

Kim Pound

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Resolution No. 08-2008-203



**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**(Authorizing an Amendment to White Mountain Apache Police Department  
P.L. 638 Contract No. CTH52T60720 to Include the  
Supplemental Policy for Police Taser Use)**

**WHEREAS**, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

**WHEREAS**, the Police Officers of the White Mountain Apache Police Department have the legal authority to enforce the laws of the White Mountain Apache Tribe and any applicable State and Federal Laws; and

**WHEREAS**, the Police Officers are expected to be able to respond to any and all situations that may arise while they are on duty; and

**WHEREAS**, the safety and protection of all citizens, including Police Officers, is an on-going priority for the White Mountain Apache Tribal Police Department; and

**WHEREAS**, the Taser device is a non-lethal weapon defined as a conducted energy device mainly used to subdue unruly and combative, unarmed individuals who resist arrest; and

**WHEREAS**, Taser devices are intended to protect Police Officers from potential injury while on duty; and

**WHEREAS**, the proper procedure for handling Taser devices is included in the Supplemental Policy for Police Taser Use, attached hereto; and

**WHEREAS**, the Tribal Council has reviewed the Policy and finds that it is in the best interest of the Tribe to approve the Policy; and

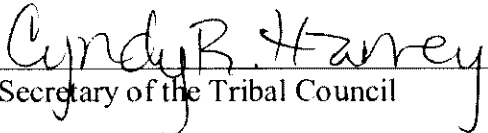
**WHEREAS**, the Tribal Council also finds that the White Mountain Apache Police Department P.L. 638 Contract No. CTH52T60720 should be amended to include the Supplemental Policy for Police Taser Use.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Supplemental Policy for Police Taser Use and the amendment to White Mountain Apache Police Department P.L. 638 Contract No. CTH52T60720 to include the Supplemental Policy for Police Taser Use, attached hereto.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on AUGUST 25, 2008 duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

**WHITE MOUNTAIN APACHE POLICE DEPARTMENT**

**SUPPLEMENTAL POLICY  
FOR  
POLICE TASER USE**

**Effective Date:** \_\_\_\_\_

**Approved By:** \_\_\_\_\_

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**I. POLICY**

Tasers are hereby authorized for use as a non-lethal weapon to aid police officers. Tasers are meant to provide safe, effective means to subdue unruly and combative, unarmed individuals who resist arrest. Similarly, the Taser is intended to protect WMAPD officers from potential injury.

Only those WMAPD officers certified for Taser use will be issued a Taser. Taser training and use shall be authorized by the Chief of Police by and through Lieutenants, and implemented by the Training and Compliance Officer, who will assure that any police officer assigned a Taser meets the training and certification requirements of this policy.

Only Taser M26 and CAM X26 models, manufactured by Taser International, Inc., of Scottsdale, Arizona, or subsequent similar models, may be deployed.

**II. DESCRIPTIONS**

**A. Taser**

A Taser is defined as a conducted energy device that acts as a non-lethal weapon, and is solely intended for use by a certified police officer. Tasers are designed to incapacitate a target from a safe distance, without causing death or permanent injury to the target. It utilizes a compressed Nitrogen cylinder, which when activated shoots two small probes up to 25 feet. These probes are connected to the weapon by high-voltage steel wires with insulated coating. When the probes make contact with the target, it transmits powerful electrical pulses of approximately 50,000 volts along the wires and into the body of the target and can pass through up to two inches of clothing.

**B. Effects**

Tasers cause strong muscle contractions, which may be severe, and may cause athletic exertion type injuries to some people. A target will become temporarily incapacitated and fall down. According to studies by the manufacturer, the Taser has no adverse effects on people with cardiac pacemakers or pregnant women. Some people have been reported to die after being shot by a Taser, but their deaths were attributed to other factors.

**C. Anti-Felon Identification (AFID)**

Each cartridge discharged from a Taser disperses 20 – 30, small confetti-like identification tags, known as anti-felon identification tags or AFID. Each AFID tag contains the serial number of the discharged cartridge, which traces back to the issued Taser. An investigator can use an AFID tag to determine who fired the cartridge.

**D. Cartridge**

A Taser cartridge is a replaceable container holding probes, high-voltage insulated wires, AFID tags, and the pressurized nitrogen cartridge cylinder.

**E. Probe**

A probe is a ¼ inch projectile, which is designed to penetrate clothing and/or skin. The probe connects to the Taser through high-voltage insulated wire.

**III. PROCEDURE FOR TASER USE**

**A. Use of a Taser should follow the guidelines below:**

1. Although the Taser is considered a non-lethal weapon, it should be handled according to the same precautions and standards for use of force issued by WMAPD, as if it were a deadly weapon. Each Taser is issued with the manufacturer's manual, and every officer receiving a Taser from WMAPD shall be responsible for reading and understanding the manual. Use of Force reporting guidelines are required for all police officers who are issued a Taser.
2. Never aim the Taser conducted energy weapons at the face of a target.
3. Lasers shall not be shined into anyone's eyes.
4. Do not point a Taser at anyone, unless intending to fire.
5. Do not drop the Taser. If you drop a Taser, take it out of service, inform your Sergeant at the end of your shift, and have the manufacturer or Training and Compliance Officer check out the taser for damages.

6. Keep hands away from the front of the unit.
7. Always replace and recharge the DPM (lithium battery pack) when at no less than 20%. Do not remove the DPM during storage.
8. Do not fire the Taser near flammable liquids or fumes. The Taser can ignite gasoline or other flammables. Some self-defense sprays are flammable and are extremely dangerous when used in conjunction with Tasers.
9. Always make certain your safety is in the down (SAFE) position whenever a Taser is loaded and not intended for immediate use.
10. Store Taser and cartridges in enclosed containers. Keep the Taser away from children or individuals who are not familiar with the use of the taser or equipment.
11. The Taser comes with a certified holster and should be carried in such holster by the assigned officer.
12. For officer safety, probe spread and accuracy, the Taser performs best at a distance of 7 – 15 feet from the target.

**B. NOTE:** The Taser causes temporary incapacitation and the subject will fall as a result. Know and understand the area where you intend to use the Taser as related to the position of your target. For example, someone hit by the X26 Taser in a high place could be seriously hurt in a fall; or someone hit in a body of water could possibly drown as they could not swim or support themselves; or do not shoot at someone standing at or near the edge of a precipice, roof, cliff, or balcony, as the fall could be lethal.

#### **IV. TRAINING**

##### **A. Instructor Certification**

The manufacturer recommends a sixteen (16) hour course for instructors on the proper use of the Taser. Interested law enforcement instructors shall request to attend certification. Only certified instructors may teach other officers of the uses of the Taser. The course includes two eight (8) hour days, consisting of classroom instruction, weapon demonstration, voluntary exposure, tactical deployment and a written examination. The instructor course certification is good

for two years and the training certificate will be filed in the police officer instructor's personnel and training folder.

**B. Police Officer Certification**

Prior to being issued a Taser, each officer shall attend the manufacturer's recommended eight hour course on the proper use of a Taser. The course includes classroom instruction, demonstration, voluntary exposure and tactical deployment. The certification is valid for one year. Training certificates will be issued for officers successfully completing the course of instruction and will be filed in the officer's personnel and training folders.

**V. POLICE OFFICERS TASER USE RESPONSIBILITIES**

**A. Arming**

1. The police officer should always check the battery status on the CID (Central Information Display) at the beginning of each shift, and conduct a spark test to confirm weapon functionality prior to each shift. Replace if less than 20%.
2. Carry extra batteries and a camera.

**B. Deployment**

1. Respond with your Taser when it becomes evident that the subject in the case may become unruly and combative.
2. On your radio, code "Taser" to alert officers arriving on the scene that a Taser is being deployed..
3. If probable cause exists for an arrest, clearly announce to the subject that he or she is under arrest, and that the subject must cooperate with the officers. If the subject refuses to cooperate and becomes unruly or combative, announce to the subject that a Taser will be deployed.
4. When deploying the Taser think tactically; use cover and distance, have a back-up plan, and be prepared for a reload or additional cycles.
5. Before discharging the Taser, announce, "Taser, Taser!"

6. Always Remember that the Taser may not affect a person as expected and back-up officers should be available to help subdue the subject(s).
7. The Taser deployment takes at least a five second cycle and the deploying officer must remember not to interrupt this cycle. Five seconds is a very short time frame. Keep five seconds in mind when using the Taser.
8. The officer must remember that the Taser may be used as a drive stun gun, or immediately as a back-up weapon, without having to remove the fired cartridge. The drive stun gun mode affects the sensory nervous system making it a pain compliance weapon that will not cause incapacitation.
9. Combative individuals may be high on drugs and medical attention may be necessary after deployment.
10. The officer using the taser must be prepared to apply additional cycles, if necessary. Remember, the suspect is only incapacitated during the Taser cycle - the window of opportunity - and can recover immediately. The officer should provide verbal commands during and after the Taser application. Back-up officers should be the officers to subdue and handcuff the subject.
11. Only certified Taser officers may remove the Taser probes after the subject is secured.
12. Treat probes that have penetrated clothing as contaminated needles (use gloves). Before and after photographs should be taken where possible. Probes which fall off the subject must be placed in a container.
13. Do not remove probes that have penetrated the skin. Only trained medical technicians may remove the probes from tissue sensitive areas such as the neck, face or groin area.
14. The officers using the Taser should radio to Dispatch for recording purposes that a Taser was deployed on the subject, and that the subject is in custody.

15. Submit the expended cartridge and the AFID tags for evidence. Collect as many of the AFID from the scene as possible for evidence.
16. The officer using the Taser must indicate in his official police arrest and incident report that he/she was required to utilize the Taser and describe the circumstances as he recalls. All officers at the scene when the Taser is deployed must submit a police report to be attached for future reference and/or as a witness in case of complaints.

#### **VI. OFFICERS NOT USING TASERS**

- A. Upon encountering a situation in which a Taser may be required, immediately broadcast a request for a Taser equipped officer/operator over your two-way radio.
- B. Provide dispatch as much information as possible under the circumstances on why the Taser officer is needed at the scene to assist the responding officers.
- C. Provide back-up for the Taser deployment officer, be prepared to take enforcement action immediately on clearance from the Taser deployment and if the subject was brought under control.
- D. After a Taser deployment, back-up officers should move in quickly and secure the subject in handcuffs or plastic cuffs. You must know and understand that the effects of the Taser will wear off in five to ten seconds.

#### **VII. MEDICAL ATTENTION**

- A. Subjects who become unruly and combative may be under the influence of intoxicating alcohol or drugs of a variety leading them to behave in this manner. Where an officer believes that a subject may have medical conditions stemming from the Taser use, the officer should immediately notify the responding Emergency Medical Technicians to have the subject checked out.
- B. **Reports:** When an officer must deploy his Taser due to combative subjects, this information must be included in the incident report. Describe the actions of the perpetrator and why the officer believed the use of Taser was necessary. The officer using the Taser must identify the



EMTs who responded by name in the incident report, and that the subject was checked over by the EMTs.

- C. At such time as the combative subject is placed under control and if they cooperate, the officer should make an attempt to find out the amount and type of narcotics or alcohol were used.