
**Section: THREE
Chapter: THIRTY-FOUR**

SUBJECT: Use of "Tasers" as non lethal weapons
ISSUE DATE: 08-15-16

- I. PURPOSE:** THE PURPOSE OF THIS POLICY IS TO PROVIDE MEMBERS OF THE PALMYRA POLICE DEPARTMENT WITH THE GUIDELINES REGARDING DEPLOYMENT OF THE TASER.
- II. POLICY:** The policy of the Palmyra Police Department is to provide officers with options for controlling combative or uncooperative subjects in a manner that minimizes the risk of injury to both officers and resistive subjects. The Taser is a proven device for controlling combative and uncooperative subjects with minimal risk of injury. The Taser is deployed as an additional police tool and is not intended to replace firearms or self-defense techniques. The Taser falls into the category of less than lethal force options and is intended to supplement other weapons in this category. The Taser is to be used in accordance with Article 35 of the NY State Penal Law, other applicable case law and other departmental policies including, but not limited to, the Use of Force Policy.
- III. DEFINITIONS:** Electronic Control Device (ECD)/Taser uses propelled wires or direct contact (drive stun) to conduct energy to affect the sensory and motor functions of the nervous system. The ECD/Taser is designed to safely incapacitate potentially dangerous persons by:
- A. Acting as a dry stun system when brought into immediate contact with the person's body.
 - B. Using compressed nitrogen to project two probes at the subject. An electrical signal is then sent to the probes, via small wires, which disrupt the body's ability to communicate messages from the brain to the muscles, causing both motor and sensory nervous system dysfunction.
- IV. TRAINING AND CERTIFICATION:**
- A. Only approved Electronic Control Devices shall be used.
 - B. Only those officers who have successfully completed an approved Taser International ECD course on the Taser will be authorized to carry and deploy it.
 - C. Officers authorized to carry and deploy the Taser must complete annual re-certification.
 - D. The Chief of Police will maintain an up-to-date list of personnel who are trained and approved to use the Taser.
- V. PROCEDURES:**

- A. A Taser will be available to each officer of the Palmyra Police Department during his or her shift.
- B. The officer will conduct a spark test on their assigned Taser in a safe manner at the beginning of their shift.
- C. Taser devices will be secure to the officer's person in a department approved and issued carrying holster on the support side (non-handgun side) in a cross draw carry. Exceptions to cross draw carry can be granted by the Chief of Police, in writing with cause.
- D. Whenever the Taser is drawn or deployed a Use of Force Report will be completed.

VI. DEPLOYMENT:

- A. The Taser is considered to be a less lethal force option which is on the same level as OC spray in the force continuum.
- B. The Taser can be used at a distance of up to 25 feet, however the optimum distance is 7 to 10 feet. The device is equipped with both laser and fixed sights. The top probe will follow the sight of the top laser and the bottom probe will follow the sight of the bottom laser.
- C. The use of the Taser should be directed toward major muscle areas of mass such as legs, buttocks, back, hips and thighs. When the use of the device is more time critical, areas of the main body mass such as the stomach should be targeted. Use to the head, chest/breast, neck, throat and groin should be avoided.
- D. When feasible and/or appropriate the targeted individual shall be warned that they will receive a Taser deployment and just prior to discharge the officer shall state "Taser, Taser, Taser," to alert all other officers.
- E. The Taser is programmed to give a five second burst. Generally, officers will allow the Taser to cycle for the full five seconds, evaluate the subject's response, continue verbal commands, and then decide if another 5 second burst is required. Nothing prohibits the officer from placing the Taser unit on safe to stop a cycle if the need should arise. Additional bursts may be administered by pushing the side arc button if the targeted subject is not controlled by the initial burst. The Taser also has a second shot (cartridge) if the probes did not make good contact in the first deployment or it can be used to fire at a second subject should the threat arise.
- F. The Taser may also be used as a drive stun for pain compliance. To maximize the effectiveness of the drive stun mode, officers need to push the side arc button then aggressively drive the Taser into the subject's pressure points. While used in the drive stun mode, officers should not deliberately target the face, neck, or groin area.

VII. AFTER DEPLOYMENT:

- A. The subject should be restrained as soon as possible following the deployment of the Taser.
- B. The Chief of Police will be notified as soon as time allows following deployment of the Taser.
- C. 911 will be notified so that they may dispatch an EMS unit following deployment of the Taser. The subject will then be evaluated by EMS who will make the determination if the person should be transported to a medical facility for additional treatment.
- D. The lead wires, barbs, and expended cartridges will then be collected and entered into evidence. The lead wires should be packaged for evidence as loosely as possible. Compacting and damaging the lead wires can compromise their evidentiary value. In addition, photographs will be secured of the individual that the Taser was deployed upon as well as any injuries that may be caused from the Taser or as a result of its deployment.
- E. Probes that have penetrated the body should be considered a biohazard and should be handled and labeled as such. The probes should be inverted into the cartridge bores and taped securely in place.
- F. Barbs that fail to make contact with the subject's body will also be collected by the deploying officer and entered into evidence.
- G. A Taser probe with an intact barb will be made available to medical personnel as a visual reference to assist in the extraction of an embedded probe if needed.
- H. Jail personnel will be informed that the subject was exposed to the use of the Taser.
- I. In all cases where the Taser is used or drawn on a subject, a Use of Force report will be completed. The report will be completed prior to the end of the officer's shift and will be immediately available for the Chief of Police.
- J. Included in the Use of Force report will be the point of aim, the point of contact made by the Taser and or probes upon the subject, whether penetration of the skin was made and the location and type of medical assistance provided.
- K. A deployed Taser will be taken out of service until the Taser data has been downloaded.

VIII. PRECAUTIONS AND PROHIBITIONS:

- A. The Taser is not to be used on a subject known to be pregnant.
- B. The Taser is not to be used on an elderly subject or on a small child.
- C. The Taser is not to be used on a subject who has been sprayed with OC.

- D. The Taser is not to be used punitively or for the purpose of coercion.
- E. The Taser is not to be used in areas that are potentially flammable such as in areas that contain gas, other flammables, explosive materials, liquids or vapors.
- F. The Taser is not to be used on a subject who is in an elevated position from which he or she may fall.
- G. The Taser is not to be used on a subject who is operating and is in control of a motor vehicle or machinery.
- H. The Taser is not to be used on a subject who is in a body of water where there is a risk of drowning. This includes subjects standing on boat docks.
- I. The Taser operator should only apply the number of cycles reasonably necessary to allow them to safely restrain the subject.
- J. The Taser and a firearm will not be used by an officer at the same time.
- K. The Taser will only be used to control resistive persons. Any person upon which a Taser is successfully or unsuccessfully deployed shall be charged with resisting arrest as well as any underlying charge. Use of a Taser for any other purpose, demonstration, or horseplay, shall be grounds for disciplinary action.

By the Order of:

David B. Smith
Chief of Police