

Index as:
Use of Taser
Taser
Electronic Control Device
ECD

New: 04/16
Revised: 5/16
Revised: 06/18

USE OF TASER

I. PURPOSE

- A. The purpose of this policy is to establish and maintain uniform guidelines for the deployment of the Conductive Energy Device in a Correctional setting.
- B. When properly used in accordance with this policy, the TASER is considered a less-lethal control device that is intended to temporarily incapacitate an actively violent person or a person that conveys an immediate threat of violence, without causing serious injury.
 - 1. It is anticipated that the appropriate use of such a device will result in fewer serious injuries to Correctional Staff and persons on which the Taser used.

II. POLICY

- A. This policy provides staff with options for controlling combative or assaultive subjects. Proper application should provide a “window of opportunity” in which to take control of a violent subject safely.
- B. Corrections Sergeants, Facility Training Officers and Transportation Officers (assigned as their primary post) who have successfully completed the Sheriff's Office Taser training course shall be authorized to carry and deploy the Taser, and will do so in compliance with this Policy and Mendocino County Sheriff's Office Policy Manual Taser Policy, No. 309, Conducted Energy Device (“MCSO Policy No. 309”).
- C. Training will be done on an annual basis and will consist of operation of the Taser and case law updates.
 - 1. Any outside training will contain case law updates.

III. DEFINITIONS

USE OF TASER

- A. **TASER** – A less-than lethal weapon which is used to temporarily incapacitate/immobilize an individual by discharging current causing Neuro-Muscular Incapacitation (NMI). The weapon is a handheld device that fires two wired prongs, or can be used by direct “drive stun”. For purpose of this policy, it shall hereafter be referred to as Taser.
- B. **ACTIVATION OR DEPLOYMENT** – Refers to the actual use (or attempted use) of the Taser on a subject, whether by probes or drive stun.
- C. **CARTRIDGE** – A removable plastic cartridge attached to the end of the Taser containing two probes, wires and a compressed charge.
- D. **EXCITED DELIRIUM** - A condition that is typically characterized by: Elevated respiration and heart rate, hyperthermia (elevated body temperature) and/or profuse sweating, paranoia, disorientation, agitation, violence, inexplicable behavior, hallucination, incoherent speech or shouting, incredible strength or endurance, insensitivity to pain.
- E. **PROBES** – Projectile probes connected to the Taser cartridge.
- F. **DRIVE-STUN** – Deployment or use by direct contact with a subject without deploying the probes into the body.
- G. **HANDCUFFING UNDER POWER** – The term used to describe the actions of officers taking control and handcuffing a person while that person is being subjected to the current from the electronic device.
- H. **AFID** – Tiny coded “Anti-Felon Identification” (AFID) tags are dispersed every time the Taser probe is deployed. Each tag contains bar-codes serialization of each cartridge that disperses confetti-like tags upon activation.

IV. PROCEDURES

- A. Tasers are stored in the Sergeant’s Office and Transportation Office.
 - 1. When needed, replacement cartridges may also be obtained from the on-duty sergeant.
- B. The Taser shall be carried in a department-issued holster only.
- C. The Taser shall be carried on the off-hand side of the body, opposite from the gun side, regardless of whether the deputy is carrying a firearm or not.

USE OF TASER

1. This is done to prevent “muscle memory” situations where a deputy mistakenly draws their firearm thinking that it is a Taser.
- D. Corrections staff are not authorized to carry department Tasers while off-duty. Tasers shall not be removed from the jail facility unless used during approved duties.
- E. The Taser is not to be utilized for personal use.

V. CRITERIA FOR USE

- A. The use of the Taser should be considered as another force option and used in compliance with both MCSO Policy No. 309 and this Policy. Tasers are part of the force continuum and shall only be used when circumstances warrant. Deployment may be by probe and/or drive stun. Staff should only use the Taser in the following circumstances:
 1. Tasers are a defensive weapon; they are only to be used when staff is being physically attacked or in actual danger of physical assault.
 - (a) Mere resistance to control or failure to comply with verbal commands is **not** grounds for use of the Taser.
 2. To stop a dangerous animal from threatening or attacking a deputy, another person, an animal or property.
- B. Although the Taser rarely fails and is generally effective in subduing most subjects, staff should be aware of this potential and be prepared with other options in the unlikely event of such a failure.
- C. Because drive stun mode relies on pain compliance and requires close proximity to the subject, additional caution should be exercised and the controlling effects may be limited.
- D. Prior to the deployment of the Taser, the deputy deploying the weapon has the responsibility to reasonably, visibly and physically confirm that the use of force tool selected is in fact a Taser and not a firearm.
- E. Physical force or Pepper Spray should come before the use of the Taser.
- F. Corrections staff shall **not** use the Taser in the following manner or circumstances:

USE OF TASER

1. Any manner or condition inconsistent with the established approved department training;
 2. If there is a barrier between the person and the operator of the Taser. Hands outside the pass-through does not pose an immediate threat;
 3. Directing the laser at any person under circumstances that do not fall within the provisions of this policy or MCSO Policy No. 309 that authorizes deployment, use or discharge of the Taser.
 - a. This includes intentionally directing the laser at the face.
 4. Any manner inconsistent with legal, professional or ethical conduct;
 5. On a restrained subject; unless the actions of the subject present an actual threat of physical injury to an officer, the restrained subject or another person.
 - a. However a person restrained with waist chain or leg irons or in the restraint chair or wrap shall never be Tased.
 6. To arouse sleeping, unconscious or intoxicated individuals;
 7. For horseplay, experimentation, or in any unprofessional manner;
 8. Passively resistant subjects (including those subjects who question a deputy's commands in a non-violent and non-threatening manner);
 9. Individuals known to be pregnant.
- G. Staff should not simultaneously draw and hold and/or deploy a Taser and a firearm unless exigent circumstances exist (e.g., an officer initially selects the Taser but then needs to escalate to deadly force).
- H. Although not absolutely prohibited, a higher threshold is required for use of the Taser for high-risk populations. Deputies must give additional consideration to the unique circumstances involved, including whether the individual poses an immediate threat to deputies or others, prior to applying the electronic weapon to high risk populations including, but not limited to the following individuals:
1. Subjects operating moving vehicles or machinery.

USE OF TASER

2. Frail or infirmed subjects; persons known by the deputy to suffer from heart problems; or those with apparent physical disabilities impairing their mobility.
 3. Individuals with obviously low body mass (i.e., under eighty pounds).
 4. Individuals who 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.
 5. Persons suspected of being under the influence of drugs/alcohol or exhibiting symptoms of excited delirium (i.e.: nudity, profuse sweating, and/or irrational behavior).
- I. Persons listed in section G above may be more susceptible to collateral problems and should be closely monitored following the application of the Taser until they can be examined by paramedics or other medical personnel.
 - J. Under no circumstances shall the Taser be deployed when it is reasonable to believe the subject no longer constitutes a threat or has complied with instructions.

VI. ACTIVATION OR DEPLOYMENT

- A. Whenever possible, the use of a cover deputy should be utilized.
- B. Deputies shall not intentionally target the head, face, neck, spine or groin, unless the situation justifies the use of lethal force.
- C. Staff will warn the inmate of the possible use of the Taser prior to deployment unless the situation dictates a quicker deployment for the safety and security of staff, inmates or the facility.
- D. Absent exigent circumstances, no more than one deputy at a time should deploy a Taser against a subject unless the application by the first deputy fails or is ineffective (i.e., probes fail to make contact or fall off during an application or failure of a Taser unit or cartridge).
- E. When handcuffing under power of the Taser in effort to restrain the subject, deputies should avoid placing hands on or between the probes, to avoid effects of the electrical current.

USE OF TASER

- F. Once the Taser has been deployed, the subject shall be secured prior to any removal of the probes.

VII. POSTCARE

- A. Only qualified medical personnel shall remove the TASER probes from the person's body. In the absence of Jail Medical Staff, subjects shall be transported to the hospital's emergency room for a medical clearance and removal of the darts.
- B. Used Taser probes shall be considered a sharp biohazard, similar to a used hypodermic needle. All probes should be inserted back into the expended cartridge and the cartridge should be disposed of in the biohazard sharps box. Universal precautions should be taken accordingly.
- C. All in-custody subjects who are exposed to the Taser probes in the jail setting shall be seen by Jail Medical Staff for removal of the probes.
 - 1. If the subject has been in custody for a period of time long enough that Jail Medical Staff feels they are not in danger of excited delirium, then they will not need to be transported to the hospital.
 - 2. If the subject is displaying abnormal or agitated behavior, or is under the influence and in an extremely aggressive state, this would likely indicate the possibility of excited delirium; an ambulance will be called immediately and the subject shall be transported by ambulance to the hospital to be medically cleared prior to return to the facility.
- D. All in-custody subjects who are exposed to the Taser shall be assessed by Jail Medical Staff. Medical clearance at an outside hospital is not required unless inmate is exhibiting signs of excited delirium or jail medical staff determine that the inmate should be transported to the hospital.
- E. If the subject has been exposed to the Taser prior to being booked into the facility, the arresting or transportation officer shall immediately transport that subject to the hospital prior to accepting the arrestee for booking. If probes are still embedded in the subject, avoid transporting the subject in a position that could further embed the probes.
- F. If the subject begins exhibiting any difficulty breathing, loss of consciousness, profuse sweating, vomiting, bizarre or violent behavior, or any other signs of severe distress, the subject shall be transported to the hospital by ambulance.

USE OF TASER

- G. If the subject refuses medical attention, such a refusal should be witnessed by another deputy and/or medical personnel and shall be fully documented in related reports.
 - 1. Subjects who are displaying symptoms of excited delirium do not have the ability to refuse medical attention. They shall be transported to the hospital to be medically cleared.
- H. The transporting deputy shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the application of the Taser.

VIII. DOCUMENTATION

- A. All activations of a Taser will be reported in a Jail Incident Report. A Disciplinary Rules Infraction Report shall also be completed if applicable.
- B. Photographs shall be taken of the Taser probe puncture wounds or the area of the body that came into contact with the probes or direct drive-stun. Photographs will be taken of the skin area where the TASER was used even if no marks are present. Photographs of any other related injuries shall be taken.
- C. In cases that criminal activity is present, in addition to the procedures listed in MCSO Policy No. 309, the following additional actions will be taken:
 - 1. If AFIDs serial number tags cannot be located after Activation or Deployment, this information shall be documented in the Jail Incident Report.
 - 2. The TASER shall be secured until the responsible TASER Coordinator is contacted and the onboard data is downloaded and saved with the completed incident/arrest/crime report(s). Once the data download has been completed, a new cartridge shall be obtained from the Corrections Sergeant's Office and the TASER shall be returned to service.
- D. Unintentional or accidental activations of the TASER dart probes, without contact with any other person, shall be documented in a memorandum and forwarded to the Correction's Division Lieutenant for review.
 - 1. In instances where contact was made, the appropriate reports shall be completed and the on-duty Shift Supervisor shall be notified.

IX. NON-OPERATIONAL TASERS

USE OF TASER

- A. When a deputy finds a Taser is not operational, the Taser will be removed and returned the Corrections Sergeant.
- B. After notification that a Taser is not working, the Corrections Sergeant will contact the Training Office and the Taser Coordinator for repair and replacement.
- C. Non-Operational Tasers will not be used.

///