

## **TASER™ Guidelines**

### **309.1 PURPOSE AND SCOPE**

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

### **309.2 POLICY**

Personnel who have completed department-approved training are authorized to carry and use the TASER.

Officers shall only use the TASERs and cartridges that have been issued by the Department. The device may be carried either as part of a uniformed officer's equipment in an approved holster or secured in the officer's vehicle so that it is readily accessible at all times.

- (a) If the TASER is carried on the duty belt, the TASER shall be carried on the side opposite the officer's duty weapon. If the TASER is carried on an external vest carrier, the TASER shall be carried as close to the support side as possible.
- (b) Whenever practical, officers should carry a total of two or more TASER cartridges on their person at all times, when carrying a TASER.
- (c) Officers shall be responsible for ensuring that their issued TASER is properly maintained and in good working order at all times.
- (d) Officers should never hold both a firearm and the TASER at the same time unless lethal force is justified.

### **309.3 VERBAL AND VISUAL WARNINGS**

A verbal warning of the intended use of the TASER 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 for the following:

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

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and practical under the circumstances, the officer may, but is not required to, display the electrical arc (provided there is not a cartridge loaded into the TASER) or the laser in a further attempt to gain compliance prior to the application of the TASER. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal and/or other warning was given or reasons it was not given shall be documented by the officer deploying the TASER .

### **309.4 USE OF THE TASER**

As with any law enforcement equipment, the TASER has limitations and restrictions requiring consideration before its use. The TASER should only be used when its operator can safely approach the subject within the operational range of the TASER. Although the TASER is generally effective in controlling most individuals, officers should be alert to the potential for failure and be prepared with other options.

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#### **309.4.1 FACTORS TO DETERMINE REASONABLENESS OF FORCE**

The application of the TASER is likely to cause intense, but momentary, pain. As such, officers should carefully consider and balance the totality of circumstances available prior to using the TASER including, but not limited to, the factors outlined in Policy 300 Use of Force.

#### **309.4.2 APPLICATION OF THE TASER**

Authorized personnel may use the TASER when circumstances known to the individual officer at the time indicate that such application of the TASER is reasonable to control a person in any of the following circumstances:

- (a) The subject is violent or physically resisting.
- (b) A subject who, by words or action, has demonstrated an intention to be violent or to physically resist and who reasonably appears to present the potential to harm officers, him/herself or others.
- (c) Absent meeting the conditions set forth in (a) or (b) above, or a reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from pursuing officers shall not serve as good cause for the use of the TASER to apprehend an individual.

When practicable, the officer should give a verbal warning of the intended use of the TASER followed by a reasonable opportunity to voluntarily comply.

The officer must be able to articulate a reasonable belief that other available options appeared ineffective, impractical or would have presented a greater danger to the officer, the subject or others.

#### **309.4.3 SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the TASER should generally be avoided in the following situations unless the totality of the circumstances indicate that other available options reasonably appear ineffective, impractical, 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 TASER:

- (a) Pregnant females.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals who are handcuffed or otherwise restrained.
- (d) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any flammable material.
- (e) Individuals whose position or activity may result in collateral injury (e.g. falls from height, operating vehicles).

Because the application of the TASER in the drive-stun mode (i.e. direct contact without darts) relies primarily on pain compliance and requires close proximity to the subject, additional caution should be exercised. The application in drive-stun mode should be limited to brief applications in which pain compliance would reasonably appear necessary to achieve control.

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

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#### **309.4.4 TARGETING CONSIDERATIONS**

While manufacturers generally recommend that reasonable efforts should be made to target lower center mass and to avoid intentionally targeting the head, neck, chest and groin, it is recognized that the dynamics of each situation and officer safety may not permit the officer to limit the application of the TASER darts to a precise target area. As such, officers should take prompt and ongoing care to monitor the condition of the subject if one or more darts strikes the head, neck, chest or groin until he/she is released to the care of paramedics or other medical personnel.

#### **309.4.5 MULTIPLE APPLICATIONS OF THE DEVICE**

If the first application of the TASER appears to be ineffective in gaining control of an individual and if circumstances allow, the officer should consider the following before additional applications of the TASER:

- (a) Whether the probes or darts are making proper contact.
- (b) Whether the application of the TASER is interfering with the ability of the individual to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

This, however, shall not preclude any officer from deploying multiple, reasonable applications of the TASER on an individual.

#### **309.4.6 REPORT OF USE**

All TASER discharges shall be documented in the related arrest/crime report and Use of Force report made to a supervisor in compliance with Policy § 300.4.1. Any report documenting the discharge of a TASER cartridge will include the cartridge serial number and an explanation of the circumstances surrounding the discharge.

Any accidental discharge shall be reported to the officer's direct supervisor in an email before the end of shift. The supervisor will forward the email to the Operations Lieutenant.

#### **309.5 MEDICAL TREATMENT**

TASER darts should be carefully removed from a person's body according to TASER device training guidelines. Used TASER device darts shall be considered a sharp biohazard, similar to a used hypodermic needle. Universal precautions should be taken accordingly. Darts that strike sensitive areas (such as the face, groin, etc.) should be removed by medics or hospital personnel.

Any 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 be in need of medical attention.
- (d) The TASER device darts are lodged in a sensitive area (e.g., groin, female breast, near the eyes).
- (e) The person requests medical treatment.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, imperviousness to

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pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports.

The transporting officer 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 device.

#### **309.5.1 DANGEROUS ANIMALS**

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.

#### **309.6 TRAINING**

In addition to the initial department-approved training required to carry and use a TASER, any personnel who have not carried a TASER as a part of their assignment for a period of six months or more shall be recertified by a department approved TASER instructor prior to again carrying or using the device. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant.

The Training Sergeant should ensure that all training includes the following:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy § 300.
- (c) Target area considerations, to include techniques or options to reduce the intentional application of probes near the head, neck, chest, and groin.
- (d) De-escalation techniques.