

Purpose

The following policy provides the Sheriff's Deputy with a definition of TASER and its components, a guideline as to the use of their TASER, and reporting requirements.

Policy

It is the policy of the Cecil County Sheriff's Office to utilize the least amount of force necessary to effectuate an arrest and/or bring an incident under safe control. The Taser is a Neuro-Muscular Incapacitation (NMI) device, has been provided to appropriately trained deputies as an additional use of force option.

The Taser may be used to control a dangerous or violent person, or, when justified in certain circumstances, an uncooperative person who is potentially dangerous or violent, when attempts to exert control by other tactics have been, or likely to be ineffective, or there is a reasonable expectation that it is unsafe to approach within contact range of an individual. The Taser may only be deployed when a deputy is confronted with an exigency that creates an immediate safety risk and that it is reasonably likely to be cured by using the device.

The decision to use the Taser, or other less-than-lethal force, is predicated upon the immediate danger posed rather than the nature or category of offense. Deputies utilizing the Taser must do so in accordance with the guidelines and procedures set forth here and under the use of force policy.

A. Definitions

1. **Taser:** Electronic Control Device (ECD) is less than lethal and propels wires to conduct energy that affect the Sensory Nervous System and Motor Nervous System of the Central Nervous System (Command Center). This device uses electricity to impair voluntary motor responses or to cause discomfort to gain compliance; overcome resistance; or capture; control and facilitate constraint.
2. **Drive Stun:** When the Taser is applied directly to the body as a pain compliance technique.
3. **Probes:** Slender metal tips connected to the Taser by insulated wires and fired from a disposable cartridge.
4. **Anti-Felon Identification (AFID):** Identification tags dispersed from a cartridge when it is fired, printed with the serial number of the cartridge, to help determine who fired the cartridge and from what location it was fired.

5. **Passive resistance:** Defined as the refusal by an unarmed person to comply with a deputy's verbal command or physical control techniques in such a way that the subject does not use physical or verbal aggression toward the officer or others, and does not present an immediate threat to the safety of officers or others. The Taser shall not be used on subjects who are passively resistant.

B. Authorization

1. Only deputies who have been trained and certified by an instructor in the use of the Taser are authorized to carry and use them. The certification course will cover all the topics recommended by the manufacturer. Deputies carrying or utilizing Tasers must be re-certified in their use annually.
2. Only Tasers and Taser holsters issued by the Sheriff's Office may be carried and used by deputies. Deputies will carry their Taser on the opposite side from their issued pistol on the gun belt, behind the firearm magazine holder (Non-Dominate Side). This helps ensure that the pistol will not be accidentally drawn in lieu of the Taser. No changes or modifications to the Taser or holster are authorized.

C. Procedures

1. The Taser is considered a use of force and will be employed in a manner consistent with the Use of Force policy.
2. Taser shall not be used in the presence of volatile gases or combustible vapors, to include Oleoresin Capsicum Solution (OC spray). In the event OC spray has been utilized, the operator shall be notified of that fact and he/she shall consider the time since the delivery and reconsider use of the Taser.
3. The device shall be pointed at the ground in a safe direction with the safety on during loading, unloading, and any other required handling outside of an operational deployment.
4. In preparation for firing, the device shall be pointed in a safe direction, taken off safe, then aimed appropriately at a preferred probe target location consistent with training and manufacturers' recommendations, using the fixed sights as the primary aiming device, and the laser beam as the secondary aiming device. When utilizing the Taser, deputies must attempt to avoid vital areas of the human body (chest, eyes, face, neck or groin).

5. The Taser may only be used in less-than-lethal situations when verbal dialogue and other less-than-lethal methods have failed to bring about a person's compliance, or when other means are not viable due to existing circumstances, and the person indicates the intention to actively resist the deputy's efforts to place him/her in custody. The following are examples of when a Taser may be used; however, other situations may exist depending on their unique circumstances:
 - a. A person is an imminent danger, and has the present means, to harm themselves, deputies, or/or other individuals, and other means of control would be unreasonable or could cause more serious harm or injury.
 - b. Attempt to control a person by conventional tactics are inappropriate or ineffective.
 - c. There is reasonable and articulate expectation that it would be unsafe for deputies to approach within contact range of a person.
 - d. A person is combative and resistant to arrest.
6. When feasible, Deputies will announce "Taser" to other deputies before it is deployed. This will let the other deputies know that the Taser is being deployed and not mistake it for a firearm.
7. Whenever practical and reasonable, deputies must issue a verbal warning to the person prior to using a Taser.
8. When possible, deputies should obtain sufficient back up before deploying the Taser. Since the effects are only temporary, the additional deputies should use this window of opportunity to properly restrain the person.
9. The device may also be used in exigent circumstances in a "drive stun" mode. The arc switch will be activated and the unit pressed firmly into an appropriate area, such as the abdominal region, hips, thighs, the brachial plexus origin, the shoulder area at base of the neck, or the pelvic girdle.
10. Deputies may use deadly force to protect themselves and others from the use or threatened use of the Taser by other persons, if reasonable belief exists that deadly force will be used against them if they become incapacitated.
11. The Taser may not be used on a person in custody, or already restrained by handcuffs or other restraining devices, unless the person poses an immediate threat of serious injury to others and no other method is available to safely stop the threat.

12. Whenever possible deputies will maintain a safe distance from the suspect, issue a verbal warning, and display the Taser as a deterrent.
13. In addition, the Taser should not be used in the following situations:
 - (a) When an innocent bystander may be struck
 - (b) In areas known to contain flammable or explosive products.
 - (c) When the person could fall from a significant height.
 - (d) When the person could drown.
 - (e) The Taser shall not be used on subjects who are only passively resistant.
 - (e) If the person is an obviously pregnant female.
 - (f) If the person appears elderly or frail.
 - (g) If the person is a very young child.

Deputies shall be aware of the general concerns present when an ECD is used on a member of an elevated risk population group. Deputies are not prohibited from using an ECD on such persons, but shall limit use to those exceptional circumstances where the potential benefit of using the device reasonably outweighs the enhanced risks involved.

Absent exigent circumstances, two deputies shall not intentionally activate an ECD complete circuit at one time against a subject.

As soon as compliance is obtained, Deputies shall cautiously approach the offender and place him/her under arrest as soon as practical. Deputies should keep in mind that multiple complete circuits could possibly trigger a cardiac incident.

14. Immediately after utilizing the Taser deputies must be alert to any indications that the individual needs medical care. Upon observing any medical condition needing attention, or if the suspect requests medical assistance, deputies will immediately summon emergency medical aid.
15. Deputies approved to carry/use the Taser shall be issued two (2) probe cartridges. Deputies authorized to carry the Taser will carry the Taser with the approved cartridges in the appropriate area of the device. Deputies should be aware that cold weather is not a factor; and an individual could be wearing loose fitting clothing which may affect probe placement.
16. The Shift Supervisor will ensure that only certified deputies carry or utilize Tasers, and that all use of force reporting requirements are fulfilled in the event a Taser is used on a person.

D. Probe Removal

1. Only qualified medical personnel will remove probes penetrating the skin. If the probes do not become detached during the incident, the person will be transported to the nearest medical care facility for the removal. When the taser has been used operationally, the deputy shall collect the cartridge, wire leads, probes, and dispose of the items in the appropriate manner. Probes should be treated as a biohazard and placed in a biohazard waste container.
2. Photographs of the affected area will be taken after the probes are removed and submitted with the Use of Force Report (CCSO SO-018), as well as overall photograph(s) of the subject.
3. Emergency Medical Services (EMS) personnel shall be requested to respond in cases where sensitive tissue impalement has occurred (i.e., groin, eye, female breast, face or neck) or, if the deputy feels it would be necessary and appropriate.
4. Should the subject complain of injury following a Taser application appropriate medical assistance will be summoned as soon as possible.

E. Reporting Requirements

1. Use of the Taser, including accidental discharges, must be reported to the shift supervisor as soon as possible.
2. In addition to the appropriate incident report, a Use of Force Report will be completed before the end of the shift for all uses of the Taser except during testing and training.
3. All procedural reports will be collected by the shift supervisor and appropriately forwarded, within 24 hours, of the incident.
4. The shift supervisor will notify a certified Taser instructor as soon as possible after a discharge. The Taser instructor will conduct a data download of the Taser incident and submit a Taser Deployment Summary with the Use of Force report and photographs.

F. Care and Maintenance

1. The Taser and Taser holster will be maintained in a clean and operational state at all times.
2. Taser batteries will be checked prior to the deputy's tour of duty to ensure they are properly charged.
3. Deputies will conduct a full five (5) second Spark/Functionality test at the beginning of each shift for their agency issued Taser.
4. Taser cartridges will be replaced before their expiration date. Inspections will be the responsibility of the particular deputy's immediate supervisor.
5. Those deputies authorized to carry a Taser, but do not carry one due to the nature of their work assignment will store the Taser in a climate controlled environment. Tasers are not to be stored in vehicles for prolonged periods of time as this may affect battery life and the functionality of the device.
6. Extra Taser cartridges will not be carried in pockets due to the risk of static electricity causing unintentional discharges.
7. Lost or stolen Tasers will be reported according to agency policy and procedures.
8. The Taser Supervisor will maintain accurate records of all agency issued Tasers and download data accordingly.
9. ECD's will be subjected to periodic and random data downloading by the Taser Supervisor. Regular downloading that is consistent with the manufacturer's recommendations will ensure that weapons have up-to-date firmware and synced time clock. The data obtained will be reconciled with existing use-of-force reports for accountability.
10. An annual report shall be prepared by the Taser Supervisor by January 31 and provided to the Operations Commander documenting Taser use from the previous year. The report shall include case number, date, time, deputy deploying device, mode of use, duration(s), age, sex, and race of subjects from whom it was deployed.