

# Conducted Energy Device

## 303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

## 303.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

## 303.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The Lead Taser Instructor should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

### 303.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Lead Taser Instructor for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

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### **303.4 VERBAL AND VISUAL WARNINGS**

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances.

The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

### **303.5 USE OF THE CED**

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

#### **303.5.1 APPLICATION OF THE CED**

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

The CED shall not be used to psychologically torment, to elicit statements, or to punish any individual.

#### **303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.

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- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

#### 303.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

#### 303.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

#### 303.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should

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be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

#### **303.5.6 DANGEROUS ANIMALS**

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

#### **303.5.7 OFF-DUTY CONSIDERATIONS**

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs are secured while in their homes, vehicles, or any other area under their control, in a manner that will keep the device inaccessible to others.

### **303.6 TASER PROBE REMOVAL**

Once the individual have been properly handcuffed, care should be provided. While no medical attention should be necessary to eliminate the Taser's effects, the following steps will aid in the individual's recovery.

- (a) If probes are lodged in the skin, they should be removed by the officer if they are not in a sensitive tissue area (e.g., groin, female breast, head, face, or neck). (see Medical Treatment below).
- (b) Treat all Taser probes as biohazardous sharps, similar to a used hypodermic needle, and handle appropriately. Universal precautions should apply.
- (c) Carefully place probes in the expended cartridge and maintain for evidence.
- (d) Treat puncture wounds with alcohol or an iodine swipe, photograph puncture areas, and bandage if necessary.
- (e) Once the person is in custody and they request medical treatment, the officer will immediately make arrangements for transport. (see Medical Treatment below and See Medical Aid and Response Policy)

### **303.7 MEDICAL TREATMENT**

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove Taser probes from a person's sensitive area such as the groin, female breast, head, face or neck. Used Taser probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by Taser probes or who have been subjected to the electric discharge of the device or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.

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- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention (e.g., sweating profusely, breathing difficulties, loss of consciousness, visible injury).
- (d) The Taser probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the Taser device. (See the Medical Aid and Response Policy).

#### **303.8 DOCUMENTATION**

Officers shall document all CED discharges in the related arrest/crime reports and the Use of Force forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

[See attachment: Use of Force Revised Final \(002\).pdf](#)

##### **303.8.1 REPORTS**

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

#### **303.9 SUPERVISOR RESPONSIBILITIES**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

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A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or Taser Instructor and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

The Supervisor is responsible to make sure the data download was completed for the use of force review.

#### **303.10 TRAINING**

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Lieutenant. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Lieutenant is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Lieutenant should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.

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- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

## **Attachments**

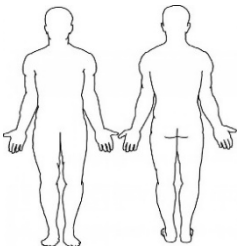
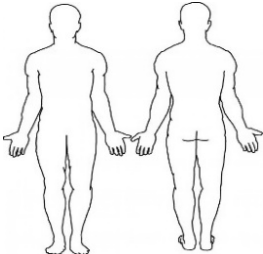


## **Use of Force Revised Final (002).pdf**



# North Liberty Police Department Use of Force Report

Date	Time:	Location:	Case Number:			
Type of Call: <input type="checkbox"/> Dispatched <input type="checkbox"/> Officer Initiated		Age or DOB	Height/Weight	Race/Ethnicity	Sex	
Was the Subject Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No		Describe Injuries/Medical Provided By/Photos Taken By/Number of Photos				
Was Reporting Officer Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No		Describe Injuries/Medical Provided By/Photos Taken By/Number of Photos				
NLPD Officers Present	Other Officers	Supervisor Notified/Time/By	Officer Presence <input type="checkbox"/> Full Uniform <input type="checkbox"/> Partial Uniform <input type="checkbox"/> Plain Clothes			
At the Time of the Arrest, the Subject Was: <input type="checkbox"/> Suspected to be Under the Influence of Alcohol or Drugs <input type="checkbox"/> Mentally Impaired/Emotionally Disturbed <input type="checkbox"/> Under the Influence of Alcohol or Drugs <input type="checkbox"/> Other: _____						
Officer Reporting:	Shift Officers:	Shift Supervisor(s):	Responding Supervisor(s)			
Reason Use of Force Was Necessary (Check all that Apply)						
<input type="checkbox"/> To Effect an Arrest <input type="checkbox"/> To Defend Self <input type="checkbox"/> Prevent Escape <input type="checkbox"/> To Defend Another Officer/Person <input type="checkbox"/> Protective Custody <input type="checkbox"/> To Dispatch Animal <input type="checkbox"/> Other _____						
List Most Serious Offense(s) At Time Force Was Used						
Officer s Perception of Individual s Actions (Use Narrative to Describe Perceived Threat(s) Posed by Individual):						
<input type="checkbox"/> Passive Resistance-Dead weight or non-compliance to Officer's lawful verbal direction, but offering no actively resistive movement <input type="checkbox"/> Active or Escape Resistance-Actions such as pushing, pulling, evasive arm movement, flailing, flight, muscle tension, etc. to avoid control. (Does not include attempts to harm the officer) <input type="checkbox"/> Assaultive-Agitated, combative state, physically assaultive actions and/or behavior that poses threat of injury to others (e.g., punching, kicking, clenching of fists, biting, etc.) <input type="checkbox"/> Life Threatening/Serious Bodily Injury-Actions that may result in death or serious bodily injury						
Actions Taken by Officer (Check all that Apply and Describe Details in the Narrative Report)						
<div><div><input type="checkbox"/> Verbal Commands</div><div><input type="checkbox"/> Compliance Techniques: <input type="checkbox"/> Grabs/Holds <input type="checkbox"/> Joint Lock <input type="checkbox"/> Pressure Point <input type="checkbox"/> Empty Hand Strike <input type="checkbox"/> Leg Sweep <input type="checkbox"/> Tackle/Fall <input type="checkbox"/> Foot Strike <input type="checkbox"/> Other _____</div><div><input type="checkbox"/> Chemical Spray/Chemical Agent: Type: _____ Number of Bursts: _____ Duration of Bursts: _____ Distance from Subject: _____ Time Between Application to Decontamination: _____</div><div><input type="checkbox"/> Electronic Control Device: <input type="checkbox"/> Laser Only <input type="checkbox"/> Spark Check <input type="checkbox"/> Drive Stun <input type="checkbox"/> Probe Deployment # of Cycles _____ # of Cartridges _____ Distance from Subject _____ Taser Serial # _____ Cartridges/AFID Serial # _____ Probe Removal By: <input type="checkbox"/> Officer <input type="checkbox"/> Other _____</div><div><input type="checkbox"/> Canine Bite: # of Times _____ Duration in Minutes _____ <input type="checkbox"/> Muzzle strike # of Times _____ <input type="checkbox"/> Track: Located _____ Duration in Minutes _____</div><div><input type="checkbox"/> Impact Weapon/ Blunt Object resulting in Temporary Incapacitation</div><div><input type="checkbox"/> Point a Firearm: Type of Firearm: <input type="checkbox"/> Handgun <input type="checkbox"/> Shotgun <input type="checkbox"/> Rifle <input type="checkbox"/> Laser Used</div><div><input type="checkbox"/> Deadly Force-Firearm or Other: <input type="checkbox"/> Firearm: # of Rounds: _____ Distance: _____ <input type="checkbox"/> Vehicle <input type="checkbox"/> Other: _____</div><div><input type="checkbox"/> Other: <input type="checkbox"/> Foot Pursuit <input type="checkbox"/> Vehicle Pursuit <input type="checkbox"/> Stop Sticks <input type="checkbox"/> Shield <input type="checkbox"/> MRAP Used <input type="checkbox"/> TAC Team</div><div><input type="checkbox"/> Restraints Used: <input type="checkbox"/> Hand / Flex Cuffs <input type="checkbox"/> Leg Restraints <input type="checkbox"/> Body Guard <input type="checkbox"/> Spit Shield <input type="checkbox"/> Other: _____</div></div> <div><div>Effective</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div><div><input type="checkbox"/> Yes <input type="checkbox"/> No</div></div>						

Injuries Resulting from Interaction		
Death Occurred: <input type="checkbox"/> Yes <input type="checkbox"/> No Overnight Hospitalization: <input type="checkbox"/> Yes <input type="checkbox"/> No	Audio Visual Evidence: <input type="checkbox"/> Yes <input type="checkbox"/> No    If Yes: <input type="checkbox"/> In Car <input type="checkbox"/> BWC If No, Explain	
<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;">             Subject's Name and Describe the Extent of Their Injuries. Complete the Diagram to the Left.           </div> </div>		
<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;">             Officer's Name and Describe the Extent of Their Injuries. Complete the Diagram to the Left           </div> </div>		
Witness(es) or Person(s) With Knowledge ( if more add a supplemental with information)		
Name	Address	Phone
Supervisory/Command Review		
Reporting Supervisor (Name & Badge)	Date/Time of Supervisor Response	Location
Officer Who Used Force (Name & Badge)	Was Subject(s) Injured from Resisting? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was Officer(s) Injured During Contact? <input type="checkbox"/> Yes <input type="checkbox"/> No
Supervisor's Narrative (Document steps taken to review and evaluate officer's use of force)		Justified: <input type="checkbox"/> Yes <input type="checkbox"/> No
A/V Evidence Available <input type="checkbox"/> Yes <input type="checkbox"/> No Reviewed by Officer/Date	A/V Evidence Available <input type="checkbox"/> Yes <input type="checkbox"/> No Reviewed by Supervisor/Date	Possible Training Scenario <input type="checkbox"/> Yes <input type="checkbox"/> No Policy Review/Changes <input type="checkbox"/> Yes <input type="checkbox"/> No
Lieutenant Review Narrative (Confirm proper and complete investigation was conducted)		
Officer Sign, Badge # and Date	Supervisor Sign, Badge # and Date	Lieutenant Sign, Badge # and Date
UOF Number	Entered Date:	Chief:

Supervisory/Command: Review Use of Force with Involved Officer(s)  
 Note Findings Above and Forward Completed Packet to Chief of Police

Use of force requires an ON-SCENE review, including a narrative report from the responding supervisor. This is REQUIRED for incidents involving Chemical Spray, ECD probe deployment or drive stun; any incident resulting in injury or complaint of injury; or any other time deemed appropriate by a supervisor.