


FORT SMITH POLICE DEPARTMENT

POLICIES AND PROCEDURES

SUBJECT	TASER HANDLING AND DEPLOYMENT		
NUMBER	1102.33	EFFECTIVE DATE	September 12, 2007
Scheduled Review Date	Annually beginning March 1	ISSUE DATE	September 12, 2007
Date Reviewed		REVISION DATE	September 6 th , 2022
APPROVED BY		CALEA STANDARDS	LE4.1.4; LE4.3.3

I. Purpose and Scope:

- A. The purpose of this policy is to set forth the procedures regulating the training, handling, and deployment of TASER Conducted Energy Weapons (CEW's) by members of the Fort Smith Police Department.

II. Policy:

- A. The Fort Smith Police department recognizes TASER devices as additional tools and are not intended to replace verbal problem solving skills, self-defense techniques, or firearms. TASER CEW's shall be deployed only in circumstances where it is deemed reasonably necessary to control a dangerous or violent subject or animal, or a subject/animal that has demonstrated the intent to be dangerous or violent toward themselves, the employee, or another person. The TASER CEW shall be deployed when deadly force does not appear to be justified and/or necessary, and attempts to subdue the subject /animal by other tactics such as verbal direction, empty-hand techniques, etc. have been, or will likely be, ineffective in the situation at hand; or there is a reasonable expectation that it will be unsafe for employees to approach within personal contact range of the subject/animal.

III. Definitions

- A. Conducted Energy Weapon (CEW) - A department authorized and issued less-lethal device, which is designed to produce and emit an electrical charge used to incapacitate humans or animals. Current CEW's include the TASER X2 and TASER 7.
- B. Medical Personnel- Includes, but is not limited to Doctors, Physician's Assistants, Nurses, Paramedics, and Emergency Medical Technicians.
- C. Activation- The arcing of the TASER unit, whether intentional or unintentional, that creates an internal computer chip log entry of the activation.
- D. Deployment- The contact maneuvers on a human subject or animal, AKA: drive-stun; and/or the discharge of an air cartridge, whether or not the probes strike the intended target. The mere display of a TASER CEW is not a deployment, even if it is activated.

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IV. Procedure:

- A. Only properly functioning CEW's shall be used in the field. At the beginning of each shift in which an CEW will be carried, a "spark test" shall be conducted. The spark test will be conducted in accordance with current TASER training methods.
- B. Any CEW found to be defective, damaged, or expired shall be turned in to the Training Coordinator of the Fort Smith Police Department. An e-mail to the Training Coordinator and the employee's chain of command explaining the malfunction or cause of damage shall be submitted.
- C. All TASER CEW's and associated equipment shall be properly secured when not in use. When carried in the field, the CEW shall be carried in a department-approved holster, on the weak hand side for officers. A center mounted holster on an external vest carrier is also acceptable. For unarmed civilians of the department, the holster may be worn on either side.
- D. Each deployment of a CEW, against a human, shall be tracked and documented by utilizing the Fort Smith Police Department's Response to Resistance reporting system. This includes a contact deployment, as well as the firing of an air cartridge or other deployment resulting in a subject receiving an electrical charge from the CEW. Any accidental discharge of a CEW shall be documented in an inter-officer memo addressed to the Division Commander and submitted through the chain of command. Deployments on animals shall be documented by memo or within associated reports, such as incident, offense, or arrest reports.

V. Deployment

- A. Whenever a CEW is to be deployed, it is the responsibility of the deploying employee to make certain that other employees on scene understand that the CEW is being deployed and not lethal force, prior to the deployment of the CEW, whenever practical. This shall be accomplished through the verbal warning announcement "TASER! TASER!" as directed in training.
- B. When an officer approaches a subject with the intent to deploy the CEW, an additional officer should also approach, whenever possible, to provide lethal cover should it become necessary for the protection of life. Clear and simple verbal commands should be used repeatedly before (whenever practical), during, and after the deployment of the CEW, to warn the subject to cease his/her aggressive demeanor or action.
- C. Employees shall use the most recent training and certification standards on which they have received training.
- C. CEW's should not be used on the following:
 - (1) children under the age of fourteen (14), unless the child is being physically violent and a likely risk of injury to anyone exists;
 - (2) women known to be pregnant;
 - (3) near flammable substances (including some types of O.C spray) or;
 - (4) on suspects in an elevated position where the fall would likely result in major injury or death.

VI. Post Deployment

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- A. Subjects who have received an electrical charge from a CEW unit or probes, shall be treated as follows:
1. Once the subject is safely secured and in custody, trained employees may remove any CEW probes that are embedded in the skin, with the exception of probes which are embedded in the face, neck, groin area, or in the female breast. Only medical personnel may remove or direct to be removed any CEW probes that are embedded in these sensitive areas.
 2. When appropriate, the arresting officer shall notify EMS that the subject has received an electrical charge from the CEW and relate the approximate time the action occurred. An example of when this might apply is when the officer sees a reaction that is inconsistent with a CEW deployment.
 3. The on-scene supervisor shall allow medical personnel to determine if the subject should be transported to the hospital.
 4. If the probes are no longer affixed to the subject, and medical personnel determines the subject does not need to be transported to the emergency room/ hospital, the subject may be transported to the Sebastian County Detention Center.
 5. If the subject is transported to the emergency room/hospital, the transporting officer will obtain a medical release from medical personnel before the subject is transported to the Sebastian County Detention Center.
 6. Employees must be aware that aspects of possible injury to a subject receiving an electrical charge from a CEW include falling from a standing position and/or ignition if the subject is saturated or in very close proximity to flammable liquids or substances.
- B. The spent air cartridge and probes should be collected and preserved as evidence. Caution should be exercised in handling probes that have penetrated a subject's skin. Deployed probes shall be packaged and handled in the following manner:
1. The insulated leads "wires" will be removed from the probes and the cartridge and then may be discarded.
 2. The probes should be placed back into the holes in the cartridge, point first.
 3. Evidence tape or a cartridge shipping cover should be placed over the face of the cartridge to secure the probes in the holes.
 4. The packaged device should then be placed in an evidence bag.
 5. The bag should then be processed as an individual piece of evidence.
 6. The bag shall be labeled as a biohazard when submitted as evidence.
 7. In the event the CEW is used during a deadly force incident or any incident where a death occurs, the cartridge wires, doors, and any AFID (Anti-Felon Identification) which can be located shall also be collected and submitted with the cartridge and probes.

VII. Documentation for subject deployments

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- A. The deploying employee is responsible for documenting the deployment of the CEW by completing the Fort Smith Police Department Response to Resistance reporting system. In this report the employee will indicate the CEW used and the serial number of the deployed cartridge(s), if applicable, as well as submitting a detailed account of the probable cause for deploying the CEW.
- B. A detailed arrest report shall be completed, when applicable. If the deploying officer is not the primary arresting officer then a detailed supplemental report shall be completed by the deploying officer. The mere activation or display of the CEW does not require a Response to Resistance report however; it should be noted in the text of the arrest, offense, or incident report.
- C. If the arrested subject has to be transported to a hospital, then a Fort Smith Police Department Accident /Illness Report must be completed. (FSPD #68)
- D. The employee deploying the CEW shall ensure photographs are taken of the subject that received an electrical charge from the CEW (contact or probes), with special attention to any areas injured and where the charge was received. Photos will be submitted to evidence.
- E. At least annually, the TASER control manager or his designee shall download the deployment reports and videos from each CEW. Annual downloads and reports are not mandatory when appropriate software is unavailable, untested, or malfunctioning.
- F. The deployment data shall be maintained at least three (3) years from the date of record, in the TASER software. Non-deployment records, such as "spark testing" videos and reports may be purged from the system as needed.
- G. Review of reports in which a CEW was used by Department personnel and establishing a system for maintaining statistics on the performance of the CEW will be a function of the Office of Professional Standards.

VIII. Training Unit

The Training Coordinator of the Fort Smith Police Department will be assigned the duties of the TASER control manager, whose duties shall include, but not be limited to the following:

- a. Receive, inspect, and ensure the maintenance and replacement of the Department's TASER devices and related equipment.
- b. Establish and maintain systems to record issuance of equipment.
- c. Return defective or damaged TASERS and air cartridges to the supplier.
- d. Obtain service and/ or replacement for defective or damaged TASER components from the supplier.
- e. Coordinate scheduling to provide user certification and annual re-certification training on all TASER devices.
- f. The training unit will maintain training records and TASER certifications on employees authorized to carry a TASER CEW for the Fort Smith Police Department.

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