

Sample Law Enforcement Agency	
Unit: Law Enforcement Agency Policies	Directive Number: K - 0002 - A
Title: Electronic Control Devices ("ECD") Policy - Advanced TASER®¹ (M26 or X26) ECDs	Effective Date: January 9, 2006
Index:	Revision Date:
Issued by: Chief, Sheriff, or Executive Officer	Issued On: January 9, 2006
State Statutory References:	
CALEA Standard References: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.8, 1.3.9, 1.3.10, 1.3.13	
State Accreditation References:	
Also Refer to: Electronic Control Devices ("ECD") Policy - Training Addendum, and Electronic Control Devices ("ECD") Policy - Procedure Addendum	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way (except as noted herein). This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s).

1. **Primary Goal** - To establish this Department's policy regarding electronic control devices ("ECD").
2. **Policy** - The policy of this Department is to accomplish its mission as effectively as possible within the bounds of applicable law(s).
3. **ECD Training and Certification:**
 - a. **ECD Authorization** - Only trained and qualified Department officers may carry and/or use an ECD. TASER International, Inc. does not certify users, the Department or other entity is the user certifying authority.
 - b. **ECD Training** - All members of the Department who carry and/or use an ECD must first successfully complete a Department approved and mandated ECD familiarization program, to include written and practical tests.
 - 1) **ECD Re-Certification** - A mandatory annual re-certification program will be successfully completed.
 - 2) **35' Cartridge Training** - Any member of the Department who will use a 35' cartridge must receive special training and be qualified regarding the foreseeable trajectory of cartridge deployment.

1. "TASER" is a registered trademark of TASER International, Inc., Scottsdale, AZ.

- c. **Certified Instructors** - All Department ECD certification programs will be presented by a TASER International, Inc. certified (or equivalent) ECD instructor. The ECD instructor must be certified with both the M26 and the X26.
 - d. **Department's Discretion** - The Department's ECD training programs, just like its operational policies, procedures, and guidelines, are solely at the discretion and responsibility of the ECD trainers and management, but ultimate authority with the Department administrator.
 - e. **Training Records** - The Department shall maintain ECD training and certification records.
4. **Verbal Commands** – In an attempt to minimize the number of ECD discharges needed for subject compliance, officers should, while deploying the ECD, reasonably direct (order) the suspect as the incident mandates. Such verbal commands may include, “stop resisting,” “lie flat,” “put hands behind your back,” etc.
5. **Drive-Stun Mode (or “Touch-Stun”)** - The use of an ECD in “drive-stun” mode will not reliably or foreseeably incapacitate the subject. Officers will not use ECDs in drive-stun mode if they reasonably believe that discomfort will not cause the subject to be compliant with the officers, e.g. ECD use in drive-stun mode on a drug induced highly pain-resistant subject.
6. **ECD shall not be used:**
- a. punitively.
 - b. in drive-stun, or touch-stun, mode as a prod or escort device.
 - c. to rouse unconscious, impaired, or intoxicated individuals.
 - d. for horse play or clowning around or in an unprofessional manner.
 - e. to experiment on a person or allow a person to experience the ECD, even if the person requests it, when the ECD's use would not otherwise be allowed by this policy. This ECD experience does not apply to voluntary ECD training exposures or ECD demonstrations as authorized by the Department..
 - f. for illegal purposes (e.g. illegal coercion, torture, etc.).
7. **ECDs may be used:**
- a. ECDs should only be used against persons who are actively resisting or exhibiting active aggression, or to prevent individuals from harming themselves or others:
 - 1) ECDs may be used when force is legally justified to prevent the reasonably foreseeable threat or actual attempted assault, battery, and/or injury to officers, other person, and/or the subject; or
 - 2) In cases where officer / subject factors reasonably indicate that the officers, offender, and/or other person(s) likely be endangered by the use of passive and/or active force by the subject; and
 - 3) It is understood that deployments against humans may be very dynamic in nature and the probes may impact unintended areas.
 - b. to display the ECD's "test arc" or "painting the subject with the ECD's laser" in attempting to gain compliance of the subject where resistance, assault, and/or violence is reasonably anticipated.
 - c. during Department authorized training programs and/or demonstrations.

8. **Elevated ECD Application Risk Factors** – The following factors, where apparent to involved officers, require elevated justification of ECD application. Under the following conditions the risks of foreseeable direct or secondary injuries are foreseeably elevated, thus officers' justification(s) for ECD application are also elevated. These elevated risk factors can only be given consideration when the factors are reasonably perceived by the officers:
 - a. Presence of flammable liquids/fumes or explosive environments
 - b. Elevated positions
 - c. Person operating moving vehicle or machinery
 - d. Person running (fleeing)
 - e. Pregnant female
 - f. Swimming pool or other body of water
 - g. Intentional ECD application to sensitive areas
 - h. Frail or infirm individual
 - i. Non-standard repeated ECD applications

9. **Societal perceptions and concerns creating need for elevated justification factors** - The following factors involve groups of people from which the general public commonly assumes that these individuals are not capable of being an imminent threat of death and/or serious bodily harm, or that these people should be treated more sensitively and compassionately by officers. Officers understand that the realities are that individuals from each of these groups do commit violent crimes, can be an imminent threat of death and/or serious bodily harm to officers, others, and themselves, can be so resistive that the use of ECDs are eminently justified, etc. However, since society generally places individuals within these groups into protected classes, officers using an ECD on one of these individuals will foreseeably be placed under heightened scrutiny and will likely be required to provide additional justification(s) for the use of the ECD. These groups include:
 - a. Children
 - b. Seniors
 - c. Restrained subjects
 - d. Passive subjects who are being seized

10. **ECD use on detainees:**
 - a. An ECD may be used against combative, assaultive, foreseeably violent detainees as provided for ECD use against any person under this policy.

11. **Other ECD Factors to Consider:**
 - a. **ECD is Not a Substitute for Deadly Force** - An ECD should generally not be used as a substitute for deadly force and should not be used in those situations. In deadly force situations, officers' decision(s) to deploy the ECD should be backed up with the immediate availability of deadly force.

 - b. **ECD vs. Handgun** - Prior to the deployment of an ECD the officers deploying the ECD have the responsibility to reasonably visually and physically confirm that the use-of-force tool selected is in fact an ECD and not a firearm – in order to avoid weapon's confusion.

12. **Post ECD Medical Attention:**
 - a. If officers reasonably believe that the subject upon whom the ECD was used exhibits any sign of medical distress, the officers shall render aid and summon emergency medical care.

 - b. If needed, reasonable and appropriate, medical personnel shall be summoned to the scene to assess the ECD subject. If the exam or other circumstances dictate the subject needs further medical treatment the subject shall be transported by reasonable means to a suitable medical facility per Department transport guidelines.

 - c. Medical treatment will not be refused for anyone who requests it.

- d. If officers reasonably believe that the subject is in need of medical treatment the officers shall make reasonable efforts to obtain such treatment.
 - e. If safety circumstances reasonably dictate moving the subject to another location, officers may arrange to have emergency medical personnel meet the officers and the subject at another location to assess the subject and render care.
 - f. If emergency medical care or transport is not reasonably available, or if the perceived response delay appears excessive, then per Department policies the subject may be transported by the officers for medical evaluation (not face-down transport). During transport the officers shall reasonably monitor the subject's observable physical condition.
13. **Probe Removal:**
- a. Some probes may remove themselves from skin or clothing. If a subject, who has a probe embedded in his or her body, requests that the probe be removed by medical personnel, then the officers shall arrange for medical personnel to remove the probes.
 - b. **Sensitive Areas** - Medical personnel shall remove probes located in sensitive areas.
 - c. **Non-Sensitive Areas** - Removal of probes in non-sensitive areas may be done by officers according to probe-removal training guidelines, which include the wearing of bio-protective gloves. Officers, or other trained personnel, will provide first aid following removal of the probes by applying iodine or alcohol wipes, and band-aids to the probe sites as needed. Officers should inspect the probes after removal to see that the entire probe and probe barb has been removed. In the event that a probe, or probe barb, has broken off and it is still embedded in a subject's skin, the subject shall be provided appropriate medical attention to facilitate the removal of the object.
14. **Supervisor Response to ECD Use** - Where appropriate and reasonable [Department's option: many departments do not have supervisors readily available]:
- a. Supervisor shall be advised of any ECD use.
 - b. Supervisor should respond to the scene of the ECD use.
 - c. Supervisor shall review with the officers the circumstances under which the ECD was used.
 - d. Supervisor shall review and follow-up on the officer's ECD use report.
 - e. As circumstances indicate, supervisor shall follow-up on forwarding the officers' ECD use report as appropriate.
15. **Photographs:**
- a. When lawful and appropriate to do so, photographs should be taken of probe impact sites and any other related injuries as soon as reasonable to do so.
 - 1) In some instances photographs may **not** be taken, such as in some cases of juveniles or when the probes impacted genitals, female's breasts, etc. It is important to preserve evidence of the ECD use, however, it is also important to not violate any medical, HIPPA, or privacy statutes or other legal restrictions.
16. **Probes - Biohazard:**
- a. Probes that have been deployed and strike the subject will be treated as biohazard sharps. They may be placed point down into the expended cartridge bores and secured (e.g. with latex glove(s), tape, etc.).

- b. Where ECD probe deployment is not a reasonably foreseeable issue, and where there is no indication of serious injury, probes and expended cartridges need not be routinely maintained as evidence. They shall be properly disposed of as directed by training.
 - c. If the incident is high-profile, or if serious injury is alleged, then the probes and the expended cartridge(s) shall be maintained as evidence appropriately secured, tagged, and identified as bio-hazard(s).
17. **AFIDs:**
- a. AFIDs shall only be collected and maintained as evidence if reasonably necessary, such as where identification of who discharged the ECD is a foreseeable problem or issue.
 - b. If officers determine that the AFIDs need to be collected and maintained as evidence, then officers will attempt to locate the AFIDs dispersed at the time of the cartridge discharge. If collected, these AFIDs will be placed into evidence with any expended cartridge(s).
18. **Detention Notification of ECD Application** - Detention personnel shall be informed that the subject was captured by use of an ECD.
19. **Transport concerns:**
- a. **Avoid Face-Down Transport** - Officers should avoid transporting a subject, who has been controlled by the use of a ECD (or any subject), face down.
 - b. **Avoid Transporting on Probes** - If probes are still in embedded in the subject, avoid transporting the subject in a position that would foreseeably further embed the probes in the subject.
20. **Use of ECD on Animals:**
- a. Using an ECD against animals may reduce the need for greater, more injurious force against such animals. The use of an ECD on an animal should be based on the intent to provide a safer, more humane and less traumatic conclusion to the incident.
 - b. An ECD may be deployed on an animal when:
 - 1) The animal is threatening or is attacking a person, including officers, another animal, or property.
 - 2) The animal has threatened or attacked a person, including officers, another animal, or has caused a continuing public nuisance and the animal needs to be captured for reason of public peace or safety, preservation of property, or other legitimate purpose; and the animal poses an active threat to officers in their efforts to perform their duty.
 - c. Center mass of the animal should be targeted. Care should be taken to avoid the head and other sensitive areas on the animal. It is understood that deployments against animals may be very dynamic in nature and the probes may impact unintended areas.
 - d. Procedures for probe removal should take place as outlined herein. Personnel will take reasonable measures to consider that the animal's welfare is provided for, in the event that probes impact a sensitive area, or it appears the animal's health is in jeopardy. It is generally understood that as long as personnel acted appropriately, the animal's owner will be responsible for any medical attention needed for the animal.
21. **ECD Use Report** - In addition to other Department UOF and/or incident reporting requirements, all written reports associated with the ECD related incident shall be completed before the end of the ECD deploying officers' shifts, or as reasonably possible thereafter. The ECD deployment documentation shall include for example:

- a. What precipitated the use of the ECD (include specific subject behavior(s)).
 - b. To what extent the ECD was utilized.
 - c. What were the known results of the ECD's utilization.
 - d. The name and rank of the responding and reviewing supervisor.
 - e. If medical personnel are involved with the subject, the report shall include the names and unit of responding medical personnel.
22. **Accidental Cartridge Discharge** - In the event of an accidental ECD cartridge discharge, the officers shall promptly notify their next level of command. The superior officer shall reasonably investigate the incident and prepare a written report documenting the incident. Alternatively, the supervisor shall have the officers prepare a written report and then the supervising officer shall make appropriate notifications and/or take other appropriate actions.

Sample Law Enforcement Agency	
Unit: Law Enforcement Agency Policies	Directive Number: R - 0002 - B
Title: Electronic Control Devices ("ECD") Policy - Procedure Addendum - Advanced TASER®¹ (M26 or X26) ECDs	Effective Date: January 9, 2006
Index:	Revision Date:
Issued by: Chief, Sheriff, or Executive Officer	Issued On: January 9, 2006
State Statutory References:	
CALEA Standard References: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.8, 1.3.9, 1.3.10, 1.3.13	
State Accreditation References:	
Also Refer to: Electronic Control Devices ("ECD") Policy, and Electronic Control Devices ("ECD") Policy - Training Addendum	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way (except as noted herein). This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s).

1. **ECD Issuance:**
 - a. **Authorized ECDs** - Officers may only carry and use M26 and/or X26 TASER ECDs.
 - b. **ECD Issuance Records:**
 - i. Specific Officer(s) Issuance:
 - (1) A record will be kept of all ECDs, their serial numbers, and which officers the ECD has been issued to.
 - (2) The Department shall designate a custodian of ECD records, the person responsible for collecting and maintaining all ECD records.
 - ii. Shift or Changing ECD Issuance – A check-in / check-out procedure will be established for partial or changing ECD issuance.
 - c. **ECD Cartridges:**
 - i. Officers may only carry and use appropriate TASER International, Inc. manufactured cartridges.
 - ii. A record of ECD cartridge serial numbers will be maintained by the Department. The log will be available for audit as deemed necessary by the Department. These logs shall be collected and maintained by the ECD records custodian.

1. "TASER" is a registered trademark of TASER International, Inc., Scottsdale, AZ.

- d. **No Alternations/Modifications** - No changes, alterations, modifications or substitutions shall be made to the ECD or the cartridges. All repairs to ECDs or accessories shall be completed by a Department authorized armorer or vendor. ECD repairs shall be documented and the records shall be maintained by the ECD records custodian.
 - e. **Officers' Responsibility for Damaged ECD/Cartridge** - Officers who are issued an ECD and/or cartridges are solely responsible for reporting to their supervisors promptly after learning that the ECD and/or the cartridges are damaged and/or in need of maintenance and/or repair. The supervisor will forward the damaged ECD/cartridge to the issuing person and provide, as reasonable, replacements to the officer.
 - f. **ECD Returned** - In the event that an ECD is returned for repairs or is no longer utilized for Department use the use history of that particular ECD will be down-loaded using the data port access and appropriate software. The use history will be maintained by the Department for a period of six (6) years from the date the ECD was taken out of service.
2. **ECD Inspection Prior to Shift** - prior to officers (carrying ECDs) commencing their shifts, the officers shall:
- a. Remove the cartridge from the ECD and briefly test arc (to observe the current battery condition and proper function) the ECD in a safe manner.
 - b. Visually inspect the ECD and the cartridges for noticeable wear or damage.
 - c. Documentation of checking – prior to shift – officers will note the ECD inspection on their daily reports. Documentation may be as brief as “ECD checked and ok.”
3. **ECD Use Histories** - ECD use histories will be run on each ECD as necessary. Mandatory ECD use history reports include:
- a. following claims of excessive force by ECD application,
 - b. hospitalization of the ECD subject following ECD application,
 - c. a death associated with ECD usage, and
 - d. claims of excessive numbers of ECD discharges.
4. **Dataport Tracking, Maintenance, and Care** - The ECD records custodian as the primary person responsible for maintaining and caring for the ECD. This person shall:
- a. Upon ECD discharge notification as previously outlined within this policy, download the discharge memory of the involved ECD.
 - b. Log and track ECDs and cartridges.
 - c. Conduct inspections of ECDs.
 - d. Order and maintain adequate cartridges and supplies.
5. **Reasonable ECD Protection** - The ECD is a highly sophisticated piece of electronic equipment that operates on batteries. Therefore, officers shall reasonably protect the ECDs and the cartridges from:
- a. Water, rain, snow, etc.
 - b. Temperature extremes. Cold temperatures can negatively effect battery life, usability, and effectiveness. Officers should reasonably insulate ECDs and cartridges from being unnecessarily exposed to cold conditions.

- c. Unreasonable exposure to dust, dirt, mud, etc.
 - d. Unreasonable risk of theft.
 - e. Unreasonable exposure to inclement ECD storage conditions (e.g., avoid storing an ECD in a vehicle where it could be unreasonably subject to theft).
 - f. Unreasonable accessibility to people other than members of this Department.
6. **Decision to Use the ECD:**
- a. **Legal Requirement Regarding Use of Force** - Any deployment/use of an ECD must be consistent with applicable law(s). Officers may use ECDs as allowed by applicable law(s). Officers shall not use ECDs when such use would violate applicable law(s).
 - b. **Training Requirement** - Any deployment/use of an ECD must be consistent with Department training.
 - c. **ECD Use** – The ECD, in probe deployment mode, provides a use-of-force (UOF) option which aids officers in maintaining distance from perceived threats. The use of ECDs in either mode may also prevent officers and subject injuries caused by subject resistance or non-compliance. Using ECDs may reduce the need for other types of physical force by the officers which could foreseeably result in potentially more serious or deadly injuries to the subject, officers, and/or others.
 - d. **Officers' Reasonable Beliefs** - Officers' decisions to deploy ECDs are dependant upon the reasonably believed (by the officers) actions of the subject(s) and/or real or perceived threat(s) facing the officers, coupled with the totality of the circumstances surrounding the incident.
 - e. **Potential for Injury** - ECDs are non-deadly use-of-force tools. However, ECDs, just like any UOF tool or technique, can foreseeably create physical and/or muscle stress and/or exertion or other unexpected, unforeseen or unanticipated primary (directly caused by the ECD) and/or secondary (as a result of the ECD use, but not directly caused by the ECD discharge) injuries.
 - f. **Subject Warning of ECD Application** - Where the totality of reasonably perceived (to the officers) circumstances reasonably permits officers to give a warning of the imminent application of ECDs in an attempt to cause the subject to comply with officers' lawful orders, officers may give the subject a warning and an opportunity to voluntarily comply. However, if officers reasonably believe that the giving of such warning may escalate the risk and/or danger of the incident or diminish the officers' or others' safety, then the officers are not required to give a warning. It is foreseeable that officers' announcement of imminent ECD deployment may cause the subject to attack the officers, flee, inflict self-injury, attempt to injure others, etc.
 - g. **Notification of ECD Imminent Use - Notifying Other On-Scene Officers** - The ECD deploying officers may reasonably notify any on-scene, assisting officers that they intend to deploy an ECD. Prior to deploying ECDs the deploying officers should consider announcing, if reasonably safe and feasible, "TASER! TASER! TASER!" The announcement should be made only if it would not reasonably further endanger any officers, other persons, or the suspect.
 - h. **ECD Target** - Center mass of the human body is the target area when discharging ECDs, particularly the center mass of the subject's back (preferred), as clothing tends to be tighter on this part of the body. Officers encountering subjects wearing heavy or loose clothing on the upper body may consider targeting the legs. Sensitive areas should not be intentionally targeted unless these areas can be justified as primary intended targets under the totality of the circumstances reasonably known to the officers at the time the ECDs are deployed.

- i. **ECD - Off** - The first cycle of ECD application is designed to capture the individual so that (s)he can be controlled or restrained, if no additional cycles are necessary the ECD safety should be activated.
 - j. **ECD Re-Application/Discharge** - If the subject of an ECD application continues fighting, resisting, threatening or continues to resist officers' actions, the officers may reapply, again discharge, the ECD. Note that application of an ECD causes physical exertion. And, each successive ECD applications/discharges will likely continue to cause physical exertion. If officers discharge an ECD several times the officers need to be aware of, and monitor, the subject's condition for signs of continuing physical distress.
7. **Actions after ECD Deployment:**
- a. Appropriate post-incident action should be taken to care for the injured, to apprehend suspects, and to protect the scene.
 - b. An ECD will not be left unattended except in exigent circumstances as when an officer is forced to act alone in taking custody of a subject reasonably posing imminent threat.
 - c. When reasonable and safe, the officer using the ECD shall notify dispatch of the ECD deployment/use.
8. **Post ECD Medical Attention:**
- a. If officers reasonably believe that the subject upon whom the ECD was used exhibits any sign of medical distress, the officers shall render aid and summon emergency medical care.
 - b. If needed, reasonable and appropriate, medical personnel shall be summoned to the scene to assess the ECD subject. If the exam or other circumstances dictate the subject needs further medical treatment the subject shall be transported by reasonable means to a suitable medical facility per Department transport guidelines.
 - c. Medical treatment will not be refused for anyone who requests it.
 - d. If officers reasonably believe that the subject is in need of medical treatment the officers shall make reasonable efforts to obtain such treatment.
 - e. If safety circumstances reasonably dictate moving the subject to another location, officers may arrange to have emergency medical personnel meet the officers and the subject at another location to assess the subject and render care.
 - f. If emergency medical care or transport is not reasonably available, or if the perceived response delay appears excessive, then per Department policies the subject may be transported by the officers for medical evaluation (not face-down transport). During transport the officers shall reasonably monitor the subject's observable physical condition.

Sample Law Enforcement Agency	
Unit: Law Enforcement Agency Policies	Directive Number: R - 0002 - C
Title: Electronic Control Devices ("ECD") Policy - Training Addendum - Advanced TASER®¹ (M26 or X26) ECDs	Effective Date: January 9, 2006
Index:	Revision Date:
Issued by: Chief, Sheriff, or Executive Officer	Issued On: January 9, 2006
State Statutory References:	
CALEA Standard References: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.8, 1.3.9, 1.3.10, 1.3.13	
State Accreditation References:	
Also Refer to: Electronic Control Devices ("ECD") Policy, and Electronic Control Devices ("ECD") Policy - Procedure Addendum	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way (except as noted herein). This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s).

1. **Definitions:**

- a. **Active Aggression** - A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.
- b. **Actively Resisting** - Physically evasive movements to defeat an officer's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.
- c. **AFID** - "Anti-Felon Identification" system provides accountability for each use of the ECD device via the dispersal of tiny unique coded tags every time the device is "probe deployed" – a cartridge is discharged.
- d. **Cartridge** - Refers to an Air Cartridge manufactured by TASER International, Inc. specifically for use with the Taser M26 or X26.
- e. **Detainee** - Refers to a person who is housed in a detention center, correctional facility, or other facility for the incarceration (temporary or long-term) of individuals.
- f. **ECD** - Electronic control device, is a conducted energy device. The ECD is a hand-held unit that can be used in two (2) modes:

1. "TASER" is a registered trademark of TASER International, Inc., Scottsdale, AZ.

- i. **“Probe Deployment” or “Probe Mode”** - Utilizing compressed nitrogen gas to propel two (2) darts on wires from a cartridge a maximum of thirty-five (35) feet (depending on the type of cartridge). The ECD sends an electrical signal to the probes, via small wires, which can disrupt the subject’s body’s ability to communicate messages from the brain to the muscles and likely (depending upon many factors, including the distance between the probes, probe placement, the depth of clothing on the person, etc.) usually causes motor-skill dysfunction.
 - ii. **Touch Stun** (a.k.a. “drive stun”) - Acting as a touch-stun system when the ECD is brought into immediate, or close proximity, contact with a subject’s body, or clothing. “Touch stun” only creates discomfort, due to the narrow spread of the ECD probes, touch-stun application will likely not create motor-skill dysfunction.
- g. **ECD Records Custodian** - The Department designated person responsible for collecting and maintaining ECD records.
- h. **ECD - The Advanced TASER ECD** (either M26 or X26 as manufactured by TASER International, Inc.) is an ECD use-of-force (“UOF”) tool.
- i. **ECD use:**
- i. **“ECD Displayed:”** The ECD is withdrawn from the holster and visible to the subject. The subject complies, or the incident concludes, without further use of the ECD.
 - ii. **“ECD Laser Painted:”** The ECD’s laser is activated and pointed in the direction of the suspect and in response to the Laser painting the suspect complies, or the incident concludes, without further use of the ECD.
 - iii. **“ECD Demonstrated:”** The ECD is withdrawn from the holster, the air cartridge removed and the electrical arcing is demonstrated to the subject to attempt to gain voluntary compliance.
 - iv. **“ECD Deployed:”** The ECD probes contact the subject’s body or clothing and/or a drive stun is used to attempt to gain compliance.
 - (1) Probe Deployment, or Probe Mode
 - (2) Touch Stun or Drive Stun Mode
- j. **Officers** - As used in this policy refers to certified (by this Department) law enforcement, correctional, and/or detention personnel who are trained and authorized by the Department to carry and use an ECD under the authority of this Department.
- k. **Passive Resistance** - Physical actions that do not prevent the officer’s attempt to control, for example, a person who remains in a limp, prone position, passive demonstrators, etc.
- l. **Sensitive Areas** - of a person’s body include areas such as the face, neck, groin or female’s breast
- m. **Sudden short-term discomfort** - ECD application generally causes an overwhelming instantaneous sensation of discomfort and can result in loss of voluntary muscle control. This overwhelming instantaneous discomfort usually ceases and dissipates almost immediately upon discontinuance of ECD discharge. The reason for the discomfort is usually associated with overwhelming activation of affected portions of the body’s sensory nervous system.
2. **ECD Exposure - [Department Option:** The Department solely determines whether officers are required to experience voluntary ECD exposure. TASER International, Inc. makes no recommendation whether ECD users should experience a voluntary ECD exposure – that decision is solely up to the Department.] If an officer chooses to receive a voluntary ECD exposure, the officer

shall before the voluntary exposure (1) read and understand all current ECD warnings, and (2) will read and execute the appropriate exposure waiver forms prior to the exposure.

3. **Notification of ECD Imminent Use - Notifying Other On-Scene Officers** - The ECD deploying officers may reasonably notify any on-scene, assisting officers that they intend to deploy an ECD. Prior to deploying ECDs the deploying officers should consider announcing, if reasonably safe and feasible, "TASER! TASER! TASER!" The announcement should be made only if it would not reasonably further endanger any officers, other persons, or the suspect. In at least one case where a knife wielding person heard the word "TASER," the subject immediately charged and attacked the officers. This attack resulted in the person being shot with a firearm.
4. **Multiple Simultaneous ECD Deployments/Uses** - Generally, no more than one officer should activate an ECD against a person at a time. However, in high-risk events more than one ECD can be utilized simultaneously, e.g. multiple officers are confronted by an EDP with a knife and the need to expeditiously and reliably incapacitate the person is high (to avoid the necessity of shooting the person with firearms).
5. **ECD Distance:**
 - a. The ECD in probe deployment mode has a normal effective range of thirteen (13) feet, with a fifteen (15) foot cartridge; nineteen (19) feet with a twenty-one (21) foot cartridge, twenty-one (21) feet with a twenty-five (25) foot cartridge, and thirty (30) feet with a thirty-five (35') foot cartridge.
 - b. Ranges under three (3) feet may not provide adequate distribution of the probes to allow the ECD to function to its full effectiveness at incapacitating the subject. However, discharging the ECD at a subject at a range closer than three (3) feet is usually not an escalated danger to the subject.
 - c. Point blank probe deployments have been demonstrated to not create any unreasonable additional risk of injury to the subject.
6. **EDP** - See "Emotionally Disturbed Persons."
7. **Emotionally Disturbed Persons ("EDP")** - see capture control guidelines as outlined in the Emotionally Disturbed Persons Policy.
8. **Verbal Commands** – In an attempt to minimize the number of ECD discharges needed to cause subject compliance, officers should, while deploying the ECD, reasonably direct (order) the suspect as the incident mandates. Such verbal commands may include, :stop resisting," "lie flat," "put hands behind your back," etc.
9. **Heightened ECD Application Risk Factors** – The following factors, where apparent to involved officers, require elevated justification of ECD application. Under the following conditions the risks of foreseeable direct or secondary injuries are foreseeably elevated, thus officers' justification(s) for ECD application are also elevated. These elevated risk factors can only be given consideration when the factors are reasonably perceived by the officers:
 - a. **Presence of flammable liquids/fumes or explosive environments**
 - i. Under limited circumstances, the discharge of ECDs may ignite flammable liquids/fumes. ECDs deployed at subjects who are reasonably perceived by the officers to have recently come into contact with flammable liquids/fumes, or in environments where flammable liquids/fumes are known to be present, may result in secondary injuries/burns. Officers should be especially aware of this potential flammability issue when present in known meth lab environments and/or similar environments or conditions.
 - ii. Other flammable environments include, but are not limited to: airplane refueling areas, sewers, laboratories, petroleum fueling stations, etc.

- iii. However, even though a person who has come into contact with a flammable liquid creates a higher degree of potential risk for the subject, the officers, and third parties in the proximity of the subject, the totality of the circumstances may indicate that the subject may still be subjected to an ECD. As an example, a person is flailing a knife approximately twenty (20) feet from officers. The officers know that the person has come into contact with lighter fluid and still has the fluid on his clothing. The person now starts aggressively walking toward the officers. Even though the officers have lethal (firearm) cover the officers may still reasonably perceive a decision to try to stop this subject's aggression with the ECD. And, the fact that the subject may have flammable liquid on his person does not create an absolute bar to the use of the ECD.
- b. **Elevated positions** - Reasonable considerations and care need to be taken when deploying an ECD on a subject who is in or on an elevated position or in circumstance where a fall resulting from the ECD application may reasonably and foreseeably cause substantial injury or death. Obviously, the higher the elevation or the more foreseeable the secondary injury from falling the greater the justification for the ECD application that will be required of the officers.
- c. **Person operating moving vehicle or machinery** - The use of an ECD on a person operating a moving vehicle or machinery could result in severe secondary consequences. Therefore, any application of an ECD on a person operating a moving vehicle or machinery will foreseeably require elevated justification(s) for the ECD use.
- d. **Person running (fleeing)** - A subject who is exposed to an ECD while running may foreseeably fall as a result of the ECD exposure combined by the running. Since this fall will foreseeably be dynamic the risks of secondary injuries (from the running momentum) will likely result in greater risks of injury. Therefore, elevated justification will be required for an ECD deployment on a running subject.
- e. **Pregnant female:**
 - i. Use of an ECD on a pregnant female may be alleged to cause injury to the woman and/or her fetus. Also, should a pregnant female fall onto her stomach during the ECD application there is an enhanced risk of secondary injuries. Therefore, where officers deploying ECDs reasonably believe the female subject to be pregnant greater justification for the ECD application will be required.
 - ii. Officers are not prohibited from using an ECD on a pregnant female in certain circumstances, as discussed in training. For example, officers encounter a crazed violent obviously pregnant female who appears to be under the influence of illegal drugs, alcohol, prescription medication, etc. She threatens to plunge a sharp object into her abdomen (and her baby). The officers facing this imminent threat may reasonably believe that the use of the ECD on this person may be a reasonable choice to attempt to save the lives of the fetus and the mother.
- f. **Swimming pool or other body of water** - If a person could reasonably and foreseeably fall into a swimming pool or body of water due to application of an ECD, the officers will need to have elevated justification for the ECD. The elevated risk is that the subject may not be able to prevent him or herself from drowning.
- g. **Intentional ECD application to sensitive areas** - If an officer intentionally applies an ECD to sensitive areas, greater legal justification will be required from the officer. It is understood that deployments against humans may be very dynamic in nature and the probes may impact unintended areas.
- h. **Frail or infirm individual** - If an officer uses an ECD on an obviously frail or infirm person greater justification will be required from the officer.

compliance. Also, if safety to the officers or others may be comprised by providing warning of the imminent use of an ECD, then the officers may appropriately decide not to give warning of the imminent ECD application.

11. **Use of an ECD on Animals:**

- a. ECD field deployments have shown positive results and the ECD has been an effective tool against animals. Animals have also shown the ability to quickly recover from the effects of the ECD. As soon as the ECD temporarily disables the animal, officers should be prepared to act quickly with capture, control devices or restraints, or to take other appropriate action(s).