

Multiple and prolonged Taser deployments

June 2013



CRIME AND
MISCONDUCT
COMMISSION



QUEENSLAND

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CMC vision:

That the CMC make a unique contribution to protecting Queenslanders from major crime, and promote a trustworthy public sector.

CMC mission:

To combat crime and improve public sector integrity.

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Dear Minister, Madam Speaker and Mrs Cunningham

In accordance with section 69 of the *Crime and Misconduct Act 2001*, the Crime and Misconduct Commission hereby furnishes you its report *Multiple and prolonged Taser deployments*.

The Commission has adopted the report.

Yours sincerely

DR KEN LEVY
Acting Chairperson

FOREWORD

The Crime and Misconduct Commission (CMC) has been conducting research into Taser use by the Queensland Police Service (QPS) since Tasers were first introduced into the general duties policing environment in 2007. The CMC's interest in this area of policing centres on ensuring that Taser uses are appropriate, and that QPS Taser policy, training and practice are consistent with international best practice. It is pleasing that the findings from our earlier research have driven significant reforms to policy, training and practice, and led to improvements in how Tasers are being used by the QPS.

Notwithstanding these positive outcomes, in our 2011 report we indicated that we would further examine a number of aspects of Taser use. As the first step in delivering on this commitment, this report examines multiple and prolonged Taser deployments.

One-third of all Taser deployments involve a multiple or prolonged Taser cycle. Prior to this report, we had no clear understanding of the circumstances in which multiple or prolonged Taser deployments occur, nor whether they occur in appropriate situations. This report tries to fill this knowledge gap.

The findings from this report reaffirm the CMC's view that Tasers are a useful tool for police. Indeed, there are a range of situations where a multiple or prolonged Taser deployment may be the most appropriate use of force option. Notwithstanding this, some aspects of multiple and prolonged deployments could be improved. We make three recommendations to improve QPS Taser reporting, training and review practices, with a view to further reducing the number of multiple and prolonged Taser deployments.

The QPS is to be commended for its commitment to actively pursuing improvements to Taser use. We hope that this report can help the service to further improve how its officers use Tasers.

The CMC will continue to work collaboratively with the QPS to ensure that Taser use is appropriately reviewed and scrutinised. As well, the CMC will shortly begin a review of the QPS's monitoring and review processes for use of force — as committed to in our 2011 report.

Dr Ken Levy

Acting Chairperson

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We would also like to acknowledge the contribution of representatives from the Aboriginal and Torres Strait Islander Legal Service, the Queensland Alliance for Mental Health, the Queensland Council for Civil Liberties and the Queensland Police Union of Employees who offered their valued opinions and points of view.

This report was prepared by the CMC's Applied Research and Evaluation unit. The project team consisted of Katherine Pike, Rianna Guest and Lauren Hancock.

The report was prepared for publication by the CMC's Communications unit.

Dr Rebecca Denning

Director, Applied Research and Evaluation

SUMMARY

A note about Tasers

Taser is a brand of conducted energy (or electrical) weapons (CEWs). CEWs are handheld weapons capable of temporarily immobilising a person and causing pain through the application of an electrical current. The CEW currently used by the Queensland Police Service (QPS) is the Taser X26.

When deployed, Tasers are designed to cycle an electrical current for 5 continuous seconds. Police can prolong a cycle beyond 5 seconds by holding down the trigger (a “prolonged cycle”), or can activate another 5-second cycle by depressing the trigger again (a “multiple cycle”). The duration of the cycle does not necessarily equate to the length of time that a person is actually affected by the electrical current.

Background to this research

The Crime and Misconduct Commission (CMC) has been conducting research into Taser use by the QPS since Tasers were first trialled in Queensland in 2007. Our research has shown that a substantial proportion of Taser deployments involve a multiple or prolonged cycle.¹ Although the proportion of Taser deployments that involve a multiple or prolonged cycle has decreased over time, our 2012 paper showed that these types of deployments constitute about 30 per cent of all Taser deployments.

At present, very little is known about multiple or prolonged Taser deployments. It is important that we improve our knowledge of these types of deployments for two reasons. First, research suggests that multiple and prolonged Taser deployments may be associated with an increased risk of harm and even death. It is important that we know more about these types of deployments in an effort to balance the risk of harm to the subject person with the risk of harm to the police or others. Second, QPS policy and public expectation dictate that police use the minimum amount of force to resolve a situation. When police use a Taser, and particularly when they deploy the Taser for a multiple or prolonged cycle, they are using the upper limits of their use of force options.

It is within this context that the CMC sought to develop a more comprehensive understanding of multiple and prolonged deployments, to ensure that they are justified according to policy and are being used in the appropriate types of situations.

Scope of this review

This review examined incidents involving a multiple or prolonged Taser deployment to better understand why they occur, whether they are appropriate and justified according to policy, and whether they are a good use of force option.

1 By “multiple or prolonged deployments”, we mean situations where people were the target of more than one Taser cycle during the same incident, or a cycle longer than 5 seconds. This includes people who were the target of a multiple or prolonged cycle by the same officer, people who were the target of single cycles by more than one officer, and people who were the target of multiple or prolonged cycles by more than one officer.

The CMC examined all incidents involving a multiple or prolonged Taser deployment between 22 September 2009 and 31 December 2012.² Our review of these deployments was largely based on the information contained in police officers' reports. We also conducted consultations with QPS officers and key community and legal groups.

Key findings

Most multiple or prolonged deployments are at the lower end of the spectrum of exposure lengths

One-third of Taser deployments since the introduction of the current QPS Taser policy involved a multiple or prolonged cycle. Most of these deployments were at the lower end of the spectrum when it came to total exposure length:

- Just under 60 per cent of multiple deployments involved two cycles, and 24 per cent involved three cycles.
- Around half of prolonged deployments were between 6 and 7 seconds, and the majority of prolonged deployments involved a deployment of less than 10 seconds (74%).

Importantly, most people who were the target of a multiple or prolonged deployment were exposed to cycles totalling between 6 and 15 seconds (83%). This is consistent with international guidelines that recommend limiting Taser exposure to no more than 15 seconds.³

Most multiple or prolonged deployments appear appropriate in the circumstances

Generally, officers specify the reason for, and effect of, the initial deployment but provide less information about each subsequent cycle. Our ability to determine whether each deployment was warranted is therefore somewhat limited. We have made a specific recommendation to overcome this deficiency.

Nevertheless, we found that most multiple or prolonged deployments involved people who were displaying violent behaviour, which is generally consistent with the QPS Taser threshold for use (that is, *risk of serious injury to a person*).

- The largest proportion of incidents involved people who were described as being *assaultive* or displaying behaviours likely to result in *grievous bodily harm or death to another person* (85%).
- A smaller proportion of incidents involved people who were displaying behaviours likely to result in *grievous bodily harm or death to themselves* (9%). This included people who were self-harming or appeared to be about to self-harm.
- Half of the people who were the target of a multiple or prolonged deployment were armed with a weapon (49%), most frequently an edged weapon (34%) such as a knife, scissors or an axe.
- Few multiple or prolonged deployments resulted in concerns being raised about compliance with the current QPS Taser policy and only a very small number resulted in a complaint being made to, or generated by, the CMC.

2 The current QPS Taser policy commenced on 22 September 2009.

3 Several United States (US) police organisations have adopted guidelines produced by Taser International.

Most multiple or prolonged Taser deployments involve people from “medically vulnerable or at-risk” groups who are displaying violent behaviour

The majority of multiple or prolonged Taser incidents involved people from one or more “medically vulnerable or at-risk” groups:

- More than 80 per cent of the people were reportedly affected by drugs and/or alcohol.
- Indigenous people comprised 16 per cent of all people who were the subject of a multiple or prolonged deployment.
- Over 40 per cent of the people were believed to have an underlying mental health condition.

This high proportion of people from medically vulnerable or at-risk groups is a challenging aspect of Taser deployments. There is some research to suggest that people from these groups may be more likely to suffer adverse health effects after a Taser deployment. However, in some situations, especially when the person is behaving violently, the Taser may be an entirely appropriate use of force option. This is a view shared by the community stakeholders whom we consulted.

These incidents typically involved people whose behaviour was likely to cause serious injury. In relation to these groups, we did not see evidence to suggest that police were deploying multiple or prolonged Taser cycles in an inappropriate manner.

Most multiple or prolonged deployments occur because the situation was not resolved during the 5-second cycle

Most multiple deployments occur because one or more deployments did not incapacitate the subject person and their behaviour continued. However, we identified a number of factors related to the policing response that can also contribute to a multiple deployment:

- The subject was not restrained by police after the initial or subsequent cycle.
- There was a lack of communication between the deploying officer and other attending police.
- The deploying officer did not select another use of force option — either because they had insufficient time or because the Taser was their preferred use of force option in the situation.

Very little information was provided about the reasons for prolonging a Taser cycle. As with multiple deployments, most prolonged deployments seemed to occur because the subject’s behaviour continued after the initial cycle or because the subject person was not restrained during the standard 5-second cycle.

In two incidents, the reporting officer identified that the prolonged cycle was accidental. Some police officers we consulted suggested that the actual number of accidental prolonged deployments may be higher than this. In high-stress situations, the officer may not realise that they have prolonged the deployment.

Multiple or prolonged deployments can sometimes be a better option in violent situations

All stakeholder groups agreed that multiple or prolonged deployments can sometimes be a better course of action than other use of force options, particularly in situations where the person is displaying behaviour likely to cause serious injury. In violent situations, the use of a multiple or prolonged deployment may minimise the risk of injury to the police officer, the community and the subject.

However, our consultations identified some situations where the use of a multiple or prolonged deployment was questioned:

- There was disagreement about the use of multiple or prolonged Taser deployments against people who were self-harming or threatening self-harm. Police generally agreed that multiple or prolonged Taser deployments may be a good option in these situations (that is, to prevent a death). Some community groups, however, suggested that the Taser may increase the stress of the situation and it may be better to resolve these incidents using other use of force options.
- Police officers raised some concerns about officers continuing to use a Taser in situations where the Taser did not appear to be having the desired effect on the subject.
- Police also raised concerns about officers using a Taser in situations where the subject person was armed with an edged weapon, particularly when another attending officer may not have been providing lethal cover (cover with a firearm). The concerns expressed by police typically related to the heightened risk of injury to attending police.

Despite these positive findings, some aspects of multiple and prolonged deployments require further attention

- The reporting of multiple and prolonged deployments should be improved. The QPS does not currently require officers to report the reason for, and effect of, each Taser cycle during a single incident. Our ability to examine multiple and prolonged deployments was somewhat limited because of a lack of detail about subsequent deployments. This lack of information may also be limiting the QPS's ability to review and scrutinise multiple and prolonged deployments. For the public to have confidence in the use of Tasers, the police service must be held accountable for all deployments.
- The suggestion that some prolonged deployments are accidental warrants further attention. A range of possible explanations were suggested for this, including the highly stressful nature of these incidents, and the firearms training that officers receive (which teaches officers to keep their finger on the trigger until the threat is removed).
- We also found that the action or inaction of the second or cover officer plays a role in whether the deploying officer discharges an additional cycle or prolongs the cycle. Improving the knowledge and skills of deploying and cover officers may further reduce the number of multiple or prolonged Taser deployments.

A number of issues were raised about Taser use more broadly

During our review, a number of broader issues about Taser use, training and review practices were raised. Although they did not relate exclusively to multiple or prolonged deployments, they have implications for the QPS.

- In some situations where the subject person is armed with an edged weapon, police officers may be using Tasers instead of firearms. Although there are situations where this may be appropriate, the QPS should ensure that operational practice is consistent with policy and training. The QPS should also ensure that the risks associated with officers using Tasers in these situations are being managed, and that officers are being provided with appropriate feedback about their use of the Taser.
- There is a perception among all stakeholder groups that we consulted that some police officers are over-using the Taser. Some officers may develop a preferred use of force option (that is, something that has worked for them previously) and may elect to use this option instead of others, regardless of the circumstances. It was also suggested that some officers may continue to discharge their Taser even though it is not having the desired effect on the subject. The perception that some police are over-using Tasers, whether accurate or not, warrants further attention.

- Police frequently come into contact with people who have mental health conditions. However, it is possible that some police officers may not have a good understanding of these conditions. Our concern with this is that police might be basing their decision to use certain types of force, particularly Tasers, on stereotypes or generalisations about mental health conditions, rather than responding to the actual behaviour.
- We identified some possible problems with the QPS panels that review all Taser uses (the Significant Event Review Panels). These included discrepancies between review panel findings and QPS training, inconsistencies between “content expert” officers’ assessment of uses and review panel recommendations, and a possible lack of focus on identifying and promoting good practice. These findings appear to be inconsistent with effective review processes and may be preventing the QPS from identifying opportunities for learning and improvement.

Recommendations

Overall, our findings confirm that Tasers are an important use of force option for police. Nevertheless, we have identified a number of areas for improvement. In particular, we make three recommendations that aim to improve Taser reporting, review and training practices.

Recommendation 1 aims to improve the reporting of multiple and prolonged deployments. We do not lightly recommend increased reporting. We understand that changing reporting obligations will have resource implications for the QPS. Nevertheless, we believe that these improvements are important to ensure that each and every Taser cycle during an incident is subject to an appropriate level of scrutiny and review. Increased accountability for these types of deployments is also important to ensure that the public has confidence in the use of Tasers.

In some instances, our ability to confirm matters raised in consultations (for example, whether officers were reassessing the situation after each deployment) was limited by the existing reporting requirements. Recommendation 1 addresses this deficiency and will allow the QPS to better scrutinise multiple deployments and improve tactical decision making.

Recommendation 1

That the QPS:

- amend the Taser policy to state that officers must report the reason for each Taser cycle and the effect each cycle had on the subject person**
- ensure that Taser training emphasises that deploying officers must report the reason for, and effect of, each Taser cycle**
- modify the Use of Force Report to capture the reason for each Taser cycle and the effect each cycle had on the subject person**
- ensure that deficiencies in an officer’s report of an incident are identified during the review process, and that officers are provided with feedback about their report.**

Incidents involving people who are displaying violent behaviour can be challenging and stressful situations for even the most experienced officer. Although the number of accidental prolonged deployments appears small, every effort should be made to reduce the possibility that an officer will inadvertently prolong a Taser deployment. We recommend that the QPS take appropriate steps to reduce accidental prolonged deployments.

Recommendation 2

That:

- a. the QPS review Taser training to emphasise the need for officers to release the trigger to avoid accidentally prolonging the deployment**
- b. the QPS's review process more overtly identify accidental prolonged deployments and take appropriate remedial action to improve the deploying officer's knowledge and skills.**

Positive features of our findings are that the proportion of multiple and prolonged Taser deployments has decreased over time and that these deployments appear appropriate in the circumstances. Notwithstanding this, we encourage the QPS to continue to work towards reducing these deployments. Improving the knowledge and skills of deploying and cover officers, and their ability to work as a team, may further reduce the number of multiple and prolonged deployments.

Recommendation 3

That the QPS review Taser training to ensure that there is sufficient emphasis on:

- a. communication between the deploying officer/s and other attending police**
- b. using each Taser cycle as an opportunity to move in and restrain the subject person in a timely manner.**

Future directions

In 2011, the CMC committed to further examining key aspects of Taser use, including multiple and prolonged Taser deployments and Taser monitoring and review processes. The CMC decided that it was important to undertake the review of multiple and prolonged Taser deployments first as we suspected that the findings from this research would have implications for the QPS's monitoring and review processes.

As we anticipated, this review has raised a number of questions about the effectiveness of the QPS's monitoring and review processes for use of force. The CMC will shortly begin a review of these processes.

We encourage the QPS to implement with all due speed the recommendations made in this report. We hope that, if implemented, these recommendations will improve our ability to examine these processes in our next phase of research.

1 INTRODUCTION

The Crime and Misconduct Commission has been conducting research on Taser use since Tasers were first trialled in Queensland in 2007. Our research has consistently found that a substantial proportion of Taser deployments involve a multiple or prolonged cycle.

This chapter summarises previous research on multiple and prolonged deployments, discusses why the CMC believes these deployments require further attention, and outlines the scope of the current review and the methods used.

What do we know about multiple and prolonged deployments in Queensland?

There are a substantial number of multiple and prolonged deployments

When deployed, Tasers are designed to cycle for 5 continuous seconds. Tasers can be activated for more than 5 seconds by depressing the trigger again (a “multiple deployment”) or by keeping the trigger depressed (a “prolonged deployment”). Anything beyond a single 5-second cycle is referred to as a multiple or prolonged deployment (see “A note about terminology” below).

To date, a key finding of the CMC’s research into Taser use in the Queensland Police Service (QPS) is that a considerable proportion of Taser deployments involve multiple or prolonged cycles.⁴ Our 2012 analysis of Taser use data showed that, although the proportion of multiple or prolonged Taser cycles had decreased since 2011, about 30 per cent of Taser deployments still involved a multiple or prolonged cycle (see *An update on Taser use in Queensland*, CMC 2012).

A note about terminology

A “**deployment**” of a Taser includes any instance where the Taser is activated in probe mode⁵ or drive stun mode.⁶ The standard Taser cycle lasts for 5 seconds. We use the terms “deployment” and “cycle” interchangeably throughout this report.

A **deployment** of a Taser may involve:

- **a single deployment:** when the Taser is deployed once and cycles electrical current for one standard 5-second cycle
- **multiple deployments:** when more than one Taser cycle is targeted at a person during an incident, either by the same officer or by different officers
- **a prolonged deployment:** when the Taser is activated for longer than 5 continuous seconds; this occurs when the officer holds their finger on the trigger (either intentionally or unintentionally) for longer than the standard 5-second cycle

4 Our previous reports have referred to “people who are the subject (or target) of a multiple or prolonged cycle”. For consistency throughout this report, we refer to incidents “that involved a multiple or prolonged deployment”, or “multiple or prolonged deployments”.

5 When a Taser is successfully deployed in “probe mode”, two probes connect to the subject and cause the person to experience uncontrollable muscle contractions, immobilising them for as long as the weapon is activated.

6 When a Taser is pushed or applied in “drive stun mode”, the Taser inflicts acute pain in the area where the Taser is applied, but does not immobilise the person.

- **simultaneous deployments:** when two or more officers deploy their Taser at a person at the same time.

Subject person: this refers to people who were the target of a multiple and/or prolonged deployment and includes people who were the target of:

- multiple and/or prolonged cycles by the same officer
- multiple and/or prolonged cycles by more than one officer
- single cycles by more than one officer (resulting in the person being the target of a multiple deployment).

Exposure: in any deployment, the Taser may or may not actually affect the subject person. For example, a Taser may be deployed at a person but this does not necessarily mean that the person has been effectively “Tasered” (that is, impacted by the electrical current). The current model of Taser used by the QPS (X26) only records the number of cycles and the duration of those cycles. It does not record if, or for how long, the target of a deployment actually experienced the electrical effects of the Taser.

More information about how we analysed these data is provided in Appendix 3.

Why do multiple and prolonged deployments warrant further examination?

At present very little is known about multiple and prolonged Taser deployments. Multiple and prolonged deployments require further attention for two main reasons. First, there is some evidence to suggest that multiple and prolonged Taser deployments may be associated in some circumstances with an increased risk of harm to the Taser subject, including death. Second, QPS policy and public expectation dictate that police should only use the minimum amount of force required to resolve a situation. The deployment of a Taser beyond the standard single 5-second cycle can raise questions about whether police are using more than the minimum amount of force.

Multiple and prolonged deployments may be associated with an increased risk of harm

There is some medical evidence to suggest that multiple and prolonged Taser deployments are associated with cardiac arrest and death in humans (Zipes 2012). In particular, it is believed that these types of deployments can:

- increase the chance of an electrical charge hitting the heart in a “vulnerable period” of the heartbeat cycle, causing ventricular fibrillation (Stanford Criminal Justice Center n.d.)⁷
- raise the level of acid in the body fluid (“acidosis”), in turn decreasing respiration and increasing the risk of ventricular fibrillation (Dennis et al. 2007; Stanford Criminal Justice Center n.d.).

Consistent with this, a 2011 US National Institute of Justice (NIJ) review of deaths associated with conducted energy weapons (CEWs) concluded that multiple or prolonged CEW use was the most common factor associated with adverse health consequences and death (see also Police Executive Research Forum [PERF] & Office of Community Oriented Policing Services [COPS] 2011). Research also suggests that these risks are increased in certain groups of “vulnerable” people, including:

- people with underlying heart disease and other pre-existing cardiovascular conditions
- people who are intoxicated by alcohol
- people who use illicit drugs

⁷ During ventricular fibrillation, the heart muscles spasm uncontrollably and the heart cannot pump effectively, thereby increasing the risk of cardiac death (Stanford Criminal Justice Center n.d.).

- people who use certain psychiatric medications (that is, some people with a mental health condition)
- the elderly
- children (Stanford Criminal Justice Center n.d.; Zipes 2012).

Although other studies have found no adverse health consequences after multiple or prolonged Taser deployments (for example, Ho et al. 2009), the fact that some risks have been identified suggests that caution is warranted at least until the physiological effects of these deployments are better understood.

A growing number of reports and best-practice guidelines over the last two years have recommended that police agencies restrict the multiple and/or prolonged deployment of a Taser to no more than 15 seconds (see, for example, NIJ 2011; NSW Ombudsman 2012; PERF & Office of COPS 2011; Taser International 2012). For more information about medical research on Tasers, see *Tasers: a brief overview of the research literature* (CMC 2008).

Multiple and prolonged deployments raise questions about whether police are using more force than necessary

Queensland police officers are authorised to use “reasonably necessary” force to exercise their powers (ss 614–16 of the *Police Powers and Responsibilities Act 2000*). QPS policy emphasises that officers should only use the minimum level of force, with the direction that:

Police officers ... should only use the minimum amount of force necessary to resolve an incident. Police officers ... are reminded that it is lawful to use such force as may be reasonably necessary to overcome any force used in resisting the execution of any lawful process or arrest. However, it is unlawful to use more force than is justified by law to effect a lawful purpose. (Section 14.3.1 of the Operational Procedures Manual [OPM], QPS 2013)

QPS policy further emphasises that all uses of force must be authorised, justified, reasonable, proportionate, appropriate, legally defensible, and tactically sound and effective (Section 14.3.2 of the OPM, QPS 2013).

Any incident involving the repeated or extended use of force can raise questions among the general public about whether the police response was appropriate. With regard to Tasers, such concerns can be heightened by rare but well-publicised deaths, such as those of Antonio Galeano in Queensland and Roberto Laudisio Curti in New South Wales (see Appendix 1).

Multiple and prolonged deployments in Queensland are not currently well understood

Although all Taser deployments are reviewed by the QPS, the only comprehensive review of multiple and prolonged deployments was conducted by the QPS in 2010. The circumstances of multiple and prolonged deployments have not been comprehensively examined by the CMC, and public understanding of these types of deployments is limited, and possibly skewed, by the recent cases mentioned above. It was within this context that the CMC considered it important to further examine multiple and prolonged deployments to determine their characteristics and to better understand why they occur. This will provide insights into whether they are appropriate and justified according to policy, and whether they are good use of force options in particular situations.

Current QPS Taser policy

Taser use threshold: The current QPS Taser policy states that there must be *a risk of serious injury to a person* before a Taser can be used (“Taser use” includes when a Taser is presented at someone but not deployed, or when it is actually deployed). The policy states that officers are to deploy the Taser by application of one 5-second cycle.

Multiple and prolonged deployments: The current QPS Taser policy states that officers are not to use the Taser in a prolonged fashion by holding the trigger down for a period greater than 5 seconds unless *exceptional circumstances* exist. Additional cycles may be applied in *exceptional circumstances* after the officer has reassessed the situation.

(Section 14.23 of the OPM, QPS 2013.)

The current QPS Taser policy is reprinted in Appendix 2.

Scope of this review

This review aimed to answer two key questions:

1. What are the characteristics of multiple and prolonged Taser deployments in Queensland?⁸
2. Why do multiple and prolonged Taser deployments occur?

How we answered the key review questions

We analysed information from a range of police and other sources to answer the key review questions above. More information about our research methods is provided in Appendix 3.

Our data sources were:

- Taser usage data collected by the QPS through Taser Usage Reports (TURs), Use of Force Reports (UoFRs), significant event messages, Taser download data and Significant Event Review Panel (SERP) findings
- complaints made to, or generated by, the CMC about multiple or prolonged Taser deployments
- consultations with 38 QPS officers, including general duties police officers from South Eastern Region,⁹ officers from the South Eastern Region who overview Taser deployments or have training responsibilities, Taser trainers from the Operational Skills Training Unit, and a senior police officer from the Ethical Standards Command
- consultations with representatives from the Aboriginal and Torres Strait Islander Legal Service, Queensland Alliance for Mental Health, Queensland Council for Civil Liberties and Queensland Police Union of Employees.¹⁰

Each of these data sources is described in more detail in Appendix 3.

8 Again, by multiple and prolonged deployments, we mean people who were the target of more than one standard 5-second cycle deployed by either one or multiple officers during an incident.

9 We refer to these officers as “general duties police officers”. All other officers whom we consulted are referred to as “police officers”.

10 We refer to representatives from these groups as “external stakeholders”.

Structure of the report

Chapter 2 describes the number and nature of multiple and prolonged deployments, the characteristics of people involved in these incidents, the circumstances of these deployments, and whether these deployments comply with QPS policy.

Chapter 3 discusses why multiple and prolonged deployments occur.

Chapter 4 discusses issues raised during our review that, although not specifically related to multiple and prolonged Taser deployments, have implications for QPS Taser policy, training and review practices.

Chapter 5 summarises the main findings of the review and makes three recommendations that will help the QPS to improve Taser reporting, review and training practices.

2 THE CHARACTERISTICS OF MULTIPLE AND PROLONGED DEPLOYMENTS

Drawing on a range of information sources, this chapter examines the number and type of multiple and prolonged Taser deployments in Queensland, and the characteristics of people involved in these incidents. This chapter also examines the types of behaviours that result in a person being the target of a multiple or prolonged deployment. The chapter concludes with a discussion of the QPS's assessment of these incidents, and the injuries sustained by people involved in multiple or prolonged Taser deployments.

The number and type of multiple or prolonged deployments

We examined information contained in officers' reports of multiple or prolonged Taser deployments and Taser download data to determine the number and type of these deployments since the introduction of the current QPS Taser policy.

A large proportion of Taser deployments involve a multiple or prolonged cycle

About one-third of Taser deployments involve a multiple or prolonged cycle.¹¹ However, as discussed in our 2012 paper *An update on Taser use in Queensland*, this proportion has decreased over time (CMC 2012).

Since the introduction of the current Taser policy in September 2009, 123 people have been the target of a multiple or prolonged Taser deployment. This is an average of three people per month.¹² Among those people:

- 72 per cent were the target of a multiple deployment ($n = 88$)
- 11 per cent were the target of a prolonged deployment ($n = 14$)
- 17 per cent were the target of a multiple deployment and one or more prolonged deployments ($n = 21$).¹³

Most multiple deployments are two cycles only

Most people who had a Taser deployed at them more than once during the same incident were the target of two cycles (58%, $n = 62$). Around 24 per cent ($n = 25$) of multiple deployments were three cycles, and around 18 per cent ($n = 19$) were four or more cycles. This included four deployments of seven cycles, and one of 13 cycles.^{14, 15}

11 In this context, we mean the proportion of people who were the target of a multiple or prolonged cycle. The figure of one-third is based on deployments between 22 September 2009 and 30 June 2012.

12 To obtain an average monthly figure based on whole months, we excluded deployments between 22 and 30 September 2009; however, these were included in the overall analysis.

13 We report valid percentages throughout this report. Cases with missing data were excluded on an analysis by analysis basis; as a result, the total sample sizes vary between analyses.

14 We were unable to determine the number of cycles for three people because the Taser download data were not available.

15 The incident involving 13 cycles was the subject of an internal QPS investigation.

Most prolonged deployments are for less than 10 seconds

Of the 35 people who were the target of one or more prolonged Taser deployments, around half were the target of a cycle between 6 and 7 seconds (51%, $n = 18$), and the majority were the target of a cycle less than 10 seconds (74%, $n = 26$).¹⁶ Among the nine people who were the target of a cycle that was 10 seconds or longer:

- three were the target of a 10-second cycle (9%)
- two were the target of an 11-second cycle (6%)
- two were the target of a 12-second cycle (6%)
- one was the target of a 13-second cycle (3%)
- one was the target of a 14-second cycle (3%).¹⁷

Simultaneous deployments are rare

We identified 24 cases where more than one officer deployed their Taser at the same person during the incident. Among these 24 cases, three incidents may have involved more than one officer deploying their Taser against the same person at the same time.¹⁸ In one of these incidents it appears that the simultaneous deployment was unintentional (Case 1 below), while in the other two incidents it appears that the simultaneous deployment may have been part of a deliberate strategy to subdue the person (see Case 2 as an example).

Although the QPS Taser policy prohibits simultaneous deployments, the QPS's Significant Event Review Panels (SERPs), which review all Taser uses, did not identify any problems with these incidents. Some officers we spoke with were surprised that there were not more simultaneous deployments, considering that attending police respond to the same threat and might be expected to choose the same course of action.

Case 1: Simultaneous deployment against a wanted person who was fleeing police^{19, 20}

This case involved a person who was wanted for an assault. When police arrived, the person charged at them. One officer deployed their Taser at the person (5 seconds). The deployment was not effective because the wire may have been broken. After the initial deployment, the person fled and two officers pursued on foot. During the foot chase, two officers simultaneously deployed their Tasers at the subject person's back (5 seconds each).

16 For those people who were the target of more than one prolonged cycle ($n = 5$), we only included the longest cycle recorded on the Taser download data.

17 The SERP found that, despite the number and length of deployments, the incident was handled appropriately, given the officer being "one-up" (working as a single officer), the subject's "fight not flight" attitude, and the need to restrain the subject because of imminent danger from traffic on the highway.

18 Our review identified a further two incidents where it was possible that two officers may have deployed their Tasers simultaneously. However, we were unable to confirm whether the deployments were simultaneous because the Taser data download was unavailable.

19 All case studies are based on officers' written reports of the incidents.

20 The SERP did not identify any problems with policy compliance in this case.

Case 2: Possible deliberate simultaneous deployment against an armed person²¹

This case involved a person with a suspected mental health condition who was affected by drugs and was threatening members of the public with a samurai sword. When police arrived, a siege situation began, with the subject person locking himself inside his unit. Police remained outside the unit and attempted to communicate with the person through his bedroom window. After about five hours, approval was given for police to use their Tasers. On entering the house, police located the person in a bedroom. Two officers deployed their Tasers at the same time (5 seconds each). Both deployments were ineffective and the person managed to get off the ground during the Taser cycle and remove probes from his abdomen. Police maintained their presence for several hours until the person surrendered.

Very few people are the target of a Taser exposure exceeding 15 seconds

We examined the total time that a person was the target of a Taser deployment (“exposure”). Most exposures lasted between 6 and 15 seconds (83%, $n = 100$). The longest was 71 seconds.²²

The finding that most exposures are less than 15 seconds is consistent with recent international guidelines that recommend limiting Taser exposure to no more than 15 seconds (see Chapter 1).

It is important to note here that we were unable to confirm whether every cycle recorded on the Taser download data actually affected the person. In many cases, it seems from the information available to us in the officer’s report that some of the cycles may not have been effective. We discuss this in more detail in Chapter 3.

Most multiple or prolonged deployments are in probe mode

About 80 per cent of multiple or prolonged incidents involved deployments in probe mode only (77%, $n = 95$).²³ Twenty incidents (16%) involved deployments in probe and drive stun modes, and eight incidents (7%) involved deployments in drive stun mode only.²⁴

The finding that most incidents involved deployments in probe mode is generally consistent with QPS Taser training, which promotes the use of the Taser in this mode, and emphasises that drive stun mode is not a lesser use of force option, does not immobilise a person, and should only be used to complete an incapacitation circuit (see the text box “Deployments in drive stun mode” below).

Based on the information available, incidents that involved a deployment in drive stun mode did not raise any concerns.²⁵ Most involved people who were assaulting or struggling with attending police at close quarters (71%, $n = 20$).²⁶ In those circumstances, drive stun mode may be the most suitable use of the Taser.²⁷ Nevertheless, the CMC maintains the view that deployments in drive stun mode,

21 The SERP did not identify any problems with policy compliance in this case.

22 This incident was the subject of an internal QPS investigation.

23 When a Taser is successfully deployed in “probe mode”, two probes connect to the subject and cause the person to experience uncontrollable muscle contractions, immobilising them for as long as the weapon is activated.

24 When a Taser is pushed or applied in “drive stun mode”, the Taser inflicts acute pain in the area where the Taser is applied, but does not immobilise the person.

25 The QPS did not raise any concerns about policy compliance in the majority of these incidents (95%, $n = 20$). In one case the authority to use a Taser was revoked for one officer. This incident is discussed in footnote 43. The SERP finding was not available for seven incidents.

26 This figure includes all incidents that involved a deployment in drive stun mode ($n = 28$).

27 When a Taser is used in drive stun mode, the Taser does not rely on the probes being deployed and achieving a good spread to be effective.

and particularly multiple or prolonged deployments in drive stun mode, should only occur in exceptional circumstances.

Deployments in drive stun mode

The CMC has previously raised concerns about deployments in drive stun mode (see QPS & CMC 2009). In its 2011 report, the CMC recommended that the QPS Taser policy be amended to prohibit drive stun deployments unless *exceptional circumstances exist*, to ensure consistency with current Australian and international best practice (recommendation 4). In its response to our recommendations, the QPS agreed to amend the Taser policy to prohibit drive stun deployments *except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury, or when it is used in combination with the probe mode to complete an incapacitation circuit*. However, at the time of writing this report, the current policy has not been amended to reflect this change (Section 14.23 of the OPM, QPS 2013).

The characteristics of people who are the target of multiple or prolonged deployments

Most people who were the target of a multiple or prolonged deployment were:

- male (94%, $n = 116$)
- aged between 20 and 40 years (76%, $n = 93$)^{28, 29}
- Caucasian (69%, $n = 80$).^{30, 31}

A large proportion of people are from “medically vulnerable or at-risk” groups

Around 94 per cent ($n = 115$) of multiple or prolonged deployments involved a person from one or more “medically vulnerable or at-risk” groups:

- Indigenous people comprised 16 per cent ($n = 19$) of all people who were the subject of a multiple or prolonged deployment.
- Over 40 per cent of people (44%, $n = 54$) were believed to have an underlying mental health condition.³²
- More than 80 per cent of people were reportedly affected by drugs and/or alcohol (82%, $n = 101$).³³

28 The average age was 33 years, with the youngest person being 15 years old and the oldest being 58. Age was not specified for one person.

29 Two people who were the target of a multiple deployment were juveniles (that is, aged 16 years or younger). The current QPS Taser policy states that Tasers should not be used against juveniles “except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury”. The SERP did not identify any problems with policy compliance in either incident involving a juvenile.

30 The racial appearance of a Taser subject is typically based on the reporting officer’s subjective assessment.

31 A further 16 per cent ($n = 19$) of people were described as being Indigenous. The remaining people were described as being of some other racial appearance, including Pacific Islander ($n = 13$), European ($n = 2$), Middle Eastern ($n = 1$) and South-East Asian ($n = 1$). Racial appearance was not specified for seven people.

32 We relied on the information included in the narrative and drop-down sections of usage reports to determine if the person was believed to have any underlying mental health condition/s.

33 We relied on the information included in the narrative and drop-down sections of usage reports to determine if the person was believed to be affected by drugs and/or alcohol.

A note about medically vulnerable or at-risk groups

By “medically vulnerable or at-risk”, we mean those people who are believed by police to have an underlying mental health condition or who are suspected of being under the influence of alcohol and/or drugs at the time of the incident. Research suggests that people from these groups may have an elevated risk of suffering adverse health effects after a Taser deployment (see Stanford Criminal Justice Centre n.d.; Zipes 2012).

This category also includes Indigenous people because they are more likely to suffer from illnesses, such as heart disease and lung disease, that may place them at greater risk of harm after a Taser deployment (see, for example, Australian Institute of Health and Welfare 2011).

QPS Taser policy and training highlight the possible health risks associated with deployments against people from medically vulnerable or at-risk groups (Section 14.23 of the OPM, QPS 2013).

Many of the people who were the target of a multiple or prolonged deployment were in more than one medically vulnerable or at-risk group. For example, just under 75 per cent of people who were believed to have a mental health condition were also reported to be under the influence of drugs and/or alcohol (74%, $n = 40$), as were 95 per cent of Indigenous people ($n = 18$).

The finding that a large proportion of multiple and prolonged deployments involve people from medically vulnerable or at-risk groups is difficult to reconcile with current Taser policy and training, which highlight the possible health risks associated with deployments against people from these groups. However, there are a number of possible explanations for this. We discuss some of these below.

Indigenous people

Indigenous people are over-represented in their contact with police and the criminal justice system (see, for example, Australian Institute of Criminology 2013). As mentioned above, 16 per cent of multiple or prolonged Taser deployments involved an Indigenous person, even though they account for only 3.5 per cent of the Queensland population (Australian Bureau of Statistics 2012). Although Indigenous Queenslanders are over-represented among the targets of multiple and prolonged Taser deployments, the level of over-representation is lower than that found in general Taser usage data (23%; CMC 2012) and in QPS offender data (23%; QPS 2012a).³⁴

All police officers we consulted advised us that the Indigenous status of a person does not affect their decision to deploy a Taser for multiple or prolonged cycles.

People with a mental health condition

Police frequently come into contact with people who have a mental health condition (Cordner 2006). Some of these situations can be challenging for even the most experienced officer. Often, police may be the only available response to situations involving people with a mental health condition, especially when they occur outside normal business operating hours:

The crisis intervention people work 9 to 5, so when these situations happen outside of those hours it is police that have to deal with it. (Consultation — police officer)

More than 40 per cent of multiple or prolonged deployments involved people who were believed to have a mental health condition. This proportion is higher than that for all Taser uses (24%; CMC 2012), but is generally consistent with previous research on police contact with people who have a mental health condition (Cordner 2006). It is possible that people with a mental health condition may be more likely to display behaviours that result in a Taser being deployed for a multiple or prolonged cycle —

³⁴ QPS offender data include arrest, caution, community conference, notice to appear, summons, warrant and “other” types of actions taken by police against a person.

especially considering the overlap between people with a mental health condition and those affected by drugs and/or alcohol.

Police officers are trained to consider the mental state of a person when conducting a threat assessment. Some police officers we consulted suggested that people with a mental health condition might display behaviours that make them more likely to be the target of a multiple or prolonged deployment. Comments included:

[People with a mental health condition have] super human strength. (Consultation — police officer)

You don't even think that sort of strength is humanly possible. Trying to reason with them is near impossible. When they don't care about what happens in the next five minutes let alone the possibility of ending up in jail, it makes it difficult. (Consultation — police officer)

People who are substance-affected

Situations involving people who are under the influence of drugs or alcohol can be difficult for police. The relationship between the consumption of drugs or alcohol and violent behaviour is well established (see, for example, McKetin et al. 2006; Morgan & McAtamney 2009). Not surprisingly, a large proportion (82%) of people involved in multiple or prolonged incidents were reportedly affected by drugs and/or alcohol. However, this was similar to the proportion of substance-affected people among all Taser uses (76%; CMC 2012).

Some police officers we consulted told us that people who are substance-affected may be more likely to display behaviours that result in a Taser being deployed for a multiple or prolonged cycle. Comments included:

... a subject who is aggressive, drunk, on drugs, obnoxious — the situation is dynamic and always changing. (Consultation — police officer)

[They] don't feel as much pain if they're really drug affected. (Consultation — general duties police officer)

Situations involving people from medically vulnerable or at-risk groups can be challenging for police

From a policing perspective, people from medically vulnerable or at-risk groups can present a number of unique challenges. In some situations, people from these groups may behave in ways that warrant a multiple or prolonged Taser deployment. However, as noted above, there is some research to suggest that people from these groups might have an increased risk of suffering adverse health effects after a Taser deployment.

We found that, where people from medically vulnerable or at-risk groups were involved in multiple or prolonged Taser deployments, they were typically behaving violently and posing a risk of serious injury to themselves, other members of the public or police officers. We did not find any evidence to suggest that police are using their Tasers against these people in situations where Taser use is not warranted. Instead, police officers told us that these factors are not at the forefront of their minds when making a decision to use a Taser.

It doesn't matter if they are black, white, brindle, crazy, insane. We have to deal with it [the behaviour] in the same way. The fact that they're mad or bad is irrelevant to a degree if the threat is still there. (Consultation — police officer)

All stakeholders we consulted agreed that the decision to deploy a Taser for a multiple or prolonged cycle should be based on the subject person's behaviour at the time of the incident. Rarely did we hear that police should not deploy their Taser for multiple or prolonged cycles against a person from a medically vulnerable or at-risk group.

During our consultations with police officers, some responses suggested to us that officers may make generalisations about mental health conditions. For instance, we were told that people who have a mental health condition may be less likely to respond to other use of force options or tactics, such as communication and de-escalation. Some police officers told us that people with mental health conditions may have “superhuman strength” and cannot be reasoned with. For example, one officer commented that “trying to reason with them [a person with a mental health condition] is near impossible”. It was difficult to determine whether these comments referred to the types of behaviours that people with a mental health condition may display, or whether they were based on assumptions or stereotypes about mental health conditions.

Although, overall, we did not identify concerns about incidents involving people with mental health conditions, the comments made by police officers raised questions about officers’ understanding of these conditions, and the effect this has on their use of force decision making. We discuss this in more detail in Chapter 4.

The circumstances of multiple or prolonged deployments

We used the information provided by officers in the narrative sections of the Taser Usage Reports, Use of Force Reports and significant event messages to identify the subject person’s behaviour immediately before the Taser was first deployed.³⁵ For more information about how we categorised the person’s behaviour, see Appendix 3.

Most multiple or prolonged Taser deployments involve people who are behaving violently towards others

Overall, these incidents typically involved people whose behaviour was described as being at the more serious end of the scale. The majority of subjects were described as being *assaultive* or *displaying behaviours likely to result in grievous bodily harm or death to a person* (85%, *n* = 105):

- **Person was unarmed but assaultive.** The largest proportion of deployments involved people who were initially described as being *unarmed but assaultive* (43%, *n* = 53). Generally, these people were assaulting a person (including police officers), or were displaying signs that they were preparing to fight, such as advancing towards police or shaping up in a fighting stance.
- **Person was armed and displaying behaviours likely to cause grievous bodily harm or death.** The second-largest category involved people who were *armed and displaying behaviours likely to cause grievous bodily harm or death* (31%, *n* = 38). This included people who were armed, often with an edged weapon (74%, *n* = 28), and advancing towards police or members of the public, throwing weapons, or threatening to kill police or members of the public.
- **Person was armed and assaultive.** Nine per cent of people were described as *armed and assaultive* (*n* = 11). This included people who were armed — typically with “other” types of weapons (73%, *n* = 8) such as gardening tools, wood, chairs — and struggling with police, assaulting police, advancing towards police, or throwing objects at police or other members of the public.
- **Person was unarmed but displaying behaviours likely to cause grievous bodily harm or death.** Three people were *unarmed and displaying behaviours likely to cause grievous bodily harm or death* (2%). These people were pushing police onto oncoming traffic, strangling a person and choking a police officer.

35 Because the focus of this study was on multiple and prolonged Taser deployments, we do not have comparison data for all Taser uses. For information about the subject person’s behaviour for Taser uses more generally, see *Evaluating Taser reforms* (CMC 2011, pp. 58–64).

The finding that most incidents involved people displaying serious behaviours, such as physical violence, is consistent with the current QPS Taser policy threshold for use (see Appendix 2). Generally, the community groups we consulted suggested that Tasers should only be used in situations where there is a risk of grievous bodily harm or death to either police or members of the public, and only in situations that would warrant use of a firearm.

Some multiple or prolonged deployments involve people who are self-harming or appear to be about to self-harm

Just under 10 per cent of people were displaying behaviours likely to result in *grievous bodily harm or death to themselves* (9%, $n = 11$). This included people who were self-harming or who appeared to be about to self-harm — for example, by holding a knife against their body (see Case 3 below).

Case 3: A multiple deployment against a person who was attempting suicide³⁶

This case involved an intoxicated person who was holding a knife to his chest. Attempts to negotiate with the subject person were unsuccessful and he ignored police directions to drop the knife. An officer deployed their Taser (5 seconds), but the deployment was not effective because the subject was wearing thick clothing. The officer deployed their Taser for a second cycle (5 seconds), resulting in the subject releasing the knife.

There was some disagreement among stakeholders about the use of Tasers against people who were self-harming or threatening self-harm. Police officers generally suggested that deploying a Taser for multiple or prolonged cycles to prevent a person from self-harming would be warranted, and indeed a good way to resolve these types of situations. Comments included:

You're preserving [the subject person's] life. (Consultation — police officer)

The self-harm is the focus ... you should save his life. (Consultation — general duties police officer)

In contrast, some community groups viewed the use of Tasers against people who are self-harming as an “easy out” and suggested that the Taser might actually escalate a person's behaviour in these situations:

The motivation is great, the intervention sucks. (Consultation — external stakeholder)

Half of incidents involving multiple or prolonged deployments involve people who are initially armed

In 49 per cent of incidents, the subject person was reported to be armed with a weapon during the incident ($n = 60$). More specifically:

- More than one-third (34%, $n = 42$) of people were armed with edged weapons, including knives, scissors and axes.
- Just under one-quarter (23%, $n = 28$) of people were armed with other types of weapons, including bats and hammers.
- Two people were armed with firearms (2%).³⁷

36 The SERP finding was not available for this case.

37 Totals of percentages and numbers exceed 49 per cent and 60 people because some people were armed with multiple types of weapons.

Of the 63 people who were not observed to be armed at the time of the incident, police *believed* that nine were armed with a weapon (14%). The presence of weapons is an important factor in police decision making, regardless of whether or not the person is actually armed. Some police officers told us that the possibility of a person being armed with a weapon — even if officers cannot actually see a weapon — is a “real risk” that does influence their decision making.

A smaller number of multiple or prolonged deployments involve behaviours that do not as clearly suggest a risk of serious injury

We identified seven incidents where the subject person’s behaviour did not as clearly suggest a risk of serious injury (6%, $n = 7$).³⁸

- **Person known by police to be violent.** In two incidents, the person was known to police and wanted on a return to prison warrant. In both of these incidents, the person was attempting to flee police at the time of the multiple deployment.
- **Person believed to be armed.** In three incidents, attending police believed that the subject person was armed with a weapon. These people refused to comply with police directions to show police their hands.
- **Person with a mental health condition.** In one incident, the person involved was naked, bleeding and attempting to gain entry to a private residence. Attending officers were reportedly concerned that the person could gain access to weapons inside the house. The deploying officer deployed their Taser for multiple and prolonged cycles to prevent the person entering the house (see Case 4 below).
- **Person was initially armed.** In this incident, the person was initially armed with a knife when police arrived. After a short time, the person dropped the knife but refused to comply with police directions to lie on the ground so police could restrain them. The deploying officer discharged their Taser for 10 seconds.

In all of these incidents, the reporting officer perceived a risk of serious injury to police, members of the public or the subject person, which is consistent with the current QPS Taser policy threshold.³⁹ Our concern with these incidents is not about a lack of compliance with policy, but instead about the likelihood of the perceived risk of serious injury actually eventuating. It is important to note that, unlike in other Australian and overseas jurisdictions, the current QPS Taser policy does not state that there must be an “imminent” or “immediate” risk of serious injury or harm before a Taser can be used.

38 This included people who were described as *unarmed, active or passive resistance and unarmed, threatening harm*.

39 The SERP recommended that the officer who prolonged a Taser cycle against a person who was initially armed be provided with further training and guidance about prolonged deployments. The SERPs did not identify any concerns about policy compliance for the other four incidents where the SERP findings were available.

Case 4: Multiple and prolonged deployments against a person who was believed to have a mental health condition⁴⁰

This case involved a naked, mentally ill person who was hallucinating and attempting to gain entry to a private residence. Attending police were concerned that the person could gain access to weapons inside the house. An officer deployed their Taser (3 seconds). The deployment had no effect on the person because one probe missed. The officer reloaded their Taser and deployed it for a second cycle (10 seconds). Both probes attached to the person's shoulder and the deployment appeared to have some effect on them, but they did not fall to the ground.

The person initially complied with police directions; however, when another attending officer moved in to restrain, the person started to resist. The Taser was discharged for a further five cycles of varying lengths as the officer was unable to restrain the person because their handcuffs were caught in an extension cord that was underneath the person during the arrest (three 5-second cycles, one 6-second cycle and one 3-second cycle). The person was eventually restrained with handcuffs.

These Taser uses also highlight the subjective nature of the current QPS Taser policy. What one officer might perceive as a risk of serious injury or exceptional circumstances might not be perceived the same way by another officer. Some police officers suggested that decision making can vary depending on an officer's previous experience, on who attends the incident with them, and on their previous knowledge about a person.

We're not robots. Something might be exceptional for one officer and not another officer.
(Consultation — police officer)

Furthermore, the current QPS policy does not provide any examples of what constitutes a risk of serious injury or what exceptional circumstances might involve.

QPS review of multiple or prolonged deployments

We examined SERP findings about the appropriateness of multiple or prolonged Taser deployments in 86 Taser incidents.⁴¹ Our ability to better understand whether the SERPs considered these uses to be appropriate was hampered by the lack of information in SERP minutes. These minutes include information about the SERP's final assessment only, and do not include information about broader discussions or considerations. Our review was also constrained by the small number of SERP findings that were made available to us.

40 The SERP did not identify any concerns about policy compliance in this case.

41 This refers to the initial SERP judgment, and does not include any new or additional judgments made as a result of further investigation. This excludes two uses that were the subject of an internal investigation.

Few multiple or prolonged deployments raise concerns about a lack of policy compliance

For the vast majority of incidents, the SERP indicated no concerns about the decision by the officer/s to deploy a Taser for a multiple or prolonged cycle (95%, $n = 80$).⁴² For the remaining incidents, the SERP finding indicated that some problems or concerns were identified:

- The SERP requested that three matters be investigated further, in one case with a view to providing the deploying officer with feedback about prolonged deployments.
- The authority to use the Taser was revoked for one officer.⁴³

Consistent with the SERP reviews, the CMC did not identify any obvious concerns about policy compliance, with the exception of one matter that is currently the subject of an internal QPS investigation (see Case 10 in Chapter 3).

In addition, very few multiple or prolonged deployments resulted in a complaint being made to, or generated by, the CMC. Since the introduction of the current policy, six incidents involving a multiple or prolonged Taser deployment were assessed by the CMC, including three matters that were internally generated by the CMC. The CMC determined that no further action was necessary for four matters, and the remaining two matters are currently the subject of ongoing investigations.

It is encouraging that neither the SERPs nor the CMC identified problems with policy compliance for most incidents involving a multiple or prolonged deployment.

During the consultations for this review we were told that — although they may be justified according to QPS policy — multiple or prolonged cycles may not be the best use of force option in situations where:

- **The Taser is not having the desired effect.** Police officers raised concerns about officers continuing to use a Taser in situations where it does not appear to be having the desired effect on the subject person. One officer commented: “[The] Taser is an option. Is it a good option? Yes. Is it the best option? There are other options” (Consultation — general duties police officer).
- **The subject person is self-harming or threatening self-harm.** There was disagreement about the use of Tasers against people who were self-harming or threatening self-harm. Police generally agreed that the use of Tasers in these situations may be a good option (that is, to prevent a death), while some community groups suggested that other use of force options might be more suitable.
- **The subject person is armed with an edged weapon.** Police also raised concerns about officers using a Taser in situations where the subject person was armed with an edged weapon, and particularly when another attending officer was not providing lethal cover. These concerns typically related to the heightened risk of injury to attending police.

We discuss these issues in more detail in Chapter 4.

42 In a further two incidents, the SERP’s recommendation was not related to the use of the Taser for multiple or prolonged cycles. In these cases, the SERPs recommended that the officers involved be provided with further training or guidance. These two cases were excluded from our analysis above as the SERP finding did not relate to the multiple or prolonged use of a Taser.

43 This followed an incident in which the officer and their partner attempted to deploy their Tasers four times at a person. The first three deployments had no effect, while the fourth attempt was unsuccessful in that the Taser failed to fire. The officer participated in further Taser training and failed.

Injuries associated with multiple or prolonged deployments

Using information contained in officers' reports, we examined injuries sustained by people who were the target of a multiple or prolonged Taser deployment. We also examined injuries to officers who attended these incidents. It is possible that we have underestimated the numbers and types of injuries.

Injuries are not uncommon in multiple and prolonged incidents

More than one-fifth of people who were the target of a multiple or prolonged Taser deployment reportedly sustained an injury from the Taser use (23%, $n = 28$). Based on the information available, these injuries tended to be relatively minor in nature, and were mainly abrasions (11%, $n = 14$) or lacerations (11%, $n = 14$).

Although this figure is relatively high, the injuries associated with a multiple or prolonged Taser deployment may be less severe than injuries associated with other use of force options (particularly in situations where use of a firearm may have been warranted).

Almost half (45%, $n = 55$) of multiple or prolonged Taser incidents resulted in an injury to either the deploying officer/s or another attending police officer/s. The high proportion of injuries is, perhaps, not surprising given the serious nature of these situations and the often violent behaviour displayed by the people involved.

Key findings

- **Most multiple or prolonged deployments are at the lower end of the spectrum of exposure lengths.** Most multiple deployments involved two cycles only, and around half of prolonged deployments were between 6 and 7 seconds. Importantly, most people who were the target of a multiple or prolonged deployment received an exposure totalling no more than 15 seconds, which is consistent with international guidelines.
- **These incidents typically involve people who are behaving violently.** People who were the target of multiple or prolonged Taser deployments were typically *assaultive* or *displaying behaviour likely to result in grievous bodily harm or death to a person*. In a very small number of incidents, the risk of serious injury was less obvious or appeared less immediate.
- **Very few multiple or prolonged deployments raise concerns about compliance with QPS policy.** Most multiple or prolonged deployments comply with QPS policy. However, in some situations, multiple or prolonged Taser deployments may not have been the best use of force option.
- **A large number of subjects and police officers sustain injuries during incidents involving multiple or prolonged deployments.** A large number of police officers and subject persons sustained some kind of injury during the incident. The high proportion of injuries most likely reflects the serious nature of these incidents.

3 THE REASONS FOR MULTIPLE AND PROLONGED DEPLOYMENTS

Based on information contained in police officers' reports and consultations with QPS officers, this chapter describes the reasons reported by officers for incidents involving multiple or prolonged deployments. This chapter also discusses some of the problems that we identified with officers' written reports of multiple and prolonged deployments.

Reasons for multiple deployments

We examined the reasons reported by police officers for multiple Taser deployments. In a large number of these incidents we were unable to determine why a Taser was deployed for more than one cycle, either because this information was not included in the officer's report or because the information provided was insufficient.

Most common reasons reported for multiple deployments

As noted in Chapter 2, most incidents where a Taser was deployed for multiple cycles involved two cycles only (58%, $n = 62$). Fewer incidents involved three cycles (24%, $n = 25$), and fewer again involved four or more cycles (18%, $n = 19$). This section describes the most commonly reported reasons for incidents involving two, three and four or more cycles.

Further information about how we analysed multiple and prolonged Taser deployments is provided in Appendix 3.

Most two-cycle incidents occur because the initial deployment is not effective

Most incidents involving two cycles occurred because the initial deployment was *not effective* (77%, $n = 44$).^{44, 45, 46} In the 26 cases where a reason was provided, this was most frequently because:

- one probe did not connect to the person (27%, $n = 7$)
- the person pulled the probes out (19%, $n = 5$)
- both probes missed the person (15%, $n = 4$).⁴⁷

44 The effect of the initial deployment was not reported in five cases.

45 This includes 11 incidents (or 18 per cent of all two-cycle incidents) where two officers deployed their Taser for a single cycle against the subject person.

46 By *not effective* we mean deployments where the cycle did not have the desired effect on the subject person. For example, the cycle did not incapacitate the person, the person did not receive full body lock-up after the deployment, or the person did not fall to the ground. This includes cases where the initial deployment had *some effect* on the person, or was *initially effective*.

47 In the remaining cases where the initial deployment was *not effective*, the reasons provided included because the person moved ($n = 2$), the person was wearing thick clothing ($n = 2$), the probes fell out ($n = 2$), or the probe wire snapped ($n = 1$). In a further three incidents where a reason was provided, in one incident the Taser was reported to have "misfired", in another incident the Taser reportedly did not send a charge, and in the remaining incident the deployment appeared to have no effect on the person.

Of the 13 incidents where the initial deployment was described as being *effective*, a second cycle was typically discharged either by the initial deploying officer or by another attending officer because the person continued their behaviour (75%, $n = 6$), was unable to be restrained during or after the initial deployment (58%, $n = 7$), or continued to pose a risk of serious injury (17%, $n = 2$).^{48, 49}

Case 5: Two deployments against an armed person who continued to pose a risk of serious injury⁵⁰

Police attended a domestic violence disturbance. When they entered the property, the subject person presented himself to them. As the person approached police, he produced a large kitchen knife that he had concealed behind his back. The person was repeatedly told to drop the knife but ignored this direction and continued approaching police. The reporting officer deployed their Taser (5 seconds). The Taser probes connected to the person's abdomen and he fell to the ground. As police were approaching the subject, the Taser completed its cycle and the person attempted to get off the ground, despite police directions to roll onto his stomach and place his hands behind his back. The Taser was deployed for a second cycle (5 seconds), during which the person was restrained.

During our consultations, some officers suggested that two cycles might be necessary to control a situation. Comments included:

Usually when the Taser is deployed, people get angry; it hurts. The first time is a shock, the second time is when the message really hits home and they modify their behaviour. (Consultation — general duties police officer)

For that 5 seconds it stops them, but after that they're back. (Consultation — general duties police officer)

Generally, all stakeholder groups agreed that multiple deployments may be warranted in situations where a deployment is not effective and/or where the person continues the behaviour that resulted in the initial Taser deployment.

You can't always guarantee a successful deployment. It's likely that the offender is moving around. The Taser is not overly accurate. (Consultation — police officer)

You reassess and if the threat is still there a decision is then made — the use of the Taser again may be justified. (Consultation — general duties police officer)

Most three-cycle incidents occur because the previous deployments are not effective and the person continues to pose a risk of serious injury

Typically, the 25 cases where a Taser was deployed for three cycles involved people who were displaying violent behaviour (88%, $n = 22$).⁵¹ In about one-third of the cases, these people were armed with a weapon (32%, $n = 8$), most frequently an edged weapon (20%, $n = 5$).

48 By *effective*, we mean deployments where the cycle had the desired effect on the subject person (i.e. the cycle appeared to cause neuromuscular incapacitation).

49 Totals exceed 100 per cent and 13 incidents because multiple reasons were reported for some incidents. In five cases the subject person's behaviour after the initial deployment was not specified, and the reason for a second cycle being deployed was not stated in one case. In three cases, "other" reasons were stated for the Taser being deployed for a second cycle.

50 The SERP did not identify any concerns about policy compliance in this case.

51 More than two-thirds of these incidents involved one officer deploying all three cycles (68%, $n = 17$). Seven incidents (28%) involved one officer deploying two cycles and another officer deploying a single cycle, and one incident involved three officers deploying single cycles (4%).

Of the 16 incidents where the reason for three cycles was reported:⁵²

- In 15 incidents (94%), one or more deployments were *not effective* and the person continued to pose a risk of serious injury (see, for example, Case 6 below).
- In the remaining case (6%), the initial deployment was *effective*; however, the person refused to comply with police directions to show his hands after the initial deployment, and the Taser was discharged for an additional two cycles (Case 7).

Case 6: Three deployments against a person who continued to pose a risk of serious injury⁵³

Police attended a public park where the person was believed to be armed with a machete and was observed sharpening the weapon. Two police officers contained the person by drawing their firearms. The person ignored police directions to drop the machete. An officer presented their Taser and issued a warning, which the subject ignored. The officer deployed their Taser (5 seconds) but the deployment was not effective because the person cut the wires with the machete. A second officer deployed their Taser (5 seconds), but the person again cut the wires with the machete. The first deploying officer reloaded their Taser and deployed it again (5 seconds). This deployment was also ineffective because the person managed to cut the Taser wires for a third time. The person was contained by officers who had firearms and Tasers drawn. After negotiations, the person eventually complied with police directions and was restrained.

Based on the information available to us, none of the incidents involving three cycles raised concerns about a lack of compliance with QPS policy.⁵⁴ Case 7 (below) did, however, raise questions about whether officers reassess the situation after each deployment, and use only the minimum amount of force necessary to resolve the incident.^{55, 56}

The following reasons were suggested by police officers for these types of incidents:

- **The person is considered a risk throughout the incident.** Police may consider the person to be a *high risk* throughout the incident, regardless of whether the actual risk level changed after the initial or subsequent deployments. This appears particularly so where the person displayed violent behaviour, was initially armed or was believed to be armed with a weapon. The view that people continue to pose a risk is generally consistent with QPS training which states that a person is either a *high risk* or an *unknown risk*; there is no such thing as *low risk* or *no risk* (QPS 2010).
- **The Taser may be a safer option in situations where the person is physically violent.** Some police told us that discharging the Taser for multiple cycles might be a safer option in some situations, particularly where the person has displayed physical violence. Many police officers told us that they are concerned about their own safety in these types of incidents. For example, one officer commented: “I want to go home in the way I came to work, fit and healthy, and I want him [the subject person] to be OK, and I want to do what I need to do to achieve that. I am number one here. We do what we have to so you can go home safe. If that takes 15 seconds, then so be it” (Consultation — police officer).
- **The officer’s report of the incident may provide limited information.** It is possible that the reporting officers in these cases did not fully articulate the circumstances that led to the Taser being discharged for multiple cycles or the risk that they perceived.

52 In nine cases we were unable to determine why the Taser was discharged for three cycles because the officer(s) either did not self-report the correct number of cycles or did not provide a reason for each cycle.

53 The SERP finding was not available for this case.

54 Consistent with this, the SERPs did not identify any concerns about incidents where the Taser was deployed for three cycles.

55 We identified a further two incidents where only two cycles were reported; it appears that the second cycle was discharged because the person was not complying with police directions.

56 The incident in Case 7 is currently the subject of an internal QPS investigation.

Case 7: Three deployments against a person who was refusing to comply with police directions⁵⁷

This case involved a person who refused to comply with police requests to move on. Police instructed the person that he was under arrest. The person initially complied with police, and attending officers managed to apply one handcuff before he turned around and punched an attending officer in the face. He then shaped up in a boxing stance and started to advance towards the officers.

An officer deployed their Taser (5 seconds). This deployment was effective and the person dropped to the ground. An officer directed him to bring his hands out to where police could see them, but he refused. The deploying officer discharged their Taser for a second cycle (5 seconds) and issued further directions for the person to bring his hands out to where police could see them, but these directions were ignored. The officer discharged their Taser for a third cycle (5 seconds), at which stage the person complied and was handcuffed.

Most incidents involving four or more cycles reflect a combination of ineffective deployments and violent situations

In light of recent guidelines that recommend limiting Taser exposure to no more than 15 seconds, we examined incidents involving four or more cycles ($n = 19$).^{58, 59} These incidents typically involved people whose behaviour was described as being *assaultive* or *likely to result in grievous bodily harm or death* (95%, $n = 18$).

Unfortunately, however, our ability to examine these incidents was limited by missing information. Some officers either did not report the correct number of cycles, or did not provide a specific reason for each cycle. Because so few officers provided a reason for each cycle, we categorised incidents based on the information that was available. For example, if a person was the target of five cycles, but the reporting officer/s only provided information about the first three cycles, we examined the reasons reported for the first three cycles to give us some indication about the types of circumstances that resulted in a person being the target of four or more cycles.

Based on the limited information available, most cases involving four or more cycles occurred because one or more deployments was *not effective*, because the person's behaviour continued, or because the person was unable to be restrained (90%, $n = 17$) (see, for example, Case 8).

57 The SERP finding for this incident was not available.

58 About 80 per cent of these incidents ($n = 15$) involved one officer deploying four or more cycles. Three incidents involved more than one officer discharging multiple cycles (16%). The remaining incident involved two officers deploying a single cycle and another officer deploying two cycles.

59 In three incidents involving a person who was the target of four or more cycles, the person was the target of a total exposure less than 15 seconds in duration (13 and 14 seconds), presumably because the deploying officer activated the safety switch on the Taser (which deactivates the Taser). For the purposes of this section, however, we included all incidents involving four or more deployments.

Case 8: Four deployments against an unarmed, violent person⁶⁰

This case involved a person who had breached a domestic violence order. While the reporting officer was attempting to arrest the subject person, the person swung a punch at the officer, striking him in the left shoulder. The officer attempted to retreat, but the person ripped the officer's radio handset and epaulettes off and started to struggle with him. After a short struggle, the officer managed to separate from the person. The officer presented their Taser and issued a warning, at which time the person rushed towards the officer. The officer deployed their Taser (5 seconds). The probes did not connect with the person, resulting in an ineffective deployment.

At this stage, the person became compliant and produced both hands for handcuffing. However, when the officer presented his handcuffs, the person kicked out at the officer. The officer fell to the ground, where another struggle ensued, during which the subject person attempted to remove the officer's firearm. The officer broke free and deployed their Taser for a second cycle (5 seconds), and the person fell to the ground. Before back-up could arrive, the subject person attempted to remove the Taser probes and ignored directions to stay on the ground. The reporting officer deployed their Taser for an additional two cycles (5 seconds each) before back-up officers arrived and restrained the person.

In the remaining two cases:

- In one case, the initial deployment was *not effective* and the person refused to comply with police directions (Case 9).
- In the other case, the cycles were described as *effective*; however, the person continued their behaviour and refused to comply with police directions (Case 10).

Case 9: Four deployments against a person who refused to comply with police directions⁶¹

Police attempted to intercept a vehicle that was being driven by a person wanted for questioning. The person involved was known to police as having a drug dependence and was believed to be in possession of a firearm. The vehicle being driven by the subject person stopped suddenly and the person reversed towards the police vehicle, resulting in a collision between the subject person's vehicle and the police vehicle. After the collision, the subject person drove away.

Police followed the vehicle to a private residence. On arriving at the residence, the person attempted to flee from police, and repeatedly collided with the stationary police vehicle. Police approached the person's vehicle and managed to turn the ignition off. Police directed the person to raise his hands, which the person refused to do. The person then reached for something between his legs and continued to refuse to comply with the direction to show his hands.

An officer presented their Taser, issued a warning and deployed the Taser (7 seconds) at the person's chest. The deployment appeared to have minimal effect on the person and he continued to refuse to show his hands. The Taser was activated for a second cycle (5 seconds), which resulted in the person jumping towards the open passenger door, where another attending officer was standing. The person was removed from the vehicle and handcuffed. The data download for this incident showed four deployments (5 seconds each).

From the information available to us, most of these incidents did not raise concerns about a lack of compliance with QPS policy. We did, however, have concerns with one incident that involved six deployments by one officer against a handcuffed person (Case 10). The current QPS Taser policy prohibits the use of Tasers against people who are handcuffed unless exceptional circumstances exist. This incident is currently the subject of an internal QPS investigation.

⁶⁰ The SERP did not identify any concerns about policy compliance in this case.

⁶¹ The SERP did not identify any concerns about policy compliance in this case.

Case 10: Six deployments against a person who was handcuffed

This case involved a person who was under the influence of amphetamines and alcohol and was behaving aggressively towards security staff at a music festival. On arrival, police observed four police officers and two security staff attempting to handcuff the person. Police handcuffed the person and attempted to place him in the police van. The person began struggling with police and kicked one officer in the groin. The reporting officer deployed his Taser (5 seconds). The probes struck the person in the lower back and he stopped struggling. However, as soon as the Taser cycle finished, the person became aggressive again. The officer cycled their Taser again (5 seconds). Immediately after the Taser cycle finished, the male became aggressive and violent, and refused to comply with police directions to get into the police van. Police continued to use other open-hand compliance techniques, which had no effect on the male.

The officer cycled their Taser for a third cycle (5 seconds). The deployment was effective, but immediately after the cycle finished the person became aggressive and again refused to get into the police van. The Taser was deployed for a further three cycles (two 5-second cycles and one 4-second cycle). The person managed to push himself away from the van with his feet, resulting in police taking him to the ground. The male was eventually placed in the rear of the van by six officers.

Officers report the same reasons for multiple deployments, regardless of the number of cycles

Typically, the reasons reported for multiple deployments are the same, whether the incident involved two cycles, three cycles or more than four cycles. There are several possible explanations for this:

- **Some officers may not submit accurate and complete reports.** Officers might only describe certain information about incidents. This may result in all multiple incidents “sounding” the same, in terms of the effect the cycle had on the subject person and the reason for the Taser being discharged for a multiple cycle.
- **Some officers may be “parrotting the policy”.** Some police officers might only report information that they think will “justify” the use. As a result, detail about the effect of a cycle and the reason for discharging a multiple cycle may be missing. Typically, we found that the focus of usage reports is generally on explaining the person’s behaviour and the circumstances that led to the initial Taser deployment, not necessarily those that led to subsequent cycles.

Other reasons for multiple deployments

During our consultations with police officers, a number of other reasons were suggested to explain incidents that involve multiple cycles. Because of the often limited information contained in officers’ reports of these incidents, however, we were unable to determine the extent to which these other reasons cause a Taser to be deployed for a multiple cycle in practice.

- **The number of officers involved and their skills and experience.** The gender, size and experience of attending officers can influence the actions of police in high-risk situations.⁶² Officers may be more likely to deploy their Taser for a multiple cycle if they are the only officer attending the incident, or if there is a physical disparity between attending police and the subject person.⁶³ Some officers also suggested that the physical skills or abilities of the deploying officer might influence their decision to deploy their Taser for a multiple cycle.

62 We were unable to reliably determine the gender, rank or policing experience of the deploying officer because of changes to reporting over time — for example, before November 2010 the reporting officer was not necessarily the deploying officer. However, based on the information available, it appears that most deploying officers were male.

63 Based on the available information, 11 per cent of all multiple and prolonged incidents were a single officer response ($n = 13$) and in 15 per cent of all incidents ($n = 19$) the reporting officer/s identified that there was disparity between the subject person and attending police.

- **The actions or inaction of other attending police.** Other attending police have “an equally important job” as the deploying officer (Consultation — police officer). We were told that multiple deployments might occur because another attending officer does not move in and restrain the subject person while they are under the effect of the Taser, either because they are afraid of secondary exposure or because they briefly “freeze”. Some police officers also suggested that there might be insufficient communication between the deploying officer/s and other attending police during the incident.
- **There is insufficient time to restrain the person.** In some circumstances, 5 seconds may not be enough time for another attending officer to move in and restrain the person. Multiple cycles can give either the deploying officer or another attending officer time to move in and restrain the person.
- **It is sometimes difficult for officers to identify when a deployment is effective.** Some police officers suggested that the stress of these types of situations may sometimes cause officers to misjudge the effect of a deployment. For example, officers may not realise that one or both probes did not connect to the person, and may decide to redeploy the Taser rather than reload with a new cartridge. Also, as very few officers have experience deploying the Taser in an operational environment, it was suggested that officers could lack the skill to recognise when a deployment is effective.
- **There may be limited time to choose another use of force option.** In addition to being high-stress situations, some incidents can escalate quickly. In these situations, officers might have limited time to select another use of force option once they have already deployed their Taser. For example, if an armed person runs at an officer, there may be little time for the officer to choose another option.
- **Officers may be reluctant to choose another use of force option.** Some police officers may choose to continue to deploy the Taser because they think it is the most appropriate or logical use of force option — particularly if the probes are still attached — despite it not having the desired effect on the person. Police officers we consulted suggested that, after the fourth ineffective Taser cycle, another force option or tactic should probably be used.

Reasons for prolonged deployments

We examined all incidents where a Taser cycle was prolonged beyond 5 seconds to better understand why prolonged deployments occur ($n = 35$).

The reason for most prolonged deployments is not reported

We were unable to determine why the cycle was extended beyond 5 seconds in the majority of these incidents (80%, $n = 28$). The deploying officer either did not report a prolonged cycle (that is, they reported either a single cycle or a multiple cycle), or did not provide sufficient information about why the cycle was prolonged beyond 5 seconds.

Some prolonged deployments occur because the risk continues or the person was not restrained

In the small number of incidents where the officer reported the reason for the prolonged deployment, it was usually because the person continued to pose a risk of serious injury after the initial 5-second cycle, or the person could not be restrained during the cycle ($n = 5$) (see, for example, Case 11 on page 25).

Consistent with this, some officers we consulted suggested that prolonging a cycle might be a good option if the effect of the cycle allows another attending officer to move in and restrain the person:

If you were communicating with your cover officer who was a bit slow off the mark, you might give him a few more seconds [by prolonging the cycle] so the officer has time to move in. (Consultation — general duties police officer)

If after 5 seconds you need more to reduce the threat, you can prolong. Prolonging a cycle gives you a bit more time to think. (Consultation — police officer)

Some officers, however, raised concerns about prolonging a Taser cycle for these reasons and suggested that sometimes the person may not be able to physically comply with police directions while they are affected by the Taser.

There's no way you can do what you're told when you're being Tasered. You have to wait 5 seconds then give them time to comply. (Consultation — general duties police officer)

The reason we give directions while they're being Tasered is so he [the subject person] knows what to do when the cycle stops. (Consultation — general duties police officer)

Case 11: Prolonged deployment against an armed person⁶⁴

Police attended a disturbance where a mentally ill person who was affected by drugs was armed with a large kitchen knife. The person threatened police before barricading himself in the house. After police negotiated with the person for a period of time, he agreed to surrender to them. While surrendering, he deviated, resisted police, ran into the front yard of the residence and started running directly at an attending officer. The reporting officer deployed their Taser and the cycle was prolonged (11 seconds) until the person could be restrained with handcuffs.

Some prolonged deployments may be inadvertent

We identified two deployments where the officer actually reported accidentally prolonging a cycle. In one case, this occurred because the officer and the subject person were involved in a scuffle, which caused the officer to hold down the trigger (Case 12).⁶⁵

Case 12: Inadvertent prolonged deployment against a person assaulting police⁶⁶

This case involved a person who was involved in an altercation. While officers were attempting to restrain the subject person, he punched a police officer in the face, causing bruising and bleeding, before fleeing on foot with the reporting officer giving chase. The person eventually stopped and again started to struggle with the officer. The reporting officer deployed their Taser. At the same time as the deployment, the subject person assaulted the officer, resulting in the officer inadvertently holding down the trigger of the Taser (7 seconds).

64 The SERP finding for this case was not available.

65 In the other incident, the officer did not realise that the cycle had been prolonged until after the deployment.

66 The SERP finding for this incident was not available.

The police officers we consulted suggested that accidental prolonged deployments may occur more frequently than is indicated by the usage data. Officers told us that the physical and mental stress associated with these incidents might cause officers to inadvertently depress the trigger of the Taser. Comments included:

It happened so quickly ... and the shock of it, until I downloaded it I didn't know I had prolonged.
(Consultation — police officer)

There can be situations where an officer purely forgets to take their finger off the trigger.
(Consultation — general duties police officer)

We were also told that accidental prolonged deployments might be related to the firearms training that officers receive. During firearms training, officers are instructed to keep their finger “prepped” on the trigger until the threat is removed. Doing the same with a Taser could result in a prolonged deployment. It was suggested that the skills learnt during firearms training, coupled with the high-stress nature of these situations, might contribute to officers accidentally prolonging a Taser deployment. These comments were generally made in the context of Tasers being a relatively new use of force option for QPS officers, and officers being more familiar with firearms.

We're taught to keep the trigger [prepped] on the firearm until the threat is gone. We need more training to get out of the firearm habit. (Consultation — police officer)

That ingrained muscle memory is quite significant. Under stress, you go into auto mode and officers revert back to what they know best. (Consultation — police officer)

Although we're trained, tunnel vision will bring us back to our gross motor skills. Some officers will use the Taser like a firearm because that's what they're used to. (Consultation — police officer)

Problems with officers' reports about multiple and prolonged Taser deployments

We identified some problems with officers' reports about their Taser deployments:

- In a large number of cases, we were unable to determine what effect the deployment had on the person, or the reason for a Taser being discharged for a multiple or prolonged cycle. This appears to be a particular problem where a Taser was deployed for three or more cycles.
- Generally, the more deployments recorded on the Taser download data, the less likely it was that each deployment was described in adequate detail in the usage report.
- Some officers under-reported the number of times the Taser was cycled, while others overestimated the number of cycles.
- The reporting of prolonged deployments was a particular problem, with a number of officers underestimating the duration of the Taser cycle.

It is reasonable to expect some level of missing information in any data source, particularly police data. There are a number of possible explanations for the deficiencies we identified in the reporting of multiple and prolonged Taser incidents:

- **Some officers may have difficulty recalling the details of high-stress incidents.** It is reasonable to expect some level of inaccuracy and incompleteness in the reporting of high-stress incidents, as some officers may have difficulty recalling specific details of the incident.
- **Some officers only focus on the initial deployment.** Generally, officers provide sufficient information about the situation that led to the initial Taser deployment, but provide very limited information about why the Taser was deployed for a multiple or prolonged cycle.

- **Some officers may not count ineffective deployments.** There was some suggestion that officers do not consider ineffective deployments to be an *actual* deployment and therefore may not count this deployment for the purposes of reporting. For example, if an officer deployed their Taser for three cycles, but only two cycles had an effect on the subject person, the officer might only provide information about the two effective deployments.
- **Some officers may be confused about reporting requirements.** The current QPS policy does not require officers to report the reason for, and effect of, each Taser cycle in a single incident. It may be that officers believe that they are only required to demonstrate that the subject person's behaviour met the policy threshold prior to the first deployment. It may also be possible that some officers may be justifying these deployments through means other than the usage report — for example, during a verbal debrief with their supervisor. One officer who reviews Taser uses commented that in these situations “you talk to the officers, ask them what really happened” (Consultation — police officer).

Although there are a number of possible reasons for the reporting problems we identified, QPS policy states that *the greater the use (multiple or prolonged) of a Taser, the greater the level of scrutiny will be applied*. It is open to question how reviewing officers or the SERPs can make informed decisions about the appropriateness or otherwise of a Taser use if information about each Taser cycle is missing from the written report of the incident. The limited information contained in these reports may also be limiting the SERPs' ability to identify areas for continuous improvement.

Key findings

- **Multiple deployments typically occur because one or more deployments were not effective.** This may be because one or more probes did not connect to the subject, the subject removed the probes, or the initial or subsequent cycle was not effective in reducing the level of risk. Multiple deployments can also occur if police were unable to restrain the subject.
- **The actions or inactions of other attending officers can contribute to multiple deployments.** The cover officer may not move in and restrain the person, or in some situations there may be a lack of communication between the deploying officer/s and other attending police.
- **Some prolonged deployments are accidental.** We identified two accidental deployments in the data available to us. It was suggested that accidental prolonged deployments may be related to the high-stress nature of these incidents, and the firearms training that officers receive.
- **There are problems with officers' reports of multiple and prolonged deployments.** Very few officers provided detailed and accurate descriptions of incidents where a Taser was deployed for multiple or prolonged cycles. Further, the current QPS policy does not require officers to report the reason for, and effect of, each Taser cycle in a single incident. Some level of missing data is to be expected considering the high-stress nature of these incidents. However, this may be limiting the QPS's ability to sufficiently review and scrutinise these uses.

4 ISSUES RAISED ABOUT TASER USE IN GENERAL

During our consultations, a number of issues were raised about Taser use in general. Although these issues do not relate exclusively to multiple or prolonged Taser deployments, they have important implications for the QPS.

Tasers are being used instead of firearms in some situations

As discussed in Chapter 2, more than one-third of multiple or prolonged Taser incidents involved a person who was initially armed with an edged weapon. QPS officers are trained to initially draw a firearm in situations where a person is armed with an edged weapon. During our consultations, a number of police raised concerns that some officers might be using a Taser where a firearm would be warranted, particularly in situations involving an edged weapon. These concerns typically related to the heightened risk to the police officers involved in these situations.

All it takes is one step forward and the officer has an axe in his head. It's even risky with a gun.
(Consultation — police officer)

The fact it worked out was more good luck than good management. (Consultation — police officer)

Police officers suggested a number of reasons for officers choosing to use a Taser instead of a firearm:

- **A Taser might be a more suitable use of force option in the situation.** Although QPS training encourages officers to initially draw their firearms in situations where a person is armed with an edged weapon, some police officers questioned whether this was the best approach. Police officers identified a range of different scenarios where the use of the Taser instead of a firearm might result in a better outcome. For example, some police officers suggested that a Taser might be more suitable in situations where the person is self-harming and posing a risk to themselves, rather than to police or others. It was also suggested that using a Taser against a person armed with an edged weapon might be appropriate if another officer is providing cover with a firearm. The data available to us for such incidents did not allow us to reliably determine whether the deploying officer initially drew their firearm, or whether another officer provided cover with their firearm. However, in some incidents it appears that this was the case.
- **Some police officers have unrealistic expectations of the Taser.** The Taser can be an effective and appropriate use of force option in a wide range of situations. However, it was suggested that some officers overestimate their own capabilities with the weapon and may have developed unrealistic expectations that the Taser will deliver the desired outcome in every situation. To this end, some officers may be becoming “over-reliant” on the Taser. Police trainers told us that they are constantly trying to counter the belief among officers that the Taser is infallible. One trainer commented that “there is a feeling [among police] that you can take a Taser to any situation” (Consultation — police officer).
- **Some police officers do not want to use their firearm.** Nearly all of the police officers to whom we spoke indicated a desire to avoid using a firearm. Police officers do not want to risk seriously hurting or killing someone by using their firearm — “Personally, I’m more comfortable using a Taser [rather than a firearm] because I don’t want to kill anyone” (Consultation — general duties police officer). It was also suggested that some officers are fearful of the consequences of using their firearm — including the QPS internal review, media attention and possible coronial investigation. Tasers are generally viewed as an effective alternative to a firearm, and one that is likely to avoid the possible negative consequences of using a firearm.

There are concerns that police are over-using Tasers

Some community groups we consulted raised concerns that police are over-using Tasers. More specifically, they are concerned that officers are using Tasers instead of, or in preference to, other use of force options. Comments included:

As a society, we must be careful not to become too accepting of a potentially lethal use of force option. (Consultation — external stakeholder)

Although specific views varied, most community groups suggested that Tasers should only be used in situations where there is an “imminent” risk of serious injury, and in situations where the only other suitable option available to police would have been their firearm.

Tasers should be treated like a gun. (Consultation — external stakeholder)

If it’s not justified to shoot, it’s not justified to use a Taser. (Consultation — external stakeholder)

It was also suggested during our consultations with police that some officers might favour the Taser over other use of force options. As mentioned above, some police officers confirmed this, indicating that officers may have *preferred use of force options* based on previous experience. Another possibility is that some officers, in particular younger ones, might be favouring the Taser because they are “reluctant to go hands-on” with a person (Consultation — external stakeholder).

General duties police we consulted also indicated that officers might sometimes use their Taser, particularly for multiple or prolonged cycles, because they are concerned about the possible risk of injury to themselves or other police officers if they try to subdue a person using, for example, open- or closed-hand tactics. Comments included:

One punch can kill. (Consultation — general duties police officer)

If you go in, you’re at risk of serious injury. (Consultation — general duties police officer)

There are differences between community groups and police officers when it comes to views about the appropriate threshold for Taser use. Although this is not surprising, the question is whether officers are favouring the Taser in situations where other use of force options may have been more suitable. The QPS should continue to monitor Taser use to ensure that officers only use the minimum amount of force required in each situation, and to ensure that one use of force option is not being favoured over another, perhaps more suitable, option.

Police officers may make generalisations about mental health conditions

Police frequently come into contact with people who are believed to have a mental health condition. Situations involving people who are displaying violent behaviour can be some of the greatest challenges for police to deal with. Given these realities, it would seem particularly important for police officers to have a good understanding of mental health conditions. However, QPS officers generally receive limited specific information or training about how to identify people who are displaying signs of an underlying mental health condition, or how to respond to them appropriately.⁶⁷

67 Scenarios involving people with a mental health condition are covered in the recruit training program and annual operational skills and tactics refresher training. Officers can also choose to complete other training programs that cover mental health conditions.

Comments made by police during our consultations indicated to us that officers may have some misconceptions about mental health conditions and how these affect a person's thinking and behaviour. For example, officers frequently told us that people with mental health conditions have "superhuman strength", and are less likely to respond to verbal communication or other use of force options or tactics in the context of violent confrontational situations (Consultation — police officer).

QPS officers are trained to consider all available information about a person — including their mental state — when making a decision about what use of force option or tactic is most appropriate. The comments made by police during our consultations raised questions about whether officers rely on stereotypes or generalisations about people with mental health conditions. It also raised questions about what influence these generalisations or stereotypes have on how police interact with people in violent incidents, and on their use of force decision making.

It is important to note again here that we did not find any evidence to suggest that police use Tasers against people who have a mental health condition in situations where use of Tasers is not warranted.

There are inconsistencies in the QPS's Taser review practices

Every operational use of a Taser is reviewed by a panel of senior QPS officers: a Significant Event Review Panel (SERP). The purpose of this review is to:

... critically analyse the appropriateness of the police actions so that opportunities for learning and improvements may be identified at the individual, work unit and whole-of-Service levels. (Commissioner's Circular 16/2012, QPS 2012b)

Significant Event Review Panels

In January 2009, the QPS established a panel of senior officers in each region to examine significant event matters, including the use of Tasers. The purpose of the SERPs is to.⁶⁸

- identify good and/or inappropriate practices
- identify issues, causal factors and potential trends in behaviour and practice
- recommend action to address the cause of inappropriate practice or reduce its effect
- promote good practice and a culture of continual improvement. (Commissioner's Circular 16/2012, QPS 2012b)

It is important to note that our review of SERP findings was limited to the information recorded in the meeting minutes and matters raised during our discussions with police officers.

During our consultations, we were told that SERPs tend to focus on the outcome of an incident and whether there are any disciplinary considerations, rather than whether the officer's use of force was the most suitable option in that particular situation. Based on the information available to us, we were unable to determine whether the SERPs regularly identify instances where the Taser was not the best use of force option.⁶⁹ Anecdotally, however, we heard that the review process was inadequate in this regard. In fact, we were told that some officers were commended for using a Taser in situations where another use of force option may have been more appropriate.

68 A significant event review matter includes incidents resulting in death or serious injury of a person, a police pursuit, the use of a firearm, Taser or OC spray, and matters involving police dogs, among others.

69 Because of the current SERP recording practices, we were unable to confirm with any certainty whether the deploying officer received any post-incident verbal feedback from their supervisor.

They're entitled to use a firearm. I'm happy that they don't but one day someone will use a Taser when a firearm should have been used. (Consultation — police officer)

If the Taser is used and the officers get the knife and there's no injury, the officers will be patted on the back rather than told they should have used another option. (Consultation — police officer)

The comments made during our consultations suggest that there may be misalignment between QPS policy, training and review practices. The case below provides an example of where the SERP's decision was inconsistent with advice from an Operational Skills and Tactics trainer, who would be considered a content expert in this regard.

Discrepancy between SERP finding and advice from regional Operational Skills and Tactics coordinator

This case involved a person who was armed with an axe and two knives in a public street. At the time of the first Taser deployment, the person was advancing towards police, brandishing the axe in his hand and stating that he was going to cut attending police officers' heads off. After the initial deployment, the person dropped to the ground but remained armed with a knife. A second cycle was discharged and the person dropped the knife and was restrained by police.

Concerns were raised by the regional Operational Skills and Tactics coordinator about the use of the Taser in a situation where the person was armed with edged weapons. The officer identified that the actions taken by the deploying officer were "not tactically sound" because there was no indication of lethal cover. Despite this, the SERP did not identify any concerns about this use:

The panel noted the concerns of the [Operational Skills and Tactics coordinator]. However, the panel felt the decision making by the officer regarding his use of force options has been justified by the successful resolution of the incident without injury to officers or offender.

As a result of this misalignment, officers may be receiving mixed messages about the appropriateness of using a Taser in certain situations. It may also mean that the QPS is not adequately managing the risks associated with officers using Tasers in particularly dangerous situations. The review process should be an opportunity to identify uses that are inconsistent with QPS training and provide the officers involved with timely feedback, with the view of improving future operational decision making.

Officers want more feedback about Taser use

Some officers told us that they rarely hear about the outcomes from Taser review processes. Officers to whom we spoke indicated that they would like to receive more feedback about Taser uses — not just in relation to incidents that attract media attention, or where the officer was disciplined for their actions.

At the moment, you never hear about feedback. We need to reassure people that after a Taser was reviewed, the deployment was deemed okay. (Consultation — police officer)

To some extent, the limited feedback provided to officers may be a consequence of the inadequacies we identified in the recording of SERP decisions. The SERP minutes we reviewed frequently contained only information about the final assessment of the incident, and did not note whether there was any discussion or disagreement among panel members about the Taser use. This may be limiting the SERPs' ability to promote good practice and a culture of continual improvement. The CMC has previously raised concerns about the recording of SERP minutes (see below). Despite some minor improvements since our 2011 report, many of these deficiencies have not been rectified.⁷⁰

70 These improvements are largely administrative — all regions now use the same template for recording SERP decisions, and meeting minutes can now be accessed through an electronic database.

It was also suggested to us during our consultations that feedback about Taser uses may be incorrectly viewed by officers as being part of the disciplinary processes, rather than an objective of the review process. Comments included:

[Guidance] ends up being seen through the prism of discipline. (Consultation — external stakeholder)

CMC 2011: Recommendation 16

The CMC made the following recommendation about the SERP meeting minutes in its 2011 report:

That the SERP minutes template being developed by the QPS capture sufficient information about SERP processes and deliberations to allow the SERP Quality Control Committee to effectively monitor the SERPs' activities and decisions. At a minimum the minutes should note for each matter considered by the SERP:

- the specific comments made by the Regional Education and Training Coordinator, Professional Practice Manager and Operational Skills and Tactics instructor (if applicable)
- any other substantive comments from individual panel members noting concerns or good work
- a conclusion and/or recommendation that highlights the substantive issues considered by the SERP and provides a specific assessment of the individual incident.

There are deficiencies in Taser training

A number of the police officers we consulted identified limitations in the current QPS Taser training. It seems likely, however, that many of these concerns or criticisms could also apply to use of force training more broadly.

- **Taser training is too short.** Concerns were raised by police that the annual refresher Taser training is too short. It was suggested that one day per year is not enough time to re-train police in the fine motor skills needed to deploy a Taser effectively. Some police told us that “skill degradation during the year is quite remarkable” (Consultation – police officer), especially considering that Tasers are a relatively new use of force option for QPS officers.
- **There is limited training time spent actually deploying the Taser.** Officers spend very little time deploying the Taser, and even less time firing at moving targets. It was suggested that more training time should be spent deploying the Taser, particularly deploying the Taser at moving targets while under pressure.
- **There is limited training time dedicated to multiple or prolonged deployments.** Most police officers we spoke with told us that very little training time is spent discussing multiple or prolonged deployments. One officer commented that “we pretty much don’t do it ... 20 minutes max would be spent on this” (Consultation — police officer). Typically, the only training that officers receive on multiple and prolonged deployments is a PowerPoint presentation that outlines the relevant aspects of the QPS policy. Multiple and prolonged deployments may be covered during scenario testing; however, we were told that whether these aspects are discussed will depend on the individual officer and their responses to scenarios.

All police officers we consulted agreed that officers should receive more training, particularly in multiple or prolonged deployments, and should practise firing at moving targets while under pressure. In saying this, officers recognised that there are several barriers to implementing more training, including budgetary and time constraints. For instance, we were told that there would be substantial costs associated with each officer deploying an extra cartridge during training.

During our consultations, we were advised that the QPS is currently trialling a number of initiatives aimed at improving officers' skills, particularly firing at moving targets. These initiatives include a trial of Taser suits and dummies that simulate real-life deployments. The QPS trainers whom we consulted commented that these initiatives appear to be improving the quality and practicality of training.

Key findings

- **There are inconsistencies between QPS training and review practices.** Officers are using their Tasers in situations where they are trained to initially draw a firearm. However, instead of being provided with feedback about the possible risks associated with doing so, officers are being commended for their actions.
- **There are concerns that police are over-using Tasers.** Community groups are concerned that police are using their Tasers in situations where other use of force options may be more suitable. There may be a preference by some officers to use their Tasers, particularly in situations where a person is physically violent or believed to be armed with a weapon.
- **It is important for police to have an accurate understanding of mental health conditions.** A large proportion of multiple and prolonged deployments involve people who have a mental health condition. However, there was some suggestion that officers may have a limited understanding of these conditions, or may make generalisations about them.
- **The SERPs' focus on the outcome of incidents is at the expense of identifying and promoting good practice.** The review process is intended to be an opportunity for continuous learning and improvement. Instead, there is some suggestion that SERPs only focus on the outcome of incidents.
- **Officers want more constructive feedback about Taser use.** More consistent, detailed and timely feedback about Taser use may improve future use of force decision making.
- **A greater training focus is needed on multiple and prolonged Taser deployments.** Tasers are a relatively new use of force option for QPS officers. Some multiple or prolonged deployments may be avoided through improved training.

5 CONCLUSIONS AND IMPLICATIONS

This final chapter draws together the key findings of our review of multiple and prolonged Taser deployments, and highlights the implications of these findings for QPS policy, training and practice. The CMC makes three recommendations aimed at improving Taser reporting, review and training practices.

Incidents that result in a Taser being deployed for a multiple or prolonged cycle can be challenging situations for police. Most of these incidents involve people who are physically violent and posing a risk of serious injury to themselves, police or others. Typically, multiple or prolonged cycles occur because one or more of these cycles were not effective in reducing the level of violence and risk.

Importantly, most people who were the target of multiple or prolonged deployment received an exposure at the lower end of the spectrum of exposure lengths, which is consistent with recent international guidelines. Based on the information available to us, very few of these incidents raised concerns about compliance with QPS policy.

There is broad consensus among stakeholders that multiple or prolonged Taser deployments are a legitimate use of force option for police. However, it was also agreed that, like any other use of force option, multiple or prolonged deployments should only be used in situations where they are justified and are the minimum amount of force.

The following section discusses the key issues arising from this review and makes three recommendations aimed at improving the reporting and review of multiple and prolonged deployments.

Multiple or prolonged deployments can be a better option in some situations

Generally, stakeholders agree that multiple or prolonged deployments can be a better use of force option, particularly in situations where the subject person's behaviour presents a significant risk of physical harm, and situations where the alternative option for police might be a firearm. It was also agreed that deploying a Taser for a multiple or prolonged cycle may be a good option in situations where the initial deployment was not effective and the violent or aggressive behaviour continued. It was also agreed that a multiple or prolonged deployment may be a good option if police were unable to restrain a person during or after the initial deployment.

Notwithstanding that community groups generally had a higher threshold for Taser use (that is, as a preferred alternative to a firearm), all stakeholder groups agreed that multiple or prolonged deployments might be warranted if the person's behaviour initially met the threshold for a Taser deployment, and that behaviour continued during the incident. However, there was less agreement about the use of Tasers against people who were self-harming. Police officers typically considered that deploying the Taser for multiple or prolonged cycles might be a good option in these incidents, but some community groups disagreed.

The suggestion that police are over-using Tasers warrants further attention

Community groups we consulted raised concerns about police using their Tasers instead of other use of force options or tactics. These concerns typically centred on Tasers being a significant and controversial use of force option, and the view that Tasers should only be used in situations that would warrant a firearm. Although it is not surprising that community groups have concerns about Taser use, this view was also shared by some police officers with whom we consulted.

It is possible that police officers develop preferences for certain types of use of force, based on their previous experience and capabilities. These preferences may be influenced by the QPS's focus on officer safety. Frequently we were told that the safety of police is a high priority in situations involving people who are displaying violent behaviour. In these situations, officers may favour a Taser because it does not require them to go "hands-on" with a person, and may reduce the likelihood of them, or other attending officers, sustaining an injury.

We identified a small number of cases where it is possible that the Taser may have been deployed for multiple cycles to avoid physical contact with the subject person, or to minimise the likelihood of a risk eventuating. In these situations the Taser, and particularly the use of the Taser for multiple cycles, may not have been the most suitable, or minimum, use of force option available to police. Bearing in mind the reporting problems we identified, it is possible that the officers involved did not fully articulate the circumstances of the incident.

The perception, whether accurate or not, that police are over-using Tasers has the potential to undermine the legitimacy of this use of force option and erode public confidence in the police. The data available to the CMC do not prompt serious concerns of over-use. In fact, multiple and prolonged Taser deployments have decreased over time. Nevertheless, we maintain the view that officers should only use the minimum amount of force needed to resolve a situation. The QPS should continue to monitor Taser use for any signs of over-use.

The QPS needs to critically review Taser use to identify good and bad practice

Effective review processes are important to ensure that operational practices align with policy and training. Although the purpose of this review was not to examine Taser monitoring and review practices, concerns about the current process were frequently raised during our consultations with police officers. A number of these reflected concerns that the CMC has reported previously (see CMC 2011).

SERPs were established to analyse the appropriateness of police actions, with a view to identifying opportunities for learning and improvement across the QPS. Although this may be happening in some areas, generally we were told that the SERPs place too much emphasis on the outcome of an incident and determining whether the use complied with policy, without critically examining whether the officers' threat assessment and decision making were tactically sound, and whether the incident could have been resolved more appropriately, safely or effectively. As a consequence, officers are not receiving appropriate guidance and feedback about their actions, or are being commended for actions that appear to be inconsistent with their training.

For SERPs to be most effective, they need to be willing to provide constructive, detailed and timely feedback about officers' actions — including both positive and negative feedback. This requires SERPs to identify uses that are inconsistent with training, consider officers' decision making, and examine whether alternative actions may have been more appropriate or tactically sound. It also requires the SERPs to record any substantive comments or discussions that took place during the meeting, and the reason for any particular finding that they reached. We encourage the QPS to move away from viewing feedback and guidance through the prism of discipline, and to strive towards being an organisation that learns from operational practice and drives organisational change.

The problems with the reporting of multiple and prolonged deployments should be addressed

There are a number of reasons for officers not submitting complete reports of incidents involving a multiple or prolonged Taser deployment. Further, the current QPS Taser policy does not specify that officers must report the reason for, and effect of, each Taser cycle. However, it is questionable how these incidents can be subject to sufficient scrutiny by the QPS, or the CMC, if important information about deployments is missing. The problems we encountered with officers' reports of multiple and prolonged deployments may also be limiting the SERPs' ability to review and scrutinise these uses, and identify areas for improvements at either the individual or the service-wide level.

From the perspective of review and practice improvement, the written report of an incident should reflect what occurred as accurately as possible. Although additional information about an incident may be provided in briefings or discussions between the deploying officer and their supervisor, a complete written report of the incident is important. At a minimum, this report should include a description of each cycle — including a specific reason for deploying a multiple or prolonged cycle — the effect of the cycle on the person, and a description of the subject person's behaviour before each deployment.

To this end, we believe that the QPS should amend the current Taser policy to require officers to report the reason for, and effect of, each and every Taser cycle. We believe that these improvements would go some way to fulfilling the QPS policy requirement that multiple and prolonged deployments be subject to a higher level of scrutiny. The inclusion of more specific and detailed information in these reports may also go some way to improving the effectiveness of the SERPs at driving continuous learning and improvement.

Recommendation 1

That the QPS:

- a. amend the Taser policy to state that officers must report the reason for each Taser cycle and the effect each cycle had on the subject person**
- b. ensure that Taser training emphasises that deploying officers must report the reason for, and effect of, each Taser cycle**
- c. modify the Use of Force Report to capture the reason for each Taser cycle and the effect each cycle had on the subject person**
- d. ensure that deficiencies in an officer's report of an incident are identified during the review process, and that officers are provided with feedback about their report.**

Some aspects of Taser training could be improved

Very few police have experience in deploying their Taser in an operational environment, and even fewer have experience deploying under high-stress conditions. Improving officers' skills at firing at moving targets may help to reduce the number of multiple deployments. It is encouraging that the QPS is aware of these training issues and is currently trialling a number of initiatives to better simulate real incidents. The QPS should continue to work towards improving officers' skills in deploying at moving targets while under pressure.

Incidents involving people who are displaying violent behaviour can be challenging and stressful situations for even the most experienced officer. In high-stress situations, officers may not realise that they have prolonged a Taser deployment. Although the number of accidental prolonged deployments is small, every effort should be made to reduce the possibility that an officer will inadvertently prolong a Taser deployment. Prolonged deployments, and in particular accidental prolonged deployments, may be avoided through Taser training placing an even greater emphasis on the need for officers to release the trigger after the initial Taser deployment.

Recommendation 2

That:

- a. the QPS review Taser training to emphasise the need for officers to release the trigger to avoid accidentally prolonging the deployment**
- b. the QPS's review processes more overtly identify accidental prolonged deployments and take appropriate remedial action to improve the deploying officer's knowledge and skills.**

Attending police have an important role to play in high-risk situations. In some situations, the actions, or more importantly inactions, of attending police may contribute to multiple or prolonged deployments. These deployments may be reduced, or avoided, by improving the response of police who attend the incident. Although Taser training currently covers team work, an even greater training focus on communication between officers, and ensuring that officers use each cycle as an opportunity to move in and restrain the subject person, may go some way to reducing multiple and prolonged deployments.

Recommendation 3

That the QPS review Taser training to ensure that there is sufficient emphasis on:

- a. communication between the deploying officer/s and other attending police**
- b. using each Taser cycle as an opportunity to move in and restrain the subject person in a timely manner.**

It may be beneficial to increase officers' understanding of mental health conditions

The CMC has consistently raised concerns about the proportion of Taser uses that involve people who are believed to have a mental health condition (see CMC 2011, 2012). This review found that a large proportion of multiple or prolonged deployments involve people who are believed to have a mental health condition.

The high proportion of people with a mental health condition among the subjects of Taser use is a challenging aspect of Taser deployments. There is some research to suggest that these people may be at increased risk of suffering adverse health effects after a Taser deployment. However, people with a mental health condition frequently come into contact with police. In some of these situations, the use of the Taser, particularly for multiple or prolonged cycles, may be entirely appropriate and a good use of force option for police. The QPS's internal monitoring and review process should serve as a mechanism to ensure that all Taser uses, and particularly those that involve people who may be more likely to suffer harm after a deployment, are appropriately reviewed and scrutinised.

Officers, and particularly general duties officers, may benefit from more education about mental health conditions. More specifically, officers may benefit from training about how to identify people who are displaying signs of an underlying mental health condition, how these conditions affect a person's thinking and behaviour, and how to respond appropriately. We encourage the QPS to review the mental health education and training it provides to officers in light of the comments made in this report and our previous reports. The purpose of this should be to identify gaps in officers' knowledge and opportunities for further learning, with a view to ensuring that stereotypes about mental health conditions do not influence officers' use of force decision making. The QPS should liaise with peak mental health organisations to ensure that QPS education and training are in line with best-practice standards.

APPENDIX 1:

Recent Australian Taser cases

This section describes two recent cases in Australia where a person died after being the target of multiple and prolonged Taser deployments.

Recent Australian cases

Antonio Galeano, Queensland

Antonio Galeano died in the North Queensland town of Brandon on 12 June 2009 after an incident in which a Taser was activated 28 times by a police officer who was trying to apprehend him.

Two days before his death, the 39-year-old had been observed by police exhibiting bizarre behaviour, and he was admitted later that day to Townsville Hospital for a mental health assessment. He was diagnosed with acute amphetamine toxicity but was not found to be suffering from a mental illness, and he returned to a friend's house at Brandon on 11 June.

Over the course of that evening, Mr Galeano was said to have become 'disturbed' and 'incoherent', becoming physically violent to his friend and causing significant damage to her property. She called for police assistance, and two officers attended her residence in the early hours of 12 June.

When they arrived, they found Mr Galeano smashing property inside the residence, naked and covered in blood from injuries to his forehead and wrists. He was chanting 'incessantly and loudly', and his behaviour was said to be 'bizarre and delusional'. He was 'apparently not in a rational state and did not respond to police'. The officers attempted to bring him under control for around 25 minutes, during which time they used several techniques, including physical force, capsicum spray and multiple Taser deployments. Police eventually handcuffed Mr Galeano, face down on the lounge room floor.

At around 3.15 am, Mr Galeano's friend noticed that his face 'had gone black' and that he was not breathing. Attending police were unable to detect a pulse and tried to resuscitate him. Ambulance officers then arrived and continued the resuscitation efforts for a short time, before Mr Galeano was assessed and pronounced dead.

In November 2012, Queensland's Deputy State Coroner handed down her report into Mr Galeano's death. She concluded that the cause of death was 'excited delirium, probably caused by amphetamine toxicity induced psychosis', and found there was no evidence that the Taser directly caused the death. The Deputy State Coroner further found no basis to refer the officer involved for criminal charges or disciplinary action, acknowledging the very difficult circumstances the officers were confronted with and accepting that some Taser deployments were probably made by the deploying officer unconsciously.

However, the Deputy State Coroner did recommend that, among other things:

- the QPS's threshold for using a Taser be increased to situations where there is an imminent risk of serious injury to a person
- the QPS Taser policy be revised so that multiple or prolonged Taser deployments are permitted only in exceptional and justifiable circumstances
- the QPS continue to look for alternative conducted energy weapons (CEWs) that may be safer and more technologically advanced, particularly in terms of a weapon that prevents officers from unintentionally prolonging a Taser cycle beyond 5 seconds.

Source: Office of the State Coroner 2012.

Roberto Laudisio Curti, New South Wales

Roberto Laudisio Curti, a 21-year-old Brazilian national, died in Sydney on 18 March 2012 after a protracted incident with police in which he was the target of 14 Taser deployments by four separate officers.

At around 5.06 am, Mr Curti, under the influence of the illicit drug LSD and showing signs of agitation and paranoia, took two packets of biscuits from a convenience store. A witness phoned 000 to report a robbery, which the operator then inaccurately reported to police as an armed robbery.

Having heard the robbery reports over the police radio, two officers located and chased Mr Curti. One officer deployed their Taser at Mr Curti and, although both probes made contact, the deployment appeared to have no effect. Another officer also deployed their Taser at Mr Curti and activated it for three cycles, but only one probe hit and the deployments were ineffective. The first officer reloaded their Taser and deployed it again, but this deployment also missed Mr Curti.

Mr Curti was then further chased by six police officers, before an effective Taser deployment by a third deploying officer brought him to the footpath. At this point, 11 police officers were involved in trying to restrain Mr Curti, whom police described as having 'superhuman strength'. A prolonged struggle ensued, during which Mr Curti was drive stunned five times by the first officer, drive stunned twice by a fourth officer, and sprayed in the face with at least some of three cans of capsicum spray by a fifth officer. Police noticed Mr Curti had stopped breathing at around 6.11 am, and he was pronounced dead at the scene when ambulance officers arrived.

In November 2012, the NSW State Coroner handed down her report on Mr Curti's death. She found that 'there was no medical evidence that a Taser was directly responsible for the death', noting instead that the death 'clearly arose from complex and multi-factorial causes'. She nevertheless concluded that it was 'impossible to believe that [Mr Curti] would have died but for the actions of police', and subsequently recommended that five of the officers involved be referred for possible disciplinary charges for actions she described as 'reckless, careless, dangerous, and excessively forceful'. Four of these officers were referred for Taser deployments that the Coroner variously described as 'for no reason', 'not justified', 'inconsistent with the Standard Operating Procedures and training', 'markedly excessive' and 'unreasonable'.

The Coroner further recommended an immediate review of the NSW Police Force's Taser policy to, among other things, ensure that officers are aware of the dangers of multiple Taser deployments, and to consider imposing limits on the use of Tasers in certain circumstances.

Source: NSW State Coroner 2012.

APPENDIX 2: QPS Taser policy

This is the text of the current QPS Taser policy that commenced on 22 September 2009.

14.23 Conducted Energy Weapon (Taser)

Taser is a brand name of one of a number of weapons in the general category of 'Conducted Energy Weapons' (CEW). It is a hand held neuro-muscular disruption device capable of temporarily incapacitating a person and causing pain through the application of an electrical current.

The Taser has two main capabilities, probe mode and drive stun mode.

In the probe mode a Taser uses propelled wires/darts, to deliver short duration high voltage electrical pulses into the body which affect the sensory and motor functions of the nervous system. The electrical charge transmitted by a Taser causes the subject person to experience involuntary muscular contractions, rendering the person temporarily incapacitated or unable to perform coordinated action until the device is deactivated. Unlike batons or OC spray, probe mode does not rely on pain compliance alone and is effective regardless of the size, strength, mental condition or pain threshold of the subject person.

The drive stun mode uses direct contact of the Taser to the body or clothing of a person and causes significant discomfort in the area where the Taser is applied. The drive stun mode does not have a significant effect on the central nervous system and does not immobilise a person. As such it may not be effective on people who are highly motivated, mentally disordered or drug/alcohol affected. The drive stun mode can also be used in combination with the probe mode to complete an incapacitation circuit.

Tasers are 'Category R' weapons, as defined in s. 8(f): 'Category R weapons' of the Weapons Categories Regulation.

14.23.1 Issue of Tasers

Tasers will be issued to police stations and establishments for use by officers as part of the performance of their duty. The logistical distribution of Tasers within each region or command is at the discretion of the officer in charge of that region or command.

14.23.2 Taser training

POLICY

Officers are not to use or carry a Taser unless they:

- (i) have successfully completed the relevant Taser training course;
- (ii) are currently qualified in Operational Skills and Tactics (OST) training (see s. 14.3.1: 'Operational Skills and Tactics (OST) training' of this chapter).

Officers who successfully complete the Taser training course will need to requalify in the use of a Taser on an annual basis. This annual re-qualification will be undertaken as part of Block 3 OST training (see s. 14.3.1 of this chapter).

The Chief OST Instructor is responsible for ensuring the necessary systems are in place to provide Taser training to nominated officers.

14.23.3 Use of Tasers

The use of a Taser's capabilities, in either the probe mode or drive stun mode, should be determined by the circumstances existing at the time, bearing in mind the 'Situational Use of Force Model' (see s. 14.3.2: 'Situational Use of Force Model — 2009' of this chapter). Officers are reminded the Service's philosophy of 'Consider all Options and Practise Safety' (COPS) should be embraced when dealing with incidents which may require the use of force.

POLICY

Officers should only use the minimum amount of force necessary to resolve an incident.

There must be a risk of serious injury to a person before an officer can deploy a Taser. The decision to apply force or use a Taser is an individual one for which every officer will be held accountable.

Every decision to use force should be the subject of a continuous assessment prior to the application of another use of force.

Officers should consider all the 'use of force' options available to them and all the circumstances of an incident when determining the most appropriate 'use of force' option(s) to be used.

Prior to using a Taser in either mode, officers should:

- (i) verbally warn the subject person(s) where practicable; and
- (ii) be mindful of the area in which the subject may fall. In probe mode the Taser causes temporary incapacitation which may cause the subject to fall down. Injuries may be sustained by the subject where this occurs.

A Taser should not be used in either mode:

- (i) against persons offering passive resistance (e.g. refusing to move or offering little or no physical resistance and refusing to comply with police instructions. A person acting as a dead weight or requiring an officer to lift, pull, drag or push them in order to maintain control);
- (ii) against persons that are handcuffed unless exceptional circumstances exist;
- (iii) as a crowd control measure (e.g. for crowd dispersal at a demonstration or industrial dispute);
- (iv) against the occupants of a vehicle or the operator of machinery where there is a danger of the vehicle or machinery going out of control and injuring the occupants or other people;
- (v) against children or persons of particularly small body mass, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury;
- (vi) against females suspected on reasonable grounds of being pregnant, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury;
- (vii) near explosive materials, flammable liquids or gases due to the possibility of ignition;
- (viii) punitively for purposes of coercion or as a prod to make a person move;
- (ix) to rouse unconscious, impaired or intoxicated persons;
- (x) on persons where there is a likelihood of significant secondary injuries (particularly concussive brain injury) from a fall (e.g. standing on a ladder or other elevated position); or
- (xi) on elderly persons, except in extreme circumstances where there is no other reasonable option to avoid the imminent risk of serious injury.

Deployment of a Taser

A single deployment of a Taser is characterised by one five second cycle in either probe or drive stun mode. Any deployment of a Taser on an individual beyond this single cycle is considered a multiple deployment (more than one five second cycle) or a prolonged deployment (continuous application beyond a five second cycle).

Officers are to use the Taser on persons by application of one five second cycle.

Officers are not to use the Taser in a prolonged fashion by holding the trigger down for a period greater than five seconds unless exceptional circumstances exist.

Additional cycles (one trigger pull — five seconds) may be applied in exceptional circumstances after the officer has reassessed the situation prior to each additional cycle.

Officers are reminded that a subsequent use of the Taser or any prolonged use (greater than five seconds) will be scrutinised and will need to be justified. While all use of force is scrutinised, officers should be aware that the greater the use (multiple or prolonged) of a Taser, the greater the level of scrutiny that will be applied.

Officers should be aware that there may be technical or physiological reasons why the device is not working as expected on a particular individual. Therefore, if the initial application of the Taser in either the probe or drive stun modes is not effective, officers should reassess the situation and consider other available use of force options.

Officers should be aware that multiple or prolonged uses of a Taser have been linked to deaths, particularly where:

- (i) use of the Taser was accompanied by the use of restraints or chemical incapacitant sprays (e.g. OC spray);
- (ii) subjects had underlying health problems such as heart conditions or mental illness;
- (iii) subjects were under the influence of drugs and/or alcohol;
- (iv) subjects were struggling violently for a sustained period; or
- (v) a combination of these factors existed.

There are cases where such persons exposed to the effects of Tasers have died some time after being exposed. It is however, recognised that there are circumstances where the only alternative may be the use of a potentially lethal firearm or where the activation of the Taser irrespective of the additional risk is absolutely necessary to protect life.

14.23.4 Use of more than one Taser

POLICY

Officers must not use two or more Tasers on the one person at the same time.

14.23.5 Using the Taser on people who are suspected mentally ill

POLICY

Occasions will arise where it is necessary to use the Taser on a person who is exhibiting violent behaviour and who is also suspected suffering from a mental disorder or illness. When responding to a mental health incident officers are to ensure the assistance of the QAS is requested and where possible, discuss options with mental health professionals (refer to [s. 6.6.20](#): 'Mental health intervention coordination and training' of this Manual).

14.23.6 Special precautions to avoid eye and head injuries

There is a specific risk of injury to the eye through penetration of a barb. Barb penetration in the neck or head may also increase the level of injury.

POLICY

Tasers should not be aimed so as to strike the head or neck of a subject unless this is unavoidable.

The laser sight should not intentionally be aimed at the eyes of the subject.

14.23.7 Voluntary exposures to Taser

POLICY

Voluntary exposures are only to be undertaken as part of Taser training by a qualified Taser instructor.

Exposure is to be limited to one five second cycle and is not to occur unless the officer being exposed has read a QPS approved facts/information sheet and signed the appropriate waiver prior to the exposure.

Members of the QPS are not to undertake voluntary exposures for members of the public.

Members of the QPS are not to undertake voluntary exposures at police stations/establishments unless the exposure is part of Taser training by a qualified Taser instructor.

14.23.8 Probe removal and disposal

POLICY

Probe removal and disposal is to be conducted in accordance with the procedures outlined in the [Conducted Energy Weapon — Taser Good Practice Guide](#).

Where probes are imbedded in sensitive tissue areas (e.g. neck/throat, face, breast or groin) medical aid should be sought to remove the probes.

Officers in charge of stations or establishments should ensure suitable probe removal and disposal equipment (i.e. protective gloves, sharps container, alcohol wipes/swabs and band aids) is available in all operational vehicles under their control.

14.23.9 Aftercare

A person who has been Tasered:

- (i) should recover quickly. The incapacitating effect of the Taser ends when the trigger is released and the unit is deactivated;
- (ii) may feel dazed for several seconds;
- (iii) may experience tingling sensations for a short period afterwards; and
- (iv) may exhibit minor skin irritation, temporary blisters or redness at the site of application.

The application of a Taser should not affect or damage a pacemaker, or cause permanent damage or long term effects to the subject person's muscles, nerves or other body functions. However, it should be recognised that the subject person may have pre-existing injuries or medical conditions and/or secondary injuries from falling down when incapacitated by the Taser.

POLICY

If required, the officer who deployed the Taser is to ensure first aid and/or medical attention is provided to the subject person, as necessary.

See [s. 16.13.1](#): 'Assessment of prisoners' and [Appendix 16.1](#): 'The assessment of prisoners and persons in custody' of this Manual.

PROCEDURE

When medical attention or treatment is required, the deploying officer should notify the Duty Officer, Police Communications Centre (PCC) Brisbane, or in areas outside of those covered by PCC Brisbane, the communications coordinator of the relevant PCC, and request the attendance of the Queensland Ambulance Service (QAS). Where it is impractical to obtain the attendance of the QAS, the officer should arrange to have the subject person taken to the nearest facility providing medical attention.

14.23.10 Reporting the use of a Taser

For the purposes of this section:

Deployment of a Taser

means when the safety lever is in the armed position and the trigger is pressed in either probe mode or drive stun mode.

Deployment includes firing the Taser:

- (i) in probe mode against a person or animal, or in the direction of a person or animal; or
- (ii) in drive stun mode against a person or animal; or
- (iii) unintentionally discharging the probes in any circumstance (other than during Taser training).

Presentation of a Taser

includes:

- (i) pointing a Taser in the direction of a person without deploying or firing the probes; or
- (ii) holding/pressing a Taser against a person without deploying or firing the probes.

Use of a Taser

means:

- (i) drawing the Taser out of the holster; or
- (ii) presentation of the Taser; or
- (iii) deployment of the Taser, in the performance of the officer's duties.

Use of a Taser for reporting purposes does not include use during Taser training, station loading and unloading procedures (including spark testing), or administrative tasks (e.g. downloading and storage).

The term use includes any and all subsequent actions carried out with the Taser.

POLICY

After an incident involving the use of a Taser, the officer who used the Taser is to:

- (i) notify as soon as practicable:
 - (a) the Duty Officer, Police Communications Centre (PCC) Brisbane to ensure the incident is recorded on the CAD system; or
 - (b) in areas outside those covered by PCC Brisbane, the communications coordinator of the relevant PCC to note on the CAD system or their running log as the case may be; or

(c) in areas where no police communications centre exists, the supervising commissioned officer or officer in charge for the time being of the station responsible for policing the area where the incident has occurred;

(ii) within 24 hours of the creation of the relevant QPRIME occurrence, ensure a 'Use of Force Report' is completed in the occurrence. If the officer is incapacitated, their supervisor is to ensure a 'Use of Force Report' is completed in the relevant QPRIME occurrence.

See s. 14.3.9: 'Use of force reporting' of this chapter.

(iii) prior to the end of the shift ensure a significant event message is submitted outlining the circumstances of the use (see Commissioner's Circular 16/2012: 'Significant Event Messaging System'). When completing the significant event message, the drop down menu in the subject field must be used and 'Taser Usage' selected as the category. Within the significant event message a summary of the incident should be provided including:

(a) the subject's behaviour and actions;

(b) the weapon(s) used or available to the subject;

(c) whether the subject was affected by alcohol and/or drugs;

(d) the perceived degree of threat to police and/or others;

(e) other persons involved;

(f) the officer's actions;

(g) whether the probes were deployed, drive stun used, presentation only or was the Taser pointed towards or held against the subject without activation;

(h) whether a verbal warning was given and if not, why not?; and

(i) whether any injuries were sustained and/or medical treatment required/provided by any person.

Where a Taser is used against an animal, a QPRIME 'Use of force report' and a significant event message are only required where the Taser is actually deployed.

The Duty Officer, communications coordinator, supervising commissioned officer or officer in charge notified of an incident involving a Taser is to advise the appropriate regional duty officer or district duty officer.

The officer in charge where the police officer using a Taser is stationed, is to:

(i) ensure that a QPRIME 'Use of Force Report' and significant event message has been submitted in relation to the incident; and

(ii) overview the incident to determine whether the use of the Taser was in accordance with Service policy and procedures.

Where practicable, the overview should include a face-to-face meeting between the officer in charge (or supervisor) and the officer who used the Taser.

If an officer unintentionally discharges a Taser, or deploys a Taser other than in accordance with s. 14.23.12: 'Safety issues' of this chapter, the deploying officer is to:

(i) submit a QPRIME 'Use of Force Report' outlining the circumstances of the incident;

(ii) notify the shift supervisor and their officer in charge of the incident (and/or district duty officer/regional duty officer per local SOPs);

(iii) in the case where any person was the subject of an unintentional discharge in either probe mode or drive stun mode, or significant damage to property was caused by the deployment, a significant event message is to be generated. Data from this device will be downloaded within 72 hours per [s. 14.23.18](#): 'Downloading data from a Taser' of this chapter;

(iv) the shift supervisor (or officer in charge, district duty officer or regional duty officer) will then make inquiries with a view to establishing the cause of the incident (e.g. memory lapse, lack of proficiency of Taser user, mechanical failure, operational issues, deliberate disregard of established policies or protocols, deliberate misuse of Taser); and

(v) the shift supervisor (or officer in charge, district duty officer or regional duty officer) will make a recommendation on how the matter will be dealt with (e.g. officer not permitted to use a Taser until further training undertaken, managerial guidance, sent for formal investigation re: misuse).

All incidents involving the use of a Service Taser will be reviewed by the relevant Chief Superintendent, Operations Coordinator, who will consider any use of a Taser within 72 hours of the event. See [s. 14.23.20](#): 'Review of Taser incidents' of this chapter.

If the use of the Taser was inappropriate or not in accordance with Service policy, see [s. 7.2](#): 'Duty concerning misconduct or breaches of discipline' of the *Police Service Administration Act* and 'Complaint Management' of the [Human Resources Policies](#).

14.23.11 Carriage of a Taser

POLICY

Qualified officers performing operational duties should, where appropriate, carry a Taser, if one is available.

When removing a Taser from a gun safe or other approved safe provided by the Service at their respective station or establishment, members are to inspect and load the weapon in compliance with the procedures outlined in Chapter 6: 'Station procedures' of the [Conducted Energy Weapon — Taser Good Practice Guide](#).

The Taser should be loaded with an air cartridge, ready for use, and carried on a utility belt in the holster provided for that purpose. A spare cartridge should be carried in the bottom of the 'extended digital power magazine' (XDPM).

Taser holsters should be carried securely fitted on a utility belt, on the side opposite the dominant hand, and worn in a 'crossdraw' manner (i.e. with the handle of the device facing forward).

Members are not to leave a Service Taser unattended in a vehicle or other place without good and sufficient reason. This may include:

- (i) members having to attend a situation where the carriage of a Taser poses a risk to security or safety, e.g. riot, serious street disturbance or authorised assembly;
- (ii) where the Taser restricts operational activity, e.g. members being involved in a rescue operation; or
- (iii) where it is necessary for special operational situations or circumstances, e.g. hostage or suicide negotiations.

Carriage of Taser by Plain clothes officers

POLICY

Qualified officers performing plain clothes duties may carry a Taser, if it is appropriate to the duties they are performing.

Tasers should only be carried by plain clothes officers:

- (i) in the Service issued holster provided for that purpose; and

(ii) securely fitted on a dress belt (or utility belt if available), on the side opposite the dominant hand, and worn in a 'crossdraw' manner (i.e. with the handle of the device facing forward). Plain clothes officers are not to carry Tasers in Service issued bumbags, or in other locations or positions.

If carrying a Service Taser exposed to view, plain clothes officers should carry their identification badge in such a position that it is also visible to members of the public.

Carriage of Tasers on aircraft and at airports

POLICY

Officers who intend to carry conducted energy weapons on commercial passenger airlines/prescribed aircraft, at airports, and on Police Air Wing aircraft, are to comply with [s. 14.11](#): 'Carriage of firearms, ammunition, handcuffs, batons, conducted energy weapons and Oleoresin Capsicum (OC) spray etc.' on aircraft and at airports of this chapter.

Carriage of Tasers in court

POLICY

Officers should not wear or carry a Service Taser, other than an exhibit, in court unless:

(i) authorised by the presiding magistrate or judge. This includes an officer performing duty as a court orderly; or

(ii) they are responding to an incident within those premises.

Carriage of Tasers in watchhouses

POLICY

Officers may carry Tasers in watchhouses. As with batons, oleoresin capsicum spray and handcuffs, there is no requirement for an officer to remove and store a Taser prior to entering a watchhouse.

Carriage of Tasers in correctional centres and detention centres

ORDER

Unless authorised or approved by the Chief Executive, Queensland Corrective Services, to take weapons into a correctional centre or detention centre, officers are to hand all Tasers to the correctional officer on duty at the entrance to a correctional centre or detention centre for safe keeping (see [s. 128](#): 'Taking prohibited thing into corrective services facility or giving prohibited thing to prisoner' of the *Corrective Services Act*).

Officers are to inspect all Tasers returned prior to leaving a correctional centre or detention centre to ensure they are undamaged.

See also [s. 14.14.1](#): 'Carriage of firearms and ammunition in correctional centres and detention centres' of this Manual.

Carriage of Tasers in hospitals

POLICY

Officers should exercise their discretion in regard to the carriage of conducted energy weapons (Tasers) within the confines of an authorised mental health high security unit, or medium security unit (see [s. 14.13](#): 'Carriage of firearms in hospitals' of this Manual). Officers should also consider the policy outlined in [s. 14.6.2](#): 'Security of weapons' of this Manual.

14.23.12 Safety issues

POLICY

Members are to:

- (i) treat every Taser as if it is armed and ready to deploy;
- (ii) keep hands away from the front of the Taser at all times particularly when loading or unloading an air cartridge;
- (iii) ensure the safety switch is activated and the Taser is in safe mode:
 - (a) before handing it to someone else;
 - (b) upon receiving it from someone else;
 - (c) before loading or removing an air cartridge from a Taser;
 - (d) when replacing the extended digital power magazine in the Taser; and
 - (e) whenever the Taser is not intended for immediate use; and
- (iv) perform a static electricity earthing drill before handling live Taser air cartridges.

A build up of naturally occurring static electricity in a person's body may, in extreme cases, cause the air cartridge to malfunction when handled.

Accordingly, members should:

- (i) ground themselves before handling, loading or unloading Taser air cartridges;
- (ii) where practicable, load and unload Taser air cartridges in a designated safe weapon clearing area (see s. 14.2: 'Definitions and references to legislation' in this chapter);
- (iii) never aim the Taser at the eyes or face of a person;
- (iv) never throw a Taser to someone else or attempt to catch a Taser;
- (v) never point a Taser at any person, or in any direction where a person is likely to be, unless it is actually intended to use the Taser against that person;
- (vi) observe security precautions consistent with the *Weapons Act* and Service policies; and
- (vii) not use, deploy or discharge a Taser unless in the performance of operational duties or Service approved training.

14.23.13 Storage

POLICY

Prior to ceasing duty, or where a Service Taser is not required for duty, members are to:

- (i) unload any Service Taser in their possession in compliance with the procedures outlined in Chapter 6: 'Station procedures' of the Conducted Energy Weapon — Taser Good Practice Guide;
- (ii) place the Taser in a gun safe or other approved safe provided at their respective station or establishment for the purpose (see Chapter 20: 'Minimum Storage Standards For Weapons Held in Police Facilities' of the Administration Manual);
- (iii) store the Taser with the extended digital power magazine (XDPM) inserted at all times. The XDPM must not be removed from the Taser when stored. If the XDPM requires replacement it should be carried out prior to storage (see s. 14.23.16: 'Replacing the Extended Digital Power Magazine (XDPM)' of this chapter); and

(iv) store any air cartridges, at their respective station or establishment, in a cool, dry and secure location, elsewhere to the Taser, with the blast doors of the air cartridges facing down.

Each member accessing a safe provided by the Service for the storage of Tasers is to ensure the safe is securely locked immediately after use.

Officers taking out or returning Taser equipment to its storage facilities are to complete the registers provided by the station or establishment for that purpose.

See also [s. 14.22](#): 'Responsibility for Service Equipment' of this chapter for requirements for storage of operation equipment generally.

14.23.14 Inspection and maintenance

POLICY

When obtaining a Taser, air cartridges and holster at the commencement of a shift, officers should:

- (i) inspect all equipment for visible signs of damage;
- (ii) check the energy or battery level of the extended digital power magazine. If the energy level is less than 20%, see [s. 14.23.16](#): 'Replacing the Extended Digital Power Magazine (XDPM)' of this chapter;
- (iii) conduct a spark test for one second visually ensuring there is an arc between the electrodes;
- (iv) check the expiration date of the air cartridges. If an air cartridge has expired see [s. 14.23.15](#): 'Used, damaged or expired air cartridges' of this chapter; and
- (v) before loading an air cartridge in the Taser, ensure the safety is 'on', inspect and if necessary wipe out the air cartridge firing bay with a dry cloth.

Officers are to immediately report to their officer in charge any damage, defect or unsatisfactory condition relating to, or the loss of a Taser, air cartridge, XDPM or holster.

A Taser should not be exposed to significant moisture or water. If the Taser unit becomes wet, officers are to comply with the procedures outlined in Chapter 13: 'Cleaning and maintenance' of the [Conducted Energy Weapon — Taser Good Practice Guide](#).

Officers in charge of stations and establishments are to:

- (i) ensure an inspection of Tasers, air cartridges and other ancillary equipment under their control, is carried out on a monthly basis. Particulars of these inspections are to be recorded in a register kept for this purpose. (see [s. 14.23.19](#): 'Recording of Taser equipment' of this chapter). Officers in charge of regions and commands may authorise that inspections of Tasers and ancillary equipment are undertaken at other specified time intervals in conjunction with local risk management practices; and
- (ii) immediately report to the district officer or other supervising commissioned officer the loss of, any damage or defect to, or any unsatisfactory condition relating to Service Taser equipment and comply with the provisions of the Financial Management Practice Manual in relation to any losses and, where appropriate, the recovery of debts resulting from the loss or destruction or damage to property while in the care of members.

See also [s. 14.23.17](#): 'Taser repairs and replacement' of this chapter.

14.23.15 Used, damaged or expired air cartridges

POLICY

Used or expended air cartridges may be disposed of as general refuse. However, prior to disposing of a used air cartridge, the serial number label is to be removed from the cartridge.

Air cartridges are to be forwarded to the Regional (or Command) Education and Training Coordinator, for training purposes if:

- (i) they have passed their expiration date; or
- (ii) the air cartridge has not been deployed but the blast doors have fallen off the cartridge. In such circumstances, although the cartridge may still fire, it may not do so reliably.

After disposal, officers in charge are to advise the Manager, West End Supply Centre so the Weapons Asset Control System can be updated with the date of expiry.

14.23.16 Replacing the Extended Digital Power Magazine (XDPM)

POLICY

When the XDPM energy level is less than 20%, a replacement should be obtained and inserted into the Taser.

The expended XDPM should then be forwarded to the Regional (or Command) Education and Training Coordinator, for training purposes.

When the XDPM energy level reads 1%, it is to be disposed of. Continued use beyond this energy level may cause potential data corruption in the Taser recording microprocessor.

To replace the XDPM in a Taser, officers are to comply with the relevant procedures outlined in the Conducted Energy Weapon — Taser Good Practice Guide.

14.23.17 Taser repairs and replacement

POLICY

Tasers which are damaged, defective or otherwise require servicing are to be forwarded to the Armoury Section, Logistics Branch.

PROCEDURE

Officers in charge of stations or establishments that require the repair or replacement of a damaged or defective Taser are to:

- (i) contact the Armoury Section, Logistics Branch for advice concerning the necessary arrangements; and
- (ii) where a replacement Taser is required, complete a QP 0413: 'Requisition for Weapons/Restricted Item' available on QPS Forms Select form and forward to the Armoury Section, Logistics Branch.

POLICY

If possible, the information recorded on a Taser is to be downloaded prior to forwarding the device to the Armoury Section, Logistics Branch (see s. 14.23.18: 'Downloading data from a Taser' of this chapter).

When a Taser is forwarded to the Armoury Section, Logistics Branch, any costs involved in the inspection, testing, repair or replacement of the equipment are to be met by the requesting region or command.

If a Taser is replaced or disposed of, the Manager, West End Supply Centre is to send a report outlining the description and serial number of the item and advising of its destruction to the Officer in Charge, Weapons Licensing, who is responsible for maintaining the QPS Weapons System.

14.23.18 Downloading data from a Taser

The Taser has an inbuilt system which can record the time, date, duration, battery status and the internal operating temperature at the time the Taser was used for its last 1500 activations.

POLICY

Where a Taser is deployed in either drive stun or probe mode, from 1 November 2009 the relevant District Officer or Manager is to ensure that as soon as practicable but within 72 hours, the data from the Taser used is downloaded by a person qualified to do so. The data downloaded is to be provided to the Regional or Command Significant Event Review Panel as a priority.

Firearms Training Officers or Taser Training Officers will generally be the person qualified to download this data.

Where the Ethical Standards Command (ESC) or the Crime and Misconduct Commission assumes responsibility for investigation of a matter involving a Taser, the data download is not to be conducted without the approval of the Superintendent, Internal Investigations Branch, ESC.

PROCEDURE

If required for court or other purposes, or where a Taser is being returned to the Armoury Section, Logistics Branch for repair or replacement, officers in charge of stations or establishments should contact the Officer in Charge, Operational Research and Advisory Unit, and make arrangements for the information recorded on the Taser to be extracted.

POLICY

The Officer in Charge, Operational Research and Advisory Unit may arrange on a periodic basis the downloading of data from Tasers within the Service.

14.23.19 Recording of Taser equipment

POLICY

The Manager, West End Supply Centre, is responsible for ensuring that the following information is recorded on the Weapons Asset Control System:

- (i) the district, or other organisational unit within the Service, each Taser and air cartridge is issued to;
- (ii) the serial number of each Taser and air cartridge; and
- (iii) the date of issue.

District officers or other organisational units are to maintain a local register of Taser equipment within their area of responsibility. Particulars to be recorded include:

- (i) the date of receipt of each item;
- (ii) the station or establishment each Taser and air cartridge is issued to;
- (iii) the serial number of each Taser and air cartridge;
- (iv) the date, reason and method of disposal for each item; and
- (v) Officers in charge of stations or establishments are to maintain a local register of all Taser equipment issued to their station or establishment. Particulars to be recorded include
 - (a) the date of receipt of each item;
 - (b) the serial number of each Taser and air cartridge;
 - (c) the expiry date of each air cartridge;
 - (d) the date each Taser and air cartridge was last inspected; and
 - (e) the date, reason and method of disposal for each item.

Officers in charge of stations or establishments are to also maintain a local register for the purpose of recording the issue and return of Taser equipment each shift. At a minimum such registers should record:

- (i) the time and date of signing the equipment in and out;
- (ii) the serial number of each Taser and air cartridge taken/returned;
- (iii) officer details including signature;
- (iv) brief details of any 'spark tests' or activations during the shift. However, in the case of Tasers used for training purposes under the control of Taser training officers, details of spark tests or activations during the shift are not required to be recorded; and
- (v) a comment section to record the condition of the Taser and air cartridges when returned and any damage, defect or unsatisfactory condition identified.

(The 'Taser Issue and Return Register' (QPB 70) has been developed for this purpose and is available from the West End Supply Centre, Logistics Branch).

All registers are to be accurately maintained and updated to reflect the acquisition, transfer or disposal of Tasers and air cartridges within the Service.

14.23.20 Review of Taser incidents

All incidents involving the use of a Service Taser will be reviewed by the relevant Chief Superintendent who is to consider any deployment in drive stun or probe mode of a Taser within 72 hours of the event. Section 14.23.18: 'Downloading data from a Taser' of this chapter refers. Significant Event Review Panels will also review the use of a Taser (see Commissioner's Circular 34/2008).

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APPENDIX 3:

Information sources and methodology

Overview

Our review drew on the following information sources:

- QPS Taser usage data from Taser Usage Reports (TURs), Use of Force Reports (UoFRs), significant event messages (SEMs), Taser download data and Significant Event Review Panel (SERP) findings
- interviews with senior police, trainers and general duties police officers in the QPS
- consultations with representatives from key community and legal groups.

Information sources

QPS Taser usage data

Taser Usage Reports

Until 30 June 2012, QPS officers were required to submit a Taser Usage Report (TUR) via the QPS intranet after any incident in which a Taser was used. The TUR required the reporting officer to give information about, among other things:

- the context of the incident
- the characteristics of the subject/s
- how the Taser was used
- whether the subject/s or police sustained any injuries
- whether any person required medical treatment.

We analysed all TURs submitted by QPS officers in relation to multiple and/or prolonged Taser deployments between 22 September 2009 and 30 June 2012.

Use of Force Reports

Since 1 July 2012, QPS officers are required to submit a Use of Force Report (UoFR) in QPRIME after any incident in which a Taser is used. The UoFR captures similar information to the TUR. We analysed all UoFRs submitted by QPS officers in relation to multiple and/or prolonged Taser deployments between 1 July 2012 and 31 December 2012.

Significant event messages

The QPS has a Significant Event Messaging System. It is designed to give senior members in the QPS concise and timely information about certain types of police incidents, including any Taser use. We analysed all significant event messages (SEMs) submitted by QPS officers in relation to multiple and/or prolonged Taser deployments between 22 September 2009 and 31 December 2012.

Taser download data

Each Taser has an inbuilt system that records the date, time and duration of the weapon's last 1500 activations, including operational deployments of the Taser. The data can be downloaded and used to create reports indicating when the weapon has been discharged and for how long. We analysed all available Taser download data for multiple and/or prolonged Taser deployments between 22 September 2009 and 31 December 2012.⁷¹

Taser download data do not indicate whether the person experienced the electrical effects of the Taser. There are various possible reasons for a Taser deployment not resulting in an effective connection, including one or both probes missing the target, or thick clothing that prevents an electrical circuit from being formed.

Significant Event Review Panel findings

All Taser uses in the QPS are reviewed by one of the Significant Event Review Panels (SERPs), which exist in all QPS regions and commands to review significant event matters. We examined all available SERP findings for multiple and/or prolonged Taser deployments between 22 September 2009 and 31 December 2012.⁷²

The level of information contained in the SERP reports varied considerably. Some reports provided very little details about either the incident that was reviewed or the processes and discussions undertaken by the SERP.

Consultations with QPS officers

We consulted with 38 QPS officers, including:

- general duties police officers from the South Eastern Region,^{73, 74} including 14 officers who were involved in a multiple or prolonged Taser deployment
- officers from the South Eastern Region who review Taser deployments or have training responsibilities
- Taser trainers from the Operational Skills Training Unit
- a senior police officer from the Ethical Standards Command.

Throughout this report, we have included some quotes from these consultations to highlight key points. It is important to note that these are individuals' viewpoints and do not necessarily represent the views of the QPS.

71 We received Taser download data for 120 of the 123 incidents we reviewed.

72 We received SERP findings for 86 of the 123 incidents we reviewed.

73 Because of time and operational constraints, it was not possible to visit all of the QPS regions where a Taser had been deployed for a multiple or prolonged cycle. The QPS's South Eastern Region was selected as a case study area for consultations because this region had the highest proportion of multiple and prolonged deployments during the period of this review.

74 The South Eastern Region currently comprises the Logan, Coomera and Gold Coast police districts. It is the largest region in the QPS by both population (over 830 000 as at 30 June 2012) and number of police officers (1502 as at June 2012).

Consultations with representatives from community and legal groups

We consulted representatives from:

- the Aboriginal and Torres Strait Islander Legal Service
- the Queensland Alliance for Mental Health
- the Queensland Council for Civil Liberties
- the Queensland Police Union of Employees.

As for our consultations with police officers, any quotations from these consultations are individuals' viewpoints and do not necessarily represent the views of their organisation.

Data analysis notes

During an incident, a person ("the subject person") can be the target of multiple or prolonged Taser cycles either by the same officer or by different officers. Medical research on multiple and prolonged deployments, and recent international guidelines, focus on the total amount of time a person is exposed to a Taser cycle, regardless of whether the multiple or prolonged cycle was deployed by one officer or multiple officers. This is also generally consistent with how the QPS SERPs assess these matters. For these reasons, the unit of analysis for this review was the "subject person".

We considered any incident where the subject person was the target of more than one Taser cycle by either the same officer or by different officers to be a "multiple deployment" or "multiple incident". Similarly, we considered any incident where one or more officers discharged their Taser for longer than the standard 5 seconds at the same person to be a "prolonged deployment" or "prolonged incident".

Missing data

Valid percentages are reported throughout. Cases with missing data were excluded on an analysis by analysis basis; as a result, total sample sizes vary slightly between analyses. The figures presented in this report also exclude Taser uses by officers from the QPS's Special Emergency Response Team.

Categorising the subject person's behaviour

Using the information available to us in the TURs, UoFRs and SEMs, we attempted to categorise the behaviour of the subject person before each Taser deployment. In doing so, we focused on the behaviour immediately before the initial Taser deployment.

It is important to note that, because our categorisations were often based on limited information, our categorisation of the person's behaviour reflects their behaviour as described by the reporting officer, and does not necessarily reflect the person's actual behaviour. In some cases, the person's behaviour did not always neatly fit into one category. In these cases, we allocated the behaviour to the more "serious" category.

As shown in Table A3.1, we identified seven categories of behaviour. Although there is some overlap in categories, we felt that it was important to capture the different situations confronting police officers.

Table A3.1: Subject person behaviour categories

Category	Description
Armed, displaying behaviours likely to cause grievous bodily harm or death	This included people who were armed, and were advancing towards police or members of the public, throwing weapons or threatening to kill police or members of the public.
Unarmed, displaying behaviours likely to cause grievous bodily harm or death	These people were pushing police onto oncoming traffic, strangling a person, or choking a police officer.
Armed, threatening or actually self-harming	This included people who were self-harming or appeared about to self-harm — for example, holding a knife against their skin.
Armed, assaultive	This included people who were armed and struggling with police, assaulting police, advancing towards police or throwing objects.
Unarmed, assaultive	These people were not armed but were actually assaulting a person or displaying signs that they were preparing to fight, such as advancing towards police or shaping up in a fighting stance.
Unarmed, threatening harm	This included a person who was threatening members of the public.
Unarmed, active or passive resistance	This included people who were refusing to cooperate with police officers' directions. This included people who offered little or no physical action as well as people who made more overt actions, such as walking or running away.

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Abbreviations used in this report

AIC	Australian Institute of Criminology
CEW	conducted energy weapon <i>or</i> conducted electrical weapon
CMC	Crime and Misconduct Commission
COPS	(Office of) Community Oriented Policing Services (US)
NIJ	National Institute of Justice (US)
NSW	New South Wales
OPM	Operational Procedures Manual (QPS)
PERF	Police Executive Research Forum (US)
QPS	Queensland Police Service
SEM	significant event message
SERP	Significant Event Review Panel
TUR	Taser Usage Report
UoFR	Use of Force Report
US	United States

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