



CONDUCTED ENERGY WEAPON

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I. PURPOSE

The purpose of this policy is to establish guidelines for the use of a Conducted Energy Weapon (CEW).

II. POLICY

The Anne Arundel County Police Department has issued the TASER 7 or TASER 10 CEW to all line officers and sergeants assigned to patrol platoons, as well as select, trained personnel, to provide those officers with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. It is the policy of the department that personnel may use the CEW when warranted, but only in accordance with the guidelines and procedures set forth in this directive and in the department's Use of Force policy.

III. AUTHORIZATION

Only personnel who have been trained, demonstrated proficiency, and have been issued a departmental CEW and associated equipment are authorized to carry and use CEWs. Proficiency must be demonstrated at least annually and be monitored by a certified CEW instructor.

Only the departmentally issued CEW issued CEW holster, and issued CEW cartridges are authorized for use. CEW holsters must be mounted on the officer's weak/support side of the duty belt. CEW operators may attach the CEW holster to an outer carrier vest provided it is secured to the weak/support side of the outer carrier vest (Exception: trained members of the Special Operations Section (SOS) are authorized to carry the CEW in an SOS drop leg or belt-attached holster). Trained personnel, who are carrying a departmental CEW while on duty, must have issued cartridges affixed to their CEW at all times. The only exception to this would be if the officer has discharged the CEW and is awaiting a replacement cartridge(s).

IV. USE OF CEW

Use of a CEW has additional requirements and prohibitions as detailed below.

A. AUTHORIZED USE OF CEW

1. The use of a CEW is considered a use of force and may only be employed in a manner consistent with this policy and Index Code 401.
2. A CEW may be used when there is no opportunity to use de-escalation tactics, no availability of de-escalation tactics, or de-escalation tactics have been used and failed to gain a subject's compliance, and either:
 - a. the person presents an immediate threat of harm or injury, or

- b. the person is fleeing or is a flight risk and the person presents a risk to public safety that outweighs the harm likely to result from the use of CEW.
3. Each individual use of a CEW must be necessary and proportional under Index Code 401.
4. A CEW may be used to display a “warning arc” or “warning alert” or to designate a subject with the CEW’s aiming laser in an attempt to gain compliance of a person where resistance, assault, violence, or flight are reasonably anticipated. Such a use is not considered a reportable use of force.
5. When feasible, no more than one officer at a time should discharge a CEW against a person
6. Officers not using a CEW should attempt to place a subject in custody during the CEW cycle (“cuff under power”).
7. The CEW is not a substitute for deadly force, and generally should not be relied upon in circumstances where deadly force is authorized. If an officer draws a CEW in a deadly force situation the officer should have another officer present to provide deadly force cover.
8. Officers may use deadly force to protect themselves from the use or threatened use of a CEW when the officer reasonably believes that deadly force will be used against them if they become incapacitated from the use of a CEW.
9. A CEW may be used on an animal when the animal is threatening or is attacking a person, including officers, another animal, or property.
10. Officers may not have a firearm and CEW in their hands simultaneously, *except when transitioning to a firearm in a deadly force encounter.*

B. SPECIAL CONSIDERATIONS FOR USE OF CEW

1. The use of a CEW in “drive-stun” mode will not cause neuro-muscular incapacitation and may only be used as a pain compliance technique when necessary and proportional under Index Code 401.
2. The measure of proportionality includes the level and type of physical restraint mechanisms (handcuffs, leg irons, chains, etc.) which have been applied to the subject of a CEW use.
3. Officers should only use the minimum number of activations necessary to gain compliance or place the person in custody.
4. Officers should use verbal commands to order compliance during CEW use.
5. The following circumstances may present elevated risk of injury during use of a CEW:
 - a. Presence of flammable liquids/fumes or explosive environments.
 - b. Subjects at risk from falls from elevated positions, onto dangerous surfaces and into bodies of water.
 - c. Subjects operating moving vehicle or machinery.
 - d. Subjects fleeing on foot.
 - e. Pregnant subjects.
 - f. Subjects who are elderly, or very young.
 - g. Repeated or prolonged CEW applications.

C. PROHIBITED CEW USAGE

The use of a CEW is prohibited in the following circumstances:

1. Against subjects who have only committed nonviolent, misdemeanor offenses.
2. Against subjects fleeing a lawful detention but where there is no probable cause to either
 - a. arrest the subject or
 - b. take the subject into custody for an emergency psychiatric evaluation.
3. Against passive, non-compliant subjects.

V. UNINTENTIONAL DISCHARGE

1. An officer who unintentionally discharges a CEW must immediately report the discharge to a supervisor.
2. An officer who unintentionally discharges a CEW must be scheduled for remedial training with the Training Division. Scheduling must be completed by the officer’s supervisor within one week of the incident.
3. The officer’s direct supervisor is responsible for evaluating the need for counseling or disciplinary action.

VI. POST-CEW USAGE PROCEDURES

A. MEDICAL CARE

1. All subjects who are in custody and have experienced neuro-muscular incapacitation, experienced the effects of a drive-stun, or had a probe enter their skin, must be transported to the hospital by EMS personnel. Officers should recommend EMS personnel to not remove probes and to allow hospital staff to remove probes at the hospital.
2. Officers may remove probes from articles of clothing which are not in contact with the subject's skin.
3. Probes which are causing discomfort from penetrating a sensitive area should be stabilized by an officer until the arrival of EMS personnel.

B. OTHER POST CEW-USAGE REQUIREMENTS

1. Probes which have been discharged must be treated as bio-hazardous sharps and must be safely secured for disposal or submission as evidence, as appropriate.
2. When lawful and appropriate, officers who have used a CEW must take and submit photographs of CEW contact sites on the body and any other related injuries.
3. CEW batteries must be placed in a docking station for data upload after any use except for uses during training or testing.

C. SUPERVISOR RESPONSIBILITIES

1. A supervisor must respond to the scene of any CEW usage and ensure compliance with this policy.
2. A supervisor must determine whether CEW probes are to be collected by officers as evidence.
3. A supervisor will issue replacement cartridges to officers who discharge CEW probes.

D. REPORTING PROCEDURES

1. Except for training, all discharges of CEW probes require a supervisory-ranked officer to be notified.
2. Except for training and testing, all intentional uses of a CEW on a person or animal require a use of force report consistent with Index Code 401.
3. Unintentional discharges of a CEW requires an incident/offense report by the discharging officer.
4. Data reports generated by a CEW must be attached to the associated use of force or incident/offense report.
5. Multiple discharges of CEW cartridges may be considered a single use of force for reporting purposes when those discharges are intentionally sequential and continuous in an effort to effect neuro-muscular incapacitation.

VII. CEW MAINTAINANCE AND STORAGE

1. CEW users must exchange batteries from a CEW docking station at least once every 30 days.
2. CEW users must complete a function check of their assigned CEW at the beginning of each work day.
3. CEW replacement cartridges are maintained by district/division executive officers who are responsible for tracking, logging, and inventory of cartridges.
4. When not in use, CEWs must be kept in a secure place, inaccessible to all persons who are not trained and authorized CEW operators of the department.

VIII. PROPONENT UNIT: Training Division

IX. CANCELLATION: This directive cancels Index Code 406, dated **02-06-25**.