
Policy Number: 301.066
Title: Conducted Energy Weapon
Effective Date: 9/16/2024

PURPOSE: To provide procedures and guidelines for issuance and use of the Taser® device. This is a pilot program for the use of tasers in Minnesota Correctional Facilities.

APPLICABILITY: All Minnesota Correctional Facilities (MCF).

DEFINITIONS:

Taser – A less lethal weapon which is used to temporarily incapacitate/immobilize an individual by discharging current causing neuromuscular incapacitation (NMI). The weapon is a handheld device that fires two wired prongs or can be used by direct “drive stun.” For purpose of this policy, it shall hereafter be referred to as TASER.

Activation or deployment – the actual use (or attempted use) of the TASER on a subject, whether by probes or drive stun.

De-Escalation – see Policy 107.022, “Office of Special Investigations – Use of Force – Fugitive Apprehension.”

Cartridge – the TaserCartridge®, which is a single-use item identified by serial number.

Drive-Stun – deployment or use by direct contact with a subject without deploying the probes into the body.

Handcuffing under power – the actions of officers taking control and handcuffing a person while that person is being subjected to the current from the electronic device.

Probes – barbed projectile connected to the TASER cartridge.

Medical crisis – a condition that is typically characterized by: elevated respiration and heart rate, hyperthermia (elevated body temperature) and /or profuse sweating, paranoia, disorientation, agitation, violence, inexplicable behavior, hallucination, incoherent speech or shouting, incredible strength or endurance, and insensitivity to pain.

Response to resistance – see Policy 301.081, “Response to Resistance, Restraint Systems, and Escape.”

Safety release pin – a control measure attached to a TASER battery and connected by lanyard style to an officer. This pin when pulled, will disable the TASER from functioning until the pin is replaced and the battery is docked into the charging station.

TASER 7 – a two-shot conducted energy weapon (CEW) with rapid arc and adaptive cross connect technology that has the capability to immediately follow-up with an additional cartridge deployment without reloading. This device has cartridges with the wire spooled into the body of the dart with stand-off (3.5 degrees) and close quarters (12 degrees) distance cartridges.

TASER 10 – a ten-shot conducted energy weapon (CEW) with no arc function. The device has a point of aim point of impact function which deploys up to 10 neuromuscular incapacitation (NMI) devices onto multiple subjects.

Totality of circumstances – see Policy 301.081, “Response to Resistance, Restraint Systems, and Escape.”

PROCEDURES:

A. General TASER Use Procedures and Parameters

1. Resistance by incarcerated people in correctional facilities is dynamic and can be displayed by a variety of activities and behaviors. The goal in responding to resistance is to employ verbal de-escalation techniques, and to use any physical tactics only as necessary to maintain a safe and secure environment for everyone. Responding to resistance is not primarily about force and is not to be used as discipline/punishment. Policy 301.081, “Response to Resistance, Restraint Systems, and Escape,” still applies to the use of techniques as directed based upon the response to resistance.
2. The TASER device is intended to control a violent or potentially violent incarcerated person, while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device should result in fewer serious injuries to facility staff and incarcerated persons.
3. Facility staff who have completed approved training may be issued a TASER device for use during the current assignment. Facility members who have been issued a TASER device may only use the device consistent with this policy and Policy 301.081, “Response to Resistance, Restraint Systems, and Escape.”
4. Facility staff may only use the TASER device and cartridges that have been issued by the Minnesota department of corrections (DOC). The device is carried as part of a staff person’s equipment as assigned and approved by the appointing authority. The TASER must be carried in an approved holster affixed to the corrections officer’s carrier or duty belt.
5. Each TASER device must be clearly and uniquely numbered.
6. The TASER device must be marked with a distinctive color or marking to distinguish it from firearms or any other device.
7. Corrections officers may be excused from wearing a TASER when they are functioning primarily in an administrative or support capacity and are not reasonably expected to take correctional action.
8. The TASER device must be maintained in a secure storage location as identified by facility management.
 - a) The approved secured storage area is the officer’s secured locker, inside the secured control center, or other secure area approved by facility management.
 - b) Upon finishing the shift, each corrections officer must turn in the device to the approved secure storage area.

9. At the beginning of each shift, the oncoming shift supervisor must inventory all TASER devices assigned to their shift.
10. Corrections staff are not authorized to carry department TASERS while off-duty. TASERS must not be removed from the correctional facility unless to be used during approved duties.
11. The TASER must not be utilized for personal use.
12. Corrections officers are responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times. Corrections officers carrying a TASER device must conduct a function check as instructed during training and certification processes.
13. Corrections officers must not hold both a firearm and the TASER device at the same time.

B. Verbal and Visual Warnings

1. A verbal warning of the intended use of the TASER device must precede its application, unless it would otherwise endanger the safety of corrections officers or when it is not practicable due to the circumstances. The purpose of the warning is to:
 - a) Provide the incarcerated person/people with a reasonable opportunity to voluntarily comply.
 - b) Provide other corrections officers and incarcerated people with a warning that a TASER device may be deployed.
2. If, after a verbal warning, an incarcerated person is unwilling to voluntarily comply with a corrections officer's lawful orders and it appears both reasonable and feasible under the circumstances, the corrections officer may, but is not required to, display the electrical arc or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair their vision.
3. The fact that a verbal and/or other warning was given or the reasons it was not given must be documented by the corrections officer deploying the device in the related report.

C. Special Deployment Considerations

1. The use of the TASER device should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the corrections officer, the subject, or others, and the corrections officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:
 - a) Incarcerated persons who are known to be pregnant.
 - b) Elderly incarcerated persons.
 - c) Incarcerated persons with obviously low body mass.
 - d) Incarcerated persons who are handcuffed or otherwise restrained.

- e) Incarcerated persons who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
 - f) Incarcerated persons whose position or activity may result in collateral injury (for example, falls from height).
 - g) Incarcerated persons operating moving vehicles or machinery.
2. Corrections staff must **NOT** use the TASER in the following manner or circumstances:
- a) Any manner or condition inconsistent with the established approved department training.
 - b) Any manner inconsistent with legal, professional, or ethical conduct.
 - c) To arouse sleeping, unconscious, or intoxicated individuals.
 - d) For horseplay, experimentation, or in any other unprofessional manner.
 - e) On passively resistant subjects (which includes those subjects who question a corrections officer's commands in a non-violent and non-threatening manner).
3. Because the application of the TASER device in the drive-stun mode (that is, direct contact without probes) relies primarily on pain compliance, the use of the TASER 7 drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between the corrections officers and the subject, thereby giving corrections officers time and distance to consider response to resistance options or actions.
4. The DOC does not tolerate the response to resistance without justification, or the response to resistance with proper justification but in excessive amounts.

D. Use of the TASER Device

As with any correctional equipment, the TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, corrections officers should be aware that the device may not achieve the intended results and be prepared with other options.

E. Application of the TASER Device

Authorized personnel may use the TASER device when circumstances perceived by the corrections officer at the time indicate that such application is reasonably necessary to control an incarcerated person in any of the following circumstances:

- 1. The incarcerated person is violent or is physically resisting.
- 2. The incarcerated person has demonstrated, by words or action, an intention to be violent or to physically resist and reasonably appears to have the potential to harm corrections officers, themselves, or others.

F. Targeting Considerations

Reasonable efforts must be made to target lower center mass and to avoid intentionally targeting the head, neck, chest, and groin. If the dynamics of a situation or officer safety do not permit the corrections officer to limit the application of the TASER device probes to a precise target area, corrections officers should monitor the condition of the incarcerated person if one or more probes strikes the head, neck, chest, or groin until the incarcerated person is released to the care of qualified medical personnel.

G. Multiple Applications of the Taser Device

1. Corrections officers should apply a TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the corrections officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
2. If the first application of the TASER device appears to be ineffective in gaining control of an incarcerated person and if circumstances allow, the corrections officer should consider certain factors before additional applications of the device, including:
 - a) Whether the probes are making proper contact.
 - b) Whether the incarcerated person has the ability, and has been given a reasonable opportunity, to comply.
 - c) Whether verbal commands, other options, or other tactics may be more effective.
3. Corrections officers should generally not intentionally apply more than one TASER device at a time against a single subject.

H. Documentation

1. All TASER device discharges must be documented in the related incident report and on the TASER Energy Weapon Use Report (attached). Notification must be made to a supervisor in compliance with Policy 301.081, "Response to Resistance, Restraint Systems, and Escape." Unintentional discharges, pointing the device at a person, laser activation, and arcing of a TASER device must also be documented on the TASER Energy Weapon Use Report. Any report documenting the discharge of a TASER device cartridge must include the cartridge serial number and an explanation of the circumstances surrounding the discharge.
2. The onboard TASER device memory must be downloaded through the data port by a supervisor or other authorized staff and saved with the related incident report. Photographs of probe sites should be taken. The expended cartridge along with probes and wire must be submitted into evidence for future reference by the corrections officer collecting the cartridge. The cartridge serial number must be noted and documented on the evidence paperwork. The evidence packaging must be marked "biohazard" if the probes penetrated the incarcerated person's skin.
3. The corrections officer must include the following in the incident report:
 - a) Identification of all personnel firing TASER devices;

- b) Identification of all witnesses;
 - c) Medical care provided to the incarcerated person;
 - d) Observations of the incarcerated person's physical and physiological actions; and
 - e) Any known or suspected drug use, intoxication, or other medical problems.
4. The officer should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The training officer should also conduct audits of data downloads and reconcile TASER Energy Weapon Use Report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

I. Medical Treatment

1. Absent extenuating circumstances or unavailability, only medical personnel should remove TASER device probes from an incarcerated person's body. Used TASER device probes are considered a sharps biohazard, similar to a used hypodermic needle, and must be handled appropriately. Universal precautions should be taken accordingly. All incarcerated persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device must be medically assessed prior to continued processing or housing. Additionally, any incarcerated person who falls under any of the following categories should, as soon as reasonably practicable, be examined by qualified medical personnel as determined in Policy 301.081, "Response to Resistance, Restraint Systems, and Escape":
 - a) The person may be pregnant.
 - b) The person reasonably appears to be in need of medical attention.
 - c) The TASER device probes are lodged in a sensitive area (for example, groin, female breast, head, face, neck).
2. Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "medical crisis"), or who require a protracted physical encounter with multiple corrections officers to be brought under control, may be at an increased risk of sudden death and must be examined by qualified medical personnel as soon as reasonably practicable. Any individual exhibiting signs of distress after such an encounter must be medically cleared.
3. Any incarcerated person exhibiting signs of distress or who is exposed to multiple or prolonged applications (that is, more than 15 seconds) must be promptly examined by qualified medical personnel or medically evaluated.

4. If any individual refuses medical attention, such a refusal should be witnessed by another corrections officer and/or medical personnel and must be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

J. Training

1. Personnel who are authorized to carry the TASER device are permitted to do so only after successfully completing the initial DOC-approved TASER training. Any personnel who have not carried a TASER device as a part of their assignment for a period of six months or more must be recertified by a DOC-approved TASER device instructor prior to again carrying or using the device.
2. Proficiency training for personnel who have been issued TASER devices must occur every year. A reassessment of a corrections officer's knowledge and/or practical skill may be required at any time if deemed appropriate by facility management. All training and proficiency for TASER devices are documented and retained in the agency-approved electronic training management system.
3. Command staff and supervisors should receive TASER device training as appropriate for the investigations they conduct and review.
4. Corrections officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with corrections officers who use the device.
5. Employee development staff are responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.
6. Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.
7. The Training Officer must ensure that all training includes:
 - a) A review of this policy;
 - b) A review of Policy 301.081, "Response to Resistance, Restraint Systems, and Escape;"
 - c) Target area considerations, including techniques or options to reduce the unintentional application of probes near the head, neck, chest, and groin;
 - d) Handcuffing a subject during the application of a TASER device and transitioning to other response to resistance options; and

- e) De-escalation techniques.

K. Evaluation

All students must satisfy the TASER-specific course material as presented by a certified Axon instructor prior to carrying a TASER. Training must be recorded in the agency-approved electronic training management system.

INTERNAL CONTROLS:

- A. All TASER device discharges must be documented in the related incident report and on the TASER Energy Weapon Use Report form. Unintentional discharges, pointing the device at a person, laser activation, and arcing of a TASER device must also be documented on the TASER Energy Weapon Use Report form.
- B. The fact that a verbal and/or other warning was given or the reasons it was not given must be documented by the corrections officer deploying the device in the related reports.
- C. An individual's refusal of medical attention must be fully documented in related reports.
- D. All training and proficiency for TASER devices are documented and retained in the agency-approved electronic training management system.

REFERENCES: Minn. Stat. §§ [241.88](#); [245D.02](#); [609.06](#); [609.065](#); [609.066](#); [243.52](#); [241.01](#), [609.02](#), and [609.105](#)
[Policy 107.012, "Fugitive Apprehension Unit Use of X-26P/X-2 Taser"](#)
[Policy 301.120, "Canine Units"](#)
[Policy 301.020, "Escape Warrants and Victim Notification of Escape"](#)
[Policy 301.081, "Response to Resistance, Restraint Systems, and Escape"](#)
[Policy 301.095, "Central Transportation - Offenders"](#)
[Policy 301.140, "Incident Command System"](#)
[Policy 103.090, "Critical Incident Stress Management"](#)
[Policy 301.083, "Restrictive Housing Management"](#)
[Policy 103.410 "In-Service Training"](#)
[Policy 103.420, "Pre-Service and Orientation Training Programs"](#)
[Policy 301.105, "Weapons Qualification"](#)
[Policy 500.300, "Mental Health Observation"](#)
[Policy 300.060, "Written Report Systems/Required Operational Reports/Logs"](#)

REPLACES: All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: [TASER Energy Weapon Use Report](#) (301.066A)

APPROVALS:

Deputy Commissioner, Chief of Staff

Deputy Commissioner, Client Services and Supports

Assistant Commissioner, Agency Services and Supports

Assistant Commissioner, Facilities

Assistant Commissioner, Facilities

Assistant Commissioner, Community Services and Reentry

Assistant Commissioner, Health, Recovery, and Programming