



Conducted Electrical Weapon (Taser)

S.O.P. #	ORIGINAL DATE	REVISION DATE	APPROVED BY
4.4	1/1/1994	2/1/2018	E. Fox, Chief of Police

4.4.1 PURPOSE

The purpose of this policy is to establish guidelines for the use of Conducted Electrical Weapon (CEW).

4.4.2 POLICY

The Crofton Police Department has issued the Advanced TASER (X26) and TASER X26P to select trained officers, to provide those officers with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of the department that personnel may use the TASER when warranted, but only in accordance with the guidelines and procedures set forth in this directive and in the department's use-of-force policy.

4.4.3 PROCEDURES

A. Authorization

1. Only personnel who have been trained, demonstrated proficiency, and have been issued a departmental TASER and associated equipment, are authorized to carry and use it. Proficiency must be demonstrated at least annually, and be monitored by a certified TASER instructor.
2. Only the departmentally issued TASER (X26P), issued TASER holster (Blackhawk Serpa), and issued TASER cartridges are authorized for use. Taser holsters must be mounted on the officer's weak/support side of the duty belt.

B. Usage Criteria

1. The use of a TASER is considered a use of force and will be employed in a manner consistent with the department's use of force policy.
2. The TASER may be used when verbal dialogue, if possible, has failed to bring about a person's compliance, and the officer perceives a person to be an immediate threat of harm or injury, the person is fleeing or flight risk from a serious offense, or to prevent persons from harming themselves or others.
3. A fleeing person will not be the sole justification for the use of the TASER. Severity of the offense and other circumstances will be considered before officers' use a TASER on a fleeing person
4. The TASER may be used to display the CEW's "test arc" or "painting the subject with its laser" in an attempt to gain compliance of the person where resistance, assault, and/or violence is reasonably anticipated.
5. No more than one officer at a time should discharge a TASER against a person.
6. Whenever practical and reasonable, personnel should issue a verbal warning prior to discharging the TASER on a person. This could give the suspect the opportunity to voluntarily comply with the officer's lawful orders. If other officers are present, the deploying officer, prior to deployment, should consider announcing, if reasonably safe and feasible, "TASER!" This will give the other officers warning to either not engage or disengage from the suspect before the TASER is deployed.



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7. When discharging the TASER, the officer should only use it for one standard cycle (five seconds), then stop and evaluate the situation. In an attempt to minimize the number of TASER discharges needed for a person's compliance, officers should, while deploying the TASER, reasonably direct (order) the as the incident mandates. Such verbal commands may include, "stop resisting," "drop the weapon," "put your hands behind your back," etc. When available, cover officers will move in and "cuff under power". Officers will only use the minimum number of activations necessary to place the person into custody. Multiple applications cannot be justified solely on the grounds that a person failed to comply with a command, absent other considerations such as a weapon in close proximity or attempting to flee from a serious crime.

8. The use of a TASER in "drive-stun" mode will not reliably or foreseeably incapacitate the person. Officers will not use the TASER in drive-stun mode if they reasonably believe that discomfort will not cause the person to be compliant with the officers; i.e., TASER use in drive-stun mode on a drug induced highly pain-resistant person.

9. The TASER is not a substitute for deadly force, and generally should not be used in those situations. If a TASER trained officer does deploy the TASER in those situations, he/she must have another officer present to provide deadly force cover.

10. Officers may use deadly force to protect themselves from the use or threatened use of a TASER when the officer reasonably believes that deadly force will be used against them if they become incapacitated.

11. A TASER may be deployed on an animal when the animal is threatening or is attacking a person, including officers, another animal, or property.

12. When lawful and appropriate to do so, the deploying officer will take photographs of the probe impact sites and any related injuries.

13. When not in use, TASER's will be kept in a secure place, inaccessible to all persons who are not trained TASER operators of the department.

C. Elevated TASER Application Risk Factors and Justification Factors

1. The following factors, where apparent to involved officers, require additional justification of TASER use. This is because the risks of foreseeable direct or secondary injuries are elevated:

- a. Presence of flammable liquids/fumes or explosive environments
- b. Elevated positions
- c. Person operating moving vehicle or machinery
- d. Person running (fleeing)
- e. Person standing or running on hard surface such as concrete or asphalt
- f. Pregnant female
- g. Swimming pool or other body of water



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- h. Intentional TASER application to sensitive areas
- i. Frail or infirm individual
- j. Non-standard repeated TASER applications beyond 15 seconds or three 5 second probe exposures

2. The following factors involve groups of people from which the general public commonly assumes that these individuals are not capable of being an imminent threat of death and/or serious bodily harm, or that these people should be treated more sensitively and compassionately by officers. Officers understand that the realities are that individuals from each of these groups do commit violent crimes, can be an imminent threat of death and/or serious bodily harm to officers, others, and themselves, can be so resistive that the use of a TASER is eminently justified, etc. However, since society generally places individuals within these groups into protected classes, officers using a TASER on one of these individuals will foreseeably be placed under heightened scrutiny and will likely be required to provide additional justification(s) for the use of the TASER. These groups include:

- a. Children
- b. Seniors

D. Prohibited Taser Deployments

The use of a CEW constitutes a significant level of force, consistent with batons or pepper spray. When using a CEW, officers must consider the risk of bodily harm that their actions pose to a suspect in light of the suspect's threat to the public that the officer is trying to eliminate. Therefore, the use of a CEW is prohibited in the following situations:

- 1. Nonviolent misdemeanants
- 2. Handcuffed prisoners
- 3. Fleeing persons where there is no probable cause for an arrest
- 4. Passive, non-compliant persons

E. Post TASER Medical Attention

1. All individuals who have been exposed to the TASER by probe deployment or by drive stun will be transported to the hospital by EMS personnel (an exposure is defined as a probe entering the skin or when an individual experiences Neuro-Muscular Incapacitation by probe deployment or experiences the effects of a drive stun). The individual will be medically evaluated and if necessary will have the probes removed while at the hospital. (This does not apply to officer exposure during training or if an officer receives a secondary exposure while taking a subject into custody).

2. EMS personnel will be summonsed to the scene by the deploying officer. If the probes have penetrated the skin, EMS personnel should be advised to not remove them prior to transport. The probes should only be removed by a doctor or authorized medical staff at the Hospital.



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3. Officers may remove probes which have penetrated clothing and are not intact with the skin. If this occurs, the subject is still required to be transported to the hospital by EMS personnel for a medical evaluation, if they experience Neuro-Muscular Incapacitation. If the subject does not experience Neuro-Muscular Incapacitation, due to an incomplete circuit (i.e., only one probe making contact to the clothing), then a medical evaluation is not necessary.

4. Should the probes impale a sensitive area, (head, neck, hands, feet or genitalia) officers will attempt to stabilize the probes in place until EMS personnel arrive on scene. Officers will instruct EMS personnel to continue probe stabilization until the probes can be removed by a doctor or authorized medical staff at the Hospital.

5. Scene security or volatility may necessitate selecting an alternative location for meeting medical personnel for transport. This may be accomplished by moving the subject to a neutral secure location, police facility and/or fire station.

6. Probes that have been deployed and strike the subject (penetrate the skin) will be treated as biohazard sharps. They may be placed point down into the expended cartridge bores and secured (i.e., with latex gloves(s), tape, etc. They will be transported to the station and placed in a sharps container, unless they are needed as evidence, or discarded in the proper receptacle at the Hospital.

F. AFID (Anti-Felon Identification) System

This system provides accountability for each use of the TASER via the dispersal of tiny coded tags. Every time the device is “probe deployed”- a cartridge is discharged. AFIDs shall only be collected and maintained as evidence if reasonably necessary, such as where identification of who discharged the TASER is a foreseeable problem or issue. If a supervisor determines that the AFIDs need to be collected and maintained as evidence, then ECU should be contacted for evidence collection. The AFIDs will be placed into evidence with any expended cartridge.

G. Supervisors Responsibilities

A patrol supervisor from Crofton or in the district of occurrence is responsible for the following actions:

1. Respond immediately to all incidents of CEW deployment.
2. Ensure proper medical attention is requested.
3. Ensure expended cartridge and probes are treated and disposed of as biohazard sharps, unless required for evidence.
4. Determine whether AFIDs and expended cartridges will be needed as evidence based on unanticipated injury to the suspect.
5. Ensure all reporting requirements are met and completed.
6. Incidents where officers deploy a CEW during an elevated risk event require complete supervisory scrutiny. During those events supervisors must provide written evaluation of elevated risk deployments via supplement report, inter-office memo, or add written evaluation to the officer’s use of force report.



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7. Ensure arrangements are made to download the TASER with the Training Coordinator or any AACo Police Platoon Lieutenant, District Executive Officer, SOS or SES Lieutenant for data port tracking and cartridge replacement, before the end of the officer’s tour of duty. In the event that a Lieutenant is not immediately available to do the download, a trained Sergeant may conduct the download.

8. The Training Coordinator is responsible for conducting dataport procedures quarterly for their personnel to ensure the date and time is correct. This maintenance procedure is required regardless of the TASER usage. If the Training Coordinator is not available, any AACo Police District Lieutenant may conduct the download. A copy of the download will be provided to the Training Coordinator.

H. Reporting Procedures

1. Accidental discharges, as well as intentional discharges of the TASER will be immediately reported to the Chief of Police.

2. A Use-of-Force Report will be completed following all discharges of the TASER except during testing and training. Although a Use-of-Force report is not required for an accidental discharge or use on an animal, an Incident Report is required.

3. Intentional discharges of the TASER on a person will be reported to a Crofton Supervisor or an AACo Police Platoon Lieutenant, District Executive Officer, SOS or SES Lieutenant as soon as possible. The TASER does not have to be placed out of service before this occurs, unless both cartridges have been expended. The Lieutenant, or a trained Platoon Sergeant if a Lieutenant is not immediately available, will conduct the data port download from the TASER. AACo Police may replace the cartridge, Crofton Police will replace the cartridge given by AACo. A copy of the report generated through the data port download will be attached to the Use of Force Report and forwarded through the chain of command. TASER replacement cartridges will be tracked, logged and inventoried by the District Executive Officer, SOS and SES Lieutenants.