
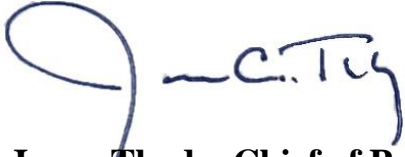


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|  | HARTFORD POLICE DEPARTMENT POLICY AND PROCEDURE GENERAL ORDER | Distribution ALL PERSONNEL | General Order Number 3.02 |
| | | Original Issue Date | Reissue/Effective Date 4/1/21 |
| Order Title: USE OF THE TASER 7 | Accreditation Standard: | Section 3 | |
| | Section Title RULES OF CONDUCT | | |
| Rescinds: G.O. 3.02 (4/18/19) | |  Jason Thody, Chief of Police | |

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

I. PURPOSE:

The purpose of this General Order is to establish Department policy governing the use of the Taser 7 by sworn members of the Hartford Police Department and to ensure compliance with applicable State statute(s) and regulations adopted by the Connecticut Police Officer Standards and Training Council.

II. POLICY:

- A. This policy deals with the use of the TASER 7. Per CGS 53a-22, police officers are *justified in using physical force when and to the extent that he or she reasonably believes* such to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend themselves or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.
- B. Officers are specifically granted the legal authority to carry weapons under C.G.S. 53-206 “while engaged in the pursuit of such officer’s official duties.”
- C. The reasonableness of a use of force under this policy will be measured by standards established by the Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989). The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation, and not by the ‘20/20 vision of hindsight.’ The calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation. Factors relevant to the determination of reasonableness include the



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severity of the crime that the officer believed the suspect to have committed or be committing, whether the suspect presented an immediate threat to the safety of officers or the public, and whether the suspect actively resisted arrest or attempted to escape, along with any other fact or circumstance which reasonably bears upon the decision to use force.

- D. All officers will only use the level of force necessary to accomplish lawful objectives.
- E. It is the policy of the Hartford Police Department that when a subject is injured through any deployment of a TASER 7, the officer shall offer the injured party medical assistance. In the case of obvious physical injury beyond the impact of the probes, or when otherwise prudent, the officer shall request medical dispatch.
- F. It is the policy of the Hartford Police Department that following any deployment of a TASER 7, a written Use of Force report will be generated and filed to accommodate TASER 7 deployment tracking. Reports must be completed in their entirety and specifically describe the justification for the use of force, including events and communications leading up to the physical confrontation, the subject's behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event.
- G. It is the policy of the Hartford Police Department that all written reports generated regarding the deployment of a TASER 7 be promptly reviewed by a supervisor to determine that the deployment of the TASER 7 was appropriate. The supervisor's findings regarding the deployment of the TASER 7 shall be documented in the Use of Force Report. Should a determination be made by the supervisor that the deployment of the TASER 7 was questionable or inappropriate, the matter shall be immediately referred for further review per Department Use of Force policy.
- H. It is the policy of the Hartford Police Department that all sworn persons have access to the Departmental TASER 7 policy and receive training as to its content prior to obtaining authorization to carry a TASER 7. TASER 7's may only be deployed by sworn personnel who have satisfactorily completed this agency's approved training.
- I. It is the policy of the Hartford Police Department to complete the POSTC EDW/CEW Annual Report Form as required by statute. Said Report Form is to be submitted to the State of Connecticut Criminal Justice Policy and Planning Division within the Office of Policy and Management no later than January 15th covering the preceding calendar year. The report is required for any department having deployed a CEW against any individual within the calendar year; any department authorizing the deployment of a CEW but not having any deployments within that calendar year; and, finally, by any department not authorizing the deployment of the CEW. Fields are provided on the Annual Report for those departments falling into the latter two (2) categories.
- J. It is the policy of the Hartford Police Department to conduct an annual review of all TASER 7 field deployments in order to evaluate policy compliance.



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III. DEFINITIONS:

Actively Resisting: When a subject makes physically evasive movements to interfere with an officer's attempt to control that subject; including bracing, tensing, pulling away, actual or attempted flight, or pushing.

Close Quarters (C.Q.) Cartridge: A 12-degree angle probe spread cartridge, identifiable by:

- Smooth surface below the probe chambers;
- Black front and body; and
- Serial number, cartridge degree, 2D bar code and expiration date printed on the top.

Conducted Electrical Weapon (CEW): (Also referred to as an 'Electronic Defense Weapon' or 'EDW') The CEW is a less lethal weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

Docking Station: A mechanism that downloads the time and date of any discharge of the TASER 7 through the batteries, while simultaneously charging and updating the TASER 7.

Deployment: Does not include the mere removal of the CEW from the holster, but does include any use of a CEW against any person, including the illumination of the laser sight onto an individual or activating the arc switch.

Less Lethal Force: A use of force which is not likely to cause death or serious physical injury.

Passive Resistance: The mere failure or refusal to cooperate with the lawful directions of a police officer by one or more unarmed, non-violent persons, such as in the case of an act of civil disobedience or a non-violent handcuffed prisoner.

Physical Force: Per CGS 53a-22, police officers are justified in using physical force when and to the extent that he or she reasonably believes such to be necessary to: (1) effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense, unless he or she knows that the arrest or custody is unauthorized; or (2) defend themselves or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest, or while preventing or attempting to prevent an escape.

Standoff (S.O.) Cartridge: A 3.5-degree probe spread cartridge, identifiable by:

- Ridged surface below the probe chambers;
- Black front, gray body; and
- Serial number, cartridge degree, 2D bar code and expiration date printed on the top.



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TASER 7: The CEW currently authorized to be used by the Hartford Police Department.

IV. PROCEDURES:

A. Training and Certification

1. All members of the Department who carry and/or use a TASER 7, must first successfully complete a Department approved and mandated TASER 7 familiarization program, to include written and practical tests.
2. All Department TASER 7 certification programs will be presented by a TASER 7 certified (or equivalent) instructor.
3. The Hartford Police Academy shall maintain TASER 7 training and certification records.

NOTE: The TASER 7 is not intended to replace the use of firearms when deadly physical force is necessary, but rather to provide a less lethal alternative within the Hartford Police Department's guidelines regarding the use of less lethal force.

B. Administration

1. The TASER 7, cartridges, cartridge safety clip and holster will be issued to designated officers who have been trained by a qualified instructor and demonstrated proficiency in the use of the device. The TASER 7 shall be carried as standard issued equipment on the gun belt on the support side in the cross draw position, and holstered with the safety engaged. The XO Sergeant will record and maintain a record of the serial number of the cartridges that are issued to each officer.
2. Prior to each shift, the officer shall examine the TASER 7's battery pack to ensure that the power is more than 20%. If the battery power is below 20%, the Taser 7 battery must be docked and re-charged.
3. Every 30 days, regardless of TASER 7 usage, the TASER 7 battery shall be docked to upload, update and re-charge.
4. Replacement cartridges for the TASER 7 will be available from the XO Sergeant in Teleserve.
5. Due to the potential for cartridges to activate by static electricity, officers should not store cartridges in their pocket. Any time the cartridges are not attached to the unit, they shall have their protective plastic cartridge safety clip in place. Officers receiving



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cartridges shall, when removing the cartridge safety clip, retain it as it is recommended to use the cartridge safety clip for prong removal.

6. Prongs that have been removed from suspects shall be treated in accordance with agency policy on handling and storage of bio-hazardous materials. Prongs will not be submitted into evidence unless an officer or supervisor determines that the prongs will have future evidentiary value.
7. Testing and maintenance of the TASER 7 shall be consistent with the manufacturer's specifications. Cartridges should be stored in a cool, dry environment and should normally be replaced after two years. The TASER 7 should not be left in direct sunlight due to the possible adverse effects on plastic parts.
8. Officers shall secure and store the TASER 7 both on and off-duty in such a way as to ensure that no person will have unauthorized access to or gain control over the device.
9. Any discharge of the TASER 7, with the exception of a discharge during training or an arc test at the beginning of the tour of duty, must be reported to a supervisor immediately.

C. Wearing of the TASER 7

1. The device shall be carried in an issued waist holster on the side of the body opposite the service handgun. Officers not assigned to uniformed patrol may be authorized to utilize other Department-approved holsters and carry the device consistent with Department training and the requirements as set out in this paragraph.
2. The TASER 7 shall be carried in accordance with manufacturer's recommendations and Department training. The TASER 7 shall be pointed in a safe direction during loading, unloading, or when handled in other than an operational deployment.
3. Officers authorized to deploy the TASER 7 shall be issued a minimum of one Close Quarters cartridge and one Standoff cartridge. The cartridge which is not loaded in the TASER 7 shall be stored and/or carried in a manner consistent with training. The cartridges shall be replaced consistent with the manufacturer's expiration requirements.

D. Permitted Use

The use of the TASER 7 is permitted in accordance with training in the following instances:



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1. When force is legally justified against subjects who are actively resisting arrest, non-compliant, or are exhibiting active aggression through words or actions towards an officer or a third party actually present.

NOTE: The use of the CEW on non-compliant subjects is only authorized when attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or there is a reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

2. To incapacitate a subject who poses a threat of physical injury to himself/herself.
3. Against aggressive animals that pose a threat of physical injury to officers or another person.
4. To “paint” the subject with the device’s laser or activate the arc switch in attempting to gain compliance of the subject where resistance, assault, and/or violence is reasonably anticipated.
5. During department authorized training programs and/or demonstrations.

E. Prohibited Use

The TASER 7 shall not be used in the following situations:

1. Against a female who the officer knows or reasonably believes to be pregnant unless deadly force is the only other option.
2. Against a person who the officer knows or reasonably believes to be under the age of ten (10) or over the age of seventy (70), due to the potential of falling when incapacitated, unless the encounter rises to a deadly force situation.
3. On any subject demonstrating only passive resistance.
4. Where it is likely that the subject may drown or fall from an elevated area.
5. Against an operator of a motor vehicle if that discharge would result in uncontrolled movement of a vehicle.
6. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).



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7. In drive-stun, or touch-stun mode as a prod or escort device.
8. To rouse unconscious, impaired, or intoxicated individuals.
9. For horseplay or use in an otherwise unprofessional manner.
10. To experiment on a person or to allow a person to experience the device, even if the person requests it, when the device's use would not otherwise be allowed by Department policy. This does not apply to voluntary device training exposures or demonstrations as authorized by the Department.
11. In a punitive or coercive manner.
12. For illegal purposes (e.g. illegal coercion, torture, etc.).

F. Deployment of the TASER 7

In deploying the device, officers will make efforts to comply with the following when reasonable:

1. As soon as reasonably possible, a supervisor should be requested to respond to the scene of a potential or completed TASER 7 deployment.
2. Officers should be aware of the greater potential for injury when deploying a TASER 7 against persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, the infirm, or those in obvious ill health.
3. Prior to a TASER 7 deployment, a loud, clear warning of a TASER 7 deployment should be made.
4. When aiming the TASER 7 at a subject, officers should adhere to the manufacturers preferred target zones whenever reasonably possible. Aim at the largest muscle groups to be most effective. When practical, the preferred target is the back area of a subject. In frontal deployments, the aim point shall be the lower torso area. Intentional aiming to the head, throat, genitals, and breasts is not permitted.

NOTE: It is understood that deployments against humans may be very dynamic in nature and the probes may impact unintended areas.

5. Officers should take into consideration the capabilities and limitations of the loaded cartridges (i.e. standoff or close quarters cartridge) when employing it at either close quarters or longer distance.



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6. Use the laser and/or fixed sights to aim the device per training and manufacturer's instructions. Fixed sights shall be used when the laser sight(s) are ineffective, impractical or as a secondary aiming tool.
7. Use the TASER 7 by either discharging the probes or "drive stun" (contact mode utilizing the arc switch) when and to the extent reasonably necessary.
8. Deployment of the TASER 7 in drive stun mode, from a policy perspective, is no different than a cartridge deployment. It is important to note that when the device is deployed in this manner, it is primarily a pain compliance tool, is minimally effective compared to a conventional cartridge deployment, and is more likely to leave marks on the subject's skin.
9. TASER 7 deployments shall be administered by pressing and immediately releasing the trigger, or by pressing and releasing the arc switch. This will administer a five second cycle, during which time, if more than one officer is present, attempts should be made to secure the subject in handcuffs while under the incapacitation of the TASER 7, keeping from contact with, or between, probes and wires.
10. Upon discharging the TASER 7, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.
11. Officers should not intentionally activate more than one TASER 7 at a time against a subject.
12. The subject should be secured as soon as practical while disabled by the TASER 7 to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure. Personnel should deploy the TASER 7 for one standard cycle and then evaluate the situation to determine if subsequent cycles are necessary. Each application of the TASER 7 should be independently justifiable. Officers should only deploy the TASER 7 to the extent necessary to gain control of the subject.
13. Additional cycles should only be administered if the subject continues to actively resist or present an imminent threat. If after several applications of a TASER 7 cycle, a subject still cannot be brought under control, then other force options should be considered.
14. In an attempt to minimize the number of TASER 7 discharges needed for subject compliance, officers should, while deploying the device, reasonably direct (give oral



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commands) the suspect as the incident mandates. Such verbal commands may include, “stop resisting”, “lie flat”, “put your hands behind your back,” etc.

15. As soon as the subject is compliant and the situation is under control, a supervisor shall be notified of the use of force.

G. Medical Attention

1. Any subject against whom a TASER 7 is deployed shall be evaluated by qualified medical personnel. Qualified medical personnel are medical professionals including medical doctors, licensed nurses, and EMS first responders.
 - a. Officers shall request EMS to respond and medically evaluate any subject on whom the TASER 7 has been used, either drive stun or with probes.
2. It is recommended that the probes are removed using the cartridge safety clip, which has a built-in tool for probe removal.
3. Police officers shall not remove probes which have implanted anywhere on a subject’s body unless authorized to do so by competent medical authority **OR** if the officer has been certified to do so by a POSTC certified instructor.
4. The following persons shall be transported to a hospital for examination following exposure to a TASER 7. Any person who:
 - a. Loses consciousness, exhibits irregular breathing or is known to be under the influence of drugs or medications;
 - b. Is hit in a sensitive area (e.g., face, head, female breasts, male groin);
 - c. Does not appear to recover properly after being energized;
 - d. Has been energized more than three times or has been subjected to a continuous energy cycle of 15 seconds or more;
 - e. Has had more than one TASER 7 effectively used against him or her in any given incident;
 - f. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to TASER 7 deployment;
 - g. Is in a potentially susceptible population category, including persons of small stature irrespective of age, the infirm, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health;



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- h. Exhibits bizarre or violent behavior, including self-mutilation;
- i. Is naked in a public place or exhibits signs of overheating;
- j. Evidences slurring or slowness of speech;
- k. Subject claims to have been injured or in medical distress; or
- l. For any other situation for which the officer believes medical treatment is necessary.

NOTE: Use Universal Precautions to avoid the transfer of bodily fluids when dealing with a subject who has been struck by a CEW probe.

H. Evidence Collection

Supervisors shall evaluate each incident on its own merits to determine if the probes or other evidence of TASER 7 discharge should be collected and tagged as evidence. If the supervisor determines that items should be collected, the following items will be secured and tagged as evidence:

- 1. If possible, photographs can be taken of the subject and injury site;
- 2. TASER 7 probes;
- 3. Cartridges; or
- 4. High visibility wire.

NOTE: In some instances, photographs may not be taken, such as in some cases of juveniles or when the probes impacted genitals, female breasts, etc. It is important to preserve evidence of the CEW use; however, it is also important to avoid violating any medical, HIPPA, or privacy statutes or other legal restrictions.

I. Incident Reporting

- 1. A supervisor shall be notified as soon as it is practical to do so after deploying a TASER 7.



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2. Any deployment of a TASER 7 requires a Case Incident Report (CIR) to be completed. The CIR shall include the facts and circumstances which the officer found to dictate the use of force and shall include the following:
 - a. Commands given to the subject;
 - b. Manner in which the subject refused to comply;
 - c. Witnesses to the discharge;
 - d. Number of discharges and length of each;
 - e. Location of probes on subject's body;
 - f. Extent of injuries;
 - g. Description of first aid provided; and
 - h. Supervisor notification.
3. Any officer who deploys a TASER 7 shall complete and submit a "Use of Force Report."
4. Any officer who provides medical attention to a person who has had a TASER 7 exposure shall document such in the CIR.

J. Supervisor's shall:

1. Ensure trained personnel who are issued a TASER 7 carry the device in accordance with this order while working their assigned shift.
2. Where appropriate and reasonable, respond to any scene in which a TASER 7 has been deployed.
3. Review the circumstances surrounding the use of the device to determine if the use of or deployment of the TASER 7 was in compliance with policy and procedure.
4. Review and follow-up on the officer's "Use of Force Report."

K. Data Download

1. After an incident in which a TASER 7 deployment occurs, the officer shall, as soon as possible, dock the TASER 7 and cause the data to be uploaded to evidence.com.



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- a. The data should be labelled appropriately in evidence.com.
- b. The data report for the TASER 7 deployment shall be printed and attached to the officer's Use of Force report.

NOTE: It is the policy of the Hartford Police Department that officers who use excessive force will be subject to discipline, possible criminal prosecution, and/or civil liability.