

GENERAL ORDER XXIII

SUBJECT: ELECTRO-MUSCULAR DISRUPTION SYSTEM (TASER)

EFFECTIVE DATE: 06-01-04

REVIEW DATE: 01-13-12

NOTE: This rule or regulation is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

I. PURPOSE

To establish guidelines for electro-muscular disruption system (TASER) use.

II. POLICY

It is the policy of this agency to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. The ADVANCED TASER M26 and TASER X26 (M26/X26) are electro-muscular disruption systems that have been proven effective in furtherance of this policy, and are authorized for use in appropriate circumstances by trained personnel.

III. DISCUSSION

EMDS 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. The EMDS 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 EMDS operator. The subject should normally be immobilized and dazed by the electricity long enough for officers to apply restraints. Manufacturers claim that no permanent damage is caused by the EMDS under normal conditions, however, precautions in its use shall be followed in accordance with provisions of this policy.

IV. TRAINING

Officers must successfully complete the agency approved primary course of instruction prior to carrying or using the M26/X26 devices, and successfully complete the agency approved annual re-certification program to continue carrying the devices.

V. USAGE AND HANDLING

1. EMDS 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.
2. Examples of situations in which the EMDS may be used included, but are not limited to the following:
 - a. Dealing with the mentally ill subject who is perceived to be violent.
 - b. Armed subject.
 - c. Warrant service where the subject is perceived to be violent.
 - d. Violent persons under the influence of drugs and/or alcohol.
 - e. Person 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.
3. The EMDS should not be pointed at any individual unless the officer involved reasonably believes it will be necessary to use the device.
4. The EMDS shall not be used:
 - 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.
 - 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 6., and situations where the suspect's fall may result in injury or death)
 - d. In conjunction with other EMDS or any other electrical restraint device that may collectively exceed electrical power levels on the subject.
5. For maximum effectiveness, EMD preferred target areas are the lower center mass (below chest) for front shots and below the neck area for back shots.
6. In non-lethal force situations, when possible, officers should avoid using the EMDS on:

- a. Persons in wheelchairs or in control of a vehicle.
 - b. Pregnant women.
 - c. People with known heart problems.
 - d. People with apparent debilitating illness of the elderly.
 - e. Children under 80 pounds
 - f. Individuals with known neuromuscular disorders such as muscular sclerosis, muscular dystrophy or epilepsy.
 - g. Persons known to be wearing pacemakers or other biomedical devices sensitive to electrical current.
7. EMDS cartridges shall not be carried loosely in pockets or in similar fashion as static electricity may cause discharge and serious injury. All extra EMDS cartridges shall be stored in their shipping boxes until deployed for discharge.
 8. Darts and cartridge packs used against individuals shall be submitted to the agency's evidence and property authority and held in accordance with agency policy on evidence control and storage. Darts that have been removed from suspects shall be placed in sharps storage containers and treated in accordance with agency policy on handling and storage of biohazardous materials.
 9. Medical attention will be given to any subject/suspect that the TASER has been deployed on in which three (3) or more TASER deployment/cycles were required in order to achieve subject/suspect control or compliance. Due to medical conditions outside the control of law enforcement, it may be necessary to seek medical attention based on warning signs or verbal/non-verbal actions of the suspect after minimal use of an ECD.

In order to comply with this obligation, the subject/suspect shall be transported by ambulance to a medical facility and receive a medical evaluation performed by a physician.

VI. DART REMOVAL

1. EMDS darts that penetrate an individual's skin shall only be removed by trained personnel.

VII. AFTER-ACTION REPORTING

1. Use of the EMDS is considered a use of force and is subject to the same reporting requirements as other uses of force required by this agency.
2. With the exception of training, all instances of EMDS usage, including accidental discharges, shall be reported on this agency's use-of-force reporting document.
3. The investigating authority 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 EMDS was fired, locations of impact on the subject and an evaluation of the effectiveness of the device.

VIII. MAINTENANCE

1. Testing and maintenance of the EMDS 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 EMDS 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. EMDS should not be left in direct sunlight due to the possible adverse effects on plastic parts.
6. This agency's EMDS instructor shall develop a testing and maintenance schedule for all agency EMDS and their component parts.

AUTHORITY

- A. This policy is issued by the authority of the Chief of Police. Any policy additions, deviations or revisions shall be made only at the direction of the Chief of Police.

By Authority of:

Charles Brotherton, Jr., Chief of Polic