

TETON COUNTY SHERIFF'S OFFICE

6-22-4

Effective Date: July 1, 2005

Amended: May 9, 2008

ELECTRONIC CONTROL DEVICE TECHNOLOGY

PURPOSE

The purpose of this policy is to provide procedures in the appropriate and inappropriate application /use of Electronic Control Device (ECD) technology. This policy is in addition to and is to be used in conjunction with the more general "use of force" policy located in this manual. (6-22-1). This policy maintains the strict adherence to utilizing reasonable force when a deputy is faced with a situation where force will be used.

DEFINITIONS

Electronic Control Device (ECD) AKA: Tasers:

Electrical signal, which overrides the central nervous system and directly controls the skeletal muscles. The Neuro-Muscular Incapacitation (NMI) effect causes an uncontrollable contraction of the muscle tissue, debilitating the subject regardless of pain tolerance or mental focus. The output does not damage an implanted pacemaker and will not cause loss of bladder or bowel control.

X26 Taser:

This device is approved and authorized for use by trained TCSO personnel. It is an electronic control device that utilizes compressed nitrogen to shoot two small probes up to 25 feet. These probes are connected to the device by high-voltage insulated wire. When the probes make contact with the subject, they transmit an electrical pulse along the wires and into the body through up to two inches of clothing. The probes do not have to penetrate the flesh to be effective. The X26 Taser may also be discharged as a contact device; also known as a "drive stun".

Dataport:

Every time the X26 Taser is fired, it stores the downloadable time, date, temperature and number of cycles on a dataport located in the data port memory (DPM) of the unit. This allows for an increased method of accountability and control.

AFID Cartridge Tracking:

Every time an air cartridge is fired, up to 40 small confetti-like microdot ID tags called AFIDs are ejected. Each AFID is printed with the serial number of the cartridge fired.

Excited Delirium

Classified as a medical emergency, this phenomenon is typically a drug induced affliction that occurs in people, sometimes manifesting itself as a heightened state of agitation, excitation, sweating, nudity (removing clothes from extreme feeling of being hot) , incoherence, extreme levels of exertion, paranoia, insensitivity to pain, unusual strength etc.

POLICY

The amount of reasonable force necessary to prevent harm to law enforcement, bystanders, or potentially violent subjects is a decision that can have severe implications for deputies, suspects, the TCSO and the public. It is essential the TCSO provide its deputies with appropriate training and tools for these split-second decisions. Whether the tool is verbal communication, a police baton, oleoresin capsicum (OC), ECD (X26 Taser), pressure points, striking techniques, or a service weapon, the determination of the reasonableness and justification for use-of-force in a particular situation often must be made quickly by a responding deputy. With proper training and equipment, the deputy will be better prepared to assess, plan, and act to de-escalate and resolve the situation. Providing access to appropriate tools and training allows law enforcement agencies to reduce the injuries and deaths to officers, suspects, and members of the public. The TCSO, in its commitment to officer safety and public safety, has approved the use of the ECD as a non-lethal weapon to be utilized appropriately and reasonably in use of force incidents.

Discharge of the X26 Taser

- Trained employees whose duties require them to make arrests or supervise inmates may carry the device. Additionally, the civilian TCSO animal control officer (ACO) may also carry the device provided that person is trained and understands it is to be used on vicious animals only.
- When practical, use verbal commands and point laser sight at subject prior to discharging the X26 Taser. The commands (when practical) shall include a warning that the device will be utilized unless voluntary compliance is obtained.
- The X26 Taser will only be used on those individuals who will be taken into custody for the commission of a crime or Title 25 involuntary hold.
- When practical, have a backup deputy available to assist with the arrest after deployment.
- Have a second cartridge or X26 Taser ready to discharge in case probes miss the subject or the X26 malfunctions.

- The X26 Taser should be aimed at center of mass, unless the position of the person dictates otherwise. The taser should not be deployed at the head or face of a person.
- Use of the X26 Taser near flammable liquids and fumes is strictly prohibited. Additionally, use of the X26 Taser in conjunction with alcohol based OC Spray is strictly prohibited.
- Prior to the deployment of the X26 Taser on a person, the certified deputy must consider the reasonableness of its use, to include the person's position where a secondary injury could result, e.g., a person on an elevated platform where injury could result from the fall.
- As a general guideline, the X26 Taser shall not be used on a person who appears to weigh less than 80 pounds, or who appears to be elderly, people with known heart disease, or women who are obviously pregnant. However, if people who fall into this category are displaying a significant danger to themselves or others, and the X26 is the best means by which to take them into custody, it is authorized for use. E.g. a 13 year old is brandishing a knife and refuses to drop it. However, the X26 is not a substitute for deadly force and the deployment of the X26 Taser should be backed up with the availability of lethal force.
- The X26 Taser can be used on subjects exhibiting signs of severe drug influence or excited delirium, however the deputies shall, when practicable, call for medical assistance prior to deployment of the X26 Taser. If the deputy is unable to call for medical assistance prior to discharge, he / she will call for assistance as soon as practicable after the subject is taken into custody.
- A subject who, prior to being 'tased', exhibited signs of 'excited delirium', even after combativeness has ceased, shall be examined by emergency medical staff.
- The X26 may be used against vicious animals when conventional means, e.g. catch pole (if available) have been exhausted to control the animal.
- Prior to use, deputies should consider the totality of the circumstances, giving most weight to these factors:
 1. Whether the suspect is posing a current threat to the safety of deputies or others.
 2. What is the severity and violence of the crime?
 3. Does the suspect have a history of violent behavior?
- The X26 Taser will not be used for any of the following:
 1. Coercion of any type
 2. Intimidation by reckless display
 3. Escorting or prodding individuals
 4. Waking unconscious or intoxicated individuals
 5. Individuals operating a motor vehicle
 6. Individuals holding a firearm when the deputy can see that their finger is on the trigger
 7. Handcuffed prisoners.

Discharging Deputy Responsibilities

- Ensure the batteries of the X26 Taser are properly charged above 20%. When checking the batteries, the cartridges must be removed.
- When practical, the deputy deploying the taser shall announce “taser, taser, taser” to the other deputies on the scene
- Deputies will report the discharging, including accidental discharges, of the X26 Taser to a supervisor as soon as practical.
- The discharging deputy will visually inspect the contact site. Probes penetrating the skin may be removed by the discharging deputy unless the probes impacted sensitive body locations such as face, neck, groin or breasts. After removal, the probe impact points should be wiped with alcohol and a band-aid should be applied. Rubber gloves and any other universal precautions should be exercised by the deputy who removes the probes.
- All subjects who are taken into custody after the X26 Taser is utilized will be monitored closely by deputies for any adverse reactions. If any adverse reactions are noted, the deputy will immediately call for medical assistance.
- Ensure that photographs are taken of the probe penetration sites and any secondary injuries caused by falling to the ground, etc.
- Once the probes have been removed they will be treated as biohazard sharps.
- The discharging deputy will enter the photographs, expended cartridge with probes and a limited number of microdots (AFIDS) into evidence.
- Deputies will include in their report all of the events leading up to the discharge of the X26, the subject’s response after discharge, the events of taking the subject into custody, and a statement of the subject’s condition after monitoring him or her.

Supervisor’s Responsibilities

- Ensure that all use of force reporting requirements have been fulfilled prior to the end of shift.
- Ensure that only certified deputies carry the department-issued X26 Taser.
- Ensure that the X26 Taser is properly signed out.
- Ensure that cartridges are accounted for.

TCSO X26 Taser Trainer(s) Responsibilities

- Receive, inspect, and ensure the maintenance and replacement of X26 Tasers.
- Maintain records for the X26 Taser
- Return defective or damaged X26 Tasers and cartridges to the manufacturer if needed.
- Ensure the “downloads” are conducted in a timely manner after the X26 Taser is discharged.

Training/Certification Requirements

The authorization to carry and or use the X26 Taser is granted by the TCSO to deputies and the ACO based upon completion of specified training courses and demonstrated competency under hands-on testing that has been monitored by a certified X26 Taser instructor. A recertification course, taught by a certified instructor, will be completed annually by all certified users.