



NSW Police Force

**New South Wales
Police Force**

Use of Conducted Electrical Weapons (Taser)

Major Events & Incidents Group

Use of Conducted Electrical Weapons (Taser)

These procedures are designed to provide guidance that will help officers in the day-to-day use of Tasers. Our procedures, controls and accountability mechanisms for Taser use are of a very high standard to ensure not only proper use, but to minimise any opportunities for, or risks of, misuse.

Essential Summary

This document sets out the procedures for use of Conducted Electrical Weapons 'CEW' (Taser), and includes *Criterion to Draw and Cover* and *Criteria to Discharge a Taser*.

It should be read in conjunction with other Taser related training and information material including:

- the Taser Familiarisation presentation,
- the NSW Police Force Taser User training package,
- the NSW Police Force Tactical Options Model and
- any other Taser related material located on the Taser Intranet page

This document is maintained by the Major Events & Incidents Group (MEIG) of the NSW Police Force. Suggestions for improvement and comments relating to the accuracy and currency of the document should be forwarded to the Commander, Major Events & Incidents Group.

Document Control Sheet

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Note: Any other documents referred to in this document may be subject to privilege and application for access to them may be made under the Government Information (Public Access) Act 2009.

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Acronyms

ABH	Actual Bodily Harm
AFID	Anti-felon Identification tags
CET	Commissioners Executive Team
CEW	Conducted Electrical Weapon
CID	Central Information Display
CMF	Command Management Framework
COPS	Computerised Operational Police System
DCoP	Deputy Commissioner of Police
e@gle.i	NSW Police Force Investigation Management System
IR Illuminator	Infrared Illuminator
LAC	Local Area Command
LEPRA	Law Enforcement (Powers and Responsibilities)
MEIG	Major Events & Incidents Group
MHIT	Mental Health Intervention Team
NMI	Neuromuscular Incapacitation
NSWPF	NSW Police Force
OC Spray	Oleoresin Capsaicin Spray
OSI	Operational Safety Instructor
PORS	Public Order & Riot Squad
PSM	Professional Standards Manager
Sitrep	Situation Report
SPSU	State Protection Support Unit
Taser	CEW used by NSW Police Force
Taser Cam	Audio/Visual Recording Device
TEC	Taser Executive Committee
TacOps	Tactical Options
TOU	Tactical Operations Unit
TRP	Taser Review Panel
VIEW IMS	VIEW Imagery Management System
VKG	NSW Police Radio
WTPR	Weapons & Tactics, Policy & Review Unit
X26E	Analogue Single Shot Taser
X26P	Digital Single Shot Taser with Smart Technology

Terminology and Definitions

Actual Bodily Harm	<p>There is no legal definition for the term Actual Bodily Harm, however, for the purposes of these procedures, actual bodily harm is defined as:</p> <p>Any hurt or injury calculated to interfere with the health or comfort of a victim. It need not be permanent, but must be more than minor, transient or trifling.¹</p> <p>It is something less than '<i>grievous bodily harm</i>', which requires really serious physical injury.²</p>
Anti-felon Identification	<p>Every time a Taser cartridge is discharged, 20-30 small confetti-like ID tags called AFIDs are ejected. Each AFID contains the serial number of the cartridge it was discharged from, allowing authorised staff to complete an audit trail of the discharged cartridge.</p>
Central Information Display	<p>The Central Information Display (CID) window indicates whether the Taser is 'SAFE' or 'ARMED', the amount of battery life still remaining and a 5 second countdown each time the Taser trigger is pulled.</p>
Computerised Operational Policing System	<p>Computerised Operational Policing System is the repository of information used by the NSW Police Force.</p>
Conducted Electrical Weapon	<p>Is a hand held neuromuscular disruption device capable of temporarily incapacitating a subject through the application of an electrical current. <i>The term Taser will be used to refer to the Conducted Electrical Weapon in these procedures.</i></p>
Cycle	<p>Automatic five (5) second electrical discharge of a Taser delivered by a single trigger application.</p>
Draw and Cover	<p>Drawing of the Taser from the holster so as to cover a subject in accordance with the <i>Criterion to Draw and Cover</i>.³</p>
Deployment	<p>When a Taser is drawn in operational circumstances, the Taser is "Deployed" – this includes for <i>Draw and Cover</i>, <i>Drive Stun</i> and <i>Probes Discharged</i>.</p>
Drive Stun	<p>The drive stun is achieved by applying direct contact of the electrodes of the Taser to a subject with or without a cartridge attached to the device and the device is discharging a cycle. Drive stun mode may cause pain and will not achieve Neuromuscular Incapacitation (NMI) where no probes have made contact with the subject.</p>
Exigent ⁴ Circumstances	<p>ex-i-gent [ek-si-juhnt] <i>adjective</i></p> <p>1. Requiring immediate action or aid; urgent; pressing.</p> <p>This definition is included here as it is incorporated into the <i>National Guidelines for Deployment of Police to High Risk Situations</i> which reads: "Exigent circumstances may occur prior to the arrival of the TOU. If a direct threat calls for immediate action responding police must consider using commensurate force to protect human life."</p>
Exceptional ⁵ Circumstances	<p>ex-cep-tion-al [ik-sep-shuh-nl] <i>adjective</i></p> <p>1. Being an exception; uncommon, unusual, extraordinary.</p> <p>For the purpose of the procedures, it refers to circumstances that would cause a reasonable person to believe that prompt and unusual action is necessary to prevent actual bodily harm to self or others.</p>

¹ *R v Lardner* [NSWCCA], 10 September 1998, unreported, BC9804715 at p. 4

² *Ibid* 2, at p. 4

³ Refer to Section 7 – *Criterion to Draw and Cover*, p. 20

⁴ <http://dictionary.reference.com/browse/exigent?s=t>

⁵ <http://dictionary.reference.com/browse/exceptional?s=t>

Extended Spark Test	An Extended Spark Test is designed to identify degrading battery life of a Taser. This is done by placing the battery under strain by completing a minimum of six (6) successive spark tests in a row.
Hazardous Practice	Any action or inaction demonstrated by the Taser user that falls outside of these procedures or their intent, requiring remedial and/or other action (see Section 2 - Breach of the Procedures). Such actions include accidental discharge of a Taser and may result in suspension from Taser use and/or decertification of the Taser user.
High Risk Incidents	A high risk incident is defined under the <i>“National Guidelines for the Deployment of Police to High Risk Situations, Deployment of Police Negotiators and the Use of Lethal Force”</i> (see Annexure B). Where police are confronted with this type of scenario they should consider applying the strategy of containing the situation and seeking specialist support. Tasers should not be used as a substitute for applying the <i>“National Guidelines for the Deployment of Police to High Risk Situations”</i> unless exigent circumstances dictate the need for immediate action.
‘Hot Handover’	A reference to handing over a loaded Taser to another officer whilst deployed in the field. This is discouraged and may be considered a Hazardous Practice unless exceptional circumstances existed.
Master Taser Instructor	Qualified Operational Safety Instructors with a minimum of 2 years’ experience, who have completed 5 years of service as a sworn Police Officer, have instructed on a minimum of 12 Taser User Courses and having successfully completed the Taser International Master Taser Course. TASER International certification is valid for 2 years.
Neuromuscular Incapacitation	Neuromuscular Incapacitation (NMI) is a direct involuntary contraction of the muscles that disrupts neuromuscular control, affecting the motor, sensory and nervous systems within the body.
Positional Asphyxia	A form of asphyxia which occurs when body position prevents adequate gas exchange (breathing), such as from upper airway obstruction or a limitation in chest wall expansion.
Probes	Two straight stainless steel barbs that are projected from the Taser cartridge upon discharge of the Taser. They are connected to the TASER by a thin insulated wire up to a distance of 7.6 metres (25 feet).
Probes Discharged	The Taser trigger is pulled resulting in the cartridge firing and discharging the two probes, which are connected to the Taser device by thin, high voltage insulated wire. Neuromuscular Incapacitation (NMI) occurs resulting in a direct involuntary contraction of the muscles that disrupts neuromuscular control.
Remedial Training	Remedial training is designed to rectify any Hazardous Practice exhibited by the user, by undertaking additional training activities with a Taser Instructor to ensure competence.
Safe Direction	Relative to use of Taser, a safe direction is a direction in which any unintentional discharge of a Taser cartridge would be safely stopped and contained with no human injury and minimal property damage.
Sleep Mode	Occurs when the Taser (X26E & X26P) becomes inoperative after 20 minutes continuous use and requires re-arming. (Switch Off / Switch On)
Spark Test ⁶	A spark test is a full five (5) second cycle of the device without a Taser cartridge attached. A spark test should be conducted at least once each week. The reasons for the spark test is to verify the Taser device is working, the battery is adequately charged and to ensure that the components in the high voltage section of the Taser are energized (conditioned) on a regular basis for optimal operational use.

⁶ Refer to Section 14 – *Spark Testing*, p. 29



Tactical Options Model	The Tactical Options Model is a use of force assessment framework used by sworn officers of the NSW Police Force, which aids an officer when faced with making appropriate force response decisions. ⁷
TASER®	Is a brand name for a less lethal force Conducted Electrical Weapon (CEW) purchased by the NSWPF which is designed to incapacitate human beings or animals while minimising fatalities and permanent injury through the delivery of short duration electrical impulses that overpower the normal electrical nerve signals within the nerve fibres.
Taser Armed	Occurs when the 'safety' switch is manually moved to the uppermost position, the power indicator is illuminated and the integrated laser sight is activated.
Taser Cam	The Taser Cam is an integrated audio/visual recording device contained within the battery attachment of the Taser. A rechargeable battery powers both the Taser Cam and the TASER® X26E & X26P models. The Taser Cam records when the safety switch is in the Up (Armed Position) and stops recording when the safety switch is moved to the Down (Safe Position). Within its memory it holds 1.5 hours of video and audio data. It will allow 100 cycles of five (5) second duration plus audio and video when fully charged. At the expiration of 20 minutes continuous recording the Taser will automatically cease recording and enter into 'sleep mode'.
Taser Cartridge	Is fitted to the Taser device and contains a compressed nitrogen capsule capable of discharging two probes relative to each other at an 8 degree downward angle in the direction of the intended target.
Taser Data Port - Upload	The Taser Data Port provides for the upload of the data stored upon the data chip within the Taser device; specifically, the time, date, duration, temperature and battery status of each firing.
Taser Discharged	Involves the use of the Taser by either discharging the two probes, which are connected to the Taser cartridge by thin, high voltage insulated wire or by activating a cycle in 'Drive Stun' mode where the Taser is in direct contact with a subject.
Tasered	Refers to when the Taser is discharged and one or more of the probes have become imbedded in a subject. It also includes when a drive stun has been used on a subject.
Taser Instructor	Members of the NSWPF who have fulfilled all of the requirements prescribed in the NSWPF Taser Instructors Course, including 16 hours of Instruction and the successful completion of a written examination with a minimum pass mark of 80%. This certification will remain current for 2 years and re-certification will become part of NSWPF Weapons and Defensive Tactics re-accreditation as managed by the Weapons and Tactics, Policy and Review Unit, Education and Training Command.
Taser Safe	Occurs when the Taser 'safety' switch is manually moved from its uppermost position to the down position, the battery charge indicator is not illuminated and the Taser cannot be discharged.
Taser User	A member of the NSW Police Force who has been trained and certified to carry and use a Taser by qualified Taser Instructors. This training consists of 8 hours of initial instruction that includes the firing of 3 cartridges, passing a written test with a minimum score of 80% and annual recertification thereafter.
Use of Taser	Varying levels of preparedness and discharge of the Taser, all of which constitutes ' <i>Modes of Use</i> '. ⁸

⁷ Refer to Annexure A – *Tactical Options Model*, p. 38

⁸ Refer to Section 9 – *Modes of Use*, p. 25

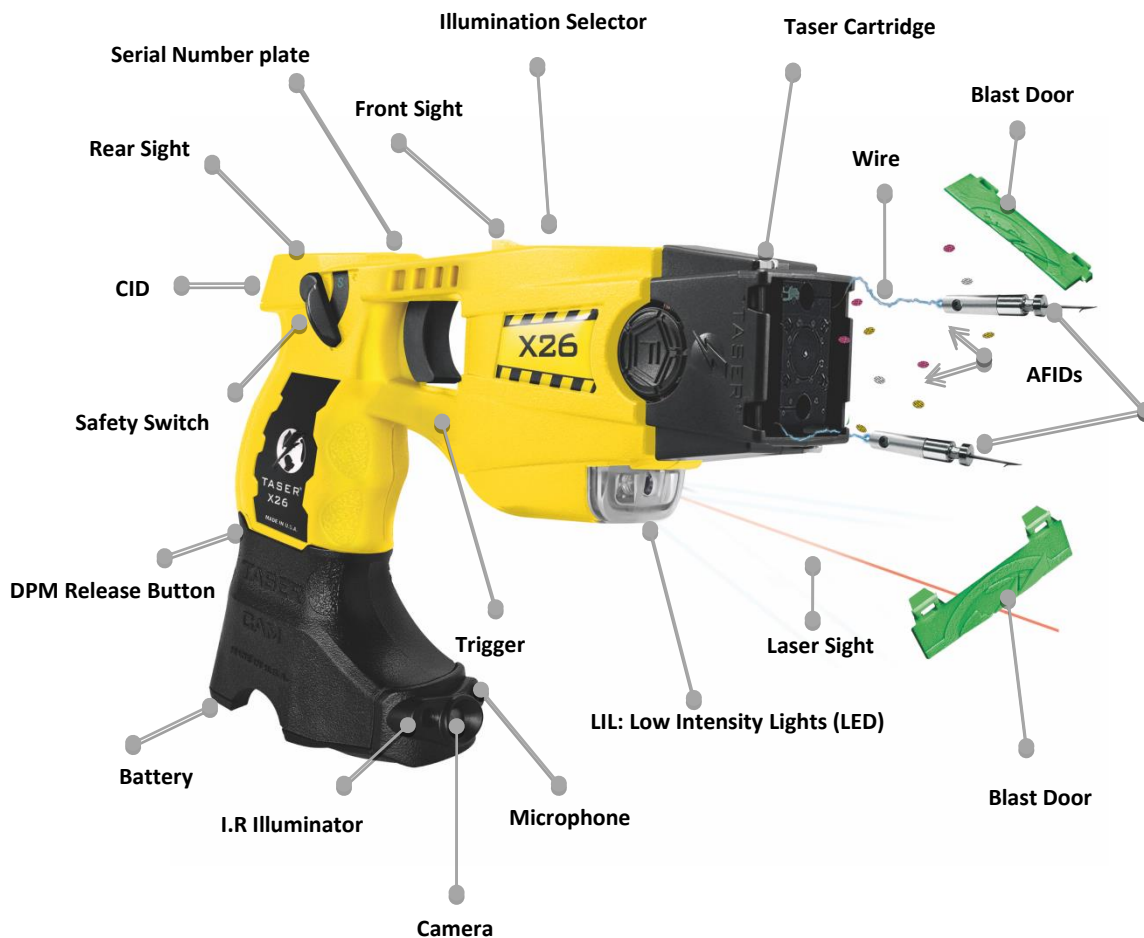
Implementing New Technology



	X26	X26P
		
Flashlight	✓	✓
EVIDENCE.com Enabled	✓	✓
Sleep Mode	✓	✓
Battery Indication	✓	✓
Download Kit	✓	✓
Advance CID		✓
Audible Warning (APPM)		✓
Internet Updateable		✓
Extended Battery		✓
Self Diagnostics		✓
Trilogy Logs		✓
Charge Metering		✓
TASER CAM HD		✓

X26E Nomenclature (Analogue)

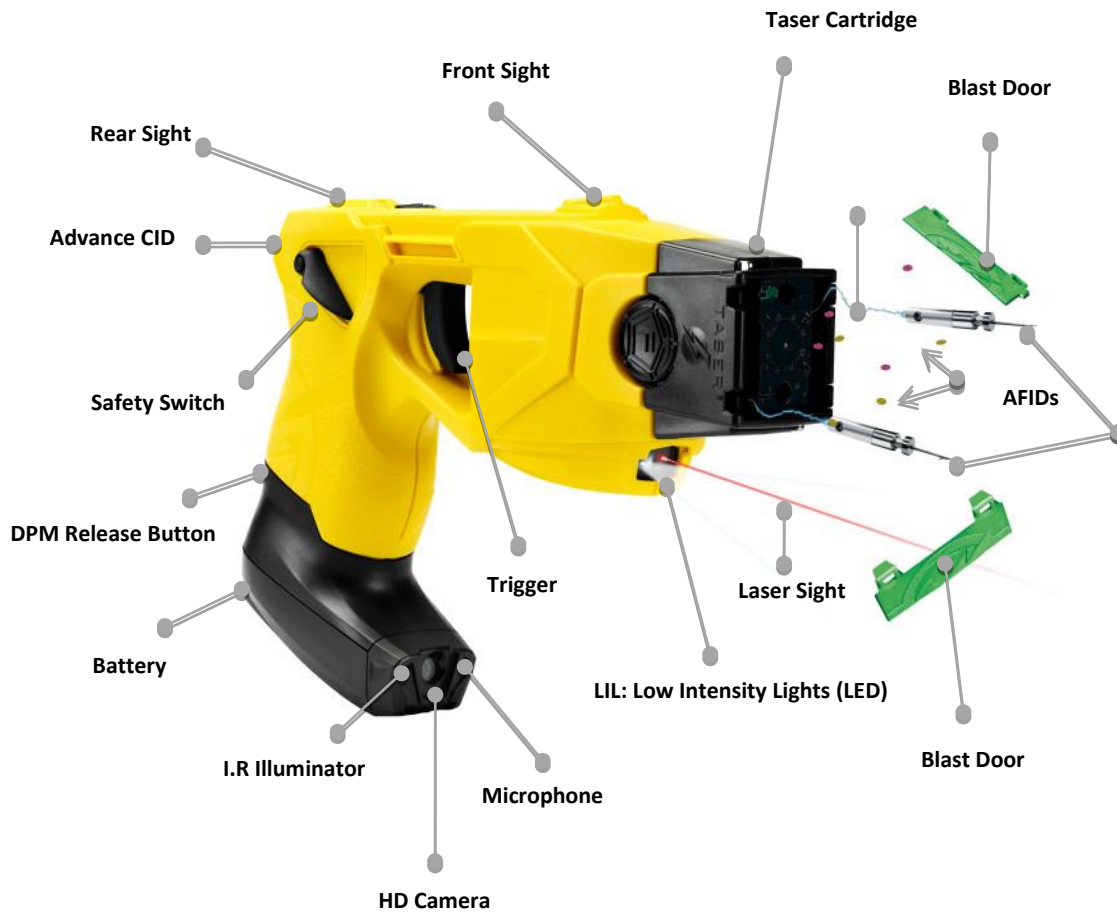
Constructed of impact resistant sonic welded polymer



Technical Specifications	
LENGTH	15.24cm
HEIGHT	8.13cm
WIDTH	3.30cm
WEIGHT	204.12g
SIGHTING	Laser & Conventional Gun-Sights
POWER	3V Lithium

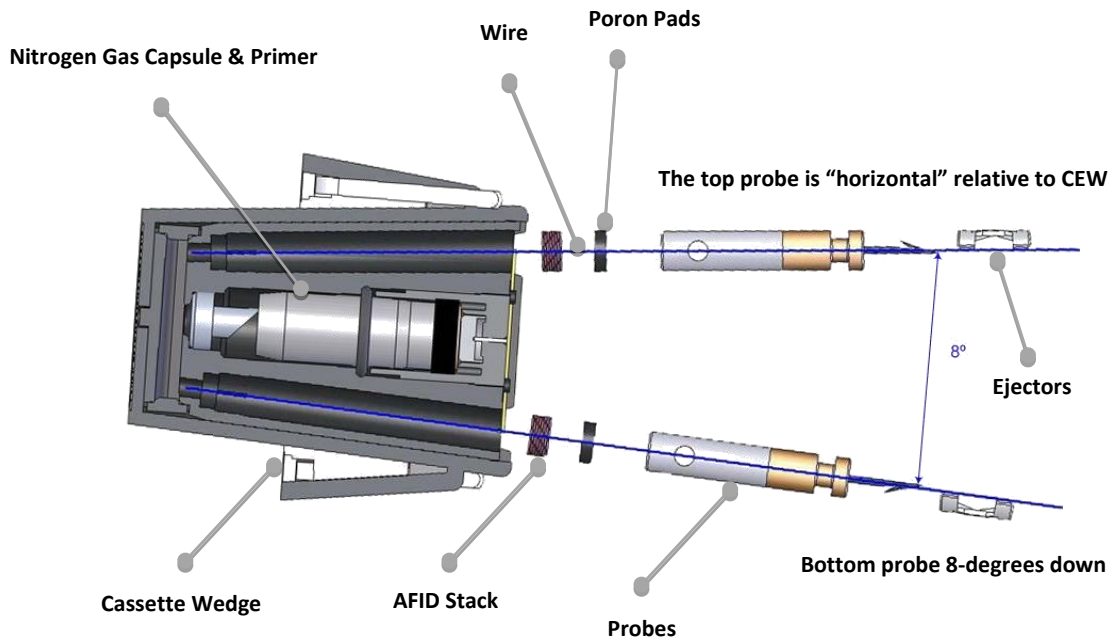
X26P Nomenclature (Digital)

Constructed of high impact sonic welded polymer



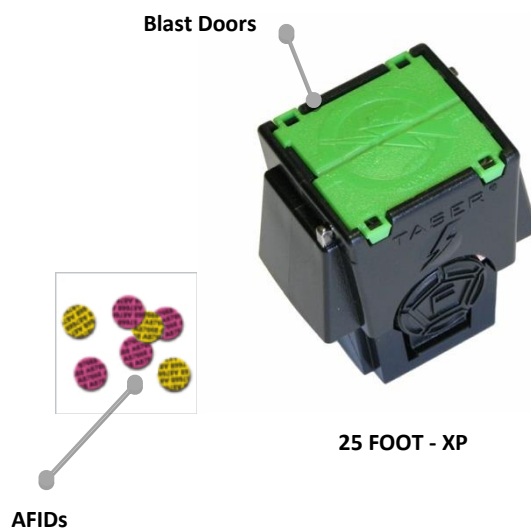
Technical Specifications	
LENGTH	16.30cm
HEIGHT	9.70cm
WIDTH	4.30cm
WEIGHT	213g
SIGHTING	Laser & Conventional Gun-Sights
POWER	3V Lithium

Taser Cartridge Nomenclature



Technical Specifications	
LENGTH	5.30cm
HEIGHT	4.80cm
WIDTH	3.60cm
WEIGHT	68g
EFFECTIVE RANGE	7.62m

OPERATIONAL CARTRIDGE



1. NSW Ombudsman and NSW State Coroner Reviews

These *procedures* have been the subject of consistent reviews and improvements since the Taser was introduced as a tactical option by the NSW Police Force.

These *procedures* are designed to provide guidance that will help officers in the day-to-day use of Tasers. Our procedures, controls and accountability mechanisms for Taser use are of a very high standard to ensure not only proper use, but to minimise any opportunities for, or risks of, misuse.

2. Breach of the Procedures

Any action or inaction demonstrated by a Taser user that falls outside of these procedures or their intent, will be viewed as a breach of the procedures and may be the subject of remedial training or management action or dealt with as a complaint. This includes breaching the *Criterion to Draw and Cover* (Section 7), the *Criteria to Discharge a Taser* (Section 8) and actions that may constitute a *Hazardous Practice*.

Actions that may constitute a *Hazardous Practice* include:

- i. accidental discharge of the Taser
- ii. recklessly pointing or aiming a Taser at another officer
- iii. failing to properly store and secure a Taser which results in an accidental discharge
- iv. covering the lens on the Taser Cam or
- v. any action or inaction deemed a *Hazardous Practice* by a Taser Review Panel

2.1 Actions following an accidental discharge of a Taser

Most accidental discharges of a Taser occur during spark testing after a live cartridge has either been left attached to the Taser by the previous user or fitted to the Taser by the current user.

An accidental discharge is a *Hazardous Practice* and a breach of these procedures and will result in the suspension from operational use of the Taser for the user who caused the discharge to occur.

A Taser User who commits, or causes an accidental discharge will, at the first opportunity, report it to their Commander/Supervisor. The Commander/Supervisor will verify and assess the situation and suspend the officer from using a Taser.

Where necessary, inquiries are to be made to identify any other Taser User who may have also contributed to the incident by leaving a live cartridge affixed to the Taser. The Commander/Supervisor will then notify the local EDO and a Taser qualified Operational Safety Instructor.

A COPS event for Accidental Discharge MUST be completed as a minimum and the Taser downloaded

2.2 Actions following the suspension of a Taser User

In all instances where a Taser User has been suspended from using a Taser, a remediation notice will be prepared by a Taser qualified Operational Safety Instructor and a remedial training program developed and implemented as soon as possible. These actions are to be appropriately recorded on the SAP system for the officer(s) concerned.

A Taser User who fails remediation training will undergo further remedial training as required to be recertified.

3. Conducted Electrical Weapon (Taser) Warnings

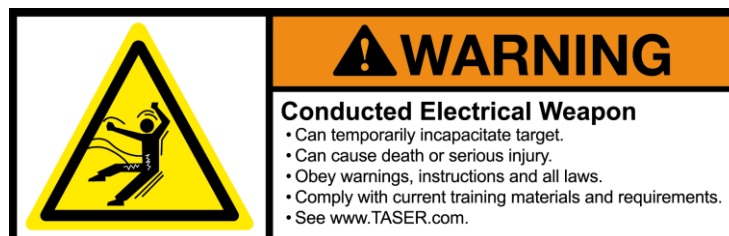
TASER International, Inc., regularly issues updated product warnings in relation to their Conducted Electrical Weapons (CEWs).⁹

Located on the Taser Intranet page is the current version dated: **1 March 2013**.

This document covers:

- Safety Information: CEW Risks and Risk Avoidance
- Safety Information: Injury or Infection
- Safety Information: CEW Deployment and Use
- Safety Information: CEW Effectiveness
- Safety Information: Other Hazards
- Safety Information: General Precautions
- Safety Information: Maintenance
- Safety Information: Hazardous Substances

Please familiarise yourself with this document and its contents.



⁹ <http://www.taser.com/images/resources-and-legal/product-warnings/downloads/law-enforcement-warnings.pdf>

4. Guiding Principles

1. The NSW Police Force has procured Conducted Electrical Weapons (Taser) as part of Arms and Appointments for use by uniformed operational response police.
2. The NSWPF currently uses the Taser **X26E** and **X26P** Conducted Electrical Weapon (CEW) models. All Tasers used by the NSWPF (except those issued to the Tactical Operations Unit and State Protection Support Units) will have video and audio recording capability (Taser Cam).
3. The Taser is not a replacement for a conventional firearm. It is a less lethal option which should be deployed and managed alongside conventional firearms and other tactical options.
4. Taser use will be in accordance with the *Use of Conducted Electrical Weapons (Taser) procedures*, as approved by the Deputy Commissioner, Field Operations, and is a *Use of Force* within the Tactical Options Model.
5. All operational police will be trained in the use of Taser. Police will be required to maintain proficiency in the use of these weapons by undertaking annual Taser accreditation training as part of mandatory DEFTAC requirements. Police failing annual Taser accreditation will not undertake operational duties with a Taser until they have achieved the required standard.
6. All qualified Taser Instructors must be re-certified at least every two years in accordance with the re-certification requirements in order to continue with their Taser instructional duties.
7. NSW Police will not participate in voluntary Conducted Electrical Weapon exposures under any circumstances.
8. Only one (1) Taser is to be issued to a minimum two (2) officer uniformed team deployed to undertake operational response duties. Single Unit Policing - Police deployed for operational response as a single unit may carry and use Taser if provided to the command location for that purpose.
9. Tasers should be safely and securely stored when not issued to staff for operational use.
10. Officers should familiarise themselves with all aspects of the *Use of Conducted Electrical Weapons (Taser) procedures*. When deploying a Taser, officers will adhere to the requirements of the *procedures*, especially the following aspects:
 - *Criterion to Draw and Cover*
 - *Criteria to Discharge a Taser*
 - *Taser Use Considerations*
 - *Post Deployment Actions*
 - *Reporting and Recording Taser Use*
11. The use of multiple cycles should only be considered in exceptional circumstances and after reassessment of the situation which caused the initial use of the Taser. Notwithstanding this, after 3 cycles police **must** reconsider the effectiveness of the Taser as the most appropriate tactical option and **must** consider alternative tactical options.
12. All Taser use (*Draw and Cover, Probes Discharged, Drive Stun and Hazardous Practice – Probes Discharged*) will be subject to review by Region/Specialist Command Taser Review Panels in accord with *Taser Review Panel (TRP) procedures*.

13. Incidents where *Probes Discharged* and/or *Drive Stun* have been used will be reviewed by the responsible Region/Specialist Commander within 72 hours of the deployment.
14. The review process will be oversighted by the Taser Executive Committee which will operate under its *Terms of Reference* and undertake strategic management of Taser related issues for the NSW Police Force.

The following documents should be read and understood

- *Use of Conducted Electrical Weapons (Taser) Procedures*
- *Taser Use in Mental Health Facilities Procedure*
- *Police Handbook, Chapter A (Arms & Appointments)*

Management Responsibilities

Deputy Commissioner, Field Operations – Responsible for:

- ensuring Taser use and reviews are conducted in accordance with *procedures*
- approve release and use of these Procedures

Commander, MEIG – Responsible for:

- maintenance of the *Use of Conducted Electrical Weapons (Taser) Procedures*
- *Taser Review Panel procedures*
- administration and management of the Taser Executive Committee and other strategic Taser related issues
- oversight of Taser Review and Taser Debrief processes

Region/Specialist Commanders – Responsible for:

- reviewing Taser deployments within their Commands for compliance with the *procedures*
- ensuring they personally review all *Probes Discharged* and *Drive Stun* incidents within 72 hours of occurrence
- conducting a Taser Review Panel meeting each month within the first 10 working days of the month

Local Area Commanders – Responsible for:

- ensuring staff assigned a Taser are currently certified to carry and use one
- issuing only one Taser to a minimum two person uniformed operational response team.
- authorising uniformed police who are deployed for operational response as a single unit to carry and use Taser if provided to the command location for that purpose
- ensuring that Tasers are correctly and safely stored when not in use and CMF checks are carried out regularly
- ensuring suitable probe removal and disposal equipment (i.e. protective gloves, sharps containers and first-aid) are available in all operational vehicles under their control

All Staff – Responsible for:

- familiarising themselves with these *procedures* and other relevant associated documents and procedures

5. Training and Authority to carry the Taser

The Commissioner of Police has approved the use of Taser by NSW Police who have been trained and certified to use the device. Tasers will only be issued to uniformed officers undertaking response policing and will be worn as part of their Arms and Appointments.

This includes police from:

- Alcohol & Licensing Enforcement Command (ALEC)
- General Duties (GDs)
- Police Transport Command (PTC)
- Region Enforcement Squads (RES) and
- some units of the State Crime Command (SCC)

These procedures exclude the following Specialist Units who have their own guidelines for use of these devices:

- Public Order and Riot Squad (PORS)
- State Protection Support Units (SPSU)
- Tactical Operations Unit (TOU)

Only authorised officers who have attained the required standard of proficiency through the approved Weapons and Tactics, Policy and Review (WTPR) training course are authorised to carry and use the Taser operationally.

Tasers must be carried in a departmentally approved holster with the preferred position being on the duty belt. The Taser holster **must** be positioned on the Taser Users duty belt on their support side (opposite to their firearm) and in front of the handcuff pouch with the Taser battery facing forward in a cross draw fashion. The Taser may be worn on the load bearing vest as an option.

The use of a Taser is best undertaken as part of a team approach to developing or existing situations and the principles of the Tactical Options Model (*Annexure A*) need to be applied in all circumstances. The standard model for Taser deployment for operational use is that only one (1) Taser is to be issued to a minimum two (2) officer team deployment as part of a response capability.

This does not affect the current authority for an Inspector/acting Inspector working as a Duty Officer, and a Sergeant/acting Sergeant working as a Supervisor, to carry and use a Taser when working as a single unit or a uniformed police officer deployed for operational response as a single unit to carry and use Taser if provided to the command location for that purpose.

When performing operational duty, Taser Users are authorised to carry one (1) additional Taser cartridge in the departmentally approved Taser carrier.

Local Area/Unit Commanders must ensure that additional Taser cartridges are on hand and available for issue to Taser Users in the event of a discharge or when a Taser cartridge becomes damaged or is otherwise unusable.

No person shall in any way attempt to alter or modify a Taser in part or whole, or any cartridge or Taser Cam. This includes serial numbers. Only trained Armourers / Taser Technicians are authorised to service the Taser. Failure to comply with this direction may result in suspension from Taser use, de-certification or lead to departmental or criminal action.

All qualified Taser Users must be re-certified annually during mandatory training in accordance with the re-certification requirements in order to carry and use the Taser. Failure to re-certify annually will result in loss of Taser accreditation.

All qualified Taser Instructors must be re-certified at least every two years in accordance with the re-certification requirements in order to continue with their instructional duties.

6. Voluntary exposure to Taser

Under **NO** circumstances will police undertake voluntary exposures from a Conducted Electrical Weapon (Taser).

7. Criterion to Draw and Cover

Officers must consider all Use of Force tactical options available to them when considering resorting to the Taser.

Do not draw your Taser, point it or aim it unless you consider you are likely to be justified in using it.

When the Taser is drawn from the holster, the officer should adhere to all general firearms safety principles including safe direction.

Where circumstances dictate the drawing of a Taser from the holster so as to cover a subject, the Taser **must** be immediately armed by moving the safety switch to the (Fire) position. The power indicator will illuminate and the integrated Laser will turn on when aimed at the subject. The 'Red' laser dot is visible on the subject at the projected point of contact of the top probe.

Police should continue to assess the environment and the situation unfolding before them and where the reason/justification for drawing the Taser ceases to exist, the Taser should be deactivated and re-holstered.

If following the drawing of the Taser, the situation escalates such that one or more of the *Criteria to Discharge a Taser*¹⁰ now exists, then the Taser may be discharged if it is the most appropriate tactical option.

¹⁰ Refer to Section 8 - *Criteria to Discharge a Taser*, p. 21

8. Criteria to Discharge a Taser

The Taser may be discharged at the discretion of the Taser User after proper assessment of the situation and the environment to:

- **Protect human life**
- **Protect yourself or others where violent confrontation or violent resistance is occurring or imminent**
- **Protect an officer(s) in danger of being overpowered or to protect themselves or another person from the risk of actual bodily harm**
- **Protection from animals**

When considering the discharge of a Taser, officers should consider all tactical options available to them in the Tactical Options Model. Before removing the Taser from the holster, officers **will** assess if the deployment of a Taser is the best option for the prevailing situation having regard to the *Criteria to Discharge a Taser* in these procedures and the Taser training they have received.

The authority to use force is derived from law. Individually, police are accountable and responsible for their use of force and must be able to justify their actions at law. Any use of force by NSW Police must be reasonable as defined under LEPR:

- Section 230 (General Power)
- Section 231 (Arrest)

Police should only use force that is reasonable, necessary, proportionate and appropriate to the circumstances. Police should use no more force than is reasonably necessary for the safe and effective performance of their duties.¹¹ The decision to apply force, including the use of a Taser, is an individual one for which every officer will be held accountable. Every decision to use force should be the subject of continuous assessment prior to the application of another use of force.

Once a Taser has been used, officers should attempt to restrain the subject as quickly as possible. Once the subject is effectively under control, the use of Taser should be discontinued.

8.1 Considerations for Taser use

Police are expected to use a Taser in accordance with these procedures and be mindful that the decision to deploy a Taser rests with them after consideration of the environment, the situation and the tactical options available to them at the time.

A Taser drawn from the holster and pointed at a subject is considered a '*Use of Force*' and should be justifiable and in accordance with the *Criterion to Draw and Cover* in these procedures. Pointing a Taser at a subject without justification may be considered a breach of these procedures.

¹¹ Australia New Zealand Policing Advisory Agency (ANZPAA) - *Use of Force Guidelines*

The use of any tactical option, including a Taser, for a premises search is a decision of the police engaged in the search. A decision to use a Taser when conducting a search should be based upon the information at hand concerning the incident or situation that police are responding to and the Criterion to Draw and Cover. A Taser should not be used solely because it has projected light capability.

When considering the use of a Taser, an assessment of the surrounding environment should be made with consideration given to crowded situations and secondary hazards.

A Taser should always be carried in the loaded condition when in use by police for operational duty. Where for any reason a cartridge is not loaded to the Taser, care should be taken when loading the device by aiming it in a safe direction and keeping hands away from the blast doors of the cartridge.

Prior to using a Taser in *Probes Discharged* or *Drive Stun*, officers should verbally warn the subject(s) where practicable.

8.2 Taser Use Restrictions

A Taser **should not** be used in any mode:

- i. for any other investigative purpose. The video and audio capability of a Taser and Taser Cam should only be used as part of normal tactical deployment
- ii. near explosive materials, flammable liquids or gasses due to the possibility of ignition
- iii. on persons where there is a likelihood of significant secondary injuries (*concussive brain injury*) for example: a fall from an elevated position
- iv. punitively for the purposes of coercion or as a prod to make a person move
- v. against passive non-compliant subjects who are exhibiting non-threatening behaviour which may include:
 - a. refusing to move or offering little or no physical resistance
 - b. refusing to comply with police instructions
 - c. acting as a dead weight or requiring an officer to lift, pull, drag or push them in order to maintain control
- vi. to rouse an unconscious, impaired or intoxicated subject
- vii. to target known pre-existing injury areas of a subject
- viii. as a crowd control measure, such as for crowd dispersal at a demonstration or industrial dispute
- ix. when the subject is holding a firearm
- x. against a mental health patient solely to make them comply or submit to medication or treatment
- xi. unless it is in the performance of the officers duties or at an approved weapons training day

The following are situations where a Taser **should not** be used unless **exceptional circumstances** exist. It should be understood that the exceptional circumstances should comply with the *Criteria to Discharge a Taser* and be dependent on the behaviour of the subject and the officer's assessment of the situation, the environment and the tactical options available. This includes:

- xii. against a subject who is handcuffed
- xiii. against a female(s) suspected on reasonable grounds of being pregnant
- xiv. on an elderly or disabled subject(s)
- xv. on a child or subject(s) of particularly small body mass
- xvi. against the occupant(s) of a vehicle or the operator of machinery where there is a danger of the vehicle or machinery becoming out of control and posing a risk to the occupant(s) and/or bystander(s)
- xvii. against a subject who is fleeing. Fleeing should not be the sole justification for using a Taser against a subject. Officers should consider the subject's threat level to themselves or others and the risk of injury to the subject before deciding to use a Taser
- xviii. *Drive Stun* for pain compliance
- xix. using the Taser in a prolonged fashion by holding the trigger down for a period greater than five (5) seconds

Where a Taser has been used in *Probes Discharged* and/or *Drive Stun* as a result of exceptional circumstances, each cycle must meet the *Criteria to Discharge a Taser*. Reference is to be made in the COPS event and the Taser SITREP outlining the exceptional circumstances.

8.3 Target Areas

When targeting the subject, care should be taken not to target the eyes with the integrated sights. The integrated sights should be aligned with the following:

- a) **Preferred Target Area** – aim for the centre of seen target mass of the back (*where possible avoid targeting the head*)
- b) **Secondary Target Area** – aim for lower torso front (*where possible avoid targeting the face, groin or chest areas*)

Maximum effect is achieved when discharging the Taser by aiming and placing one probe above and below the waistline of the subject.

8.4 Single Cycle

Any discharge of a Taser is characterised by one five (5) second cycle in either *Probes Discharged* or *Drive Stun* mode. Any discharge of a Taser on an individual beyond this single cycle is considered to be multiple cycles or a prolonged cycle.

The **X26E** (Analogue) does not shut down the output of the Taser after 5 seconds. The operator must release the trigger to stop the cycles. The **X26P** (Digital) shuts down the output of the Taser after 5 seconds and contains a built-in speaker that alerts the operator to the impending shut down. If the operator needs an additional cycle; the trigger will need to be pressed again.

Officers should be aware there may be technical or physiological reasons why the device is not working as expected on a particular individual. Therefore, if the initial application of the Taser in either the *Probes Discharged* or *Drive Stun* modes is not effective, officers should reassess the situation and consider other available *Use of Force* options.

8.5 Multiple Cycles

The use of multiple cycles should be avoided and only considered in exceptional circumstances after the officer has reassessed the situation in accordance with the Tactical Options Model. Notwithstanding this, after 3 cycles police **must** reconsider the effectiveness of Taser as the most appropriate tactical option and **must** consider alternative tactical options.

One or more of the *Criteria to Discharge a Taser* **must** be present to justify further use of a Taser prior to each additional cycle. Officers are reminded that a subsequent use of the Taser or any prolonged use greater than five (5) seconds will be scrutinised and will need to be justified.

Subjects should be allowed time to comply with police instructions (*as is reasonable in the circumstances*) before discharging a Taser on subsequent occasions. These instructions should be clear, concise and reasonable.¹²

Officers should be aware that multiple or prolonged use of Taser may increase the risk of serious injury and/or death.

Where a Taser is used multiple times on a subject, each discharge or cycle must meet the *Criteria to Discharge a Taser*.

Reference is to be made in the COPS event and the Taser SITREP outlining each discharge or cycle with reason given.

¹² Refer to Section 8 - *Criteria to Discharge a Taser*, p. 21

9. Modes of Use

There are three (3) *modes of use* for Taser deployments. They are known as:

Draw and Cover

- i. occurs when the Taser is drawn from the holster, armed and pointed at a subject
- ii. may be used by police against a subject in accordance with the *Criterion to Draw and Cover*¹³
- iii. this would usually occur prior to the following modes

Probes Discharged¹⁴

- i. occurs when the Taser trigger is pulled, the probes are released from the cartridge making contact with the subject and a five (5) second cycle follows
- ii. will achieve NMI if the probes attach properly to a subject and make an adequate circuit
- iii. would occur when one or more of the *Criteria to Discharge a Taser* have been met

Drive Stun¹⁵

- i. is achieved by applying direct contact of the electrodes of the Taser to a subject with or without a cartridge attached to the device, and the device is discharging a cycle
- ii. can be used to cause NMI where probes discharged mode has failed to have an effect on a subject, and one or more probes have made contact with the subject and a drive stun applied will complete the circuit and achieve NMI. This should only be attempted when it is safe to do so and one or more of the *Criteria to Discharge a Taser* still exists
- iii. **should not** be used for pain compliance on a subject unless exceptional circumstances exist

The use of drive stun for pain compliance is not recommended and should only be considered in exceptional circumstances.

9.1 Use of more than one Taser

Where officers attend an incident and more than one officer is armed with Taser, those officers should take steps to ensure that **no more than one** Taser is discharged on a subject at the one time. Multiple Taser use or multiple completed circuits at the same time could have cumulative effects and result in increased risks.

¹³ Refer to Section 7 – *Criterion to Draw and Cover*, p. 20

¹⁴ Refer to Definitions – *Probes Discharged*, p. 8

¹⁵ Refer to Definitions – *Drive Stun*, p. 7

10. Medical Conditions

Ambulance personnel are to be called on ALL occasions when a subject has been Tasered. Failure to do so may be considered a breach of the procedures.

When a Taser is discharged the Supervisor **should be** contacted immediately and informed of the situation.

Officers should:

- i. provide medical care immediately after all deployments of a Taser
- ii. monitor the health of the subject while in custody. All persons incapacitated by the Taser should be closely monitored while in police custody, even after receiving medical care
- iii. avoid any impairment of respiration. Officers should not employ any restraint technique that could impair the subject's respiration
- iv. continue to monitor and communicate with the subject after they have been incapacitated by the Taser. This includes verbal reassurance as to the temporary effects of the Taser and instructions to breathe normally. This will aid recovery and mitigate against hyperventilation

When a Taser has been discharged and the subject is effectively under control, the probes may be removed and officers at the scene are to render immediate first-aid, if necessary.

Only those personnel who are Taser trained will remove probes from the subject. Ambulance or local hospital personnel are to remove probes that penetrate the face, eye, neck, bone structure, groin area of a person of any gender, or the breast area of a female.

Probes that have penetrated a subject's body should be treated as a biohazard, with personal protection kits utilised. All probes and cartridges should be disposed of in a sharps bio-hazardous container using proper safety precautions as per the *NSW Police Force Infectious Diseases Policy*.

10.1 Positional Asphyxia

In arrest situations, police should be mindful of the risks associated with positional asphyxia when dealing with subjects.

Positional Asphyxia is a term used to describe a form of asphyxia which occurs when a body position prevents adequate gas exchange (breathing), such as from upper airway obstruction or a limitation in chest wall expansion.¹⁶

Exact cause of death from positional asphyxia cases is uncertain but appears to involve a sudden fatal cardiac dysrhythmia (heart irregularity) or respiratory arrest.

¹⁶ <http://medical-dictionary.thefreedictionary.com/Positional+Asphyxia>

It is most likely to occur when the position of the body interferes with the person's ability to breathe. Any body position that obstructs the airway or, that interferes with the muscular or mechanical components of respiration may result in positional asphyxia.

The condition appears to manifest itself when an individual is highly stressed and exhibiting:

- i. wild, threatening, bizarre behaviour with possible mania or psychosis
- ii. violent resistance
- iii. violent behaviour generally

The following **risk factors** should also be considered by police when dealing with such persons:

- i. restraint of the individual in a prone, face down position, while handcuffed
- ii. drug and alcohol used by the individual
- iii. male gender and/or
- iv. the build of the individual including overweight or obese subjects

10.2 External Forces

When it is necessary to use the weight of several police to subdue an individual, the subject should be freed from the weight at the first opportunity to allow them to breathe freely.

10.3 Airway Obstruction

Closely monitor the subjects breathing and abandon any restraint at any sign of breathing difficulties or lack of a pulse.

If any sign of breathing difficulties or lack of a pulse occurs, administer first-aid if appropriate and **SEEK URGENT MEDICAL ASSISTANCE.**

Once the subject is secure and handcuffed they should be immediately rolled onto their side into a sitting position or stood up as soon as possible.

11. Safety Considerations

Officers are to:

- i. treat all Tasers as if they are armed and ready to discharge
- ii. keep hands away from the front of the Taser at all times particularly when loading and unloading cartridges
- iii. ensure the safety switch is engaged and the Taser is in safe mode:
 - a. before loading or removing a cartridge from the Taser and
 - b. whenever the Taser is not intended for immediate use
 - c. before handing it to another officer
 - d. upon receiving it from another officer

Accordingly, officers should:

- i. where practicable, load and unload Taser cartridges in a designated Taser loading/unloading room
- ii. never aim the Taser at the eyes or face of another person
- iii. never throw a Taser to someone else or attempt to catch a Taser
- iv. never point a Taser at any person, or in any direction where a person is likely to be, unless it is actually intended to be used in accordance with your duties and these procedures

Failing to adhere to these safety considerations may be considered a breach of the procedures.

12. Taser Issue and Return Procedures

Tasers will be issued to uniformed officers, who are suitably trained in their use, as part of their appointments to perform their duties.

Taser issue and return procedures will be conducted in accordance with *Annexure D* and *Annexure E*.

It should be noted that the majority of accidental discharges of the Taser occur as a result of poor loading/unloading procedures. The proper storage of the Taser will eliminate this from occurring.

Failing to properly store and secure a Taser which results in an accidental discharge will be considered a breach of the procedures.

13. Securing and storage of a Taser at other Institutions

The convention of police to securely store firearms prior to entering establishments such as Courts, Correctional Institutions etc, will apply to Tasers.

This procedure will also apply to police entering custody areas of police stations unless there are exceptional circumstances which may require the use of this tactical option.

Agreement has been reached with the NSW Ministry of Health for police to retain their Taser when entering a secure Mental Health Ward.¹⁷

14. Spark Testing

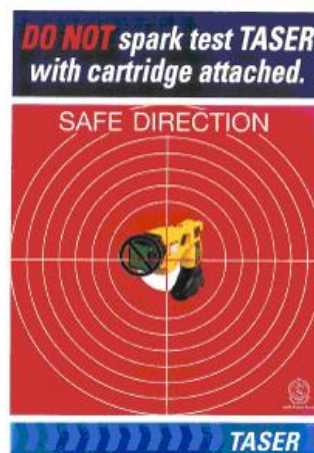
Whenever the Taser is removed from storage for operational use, a spark test **must be** conducted by the Taser User. Before the spark test is done the Taser User must:

- a) ensure the Taser cartridge is removed from the Taser
- b) arm the Taser
- c) depress the trigger

The length of the spark test should be one depression of the trigger for a full five (5) seconds (single cycle), enough for the Taser User to see a visible spark between the electrodes and the countdown on the CID. Each Taser on issue to a police station/Unit must be spark tested at least once each week.

When conducting a spark test the Taser User should do so in accordance with all General Firearms Safety principles, including 'SAFE DIRECTION'.

A Taser poster signifying safe direction should be affixed to a solid wall in the Taser storage area for the purpose of conducting a spark test safely. These are available from the Police Armoury.



¹⁷ http://intranet.police.nsw.gov.au/_data/assets/pdf_file/0009/425547/Taser_Use_In_Mental_Health_Facilities.pdf

15. High Risk Situations

The deployment of a Taser **should not** be used to resolve 'High Risk' situations unless there are exceptional circumstances that exist that may require the use of a Taser.¹⁸

15.1 Tactical Operations Unit

The Tactical Operations Unit (TOU) provides extraordinary operational support on a 24-hour basis to all police with the intent of resolving high risk situations without loss of life, injury of persons or damage to property. The TOU response to a high risk situation will generally occur in conjunction with the deployment of Police Negotiators.

The TOU may be deployed to the following high risk situations:

- siege/hostage situations
- arrest of armed and dangerous offenders
- conducting high risk entries and searches of premises
- escorts deemed to be of a high risk nature
- security of Internationally Protected Persons (IPPs), Heads of State and Holders of High Office (HHO) assessed at risk
- providing support services for major operations considered high risk

15.2 First Response Police

In high risk situations, including incidents where persons are threatening self-harm, all police should carefully consider their personal safety and safety of other police and the public. Where possible, first response police attending any high risk situation should:

- consider the guiding principles of containment and negotiation
- isolate the incident site by establishing a perimeter and
- request the assistance of the TOU and Police Negotiators

Police should be mindful of the purpose of a perimeter, which is to:

- provide a buffer zone between the danger and the community
- prevent persons approaching or interfering in the police operation
- prevent the escape of a suspect
- facilitate the safe movement of specialist police and support services such as Ambulance or Fire and Rescue
- to provide information/intelligence

Exigent circumstances may occur prior to the arrival of the TOU. If a direct threat calls for immediate action responding police must consider using commensurate force to protect human life.¹⁹

¹⁸ Refer to Annexure B – *Definition of High Risk*, p. 39

¹⁹ http://intranet.police.nsw.gov.au/policy_and_procedures/operational_policies/police_handbook/chapter_s/state_protection_group_spg

16. Use of Force Decision Making (Tactical Options Model)

Officers should familiarise themselves with the Tactical Options Model as outlined in *Annexure A*. This model will form the framework for use of force decision making by officers.

In particular, '**communication**': which is the hub of the wheel and therefore should be used as a component of all other tactical options. Force should only be used where de-escalation or negotiation have not been successful, or where circumstances do not allow any reasonable opportunity to attempt these techniques.

17. Post Deployment Actions

17.1 Taser Users

Where a Taser has been used in *Probes Discharged* or *Drive Stun* mode, Taser Users will ensure safe custody of the subject and take appropriate action to remove probes, notify their supervisor, contact the Ambulance and render first-aid and other assistance as required.

Upon return to the Police Station/Unit officers must report the use of the Taser.²⁰ A COPS event **must be** created for an incident involving the use of a Taser and the 'Use of Force' fields must be properly completed.²¹ The Taser **must be** downloaded prior to the end of the shift.

17.2 Custody Managers

Upon being placed into custody, the arresting officer will notify the Custody Manager that a Taser was used on the subject and will indicate in what area the probes made contact, so that this information can be recorded in the Custody Records on COPS.

17.3 Debrief Process

A debrief process for the use of Taser has been developed and is assigned by Taser Review Panels to Commands for incidents where *Probes Discharged* and *Drive Stun* incidents have occurred. They may also be assigned for *Draw and Cover* incidents by exception.

A Commissioned Officer (including an officer acting in the role) should conduct a Taser debrief. Where possible, these officers are to be Taser trained. A debrief is to be conducted in accordance with the debrief process using the approved debrief form at a suitable time after the Taser has been deployed. The process will be facilitated by the Region/Command Professional Standards Manager through the *e@gle.i* system.

²⁰ Refer to Section 19 – *Download*, p. 34

²¹ Refer to Section 18 – *Reporting and Recording Taser Use*, p. 33

17.4 Disposal of Cartridges

As a general rule, all used training and operational cartridges should be returned to the Police Armoury for disposal. However, different procedures will apply for cartridges which are considered a biohazard due to the probes coming in contact with the skin of a subject (includes animals).

Training Cartridges

Generally, training cartridges will not come into contact the skin of a subject. The procedure for the disposal of used training cartridges is:

- i. the probes are to be removed from the connecting wires and placed in a sharps container for later disposal
- ii. the connecting wires are to be removed from the cartridge and treated as normal waste and disposed of in a garbage bin
- iii. the used cartridge is to be returned to the Police Armoury

Damaged Cartridges

A cartridge that appears to be in a damaged condition (blast doors missing, serial number unreadable) should be returned to the Armoury for replacement. Where possible, the clear plastic shipping cradle should be affixed to the front of the cartridge to reduce the risk of any discharge of the probes during transit.

Where the serial number label has been damaged return the cartridges back to the Armoury with a short report indicating the LAC/Command name from where the cartridges have come from and the number being returned.

Cartridges considered a Biohazard

Where a discharged cartridge has become contaminated and is considered a biohazard the following procedure will apply:

- i. where appropriate, remove the probes from the subject and dispose of the cartridge in the approved biohazard container.

Local Area Commands / Units

Where a cartridge has been discharged or damaged, Local Area Commands/Units should:

- i. facilitate the return or disposal of damaged cartridges
- ii. ensure that locally held records relating to the receipt, issue and disposal of cartridges are properly maintained and reconciled as per CMF requirements
- iii. ensure used cartridges taken for evidentiary purposes are treated as exhibits and are stored and disposed of appropriately.

18. Reporting and Recording Taser Use

Members of the NSW Police Force who use a Taser, other than for demonstration, servicing, or training, must report such use (see table below).

Where Taser has been used in *Draw and Cover*, *Probes Discharged*, *Drive Stun* or *Hazardous Practice – Probes Discharged*, a COPS event is to be created with an incident type of 'Taser Use'. When selecting a 'Taser Use' Incident, the 'Use of Force' fields will automatically appear unless it is a *Hazardous Practice* and be mandatory for officers to complete.

The Taser COPS event, including the narrative justifying the use, should be completed prior to the end of the shift.

Note: Any instance of Hazardous Practice – Probes Discharged must be reported to the Local Area/Unit Commander who will ensure appropriate action is taken where required.

Modes of Use	Probes Discharged	Reporting Requirements
<i>Draw & Cover</i>	No	COPS Event
<i>Probes Discharged</i>	Yes	COPS Event Taser SITREP
<i>Drive Stun</i>	Yes	COPS Event Taser SITREP
<i>Hazardous Practice</i>	Yes	COPS Event

Taser COPS events will be disseminated to the Region/Specialist Command Professional Standards Manager.

The Taser must be downloaded immediately upon return to the station.²²

The Local Area/Unit Commander or their delegate is responsible for accessing each individual Tasers database monthly, verifying that there have been no additional discharges of probes, other than those that have already been reported.

²² Refer to Section 19 – *Download*, p. 34

19. Download

Immediately after an accidental discharge has occurred, or upon return to the Police Station/Unit after a Taser has been used in the field in *Draw and Cover*, *Probes Discharged* and/or *Drive Stun*, the Taser is to be downloaded.

Unload the Taser, ensuring the cartridge is removed.

Insert the data download cable into the base of the Taser Cam and connect the USB cable into the designated Taser download computer.²³

Follow prompts from Taser Download Program for the specific time period. The program will automatically download the data.

In circumstances where a critical incident has been declared, the downloading of the Taser will be supervised by a senior officer independent of the incident.

Note: Detailed download procedures are provided to all authorised users during Taser training

If the download fails, contact Business Technology Services (BTS) via RASP.

Do not interrupt a Taser download sequence or disconnect the Taser download cable until the download has been completed. If the download is interrupted or disconnected, it may adversely affect the performance of the Taser on its next use.

20. Command Management Framework

Commanders are to ensure that:

- i. all Taser operational equipment is inspected weekly
- ii. the Taser Register is inspected weekly including a check to ensure all Tasers are on hand and have been spark tested at least once that week. If not, a spark test is to be carried out and a record made of the charge reading
- iii. each Taser is downloaded monthly to ensure all data capture has occurred
- iv. Taser Register pages have been electronically copied and filed on the Station/Unit 'P' drive on a monthly basis and
- v. all Tasers are to be given an extended spark test every month to test the battery life of the Taser Cam ²⁴

²³ http://intranet.police.nsw.gov.au/__data/assets/file/0011/377705/ECD_Uploader_User_Guide_Release_V1_2_-_09_Nov_11.pdf

²⁴ http://intranet.police.nsw.gov.au/organisational_units/operations_command/major_events_and_incident_group/tasers

21. Taser Repair and Replacement

Any maintenance issues associated with the Taser or Taser Cam should be initially referred to a local Operational Safety Instructor. If the issue cannot be resolved by that officer, the Taser along with the Taser Cam should be returned to the Police Armoury.

This includes Tasers which are damaged, defective or otherwise require servicing, as well as, those Tasers that have failed the monthly extended spark test. (*Refer to Conducting an Extended Spark Test (Taser) Procedures*)

21.1 Police Armoury

All Tasers returned to the Police Armoury should be done personally (*metropolitan locations*) or in an approved security courier container (*country locations*).

Commands / Units that require the repair or replacement of a damaged or defective Taser are to:

- i. contact the Police Armoury for advice concerning the necessary arrangements. Country locations are to send Tasers for repair or replacement via **TNT Failsafe ONLY**
- ii. complete a Faulty Taser Report or Faulty Taser Cam Report outlining the issue and/or fault ²⁵

Where possible, the information recorded on a Taser/Taser Cam is to be downloaded prior to forwarding the device to the Police Armoury. Contact BTS for further assistance.

22. Access to Tascam Audio and Video

Downloaded Taser Cam data is managed on the *e@gle.i* system.

Officers requiring Taser Cam audio and video for evidentiary or investigative purposes can obtain this data by contacting RASP with authority from the Local Area/Unit Commander.

Where the Taser Cam audio and video is required for production in Court a DVD will be provided by BTS.²⁶

²⁵http://intranet.police.nsw.gov.au/organisational_units/specialist_operations/counter_terrorism/state_protection_group/command_units/the_armoury/forms

²⁶ http://intranet.police.nsw.gov.au/_data/assets/file/0010/366571/Producing_TASER_Evidence_for_Briefs_or_GIPA_or_Subpoena.pdf

23. Review of Operational Taser Use

Operational Taser use may be reviewed by the Deputy Commissioner, Field Operations.

The Taser Executive Committee will work with Regions/Specialist Commands to ensure that 100% of all operational Taser usage for *Draw and Cover*, *Probes Discharged*, *Drive Stun* or *Hazardous Practice* are recorded and appropriately reviewed.

24. Region/Specialist Command Taser Review Panels

Taser Review Panels have been established in each Region and Specialist Command that uses Tasers. The Taser Review Panels are responsible for reviewing **ALL** operational Taser use within their respective Commands/Units to ensure compliance with training and these *procedures*.

Taser Review Panels will operate in accordance with the *Taser Review Panel procedures* and will decide on appropriate sanctions to be applied to any breach of these procedures.

References

Association of Chief Police Officers (2008), *Operational Use of Taser by Authorised Firearms Officers (Taser Policy and Guidance)*, pp 1-53.

American Civil Liberties Union, *Conducted Energy Devices Guidelines and Limitations*, pp. 2-6.

Anders, S., Junge, M., Schulz, F. & Puschel, K.(2003) 'Cutaneous current marks due to a stun gun injury', *Journal of Forensic Sciences*, vol 48, no. 3, pp. 640-42.

Commission for Public Complaints against the Royal Canadian Mounted Police (2008), *Final Report: RCMP Use of the Conducted Energy Weapon (CEW)*, pp 1-78

El Paso County Sheriff's Office (2005), *Taser Electronic Immobilizing Device Policy and Procedure Manual*, pp 1-3

Knightstown Town Marshal's Department (2009), *Knightstown Town Marshal's Department Standard Operating Procedure Manual*, pp 76-82

Las Vegas Metropolitan Police Department (2004), *Use of Taser Procedural Order (PO-43-04)*, pp 1-4

Minneapolis Police Department, *Conducted Energy Device Training Manual*

NSW Ombudsman (2012), *How are Taser weapons used by the NSW Police Force? A Special Report to Parliament under s. 31 of the Ombudsman Act 1974*, pp 1-198

Police Service of Northern Ireland (Unknown), *Operational Use of Taser: Notes for Guidance on Police Use*, pp 1-23

Public Order & Riot Squad Standard Operating Procedures V4.1

Queensland Police Service and the Crime and Misconduct Commission (2009), *Review of Taser Policy, Training and Monitoring & Review Practices*, pp 26-42

TASER® Armourer Manual V2

TASER® X26 Instructor Manual V14.2 and V15

United Kingdom (UK) Civil Nuclear Constabulary (2012), *Use of Tasers (Conducted Energy Devices)*, Procedure no. CNC/PP/0418, pp 1-19

Kent Police - United Kingdom (2010), *M115 Operational Use of Taser Policy*, pp 1-7

University of Colorado, Denver Police Department (2007), *Standard Operating Procedure – Taser, Training and Qualification Standards*, pp 1-4

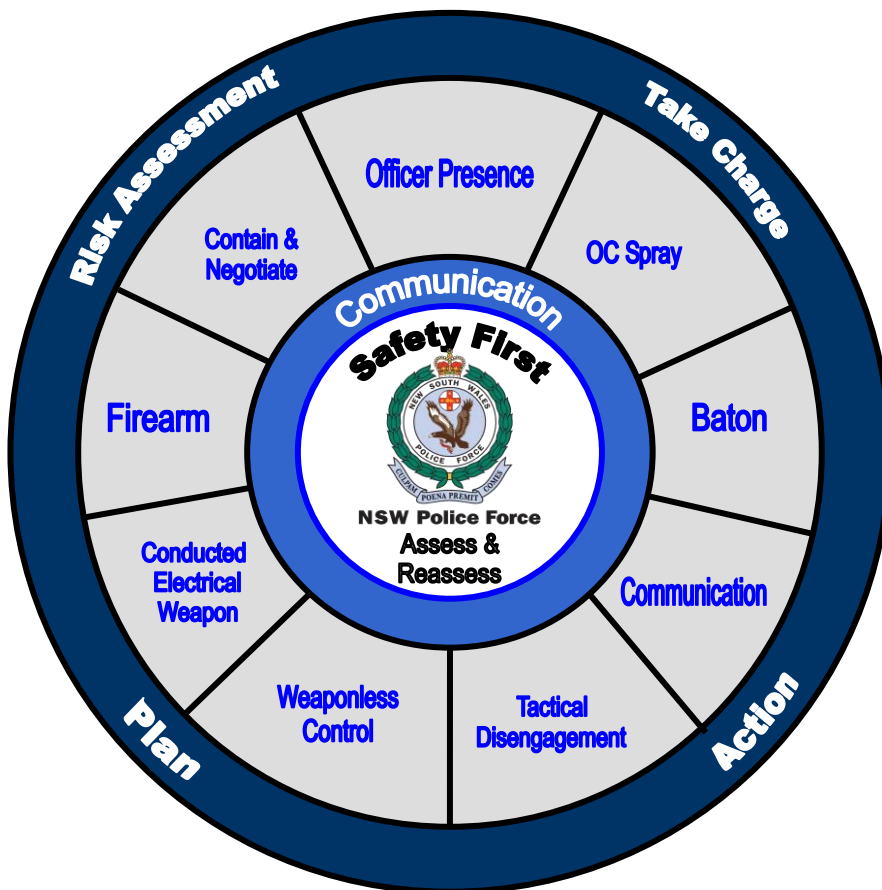
U.S Department of Justice (2011), *Police Use of Force, Tasers and Other Less-Lethal Weapons*, pp 1-19

U.S Department of Justice (A Joint Project between the Office of Community Oriented Policing Services & Police Executive Research Forum) (2011), *2011 Electronic Control Weapon Guidelines*, pp 1-54

Victoria Police Force Response Unit (2009), *Standards Operating Procedures – Electronic Control Device (Taser)*, pp 1-9

OPERATIONAL SAFETY TACTICS

Operational safety tactics principles are to apply to the planning, implementation, response & evaluation of any incidents or operations attended by NSW Police Force Officers



Use of Force Concepts

Officer/Subject Factors

- Age
- Gender
- Size
- Fitness
- Skill Level
- Multiple Officers/Subjects

Control Theory

The ultimate **goal** is **control** of the situation.
 You need advantage for control.
 Evaluate the propensity for control –v– injury
 (Reasonable force)
 Ability to disengage, de-escalate the situation or
 respond to escalation is imperative.

Special Circumstances

- Proximity to a Weapon
- Special Knowledge
- Injury or Exhaustion
- Ground Position
- Disability
- Imminent Danger
- Drugs/Alcohol
- Mental State

The below definition of a high risk situation, as used by the NSW Police Force, is adopted from the *NATIONAL GUIDELINES FOR DEPLOYMENT OF POLICE TO HIGH RISK SITUATIONS, DEPLOYMENT OF POLICE NEGOTIATORS AND THE USE OF LETHAL FORCE – 2005*.

High Risk Situations

The circumstances and types of situations which may be defined as High Risk vary widely. The essential judgement that needs to be exercised is whether the real or impending violence or threat to be countered is such that the degree of force that could be applied by the police is fully justified. In this context, one or more of the following criteria may be used to define High Risk for the purpose of these procedures:²⁷

- Seriousness of the offence committed by the suspect/offender
- Expressed intention by suspect/s to use Lethal Force
- Reasonable grounds to believe that the suspect:
 - may use Lethal Force
 - has or may cause injury/death
 - has issued threats to kill or injure any persons
- The suspect has:
 - prior history of violence
 - is exhibiting violence now
- Involvement of innocent participants (e.g. hostages, VIPs or bystanders)

First Response Police

In high risk situations, including incidents where persons are threatening self-harm, all police should carefully consider their personal safety and safety of other police and the public. Where possible, first response police attending any high risk situation should:

- Consider the guiding principles of containment and negotiation
- Isolate the incident site by establishing a perimeter and
- Request the assistance of the TOU and Police Negotiators

The purpose of a perimeter is to:

- Provide a buffer zone between the danger and the community
- Prevent persons approaching or interfering in the police operation
- Prevent the escape of a suspect
- Facilitate the safe movement of specialist police and support services such as Ambulance or Fire Brigades and
- To provide information/intelligence

Exigent circumstances may occur prior to the arrival of the TOU. If a direct threat calls for immediate action responding police must consider using commensurate force to protect human life. Urgent assistance of the TOU and Police Negotiators can be requested through the Duty Operations Inspector (DOI) on e/n 54408.

²⁷ http://intranet.police.nsw.gov.au/policy_and_procedures/operational_policies/police_handbook/chapter_s/state_protection_group_spg#spg6

Tasers should not be handed over to other officers in the field unless exceptional circumstances exist.

All Tasers should remain with the Taser User who signed the device out for operational use at the commencement of the shift. Only in exceptional circumstances should a Taser be handed over to another Taser User in the field. Where this occurs, the following procedure should apply:

- i. the receiving officer will ask the handover officer if the Taser was spark tested, its operational condition, if it has been used during the shift and the type of use undertaken. If satisfied the device is operationally capable, the transfer of the device will proceed
- ii. the handover officer will remove the Taser holster with the Taser securely inside and will then remove and pass the quick disconnect assembly to the receiving officer. The receiving officer will place the quick disconnect assembly into position on their appointment belt and will then connect the Taser holster to it. Where a load bearing vest is used as a carrier option, the holster will be secured to the vest via the quick disconnect clip already in place and
- iii. at the earliest possible opportunity after returning to the Police Station/Unit the receiving officer should conduct an unload drill, spark test and load drill. They should also fill in the Taser register

Supervisors will ensure only one Taser is issued to a minimum two (2) uniformed officer team deployed as part of an operational response capability. This does not affect the current authority for Duty Officers/Inspectors and Supervisors to carry and use Taser when working as a single unit.

Supervisors will ensure the movement of Taser and cartridges in and out of storage is done appropriately and properly recorded using the Taser Register form and these procedures.

Accessing the Taser:

At the commencement of each shift, Taser Users must:

- a) make an entry in the 'Taser Register'
- b) remove charging lead from Taser
- c) ensure the Taser is in the unloaded condition
- d) check the Central Information Display Window (CID) indicates greater than 20% battery life
- e) conduct a 'Spark Test'
- f) load Taser with operational cartridge
- g) holster the Taser
- h) ensure that a spare operational Taser cartridge is carried in the organisationally approved cartridge carrier on the duty belt

Note: When conducting a Spark Test, if the TASER CAM battery percentage reads less than 20% the Taser Cam is to be removed from operational duty and recharged.

When performing operational duty, Taser Users will carry their Taser in the loaded condition in the holster provided for that purpose.

Loading the Taser:

- a) point the Taser in a safe direction and ensure it is unloaded. (If loaded refer to 'Unloading the Taser' on page 43)
- b) ensure that the Safety Switch is in the safe position
- c) ensure the trigger finger is OFF the trigger and OFF the frame
- d) 'cant' the weapon by bending the arm and bringing the elbow into the waist, tilting the weapon outwards at eye level
- e) with the support hand, ensuring that the fingers remain clear of the blast doors, take hold of the cartridge between the thumb and first finger
- f) insert the cartridge by pushing it onto the Taser ensuring that you hear an audible click
- g) then pull on the cartridge to ensure it is fitted correctly
- h) the Taser is now in the 'LOADED CONDITION'

Unloading the Taser:

- a) point the Taser in a safe direction
- b) ensure that the Safety Switch is in the safe position
- c) ensure the trigger finger is OFF the trigger and OFF the frame
- d) '*cant*' the weapon by bending the arm and bringing the elbow into the waist, tilting the weapon outwards at eye level
- e) with the support hand, ensuring that the fingers remain clear of the blast doors, take hold of the cartridge between the thumb and first finger depressing the cartridge release buttons
- f) remove cartridge by pulling the cartridge from the Taser
- g) secure cartridge in the base of the Taser Cam
- h) to recharge the Taser Cam, remove the cartridge from the base of the Taser Cam and store the cartridge in the Taser safe/storage unit. Then insert the charging panel into the charging slot at the base of the Taser

Return and Storage of Taser:

At the completion of each shift, Taser Users must complete the following:

- a) make an entry in the 'Taser Register'
- b) unload the Taser by removing the operational cartridge
- c) visually inspect the Taser
- d) secure the Taser inside the Taser safe/storage unit and insert the charger lead in the approved manner (see Annexure G)
- e) securely store unused operational cartridges ensuring they are safely stored

The Taser Register Forms (P1033) can be located on the NSW Police Force Intranet site.

Go to *Forms > Arms and Appointments > [Taser Register](#)*

The two page form is set out in three parts.

Part A - Issue/Return

Is used to record the issue and return of each Taser in an LAC/Station/Unit.

Part B - Record of Use

Is used to record relevant information when a Taser is operationally discharged/used.

Part C - Record Keeping

Provides advice on how to keep an electronic record of the forms; allows for the reporting that an electronic record has been created and filed and has provision for recording a 'dip sample' check that this process has occurred.

Each LAC/Unit is to create a suitable issue and return record keeping system for the Tasers using these forms or a suitable alternative approved by the Commander that reliably captures the relevant information required on the P1033 form.