

POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 215-P

REFERENCE STANDARDS: 1.3.4 1.3.6 1.3.7 1.3.9 1.3.10 1.3.11 1.3.13

SUBJECT: Conducted Electrical Weapon

PURPOSE: To establish guidelines for the utilization of the TASER Conducted Electrical Weapon (CEW), to include the training and certification of officers who will be authorized to deploy and utilize the CEW. The CEW is deployed as a less lethal officer safety tool and is an addition to other police self-defense techniques and tools. The CEW is to be used to control physically dangerous or violent subjects, or when there is reasonable belief that it is unsafe for officers to approach within physical contact range of the offender(s) due to their resistance or aggression. The restrictions imposed by this policy are the recommendations of and guidelines of this department and are not intended as a substitute for the legal standards applicable to the use of force set by federal law or the laws of the State of Illinois. An officer is not expected to place him or herself at unreasonable risk to deploy the CEW when facing a firearm or extended distance deadly force threat unless circumstances permit such use. This tool, when used pursuant to training, is not considered use of deadly force or to constitute the infliction of great bodily harm. (1.3.4)

DEFINITIONS:

CONDUCTED ELECTRICAL WEAPON (CEW): Weapon designed to disrupt a subject's neuromuscular system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses. This electrical impulse causes an uncontrollable contraction of the muscle tissue, allowing the CEW to cause temporary physical debilitation to a person. The department's authorized CEW will be the TASER X2 Smart Weapon.

ANTI-FELON IDENTIFICATION TRACKING SYSTEM (AFID Tags): Small identification tags ejected from the air cartridge when fired. The AFID's contain individual unit serial numbers printed on them for identification purposes.

CARTRIDGE: Gas powered cartridge produced by the manufacturer, which is used to propel the probes.

DRIVE STUN: Contact is made by pressing the front of the CEW into the body of a subject resisting lawful orders and activation the ARC switch. 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 to incapacitate a subject but may assist in taking a subject into custody.

PAINTING: The pointing of a CEW and the CEW lasers at a subject in an attempt to gain compliance.

PROBES: Small barb-like projectiles fired from the CEW, which are connected to the CEW by wires and reused to attach to the subject to send the electrical signal.

TEST ARC: A test of the CEW as prescribed by the manufacturer's instructions.

I. ACCOUNTABILITY SYSTEM

A. CEW Issuance

1. Officers may only carry and use the TASER X2 CEW as issued by the police department. (1.3.9a)
2. CEW Issuance Records
 - a) A logbook will be kept in the equipment room which will record all CEWs, their serial numbers and which officers were issued a CEW each shift. (1.3.9e)
 - b) The CEW Program Coordinator, or his designee, shall be responsible for collecting and maintaining all CEW records.
 - c) The on-duty supervisor will be responsible for checking out the CEWs to trained personnel at the start of every shift and for the checking in of CEWs upon the completion of each shift. (1.3.9f)

B. CEW Cartridges

1. Officers may only carry and use appropriate original manufacturer cartridges as provided by the department. (1.3.9b)
2. Cartridges must be replaced prior to expiration date. All expired cartridges will be turned in to the CEW Program Coordinator, or his designee.
3. A record of CEW cartridge serial numbers will be maintained by the CEW Program Coordinator, or his designee.

C. CEW Inspection

1. Prior to the start of every shift, officers carrying CEWs shall:
 - a) Inspect and test the CEW consistent with manufacturer recommendations and training.
 - b) Ensure the batteries of the CEW are charged using the manufacturer's recommended procedures as taught in training.
 2. In the event of a CEW malfunction or a CEW is found to be inoperable, officers will immediately notify the on-duty supervisor who will collect the CEW and notify the CEW Program Coordinator. (1.3.9d)
- D. Officers are prohibited from carrying department issued CEWs while off duty.
- E. CEWs may be carried in the holding facility with permission of a supervisor.

II. PROCEDURES

- A. The CEW shall be issued to and used only by sworn officers who have completed the department's user or instructor CEW training program. (1.3.10)
- B. To maintain certification, officers must demonstrate proficiency with the CEW by completing an annual re-certification course. This training must be conducted and documented by a certified CEW instructor. (1.3.11a, 1.3.11b)
- C. Remedial training will be provided for those officers who are unable to display proficiency during the initial or recertification training prior to being allowed to carry the CEW. (1.3.11c)
- D. Only CEWs that are checked and properly functioning and charged when tested shall be carried.
- E. Each discharge, except during checks and inspections, including unintended discharges of the CEW, shall be documented and investigated. A detailed Field Based Reporting (FBR) report, Response to Resistance report and Taser Deployment form, (Directive 205-P Appendix B), shall be completed by the officer that discharged the CEW after each use. These reports will be forwarded to the Deputy Chief of Operations for review and a copy of these reports shall be forwarded to the CEW Program Coordinator. Discharge of the CEW during an approved training session will not require completion of a report or further investigation unless an injury occurs during the training session. The CEW will not be displayed or used in an unnecessary or unprofessional manner. (1.3.6c, 1.3.7)
- F. CEWs may be used to display the CEWs "test arc" or "painting" the subject with CEWs lasers to attempt to gain compliance of a subject where resistance, assault, and/or violence is reasonably anticipated. Each such "test arc" or "painting" will be documented in a Field Based Reporting (FBR) report and Taser Deployment form.

- G. The officer deploying the CEW must keep his/her hands away from the front of the weapon (discharge area) at all times unless the safety is activated and the CEW is deactivated.
- H. The CEW shall be carried in a specifically designed holster, opposite the officer's duty handgun in a crossdraw position or on the outside of an approved outside vest carrier, in a crossdraw position opposite the officer's duty handgun. The CEW will be carried in a fully loaded condition.
- I. When not in use, the CEW shall be properly secured and will only be removed from the holster or other secured location when it is to be checked, discharged or taken in/out of service. The CEW should not be unnecessarily exposed to heat, cold or significant moisture. The CEW when not deployed for training or field use will be stored in the secured weapons cabinet in the equipment room. (1.3.9f)
- J. Officers are prohibited from simultaneously holding both their CEW and firearm.

III. TACTICAL DEPLOYMENT

- A. A CEW may be deployed when the officer reasonably believes that, under the facts and circumstances known or reasonably believed by the officer at the time, the use of physical force against the subject is legally justified.
- B. A CEW will not be deployed against a passive subject.
- C. No more than one officer should activate a CEW against a person at a time unless the first activation did not strike the subject's body or was otherwise ineffective.
- D. Elevated CEW Application Risk Factors
 - 1. The following are some examples of conditions when the risks of foreseeable direct or secondary injuries are elevated, thus officers' justification(s) for CEW application should be elevated. 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.
 - (1) Under some circumstances the discharge of CEWs may ignite flammable liquids/fumes. CEWs deployed at subjects who are reasonably perceived by 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. This includes areas such as meth labs and or when OC spray having an alcohol base has been deployed. However, even though a person who has come into contact with a

flammable liquid creates a higher degree of potential risk, the totality of the circumstances may justify the use of the CEW.

- b) Elevated Positions
 - (1) Officers should exercise extreme caution when considering the use of a CEW on a subject who is in or on an elevated position where a fall from that elevation resulting from the CEW application is reasonably foreseeable.
- c) Person operating moving vehicle or machinery
 - (1) The use of a CEW on a person operating a moving vehicle or machinery could result in severe secondary consequences. Therefore, any application of a CEW on a person operating a moving vehicle or machinery is likely to require elevated justification(s) for the CEW use.
- d) Pregnant Female
 - (1) Use of a CEW on a known pregnant female may cause unintended injury to the fetus. Therefore, where officers deploying CEWs on a female that they reasonably believe to be pregnant, greater justification for the CEW application will be required. However, officers are not prohibited from using a CEW on a pregnant female in all possible circumstances.
- e) Deep Bodies of Water
 - (1) If a person could reasonably, foreseeably, fall into a deep body of water due to application of a CEW, the officer(s) will need to have elevated justification for the CEW application due to the risk that the subject may not be able to prevent themselves from drowning.

E. A CEW may be used against aggressive attacking animals when reasonable.

IV. CEW PROGRAM COORDINATOR RESPONSIBILITIES

- A. The CEW Program Coordinator, or his designee, will be responsible for the following:
 - 1. Review each use of a CEW by officer(s).
 - 2. Establish and maintain system to record issuance of the CEW and cartridges and ensure serial numbers are recorded.
 - 3. Shall inspect and ensure the maintenance and replacement of the CEWs.
 - 4. Maintain an adequate supply of batteries and cartridges for replacement.
 - 5. Return defective or damaged CEWs and cartridges to supplier.

6. Obtain service and/or replacement for defective or damaged CEW components from the supplier.
7. Maintain CEW training records.
8. The annual use of force review shall include the CEWs use of force activities, policies and practices. (1.3.13)