



KERN COUNTY PROBATION DEPARTMENT

Policies And Procedures

TITLE: Taser			Article: 1703
APPROVED: William Dickinson, Chief Probation Officer			
EFFECTIVE: July 2014	REVIEWED: January 2023	REVISED: September 2024	UPDATED: June 2023

PURPOSE:

This document is to set Kern County Probation Department Policy regarding use of the TASER® conducted electrical weapon (CEW) as a force option. All Deputy Probation Officers and Juvenile Corrections Officers authorized to carry the TASER® CEW shall be familiar with this policy and be aware of the appropriate application, potential, and limitations of the TASER®.

I. DEFINITIONS:

- A. TASER Brand X2: The TASER® CEW uses a replaceable cartridge containing compressed nitrogen to deploy two small probes that are attached to the TASER® by insulated conductive wires with a maximum length of 35 feet. The TASER® transmits electrical pulses through the wires and into the body affecting the sensory and motor functions of the peripheral nervous system, essentially incapacitating the individual so further resistance is impossible or diminished, thereby eliminating or diminishing injury to the officer and/or subject.
- B. Air Cartridge: A replaceable cartridge for the TASER® CEW, which utilizes compressed nitrogen to fire two barbed metal probes on thin connecting wires sending a high voltage/low amperage signal into a subject.
- C. Tactical Performance Power Magazine (TPPM): Three lithium power cells that power the TASER®
- D. Anti-Felon Identification (AFID) Tags: With each TASER® deployment, the AFID system disperses 20-30 serialized confetti and identifies the user of the TASER® device, which can then be traced to a specific incident and/or subject.
- E. Spark Test: Non-contact testing of a TASER® by arcing it for approximately one second to ensure it is working properly, or as an attempt to deter further resistance by a subject.
- F. Drive Stun Mode: Accomplished by firmly pressing the front of the TASER® against a target area with enough force to maintain solid contact, with or without the probes deployed.

POLICY:

All incidents including the use of the TASER® CEW shall be in compliance with the Kern County Probation Department Use of Force Policy. The Kern County Probation Department is providing the TASER® CEW (a non-lethal weapon) and appropriate training to designated officers as a means of overcoming resistance, effect an arrest, and to control the threat of imminent harm to self or others. The TASER® will provide officers with another source of protection in addition to the other tools they carry. Although officers are expected to use the TASER® in their defense as outlined below, it is not intended that staff ever jeopardize their safety or the safety of another person in conforming to these guidelines. Unauthorized, unnecessary, or wrongful use will result in departmental disciplinary action which could include, but is not limited to, dismissal and/or criminal prosecution. When used in accordance with policy and law, the TASER® is considered a non-lethal control device which is intended to temporarily incapacitate a violent or potentially violent individual while minimizing the potential for causing death or serious injury. It is anticipated that the appropriate use of this device will result in fewer injuries to officers and subjects.

I. AUTHORIZED USE:

TASER® is authorized for use only by designated officers who have been trained and certified in a course pre-approved by the Chief Probation Officer. "Designated Officers" includes permanent employees in the Probation Officer and Juvenile Corrections Officers series. Only Kern County Probation Department owned/provided TASER® devices are authorized to be used during the course of employment. Off-Duty use of Department issued TASER® devices is prohibited. Violation of this restriction may result in disciplinary proceedings.

II. USE OF TASER:

The TASER® is but one of the options available to officers. The TASER®, like the impact weapon, OC spray or empty hand techniques may not be effective in every situation. Officers must assess the effectiveness of each application and determine whether further applications are warranted, or a different tactic should be attempted. The decision to use the TASER® will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.

Authorized personnel may use a TASER® device when the circumstances known to the individual officer at the time indicate that the application of the TASER® is reasonably necessary to subdue or control:

1. A violent or physically resisting subject who poses an immediate threat to the safety of the officer or others: or

2. A potentially violent or physically resisting subject who is reasonably likely to pose an immediate threat to the safety of the officer or others, if:
 - a. The subject has verbally or physically demonstrated an intention to resist.
 - b. The officer has given the subject a verbal warning of the intended use of the TASER®, when applicable, followed by a reasonable opportunity to voluntarily comply.
 - c. Other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or third parties.

Although not absolutely prohibited, officers should give additional consideration to the unique circumstances involved prior to applying the TASER® to any of the following individuals:

1. Pregnant females
2. Individuals who are at the extremes of age
3. Individuals who are handcuffed
4. Individuals who are obviously frail or infirm

As a general rule, the TASER® should only be applied in the below scenarios if the officer, partner, or citizen is in immediate threat of great bodily injury or death:

1. When the officer knows a subject has come in contact with flammable liquids or is in a flammable atmosphere.
2. When the officer knows the subject is in a position where a fall may cause substantial injury or death.
3. Subject is operating a motor vehicle.
4. Subject is holding a firearm.
5. In a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary.

The TASER® creates a loud “popping” noise when deployed; therefore, when possible, officers are to announce to other staff on site that a TASER® is being

deployed. When attempting to subdue a subject, it is safe to touch a subject who is being "Tased", even while the TASER® is still active. Cover officers should move immediately to take a subject into custody before the subject recovers from the effects of the TASER®. The only concern is that officers should NOT touch the probes themselves while taking the suspect into custody.

III. TRAINING AND CERTIFICATION:

Officers who have been certified as TASER® instructors will be the only authorized persons to instruct on the TASER®. Training will be conducted in accordance with department protocols. Officers authorized to use a TASER® must successfully complete an initial certification training course, to include written and practical tests. Once certified, officers must attend periodic re- certification training.

IV. EQUIPMENT CARE AND HANDLING:

Officers will use only authorized TASER® equipment issued by the Kern County Probation Department. The TASER® will be inspected for damage and cleanliness, and batteries and cartridges replaced when requested by the officer. The battery display will be checked on the CID at the beginning of each shift. A reading of 20% or less will require the TPPM/battery pack be changed. Officers should conduct a spark test at the beginning of their shift to ensure the TASER® will function properly. A spark test is an equipment check conducted outside of public view to ensure the TASER® is operable. It is conducted by pressing the ARC button and observing the electrical arc, the CID for any system/cartridge faults, and battery life. This spark test does not require completion of a use of force report. Officer's TASER® will be loaded with two 25-foot air cartridges unless specifically designated by the Taser Coordinator to use a different length cartridge. Officers shall carry the Taser in a holster approved by the Taser Coordinator, on the side of the body opposite to the side of the officer's primary firearm and be drawn by the hand opposite of the hand the officer uses to draw their firearm. When not being worn or entering any detention facility the officer shall secure their TASER® in either a gun locker, locked desk, or locked vehicle.

V. DEPLOYMENT:

When Officers fire probes at an individual, the areas with large amount of muscle tissue should be targeted. Consistent with the manufacturer's recommendations, the chest area near the heart should not be targeted. Leg strikes may provide a higher likelihood of incapacitation if the subject is wearing unusually thick clothing or the physical surroundings do not allow an upper torso strike. Thick layers of clothing do not usually cover the legs.

Officer shall:

1. Give a warning, to the subject and other officers before deploying the TASER® on a subject unless it would otherwise endanger officer

safety or is impractical due to circumstances. The fact that a verbal and/or other warning was given or reasons it was not given shall be documented in any related reports.

2. Target center mass of the body.
3. Attempt to avoid hitting the subject in sensitive tissue areas such as head, face, neck, groin, or female breast area; however, probes penetrating these areas will be removed by medical personnel at a medical facility or by emergency medical aid.
4. Use "Drive Stun" as necessary based on the totality of the circumstances and when "Drive Stun" will bring a subject safely under control. If initial application is ineffective, officer will reassess situation and consider additional TASER® applications or other available force options.
5. Be aware subjects who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, tolerance to pain, or who require a physical encounter with multiple officers to bring under control, may be at an increased risk of sudden death (Excited Delirium). Any subject displaying the above symptoms or any form of distress following a TASER® application shall be examined by qualified medical personnel as soon as practicable.

VI. POST-DEPLOYMENT:

1. Notification of a TASER® deployment shall be made to an on-duty supervisor.
2. The expended cartridge, wire leads, probes, and several AFIDs shall be collected and booked as evidence. If any of the above is not able to be collected, the reasons shall be documented in any related report.
3. When probes penetrate the skin and remain embedded, the prisoner shall be transported to the nearest hospital for clearance to have probes removed or if warranted, request emergency medical aid. If probes penetrate but fall out, probes shall be treated as a biological hazard.
4. Any person who has been subjected to the electrical discharge of a TASER® and/or struck by TASER® probes shall be medically cleared prior to booking.

5. Photographs of the affected areas of the subject's body shall be taken after the probes have been removed.
6. The transporting officer shall inform any person receiving custody of the prisoner that the individual has been subjected to the application of the TASER®.
7. Complete a use of force report, including photographs, in accordance with the Department Use of Force Policy, whenever a TASER® is fired, whether a subject is struck or not, or when the drive stun method is used.
8. A copy of the use of force report, TASER® X2 Download Report, pictures, and Taser CEW Use Report shall be sent to the Taser Coordinator.
9. In the case of a negligent or accidental discharge the officer shall immediately notify their supervisor and the Taser Coordinator. A memo shall be completed and turned into the officer's supervisor and a copy sent to the Taser Coordinator.

VII. TASER COORDINATOR:

The Kern County Probation Department will assign a Taser Coordinator to manage the Taser program. The Taser Coordinator shall have the following responsibilities:

1. Ensure a log is maintained for weapon/cartridge/holster check-out.
2. Ensure a log is maintained containing the officer's name and their assigned Taser serial number.
3. Maintain a log including all TASER® deployments, the success or failure of those deployments and all injuries associated with each deployment.
4. Develop the Kern County Probation Department's Taser Training Program curriculum.
5. Coordinate certification and update training in the use of the TASER® to officers.
6. Coordinate the updating, downloading, and maintenance of officer's TASER®.