



LOS ANGELES POLICE DEPARTMENT USE OF FORCE-TACTICS DIRECTIVE

Directive No. 4.5

July 2018

ELECTRONIC CONTROL DEVICE TASER

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures of the TASER.



PROTOCOL

Whenever practicable, officers shall exercise de-escalation techniques to resolve potential use of force incidents and seek voluntary compliance from suspects/subjects. The courts have held that Less-Lethal force options are “capable of inflicting significant pain and may cause serious injury.” Therefore, consistent with the Department’s Use of Force Policy, Less-Lethal force options are only permissible when:

An officer reasonably believes the suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm.

Less-Lethal force options shall not be used for a suspect or subject who is passively resisting or **merely failing to comply** with commands. Verbal threats of violence or **mere non-compliance** by a suspect do not alone justify the use of Less-Lethal force.

An officer may use the TASER as a reasonable force option to control a suspect when **the suspect poses an immediate threat to the safety of the officer or others.**

Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and
- Whether the suspect was actively resisting arrest or attempting to evade arrest.

The following **do not** alone justify the use of the TASER:

- Verbal threats of violence
- Mere non-compliance

Note: The TASER should not generally be used on a fleeing suspect. Officers should pursue and attempt to contain a fleeing suspect while continually assessing the situation and considering the most appropriate tactical plan.

The TASER may also be effective against aggressive animals to protect officers or others from serious injury.

If officers encounter a self-mutilating or suicidal individual, the use of the TASER may be a reasonable force option (based on the tactical scenario) to stop his or her actions. This will allow the individual to receive the needed emergency medical treatment.

Tactical Considerations

- Continually evaluate the situation
- Consider another force option if the TASER appears to be ineffective
- Avoid repeated TASER applications where practicable to avoid possible injury

Deployment Considerations

When practicable, officers should avoid using the TASER on individuals who:

- Are on an elevated or unstable surface which could cause a fall that could result in a significant impact injury
- Are operating or riding any mode of transportation
- Are located in water, mud, or a marsh, and the ability to move is restricted
- Are known to have a pacemaker, be pregnant, under 12 years of age, elderly or visibly frail
- Are near flammable or combustible fumes/liquids
- Are handcuffed, restrained, incapacitated, or immobilized, unless doing so is necessary to prevent them from causing serious bodily harm to themselves, or others, and if lesser attempts of control have been ineffective
- Are fleeing or running away, unless the suspect is an immediate threat to themselves or others (officers should continually assess the situation considering the most appropriate tactical plan)

Note: Officers should not intentionally activate more than one TASER at a time on the same suspect/subject.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the TASER to control an individual. The warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. Examples of this would be a hostage situation or a subject threatening suicide. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the TASER is fired.

The verbal warning should include a command and a warning of potential consequences of the use of force. The command should be similar to "drop the weapon" or "stop what you are doing" followed by a warning similar to "or we may use the TASER, and that may cause you injury."

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 01.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and
- An explanation and appropriate justification for not using the warning.

Statements that the “element of surprise was needed” or “for officer safety reasons” will not justify non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed,
- Explain in detail any officer safety considerations; and,
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning, or the reasons for non-use will be factors considered in the determination whether the use of force was objectively reasonable.

PROCEDURES

The TASER shall be carried in a Department approved holster on the support side of the duty belt in either a cross draw or support side draw position. A TASER or cartridge should not be placed in a clothing pocket as static electricity can deploy the cartridge.

The most effective way to use the TASER is in the “probe” mode. When the TASER is used in the probe mode it has the ability to cause “neuro-muscular incapacitation” (NMI), which is the stimulation of the motor nerves causing uncontrollable muscle contractions that inhibit a suspect’s ability to perform coordinated movement. When used in the “drive-stun” mode, the TASER causes localized pain to the suspect.

In close quarter situations, an effective technique is to apply a drive-stun with a live cartridge. This “three-point” drive-stun technique requires the officer to deploy the cartridge from a minimum of two inches from the suspect to allow the probes to deploy. This minimal deployment distance alone will not likely cause an NMI effect. With the deployed cartridge activated and left in place, the officer then applies the drive-stun away from the impact site of the probes. The spread between the probe impact site and the location of the applied drive-stun could have an effect similar to a probe deployment from a distance with a substantial probe spread, thus potentially causing NMI.

Note: When used in drive-stun mode only, the TASER causes localized pain to the suspect and does not cause NMI on the same scale as “probe-mode” or the “three-point” drive-stun technique, and should not be used on a suspect who is merely non-compliant.

The optimal range of the TASER is 7-15 feet from the suspect. The area of the suspect/subject’s back, just below the neck, remains the preferred target area when practical. For frontal applications, officers should attempt to target the navel area in an

effort to place one probe above the waist and one probe below the waist for optimal effectiveness. When an officer needs a TASER, the officer shall broadcast the unit designation, location, and "Code Tom."

Once activated on a suspect/subject, the TASER activation duration is 5 seconds. During this period of incapacitation that the suspect/subject experiences, the arrest team should take positions of advantage to immediately control the suspect/subject and take them into custody minimizing and mitigating the need to use additional force.

Because the Department recognizes that each tactical situation is unique and that officers must be given the flexibility to resolve tactical situations in the field, there is no pre-set limit on the number of times the TASER can be used in a particular situation; however, officers should generally **avoid** repeated or simultaneous activations to avoid potential injury to the suspect. The Department looks to the "objectively reasonable" standard and the totality of the circumstances in determining the reasonableness of the force used, which may include the number of times a particular force option was utilized. Thus, officers must **continually evaluate** the situation they are in and the apparent effectiveness of the force option they have selected. If the force option they have selected does not appear to be effective, officers should consider transitioning to another, and potentially more effective, objectively reasonable force option.

Medical Treatment

Whenever the TASER is used and the probes and/or electrodes make contact with the suspect's clothing or skin, the suspect shall be examined by medical personnel. If the suspect loses consciousness, officers shall immediately request an ambulance.

Note: Medical personnel shall include a doctor or a nurse at a contract hospital or jail dispensary.

Reporting

The use of a TASER is a reportable use of force when one or more of the probes and/or electrodes make contact with the suspect's clothing or skin. If no contact is made, the circumstances shall be documented in the appropriate report such as a crime, arrest or Employee's Report, Form 15.07.00. Supervisors shall photograph all visible as well as complained of injuries, even when evidence of injury is not present.

Data Downloads

Supervisors **shall** download the data from the TASER after a reportable non-categorical use of force incident. Supervisors are required to ensure the TASER data is printed, scanned, and attached electronically to the use of force report.

DEFINITIONS

Probe Mode: Utilizes the TASER cartridge while attached to the TASER unit. Firing the two probes attached to wires making contact with the suspect which could cause NMI. **This is the most effective way to use the TASER.**

Drive-Stun/Direct-Stun: Two contacts on the cartridge or the TASER unit that conduct energy to affect the suspect's sensory nerves causing localized pain. This feature may be used with or without a cartridge in place. If a cartridge is in place, the probes will fire when the trigger is pressed. This is **not** the most effective way to use the TASER. **The most effective way to use the TASER is in the probe mode.**

Three-Point Drive-Stun: A technique where a drive-stun is applied with a deployed live cartridge. After deploying a cartridge from a minimum of two inches from the suspect, the officer applies a drive-stun to an area of the body away from the probe impact site. The spread between the deployed probes and the area of the applied drive-stun could potentially cause an NMI effect.

Optimal Range: The optimal range for the TASER is 7-15 feet. This range gives the most effective spread of the probes to accomplish NMI.

Optimal Target Areas: Back or navel area for probes. Forearm, outside of thigh, calf muscle for drive-stun/direct-stun. Avoid using the stun feature on the head, face, throat, and groin.

Note: There are many factors that affect an officer's ability to hit the intended target area of a suspect. When a suspect is struck in a location outside the optimum target area, the officers should be prepared to explain the deviation.

Points to Remember

- Optimal range is 7-15 feet
- Most effective in probe mode
- Three-point drive-stun may be used in close quarters
- Consider another force option if the TASER appears to be ineffective
- Data downloaded following a reportable non-categorical use of force

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This version replaces Use of Force-Tactics Directive No. 4.4, 2015, Electronic Control Device - TASER.



MICHEL R. MOORE
Chief of Police

DISTRIBUTION "A"

Attachment: TASER Key Points and Characteristics

| KEY POINTS | TASER CHARACTERISTICS |
|-------------------------------------|--|
| Current Model | <ul style="list-style-type: none"> • Department issued: TASER International Model X26P (green) |
| Neuro-Muscular Incapacitation (NMI) | <ul style="list-style-type: none"> • Occurs when a TASER causes involuntary stimulation of both the sensory and motor nerves • It is not dependent on pain and can be effective on subjects with a high level of pain tolerance • There are different levels of NMI ranging from limited area effects to significant body lockup • The greater the spread of the probes, the higher likelihood of NMI • The TASER may not achieve total NMI • A subject may maintain muscle control, particularly in arms and legs (depending on many factors, including probe locations) • Be prepared with other force options including a drive-stun follow up to spread NMI over a wider area if necessary and when reasonably appropriate • Drive stun alone will not usually achieve NMI, only localized pain |
| Weapon Inspection | <ul style="list-style-type: none"> • Spark tests should be conducted at the start of watch. The TASER should be spark tested for the full 5-second cycle • Visually check to ensure there is not a cartridge in the chamber • Point the TASER at a wall or other object away from other people • Place the safety up, activating the laser sight, ensuring the laser sight is functioning properly (one dot representing the path of the top probe) • Visually check the Central Information Display and the battery life indicator while the safety is up, to verify that a fault icon is not displayed above the battery life indicator • Press the trigger and listen for rapid sparking (approximately 19-pulses per second) • Place the safety in the safe (down) position, load the TASER with a cartridge, and holster • Each time the spark check is conducted it should be recorded on the DFAR |
| Holster (Wearing) | <ul style="list-style-type: none"> • Shall be worn on the support side of the duty belt in either a cross draw or support side draw position • A TASER or cartridge should not be placed in a clothing pocket as static electricity can deploy the cartridge. In addition, a clothing pocket does not provide adequate security of the weapon |

| KEY POINTS | TASER CHARACTERISTICS |
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| Deployment | <ul style="list-style-type: none"> • The TASER should be deployed in the field with an additional cartridge either secured in a reload pouch attached to the holster or on the end of the eXtended Performance Power Magazine • The TASER is activated for 5-seconds by pressing and releasing the trigger • The 5-second cycle can be terminated by placing the safety down • Avoid repeated TASER applications when practical to reduce the risk of injury • Suspect can be touched while the TASER is activated except between or within 2-inches of the probes • Within close quarters of the suspect, the TASER with cartridge can be deployed with a minimal spread of the probes. The effectiveness can be improved by applying a drive stun with the expended cartridge in place to a different area of the body away from the deployed probes during the 5-second cycle • <u>Generally, officers should avoid using the TASER when the suspect:</u> <ul style="list-style-type: none"> • is on an elevated/unstable surface • could fall and suffer impact injury • could fall on a sharp object/surface • is less able to catch/protect self in a fall • is operating/riding any mode of transportation • is located in water/mud/marsh if the ability to move is restricted • is known to be pregnant or have pacemaker • is under twelve years of age • is near flammable or combustible fumes |
| Optimum Target Areas | <ul style="list-style-type: none"> • Optimal target areas are the back or navel area • If practicable, aim the TASER at the suspect's back where the clothes fit tighter and there is more muscle mass • Officers should target the navel area to place one probe above the waist and one probe below the waist for optimal effectiveness • Avoid targeting the head, face, throat, and groin |
| Stun Feature | <ul style="list-style-type: none"> • Not as effective as using probes, no NMI. Affects only the sensory nervous system • Drive stun can be used without a cartridge, with an expended cartridge or a live cartridge; however, with a live cartridge the probes will fire into the suspect • Drive stuns with a cartridge are preferable as officers can deploy the probes to one part of the body and apply a three-point drive stun with the expended cartridge to another part of the body away from the probes • When utilizing the drive stun without a cartridge, drive the TASER into the suspect's forearm, outside of thigh, or calf muscle for maximum effectiveness • Avoid using the drive stun on the head, face, throat, and groin |

| KEY POINTS | TASER CHARACTERISTICS |
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| <p>TASER Cartridges</p> | <ul style="list-style-type: none"> • 5-year shelf life with expiration date listed on the rear in the left corner • Cartridges with yellow blast doors (training) shall not be deployed in the field • Cartridges with silver blast doors have 21-feet length of wire • Cartridges with green blast doors have 25-feet length of wire • Reversible loading • Do not use TASER cartridges when the front blast door is missing, cracked, or damaged • Anti-Felon Identification (AFID) Tags, marked with the cartridge serial number are released each time a new cartridge is fired |
| <p>Batteries</p> | <ul style="list-style-type: none"> • 3 x 3-volt lithium power cells, within the Automatic shut-down Performance Power Magazine (APPM), that do not require recharging • Provides up to 500 plus 5-second cycles • The APPM requires replacement when percentage of battery life is less than 20% • Continued use at 0% could damage the TASER • The eXtended Performance Power Magazine (XAPPM) allows an extra cartridge to be carried on the end. The XAPPM is authorized for field use • The APPM is designed to automatically stop the cycle after 5-seconds, even if the trigger is continuously pressed |
| <p>Central Information Display (CID)</p> | <ul style="list-style-type: none"> • Percentage of battery life remaining displayed when the safety is in the up position. Each bar represents 20% of battery • 1, 2, 3, 4, 5 count up when weapon is triggered. Illumination status of weapon when light selector button is activated • Displays system status through icons located above the battery icon. If no icon is present, the TASER is functioning properly. If a triangle or octagon icon appears above the battery icon, the TASER should be replaced |
| <p>Illumination Selector</p> | <ul style="list-style-type: none"> • Place the safety switch in the down position and unload the cartridge • Press and hold the illumination selector for approximately two seconds until the CID display illuminates • Press and release the illumination selector to toggle through the four available modes until the setting desired is displayed on the CID <p style="text-align: center;"> LO: Laser only will illuminate OF: Only light will illuminate LF: Laser and light illuminate OO: No laser or light; CID dims </p> <ul style="list-style-type: none"> • The selected mode will display on the CID for five seconds when activated |

| KEY POINTS | TASER CHARACTERISTICS |
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| Data Port | <ul style="list-style-type: none"> • Stores the date and time each time the TASER is armed (safety up), triggered, and made safe (safety down) • The TASER stores the duration of each trigger cycle and the total duration from when the TASER was armed to when it was made safe |
| Maintenance and Care | <ul style="list-style-type: none"> • Avoid dropping the TASER and cartridges • Store the TASER unloaded at the end of watch • Avoid exposing to excessive moisture • Occasionally wipe out cartridge firing bay with a dry cloth • Check expiration date of TASER cartridges • Synchronize the TASER internal clock every January and July |