



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
DEPARTMENT DIRECTIVE
 PDCS-2008-1

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ORDER NUMBER 16-63

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY TIMOTHY D. SINI POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE USE OF PHYSICAL FORCE – LESS LETHAL WEAPONS AND EQUIPMENT			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	SECTION CREATED 07/24/09	DATE EFFECTIVE 05/13/16	DATE AMENDED 05/13/16

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 16: TITLE: USE OF PHYSICAL FORCE - LESS LETHAL WEAPONS AND EQUIPMENT

(THIS ORDER HAS BEEN REDACTED.)

VI. PROCEDURE

(TASER POLICY ONLY)

A. Less Lethal Weapons and Equipment - shall be used only as prescribed in Departmental training. These items, or other authorized equipment, shall never be converted or used in such a way as to represent the use of deadly force unless the officer reasonably believes such is necessary to repel imminent use of deadly force against the officer or another. Members of the Service are required to obtain Department authorized training in the proper use of less lethal weapons and equipment. All members of the Service using these less lethal weapons and equipment must successfully complete a Department approved initial training course prior to issuance, and receive annual training thereafter which is accomplished by the required annual viewing by members of the Service of the Decentralized Individualized In-Service Training (DIIT) video entitled "Deadly Physical Force/Physical Force-Less Lethal".

2. Tasers - (Conducted Energy Devices [CED])

a. The use of the Taser is controlled by the same sections of the Penal Law that control the use of physical force. The Taser is not to be used on a person unless the member of the Service reasonably believes that the use of the Taser is necessary to affect an arrest, for self-defense, or

the defense of a third party against unlawful physical force.

b. Unless a person presents an immediate threat of injury to himself/herself or to others, the Taser shall not be used if the person is:

- (1) obviously pregnant
- (2) apparently under 16 years of age
- (3) apparently over 65 years of age
- (4) running away to escape
- (5) in an elevated position above ground level from which the person might fall and injury is likely, unless safety precautions have been taken (example: airbag deployment).
- (6) operating a vehicle or machinery
- (7) in a flammable environment
- (8) in water unless additional personnel are available for possible rescue
- (9) obviously frail or infirmed
- (10) handcuffed, unless they are exhibiting active aggression, and/or to prevent individuals from harming themselves or others.

c. The Taser is considered a use of force and it is not to be used merely to persuade an individual who is simply not complying with an officer's orders.

d. Under all circumstances if possible, when deploying the Taser members of the Service should attempt to avoid the sensitive areas of the body; the head, throat, frontal chest/breast area or known pre-existing condition areas. Taser use causes Neuromuscular Incapacitation (NMI) and beyond its intended purpose may exacerbate medical conditions in persons taking certain medications and/or drugs or who have other cardiac conditions and/or implanted electronic medical devices such as pacemakers and defibrillators.

e. After a Taser has been deployed on a person, the member of the Service involved shall transport, or cause the subject to be transported, to the

nearest medical facility for a clinical evaluation and removal of the Taser darts.

f. When a Taser device is used against a subject, a supervisor must be notified and will respond to the scene as soon as possible. The supervisor will investigate the circumstances and take any other measures deemed appropriate at the time. The supervisor will ensure a Subject Resistance Report (PDCS-1040) is completed by the member using a Taser. The member's command shall ensure the distribution of copies of the report as indicated on the report. In addition, a copy of the Subject Resistance Report shall be transmitted as soon as practicable to the Firearms Training Section. If the use of a Taser is only threatened, notification of a supervisor and submission of the Subject Resistance Report is not required.

g. When a Taser device is used in the Drive-Stun (dry-stun, dry tasing, contact tasing, drive tasing) mode, the member of the Service involved shall immediately transport, or cause the subject to be transported, to the nearest medical facility for a clinical evaluation.

h. Each discharge of a Taser on an individual is considered a separate use of force which must be justified and documented. If after the third 5-second discharge the subject is not yet controlled, the officer should consider other force options or techniques. If extenuating circumstances justify additional discharges of the Taser, those circumstances must be fully documented on a Subject Resistance Report. NOTE: The entire use of multiple Taser discharges can be documented on a single Subject Resistance Report.

(THIS ORDER HAS BEEN REDACTED.)

END