. Tasers and cartridges approved and authorized by the Chief of Police through written order are the only models that will be carried. The ECDs used by the Department are the M-26 and X-26.
- 3.3 The Taser will only be carried in holsters approved and authorized by the Chief of Police.
- 3.4 The Firearms Training Officer shall ensure that a current list of those officers who are qualified to carry/use the Taser is forwarded to the Chief of Police and each sergeant/OIC each year.

Prince Georges County PD: Only certified [M-26] Advanced Taser instructors will conduct training and/or demonstrations of the equipment.

Johnson County SO: All Taser instructors are required to complete re-training every two years to remain eligible to instruct on the Taser.

PERF on Training:

- Training protocols should emphasize that multiple activations and continuous cycling of an ECD appear to increase the risk of death or serious injury and should be avoided where practical.
- Training should include recognizing the limitations of ECD activation and being prepared to transition to other force options as needed.
- ECD recertification should occur at least annually.
- Supervisors and command staff should receive ECD awareness training so they can make educated decisions about the administrative investigations they review.
- Departments should not solely rely on training curriculum provided by an ECD manufacturer. Agencies should ensure that their ECD curriculum is integrated into their overall use-of-force systems.
- Exposure to ECD activation in training should be voluntary.

Other:

- Officers should receive instruction on securing/cuffing under power.
- See "Taser Restraint" section from Johnson County SO policy; these are good training messages.

4.0 Carrying Procedures

- 4.1 Officers authorized to carry a Taser are responsible for maintaining the device's operational readiness. As such, officers will:
 - 4.1.1 Inspect the Taser for any obvious damage before taking it into the field. This inspection will include a check of the light, laser site, frame, trigger housing, and safety switch for functionality. If a Taser is determined to be functioning

improperly, it should be taken out of service and sent for repair along with a memo explaining the repair needed.

- 4.1.2 Check the Taser's battery strength to ensure adequate battery charge.
 - 4.1.2.1 Officers will remove the cartridge from the Taser prior to checking the battery strength or changing batteries in the unit.
 - 4.1.2.2 Officers may test battery strength by firing an unloaded Taser at the start of their shift in the designated area. This test firing shall be recorded on the officer's Daily Log.
 - 4.1.2.3 In the event that the unit's battery strength is not sufficient and the rechargeable batteries will no longer take a charge, the officer will replace the batteries with batteries specifically approved for use in the Taser.
- 4.1.3 When on duty, carry the Taser in the approved holster, loaded with a cartridge with the safety in the 'on' position and ensure that the stopper is in the data port.
- 4.1.4 Wear the Taser holster on the opposite side of the officer's handgun.
- 4.1.5 Carry at least two cartridges with the Taser.
 - 4.1.5.1 Officers will also check the expiration date and condition of the Taser cartridges. Cartridges should be inspected for damaged or loose doors. Expired and/or damaged cartridges will be replaced.
- 4.1.6 Store the Taser and extra cartridges in the issued holster or case when not in use.
- 4.1.7 Avoid dropping the Taser and exposing it to water.
- 4.1.8 Avoid direct sunlight exposure and static electricity.

5.0 Usage Procedures

- 5.1 A Taser has two modes in which it may be used:
 - 5.1.1 Electro-Muscular Disruption (EMD) or "Probe mode" (greater than 3 feet): delivers a high voltage, low power charge of electricity that is designed to override the central nervous system (CNS) and take control of the skeletal muscles of the body.
 - 5.1.2 Drive stun mode (no probe for less than 3 feet): delivers the electrical current causing localized pain, but does not have a significant effect on the CNS.
- 5.2 Use of the "Drive Stun" is discouraged except in situations where the "Probe" deployment is not possible and the immediate application of the "Drive Stun" will bring the subject displaying active aggression safely under control. "Drive Stuns" are discouraged and must be justified and articulated in the report and on the Use of Force Report form.

Both Taser International and Amnesty International agree that the Drive Stun mode should only be used as a backup to probe mode. (5.2 above and PERF below reflects this; IACP policy provision does not)

PERF: The ECD "Probe Mode" should be the primary setting option, with "Drive Stun Mode" generally used as a secondary option.

IACP: The use of an ECD in drive stun mode is "subject to the same deployment guidelines and restrictions" as use in probe mode.

- 5.3 Multiple application of either mode, particularly continuous cycling, may increase the risk to the subject and should be avoided where practical. If the initial application is

ineffective, the officer will reassess the situation and consider other available force options or disengagement.

Also see 5.10 below.

PERF: When activating an ECD, law enforcement officers should use it for one standard cycle and stop to evaluate the situation. If subsequent cycles are necessary, agency policy should restrict the number and duration of those cycles to the minimum activations necessary to place the subject in custody.

Longmont PD: No person shall be knowingly exposed to more than three (3) five second cycles from a CEW. No person shall be exposed to a single cycle longer than five (5) seconds.

IACP: Upon firing the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.

Phoenix PD: Although there is no predetermined limit to the number of cycles that can be administered to a subject, officers should only apply the number of cycles reasonably necessary to safely approach and restrain a subject.

Ann Arbor PD: Some individuals will cease to resist after an initial 5-second deployment. Additional applications should only be used if the officer reasonably believes it necessary to safely take the person into custody. The officer must be able to articulate an independent, justifiable basis for each additional activation of the weapon. The Taser should not routinely be used more than three times on a subject if it does not appear to be effective. If the Taser is not effective, the officer should use an alternative form of force.

Ankeny PD: If the third successful application of power does not appear to effectively incapacitate the person, the use of the ECD will stop and other force options should be considered.

Honolulu PD: No more than one officer should activate an electric gun against a person at a time. [PERF too]

Euclid PD: In situations where multiple applications of the Taser are necessary, the deploying officer shall continuously evaluate the condition and actions of the subject individual. Officers shall not discharge a Taser continuously or for an extended time unless necessary to negate immediate threat of harm.

Other: Officers will not deploy the Taser for an extended cycle beyond five seconds unless exigent circumstances require such an application. If the officer determines that an extended cycle is necessary to control a combative suspect, the circumstances regarding the decision will be explained in the Departmental Report and in the supervisor's use of force report. . . . The application of the Taser is a physically stressful event. Although there is no predetermined limit to the number of cycles that can be administered to a subject, officers should only apply the number of cycles reasonably necessary to allow them to safely approach and restrain a subject.

Other: Officers should only use standard activation cycles (five seconds in length). After each standard activation cycle, the officer should stop to evaluate the situation. If, after the third standard cycle, control of the subject has not been achieved, the officer should transition to another force option unless deadly force is justified.

- 5.4 With the laser sighted Taser, the top probe will follow the sight (red dot) and the bottom probe will drop approximately 8 degrees below that. This is equal to about one foot for every seven feet the probes travel toward the target. Do not tilt the Taser when firing.
- 5.5 Never aim the Taser at sensitive tissue areas such as the eyes, face, or groin. Keep hands away from the front of the weapon at all times unless the safety is activated and the Taser deactivated.
- 5.6 Center mass of the body should be the primary target area, particularly the center mass of the back, as clothing tends to be tighter on this part of the body.
- 5.7 The Taser probes should not be shot at a target closer than three (3) feet as it will not have an effect on the central nervous system from that distance and will be operating only in the “Drive Stun” mode. Maximum distance depends on the probes deployed.
- 5.8 Use cover and as much distance as possible, as well as, sufficient backup officers to ensure officer safety.
- 5.9 Upon Taser activation, officers should attempt to take a subject into custody during the cycle or as soon as it is reasonably safe to do so.

Above directive is important and reflects comments elsewhere regarding “securing under power.”

IACP: The subject should be secured as soon as practical while disabled by ECD power to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.

- 5.10 Officers should be prepared to deliver additional cycles if necessary. If the Taser deployment is not effective, reload and re-deploy or consider an alternative force option.

6.0 Taser Usage Criteria

- 6.1 Discharge of the Taser constitutes physical force under the Pennsylvania Crimes Code, Section 508 (Use of Force in Law Enforcement). The discharge of the Taser is authorized when used in accordance with the Rules & Regulations of the Police Department, in particular, policies on use of force and the use of Taser and applicable laws of the Commonwealth of Pennsylvania and the United States of America, in particular the Constitution of the United States.
- 6.2 ECD force is considered a use of force and shall be employed in a manner consistent with this use-of-force policy. ECD force is a level of force option located at Level 3 on the use of force continuum.

Placement on the linear use of force continuum is a key aspect of a policy—attempting to balance the potential benefits and potential harms.

Key Variation Across Agencies: Whether to authorize use of ECDs against subjects who are exhibiting only “defensive resistance” – physical actions that attempt to prevent officer’s control, but do not involve attempts to harm the officer.

e.g., Charlotte-Mecklenburg: Distinguishes between “defensive resistance” (goal is to escape, not harm the officer) and “active aggression” (the subject is intent on injuring the officer). In CMPD, an ECD can be used in response to active aggression, not defensive resistance.

PERF: ECDs should only be used against persons who are actively resisting or exhibiting active aggression, or to prevent individuals from harming themselves or others. ECDs should not be used against a passive subject. [NOTE: PERF’s definition of “actively resisting” includes “bracing and tensing,” which is arguably “defensive resistance.”]

IACP: The ECD is generally analogous to OC spray on the use-of-force continuum. (Can use on a suspect) who demonstrates an overt intention to use violence or force against the officer or others or resists detention and arrest and other alternatives for controlling them are not reasonable or available under the circumstances. [Appears to allow for use against defensive resistance.]

Amnesty International: “The use of electro-shock weapons against individuals who do not pose an immediate threat of death or serious injury to themselves or others is a disproportionate use of force which can constitute ill-treatment.”

- 6.3 Situations in which the use of the Taser may be authorized include, but are not limited, to the following:
- 6.3.1 When presented with a mentally ill individual who is exhibiting behavior that would lead an officer to use the Taser as a reasonable force option.
 - 6.3.2 Warrant service when the individual who is exhibiting behavior that would lead an officer to use the Taser as a reasonable force option.
 - 6.3.3 Persons under the influence of drugs and/or alcohol who are exhibiting behavior that would lead an officer to use the Taser as a reasonable force option.
 - 6.3.4 Persons expressing the intent and having the means to commit suicide and who are exhibiting behavior that would lead an officer to use the Taser as a reasonable force option.
 - 6.3.5 A subject has signaled his/her intention to actively resist the officer’s efforts to make the arrest or control him/her.
 - 6.3.6 Use of the Taser is reasonable and necessary given the circumstances.
- 6.4 Under no circumstances shall an officer resort to the use of the Taser where such a use of force is in violation of the general “Use of Force” policy. Nothing in this policy is intended to conflict with or replace the provisions of the “Use of Force” policy.
- 6.5 It is also the policy of this Department that personnel will not necessarily or unreasonably endanger themselves in applying these guidelines. Furthermore, it is policy of this Department that the Taser is not intended to be used as a substitute when the officer is justified in the use of deadly force in accordance with policy.

Agency Variation on Using Tasers when Deadly Force is Justified:

- ✓ No use of ECDs when deadly force (DF) is justified,
- ✓ No use of ECDs when DF is justified “without firearm backup” (see “Purpose” herein).
- ✓ “The Taser should not be used without a firearm back up in those situations where there is a substantial threat towards the officer(s) or others present (State of Utah).
- ✓ “Officers will not intentionally place themselves or other innocent persons at substantially increased risk of death or serious injury by employing conducted energy weapons where conditions would otherwise call for immediate use of deadly force” (Colorado Springs PD).

[This sample policy refers to the issue of using less lethal force when deadly force is justified at three points (Purpose, Section 6.5, and Section 11.2). Arguably, these collective references do not provide clear guidance to officers on whether/when Tasers can be used to displace deadly force.]

7.0 Intentional Taser Discharge

7.1 When reasonable, prior to firing the Taser, the officer discharging the Taser shall loudly announce that the Taser is going to be discharged.

8.0 Responsibilities of Officers After Taser Discharge

8.1 Following the discharge of the Taser, the officer shall secure the subject and the scene ensuring officer safety.

Boca Raton PD: The officer shall immediately notify his/her supervisor that the ECD has been deployed.

8.2 Probes are not to be removed from the subject until the subject has been secured with handcuffs (and other restraints as necessary).

8.3 The subject can be handled even when the Taser is activated but officers should not touch probes or place hands between them while the unit is activated.

8.4 Remove the cartridge from the Taser first, then from the subject.

8.5 When removing the probes, the officer shall place a finger (while wearing latex gloves) on either side of the probe, stretch the skin taut, and pull the probe.

8.6 Should the probes penetrate soft tissue in areas such as the face, neck, or groin, probes are to be removed only by medical (hospital) personnel.

PERF: Officers should not generally remove ECD darts from a subject that have penetrated the skin unless they have been trained to do so. Only medical personnel should remove darts that have penetrated a person's sensitive areas.

Euclid PD: Probes that have struck a female's breast shall only be removed by a female officer trained in probe removal, fire/rescue personnel, or medical personnel.

8.7 Puncture site(s) are to be wiped with a sterile alcohol swab and a bandage applied to the site.

8.8 If the probes penetrate the skin, EMS personnel shall be notified and advised of the circumstances.

8.9 If the officer observes any objective sign indicating that the subject requires *immediate* medical treatment following exposure to the discharge of the Taser, either by contact stun or by probes, an EMS Unit shall be summoned to the scene immediately.

Policy/practice varies regarding whether/when (a) medical personnel are to be called to the scene, (b) subject is to be transported to a hospital.

Sample Policy: See also 12.1.4 and 12.1.5 under Supervisor responsibilities.

PERF:

- ✓ All persons who have been exposed to ECD activation should receive a medical evaluation. Agencies shall consult with local medical personnel to develop appropriate police-medical protocols.
- ✓ All persons who have been subjected to an ECD activation should be monitored regularly while in police custody even if they received medical care.
- ✓ Following ECD activation, officers should use a restraint technique that does not impair respiration.

IACP: Wherever reasonably possible, individuals who have been incapacitated by an ECD should be taken to an emergency medical facility for evaluation. [The IACP Model Policy lists the people who “shall be transported” to a medical facility.]

Ida County SO: Deputies shall call for rescue if needed after deployment and shall offer medical treatment to the suspect.

Minnesota State Patrol: After the Taser has been deployed and the subject is secured, medical attention should be offered to the subject.

Phoenix PD: Paramedics will be requested for the following:

- ✓ Probe penetrates the skin, or if the probes penetrate the clothing and cycle is effective.
- ✓ When multiple drive stun applications are required.

Austin PD:

- ✓ After an ECD use, officers will attempt to ascertain from the subject whether preexisting medical conditions (such as a history of heart problems) would warrant summoning EMS personnel to the scene.
- ✓ Officers will notify jail medical personnel, at the time of booking, that the subject has been struck with ECD probes or received drive stun.

Broward County SO: When the subject is taken to the intake facility, the deputy will advise booking that the subject was exposed to Taser deployment and provide medical clearance documentation from the attending hospital.

Boca Raton PD: Officers that have deployed the ECD must monitor the affected subject for breathing irregularities, level of consciousness and compliance. The officer will call Fire Rescue as soon as possible to respond to the scene and medically assess the subject if: (a) there is any doubt as to the subject’s physical condition, (b) the subject is within the extremes of age, (c) the subject is visibly pregnant, (d) the subject is physically disabled, (e) a subject has been struck with a probe in the face, throat, groin, female breast, or male nipple area. [Another policy provision mandates that all subjects who receive ECD activation be transported to the hospital and medically cleared.]

- 8.10 Ensure that any discharged cartridges, probes, and a sampling of Anti-Felon Identification (AFID) “microdots” that are discharged with the probes are collected and booked as evidence.

9.0 The Handling of Probes from the Taser

- 9.1 Probes that have penetrated the body should be treated as bio-hazardous “sharps.”

- 9.2 Probes are to be carefully placed sharp tip first into the spent cartridge wire pockets and secured in place with a strip of tape, i.e., evidence tape.
- 9.3 Probes are to be treated as evidence. Once the probes are secured into the spent cartridge they are to be packaged and sent to the property room.

10.0 Reporting Usage of the Taser

- 10.1 All intentional discharges of the Taser are to be reported by the discharging officer. Any discharge, whether resulting in physical contact with an individual or not, shall be reported on the “Subject Resistance Report Form” along with any other related reports and submitted to the officer’s supervisor for review. Officers will include the serial number of the Taser and Cartridge(s) in their report.

- Each and every activation (probe and/or drive stun) should be documented and justified in the Subject Resistance Report Form.
- Agencies vary with regard to (a) what they designate as “reportable force,” (b) who fills out the report, (c) what information is collected, and (d) who reviews these reports (up the chain of command). Whether the report reviews are “meaningful” also varies by agencies (and can’t necessarily be discerned from written policy). Some agencies include the training unit on the list of entities that receive and review the forms so that training can be used to remedy any field issues.

- 10.2 All unintentional discharges will be reported through a “Department Memo” outlining the specific circumstances of the discharge. This report shall then be forwarded through the shift supervisor, along with any other related reports, to the Chief of Police.
- 10.3 All required reports will be completed and submitted before the end of the affected officer’s tour of duty.
- 10.4 If the discharging officer is not able to make the necessary reports immediately following the usage incident, the shift supervisor will complete and submit all of the required reports prior to the end of the supervisor’s tour of duty.

11.0 Prohibited Usage of the Taser

- 11.1 The Police Department forbids the discharge of the Taser in any way that is deemed “excessive force.” All intentional discharges of the Taser must fall within the “reasonable officer standard.”
- 11.2 While the Taser is a less lethal weapon meant to gain compliance from a subject, it is not a deadly force weapon and therefore should not be used as a substitute for deadly force.
- 11.3 The Taser should not be discharged in the proximity of flammable liquids, gases, or any other highly combustible materials that may be ignited by the device including any individual that may have been exposed to combustible substances or liquids such as gasoline. (Never use in a Meth Lab environment.)
- 11.4 The Taser is not to be discharged if the officer has knowledge that any member of another police department, agency, or a civilian has sprayed the subject with OC Spray or any type of other chemical agent because of the potential for combustion.

PERF: Agencies utilizing both ECDs and OC spray should use a water-based spray. Agencies should partner with adjacent jurisdictions and enter into an MOU to develop joint policies and protocols. This should include addressing non-alcoholic O.C. spray carriers.

- 11.5 The Taser is not to be discharged if it or the air cartridge is submerged in water.
- 11.6 The Taser is not to be used on individuals who have expressed the intent and have the means to commit suicide and any incapacitation resulting from the discharge of the Taser would present a real threat of danger to public safety or a high risk of serious bodily injury to him/herself or another.

Boca Raton PD: Nothing shall prohibit an officer from using the ECD on suicidal subjects. The officer must consider self-preservation and protection of others when dealing with suicidal persons.

- 11.7 Officers should avoid using the Taser on obviously pregnant females and those individuals under the age of 7 or over the age of 70, unless the encounter rises to the level of a deadly force situation. This restriction is based on the potential for these individuals to fall when incapacitated by the Taser.

IACP: As in all uses of force, certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when using an ED against children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health. [More on “vulnerable populations” below.]

- 11.8 The Taser should not be used when the subject is at the extremes of physical disability.
- 11.9 Once a subject is incapacitated and restrained.
- 11.10 When an officer is attempting to overcome “passive resistance.”

“Vulnerable Special Populations”: Agencies generally have one or both of the following lists: (1) The Taser shall *never be used* in the following circumstances . . . , and/or (2) The Taser shall *not be used* in the following circumstances *unless exigent circumstances exist*. (Section 11.7 above is consistent with an “exigent circumstances” listing.)

Example:

The ECD will not be used:

- When the subject has come in contact with flammable liquids or is in a flammable atmosphere
- In areas where compressed oxygen is present, such as Medical Facilities and Emergency Rooms
- Houses where ether or methamphetamine labs are suspected
- When the subject is in a position where a fall may cause substantial injury or death
- When the subject is in water deep enough to cause drowning in the event the

subject falls into it

- Against an individual who has his/her finger on the trigger of a firearm

The ECD should not be used in the following circumstances unless there are compelling reasons to do so which can be clearly articulated:

- When the subject is operating a motor vehicle
- When a prisoner is restrained using handcuffs, flex-cuffs, hobbles, or the prisoner restraint chair
- When the subject is a visibly pregnant woman
- When the subject is elderly or severely impaired
- When the subject appears to be 15 years of age or younger

IACP: It is forbidden to use the device as follows: (see, also, box at 11.7)

- ✚ In a punitive or coercive manner.
- ✚ On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
- ✚ In any environment where an officer knows that potentially flammable, volatile, or explosive materials are present.
- ✚ In any environment where the subject's fall could reasonably result in death (such as in water or on an elevated structure).

PERF:

- ❖ ECDs should not generally be used against pregnant women, elderly persons, young children and visibly frail persons unless exigent circumstances exist.
- ❖ ECDs should not be used on handcuffed persons unless they are actively resisting or exhibiting active aggression, and/or to prevent individuals from harming themselves or others.
- ❖ ECDs should not generally be used when a subject is in a location where a fall may cause substantial injury or death.
- ❖ ECDs should not be used against suspects in physical control of a vehicle in motion . . . unless exigent circumstances exist.

PERF on Fleeing Subjects: That a subject is fleeing should not be the sole justification for police use of an ECD. Severity of offense and other circumstances should be considered before officers use an ECD on the fleeing subject.

12.0 Responsibilities of Shift Supervisors

12.1 Shift supervisors are responsible for ensuring that:

- 12.1.1 They respond when a Taser has been used
- 12.1.2 Officers who deploy the Taser are qualified to do so
- 12.1.3 An investigation is conducted as appropriate

El Paso County SO:

- ✓ A supervisor will download data from the data port for each deployment in the field and a copy of the record will be retained as evidence. Probes, cartridges, and a sample of the paper AFID's will also be placed into evidence. The Taser will be secured until a download of data can be accomplished which must be completed

within 24 hours.

- ✓ Photographs will be taken of any injuries, punctures, or skin irritations that occurred as a result of the Taser deployment and will be placed into evidence.

Other: A supervisor should respond to all incident scenes where an ECD was activated and conduct an initial review of the incident. This investigation will include interviews of all persons on the scene, photographs of subject and officer injuries and collection of AFIDS.

More on investigations below

- 12.1.4 Ensure EMS personnel examine the subject as required
- 12.1.5 Ensure the subject is transported to a hospital if necessary
- 12.1.6 Ensure that leads are collected as well as the expended cartridge and several of the numbered confetti
- 12.1.7 Make sure that the probes are stored inverted in the portals they were deployed from to protect handler from the sharp ends
- 12.1.8 When practical, photographs should be taken documenting any injuries, either from the fall or penetration by the probes
- 12.1.9 All incidents involving any discharge of the Taser are appropriately documented and proper procedure is followed
- 12.1.10 All reports of incidents involving the use of the Taser are forwarded to the Chief of Police.

Cincinnati PD: Every three months, supervisors are responsible for downloading the data stored on the X26 Taser chip of their personnel for the previous three-month period (The supervisor should) review each quarterly download for activations that do not appear to be consistent with daily spark tests or previously documented use of force incidents.

PERF on Investigations: Agencies should consider initiating force investigations outside the chain of command when any of the following factors are involved:

- ✓ A subject experiences death or serious injury;
- ✓ A person experiences prolonged ECD activation;
- ✓ The ECD appears to have been used in a punitive or abusive manner;
- ✓ There appears to be a substantial deviation from training; and
- ✓ A person in an at-risk category has been subjected to activation (e.g., young children, persons who are elderly/frail, pregnant women) and any other activation as determined by a supervisor.

Additional Agency Responsibilities:

Make policies regarding force, including use of ECDs, public.

PERF:

- ✓ Conduct neighborhood programs that educate residents about ECDs
- ✓ ECD training should be part of any citizens' training academy program.
- ✓ Brief members of the media on the department's policies and use of ECDs.
- ✓ Maintain statistics to identify ECD trends and deployment concerns. The ECD statistics should be constantly analyzed and made publicly available.

Curriculum Vita

(2009)

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Education

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M.A. in Social Ecology, University of California, Irvine (1983). Thesis Title: "Community Attitudes Toward Police Use of Deadly Force."

B.A. in Psychology, Magna Cum Laude and Honors, Linfield College, McMinnville, Oregon (1980).

Professional History

Associate Professor. Department of Criminology, University of South Florida, August 2005 to present.

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