

ORANGE COUNTY SHERIFF'S OFFICE



GENERAL ORDER

Effective Date: March 7, 2024	Amends - GO 8.1.2 (August 10, 2021)	Number: 8.1.2
Distribution: All Personnel	Review Month: March	Reviewing Authority: HRD / Training
Subject: Electronic Control Devices – (Taser 7)		

This order consists of the following:

1. Purpose
2. Policy
3. Definitions
4. Procedures

1. Purpose

The purpose of this policy is to provide deputies with guidance and direction on the use of electronic control devices.

2. Policy

It is the policy of the agency that personnel performing official duties shall comply with applicable law, and specifically Fourth Amendment standards, by using a level of force that is objectively reasonable in light of the surrounding facts and circumstances. Courts examine the factors announced by the U.S. Supreme Court in [Graham v. Connor](#) to determine whether the use of force was objectively reasonable. A deputy must consider the following factors when deploying an Electronic Control Device (ECD): (a) the severity of the alleged crime at issue; (b) whether the suspect poses an immediate threat to the safety of the officers or others; and (c) whether the suspect is actively resisting arrest or attempting to evade arrest by flight. ECD's have been proven effective and are authorized for use in appropriate circumstances by trained personnel.

3. Definitions

- A. Active Physical Resistance - slight to moderate physical harm: a subject makes physically evasive movements to defeat a deputy's attempt at control. This may be in the form of bracing or tensing, attempts to push/pull away or not allowing the deputy to get close to him/her.
- B. Aggressive Physical Resistance – moderate physical harm: a subject makes overt, hostile, attacking movements which may cause injury, but are not likely to cause death or great bodily harm to the deputy or others.
- C. Anti-Felon Identification Device (AFID) – An "AFID" contains an alpha numeric identifier unique to the specific cartridge used.
- D. ARC Warning – Prior to cartridge deployment, users can utilize the ARC switch on their ECD to initiate a momentary warning arc. This procedure does not deploy the probes. An ARC warning can be utilized in conjunction with a verbal Taser warning in an effort to deescalate the situation and gain compliance without probe

deployment.

- E. Close Quarters Cartridges (CQ) – Taser 7 ECD cartridges engineered with 12 degrees probe spread designed to achieve desirable ECD effects at a range four feet to twelve feet.
- F. Critical ECD Incident – When an ECD is deployed on a Person in Crisis, or when the subject sustains serious/critical injuries or experiences a serious/critical health condition resulting from an ECD deployment and the subject is transported to the hospital, or when the subject dies.
- G. Drive Stun – pressing the ECD against a target without the deployment of probes using the ARC switch. This procedure does not involve neuromuscular incapacitation (NMI) and only involves pain compliance.
- H. Drive Stun Follow Up – when probe deployment is at close range and does not accomplish neuromuscular incapacitation (NMI), secondary probes should be relocated at a greater distance and redeployed.
- I. Electronic Control Device (ECD) - A device designed to disrupt a subject's sensory nervous and motor nervous systems by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses. This does not include the Electronic Restraint System (ERS).
- J. Functional Test Mode – A software mode that conducts an internal diagnostic and spark test, accomplished by pressing both ARC switch buttons prior to activating.
- K. Neuromuscular incapacitation (NMI) – an involuntary stimulation of both the sensory nerves and the motor nerves which may interfere with an individual's ability to utilize the affected muscles.
- L. Passive Physical Resistance – slight physical harm: A subject physically refuses to comply or respond to a deputy's command. He/she does not make any attempt to physically defeat the actions of the deputy but forces the deputy to employ physical maneuvers, or use a chemical agent to establish control.
- M. Securing Under Power – A technique used to secure a subject during the activation cycle, as instructed through training.
- N. Standoff cartridges (SD) – Taser 7 ECD cartridges engineered with 3.5 degrees probe spread designed to achieve desirable ECD effects at a range between eleven feet to twenty feet.
- O. Training ECD Instructors - authorized agency members who have received advanced ECD training and are certified by the manufacturer of the agency-issued ECD. They are authorized to inspect, conduct minor repairs, download an ECD, and can teach agency ECD user courses. They possess specialized training and experience pertaining to the ECD.

- P. Training Master ECD Instructors - authorized agency members who have received advanced ECD training and are certified by the manufacturer of the agency-issued ECD. They are authorized to inspect, conduct minor repairs, download an ECD, and can teach agency ECD user and instructor courses. They possess specialized training and experience pertaining to the ECD.

4. Procedures

A. Authorized Users

1. Only those who have satisfactorily completed the agency's approved training course shall be authorized to carry an ECD. Agency members shall be given annual retraining by the Training Section on the use of an ECD.
2. All sworn personnel (Lieutenant and below) will be issued an ECD. Any exceptions to this policy will be approved by the Division Commander.
3. Uniform deputies issued an ECD shall carry the ECD when engaged in any uniform assignment, including enforcement related off-duty.

B. Device Readiness

1. Uniformed deputies shall carry the ECD on the duty belt, in an approved holster on the **non-dominant side** of the body. No portion of the ECD shall cross the mid-line of the body when holstered. Deputies can draw the ECD with either their non-dominant hand or a cross body draw with their dominant hand.
2. Non-Uniformed deputies, when wearing a load bearing vest shall have an ECD on their duty belt or in a holster approved by the Training Section, unless approved by the Division Commander. The ECD holster shall be located on the non-dominant side of the load bearing vest consistent with agency training.
3. The device will be carried fully armed with the safety on in preparation for immediate use when authorized.
4. All ECD models with the software capability shall be preprogrammed to automatically shut down electrical discharge after 5 seconds, regardless if the trigger or arc switch is being held down.
5. The Taser 7 ECD is preprogrammed to activate all body worn cameras (BWC's) within range of the Axon signal; when the Taser 7 ECD is armed or the ARC switch is activated outside of the "functional test mode", or any time the trigger is activated.
6. Taser 7 ECD users shall be issued a minimum of two close quarters (CQ) cartridges and two standoff (SO) cartridges. It is recommended the Taser 7 ECD is preloaded with a CQ cartridge in bay 1 and a SO cartridge in bay 2. Additional spare cartridges will be stored and carried in a manner consistent with training and the cartridge replaced consistent with the manufacturer's

expiration requirements.

7. Only agency-approved battery power sources will be used in the ECD.
 8. When carrying an ECD, deputies shall conduct a pre-operation function (spark) test of the ECD prior to the start of each shift. If a deputy believes the ECD is not operating properly, the deputy shall promptly contact a Training Section ECD Instructor to determine if further inspection of the device is needed. The Training Section ECD Instructor shall make arrangements to meet with the deputy to inspect the device when the Training Section ECD Instructor determines an inspection is warranted. The Training Section ECD Instructor may direct the deputy to report directly to Material Control/Supply when the device should be replaced.
 - a. A deputy who is assigned to a specialized unit and who does not carry an ECD while performing the normal duties of his or her job is only required to perform the pre-operation test when the ECD is carried during an operational assignment. If the deputy does not routinely carry the ECD, they shall conduct a spark test at least once a month.
 - b. A deputy shall be required to attend remedial training on the use of the ECD if a deputy has two accidental discharges of an ECD cartridge while performing spark tests within a six month period. The remedial training will be conducted by the Training Section.
 - c. Spark testing the Taser 7 ECD shall be conducted while the device is in the "functional test mode". This will properly log the event as a spark test rather than a regular ARC activation. Conducting a spark test in the "functional test mode" will not activate BWC's in the immediate vicinity.
 - d. Taser 7 ECD users shall replace their ECD battery every thirty days, or sooner if the battery level drops to 20% or lower or as soon as practical following any intentional or unintentional discharge. Deputies are prohibited from taking a spare battery from the Taser 7 battery docking/recharging stations. Deputies shall only conduct a one-for-one battery swap.
 - e. Deputies are prohibited from swapping or borrowing a battery from one another. All battery replacements should be retrieved from the Taser 7 battery docking/recharging stations.
 - f. When placed into the Axon Dock ecosystem, the Taser 7 rechargeable battery pack will upload the weapon data and firmware automatically as well as recharge and condition the battery. Deputies shall not take the Taser 7 rechargeable battery pack out of the docking station until the light is green.
 9. Deputies issued an ECD shall be responsible for confirming the device is charged and in proper working order.
- C. Deployment
1. Deputies are prohibited from using the ECD against a subject who only presents a level 3 (Passive Physical Resistance) or lower. Subject to the

conditions below and the factors set forth in [Graham v. Connor](#), the ECD may be used when the subject presents a level 4 (Active Physical Resistance) or higher resistance. Deputies are prohibited from using the ECD on a handcuffed or otherwise secured subject except when a handcuffed or secured subject presents a level 5 (Aggressive Physical Resistance) or higher. A deputy may use an ECD on a handcuffed or secured subject at a level 4 in rare situations provided exigent and articulable circumstances are present (e.g. the subject was properly secured with his/her hands behind the back, but manages to move his/her hands to the front of his/her body and uses level 4 (Active Physical Resistance) when the deputy attempts to re-secure him/her in accordance with GO [8.1.0](#), Response to Resistance).

2. The justifications for using the ECD at a level 4 or higher are the same officer/subject factors that exist in any other force decision. The initial activation of the ECD, as well as each additional activation, must be objectively reasonable under the standards set forth in [Graham v. Connor](#).
 - a. The ECD may be deployed in the case of a sudden attack or when a subject is actively resisting.
 1. ECD deployment may increase the risk of death or serious injury in certain circumstances, such as loss of balance, falls, change in momentum, drowning, or loss of control of any mode of transportation, conveyance or machinery.
 2. Deputies are prohibited from deploying an ECD in the following situations unless deputies can articulate exigent circumstances which make the deployment objectively reasonable:
 - a. on young children;
 - b. on the elderly;
 - c. on females reasonably believed to be pregnant;
 - d. on individuals with apparent physical disabilities impairing their mobility;
 - e. when the subject's fall may cause substantial injury or death (e.g., an elevated location such as a rooftop or building ledge, climbing over a fence or wall);
 - f. individuals in water; and
 - g. individuals in physical control of a motor vehicle in motion (i.e., vehicles, motorcycles, scooters, boats, bicycles).

If a deputy deploys an ECD in any of the circumstances listed in a-g above, the deputy must clearly document the exigent circumstances which made the deployment objectively reasonable.

When a deputy is unable to identify exigent circumstances justifying the deployment of an ECD on a subject in one of the circumstances listed in a-g above, the deputy should evaluate and consider other options such as verbal commands, hands-

on techniques, OC spray, etc.

- b. A subject's flight should not be the sole justification for ECD deployment. Additional factors that must be considered when making response to resistance decisions include:
 1. Subject Factors:
 - a. Seriousness of crime committed by subject.
 - b. Size, age, and weight of subject.
 - c. Apparent physical ability of subject.
 - d. Number of subjects present who are involved, or who may become involved.
 - e. Weapons possessed by or available to the subject.
 - f. Known history of violence by subject.
 - g. Presence of innocent or potential victims in the area.
 - h. Whether the subject can be recaptured at a later time.
 - i. Whether evidence is likely to be destroyed.
 - j. Indicators of attack exhibited by the subject such as but not limited to; verbalization of a hostile/aggressive intent, hostile/aggressive posturing, muscular tensing of the body, etc.
 2. Deputy Factors:
 - a. Size, physical ability, and defensive tactics expertise of the deputy.
 - b. Number of deputies present or available.
 - c. Immediate reaction in the case of sudden attack.
 - d. Weapons or restraint devices available to the deputy to effectuate the arrest without ECD deployment.
 - e. Legal requirements.
 - f. Agency policy.
 - g. Environment.
 3. The above listed subject and deputy factors are not all inclusive. Any and all determining factors must be properly articulated by the deputy(s) employing physical force.
3. The ECD should not be intentionally aimed at a person's head, neck or groin. The primary target will be the subject's back, when practical. If the primary target is not available, the secondary target area is front, lower, center mass. Frontal applications of ECD's have been found to be more effective when the probes are targeted at the lower torso engaging the balancing muscles of the pelvic or thigh region. (Diagram of preferred ECD areas in blue is referenced at the end of this directive.)
4. Deputies are prohibited from using the ECD in a punitive or reckless manner. Some examples include:
 - a. Using or threatening to use the ECD during an interrogation.
 - b. Using the ECD to awaken a person.
 - c. Using the ECD as a "Prod."
 - d. Using the ECD for "Horseplay."

5. The ECD will not be used for extracting evidence or contraband.
6. The ECD should not be used in any environment where potentially flammable, volatile, or explosive material (gasoline, natural gas, propane, flammable chemical sprays, etc.) are present.
7. In preparation of deployment, the ECD will be pointed in a safe direction, taken off safe, and then aimed. Absent exigent circumstances:
 - a. a verbal warning shall be given unless doing so would place an individual at risk; ECD users may also initiate a momentary ARC warning in conjunction with a verbal warning;
 - b. only one deputy at a time shall deploy an ECD against a subject;
 - c. if present, a second deputy shall provide cover.
8. Using the ECD in Drive Stun involves pressing the unit against an appropriate area, without deploying probes and using the ARC switch. Using the ECD in Drive Stun only achieves pain compliance and does not achieve NMI. Do not repeat drive stuns, if compliance is not achieved. If the probes are deployed, even close range, the user may conduct a drive stun follow up to another portion of the body that is further away from the probes, consistent with training, thereby increasing the possibility of inducing NMI.
9. Therefore, the ECD may be used in Drive Stun only as a secondary option, unless the deputy clearly articulates the circumstances justifying use in Drive Stun as the primary option. Examples where a drive stun may be an acceptable primary option include, but are not limited to:
 - a. Fighting with a suspect;
 - b. situations where the probes are likely to impact innocent by-standers or other deputies if the cartridge is used;
 - c. situations where a deputy may not be able to achieve an effective probe-spread, etc.
10. Each activation of the ECD is considered an additional response to resistance. To minimize the number of standard five second cycles necessary to restrain a subject, deputies shall attempt to secure the subject under power as soon as practical. Deputies shall continually assess the objective reasonableness of using the ECD, as well as the subject's submission/compliance and breathing ability, before applying additional cycles of the ECD.
11. Deputies should apply restraint techniques consistent with GO [8.1.3](#) and handcuff a subject under power as soon as practical. The technique of securing a prisoner's hands to his/her feet behind his/her back is prohibited, except in exigent circumstances. When this technique is used, deputies shall document the exigent circumstances in the appropriate report. A five point restraint technique may be used on individuals who are extremely violent. All subjects should be closely monitored for signs or complaints of distress indicating asphyxia.

12. A person in custody who displays evidence of, or complains of, an injury or illness shall receive appropriate medical attention as soon as possible. Deputies shall be guided by EMS or other competent medical authority in determining the feasibility of utilizing restraints, taking into account the seriousness of the injury or illness coupled with the ability of the person to harm others or escape.
13. The ECD will be pointed at the ground in a safe direction with the safety on during administrative handling procedures.
14. No changes, alterations, modifications or substitutions will be made to the ECD. All repairs to an ECD will be completed by an authorized vendor.

D. A Person in Crisis

A Person in Crisis is used to refer to an individual exhibiting symptoms, such as severe agitation, hyperactivity, confusion, intense paranoia, and hallucinations, that appear suddenly but with short duration. The common causes of these symptoms could be, but are not always, poisoning from stimulant drugs, especially cocaine and methamphetamine. Deputies should refer to TB [95-11](#) for additional information about a Person in Crisis.

E. Nothing in this order will prevent a deputy from utilizing any readily available object or empty hand technique as a weapon in circumstances or situations where the actions of a subject constitute Level 6 Resistance that could result in great bodily injury, permanent disability, permanent disfigurement or death to the deputy or others.

F. The ECD should not be used in situations where deputies may need immediate Level 6 Force (building searches, felony stops, armed encounters). Deputies should keep in mind the limitations as well as the capabilities of their issued ECD.

G. After a deputy uses an ECD, the deputy should:

1. Handcuff the subject to minimize the threat of injury to either the deputy or the subject.
2. Remove the ECD probes at the earliest opportunity. The ECD probes will be removed in accordance with agency approved training. ECD probes that have struck the face, groin, female breasts, or male nipple area must be removed by properly trained medical personnel. When probes are located in these areas the deputy shall request EMS for transport to a hospital emergency department.
3. Confirm the ECD evidence is handled in accordance with GO [10.1.1](#), Evidentiary Property. Deployed cartridges, probes and wires should be collected and packaged as evidence.
4. ECD probes that have struck a person's body will be considered a biological hazard and packaged appropriately in accordance with GO [8.1.2](#).

5. Deputies shall not collect the ECD evidence when a Critical ECD Incident has occurred. Supervisors shall be responsible for contacting the on-call CSI for evidence collection.
6. Request emergency medical services to provide medical treatment and transport if the subject shows signs of injury, complains of a medical emergency, or requests medical treatment after the deployment.
7. Document all injuries in the incident report.
8. Photograph all significant injuries and impact points, if possible. Photographic evidence will be handled consistent with agency policy.

H. Reporting and Accountability

Personnel who supervise a deputy carrying an ECD must complete the new user course, as well as a training session addressing supervisory response following ECD deployments.

When the subject's resistance level is as level 4 or higher and a deputy removes the ECD from the holster and by its mere presence or use of the ARC warning achieves compliance from a subject without deploying the ECD (e.g. issuing verbal warnings), the deputy is not required to complete the Response to Resistance Report in [Blue Team](#), but is required to document the compliance in the initial or supplement report. If assisting deputies also display their ECD during this type of situation and a supplement report is not generated, it will also be documented in the primary deputy's initial report. The primary deputy does not need to include him/herself in this portion.

For all ECD deployments, deputies shall complete the Response to Resistance Report in [Blue Team](#). Deputies shall notify their supervisor as soon as practical after each intentional or unintentional discharge, with the exception of function pre-operation spark tests conducted at the beginning of a shift and training exercises. A supervisor is only required to respond to unintentional discharges involving a deputy/suspect confrontation or when a deputy or third party is contacted by the ECD. For all other unintentional discharges, the deputy's supervisor is not required to respond, but shall confirm the deputy completes the Response to Resistance Report in [Blue Team](#) and forwards it to the supervisor by the end of the deputy's shift.

Subsequent to all ECD deployments, deputies shall also request a "Taser Download" located in the [portal](#) after the ECD battery has been uploaded.

In response to resistance situations involving a deputy/suspect confrontation, a supervisor shall respond to the scene of every discharge and conduct a review of the deployment to confirm compliance with agency policy. If the supervisor is unable to respond to the scene, the supervisor shall document the reasons which made it impractical to respond.

1. The supervisory review should include:

- a. speaking with the involved deputy;
 - b. speaking with the suspect consistent with training;
 - c. documenting the presence of any witnesses and their verbal statements, and documenting whether witnesses were willing to provide written statements;
 - d. confirming that photographs are taken of significant injuries and impact points, if possible;
 - e. confirming ECD evidence (i.e. cartridges, probes and wires) is collected. For Critical ECD Incidents involving the ECD, the on call CSI shall be contacted;
 - f. confirming that a recording from a BWC or in-car camera is collected and placed into evidence provided the deputy has a BWC and/or the deputy's vehicle is equipped with an in-car camera and the recording depicts the response to resistance incident; and
 - g. reviewing the information and the ECD data once obtained.
2. Professional Standards shall review all ECD cases in which:
- a. the subject dies or suffers serious bodily injury after deployment of the ECD; If a critical incident has occurred a Supervisor can use the Critical Event [ECD Checklist/Analysis](#) Collection Checklist to assist them in their investigation.
 - b. the subject is exposed to prolonged or excessive cycling of the ECD without sufficient documentation to establish the objective reasonableness of each activation;
 - c. the ECD appears to have been used in a punitive or abusive manner;
 - d. there appears to be a material deviation from the ECD policy.

NOTE: For the situations listed in 2(a-d) above, Professional Standards shall document the review of the Response to Resistance Report in [Blue Team](#) and other relevant records. If Professional Standards determines that the deputy's actions were objectively reasonable, no further investigation is required. However, Professional Standards shall conduct an investigation when the records fail to establish the objective reasonableness of the deputy's actions.

- I. If the supervisor has reason to believe that a violation of agency policy has occurred that could result in discipline, the supervisor shall adhere to GO [5.1.2](#).

The responding supervisor shall confirm that the [Response to Resistance](#) Report is completed within 7 days after the ECD deployment and forwarded through the deputy's chain of command for review. The supervisor has discretion to allow additional time for completion of the [Response to Resistance](#) Report. The [Response to Resistance](#) Report, and all documentation obtained during the supervisor's review, will be sent to the Professional Standards Section accordingly.

- J. **Downloading Data**
The data port on the ECD stores the date, time, duration of each activation, battery life of the ECD, and helps improve the accuracy of incident documentation and helps determine whether the device is functioning properly.

1. Within three business days, excluding holidays and weekends, following an ECD deployment, the Taser 7 user shall exchange their ECD battery at a Taser 7 battery docking/recharging station. The deputy shall then request a retrieval of the Taser 7 downloaded data via the SharePoint [portal](#). An ECD Instructor shall then retrieve the Taser 7 data and forward it to the deputy's supervisor for review. The supervisor has discretion to allow additional time for the deputy to report to the Training Section, but the reasons will be documented in the Response to Resistance Report in [Blue Team](#). The deputy's supervisor shall confirm the data download from the ECD is received, reviewed and attached to the Response to Resistance Report in [Blue Team](#). Deputies shall also report to Material Control/Supply to obtain a new cartridge, if necessary.
 2. Taser 7 ECD users shall replace their ECD battery every thirty days, or sooner if the battery level drops to 20% or lower or as soon as practical following any intentional or unintentional discharge.
 3. Only personnel assigned to Professional Standards or Material Control/Supply, or an ECD Training Section Instructor, may download the information from the data port or retrieve Taser 7 download data from Evidence.com.
 4. Supervisors or managers may request a download at any time. Any deputy issued such an order shall immediately respond to this request as instructed by the supervisor.
 5. The Training Section shall prepare an annual report on the product reliability, recommended training needs and/or policy modifications related to the uses of force, which will include a section on the use of the ECD.
 6. A data download from an ECD will be conducted prior to any factory repairs/maintenance.
- K. Random Audits
- Performing random audits of data downloaded from a deputy's ECD and comparing it with the Response to Resistance Report in [Blue Team](#) improves accountability. Professional Standards personnel are authorized to conduct random audits of ECD data information.
1. Every quarter, 5% of deputies, who are assigned an ECD, shall be randomly selected for an audit. The Deputy selected for the audit shall exchange their ECD battery at a Taser 7 battery docking/recharging station. The Deputy shall then request a retrieval of the Taser 7 download data via Sharepoint [portal](#). The Training Section ECD Instructor shall also review the data to confirm the device is working properly and to identify activations that appear to be inconsistent with agency policy. Any deficiencies or discrepancies identified by the Training Section will be forwarded to Professional Standards for follow-up with the deputy's supervisor.
 2. Professional Standards shall review the ECD data and comments from the

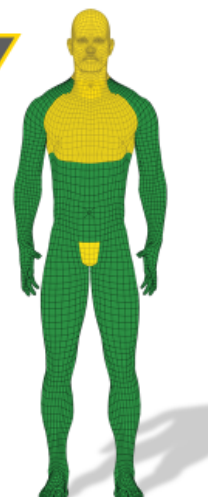
Training Section for:

- a. activations inconsistent with daily spark tests or previously documented response to resistance incidents;
 - b. activations lasting ten seconds or longer in duration;
 - c. three or more consecutive activations with minimal time between the activations; or
 - d. thirty day battery swap for the Taser 7 ECD user.
3. Professional Standards shall confirm the activations are consistent with agency policy and recommend or take appropriate action if any deficiencies are identified (i.e. additional training, counseling, or investigation).

3. Use Preferred Target Zones: Front (when practicable)

Lower torso (green zone below chest)

- More effective than hitting the chest
 - Larger muscles (legs)
 - Split the beltline
- Reduces risk of hitting sensitive body areas (see product warnings)
- Increases dart-to-heart safety margin distances
- Do not intentionally target head, eyes, throat, chest or genitals



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3. Use Preferred Target Zones: Rear (when practicable)

Below neck (green zone)

- Large muscles
- Avoid head and neck

The back is the most preferred target area when reasonably practicable because it contains larger muscle groups and reduces risk of hitting sensitive body areas



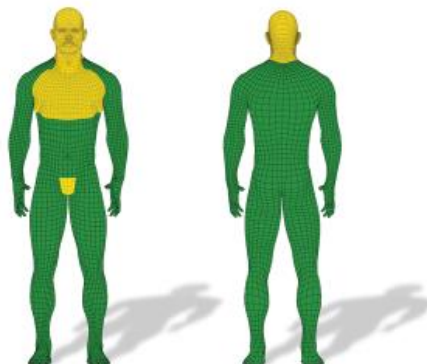
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3. Use Preferred Target Zones: Front (when practicable)

CEW cardiac risks are low, but not zero

To reduce cardiac risks (when practicable):

- Target the back
- Avoid targeting the chest
- Avoid heart region
- Avoid repeated or continuous exposures



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Critical Event CEW Checklist / Analysis and Evidence Collection

This checklist is intended to be a wide-ranging list of evidentiary items your agency may desire to gather as part of an investigation involving the use of a TASER® conducted energy weapon (CEW). Each agency will determine its own investigation procedures and practices.

Event date and time: _____

Department Case No.: _____

CEW Operator(s): _____

Subject's Information:

- ☐ Gender
- ☐ Age
- ☐ Height
- ☐ Weight
- ☐ Build (very thin, skinny, medium build, muscular, large, overweight, obese)
- ☐ Dispatched information regarding the subject
- ☐ Officer's observations of subject
- ☐ Subject's information reported to officer (by subject or witnesses on scene)
- ☐ Pre-event behaviors of the subject
- ☐ Post-event behaviors post the last application of the CEW, (e.g., talking, resisting, standing up, sitting up, cuffed, unconscious, cooperative, etc.)
- ☐ Type of physical exertion by the subject (running, fighting, pacing, throwing objects, resisting, struggling, etc.)
- ☐ Duration of the subject's physical exertion
- ☐ Under the influence of drugs or alcohol
- ☐ Emotionally disturbed person (EDP), mental illness, or serious psychological distress (SPD)
- ☐ Did the subject experience loss of consciousness
- ☐ If subject experienced loss of consciousness, what is the time gap between conclusion of CEW discharge and loss of consciousness – be as specific as possible timing wise.
- ☐ All signs of life (pulse, breathing, moaning, groaning, talking, etc.) after conclusion of CEW discharge
- ☐ Subject's criminal history
- ☐ Subject's drug history
- ☐ Subject's medical history (e.g., diabetic, history of epilepsy or seizure)
- ☐ Subject's psychiatric history
- ☐ Subject's prescription history (including compliance)
- ☐ Subject's rehab history

If a death occurred temporal to the CEW use:

- ☐ Obtain hair and nail samples for forensic and medical testing
- ☐ Obtain pre-mortem body core temperature
- ☐ Obtain pre-mortem blood samples
- ☐ Obtain post-mortem body core temperature as soon after death as reasonable
- ☐ Obtain post-mortem fluid samples (including where, when, how taken) (drug redistribution concerns)
- ☐ Obtain annotated timeline of events between CEW deployment and time of death:
 - Whether or not the subject was initially responsive (walking, talking, etc.) after CEW exposure(s) and if so, for how long. List the complete record of signs of life post-CEW use.
 - Length of time between the CEW exposure and subject's collapse. Approximate time that subject went into distress (or died) after the last CEW deployment

Data Downloads: As soon as reasonable, download the CEW data and reset the clock if necessary, to account for any time drift. Also download all recording devices that may have captured the incident. For best chain of custody record, security safeguards, and ease of use, it is recommended that all data and video be uploaded to Axon Evidence services.



Critical Event CEW Checklist / Analysis and Evidence Collection

- ☐ Collect each CEW used or present at incident for data download and time drift correction
- ☐ Record each CEW model and serial number
- ☐ Record each CEW cartridge model and serial number
- ☐ Identify which CEWs were used/deployed during incident
- ☐ Download all audio and video recordings from incident (including on-officer and in-vehicle recordings)
- ☐ Download each CEW present at the incident (agency should determine if it will provide a copy of the CEW's data download to the CEW user before the officer is required to provide a force report.)
- ☐ Perform a time synchronization for each CEW present at the incident to correct for any clock time drift
- ☐ Consider placing each CEW used on subject into evidence during investigation
- ☐ Consider testing the CEW's electrical output to determine if it was operating within the manufacturer's specifications

Acquire any time stamped logs/information:

- ☐ 911 and agency dispatch time logs and recordings
- ☐ Emergency Medical Services (EMS) dispatch and time logs
- ☐ Hospital emergency room (ER) dispatch and time logs
- ☐ Other time stamped/logs

Create annotated timeline of the incident:

- ☐ Create annotated timeline of all reasonably accurate documented times regarding the incident
- ☐ Collect any relevant body-worn camera, in-car and/or CCTV video

Record how each CEW was used during the incident:

- ☐ What specific model type of CEW was deployed (e.g., TASER M26, X26, X3, XREP, X2, X26P or TASER 7)
- ☐ CEW drawn from holster
- ☐ CEW pointed at subject
- ☐ CEW LASER activated at subject
- ☐ CEW Warning Arc
- ☐ CEW drive-stun without the cartridge(s)
- ☐ CEW drive-stun with the cartridge(s) but without any probes attached
- ☐ CEW probe deployment (one set of probes)
- ☐ CEW probe deployment (two sets of probes from a single CEW)
- ☐ CEW probe deployment (two sets of probes from two separate CEWs)
- ☐ CEW three-point deployment (with single probe connection)
- ☐ CEW three-point deployment (with both probes from single cartridge connection)
- ☐ CEW multi-point deployment (with multiple cartridges/probes from single CEW with X-Connect™ technology)
- ☐ Other: _____

Additional evidence identification and collection:

- ☐ Photos of wounds, probe impacts, and/or drive-stun marks (with scale for reference in the photo)
- ☐ Photos of subject to document where injuries are present and where injuries are not present
- ☐ Keep the original battery in the CEW (certain CEW models require the battery to always remain inserted to keep the integrity of the CEW's internal clock).
- ☐ Keep the cartridge probes and wires. Do not let EMS place probes in sharps containers for disposal. Do not wind the wire up – maintain wire integrity as best as possible.
- ☐ Collect AFID tags from the TASER cartridge(s) and note their locations at the scene. If TASER 7 unit was deployed, charge battery in dock and determine the cartridge numbers on Axon Evidence.com.
- ☐ Collect and maintain as evidence the subject's clothing if a probe penetrated or was attached to the clothing or for later analysis of potential probe impact sites.



Critical Event CEW Checklist / Analysis and Evidence Collection

Record the TASER CEW Deployment Circumstances:

- ☐ Officer's objective for each CEW deployment or discharge
- ☐ Any CEW discharge after subject surrendered
- ☐ Any CEW discharge after subject handcuffed or otherwise restrained (and note the type of restraint)
- ☐ Any spark/function tests during the incident
- ☐ Any cartridge removal during the incident
- ☐ Any cartridge reattachment on CEW after removal during the incident
- ☐ Any cartridge discarded after removal from CEW during the incident
- ☐ CEW discharge duration(s), and number of cycle(s), with/without cartridge in place, mode of deployment
- ☐ Distance from the front of the CEW cartridge to the subject at the time of the probe deployment(s)
- ☐ For each probe deployment:
 - ☐ Did probe(s) from a cartridge contact the subject or the subject's clothing
 - ☐ Did probe(s) penetrate the skin
 - ☐ Specific location of each probe that contact the subject (see diagram below) and distance in inches between the probes
 - ☐ Match up probes and clearly identify if more than one probe deployment
 - ☐ Distance between the probes (probe spread) for each pair of probes
 - ☐ For multi-shot CEWs, were probes from more than 1 cartridge part of the same deployment cycle
 - ☐ Did any probe land or fall on the ground; if so, record the type of surface the probe fell onto and save and mark the probe
- ☐ For each drive-stun discharge, note any drive-stun follow-up to a probe deployment or any combination of the probes and drive-stun used together
- ☐ For each drive-stun discharge, was the drive-stun with or without expended cartridge in place on CEW
- ☐ Effectiveness of the discharge (did subject respond as expected, was there a change in the subject's behavior). If the CEW did not perform as expected, the reason for ineffectiveness (e.g., single probe hit, a probe clothing disconnect, intermittent connection, wire breakage, low muscle-mass deployment, small spread between the probes [less than 12 inches], low or dead battery pack, CEW dropped, CEW subjected to a high-moisture (wet) environment, etc.).
- ☐ Any other use of force employed on the subject other than a CEW, if so what type(s)
- ☐ Weather/environmental conditions

If an Automated External Defibrillator (AED), defibrillator, or heart monitor was used on the subject:

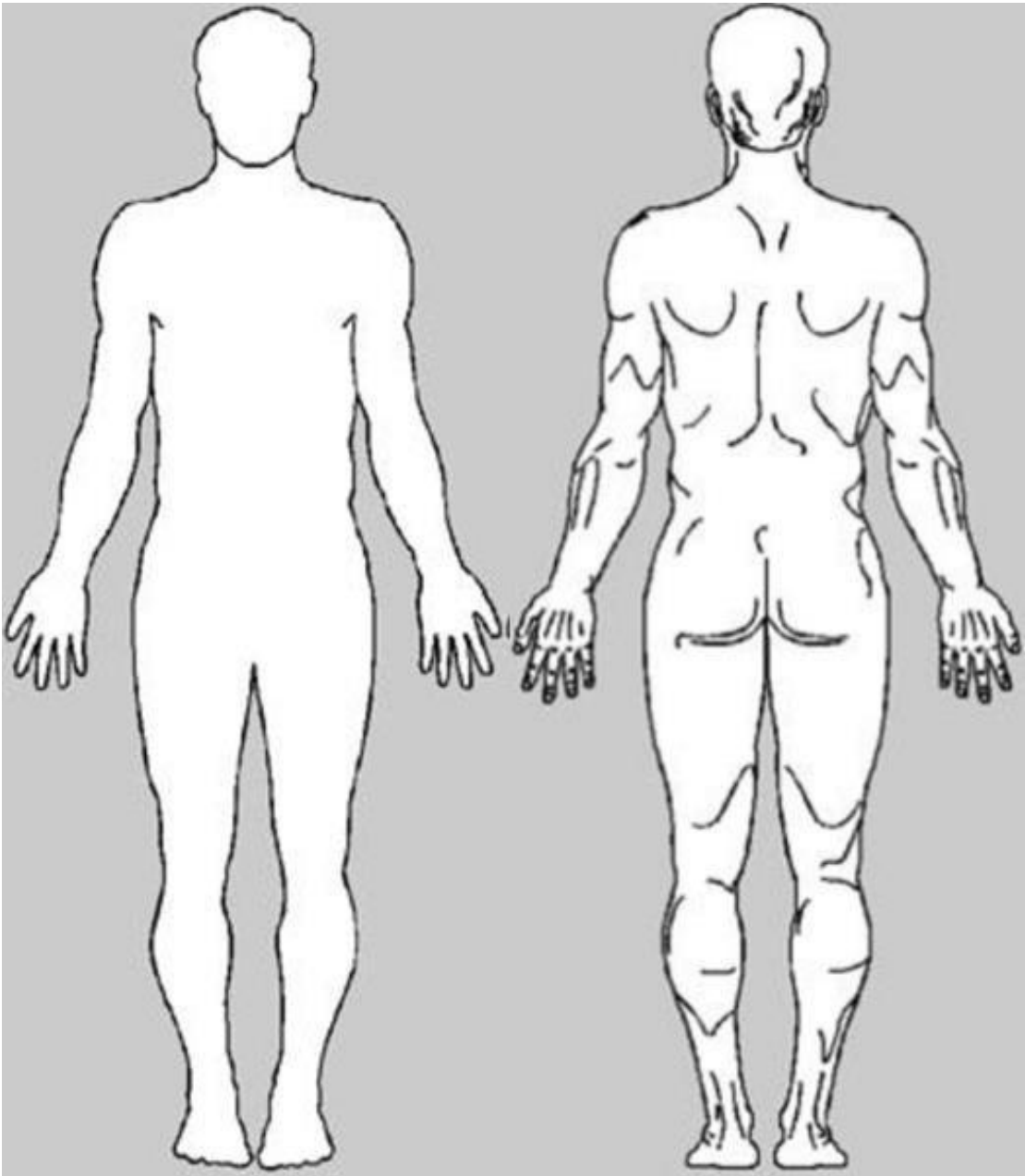
- ☐ Type of device used, manufacturer, model number, serial number, and who owns the device
- ☐ Recorded cardiac rhythms and times of each monitored or recorded rhythm
- ☐ Did the device indicate a shockable rhythm?
- ☐ Did the device operator deliver a "manual" defibrillation shock and if so, how many shocks?
- ☐ Did the device shock the subject and, if so, what was the cardiac rhythm after each shock?
- ☐ Did the device report "no shock?"
- ☐ Obtain a printout of the strips and event records from the device
- ☐ Obtain an electronic download of the event from the device
- ☐ Obtain a maintenance download from the device

See chart on next page for probe/drive stun locations



Critical Event CEW Checklist / Analysis and Evidence Collection

Clearly and accurately mark the paired locations of the probe or drive-stun exposures



When using the diagram, please indicate the distance in inches between the probe locations. Be sure to clearly identify both the top and bottom probes (consider using “OT” for the top probe and “OB” for the bottom probe; an “X” for a drive-stun; and a “3X” for a 3-point discharge. For multiple deployments use OT and OB; OT2 and OB2; OT3 and OB3; etc.)