



NEWARK POLICE DIVISION GENERAL ORDER



SUBJECT: Conducted Energy Device (<i>CED</i>)	GENERAL ORDER NO. 18-10
SUPERSEDES: G.O. 18-10 (04-08-2022)	DATED: November 21, 2025
RELATED POLICIES: <i>G.O. 18-05 (Body Worn Camera)</i> <i>G.O. 18-20 (Use of Force)</i> <i>G.O. 18-21 (Use of Force Reporting, Investigation & Review)</i>	

I. PURPOSE

II. POLICY

III. DEFINITIONS

IV. AUTHORIZED MEMBERS

V. AUTHORIZATION TO USE CONDUCTED ENERGY DEVICES

VI. DEPLOYMENT TECHNIQUES

VII. DUTY TO RENDER MEDICAL AIDE

VIII. REPORTING AND EVALUATING RESPONSIBILITIES

IX. EVIDENCE RETENTION

X. APPROVED CONDUCTED ENERGY DEVICES

XI. CARE AND HANDLING OF CONDUCTED ENERGY DEVICES

XII. TRAINING, QUALIFICATIONS, AND TRACKING

XIII. RESPONSIBILITY FOR COMPLIANCE

XIV. EFFECT OF THIS ORDER



NEWARK POLICE DIVISION GENERAL ORDER



I. PURPOSE

The purpose of this policy is to establish procedures for the use of conducted energy devices by members of the Newark Police Division in accordance with the New Jersey Attorney General Guideline.

II. POLICY

A. It is the policy of the Newark Police Division to *only* use the degree or intensity of force that reasonably appears necessary given the facts and circumstances perceived by a member at the time force is used. The reasonableness of force must be judged from the perspective of a reasonable law enforcement officer on the scene at the time of the incident.

1. In certain situations, a conducted energy device may reduce the risk of death or injury to members, bystanders and/or victims.

B. Division Personnel shall *only* use the degree of force that is reasonable, necessary, and proportional, considering the totality of the circumstances, the subject's mental and physical condition, the nature of the offense, and the level of resistance or threat known to the officer at the time.

1. In accordance with *New Jersey Attorney General Use of Force Policy Addendum A*, the force options for Division Members are;

a. Physical Force,

b. Mechanical Force, *and*

c. Deadly Force.

i. Conducted Energy Devices and less-lethal devices and corresponding ammunition shall be considered forms of *mechanical* force.

C. This policy authorizes *only* trained members of the Newark Police Division to utilize a conducted energy device as a less-lethal force option, subject to the strict limitations in this directive.

III. DEFINITIONS

A. **Active Assailant:** A person who is using or imminently threatening the use of force, *with or without* a weapon, in an aggressive manner that poses a substantial risk of causing bodily injury to an officer or another person. A threatening assailant becomes an active assailant when the threat becomes imminent.

B. **Active Resistor:** An unarmed person who is uncooperative, fails to comply with directions from an officer, and instead actively attempts to avoid physical control. This type of resistance includes, but is not limited to, evasive movement of the arm, flailing arms, tensing arms beneath the body to avoid handcuffing, and flight.

C. **Conducted Energy Device (CED):** Means any device approved by the Attorney General that is capable of firing darts/electrodes that transmit an electrical charge or current intended to temporarily disable a person.



NEWARK POLICE DIVISION GENERAL ORDER



- D. **Constructive Authority:** Constructive authority is not considered a use of force because it does not involve physical contact with the subject. Rather, constructive authority involves the use of the officer's authority to exert control over a subject. Examples include verbal commands, gestures, warnings, and unholstering a weapon. Pointing a firearm at a subject is an example of constructive authority to be used *only* in appropriate circumstances as outlined in this directive.
- E. **De-escalation:** De-escalation refers to the action of communicating verbally or non-verbally in an attempt to reduce, stabilize, or eliminate the immediacy of a threat. De-escalation may also be used to create the time needed to position additional resources to resolve the situation with the least amount of force necessary.
- F. **Deadly Force:** Force that an officer uses with the purpose of causing, or that a reasonable officer knows creates a substantial risk of causing, death or serious bodily injury. A threat to cause death or serious bodily injury by the display of a weapon or otherwise, so long as the officer's purpose is limited to creating an apprehension that deadly force will be used if necessary, does not constitute deadly force.
- G. **Discharge of Conducted Energy:** Device Means to cause an electrical charge or current to be directed at a person in contact with the darts/electrodes of a conducted energy device.
- H. **Feasible:** Reasonably capable of being accomplished or carried out, given the totality of the circumstances, in a manner that maintains the safety of the public and officers.
- I. **Firing of Conducted Energy:** Device Means to cause the darts/electrodes of a conducted energy device to be ejected from the main body of the device and to come into contact with a person for the purpose of transmitting an electrical charge or current against the person.
- J. **Function Check / Test:** A function test is a procedure performed on the Axon TASER 10 conducted energy device (*CED*) to verify that the weapon's core electronics and internal systems are operating properly.
- K. **Imminent Danger:** Threatened actions or outcomes that are immediately likely to occur during an encounter absent action by the officer. The period of time involved is dependent on the circumstances and facts evident in each situation and is not the same in all situations. The threatened harm does not have to be instantaneous, for example, imminent danger may be present even if a subject is not at that instant pointing a weapon at the officer, but is carrying a weapon and running for cover to gain a tactical advantage.
- L. **Member:** A sworn law enforcement officer of the Newark Police Division.
- M. **Mechanical Force:** Mechanical force involves the use of a device or substance, other than a firearm, to overcome a subject's resistance to the exertion of the officer's authority. Examples include use of an asp, baton, or other object, oleoresin capsicum (*OC*) spray or the physical apprehension by canines. Conducted Energy Devices (*CED*'s) and Less Lethal Devices and Ammunition shall be considered forms of *mechanical force*, and may *only* be used in strict adherence to this directive.
- N. **Passive Resistor:** A person who is non-compliant in that they fail to comply in a *non-movement* way with verbal or other direction from an officer.



NEWARK POLICE DIVISION GENERAL ORDER



- O. **Physical Contact:** Physical contact involves *routine or procedural* contact with a subject necessary to effectively accomplish a legitimate law enforcement objective. Examples include guiding a subject into a police vehicle, holding the subject's arm while transporting, routinely handcuffing a subject, and maneuvering or securing a subject for a frisk. Physical contact alone does not constitute force.
- P. **Physical Force:** Physical force involves contact with a subject beyond that which is generally used to effect an arrest or other law enforcement objective. Physical force is employed when necessary to overcome a subject's physical resistance to the exertion of the officer's authority, or to protect persons or property. Examples include taking a resisting subject to the ground, using wrist or arm locks, striking the subject with the hands or feet, or other similar methods of hand-to-hand confrontation, such as certain pain compliance techniques.
- Q. **Proportional Force:** The *minimum* amount of force, of both type (*e.g., physical, mechanical, or deadly*) and intensity, that is necessary to control a situation and achieve a legitimate law enforcement objective. The term proportional force is intended to highlight that the level of force a law enforcement officer utilizes shall be no more than is necessary to overcome the unlawful force or resistance being confronted by the officer.
- R. **Threatening Assailant:** A person who is threatening the use of force against an officer or another person, *with or without* a weapon, in an aggressive manner that may cause bodily injury. Examples may include a person armed with a weapon who fails to disarm, and an unarmed person who advances on an officer or any other person in a threatening manner thereby reducing the officer's time to react, putting the officer in reasonable fear of a physical attack.

IV. AUTHORIZED MEMBERS

- A. The Public Safety Director shall determine which officers, including Class II Special Law Enforcement Officers, shall be authorized to carry and use a conducted energy or a less-lethal device or ammunition.
 - 1. Class I Special Law Enforcement Officers shall *not* be authorized.
- B. An officer shall *not* carry or use a CED or less-lethal device during an actual operation unless the officer has been expressly authorized to do so by the Public Safety Director, after the officer has successfully completed a training course approved by the Police Training Commission in the proper use and deployment of authorized conducted energy or less-lethal devices, as appropriate.
- C. The Public Safety Director, through the Training Division, shall be responsible to ensure that officers authorized to carry CEDs and less-lethal devices maintain the required certifications and qualifications. The Public Safety Director may at any time limit, suspend, or revoke the authority of a member to use a conducted energy device.
 - 1. Members authorized to carry and use a conducted energy device pursuant to the Attorney General's Directive shall be *exempt* from criminal liability under *N.J.S.A. 2C:39-3(h)* for knowing possession of a stun gun provided by the Newark Police Division.



NEWARK POLICE DIVISION GENERAL ORDER



V. AUTHORIZATION TO USE CONDUCTED ENERGY DEVICES

A. Authorized Use:

1. Members authorized to use a CED pursuant to this policy may fire or discharge the CED during an actual operation, *only* against;
 - a. Active assailant; *or*
 - b. Threatening assailant; *or*
 - c. Active resistor who will not voluntarily submit to custody after having been given a reasonable opportunity to do so, considering the exigency of the situation and the immediacy of the need to employ law enforcement force; *or*
 - d. Person who is threatening to cause or attempting to cause death or serious bodily injury to him/herself; *or*
 - e. Fleeing suspect if clear and convincing evidence exists to believe the suspect has committed a crime in which the suspect caused or attempted to cause death or serious bodily injury; *or*
 - f. Fleeing suspect who, immediately prior to the flight, satisfies the definition of active assailant, whenever the pursuing law enforcement officer reasonably believes that upon reengagement the suspect will again become an active assailant.
 - i. This is subject to the limitations in *section V subsection B (e)*.
2. Officers shall re-evaluate the situation and reassess the need to use force before any second or subsequent firing or discharge or utilization of the device against the same person. Any second or subsequent firing or discharge or utilization of the device must be necessary and justified by the circumstances at that moment.
3. The AXON Taser 10 is capable of firing single probes. At least two (2) probes will need to be deployed to achieve neuromuscular incapacitation.
 - a. In order to overcome a subject's aggressive actions or continued non-compliance, additional probes may need to be deployed, consistent with this Policy.
 - i. The number of probes deployed shall not exceed the number of probes contained within a single cartridge.
4. Officers shall not direct an electrical charge or current against a person who is restrained by handcuffs *unless* the use of physical force or other types of mechanical force are not feasible or would be ineffective.
5. Consistent with training, officers may point a CED at a person *only* when circumstances create a reasonable belief that it may be necessary for the officer to use the device in accordance with *section V subsection A (1)* of this directive.



NEWARK POLICE DIVISION GENERAL ORDER



- a. When the officer no longer reasonably believes that mechanical force may be necessary, the officer shall, *as soon as practicable*, secure or holster the CED.
6. Unholstering, displaying, or pointing a CED shall be considered a display of constructive authority.

B. Prohibited Use:

1. The following uses of CEDs are *prohibited*:
 - a. CED's shall not be used or threatened to be used to retaliate for any past conduct or to impose punishment;
 - b. CED's shall not be used against a person who is a *passive* resistor;
 - c. CED's shall not be used against an active resistor *unless* the subject refuses to voluntarily submit to custody after having been given a reasonable opportunity to do so considering the exigency of the situation and the immediacy of the need to employ law enforcement force;
 - d. CED's shall not be fired or discharged for the sole purpose of preventing a person from committing *property* damage;
 - e. CED's shall not be deployed against the operator of a moving vehicle *unless* the use of deadly force against the operator of the motor vehicle would be authorized;
 - f. Two or more CED's shall not be discharged upon a person at the same time; *and*
 - g. A single CED shall not be used simultaneously against two or more people, *unless* deadly force would be authorized under the *General Order 18-20 "Use of Force"* and the *New Jersey Attorney General Use of Force Policy Addendum A*.

VI. DEPLOYMENT TECHNIQUES

- A. An officer issued a CED shall determine and record on an appropriate log, *prior to* field deployment, that the device, including the video recording function, is functional. If the officer is equipped with a body worn camera that will be used to record the circumstances of the firing/discharge of the CED in lieu of an internal video camera, the officer shall determine and record on an appropriate log that the body worn camera is functional.
 1. When feasible, the officer should warn the person against whom a CED is directed that the officer intends to fire the weapon.
 2. An officer shall not fire a CED if there is a substantial risk that the electrode/darts will strike an innocent person, *unless* firing the device in such circumstances is reasonably necessary to protect the innocent person(s) from death or serious bodily injury.



NEWARK POLICE DIVISION GENERAL ORDER



3. To ensure officer safety, when feasible, at least one law enforcement officer other than the one deploying the CED should be present, be armed with lethal ammunition, and be prepared to utilize deadly force in the event that the use of a CED for any reason fails.
 - a. Deadly force would *only* be authorized in this situation as a last resort, if otherwise permitted by *General Order 18-02 "Use of Force"* and the Use of Force Policy.
4. During the deployment of a CED, the deploying officer shall, when feasible, continually evaluate the options selected against changing circumstances.
5. An officer trained and authorized to carry a CED shall be aware of and comply with any targeting recommendations made by the manufacturer.
6. A CED may be used in conjunction with a distraction device, non-flammable chemical agent, or less-lethal ammunition.
 - a. If the individual has already received an electrical charge from a CED, officers shall, when feasible, provide the person a reasonable opportunity to submit to law enforcement authority and to comply with law enforcement commands, considering the physiological effects of the discharge, *before* deploying a distraction device, chemical agent, or less-lethal ammunition.
7. A CED shall not be directed against a person who is situated on an elevated surface (*e.g., a ledge, scaffold, near a precipice, etc.*) unless reasonable efforts have been made to prevent or minimize a fall-related injury (*e.g., deploying a safety net*).
8. A CED shall not be used in, on, or immediately adjacent to a body of water (*e.g., a pool or pond*) in which the targeted person could fall during any stage of the application of the electrical current generated or transmitted by the device. The purpose of this provision is to prevent drowning of the subject.
 - a. Wet conditions such as puddles or rain do *not* preclude the use of a CED.
9. A CED shall not be used in any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark, including but not limited to pepper spray with a volatile propellant, gasoline, natural gas, or propane.
10. While officers must at all times respect the seriousness and potential lethality of a CED, an officer shall use particular care when considering whether to use a CED against an individual who is particularly vulnerable due to age (*either elderly or young*), developmental disability, or a known or reasonably apparent medical condition (*e.g., a pregnant female*).
11. Law enforcement agencies are not permitted to use aerosol spray devices that emit a flammable substance to eliminate the possibility that the electric spark from a CED dart/electrode could inadvertently ignite a flammable substance contained in some OC sprays or similar aerosol spray devices, thereby resulting in injury or death.



NEWARK POLICE DIVISION GENERAL ORDER



VII. DUTY TO PROVIDE MEDICAL AID

A. Procedures:

1. In accordance with the Newark Police Division Use of Force General Order, and in the interest of ensuring that injured persons receive proper medical attention, if a CED is directed at a person, the member shall:
 - a. Immediately request for E.M.S. to respond, *and*
 - b. If trained and qualified, the officer shall render aid until E.M.S. arrives.
2. Subjects against whom a CED has been deployed shall be transported to a medical facility for examination if *any* of the following circumstances exist:
 - a. The subject requests medical attention;
 - b. The subject had been rendered unconscious or unresponsive;
 - c. The subject, after being subjected to a discharge, does not appear to have recovered normally, as described in CED training;
 - d. The subject has exhibited signs of excited delirium, as described in CED training, prior to, during, or after the discharge of the CED;
 - e. The subject has suffered bodily injury requiring medical attention as a result of a fall, or otherwise reasonably appears to need medical attention;
 - f. The subject was exposed to three (3) or more discharges from a CED during the encounter;
 - g. The subject has been exposed to a continuous discharge lasting fifteen (15) seconds or longer;
 - h. No personnel at the scene are qualified or authorized to remove the CED darts/electrodes from the subject's person;
 - i. An officer trained and authorized to remove darts/electrodes experiences difficulty in removing a dart/electrode; or
 - j. Any part of a CED dart/electrode has broken off and remains imbedded.
3. An officer is authorized to remove a CED dart/electrode from a subject *only* if the officer has received training on dart/electrode removal.
 - a. However, officers are not authorized to remove a CED dart/electrode from any part of the person's head or neck, or where the dart/electrode is located in the area of the subject's genitalia, or female breast.



NEWARK POLICE DIVISION GENERAL ORDER



- i.* In the absence of exigent circumstances requiring immediate action, a CED dart/electrode may *only* be removed from these areas of the subject's body by qualified medical personnel.

B. Restrictions:

- 1. Members are *prohibited* from removing a CED dart/electrode from certain areas such as:

- a. Any part of the person's head or neck, *or*
- b. Genitalia, *or*
- c. Female breast.

- i.* In the absence of exigent circumstances requiring immediate action, a CED dart/electrode may *only* be removed from these areas of the subject's body by qualified medical personnel.

VIII. REPORTING AND EVALUATION RESPONSIBILITIES

A. Reporting Responsibilities:

In all instances when a conducted energy device is fired at or discharged upon a person, the following shall be completed:

1. Member:

- a. Any member who *used* or *employed* such force shall complete;
 - i.* A "Use of Force" report in Blue-Team,
 - ii.* A "NJOAG Use of Force" report in the Benchmark Analytics Attorney General's Use of Force Reporting Portal, *and*
 - iii.* Any other reports made necessary by the nature of the underlying incident (*e.g.*, *Continuation Report, Arrest*).

2. Witnessing Member:

- a. Any member *witnessing* a CED being deployed by another member shall also complete;
 - i.* A Continuation Report (*DPI-795*) documenting his/her observations.

3. Supervisor:

- a. An *uninvolved* higher-ranking supervisor shall respond to the scene of any firing or discharge of a CED.



NEWARK POLICE DIVISION GENERAL ORDER



- b. If the discharge of a CED results in death or serious bodily injury, the supervisor shall request that *immediate* notification be made to E.C.P.O., O.P.S. / A.F.I.T., Public Safety Director, and Chief of Police.
 - i. The supervisor shall ensure medical aid is provided for any injured persons, that the scene is secured, and be guided by the instructions of the E.C.P.O. Investigators.
 - c. If the incident does not result in death or serious bodily injury, the supervisor shall, *at a minimum*, complete the following:
 - i. Take custody and secure the CED and safeguard the digital information in the device regarding the incident as stated in *section IX* of this directive;
 - ii. Ensure any injured persons receive medical aid as stated in *section VII* of this directive;
 - iii. Asses the incident and determine if the deployment of the CED conforms to NPD Policy, Attorney General Guidelines, and the Law;
 - d. Identify any witnesses;
 - f. Check for surveillance cameras in the area;
 - g. Ensure any In-Car Camera and or Body Worn Camera recordings are marked with the appropriate classifications (*OPS Investigation*);
 - h. Request the Communications Division/911 Call Center notify O.P.S. /A.F.I.T., E.C.P.O., Public Safety Director, and Chief of Police;
 - i. Complete the Incident Report;
 - j. Be guided by the instructions given by E.C.P.O. and O.P.S / A.F.I.T.; *and*
 - k. Request notification be made to the appropriate N.P.D. Investigating Unit (*e.g., Special Victims Division, Major Crimes, Homicide*) when applicable.
4. **Office of Professional Standards:**
- a. O.P.S. / A.F.I.T. personnel shall respond to incidents where a CED is fired or discharged and conduct the investigation, *except* for incidents that result in death or serious bodily injury, which shall be investigated by the E.C.P.O.
 - b. The O.P.S. / A.F.I.T. Commander shall review the firing and discharge of a CED incident and submit a report to the Public Safety Director detailing the relevant circumstances, deployment, and outcome, including whether the deployment avoided injury to an officer and avoided the need to use deadly force.



NEWARK POLICE DIVISION GENERAL ORDER



- c. The Public Safety Director or designee shall review the O.P.S. report concerning the CED discharge and issue a finding on whether the firing and all discharges complied with the Attorney General's Supplemental Policy on CEDs.
- d. The Public Safety Director or designee shall forward the report to the Essex County Prosecutor within ten (10) business days of the firing/discharge, *unless* the Essex County Prosecutor grants a request for extension of time based upon good cause shown.

5. **Show of Force Report:**

- a. If an officer merely points a conducted energy device at a subject and does not discharge the device their actions shall *only* be documented in any corresponding reports (*Arrest, Incident, Continuation Reports, etc.*) made necessary by the event.

6. **Report Tracking:**

- a. Each Show of Force Report and Use of Force Report shall contain the corresponding event number for the assignment.
 - i. "Other-Specify" on the Use of Force report shall be checked.

B. **Notifications:**

- 1. The Communications Division shall provide notifications to the following commands for all incidents where a conducted energy device has been fired or discharged:
 - a. Public Safety Director;
 - b. Chief of Police;
 - c. Essex County Prosecutor's Office;
 - d. Respective Precinct Commander;
 - e. Office of Professional Standards;
 - f. All Force Investigation Team;
 - g. Any other person deemed necessary by the Public Safety Director.
- 2. Notifications are *not* required when a conducted energy device is displayed as constructive authority.

IX. EVIDENCE RETENTION

A. **CED Digital Evidence Retention:**

- 1. All digital evidence associated with a CED discharge shall be retained *indefinitely* within the digital evidence management system *Evidence.com*.



NEWARK POLICE DIVISION GENERAL ORDER



- a. All In-Car Camera or Body Worn Camera recording(s) associated with a CED discharge shall be marked with the classification “*OPS Investigation*”.
2. O.P.S. / A.F.I.T. shall be responsible for reviewing all digital evidence associated with a CED discharge.
 - a. Division personnel with Administrator privileges for the digital evidence management system (*evidence.com*) shall ensure all digital evidence related to a CED discharge cannot be accessed, tampered, or erased except as allowed by law and under direction of the Public Safety Director or Chief of Police.
3. Division personnel with Administrator privileges for the digital evidence management system (*evidence.com*) shall be responsible for granting the appropriate level of access to Division members for the purposes of analysis, investigation, and review, of CED discharge.
4. All digital evidence related to a CED discharge shall be uploaded to the digital evidence management system (*evidence.com*).
 - a. The investigating supervisor shall then download the recording(s) onto a non-rewriteable, optical media (*i.e., CD-R, and/or DVD-R*), and secure the media in accordance with established Division policies and procedures for the marking and storage of digital evidence.

B. Cartridges / Probes:

1. When a CED is fired or discharged upon any person, all expended probe(s) or cartridge(s) shall be collected and placed into property and evidence using the appropriate evidence container and assigned the corresponding central complaint number.
2. If the discharged probes are removed on the scene, or at a medical facility, the member who deployed the CED shall be responsible for collecting the expended probe(s) or cartridge(s), and submitting them into evidence without delay.
 - a. Should any circumstance exist which results in the member who deployed the CED *unable* to secure the probe(s) or cartridge(s) into evidence, the on-scene supervisor shall determine who shall collect the evidence.
3. Members will treat the probes that have penetrated the body as contaminated needles (*biohazard*) and shall utilize appropriate personal protective equipment.
4. Used probes may be secured sharp-tip first into either a sharps container or into the cartridge side wire pocket container.

X. APPROVED CONDUCTED ENERGY DEVICES

- A. The specifications for approved CED’s are found in the Attorney General “*Use of Force Policy Addendum A – Conducted Energy Devices and Other Less-Lethal Devices and Ammunition.*” Specifications for approved Conducted Energy Devices include the following requirements:



NEWARK POLICE DIVISION GENERAL ORDER



1. The device must be capable of making a date and time stamped digital record of each occurrence when the darts/electrodes are fired, and of each occurrence when an electrical current is discharged;
2. The device must be capable of making a digital video recording of each such firing and electrical discharge, where the focus of the internal camera is centered on the person against whom the CED was targeted, *except* a CED that does not have the capability of making a digital video recording provided that such device may *only* be carried and used by an officer equipped with a BWC as defined in *Attorney General Law Enforcement Directive No. 2015-1*.
 - a. Notwithstanding any other provision of this policy, the CED shall not be fired or discharged during an actual operation *unless* the officer has activated the body worn camera.
 - b. Nothing herein shall be construed to preclude the officer from firing or discharging the device in the event that the officer's body worn camera *malfunctions*, or if the exigency of the situation made it unsafe or infeasible for the officer to activate the body worn camera before firing the device; *and*
3. The device must safeguard all such digital data and video recordings to ensure that they can be accessed or erased *only* by appropriate supervisory personnel in accordance with rules, regulations, standing operating procedures or orders promulgated pursuant to this policy.
4. Division Personnel shall not purchase, possess, deploy, fire, or discharge any CED pursuant to this policy *unless* the device has been approved by the Attorney General and the Public Safety Director.

XI. CARE AND HANDLING OF CONDUCTED ENERGY DEVICE

- A. All conductive energy devices shall be worn on a member's support side of their duty belt in a cross-draw holster.
 1. When conducted energy devices are not deployed, they shall be secured in a locked area determined by the commander.
 2. Conducted energy devices shall be included in the command inventory (*such as shot guns*) and accounted for at the beginning and end of every tour.
 3. A member issued a conducted energy device shall conduct a function test of the device to verify that the core electronics of the Taser 10 are operating properly, and ensures the device is functioning as intended, *prior to* each field deployment.
 - a. Placing the TASER 10 into the function test mode will log everything that occurs as a test.
 4. If the function check reveals the device battery is below eighty percent (80%) charge, the member shall ensure the device is fully charged *prior to* field deployment.



NEWARK POLICE DIVISION GENERAL ORDER



5. If the function checks reveal the conducted energy device is *not* functioning properly, the device shall not be deployed. The member shall tag the device as out of service and submit an Administrative Report to the commander detailing the deficiency.
6. To ensure all recordings are uploaded to *evidence.com*, and the device receives the appropriate firmware update(s), members utilizing a CED shall return the device to the docking station at the end of their tour.
7. Division Personnel shall ensure the cleanliness of the conducted energy devices and shall conduct periodic maintenance of the devices in accordance with the manufacturer's recommendation.
 - a. *Prior to* performing any cleaning, inspection, or maintenance on an Axon TASER 10, personnel shall verify and confirm that the device does *not* contain a live cartridge.
 - i. Personnel shall *not* pull the trigger during a function test. Pulling the trigger will deploy a cartridge, even if the weapon is in function test mode.

XII. TRAINING, QUALIFICATIONS, AND TRACKING

A. Training and Qualifications:

1. The Police Academy shall develop and maintain a training curriculum relative to the AXON Taser 10 Conducted Energy Device, and digital evidence management system (*evidence.com*).
 - a. The training curriculum shall be capable of initial training and recertification of Division members in accordance with *addendum A* of the *Attorney General Use of Force Policy*.
 - b. The curriculum shall incorporate Virtual-Reality (VR) simulator-based training methods to enhance officer performance, improve decision-making, and prepare personnel for real-world scenarios in a safe, controlled environment.
2. No officer shall be authorized to carry or use a CED or less-lethal device during an actual operation until having completed a training course and qualification procedure approved by the Police Training Commission (*or DCJ*) in the proper use and deployment of CEDs or less-lethal devices.
 - a. The training program shall include a component on techniques to de-escalate a confrontation with a person from a different culture or background.
 - b. The training program also shall include a component on how to interact with a person in emotional or mental health crisis, including de-escalation techniques.
3. All law enforcement officers authorized to carry and use a CED or less-lethal device pursuant to this policy shall qualify, and thereafter re-qualify *annually*, in a training course and qualification procedure approved by the Police Training Commission (*or DCJ*).



NEWARK POLICE DIVISION GENERAL ORDER



4. CED and Less-Lethal training programs in each county shall operate under the direct control of the County Prosecutor's Office. The number of certified CED Instructors and Less-Lethal Instructors, who shall be responsible for the initial training and qualification of officers authorized to carry a CED or Less-Lethal Device, shall be determined by the Essex County Prosecutor. The Essex County Prosecutor may designate any law enforcement officer to serve as an authorized CED or Less-Lethal Instructor within the countywide program under their jurisdiction.
5. For purposes of CED and Less-Lethal *re-qualification only*, upon approval and designation of the Essex County Prosecutor's Office, Division Personnel may be trained as a "*CED Re-Qualification Instructor*" or "*Less-Lethal Requalification Instructor*" to administer re-qualification.
 - a. Training of any CED or Less-Lethal Re-Qualification Instructor shall be identical to the training requirements for Certified CED Instructors or Certified Less-Lethal Instructors.
 - b. The Essex County Prosecutor's Office shall maintain a list of all CED and Less-Lethal Re-Qualification Instructors.
 - i. Re-Qualification Instructors shall not be authorized to conduct the *initial* training of officers authorized to carry a CED or Less-Lethal Device.

B. Tracking:

1. The Newark Police Training Division shall keep records on all members who are CED Task Force Officers, CED Re-Qualification Instructors, in addition to all members who have been trained as users of a conducted energy device. The Training Division shall monitor the re-qualification process. The tracking of requalified personnel shall indicate if the training was conducted on the FATS or the actual device.
2. OPS shall be responsible for tracking all CED firings and discharges by Division members.

XIII. SANCTIONS FOR NON-COMPLIANCE

Should the Attorney General or designee have reason to believe a law enforcement agency or officer is *not* complying with, or adequately enforcing the provisions of the conducted energy device policy, the Attorney General may temporarily or permanently suspend, or revoke the authority of the Police Division, or any member, from possessing or using a conducted energy device, and may initiate disciplinary or criminal prosecution proceedings, and may take such other actions as the Attorney General deems appropriate to ensure compliance with the policy.

XIV. RESPONSIBILITY FOR COMPLIANCE

All Division members shall be responsible for compliance with this directive. Commanders and Supervisors shall ensure that all subordinates read and acknowledge understanding of this directive.



NEWARK POLICE DIVISION GENERAL ORDER



XV. EFFECT OF THIS ORDER

All previous Memorandums and Orders that are in conflict with this Order are repealed.

By Order of:



EMANUEL MIRANDA, SR.
PUBLIC SAFETY DIRECTOR

EM/JAG/JG:tr