

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

USE OF TASER
SUBJECT

DATE: March 8, 2016

NO: Q-1c

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Taser
Deployment of Tasers

I. Specific Definitions

- A. The Taser is a less-lethal weapon system that delivers electrical energy and is designed for the purpose of subduing persons without causing serious injury or death.
- B. The Probe Cartridge is a device that contains two probes, connected to light-gauge wire that is propelled and attaches to the subject upon activation of the Taser.
- C. A Drive Stun is the procedure of using the Taser with a spent Probe Cartridge or no Probe Cartridge to make physical contact with a subject and deliver energy.
- D. Each Taser is equipped with a Laser Sight aiming device.

II. Training and Certification

The Taser Program Manager is responsible for training and recertification of members in the proper use and deployment of the Taser. To obtain certification, members must complete the Taser Basic Operator's course as conducted by the Personnel & Training Section. To maintain certification, members must attend periodic refresher training.

III. Use of Taser

- A. Only members currently certified in its use will deploy the Taser. The Taser may be used in circumstances where a person displays intent to engage in violent, aggressive actions, suicidal behavior, violent physical resistance to lawful Police action, or poses an immediate threat to the safety of the officer(s) or others around. The Taser shall not be used if a person is passively resisting, not following orders, not aggressive, or not posing an immediate threat to the safety of officer(s) or others around. The decision whether to use a Taser while in foot pursuit of a fleeing suspect shall rest with the Officer, who shall consider the crime committed, the urgency of apprehension, the obvious age of the person fleeing, and the possibility of halting the suspect by verbally warning the suspect. The Taser may be deployed on a fleeing suspect when other options are not available or are not appropriate and the need to apprehend the suspect outweighs the potential for injury to the suspect.
- B. Members deploying the Taser operationally, if feasible, should be supported by at least one Officer capable of providing immediate cover.
- C. Officers should avoid using more than one Taser at a time on a suspect. If the initial Taser becomes disabled, a second Taser may be deployed.
- D. If the Taser does not gain control or is ineffective, other tactical options should be considered.

IV. Verbal Warnings

Members will, if feasible, provide a warning to the subject before using the Taser. The warning should be an explicit statement such as, "Stop. Get on the ground or you will be Tased."

V. Use on Animals

The Taser is not recommended for use on animals. The Taser is not designed for an animal's central nervous system and may not be effective. Only in an emergency situation shall the Taser be used in an attempt to subdue an attacking animal.

VI. Policy and Procedure

- A. Tasers shall be used within the limits outlined in General Order Q-1, Use of Force.
- B. At times, Department members are confronted with situations where control is required to effect an arrest or protect the public's safety. Attempts will be made to achieve control through advice, warnings, and persuasion. However, in situations where resistance or a threat to life is encountered and advice, warnings, or persuasion are or would be ineffective, force may have to be used.
- C. Force is described as the exertion of power by any means, including physical or mechanical devices, to overcome or restrain an individual where such force causes him/her to act, move, or comply against his/her resistance.
 - 1. Only those members currently certified with the Taser, as described below, are authorized to use it.
 - 2. The Taser shall not be displayed on routine calls or incidents. The circumstances of each call or incident shall dictate the reasonableness for the deployment of the Taser.
 - 3. The Taser is not a substitute for deadly force.
 - 4. The Taser should not normally be used against obviously pregnant females, young children, or elderly persons.
 - 5. The Taser shall not be used if it is known that:
 - a. The suspect has been exposed to flammable liquids.
 - b. The use would occur in a flammable or explosive environment (such as a clandestine lab).
 - c. The suspect could fall from a significant height or into a pool, river, or other body of water.

VII. Firing the Taser

- A. Aim the laser beam at the intended target area at a distance of 2 to 20 feet. Optimum range is 6 to 15 feet. The upper probe is designed to launch at the point of the laser beam. The lower probe is designed to strike 6 to 12 inches below the point of the laser beam. The laser may affect vision; do not shine the laser in anyone's eyes.
- B. When possible, avoid intentionally targeting the CEW on sensitive areas of the body, such as the head, eyes, throat, chest/breast, or known pre-existing injury areas without legal justification; understanding the dynamics of an arrest situation may still lead to the subject being hit in the chest. Close spread discharges to the front of the body are more effective when at least one probe is in the major muscles of the pelvic triangle or thigh region. Also, by avoiding chest shots, it lessens the risk of shot placement into undesirable areas of the body such as the head or eyes. Taser shots to the back remain a preferred area when practical. The Taser will function through up to 2 inches of clothing.
- C. Once the darts make contact, the Taser will operate for a 5-second period. If the suspect is subdued prior to the 5-second term, shut the Taser off.
- D. The Taser can also be used in drive stun mode.

VIII. Actions following the Use of the Taser

- A. A supervisor will respond to all calls where a Taser has been deployed.

- B. Medical Treatment - When the Taser is used on a person, EMS personnel may be summoned to the scene, or the subject will be transported to the hospital.
- C. Medical personnel will evaluate the person's need for further medical treatment. The Taser probes may be removed by EMS personnel, or you can transport the subject to the hospital and have medical staff remove the probes. Officers are not authorized to remove probes that have penetrated the skin of the subject.
- D. Photographs - Members will photograph the areas of the probe strikes or points of contact before and after probe removal, if possible. Consent should be obtained before photographing personally sensitive areas. All photographs of probe strikes will be placed into evidence.
- E. In the case of severe injury (i.e., death, probe in the eye), collect and book as evidence any discharged cartridges, probes, and Taser wires. The Taser may also be booked as evidence, depending on the severity of the injury. Ensure the probes are handled and booked as bio-hazardous "sharps." It is not necessary to book the cartridge or the anti-felon dots under "normal" circumstances.

IX. Notification and Reporting of Use

- A. Members discharging a Taser operationally will, as soon as practical, verbally notify an on-duty supervisor.
 - 1. The on-duty supervisor shall then notify the Watch Commander.
- B. Members using a Taser on a person will complete the appropriate Police Report, documenting circumstances of the Taser deployment, prior to the end of shift. This report shall be reviewed and approved by a supervisor.
 - 1. The appropriate report shall document:
 - a. The specific circumstances leading to the use of the Taser, as well as, all verbal warnings given to the subject. If no warnings were given, members will document the circumstances that precluded any warnings.
 - b. The distance from which the Taser was used.
 - c. The serial numbers of the Taser.
 - d. The name and Departmental I.D. number of the Officer designated as immediate cover.
 - e. The name and Departmental I.D. number of the notified and/or reporting supervisor.
 - f. If EMS responded, the results of any medical evaluation.
- C. Supervisors of members using the Taser operationally will complete the Use of Force Database Report and download the data into the Taser database located in the Sergeant's office.
- D. Supervisors reviewing the Taser Use Report shall ensure the above-listed procedures have been followed.

X. Responsibility, Accountability, and Control

- A. Members carrying the Taser should ensure Taser batteries are charged to a minimum of 20% power at the beginning of each shift. If the Taser is below 20%, see a Taser trainer, and a new battery will be provided. Officers assigned a Taser should function test their Taser at the beginning of each shift to ensure the Taser is working properly.
- B. Officers assigned a Taser shall keep the Taser in a location where it can be easily accessed (i.e. patrol bag, duty vehicle).
- C. Supervisors shall ensure all pertinent information is documented in the appropriate reports, and that all appropriate evidence is collected following the use of a Taser.

1. Supervisors shall ensure that the date and time are calibrated on their Taser during the post-deployment download.
- D. The Taser Program Manager is responsible for the procurement, maintenance, and training of Tasers and associated equipment.
- E. The Taser Program Manager is responsible for evaluating the Taser program, review of the Taser Database Reports, and Taser data collection.
- F. The Taser Program Manager is also responsible for reviewing all operational Taser deployment.
- G. The Training Manager is responsible for the initial training and recertification of members in the use of a Taser.