



California State University, Los Angeles  
Department of Public Safety

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NUMBER: IV- 49 APPROVED: \_\_\_\_\_  
Rick Wall, Chief of Police

EFFECTIVE: July 7, 2016

SUPERSEDES: Reviewed/Revised: \_\_\_\_\_

SUBJECT: **Conducted Electrical Weapon**

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I. PURPOSE:

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

II. POLICY:

- A. The TASER device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.
- B. It is the policy of this department that officers shall use only that force which is necessary to accomplish lawful objectives given the facts and circumstances known at the time of the event. An officer may use less lethal force only when the officer reasonably believes that the action is in incidents which have not risen to the level that would require the use of lethal force.

III. DEFINITIONS:

- A. Less Lethal Force. Less lethal force is that force which is unlikely, when properly used, to result in serious physical injury or death. Less lethal force is a force level above intermediate force, and one level directly below lethal force.
- B. Serious Physical Injury. A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.
- C. Active Resistance. Occurs when an officer encounters behavior that physically counteracts his or her attempt to control, and which creates risk of bodily harm to the officer, subject, and/or other person.

IV. PROCEDURES:

A. ISSUANCE AND CARRYING TASER DEVICES

- 1. Only members who have successfully completed department-approved training may be issued and carry the TASER device.

2. TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.
3. Officers shall only use the TASER device and cartridges that have been issued by the Department or a personally owned TASER device approved by the Chief of Police and inspected by a Taser Instructor. Uniformed officers who have been issued the TASER device or carrying their own Taser device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle. The Chief of Police or designee shall approve all department Taser devices before they are acquired and utilized by any member of this department.
4. The department issued Taser device is the Taser X26P. The following additional Taser devices are approved for duty use:
  - a. Any Taser device authorized by the Chief of Police and on the approved Taser device list maintained by the Taser staff.
5. Officers choosing to carry a personally owned Taser device shall get approval prior to purchasing and carrying the Taser device:
  - a. The Taser device shall be in good working order and on the department's list of approved Taser devices.
  - b. The purchase of the Taser device shall be the responsibility of the officer.
  - c. The Taser device shall be inspected by the Taser Instructors prior to being carried and be subject to inspection whenever deemed necessary.
  - d. Prior to carrying the Taser device, personnel shall attend department approved training and certify under Taser Instructors and there after shall re-certify in accordance with department certification schedules.
  - e. Personnel shall provide written notice of make, model, color and serial number to the Taser Instructors.
6. Members carrying the TASER device should perform a standard 5 second cycle on the unit prior to every shift.
7. When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon. The holster can either be worn on the duty belt, on a drop platform or on a Tac-Vest if approved for duty assignment.
  - a. Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.
  - b. Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.
  - c. Officers should not hold both a firearm and the TASER device at the same time.

## B. VERBAL AND VISUAL WARNINGS

1. A verbal warning of the intended use of the TASER device 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 to:
  - a. Provide the individual with a reasonable opportunity to voluntarily comply.
  - b. Provide other officers and individuals with a warning that the TASER device may be deployed.
2. 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 related 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 its operator 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 with other options.
  - a. Application of the TASER Device
    - 1) The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:
      - 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, him/herself or others.
    - 2) Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.
  - b. 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 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 device. This includes:
      - a) Individuals who are known to be pregnant.
      - b) Elderly individuals or obvious juveniles.
      - c) Individuals with obviously low body mass.
      - d) Individuals who are handcuffed or otherwise restrained.
      - e) 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.

- f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).
- 2) 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 officers and the subject, thereby giving officers time and distance to consider other force options or actions.
- 3) The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

c. Targeting Considerations

- 1) Preferred target areas include the below the neck for the back of the body and below center mass for the front of the body, when reasonably practicable. Reasonable efforts should be made to target lower center mass and 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 strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

d. 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 an individual, the officer should consider certain factors before additional applications of the TASER device, including:
  - a) Whether the probes are making 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.
- 3) Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

e. Actions Following Deployments

- 1) Officers shall notify a supervisor of all TASER device discharges. If the subject's health is at issue after use of a TASER device then all parts of the cartridge, to include probes, should be maintained intact and placed on

property as evidence. The evidence packaging should be marked "Bio-hazard" if the probes penetrated the subject's skin.

f. 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.

g. Off-duty Considerations

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

D. DOCUMENTATION

1. Officers shall document all TASER device discharges in the related arrest/crime report. Notification shall also be made to a supervisor in compliance with the Use of Force Policy.
2. Unintentional discharges will be documented in the related arrest/incident report.
3. The officer should include the following in the arrest/crime report:
  - a. Identification of all personnel firing TASER devices
  - b. Identification of all witnesses
  - c. Medical care provided to the subject
  - d. Observations of the subject's physical and physiological actions
  - e. Any known or suspected drug use, intoxication or other medical problems
4. The Training Sergeant should periodically analyze the reports to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of data downloads and reconcile TASER device reports with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

E. POST-APPLICATION PROCEDURES/MEDICAL TREATMENT

1. Persons who have been subjected to a Taser deployment (probe hit / drive stun) will be evaluated by fire/ambulance staff to determine if treatment is required. In cases where an obvious or suspected secondary injury has been sustained or suspect(s)/subject(s) appear to be displaying symptoms of intoxication from controlled substances; officers shall arrange for transportation to a medical facility for evaluation/clearance.

2. The expended XP cartridge(s) will be gathered at the scene and entered into evidence under the case number of the incident. The X26P will be taken out of service and submitted to authorized personnel for data download. If the supervisor at the scene determines that there are exceptional circumstances involved in the use of the Taser, command staff will be notified immediately. "Exceptional circumstances" are defined as cases where there is a substantial injury, where an officer strikes a target that is a substantial deviation from training guidelines, where injuries are inconsistent with the normal performance of the device, where improper use of a less lethal device is shown or suspected, any interest to the University, and/or the media is aware of such less lethal use.
3. Officers and their supervisors are responsible for gathering information at the scene of a less lethal application necessary to comply with less lethal reporting and review requirements outlined in this Department Order, as well as Department Order IV-1 (Use of Force). The Use of Force Form will be completed each time the X26P is used (dart deployment or drive stun application).
4. Review of less lethal delivery systems Use of Force Reports will be conducted in the same manner as outlined in Department Order IV-1.
5. Authorization for an officer to use less lethal options remains at the discretion of the Department and may be revoked at any time for violation of training guidelines, Department policies, or other reasons.

#### F. SUPERVISORS RESPONSIBILITIES

1. When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.
2. A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by a supervisor, Instructor or Armorer. Photographs of probe sites should be taken and witnesses interviewed.

##### a. Department TASER Instructor Duties

- 1) The department TASER instructor(s) will obtain Master Instructor Certification through TASER International. The department TASER instructor(s) will review this policy to make sure it is up to date and conforms to current case law and best practice standards. The department TASER instructor(s) will design the TASER curriculum and oversee its implementation. The department TASER instructor(s) will establish department approved TASER application techniques that are tactically sound, medically sound and lawful. The department TASER instructor(s) will review all TASER incidents in which officers are involved. If requested by the Chief of Police the department TASER instructor(s) will provide written opinions and expert testimony on TASER incidents. The department TASER instructor(s) will ensure that all TASERS are updated and maintained in good working order. The department TASER instructor(s) will ensure TASER cartridges are kept current and available to officers in the field.

## G. TRAINING

1. Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.
2. Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant. All training and proficiency for TASER devices will be documented in the officer's training file.
3. Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.
4. Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.
5. The Training Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.
6. Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.
7. The TASER instructor should ensure that all TASER training includes:
  - a. A review of this policy.
  - b. A review of the Use of Force policy.
  - c. Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
  - d. Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
  - e. Handcuffing a subject during the application of the TASER device and transitioning to other force options.
  - f. De-escalation techniques.
  - g. Restraint techniques that do not impair respiration following the application of the TASER device.

V. Appendices: None.