



Town of Framingham
Police Department

Policy on Electronic Control Weapons (TASER) # 100-35

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I. PURPOSE

The purpose of this policy to provide officers with guidance and direction on the use of electronic control weapons (ECW).

II. POLICY

It is the policy of this department to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. Electronic control weapons have been proven effective in furtherance of this policy, and are authorized for use in appropriate circumstances by trained and authorized personnel.

III. DEFINITIONS

- A. Electronic Control Weapon: Weapons designed to disrupt a subject's central nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.
- B. ~~TASER- a brand name for the ECW currently used and authorized by this department~~
- C. Air Cartridge- A replaceable cartridge for the ECW which uses compressed nitrogen to fire two barbed probes/darts on thin connecting wires sending a high voltage/low current signal into a subject.

IV. PROCEDURES

General-

There are three separate types of reportable ECW applications.

1. Spark Display- A non-contact demonstration of the ECWs ability to discharge electricity. This is conducted only when the cartridge has been removed from the weapon. The purpose of this display is to convince the subject to comply with a lawful order and avoid the ECW being deployed in the Drive Stun or Probe mode. *Spark checks conducted to test the unit at the beginning of the officer's shift are not reportable incidents.*
2. Drive Stun- Contact is made by pressing the front of the ECW (cartridge removed) into the body of a subject and activating the ECW. The Drive Stun causes significant localized pain in the area touched by the ECW but does not have a significant effect on the central nervous system. The Drive Stun does not incapacitate a subject but may assist in taking a subject into custody.
3. Probe- The ECW is most effective when the cartridge is fired and probes make direct contact with the subject. Proper application will result in temporary immobilization of a subject and provide the officer a "window of opportunity" in which to take the subject into custody. Optimum range for deployment is 7-15 feet with 21 foot maximum distance.

A. AUTHORIZED USERS

1. Only officers who have been designated by the Chief of Police and or Deputy Chief and who have satisfactorily completed one of the following courses shall be authorized to carry and/or use the ECWs.
 - i. **Basic User** - 8 hour certification course (recertification required every year), or
 - ii. **Instructor** - 16 hour certification course with additional 4 hour training from Massachusetts Police Training Council (MPTC) (recertification required every two years)
2. All personnel authorized to carry these weapons shall complete a minimum of two hours of annual in-service refresher and proficiency training.
3. Supervisors and Command Staff should receive ECW awareness training so they can make educated decisions about the administrative investigations they review.

B. WEAPON READINESS

1. The device will be carried by authorized officers in an approved holster on the support/weak side (opposite of the firearm side) of the body.
2. The device shall be carried fully armed with the safety on in preparation for immediate use when authorized.
3. Officers approved to use the device shall be issued a minimum of one spare cartridge as a back up in case of cartridge failure, the need for reapplication, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.
4. Only battery power sources recommended by the manufacturer shall be used in the ECW.
5. The ECW shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.

- i. NOTE: the restrictions in section B5 do not apply during a “tactical reload” of a cartridge.

C. DEPLOYMENT

There are two levels of force where ECWs are authorized;

COMPLIANCE TECHNIQUES- includes countermeasures designed to counter the subject’s enhanced degree of resistance. These tactics could include the Control and Restraint techniques, Takedowns, Pressure Points and Distraction Techniques, OC spray , etc. **Using the TASER in a DRIVE STUN mode would be justified as a Compliant Technique.**

DEFENSIVE TACTICS- includes countermeasures designed to counter the subject’s perceived non-lethal assault on the officer or others, regain control, and assure continued compliance. These tactics could include Weapon/ Weaponless Strikes, etc. **When firing the TASER, it would be considered a Defensive Tactics tool with the goal of stopping an Assaultive (Bodily Harm) Subject.**

1. When practical, the officer should give a warning to the subject and other officers before firing the ECW.
2. The preferred targeting is below the center mass of the subject’s back, however it is recognized that it is not always possible to get behind the subject. Where back-targeting is not possible, frontal targeting should be lower center mass, intentional deployments to the chest shall be avoided where possible.
3. When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.
4. Attempt to avoid hitting the subject in sensitive tissue areas such as head, face, groin, or female breast area, however darts penetrating these areas will be removed by medical personnel at a medical facility (see E-3).
5. ECW may be used to control an aggressive animal that is threatening the safety of a person.
6. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device.
7. Only one officer should activate an ECW against a person at a time.

D. RESTRICTIONS

ECW should not be used:

1. in the known presence of combustible vapors and liquids or other flammable substances;
2. against suspects in control of a motor vehicle in motion unless exigent circumstances exist;
3. on handcuffed persons unless they are actively resisting or exhibiting active aggression;
4. on pregnant women, young children **under the age of 17** or on elderly persons **over 70 years** of age, on visibly frail persons, or on persons with cardiac pacemakers (if known) unless exigent circumstances exist;
5. where the suspect is in a position where a fall may cause a substantial injury or death;

E. AFTERCARE

1. Normally, the ECW darts may be removed by medically trained personnel from the subject once he or she has been restrained using the procedure outlined in training. Universal precautions shall be followed to protect the officer from the transfer of body fluids.
2. All persons who have been exposed to an ECW activation will receive a medical evaluation from at least a paramedic.
3. **The suspect shall be taken to an emergency care facility :**
 - i. In all cases where the probe has penetrated sensitive tissue areas (such as the groin, eye, female breast, face, or neck). The officer shall impound all probes removed at a medical facility for evidence.
 - ii. If the subject had a known pre-existing medical condition especially one affecting the cardio-vascular system i.e. a pacemaker, cardiac surgery.

- iii. Where it appears that the tip of the barbed probe broke off and remains under the skin.
 4. A subject exposed to an ECW activation will be monitored regularly while in police custody even if they received medical care.
 5. Following an ECW activation, officers should use a restraint technique that does not impair respiration.
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6. Photographs of the affected area should be taken after the probe is removed.
 7. When the device has been used operationally, the officer will collect as evidence, package, and mark as a biohazard; the air cartridge, wire leads, probes, as evidence. Several APHIDS should also be collected and packaged separately as evidence.

F. SUPERVISOR

A Supervisor will respond to all incident scenes where an ECW was activated and:

1. Conduct an initial review of an ECW activation
2. Ensure photographs are taken of the site of the probes impact and any related injury.
3. Ensure report is completed

G. REPORTING

1. The deploying officer shall
 - A. notify his/her supervisor as soon as practical after using the device;
 - B. submit the ECW to the Taser Instructor (Administrator) as soon as practical for data download, and
 - C. Complete the appropriate incident report. The incident report shall include:
 1. Area of body hit by probes/ drive stun.

2. if the arrest was compliant with or without probe deployment (i.e. spark test at scene and suspect voluntarily complies with arrest)
3. photographs taken of probe impact area and any related injuries (if any)
4. Copies of reports involving the use of an ECW shall be forwarded to the Chief or his/her designee.
5. The Chief or his/her designee should conduct random audits of ECW data downloads and reconcile use-of-force reports with recorded activations
6. The Chief of Police or his/her designee shall forward quarterly reports of ECW activations to the Executive Office of Public Safety. The report will contain:
 - a. Statement containing the number of sworn Framingham Police Officers, number of ECWs owned by the department, number of incidents involving ECWs, and
 - b. Copy of the incident report
 - c. Copy of data printout from the ECW

H. DEMONSTRATIONS/TRAINING

All demonstrations and training involving the use (probe or drive stun) of a department owned electronic control weapon must be authorized by the Chief of Police or in his/her absence a Deputy Chief.

I. INSPECTION

The department's TASER Armorer will inspect each ECW prior to issue/reissue as well as quarterly to ensure it is in proper working condition. Any ECW not in proper working condition will be taken out of service immediately and either repaired by the Armorer or forwarded to the manufacturer for factory service.