

Sample Law Enforcement Agency	
Unit: Law Enforcement Agency Policies and Procedures	Directive Number: K - 0002
Title: Electronic Control Devices ("ECD") - Advanced Taser® (M26 or X26)	Effective Date: June 21, 2005
Index:	Revision Date:
Issued by: Chief, Sheriff, or Executive Officer	Issued On: June 21, 2006
State Statutory References:	
CALEA Standard References: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.8, 1.3.9, 1.3.10, 1.3.13	
State Accreditation References:	
Other References: Numerous medical and safety studies, UK Home Office Study, HECO Study, and others. Numerous department ECD use reports, including Orange County, Florida. Numerous department ECD policies. ECD training materials. Numerous ECD policies from other agencies.	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way (except as noted herein). This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s).

1. **Primary Objective** - To establish this Department's policy regarding electronic control devices ("ECD").
2. **Policy** - The policy of this Department is to accomplish its mission as effectively as possible within the bounds of applicable state and federal law. Officers will only use such force when legally acceptable under applicable federal and State law.
3. **Definitions:**
 - a. **AFID** - "Anti-Felon Identification" system provides accountability for each use of the ECD device via the dispersal of tiny unique coded tags every time the device is "probe deployed" – a cartridge is discharged.
 - b. **Sudden short-term discomfort** - ECD application generally causes an overwhelming instantaneous sensation of discomfort and loss of voluntary muscle control. This overwhelming instantaneous discomfort ceases and dissipates almost immediately upon discontinuance of ECD discharge.
 - c. **Cartridge** - Refers to an Air Cartridge manufactured by Taser International, Inc. specifically for use with the Taser M26 or X26.
 - d. **Detainee** - Refers to a person who is housed in a detention center, correctional facility, or other facility for the incarceration (temporary or long-term) of individuals.

- e. **ECD** - Electronic control device, is a conducted energy device. The ECD is a hand-held unit that can be used in two (2) modes:
 - 1) **“Probe Deployment” or “Probe Mode”** - Utilizing compressed nitrogen gas to propel two (2) darts on wires from a cartridge a maximum of thirty-five (35) feet (depending on the cartridge). The ECD sends an electrical signal to the probes, via small wires, which can disrupt the subject’s body’s ability to communicate messages from the brain to the muscles and likely (depending upon many factors, including the distance between the probes, probe placement, the depth of clothing on the person, etc.) usually causes motor-skill dysfunction.
 - 2) **Touch Stun** (aka “drive stun”) - Acting as a touch-stun system when the ECD is brought into immediate, or close proximity, contact with a subject’s body, or clothing. “Touch stun” only creates discomfort, due to the narrow spread of the ECD probes, touch-stun application will likely not create motor-skill dysfunction.
 - f. **ECD Records Custodian** - The Department designated person responsible for collecting and maintaining ECD records.
 - g. **Officers** - As used in this policy refers to certified law enforcement, correctional, and/or detention personnel who are trained and authorized by the Department to carry and use an ECD under the authority of this Department.
 - h. **ECD - The Advanced Taser®** (either M26 or X26 as manufactured by Taser International, Inc.) (“Taser”) A ECD use-of-force (“UOF”) tool. The Taser is a UOF tool.
 - i. **ECD use:**
 - 1) **“ECD Displayed:”** The ECD is withdrawn from the holster and visible to the subject. The subject complies without further use of the ECD.
 - 2) **“ECD Laser Painted:”** The ECD’s laser is activated and pointed in the direction of the suspect and in response to the Laser painting the suspect complies without further use of the ECD.
 - 3) **“ECD Demonstrated:”** The ECD is withdrawn from the holster, the air cartridge removed and the electrical arcing is demonstrated to the subject to attempt to gain voluntary compliance.
 - 4) **“ECD Deployed:”** The ECD probes contact the subject’s body or clothing and/or a touch stun is used to attempt to gain compliance.
4. **ECD Training and Certification:**
- a. **Who may use an ECD** - Only trained and qualified Department officers may carry and/or use an ECD.
 - b. **ECD Training** - All members of the Department who carry and/or use an ECD must first successfully complete a Department approved and mandated ECD familiarization program, to include written and practical tests.
 - c. **35' Cartridge Training** - Any member of the Department who will use a 35' cartridge must receive special training regarding the foreseeable trajectory of cartridge deployment.
 - d. **ECD Re-Certification** - A mandatory re-certification program will be completed annually.
 - e. **Certified Instructors** - All Department ECD certification programs will be presented by a Taser International, Inc. certified (or equivalent) Taser instructor. The ECD instructor must be certified with both the M26 and the X26.

- f. **Department's Discretion** - The Department's ECD training programs, just like its' operational policies, procedures, and guidelines, are solely at the discretion of the Department.
 - g. **ECD Exposure** - [**Department Option**: The Department solely determines whether officers are required to experience voluntary ECD exposure. Taser International, Inc. makes no recommendation whether ECD users should experience a voluntary ECD exposure – that decision is solely up to the Department.]
 - h. **Training Records** - The Department shall maintain ECD training and certification records.
5. **ECD Issuance:**
- a. **Permitted ECDs** - Officers may only carry and use M26 and/or X26 Tasers.
 - b. **ECD Issuance Records:**
 - 1) Specific Officer(s) Issuance:
 - a) A record will be kept of all ECDs, their serial numbers, and which officers the ECD has been issued to.
 - b) The Department shall designate a custodian of ECD records, the person responsible for collecting and maintaining all ECD records.
 - 2) Shift or Changing ECD Issuance – A check-in / check-out procedure will be established for partial or changing ECD issuance.
 - c. **ECD Cartridges:**
 - 1) Officers may only carry and use appropriate Taser manufactured cartridges.
 - 2) A record of ECD cartridge serial numbers will be maintained on a log sheet by the Department. The log sheets will be available for audit as deemed necessary by the Department. These log sheets shall be collected and maintained by the ECD records custodian.
 - d. **ECD Returned** - In the event that an ECD is returned for repairs or is no longer utilized for Department use the use history of that particular ECD will be down-loaded using the data port access and appropriate software. The use history will be maintained by the Department for a period of five (5) years from the date the ECD was taken out of service.
 - e. **No Alternations/Modifications** - No changes, alterations, modifications or substitutions shall be made to the ECD or the cartridges. All repairs to ECDs or accessories shall be completed by a Department authorized armorer or vendor. ECD repairs shall be documented and the records shall be maintained by the ECD records custodian.
 - f. **ECD Use Histories** - ECD use histories will be run on each ECD as necessary. Necessary ECD use history reports include:
 - 1) following claims of excessive force by ECD application,
 - 2) hospitalization of the ECD subject following ECD application,
 - 3) a death following ECD application, and
 - 4) claims of excessive numbers of ECD discharges.
 - g. **Officers' Responsibility for Damaged ECD/Cartridge** - Officers who are issued an ECD and/or cartridges are solely responsible for reporting to their supervisors promptly after learning

that the ECD and/or the cartridges are damaged and/or in need of maintenance and/or repair. The supervisor will forward the damaged ECD/cartridge to the issuing person and provide, as reasonable, replacements to the officer.

6. **ECD Inspection Prior to Shift** - prior to officers (carrying ECDs) commencing their shifts, the officers shall:
 - a. Remove the cartridge from the ECD and briefly test arc (to observe the current battery condition) the ECD in a safe manner.
 - b. Visually inspect the ECD and the cartridges for noticeable wear or damage.
 - c. Documentation of checking – prior to shift – officers will note the ECD inspection on their daily reports. Documentation may be as brief as “ECD checked and ok.”
7. **Reasonable ECD Protection** - The ECD is a highly sophisticated piece of electronic equipment that operates on batteries. Therefore, officers shall reasonably protect the ECDs and the cartridges from:
 - a. Water, rain, snow, etc.
 - b. Temperature extremes. Cold temperatures can negatively effect battery life, usability, and effectiveness. Officers should reasonably insulate ECDs and cartridges from being unnecessarily exposed to cold conditions.
 - c. Unreasonable exposure to dust, dirt, mud, etc.
 - d. Unreasonable risk of theft.
 - e. Unreasonable exposure to inclement ECD storage conditions. E.g. avoid storing an ECD in a vehicle where it could be unreasonably subject to theft or adverse weather and/or environmental conditions.
 - f. Unreasonable accessibility to people other than members of this Department.
8. **Decision to Deploy the ECD:**
 - a. **Legal Requirement** - Any deployment/use of an ECD must be consistent with applicable federal and/or state laws. Officers may use ECDs as allowed by applicable federal and/or state laws. Officers shall not use ECDs when such use would violate applicable federal and/or state laws.
 - b. **ECD Use** – The ECD, in probe deployment mode, provides a UOF option which aids officers in maintaining distance from perceived threats. The use of ECDs in either mode may also prevent officers and subject injuries caused by subject resistance or non-compliance. Using ECDs may reduce the need for other types of physical force by the officers which could foreseeably result in potentially more serious or deadly injuries to the subject, officers, and/or others.
 - c. **Officers’ Reasonable Beliefs** - Officers’ decisions to deploy ECDs are dependant upon the reasonably believed (by the officers) actions of the subject(s) or threat(s) facing the officers, and the totality of the circumstances surrounding the incident.
 - d. **Potential for Injury** - ECDs are non-deadly UOF tools. However, ECDs, just like any UOF tool or technique, can foreseeably create physical and/or muscle stress and/or exertion or other unexpected, unforeseen or unanticipated primary and secondary injuries.
 - e. **Subject Warning of ECD Application** - Where the totality of reasonably perceived (to the officers) circumstances reasonably permits officers to give a warning of the imminent application of ECDs in an attempt to cause the subject to comply with officers’ lawful orders, officers may give the subject a warning and an opportunity to voluntarily comply. However, if officers

reasonably believe that the giving of such warning may escalate the risk and/or danger of the incident or diminish the officers' or others' safety, then the officers are not required to give a warning. It is foreseeable that officers' announcement of imminent ECD deployment may cause the subject to attack the officers, flee, inflict self-injury, attempt to injure others, etc.

- f. **Notification of ECD Imminent Use - Notifying Other On-Scene Officers** - The ECD deploying officers may reasonably notify any on-scene, assisting officers that they intend to deploy an ECD. Prior to deploying ECDs the deploying officers should consider announcing, if reasonably safe and feasible, "TASER! TASER! TASER!" The announcement should be made only if it would not reasonably further endanger any officers, other persons, or the suspect. In at least one case where a knife wielding person heard the word "Taser," the subject immediately charged and attacked the officers. This attack resulted in the person being shot with a firearm.
 - g. **ECD Target** - Center mass of the body should usually be the target area when discharging ECDs, particularly the center mass of the subject's back; as clothing tends to be tighter on this part of the body. Officers encountering subjects wearing heavy or loose clothing on the upper body may consider targeting the legs. The head, face, genitals, and female's breasts should not be intentionally targeted unless this elevated level of force can be legally justified under the totality of the circumstances reasonably known to the officers at the time the ECDs are deployed.
 - h. **ECD Distance** - The ECD in probe deployment mode has a normal effective range of thirteen (13) feet, with a fifteen (15) foot cartridge; nineteen (19) feet with a twenty-one (21) foot cartridge, twenty-one (21) feet with a twenty-five (25) foot cartridge, and thirty (30) feet with a thirty-five (35') foot cartridge. Ranges under three (3) feet may not provide adequate distribution of the probes to allow the ECD to function to its full effectiveness at incapacitating the subject. However, discharging the ECD at a subject at a range closer than three (3) feet is usually not an escalated danger to the subject. Also, point blank probe deployments have been demonstrated to not create any additional risk of injury to the subject.
 - i. **ECD - Off** - Once the subject of the ECD application is restrained and/or controlled the ECD is to be turned off.
 - j. **ECD Re-application/Discharge** - If the subject of an ECD application continues fighting, resisting, threatening or continues to resist officers' actions, the officers may reapply, again discharge, the ECD. Note that application of an ECD causes physical exertion. And, each successive ECD applications/discharges will likely continue to cause physical exertion. If officers discharge an ECD several times the officers need to be aware of, and monitor, the subject's condition for signs of severe physical distress.
9. **Verbal Commands** – In an attempt to minimize the number of ECD discharges needed to cause subject compliance, officers should, while deploying the ECD, reasonably direct (order) the suspect as the incident mandates. Such verbal commands may include, stop resisting, lie flat, put hands behind back, etc.
10. **Touch-Stun Mode** - The use of an ECD in "touch-stun" mode will not reliably or foreseeably incapacitate the subject. Therefore, when an ECD is used in touch-stun mode it will only foreseeably cause discomfort. Officers will not use ECDs in touch-stun mode if the officers reasonably believe that discomfort will not cause the subject to be compliant with the officers, e.g. on a drug induced highly pain resistant subject.
11. **ECD shall not be used:**
- a. punitively.
 - b. in touch-stun mode as a prod or escort device.

- c. to rouse unconscious, impaired, or intoxicated individuals.
 - d. for horse play or clowning around or in an unprofessional manner.
 - e. to experiment on a person or allow a person to experience the ECD, even if the person requests it, when the ECD's use would not otherwise be allowed by this policy. This ECD experience does not apply to voluntary ECD training exposures or ECD demonstrations as authorized by the Department..
 - f. for illegal purposes of coercion.
12. **ECDs may be used:**
- a. when physical force is legally justified to prevent the reasonably foreseeable threat or actual attempted assault, battery, and/or injury to officers, other person, and/or the subject.
 - b. to display the ECD's "test arc" or "painting" the subject with the ECD's laser to attempt to gain compliance of a subject where resistance, assault, and/or violence is reasonably anticipated.
13. **Use of ECDs on Persons:**
- a. ECDs may be used in those situations where:
 - 1) Officers reasonably believe that the subject is an imminent threat to themselves, officers, or other person(s) with assault, battery, violence, and/or physical force.
 - 2) In cases where officer / subject factors reasonably indicate that the officers, offender, and/or other person may likely be endangered by the use of physical force by the subject.
 - b. **Elevated ECD Application Risk Factors** – The following factors, where apparent to involved officers, require elevated justification of ECD application. Under the following conditions the risks of foreseeable direct or secondary injuries are foreseeably elevated, thus officers' justification(s) for ECD application are also elevated. These elevated risk factors can only be given consideration when the factors are reasonably perceived by the officers:
 - 1) **Presence of flammable liquids/fumes or explosive environments**
 - a) Under some circumstances, the discharge of ECDs may ignite flammable liquids/fumes. ECDs deployed at subjects who are reasonably perceived by the officers to have recently come into contact with flammable liquids/fumes, or in environments where flammable liquids/fumes are known to be present, may result in secondary injuries/burns. Officers should be especially aware of this potential flammability issue when present in known meth lab environments.
 - b) However, even though a person who has come into contact with a flammable liquid creates a higher degree of potential risk, the totality of the circumstances may indicate that the subject may still be subjected to an ECD. As an example, a person is flailing a knife approximately twenty (20) feet from officers. The officers know that the person has come into contact with lighter fluid and still has the fluid on his clothing. The person now starts aggressively walking toward the officers. Even though the officers have lethal (firearm) cover the officers may still reasonably perceive a need to try to stop this subject's aggression with the ECD. And, the fact that the subject may have flammable liquid on his person does not create an absolute bar to the use of the ECD.
 - 2) **Elevated positions** - Reasonable considerations and care need to be taken when deploying an ECD on a subject who is in or on an elevated position or in circumstance where a fall resulting from the ECD application may reasonably and foreseeably cause substantial injury or death. Obviously, the higher the elevation or the more foreseeable the

secondary injury from falling the greater the justification for the ECD application that will be required of the officers.

- 3) **Person operating moving vehicle or machinery** - The use of an ECD on a person operating a moving vehicle or machinery could result in severe secondary consequences. Therefore, any application of an ECD on a person operating a moving vehicle or machinery will foreseeably require elevated justification(s) for the ECD use.
 - 4) **Person running (fleeing)** - A subject who is exposed to an ECD while running may foreseeably fall as a result of the ECD exposure combined by the running. Since this fall will foreseeably be dynamic the risks of secondary injuries (from the running momentum) will likely result in greater risks of injury. Therefore, elevated justification will be required for an ECD deployment on a running subject.
 - 5) **Pregnant female:**
 - a) Use of an ECD on a pregnant female may be alleged to cause injury to the woman and/or her fetus. Also, should a pregnant female fall onto her stomach during the ECD application there is an enhanced risk of secondary injuries. Therefore, where officers deploying ECDs reasonably believe the female subject to be pregnant greater justification for the ECD application will be required.
 - b) However, officers are not prohibited from using an ECD on a pregnant female in all possible circumstances. As an example, officers encounter a crazed violent obviously pregnant female who appears to be under the influence of illegal drugs. This female is threatening to plunge a large butcher knife into her abdomen (and her baby). The officers facing this imminent threat may reasonably believe that the use of the ECD on this person may be a reasonable choice to attempt to save the lives of the fetus and the mother.
 - 6) **Swimming pool or other body of water** - If a person could reasonably foreseeably fall into a swimming pool or body of water due to application of an ECD, the officers will need to have elevated justification for the ECD application use due to the foreseeable consequences of use of the ECD on the subject under these circumstances. The elevated risk here is the risk that the subject may not be able to prevent themselves from drowning.
 - 7) **Intentional ECD application to sensitive areas** - If an officer intentionally applies an ECD to a sensitive body area, (head, neck, groin, genitals, and/or female's breasts), greater legal justification will be required from the officer.
 - 8) **Non-standard repeated ECD applications** - The use of an ECD on a person results in some degree of physical exertion or stress (due to muscle contractions, discomfort, etc.). Repeated ECD discharges foreseeably result in additional exertion and stress. An ECD incident may necessitate multiple ECD discharges. An incident where a person receives multiple ECD discharges may require elevated justification(s).
- c. **Societal perceptions and concerns creating need for elevated justification factors** - The following factors involve groups of people from which the general public commonly assumes that these individuals are not capable of being an imminent threat of death and/or serious bodily harm, or that these people should be treated more sensitively and compassionately by officers. Officers understand that the realities are that individuals from each of these groups do commit violent crimes, can be an imminent threat of death and/or serious bodily harm to officers, others, and themselves, can be so resistive that the use of ECDs are eminently justified, etc.. However, since society generally places individuals within these groups into protected classes, officers using an ECD on one of these individuals will foreseeably be placed under heightened scrutiny

and will likely be required to provide additional justification for the use of the ECD. These groups include:

- 1) **Children** - When officers apply an ECD to a child, [as defined by applicable state law], the younger the child the greater the justification that will be required for the officers' application of the ECD. However, ECDs have saved the lives of numerous children who were imminent threats of death or serious bodily injury to themselves, others, and officers immediately prior to the ECD applications. Normally these children were armed with edged weapons and threatening imminent use. Also, as with restraints, just because a subject is a "child," does not automatically provide that the person is not an imminent threat or danger to him/herself, others, or the officers. Also, in some situations the utilization of an ECD is less potentially injurious to the child than other force tools and/or techniques, e.g. if officers were to place a strong wrist lock or arm bar on a small child there is a risk of a spiral break to the child's appendage. In such a case, an ECD may be a better force choice.
 - 2) **Seniors** - Seniors are often not seen as serious threats. However, there are many instances where seniors are substantial threats to officers, others, family members, and/or themselves. As circumstances reasonably permit, officers shall take into account a subject's frailties or obvious vulnerabilities or conditions.
 - 3) **Restrained subjects** - If subjects are no longer a threat, restrained, subdued, and compliant an ECD shall not be used. However, just because subjects are restrained (by handcuffs or other means) does not necessarily mean that they are subdued, or no longer a serious threat to officers, others, and/or themselves. If subjects continue to be threats to officers, others, and/or themselves, then officers may utilize an ECD.
 - 4) **Passive subjects who are being arrested:** A "passive subject is one who is to be arrested because legal justification exists to arrest the subject and officers are attempting to place the person under arrest, and the person is passively resisting the arrest. A "passive resisting" subject does not include a subject who is exhibiting active resistance (e.g. flailing, jerking, etc.) or where officers can articulate a threat of active resistance. [Department option - choose one of the following policy choices]:
 - a) The use of ECD is not allowed on purely passive subjects. (OR)
 - b) The use of an ECD is allowed on passive resistant subjects. If officers use an ECD on a passive person the officers' justification requirement is escalated. However, the Department does not forbid the use of an ECD on all passive persons. As an example, if officers are attempting to arrest a very large person – weighing 300+ pounds and the subject is refusing to move, get up, get out of the car, etc., then the officers may, (when reasonably safe to do so) after giving the person warning of the imminent use of the ECD in an attempt to gain voluntary compliance with the officers' lawful orders, and after (when reasonably safe to do so) giving the subject a chance to comply, the officers may use the ECD to attempt to gain compliance. Also, if safety to the officers or others may be comprised by providing warning of the imminent use of an ECD, then the officers may decide not to give warning of the ECD application.
- d. **ECD use on detainees:**
- 1) An ECD may be used on detainees just as any person under this policy.
 - 2) An ECD may be used against combative, assaultive, foreseeably violent detainees as provided for ECD use against any person under this policy.

14. **Other ECD Factors to Consider:**

- a. **ECD is Not a Substitute for Deadly Force** - An ECD is not a substitute for deadly force and should not be used in those situations. In deadly force situations, officers decision to deploy the ECD should be backed up with the immediate availability of lethal force.

- b. **ECD - Not Firearm** - Prior to the deployment of an ECD the officers deploying the ECD have the responsibility to reasonably visually and physically confirm that the tool selected is in fact an ECD and not a firearm.
15. **Actions after ECD Deployment:**
- a. Appropriate post-incident action should be taken to care for the injured, to apprehend suspects, and to protect the scene.
 - b. An ECD will not be left unattended except in exigent circumstances as when an officer is forced to act alone in taking custody of subject reasonably posing imminent threat.
 - c. When reasonable to do so, the ECD deploying officer shall notify dispatch of the ECD deployment/use.
16. **Post ECD Medical Attention:**
- a. If officers reasonably believe that the subject upon whom the ECD was used exhibits any sign of medical distress, the officers shall render aid and summon emergency medical care.
 - b. If needed, reasonable and appropriate, medical personnel shall be summoned to the scene to assess the ECD subject. If the exam or other circumstances dictate the subject needs further medical treatment the subject shall be transported by reasonable means to a suitable medical facility.
 - c. Medical treatment will not be refused for anyone who requests it.
 - d. If officers reasonably believe that the subject is in need of medical treatment the officers shall make reasonable efforts to provide, or arrange for, the medical services.
 - e. If safety circumstances reasonably dictate moving the subject to another location, officers may arrange to have emergency medical personnel meet the officers and the subject at another location to assess the subject and render care.
 - f. If emergency medical care or transport is not reasonably available, or if the perceived response delay appears excessive, then per Department policies the subject may be transported by the officers for medical evaluation. During transport the officers shall reasonably monitor the subject's observable physical condition.
17. **Probe Removal:**
- a. Some probes will simply fall out. If a subject, who has a probe embedded in their body, requests that the probe be removed by medical personnel, then the officers shall arrange for medical personnel to remove the probes.
 - b. Medical personnel shall remove probes located in sensitive areas such as the face, neck, groin or female's breast.
 - c. Removal of probes in non-sensitive areas may be done by officers. Officers, or other trained personnel, will provide first aid following removal of the probes by applying iodine or alcohol wipes, and band-aids to the probe sites as needed. Officers should inspect the probes after removal to see that the entire probe and probe barb has been removed. In the event that a probe, or probe barb, has broken off and it is still embedded in a subject's skin; the subject shall be provided appropriate medical attention to facilitate the removal of the object.
18. **Supervisor Response to ECD Use** - Where appropriate and reasonable [Departments option: many departments do not have supervisors readily available]:

- a. Supervisor shall be advised of any ECD use.
 - b. Supervisor should respond to the scene of the ECD use.
 - c. Supervisor shall review with the officers the circumstances under which the ECD was used.
 - d. Supervisor shall review and follow-up on the officer's ECD use report.
 - e. As circumstances indicate, supervisor shall follow-up on forwarding the officers' ECD use report as appropriate.
19. **Photographs:**
- a. When lawful and appropriate to do so, photographs should be taken of probe impact sites and any other related injuries as soon as reasonable to do so.
 - b. In some instances photographs may not be taken, such as in some cases of juveniles or when the probes impacted genitals, female's breasts, etc. It is important to preserve evidence of the ECD use, however, it is also important to not violate any medical, HIPPA, or privacy statutes or other legal restrictions.
20. **Probes - Biohazard:**
- a. Probes that have been deployed and strike the subject will be treated as biohazard sharps. They may be placed point down into the expended cartridge bores and secured (e.g. with latex glove(s), tape, etc.).
 - b. Where ECD probe deployment is not a reasonably foreseeable issue, and where there is no indication of serious injury, probes and expended cartridges need not be routinely maintained as evidence. They shall be properly disposed of.
 - c. If the incident is non-routine, or if serious injury is alleged, then the probes and the expended cartridge(s) shall be maintained as evidence appropriately secured and marked as bio-hazard.
21. **AFIDs:**
- a. AFIDs shall only be collected and maintained as evidence if reasonably necessary, such as where identification of who discharged the ECD is a foreseeable problem or issue.
 - b. If officers determine that the AFIDs need to be collected and maintained as evidence, then officers will attempt to locate the yellow, pink and clear colored "micro-dots" dispersed at the time of the cartridge discharge. If collected, these AFIDs will be collected and placed into evidence with any expended cartridge(s).
22. **Detention Notification of ECD Application** - Detention personnel shall be informed that the subject was controlled by use of an ECD.
23. **Transport concerns:**
- a. **Avoid Face Down Transport** - Officers should avoid transporting a subject, who has been controlled by the use of a ECD (or any subject), face down.
 - b. **Avoid Transporting on Probes** - If probes are still in the subject, avoid transporting the subject in a position that would foreseeably further embed the probes in the subject.
24. **Use of an ECD on Animals:**
- a. Using an ECD against animals may reduce the need for greater, more injurious force against such animals. The use of an ECD on an animal should be based on the intent to provide a safer, more humane and less traumatic conclusion to the incident.

- b. The full effect of an ECD on animals is not yet known. However, ECD field deployments have shown positive results and the ECD has been an effective tool against animals. Animals have also shown the ability to quickly recover from the effects of the ECD. As soon as the ECD temporarily disables the animal, officers should be prepared to act quickly with control devices or restraints, or to take other appropriate action(s).
 - c. An ECD may be deployed on an animal when:
 - 1) The animal is threatening or is attacking a person, including officers, or other animal.
 - 2) The animal has threatened or attacked a person, including officers, another animal, or has caused a continuing public nuisance and the animal needs to be controlled for reason of public peace or safety, preservation of property, or other legitimate purpose; and the animal poses an active threat to officers in their efforts to perform their duty.
 - d. Center mass of the animal should be targeted. Care should be taken to avoid the head and other sensitive areas on the animal. It is understood that deployments against animals may be very dynamic in nature and the probes may impact unintended areas.
 - e. Procedures for probe removal should take place as outlined herein. Personnel will take reasonable measures to consider that the animal's welfare is provided for, in the event that probes impact a sensitive area, or it appears the animal's health is in jeopardy. It is generally understood that as long as personnel acted appropriately, the animal's owner will be responsible for any medical attention needed for the animal.
25. **ECD Use Report** - In addition to other Department UOF and/or incident reporting requirements, all written reports associated with the ECD related incident shall be completed before the end of the ECD deploying officers' shifts, or as reasonably possible thereafter. The ECD deployment documentation shall include for example:
- a. What precipitated the use of the ECD.
 - b. To what extent the ECD was utilized.
 - c. What were the known results of the ECD's utilization.
 - d. The name and rank of the responding and reviewing supervisor.
 - e. If medical personnel are involved with the subject, the report shall include the names and unit of responding medical personnel.
26. **Dataport Tracking, Maintenance, and Care** - The Department shall designate the ECD records custodian as the primary person responsible for maintaining and caring for the ECD. This person shall:
- a. Upon ECD discharge notification, download the discharge memory of the involved ECD.
 - b. Log and track ECDs and cartridges.
 - c. Conduct inspections of ECDs.
 - d. Order and maintain adequate cartridges and supplies.
27. **Accidental Cartridge Discharge** - In the event of an accidental ECD cartridge discharge, the officers shall promptly notify their next level of command. The superior officer shall investigate the incident and prepare a written report documenting the incident. Alternatively, the supervisor shall have the

officers prepare a written report and then the supervising officer shall make appropriate notifications and/or take other appropriate actions.