MESA POLICE

Department Policy Manual

Conducted Energy Weapon (CEW) Protocols

Effective 11/29/2012 Revised 04/15/2025

DPM 2.1.35

Approved by:

Chief of Police

Use of Force

Chapter:

Page:

1 of 7

1. PURPOSE

This policy provides Mesa Police Department (MPD) members with guidelines for the use of the Conducted Energy Weapon (CEW).

2. **DEFINITIONS**

CEW Deployment: A member has "deployed" a CEW if the member has fired the smart cartridge. This does not include displaying the function test to determine if a CEW is operational at the beginning of an officer's patrol shift.

Digital AFID: Digital data containing an alphanumeric identifier, stored within the CEW battery. This data is transferred to evidence.com after the CEW battery is properly docked.

Smart Cartridge: A replaceable smart cartridge for the CEW that uses a primer to push a captive piston forward that propels a single barbed probe on a thin connecting wire. When at least two barbed probes make contact with a subject, the smart cartridge delivers a high voltage/low-current signal into the subject.

TASER 10 Magazine: The black-duty magazine houses 10 replaceable smart cartridges for the CEW.

TASER Conducted Energy Weapon (CEW): An electro-muscular disruption device that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a subject. Synonymous with TASER, Electronic Control Device (ECD) and Electronic Control Weapon (ECW).

3. GENERAL

3.1 Authorized Users & Equipment

- A. All sworn members, and certain professional staff members depending on their assignment, are authorized to carry and use a CEW.
- B. Only those members who have satisfactorily completed the Department's approved training and maintain their certification will be authorized to carry and use the CEW.
- C. Authorized users shall only use a Department-owned and issued TASER 10.
 - 1. This is the only CEW authorized for use by the Department after the training transition period.
- D. CEWs are issued to Department members by the Training Division.

MESA POLICE Department Policy Manual CEW) Protocols Chapter: Chief of Police Conducted Energy Weapon (CEW) Protocols Effective 11/29/2012 Revised 04/15/2025 Page: Page: 2 of 7

E. The Training Division and Division Coordinators are responsible for the possession and issuance of unused replacement smart cartridges.

3.2 Authorized Use [ALEAP 1.8D]

- A. The use of the CEW is authorized in accordance with DPM 2.1.1 Use of Force.
- B. Officers shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officer and others. Officers shall use force only when no reasonably effective alternative appears to exist and shall use only the level of force which a reasonably prudent officer would use under the same or similar circumstances.
- C. CEWs can be used on subjects when:
 - 1. Displaying active aggression or greater levels of resistance;
 - Placing an officer or a third party in reasonable apprehension of immediate or imminent (non-deadly) physical injury, per <u>DPM 2.1.1 Use of</u> Force; and/or
 - The subject is displaying unique medical conditions or medical crises that may require officers to use force to physically control an individual to provide emergency medical aid.
- D. Some examples for use may include, but are not limited to, when there are articulable facts to support:
 - 1. Empty-hand techniques have failed; or
 - 2. If hands-on control tactics or other force options would be likely to cause greater injury to the officer or subject than the use of the CEW.
- E. Members may use a CEW against dangerous animals.

4. RESTRICTIONS

- A. Members shall not use a CEW on a subject:
 - 1. As a form of punishment or undue coercion.
 - 2. When known to be or visibly pregnant, elderly, very young, or frail, unless displaying aggravated active aggression, suicidal behaviors, or if deadly force is the only other option.
 - 3. In an elevated position where a fall is likely to cause substantial injury or death.
 - 4. In a location where the subject could drown.
 - 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 alcohol or other volatile propellant, gasoline, natural gas, or propane).

MESA POLICE Department Policy Manual CEW) Protocols Chapter: C

- 6. Operating a motor vehicle or motorcycle when the engine is running or on a bicycle or scooter in motion, unless the subject is displaying overtly assaultive behavior which cannot be reasonably dealt with in any other safer fashion.
- 7. Handcuffed or otherwise restrained, unless displaying assaultive behavior which cannot be reasonably dealt with in any other safer fashion.
- 8. To awaken them if unconscious or intoxicated.
- 9. To prevent the destruction of evidence.
- 10. To escort, prod, or jab.
- 11. To gain the attention or voluntary compliance of a group of people except as outlined in crowd dispersal guidelines in FFS 1.2 Field Force System.

5. DEPLOYMENT PROCEDURES

5.1 Supervisor Notification & Response

- A. Anytime a CEW is deployed (except in training activities), whether a subject is struck or not, members shall notify a supervisor.
- B. On-scene response by a non-involved supervisor is required for all deployments of a CEW. See DPM 2.1.1 Use of Force.

5.2 Deployment

- A. When practical and reasonable, a verbal announcement of the intended use of the CEW and the display of the green aiming laser at the subject shall precede the application of a CEW in order to:
 - 1. Provide the subject with a reasonable opportunity to voluntarily comply.
 - 2. Provide other members and individuals with a warning that a CEW may be deployed.
- B. Do not place self or others in jeopardy in order to deliver such warnings.
- C. When practical, have another officer present with available deadly force when utilizing the CEW.
- D. Members should not leave cover or put themselves in an otherwise tactically unsafe position in order to deploy the CEW.
- E. Initial use of the CEW shall be the deployment of two or more smart cartridges in immediate succession to achieve the proper spread and cross connectivity of the Taser 10.
 - 1. This is considered one deployment.
 - 2. The standard five-second cycle will begin after the deployment of two or more smart cartridges and a connection is established.
 - 3. The officer will then evaluate the need to apply a second five-second cycle after providing the subject a reasonable opportunity to comply.

MESA POLICE Department Policy Manual CEW) Protocols Chief of Police Conducted Energy Weapon (CEW) Protocols DPM 2.1.35 Effective 11/29/2012 Revised 04/15/2025 Page: Page: 4 of 7

- F. Each subsequent five-second cycle requires a separate justification.
 - 1. The justification shall include consideration of the enhanced risks to the subject being exposed to multiple and/or prolonged CEW cycles.
 - 2. The justification for each application of the CEW shall be documented in a departmental report or supplement.
- G. Once the subject has been exposed to three cycles, the CEW shall be deemed ineffective, and another use of force option will be considered unless exigent circumstances exist.

5.3 Smart Cartridge Targeting

- A. The primary target area is the back of the subject, below the neckline.
- B. The secondary target is the front (lower center mass) of the subject.
- C. Officers shall not intentionally target the groin or above the neckline.

6. POST DEPLOYMENT PROCEDURES

6.1 Handling Subjects After Deployment

- A. Do not approach the subject until it can be done safely in accordance with any other high-risk arrest.
- B. When an adequate number of officers are on scene, members should take advantage of the window of opportunity while the subject is under the effects of the CEW; officers should position themselves to handcuff and take the subject into custody.

6.2 Medical Assistance, Restraint & Notification

- A. As soon as it can be done safely, members shall have medical personnel examine any subject exposed to a CEW activation.
- B. If the probes penetrated the skin, the puncture site should be brought to their attention.
 - 1. Only medical personnel shall remove the CEW probes that are embedded in soft tissue areas such as the neck, face, female breast, and groin.
 - 2. Decisions to remove from other areas are at the discretion of the member carrying the CEW.
- C. Use a restraint technique that does not impair the subject's respiration, especially in possible excited delirium cases. See DPM 2.4.65 Restraining Devices.
- D. Notify Holding Facility Staff if a CEW was deployed on the subject being booked into the MPD Holding Facility.

6.3 Documentation

MESA POLICE Department Policy Manual CEW) Protocols Chapter: C

- A. Anytime a CEW is deployed (except in training activities), whether a subject is struck or not, members shall document the use of force incident in a departmental report (GO) or supplement, regardless of injury, as outlined in DPM 2.1.1 Use of Force.
- B. A supervisor will complete a Use of Force Report in BlueTeam as outlined in DPM 2.1.1 Use of Force.

6.4 Evidence Collection & Handling

- A. Probes that have been used should be treated as a biohazard and handled accordingly.
- B. In cases where a subject exposed to CEW activation received serious physical injury, death, or displays behavior associated with excited delirium, the contents of the CEW smart cartridge(s) shall be collected as evidence.
 - 1. The TASER 10 battery shall be docked by the end of shift, or as directed by a supervisor, to download data.
 - 2. In other incident types, a supervisor may request the TASER 10 battery to be docked to download data.
- C. The contents of the smart cartridge(s) must be collected by a Crime Scene Specialist (CSS) or as directed by the scene supervisor.
 - 1. The collected items must include probes, wires, and the smart cartridge(s) body.
 - 2. The collected probe wires from deployed smart cartridge(s) should not be wrapped. Gather the wires and other materials and place in an evidence bag.

7. CARRYING & SECURITY [ALEAP 1.8D]

7.1 Carrying

- A. All sworn or professional staff members working in a uniform capacity, who have been assigned a CEW, shall carry the CEW on their person while on duty; with the exception that the carrying of a CEW is optional for nonuniformed members unless the position has been designated for mandatory carrying of the CEW.
- B. The CEW shall be carried as follows:
 - 1. In a secured manner on the support side of the body.
 - 2. In a CEW holster or a secured pouch on the support side of an exterior carrier vest.
 - 3. The handle of the CEW will face toward the member's support side, and the CEW shall be drawn from its holster using the support hand only.
 - a. The member can then transition the CEW to their primary hand, if necessary, after drawing the CEW with their support hand.

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Chief of Police

Use of Force

Page:

6 of 7

7.2 CEW Authorized Positions

Chapter:

- A. The Advanced Training Lieutenant maintains a list of positions that have been authorized by the Chief of Police to carry a CEW.
- B. Members who leave an authorized CEW position shall return their assigned CEW, CEW holster, and smart cartridges to the Training Division once they leave their authorized position.
- C. All CEWs shall be inspected prior to reissuing the CEW.

7.3 Security

- A. Members assigned a CEW will ensure due care in the security of all Department-issued CEWs.
- B. Any Department-issued CEW not in the immediate possession of the member is to be locked:
 - 1. In a secure location within a MPD building;
 - 2. In a vehicle in a locked garage; or
 - 3. In the member's home when the member is not working.
- C. Do not secure CEWs in a vehicle when not working.

8. INSPECTION & REPAIRS

8.1 Inspections

- A. Members carrying CEWs will function test and inspect their CEWs prior to the start of their shift.
- B. CEW inspections shall be conducted annually during training by the Training Division to ensure that all CEWs are operable and perform any necessary maintenance or repairs.

8.2 Maintenance & Repairs

- A. A CEW requiring maintenance or repair must be taken to the Training Division.
- B. The battery packs of the Taser 10 CEW are rechargeable and house the digital AFID data of the CEW assigned to each officer.
 - For members required to carry a TASER, every 30 days, the Taser 10 battery pack shall be docked into the Taser 10 dock for a minimum of 30 minutes.
 - a. After 30 minutes, the digital AFID data is uploaded to <u>evidence.com</u>, and the battery can be used by another member.

MESA POLICE Department Policy Manual CEW) Protocols Chapter: C

- b. The Taser 10 dock will also fully charge the Taser 10 battery in a minimum of 8 hours.
- 2. For all other members, ensure the battery is charged and AFID data is uploaded as necessary.

9. TRAINING [ALEAP 1.8D]

- A. All members issued a Department CEW shall attend training and annual recertification as directed by the Training Division.
- B. The Training Division manages the CEW Program and is responsible for updating, ordering, and distributing equipment as needed.
- C. The Training Division keeps records on the CEW Program and completes an annual status report to the Chief of Police.

REFERENCES

- DPM 2.1.1 Use of Force
- DPM 2.4.65 Use of Restraining Devices
- Evidence.com
- FFS 1.2 Field Force System