


<p><b>Billerica Police Department</b></p> 	POLICY NUMBER OPS-3	PAGES 5	EFFECTIVE 5/1/2025
	<p>Accreditation Standards: 1.1.4, 1.1.11</p> <p style="text-align: center;"><b>Issuing Status</b></p> <p style="text-align: center;">-----</p> <p style="text-align: center;">NEW <input type="checkbox"/>    AMENDED <input checked="" type="checkbox"/>    REVIEWED <input type="checkbox"/></p>		
<b>Taser</b>			

## I. Purpose

- A. This procedure sets forth the Billerica Police Department policy regarding the training, handling, and deployment of the Taser.
- B. Specific objectives of this Policy are:
  1. To inform and direct those officers who are authorized operators of the Taser, in a uniform and professional manner, the proper tactics and procedures in deploying the Taser.
  2. To provide written guidelines for officers to follow when deploying the Taser, as well as the documentation required for a Taser deployment.

## II. Information

- A. The Taser is an additional police tool and is not intended to replace verbal problem-solving skills, self-defense techniques, or firearms. The Taser shall be deployed only in circumstances where it is deemed reasonably necessary to control a dangerous, non-conforming or violent subject. The Taser may be deployed when deadly force does not appear to be justified and/or necessary, as a pre-cursor to deadly force, as an alternative to deadly force and when attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or there is a reasonable expectation that it will be unsafe for officers to approach within contact range of the subject. The Taser may only be used when the suspect poses an immediate threat to the safety of the officers or others.

## III. Definitions

- A. **Taser:** A Taser includes but is not limited to the Taser 7.
- B. **Deployment:** The activation of a Taser resulting in the arcing of the unit, a contact maneuver on a subject or animal, and/or the discharge of an cartridge whether or not the probes strike their intended target. The mere display of a Taser is not a deployment.
- C. **“Tased”:** The accepted word indicating that a person or animal has received an electrical charge from a Taser.

- D. **Taser Control Manager:** A Taser instructor who has been appointed by the Chief of Police to manage the Departments Taser Program.
- E. **Taser Instructors:** All approved Taser instructors of the Billerica Police Department.
- F. **Department:** The Billerica Police Department
- G. **Conventional tactics:** Those tactics and other uses of force described in the Department's Use of Force Policy.
- H. **Medical Personnel:** Includes, but is not limited to, Doctors, Physician's Assistants, Nurses, Paramedics, and Emergency Medical Technicians.
- I. **Supervisor:** A Billerica Police Department Police Officer above the rank of Patrol Officer to include Sergeants, Lieutenants, Deputies, and the Chief of Police.

#### IV. Procedure:

- A. Tasers shall be issued to and handled or deployed only by officers who have completed a Municipal Police Training Committee approved training course. The Taser shall be handled in the same manner and treated with the same degree of care and discretion as a firearm. **The rules for securing firearms shall apply to Tasers and the Taser shall not be left unattended and shall be secured or passed on at the end of each shift. The Officer authorized to carry the Taser shall have the responsibility to insure that the weapon has been secured or passed on at the end of their respective shift. The Officer in Charge shall be responsible for issuing, receiving, recording Taser's number on the log, and securing the weapons at the beginning and end of every shift.**
- B. Tasers shall only be used in conformance with procedures mandated in the training course, and only in accordance with Department policy and State Law.
- C. Instructor training: All department instructors are required to complete a 16-hour Taser International ECD certification course and an additional 4-hour training course from the Municipal Police Training Committee. Instructors are required to be trained and re-certified biannually.
- D. Only properly functioning and charged Tasers shall be issued for field use. The battery charge shall be checked prior to removing the Taser from storage. The battery charge shall only be checked when there is no cartridge loaded in the Taser. The Taser should be pointed in a safe direction with no cartridge loaded in the unit for the "test spark", performed when checking the Taser out to test the battery charge. The Taser checkout log will be completely filled out each time the authorized officer checks out a Taser. A supervisor shall issue the Tasers out, and the duty shift supervisors shall ensure the checkout log is complete. The spark test shall be performed by the officer who was issued the Taser. It shall be performed in the area designated for the spark test.
- E. Any Taser or component thereof found to be defective or damaged shall be returned to the Taser Control Manager for repair or replacement, with a detailed explanation of the malfunction or cause of damage.
- F. All Tasers and associated equipment shall be properly secured when not in use. Tasers not being used during a shift shall be stored in the Patrol room outside of the communication room in the area designated.
- G. When carried in the field, the Taser shall be carried in the Department-approved holster. **The holster shall be carried opposite of the officer's department issued sidearm**

**when worn on the duty belt. Officers have the option to wear the holster on approved exterior vests, after completion of Taser recertification training.**

- H. Each deployment of a Taser shall be investigated and documented utilizing the Use of Force Report. This includes a contact deployment, as well as the firing of an cartridge or other deployment resulting in a subject or animal receiving an electrical charge from the Taser, or when the Taser is activated (“sparked”) and the subject is subdued/controlled without actually receiving an electrical charge from the Taser. Any accidental discharge of a Taser cartridge shall be documented in an Incident Report. **The Officer in Charge shall be notified as soon as practical after a Taser is used. It shall be the responsibility of the Officer who used the Taser to notify the Officer in Charge as soon as possible but no later than the end of their respective shift of use of the device. Such notice is mandatory.**

## V. Deployment

- A. Whenever a Taser is to be deployed it is the responsibility of the deploying officer or on-scene supervisor to make certain officers on scene understand that the Taser is being deployed and not lethal force, prior to the deployment of the Taser if at all possible. **This shall be accomplished through the warning announcement “TASER!” to alert other officers, as well as to provide the subject an additional opportunity to cease the conduct that has given rise to the deployment of the Taser.**
- B. When an officer approaches a subject with the intent to deploy the Taser, an additional officer should also approach whenever possible to provide additional security and back-up in the case of a violent subject or a subject carrying a weapon. If the subject is non-conforming the officer shall assist with the handcuffing of the subject. Verbal commands should be used constantly before (whenever practical), during, and after the deployment of the Taser to warn the subject to cease his/her aggressive demeanor or action.
- C. A deployment of the TASER probes by firing the TASER shall be considered a level 4 use of force and shall be done in accordance with the department’s policy. This may be done when a subject is assaultive and aggressive toward the officers, others or themselves and the subjective actions indicate an immediate threat to the officer or others present or themselves. This shall include when a subject presents or threatens that they have a weapon and by the ‘totality of the circumstances’ the officer believes that the subject presents clear and imminent danger to the officer’s, others or themselves. Whenever possible the TASER should not be aimed at the head or chest of the suspect.
- D. **A deployment of the TASER in the “Drive Stun” mode, defined as a discharge of the TASER while pressed against the body of the subject is considered a level 4 use of force according to the department policy. This should only be employed in defense of the officer or others. “Drive Stun” is not the preferred method of use.**
- E. Subjects who have received an electrical charge from the Taser unit or probes, shall be treated as follows:
1. Once the subject is safely secured and in custody, the arresting officer shall notify EMS that the subject has received an electrical charge from the Taser and relate the approximate time the action occurred. If the probes penetrate the skin, the puncture sites shall be brought to the attention of medical personnel. Probes shall only be removed by EMS protocols.

2. Only medical personnel may remove or direct to be removed, any Taser probes that are embedded in soft tissue areas such as the neck, face, eyes, female breasts and groin. Removal from other areas will follow EMS protocols.
  3. The on-scene supervisor shall allow medical personnel to transport the subject to the hospital.
  4. If the probes are no longer affixed to the subject, and the subject refuses to be transported to the emergency room/hospital, the subject may be transported to the holding facility.
  5. Officers must be aware that one aspect of possible injury to a subject receiving an electrical charge from a Taser is that of falling from a standing position.
- F. The spent cartridge and probes shall be collected and preserved as evidence. Caution should be exercised in handling probes that have penetrated a subject's skin. Such probes shall be packaged and handled with the same care as a hypodermic needle, and shall be packaged in a suitable container to prevent accidental infection. Whenever possible after removal, probes should be placed back into their spent taser cartridge, sharp probe end first, then packaged as evidence and marked as Bio-Hazard.
- G. Do not deploy the Taser 7 near flammable liquids or fumes. The Taser 7 can ignite gasoline or other flammables. Only electronic weapon safe OC (oleoresin capsicum) should be used.
- H. **Electronic Weapons should not be used against obviously pregnant women, children under the age of 18, adults over the age of 70, and those suffering from severe mental illness.** Electronic weapons should only be deployed against these vulnerable groups if the officer's assessment at the time is that the individual has or will cause immediate serious bodily harm to themselves and/or others but could be subdued by an electronic weapon as an alternative to the use of deadly force.
- I. **Each use of the Taser involves an additional use of force which must be in compliance with this policy.**
- J. The TASER shall not be used as a tool of coercion or punishment.

## VI. Documentation

- A. The deploying officer is responsible for documenting the deployment of the Taser by completing the Use of Force report, as well as submitting a detailed account of the probable cause for deploying the Taser each time it is deployed. If the deploying officer is not the primary reporting officer, the deploying officer shall index a detailed supplement to the case documenting his/her role in the deployment of the Taser. The use of force report shall be separate from the arrest or incident report.
- B. The booking officer shall ensure photographs are taken of the subject receiving an electrical charge from the Taser (contact or probes), with special attention to any area injured and where the charge was received. The arresting officer shall also include detailed documentation in the incident report of how the injuries occurred.
- C. The OIC shall notify the Chief of Police or his designee and the Taser Instructors by e-mail of the use of the Taser by the end of their respective shift, to ensure a detailed review of the deployment.

- D. The Taser that was deployed shall be removed from service until such time as the deployment report is downloaded from the Taser's data port. A supervisor or Taser instructor trained to recover the deployment data shall perform this function. The Taser that was used shall be placed into evidence and shall be secured by the OIC until it can be transferred to the Taser Control Manager. Once a printed report is obtained, the Taser may return to service.
- E. A copy of the printed deployment report shall include the date prior to the deployment, the date of deployment on a subject, and the day after if available, and then forwarded to the Taser manager for inclusion in the case file.
- F. Pursuant to Massachusetts General Law 140 Section 131J, the Billerica Police Department will submit a quarterly report to the Executive Office of Public Safety.

## **VII. TASER CONTROL MANAGER'S RESPONSIBILITIES:**

- A. The Taser Control Manager shall:
  - 1. Receive, inspect, and ensure the maintenance and replacement of the Department's Taser devices and related equipment.
  - 2. Establish and maintain systems to record issuance of equipment.
  - 3. Return defective or damaged Tasers and cartridges to the suppliers
  - 4. Obtain service and/or replacement for defective or damaged Taser components from the supplier.
  - 5. Review reported uses of a Taser by Department personnel and establish a system for maintaining statistics on the performance of the Taser. A trained Taser Instructor, so authorized by the Taser Control Manager, may also perform this function.
  - 6. Ensure Basic certification and annual re-certification training on the Taser is provided, as well as maintaining a record of the training.
  - 7. All other duties as may become necessary for the employment, maintenance, and enhancement of the Department's Taser program.

## **VIII. Re Certification**

- A. All officers shall be re-certified on an annual basis to ensure that they receive the most up to date information available, to include review of this policy. In the event that a new training module is released by the TASER Corporation, the Municipal Police Training Committee or the Executive Office of Public Safety all officers shall receive the updated training prior to the continued deployment of the TASER.
- B. If any officer fails to attend and complete the annual recertification training as mandated their certification and authorization to carry and use the Taser shall end. No officer shall carry, use or deploy a Taser unless their certification and training is up to date and they have received authorization from the Chief of Police.