



LOS ANGELES POLICE DEPARTMENT

USE OF FORCE

DIRECTIVE

UOF Directive No. 8

September 2023

ELECTRONIC CONTROL DEVICE TASER 7

PURPOSE

The purpose of this Directive is to familiarize officers with the use, nomenclature, and operation procedures for the TASER 7.



PROTOCOL

The Department's guiding principle when using force shall be reverence for human life. Officers shall attempt to control an incident by using time, distance and cover, communication, and available resources in an effort to de-escalate the situation whenever it is safe, feasible, and reasonable to do so. When warranted, Department personnel may use objectively reasonable force to carry out their duties. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.

Use of an intermediate force option, including the TASER, is an appropriate force option when an officer reasonably believes either of the following:

- There is an immediate threat to the safety of the officers or others; or,
- If the threat is not immediately addressed, there is an articulable risk the incident could escalate to the use of deadly force.

Intermediate force options should not be used on a suspect or subject who is believed to be unarmed, and, is passively resisting or merely failing to comply with commands. Verbal threats of violence alone do not justify the use of an intermediate force option.

Each application and subsequent re-activation of the TASER shall be objectively reasonable and proportional based upon the totality of the circumstances. When administering the TASER as a force option, Department personnel should continually assess to determine if the continued application of the TASER is appropriate and effective. Department personnel should avoid simultaneous activations of the TASER on a single suspect or subject.

Department personnel **shall not** administer a TASER using the drive-stun method (excluding three-point and four-point drive-stun) to any suspect or subject, unless

articulable circumstances exist justifying the need for drive-stun mode. These circumstances include when:

- Probe mode (or three-point or four-point drive-stun mode) is not feasible or is ineffective;
- The officer is unable to re-deploy away from the suspect or subject; or,
- The officer is unable to transition to another force option due to the violent nature of the altercation.

The Department uses the objectively reasonable standard and the totality of the circumstances when evaluating the reasonableness of the force used, which includes the number of times a particular force option was utilized. If the force option being utilized appears to be ineffective, Department personnel should consider transitioning to another, potentially more effective force option or tactic.

Officers who encounter an armed self-mutilating or suicidal individual shall not use a TASER against that person, unless the officer reasonably believes either there is an immediate threat to the safety of the officers or others; or, if the threat is not immediately addressed, there is an articulable risk the incident could escalate to the use of deadly force. If officers choose to use a TASER in these situations, they should utilize distance and cover, when feasible, to avoid placing themselves in a vulnerable position. Officers are reminded that it is not a criminal act to express suicidal ideations or commit/attempt to commit suicide or self-mutilation in the State of California.

The TASER may also be effective against aggressive animals to protect officers or others from serious injury.

Deployment Considerations

When practicable, officers should avoid using the TASER on individuals who:

- Are on an elevated or unstable surface which could cause a fall that could result in a significant impact injury;
- Are operating or riding any mode of transportation where the risk of injury would be substantially increased by use of the TASER;
- Are located in water, mud, or a marsh, and the ability to move is restricted;
- Are known to have a pacemaker, be pregnant, under 12 years of age, elderly, or visibly frail;
- Are near flammable or combustible fumes/liquids;
- Are in custody, e.g., handcuffed, restrained, or otherwise incapacitated or immobilized; and,

Tactical Considerations

- Continually evaluate the situation
- Consider another force option if the TASER appears to be ineffective
- Avoid repeated TASER applications where practicable to avoid possible injury

- Are fleeing/running away – Officers should consider containment, when feasible, as a tactical option to mitigate risk of injury, in addition to continually assessing the situation while considering the most appropriate tactical plan.

Note: Officers should not intentionally activate more than one TASER at a time on the same suspect or subject.

Use of Force Warning

An officer shall, when feasible, give a verbal warning prior to using the TASER to control an individual. A warning is not required when an officer is attacked and must respond to the suspect's actions. Additionally, if a tactical plan requires the element of surprise to stabilize the situation, a warning is not required. An example of this would be a hostage situation. However, officers are reminded that the surprise/tactical element must still be needed at the actual time the TASER is deployed.

The verbal warning should include a command and a warning of the potential consequences of the use of force. The command should be similar to “drop the weapon” or “stop what you are doing” followed by a warning similar to “or we may use the TASER, and that may cause you injury.”

The use or non-use of the warning shall be documented. The Non-Categorical Use of Force Report, Form 01.67.05, Use of Force Summary heading shall include:

- The name of the officer giving the warning; and,
- An explanation and appropriate justification for not using the warning.

Statements that the “element of surprise was needed” or “for officer safety reasons” will not alone justify the non-use of the warning. The explanation for non-use must:

- Clearly articulate why the element of surprise was needed;
- Explain in detail any officer safety considerations; and,
- List all pertinent reasons that justify why the warning was not provided.

The use of the warning or the reasons for non-use will be factors considered in the determination of whether the use of force was objectively reasonable.

PROCEDURES

The TASER shall be carried in a Department approved holster on the support side of the duty belt in either a cross draw or support side draw configuration. A TASER or cartridge should not be placed in a clothing pocket.

The most effective way to use the TASER is in “probe” mode. When the TASER is used in the probe mode, it has the ability to cause “neuro-muscular incapacitation” (NMI), which

is the stimulation of the motor nerves causing uncontrollable muscle contractions that inhibit a suspect's ability to perform a coordinated movement. When used in the "drive-stun" mode, the TASER causes localized pain to the suspect.

Note: Department personnel **shall not** administer a TASER using the drive-stun method (excluding three-point and four-point drive-stun) to any suspect or subject, unless articulable circumstances exist justifying the need for drive-stun mode.

In close-quarter situations, an effective technique is to apply a "three-point or four-point drive-stun" with a live cartridge. This "three-point or four-point" drive-stun technique requires the officer to deploy the cartridge from a minimum of two inches from the suspect to allow the probes to deploy. This minimal deployment distance alone will not likely cause an NMI effect. With the deployed cartridge activated and left in place, the officer then applies the drive-stun away from the impact site of the probes. The spread between the probe impact site and the location of the applied drive-stun could have an effect similar to a probe deployment from a distance with a substantial probe spread, thus potentially causing NMI.

The approved range of the TASER is 4-22 feet, split between the use of two distinct cartridges. The operating range of the Close Quarters "CQ" cartridge is 4-12 feet, while the operating range of the Stand Off "SO" cartridge is 12-22 feet. The area of the suspect or subject's back, just below the neck, remains the preferred target area when practical. For frontal applications, officers should attempt to split the beltline area in an effort to place one probe above the waist and one probe below the waist for optimal effectiveness. When an officer needs a TASER, the officer shall broadcast the unit designation, location, and "Code Tom."

Once activated on a suspect or subject, the TASER activation duration is five seconds. During this period of incapacitation that the suspect or subject experiences, the arrest team should take positions of advantage to immediately control the suspect or subject and take them into custody minimizing and mitigating the need to use additional force.

Requirement to Intercede When Excessive Force is Observed

An officer shall intercede when present and observes another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

Note: For the purposes of this section, "intercede" includes, but is not limited to, physically stopping the excessive force (when safe and reasonable to do so) and recording the excessive force, if equipped with a body worn video (BWV) camera. Officers shall attempt to document on BWV the efforts to intervene, efforts to de-escalate the excessive use of force, and confronting the offending officer about the excessive force during the use of force. If the offending officer continues to use excessive force, the witnessing officer shall immediately report the excessive force to a superior officer.

Requirement to Report Potential Excessive Force

An officer who is present and observes another officer using force that the present and observing officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer, shall report such force to a superior officer.

Medical Treatment

Whenever the TASER is used and the probes and/or electrodes make contact with the suspect's clothing or skin, the suspect shall be examined by medical personnel. If the suspect loses consciousness or if another medical emergency situation exists, officers shall render medical aid as required and request a rescue ambulance to respond to their location.

Note: The TASER probes shall only be removed by medical personnel. Medical personnel shall include a doctor or a nurse at a contract hospital or jail dispensary.

Reporting

All discharges or activations of less-lethal devices (e.g., TASER), excluding (1) tactical discharges, and (2) Warning Arcs, are reportable uses of force and shall be reported in accordance with Department policy - whether or not the projectiles/munitions or device make contact with the suspect or subject, including their clothing.

Note: Use of the laser sight or a Warning Arc (arcing/sparking) of the TASER for purposes of gaining compliance is not considered a use of force nor a tactical discharge. A Warning Arc display may de-escalate the situation without having to deploy the cartridge. You do not have to remove the live cartridge to initiate a Warning Arc. Simply depress either or both Arc switches, which will not deploy a live cartridge.

Data Downloads

Supervisors shall dock the battery to download the data from the TASER after a reportable non-categorical use of force incident. Supervisors are required to ensure the TASER data is printed, scanned, and attached electronically to the use of force report.

DEFINITIONS

Probe Mode: Utilizes the TASER cartridge while attached to the TASER. Deploying the two probes attached to wires making contact with the suspect which could cause NMI. This is the most effective way to use the TASER.

Drive-Stun/Direct-Stun: Two contacts on the cartridge or the TASER unit that conduct energy to affect the suspect's sensory nerves causing localized pain. This feature may

be used with or without a cartridge in place. If a cartridge is in place, the probes will deploy when the trigger is pressed. This is **not** the most effective way to use the TASER. **The most effective way to use the TASER is in probe mode.**

Three-Point or Four-Point Drive Stun: A technique where a drive stun is applied with a deployed live cartridge. After deploying a cartridge from a minimum of two inches from the suspect, the officer applies a drive-stun to an area of the body away from the probe impact site. The spread between the deployed probes and the area of the applied drive-stun could potentially cause an NMI effect.

Range: The approved range for the TASER is 4-22 feet. This range gives the most effective spread of the probes to accomplish NMI. The operating range of the Close Quarters “CQ” cartridge is 4-12 feet, while the operating range of the Stand Off “SO” cartridge is 12-22 feet.

Optimal Target Areas: Back or splitting the beltline area for probes. Forearm, outside of the thigh, calf muscle for drive-stun/direct-stun. Avoid using the stun feature on the head, face, throat, and groin.

Note: Many factors affect an officer’s ability to hit the intended target area of a suspect. When a suspect is struck in a location outside the optimal target area, the officers should be prepared to explain the deviation.

Points to Remember

- Range is 4-22 feet
- Close Quarters operating range is 4-12 feet
- Stand Off operating range is 12-22 feet
- Most effective in probe mode
- Three-Point or Four Point drive-stuns may be used in close quarters
- Consider another force option if the TASER appears to be ineffective
- Data downloaded following a reportable non-categorical use of force

Important Reminder

Deviation from these basic concepts sometimes occurs due to the fluid and rapidly evolving nature of law enforcement encounters and the environment in which they occur. Deviations may range from minor, typically procedural or technical, to substantial deviations from Department tactical training. Any deviations are to be explained by the involved officer(s), and justification for substantial deviation from Department tactical training shall be articulated and must meet the objectively reasonable standard of the Department's Use of Force Policy.

AMENDMENTS

This Use of Force Directive cancels and supersedes Use of Force-Tactics Directive No. 4.6, Electronic Control Device–TASER 7, August 2021.

A handwritten signature in blue ink, appearing to read 'M. Moore', with a stylized flourish at the end.

MICHEL R. MOORE
Chief of Police

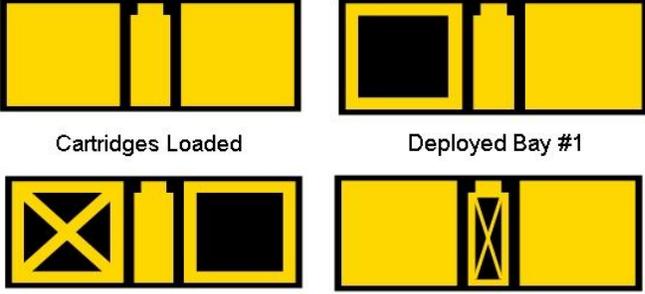
DISTRIBUTION "A"

Attachment: TASER Characteristics

| KEY POINTS | TASER CHARACTERISTICS |
|-------------------------------------|---|
| Current Model | <ul style="list-style-type: none"> • Department issued: AXON TASER 7 (green) |
| Neuro-Muscular Incapacitation (NMI) | <ul style="list-style-type: none"> • Occurs when a TASER causes involuntary stimulation of both the sensory and motor nerves • It is not dependent on pain and can be effective on subjects with a high level of pain tolerance • There are different levels of NMI ranging from limited area effects to significant body lockup • The greater the spread of the probes, the higher likelihood of NMI • The TASER may not achieve total NMI • A subject may maintain muscle control, particularly in arms and legs (depending on many factors, including probe locations) • Be prepared with other force options including a drive-stun follow up to spread NMI over a wider if necessary and when reasonably appropriate • Drive stun alone will not usually achieve NMI, only localized pain |
| Weapon Inspection/ Function Test | <ul style="list-style-type: none"> • Function tests <u>shall</u> be conducted at the start of watch. The TASER should be spark tested for the full 5-second cycle • DO NOT unload the TASER cartridge • Point the TASER at a wall or other object away from other people. With the safety switch DOWN (off) press both Arc switches simultaneously. Keep your fingers away from the front of the TASER • Check CID for battery life and current firmware • Move the safety switch UP to the ARMED (on) position • Press either or both Arc buttons and TASER will spark for 5 seconds. DO NOT PRESS THE TRIGGER. Pressing the trigger will deploy a cartridge • After 5 seconds, verify on the Central Information Display (CID): <ul style="list-style-type: none"> ○ There are no fault icons ○ There are two cartridges present ○ There is sufficient battery capacity • Place the safety switch in the DOWN (off) position • Reholster the TASER |
| Holster Wearing | <ul style="list-style-type: none"> • Shall be worn on the support side of the duty belt in either a cross draw or support side draw configuration • The current Department approved holster is produced by S.O. TECH, Safariland, and Blade-Tech. Additional holsters may be approved in the future. |

| KEY POINTS | TASER CHARACTERISTICS |
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| <p style="text-align: center;">TASER Cartridges</p> | <ul style="list-style-type: none"> • The TASER 7 is a two-cartridge system. Immediate deployment of a second cartridge is possible (Adaptive Cross-Connect capabilities) • There two types of deployment cartridges: <ul style="list-style-type: none"> ○ Close Quarters “CQ” – Black body, Range 4-12 feet, 12° spread ○ Stand Off “SO” – Gray body, Range 12-22, 3.5° spread • Cartridges shall be carried “paired” with the same length cartridges. Officers SHALL NOT combine one SO cartridge with one CQ cartridge. It is the officer’s decision which cartridge pairing to carry in the TASER 7 and which pair to have staged in the magazine pouch of the holster. • A training Inert cartridge is red capped • There is only one way to install the TASER 7 cartridge – The imprint with serial number, cartridge degree, 2-D barcode and expiration date must be on top • Safety and inspection of cartridges: <ul style="list-style-type: none"> • Check that cartridge is intact • No cracks in the cartridge • Keep hands away from the front of cartridge • Do not inadvertently point cartridge at yourself or anyone else • All cartridges have an expiration date • TASER cartridges are deployed by an electrical arc |
| <p style="text-align: center;">TASER Loading and Unloading</p> | <ul style="list-style-type: none"> • Loading sequence: <ul style="list-style-type: none"> ○ Point the TASER in a safe direction ○ Ensure the safety switch is in the down (SAFE) position and your finger is not on the trigger or Arc switch(es) ○ Ensure the protective safety clip is removed from the TASER 7 cartridge ○ Keeping your hand away from the blast doors, gently push the TASER 7 cartridge into the cartridge bay until an audible click is heard ○ Verify that the cartridge is secure by pulling on the slides of the cartridge • Unloading sequence: <ul style="list-style-type: none"> ○ Point the TASER in a safe direction ○ Ensure the safety switch is in the down (SAFE) position and your finger is not on the trigger or Arc switch(es) ○ Keep your hands away from the front of the cartridges ○ With your thumb, press the release button ○ Firmly pull the cartridges out of the bay by pulling on the sides of cartridges |

| KEY POINTS | TASER CHARACTERISTICS |
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| Deployment | <ul style="list-style-type: none"> • The TASER should be deployed in the field with an additional cartridge either secured in a reload pouch attached to the holster • The TASER is activated for 5-seconds by pressing and releasing the trigger • The 5-second cycle can be terminated by placing the safety down. Avoid repeated TASER applications when practical to reduce the risk of injury • Suspect can be touched while the TASER is activated except between or within 2-inches of the probes • Within close quarters of the suspect, the TASER with cartridge can be deployed with a minimal spread of the probes. The effectiveness can be improved by applying a drive stun with the expended cartridge in place to a different area of the body away from the deployed probes during the 5-second cycle • Good probe spread – recommended 12 inches • Generally, officers should avoid using the TASER when the suspect: <ul style="list-style-type: none"> ○ is on an elevated/unstable surface, ○ could fall and suffer impact injury, ○ could fall on a sharp object/surface, ○ is less able to catch/protect self in a fall, ○ is operating/riding any mode of transportation, ○ is located in water/mud/marsh if the ability to move is restricted, ○ is known to be pregnant or have a pacemaker, ○ is under twelve years of age, ○ is near flammable or combustible fumes. |
| De-Escalation Technique Considerations | <ul style="list-style-type: none"> • A Warning Arc display may de-escalate the situation without having to deploy the cartridge. You do not have to remove the live cartridge to initiate a Warning Arc. Simply depress either or both Arc switches, which will not deploy a live cartridge • Use of the laser sight or arcing (sparking) of the TASER for purposes of gaining compliance is not considered a use of force. |
| Optimal Target Areas | <ul style="list-style-type: none"> • Optimal target areas are the back or splitting the belt line • If practicable, aim the TASER at the suspect's back where the clothes fit tighter and there is more muscle mass • Officers should split the belt line to place one probe above the waist and one probe below the waist for optimal effectiveness • Avoid targeting the head, face, throat, and groin |

| KEY POINTS | TASER CHARACTERISTICS |
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| <p>Drive Stun Mode</p> | <ul style="list-style-type: none"> • Not as effective as using probes, no NMI. Affects only the sensory nervous system • Drive stun can be used without a cartridge, with an expended cartridge or a live cartridge; however, with a live cartridge, the probes will fire into the suspect • Drive stuns with a cartridge are preferable as officers can deploy the probes to one part of the body and apply a three-point drive stun with the expended cartridge to another part of the body away from the probes • When utilizing the drive stun without a cartridge, drive the TASER into the suspect's forearm, outside of thigh, or calf muscle for maximum effectiveness • Avoid using the drive stun on the head, face, throat, and groin • Department personnel shall not administer a TASER using the drive stun method (excluding three-point and four-point drive stun) to any subject or suspect, unless articulable circumstances exist justifying the need for drive-stun mode. |
| <p>Central Information Display (CID)</p> | <p>This CID shows in Function Test Mode. With the safety in the down (SAFE) position, the TASER operator has pressed both Arc switches simultaneously. The firmware version and remaining battery charge is displayed.</p>  <p>This CID shows the CEW is in the Function Test mode after the TASER operator shifted the safety switch to the UP (ARMED) position. The colors are reversed in Function Test mode – the background is yellow, and the loaded cartridges are black.</p>  <p>Cartridges Loaded</p> <p>Deployed Bay #1</p> <p>Cartridge Error Bay #1</p> <p>Battery Error (Blinks)</p> |

| KEY POINTS | TASER CHARACTERISTICS |
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| <p>Batteries/ Docking Station/ Data Downloads</p> | <ul style="list-style-type: none"> • Batteries should be charged once every Deployment Period (~30 days) • Routine battery charging will ensure latest firmware updates are being uploaded onto the TASER 7 • Docking station automatically uploads weapon data to AXON Evidence (Evidence.com) • Supervisors shall dock the battery to download the data from the TASER after a reportable non-categorical use of force incident |
| <p>Maintenance and Care</p> | <ul style="list-style-type: none"> • Avoid dropping the TASER 7 • Check battery regularly • Always store TASER 7 with battery inserted • Keep secured in protected holster • Avoid exposing to excessive moisture |