

Bowie Police Department - General Orders



TITLE: CONDUCTED ELECTRICAL WEAPON		NUMBER: 407
EFFECTIVE DATE: 4/18/13		REVIEW DATE:
_ NEW X_ AMENDS _ RESCINDS		DATE: 4/8/16
AUTHORITY Chief John K. Nesky	ACCREDITATIONS STANDARDS 1.3.4, 1.3.5, 1.3.10	TOTAL PAGES 6

I. PURPOSE

The purpose of this policy is to establish guidelines for the use of Conducted Electrical Weapon (CEW).

II. POLICY

The Bowie Police Department has issued the Advanced TASER (X26, X26P, and X2) to select trained officers, to provide those officers with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of the Bowie Police Department that personnel may use the TASER when warranted, but only in accordance with the guidelines and procedures set forth in this directive and in the department’s use-of-force policy. The Department is committed to reducing the potential for violent confrontations with suspects we encounter. The Advanced Taser technology is one of those items, when used properly, is less likely to result in serious bodily injury.

III. PROCEDURES

A. Definitions

1. Taser: A conducted energy weapon using propelled wires to conduct energy that affects the sensory and motor functions of the central nervous system through electro-muscular disruption.
2. Deployment: When probes are fired or a drive stun is performed.
3. Dataport: Every time the Taser is fired, it stores the downloadable time and date of every discharge internally on a chip which is located at the back of the unit. This information cannot be erased or tampered with.
4. Drive Stun: Contact is made by pressing the front of the Taser with the cartridge removed or after the probes have been deployed into the body of a subject and activating the Taser. The drive stun causes localized pain in the area touched by the Taser. The drive stun does not incapacitate a subject but

may assist in bringing a subject under control. If a Taser is fired using the cartridge, at a distance of less than three feet, the effect will be similar to a drive stun.

5. Probes: The Taser is most effective when the cartridge is fired and the probes/darts make direct contact with the subject. Proper application should result in temporary immobilization of the subject.
6. Spark Display: a non-contact demonstration of the Taser's ability to discharge electricity. This is conducted only when the cartridge has been removed from the weapon. The purpose of this display is to convince the subject to comply with a lawful order and avoid the Taser being deployed in the drive stun or probe mode.

B. Authorization

1. Only personnel who have been trained, demonstrated proficiency, and have been issued a departmentally approved TASER and associated equipment, are authorized to carry and use it. All uniformed officers holding the rank of Sergeant or below who have demonstrated proficiency shall carry the Department-issued Taser at all times while in uniform. Proficiency must be demonstrated at least annually, and be monitored by a certified TASER instructor. An officer who does not fulfill the training requirement will not be authorized to carry the weapon. (CALEA 1.3.10)
2. Only the TASER (Model X26, X26P, X2), TASER holster (mounted on the officer's weak/support side of duty belt), and TASER cartridges for the users assigned model are authorized for use. Officers may purchase an X26 or X26P thigh holster at his/her own expense (weak/support side of duty belt) for the X26. This thigh holster shall be inspected and approved by the Chief of Police or his/her designee. After inspection the officer must re-qualify and display the proper holstering/un-holstering and retention of the X26 or X26P prior to final authorization.
3. (NOTE) Effective November 1st 2012 newly issued TASER X26 CEW's will no longer be issued with the TASER CAM re-chargeable camera. Newly issued TASERS will be issued with a standard TASER brand DPM (battery). All TASER Cams currently in service will remain in service until such time that they are no longer serviceable.
4. All DPM batteries for the X26 will remain in service until it reaches 60 percent battery life, at that time the DPM will be removed from service and replaced.
5. All DPM batteries for the X26P and X2 will remain in service until it has two (2) bars of battery life, at that time the DPM will be removed from service and replaced.
6. Prior to each tour of duty, officers who are assigned and authorized to carry the Taser shall inspect the cartridge and weapon.

7. Exception: The approved TASERS and holster (mounted on the officer's weak side) are authorized to be mounted on a tactical vest, such vest will only be utilized for tactical situations.

C. Usage Criteria

1. The use of a TASER is considered a use of force and will be employed in a manner consistent with the department's Use of Force Policy.
2. The TASER may be used when verbal dialogue has failed to bring about a subject's compliance, and the subject indicates the intention to actively resist the officer's efforts to arrest him/her, the subject is actively resisting arrest, or to prevent subjects from harming themselves or others.
3. A TASER may not be used on a fleeing suspect because of risk of injury unless circumstances warrant its use.
4. The TASER may be used to display the CEW's "test arc" or "painting the subject with its laser" in an attempt to gain compliance of the subject where resistance, assault, and/or violence is reasonably anticipated.
5. No more than one officer at a time should discharge a TASER against a person.
6. An officer must give a verbal warning "TASER!" prior to discharging the weapon on a suspect unless circumstances prohibit it. This will give (1) the suspect an opportunity to voluntarily comply with the officer's order and (2) other officers warning to either not engage or to disengage from the suspect before the TASER is deployed.
7. When discharging the TASER, the officer should only use it for one standard cycle (five seconds), release the trigger, and then stop and evaluate the situation. In an attempt to minimize the number of TASER discharges needed for subject compliance, officers should, while deploying the TASER, reasonably direct (order) the suspect as the incident mandates. Such verbal commands may include, "stop resisting," "lie flat," "put your hands behind your back," etc. Officers will only use the minimum number of activations necessary to place the suspect into custody.
8. Once a person is handcuffed or otherwise restrained, the use of the TASER is no longer justified. Officers will not use any restraint technique that impairs respiration of the suspect.
9. The TASER is not a substitute for deadly force, and generally should not be used in those situations. If a TASER trained Officer does deploy in those situations, the officer must have another officer present to provide deadly force cover.
10. When confronted by a suspect armed with a TASER, Officers may use deadly force to protect themselves or others from the use or threatened use of a TASER when the officer reasonably believes that deadly force would be used against them if they were to become incapacitated from the effects of a TASER deployment.

11. A TASER may be deployed on an animal when the animal is threatening or is attacking a person, including officers, another animal, or property.
12. Any time a TASER is intentionally used to subdue a suspect, photos of the probe impact site and any other injuries related to the TASER's usage must be taken at the scene, a medical facility, or at the police station by a person other than the officer who deployed the weapon.
13. When not in use, TASER's will be kept in a secure place, inaccessible to all persons who are not trained TASER operators of the department.

D. Elevated TASER Application Risk Factors and Justification Factors

1. The following situations, when apparent to involved officers, and because of the heightened risk of foreseeable direct or secondary injuries, require additional justification before a TASER can be used:
 - a. Presence of flammable liquids/fumes or explosive environments
 - b. Elevated positions
 - c. Person operating moving vehicle or machinery
 - d. Person running (fleeing)
 - e. Swimming pool or other body of water
 - f. Intentional TASER application to sensitive areas
 - g. Non-standard repeated TASER applications
2. **Use of a TASER on the following types of individuals require additional justification:**
 - a. Children
 - b. Seniors
 - c. Pregnant female
 - d. Frail or infirm person

E. Post TASER Medical Attention (CALEA 1.3.5)

1. All individuals who have been exposed to the TASER will be transported to the nearest hospital by EMS personnel for probe removal and medical evaluation. (This does not apply to officer exposure during training or if an officer receives a secondary exposure while taking a subject into custody).
2. EMS personnel will be summonsed to the scene by the deploying officer. If the probes have penetrated the skin, EMS personnel should be advised to not remove them prior to transport. The probes should only be removed by a doctor or authorized medical staff at the hospital.
3. Officers may remove probes which have penetrated clothing and are not intact with the skin. If this occurs, the subject is still required to be transported to the hospital by EMS personnel for a medical evaluation.
4. Should the probes impale a sensitive area, (head, neck, hands, feet or genitalia) officers will attempt to stabilize the probes in place until EMS personnel arrive on scene. Officers will instruct EMS personnel to continue probe stabilization

until the probes can be removed by a doctor or authorized medical staff at the hospital.

5. Scene security or volatility may necessitate selecting an alternative location for meeting medical personnel for transport. This may be accomplished by moving the subject to a neutral secure location, police facility and/or fire station.
6. Probes that have been deployed and strike the subject (penetrate the skin) will be treated as biohazard sharps. Probes that do not penetrate the skin shall be disposed of by placing them in an authorized sharps biohazard box. These boxes are located on all Prince George's County Fire Department Ambulances and all Medical Facilities. They may be placed point down into the expended cartridge bores and secured (i.e., with latex gloves(s), tape, until they can be properly disposed of.

F. AFID (Anti-Felon Identification) System

This system provides accountability for each use of the TASER via the dispersal of tiny coded tags. Every time the device is "probe deployed" - a cartridge is discharged. AFIDs must always be collected and maintained, along with the spent cartridge for a period of 6 months as evidence or a length of time to be determined as a result of any investigation involving use of force or in-death custody.

G. Immediate Supervisor Responsibilities

An on duty patrol supervisor at the time of occurrence is responsible for the following actions:

1. Respond immediately to all incidents of CEW deployment.
2. Ensure proper medical attention is requested
3. Ensure expended probes are treated and disposed of as biohazard sharps, unless required for evidence.
4. Ensure all reporting requirements are met and arrangements are made to transport the TASER to the Patrol Lieutenant for data port tracking and cartridge replacement.

H. Taser Coordinator

1. The Training Sergeant shall appoint a Taser Coordinator.
2. The Taser Coordinator will be responsible for the following:
 - a. Downloading the data from the Department's Tasers at least semi-annually.
 - b. Inspect Tasers for damage and malfunctions.
 - c. Replace Taser cartridges and make sure the cartridges have not expired.
 - e. Change batteries as needed.
 - f. Conduct Firmware updates.

I. Reporting Procedures

1. Accidental discharges, as well as intentional discharges of the TASER will be immediately reported to a supervisor.
2. A Use-of-Force Report will be completed following all discharges of the TASER except during testing and training. Although a Use-of-Force report is not required for an accidental discharge or use on an animal, an Incident Report is required.
3. Intentional discharges of the TASER on a person will be reported to Chief or Deputy Chief as soon as possible through the chain of command. A certified TASER instructor will conduct the data port download from the TASER and provide the officer a cartridge replacement as soon as possible, but no later than 72 hours after an incident. If the weapon is unable to be downloaded immediately after an incident, the weapon must be placed into Property and Evidence for downloading at a later time. A copy of the report generated through the data port download will be attached to the Use of Force Report and forwarded to the Administrative Sergeant. TASER replacement cartridges will be tracked, by the Administrative Sergeant.

IV. MAINTENANCE OF TASER

A. Officers shall keep their less-lethal weapons clean, in good working order, and maintain an acceptable power source when required.

B. Officers shall make no attempts to alter or repair their assigned Taser. If the Taser is in need of repair or is dysfunctional, the officer will notify his/her supervisor as soon as practical and return the item to the Taser Coordinator for repair or replacement.