

CHELSEA POLICE DEPARTMENT		Department Manual: Policy: 1.30
Conducted Electrical Weapon (CEW) Policy (TASER POLICY)		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.2.2; 1.3.1; 1.3.2; 1.3.4; 1.3.5; 1.3.6 b, c, d; 1.3.9 a, b, c, d, e, f; 1.3.10; 1.3.11 a, b, c; 16.3.5; 33.1.2; 33.5.1; 33.6.1 a, b; 61.1.3		GENERAL ORDER 2008-09
Effective Date: March 07, 2008 Amended March 13, 2013; Amended August 29, 2014	Issuing Authority <i>Brian Kyes</i> Brian A. Kyes Chief of Police	

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I. General Considerations and Guidelines:

The Chelsea Police Department places the highest value on the life and safety of its officers and the safety of the public. Because of our law enforcement and peacekeeping role, officers will be required at times to resort to the use of physical force to carry out our responsibilities. Police officers are confronted continually with situations requiring or resulting in the use of various degrees of force to affect a lawful arrest, to ensure public safety, or to protect themselves or others from harm. The degree of force used is dependent upon the facts surrounding the situation the officer confronts. Officers will only use reasonable force when force is used to accomplish lawful objectives. The degree of force the officer is authorized to use is dependent upon the amount of danger or threat to officer safety that the situation presents. [1.2.2](#); [1.3.1](#), [1.3.2](#)

The objective of the use of force is to maintain or reestablish control over a situation, focusing on the recurring need for officers to protect themselves and others and to take actively resisting combatants or violent subjects into custody using tools and tactics that reduce death and injuries. Control is reached when a subject complies with the officer's directions and is restrained or apprehended and no longer presents a threat to the officer(s) or the personal safety of uninvolved individuals. Since an officer will encounter a wide range of behaviors, the officer must be prepared to utilize a range of force options that are reasonable and necessary to maintain or reestablish control by overcoming resistance to the officer's lawful authority while minimizing injuries.

Because there are an unlimited number of possibilities, allowing for a wide variety of circumstances, no written directive can offer definitive answers to every situation in which the use of force might be appropriate. Rather, this directive will set certain specific guidelines and provide officers with an objective basis on which to utilize sound judgment based on continuous training, to make reasonable and prudent decisions.

II. PURPOSE:

The purpose of this policy is to provide guidance and direction for Chelsea Police Officers for the lawful use and deployment of the Conducted Electrical Weapon (CEW) a less-lethal defensive impact weapon. Every sworn officer or student officer will have access to this policy and will be instructed in applicable policies before employing any of the weapons, devices or tactics set forth herein. Only department-issued or approved weapons, equipment, and chemical agents will be authorized to be used. [1.2.2](#)

III. POLICY:

All officers of the Chelsea Police Department shall use reasonable force when force is used to accomplish lawful objectives and to effectively bring an incident under control. [1.3.1](#)

Members of the Department may use lethal force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or

in defense of any person in immediate danger of serious physical injury. Officers may also use lethal force to prevent the escape and effect the arrest of an individual whom the officer has probable cause to believe has committed a felony involving the use, attempted use or threatened use of lethal force and whom reasonably believes will cause death or serious physical injury if apprehension is delayed. [1.3.2](#)

In each individual instance, lawful and proper force is restricted to only that force necessary to control and terminate unlawful resistance and to prevent any further physical attack against the police officers or any person. This would include lethal force, with lethal and less-lethal weapons, specifically the Electronic Control Device (Taser) outlined in this policy.

IV. DEFINITIONS:

Conducted Electrical Weapon (CEW): A less-lethal defensive weapon designed to disrupt a subject's central nervous system by deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override a subjects voluntary motor responses. Also referred to as an Electronic Control Device (ECD)

TASER® X 26: A brand name for the Electronic Control Device, and is currently authorized for use by the Chelsea Police Department. The Electronic Control Device uses propelled wires or direct contact to conduct energy affecting the sensory and motor functions of the peripheral nervous system. [1.3.9. a](#)

Active Resistance: Occurs when an officer encounters behavior that physically counteracts his or her attempt to control, and which creates a risk of bodily harm to the officer, subject, and/or other person.

Air Cartridge: The Taser X26 uses a replaceable cartridge containing compressed nitrogen to deploy two small probes that are attached to the Taser X26 by insulated wires. The Taser X26 transmits electrical pulse along the wires and into the body affecting the sensory and motor functions of the peripheral nervous system. [1.3.9 b](#)

Anti-Felon Identification Tag (AFID): Every time a Taser X26 Cartridge is deployed approximately twenty-four small confetti-like Anti-Felon Identification (AFID) tags are ejected. Each AFID is printed with the serial number of the cartridge deployed; allowing departments to determine which officer deployed the cartridge.

Less-Lethal Force Philosophy: A concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional methods.

V. General Information:

There are three separate types of reportable ECD applications that require a Use of Force Report by the deploying officer. A Supervisor's After Action Report is required after

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deployment of the Drive Stun Contact Mode or Probe Deployment Mode; (see # 2 and # 3 below).

(1.) Spark Display: A non-contact demonstration of the ECD ability to discharge electricity. This is conducted only when the cartridge has been removed from the device. The purpose of this display is to convince the subject to comply with lawful commands and avoid the ECD being deployed in the Drive Stun Contact Mode or Probe Deployment mode.

Supervisor After Action Report - **not required.**

(If a spark display check is conducted in Room 105 to test the device at the beginning of an officer's shift that test is not a reportable incident.) 1.3.4

(2.) Drive Stun Contact Mode: Contact is made by pressing the front of the ECD with an expended / deployed cartridge or without the cartridge against the body of the subject and activating the ECD. The Drive Stun causes significant localized pain in the area touched by the ECD but does not have a significant effect on the central nervous system. The Drive Stun does not incapacitate a subject but may assist in taking a subject into custody by pain compliance.

- **Do not use pain compliance** if circumstances dictate that pain is reasonably foreseeably ineffective (usually due to drug, alcohol, or ***mental illness*** cause elevation of pain tolerance)

Supervisor After Action Report - is **required 1.3.6 c; 1.3.4**

(3.) Probe Deployment Mode: The ECD is most effective when the cartridge is deployed and the probes make direct contact with the subject. Proper application will result in temporary immobilization of the subject and provide the officer a "window of opportunity" in which to take the subject into custody without any further resistance. Optimum range for the deployment is seven (7) to fifteen (15) feet with a twenty-one (21) foot maximum distance.

Do not immediately resort to a CEW without first attempting to **use negotiation, commands, or physical skills:**

- Avoid using a CEW on a person who is actually or perceived to be **mentally ill**;
- Avoid using a CEW on **elevated risk population** member, unless necessary and justifiable;

Supervisor After Action Report - is **required 1.3.6.c; 1.3.4**

VI. TRAINING:

Authorized users: To promote a safe working environment it shall be a Department **mandatory minimum requirement** that all Chelsea Police Officers and the Animal

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Control Officer (ACO) be trained to the certification level of Basic User, and attend mandatory annual in-service refresher training (ACO is excluded) for deployment of the ECD (TaserX26) device. It is not a mandatory requirement of the Department that officers be issued, carry or use the ECD (Taser) device. An exception to this mandatory requirement is the Officer-in-Charge shall have discretion on each patrol shift to issue not less than two ECD (Taser) devices and have them available, on the street for deployment when the appropriate situation presents itself in accordance with this policy. **1.3.10; 33.1.2**

Basic User Training: Eight (8) hour certification course is mandatory training for all Chelsea Police Officers including the Animal Control Officer. **16.3.5; 33.1.2**

In-Service Training: All officers who are certified to carry and deploy the ECD less lethal device **shall complete annually a minimum of two (2) hours in-service documented proficiency and legal update training**, conducted by certified weapons instructor with remedial training available if needed. **1.3.11 a b c; 33.1.2; 33.5.1; 33.6.1 a, b**

Instructor Training: All department instructors are required to complete a sixteen (16) hour Taser International ECD certification course an additional four (4) hour instructor training course from the Massachusetts Police Training Committee (MPTC). Instructors are required to be trained and re-certified biannually. **33.1.2, 33.6.1 a b**

Supervisor Training: Annually, superior officers of all ranks shall receive specialized ECD (Taser) awareness and After Action Report (AAR) in-service training by qualified instructors so they can intelligently investigate, properly document and report ECD deployment incidents. This training shall be in addition to the annual ECD in-service training requirement and **shall be not less than two (2) hours in length**. **33.1.2; 33.6.1 a b**

VII. DEVICE READINESS and ASSIGNMENT:

- A. The device shall only be carried by certified officers in a department approved holster on the weak side (opposite of the firearm side) of the body;
- B. The device shall be carried fully armed with the safety on in preparation for immediate use when the appropriate situation presents itself in accordance with this policy.
- C. Officers certified to use the device shall be issued a minimum of one spare cartridge as a back-up in the event of cartridge failure, the need for reapplication, or in the event the first cartridge's leads break during deployment. The spare cartridge shall be carried in a manner consistent with training protocols and cartridge replacement consistent with the manufacturer's expiration requirements.

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- D. Only the Digital Power Magazine (DPM) lithium energy cell power supply system available from the manufacturer shall be utilized in the Taser X26.
- E. The ECD shall be pointed in a safe direction with the safety on during loading, unloading, or when handled in other than operational deployment.
- F. At least monthly the Internal Affairs Lieutenant or his designee qualified as a weapons instructor or armor shall conduct inspections and download individually all ECD/Taser units. This inspection shall be documented for mandatory reporting and maintenance purposes and the removal of unsafe devices. **1.3.9 c. d.**
- G. All ECD devices and related equipment shall be stored in a secured cabinet in the first floor office of the Officer-in-Charge. At the start of each patrol shift, the Officer-in-Charge or his designee may issue* the ECD to officers who are certified to use the device. Training in the use and deployment of the device is mandatory for all officers as a safety precaution. Any officer or supervisor from a specialized unit or a detail officer, who is certified, may be issued the ECD device from the on duty Officer-in-Charge or his designee, **the device must be returned at the end of his tour of duty or detail assignment.** **NO EXCEPTIONS.**

1.3.9 f

*

A sign out log shall be maintained by the Officer-in-Charge or his designee to include the following information; **1.3.9.e**

Date issued;
Time issued;
Officer's name and ID number;
Serial number of the device;
DPM power level;
Date/Time returned;

VIII. DEPLOYMENT RESTRICTIONS: 1.3.4

Although the **ECD** is a very effective control device, it's important to realize that it **DOES NOT** take the place of other intervention options available and necessary for officers to carry out their duties. The **TASER IS NOT** a replacement for active countermeasures, OC spray, batons, or under extreme conditions firearms. It is yet another tool or option for law enforcement officers.

The ECD should not be used in the following circumstances;

- A. In the known presence of combustible vapors and liquids or other flammable substances;
- B. Against subjects in control of a motor vehicle in motion unless exigent circumstances exist;

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- C. On a fleeing or handcuffed subject unless they are actively resisting lawful commands and control techniques or exhibiting combative and violent aggression, presenting a further threat to the safety of the community;
- D. When an officer has reason to believe, or knows a woman is pregnant, has reason to believe an individual is either a juvenile under seventeen (17) years of age, an elderly person over seventy (70) years of age, visibly frail persons, or on persons with cardiac pacemakers (if known) unless exigent circumstances exist;
- E. When the subject is in a position where there exists a substantial risk of injury or death resulting in a fall from a platform, boat dock, ladder, roof top, bridge deck or railing. It is not recommended to use the device on a subject submerged in water, where they cannot be immediately reached and controlled, and could possibly drown.

IX. DEPLOYMENT:

The use of the TASER is dependent on the subject displaying "**active resistance**" or its corresponding threatening behavior.

“**Active Resistance**” occurs when an officer encounters behavior that physically counteracts his or her attempt to control, and which creates a risk of bodily harm to the officer, subject, and/or other person.”

Note: Passive resistance is truly passive, i.e, the subject is not physically resisting in any way.

Please see the full **Spectrum of Resistance** that goes from:

- 1). Unresponsive (Subject apparently unconscious).
- 2). Non-responsive (Subject conspicuously ignoring).
- 3). Dead-weight tactics (Subject decision not to assist his/her movement).
- 4). Resistive tension (Subject tightening up muscles).
- 5). Defensive resistance (Subject attempting to get away).

Use of Taser Justified:

- 6). **Aggressive / active resistance** (See explanation listed below).
- 7). **Physical assault** (Subject personal weapons striking at officers).
- 8). **Great bodily harm assault** (Subject's actions/ability to cause harm).
- 9). **Life threatening assault** (Subject's ability to cause death).
- 10). **Life threatening weapon assault** (Subject's ability to cause death).

There are two (2) levels of force when ECD deployment is authorized (See below):

(1) COMPLIANCE TECHNIQUES;

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This includes countermeasures designed to counter the subject's **active resistance** (See Numbers 6-10 on the *Spectrum of Resistance* above). These tactics could include control and restraint techniques, takedowns, pressure points, distraction techniques, OC spray, and impact munitions.

Note: **Using the ECD in the Drive Stun Contact Mode would be justified as a Compliant Technique.**

(2) DEFENSIVE TACTICS:

This includes countermeasures designed to control the subject's **active resistance** or violent, aggressive behavior on the officer or others, to regain control, and assure continued compliance.

These tactics could include weapon or weaponless strikes, OC spray, impact munitions, K-9, ECD/Taser. **When deploying the ECD it would be considered a less-lethal defensive tactic, deployed with the goal of stopping an assault situation against you, other officers present or any possible victims by the combative subject.**

When one of these two (2) levels of force is met the following deployment steps shall be strictly adhered to:

- A. **Officers SHALL announce the intent of ECD deployment prior to using it by clearly announcing "Taser" as circumstances permit.** This allows the subject to consider compliance with the officer's lawful commands and additionally alerts police officers on scene to remain clear of the subject.
- B. Subjects who are verbally warned should be given a further opportunity to comply with the officer's commands prior to deployment of the ECD
- C. **Officers shall avoid firing the probes at the subject's head, face/neck and chest/breast or genitalia area.**
 - **Back shots remain the preferred area when practical.**
 - The Primary frontal target area is below the heart area.
 - The top probe indicated by the laser dot should be aimed at bottom center of the sternum.
- D. As circumstances permit, **only one officer shall deploy a ECD on a single subject.**
- E. Duration of each cycle applied should be no more than five (5) seconds, unless exigent circumstances exist.
 - Officers are always required to continually assess the situation to determine whether a suspect is capable of complying with commands given by Officers.

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- Always remember that each application of the electronic control weapon is a separate application of a use of force.
- F. Restraint techniques that do not impair respiration should be use after ECD deployment. The subject should be placed on the ground, on their side while handcuffed in the “recovery position”.
- G. **Qualified medical EMS personnel shall be summoned and shall transport the subject to a medical facility.** Supervisors or officers on scene should demonstrate “situational awareness” and pre-activate EMS personnel during ongoing or prolonged confrontations if time permits.
- H. The ECD may be used to control an aggressive animal that is threatening officer safety, the safety of any person or attacking another animal. Prior to deployment on a domestic animal, consider having the Animal Control Officer available to restrain the animal. Be aware, animals will usually run away at the end of a five (5) second cycle. A longer cycle may be necessary to maintain control or prevent further attacks.
- I. **Police K-9 Caution:** When the ECD has been deployed in the probe mode, do not release a K-9 dog. If a K-9 bites a probe or bites the subject between the probes, the K-9 can receive a shock. This could have negative impact on future duty use of the K-9.

X. POST-ACTIVATION RESPONSE:

- A. **EMS shall be immediately activated** and the subject shall be transported to a medical facility for evaluation or treatment. **1.3.5**
- B. Street Supervisor shall be immediately requested and respond to the scene.
- C. Removal of ECD probes from the skin by City of Chelsea Public Safety personnel is strictly prohibited. **There are no exceptions to this rule. (see below)**

“Police shall request an EMS response for an individual struck by a TASER or similar weapon. The responding EMS personnel shall assess and treat the patient under appropriate protocols. They shall be especially alert for spinal injury and cardiac dysrhythmias. All patients who have been struck by TASER(S) shall be transported to a hospital emergency department for evaluation. Impaled probes are impaled objects and shall not be removed by EMS personnel unless their removal is necessary to provide life-or limb-saving treatment”. 1.3.5

- D. A subject who is exposed to ECD activation shall be actively monitored while in police custody after they have received medical care. If the “in custody” subject

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requests further medical attention they shall be transported immediately by EMS to a medical facility. **1.3.5**

XI. JURISDICTIONAL CONSIDERATIONS:

The Chief of Police shall notify all surrounding local police departments, with contiguous borders of the City of Chelsea including the Massachusetts State Police and the Transit Police Department that the Chelsea Police Department has authorized the use of Electronic Control Devices ECD/Taser. The written communication will serve as an official notice that all Chelsea police officers have been trained to carry and deploy electronic less-lethal defensive weapons. However, actual deployment of the ECD/Taser device requires immediate response of EMS personnel and transportation of the subject to a medical facility for evaluation or treatment.

In the event a subject is pursued from the City of Chelsea into another jurisdiction or a subject is pursued into the City of Chelsea by officers from another jurisdiction, resulting in the deployment of a ECD/Taser by a Chelsea police officer, Chelsea police officers shall follow established procedures in this policy mandating the immediate response of EMS personnel and transportation of the subject to a medical facility for evaluation or treatment.

XII. REPORTING:

The deploying officer shall notify the Street Supervisor or the on duty Officer-in-Charge as soon as practical after deploying the ECD device, but in any event prior to clearing the scene. The deploying officer shall file the appropriate incident or arrest report and a use of force report, prior to the conclusion of their tour of duty or immediately after their detail assignment. The incident or arrest report shall provide an accurate account of circumstances and events that resulted in the need for ECD deployment including but not limited to the following;

1.3.6 c. d.

- (1.) If the subject was compliant with or without probe deployment, i.e., spark display at the scene and subject voluntarily complies with arrest;
- (2.) Area of the body struck by the probes or drive stun;
- (3.) Injuries to the subject resulting from the subject's initial aggressive behavior, secondary injuries caused by a fall after ECD deployment, or continued violent resistance to control techniques.
- (4.) Injuries to officers and subsequent treatment received that was caused by the subject. Damage to department property or officer's equipment shall also be noted and the subject shall be criminally charged for any applicable resulting damages.
- (5.) Evidence associated with the incident or arrest shall be collected and

documented according to established department policies and procedures.

XIII. SUPERVISOR, AFTER ACTION REPORTING: 1.3.5

Upon notification of the ECD deployment by any Chelsea Police Officer the Street Supervisor or officer acting in the capacity of the **Street Supervisor shall immediately respond to the incident scene**, (including other jurisdictions,) conduct an initial review of the circumstances for the deployment and **file a Supervisor ECD/Taser, After Action Report (AAR)**.

The on scene Street Supervisor shall be responsible for the following:

- A. Identifying and interviewing officers and witnesses
- B. **Photographing the scene** i.e., subject, discarded cartridges and probes if possible.
- C. Take custody of the ECD/Taser device and discarded cartridge that was deployed and submit the device to the Internal Affairs Lieutenant for data downloading. The Internal Affairs Lieutenant or his designee will print the data and attach it to the Supervisors AAR, as soon as practical thereafter.
- D. If the subject is admitted to a medical facility for treatment, respond to the facility and document the condition or injuries. **1.3.5**
- E. Ensure Incident or Arrest and Use of Force Reports are completed by the deploying officer prior to the conclusion of his tour of duty or immediately after their detail assignment.
- F. Complete the Supervisor ECD/Taser AAR and submit the report with the device and associated photographs and cartridge(s) to the Internal Affairs Lieutenant (see section C above).

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**CHELSEA POLICE DEPARTMENT
SUPERVISORY TASER AFTER-ACTION REPORT 1.3.5**

Date: _____ Time: _____ Incident / Arrest number: _____

TASER Officer's Name: _____

Dept Address: 19 Park St. Chelsea, MA. 02150 Phone: (617)-466-4800

On Scene Supervisor: _____ Officer(s) Involved: _____

TASER Model: TASER X26 Serial #: _____ Air Cartridge Type 25-ft- XP#: _____

Transported by: _____ Medical Facility: _____ Doctor: _____

Charges: _____ Booked: Y / N

Type of Subject: ___ Human ___ Animal ___ Day ___ Night ___ Lighting ___

Location of Incident (Circle all that apply): Indoor Outdoor Station Residence Business Hospital

Force Used Prior to TASER: Verbal Physical O.C. Baton Impact Munitions Firearm (display only)

Subject Injuries: _____

Admitted to Hospital for Injuries: Y / N Admitted to Hospital for Psychiatric: Y / N

Medical Exam: Y / N Suspect Under the influence: Alcohol / Drugs (specify): _____

Incident Was a Police Officer injured: Y / N Names: _____

Type (circle appropriate response(s) below):

Civil Disturbance Suicidal Suicide by Cop Violent Suspect Barricaded Warrant EDP Other

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Age: _____ Sex: _____ Height: _____ Weight: _____ Race: _____ Ethnicity: _____

TASER use (circle one): Success / Failure Suspect wearing heavy or loose clothes: Y / N

Number of Air Cartridges fired: _____ Number of cycles applied: _____

Usage: () Arc Display () Laser/Light Display () TASER Application

TASER: Is this a dart probe contact: Y / N Is this a drive stun contact: Y / N

Approximate target distance at the time of the dart launch: _____ feet

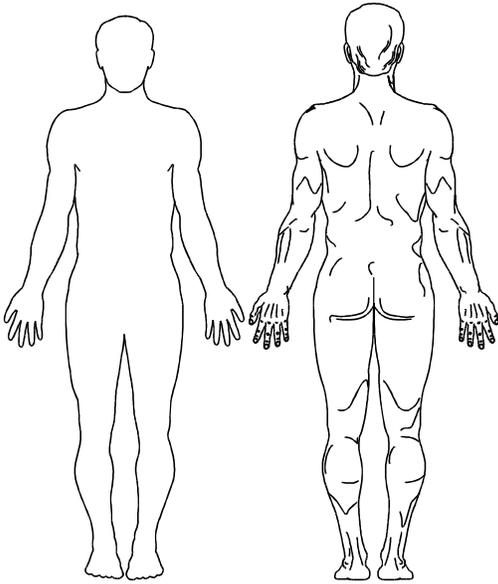
Distance between the two probes: _____ inches Need for an additional shot? Y / N

Did dart contacts penetrate the subject's skin? Y / N Probes removed on scene: Y / N

Did TASER application cause injury: Y / N If yes, was the subject treated for the injury: Y / N

APPLICATION AREAS

(Place "X's" where probes hit suspect AND "O's" where stunned)



SYNOPSIS: _____

Need for additional applications? Y / N Did the device respond satisfactorily? Y / N

If the TASER deployment was unsuccessful was a DRIVE STUN follow-up used? Y / N

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Describe the subject's demeanor after the device was used or displayed?

Other follow up techniques: Chemical Spray: Y / N Baton or Blunt Instrument: Y / N Firearm: Y / N

Control holds: Y / N Defensive Tactics: Y / N If yes, what types: _____

Describe other means attempted to control the subject: _____

Photographs Taken: Y / N Evidence Seized: _____

Reporter signature: _____ OIC signature: _____

Date: _____

XIV. MANDATORY REPORTING PROCEDURES:

Pursuant to Massachusetts General Law Chapter 140 Section 131J, the Chelsea Police Department shall submit a quarterly report to the Executive office of Public Safety to include the following;

- **Part I. Agency Level Information**
 1. How many sworn officers were in your department at the end of this quarter?
 2. How many officers have completed a training program for electronic weapons?
 3. How many officers have been issued an electronic weapon?
 4. In how many *incidents* was an electronic weapon fired during this quarter?
 5. How many *times* was an electronic weapon fired?
 6. How many individuals were the targets of an electronic weapon?
 7. What is the racial/ethnic composition of the targets of an electronic weapon?

- **Part II. Incident level information**
 - Manufacturer and Model #
 - Weapon Serial #
 - Date of Incident
 - # of times fired
 - Target's Gender
 - Target's Race/Ethnicity (based on information from question 7 above).