

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: September 7, 2020

HISTORY: March 14, 2019
November 12, 2009

SUBJECT: Conducted Energy Weapon (CEW)

POLICY NUMBER: 09-064

I. PURPOSE

The purpose of this policy is to provide officers with the guidelines for use of the Conducted Energy Weapon (CEW) through techniques, which are designed to allow them to defend themselves and others against physically aggressive subjects or to compel uncooperative subjects to obey a legal order.

II. POLICY

This policy is intended to be used within the guidelines established in the department Use of Force Policy 97-012 and will be applicable to all members of the department while on duty and engaged in their official duties.

III. DEFINITIONS

Conducted Energy Weapon (CEW) – electronic device that is designed to disrupt neuro-motor control allowing an officer to gain control of a resistive subject. The City of Oconomowoc Police Department’s chosen tool is the Taser.

Electro-Muscular Disruptive (EMD) – is a direct involuntary contraction of the muscles that disrupts neuro-motor control.

Data Port – the CEW has a data port located on the back of the unit. The data port will be used to recover specific usage information that is saved every time a CEW is deployed.

Anti Felony Identification Device (AFID) – every time a CEW cartridge is deployed, 40 small confetti-like identifications tags called AFID’s are ejected. Each AFID contains the serial number of the cartridge deployed allowing supervisors to identify which officer deployed the cartridge.

Cartridge – the cartridge is a single use item that contains the projectile probes and wire and is identified by a serial number.

Probe Deployment – the activation of the CEW with the cartridge on that result in the probes and wires being projected toward the target.

Drive Stun – the act of making contact with the CEW on a target with or without the cartridge on to deliver an electrical impulse to a focused area.

IV. APPROVED EQUIPMENT, TRAINING & FIELD DEPLOYMENT

- A. Officers SHALL complete the departments CEW certification training program before being authorized to use CEWs.
- B. Officers will receive re-certification training in the use of the CEW biennially.

- C. Officers will carry only properly functioning and charged CEWS. All CEWs and replacement cartridge(s) SHALL be recorded by serial number, with the CEW program manager.
- D. Officers will carry the CEW and replacement cartridges in a manner that is approved by the Chief or program manager (extended magazine, belt pouch, glovebox).
- E. Only DEPARTMENT AUTHORIZED CEWs AND HOLSTERS as approved by the Chief or his designee are allowed to be carried by department personnel.
- F. The shift commander will ensure the department CEWs are assigned to authorized and trained department members at the beginning of each shift.
- G. The assigned CEW numbers will be recorded by the dispatcher.
- H. CEW certified school liaison officers and detective who elect to carry a CEW will notify dispatch of the CEW number that they are taking.

V. USE OF FORCE ISSUES

- A. The use of the CEW constitutes a use of force as found in the department's Use of Force Policy 97-012.
- B. Officers will briefly spark test the CEW at the beginning of their shift to ensure that the CEW is properly working, adequately charged, and conditioned.
- C. Other considerations for deployment of the CEW are:
 - 1. Imminent threat to officers and/or others
 - 2. Severity of the incident at issue
 - 3. The totality of the circumstances
- D. The CEW will NOT be used:
 - 1. In cases of passive resistance unless the totality of the circumstances warrants that a lesser level of force may jeopardize the safety of the subject and/or others.
 - 2. To threaten or attempt to gain information from a person.
 - 3. Against a person already restrained unless active resistance has to be overcome.
 - 4. To wake a person up.
 - 5. As a form of punishment.
- E. DO NOT fire the CEW near flammable liquids and/or fumes.
- F. No officer will playfully, maliciously, or intentionally misuse the CEW in a display of the power against an individual, except to counter an imminent threat. VIOLATION OF THIS POLICY WILL RESULT IN DISCIPLINARY ACTION.

VI. USE OF THE CEW

- A. CEWs are designed to gain compliance and control of actively resistant individuals, where options have been or are reasonably likely to fail, and/or where it would be unsafe for officers to approach the subject.
- B. There are two applications of the CEW:

1. *Probe Deployment* – projects two probes with wires attached from the replaceable cartridge toward the target. If both probes penetrate the target, the CEW will deliver an electric impulse through the wires to the probes and into the target.
 2. *Drive Stun* – the cartridge is removed and the officer makes direct contact with the anodes on the front of the CEW to the target. Electric impulses then can be delivered to the target as long as direct contact is maintained.
- C. The CEW is programmed to deliver a 5-second EMD current. Officers can shorten or extend the time. Officers should not touch the probes during this period to avoid receiving the same EMD current. In addition, officers should avoid stepping on or tripping over the wires.
- D. NEVER aim the CEW at the head, eyes, or face.
- E. Keep hands away from the front of the CEW at all times unless the safety slide is in a “safe” position and the CEW is deactivated.
- F. Always replace CEW cartridges before their expiration date. All expired cartridges will be turned in to the CEW project manager.
- G. Each discharge of a CEW, including accidental, must be documented utilizing the Taser Use of Force Report.

VII. ACTIONS AFTER THE CEW IS USED

- A. Removal and preservation of probes:
1. Probes that penetrate an individual should be removed by the CEW user or medical personnel after the subject has been restrained and/or controlled.
- B. If subject requests medical attention, the officer should seek medical attention immediately. An examination should be conducted by medical personnel to determine whether the individual has suffered any injury, either directly or indirectly from the CEW discharge.
- C. If a subject is going to be incarcerated at the county jail after being CEW’ed, the officer will notify jail deputies that the subject was CEW’ed.
- D. Officers will secure the spent cartridge, complete with wire and probes (tape over top of probes or other means) into an evidence bag that is clearly labeled for evidence. The bagged cartridge will then be placed into evidence per department policy 98-015.

IX. REPORTING PROCEDURES

- A. Officers shall immediately contact the supervisor and advise them that they have discharged the CEW.
- B. Officers shall document the events leading up to the use of the CEW, within the general report.
- C. Officers will fill out a Taser Use of Force report.

X. ACCIDENTAL DISCHARGE

- A. In the event of an accidental discharge of a cartridge, the officer shall notify the on duty shift commander as soon as possible.

- B. The involved officer will complete a detail “matter of” outlining the circumstances of the discharge.
- C. A Taser Use of Force report will be completed by the officer and in field report number, list “accidental discharge”.
- D. Copies of the “matter of” and Taser Use of Force report will be routed by the shift supervisor to the Lieutenant.
- E. The spent cartridge will be collected, complete with the wire and probes (tape over the top of probes or other means), and placed into a bag. The cartridge will be forward to the Lieutenant.

XI. MAINTANCE AND CARE OF EQUIPMENT

- A. Officers will check the CEW before the start of each shift to ensure the unit is properly charged. Officers will immediately advise a supervisor or Lieutenant if the battery is low.
- B. Officers will check the CEW case and cartridge before the start of each shift for any damage. Officers will immediately advise a supervisor or Lieutenant if they discover damage.
- C. Officers will ensure that the cartridge doors are free of debris and that the cartridge has not expired.
- D. Officers will not write on or adhere anything (i.e. stickers, tape, etc) to the CEW or cartridge.
- E. Officers must carry the CEW with the safety in the “safe” position.

XII. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict