



CHATHAM COUNTY POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

SOP # OPS-058

EFFECTIVE DATE: 02/01/18

CONDUCTED ELECTRICAL WEAPON

REVISION: 05/15/23

PURPOSE:

The purpose of this Standard Operating Procedure (SOP) is to establish policy and practices which govern the utilization of department issued Conducted Electrical Weapon (CEW), in the form of a Taser.

POLICY:

The Chatham County Police Department (CCPD) will employ an electronic control device as an additional force option in order to temporarily incapacitate and permit control over a violent or potentially violent individual, or an individual demonstrating the intent to harm himself/herself or others.

The CEW is a hand held battery operated unit designed to immobilize a subject by means of an electrical current. The CEW may be used when a subject is displaying active resistance, or assaultive behavior to an officer attempting to conduct legal law enforcement activities. Deployment of the CEW will be evaluated using the criteria in the directive and within the framework of the Chatham County Police Department Use of Force policy. Officers must assess the effectiveness of each application and determine whether further applications are warranted or a different tactic should be employed. The decision to use the CEW will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.

Conducted electrical weapons will only be used in accordance with this policy and approved training. It will never be used recklessly, for torture, or punitively.

I. AUTHORIZED DEVICE

A. Taser 7 distributed by Axon Enterprises, Inc.

1. All CEWs will be reviewed, inspected, and approved for use by a qualified instructor prior to being issued to the Officer.

II. AUTHORIZED USERS

A. Only officers who have received and successfully completed the required departmental CEW training taught by a certified instructor are authorized to carry and deploy a CEW.

1. All officers issued a CEW must complete the annual recertification training. Failure to do so will require you to return the CEW to the Training Unit.
2. Training Unit will retain documented proof of the training and proficiency of each Officer.
 - a. Failure to show proficiency with the CEW will result in remedial training the same day.
 - (1) Additional proficiency issues will require the officer to return the CEW to the Training Unit until proficiency is obtained.
- B. All Officers issued the CEW must also have been issue a body worn camera system.
 1. Whenever you are wearing the CEW during duty hours and in uniform you must also be wearing your body worn camera. This includes while working in an extra duty capacity.
 - a. Whenever you intend to deploy the CEW you must ensure that you have activated your body worn camera.
 2. Electronic Control Devices will primarily be distributed throughout the CCPD Patrol Bureau.

III. DEVICE READINESS

- A. The Taser 7 will be inspected, and function tested on the officer's first duty day of the week. This test will be done in a weapon's clearing barrel.
- B. Uniformed officers will carry the CEW in a department issued holster. The holster will be carried on the duty belt or vest carrier, on the non-dominant side (opposite the duty firearm) in a cross draw position.
 1. Non-Uniformed officers that carry the CEW will wear an approved holster on the side opposite the duty firearm and a body worn camera, when possible.
- C. The CEW shall be carried fully armed (2 live cartridges) with the safety on in preparation for immediate use.
 1. Bay 1 – will be loaded with a Close Quarters cartridge.
 2. Bay 2 - will be loaded with a Stand-off cartridge.
- D. After any deployment, the officer shall contact their supervisor to obtain a new cartridge.
 1. The Taser Battery will be downloaded prior to putting the CEW back into service.
- E. Only agency approved/issued battery power sources will be used in the CEW.

IV. DEPLOYMENT

- A. The CEW may only be used under the following circumstances:
 1. To overcome active resistance or assaultive behavior or its threat.

2. To subdue persons in order to prevent them from harming themselves or others.
- B. A supervisor will be summoned immediately after the use of a CEW.
- C. When the CEW is deployed, the suspect should not be read their Miranda Warning or questioned for a minimum of one (1) hour after deployment.
 1. GA Implied Consent Notice should also be delayed for a minimum of one (1) hour after CEW deployment but only if it does not jeopardize the prosecution of the suspect.
- D. Use of the CEW under the following circumstances is prohibited, unless exigent circumstances are present (exigent circumstances will be clearly be articulated within the police report):
 1. Against handcuffed subjects
 2. Against subjects fleeing on foot
 3. At or from a moving vehicle
 4. Against subjects known to be or reported to be pregnant
 5. Against children under 14 years of age and/or weighing less than 90 pounds
 6. Against subjects who are visibly elderly or physically disabled and/or suffering from a known debilitating illness
 7. Against subjects with known neuromuscular disorders such as muscular sclerosis, muscular dystrophy, or epilepsy
 8. 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
- E. The CEW will not be used under the following circumstances:
 1. Punitively
 2. To escort or prod subjects
 3. To awaken unconscious or intoxicated subjects
 4. Against subjects who are offering only passive resistance
 5. When the officer knows the subject has come in contact with flammable liquids or is in a flammable atmosphere
 6. When the subject is in an elevated position where a fall may cause substantial injury or death
 7. When the subject is near water or in a marine environment, that could result in the subject falling in the water and drowning.
- F. Primary aiming points are:
 1. Back of subject, below the neck.

2. Front of subject, avoid face, neck, chest, and groin areas.
- G. Prior to use, when practical, a warning to the subject and other officers should be given
- H. Fixed sights should be used as the primary aiming device and the laser dots as the secondary aiming device
- I. CEW probes may not be intentionally fired at the face, head, neck or groin, unless the use of deadly force would be justified
- J. Use of the “Drive Stun” is prohibited except when exigent circumstances are present. The exigent circumstances must clearly be stated in the report.
- K. The use of an “angle stun” is acceptable in situations where the “probe” deployment is ineffective. If a subsequent application is ineffective, officers will reassess the situation and consider other available options.
- L. The CEW shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment. 1. During the routine inspection, a clearing barrel will be used when available.

V. REPORTING USE OF THE CEW

- A. A Use of Force report shall be completed when:
 1. The CEW is removed from the holster and displayed in such a manner as to control the subject.
 2. The CEW is deployed as outlined above.
- B. The use of force report shall contain at a minimum:
 1. The officer’s approximation of the range at which the unit was employed.
 2. The point(s) of impact on the subject
 3. The number of five-second cycles used
 4. The type of clothing the probes encountered
 5. The type of discharge (probe, drive stun, or both)
 6. Evaluation of the effectiveness of the device
 7. After-discharge actions taken by the officers
 8. Any injuries that the officer is aware of or suffered by the subject as a result of the use of the device
- C. Any unintentional discharges will be reported to a supervisor and will be treated the same as the unintentional discharge of a firearm.
- D. The Training Unit shall:
 1. Download the data record of each CEW annually regardless of reported use.
 - a. This will be done during the annual recertification training.

2. Prepare a semi-annual and annual report of the CEW use, which will be forwarded to the Chief of Police.
3. The downloaded data shall be tabulated and a summary prepared for inclusion in the annual department use of force report.

VI. NEGLIGENCE DISCHARGES

- A. Negligent discharges are defined as accidentally firing the device without meaning to do so either during spark tests or while handling the device.
- B. Negligent discharges will be reported immediately and documented in a memo or e-mail to their supervisor, unless a person is struck, in which case a full report will be completed.
- C. All protocol will be followed except for the spent cartridge, which will be delivered to the CEW Coordinator (with the Training Unit), to be issued a new cartridge as soon as possible and before the device is put back into service.
- D. The following actions will be taken relative to negligent discharges:
 1. First offense - Recommendation of a minimum of a Counseling Form and pay for a replacement cartridge.
 2. Second Offense – Recommendation of a minimum of Written Reprimand and pay for a replacement cartridge. The officer's supervisor will complete a written evaluation of the officer's Taser abilities with recommendations.
 3. Third Offense – a minimum of the loss of the use of a Taser and pay for the replacement cartridge. The Board will make a consensus recommendation on disciplinary action.

VII. AFTERCARE

- A. If the probes are embedded in non-sensitive areas, a trained CEW officer may remove them.
- B. Emergency Medical Personnel will be summoned as a cold call for cardiac evaluation in order to assess the subject's vital signs and overall medical conditions.
- C. If the person refuses medical treatment on scene, they will be transported to an emergency room in a police vehicle where they will be offered medical care a second time. There is no obligation to force a person to receive any medical care.
 1. All attempts to provide medical care will be documented in the police report and captured on the body-worn camera.
- D. If the Taser probes have penetrated the skin in a sensitive area (head, neck, groin, or breast of a female), or CEW officers have difficulty removing the probes (i.e. probe/barb separation) the subject will be conveyed to an emergency medical center for removal.
- E. After the Taser device is used, probes should be removed from the subject as soon as the subject is handcuffed:

VIII. CEW ACCOUNTABILITY

- A. When an officer retires or terminates employment with CCPD, he/she will turn the CEW into the CEW Coordinator or designee (with the Training Unit) prior to out-processing.
- B. When an officer that is issued a CEW is transferred from the Patrol Division (uniformed assignment) to a non-uniformed assignment or another Division, he/she will turn the CEW into the CEW Coordinator or designee (with the Training Unit) prior to or immediately after reporting to the new assignment

BY ORDER OF:

Electronically Signed in PowerDMS on 05/15/2023

Jeffrey M. Hadley
Chief of Police