

<b>SEMINOLE COUNTY SHERIFF'S OFFICE</b>  <b>GENERAL ORDER</b>	<b>NUMBER:</b>  <b>G – 51A</b>
	<b>REVIEWED:</b>
<b>SUBJECT:</b> <b>Weapons Policy (Taser)</b>	
<b>EFFECTIVE:</b> <b>December 22, 2006</b>	
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**I. PURPOSE:**

- A. Deputy Sheriffs shall use only that force reasonably necessary to perform their official duties. The primary purpose in a decision to deploy the Taser is to prevent escalation of subject resistance or violence and to minimize injury to both the Deputy(s) and subject(s). Only those Deputies who have completed the approved Taser user certification courses may use the Taser.
- B. This directive has been developed in conjunction with the General Order Weapons Policy, and Deputies are responsible for obeying that directive regarding weapons use, authority to carry, and other standards of Performance regarding the use of all Sheriff's Office weapons.
- C. *Seminole County Law Enforcement Taser Committee:*  
It is the intent of Seminole County law enforcement agencies to have a common Taser policy. Representatives from these agencies have met to review and discuss differences among the individual policies in an effort to establish a policy that is as similar as possible. This group will meet periodically to review deployments and events that may affect the policy and determine if change is needed.

**II. SCOPE:**

The Taser 10 is the only Taser Energy Weapon (TEW) authorized for use by the Sheriff's Office. Before a Taser may be carried in the line of duty, it will be reviewed, thoroughly inspected, and approved by a certified weapons instructor before it is issued to a Deputy.

**III. DEFINITIONS:**

- A. *Taser Energy Weapon (TEW):*  
Taser energy weapons override the sensory and motor nervous systems, causing uncontrollable contractions of the muscle tissue. The Taser affects both the sensory and motor nervous system.
- B. *Warning Alert:* The use of the warning alert can be utilized to gain the attention of a resisting subject,

or compel compliance with verbal commands. . A Warning Alert, absent an actual probe deployment , does not require a Response to Resistance report to be completed. .

C. *Deployment:*

The intentional discharge of a Taser at or towards a subject using probes. . .

D. *Injury:*

For purposes of this policy an injury includes, but is not limited to, probe contact with a sensitive area (the head, face, neck, female breast or male nipple area and the pelvic triangle). Injury does not include probe contact in non-sensitive areas.

E. *Custodial Situation:*

Events when a subject maybe taken into custody to prevent harm to themselves or others (i.e. Ex Parte, Baker Act, Hal Marchman Act).

F. *Martin Lee Anderson Act:*

State law limiting the use of intermediate weapons (chemical agents or baton) by employees of the Department of Juvenile Justice or any of their contractually bound providers.

G. Neuromuscular Incapacitation (NMI)

When a Taser is deployed using the probes against a subject, and the probe spread on the subject is sufficiently large enough, the subject's sensory and motor nervous systems will be affected, incapacitating both systems and limiting their ability to resist. This effect is known as Neuromuscular Incapacitation.

**IV. PROCEDURES:**

A. *Training:*

1. Only Deputies who have satisfactorily completed the Taser user certification courses are authorized to carry or use the Taser.

**NOTE: Personally owned Tasers are not permitted for carry on duty.**

2. Basic certification for the use of a Taser shall consist of no less than the manufacturer's minimum recommendations or requirements of Florida Statute, whichever is greater.
3. Deputies will satisfactorily complete annual recertification training.
4. Taser instructors will complete biennial instructor certification training.
5. Training topics for both the basic certification and annual recertification training should consist of, but are not limited to, the following topics.
  - a. Manufacturer's recommendations and maintenance,
  - b. Deployment / Use / Documentation,
  - c. Response to Resistance Matrix Levels and other tactical options,
  - d. Taser retention and transition drills,
  - e. Scenario based training, and
  - f. Medical considerations.

B. *Weapon Readiness:*

1. When the Taser is carried by authorized Deputies, both in uniform and non-uniform in an

approved cross draw holster on the non-dominant side of their body. Deputies wishing to use a non-issued Taser holster shall obtain approval from the Taser Program Manager prior to use.

2. The Taser shall be carried fully armed with the safety on and 10 cartridges loaded on the deployment end of the Taser in preparation for immediate use when authorized.
3. Only battery power sources approved by the Taser Program Manager shall be used in the Taser. Use of non-approved battery power sources may cause the Taser to not function and will void the warranty.
4. Deputies shall carry a second authorized intermediate weapon (i.e. baton or oleoresin capsicum spray) on their duty belt, in addition to the Taser.
5. To ensure the weapon is functioning properly, Deputies shall conduct a routine test/inspection of their Taser., to include a function test. These tests should be conducted at a minimum at the beginning of every shift rotation for Deputies assigned 12-hour shifts, and daily for Deputies assigned any other shift. Deputies assigned to specialty units where the Taser is not normally carried on a daily basis should perform a function check as instructed by TASER instructors at least twice per week. If practical, these tests should be conducted in a safe location out of the public view.
6. Deputies who fail to maintain their issued Taser and associated equipment can be held fiscally responsible for any equipment that needs to be replaced due to failure to follow testing and maintenance procedures set forth in this policy and as directed in Training. Professional Development or the Taser Program Manager will notify Professional Standards and Financial Services of any instances when this occurs.

C. *Deployment:*

1. The Taser may be deployed on individual(s) exhibiting a Level 4 Active Physical Resistance or to prevent individuals from harming themselves or others. However, no policy/guideline can describe every situation Deputies might face. The Deputy may face higher or lower levels of resistance where facts and circumstances may justify the deployment of the Taser.
2. A Deputy's decision to deploy the Taser shall involve an arrest, probable cause for arrest, or custodial situation wherein the subject is exhibiting active physical resistance or escalating resistance from passive physical resistance towards active physical.
3. A Deputy's response to a subject's resistance should always include consideration of subject and officer factors such as age, size, weight, physical condition and/or the subject's apparent ability to physically challenge the Deputy or do harm to himself or others, balanced against the seriousness of the incident.
4. The aforementioned reference to escalating resistance from passive physical resistance may justify deployment of the Taser when the subject is exhibiting threatening body language in conjunction associated with verbal threats, refusing to comply with the Deputy's instructions, and the apparent ability to physically challenge the Deputy. Threatening body language can be a variety of things, when coupled with the totality of the circumstances, can lead a reasonable Deputy to believe that an aggressive/hostile act is imminent.
5. Using verbal commands Deputies should make a reasonable effort to notify assisting Deputies of the intended deployment of the Taser, unless doing so would place other persons at risk.
6. The method of deployment of the Taser is the probe mode. Through the deployment of

probes, electricity passes along the connected wires and completes a circuit, ideally resulting in NMI. The Taser 10 is capable of deploying up to 10 probes, individually, at a range of 40 ft. Like with previous models, the Taser 10 requires a minimum of two successfully deployed probes in order to have the desired effect. However, each probe is fired individually with a point of aim/impact as determined by the deputy. If the first two deployments do not produce a compliant change in behavior, the Deputy should deploy additional probes as required until compliant behavior is achieved. Each discharge of the Taser 10 must be supportable as a discreet use of force in compliance with this policy. If compliant behavior is achieved after the first probe discharge, a deputy will not deploy additional probes unless further discharges become justified.

7. Absent exigent circumstances involving imminent great bodily harm the Taser shall not be deployed on elementary school age children, the elderly, females reasonably believed to be pregnant, and individuals with apparent physical disabilities impairing mobility. Deputies shall evaluate other options or tactics to control them. (i.e. verbal commands, hands on techniques)
8. The Taser should not be intentionally aimed at a person's head, neck or groin.
9. The Taser shall not be deployed or displayed in a punitive or reckless manner or for an unauthorized public display.
10. The Taser shall not be used for extracting evidence or contraband from a subject who a Deputy believes has ingested a controlled substance in an effort to conceal or destroy evidence. Deputies are encouraged to use approved pressure points and pain compliance techniques to recover evidence or prevent the subject from harming themselves.
11. In accordance with the Martin Lee Anderson Act (July 1, 2006) the Taser shall not be deployed against any child who is known to be under the supervision of the Department of Juvenile Justice, by personnel who are in a contractual arrangement with the Department to provide "direct care or supervision" of those children. This specifically applies to those personnel assigned to the Juvenile Crime Enforcement and Intervention Division.
12. In preparation of deployment, the Taser shall be pointed in a safe direction, taken off safe and aimed. The preferred target areas are center mass of the subject's back, the lower torso (below the chest), or the legs.
13. Deputies shall deploy the Taser for a standard five-second cycle and attempt to secure the subject under power as soon as it is safe to do so. When submission/compliance cannot be achieved through a minimal number of activation cycles the Deputy should evaluate the weapon's effectiveness. If the Taser appears to be ineffective an alternate defensive tactic should be used.
14. Taser probe deployment is not authorized on handcuffed, or otherwise secured subjects unless they are exhibiting an aggressive physical level of resistance, or to prevent individuals from harming themselves or others.
15. The Taser shall be pointed at the ground in a safe direction with the safety on during administrative handling procedures.
16. No changes, alterations, modifications or substitutions shall be made to the Taser. All repairs to the Taser shall be completed by an authorized vendor.

D. *Special Considerations:*

Before deploying a Taser, Deputies should take into consideration environmental factors, which could expose a subject to associated injury as a result of Taser deployment.

1. *Falls:*  
Subjects standing on a roof, on a bridge, near a window or stairs.
2. *Drowning:*  
Subject in boats or near bodies of water.
3. *Flammable Liquids:*  
Deputies should not discharge the Taser in any environment where potentially flammable, volatile, or explosive materials are present.
4. *Chemical Spray:*  
The Taser should not be discharged if a flammable chemical spray has been deployed on the subject.
5. *Vehicle:*  
Tasers should not be used against subjects in physical control of a vehicle, unless exigent circumstances exist.
6. *Animals:*  
A Taser may be used on animals in circumstances where the use of such device is necessary for the safety of the Deputy, the public or the animal. The Deputy should be aware of the possibility of an aggressive response from the animal after deployment.

E. *Treatment:*

1. Aftercare Procedures:
  - a. Deputies shall adhere to the following procedure when deploying the Taser, where probes impact a subject.
  - b. If there is an injury or complaint of injury or other medical necessity, a medical or emergency medical service provider shall be requested and advised that the subject has been impacted by a Taser. Note that probe contact with a non-sensitive area is not considered an injury.
  - c. It shall not be automatically necessary to seek a medical evaluation for every subject who has been struck by the Taser. The Deputy shall monitor the subject for signs of injury or medical distress and contact emergency medical personnel if necessary. Upon arrival at the John E. Polk Correctional Facility the Deputy shall notify the Medical Section that subject was controlled by using a Taser.

**NOTE: When responding to incidents involving subject's exhibiting signs of medical distress or bizarre behavior, profuse sweating, paranoia, disrobing, Deputies should request emergency medical personnel respond to the scene. Deputies should bring these subjects under control as soon as possible and seek immediate medical attention for them.**

2. Probe Removal:
  - a. Deputies are trained during Taser training in the removal of probes and are permitted

to remove probes from a Tasered subject. As soon as the Deputy determines the potential for further resistance has subsided, probes can be removed from clothing or the subject's skin in any area of the body, other than sensitive areas.

- b. Deputies shall wear protective latex gloves and be aware of potential for biohazard contaminations.
- c. In cases where a subject is struck by a probe in a sensitive or soft tissue area (i.e. head, face, neck, genitals, the female breast and male nipple area and the pelvic triangle) emergency medical personnel will be requested to remove the probes. If a female is struck in the breast region by a probe, the presence of augmentation should be determined to convey to emergency medical personnel.
- d. Taser probes are a biohazard and shall be handled in accordance with bloodborne pathogens protocols and exposure control procedures.
- e. Probes and cartridges are to be logged into evidence. The probes will either be placed tip down in the wire deployment bays or packaged separately in individual sharps containers. Evidence tape will be placed over the deployment end of the cartridge to preserve both the remaining wire and, if applicable, the recovered probes. The probes have possible evidentiary value, as DNA from exposed subjects may be present from where the probes punctured the skin of the subject. The cartridge and probes will be packaged and labeled as a biohazard. Photographs of the deployment scene should also be taken and entered into the report.

**F. Documentation:**

- 1. Tasers have a record storage function that maintains record of the time and date of deployment.
- 2. Deputies should notify their supervisor as soon as possible after each intentional or unintentional discharge, with the exception of function tests and training exercises. Deputies shall document the incident on the appropriate event or arrest report and associated response to resistance report. These reports should clearly articulate the facts and circumstances surrounding the deployment of the Taser, as well as unintentional discharges. Supervisors will review the reports pursuant to Sheriff's Office policy.
- 3. Photographs should be taken to document probe strike area, any secondary injuries and any other facts pertinent to the event.
- 4. The collection of expended cartridges, probes and wires will be documented in the associated reports.

**G. Security of Tasers**

- 1. On or off duty, Deputies are responsible for the security of their Tasers. Tasers will be kept safely secured in locations not accessible to juveniles or other unauthorized persons.
- 2. When a vehicle is left at a repair facility for maintenance unattended by the employee to whom it is assigned, the employee will remove all weapons, including the Taser.

**V. ADMINISTRATIVE FUNCTIONS (ACCOUNTABILITY):**

- A. The Professional Development Division is responsible for administrative oversight of the Taser

program. This includes issuing Taser units and cartridges, maintaining records, training, testing, coordinating repairs, maintenance, documentation review, and memorializing historical activity logs within retention periods established by Florida Statutes. A Taser inventory and assignment database, along with Taser historical activity logs will be maintained on the Sheriff's Office network in a secure manner by the Professional Development Division.

- B. Before any Taser is removed from service, sent for repairs, or no longer in the custody of the Seminole County Sheriff's Office, the Professional Development Division shall acquire the historical activity data from the device(s) and archive the resulting file in the Taser inventory and assignment database.
- C. Annually, in November, Division Captains/Directors, Lieutenants, or Inspector (or their designees) are responsible for acquiring the historical activity data from the Tasers assigned to sworn personnel under their command. This process will use the Taser battery docking stations.
  - 1. Deputies will exchange their current batteries with those on one of the docking stations located throughout the Sheriff's Office. When docked, the batteries will automatically download the device activity log to the Seminole County Sheriff's Office site on Evidence.com, and sync the date and time to current local time. Professional Development will update the Taser database and archive the historical activity files to ensure annual compliance with this requirement.
- D. With the exception of training discharges and regular functionality testing, the first line supervisor is responsible for acquiring the historical activity data immediately following intentional or unintentional discharges. After a deployment, the Deputy should return to a docking station and exchange their battery. Once uploaded, Supervisors should login to the Agency's Evidence.com account and search by the employee's assigned Taser. The Supervisor should select the appropriate activity log and save it as a PDF. The file name of each historical activity file should be in the following format: **[Last Name] [Taser Serial Number] [YYYY-MM-DD].PDF**. The historical activity data file shall be transmitted and stored as follows:
  - 1. When the Taser is used in response to resistance, whether discharged intentionally or unintentionally, the first line supervisor will upload the historical activity data file to the Response to Resistance Report.
  - 2. When the Taser is unintentionally discharged and does not involve a response to resistance (ie: accidental discharge, misuse, malfunctions, etc.), the first line supervisor will transmit the historical activity data file to the Professional Development Division Lieutenant or designee for proper archiving within the Taser inventory and assignment database