Lincoln County Sheriff's Office
Standard Operating Policies Manual

General Order

2-1B ELECTRONIC CONTROL WEAPONS

Effective Date:10/28/2019
Revised: 04/12/2016
Revised: 10/28/2019
Amends/Supersedes: 06/22/2009



Approved by: Sheriff Todd B. Brackett

I. POLICY

It is the policy of the Lincoln County Sheriff's Office to use only that level of force that is reasonably necessary to control or otherwise subdue violent or potentially violent individuals. ECW's may only be used by authorized and trained personnel in accordance with this policy and any other additional guidelines established herein. The accompanying Concepts and Issues Paper on ECW's should be read with this policy in order to gain a full understanding of the following policy directives. It is important to remember that ECW's are designed to disrupt individuals motor responses for seconds to allow Deputies to safely handcuff or otherwise safely secure the individual involved.

II. PURPOSE

The purpose of this policy is to provide deputies with guidance and direction on the use of electronic control weapons (ECW's).

III. DEFINITIONS

Electronic Control Weapon (ECW): A weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

AFIDs: Confetti-like pieces of paper that are expelled from the ECW cartridge when deployed. Each anti-felon identification (AFID) tag contains an alpha-numeric identifier unique to the cartridge used.

Probe: The projectiles launched by the ECW. They are attached to the ECW by thin conductive wires and have barbed hooks.

Spark Test: The routine check performed on the ECW to ensure the system has adequate battery life and the system is functioning properly. This test is always performed without a cartridge.

Download: The transfer of the stored data from the ECW to document form.

Excited Delirium: While "Excited Delirium" is not easily defined Deputies need to

be aware of these symptoms that in totality might be associated with "Excited Delirium"

1. extreme paranoia
2. hallucinations
3. incoherent speech/shouting
4. incredible strength and/or endurance
5. hyperthermia-overheating with profuse sweating even in the cold

Deputies need to recognize that if they suspect "excited delirium" that the subject involved is having a medical crisis and medical help is necessary as soon as possible.

IV. PROCEDURES

A. Authorized Users

Only Deputies who have satisfactorily completed this agency's approved training course shall be authorized to carry and deploy ECW's. All ECW training shall include a review of the IACP's Concept and Issues Paper on ECW's. All Deputies receiving this agencies initial training on ECW's may be subject to a controlled exposure to an ECW. Deputies may be exempted from this exposure by the Sheriff if they are identified as being more susceptible to injury for any reason. Deputies completing the initial training on ECW's shall receive annual training on its use to include a review of this policy as well as the before mentioned IACP Concept and Issues Paper. All lesson plans on ECW's shall be approved by the Sheriff.

Only agency issued ECW's are authorized for use by those Deputies who have received the required training. Any Deputy issued an agency ECW is not permitted to transfer in any way this ECW to any other individual without first receiving authorization by the Sheriff or his designee. Exception to this rule is strictly limited to those fluid events in which make the transfer of the ECW critical to the safety of all those involved and is ONLY permitted when the ECW is transferred and or used by another Deputy of this agency who has received the required training.

B. Weapon Readiness

1. The device will be carried in an approved holster on the side of the body opposite the service handgun. Deputies not assigned to uniformed patrol may utilize other department-approved holsters and carry the weapon consistent with department training.

2. The device shall be carried fully armed with the safety on in preparation

for immediate use when authorized.

3. Deputies authorized to use the device shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements. Each cartridge's serial number shall be recorded by the Patrol Supervisor when issued. This record in addition to the serial number shall document the date the cartridge was issued, by whom and to whom. This record will also provide space to record the date the cartridge was deployed, reason and any call number associated with its deployment.

4. Only agency-approved battery power sources shall be used in the ECW.

C. Deployment

1. The ECW is generally similar to oleoresin capsicum (OC) spray on the use-of-force continuum, and decisions to use an ECW involve the same basic justification. As such, the following uses are strictly prohibited:

(a) To extract evidence or information.

(b) For punitive or coercive purposes.

(c) On a handcuffed or secured prisoner, unless extremely assaultive behavior is occurring and this behavior cannot be reasonably dealt with in any other less intrusive fashion.

(d) On any suspect(s) who does not demonstrate an overt intention to:

1. Use violence or force against the officer or another person including themselves.

2. Flee in order to resist or avoid detention or arrest (in cases where officers would pursue on foot).

3. Refuse to follow verbal commands that create a reasonable imminent safety concern for the Deputy.

(e) In any environment where a Deputy knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane). Except when the Deputy has knowledge that non-flammable OC spray was used by a member of this agency only and the use of an ECW is otherwise authorized heir in.

(f) In any environment where the subject's fall could reasonably result in death or serious injury (such as in deep or fast moving water or on an elevated structure).

(g) In any situation in which the subject involved is in control of any motorized vehicle (car, atv, boat, etc) in which the deployment of the ECW would likely result in the loss of control of the motorized vehicle when the ECW was deployed.

2. As in all uses of force, certain individuals may be more susceptible to injury. Deputies should be aware of the greater potential for injury when using an ECW against children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, in obvious ill health, or display signs of excited delirium. In cases involving this population, EMS shall be staged, when practicable, nearby prior to the deployment of an ECW and medical treatment initiated as soon as possible following any deployment.

3. In preparation for firing, the ECW it shall be pointed in a safe direction, taken off safe, and then aimed. Center mass of the subject's back should be the primary target where reasonably possible; the front lower torso (below chest or heart area) or the legs are the secondary targets. Deputies should be careful to consider the length of probe wires (21 or 25 feet) and the potential impact distance may have on the trajectory of these probes.

4. Whenever situationally possible the Deputy preparing to deploy an ECW shall first issue a verbal warning to the subject in a final attempt to gain control. Because the ECW is most commonly referred to as a "Taser" it is important that the command given by the Deputy preparing to deploy the ECW include this term. In addition when possible the Deputy preparing to deploy the ECW shall communicate the phrase "Taser, Taser, Taser" just prior to deployment so that others present including other law enforcement officers are aware of its imminent deployment. This warning will reduce confusion at the scene as to what level of force is being deployed and allow those law enforcement officers at the scene to prepare to gain control of the subject when possible during the deployment of the ECW.

5. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device.

6. When deploying the ECW, the Deputy shall deploy the ECW on the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective. In most cases this should be no more than three (3) times or more than a total of fifteen (15) seconds.

7. The subject should be secured as soon as practical while disabled by ECW power to minimize the number of deployment cycles. In determining

the need for additional energy cycles, deputies should be aware that an energized subject may not be able to respond to commands during or immediately following exposure. Training in ECW's will encourage deputies to begin or complete the process of securing the subject while the ECW is being deployed when reasonably practicable. When reasonably possible the deputy deploying the ECW will be responsible only for directing those deputies attempting to gain control of the subject involved in case additional deployments are necessary.

8. The ECW may also be used in a "touch stun" mode. Circumstances that may necessitate a "touch stun" shall be addressed in training but may include but are not limited to those instances in which a probe misses or poor probe separation is present. A "Touch stun" may involve removing the cartridge and pressing the ECW against an appropriate area of the body identified during training. These areas include, but may not be limited to the shoulders, lower legs, or wrist areas. It is important to note that when the device is used in this manner, it is:

(a) Primarily a pain compliance tool due to a lack of probe spread.

(b) Minimally effective compared to conventional cartridge-type deployments.

(c) More likely to leave marks on the subject's skin.

(d) Subject to the same deployment (use) guidelines and restrictions as those of the ECW in cartridge deployments.

(e) In some situations poor probe spread or poor probe connection may decrease the effectiveness of a conventional cartridge deployment. This policy does not prohibit an authorized deputy from the simultaneous use of both the "touch stun" and conventional deployment if it is consistent with agency training and policy.

9. The ECW 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. In all instances deputies in possession of an ECW shall use the same discipline and care in the control of the ECW as they would with any firearm.

D. Aftercare

1. The ECW darts may be removed from the subject by a trained Deputy after the subject is restrained following procedures outlined in training. Because small amounts of blood may be present standard universal precautions outlined in training and departmental policy shall be used.

2. Individuals who have any obvious need for medical treatment after any

type of incident which involves an ECW shall be taken immediately to an emergency medical facility for evaluation. Any individual transported for this evaluation shall be by the Sheriff's Office unless an ambulance is more appropriate.

3. Deputies who deploy an ECW on any individual shall ask this person if they desire medical treatment. Transportation for this treatment shall be by the Sheriff's Office unless an ambulance is more appropriate.

4. The following persons shall be transported to a medical facility for examination following exposure to an ECW. Any person who:

(a) requests medical attention

(b) is hit in a sensitive area (e.g., face, head, throat, female breasts, male groin, chest or area of the heart, or known pre-existing injury areas),

(c) from whom officers have difficulty removing the probes (reported or demonstrated pain during probe or barb separation),

(d) does not appear to recover properly after ECW deployment,

(e) is in a potentially susceptible population category as defined in IV.C.2 of this policy,

(f) has been energized more than three times,

(g) has had more than one ECW device effectively used against him or her in any given incident,

(h) has been subjected to a continuous energy cycle of 15 seconds or more, or

(i) has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to ECW exposure.

(j) any other circumstances deemed necessary by the deploying deputy or his supervisor.

5. Transportation for medical treatment shall be by Sheriff's Office personnel unless an ambulance is more appropriate.

6. In all ECW deployments photographs of the affected area shall be taken after the darts have been removed. These photographs shall be electronically attached to the case assigned as soon as possible. The only exception will be in cases where the subject refuses to be photographed or the area to be photographed is of a sensitive nature.

7. When the device has been used operationally, the officer shall collect the cartridge, wire leads, darts, and when reasonably practicable AFIDs as evidence. Because these items are considered evidence they shall be reported and stored according to sheriff's office policy on evidence handling.

E. Reporting

1. The deploying Deputy shall notify his or her supervisor as soon as practical after using the device, and complete the appropriate use-of-force report. This use of force report once completed shall be reviewed by the initial supervisor notified, an agency ECW instructor, the Patrol Supervisor, and the Sheriff or his designee. Each person charged with reviewing this report shall do so to assure that agency policy and procedures have been followed. In no case shall the deploying Deputy be authorized to review his or her own use of force report for this purpose.

2. Officers shall specifically articulate the rationale in their use-of-force report for any instance in which: an ECW is energized more than three times, an energy cycle longer than a total of 15 seconds in duration is used, more than one ECW is used against a subject in any given incident, or an ECW is used against an individual designated to be in a "susceptible population" per IV.C.2.of this policy.

3. In addition to the use -of force report each Deputy assigned an ECW will log each time it has been deployed in any way. This log will record the date and time used and the purpose for its use. In addition to actual deployments other approved uses may include but are not limited to test fires consistent with agency training and deployments during approved training events. These logs shall be compared periodically by the Patrol Supervisor with information downloaded from the ECW to assure its proper use within this and other policies of the Lincoln County Sheriff's Office. Any logs assigned to an ECW assigned to the Patrol Supervisor shall be reviewed by the Sheriff or his designee.

   Deputies not assigned an ECW may be allowed access to an ECW stored in a locked box within the Sheriff's Office. These Deputies shall only access an ECW stored in a locked box after completing all required training and after being assigned a unique combination for access. In these instances the Deputies who have been assigned this unique combination shall document each date and time they remove or return the ECW from the locked box and any ECW deployments, including test fires that may take place in a logbook stored with the ECW. Because ECW's stored in any locked box within the Sheriff's Office will be shared, any Deputy accessing an ECW shall return it to the same box at the end of any shift. The Division Supervisor shall periodically download the locked box log and the internal ECW log in order to compare it to the log stored with the ECW that shows which Deputy has accessed and/or deployed the ECW for any reason.

4. When an ECW is involved in an actual deployment it will be immediately secured by a supervisor and removed from service. Once out of service it will be downloaded by the Patrol Supervisor as soon as possible and returned to the

Deputy involved. The information obtained in this download will be retained and compared with the Deputy's log to assure its proper use within this and other policies of the Lincoln County Sheriff's Office. A copy of the download will included with any case file associated with the event. Any ECW deployed by the Patrol Supervisor shall be downloaded as required in this policy by the Sheriff or his designee. In instances when the Patrol Supervisor is unavailable to download a deployed ECW in a timely manner the Sheriff or his designee shall download the ECW as required in order to return it to service as soon as possible.

Lincoln County Sheriff's Office
Electronic Control Weapon Use of Force Report

Call Number:	Arrest/Offense Number:
Date of Incident:	Time of Incident:
Location of Incident:	
Inside Outside Open Area Enclosed Area Vehicle	
Subjects Name: Last First Middle DOB:	
Call Type:	Photographs Taken Yes No
Supervisor Notified:	Time:
Name of Deputy Completing Use of Force Report:	
Serial Number of Device:	
Serial Number of Probe (if deployed):	
Deputies Involved: Primary Secondary Secondary Secondary	
Probe Contact: Yes No	Touch Stun Contact Yes No
Number of Times ECW Displayed:	Number of Touch Stuns:
Number of Times Deployed:	Number of ECW's Used:
Force Used Prior to Deployment:	
Force Used After Deployment:	
Approximate Distance To Subject At Time of Probe Deployment:	
Did ECW Deployment Gain Control of Subject:	
Did Probes Penetrate Subjects Skin: Yes No	
Was The Subject Under The Influence of: Alcohol Drugs	
Did the Subject Display Signs of Mental Illness: Yes No	
Subjects Demeanor After ECW Was Deployed or Displayed: Cooperative Combative Aggressive Complaining Belligerent Unresponsive	
Nature of Injuries To Subject As An Apparent Result Of ECW Deployment:	