

## Survey to Chief APOs

**Issue: Taser Sample Policy**

**Question (from Susquehanna County):**

**We are considering arming probation officers with Tasers. Anyone willing to share policy copy?**

York County

See appendix

	<b>YORK COUNTY DEPARTMENT OF PROBATION SERVICES</b>	<b>Section:</b>	<i>Safety</i>
		<b>Subject:</b>	<i>TASER</i>
	<b>Policy No.</b>	IV-0006	
	<b>State Standard</b>	4-APPFS-3A-12, 13, 22, 23; 4-APPFS-3B-01, 02, 03, 04, 05, 06, 08; 4-APPFS-3D-12	
	<b>Revised Date</b>	January 1, 2018	
<b>ADULT AND JUVENILE OFFICE</b>			

## TASER Policy

### I. PURPOSE

The York County Probation Services Department is dedicated to maintaining the safety of its probation officers. Safety equipment is provided to officers, which may include a Conducted Electrical Weapon (CEW). The purpose of a CEW is to affect an arrest that involves a resistant subject, to protect oneself in the presence of physical harm, or to remove oneself from a potentially dangerous situation that may result in an injury to the officer(s).

### II. POLICY

A. In compliance with the Use of Force Continuum, officers may **remove a Taser from its holster** and verbalize a warning that it might be discharged, under the following circumstances:

1. When a person makes a statement that gives the probation officer cause to believe that someone at the scene may utilize physical aggression.
2. When any person present at the scene assumes a posture or makes a gesture commonly known to be indicative of escalation towards physical aggression.
3. When a person present at the scene is pursuing a course of action that could bring serious harm to themselves or to others, such as an intoxicated individual attempting to operate a vehicle, a person holding a knife to their own throat threatening suicide, etc.

B. In compliance with the Use of Force Continuum, officers may **discharge a Taser** under the following circumstances:

1. When a person refuses to comply with a warning given under Section II, A listed above.

2. When a person engages in physical aggression against another person.
3. When a person reaches for, gains possession of, or otherwise dangerously makes use of something that is, or that could become, a deadly weapon.
4. When an individual with a warrant is fleeing detainment—*only if there is reason to believe that the individual's escape could present a disproportionate risk.* (For example, a suicidal absconder, a person about to run into traffic, a high-risk sexual offender, etc.)
5. Upon an aggressive dog or other animal that is attacking, or appears likely to begin attacking, a person.

**Misuse of the TASER:** In the event of reasonable cause to believe the TASER was misused or excessive force was used, the TASER will immediately be surrendered and secured by a member of management or a PSS Instructor. Excessive use of force and/or misuse of the TASER may result in discipline, up to and including termination.

Staff approved to carry a TASER per this policy, must notify their direct supervisor and/or a PSS Instructor of any physical and/or pharmacological condition that could affect their ability to perform their duties or carry a TASER. Any such information disclosed by a staff person is confidential consistent in respect to the law regarding disclosure of such information.

### III. PROCEDURE

#### A. Eligibility:

1. Users of Tasers must fall within one of the following categories: Probation Officer, Unit Supervisor, Deputy Director, or Director.
2. Officers wishing to carry the departmental approved Taser, must successfully complete an initial six hour training provided by certified Taser instructors and attend a yearly re-certification training thereafter.
3. Individuals, who are being newly certified in the use of a Taser, will be exposed to the effect of Taser unless they present a valid written medical excuse to the Department Taser instructors and the management team. The Officer will be exposed to a maximum of a three to five second Taser probe deployment. This exposure will be videotaped and retained for liability purposes. An officer may opt to also experience a drive stun with the Taser; however, it is not mandatory.
4. Officers are not eligible to carry or otherwise utilize a Taser if they have received disciplinary action within the prior twelve months for any safety-related infraction.

#### B. Access:

1. Tasers will be securely locked in an equipment cabinet in the Judicial Center Probation Office or approved satellite office. A Taser sign-out sheet will be maintained in each cabinet where the Tasers are stored.

2. Tasers at the Judicial Center will be signed out by the day in supervisor when possible. If the day in officer is unavailable, the officer requesting the Taser can contact another member of the management team or a Taser instructor. The same protocol will apply when a Taser is being returned.
3. Tasers at approved satellite offices will be signed out by the requesting officer.
4. Tasers may only be signed out for one day's usage. If a user believes there is a legitimate need to carry a Taser for two or more days in a row, they must bring the Taser back to the Judicial Center/satellite office and sign it in and back out each day. This procedure is mandated to assure that all officers have equal access to Tasers, and to maintain a precise accounting of where Tasers are at all times.
5. Officers may take a Taser home after completing their shift if participating in a special evening detail with the condition that it is placed in a secure location within their home. The officer assumes full responsibility and liability for the Taser while it is in their custody. Tasers stored in a secure location within an officer's home shall have the cartridges removed and placed in the shipping covers. The Taser shall be stored in its holster.
6. Tasers which are returned to the Judicial Center after a shift, but are unable to be locked in the appropriate cabinet shall be locked in a desk drawer or filing cabinet in the juvenile office or in the afterhour's cabinet in the adult office. Notification to management must occur promptly so that the Taser may be returned to its proper location.
7. When signing out a Taser, you must identify the individual who will be carrying the Taser and that individual will assume full responsibility for the Taser until it is signed back in.

C. Usage:

1. Officers may request usage of a Taser for Detainments and Field visits.
2. If a Taser is discharged, Officers shall follow established training protocols regarding duration of shock, repetition of shock, removal of probes, etc.
3. If a Taser is deployed and the barbs are located in the breast area of a female, face, throat, neck, and/or genitalia, the Officer will request Emergency Medical Service for removal.
4. If a Taser is deployed, the Officer shall collect the expended barbs, cartridge, and a few AFIDS (if possible) and placed into evidence.
5. If a Taser is discharged upon an individual, Probation Officers must contact emergency medical services. The individual may be treated at the scene or may need transported to a hospital/medical facility. Appropriate medical aid must be offered when an injury is known, an injury is suspected, or an injury is alleged.
6. The Probation Officers should obtain written documentation from the hospital stating that the individual is cleared to be placed in prison or shelter/detention center.
7. If a Taser is discharged upon someone other than a client on probation, the Officer should contact the police and request that a law enforcement officer come to the

scene to assume decision-making responsibilities regarding the individual who has been Tased.

8. If a Taser is discharged upon an animal, the Officer should contact Animal Control (via 911) to report the incident.

D. Work Related Incident and Documentation:

1. A Taser incident will include but is not limited to:
  - Unholstering a Taser
  - Drawing a Taser and pointing it at an individual
  - Deployment of a Taser
  - Theft, Loss, or Misplacement of a Taser
  - Misuse or unsafe handling of a Taser
2. In all of the above circumstances with the exception of simply removing the Taser from the holster, the Officer must complete an Incident Report and submit to their Supervisor by the end of their shift.
3. In circumstances where an Officer simply removes the Taser from the holster, the Officer will complete an incident report by the next business day. The incident report will be submitted to their Supervisor, then to a Taser Instructor.
4. Incidents where an officer removes the Taser from the holster while conducting field work but does not point the weapon at any individual will be reported quarterly to the President Judge. The information will include the following:
  - Total number of times this type of incident occurred
  - Of those, who were the probation officers involved
  - Nature of the circumstances that required the officer to remove the Taser from the holster.
5. In circumstances where a Taser is deployed (probe or drive stun), the Officer will complete the incident report and the Taser CEW Use Report and submit to their Supervisor by the end of their shift.
6. Any incident above and beyond just removing the Taser from the holster while conducting fieldwork and/or lost or stolen Taser, will be reported to the President Judge via memorandum within 24 hours of the incident.