



# City of Palo Alto City Manager's Report

**TO:** HONORABLE CITY COUNCIL

**FROM:** CITY MANAGER                      **DEPARTMENT:** POLICE

**DATE:** JUNE 2, 2008                      **CMR:263:08**

**SUBJECT:** TASER UPDATE AND SECOND QUARTERLY REPORT

This is an informational report and no Council action is needed at this time.

## DISCUSSION:

On May 7, 2007, the City Council approved the expenditure of Citizens Options for Public Safety (COPS) funds (CMR:234:07) for the purchase of electronic control devices (TASERS), supplies, and training in accordance with the TASER Task Force study.

In July 2007, staff purchased 100 TASER X-26s equipped with the TASER-CAM system. The TASER-CAM is a digital audio/visual recording device which is affixed to the TASER X-26 and allows for greater accountability as it records the activation of the device. Data from the TASER-CAM is downloaded to a secure computer which stores deployments and activations.

In September 2007, Staff finalized the TASER policy (CMR:368:07) according to the models of the International Association of Chiefs of Police, Police Executive Research Forum, the California Police Chiefs' Association and current case law. The City Attorney and Independent Police Auditor also reviewed the TASER policy.

Several of the Department's Defensive Tactics Instructors attended the TASER instructor course, as well as a number of other use of force courses. These instructors developed a course curriculum that included: nomenclature; TASER capabilities; Police Department TASER Policy; Use of Force; Excited Delirium; Crisis Intervention Techniques and In-Custody Death Incident Response. Additionally, officers went through a series of decision-making scenarios. Officers were evaluated in the performance of these scenarios and were required to complete and pass all phases of the training and written tests in order to be certified to carry the TASER. The training was 17 hours. Members of the City Council, Human Relations Commission and the Independent Police Auditor attended portions of this training. This quarter, the Police Department trained five newly hired officers on the TASER and the subjects associated with TASER implementation and use.

Defensive Tactics Instructors provided comprehensive training to Palo Alto Fire Department Paramedics and EMTs on the TASER, Police Department procedures and possible injuries that could result after a TASER application. Defensive Tactics Instructors also met with physicians and staff at Stanford Medical Center Emergency Room.

On September 27, 2007, officers began carrying TASERS. As a part of the reporting and accountability system, the Police Department tracks whenever a TASER is drawn and pointed at a subject (deployment), as well as when a TASER is used (activation). Any time that a TASER is deployed or activated, the officer is required to advise their supervisor and an entry is made into the Police Department's Computer Aided Dispatch (CAD) system. Additionally, each officer's TASER-CAM is inspected after every activation. The data is also reviewed quarterly to ensure all deployments and activations are reported. From September 27, 2007 through December 31, 2007, there were a total of seven TASER deployments and one TASER activation (CMR:130:08). This quarter, from January 1, 2008 through March 31, 2008, there were a total of 11 TASER deployments and one activation.

The lone TASER activation this past quarter occurred when officers responded to a call of a suspicious person (White Male Adult) living in a van in a residential neighborhood. The reporting party informed officers that the subject made his family feel uncomfortable as the subject leered at his wife and young children. Officers responded to the area and located the subject. While the officers were contacting the subject, he displayed objective symptoms of being under the influence of a controlled substance. The officers attempted to have the subject exit the vehicle to continue the investigation when he violently assaulted the officers striking one in the head and knocking one to the ground. An officer deployed and activated the TASER once which was partially effective. The suspect was subdued and sustained minor abrasions. Palo Alto Fire Department Paramedics responded and transported the subject to Stanford Emergency Room where he was medically cleared and later booked at the Santa Clara County Main Jail. The officers sustained minor injuries and were treated at the scene. The District Attorney filed one count of felony assault on a police officer and one count of misdemeanor assault against the subject.

The following are summaries of TASER deployments that occurred between January 1, 2008 and March 31, 2008.

- 1) An officer contacted a subject (Hispanic male adult) for violating a vehicle code section. The officer obtained the subject's identity and determined that he had outstanding warrants for his arrest. The suspect ran away from the officer and the officer chased the suspect on foot. During the foot pursuit, the officer discharged his TASER but the darts missed the suspect. The suspect was taken into custody by another officer a short distance away.
- 2) An officer responded to a call of eight or nine subjects (Pacific Islanders) fighting in the parking lot of a hotel. Upon the officer's arrival, the subjects had stopped fighting, however, one of the subjects was agitated and was combative toward the officer. The officer ordered the subject to sit on the curb but the subject did not comply. The officer deployed the


TASER and the subject quickly sat down as directed. The officer conducted an investigation and determined that, while a fight had occurred, none of the parties wished to press charges. No arrests were made.

- 3) Officers responded to a call of shoplifting from Macy's Men's Store at Stanford Shopping Center. Upon their arrival, they observed the suspect (White male) running from the store and gave chase on foot. An officer chased the suspect into a neighborhood where the suspect jumped over a fence and came face-to-face with an officer. The officer drew her TASER and gave the subject arrest commands. The suspect immediately changed directions and fled over a fence. The suspect escaped and was not apprehended.
- 4) An officer responded to an interrupted auto burglary in a residential area. As the officer arrived, he observed two suspects (Hispanic males) riding bicycles away from the crime scene. The officer was able to detain the subjects and gave them arrest commands. The suspects refused to comply and the officer drew his TASER and ordered them to stop. The suspects complied, were taken into custody, and later booked into jail. The property was recovered and returned to the victim.
- 5) An officer stopped a subject (White male) for a traffic violation. The officer had the driver exit the car and sit on the curb after he provided false identification. During the detention, it was determined that the driver had a felony warrant for his arrest. The officer thought that subject might attempt to flee and the officer drew TASER until another officer arrived and the subject was taken into custody.
- 6) Officers responded to a call of three subjects (African-American males) breaking into a residence. As officers arrived, they established a perimeter around the residence. One of the suspects observed an officer and ran away despite the officer's orders to stop. The suspect jumped over a fence and was confronted by one of the officers who drew his TASER and gave arrest commands. The suspect complied and was taken into custody.
- 7) An officer observed five subjects (White males) fighting at Lytton Plaza at approximately 2:00 a.m. The officer ordered the subjects to stop fighting and drew his TASER. The subjects observed the TASER and stopped fighting. It was determined that, although a fight had occurred, none of the parties wished to make a citizens arrest.
- 8) At the request of Menlo Park Police Department, Palo Alto police officers responded to a major disturbance involving multiple parties (unknown races). While Palo Alto officers were en route, Menlo Park Police Department advised one of their officers had a subject detained at gun-point. As Palo Alto officers arrived, they assisted Menlo Park Police Department with an arrest. One of the Palo Alto officers had their TASER deployed as he made an arrest.


- 9) Bloomingdale's called the Police Department after a subject shoplifted a large quantity of expensive jewelry from their store at Stanford Shopping Center. Store security provided the suspect's description (African American male) and direction of travel. Officers arrived in the area and gave chase after the suspect. An officer caught up with the suspect, drew her TASER and gave the suspect commands to surrender. The suspect complied and was taken into custody.
- 10) Officers learned that a subject (Hispanic male adult) was a parolee and was wanted for a no-bail warrant. Officers went to the subject's residence to serve the warrant. As they were standing outside the apartment, they heard what they thought was an in-progress domestic violence incident. Officers entered the residence with their TASERs drawn and gave the suspect arrest commands. The suspect complied and was taken into custody.
- 11) An officer stopped a subject for erratic driving who was possibly associated with a call involving several juveniles drinking alcohol. The officer recognized the driver as someone he had arrested previously for resisting arrest. The driver displayed objective symptoms of being under the influence of alcohol and the officer could smell the odor of burnt marijuana in the vehicle. The other two occupants of the vehicle were argumentative and abusive toward the primary and secondary officer. The officer instructed the driver to exit the vehicle so that he could evaluate his sobriety. The driver refused the officer's repeated commands. The officer drew his TASER and the driver complied with the officer's commands. All three subjects were arrested for a variety of charges.

Staff will continue to monitor TASER deployments and activations and report to Council on a quarterly basis.


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