

Village of Lake Hallie Police

418 – Conducted Energy Weapons

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Issued by: Chief Edward A. Orgon, Jr.
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I. PURPOSE

The purpose of this policy is to provide trained law enforcement officers of this agency with guidelines for the safe use and deployment of department approved Conducted Energy Weapons. (TASER X26, M26, and the like)

II. POLICY

A Conducted Energy Weapon (CEW) may be used by trained officers when a subject is threatening to actively resist or is actively resisting an Officer and the subject poses an articulable threat of harm to an officer or another person. It may also be used when a subject poses a threat of harm to him/herself such as a self-inflicting injury or a suicide attempt.

III. DEFINITIONS:

Conducted Energy Weapon (CEW): A Less-Lethal electronic incapacitation device that uses EMD (Electro-Muscular Disruption) to override the nervous system and cause instant loss of muscular control over the body.

Deployment: The activation of a CEW resulting in an arcing of the unit, a contact maneuver on a subject or animal, and/or the discharge of an air cartridge whether or not the probes strike their intended target. The mere display or threat of use of the CEW is not a deployment.

Drive Stun: The act of firmly pressing the front of the CEW against the subject's body and "driving" it into the subject's body when the cartridge has been deployed or removed from the end of the weapon.

Taser: A CEW developed by Taser International. The Taser X26 and M26 utilize compressed nitrogen to shoot two small probes up to 21 feet. These probes are connected to the weapon by high voltage insulated wire. When the probes make contact with the target, powerful electronic pulses are transmitted along the wires into the target.

Test Arc: The act of squeezing the trigger on a CEW with the cartridge removed to cause a visual display of electricity to occur across the electrodes on the front of the weapon.

IV. PROCEDURES:

A. Qualification

1. Officers must successfully complete an authorized training class approved by the Lake Hallie Police Department before they can carry a CEW.
2. Officers may only carry department issued or approved CEW's, holsters, and cartridges.
 - a. At no time will officers make changes, adjustments, modifications, or attempt to disassemble a CEW, cartridge or holster.
 - b. Officers shall immediately cease carrying any CEW or cartridge that they suspect may be defective or otherwise not be in proper working order. The defect or problem shall be reported to the officer's supervisor.

B. Criteria for use of a Conductive Energy Weapon

1. An officer shall not brandish, display, or threaten to use, or use a CEW unless the officer reasonably believes its use may become justified or anticipated.
2. An officer shall not make or threaten any disparaging remarks about being "electrocuted, charged, juiced" or the like, to a subject before, during, or after deployment of a CEW. The term "tased" is acceptable.
3. The use of a CEW is not a substitute for Deadly Force and the use of Lethal Cover shall be required for all in cases when a subject poses a Deadly Weapon.
 - a. No officer shall attempt to resolve a situation alone on those types of situations that would reasonably require more than one officer, merely because the officer possesses a CEW.
4. A CEW should not knowingly be used:
 - a. Near flammable gas or liquids.
 - b. In cases of Passive Resistance unless there poses an articulable threat harm to officers or others.
 - c. In an attempt to gain information from a subject.
 - d. Against a subject in custody unless physical resistance of the subject must be overcome.

- e. To wake an intoxicated subject or as a form of “prodding” them.

C. Deployment of CEW

1. Deployment of the CEW shall be in accordance with the Department approved training that an officer received.
 - a. Officers will not intentionally target the head and neck area of a subject.
 - b. Officers will not perform a test arc unless the threat of force is justified in order to gain compliance from a subject.
 - c. Prior to deployment, an officer shall make a reasonable assessment for potential of injury to a subject who is running, traveling at high speeds, or in an elevated position.
 - d. Officers shall immediately notify dispatch after a CEW has been deployed.
 - e. Whenever a CEW is to be deployed, if time permits, the deploying officer should attempt to notify other officers and dispatch that a CEW is being deployed and not lethal force. The announcement “Taser” to alert other officers is appropriate.

D. Post Deployment

1. Once a subject is safely secured and in custody, only trained officers shall remove the probes.
 - a. If the probe(s) penetrates a sensitive or soft tissue area such as the face, neck, head, or genitalia, only medical personnel shall remove them.
 - b. Removed probes shall be handled as a biohazard.
2. Officers shall monitor the subject for adverse reactions and inform the receiving agency (jail, secure detention, crisis center, and other agencies) that the subject has been “tased”. Whenever there is doubt concerning the need for medical attention, it should be resolved through the examination of the subject by an appropriate medical personnel.
3. In the event of an adverse reaction or if requested by the subject, transportation shall be arranged to a medical facility.

4. If a “drive stun” technique has been used on a subject, photographs shall be taken of the area where the technique was applied, and any effected burn areas shall be depicted in the photo.
5. If a probe deployment technique has been used on a subject, photographs shall be taken of the area the probes struck after removal.
6. Officers shall follow section D of this policy and seek medical clearance of “tased” subject in accordance with any jail rule or guidelines.
7. Following deployment of a CEW, officers shall document the use of force.
8. It is the deploying officer’s responsibility to obtain a new cartridge(s) prior to ending his/her shift.

E. Animal Deployment

1. The full effect of a CEW on animals is not yet proven. Animals have been shown to quickly recover from the effects due to a difference in their nervous system. Officers should be prepared to act quickly with other restraint devices once a CEW has been deployed against an animal. In all situations, the officer’s safety and the safety of the public shall be considered first prior to deployment.
2. Officers may use a CEW on animals if the officer reasonably believes that the animal is vicious and is threatening and/or attacking another officer, citizen, or other animal; or if the animal is a public nuisance and needs to be controlled, and the use of other force would not be appropriate or safe.
3. Officers shall use reasonable care when deploying a “taser” when a police K-9 is near the subject about to be “tased”.

V. Civil or Criminal Liability

- A. This policy is for internal use only and does not enlarge an officer’s civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims.
- B. Violations of this policy, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.