OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 14 **August 22, 2023**

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON August 22, 2023

SUBJECT: **USE OF LESS-LETHAL CONTROL DEVICES – RENAMED AND REVISED; AND, USE OF ELECTRONIC CONTROL DEVICE (TASER) – ESTABLISHED**

PURPOSE: Recent events involving law enforcement and the application of the Electronic Control Device (i.e., TASER) have caused the need for the Department to re-evaluate its TASER policy. The purpose of this Order is to revise procedures pertaining to the use of the TASER during a contact with an individual.

PROCEDURE:

I. **USE OF LESS-LETHAL CONTROL DEVICES – RENAMED AND REVISED.** Department Manual Section 1/573, *Use of Less-Lethal Control Devices*, has been renamed, *Use of Intermediate Force Options,* and revised. Attached is the renamed Department Manual section with the revisions in italics.

II. **USE OF ELECTRONIC CONTROL DEVICE (TASER) – ESTABLISHED.** Department Manual Section 1/573.01, *Use of Electronic Control Device (TASER)*, has been established. Attached is the established Department Manual section.

AMENDMENTS: This Order renames and revises Section 1/573 and adds Section 1/573.01 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

MICHEL R. MOORE
Chief of Police

Attachment

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573. USE OF *INTERMEDIATE FORCE OPTIONS.* *Use of an Electronic Control Device (i.e., TASER), Impact Device (e.g., Baton), Kinetic Energy Projectile (e.g., Beanbag Shotgun, 40mm Less-Lethal Launcher, FN 303), or certain Chemical Agents (e.g., Oleoresin Capsicum) 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.

573.01. USE OF ELECTRONIC CONTROL DEVICE (TASER). *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 subject or suspect.*

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. These circumstances include:

- *When probe mode (or three-point/four-point drive stun mode) is not feasible or is ineffective;*
- *When the officer is unable to re-deploy away from the suspect or subject; or,*
- *When 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 considers the totality of the circumstances when evaluating the reasonableness of 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.

> ***Note:*** *Department personnel should refer to the applicable Use of Force Directive for the Electronic Control Device they are deploying for the specific nomenclature and operational procedures.*