1.0 POLICY OR PURPOSE

1.1 The City of Pittsburgh Bureau of Police recognizes and respects the inherently special value of each human life. The law recognizes, however, that police officers, in the performance of their duties, will encounter situations where it is necessary to use force in order to affect an arrest, to otherwise protect the public welfare or a means of protecting themselves or others.

1.2 As set forth in section 3.2 of General Order #12-6, “Use of Force”, an officer “shall only use that level of control which he/she might reasonably believe is necessary to affect an arrest or to protect the officer(s) or others from physical harm.”

1.3 In determining which control options may be “reasonable” in a given incident, an officer must consider all facts and circumstances with which he/she is confronted at the time of the incident.

2.0 CONTINUUM OF CONTROL

2.1 The continuum of control illustrates the variety of “control” options that may be available to an officer when presented with a given level of subject resistance.

2.2 The continuum of control aids officers in determining whether a particular control option constitutes a reasonable method of control under a given set of facts and circumstances.

2.3 The theory of control is the “one plus one” theory. This theory provides that as a general rule, an officer may utilize a control option one level higher than the resistance demonstrated by a subject.

2.4 To gain control in a physical confrontation, e.g. where a particular method of control has failed or other special circumstances exist, an officer may be required to adapt, for example, by using higher or lower control options, by using multiple control options, etc., depending on changes in escalation/de-escalation of resistance by a subject.

3.0 CONTINUUM OF CONTROL LEVELS

3.1 The City of Pittsburgh Bureau of Police recognizes five levels of control:

3.1.1 Level 1 Officer Presence

3.1.1.1 The officer assumes control of the situation and/or suspect(s) through his/her visual and verbal identification of authority including uniform, badge, and verbalization.

3.1.2 Level 2 Verbal Direction

3.1.2.1 In dealing with people, each officer must make every reasonable attempt to make his/her contact one that inspires respect and generates voluntary compliance.

3.1.2.2 The manner and form in which an officer speaks to an individual can be an effective means of exerting control over the situation. Verbal control may be in the form of advice, persuasion, admonitions and/or orders.

3.1.2.3 This level also includes verbal commands, surrender rituals, 8 step “meet and greet”, and 5 step “hard style”.

3.1.3 Level 3 Physical Restraint

3.1.3.1 Officers may use physical force to effect an arrest, to protect the officer(s) or others from physical harm.

3.1.3.2 Officers may use physical force to prevent a suspect from escaping.

3.1.3.3 Officers may use physical force to protect the officer(s) or others from physical harm.

3.1.3.4 Officers may use physical force to prevent a suspect from committing a crime.

3.1.4 Level 4 Severe Physical Restraint

3.1.4.1 Officers may use physical force to effect an arrest, to protect the officer(s) or others from physical harm.

3.1.4.2 Officers may use physical force to prevent a suspect from escaping.

3.1.4.3 Officers may use physical force to prevent a suspect from committing a crime.

3.1.4.4 Officers may use physical force to protect the officer(s) or others from physical harm.

3.1.5 Level 5 Deadly Force

3.1.5.1 Officers may use deadly force in self-defense or in defense of another person.

3.1.5.2 Officers may use deadly force in the defense of a property.

3.1.5.3 Officers may use deadly force in the defense of a third party.

3.1.5.4 Officers may use deadly force in the defense of a non-human entity.

3.1.5.5 Officers may use deadly force in the defense of an animal.
3.1.3 Level 3 Restraint and Control

3.1.3.1 This level includes soft empty hand control techniques, hard empty hand control techniques, the use of Oleoresin Capsicum (O.C.), K-9 deployment, and use of an Electronic Control Device such as a TASER.

3.1.3.1.1 Soft Empty Hand Control Techniques: Have a minimum probability of causing injury. This category typically involves the turning, moving, or directing of the subject’s body in a specific direction.

3.1.3.1.2 Hard Empty Hand Control Techniques: Have a probability of causing injury. This category typically includes impact strikes using the officer’s personal weapons (hands, feet, knees, and elbows).

3.1.3.1.3 Use of Oleoresin Capsicum (O.C.) to control a suspect.

3.1.3.1.4 K-9 deployment

3.1.3.1.5 Use of an ECD (Electronic Control Device), including a TASER.

3.1.4 Level 4 Impact Devices

3.1.4.1 This level typically includes:

3.1.4.1.1 Batons—both straight and expandable

3.1.4.1.2 Extended range impact devices—such as less lethal munitions

3.1.4.1.3 Other impact devices

3.1.5 Level 5 – Deadly Force

3.1.5.1 This level includes force which under the circumstances/manner in which it is used, is readily capable of causing death or serious bodily injury such as a firearm.

4.0 LEVELS OF SUBJECT ACTION/RESISTANCE

4.1 Resistance is defined as the effort to oppose an arrest or other law enforcement action.

4.2 Levels of resistance or action that may be employed by a suspect include:

4.2.1 Level 1 – Body Language/Psychological Resistance

4.2.1.1 This level includes non-verbal cues indicating the subject’s attitude, demeanor and physical readiness.

4.2.2 Level 2 – Verbal Non-Compliance

4.2.2.1 This level includes verbal responses, defiant or threatening responses that show an unwillingness to actively cooperate/submit to lawful authority or verbal direction, but no active attempts are made to harm or resist the officer’s control.

4.2.3 Level 3 – Passive Resistance

4.2.3.1 This level includes low level physical non-compliance and some form of physical maneuver may be required in order to escort the individual from one location to another.

4.2.4 Level 4 – Defensive Resistance

4.2.4.1 This level includes physical, affirmative actions, which attempt to prevent an officer’s control but never attempts to harm the officer. Use of dead weight, grasping of objects, moving away from the officer, flight or hiding to evade capture are all examples of defensive resistance.
4.2.5 Level 5 – Active Aggression

4.2.5.1 This level includes physical attempts to cause bodily harm to the officer or another.

4.2.6 Level 6 – Deadly Force

4.2.6.1 This level includes resistance likely to cause serious bodily injury or death to the officer or another.

5.0 FACTORS EFFECTING CONTINUUM OF CONTROL

5.1 As a general rule the continuum of control applies to all control situations. However, situations may vary depending on the totality of circumstances which may include but not be limited to the following factors:

5.1.1 Officer – Subject Factors include but are not limited to age, sex, size, skill level, multiple officers or subjects.

5.1.2 Special Circumstances include but are not limited to close proximity to a firearm or other weapon, special knowledge / ability, disability or exhaustion, ground disadvantage, imminent danger, lighting conditions, and weather conditions.

5.1.3 Weapons of Last Resort - The Bureau recognizes that in some extreme circumstances, where the safety or survival of the officer is in jeopardy, the situation may dictate utilizing other implements as weapons. Use of such weapons should be viewed as weapons of last resort.

Approved By:

Nathan E. Harper
Chief of Police
1.0 POLICY OR PURPOSE

1.1 The purpose of this policy is to establish guidelines for the use of the baton/nightstick by members of the Pittsburgh Bureau of Police.

2.0 APPROVED DEVICES

2.1 The following devices are approved for carry by sworn members of the Pittsburgh Bureau of Police.

2.1.1 ASP- 21 inches through 26 inches

2.1.2 Monadnock- 21 inches through 26 inches
   2.1.2.1 Friction or Auto Lock
   2.1.2.2 Super Grip or Standard Grip
   2.1.2.3 Power Safety Tip

2.1.3 RCB- 21 inches through 26 inches
   2.1.3.1 Friction Lock
   2.1.3.2 Black Finish

2.1.4 Nightstick (only department issued nightsticks)

2.1.5 Blackjacket: Only currently authorized sworn members who are specifically qualified in its use/implementation are authorized to carry the blackjack.

2.2 The Hindi Baton Cap, which fits the Monadnock Auto Lock batons, Monadnock Friction Lock batons, and ASP Friction Lock batons, is approved.

3.0 AUTHORIZATION

3.1 Only officers that have completed the prescribed course of instruction at the Pittsburgh Police Training Academy or other approved Municipal Police Officers' Education Training Commission Academy are authorized to carry an approved baton/nightstick.

3.2 Uniformed officers shall carry only a departmentally approved baton/nightstick and baton holder in the prescribed manner of carry on their duty belt.

4.0 CARRY

4.1 Batons are to be carried in the appropriate holder on either side of the gun or trouser belt.

4.2 Members are advised not to carry behind their firearms, unless it is spaced with a belt keeper.

4.3 Members should refer to General Order 31-2, "Individual Items of Uniforms and Equipment" for the general regulations governing the possession of and carrying of the above listed batons/nightsticks.
5.0 USAGE CRITERIA

5.1 The use of the baton/nightstick constitutes physical force under the Pennsylvania Crimes Code, section 508 (Use of Force in Law Enforcement). The use of the baton/nightstick is authorized when used in accordance with the Rules and Regulations of the Bureau of Police, in particular, policies on use of force and use of batons/nightsticks and applicable laws of the Commonwealth of Pennsylvania and the United States, in particular the Constitution of the United States.

5.2 Under no circumstances shall an officer resort to the use of the baton/nightstick where such a use of force is in violation of General Order #12-6, “Use of Force” policy. Nothing in this policy is intended to conflict with or replace the provisions of the “Use of Force” policy.

5.3 It is also the policy of this Bureau that personnel will not necessarily or unreasonably endanger themselves in applying these guidelines. Furthermore, it is the policy of this Bureau that the baton/nightstick is not intended to be used as a substitute when the officer is justified in the use of deadly force in accordance with the policy outlined in the Pittsburgh Bureau of Police Manual of Procedural Orders, General Order #12-6.

6.0 REPORTING USAGE OF THE BATON

6.1 All uses of the baton/nightstick that results in any physical contact with any individual, regardless of whether injury results to the individual, shall be reported on the PBP Form 10.1 “Subject Resistance Report Form” and submitted to the officer’s supervisor for review. A copy of the PBP Form 3.0 “Offence/Incident Report” and PBP Form 6.1 “Arrest Report” will also be completed.

7.0 PROHIBITED USAGE OF THE BATON

7.1 Once a person has been subdued and there is no further resistance, there is no further justification to continue the use of the baton/nightstick on the subject.

8.0 RESPONSIBILITIES OF THE SHIFT SUPERVISOR

8.1 Shift Supervisors are responsible for ensuring that:

8.1.1 All incidents involving any use of force with a baton/nightstick is appropriately documented and proper procedure is followed.

8.1.2 All reports of incidents involving the use of the baton/nightstick are forwarded through the Chain of Command.

9.0 EQUIPMENT MAINTENANCE

9.1 All batons/nightsticks shall be maintained in an operational state by assigned personnel. Replacement for damaged, inoperable, stolen, or lost batons/nightsticks is the responsibility of the individual officer who will complete a PBP Form #81, “Lost/ Stolen or Damaged Uniform Claim” report form and forward through the chain of command.

Approved By:

Paul Donaldson
Acting Chief of Police
1.0 POLICY OR PURPOSE

1.1 To provide policy regulating the discharge of firearms by members of the Pittsburgh Bureau of Police.

2.0 USE OF DEADLY FORCE

2.1 Pittsburgh Bureau of Police personnel will refer to Procedural Order #12-6, “Use of Force” which shall continue in effect as the Bureau policy regarding the utilization and reporting of both deadly and non-deadly force.

2.2 In the event of a conflict between this order and statutes or case law, the more restrictive shall control.

3.0 DEFINITIONS

3.1 FIREARM – This includes primary service firearms, secondary firearms, shotguns, rifles, and any less-lethal applications that require documentation as a level of force or an unintentional discharge.

3.2 LESS-LETHAL (MUNITIONS) APPLICATION – The use of kinetic energy projectiles, when deployed to areas of a suspect’s body that are considered less likely to cause death or serious physical injury.

4.0 DISCHARGE OF FIREARM

4.1 Firearms may be discharged in the performance of police duties only under the following circumstances:

4.1.1 When necessary to protect oneself against a clear and present danger of death or serious bodily injury
4.1.2 When necessary to protect a third person against a clear and present danger of death or serious bodily injury
4.1.3 To kill a dangerous or seriously wounded animal when other disposition is impractical
4.1.4 At an approved training session on the police range

4.2 Warning shots are prohibited for the following reasons:

4.2.1 Warning shots may cause injury to innocent persons
4.2.2 Warning shots may prompt a suspect to return fire even though his original intent was to flee
4.2.3 Warning shots may be mistaken by other officers as coming from the suspect and cause further unnecessary shooting
4.2.4 Errant warning shots can be the basis for liability for the Bureau of Police, as well as the officer

4.3 A police officer shall not discharge a firearm under conditions where it is likely that an innocent person may be injured. The only exception is a situation where an officer, or third party, is faced with immediate death or serious bodily injury and the officer has done everything reasonably necessary to avoid the use of deadly force.

4.4 An officer shall not discharge his or her firearm at a moving vehicle or the occupants of a moving vehicle unless the occupants are using deadly physical force against the officer or another person present by means other than the vehicle. The only exception to said policy is a situation where a vehicle is being intentionally operated as a weapon and an officer, or a third party, is faced with immediate death or serious bodily injury and the officer has done everything reasonably necessary to avoid the use of deadly force.
4.5 An officer who discharges a firearm is required to notify communications immediately via police radio. The only times the discharge of a firearm does not require radio notification to communications shall be when shots are fired during firearms qualification at the range. Mere notification to communications of a firearm discharge does not override the response to a “shots fired” detail dispatched close in proximity to the known firearm discharge incident.

4.6 Any discharge of a firearm, other than routine firearms training or the destruction of a wounded animal will require a mandatory drug and/or alcohol testing of the officer. This includes all firearm discharges documented as a level of force, less-lethal firearm discharges, and unintentional firearm discharges. The supervisor initiating the mandatory testing will complete a special which will be forwarded through the chain of command to the Chief of Police. (Refer to Procedural Order #17-10, “Drug and Alcohol Policy.”)

5.0 SAFE HANDLING OF FIREARMS

5.1 Except for general maintenance, storage, inspections, or authorized training, officers shall not draw or exhibit their weapons unless under circumstances which create reasonable cause to believe it may be necessary to lawfully use such firearm in conformance with other sections of this policy.

5.2 Carelessness, horseplay, or disregard for the safety of others in the use or handling of firearms is strictly prohibited and subject to disciplinary action.

6.0 REPORTING DISCHARGE OF FIREARM

6.1 Each firearm discharge shall be reported to the member’s immediate supervisor whether or not someone is injured by such discharge. This includes all firearm discharges documented as a level of force, less-lethal firearm discharges and unintentional discharges.

6.2 It shall be the responsibility of any involved officer to ensure the shift supervisor in the zone where the incident occurred is notified by way of the police radio channel used for that zone. The broadcast will be made on channels 1, 2, or 3. (Notifications will not be transferred to another channel.)

6.3 It shall be the responsibility of any officer on the scene or having knowledge of such an incident that it is reported immediately to his/her immediate supervisor.

6.4 It shall be the responsibility of the responding shift supervisor to ensure that a Commander is notified immediately.

6.4.1 Commanders will be notified in the following manner:

   6.4.1.1 Commander of the involved officer
   6.4.1.2 Duty Commander if after normal business hours
   6.4.1.3 Assistant Chief of the involved officer’s branch if a Commander is not immediately contacted

6.4.2 For holidays, weekends, etc.

   6.4.2.1 Duty Commander
   6.4.2.2 Commander of involved officer
   6.4.2.3 Assistant Chief of the involved officer’s branch if a Commander is not immediately contacted

6.5 Written reports on the appropriate forms shall be made as soon as time and circumstances permit, but in no event later than the conclusion of the involved officer’s tour of duty. If a member is unable to complete the forms for any reason, the member’s immediate supervisor will submit the initial report.

7.0 FIREARM DISCHARGE WITH INJURIES

7.1 Pittsburgh Bureau of Police personnel will refer to Procedural Order #12-6, “Use of Force” which shall remain in effect as the Bureau policy governing the use and reporting of deadly force resulting in death or injury to another person.
7.2 A member of the Training Academy’s Firearms Section will sit on all Critical Incident Review Boards that are convened for incidents involving the discharge of a firearm that results in injuries.

8.0 INTENTIONAL DISCHARGE WITH NO INJURIES

8.1 When a firearm is discharged intentionally at a subject by an officer, whether or not death or injury occurs, the following procedures shall apply:

8.1.1 The officer involved will immediately report the incident to his/her shift supervisor.

8.1.2 The shift supervisor will conduct an investigation into the circumstances surrounding the incident and make a determination as to whether or not the discharge was justified and consistent with Bureau policy.

8.1.3 The officer involved will complete and submit a Subject Resistance Report Form, a Weapon Discharge Report, and any other required or necessary documents for the incident in question.

8.1.4 The immediate supervisors will review and sign the PBP Form #10.10, “Subject Resistance Report” and the PBP Form #9.10, “Weapon Discharge Report” in the appropriate spaces, and will include all remarks, recommendations and conclusions in the spaces provided. The reports will then be forwarded to the involved officer’s Commander.

8.1.5 All reports will be reviewed by the involved officer’s Commander. The Commander will sign the “Subject Resistance Report Form” and the “Weapon Discharge Report” in the appropriate spaces, and will include all remarks, recommendations and conclusions in the spaces provided. The reports will be forwarded through the chain of command to the Office of the Chief of Police, who will personally review all incidents.

8.1.6 A member of the Training Academy’s Firearms Section will sit on all Critical Incident Review Boards that are convened for incidents involving the intentional discharge of a firearm that results in no injuries.

9.0 UNINTENTIONAL DISCHARGE OF FIREARMS

9.1 When a firearm is discharged unintentionally, the following procedures shall apply:

9.1.1 The officer involved will immediately report the incident to his/her shift supervisor.

9.1.2 The shift supervisor will conduct an investigation into the circumstances surrounding the incident and make a determination as to whether or not the discharge was justified and consistent with Bureau policy e.g., ensure that the discharge was not meant to serve as a warning shot, etc.

9.1.3 The officer involved will complete and submit a “Weapon Discharge Report”, and any other required or necessary documents for the incident in question.

9.1.4 The shift supervisor will sign the back of the “Weapon Discharge Report” in the appropriate space, along with his or her conclusion and recommendations. This report will then be forwarded through the chain of command to the Office of the Chief of Police, who will personally review all incidents.

9.1.5 A member of the Training Academy’s Firearms Section will sit on all Critical Incident Review Boards that are convened for incidents involving the unintentional discharge of a firearm that result in injury or death.

9.1.6 The Training Academy’s Firearms Section will conduct a debriefing on all unintentional discharges that do not result in injury or death.

10.0 DESTRUCTION OF ANIMAL

10.1 When a weapon is discharged to destroy an animal, and the discharge is not a documented level of force, the “Weapon Discharge Report” will be forwarded through the chain of command to the Office of the Chief of Police.
11.0 DISTRIBUTION OF REPORT (Revised 11/15/02)

11.1 A copy of the report, after review by the Chief of Police, will be distributed to:

   11.1.1 The Deputy Chief of Police
   11.1.2 The Assistant Chief of Administration
   11.1.3 The Assistant Chief of the branch of the involved officer
   11.1.4 The Commander of the involved officer
   11.1.5 The Director of the Training Academy
   11.1.6 The Manager of OMI

Approved By:

Regina McDonald
Acting Chief of Police
1.0 PURPOSE OR POLICY

1.1 The purpose of this policy is to establish guidelines for the use of the TASER by members of the Pittsburgh Bureau of Police whether such was issued or privately purchased.

1.2 The Pittsburgh Bureau of Police has approved the use of the TASER to provide officers with an additional use of force option. This is a less lethal device that falls under Level 3, “Compliance Techniques,” as defined in Procedural Order #12-8 “Continuum of Control” and is to be used to control actively resisting subjects, aggressive non-compliant subjects, violent or potentially violent subjects.

1.3 Pittsburgh Bureau of Police personnel will refer to Procedural Order #12-6; “Use of Force” which shall continue in effect as the Bureau policy regarding the utilization and reporting of force.

1.4 The TASER is NOT a replacement for the officer’s duty firearm. In those incidents where the officer reasonably believes the actions of another constitute an immediate threat of death or serious bodily injury to the officer or a third party, the TASER should not be used without firearm back-up.

See also General Order 12-6 Use of Force

2.0 DEFINITIONS

2.1 TASER – A less lethal device used to incapacitate subjects by discharging an electronic current into the subject. The TASER is an Electro-Control Disruption (ECD) system and uses propelled wires to conduct energy to a remote target, thereby controlling and affecting the central nervous system. The TASER can also be used in touch application without shooting the probes. Upon impact with the body (skin or up to 2 inches of clothing) the electrical pulses of the TASER then override the central nervous system and take direct control of the skeletal muscles.

2.2 Discharge – To fire a TASER cartridge, display the arc, or to touch or to attempt to touch a subject with the TASER while the TASER is in the stun mode.

2.3 Penetrate – To enter or diffuse through or into (the clothing or skin).

2.4 Spark Test – Activation of the TASER with no cartridge inserted for the purpose of verifying the operability of the TASER as well as preserving the life of the TASERs internal electronics. The TASER need only be activated for one or two seconds to complete this test.

2.5 Unintentional Discharge – A TASER discharge that is not caused by the user deliberately pulling the trigger of the TASER.

3.0 AUTHORIZATION

3.1 Only officers who have completed the prescribed course of instruction at the Pittsburgh Police Training Academy are authorized to carry the TASER or another make and/or model as approved by the Chief of Police.

3.1.1 All authorized TASERs, either Bureau issued or privately purchased, shall be registered with the Bureau of Police Training Academy.
3.1.2 It will be the responsibility of the Training Academy to maintain a database, which contains information pertaining to the registered TASER such as model and serial number of authorized TASERs.

3.2 TASERs and cartridges approved and authorized by the Chief of Police through written order are the only models that will be carried.

3.3 The TASER will only be carried in holsters approved and authorized by the Chief of Police.

3.4 The Training Academy Director shall ensure that a current list of those officers who have been issued and are qualified to carry/use the TASER is forwarded to each duty location each year. This list will be posted and maintained by the shift supervisors at each duty location.

4.0 PROCEDURES

4.1 Officers authorized to carry a TASER are responsible for maintaining the device’s operational readiness. As such, officers will:

4.1.1 Inspect the TASER for any obvious damage before taking it into the field. This inspection will include a check of the light, laser site, frame, trigger housing, and safety switch for functionality. If a TASER is determined to be functioning improperly, it should be taken out of service and sent to the Training Academy for repair along with a Special explaining the repair needed.

4.1.1.1 All TASERs submitted for Maintenance, Repair, or Data Retrieval (that will require the TASER to remain at the academy) must be accompanied by either:

4.1.1.1.1 A Special Report, PBP Form stating:

- TASER serial number
- The duty location where the TASER was issued (for PBP owned TASERs)
- Name of the registered owner (for privately owned TASERs)
- The reason for repair / maintenance / data retrieval (i.e. malfunction, battery, no spark, etc.)
- Name of the officer reporting the malfunction
- If a TASER holster accompanied the TASER to the Academy
- CCR # (if applicable)
- Shift supervisor responsible for return of the TASER after the repair

4.1.1.1.2 A Lost/Stolen/ Damaged Uniform or Equipment Claim, PBP Form 81.1 stating:

- TASER serial number
- The duty location where the TASER was issued (for PBP owned TASERs)
- Name of the registered owner (for privately owned TASERs)
- The reason for repair / maintenance (i.e. malfunction, submerged, dropped, etc.)
- If a TASER holster accompanied the TASER to the Academy
- CCR # (if applicable)
- Shift supervisor responsible for return of the TASER after the repair

4.1.2 When submitting TASERs for repair/maintenance, DO NOT REMOVE THE BATTERY. This will disrupt the TASER’s programming, possibly causing permanent damage.

4.1.3 If the TASER is stuck in the “on” position, it will automatically power down after 20 minutes. It can then be safely transported to the academy for repair.

4.1.2 Check the TASER’s battery strength to ensure adequate battery charge by performing a spark test.

4.1.2.1 This will be done daily by the AM shift desk officer at each Zone for City issued TASERs and by the individual officers for privately owned TASERs.
4.1.2.2 City issued TASERs at other duty locations will be checked once daily as per the guidance of that duty location's Commanding Officer.

4.1.2.3 Replacement batteries will be provided by the Academy for both City issued and privately owned TASERs.

4.1.3 When on duty, carry the TASER in the approved holster, loaded with a cartridge with the safety in the ‘ON’ position and the switch in the ‘OFF’ position.

4.1.4 Wear the TASER holstered on the opposite side of the officer’s handgun.

4.1.5 Officers should carry at least two cartridges with the TASER, when available.

4.1.5.1 Officers will also check the expiration date and condition of the TASER cartridges. Cartridges should be inspected for damaged or loose doors. Expired and/or damaged cartridges will be turned in to the Quartermaster for replacement.

4.1.6 Store the TASER and any extra cartridges in the issued holster or case when not in use.

4.1.7 Avoid dropping the TASER and exposing it to water.

4.1.8 Avoid direct sunlight exposure and static electricity.

5.0 TASER USAGE CRITERIA

5.1 Discharge of the TASER constitutes physical force under the Pennsylvania Crimes Code, Section 508 (Use of Force in Law Enforcement). The discharge of the TASER is authorized when used in accordance with the Rules & Regulations of the Pittsburgh Bureau of Police, in particular, policies on use of force and use of TASER and applicable laws of the Commonwealth of Pennsylvania and the United States of America, in particular the Constitution of the United States.

5.2 Situations in which the use of the TASER may be authorized include, but are not limited, to the following:

- When presented with a mentally ill individual who is exhibiting behavior that would lead an officer to use the TASER as a reasonable force option.
- Warrant service when the individual who is exhibiting behavior that would lead an officer to use the TASER as a reasonable force option.
- Persons under the influence of drugs and/or alcohol who are exhibiting behavior that would lead an officer to use the TASER as a reasonable force option.
- Persons expressing the intent and having the means to commit suicide and who are exhibiting behavior that would lead an officer to use the TASER as a reasonable force option.

5.3 Under no circumstances shall an officer resort to the use of the TASER where such a use of force is in violation of General Order #12-6, “Use of Force” policy. Nothing in this policy is intended to conflict with or replace the provisions of the “Use of Force” policy.

5.4 It is also the policy of this Bureau that personnel will not necessarily or unreasonably endanger themselves in applying these guidelines. Furthermore, it is policy of this Bureau that the TASER is not intended to be used as a substitute when the officer is justified in the use of deadly force in accordance with the policy outlined in the Pittsburgh Bureau of Police Manual of Procedural Orders, General Order #12-6.

6.0 INTENTIONAL TASER DISCHARGE

6.1 Upon encountering an incident in which it is determined that the TASER may be required and no officer at the scene has a TASER, the officer shall broadcast a request for “Code Zebra.” This code will represent to the dispatcher/communications the request to have a TASER on scene.
6.1.1 Shift supervisors will notify communications which officers have TASERS by writing “TASER officer” after the unit number on the rundown that is faxed to communication.

6.2 When reasonable, prior to firing the TASER, the officer discharging the TASER shall loudly announce that the TASER is going to be discharged.

7.0 RESPONSIBILITIES OF OFFICERS AFTER TASER DISCHARGE

7.1 Following the discharge of the TASER, the officer shall secure the subject and the scene ensuring officer safety.

7.2 A medical release from a hospital will be obtained for all subjects exposed to the discharge of the TASER, either by contact stun or probes if the subject is to be lodged in the ACJ or other detention facility.

7.3 If the officer observes any objective sign indicating that the subject requires IMMEDIATE medical treatment following exposure to the discharge of the TASER, either by contact stun or by probes, an EMS Unit shall be summoned to the scene immediately.

7.4 The following grid shall be consulted to determine the appropriate probe removal procedure to be taken after a TASER probe discharge if the subject is to be lodged in the ACJ or other detention facility:

<table>
<thead>
<tr>
<th>TASER Probes Successfully Discharged?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Did the probes penetrate the subject?</td>
<td>Go to Step #2</td>
<td>No further action.</td>
</tr>
<tr>
<td>2. If the probes penetrated the subject, was a Supervisor called?</td>
<td>Go to Step #3</td>
<td>Call a Supervisor and Go to Step #3</td>
</tr>
<tr>
<td>3. Did the probes penetrate the subject's clothing ONLY?</td>
<td>An officer trained in probe removal may immediately remove the probes and transport the subject to the hospital for a medical release</td>
<td>(Probes penetrated subject’s body) Go to Step #4</td>
</tr>
<tr>
<td>4. Did penetration of the probes:</td>
<td></td>
<td>Although discharge resulted in penetration, an officer trained in probe removal may immediately remove the probes if none of these conditions resulted. The subject shall then be transported to the hospital for a medical release. Go to Step #5</td>
</tr>
<tr>
<td>▪ Render the subject unconscious</td>
<td>Request EMS Unit. Wait for the EMS unit to arrive for probe removal. Transport the subject to the hospital for treatment and/or release. Go to Step #5</td>
<td></td>
</tr>
<tr>
<td>▪ Cause him/her to exhibit signs of a serious medical condition</td>
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<tr>
<td>▪ Cause a secondary injury as a result of a fall</td>
<td></td>
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<tr>
<td>▪ Cause penetration in sensitive tissue areas (i.e. face, neck, breast or groin)?</td>
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<tr>
<td>5. Subject transported to Hospital</td>
<td>Obtain a medical release</td>
<td>Transport to hospital for medical release.</td>
</tr>
</tbody>
</table>

7.5 Ensure that any discharged cartridges, probes, and a sampling of Anti-Felon Identification (AFID) “microdots” that are discharged with the probes are collected and booked as evidence.

7.6 If a subject has been exposed to the discharge of the TASER and it is determined that the charges against the subject will proceed by summons or citation (i.e. the subject will be released and not taken to the ACJ or another detention facility), the subject will be offered medical treatment at a local medical facility.

7.6.1 If the subject agrees to treatment, the subject will be transported to a medical facility by the PBP and dropped off. The transporting officer will ensure that the subject, at a minimum, checks in at the medical facility before leaving. The subject will be responsible to procure transportation from the medical facility to their home, vehicle, etc.
7.6.2 If the subject refuses treatment and has not been exposed to a TASER probe in a sensitive tissue area such as the face, neck, breast, or groin, officers shall notify a supervisor and dispatch via the radio so as to leave recorded documentation of the subject's refusal. Officers shall also document the subject's refusal in their reports.

7.6.3 If the subject has been exposed to a TASER probe in a sensitive tissue area such as the face, neck, breast, or groin, the officer shall get treatment at a medical facility for the subject. The officer shall call EMS to the scene and EMS shall determine if the subject requires transport to a medical facility by ambulance. If EMS does not transport the subject, the officer shall transport the subject to a medical facility.

7.6.3.1 At the medical facility, if the subject refuses treatment, that refusal must be made to medical facility personnel and not City EMS. The officer shall document the subject's refusal as well as the attending physician's name for their report. Once the subject has been released from the medical facility, the officer shall explain to the subject that he/she is no longer in police custody.

7.6.3.2 At the medical facility, if the subject accepts treatment, the officer may leave once the subject has been admitted by the medical facility or they have otherwise accepted the subject into their care.

7.6.4 If the subject is exhibiting symptoms that a reasonable officer would conclude are a sign of medical distress, the officer shall immediately summon medical personnel.

7.6.5 Officers will use the nearest medical facility to the incident unless they have approval from a supervisor to use a different facility.

8.0 THE HANDLING OF PROBES FROM THE TASER

8.1 Probes that have penetrated the body should be treated as bio-hazardous "sharps."

8.2 Probes are to be carefully placed sharp tip first into the spent cartridge wire pockets and secured in place with a strip of tape, i.e. evidence tape.

8.3 Probes are to be treated as evidence. Once the probes are secured into the spent cartridge they are to be packaged and sent to the property room.

9.0 REPORTING USAGE OF THE TASER

9.1 All intentional discharges of the TASER are to be reported by the discharging officer. Any discharge, whether resulting in physical contact with an individual or not, shall be reported on the PBP Form #10.1 "Subject Resistance Report Form" along with any other related reports and submitted to the officer's supervisor for review. Officers will include the serial number of the TASER and cartridge(s) in their report.

9.2 All unintentional discharges will be reported through a PBP Form #54 "Special Report" outlining the specific circumstances of the discharge. This Special Report shall then be forwarded through the shift supervisor, along with any other related reports, through the chain of command to the Chief of Police the discharged cartridge shall be forwarded by the officer to the Training Academy.

9.2.1 The Training Academy's Defensive Tactics Section will conduct a debriefing on all unintentional discharges. This debriefing is to be scheduled by the duty location commander as soon as is practical. The TASER unit will be taken out of service and inspected at the Training Academy and will not be returned to the officer until the debriefing is conducted.

9.3 All required reports will be completed and submitted before the end of the affected officer's tour of duty.

9.4 If the discharging officer is not able to make the necessary reports immediately following the usage incident, the shift supervisor will complete and submit all of the required reports prior to the end of the supervisor's tour of duty.

10.0 TACTICAL FORMATIONS
10.1 Under the direct supervision of a Supervisor, the TASER may be utilized as a means of crowd control through the use of formations and display of the TASER’s arc. In these situations, a supervisor shall document the TASER discharges by completing an Investigative Report Form 3.0 listing all officers in the formation and noting the times the discharges occurred.

10.1.1 Any officer who discharges a TASER and makes contact with a subject during a tactical formation shall complete the appropriate forms as directed by Section 9.0 of this order.

11.0 PROHIBITED USAGE OF THE TASER

11.1 The City of Pittsburgh forbids the discharge of the TASER in anyway that is deemed “excessive force.” All intentional discharges of the TASER must fall within the “reasonable officer standard.”

11.2 While the TASER is a less lethal weapon meant to gain compliance from a subject, it is not a deadly force weapon and therefore should not be used as a substitute for deadly force.

11.3 The TASER should not be discharged in the proximity of flammable liquids, gases, or any other highly combustible materials that may be ignited by the device including any individual that may have been exposed to combustible substances or liquids such as gasoline.

11.4 The TASER is not to be discharged if the officer has knowledge that any member of another police department, agency, or a civilian has sprayed the subject with OC Spray or any type of other chemical agent because of the potential for combustion.

11.5 The TASER is not to be discharged if it or the air cartridge is submerged in water.

11.6 The TASER is not to be used on individuals who have expressed the intent and have the means to commit suicide and any incapacitation resulting from the discharge of the TASER would present a real threat of danger to public safety or a high risk of serious bodily injury to him or herself or another. (i.e. actor has a gun in his/her hand or the actor is standing on a ledge)

11.7 Officers should avoid using the TASER on obviously pregnant females and those individuals under the age of 7 or over the age of 70, unless the encounter rises to the level of a deadly force situation. This restriction is based on the potential for these individuals to fall when incapacitated by the TASER.

11.8 The TASER is not to be used on passively resistant individuals strictly to gain compliance.

11.9 The TASER is not to be used on the driver of a vehicle where that vehicle is in motion or likely to be put in motion by the incapacitation of the driver by the TASER discharge.

12.0 RESPONSIBILITIES OF SHIFT SUPERVISORS

12.1 Shift supervisors are responsible for ensuring that:

12.1.1 All incidents involving any discharge of the TASER are appropriately documented and proper procedure is followed.

12.1.2 All reports of incidents involving the use of the TASER are forwarded through the Chain of Command.

13.0 DOWNLOADING OF TASER DATA CHIPS/DATA RECONCILIATION

13.1 TASER data shall be downloaded on an annual basis or within 3-5 days of any TASER discharge that results in a PBP Form #10.10, Subject Resistance Report being completed.

13.1.1 The one year period will begin after each annual download or after a download due to a discharge.
13.2 Privately owned TASERs will be downloaded when the officer comes to the Academy for recertification provided that an Academy TASER armorer is present.

13.3 Desk officers will arrange to have City issued TASERs that are due an annual download sent to the academy with officers when the officer addends TASER recertification.

13.4 The Academy shall maintain a log of all City issued and privately owned TASERs along with the date the TASER last had a data download.

13.4.1 The Academy staff will be responsible to notify the appropriate Zone or duty location of any TASER that has gone past this one year deadline.

Approved By:

Nathan Harper  
Chief of Police
CITY OF PITTSBURGH
BUREAU OF POLICE
Office of the Chief
"...accountability, integrity, and respect."

Chief's Order #14-010

TO: All Personnel
FROM: Cameron S. McLay, Acting Chief
DATE: November 10, 2014
SUBJECT: General Order #31-2 “Individual Items of Uniforms and Equipment”

The following section of General Order #31-2 “Individual Items of Uniforms and Equipment” has been rescinded. No members of the Pittsburgh Bureau of Police are authorized to carry a Blackjack. All those issued Blackjacks are to return them to the Quartermaster as soon as possible.

2.0 INDIVIDUAL ITEMS OF UNIFORMS AND EQUIPMENT

<table>
<thead>
<tr>
<th>BLACKJACK</th>
<th>Police Officer</th>
<th>Commander and above</th>
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<tbody>
<tr>
<td></td>
<td>Sergeant</td>
<td>To be carried at all</td>
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<tr>
<td></td>
<td>Lieutenant</td>
<td>times when on duty</td>
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<td></td>
<td>Detective-in-</td>
<td>whether in uniform or</td>
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<td></td>
<td>Plainclothes</td>
<td>plainclothes:</td>
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<td>(unless ASP or</td>
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<td></td>
<td>Monadnock or</td>
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<td></td>
<td>Baton-is-carried)</td>
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</tbody>
</table>

THIS ORDER WILL BE READ AT ALL ROLL CALLS FOR FIVE (5) CONSECUTIVE DAYS AND PLACED ON A READ BOARD IN EVERY DUTY LOCATION.

Cameron S. McLay
Acting Chief of Police

CSM/tmc
cc: F.O.P.
    Director Stephen Bucar, Public Safety