	<b>Winchester City Sheriff's Office</b> <b>Manual of General Orders</b>  <b>Operations</b> <b>318</b>	<b>Effective Date:</b> May 1, 2014 Accreditation Standards:
		<b>Original Policy:</b> May 1, 2014 <b>Last Review Date:</b> May 1, 2020 <b>Next Review Date:</b> May 1, 2023
<b>Subject: Electronic Control Devices</b>		<b>By Authority of:</b> <hr/> <b>Les R Taylor, Sheriff</b>

Effective /Review Date	Sections Changed	Changes	Reviewed by	Approved by
06-15-16	IV E. 2	Changed "Chief of Police through the chain of command" to "Major".	EAS	LRT
06-15-16	I	Changed "Officers" to "Deputies" and "Officer" to "Deputy".	EAS	LRT
06-15-16	IV A. 1	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV A. 3	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV A. 5	Changed "Officer" to "Deputy".	EAS	LRT
06-15-16	IV B. 1	Changed "Officers" to "Deputies". (twice)	EAS	LRT
06-15-16	IV B. 1	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV C. 4	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV C. 10	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV C. 12	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV D. 9	Changed "Officers" to "Deputies".	EAS	LRT
06-15-16	IV E. 2	Changed "Officer's" to "Deputy's" and "Officer" to "Deputy".	EAS	LRT
06-15-16	IV E. 3	Changed "Officer" to "Deputy".	EAS	LRT
06-15-16	IV E. 3 g.	Changed "Officer's" to "Deputy's".	EAS	LRT
06-15-16	IV E. 4	Changed "Officer's" to "Deputy's".	EAS	LRT
06-15-16	IV F. 5	Changed "Officer" to "Deputy".	EAS	LRT
04-27-17	IV A 3	Added "and the deputy feels that the subject is posing a risk of "immediate danger" to themselves or others	EAS	LRT
04-27-17	IV F 8	Added "On any person who is suffering from a mental illness and is not posing a risk of "immediate danger" to themselves or others"	EAS	LRT

## I. PURPOSE

This directive is intended to inform and direct those Deputies who are authorized operators and provide general guidelines for the use of electronic control devices (ECD), i.e. Tasers, stun guns, etc. and to insure the deployment of the ECD is completed in a uniform and professional manner. The ECD will be used as an additional police tool and is not intended to replace firearms, batons, chemical spray or other self-defense techniques. The ECD may reduce the need for other types of physical force by the Deputy.

## II. POLICY

It is the policy of the Winchester City Sheriff's Office to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. The ECD has been proven effective in furtherance of this policy, and is authorized for use in appropriate circumstances by trained personnel.

## III. DEFINITIONS

### A. ECD

The ECD is a less lethal conducted energy weapon that uses compressed nitrogen to deploy two (2) small probes that are attached to the ECD by insulated conductive wires with a maximum length of thirty-five (35) feet. The ECD transmits electrical pulses along the wires and into the body, affecting the sensory and motor functions of the peripheral nervous system. The energy can penetrate up to two (2) cumulative inches of clothing, or one (1) inch per probe, thereby incapacitating dangerous subjects with minimum risk of serious injury.

### B. Aspects

1. The human nervous system communicates by means of simple electrical impulses. The ECD sends out short duration, high voltage electrical waves that overpower the normal electrical signals within the nerve fibers, causing Neuro Muscular Incapacitation (NMI).
2. NMI systems override the central nervous system and take direct control of the skeletal muscles. The ECD is an NMI system and affects the sensory and motor nervous system. The NMI system overwhelms the nervous system with signals. However, these systems go one step further by directly causing the muscles to contract. Hence, even someone whose sensory nervous system is impaired by drugs will have involuntary muscle contractions.

## IV. PROCEDURES

### A. Guidelines

1. Only Deputies who have satisfactorily completed the ECD training course, and/or the manufacturer's certification course of instruction shall be authorized to carry or deploy the ECD. All personnel authorized to carry an ECD shall complete a minimum of two (2) hours of annual in-service refresher training.

2. The ECD will be placed at the intermediate level of the use of force continuum as defined in Section 106, Use of Force.
3. The ECD can be used when the subject's actions constitute active resistance, the deputies' perception of the threat is volatile, and the deputy feels that the subject is posing a risk of "immediate danger" to themselves or others.
4. The ECD may be used to protect a subject when that person is either attempting to injure him or herself or commit suicide.
5. The ECD may be deployed whenever a situation arises where the use of force techniques expose the Deputy, the subject, or the public to unnecessary danger, or when other force techniques have been or may be ineffective.
6. The ECD may also be used to control a dangerous animal.

**B. Equipment Wear**

1. The ECD will be carried by authorized deputies in an approved holster on the non-support (weak) side of the body. Deputies authorized to use the ECD and not assigned to patrol duties, may utilize other department approved holsters and carry the weapon consistent with department training.
2. Deputies approved to use the ECD shall be issued a minimum of two (2) spare cartridges as a backup in case of cartridge failure, the need for reapplication, or in case the first cartridge leads break during engagement.

**C. Usage and Deployment**

1. Any ECD used by department personnel will be marked in such a fashion so that it is not mistaken for a handgun.
2. Deployment of the ECD should be backed up with the availability of lethal force whenever possible.
3. Only a properly functioning and charged ECD will be carried for field use. The ECD will be inspected daily for proper functioning and will only be inspected when there is no air cartridge loaded in the ECD. The ECD shall be pointed in a safe direction with no air cartridge loaded in the unit for the "spark test".
4. Any ECD or component thereof found to be defective or damaged shall be given to the deputy's supervisor and the ECD will be returned to a department armorer for repair or replacement, with a detailed explanation of the malfunction or cause of damage.

5. Whenever possible, the use of the ECD will be preceded by a verbal warning that force will be used if compliance is not obtained.
6. Prior to the use of the ECD, if practical, broadcast "Taser, Taser" indicating the use of the ECD is imminent, to prevent unintentional shootings.
7. The ECD shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
8. The ECD should be handled like it is a loaded handgun. Hands should be kept away from the front of the unit at all times unless the safety slide is forward and the ECD is deactivated.
9. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device.
10. The ECD is programmed to give a five (5) second electrical current. The operator can shorten or extend this time. The probes should not be touched during this time period to avoid receiving an electrical current. In addition, deputies should avoid stepping on or tripping over the wires.
11. Never aim the ECD at the eyes or the face. The ECD is laser sighted and the top probe will follow the front and rear sights and the laser sight. The bottom probe will travel at an eight (8) degree downward angle below the aim point. Due to the eight (8) degree drop, the rule for the bottom probe is that it drops one (1) foot for every seven (7) feet of travel. The optimum distance for deployment is seven (7) to fifteen (15) feet.
12. The preferred targeting on a subject is the center mass of the subject's back, however, it is not always possible to get behind the subject. Where back targeting is not possible, deputies shall avoid chest shots unless deadly force would be otherwise justified.
13. Do not fire the ECD near flammable liquids or fumes. The ECD can ignite gasoline or other flammables. Some self-defense sprays are flammable and would be extremely dangerous to use in conjunction with the ECD. Do not deploy the ECD in highly flammable environments such as methamphetamine labs, etc.
14. The ECD can function in stun mode as a backup weapon after the probes have been fired. To use the ECD in the stun mode, drive the weapon aggressively into nerve or motor points for best effectiveness. If only the stun mode is used, the ECD becomes a pain compliance technique with limited threat reduction. The ECD will always fire a live cartridge when

activated if an unfired cartridge is present. To use the drive stun without firing probes the live cartridge must be removed.

15. Always replace air cartridges by their expiration date and use the expired cartridges for training only.

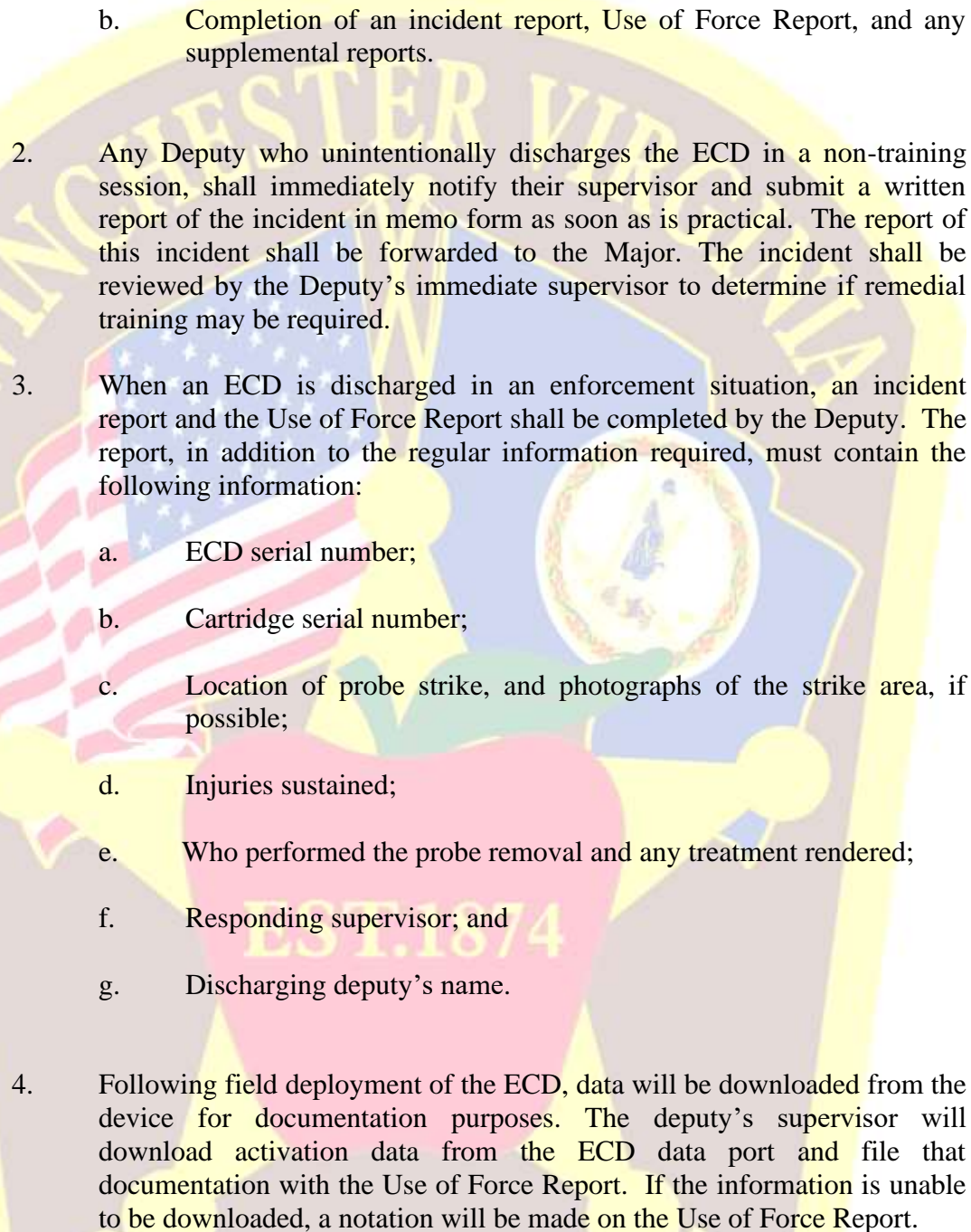
D. Post-Use Procedures (Probe Removal)

Only emergency medical personnel or other trained personnel shall remove probes from subjects. The following procedures shall be employed after ECD deployment for probe removal, evidence collection, and clean up:

1. Do not attempt probe removal if the subject is combative or if the location of the barb is in the face, ear, breast, groin, or deeply imbedded.
2. Barbs superficially in the skin may be removed by personnel who are trained to do so and in the presence of another person.
3. Always use latex gloves for the removal of probes.
4. Place the removed probes and spent cartridges barb side down.
5. Clean the wound with an antiseptic wipe and then bandage if needed.
6. Assess the subject for injury or any condition that may need medical attention, and seek the appropriate level of service.
7. Securely tape the cartridge and probes and mark as biohazard waste.
8. Take photos of the subdued persons each time the ECD is deployed.
9. When the device has been used operationally, the deputy will collect the air cartridge, wire leads, darts/probes, and APHIDS and log as evidence. Caution shall be exercised in handling the darts/probes. Darts/probes must be packaged and handled with the same care as a hypodermic needle to prevent infectious disease exposure. Evidence packaging shall be labeled "biohazard" and can be disposed of after the case has been finalized by placing them in a sharps container or equivalent.
10. Remove gloves and clean hands with waterless hand sanitizer when all evidence has been secured and appropriate aid has been given.

E. Reporting Requirements

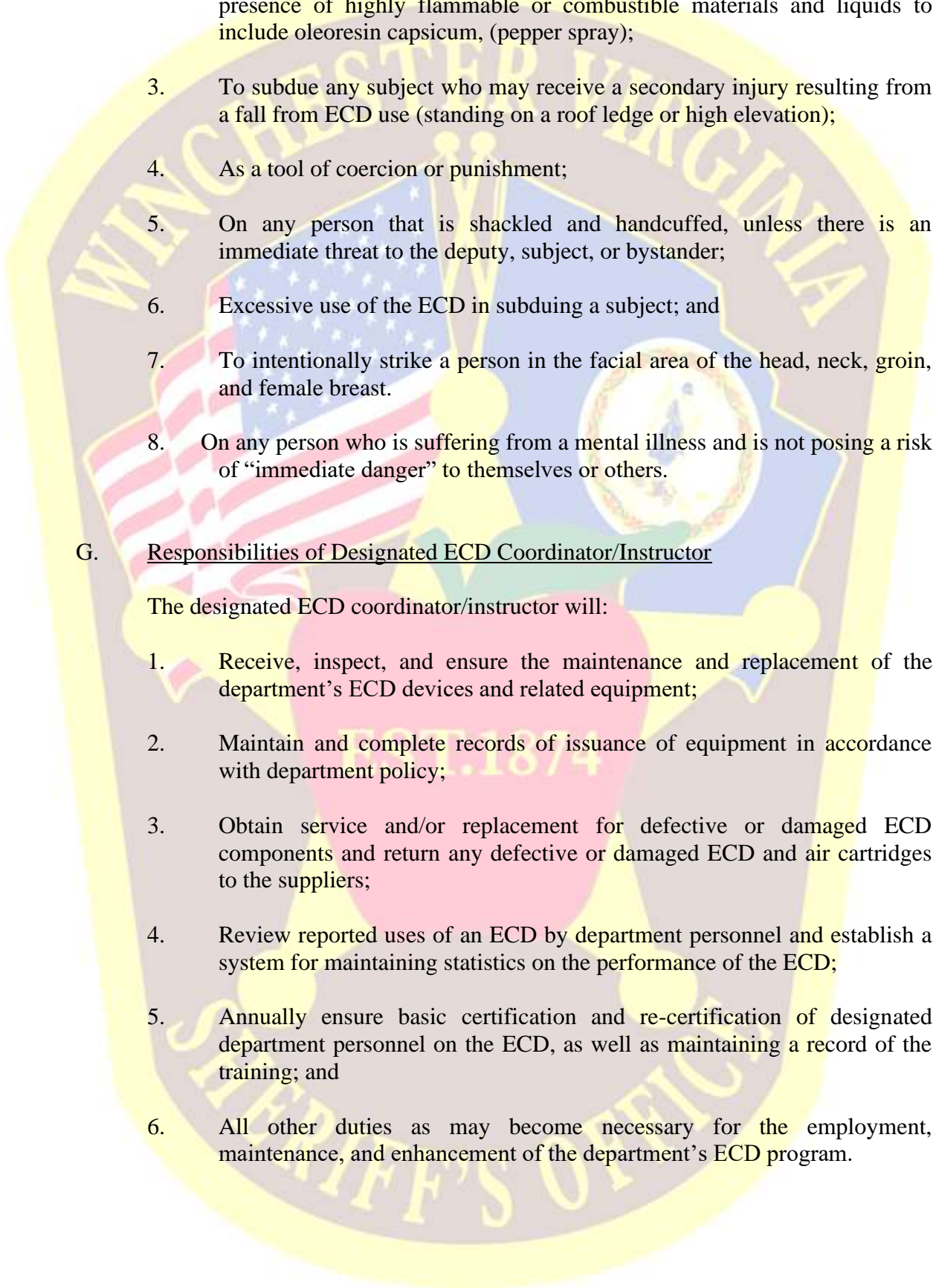
1. Any incident in which an ECD is discharged, whether it was effective or not, with the exception of training and spark testing, shall require:
  - a. Notification to the appropriate supervisor; and

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- b. Completion of an incident report, Use of Force Report, and any supplemental reports.
  2. Any Deputy who unintentionally discharges the ECD in a non-training session, shall immediately notify their supervisor and submit a written report of the incident in memo form as soon as is practical. The report of this incident shall be forwarded to the Major. The incident shall be reviewed by the Deputy's immediate supervisor to determine if remedial training may be required.
  3. When an ECD is discharged in an enforcement situation, an incident report and the Use of Force Report shall be completed by the Deputy. The report, in addition to the regular information required, must contain the following information:
    - a. ECD serial number;
    - b. Cartridge serial number;
    - c. Location of probe strike, and photographs of the strike area, if possible;
    - d. Injuries sustained;
    - e. Who performed the probe removal and any treatment rendered;
    - f. Responding supervisor; and
    - g. Discharging deputy's name.
  4. Following field deployment of the ECD, data will be downloaded from the device for documentation purposes. The deputy's supervisor will download activation data from the ECD data port and file that documentation with the Use of Force Report. If the information is unable to be downloaded, a notation will be made on the Use of Force Report.

F. Tactical Considerations and Limitations

The ECD shall not be used in any of the following situations:

1. To subdue any known or obviously pregnant female without a deadly force situation present;

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2. To subdue any subject who is known to be saturated with or in the presence of highly flammable or combustible materials and liquids to include oleoresin capsicum, (pepper spray);
  3. To subdue any subject who may receive a secondary injury resulting from a fall from ECD use (standing on a roof ledge or high elevation);
  4. As a tool of coercion or punishment;
  5. On any person that is shackled and handcuffed, unless there is an immediate threat to the deputy, subject, or bystander;
  6. Excessive use of the ECD in subduing a subject; and
  7. To intentionally strike a person in the facial area of the head, neck, groin, and female breast.
  8. On any person who is suffering from a mental illness and is not posing a risk of “immediate danger” to themselves or others.

G. Responsibilities of Designated ECD Coordinator/Instructor

The designated ECD coordinator/instructor will:

1. Receive, inspect, and ensure the maintenance and replacement of the department’s ECD devices and related equipment;
2. Maintain and complete records of issuance of equipment in accordance with department policy;
3. Obtain service and/or replacement for defective or damaged ECD components and return any defective or damaged ECD and air cartridges to the suppliers;
4. Review reported uses of an ECD by department personnel and establish a system for maintaining statistics on the performance of the ECD;
5. Annually ensure basic certification and re-certification of designated department personnel on the ECD, as well as maintaining a record of the training; and
6. All other duties as may become necessary for the employment, maintenance, and enhancement of the department’s ECD program.