

TEXAS SOUTHERN UNIVERSITY  
DEPARTMENT OF PUBLIC SAFETY



STANDARD OPERATING PROCEDURE



<b>SUBJECT:</b> <b>Conducted Electrical Weapons (TASER) Policy</b>		<b>NO. OF PAGES:10</b>
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<b>General Order:</b> 054	<b>SPECIAL INSTRUCTIONS/SUPERSEDES:</b> N/A	<b>ISSUING AUTH.:</b> <b>Chief of Police</b>

**PURPOSE:** To establish procedures and regulations governing the use of conducted electrical weapons (CEW) as a use of force option. Conducted electrical weapons are considered a non-lethal use of force. The Taser X26P is a CEW and will be referred to as a Taser.

**DEFINITIONS:**

Taser: A conducted electrical weapon (CEW) designed to use electrical impulses similar to those in your body’s nervous system to cause stimulation of the sensory and motor nerves. Neuromuscular Incapacitation (NMI) occurs when a Taser is able to cause involuntary stimulation of both the sensory nerves and the motor nerves to render a subject temporarily unable to control movement. It is not dependent on pain and can be effective on people with a high level of pain tolerance.

Deployment - The activation of a Taser resulting in the discharge of an electrical charge combined with the application of the Taser in the form of a drive stun, three-point deployment, or a probe deployment, whether or not the probes strike the intended target or whether an electrical circuit is completed; including any other activation of the Taser resulting in a subject receiving an electrical charge from a Taser, or an ARC Display. The mere display of a Taser or “painting of a subject with the CEW’s laser” is not a deployment.

Contact Deployment / Drive Stun: When the front electrodes on the Taser, or an expended cartridge attached to the front of the Taser, are brought into immediate, direct, or close proximity, contact with a subject’s body, or clothing. Drive Stun causes localized discomfort in the area contacted by the Taser but does not incapacitate a subject through NMI.

Three-point Deployment: When the front electrodes on the Taser, or an expended cartridge attached to the front of the Taser are utilized in drive-stun mode, after it has been probe deployed, to supplement the probe mode in order to complete the electrical circuit in an attempt to increase the effect or likelihood of NMI.

Probe Deployment: Utilizing compressed nitrogen gas to propel two (2) darts on wires from a cartridge. If sufficient contact is made with the subject it will complete an electrical circuit to attempt to achieve neuromuscular incapacitation in the subject.

ARC-Display: The activation of a Taser with the cartridge removed or with an expended cartridge resulting in the electrical arcing across the front electrodes.

Spark Test: The activation of a Taser with the cartridge removed resulting in the electrical arcing across the front electrodes for the purpose of checking the functionality of the Taser in a controlled environment.

Cartridge: A replaceable cartridge for the Taser which uses a compressed nitrogen propulsion system to deploy two barbed probes on thin connecting wires sending a high voltage/low current signal into a subject.

Taser Control Supervisor - An individual who has been appointed by the Chief of Police or his/her designee to manage the Department's Taser program.

Active Resistance: A subject's physical actions to defeat an officer's attempt at control and to avoid being taken into custody. Verbal statements alone do not constitute active resistance.

Passive Resistance: Physical actions that do not prevent the officer's attempt to control, for example, a person who remains in a limp-prone position, or behavior that is unresponsive to police verbal communication or direction.

Active Aggression: Means a threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

## **I. RESPONSIBILITIES:**

- A. Officers are not authorized to draw or display the Taser, except for training, or function testing, unless the circumstances create a reasonable belief that it may be necessary to use it. The Taser is a weapon and will be handled in accordance with department approved training and policies. Tasers will be secured prior to entering any detention facility.
- B. Officers must notify a supervisor, as soon as practical, whenever the Taser has been deployed.
- C. Officers must ensure that any subject that receives probe contact(s) or receives an electrical impulse from a Taser receives medical attention from Emergency Medical Services personnel as soon as practical.

- D. A record will be kept of all Tasers, their serial numbers, and what officer or division they are assigned to. Use histories will be run on each Taser annually or as directed by the Taser Control Supervisor. Any indications of misuse of the device may result in disciplinary action and/or revocation of the user's permission to carry a Taser.
- E. A Taser deployment in the course of a call for service or official investigation will be noted in the corresponding offense report. Any non-intentional / accidental deployment of a Taser (that does not make contact with a person or result in property damage) will be recorded in interoffice form to the Officer's Bureau Commander & Taser Control Supervisor by the person under whose control the Taser was at the time of the discharge. The display of the Taser or "painting of a subject with the Taser's laser" does not constitute a deployment.

## **II. TASER APPLICATIONS:**

A. There are five separate types of reportable Taser applications:

1. ARC Display
2. Contact Deployment / Drive Stun
3. Probe Deployment
4. Three-Point Deployment
5. Non-intentional Deployment

B. Probe Deployment Distances:

1. The Taser is most effective when the cartridge is fired and the probes 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 25 foot cartridge. Deployment of the Taser cartridge at distances of less than 3 feet will not result in temporary immobilization or central nervous system disruption. A 25 foot cartridge has a normal maximum effective range of twenty-one (21) feet.

## **III. USE OF FORCE OPTION:** (Also Refer to General Order #047, Use of Force).

- A. The Taser is considered one of the options available to an officer when using less than lethal force. The Taser, like the expandable baton, O.C. 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 reasonable, or if a different tactic or use of force option should be employed.
- B. The decision to deploy the Taser will be dependent upon the actions of the subject, the threat level facing the officer, and the totality of circumstances surrounding the incident.

C. The Taser may be used in response to:

1. Active resistance when another compliance technique has failed or the officer has reason to believe that attempting another compliance technique will fail and/or result in a greater risk of injury to themselves, the subject, or a third person and such force is objectively reasonable. A subject's flight should not be the sole justification for deploying the Taser. Prior to deploying the Taser against a fleeing subject, the officer should consider such factors as the severity of the offense and any immediate threat to the safety of the officer or others posed by the subject.
2. Assaultive behavior/ Active aggression or to control a violent subject when attempts to subdue the suspect by other less intrusive methods have been, or likely will be, ineffective and there is a reasonable expectation that it will be unsafe for officers to approach the suspect within contact range and when deadly force does not appear to be objectively reasonable.
3. To prevent the commission of a suicide or self-inflicted serious physical injury.
4. To deter vicious or aggressive animals that threaten the safety of the officer or others. The use of Tasers on animals has not been extensively tested and may have minimal effects. If utilized, Officers should be prepared to act quickly after the Taser deployment since it may only temporarily disable the animal.
  - i. Center mass of the animal should be targeted and care should be taken to avoid the head and other sensitive areas of the animal.
  - ii. Personnel will take reasonable measures to provide for the animal's welfare in the event that probes impact a sensitive area, or it appears the animal's health is in jeopardy.

**IV. THE TASER SHALL NOT BE USED:**

- A. When the officer knows a subject has come in contact with flammable liquids or is in a flammable atmosphere or OC Spray;
- B. When the location presents a reasonable belief that the subject will sustain serious injury or death if the subject falls to the ground as a result of the Taser deployment. Examples include, but are not limited to: Slanted rooftops, ledges of tall buildings, tall fences, bridges/overpasses, crossing a moving lane of traffic, or deep water;
- C. On subjects who are physically restrained unless doing so is necessary to prevent them from causing serious physical injury to themselves or others, and if lesser attempts of control have been ineffective;
- D. Punitively for purposes of coercion, or in an unjustified manner;

- E. To escort or jab individuals;
- F. To awaken unconscious or intoxicated individuals;
- G. When the subject is believed to be pregnant, unless the use of the Taser would reasonably avoid the use of deadly force or the risk of serious bodily injury.
- H. On subjects who only offer passive resistance.
- I. The Taser should not normally be used in the following circumstances unless there are exigent circumstances 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 (young or old) or visibly Frail, 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.

## **V. TARGET DEPLOYMENT**

- A. The Officer shall, if practical, give a loud distinct verbal command/warning to the subject that the Taser will be deployed if the subject does not cease his/her combative behavior and/or comply with the officer's commands. When practical the officer shall delay deployment of the Taser for a reasonable time to allow the subject to become compliant. The verbal warning may also include Taser display, laser painting, and/or ARC display
- B. When the Taser is going to be deployed the officer should point the laser sight at the subject before firing and announce in a loud distinct voice "TASER, TASER" to provide other deputies with a warning that the Taser is about to be deployed and give notification to the subject of imminent discharge.
- C. When it is necessary for an officer to deploy a Taser on a subject, the Officer should use the Taser for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary. Officers should consider if the subject has had a reasonable amount of time to comply with commands. Officers should consider the risks of prolonged or repeated Taser exposure, including that exposure to the Taser for longer than 15 seconds, whether due to multiple applications or continuous cycling, may increase the risk of death or serious injury. Any subsequent applications should be independently justifiable and the risks should be weighed against other available force options.

D. Multiple or Simultaneous Taser Deployments/Completed Circuits:

Each individual trigger pull and 5-second discharge of a Taser must be objectively reasonable. Generally, only one completed Taser circuit may be intentionally used on a subject at a time and thereafter Taser deployment should not be used unless:

1. NMI is not achieved (often due to ineffective probe spread);
2. the first deployment fails to achieve NMI of the subject and a second deployment is independently justified; the subject is reasonably perceived to continue to be an immediate threat of serious injury;
3. the potential use of deadly force may reasonably be avoided by the use of simultaneous, multiple completed circuits; or
4. Other exigent circumstances justify the use of simultaneous multiple completed circuits.

E. In an attempt to minimize the number of Taser discharges needed for subject compliance, officers should, while deploying the Taser, reasonably direct (order) the suspect as the incident dictates. Such verbal commands may include, but are not limited to "stop resisting," "lie flat," "put your hands behind your back," "do it now, or you will get the electricity again," etc.

F. The preferred target areas are below the neck for back shots and the lower center mass (below chest) for front shots. An ideal probe deployment from the front will "split the hemispheres" having one probe strike a subject above the belt line and the other probe striking the subject in the thigh or leg thereby activating the hip flexor. The preferred target areas increase dart-to-heart distance and reduce the potential for cardiac risks. Back shots are preferable to front shots when practical.

G. When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.

H. Avoid hitting the subject in sensitive tissue areas such as head, face, eyes, neck, groin, or female breast area; probes penetrating these areas will be removed by medical personnel at a medical facility:

I. 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 is reasonably expected to bring a subject displaying active resistance or active aggression safely under control. A three point deployment may be used to supplement the probe mode to complete the incapacitation circuit, or as a countermeasure to gain separation between officers and the subject, so that officers can consider another force option. Multiple Drive Stuns are discouraged and must be justified and articulated in the offense report. If initial application is ineffective, officers will reassess the situation and consider other available options.

- J. Following a Taser deployment, officers should attempt to use a restraint or stabilization technique that does not impair the subject's respiration.
- K. The officer must notify any personnel, outside agency, and/or jail facility taking custody of a subject that has received a Taser deployment that the subject has been exposed to a Taser. It is recommended that Officers document who was notified in the report.

## **VI. SUPERVISOR RESPONSIBILITIES:**

- A. Upon being notified of a Taser deployment an on-duty supervisor shall respond to the scene where the Officer deployed the Taser (on or off duty deployment).
- B. The supervisor shall contact the Division Commander.
- C. The supervisor will ensure photographs are taken of the probe impact site, drive stun site, or any related injuries and that the photographs are tagged into evidence. If the probe's locations are in sensitive areas such as the groin or a breast, an officer of the same gender shall take the photographs.
- D. Complete and forward through his/her chain of command the investigative packet detailing the incident.
- E. Summon emergency medical services personnel to administer medical care, if this has not already been done.
- F. The Taser Control supervisor shall download the Taser report and attach it to the use of force report.
- G. The Taser Control Supervisor shall review the use of force report and the offense report for each deployment of a Taser, including non-intentional discharges.
- H. Any Taser that is involved in a Use of Force incident where there is hospitalization/serious bodily injury, death or suspected wrongful use shall be taken immediately to the TSU Police property room to be tagged in as evidence.

## **VII. POST-DEPLOYMENT:**

- A. Once the subject is safely secured and in custody, the arresting Officer will ensure EMS is contacted and summoned to the scene. EMS personnel will be notified that the subject has received an electrical charge from a Taser and the approximate time the deployment occurred. If the probes penetrate the skin, the puncture sites will be brought to the attention of medical personnel to be treated as necessary.
- B. The on-duty supervisor shall make the scene.

- C. Only medical personnel may remove or direct the removal of any Taser probes that are embedded in soft tissue areas such as the neck, face or groin. Removal from other areas will be at the discretion of a supervisor or medical personnel, unless exigent circumstances exist that would require the officer to remove the probes. Officers should inspect the probes after removal to see that the entire probe and probe barb has been removed. Only officers that have been properly trained in probe removal will be allowed to remove the probes.
- D. In the event that a probe, or probe barb, has broken off and it is still embedded in a subject's skin, the subject should be provided appropriate medical attention to facilitate the removal of the object.
- E. The on-scene supervisor will allow emergency medical personnel to determine if the subject should be transported to the hospital.
- F. If the probes are no longer attached to the subject and medical personnel determine that the subject does not need to be transported to the emergency room/hospital, the subject may be transported for processing and booking.
- G. Officers should handle the probes the same as contaminated needles and sharps in accordance with biohazard disposal procedures.
  - 1) The wires will be gathered with the cartridge. Officers should attempt to keep the wires intact when they are going to be tagged into evidence.
  - 2) The probes will be inverted into the portals they were fired from (this will prevent sharp ends from penetrating an evidence bag).
  - 3) Tape will be placed over the portal to secure the probes in the cartridge.
- H. Complete the necessary offense report and use of force report, in accordance with Department Policy.
- I. Present Taser to a supervisor for data download prior to end of shift if a reported use of force incident occurs. (Unless section VI. G. applies)
- J. Forward a copy of the offense report documenting the use of force to the appropriate supervisor.
- K. Ensure that required photographs are taken.
- L. The Taser Control Supervisor will maintain a copy of all records and information from the downloaded Taser along with the corresponding use of force report in accordance with the Records Retention Policy.



## VII. TRAINING AND CERTIFICATION:

- A. Instructors who have been certified as Taser instructors will be the only authorized persons to provide instruction on the Taser.
- B. 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 recertification training.

## IX. EQUIPMENT CARE AND HANDLING:

- A. Officers shall only use department authorized and department issued Taser equipment.
- B. Officers who are issued a Taser shall carry the Taser and shall wear it as part of the approved department uniform. Officers shall not carry the Taser when not in uniform unless authorized by the Chief of Police or his designee.
- C. Uniformed officers will carry the Taser in a department approved holster. The holster will be carried on the duty belt, on the side opposite the duty firearm.
- D. The equipment will be inspected by the officer at the beginning of each shift for damage and cleanliness, and batteries and cartridges replaced when required.
- E. Any Taser or component found to be defective, damaged or expired will be returned to the Taser Control Supervisor for repair or replacement, with a detailed explanation of the malfunction or cause of damage. Officers shall not attempt to repair or modify a Taser. Do not attach metal tags, engrave, or use a vibrating etching machine on a Taser.
- F. The battery display will be checked at the beginning of each shift using the Central Information Display (CID). A display of one bar (20%) or less will require the battery pack be changed. The battery pack will not be removed from the Taser except to replace the battery, clean the unit, or to conduct a data download by the TCS {Taser Control Supervisor}.
- G. When off duty, Tasers must be stored and secured in a dry climate-controlled area, not in a vehicle.
- H. Officers must conduct a full cycle spark test at the beginning of each shift to ensure the Taser will function properly. A spark test 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 test does not require completion of a use of force report.
- J. Any use of a Taser device contrary to the direction of this policy may result in the revocation of the right to use such devices and may subject the Officer to disciplinary action up to and including termination.

*Remon P. Green 7/14/2016*

**Remon P. Green**      **Date**  
Executive Director/Chief of Police  
Texas Southern University  
Department of Public Safety

**Review and Responsibility**

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