



Number: 35

Subject: Electronic Control Devices

Effective Date: 03/05/2010

Revision Date: 02/23/2016

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PURPOSE

The purpose of this policy is to guide and direct the use of the Taser.

POLICY

It is the policy of the Hiawatha Police Department to use objectively reasonable force to control or overcome resistance put forth by violent, potentially violent, or threatening individuals or those physically resisting arrest or detention. It is the policy of the Hiawatha Police Department that Taser's may be used only by those authorized and trained in its use in accordance with Department Policy.

DEFINITIONS

- A. Taser or ECD (Electronic Control Device): A weapon designed to override voluntary motor responses, or apply pain, using battery powered electrical energy sufficient to cause muscle contractions and override voluntary motor responses to gain compliance or overcome resistance.
- B. Sensitive population group: Those individuals who reasonably appear to be, or are known to be, children, elderly, medically infirm, pregnant, or users of a cardiac pace maker.
- C. Preferred target location: The preferred target location for probe deployment and drive stun applications is the back below the neck. Other areas of the body may also be targeted. When possible, the head, neck and chest of an individual will not be *intentionally targeted* unless the use of deadly force is legally justified. These qualifiers lend consideration to the dynamic nature of use of force incidences and the totality of the circumstances that exist.
- D. Sensitive area: The head and neck and those features between. Also includes the genitals and female breasts.



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- E. Passive resistance: A refusal by an unarmed person to comply with an officer's verbal commands or physical control techniques that does not involve the use of physical force, control, or resistance of any kind.

PROCEDURES

A. Authorized User

Only individuals who have satisfactorily completed the Hiawatha Police Department's initial certification and in-service training are authorized users. Training will be carried out with respect to departmental, state, and Taser International guidelines. Recertification is held annually and initial certification will include, on one occasion, exposure to the effects of the Taser.

B. Weapon Readiness

1. The Taser will be carried in the approved holster provided by the Hiawatha Police Department. The Taser will be carried on the opposite side of the body with respect to your service pistol. Officers carrying out department operations out of uniform may carry a Taser in the approved holster if a Supervisor approves.
2. The Taser will be carried fully armed with the safety on.
3. Cartridges will be replaced consistent with the manufacturer's expiration requirements.
4. Only manufacturer approved batteries (PPM) will power the Taser.
5. Prior to carrying the Taser each shift a spark test will be conducted to ensure proper function.
6. Modifications/repairs to the Taser will not be allowed and modifications/repairs to the holster will only be allowed after Taser Instructor approval.



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C. Deployment

1. The Taser is generally authorized to be used in circumstances that justify arrest or detention and that subject's actions would cause a reasonable officer to believe that this subject will use force to resist that arrest or detention. Such subject actions include, but are not limited to the following:
 - a. use force against an officer or another person
 - b. use force to resist arrest or detention
 - c. harm themselves where such harm is greater than the risks posed by the use of the Taser.
 - d. exhibit violent, threatening, or potentially violent behavior
2. Although the Taser may be used in the drive stun mode with the cartridges attached or unattached, the preferred application and most effective at overcoming resistance is use in probe mode. The Taser should be aimed, fired, and cycled according to training.
3. Use in drive stun mode is subject to the same justifications and guidelines as probe deployment. Drive stun uses are generally authorized for application in limited close-range, self-defense, and pain compliance circumstances where there is no opportunity to apply the preferred probe mode. Drive stun uses are not preferred because it reduces the Taser to a pain compliance tool only and renders it less effective since there is limited probe spread.
4. The Taser may also be used in limited close-range, self-defense, and pain-compliance circumstances in the "contact" mode, if there is no opportunity to use the device in the preferred "probe mode" When the device is used in "contact" mode it is:
 - a. primarily a pain compliance tool,
 - b. generally less effective than when probes are deployed with spread in excess of 12 inches, and
 - c. subject to the same deployment guidelines and restrictions as probe deployments.



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5. The Taser shall not be used with those *passively resisting* or in any of the following incidences:
 - a. on a handcuffed prisoner without assaultive, violently resistive behavior that cannot reasonably be resolved by other available means.
 - b. on a person exhibiting self-destructive behavior that does not outweigh the risks posed by use of the Taser.
 - c. in an environment where an officer reasonably believes there may be flammable, volatile, or explosive material including, but not limited to, OC spray, gasoline, natural gas, or propane
 - d. in an environment where the individual is reasonably likely to fall resulting in serious physical injury or death in circumstances that do not justify this risk.
6. Officers using a Taser on a member of the *sensitive population group* shall be aware of the general health concerns raised by such use. While use on this population group is not prohibited, that use should be narrowed to exceptional circumstances where the need for its use reasonably outweighs the risks involved.
7. Upon activating the device against a person, the Officer shall expose the subject for no longer than objectively reasonable to overcome resistance and bring the subject under control.
8. To minimize the number of cycles needed to overcome resistance and bring the subject under control, the subject should be secured as soon as practical while affected by the Taser's power or immediately thereafter. In determining the need for additional exposure, Officers should be aware that an exposed subject may not be able to respond to commands during or immediately following exposure. If the response from the subject is not the anticipated level of control based on training and experience, the Officer should also consider a transition to a different use of force altogether.



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9. When practical, the Taser will not be utilized where deadly force is justified unless there is a cover Officer present capable of using deadly force if needed.
10. When practical, use of a Taser will be preceded by the Officer's verbalization of the intent to deploy this weapon.
11. Applications should be intentionally targeted to the *preferred target location* when practical and when the use of force justification is less than deadly force.

D. Post-Deployment

1. The probes may be removed from the individual after they are restrained following those procedures described in training. Probes which have struck a sensitive area will be removed by medical personnel. The Taser probes should be treated as a biohazard risk.
2. All persons exposed to a Taser will be seen at the hospital before being transported to a jail or other detention facility.
3. An ambulance should be requested to the scene of all Taser exposures.
4. There will be incidences where an individual should be transported by ambulance to the hospital rather than by squad car. Those incidences include, but are not limited to, whenever any of the following occur:
 - a. they are struck by a probe or drive stun in a *sensitive area*
 - b. they do not appear to recover in a reasonable period of time after exposure
 - c. they are part of a *sensitive population group*
 - d. they exhibit signs of excited delirium
4. If the probes penetrate the flesh photographs should be taken after probe removal.
5. When the device has been used operationally, the Officer should



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collect the cartridge, wire leads, probes, and AFIDs and secure them as evidence.

6. Jail staff will be notified of an individual's exposure to a Taser.

E. Reporting

1. An Officer who deploys their Taser will notify a Supervisor as soon as practical after use of the Taser. A department Use of Force report will be completed and notification made in a reasonable amount of time to the Taser Instructor to have data from the incident downloaded and considered with the Use of Force review.
2. Officers will explain circumstances in the Use of Force report to justify when any of the following occur:
 - a. the individual is exposed to the Taser more than three times
 - b. the individual is exposed to a cycle of 15 or more seconds
 - c. more than one Taser is used against an individual in a single incident
 - d. a Taser is used against a member of the *sensitive population group*
 - e. drive stun mode is applied
 - f. when force is applied to a *sensitive area*

F. Audit

1. All Tasers owned and deployed by the Hiawatha Police Department will have data from the device periodically downloaded for review of accuracy of the data and accountability of the Officers using them.
2. All malfunctions or damage to the Taser, holster, or cartridges will be reported to a Supervisor as soon as is practical. If a safety concern is raised regarding a malfunction or damage, place the item offline in an evidence locker and notify a Supervisor when practical.



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PENALTY SECTION

Any violation of this policy or portion thereof may result in disciplinary action for the officer involved.