

| | | |
|--|---|--|
| Atlanta Police Department Policy Manual |  | Standard Operating Procedure |
| Effective Date March 1, 2013 | | APD.SOP.3042 Electronic Control Devices |
| Applicable To: All Sworn Employees | | |
| Approval Authority: Chief George N. Turner | | |
| Signature: Signed by GNT | | Date Signed: 3/11/13 |

Table of Content

| | | | | | |
|-----|---------------------------------|---|-----|--|---|
| 1. | PURPOSE | 1 | 4.5 | Post Deployment Procedures | 3 |
| | | | 4.6 | Medical Treatment | 5 |
| 2. | POLICY | 1 | 4.7 | Care & Maintenance of ECD | 5 |
| | | | 4.8 | ECD Tracking Data – Retrieval & Analysis | 6 |
| 3. | RESPONSIBILITIES | 1 | 5. | DEFINITIONS | 6 |
| 4. | ACTION | 2 | 6. | CANCELLATIONS | 7 |
| 4.1 | Authorization | 2 | 7. | REFERENCES | 7 |
| 4.2 | Actions Prior to ECD Deployment | 2 | | | |
| 4.3 | ECD Utilization Circumstances | 3 | | | |
| 4.4 | Deployment of ECD | 3 | | | |

1. PURPOSE

To establish policies and procedures for authorizing, issuing, and the maintenance of the city-issued Electronic Control Device (ECD).

2. POLICY

All sworn employees of the rank of Sergeant and below shall carry, use, and maintain the ECD, Smart Cartridges, and Automatic-Shutdown Performance Power Magazine (APPM) authorized by the Atlanta Police Department under the terms of this directive. All sworn employees the rank of Lieutenant or higher shall have the option, but are not required, to be issued an ECD. All sworn employees, regardless of rank, shall be required to attend ECD training.

3. RESPONSIBILITIES

- 3.1 The Chief of Police is responsible for determining the make and model of ECD that shall be issued to sworn employees of the department. The Chief of Police, or his/her designee, shall also be responsible for identifying the employee designated with the highest level of administrative privileges on Evidence.com data repository.
- 3.2 Division and section commanders are responsible for ensuring that sworn employees under their command are in compliance with this directive. They shall also be responsible for the selection of supervisors (rank of Sergeant and above) under their respective commands that shall be responsible for the uploading of data from an ECD to Evidence.com.
- 3.3 All supervisors are responsible for ensuring that sworn employees under their command are in compliance with this directive. Supervisors are also responsible for inspecting officers issued ECD and taking immediate corrective action when necessary.



Atlanta Police Department Policy Manual

APD.SOP.3042 Electronic Control Devices



- 3.4 Supervisors will be responsible for immediately initiating an investigation of suspected employee work rule violations arising out of an employee's use of the ECD.
- 3.5 The Training Section Commander is responsible for ensuring that all training meets department policies and procedures and is compliant with the Commission on Accreditation for Law Enforcement Agencies (CALEA), Georgia Police Accreditation Coalition (GPAC), OCGA § 35-8-26 TASER and Electronic Control Weapons Act, and the ECD manufacturer's requirements regarding the training of sworn personnel in the use of an ECD. (CALEA 5th Edition, standard 1.3.11, State Law Enforcement Certification Program, 5th edition Standard 1.17)
- 3.6 Central Records shall be the final repository for all reports associated with the use of the ECD.
- 3.7 The Office of Professional Standards will investigate suspected employee work rule violations arising out of an employee's use of the ECD in accordance with APD.SOP.2020 "Disciplinary Process."
4. ACTION
 - 4.1 Authorization
 - 4.1.1 Only officers who have completed the Training Section's approved certification course of instruction on the carry, use, and maintenance of the ECD shall be authorized to carry and use the device.
 - 4.1.2 Basic certification for the carry, use, and maintenance of an ECD shall not be less than the minimum recommendations of the ECD manufacturer.
 - 4.1.3 All Sworn personnel, certified in the carry, use, and maintenance of an ECD shall go through re-qualification annually. (GPAC, 5th ed. standard 1.17, CALEA 5th ed. standard 1.3.11)
 - 4.1.4 All training of sworn personnel in the carry, use, and maintenance of an ECD shall only be conducted by instructors that have successfully completed the ECD manufacturer's Instructor, Advanced Instructor, or Master Instructor courses and hold one of these levels of the ECD manufacturer's instructor certification.
 - 4.1.5 All sworn personnel shall carry only a department authorized ECD in a department issued holster, which shall be carried on the service belt between the ammo pouch and the radio.
 - 4.1.6 The ECD shall be carried with the safety switch in the "safe" position in the department issued holster.
 - 4.1.7 The ECD "probe deployment" should be the primary setting option with the "drive stun mode" used as a secondary option.
 - 4.2 Actions Prior to ECD Deployment
 - 4.2.1 An officer's decision to deploy the ECD shall involve a physical arrest or a situation where the subject is escalating from passive resistance to active resistance.
 - 4.2.2 An ECD deployment is to prevent further escalation of a situation and to minimize injury to the officer, suspect, or a third party.



Atlanta Police Department Policy Manual

APD.SOP.3042 Electronic Control Devices



- 4.2.3 Environmental factors which could lead to serious injury or death shall be taken into consideration.
- 4.3 ECD Utilization Circumstances
 - 4.3.1 The subject initiates active physical resistance to defeat an officer's ability to affect an arrest.
 - 4.3.2 The subject makes overt, hostile, attacking movements with or without a weapon with the intent and ability to cause harm to the officer or others.
- 4.4 Deployment of ECD
 - 4.4.1 Prior to the deployment of the ECD, the officer has the responsibility to visually and physically confirm that the use of force tool selected is their assigned ECD.
 - 4.4.2 When multiple officers are present and an ECD is to be used, only one officer shall deploy the device. In the event of ECD malfunctions or both probes are not in contact with the subject, an additional officer may deploy an ECD if compliance from the subject has not been achieved. Officers shall verbally coordinate with each other on who shall deploy the ECD and who shall act to take the subject into custody.
 - 4.4.3 The ECD shall not be targeted at the neck or head of a subject. The target area for a frontal deployment shall be the lower center area of the subject's mid-section. In a rear deployment, the ECD should be targeted at the subject's back.
 - 4.4.4 When deploying the ECD, the officer shall activate it for one cycle (one trigger pull – 5 seconds), then stop and evaluate the situation. The ECD should be deployed in conjunction with verbal commands.
 - 4.4.5 An attempt shall be made by the officer to physically restrain the subject by utilizing departmental issued hand-cuffs or flex-cuffs as quickly as possible after the initial ECD cycle to reduce the need for additional cycles.
 - 4.4.6 Transition shall be made to different force options if the ECD deployment is determined to be ineffective.
 - 4.4.7 The ECD shall not be deployed near flammable liquids and/or combustible vapors.
 - 4.4.8 The ECD shall not be deployed against handcuffed subjects, subjects fleeing on foot from officers, visibly pregnant women, the elderly, small children, or visibly frail persons unless exigent circumstances exist that endanger the safety of the officer, suspect, or third party.
 - 4.4.9 The ECD shall not be used as coercion in the questioning or interrogation of a subject.
 - 4.4.10 The ECD shall not be deployed against a subject in control of a motor vehicle.
 - 4.4.11 The ECD is an effective tool in stopping the aggressive behavior of wild and domesticated dangerous animals. It is to be used when possible and practical, but should not be substituted for a higher force option if the situation warrants such action.
- 4.5 Post Deployment Procedures



Atlanta Police Department Policy Manual

APD.SOP.3042 Electronic Control Devices



- 4.5.1 After the subject has been secured and placed in custody, the primary officer shall:
1. Notify Radio dispatch and their immediate supervisor of the ECD deployment. The officer shall do this by announcing over the radio, "**Code – 20T.**"
 2. Advise Radio dispatch to start Grady EMS and/or Atlanta Fire Rescue (AFR) to the scene.
 3. Upon arrival, the immediate supervisor, when practical, shall take photos of the subject with the probes still attached, the facial and bodily features of the subject and position of the probes on the subject. The photos shall be downloaded onto the reporting officer's ICIS incident report before being submitted.
 4. The officer shall not remove the probes from any subject. All probe removal shall be conducted by EMS, AFR, or medical personnel.
 5. The responding supervisor shall have the deploying officer(s) remain out of service and return to the precinct. Upon the officer's arrival, his/her immediate supervisor shall take temporary possession of the officer's ECD and upload the data from the ECD onto Evidence.com. After the upload is complete, the ECD is then returned to the officer.
 6. The responding supervisor and deploying officer shall then view the upload data (audio and video) for the purpose of completing all required reports regarding the incident.
 7. The deploying officer shall complete an ICIS incident report. If photographs are taken at the deployment scene by the supervisor, the photographs shall be downloaded and attached onto the ICIS report. The responding supervisor shall complete a Supervisor's Use of Force Supplement (Form APD 809). All reports shall be completed before the end of the employees' tours of duty.
 8. The hard copy of the Supervisor's Use of Force Supplement (Form APD 809) shall be *immediately* forwarded together up through the responding supervisor's chain of command, with the appropriate signatures, to the Central Records Unit for retention and assignment of a control number. The reports shall be maintained by the Central Records Unit for five (5) years. (APD.SOP.6020 Central Records)
 9. The Central Records Unit shall forward copies of the Supervisor's Use of Force Supplement (Form APD 809) to:
 - a. Division Commanders;
 - b. Section Commanders;
 - c. Office of Professional Standards (OPS);
 - d. Training Academy;
 - e. Planning, Research, and Accreditation Unit; and
 - f. Public Affairs Unit.
 10. Upon completion of the data upload and all required reports, the officer shall go to the Property Unit to be issued a fresh Smart Cartridge for his/her ECD.



Atlanta Police Department Policy Manual

APD.SOP.3042 Electronic Control Devices



11. In the event of unusual circumstances in which a supervisor is unable to upload the ECD data, the officer shall go to the Property Unit and have the ECD data uploaded to Evidence.com by a Property supervisor.
12. The responding supervisor and primary reporting officer on the scene of the ECD deployment shall ensure the call is pulled in by Radio Dispatch, **Code 17T**.

4.6 Medical Treatment

(CALEA 5th Edition, standard 1.3.5, State Law Enforcement Certification Program, 5th edition Standard 1.19)

4.6.1 EMS and/or AFR shall be called to the scene of an ECD deployment to evaluate and treat the subject. The primary officer should provide the emergency medical personnel with as much information as possible regarding the incident and the subject. The information should include, but not limited to:

1. If the probes have been embedded in the eye or inside the mouth;
2. The time subject became unconscious;
3. If subject had a visible seizure when ECD is not being deployed;
4. Injury due to ECD deployment;
5. If the subject advises that they are having chest pains;
6. If the subject exhibits confusion or altered mental states that persist more than one minute after ECD deployment; and
7. Any known or suspected physician prescribed medication or medical therapy the subject may be receiving.

4.7 Care & Maintenance of ECD

4.7.1 Only the ECD approved by the Chief of Police and issued by the Department shall be used. Any change in the make and model of ECD approved and used by departmental personnel shall be solely at the discretion of the Chief of Police.

4.7.2 All sworn personnel issued an ECD are responsible for taking proper care of the equipment. It shall be cleaned, kept dry, and in proper working order at all times.

4.7.3 Officers shall check their assigned ECD as well as the APPM and Smart Cartridges to ensure that they are in proper working order prior to the start of their tour of duty. The APPM shall remain inserted at all times. A spark test shall be conducted once a week. Any problems with the ECD shall be reported to their immediate supervisor.

4.7.4 Field supervisors shall inspect the ECD of all the officers under their command every 90 days and report the inspection on Line Inspection Checklist for Sworn Employees (Form APD 838). Supervisors are required every quarter (3 months) to conduct an ECD Evidence.com diagnostic upload for all sworn employees under his/her command.



Atlanta Police Department Policy Manual

APD.SOP.3042 Electronic Control Devices



- 4.7.5 Only department issued APPM and Smart Cartridges shall be used with the department issued ECD. No alterations or modifications shall be made to any department issued ECD. All ECD's shall be sent to the manufacturer for service.
- 4.8 ECD Tracking Data – Retrieval & Analysis
- 4.8.1 Each ECD is equipped with an internal tracking chip, which stores the time and date of the last 1500 firings. The information in the data chip can be retrieved for analysis purposes.
- 4.8.2 Each ECD shall also be equipped with a high definition audio and video camera recorder. This device makes a record of all deployments made with that particular ECD. The high definition audio and video camera recorder is equipped with 4GB of memory and is able to record one hour of high definition audio and video.
- 4.8.3 The Training Academy shall conduct an annual analysis of the Supervisor's Use of Force Supplement (Form APD 809) to determine if any patterns or trends in the use of the ECD exist within the department that would affect the training needs of employees, equipment issued to employees, or departmental policy and procedure. Copies shall be provided to the Chief of Police, the Office of Professional Standards (OPS), the Planning, Research, and Accreditation Unit (PRAU), and the City Attorney. Copies of this report shall be kept for five (5) years. (CALEA 5th Edition, Standard 1.3.6)
- 4.8.4 The 24 hours a day / seven days a week customer service phone number to Evidence.com is (480) 515-6374.
5. DEFINITIONS
- 5.1 Armed setting: The ECD is fully armed and ready for immediate deployment.
- 5.2 Automatic-shutdown Performance Power Magazine (APPM): The re-chargeable lithium power supply system for the ECD.
- 5.3 Drive Stun: The process where the ECD user makes physical contact with the target, exposing the target to the devices electrical current without the deployment of the probes.
- 5.4 Electronic Control Device (ECD): A product having the capability of passing an electrical current through tissue of a human or animal to disrupt the human or animal by causing muscle contraction.
- 5.5 Probes: Metal projectiles that are connected to high voltage insulated wires that are propelled from the Smart Cartridge of the ECD, delivering the electrical current from the ECD to the target.
- 5.6 Probe Deployment Setting: The primary setting of the ECD, where if activated will deploy the probes at the selected target.
- 5.7 Smart Cartridge: A magazine fitting on the front of the ECD which contains two probes and high voltage insulated wires that are propelled with a non – flammable nitrogen propellant. These cartridges are equipped with a micro-chip that communicates information to the user via the Central Information Display (CID), such as the ECD status, the length of the insulated wires within the cartridge, and whether there has been a non-deployment.



Atlanta Police Department Policy Manual

APD.SOP.3042 Electronic Control Devices



6. CANCELLATIONS

Form APD 669 Taser Use Supplement Report, November 2, 2012

7. REFERENCES

2011 Electronic Control Weapons Guidelines

U. S. Department of Justice, Office of Community Oriented Policing Services

OCGA § 35-8-26 TASER and electronic control weapons (TAZER and Electronic Control Weapons Act)

APD.SOP.3010, Use of Force

APD.SOP.3060, Reports and Report Writing

APD.SOP.4040, Weapons

Commission on Accreditation for Law Enforcement Agencies (CALEA), 5th Edition

State Law Enforcement Certification Program, 5th edition Standards 1.17, 1.19

Georgia Police Accreditation Coalition (GPAC), 5th Edition