TO:    HONORABLE CITY COUNCIL

FROM:    CITY MANAGER    DEPARTMENT: POLICE

DATE:  MAY 7, 2007   CMR:234:07

SUBJECT: FINAL APPROVAL OF EXPENDITURE OF CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) FUNDS IN THE AMOUNT OF $149,000 FOR PURCHASE OF ELECTRO-MUSCULAR DISRUPTION DEVICES (TASERS), SUPPLIES, AND TRAINING IN ACCORDANCE WITH THE TASER TASK FORCE (TTF) RECOMMENDATION

RECOMMENDATIONS

Staff recommends the City Council approve the expenditure of Citizens Options for Public Safety (COPS) funds in the amount of $149,000 for the purchase of electronic control devices, supplies and training in accordance with the Taser Task Force’s (TTF) study.

BACKGROUND

On December 4, 2006, City Council approved the establishment of a citizen’s Taser Task Force (TTF) and directed that it provide the Council with a recommendation on whether or not to allow the use of tasers by the Palo Alto Police Department. The Council directed the City Manager to develop, with the Police Chief, a taser use policy, which would be considered by the Task Force in making its recommendation. On December 18, 2006, (CMR:449:06) City Council approved acceptance of Citizen Options for Public Safety (COPS) funds in the amount of $120,000 for the purchase of tasers subject to final Council approval following the TTF study and recommendation. At that time, Council directed staff to provide detailed costs associated with the tasers and training should the TTF recommend approval.

DISCUSSION

After six meetings during which the TTF reviewed numerous studies, articles, received input from the public, heard presentations, reviewed the draft policy, and discussed the issue, the TTF concluded its assignment. On April 10, 2007, the TTF recommended with a vote of 7 to 2, that tasers be purchased and deployed by the Palo Alto Police Department.

Policy

Attached is the draft policy (Attachment A) that staff prepared and revised based upon input from the
TTF. It is important to note several things about the policy.

1) The policy delineates nine conditions under which, absent exigent circumstances, officers would not be allowed to use tasers.
2) Officers would be prohibited from activating a taser for more than three, five-second cycles on any individual.
3) The audio/video function on the tasers would be required to be activated even when officers just draw the weapon from their holsters.
4) After a subject has been subjected to the electronic discharge, paramedics will respond. Additionally, the subjects will be transported to Stanford Hospital or Valley Medical Center for a medical clearance.
5) Detailed incident reports will be required after even the drawing of a taser. Staff will provide quarterly reports to the City Council with information including the race, age, and gender of the subjects. Should the Council decide to continue the Police Auditor program, staff would provide these reports to the Auditor for review as well.

Training and Equipment

Staff proposes to purchase 100 Taser X-26’s equipped with the Taser-cam system that would be issued to all officers and reserve officers. 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 will be downloaded to a secure computer system which will store deployments and activations.

Basic taser training for officers, agents and sergeants will consist of 17 hours of instruction, which will include nomenclature, demonstration, in-custody death issues, Department policy, and practical and reality based application. As part of the training, staff will receive updated instruction on crisis intervention techniques and strategies. The course will culminate in written and practical testing. Once sworn employees have successfully completed the initial 17-hour training course, they will be authorized to carry the Taser X-26. It should be noted that no other agency in the area provides this amount of initial training prior to deploying tasers.

All employees will be required to attend and successfully complete a four-hour training block on an annual basis in order to continue to carry the Taser X-26.

RESOURCE IMPACT

The Council previously approved in concept the expenditure of $120,963 of COPS funds. These funds have been received by the City and deposited into the City’s Supplemental Law Enforcement Service Fund (SLESF). Revenues and expenses of $120,963 were budgeted in the City’s SLESF as part of the mid-year report. Staff has determined that in order to purchase the number of tasers with the Taser-cam, an additional $27,037 will be needed. There is a balance of previously allocated COPS funds from prior...
from prior years that were earmarked for enhanced training exercises. The interest earned from those SLESF funds will supplement the additional costs. No General Fund monies would be used for the purchase of the tasers and the initial training. Attachment B provides a detailed breakdown of the costs.

Taser training will be included in one of the Department’s Continued Professional Training (CPT) sessions that are required by the State Commission on Police Officers Standards and Training (POST). Overtime is not used for CPT training as the officers are required to use the training bank hours to attend.

**POLICY IMPLICATIONS**

Adoption of the Taser Task Force recommendation constitutes Council policy direction.

**ENVIRONMENTAL ASSESSMENT**

This is not a project subject to CEQA requirements.

**ATTACHMENTS**

Attachment A: Draft policy
Attachment B: Detailed costs

PREPARED BY: DENNIS BURNS
Police Captain

DEPARTMENT HEAD: LYNNE JOHNSON
Police Chief

CITY MANAGER APPROVAL:

EMILY HARRISON
Assistant City Manager