

309

Taser Energy Weapon

Edmonds Police Department Policy

309.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER devices.

309.2 POLICY

The TASER is intended to be used as a tool to de-escalate or help gain control of a violent or potentially violent individual while minimizing the risk of serious injury to all involved. Appropriately using such a device should result in fewer serious injuries to officers and suspects.

At no time should an officer unnecessarily risk injury or death to use less force than is necessary to resolve the situation at hand.

309.3 ISSUANCE AND CARRYING TASER ENERGY WEAPONS

Only members who have successfully completed department-approved training may be issued and carry the TASER Energy Weapon. Officers will carry TASERS and associated equipment in accordance with department-approved training.

After completing department-approved TASER training, employees will be issued individually assigned TASER Energy Weapons. These devices utilize, create, and record electronic accounts for every device use. Such digital forensic records are uploaded to <https://www.edmondspdwa.evidence.com> to document the conditions of device use (see 309.5.9 Supervisory Notification & TASER Battery Docking). Unless emergent circumstances require an officer to use someone else's assigned TASER, officers must use the device assigned to them. Use of another officer's TASER Energy Weapon must be documented in the case report narrative.

TASERS will be issued and assigned to all members of the agency who are assigned to the following units or sections:

- a) Patrol
- b) Detectives
- c) Traffic
- d) Problem-Solving Emphasis Team (PSET)
- e) Training
- f) Animal Control – Ordinance Enforcement
- g) Parking Enforcement

Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle, but they should remember that it is more effective and useful when worn on their person.

Taser Energy Weapon

Edmonds Police Department Policy

Officers carrying the TASER device should utilize the TASER's Function Test Mode to ensure the TASER and cartridges are working as expected prior to every shift. This must be done in a manner consistent with training. Officers should conduct such testing only at a pistol clearing barrel or designated spark test area with safe backstop. Officers must replace their TASER rechargeable battery as needed, but no less than once per month.

309.3.1 DUTY CARRY FOR THE TASER

Officers will carry their TASER in the field in accordance with department-approved training.

To ensure the safe deployment of TASERS in the field, officers shall adhere to the following:

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) When carrying a TASER 10, officers shall carry a fully loaded magazine (10 probes) whenever practicable.
- (c) Officers shall ensure that their issued TASER device is properly maintained and in good working order. A daily function check of the TASER using the device's function check feature is strongly encouraged using the device's function test mode.
- (d) Officers shall perform a complete function test and battery swap no less than once every thirty (30) days.
- (e) Officers should not hold both a firearm and the TASER device simultaneously.
- (f) Officers shall carry the TASER device on their off-hand side and shall use the off-hand to draw and operate the TASER.

309.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER Energy Weapon should precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to comply voluntarily.
- (b) Warn other officers and individuals that the TASER device may be deployed.

The officer deploying the TASER device shall document in the related report whether a verbal or other warning was given or the reason(s) it was not given.

Taser Energy Weapon

Edmonds Police Department Policy

309.4.1 DISPLAYING THE WARNING SIGNAL OR LASERS

To de-escalate a subject who is or appears likely to become violent, officers can use the TASER in two ways instead of – or before – cartridge deployment. If, after a verbal warning, an individual is unwilling to comply with an officer's lawful orders voluntarily and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, utilize the warning signal feature and/or display the weapon light and laser towards the subject in accordance with department-approved training.

309.5 USE OF THE TASER

The TASER device has limitations and restrictions that require consideration before its use. It should only be used when its operator can safely approach the subject within the operational range of the device/cartridges. Although the TASER device is generally effective in controlling most individuals, officers should be aware that it may not achieve the intended results and be prepared with other options.

309.5.1 APPLICATION OF THE TASER DEVICE

The TASER device may be used per Policy 300 Use of Force.

309.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Medically compromised persons: those whom we are aware that use of the TASER device will present greater risks due to their frail or fragile condition.
- (f) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise close to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.

Taser Energy Weapon

Edmonds Police Department Policy

- (g) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

The TASER shall not be used to psychologically torment, elicit statements, or punish any individual.

309.5.3 TARGETING CONSIDERATIONS & COMMUNICATIONS

Reasonable efforts should be made to target the lower center mass or other preferred target areas and avoid the head, neck, chest, and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strike the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

Officers should communicate with each other when TASERs are being deployed or used.

Communication among officers is critical to ensuring maximum tactical effectiveness, approach timing and control.

309.5.4 MULTIPLE APPLICATIONS OF THE TASER ENERGY WEAPON

Once effective contact is made using at least two probes, officers should apply the TASER device for only one standard 5-second cycle and evaluate the situation before applying subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk of multiple applications. Officers should remember that each TASER cycle is considered independently when gauging the necessity of the amount of force employed.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes make proper contact or if more probes may enhance the weapon's effectiveness.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options, or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER at a time against a single subject. Officers should also consider the “window of opportunity” during the TASER cycle to gain further control of the subject through handcuffing or other restraints.

309

Taser Energy Weapon

Edmonds Police Department Policy

309.5.6 ACTIONS FOLLOWING DEPLOYMENTS – COMMUNICATIONS

Officers can notify dispatch of TASER Energy Weapon deployment. It is also generally useful to advise as soon as the subject is safely handcuffed or otherwise restrained.

309.5.7 ACTIONS FOLLOWING DEPLOYMENTS – CARE & AID

Once the subject has been safely restrained, officers shall monitor the subject's medical condition and request aid or medics as needed.

309.5.8 ACTIONS FOLLOWING DEPLOYMENTS – PROBE REMOVAL & EVIDENCE

Officers shall not remove probes and should request aid to evaluate and treat the subject on whom the TASER was applied in the following circumstances:

- (a) The probes of the TASER have landed in a sensitive area such as the groin, neck, face, eyes, ears, or the breasts of a female.
- (b) The area where the probe has hit is bleeding profusely, affected by significant trauma or injury, or it appears likely that the probe has entered an internal body organ.
- (c) It is not possible to reach the area of the probe strike without removing significant clothing or placing the suspect in a dangerous position that impedes breathing.
- (d) Other conditions or complications are present, leading the officer to believe that probe removal would be more dangerous than leaving them in place and that medical professionals should remove them.

If, in the officer's judgment, probe removal can otherwise be safely accomplished, officers may remove the probes per their training and after donning appropriate personal protective equipment (PPE). Consideration should be given to the fact that leaving probes in place and not removing them right away in areas that are not sensitive or significantly injured may increase the likelihood of injury and pain to the person on whom the TASER was deployed. This is particularly true as the suspect moves about with probes still in place or when significant time passes before the probes are removed. As such, officers are encouraged to remove probes consistent with their training when it appears safe. All officers near a probe removal must exercise universal precautions and use personal protective equipment commensurate with the risks of blood-borne pathogen exposure and sharps. The following should be available and used by officers removing probes from subjects:

- (a) Latex or nitrile gloves
- (b) Eye protection
- (c) Sharps container for the deposit of spent probes (preferably a container brought to the scene of the probe removal)
- (d) Alcohol wipe or similar disinfectant

Taser Energy Weapon

Edmonds Police Department Policy

(e) A small bandage or band-aid

In the following circumstances, officers should leave the removed probe and magazine intact, securing it in the cartridge in a manner consistent with department-approved training and submitting it into evidence per the evidence procedures manual:

- (a) Where the TASER device and the subject it was used upon dies during or after the force encounter.
- (b) Where the TASER is used, and the subject it was used upon sustains serious injuries during the force encounter (i.e., injuries requiring admission to the hospital).
- (c) Where DNA or other evidence from the deployed probe may be useful for a subsequent investigation.

Whenever probes are submitted into evidence, the evidence container must be marked as sharp and hazardous. Consideration should be given to the fact that handling and future management of such items are hazardous. As such, probes should generally not be submitted with TASER cartridges after a TASER application unless one or more of the above criteria appear to be met.

The probes should be carefully separated from the wires and placed in the sharps/medical waste container for incidents not meeting the above criteria. The cartridges can then be removed from the weapon or handled more safely and separated from one another for evidence submission. Only used/spent cartridges need to be retained for evidence. If a cartridge is unfired, it can be placed back in service.

309.5.9 SUPERVISORY NOTIFICATION & TASER BATTERY DOCKING

Officers shall notify a supervisor of all TASER discharges. The involved officer will exchange rechargeable batteries with a fully charged one in the charging dock for data from the officer's TASER to be uploaded to <https://www.edmondspdwa.evidence.com> before the officer's shift ends.

Under no circumstances should a battery remain undocked over an officer's days off after a deployment.

It is unnecessary to take the TASER out of service unless there are questions about its condition or readiness. A supervisor should issue a replacement TASER cartridge to the deploying officer using the inventory tracking software application. The Training Corporal will record TASER deployment data from <https://www.edmondspdwa.evidence.com> for case documentation.

309

Taser Energy Weapon

Edmonds Police Department Policy

309.5.10 DANGEROUS ANIMALS

The TASER Energy Weapon may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

309.5.11 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASERs while off-duty except for authorized off-duty employment.

Officers shall ensure that TASER is secured in their homes, vehicles, or any other area under their control in a manner that will keep the device inaccessible to others.

309.6 DOCUMENTATION

Officers are not required to document device function tests. Officers shall document all TASER device use on a Force Report, including the following:

- (a) Any pointing of a TASER at a person to gain compliance
- (b) Warning signal use
- (c) Laser or light display
- (d) Cartridge discharge

309.6.1 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing TASER Energy Weapons
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

Taser Energy Weapon

Edmonds Police Department Policy

309.7 MEDICAL TREATMENT

Absent extenuating circumstances or unavailability, all persons who have been struck by TASER probes or who have been subjected to the electric discharge of the device shall be medically assessed before booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/ or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to require medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medical evaluation before booking. Transport by aid car is preferred if the person appears to be experiencing a medical emergency. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and documented in the incident report. It should be recorded on a body-worn camera if available. If a recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

309.8 SUPERVISOR RESPONSIBILITIES

Supervisors should respond to calls when they reasonably believe the TASER Energy Weapon may be used and shall respond to all incidents where the TASER device was activated. The supervisor will notify the assigned Taser armorer(s) via e-mail of the discharge.

A supervisor shall review each incident in which a person has been exposed to an activation of the TASER Energy Weapon. Such a review should include viewing pertinent body-worn or fleet camera recordings. Photographs of probe sites or injury locations should be taken, and witnesses should be interviewed. Supervisors should also ensure that TASER batteries from the devices used are docked after deployments for data upload and that any replacement probes, magazines, or weapons are issued as appropriate.

Taser Energy Weapon

Edmonds Police Department Policy

Supervisors are excused from required obligations when dynamic or extreme circumstances reasonably prevent them from carrying them out.

309.9 TRAINING

Personnel who are authorized to carry the TASER shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more should be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Corporal or a department Less Lethal Instructor. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors, and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Corporal is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER during training could result in injury to personnel and is not mandatory for certification. Those officers voluntarily choosing to participate in an exposure exercise must be fit for duty with no restrictions of any kind and will sign the Taser liability waiver form.

The Training Corporal should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing repeated support-hand draws during training to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, including techniques or options to reduce the unintentional application of probes near the head, neck, chest, and groin.
- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.

309

Taser Energy Weapon

Edmonds Police Department Policy

- (f) De-escalation techniques.
- (g) TASER probe removal.
- (h) Restraint techniques that do not impair respiration following the application of the TASER device.

309.10 MAINTENANCE AND CARE

Officers shall ensure that their assigned TASER is in good working order (in accordance with department-approved training) and that any damage or functionality issues are promptly reported to their supervisor and the Department TASER Armorer. TASERs should be kept clean and inspected at least once each month by their assigned operator for signs of damage or unusual wear. If a TASER has been contaminated by biohazardous substances such as blood, the device should be clearly labeled as a biohazard, bagged using universal precautions, and turned over to the Department TASER Armorer.