

from a distance, prevent the need for a higher level of force, and help protect officers, suspects, and bystanders.

Officers may use discharge an ECW in the following circumstances:

- When the ~~subject~~ suspect presents an immediate threat of harm to the officer, or any other person and the threat presented by the ~~subject~~ suspect outweighs the pain and risks associated with the use of the ECW; or

or

When necessary to take a ~~subject~~ suspect into custody and the level of resistance presented by the ~~subject~~ suspect is:

- Likely to cause injury to the officer or ~~subject~~ suspect; and
- Hands-on control tactics or other force options would likely cause greater injury to the ~~subject~~ suspect than the use of the ECW.

1. Policies and procedures for ECW deployments applications:

- In addition to the identification and verbal warning requirements of Duty Manual section L 2601.1 - IDENTIFICATION AND VERBAL WARNING, an officer shall ~~wait a reasonable period of time after~~ continually evaluate the actions of the suspect during each application of the ECW to discern if compliance has been gained.
- The ECW is to be used for the shortest period reasonably necessary to take a ~~subject~~ suspect safely into custody. [REDACTED]
- Officers should attempt to secure the ~~subject~~ suspect as soon as practical while they are affected by an ECW ~~power~~ or immediately thereafter.
- Officers shall refrain from using discharging the an ECW for more than a total of three (3) five-second cycles, unless the circumstances are such that a reasonable officer would conclude that each subsequent application of the device, analyzed separately, is warranted.
- As with the initial ~~discharge~~ successful Neuromuscular Incapacitation (NMI), each subsequent ECW activation must be individually justified based on the specific articulable facts reasonably known to the officer at the time. In this assessment, an officer may also consider whether backup officers are present to assist in controlling a dangerous suspect.

- If the ~~subject~~ suspect does not respond to the ECW deployment application in the anticipated manner, officers should, based upon training and experience, consider transitioning to alternative force options.
- If circumstances permit, officers should avoid aiming the an ECW at a ~~subject's~~ suspect's head, neck, genitalia, or chest.
- ~~The~~ An ECW may be used against animals if the animal poses a threat to officers, other persons, or other animals.
- ECWs and ECW holsters authorized for use by the Chief of Police are listed in the Uniform and Equipment Specifications Manual. See Duty Manual section S 1147 - ELECTRONIC CONTROL WEAPONS for additional information.

2. ~~The~~ An ECW shall not be used under the following circumstances:

- On ~~subjects~~ suspects exhibiting only passive non-compliance absent any other specific articulable threat that would outweigh the ~~subject's~~ suspect's passive resistance.
- Against a handcuffed or secured ~~person~~ suspect, absent overtly assaultive, self-destructive, or violently resistive behavior that cannot reasonably be controlled by other readily available means.
- In circumstances where a suspect's fall is likely to cause serious bodily injury or death, unless the circumstances are such that a reasonable officer would conclude that force likely to cause substantial injury or death is warranted.
- In circumstances where a suspect is ~~located~~ in close proximity to or inside a body of water, unless the circumstances are such that a reasonable officer would conclude that force likely to cause substantial injury or death is warranted.
- Where an officer reasonably believes that a flammable, volatile, or explosive material is on the ~~subject~~ suspect, ~~or~~ which may be affected by the use of the device.
- On highly agitated ~~individuals~~ suspects whose condition may ~~put~~ place these individuals them at heightened risk of serious injury or death. ~~There are times, however, when despite such risks, a person's, except when the suspect's~~ actions make it immediate custody necessary to take the individual into custody. despite those risks. Use of the ECW may, in some instances, be the preferred method of quickly subduing an agitated and aggressive individual

~~and minimize the subject's physical exertion that may increase the risk of injury or death.~~

- Against a ~~subject~~ suspect operating or riding any mode of transportation (e.g., vehicle, bus, bicycle, motorcycle, etc.), conveyance (e.g., escalator, skateboard, scooter, rollerblades, etc.), or machinery capable of causing injury unless the circumstances are such that a reasonable officer would conclude that the risk of serious bodily injury or death resulting from subsequent movement of the mode of transportation, conveyance, or machinery is outweighed by the need to capture the ~~subject~~ suspect.
- Against women who are known to be pregnant, very old or very young ~~persons~~ suspects, physically frail ~~persons~~ suspects, and ~~persons~~ suspects with known heart conditions unless reasonable based on the threat the ~~subject~~ suspect ~~possesses~~ poses to themselves or others.
 - An example of a circumstance in which it would be reasonable to use the ECW would be a situation in which an obviously pregnant woman was in the process of harming herself or another person, and more intrusive force would be necessary if not for the use of an ECW.

3. Discharge reporting requirements:

- A The discharge of an ECW occurs when probes are ~~deployed~~ fired at a ~~subject~~ suspect or the ECW is used in a drive stun manner. If the probes or drive stun do not contact a ~~subject~~ suspect the usage still requires reporting.

"Probe deployment" refers to the discharge of probes from an Electronic Control Weapon (ECW), whether the probes are fired individually or simultaneously, for the purpose of completing an electrical circuit capable of achieving neuromuscular incapacitation (NMI).

Taser 10 – Achieving NMI

A minimum of two probes, fired individually, is required to complete an electrical circuit capable of achieving neuromuscular incapacitation (NMI) with a Taser 10. The initial probe deployment and promptly fired additional probe(s) shall be counted as one use of force, provided the additional probe(s) are deployed without delay in a continuous effort to achieve NMI. Once NMI is achieved, or if there is a significant delay between probe deployments (e.g., the suspect complies after the first probe is fired), the officer must have

additional articulable justification before deploying any additional probes. Each subsequent probe deployment after NMI is achieved or after a significant delay constitutes an additional use of force.

Taser 7 and Taser X26 – Achieving NMI

A minimum of two probes, deployed simultaneously with a single trigger activation, is required to complete an electrical circuit capable of achieving neuromuscular incapacitation (NMI) with a Taser 7 and Taser X26. A single trigger activation deploying two probes simultaneously shall be counted as one use of force. If additional probe deployments occur after NMI is achieved, or after a significant delay following the initial deployment (e.g., the suspect complies), the officer must have additional articulable justification before deploying additional probes. Each subsequent probe deployment after NMI is achieved or after a significant delay constitutes an additional use of force.

- All ECW usage discharges will be reported to the officer's immediate supervisor or next higher rank in the chain of command as soon as safe and reasonable. If the officer's immediate supervisor is unavailable, the officer will report the usage discharge to any other available supervisor or next higher rank in the chain of command.
- The supervisor of an officer who has ~~deployed~~ discharged an ECW will personally respond to evaluate and actively participate in the investigation of the ECW discharge.
- The supervisor will review the ECW download information.
- The discharge of an ECW will require documentation in a General Offense Report (Form 200-2-AFR) and/or on a Narrative/Supplemental Report (Form 200-3A-AFR) and an Automated Use of Force Template.
- Officers will obtain and submit a copy of the ECW download information for the event with a the Case Number noted in the upper right-hand corner.
- An officer who only displays a de-escalation warning arc or an ECW alert tone is not required to notify ~~his/her~~ their supervisor or complete an Automated Use of Force Template. However, An arc display or an ECW alert tone should be documented in a General Offense Report or Supplemental, or it should be noted in a CAD event. If a General Offense report is not required.

- Any accidental discharge, not at a subject suspect, shall be reported to the officer's immediate supervisor. See Duty Manual section L 2617 - ACCIDENTAL DISCHARGE OF AN ELECTRONIC CONTROL WEAPON.

4. Medical Care

- If the suspect exhibits the need for medical attention at the scene, the officer shall summon emergency medical assistance immediately.
- Whenever a person suspect has been subjected to an ECW discharge, an official hospital clearance is shall be obtained prior to the suspect's booking. Refer to Duty Manual section L - 2616 OBTAINING MEDICAL CLEARANCE FOR AN ARRESTEE SUBJECTED TO THE DISCHARGE OF AN ECW.
- Once a subject suspect is under control, officers will place the subject suspect in an appropriate recovery position.
- Officers shall monitor subjects suspects who have sustained an ECW application while they are in custody.
 - ~~If the suspect exhibits the need for medical attention at the scene of the arrest, the officer shall summon emergency medical assistance immediately. See Duty Manual section L 2616 - PROVIDING FIRST AID.~~
- ECW probes, if lodged in the body of a suspect, shall be removed by EMS or hospital staff.

L 2616 PROVIDING FIRST AID: OBTAINING MEDICAL CLEARANCE FOR AN ARRESTEE SUBJECTED TO THE DISCHARGE OF AN ECW:

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Prior to an arrestee's booking, Officers will obtain a medical clearance from Valley Medical Center (VMC) for an arrestee who has been subjected to the discharge of an Electronic Control Weapon. Another hospital emergency room may be used if, based on the available information, it appears to be necessary to provide immediate emergency medical treatment for the arrestee or if VMC is closed for admissions.

In cases where another hospital emergency room is used or if the suspect arrestee is already at another hospital facility with an emergency room, the officer will obtain the necessary medical clearance paperwork for booking from that hospital. There is no need to transport the suspect arrestee to

ALL DEPARTMENT PERSONNEL
SUBJECT: DUTY MANUAL REVISIONS

L 2614 AND L 2616

March 8, 2026

Page 7

VMC in this case. The prisoner will only be transferred to VMC upon approval of medical personnel at both facilities.

~~Taser probes, if lodged in the body, are removed by EMS or hospital staff.~~

Effective immediately, all Department personnel shall adhere to the above Duty Manual sections.



Paul Joseph
Chief of Police

PJ:NB:BM