



FREEPORT POLICE DEPARTMENT

GENERAL ORDER 9.20

ISSUED DATE: 8/12/2014	EFFECTIVE DATE: 8/12/2014	REVISES:
SUPERSEDES:	RE-EVALUATION DATE:	PAGE 1 of 5
SUBJECT: USE OF CONDUCTED ELECTRICAL WEAPON/TASER		
DISTRIBUTION: TO ALL MEMBERS OF THE DEPARTMENT		
ISSUING AUTHORITY: MIGUEL BERMUDEZ, CHIEF OF POLICE		

Policy: It is the policy of the Freeport Police Department to prevent crime and arrest offenders, while ensuring the safety and well-being of all persons. This department is committed to utilizing the latest advances in technology and training to achieve these goals. This department will use specialized Conducted Electrical Weapons (CEWs), in particular the Taser X26. This device, along with the proper training, will provide officers with alternative means in dealing with violent, non-compliant or emotionally disturbed persons.

Purpose: To establish guidelines for the use of Conducted Electrical Weapons in situations where equipment is necessary to gain control of persons involved.

Scope: All members of the Freeport Police Department

I. Definitions:

- A. **Authorized Member:** an officer who has successfully completed the Freeport Police Department CEW training course.
- B. **Cartridge:** a replaceable cartridge which discharges two probes on connecting wires which deliver a dose of a high voltage/low current signal into a subject.
- C. **Conducted Electrical Weapon (CEW):** an electro-muscular disruptor designed to disrupt a subject's motor and sensory functions of the nervous system by

deploying battery-powered electrical energy sufficient to cause motor skill dysfunction and override voluntary motor responses.

- D. **Discharge:** the actual use of the CEW with probe discharge or Drive Stun against a subject.
- E. **Display:** drawing and exhibiting the CEW as part of a warning tactic, typically accompanied by appropriate verbalization.
- F. **Drive Stun:** discharging the CEW whereby the device makes direct contact with the intended subject's body without a cartridge in place or after the cartridge has been discharged. This mode should not be the primary method of use due to the risk presented as a result of the close proximity to the subject.
- G. **Laser Painting:** the act of unholstering and pointing a CEW at a subject and activating the CEW's laser dot to show that the weapon is aimed and targeted on the appropriate location on the subject.

II. Rules

- A. Officers will not use force except as provided by law.
- B. Officers while off duty *will not carry* and *will secure* the Department-issued CEW
- C. CEWs will only be used by officers who have completed training and have been authorized to use CEWs.

III. Procedures

A. Use of Conducted Electrical Weapon

1. Shall be deployed by officers in situations where physical force is justified pursuant to Article 35 of the New York State Penal Code, and the potential for a physical injury to a subject, a police officer, or a third party exists.

Note: The totality of circumstances should be considered when deciding the force necessary to overcome resistance when trying to maintain control of a violent person or to effect an arrest.

Note: Factors to consider may include:

- a. *whether the person poses an immediate threat to the safety of the officers, himself or others,*
- b. *whether the person is actively resisting arrest,*
- c. *if a crime was committed, the severity of the crime,*

- c. The Officer has difficulty in removing the probes (to include probe or barb separation).
 - d. The subject does not appear to recover properly following the CEW deployment.
 - e. The subject has received more than three 5-second length exposures to the CEW device, or received a continuous energy cycle of fifteen (15) seconds or more.
 - f. The subject has exhibited signs of extreme uncontrolled agitation, erratic and frantic activity, screaming, disrobing in public, irrationality, aggressiveness, superior strength or hyperactivity prior to the CEW exposure.
 - g. The subject appears to be experiencing severe cocaine, methamphetamine, or other forms of serious drug or alcohol intoxication prior to the CEW exposure.
10. In every instance of a CEW deployment the officer deploying the CEW, shall complete a Freeport Police Department Use of Force Report to be attached to the case report. The serial number of the Taser and the cartridge used shall be included in the reports. Copies of the aforementioned Use of Force Report will be forwarded to the Chief of Police and the Commanding Officer of the Firearms and Tactics Section for review to ensure compliance with policy and to identify the need, if any, for further training.

Note: Discharges of the CEW during an approved training session will not require routine completion of these forms or require further investigation, unless an injury occurs during the training session.

BY ORDER OF:

**MIGUEL BERMUDEZ
CHIEF OF POLICE**