

Policy – Wauwatosa Police Department

POLICY: Use of Electronic Control Devices (ECD's)

CHAPTER & SECTION: 6.1.2

DISTRIBUTION: Sworn Employees

AUTHORITY: Capt. Vetter for Chief James H. MacGillis



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I. INTRODUCTION

The purpose of this policy is to provide officers with guidance and direction on the use of Electronic Control Devices (ECD's). The only authorized ECD's of the Wauwatosa Police Department are the TASER X26P.

It is the policy of this agency to use only that level of force necessary to control or otherwise subdue violent or potentially violent individuals. ECD's may be used by authorized and trained personnel in accordance with the use of force policy and additional guidelines established herein. This policy rescinds policy #21-22.

II. DEFINITIONS

A. Electronic Control Device (ECD): An instrument in which a safe amount of electricity is used to affect the sensory and/or motor nervous system of the body. The ECD generates an electrical current that is transmitted to the subject's body through probes, either directly attached to the ECD (contact deployment) or attached to wires that are shot at the subject (distance deployment).

B. Drive Stun: A secondary function of the TASER ECD is to stun a subject by making direct contact with the body after the air cartridge has been expended or removed.

- C. Air Cartridge:** A replaceable cartridge for the TASER ECD which uses compressed nitrogen to fire two barbed probes on thin connecting wires sending a high voltage/low current signal into a subject.
- D. AFIDs:** An acronym for Anti-Felon Identification. AFIDs are confetti-like identification tags that are dispersed from the cartridge when deployed. The AFIDs are printed with the serial number of the cartridge they are deployed from and help in determining the purchaser of the cartridge.

III. PROCEDURES

A. Authorized Users

1. Only officers who have satisfactorily completed this agency's approved training course shall be authorized to carry an ECD.

B. Weapon Readiness

1. At the beginning of their shift, officers will obtain an ECD from the long gun room for use during the duty day. Ensure that no cartridge is attached to the unit and conduct a spark test consistent with your training. Attach a cartridge to the ECD and carry the device in an approved holster on the support side of your body, in a cross-draw fashion. Officers not assigned to uniformed patrol may utilize other department-approved holsters and carry the weapon consistent with department training.
2. Officers will call their assigned Taser number (i.e. T-1) into the dispatcher for accountability purposes when they call in their other equipment. Dispatchers will log the Taser onto the equipment log form in their computer.
3. At the end of their shift, officers will return the ECD to the long gun room. Ensure the cartridge is removed from the Taser prior to storing it.
4. The ECD shall be carried fully armed with the safety on in preparation for immediate use when authorized.
5. If an authorized officer chooses, he/she can carry spare cartridges as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.
6. Only agency approved battery power sources shall be used in the ECD.

C. Deployment

1. The State of Wisconsin has placed the ECD into the Third mode of Intervention Options within the Disturbance Resolution Model, called "Control Alternatives." Control Alternatives includes a wide range of tactics and tools for controlling subjects. This mode includes escort holds, compliance holds, control devices and passive countermeasures. Control Devices include Oleoresin Capsicum Spray (OC) and Electronic Control Devices (ECD's). The goal of Control Devices is to overcome active resistance or its threat.
2. An ECD WILL NOT be used:
 - (a) when the officer knows a subject has come in contact with flammable liquids or is in a flammable atmosphere;
 - (b) when the subject is in a position where a fall may cause substantial injury or death;
 - (c) punitively for purposes of coercion, or in an unjustified manner;
 - (d) on a visibly incapacitated person;
 - (e) to awaken unconscious or intoxicated individuals;
 - (f) when the subject is visibly pregnant, unless deadly force is the only other option.
3. An ECD SHOULD NOT be used in the following circumstances (unless there are compelling reasons to do so which can be clearly articulated):
 - (a) when the subject is operating a motor vehicle;
 - (b) when the subject is holding a firearm;
 - (c) in a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary;
 - (d) as a capture / apprehension device.
4. In knowing the Taser's effective range of 25 feet with the XP cartridges, the officer shall, in preparation for firing the ECD, point the ECD in a safe direction, take it off safe, and then aim for an appropriate target area.

5. The back of a subject, below the neck, is the preferred target area when reasonably practicable. The preferred front target area (when possible) is the lower torso (below the chest) or the legs. Give a verbal warning, when practical, to the subject and other officers.
6. Upon firing the ECD, the officer shall use the fewest number of five second cycles necessary to accomplish the legitimate operational objective. Officers must understand that before each application, they must reassess the situation and the justification for the use of force. When cover officers are available, the subject should be secured as soon as practical while disabled by the ECD power to minimize the number of deployment cycles.
7. The ECD shall be pointed in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
8. Use of the ECD in drive stun mode is:
 - (a) primarily a pain compliance tool due to a lack of probe spread;
 - (b) minimally effective when compared to conventional cartridge type deployments or cartridge deployments with a drive stun follow up;
 - (c) more likely to leave marks on the subject's skin;
 - (d) subject to the same deployment guidelines and restrictions as that of the ECD in cartridge deployments.

D. Aftercare

1. After the suspect has been properly stabilized and handcuffed, officers must provide appropriate care.
2. The ECD darts shall be removed from the subject following the procedures outlined in training.
3. When the device has been used operationally, the officer will collect the cartridge, wire leads and darts and dispose of in accordance with training, unless it is determined there is a need to maintain the cartridge, wires and darts for evidentiary purposes.
4. The subject will **require immediate medical** assistance under the following circumstances:
 - (a) If the projectiles are embedded in sensitive tissue areas, i.e. neck, head, face, groin, or the breast of a female;

- (b) Subject is pregnant;
- (c) Officer has firsthand knowledge that the subject may be under the influence of cocaine;
- (d) Signs of overheating, such as a naked person in a public or cold place;
- (e) Signs of self-mutilation;
- (f) Disturbances in breathing patterns or loss of consciousness;
- (g) Bizarre or extremely violent behavior;
- (h) If determined by a supervisor;
- (i) If the subject requests medical assistance;
- (j) If a person has an adverse reaction to an ECD application;
- (k) If you observe any other problem or feel that medical assistance is warranted.

E. Reporting

1. Notify immediate supervisor, as soon as practical.
2. Complete any necessary reports.
3. Fill out required use of force sections within RMS, incident or supplemental reports.

James H. MacGillis
Chief of Police

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