

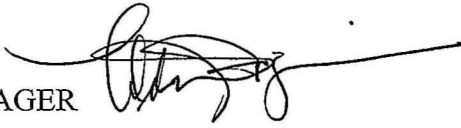


MEETING DATE: 10/17/05
ITEM NO. 7

COUNCIL AGENDA REPORT

DATE: SEPTEMBER 26, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER 

SUBJECT: AUTHORIZE EXPENDITURE OF \$41,240 TO TASER INTERNATIONAL FOR THE PURCHASE OF FORTY-ONE ELECTRO-MUSCULAR DISRUPTION TECHNOLOGY (EMDT) DEVICES FOR THE POLICE DEPARTMENT

RECOMMENDATION:


Authorize expenditure of \$41,240 to Taser International for the purchase of forty-one electro-muscular disruption technology (EMDT) devices for the police department.

BACKGROUND:

The Police Department has been researching the feasibility of introducing EMDT devices for approximately 18 months. As a result, staff believes that with proper training and a solid policy governing the use and restrictions of the EMDT, the police department will be equipped with a device that will potentially reduce the need for deadly force on violent or physically resisting suspects and decrease the chances of the public, officers or suspects being injured in the field.

DISCUSSION:

EMDT devices, commonly referred to as "Tasers," have been in existence for over 20 years. However, over the course of the last 5 years, EMDT's technology has improved and more than 7,000 police agencies across the country and abroad have implemented them. In this county alone, six agencies have been using the device for several months or years. Staff has carefully researched the use of this device, have read several agency policies, and reviewed training curriculum before bringing this matter to Council. Staff believes this device will be a valuable tool for the police department to manage the physical confrontations that officers face in Los Gatos and Monte Sereno.

PREPARED BY: Scott R. Seaman
Chief of Police 

Reviewed by: DS Assistant Town Manager dt Town Attorney _____ Clerk Administrator
WJ Finance _____ Community Development Revised: 10/10/05 9:57 am

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The Los Gatos/Monte Sereno Police Department have experienced multiple instances in each of the past several years where suspects have violently resisted arrest, or have dealt with mentally ill individuals who pose a threat to officers or others. While officers have used available tools to handle these situations, staff believes there is a definite need for this additional force option.

Using compressed nitrogen, the EMDT operates by firing two "probes" at a subject. Once embedded in the person, or in their clothing, it delivers a measured amount of electricity into their central nervous system. Staff understand that there have been cases where a subject, during the arrest process, has had an EMDT used against them and subsequently died. However, research at this time does not conclusively show that EMDT's are solely responsible for the subject's death as there are usually other mitigating factors such as alcohol and/or drug intoxication, and/or intense physical exertion on the part of the subject that contributes to his/her death.

The EMDT is primarily manufactured by Taser International, thus the common reference to "Taser." While there are other manufacturers of similar devices on the market currently, staff desires to purchase the devices from Taser International as a sole source. Staff research has shown that Taser International is the predominant choice among law enforcement.

The police department's policy on EMDT's was written after several reviews of model policies across the country. The policy dictates the EMDT will be used under objectively reasonable standards and will not be intended as a substitute for solid verbal and physical defensive tactics. The use of the EMDT's will be documented per the department's use of force policy, and will be reviewed on an on-going basis. One sergeant and three officers have also already completed Taser International's Instructor School and are prepared to train the sworn members of the department in December and January. The Association of Bay Area Governments (ABAG) has established a grant program to promote use of this technology within police departments. Under the program, ABAG will reimburse agency purchase costs up to \$10,000. This expenditure would qualify for the grant reimbursement.

CONCLUSION:

Staff recommends Council approve the budget expenditure to purchase EMDT devices for the police department.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

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FISCAL IMPACT:

The cost to equip each police officer and sergeant with EMDT's is \$41,240. This includes holsters, batteries, training cartridges and computer software to download data from the EMDT's. The expenditure will be absorbed by the police department's operating budget, account 4030 60530.

Upon receipt of a purchase order or invoice, ABAG will reimburse the Town \$10,000 for the purchase of EMDT's. The final cost to the Town will be \$31,240.

Attachments:

None

Distribution:

General