



GENERAL ORDER

Conducted Energy Weapons

Purpose and Scope

To establish guidelines and procedures regarding the deployment of a Conducted Energy Weapon (CEW) as well as what action is necessary post deployment.

Affected Personnel

All current armed officers as well as supervisors, watch commanders, and managers overseeing armed officers.

Effective Date

September 18, 2023

I. Definitions

Anti-Felon Identification (AFID): The AFID system was designed to deter misuse through enhanced accountability. Every time a CEW cartridge is deployed, at least 24 small confetti-like tags are ejected. Each tag is printed with a serial number, allowing law enforcement to determine which cartridge was fired. In law enforcement applications, it provides another layer of accountability in documenting which officers deployed a CEW cartridge in any given incident.

Cartridge: A replaceable single use device that contains compressed nitrogen to deploy stainless steel probes up to 21 feet (6.4 meters).

Conducted Energy Weapon (CEW): a non-lethal handheld device that deploys an electric current affecting the sensory and motor functions of the central nervous system causing temporary Neuro-Muscular Incapacitation (NMI) in probe mode and discomfort in drive-stun mode. TASER is the brand name of the CEW authorized by the Department.

Drive-Stun Mode: The cartridge is removed, and the CEW is pressed directly against the target, delivering 50,000 volts of low ampere electrical charge of approximately 0.1 joules. Two electrode contacts on the front of the device deliver an electric charge which lasts for five (5) seconds when the device is deployed and in contact with the target. Although painful, drive-stun mode is generally temporary and localized, and does not cause NMI. Drive-stun mode will not reliably incapacitate individuals and should not be used if the officer does not believe that discomfort alone will control the individual.

Conducted Energy Weapons General Order

Probe Deployment Mode: The CEW uses compressed nitrogen to propel two stainless steel probes which are connected to the CEW by insulated wires. The probes travel at approximately 160 feet per second and upon striking the target, deliver 50,000 volts of low ampere electrical charge of approximately 0.1 joules. The conducted energy affects the sensory and motor functions of the central nervous system causing NMI.

Standard Cycle Five Second Spark Test: Test conducted by an officer prior to each shift to ensure the CEW is working correctly.

Three Point Contact: The front of the CEW is used to make contact with the target subsequent to a probe (cartridge) deployment. This may be required if the probes do not have sufficient spread preventing NMI, or when one of the two probes do not make sufficient contact with the target. The device contact should be at least four inches away from the probes and may be held against skin or clothing, to create more arc for NMI. The increased effectiveness and additional control provided by Three Point Contact will cease when the CEW is no longer in contact with the target.

II. Training Requirements

- A. All armed officers shall receive CEW training and be issued a CEW; carrying of a CEW shall be mandatory during field related contacts and when participating in special operations, searches, arrests, and transports.
- B. Only armed officers who have completed department-approved CEW training may be issued a CEW for use in their assignment.
- C. Officers shall be required to attend ongoing CEW training as prescribed by the department Range-Master. This training should include, but is not limited to, device limitations, policy review, deployment criteria, weapon retention, and qualification.

III. Carrying, Storing and Maintaining a CEW

- A. Officers shall only use the CEW and cartridges that have been issued by the department.
- B. Armed probation officers assigned a CEW shall carry the device in a support-side holster opposite their duty weapon or in a holster on their tactical vest.
 - 1. Officers wishing to change their method of carry shall show proficiency in the new method and receive approval from the Range-Master prior to doing so.
- C. Officers are not authorized to carry department-issued CEWs while off-duty but may carry the CEW while in route to and from work. The carrying of a CEW to and from work is strictly a transport function and is not to be construed as being on duty.

Conducted Energy Weapons General Order

- D. When not being carried, CEWs stored at a Probation facility shall be locked in a locker.
- E. Officers shall ensure CEWs are secured while in their homes, vehicles, or any other areas under their control, in a manner that will keep the device inaccessible to others.
- F. The Chief Probation Officer has the authority to revoke the authorization to carry a CEW at any time and for any reason. The officer shall immediately be informed of the revocation.

IV. Safety Inspection

- A. Officers shall conduct a safety inspection at the beginning of each shift and, when possible, prior to the deployment of the CEW.
- B. Safety inspection procedures shall be consistent with the department's CEW training and should include: ensuring the date and time displayed are correct, visibly inspecting for wear or damage, checking the condition and expiration dates of the cartridges, and conducting a standard cycle five (5) second spark test.

V. Guidelines for Use of the CEW

- A. In accordance with Penal Code 835(a), along with the Department Use of Force Policy, it is the policy of this department that officers shall only use force which is reasonable, given the facts and circumstances perceived by the officer at the time of the event to effectively and humanely bring an incident under control.
- B. The force used must be judged from the perspective of a reasonable officer on the scene at the time of the incident.
- C. Officers should always consider the seriousness of the offense, whether the subject poses a risk to officer or public safety, and the potential for serious injury to the suspect caused by sudden incapacitation and their forward momentum.
- D. Officers may deploy a CEW only when the totality of the circumstances known to the officer at the time indicates such application is necessary and reasonable to control a person who:
 - 1. Poses an immediate threat to the officer, themselves, or others;
 - 2. Uses physical violence or force against the officer or others.
- E. Mere flight from a pursuing officer, without justification of other known circumstances, is not a sufficient cause for use of the CEW to apprehend an individual. Officers should consider the nature of the offense and the risk of danger to others if the person is not apprehended immediately.

Conducted Energy Weapons General Order

- F. CEWs are generally effective in subduing and controlling aggressively resistive individuals. Officers should recognize the device limitations and be prepared to utilize other force options as needed.
- G. CEWs are not a substitute for lethal force, nor is there any requirement to exhaust non-lethal force options before resorting to the reasonable use of lethal force.
- H. The use of the CEW on certain individuals should be avoided unless, in totality, the risk to officers or others justifies the additional risk to the following individuals or groups:
 - 1. Individuals who are in close proximity to known flammable or explosive gases, vapors, or liquids;
 - 2. Individuals exhibiting passive, non-violent resistance;
 - 3. Individuals who are known to be pregnant;
 - 4. Elderly individuals;
 - 5. Small children;
 - 6. Visibly frail, infirm, or low body-mass index (BMI) persons;
 - 7. Physically disabled, mentally ill, or emotionally disturbed persons;
 - 8. Individuals whose position or activity may result in significant secondary injury. These may include persons:
 - a. In elevated positions (e.g., roof, tree, ladder, ledge);
 - b. Operating or riding on motor vehicles, machinery or other conveyances (e.g., vehicle, motorcycle, motorized scooter, bicycle); or
 - c. Located in, or very close to, bodies of water.
- I. An officer shall not hold both a firearm and CEW at the same time. Whenever possible, a cover officer should be assigned to provide supplemental force options.
- J. The CEW shall not be used to torture, psychologically torment, elicit statements from, or to punish any individual.
- K. A CEW may be deployed against a potentially dangerous animal, such as a dog, if the animal appears to pose an imminent threat to human safety.
- L. Whenever reasonable and feasible, a verbal warning should precede the application of a CEW unless doing so would otherwise endanger the safety of officers. The purpose of the warning is to:
 - 1. Provide the individual with a reasonable opportunity to voluntarily comply.
 - 2. Provide officers and others with a warning that the CEW may be deployed. This is done by loudly announcing, "TASER, TASER, TASER."
- M. Warnings may also include display of the CEW, display of the electrical arc, display of the laser, or any combination of the above:

Conducted Energy Weapons General Order

1. Officers shall not intentionally illuminate an individual's eyes with the laser sight of the weapon.
- N. Officers shall deploy the CEW for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent activations appear to be necessary. If the first application of the CEW appears to be ineffective in gaining control of an individual, the officer should consider the following factors before additional applications of the CEW:
1. Whether the probes are making proper contact;
 2. Whether the individual has the ability and has been given a reasonable opportunity to comply; and
 3. Whether verbal commands or other options may be more effective.
- O. Officers shall use the shortest duration of CEW exposure objectively reasonable to accomplish lawful objectives, and reassess the subject's behavior, reaction, and resistance before initiating or continuing the exposure.
- P. Multiple CEWs or multiple completed circuits shall not be used at the same time without justification. Multiple CEWs or multiple completed circuits at the same time resulting in exposure longer than 15 seconds could have cumulative effects and result in serious injury or death.
- Q. Reasonable effort should be made to target the lower center of mass on the front of an individual and the center of mass on the back of an individual.
1. Officers should avoid intentionally targeting sensitive areas such as the head, neck, face, and genitals of an individual.
 2. Whenever a probe accidentally strikes a sensitive area, officers shall solicit appropriate medical treatment and closely monitor the condition of the individual until examined by medical personnel.

VI. Post Deployment Procedure

With the exception of Departmental training, the following shall occur following CEW deployments:

- A. When it is safe to do so, officers shall secure the subject and maintain the scene of the incident.
- B. Medical personnel shall be requested to respond to the scene as soon as possible and officers shall render first aid to the subject, as necessary.
- C. Verbal notification, via personal contact, shall be made to a Watch Commander or above as soon as reasonably practical.
- D. All persons who have been subjected to CEW deployment shall be medically assessed by medical personnel (i.e., fire or ambulance) prior to transport. However, if the subject is not exhibiting signs of distress and medical personnel are unable to respond in a timely manner, probation shall transport the subject to the hospital in lieu of evaluation by on-scene medical personnel.

Conducted Energy Weapons General Order

- E. Embedded CEW probes may only be removed by appropriately trained medical personnel. During Departmental training only, the Department's CEW trainers may remove embedded CEW probes.
- F. Any individual exhibiting signs of distress shall be transported to a hospital by qualified medical personnel for evaluation as soon as reasonably practical.
- G. Individuals cleared for transport by on-scene medical personnel shall be transported to the hospital by probation. All transports shall be conducted according to Departmental policy.¹
- H. All persons who have been subjected to CEW deployment shall be medically cleared by a hospital. Documentation from the hospital shall be provided to the receiving detention facility prior to booking.
 - 1. If an individual refuses medical attention, it shall be documented in all related reports.
- I. Used CEW probes shall be treated as a "sharp" biohazard similar to hypodermic needles and shall be handled in accordance with universal precautions.
- J. A sample number of AFID tags, the expended cartridge, along with both probes and wires shall be collected and booked into evidence at the Sacramento County Sheriff's Department, or other appropriate jurisdictional evidence facility. Justification for not collecting post-deployment evidence shall be documented in any related report.
 - 1. Ensure the evidence is preserved through chain of custody.
 - 2. When booking evidence, officers shall note the assigned report number and cartridge serial number on the evidence paperwork.
 - 3. When booking the expended CEW probes, they should be inserted point first into the expended cartridge and secured with sufficient evidence tape to ensure they will not create a potential sharps-related injury.
 - 4. Packaged evidence containing probes shall be marked "Biohazard."
- K. Identify all witnesses and obtain statements, as appropriate.
- L. Any deployment of a CEW on an individual shall be photographed with a county-issued camera, except volunteer exposure during training. Officers shall photograph the areas of probe strikes or points of contact, if possible. An effort shall be made to obtain consent before photographing. Personally sensitive areas shall not be photographed. All photographs of probe strikes shall be entered into evidence.
- M. Subsequent to deployment, deliver the CEW to the Range-Master, who will download the CEW deployment data.

¹ Sacramento County Probation Department Field Division Operations Manual – "Transportation of Subjects"

VII. Reporting Requirements

- A. All CEW deployments (including accidental), other than in training or during maintenance, shall be documented in a Field Services Event Report (FSER) and submitted to the officer's supervisor by the next business day, unless otherwise authorized by the supervisor or his/her designee.
 1. The following information shall be included in the FSER, as applicable:
 - a. Date, approximate time, and location of the incident;
 - b. Observation of the suspect's actions justifying use of the CEW;
 - c. Any known or suspected drug use, intoxication, or other medical problems;
 - d. Whether a verbal or other warning was given, or the reason it was not given;
 - e. The mode of deployment (i.e., probe or drive-stun);
 - f. Location of probe hits or drive stun contacts, or whether probes missed the intended target;
 - g. Response of the suspect to the CEW;
 - h. Description of any injuries;
 - i. Whether medical treatment was provided and, if so, who provided the treatment and what approximate time treatment was provided;
 - j. Who removed the CEW probes and at what approximate time;
 - k. Whether or not the suspect was booked, and institutional medical personnel were advised of the CEW application;
 - l. The CEW cartridge serial numbers;
 - m. Whether any officers sustained injury;
 - n. The assigned arrest/offense report number shall be noted; and
 - o. The name of the jurisdictional agency where any evidence was booked and time of evidence booking.
- B. A CEW deployment may also be documented in an appropriate arrest/offense report and submitted to the officer's supervisor by the next business day, unless otherwise authorized by the supervisor or his/her designee.
- C. Photographs taken during the incident shall be attached to the report(s).

VIII. Supervisor Responsibilities

- A. Ensure a FSER is submitted by the involved officer(s) by the next business day, unless otherwise authorized.
- B. Review the FSER and appropriate arrest/offense report to ensure all reporting requirements specified in Section VIII above are included.

IX. Watch Commander Responsibilities

- A. Once notified of a CEW deployment, the Watch Commander shall notify his/her manager or the manager's designee as soon as reasonably practical.
- B. If the Watch Commander is unavailable, the Assistant Division Chief or Division Chief shall be responsible for assuming these responsibilities.

Conducted Energy Weapons General Order

- C. In addition to the above, the Watch Commander or above shall:
1. Respond to the scene, unless exigent circumstances exist;
 2. Ensure appropriate medical attention requirements are met;
 3. Review the CEW deployment data and document the time of deployment(s), the number of activation(s), the duration of activation(s) and the duration between activations;
 4. If possible, address any activation(s) known not to have resulted in electrical exposure; and
 5. Review the FSER and all associated reports/attachments and take appropriate action, if necessary.

X. Range-Master Responsibilities

- A. The Range-Master shall:
1. Ensure a control log is maintained for CEW and cartridge check-out and check-in, as well as weapon repairs;
 2. Maintain a log of all CEW deployments, except those that occur in training or during maintenance, including the success or failure of those deployments, and all injuries associated with each deployment;
 3. Subsequent to deployment, secure the CEW from the involved officer(s), download the CEW deployment data, and provide a copy to the reporting officer and Watch Commander;
 4. Verify any expended CEW cartridge(s), probes, insulating wires, and a sample number of AFID's have been booked into the appropriate evidence facility;
 5. With the exception of normal deployments that occur as part of training, the Range-Master shall inspect all CEWs as soon as practical following deployment;
 6. Pending inspection, the officer may be issued a temporary replacement CEW if so authorized by the Range-Master;
 7. Schedule and oversee CEW training;
 8. Order and maintain adequate cartridges and maintenance supplies; and
 9. Conduct inspections of the CEWs, ensuring they are properly maintained and in good working order.

References

Penal Code, Sections 835(a)


Attachments

N/A

Amends/Replaces Previous Procedure

Conducted Electric Energy Weapons General Order, effective August 26, 2016

Conducted Energy Weapons General Order

Authorized By  **Date** 9/1/23
Marlon Yarber, Chief Probation Officer