
 <input checked="" type="checkbox"/> General Order <input type="checkbox"/> Division Order <input type="checkbox"/> Bureau Order <input type="checkbox"/> Special Order Order No.: 24-67 ----- <input checked="" type="checkbox"/> Procedure <input type="checkbox"/> Plan <input checked="" type="checkbox"/> Rule	Iowa Department of Public Safety	
	TITLE/SUBJECT: TASER® Policy	IDENTIFIER: 01-03.09
	TO: All Sworn Personnel	CC:
	RELATED DIRECTIVES/FORMS: Iowa Code, Chapter 703 & 804, DOM <u>01-03.01</u> Use of Force, <u>DPS Form 100</u>	
	APPLICABLE CALEA STANDARD(S): LE 4.1.4, 4.1.5, 4.2.1, 4.3.2	
	EFFECTIVE DATE: May 23, 2024	REVISION #: 3
	INSTRUCTIONS: Changes have been made in Sections III. A. B. K. M.	
APPROVED BY:  Nathan Ludwig, Executive Officer to the Commissioner		DATE: May 9, 2024

I. Purpose

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

II. Policy

It is the policy of the department that:

- A. The use of a TASER® device is an application of force and pursuant to DOM 01-03.01 Use of Force.
- B. The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of injury. The goal is that appropriate use of such a device can result in fewer injuries to officers and suspects.

III. Procedure – Issuance and Carrying TASER® Devices

A. Authorization

1. All DPS sworn personnel are required to attend and complete the initial TASER User Training Course. Upon completion of the Department approved training, sworn personnel may be issued the TASER® for use during their current assignment.
2. All members of the Iowa State Patrol are required to carry the TASER on their duty belt while in duty uniform.
3. All recruits attending the DPS Academy are required to complete the initial TASER® User Training Course during the DPS Basic Academy.

4. Only the TASER 7 and cartridges owned by and provided by the Department are authorized for use. The device will be carried as part of a TASER[®] trained officer's equipment while working in an enforcement capacity. The TASER[®] shall be worn in an approved holster on the officer's duty belt or other department issued tactical equipment.
5. Members of the ISP Tactical Unit, Vehicle Theft Unit and officers in undercover or special operations shall carry the TASER[®] in accordance with division procedure provided by the Division Director or immediate supervisor.
6. When the TASER[®] is carried as part of the officer's equipment, the TASER[®] shall be carried in a cross-draw holster.
7. All TASER[®] devices shall be of a high visibility yellow color to differentiate them from the duty weapon and any other device.
8. Whenever practicable, officers should carry a total of two TASER[®] cartridges on their person when carrying a TASER[®] device. The TASER 12 degree close quarter cartridge shall be loaded in cartridge bay #1 and the TASER 3.5 degree stand-off cartridge shall be loaded in cartridge bay #2.
9. Officers shall be responsible for ensuring that their issued TASER[®] device is properly maintained and in good working order at all times. Every 30 days the Taser battery will be docked for download, update, and charge. A fully charged battery shall replace old battery.

B. VERBAL AND VISUAL WARNINGS

1. A verbal warning and warning arc of the intended use of the TASER[®] device should precede its application, unless it would otherwise endanger the safety of officer or when it is not practicable due to the circumstances. The purpose of the warning is to:
2. Provide the individual with a reasonable opportunity to voluntarily comply.
3. Provide other officers and individuals with a warning that the TASER[®] device may be deployed.
4. The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER[®] device in the TRACS Use of Force Report.

C. USE OF THE TASER[®] DEVICE

1. The TASER[®] device has limitations and restrictions requiring consideration before its use. The TASER[®] device should only be used when the officer can safely approach the

subject within the operational range of the device. Although the TASER[®] device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared to use other force options.

D. APPLICATION OF THE TASER DEVICE

1. The TASER[®] device may be used in any of the following situations, when the circumstances perceived by the officer at the time indicate that such application is reasonable and justified to control a subject:
 - a. The subject is violent or is physically resisting.
 - b. The subject has demonstrated, by words or actions, an intention to be violent or to physically resist and reasonably appears to present the potential to harm officers or others.
 - c. Flight or running from a pursuing officer is not good cause for the use of the TASER[®] device to apprehend a subject unless the subject presents a significant danger to the public, officers or the subject.

E. SPECIAL DEPLOYMENT CONSIDERATIONS

1. The use of the TASER[®] device 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 great 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 or are obviously pregnant.
 - b. Individuals who are known to be or are obviously elderly or juveniles.
 - c. Individuals with obviously low body mass.
 - d. Individuals who are handcuffed or otherwise restrained unless they remain an officer safety risk, or unless it is necessary to prevent the subject from harming themselves.
 - e. Individuals who are known to have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based Oleoresin Capsicum (OC) spray.
 - f. Individuals whose position or activity may result in collateral injury (e.g. falls from elevated positions, operating vehicles).

- g. Because the application of the TASER® device in the drive-stun mode (i.e. direct contact without probes) relies primarily on pain compliance, the use of the drive stun mode generally should be limited to supplementing the probe mode to complete the circuit, or as a distraction technique to gain separation between the officer and subject, thereby giving the officer time and distance to consider other force options or actions.
- h. Alternative tactics shall be utilized where the officer has prior reliable information that the subject suffers from a disability which would increase the danger to that person by using the TASER®. (e.g., a person at the scene notifies an officer that the subject suffers from a heart condition or suffers from a diagnosed type of mental illness) except under exigent circumstances.
- i. Flight from an officer, standing alone, is not a justification for the use of an electronic control device. Use of the TASER® may be appropriate in some circumstances when a subject is fleeing. Officers should consider the nature of the offense suspected; the level of suspicion with respect to the person fleeing, and the risk of danger to others if the person is not apprehended immediately. Additionally, officers may consider whether the terrain, (e.g. asphalt, railroad tracks, grass etc.) could increase or decrease risks of injury.

F. TARGETING CONSIDERATIONS

- 1. Reasonable effort should be made to target TASER® training recommended target areas and to 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 suspect is examined by paramedics or other medical personnel.

G. MULTIPLE APPLICATIONS OF THE TASER® DEVICE

- 1. Officers should apply the TASER® device for only one standard cycle and then evaluate the situation before applying any 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 posed by multiple applications.
- 2. If the first application of the TASER® device appears to be ineffective in gaining control of a subject, the officer should consider certain factors before additional application of the TASER® device, including:
 - a. Whether the probes are making proper contact.
 - 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.
 - d. Officers should generally not intentionally apply more than one TASER® device at a time against a single subject.
 - e. If an officer has deployed 3 cycles with the TASER® device or a total of 15 seconds in a single cycle, he/she should consider other force options due to increased risk of serious injury to the subject.
3. Officers can consider all force options as conditions change throughout an encounter. Officers are not limited to the use of the TASER®, or any other specific force option, once the officers determine that some level of force is justified, and decisions regarding the use of force may change as circumstances change. More than one force option may be appropriate, and the officer may choose which option(s) to use, based on the specific circumstances known to the officer at the time the action is taken.

H. DANGEROUS ANIMALS

1. The TASER® device 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.

I. OFF DUTY CONSIDERATIONS

1. Officers are not authorized to carry department TASER® devices while off duty.
2. Officers should ensure that TASER® devices are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

J. MEDICAL TREATMENT

1. Consistent with local medical protocols and absent extenuating circumstances, DPS personnel may remove TASER® device probes from a person's body using the TASER® training protocol. EMS personnel shall remove probes from highly sensitive areas such as the head, neck, spine, or genital region. Used TASER® device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle and handled appropriately. If possible, all device probes removed shall be placed in an evidence bag and recorded as noted below in Section K.
2. All persons who have been struck by TASER® device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking in a jail facility. Additionally, any such individual who falls under any of the following categories should be examined by paramedics or other qualified medical personnel as soon as practicable:

- 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 be in need of medical attention due to mental health, physical condition, or other issues.
 - d. The TASER[®] device probes are lodged in a sensitive area (e.g. groin, female breast, head, face, neck, and spine).
 - e. The person requests medical treatment.
3. Any individual exhibiting signs of distress or who is exposed to multiple or prolonged application (i.e. more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports.
 4. 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.

K. DOCUMENTATION

1. All TASER[®] discharges shall be documented in the TraCS Use of Force Report. In the event of a negligent discharge of a TASER[®] cartridge, the officer shall immediately notify their immediate supervisor and also submit a written description of the details of the incident to their supervisor. The officer's Supervisor shall then forward this information through the chain of command to the Bureau Chief of the Professional Development Bureau.
2. If possible, all expended probes and wires shall be placed inside the empty cartridge and placed in an evidence bag and recorded.
3. Pictures shall be taken as soon as practicable of the TASER[®] probe sites and included in the TraCS Use of Force Report.
4. As with any use of force, additional documentation methods should be considered if practicable, such as recorded statements or statements from witnesses.
5. Incidents involving the deployment of a TASER[®] device shall be documented in the TraCS Use of Force Report. Reports must include the circumstances leading to the TASER device use, including the use of other force options, any verbal commands given, the subject's response, where the probes struck the subject, length of the cycle, how many cycles and how the incident was resolved. If the TASER[®] discharge is determined to be negligent then follow the guidelines found in Section K (1) of this policy.

6. After a TASER[®] device deployment, the battery shall be docked for download as soon as practicable. The downloaded information shall be saved and filed with the officer's Use of Force Report Form.
7. A Use of Force Report shall be completed after drawing, giving a warning arc or deployment of the TASER[®] device. The Use of Force Report Form is located in TRACS.

L. SUPERVISOR RESPONSIBILITIES

1. When possible, supervisors should respond to incidents when they reasonably believe there is likelihood the TASER[®] device may have been used. A supervisor should respond to all incidents where the TASER[®] device was deployed.

M. TRAINING

1. Only sworn personnel in the Department of Public Safety who carry the Taser shall be required to complete the departmental TASER[®] training certification program. Upon successful completion of the departmental TASER[®] training certification program, officers will be authorized to carry the TASER[®] for on-duty use. Only those personnel designated by the Department will be issued a TASER[®] device for on-duty use. All members of the Iowa State Patrol are required to carry the Taser while in duty uniform.
2. Proficiency training for personnel who have been issued TASER[®] devices shall be conducted annually. A reassessment of an officer's knowledge and /or practical skill may be required if deemed necessary by departmental supervision.