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INSTALLATION MANAGEMENT COMMAND
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Policy Letter# 18

15 July 2022

MEMORANDUM FOR All Members of the USAG Fort Hamilton Community

SUBJECT: US Army Garrison Fort Hamilton TASER (Thomas A. Swift Electronic Rifle) Policy

1. References.

- a. Department of Defense Directive 3000.3 Policy on Non-Lethal Weapons
- b. Army Regulation 190-14, Carrying of Firearms and Use of Force for Law Enforcement and Security Duties, dated 12 March 1993.
- c. AR 190-45 Law Enforcement Reporting, dated 27 September 2016.
- d. AR 195-5 Evidence Procedures, dated 25 August 2019.
- e. ATP 3.22-40 Multi-Service Tactics, Techniques and Procedures for the Employment of Non-Lethal Weapons, May 2020
- f. Office of the Provost Marshal General (OPMG) TASER Policy for Installation Law Enforcement Use, dated 3 December 2008.
- g. Office of the Provost Marshal General (OPMG) TASER policy for Department of the Army Security Guard Use, dated 18 June 2009

2. Purpose. To provide authorization and guidance to Directorate of Emergency Services (DES) DACP/DASG (Department of the Army Civilian Police and Security Guards) on the use of TASER to comply with IMCOM regulations and policies.

3. Applicability. This memorandum applies to all personnel conducting DACP/DASG duties under the jurisdiction of U.S. Army Garrison, Ft. Hamilton, Brooklyn, New York.

4. General.

- a. The TASER is deployed as an additional non-lethal weapon (NLW) and is not intended to replace firearms or other self-defense techniques. The TASER may be used:

(1) To control dangerous or violent subjects when deadly force does not appear to be justified and/or necessary.

(2) When attempts to subdue a targeted subject by conventional tactics have been, or will likely be ineffective in the situation.

(3) When there is a reasonable expectation that it will be unsafe for Law Enforcement personnel to approach within physical contact range of the targeted subject.

5. Training and Certification.

a. Training enhances the TASER's effectiveness, protects both the user and the Army against liability, and ensures the safety of Law Enforcement personnel, the targeted subjects, and bystanders. Comprehensive training should go beyond the technical application to include physiological reactions, legal issues, use of force guidelines, tactical circumstances, and applications.

b. Law Enforcement personnel will be trained in accordance with the 191-N0001, this policy, and local policy prior to receiving authorization to carry and deploy the TASER.

c. TASER training will include classroom instruction and practical application to include deployment against simulated targets followed by the successful completion of the written and practical examinations.

(1) Classroom training will ensure Law Enforcement personnel understand and can identify the intended purpose, functions, rule for use, nomenclature, parts, and characteristics of the TASER and its accessories.

(2) Practical application will consist of function check procedures, cartridge loading and unloading, target management, and preventative maintenance.

(3) Exposure to the TASER's electrical stimulus is optional during training or certification and it is at the discretion of the local Garrison Commander.

d. Only those personnel who have successfully completed USAMPS validated instructor certification or TASER International Inc. master instructor training, and whose certification is current, will administer training and examinations. Instructors will utilize

the USAMPS approved TASER lesson plans as the standard for conducting TASER training.

e. TASER training will be documented on a local training record that will include at a minimum the trainer's name and rank, the trainee's name and rank; the date, time and location of the training, and what training was conducted.

f. Training will be conducted annually at a minimum. Trainees must successfully complete and pass a practical evaluation specified in the USAMPS lesson plan to maintain current certification.

6. Authorized Use.

a. The TASER is intended as a control device to minimize injuries to DACP/DASG personnel, targeted subjects, and bystanders. The timely and appropriate use of the TASER can de-escalate situations where an escalation of force is possible. Its purpose is to enable DACP/DASG personnel to perform their duties in a safe, efficient, and professional manner.

b. The TASER is one of several NLW options available to Law Enforcement personnel like the Baton/ASP, Oleoresin Capsicum spray, or empty hand techniques, the TASER may not be effective in every situation. Before employing the TASER, Law Enforcement personnel must be able to determine whether further applications were warranted or a different method tactic should be attempted. The decision to use the TASER will depend upon the actions of the targeted subjects, the threat facing the officer, and the totality of the circumstances surrounding the event.

c. The TASER is not a substitute for deadly force and should not be used in situations where deadly force is necessary. Deployment of the TASER will not be backed with the availability of deadly force.

d. DACP/DASG personnel are authorized to use the TASER only after they have clearly displayed physical presence and identified themselves as law enforcement. DACP/DASG personnel will give a verbal warning and verbal commands to a resisting targeted subject when and if the situation permits. Verbal warning and commands are not necessary if threats to DACP/DASG personnel safety or the safety of others dictates immediate actions.

e. The use of the TASER may, in some cases, eliminate the need for actual hands-on active counter measures and the possibility of injury. DACP/DASG personnel may utilize empty hand control tactics prior to the use of the TASER based upon the totality

of the circumstances. DACP/DASG personnel are not required to attempt empty hand control tactics if they believe those tactics would be dangerous or ineffective.

f. The TASER may be utilized on a targeted subject who is under the control of DACP/DASG that suddenly reacts violently requiring the immediate restraint during apprehension processing.

g. The use of force is subject to the guidelines established in h below, as well as those located in AR 190-14.

h. DACP/DASG personnel must comply with these established uses of force guidelines:

(1) The TASER **may** be used when:

(a) A targeted subject is punching or kicking or threatening to punch or kick.

(b) Lesser use of force options are ineffective or likely to be ineffective.

(c) DACP/DASG personnel reasonably believe the targeted subject is a credible threat to themselves or bystanders.

(d) The targeted subject poses a threat from a distance and DACP/DASG personnel are at risk of injury if they attempt to close that gap.

(2) The TASER **will not** be used:

(a) When it is known that a targeted subject has come into contact with flammable liquids or is in a flammable environment.

(b) When a targeted subject is in a position where falling may cause substantial injury or death.

(c) Punitively against a targeted subject for purposes of coercion.

(d) To awaken an unconscious or intoxicated subject.

(3) The TASER **should not** be used on the following subjects unless exigent circumstances exist:

(a) On a targeted subject operating a motor vehicle.

(b) On a targeted subject gripping a firearm.

(c) On women known or suspected to be pregnant, elderly or disabled persons of either sex, or children.

(4) Other deployment considerations include:

(a) How imminent is any threat to DACP/DASG personnel or others?

(b) Is the targeted subject actively resisting apprehension?

(c) Are circumstances tense, uncertain, and rapidly evolving?

(d) How severe is the suspected crime?

i. DACP/DASG personnel will continue to evaluate the threat posed by the targeted subject after initial deployment of the TASER and will only initiate a subsequent dose from the TASER in the targeted subject if they continue to pose a threat to DACP/DASG personnel or bystanders.

7. Applications.

a. There are four separate TASER applications.

(1) Display. A non-contact demonstration of the TASER. The TASER is upholstered and directed at the targeted subject with the laser sight display activated. The purpose is to convince the targeted subject to comply with a lawful order before moving to spark display and further avoid the TASER being deployed in a drive stun or probe mode.

(2) Spark Display. A non-contact demonstration of the TASER's capability to discharge electricity. This is conducted only when the cartridge has been removed from the weapon. The purpose of this display is to persuade the targeted subject to comply with a lawful order and avoid the TASER being deployed in a drive stun or probe modes.

(3) Drive Stun. A contact method where the front of the TASER is pressed against the body of the targeted subject after the cartridge has been removed, or already deployed, and the TASER is activated. The drive stun causes significant localized pain to the area in contact with the TASER but does not have a significant effect on the central nervous system. Drive stun does not incapacitate a targeted subject but may

assist in taking a targeted subject into custody. Drive stun may be applied in combination with probe deployment.

(4) Probe Deployment. The TASER is most effective when the cartridge is fired and the probes make direct contact with the targeted subject. Proper application will result in temporary immobilization of the targeted subject and provide the officer a window of opportunity to safely apprehend the targeted subject. The probe should be deployed from a minimum range of three feet to a maximum range of 35 feet with the optimal range being 7 to 15 feet. Deployment of the TASER cartridge at distances of less than 3 feet will not result in temporary immobilization or central nervous system disruption with the effect being very similar to a drive stun.

b. Center mass of the body is the primary target area when firing the TASER. Targeting of the head and groin should be avoided unless targeting those areas is required for the safety of the DACP/DASG personnel and bystanders.

c. When deployed, the TASER produces a sound similar to small arms gunfire although significantly lower in volume. To reduce the likelihood of accidental firearm discharge due to sympathetic fire response, DACP/DASG personnel deploying the TASER will announce in loud, clear, and audible voice, "TASER!". This will warn other DACP/DASG personnel that the TASER is about to be fired.

8. Precautions and Post Deployment Responsibilities.

a. DACP/DASG personnel must be vigilant not to step on or make other contact with the wires connecting to the probes while it is actively engaged. It is safe to touch a targeted subject while the TASER is actively engaged so long as contact is not made with the wires.

b. Protective gloves should be utilized while removing probes from a targeted subject to prevent exposure to blood-borne pathogens. Areas of the skin penetrated by the probes should be wiped with an alcohol pad or other first aid wipes and covered with adhesive dressing as soon as conditions permit.

c. Medical treatment or clearance by a supervisor for apprehension processing will be sought for any targeted subject that has received a TASER dose and:

- (1) Is highly agitated and is, or is perceived to be under the influence of stimulants.
- (2) Is determined to have a pre-existing heart condition or pre-existing respiratory condition.

(3) Is under the influence of drugs and/or alcohol.

(4) Has received a total of two or more complete TASER doses.

(5) Is known or perceived to be pregnant.

d. Deployment of the TASER is coupled with the requirement to be prepared to provide medical aid to the targeted subject when safe, reasonable, and prudent. Medical treatment will not be refused to anyone who requests it.

e. If medical treatment is required, DACP/DASG personnel will inform medical personnel as to the number and time of the dose the targeted subject has received from the TASER.

f. If the probes are lodged in soft tissue areas such as near the eye, throat, ear, groin, or genitals medical personnel will be summoned to the scene or the targeted subject will be transported to the nearest medical treatment facility to have the probes removed by medical personnel.

g. Once a targeted subject is restrained, or has complied, the TASER should be turned off and secured.

h. The TASER will not be left unattended except in exigent circumstances such as when an officer is forced to act alone in taking the targeted subject into custody or respond to immediate threat. In such cases every attempt will be made to holster or safely store the weapon before taking such actions.

i. After deployment, the wires will be wrapped around the cartridge and the probes shall be inverted into the portals they were deployed from. This will prevent the sharp ends from piercing evidence bags or envelopes. Tape will be placed over the portals to secure the probes and the cartridge will then be placed into evidence bags or envelopes and documented on a DA 4137. Bags and envelopes will also be labeled with "biohazard" and "TASER cartridge".

j. Upon apprehension processing, detention personnel shall be informed that the targeted subject was controlled by the use of a TASER. At no time will a targeted subject that has not had probes removed or received medical care be left alone at the detention center if medical care was requested or determined to be necessary.

9. Reporting and evidence collection.

a. Law Enforcement personnel will report on operational deployment of the TASER for any of the applications on a Law Enforcement Report related to the incident:

(1) Spark or display of the device.

(2) Drive stun firing of the device.

(3) Probe firing of the device.

(4) Un-holstering of the device and aiming the device at a targeted subject where DACP/DASG personnel perceived the actions of the targeted subject as a potential threat justifying the use of force.

b. DACP/DASG personnel will ensure the serial number of the TASER and Cartridge(s) are in the police report.

c. Photographs should be taken of the probe impact sites and any related injuries with the exposure to the TASER device and included in the police report.

d. A TASER deployment report will include the date prior to the deployment, the date of the deployment on the targeted subject, and the day after if available. This report will be attached to the original police report for inclusion in the case files as evidence IAW AR 195-5, Evidence Procedures.

e. DACP/DASG personnel will collect and place into evidence a sampling of the anti-felon identification micro-dots dispersed at the time of firing.

10. Jurisdiction and Authority. The DES for each installation, in coordination with the Installation Commander and Installation Legal Office, may place further limitations on the use of the TASER beyond what is provided in this information.

11. Equipment.

a. The TASER comprises a sub-module of the of the Army's reconfigured non-lethal capabilities sets. The TASER and certain accessories are manufactured by TASER International Inc. and are available through the Defense Logistics System via National Stock Numbers.

b. DACP/DASG personnel assigned a TASER are responsible for maintaining the device's operational readiness and shall:

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(1) Return the TASER and extra cartridges to the arms room for storage and accountability when not in use.

(2) Keep at least two extra cartridges with the device. Extra cartridges should not be carried in pockets due to the risk that static electricity could cause an unintentional discharge of the cartridge.

(3) Check the TASER's battery strength to ensure adequate battery charge and functionality.

I. While the safety is on, DACP/DASG personnel shall remove the cartridge prior to checking the battery strength or changing the batteries in the unit.

II. A reading of 19% or less will require the battery pack to be changed. The battery pack will not be removed from the TASER except when the reading is 20% or less or to conduct a data download.

III. Do not store the TASER for more than four hours without the batteries attached. In the event that the unit's battery strength is not adequate, DACP/DASG personnel shall exchange the unit for another with adequate battery strength.

(4) Check the expiration date and the condition of the TASER cartridges. Expired and/or damaged cartridges shall be replaced.

(5) The TASER will be inspected for damage and cleanliness before and after each shift.

(6) DACP/DASG personnel will conduct a spark check at the beginning of every shift outside of public view to ensure the TASER is functioning properly. This check does not require completion of a use of force report.

(7) DACP/DASG personnel will carry the TASER in an issued or equivalent holster which will be worn on the opposite side of their duty weapon in a cross-draw configuration. NO EXCEPTIONS!

12. Point of contact for this policy is Michael Canter, Director of Emergency Services who can be reached at COMM (718) 630-4345/DSN232 or e-mail at Michael.L.Canter.civ@army.mil.



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