

COUNCIL BILL NO. 2015 – 190

A RESOLUTION
AUTHORIZING THE PURCHASE AND REPLACEMENT COSTS OF TWENTY-FIVE (25)
TASERS, TASER CAMS, AND ACCESSORIES
(POLICE DEPARTMENT – TASER INTERNATIONAL, INC)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHAMPAIGN,
ILLINOIS, as follows:

Section 1. That the City Manager is hereby authorized to execute an agreement between the City of Champaign and Taser International , Inc. relative to the purchase and replacement costs of twenty-five (25) Tasers, Taser Cams and accessories for the Police Department at a price not to exceed \$61,869.18 in the first year of the agreement and a total of \$93,589.18 over five years. The term of the initial agreement will be from November 2015 through November 2020.

Section 2. That the City Manager is authorized to take such steps as are desirable and necessary to effectuate such purchase referred to in Section 1.

COUNCIL BILL NO. 2015 - 190

PASSED:

APPROVED: _____

Mayor

ATTEST: _____

City Clerk

APPROVED AS TO FORM:

City Attorney

REPORT TO CITY COUNCIL

FROM: Dorothy Ann David, City Manager

DATE: October 30, 2015

SUBJECT: EXPLANATION OF COUNCIL BILL NO. 2015 - 190

A. Introduction: The purpose of this Council Bill is to approve a five (5) year contract with Taser International, Inc. for the purchase and replacement costs of twenty-five (25) Tasers, Taser Cams and related accessories estimated at \$93,589.18.

B. Recommended Action: Administration recommends approval of this Council Bill.

C. Prior Council Action:

- On September 23, 2003, a public hearing was held seeking community input on proposed 2003 Local Law Enforcement Block Grant expenditures.
- On October 7, 2003, in Council Bill 2003-214, City Council approved the 2003 Local Law Enforcement Block Grant, which outlined the proposed purchase of Tasers for the Police Department.
- On February 17, 2004, City Council referred Council Bill 2004-41 to a Study Session on March 23, 2004. That Council Bill served to authorize the purchase of Tasers and associated equipment.
- On March 23, 2004, Council discussed the purchase of Tasers for use by the Police Department in SS 2004-17. Council held a straw poll with eight members present but the purchase did not have majority support.
- On January 8, 2010, the Police Department provided information to Council relative to proposed revisions of the Police Department's Use of Force Policy. Council input was sought on the proposed revisions.
- On September 15, 2015, Council discussed proposed modifications to the Police Department's existing Use of Force Policy which would allow the purchase and implementation of 25 Tasers in SS 2015-46. Council held a straw poll with six members approving the proposed modifications and three members voting against them.

D. Summary:

- Council provided direction at the September 15, 2015 Study Session to modify the Police Department's existing Use of Force Policy to allow the purchase and implementation of 25 Tasers.
- The Department seeks Council approval for a five (5) year sole source contract with Taser International, Inc. to purchase twenty-five (25) Tasers, Taser Cams and accessories including replacement costs estimated at \$93,589.18.

- Edward Byrne Memorial Justice Assistance Grant (JAG) funds previously awarded to the Department will be used for the initial purchase and first year replacement costs of \$61,869.18.
- Funds saved due to the Department's Safety Program and equipment replacement budget will be used in years two (2) through five (5) of the contract to fund the Tasers and Taser Cams replacement costs of \$31,720.
- The policy to govern the use of Tasers includes a thorough training and review process. Every Taser deployment will be thoroughly reviewed by each supervisor in the deploying officer's chain-of-command, the Department's Use of Force Review Board, and the Chief of Police.
- The group of officers selected and authorized by the Chief of Police to carry Tasers will primarily be comprised of Patrol Lieutenants, Patrol Sergeants, Special Weapons and Tactics (SWAT) Team members, and Crisis Intervention Team (CIT) members.
- One year following the limited implementation of Tasers, the Administration will conduct an evaluation of this implementation, prepare a written report, and present a summary of its findings to City Council.

E. Background:

1. Council provided direction to proceed. In a Study Session in September 2015, Council gave direction to staff to modify the Police Department's existing Use of Force Policy to allow for the initial purchase and implementation of twenty-five (25) Tasers. Justification and explanation for the modification to policy and the purchase can be found in the Report to Council for the Study Session (SS 2015-46).

2. Proposed contract will incorporate the Taser Assurance Plan. Taser International, Inc. permits customers to purchase the Taser Assurance Plan (TAP) which provides warranty coverage for Tasers and Taser Cams for five years, after which time they are replaced with new units at no additional cost to the City. Additionally, Taser provides on-site spares to ensure that officers are equipped with Tasers and Taser Cams, even in the case of malfunction or breakage at any point in their life cycle.

3. Terms of the proposed contract with Taser International, Inc. The proposed contract is for five (5) years, and it is anticipated to begin in November 2015. The initial purchase and first year of replacement costs through the TAP program for the Tasers, Taser Cams and accessories would cost approximately \$61,869.18 and would be paid for using grant funding previously awarded through the Edward Byrne Memorial Justice Assistance Grant (JAG).

The second through fifth year of the proposed contract obligate annual replacement costs of \$7,930 through the TAP program for Tasers and Taser Cams. The second and third year of the TAP program replacement costs of \$15,860 (\$7,930 per year) would be funded using Safety Program money available to the Department based on Article 39 of the Fraternal Order of Police (FOP) Contract. Article 39.1, SAFE AND HEALTHFUL WORKING ENVIRONMENT, paragraph 5 reads, "The members of the safety committee shall make annual written recommendations to the parties regarding the disposition of any savings experienced by the City as a result of the implementation of the safety program." The FOP recommended the use of

\$15,860 of the Safety Program money to be used to fund year two (2) and three (3) of the replacement costs for Tasers and Taser Cams. The fourth and fifth year of the TAP program replacement costs of \$15,860 (\$7,930 per year) would be funded through the Department's equipment replacement funds designated to pay for items ranging in cost from \$1,000 to \$4,999.

4. Current technology safeguards of equipment to be purchased. Taser International, Inc. has made considerable advances in Conducted Energy Weapon (CEW) technology over the last eleven years. The 25 Tasers to be purchased are digital, not analog. This distinction is important not only because the digital models continually measure and adjust the output as it is delivered, which results in 50% lower delivered charges, but also because the digital models can automatically limit deployments to 5 seconds. This limit prevents an officer from either accidentally or intentionally delivering a charge in excess of 5 seconds.

Video and audio recording capabilities are also now available on the Taser as an option with Taser Cams. The Police Department will be purchasing Taser Cams for every Taser that is purchased.

In addition, given the standard technology with which current Taser models are equipped, every action that an officer can take with a Taser is now captured and recorded by the device. The Tasers to be purchased produce a "Trilogy Log" which captures and records the following information:

- a. **Event Log** – The event log tracks events. An event begins when the safety is moved to the up (armed) position and ends when it is moved to the down (safe) position. The event log stores deployment information for each cartridge bay. Deployment events include cartridge type, deployment status (whether the cartridge was actually deployed or not), trigger pull, ARC switch activation, the duration of the cycle, date, and time. The event log also records any time that a system configuration is changed. System configurations include the date, time, time sync, LASER or flashlight on/off settings and firmware updates.
- b. **Pulse Log** – The pulse log records pulse activity (probe deployments and Warning ARC displays). The records include the stimulation potential of each discharged pulse, the ARC potential of each discharged pulse, and the charge of the pulse.
- c. **Engineering Log** – The engineering log monitors the performance of key sub-systems within the Taser and provides alerts to the user if a sub-system is not performing properly or maintenance is advisable. Any internal circuitry error that occurs inside of the Taser is written into this log. This information is used by Taser for diagnostics and warranty issues, but it would also be available in the event that a forensic examination of the weapon was requested or required.

5. Taser use to be guided by Champaign Police Department Policy. The Department's Use of Force Policy governs the principles used for all force by officers. After Council direction, the Department finalized a comprehensive, stand-alone policy to govern the use of Tasers. The Administration very much recognizes the responsibility that comes

with carrying Tasers and believes that a comprehensive, stand-alone policy is the most appropriate way to guide usage. (Attachment A: Champaign Police Department Taser Policy) The Policy attached with respect to Use of Force as well as a Policy specifically on Tasers has been reviewed by the Police Department and by the Legal Department. The attachments represent the substantially final policy. It might be expected, however, that upon further training on the products and receiving input after the training, there may be adjustments to the procedures involved in the policy. If that happens, any changes will be reviewed by the Legal Department prior to implementation and the Council will be advised of the changes before implementation.

- a. **Policy Includes Provisions to Address Behavioral Health Needs.** The Department's limited experience has shown that there is some likelihood that a Taser may be used against an individual suffering from a behavioral health crisis. Given that experience, Police Administration thoroughly reviewed the recommendations of the National Alliance on Mental Illness as it relates to law enforcement's use of less lethal weapons, including Tasers. The policy attached to this report is consistent with their recommendations.
- b. **Policy Meets Accreditation Standards.** The policy is in keeping with established best practices and meets accreditation standards. The following excerpts are considered key elements of the policy:
 - Every use of the device must be documented in a police report and such use will be reviewed by, at minimum, a Sergeant, a Lieutenant, a Deputy Chief, the Chief of Police, and the Use of Force Review Board.
 - Unless it would otherwise endanger the safety of others or officers, it requires that a warning be given prior to application.
 - It permits the use of the device only against those subjects who are violent, physically resistant, or present a danger to themselves or others.
 - It includes additional restrictions when high-risk populations are involved, including those who are or appear to be pregnant, those who are disabled, elderly persons, and small children.
 - It proactively requires either a medical assessment or medical treatment in the event that the device is applied to an individual.

6. Taser deployment to be thoroughly reviewed. Department policy requires a thorough review of each use of force incident, and this will include any Taser deployment. Reviews of officer Taser deployments will be conducted by a Sergeant, a Lieutenant, a Deputy Chief and the Chief of Police. The reviews will typically include a review of the police reports as well as all available video and/or audio evidence. At each level of review, the supervisor is responsible for ensuring the force used was in conformance with both Department policy and State law. During the review process, consideration will be given to any policy, training, and/or equipment issues that may have arisen during a Taser deployment. A Use of Force Analysis is also completed on an annual basis in an effort to identify trends that the Department may need to address.

Over the past three years, the Department has enhanced the review process by:

- Requiring that a supervisor immediately respond to the scene of any use of force incident. A supervisor responding to a use of force incident is required to identify and gather physical evidence, identify and interview potential witnesses, and ensure that medical aid is promptly administered to anyone in need.
- Establishing a Use of Force Review Board. The Board meets on a monthly basis and is comprised of command officers of each rank as well as members of the Defensive Tactics, Firearms, and Field Training Cadres. The Use of Force Review Board reviews each use of force incident in much the same manner described above and they are likewise responsible for determining whether or not force used during an incident was in conformance with Department policy and State law. During the review process, the Board also gives consideration to any policy, training, and/or equipment issues. The Board's findings and recommendations are forwarded to the Chief of Police for consideration.

Each Taser deployment would be subject to both supervisory and Board review. The Chief of Police would also be required to review each deployment. In the event that a deployment were found to be outside the confines of policy, the involved officer(s) would be subject to the disciplinary process and the Chief of Police would have the latitude to revoke the officer's authorization to carry a Taser. Taser deployments would also be included in the Department's annual Use of Force Analysis, a document which is made available to the public.

7. Training Requirements. Four officers from the Champaign Police Department have already successfully completed a 20-hour Taser Instructor course in September 2015. Each of those officers is now a Certified Taser instructor.

The Police Department will be utilizing the four Certified Instructors to train and certify those members of the Department who are ultimately selected to carry a Taser. Those officers selected to carry a Taser will attend two days of certification training totaling approximately 20 hours. That training will include approximately 2 hours on de-escalation techniques and also enable end users to demonstrate proficiency in all of the uses and functions of the Taser, including the safe and proper deployment of the device. On an annual basis, those officers selected to carry a Taser will be required to attend and successfully complete a 10-hour re-certification course.

All the officers at the Department who are not carrying Tasers will still need to attend Taser familiarization training for approximately 30 minutes each. The training will teach officers when it is appropriate to request a Taser. It will also explain the roles and responsibilities of all at the scene of a Taser deployment.

8. Next Steps. The following steps will be necessary in order to accomplish the limited implementation of Tasers:

- a. Purchase.** The purchase is anticipated to take place in November 2015.

- b. Selection.** The group of officers selected by the Chief to carry will primarily be comprised of Patrol Lieutenants, Patrol Sergeants, Special Weapons and Tactics (SWAT) Team members, and Crisis Intervention Team (CIT) members
- c. Training.** The Department will need approximately 60 days to train and certify those officers who are selected and authorized by the Chief of Police to carry a Taser and to train all Department officers on Taser familiarization and policy.
- d. Implementation.** It is anticipated that officers will begin carrying Tasers in December 2015 or January 2016.
- e. Evaluation.** One year following the limited implementation of Tasers, the Administration will conduct an evaluation of this implementation, prepare a written report, and present a summary of its findings to City Council.

9. Corporation Meets Equal Opportunity in Purchasing Ordinance. Taser International, Inc. has complied with the City of Champaign Equal Opportunity in Purchasing Ordinance. Taser International, Inc. received an Annual Certificate of Compliance from the Champaign Community Relations Department on October 26, 2015. Taser International, Inc employs 491 individuals, 129 of which are minorities and 202 of which are females.

10. Future Council review. As previously stated, one year following the limited implementation of Tasers, the Administration will conduct an evaluation of this implementation, prepare a written report, and present a summary of its findings to City Council. In addition, a summary of Taser deployments will become part of the annual Use of Force Analysis which is already compiled in an effort to identify trends that the Department may need to address. In the future, if the Chief decides to increase the number of Tasers carried by officers, Council will be notified in writing.

F. Alternatives:

1. Approve the Council Bill authorizing the City Manager to execute a five-year agreement with Taser International, Inc. for the purchase and replacement costs of twenty-five (25) Tasers, Taser Cams and accessories for \$93,589.18.
2. Do not approve the Council Bill and provide further direction to staff.

G. Discussion of Alternatives:

Alternative 1 would authorize the purchase and replacement costs of twenty-five (25) Tasers, Taser Cams and accessories.

a. Advantages

- On those occasions when the use of a Taser may be appropriate, the Department would have immediate access to a safer alternative than other currently available use of force options.
- Each deployment would be conducted by an officer who has successfully passed the Department's training requirements, would be within the confines of Department's policy, and would be subject to the Department's review and disciplinary processes.
- The incidence of injury to citizens, suspects, and officers would be reduced.
- The number of unserviceable officer positions would be reduced, thereby increasing the level of service that the Department is able to provide to the community.

b. Disadvantages

- There are likely some members of the community who continue to have concerns about the limited implementation of Tasers and may not support this proposal.
- The purchase of a limited number of Tasers would require the expenditure of grant funds which could be used for other purposes.

Alternative 2 would not approve the Council Bill and provide further direction to staff.

a. Advantages

- Depends upon the Council direction provided.
- The purchase of a limited number of Tasers would require the expenditure of grant funds which could be used for other purposes.

b. Disadvantages

- The Department would still be required to call another agency for assistance in those instances in which a Taser deployment would be appropriate.
- In such instances there would be a delay before the Taser would be available as a means of safely resolving an incident.
- The officer deploying a Taser would not be subject to the Department's training standards, policy requirements, or review process.
- The incidence of injury to citizens, officers, and suspects would not be reduced.
- The number of unserviceable officer positions would not be reduced.

H. Community Input: More than 175 citizens and 90 students attended a series of community dialogues which were hosted by the Police Department during the spring and early summer of 2015.

During those dialogues, the Administration openly discussed with the citizens the Department's intention to pursue the purchase and limited deployment of Tasers in the immediate future. Although some community members in attendance questioned the purchase and limited

implementation of Tasers, those questions were primarily centered around how and when Tasers would be used, how much training would be required of officers carrying Tasers, and whether or

not the Department would be purchasing body cameras in conjunction with Tasers. Very little opposition was publically expressed, and the community members in attendance appeared to be largely supportive of the Department's efforts to pursue the limited implementation of Tasers.

In addition, on a monthly basis the Administration and other Department personnel regularly attend neighborhood group meetings held throughout the various police Districts. During those meetings, information is freely exchanged between the Department and citizens and opportunities for citizen input are regularly afforded.

The Administration also paid particular attention to the public comments that were made and the community input that was provided as the City of Urbana and the Urbana Police Department held public meetings and addressed this same topic earlier this year.

Citizens also had an opportunity to give feedback and provide input during the Study Session concerning this proposal on September 15, 2015. Ten citizens spoke to Council about this matter, with four citizens speaking against the purchase of Tasers, three citizens speaking for the purchase, and three giving neutral comments. Of the citizens speaking against the purchase, one expressed concerns about the mentally ill and those with heart problems. One citizen expressed concerns that Tasers are responsible for the deaths of many people and that eight hours of training should be provided to officers on de-escalation techniques. This citizen stated that the Department should get body cameras. Another citizen believed that the psychology of the black community would be damaged by the Department purchasing Tasers. Another person commented that the relationship with neighborhoods and police have not improved and also expressed concern that Tasers can cause death. Two of the citizens speaking believed that staff needed to do further investigation on this topic.

Two citizens at the Study Session speaking for the purchase of Tasers believed relationships in the City have improved. One citizen stated that she had ridden with officers before and found them to be respectful while expressing concerns for their own safety. She stated that she believed that Tasers could assist in reducing the 1.5 million dollars spent in five years on workers' compensation payments and medical bills for officers injured by resisting subjects. Two citizens believed that the changes to the Use of Force Policy allowing Tasers were good and facilitated transparency while allowing Chief Cobb to choose who carried them. Two of the citizens basically asked that data be objectively considered with one expressly stating support for Chief Cobb's judgment.

I. Budget Impact: If approved, the purchase of 25 Taser units with cameras, accessories, and a 5 year Taser Assurance Plan will cost \$93,589.18. The Department will use Justice Assistance Grant (JAG) funds for the initial purchase of \$61,869.18, and a combination of the Safety Program money and Equipment Replacement funds to pay the annual recurring cost of \$7,930 for a total of \$31,720.

The Police Department will fund this purchase as follows:

2013 JAG Grant funds	\$29,000.00	
2014 JAG Grant funds	\$32,869.18	
Safety Program Savings	\$15,860.00	(per Article 39 of FOP Contract)
		(year two and three of recurring costs)
Msc Equipment Funds (840)	\$15,860.00	(\$7,930 per year from year four going forward)
Total 5 year Cost:	\$93,589.18	

In addition, four officers were certified as Taser instructors in September 2015 at a cost of approximately \$2,600 using Justice Assistance Grant (JAG) funds. The total five year cost of this purchase is covered by existing department funds. No additional funding is being requested for this purchase at this time.

J. Staffing Impact: It is estimated that staff spent approximately 600 hours on research, discussion, purchasing and report preparation. The 4 officers who completed Taser instructor certification spent a total of 80 hours in training. Each of the 25 officers selected to carry a Taser will complete 20 hours of initial certification training for a total of 500 hours. Each of those 25 officers will complete 10 hours of training on an annual basis for re-certification for a total of 250 hours each year. All officers will go through approximately 30 minutes of Taser familiarization training for a total of approximately 60 hours.

Prepared by:

Prepared by:

Reviewed by:

Reviewed by:

Jon Swenson
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Troy Daniels
Deputy Police Chief

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Financial Services
Manager / Budget
Officer

Anthony Cobb
Chief of Police

Attachments: Champaign Police Department Taser Policy (Attachment A)

CHAMPAIGN POLICE DEPARTMENT

POLICY and PROCEDURE

POLICY NUMBER: 1.10

SUBJECT: TASERS

EFFECTIVE DATE: 00/00/00

REVISED DATE:

REFERENCE ILEAP: ADM.05.01
ADM.05.02
ADM.05.03

Drive Stun: A drive stun is administered by activating the CEW and placing it in direct contact with an individual's body.

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Dual Air Cartridge: An item which contains compressed nitrogen, AFIDs, two probes, insulated wires, and is capable of two discharges. It is identified by a tamper-resistant serial number.

Laser Painting: Pointing the lasers of an armed Taser at a subject in an attempt to gain compliance.

Passive Resistance: Resistance without active measures, such as the use of body weight alone to prevent arrest.

Probes: Small, barb-like projectiles fired from the CEW which are connected to the CEW by wires and which are used to attach to the subject to send the electrical signal.

PURPOSE:

The purpose of this policy is to establish training standards for Conducted Energy Weapons (CEW); to establish guidelines for their use; to establish procedures for post deployment medical aid, and; to establish requirements for the proper reporting of incidents during which a CEW was activated or deployed.

TASER: An approved, department-issued TASER model X2.

Test Arc: A test of the CEW as prescribed by the manufacturer's instructions.

Warning Arc: Arc mechanism is activated and displayed toward a subject (with no contact made) to assist in gaining compliance prior to the deployment of probes as may be reasonably necessary.

DEFINITIONS:

Active Aggression: The actual advancing, challenging, or physical assault made by a subject, or behavior causing an officer to reasonably believe the subject intends to cause injury to others or the officer.

POLICY:

Active Resistance: Resistance with physically evasive movements to avoid physical control such as fleeing, flailing, bracing, tensing, pushing, or verbally signaling an intention to actively avoid being restrained.

1.10.1 TRAINING

AFID(s): Confetti-like pieces of paper which are expelled from the cartridge of a CEW. Each AFID contains an alpha-numeric identifier unique to the cartridge used.

A. Authorization for an officer to carry a Taser can be granted solely by the Chief of Police.

B. An officer who is authorized by the Chief of Police to carry a Taser shall only be permitted to do so after achieving certification.

C. The responsibility for the certification of authorized officers shall rest with the certified Taser Instructors. The certified Taser Instructors shall:

Conducted Energy Weapon (CEW): A device which utilizes propelled wires or direct contact to conduct energy to affect the sensory and motor functions of the nervous system.

1. Complete all certification and re-certification requirements issued by Taser, Inc.

Deployment: The activation of a CEW, a warning arc, laser painting a subject, contact with a subject or animal, and/or the discharge of an air cartridge – regardless of whether or not the probes strike their intended target. The display of a CEW, by itself, is not considered a deployment.

2. Maintain Certify each officer who is authorized by the Chief of Police to carry a TASER. Certification shall be in conformance with Taser guidelines and the requirements of this policy.

3. Re-certify each authorized officer on an annual basis. Re-certification shall also be in conformance with Taser guidelines and the requirements of this policy.
 4. Re-certify any authorized officer who has not carried a Taser as a part of their assignment for a period of six months or more must be re-certified prior to again carrying or using the device.
 5. Reassessment of an officer's knowledge and/or practical skill may also be required during re-certification at the direction of a command officer or certified Taser Instructor.
- D. The certified Taser Instructors and the Training Sergeant shall be jointly responsible for ensuring that all training, certification, and re-certification includes the following:
1. A review of this policy.
 2. A review of the Use of Force Policy.
 3. De-escalation techniques.
 4. A review of the Excited Delirium protocol.
 5. A review of documentation requirements, including incident reports and forms.
 6. The performance of weak-hand draws to reduce the possibility of unintentionally drawing and firing a firearm.
 7. Target area considerations, to include techniques or options designed to reduce the unintentional application of probes near the head, neck, chest, and groin.
 8. Scenario-based training and judgment-based training that highlights the limitations of Tasers and the possible need to transition to other force options.
 9. The handcuffing of a subject during the application of the TASER.
 10. Weapon retention techniques.
 11. Restraint techniques that do not impair respiration following the application of the TASER device.
 12. Recognition that multiple applications or cycling for more than 15 seconds, either cumulatively or continuously, may increase the risk of death or serious injury and should

be avoided unless necessary for the safety of the subject, others, or the officer.

- E. Any and all training, certification, and re-certification shall be documented in the officer's training file.
- F. The Training Sergeant is responsible for ensuring that each officer who carries a Taser has received initial certification and required annual re-certification. Verification shall take place through periodic audits.
- G. Command staff, supervisors, and investigators shall receive annual Taser training as deemed appropriate given the investigations they may be required to conduct and/or review.
- H. Those officers who do not carry Taser devices shall receive annual training that is sufficient to familiarize them with the device and enable them to work with officers who use the device.

1.10.2 ISSUANCE AND CARRYING OF TASERS

- A. Officers shall only use Tasers and cartridges that have been issued by the Department.
- B. An officer who has been issued a Taser shall wear the device in an approved and issued holster on their person.
 1. An officer carrying a Taser shall carry the Taser in a weak-side draw holster which is situated on the side of their duty belt opposite their duty weapon.
 2. All Tasers will be yellow in color to clearly distinguish them from a duty weapon or other device.
- C. An officer carrying a Taser shall perform an arc test on the unit prior to the beginning of each shift or work assignment to ensure the unit is functioning properly and has adequate remaining battery life.
- D. Each officer to whom a Taser has been issued shall be responsible for ensuring that his issued device is properly maintained and kept in good working condition.
- E. Unless circumstances do not permit an officer to holster a Taser prior to transitioning to a firearm, an officer shall not hold a firearm and a Taser at the same time.

1.10.3 VERBAL AND VISUAL WARNINGS

- A. Unless it would otherwise endanger the safety of others or an officer, or it is not practical due to the

circumstances, a verbal warning of the intended use of the TASER device shall precede its application. The purpose of the warning is to:

1. Provide the subject against whom it is intended to be used with a reasonable opportunity to voluntarily comply.
 2. Provide other individuals and officers with a warning that the Taser may be deployed.
- B. If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful order and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, perform a warning arc or perform a laser painting in further attempt to gain voluntary compliance prior to the application of the Taser. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his vision.
- C. The fact that a verbal or other warning was given, or the reasons it was not given, shall be thoroughly documented by the officer deploying the Taser in the related incident report.

1.10.4 USE OF THE TASER

- A. Use of the Taser will be governed by the Use of Force Principles outline in Policy 1.3.1 and this policy.
- B. The Taser has limitations and restrictions which require consideration prior to its use. The Taser should only be used when its operator can safely approach the subject within the operational range of the device. Although the Taser is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared to respond with other options.
- C. The Taser may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control:
1. A subject who is violent or actively resistant; or
 2. Actively aggressive; or
 3. A subject who has demonstrated, through words and/or actions, an intention to be violent, or actively resistant, or actively aggressive, and who reasonably appears to present a potential to harm himself, officers, and/or others.

- D. Passive resistance by itself will not be sufficient to warrant the deployment of a Taser device.
- E. Officers should deploy the Taser for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary.
- F. Officers shall be mindful of the fact that Taser deployments in excess of 15 seconds, whether due to multiple applications or continuous cycling, may increase the risk of death or serious injury. As a result, any subsequent applications must be independently justifiable and the risks of subsequent applications must be weighed against other force options.
- G. Mere flight from a pursuing officer, without other known circumstances or factors, is not sufficient to justify the use of the Taser.
- H. A Taser may, however, be deployed against a fleeing subject who is wanted for or suspected of committing a forcible felony.
- I. A Taser may also be deployed against a fleeing subject who has verbalized and/or demonstrated the intent to harm himself or others when there is a need to stop him without delay.
- J. If a subject armed with a Taser or other CEW attacks or threatens to attack an officer who is alone, the officer must defend himself or take actions to avoid becoming incapacitated and risking the possibility that the subject could gain control of the officer's firearm. However, if multiple officers are present a subject's attack with a Taser or other CEW against one officer should not in and of itself cause a deadly-force response by other officers.

1.10.5 SPECIAL DEPLOYMENT CONSIDERATIONS

- A. The use of a Taser against a member of a high risk population should generally be avoided unless the totality of the circumstances reasonably indicate that other available options are likely to be ineffective or would present a greater danger to the subject or others, including officers, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device.
- B. High risk populations include:
1. An individual who is either known to be or is obviously pregnant.
 2. An individual in a wheelchair or who is using another visible mobility assistance device such as a chair, crutches, or a cane.

3. Small children, elderly persons, and those who are visibly frail.
 4. An individual in an elevated position from which a fall could result in death or serious physical injury.
 5. An individual in physical control of a motor vehicle in motion, to include automobiles, trucks, motorcycles, ATVs, bicycles, and motorized scooters unless exigent circumstances exist.
- C. A Taser is not intended for use against a person armed with a firearm or other weapon that places others or the officer in imminent or immediate threat of death or great bodily harm.
 - D. A Taser should not normally be used against any individual who is handcuffed or otherwise restrained, absent overtly assaultive, self-destructive, or violently resistive behavior that cannot be reasonably addressed by other readily available means.
 - E. "Drive Stuns" shall not be utilized for pain compliance. "Drive Stuns" may be utilized only:
 1. To create distance between an officer and a subject when necessary to enable the officer to fully deploy the probes of a Conducted Energy Weapon or consider other force options; or
 2. To supplement the probe mode in order to complete the circuit.
 - F. A Taser should not normally be used in an environment where an officer reasonably believes that flammable, volatile, or explosive material is present, including, but not limited to, OC spray with volatile propellant.
 - G. Neither the deployment of Taser probes from a cartridge nor a "Drive Stun" is authorized in order to get a subject into a transport vehicle.
 - H. Officers shall not intentionally deploy more than one Taser at a time against a single subject.
 - I. An officer shall not intentionally target sensitive areas (e.g., head, neck, genitalia).
 - J. A Taser shall not be used to psychologically torment, elicit a statement, or punish an individual.

1.10.6 DANGEROUS ANIMALS

- A. A Taser may be deployed against an animal as part of a plan to deal with a potentially dangerous

animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not readily available or would likely be ineffective.

1.10.7 MEDICAL CONSIDERATIONS

- A. Absent extenuating circumstances, only an officer trained in the removal of darts or appropriate medical personnel shall remove Taser probes from a subject's skin.
- B. A discharged Taser probe shall be considered a biohazard and handled appropriately.
- C. Any individual who has been subjected to the electric discharge of a Taser shall be medically assessed on scene by a paramedic unit. If not safe or practical to do so on-scene, the individual will be assessed by medical personnel unit as soon as possible.
- D. Additionally, an individual who has been subjected to the electric discharge of a Taser and meets any of the following conditions shall, as soon as practical, be transported to a medical facility for an assessment:
 1. The person is suspected of being under the influence of alcohol and/or a controlled substance.
 2. The person is or may be pregnant.
 3. The Taser probes are, or were, lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
 4. A dart is broken under the skin or embedded in a manner so as to preclude easy removal.
 5. If the individual at any time requests to be treated at a medical facility.
 6. The person reasonably appears to be in need of medical attention.
 7. Paramedics suggest that the subject be transported to a medical facility.
 8. An officer recognizes signs of distress or a new complaint is verbalized by the subject at any time following the initial medical assessment.
 9. An individual was exposed to multiple or prolonged applications in excess of 15 seconds.
- E. If an individual refuses medical attention, such refusal shall be documented by medical

personnel and in related incident reports. If the contact is being recorded, the refusal should be captured if possible.

- F. The transporting officer shall clearly inform any person providing medical care to the subject or receiving custody of the subject that the individual has been subjected to the application of a Taser.

1.10.8 POST-DEPLOYMENT AND SUPERVISORY RESPONSIBILITIES

- A. An officer who discharges a Taser shall promptly notify an on-duty supervisor of the discharge.
- B. A supervisor shall respond to the scene of each incident in which a Taser was discharged.
- C. When possible, a supervisor shall respond to any call in which they believe there is a reasonable likelihood that a Taser may be used.
- D. The expended cartridge, along with both probes and wires, shall be collected and submitted into evidence. The cartridge serial number shall be documented in the evidence paperwork as well as the associated incident report. The evidence packaging shall be marked "Biohazard" if the probes penetrated the subject's skin.
- E. The Taser's onboard memory shall be downloaded through the data port by a supervisor and saved along with the associated incident report.
- F. Photographs of the probe sites and any injuries to any subject will be taken. In the event the injuries are in sensitive or private areas of the body, the shift supervisor shall request that appropriate medical personnel assist with the photo documentation. Those present shall also be interviewed as witnesses.
- G. As required by **Policy 1.3**, each incident involving a Taser discharge will be the subject of supervisory review.

1.10.9 REPORTING

- A. On each occasion that a Taser is discharged, the deploying officer shall document such deployment in the associated incident report and complete a Taser Deployment Form. The Taser Deployment Form shall be electronically completed and attached to the incident report.
- B. An unintentional deployment, the pointing of a Taser at an individual, laser painting, and/or the arcing of the device as a warning shall also be reported.

- C. Test arcs do not need to be reported.
- D. An officer who deploys a Taser shall include the same required information in the use of force report as outlined in Policy 1.3.6(A)(1).

1.10.10 REVIEW AND ANALYSIS OF TASER INCIDENTS

- A. Each Taser discharge will be reviewed in the same manner as all other use of force incidents in accordance with Policy 1.3.6, to include review of the incident reports and any/all relevant video captured by a squad video system or Taser camera.
- B. The incident will be reviewed by:
 1. A shift sergeant.
 2. A lieutenant.
 3. The Deputy Chief of Operations.
 4. The Chief of Police.
 5. The Use of Force Review Board.
- C. In addition, each deployment of a Taser by an officer of the Champaign Police Department will be reviewed and analyzed on an annual basis to determine any trends, training needs, or needs for policy modification.
- D. Information regarding Taser deployments will be included in the annual use of force report which is made available to the public.