

 <p style="text-align: center;"> <i>University of Pittsburgh Police Department</i> Rules & Regulations Manual </p>	Reference Number: (Chapter / Section) 4-2
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Title: Conducted Electrical Weapon (TASER)	

1.0 POLICY

It is the policy of this agency to use objectively reasonable force to control or overcome the resistance put forth by subjects who are violent, exhibiting threatening or potentially violent behavior, or physically resisting arrest or detention. TASER's may be used by authorized and trained personnel in accordance with guidelines of the UPPD's Use of Force policy, TASER established training, and additional guidelines established herein. The authorized Conducted Electrical Weapon (CEW) for use by UPPD officers is the TASER "X-26P". The TASER is NOT a replacement for the officer's firearm. In those incidents where the officer reasonably believes the actions of a subject are an immediate threat of death or serious bodily injury to the officer or another person, the TASER should not be used without firearm back-up.

2.0 DEFINITIONS

TASER - A conducted electrical weapon (CEW) that uses electricity to override voluntary motor responses, or apply pain in order to gain compliance or overcome resistance.

Spark Test - Activation of the TASER with no cartridge inserted for the purpose of verifying the operability of the TASER as well as preserving the life of the TASERs internal electronics. The TASER should be allowed a full cycle of five (5) seconds.

- Probe Mode - The primary setting on the TASER that allows the systems propulsion system to deploy two small probes that are attached to the TASER by insulated wires.
- Contact Mode - Also referred to as "drive stun". A secondary function of the TASER. Drive Stun is possible when the air cartridge has been expended or removed, or when the probes are deployed at close range with minimal spread. This action requires pulling the trigger and placing the TASER in direct contact with the subject. Drive stun is frequently used as a non-incapacitating compliance technique. It can also be used to incapacitate a subject where at least one probe is attached to the subject's body.
- Cycle - The time during which electrical impulses are emitted for the TASER following activation. The standard cycle is five (5) seconds for each trigger pull.
- AFID Tags - Small identifying cards expelled from a TASER air cartridge when probes are discharged. Each tag contains a serial number specific to the air cartridge used. AFID stands for Anti-Felon Identification.
- Deployment - To fire a TASER cartridge, display the arc, or to touch or attempt to touch a subject with the TASER while the TASER is in stun mode.
- Active Resistance - The use of physical force by the subject to defy an officer's lawful arrest or attempt to gain control of a situation that requires police action.
- Passive Resistance - Defying an officer's lawful order without the use of physical force. Behaviors may include, but are not limited to the following: not moving, going limp, locking of arms, or tightening of the body.
- Sensitive Population Group - Include those who obviously appear to be, or are known to be, children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker.
- Objectively Reasonable - The Fourth Amendment standard whereby an officer's belief that they must protect themselves or others from death or serious bodily injury is compared and weighted against what a reasonable officer would have believed under similar circumstances. This determination is made by reviewing all relevant facts and circumstances of each particular case, including, but not limited to, (1) The severity of the crime at issue, (2) whether the subject poses an immediate threat to the safety of the officer or others, (3) whether the subject is actively resisting arrest or attempting to evade arrest by flight.

3.0 PROCEDURES

A. Authorized Users

Only those who have successfully completed the UPPD's approved initial and in-service training programs are authorized to use a TASER. Additionally, the department issued TASER shall only be used while acting in an official law enforcement capacity as a University of Pittsburgh Police Officer. Once trained, all UPPD officers must carry the TASER while on duty and in uniform; unless the privilege has been revoked by the Chief of Police.

B. Weapon Readiness

1. The device shall be carried on the duty belt in an approved holster on the side of the body opposite the service handgun and presented in a cross draw manner. Upon approval from the Chief of Police, Officers assigned to a specialized unit may utilize other carry positions consistent with department training.
2. The device shall be carried with a cartridge inserted into the TASER and the safety on, in preparation for immediate use.
3. Officers shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure or the need for redeployment. The spare cartridge shall be stored and carried in a manner consistent with training and they will be replaced following the manufacturer's expiration requirements.
4. Only manufacturer approved battery power sources shall be used.
5. The TASER shall be subjected to a weekly pre-shift "spark test" as defined in this policy to ensure the device is functioning properly. The "spark test" should take place within the Public Safety Building. The "spark test" shall be recorded in the "TASER Pre-Shift Test Log". When conducting the "spark test" the weapon shall always be aimed in a safe direction and never towards another person.
6. No modifications or repairs shall be performed on the device unless authorized by the department in writing.

C. Deployment

1. The TASER is generally authorized to be used in circumstances where grounds to arrest or detain are present and the subject's actions cause a reasonable officer to believe that physical force will be used by the subject to resist the arrest or detention. Such actions may include but are not limited to:
 - a. use of force against the officer or another person;
 - b. violent, threatening, or potentially violent behavior;
 - c. physically resisting the arrest or detention;
 - d. flight in order to avoid arrest or detention, in circumstances where officers would pursue on foot and physically effect the arrest or detention.
 - e. self-destructive behavior.
2. The TASER **SHALL NOT** be used in the following manner:
 - a. Against a subject exhibiting passive resistance or non-compliance.
 - b. Against an unarmed suspect attempting to elude capture by fleeing that is wanted for a non-violent misdemeanor, summary offense, or traffic offense.

- c. For the dispersal of non-violent persons, disorderly crowds, or in situations where people are peacefully exercising their Constitutional Rights of Free Speech or Assembly.
 - d. At random or as a threat to gain compliance or information.
 - e. In any environment where an officer reasonably believes that a flammable, volatile, or explosive material is present. Including but not limited to gasoline, natural gas, propane, or alcohol based oleoresin capsicum (OC) spray.
3. The TASER **SHOULD NOT** be used in the following manner, unless exigent circumstances exist:
- a. Against a subject when in an elevated position where a fall may cause substantial injury or death.
 - b. Against a subject in physical control of a vehicle in motion to include automobiles, trucks, motorcycles, ATV's, bicycles, and scooters.
 - c. On handcuffed persons unless necessary to prevent the individual from inflicting serious bodily injury to themselves or others.
 - d. Against an individual who attempts to ingest or is suspected to have ingested narcotics or other evidence; at which time they will be transported to the nearest hospital.
 - e. When other officers are in close contact with the subject.
4. The TASER is most effective at overcoming resistance and assisting officers with subject control when used in the "probe mode", which is the preferred deployment technique when practical.
5. A verbal warning of the intended use of the TASER should precede deployment, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances.
6. The device should be aimed at the subject, fired, and cycled in a manner consistent with and as outlined in training, while exercising reasonable effort to target lower center mass while avoiding the head, chest, neck, and groin.
7. The Taser may also be used in limited close-range, self-defense, and pain-compliance circumstances in the "contact" mode, if there is no opportunity to use the device in the preferred "probe" mode. When the TASER is used in "contact" mode it is:
- a. primarily a pain compliance tool,
 - b. generally, less effective than when probes are deployed with spread in excess of twelve (12) inches, and
 - c. subject to the same deployment guidelines and restrictions as probe deployments.

8. An alternative method of close-range deployment involves firing the TASER cartridge at close range, then applying the TASER in “contact” mode to an alternate part of the body. This creates a “probe spread” effect between the impact location of the probes and the point where the TASER is placed in contact with the subject’s body, resulting in an increased probability of subject control as compared to the standard “contact” mode. When the TASER is used in this manner, it is:
 - a. potentially as effective at subject control as a conventional cartridge-type probe spread deployment, and
 - b. subject to the same deployment guidelines and restrictions as any other TASER cartridge deployment.
9. Officers shall be aware of the general concerns raised when a TASER is used on a member of a sensitive population group. Officers are not prohibited from using a TASER on such persons, but the use is limited to those exceptional circumstances where the potential benefit of using the device (i.e. injury reduction) reasonably outweighs the risks and concerns.
10. When activating a TASER, officers should use it for one (1) standard cycle (a standard cycle is five (5) seconds) and should evaluate the situation to determine if additional cycles are necessary. Personnel should consider that exposure to multiple activations, continuous cycling and exposure to the TASER longer than fifteen (15) seconds may increase the risk of death or serious injury.
 - a. Any additional activation should be independently justifiable and should be weighed against other force options. **UNDER NO CIRCUMSTANCES ARE OFFICERS AUTHORIZED TO ADMINISTER MORE THAN THREE (3) CYCLES AGAINST A PERSON.**
11. In determining the need for additional cycles beyond the first, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.
12. If the subject does not respond to the TASER deployment in the anticipated control manner based on training and experience, officers should consider transitioning to alternative resistance control measures.
13. Officers should not deploy multiple TASERs against a person simultaneously, except in exceptional circumstances. These circumstances are narrow by definition and include:
 - a. Malfunction of the primary officers TASER
 - b. Unsuccessful deployment of the primary officers TASER
 - c. Loss of conductivity due to the subject’s actions.
14. To minimize the number of cycles needed to overcome resistance and bring the subject under control, the subject should be secured as soon as practical while affected by TASER power or immediately thereafter.

D. POST-DEPLOYMENT CONSIDERATIONS

1. Officers shall notify UPPD dispatch of the TASER deployment and a supervisor shall respond to the scene of the incident.
2. Officers shall request paramedic response, or the subject shall be transported to a medical facility any time that a TASER is activated against them.
3. The TASER darts may be removed from the subject's flesh only by paramedics or other qualified medical personnel.
4. If the probes penetrate the flesh, photographs of the contact area shall be taken after they are removed.
5. A medical release from a hospital will be obtained for all subjects exposed to the discharge of the TASER, either by contact stun or probes if the subject is to be lodged in the Allegheny County Jail or other detention facility.
6. When the TASER has been used operationally, the officer shall collect the cartridge, wire leads, darts, AFIDs, and secure them as evidence. TASER darts shall be treated as a biohazard risk and packaged accordingly.

E. REPORTING

1. The deploying officer shall notify their supervisor as soon as practical after deploying the TASER.
2. A UPPD Supervisor Use of Force to Control (SUFCR) report shall be completed for the incident by the responding supervisor.
3. Officers shall specifically document in their incident report the circumstances and facts that reasonably required the use of the TASER.
4. Data from the TASER, including audio/video recordings (if so equipped), shall be downloaded following use and the file shall be considered a part of the SUFCR.

F. AUDITING

All UPPD TASERs will be subjected to regular data downloading by shift Lieutenants. The data obtained will be reconciled with existing SUFCRs and pre-shift testing reports to ensure accountability between the cycles recorded, and those documented in such reports.

G. REVOCAION OF CERTIFICATION/ PRIVLEDGE TO CARRY A TASER

The issuance and authority to carry a TASER is a privilege granted to trained officers / supervisors and is not to be construed as standard issue equipment. As such, the Department reserves the right to revoke this privilege. Any such revocation shall not prevent or limit the department from invoking any disciplinary charges, penalties, or other remedies available.