

PROCEDURAL ORDER

Las Vegas Metropolitan Police Department
Partners with the Community

TO	: ALL PERSONNEL	Nov. 4, 2004	Directive No. PO-43-04
SUBJECT	: USE OF THE TASER®		Effective Date Nov. 15, 2004
Additional Information	: Revises PO-02-04. Changes appear in <i>italics</i> .		
Accreditation Standards	: 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.9, 1.3.10. 1.3.11	Dept. Manual Reference:	6/003.00
Approval Signature	:	Bill Young, Sheriff Douglas C. Gillespie, Undersheriff	

It is the policy of this department to authorize the use of the TASER® as a use of force option. The TASER® falls into Level Three of the force options and is considered a non-lethal use of force..

DEFINITIONS

TASER®	An electro-muscular disruption weapon that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a subject.
<i>Drive Stun</i>	A secondary function of the TASER® is to stun a subject by making direct contact with the body after the air cartridge has been expended or removed.
Air Cartridge	A replaceable cartridge for the TASER® which uses compressed nitrogen to fire two barbed probes on thin connecting wires sending a high voltage/low current signal into a subject.

GENERAL

Department members are not authorized to draw or display the TASER®, except for training, unless the circumstances create reasonable belief that it may be necessary to use it. The TASER® will be handled in the same manner as a firearm and will be secured prior to entering any detention facility.

There are three separate types of reportable TASER® applications

- 1. Spark Display - A non-contact demonstration of the TASER's® ability to discharge electricity. This is conducted only when the cartridge has been removed from the weapon. The purpose of this display is to convince the subject to comply with a lawful order and avoid the TASER® being deployed in the Drive Stun or Probe mode.*
- 2. Drive Stun - Contact is made by pressing the front of the TASER® (cartridge removed) into the body of a subject resisting lawful orders, and activating the TASER®. The Drive Stun causes significant localized pain in the area touched by the TASER® but does not have a significant effect on the central nervous system. The Drive Stun does not incapacitate a subject but may assist in taking a subject into custody. If a TASER® is fired using the cartridge, at a distance of less than three feet, the effect will be very similar to a Drive Stun.*
- 3. Probe - The TASER® is most effective when the cartridge is fired and the probes/darts make direct contact with the subject. Proper application will result in temporary immobilization of the subject and provide the officer a "window of opportunity" in which to take the subject safely into custody. Optimum range for probe deployment is 7 to 15 feet with a 21 foot maximum distance. Deployment of the TASER® cartridge at distances of less than three feet will not result in temporary immobilization or central nervous system disruption.*

The TASER® is one of the options available to officers. The TASER®, like the baton, OC spray or empty hand techniques may not be effective in every situation. Officers must assess the effectiveness of each application and determine whether further applications are warranted or a different tactic should be employed. The decision to use the TASER® will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.

The TASER® may be used when a subject is displaying active, aggressive or aggravated aggressive resistance to an officer attempting to conduct legal law enforcement activities (see 6/002.00, Use of Force, for definitions).

The TASER® will not be used:

1. when *the officer knows* a subject has come in contact with flammable liquids or is in a flammable atmosphere;
2. when the subject is in a position where a fall may cause substantial injury or death;

3. *punitively for purposes of coercion, or in an unjustified manner;*
4. *when a prisoner is handcuffed;*
5. to escort or jab individuals;
6. to awaken unconscious or intoxicated individuals; or
7. *when the subject is visibly pregnant, unless deadly force is the only other option.*

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

1. when the subject is operating a motor vehicle;
2. when the subject is holding a firearm;
3. when the subject is *at the extremes of age or physically disabled, or*
4. *in a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary.*

TRAINING AND CERTIFICATION

Defensive Tactics Instructors *who have been certified as TASER® instructors will be the only authorized persons to instruct on the TASER®.* Training will be conducted in accordance with department protocols. Officers authorized to use a TASER® must successfully complete an initial certification training course, to include written and practical tests. Once certified, officers must attend annual re-certification training. *All Patrol Division officers, below the rank of lieutenant, must obtain certification training and carry the TASER® when in uniform.*

EQUIPMENT CARE AND HANDLING

Officers will use only authorized TASER® equipment issued by the LVMPD Supply Section. The TASER® will be inspected for damage and cleanliness, and batteries and cartridges replaced when required *by the officer. The battery display will be checked on the CID at the beginning of each shift. A reading of 20% or less will require the DPM/battery pack be changed. The DPM/battery pack will not be removed from the TASERS® except when the reading is 20% or less or to conduct a data download. The TASER® will never be stored more than 48 hours without the DPM/battery pack attached. When off duty, TASERS® must be stored and secured in a climate-controlled area (i.e. locker), not in a vehicle.*

Officers must conduct a spark check at the beginning of shift to ensure the TASER® will function properly. A spark check is an equipment check conducted outside of public view to ensure the TASER® is operable. It is conducted by removing the cartridge, test firing the weapon and observing the electrical arc. This spark check does not require completion of a use of force report.

Uniformed officers will carry the TASER® in a department issued holster. The holster will be carried on the duty belt, on the side opposite the duty firearm, crossdraw position is optional. Non-Uniformed officers will carry the TASER® in an approved holster on the side opposite the duty firearm. Officers have the option of carrying the standard DPM or the X-DPM which is an extended version, capable of carrying a spare TASER® cartridge.

P.D. DEPLOYMENT ONLY

Patrol Officer

1. Gives a warning, when practical, to the subject and other officers before firing the TASER® at the subject.
2. *Center mass of body should be primary target area, particularly the center mass of the back, as clothing tends to be tighter on this part of the body.*
3. *When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.*
4. Attempts to avoid hitting the subject in sensitive tissue areas such as head, face, neck, groin, or female breast area, however probes penetrating these areas will be removed by medical personnel at a medical facility.
5. Ensures the probes are removed from the subject's skin by a TASER® certified officer.
6. *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 a subject displaying active, aggressive or aggravated aggressive resistance safely under control. Multiple "Drive Stuns" are discouraged and must be justified and articulated on the Use of Force form. If initial application is ineffective, officer will reassess situation and consider other available options.*
7. Notifies detention medical personnel, at the time of booking, that the subject has been struck with TASER® probes or received a drive stun. *An examination will be conducted by detention medical personnel to determine whether the individual has suffered any injury, either directly from the TASER® discharge or indirectly, such as by falling after incapacitation.*
8. Makes notification to immediate supervisor whenever the TASER® has been used.

Communications

9. Makes notifications as requested.

Immediate Supervisor

10. Responds to the scene when a TASER® has been used.
11. Notifies the area lieutenant and/or watch commander when a TASER® has been used.
12. *Ensures photographs are taken of the site of the probe impacts and any related injuries and attached to the Use of Force Report.*

Area Lieutenant/Watch Commander

13. Responds to the scene if serious bodily injury resulted from the use of the TASER®, or other circumstances dictate.

DSD DEPLOYMENT ONLY

Corrections Sergeant or SERT Team Officer

1. Responds to the scene with at least two cartridges.
2. Considers other alternatives to resolve the incident before deploying the TASER®.
3. Ensures sufficient back-up officers are present prior to use.
4. Gives a warning, when practical, to the inmate and other officers before targeting and firing the TASER® at an inmate.
5. *Center mass of body should be primary target area, particularly the center mass of the back, as clothing tends to be tighter on this part of the body.*
6. *When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.*
7. *Attempts to avoid hitting the subject in sensitive tissue areas such as head, face, neck, groin, or female breast area, however probes penetrating these areas will be removed by medical personnel.*
8. *Ensures the probes are removed from the subject's skin by a TASER® certified officer.*
9. Video tapes non-emergent deployments pursuant to division procedures.
10. *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 a subject displaying active, aggressive or aggravated aggressive resistance safely under control. Multiple "Drive Stuns" are discouraged and must be justified and articulated on the Use of Force form. If initial application is ineffective, officer will reassess situation and consider other available options.*
11. Notifies the corrections lieutenant and medical staff to respond to the scene of a TASER® deployment.
12. Ensures photographs are taken of the site of the probe impacts and any related injuries.

DSD Medical Staff

13. *An examination will be conducted by DSD medical personnel to determine whether the individual has suffered any injury, either directly from the TASER® discharge or indirectly, such as by falling after incapacitation.*

POST-DEPLOYMENT

Police Officer/Corrections Officer

1. Handles the probes the same as contaminated needles and sharps in accordance with department biohazard disposal procedures (*see Department Manual section 5/110.10*). *Impounds all probes removed at a medical facility.*
2. Completes Use of Force Report, LVMPD 156 (Automated) in accordance with Department Manual Section 6/002.00, Use of Force, whenever a TASER® is fired, whether a subject is struck or not, when the **drive stun mode is used on a subject or when a spark demonstration is conducted. Attaches any photos to original copy of the report.**
3. *Presents TASER® to supervisor for data download prior to end of shift if a reported use of force incident occurs.*
4. *Forwards a copy of the Use of Force Report to the bureau/area commander.*

Supervisor

5. Ensures the officers complete reports and that required photographs are taken.
6. Verifies the probes are disposed of properly and arranges for replacement cartridges.
7. *Downloads the data record of the TASER® prior to the end of shift in which a reported use of force incident occurs and saves data to the appropriate file. (Note: This file is not currently available; Information Technologies is in the process of establishing it. In the meantime, the TASER® download should be made and attached to the Use of Force Report. Notification will be made and instructions provided when the automated system is available.)*

Bureau/Area Command Supervisor

8. *Ensures data of TASER® has been downloaded, Use of Force report is complete, accurate and forwarded to the*

Internal Affairs Section according to department protocols.

9. Ensures a control log is maintained for weapon/cartridge check-out and check-in, and weapon repairs.
(1/04, 11/04) ■

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