

FRAMINGHAM POLICE DEPARTMENT		Next Review Date: 07/13/2020
Subject: Conducted Energy Weapons		Effective Date: 07/13/2020
Category: 100 – Operations		Expiration Date: Indefinite
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED:		POLICY 100-35
Distribution: Police Department	Issuing Authority <i>Ronald S. Brandolini</i> Ronald S. Brandolini Acting Chief of Police	

I. POLICY STATEMENT

It is the policy of this department to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. Conducted energy weapons have been proven effective in furtherance of this policy and are authorized for use in appropriate circumstances by trained and authorized personnel.

The purpose of this policy is to provide officers with guidance and direction on the use of conducted energy weapon (CEW).

II. DEFINITIONS

- A. Conducted Energy Weapons: Weapons designed to disrupt a subject’s central nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual’s voluntary motor responses.

- B. TASER- a product of Axon Enterprises Inc. currently used and authorized by this department. The Taser X2, with accommodating cartridge is the only authorized conducted energy weapon.
- C. Air Cartridge - A replaceable cartridge for the CEW which uses compressed nitrogen to fire two barbed probes/darts on thin connecting wires sending a high voltage/low current signal into a subject.
- D. CEW coordinator - Officer assigned to oversee CEW (Taser) training, inspections and records.

III. PROCEDURES

A. The TASER CEW

A TASER in probe deployment is designed to cause uncontrollable muscle contractions and reduced ability to perform voluntary movements. This is accomplished by delivering electrical pulses across two electrodes to over-stimulate the motor nerves.

Drive stun mode occurs when the TASER makes direct contact with the subject's body and does not override an individual's motor responses.

Reportable CEW Applications

There are three separate types of reportable CEW applications.

1. Spark Display- A non-contact demonstration of the CEWs ability to discharge electricity. Spark displays are conducted by pressing the arc button on the CEW. The purpose of this display is to convince the subject to comply with a lawful order and avoid the CEW being deployed in the Drive Stun or Probe mode. Spark checks conducted to test the unit at the beginning of the officer's shift are not reportable incidents.
2. Drive Stun Taser X2- Contact is made by pressing the front of the CEW into the body of a subject and activating the CEW. The Drive Stun causes significant localized pain in the area touched by the CEW but does not have a significant effect on the central nervous system. The Drive Stun does not incapacitate a subject but may assist in taking a subject into custody.

3. Probe- The CEW is most effective when the cartridge is fired and probes make direct contact with the subject. A successful deployment to target areas will result in temporary immobilization of a subject and provide the officer a “window of opportunity” in which to take the subject into custody. Optimum range for deployment is 7-15 feet with 25 foot maximum distance.

B. Authorized Users

1. Only officers who have satisfactorily completed one of the following courses shall be authorized to carry and/or use the CEW (TASER).
 - **Basic User** - 8-hour certification course.
 - **Instructor** - Instructor certification course as designated by Axon Enterprises Inc. (recertification required every two years)
2. All personnel authorized to carry these weapons shall complete a minimum of two hours of documented annual in-service refresher and proficiency training. Use of force and CEW policy review must be conducted and documented at each in service training of CEW. Each conducted energy weapon must have a documented inspection of weapon prior to issue.
3. Supervisors and Command Staff should, at a minimum, receive CEW awareness training so they can make educated decisions about the administrative investigations they review.

C. Weapon Readiness

1. The device will be carried by authorized officers in an approved holster on the support/weak side (opposite of the firearm side) of the body, either on duty belt or duty exterior vest carrier.
2. The device shall be carried fully armed with the safety on in preparation for immediate use when authorized. This weapon must be properly safeguarded and stored when not in use.
3. All accidental discharges must be immediately reported to the CEW coordinator and the Deputy Chief of Operations.

4. Only battery power sources recommended by the manufacturer and issued by the department shall be used in the CEW.
5. The CEW shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
6. CEW users should conduct a 5-second spark test every 24 hours or prior to each shift to ensure functionality. When conducting a TASER park test, officers point the TASER in a safe direction. If the fault icon appears or the battery is 20% or less, notify the CEW Coordinator or Instructor for replacement.

D. Deployment

There are two levels of force where CEWs are authorized:

1. COMPLIANCE TECHNIQUES- includes countermeasures designed to counter the subject's enhanced degree of resistance. These tactics could include the Control and Restraint techniques, Takedowns, Pressure Points and Distraction Techniques, OC spray, etc. Using the CEW in a DRIVE STUN mode would be justified as a Compliant Technique.
2. DEFENSIVE TACTICS- includes countermeasures designed to counter the subject's perceived non-lethal assault on the officer or others, regain control, and assure continued compliance. These tactics could include Weapon/ Weaponless Strikes, etc. When firing the CEW, it would be considered a Defensive Tactics tool with the goal of stopping an Assaultive (Bodily Harm) Subject.
3. Officers shall, unless it is not feasible to do so, give verbal warnings and/or announce their intention to use a CEW prior to actual discharge.
4. The preferred method for use of CEW's is in the probe mode.
5. When using a CEW, personnel should use it for one standard cycle (a standard cycle is five seconds) and pause to evaluate the situation to determine if subsequent cycles are necessary. If subsequent cycles are necessary, officers should restrict the

number and duration to only the minimum amount necessary to control and/or place the subject in custody under the existing circumstances. Personnel should constantly reassess the need for further activations after each CEW cycle and should consider that exposure to multiple applications of the CEW for longer than 15 second may increase the risk of serious injury or death.

Note: Officers should be aware that a lack of change in a subject's behavior often indicates that the electrical circuit has not been completed or is intermittent. When this is the case officers should immediately fire another cartridge or follow up with a drive-stun to complete the circuit rather than administering continued ineffective cycles.

6. The preferred targeting area is below the center mass of the subject's back, however it is recognized that it is not always possible to get behind the subject. Where back-targeting is not possible, frontal targeting should be lower center mass, intentional deployments to the chest shall be avoided where possible.
7. When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.
8. No more than one officer should intentionally activate a CEW against a subject at one time.
9. Attempt to avoid hitting the subject in sensitive tissue areas such as head, face, groin, or female breast area, however darts penetrating these areas will be removed by medical personnel at a medical facility.
10. CEW may be used to control an aggressive animal that is threatening the safety of a person.
11. Dual lasers should be used as the primary aiming device.

E. Restrictions

CEWs should not be used:

1. in the known presence of combustible vapors and liquids or other flammable substances;

2. against suspects in control of a motor vehicle in motion unless exigent circumstances exist;
3. on handcuffed persons unless they are actively resisting or exhibiting active aggression;
4. on pregnant women, young children **under the age of 17** or on elderly persons **over 70 years** of age, on visibly frail persons, or on persons with cardiac pacemakers (if known) unless exigent circumstances exist;
5. where the suspect is in a position where a fall may cause a substantial injury or death.

F. Aftercare

1. Normally, the CEW darts may be removed by a trained certified CEW user once the subject has been restrained using the procedure outlined in training. Universal precautions shall be followed to protect the officer from the transfer of body fluids.
2. EMS should be activated to remove probes and/or provide further medical care:
 - i. In all cases where the probe has penetrated sensitive tissue areas such as the eyes, genitalia, female breast or any place above the level of the clavicles.
 - ii. If the subject had a known pre-existing medical condition especially one affecting the cardio-vascular system i.e. a pacemaker, cardiac surgery.
 - iii. Where it appears that the tip of the barbed probe broke off and remains under the skin or if it appears the probe might be embedded in bone, a blood vessel or other sensitive structure.
 - iv. If the subject is found to be pregnant, has a witnessed seizure, has extensive bleeding at probe sites, signs of

respiratory distress or a change in his/her mental status.

- v. If it appears the subject has suffered any other injury from the use of the CEW or from falling when incapacitated by the CEW.
4. A subject exposed to a CEW activation will be monitored regularly while in police custody even if they received medical care.
5. Following a CEW activation, officers should use a restraint technique that does not impair respiration.
6. Photographs of the affected area should be taken after the probe is removed whenever possible.
7. When the device has been used operationally, the officer will collect as evidence, package, and mark as a biohazard; the air cartridge, wire leads, probes, as evidence. Several AFIDS should also be collected and packaged separately as evidence.

G. Supervisor Responsibilities

A Supervisor will respond to all incident scenes where a CEW was activated and:

1. Conduct an initial review of the CEW activation and ensure policy is adhered to.
2. Ensure photographs have been taken of the site of the probes impact and any related injury if possible.

H. Reporting

The deploying officer shall

1. notify his/her supervisor as soon as practical after using the device;
2. submit the CEW to the CEW coordinator as soon as

practical for data download, and

3. Complete the appropriate incident report and use of force report. Officers are required to report the use of a CEW, regardless of whether or not the use of the CEW was an effective application.

Reportable CEW incidents include verbal, visual, laser, and/or spark warnings, as well as probe and/or drive stun CEW deployments. A full narrative of the incident must include the area of body hit by probes/ drive stun and if the arrestee was compliant with or without probe deployment (i.e. spark test at scene and suspect voluntarily complies with arrest).

- A. Photographs taken of probe impact area and any related injuries (if any) must be included with the report.
- B. Copies of reports involving the use of a CEW shall be forwarded to the Chief and the CEW coordinator.
- C. The CEW coordinator should conduct random audits of CEW data downloads and reconcile use-of-force reports with recorded activations.
- D. The CEW coordinator shall forward all required reports of CEW activations to the Executive Office of Public Safety in accordance with Ma General Law. The report will contain:
 1. Statement containing the number of sworn Framingham Police Officers, number of CEWs owned by the department, number of incidents involving CEWs, and
 2. Copy of the incident report, and

3. Copy of data printout from the CEW.

I. Demonstrations & Training

All demonstrations and training involving the use (probe or drive stun) of a department owned conducted energy weapon must be authorized by the Chief of Police or in his/her absence a Deputy Chief.

J. Inspection

The Department's CEW Coordinator will inspect each CEW prior to issue/ reissue as well as quarterly to ensure it is in proper working condition. Any CEW not in proper working condition will be taken out of service immediately by the CEW Coordinator and forwarded to the manufacturer for factory service if necessary. Each CEW must have individual records maintained by the CEW Coordinator.