

Cobb County Police Department

Policy 5.20b

USE OF FORCE/CONDUCTED ELECTRICAL WEAPONS

Effective Date: November 1, 2017	Issued By: Chief M.J. Register
Rescinds: Policy 5.32 (May 1, 2016)	Page 1 of 3
The words "he, his, him," which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to provide employees with guidelines on the use of Conducted Electrical Weapons (CEW). A CEW is intended to provide an officer with a less lethal weapon to gain control of combative or uncooperative subjects in a manner that reduces the risk of injury to the officer and the resistive subject(s).

I. POLICY

It shall be the policy of this Department to ensure that personnel authorized to carry CEWs are properly trained in their use, wear, and maintenance. The use of a CEW is generally authorized in the same circumstances in which OC Spray would be appropriate. CEWs will be used in conformance with state and constitutional law.

II. DEPLOYMENT

- A.** At the beginning of each shift, the CEW should be tested to ensure it is working properly. Should it not function properly, or should the cartridges be expired, the CEW will not be carried.
- B.** CEWs will be carried in a Department-approved holster on the opposite side of the body as the primary firearm.
- C.** CEWs will be used in accordance with the Department's use of force policies.
- D.** When possible, use of a CEW will be preceded by a verbal warning.
- E.** Officers should attempt to target the primary target zones as identified by training. Officers will not intentionally aim at the face, neck, chest, or groin area (except when exigent circumstances exist).
- F.** Use of an CEW should cause a subject to lose muscular control and will likely result in a fall. Consideration must be given to the subject's reaction where there is an increased risk of injury beyond that which would be considered reasonable given the situation.
- G.** Only one officer on a scene should use a CEW, unless a malfunction or miss occurs, or exigent circumstances exist.

- H.** If the subject is not controlled by the initial cycle, additional cycles may be utilized in accordance with training. Officers should consider alternative methods, if control is not gained after additional cycles.

III. DEPARTMENT RESPONSE TO USE OF CEWs

- A.** When an officer intentionally discharges a CEW and strikes an individual, the following procedures will be followed:
 - 1. The probes should be removed as quickly as possible after gaining control of the subject, in accordance with training. Probes that are deeply imbedded, difficult to remove, and/or located in the neck, head, groin, or female breast will not be removed at the scene. The subject will be transported to the hospital and appropriate medical personnel will remove the probes.
 - 2. The subject will be monitored for any symptoms of physical distress while in police custody, as defined by training. Emergency medical treatment will be provided as requested or needed.
 - a. EMS will be notified if the subject does not appear to be fully recovered after a short period of time
 - b. EMS will be notified if the subject falls into a vulnerable class such as young children, pregnant women, elderly persons, or those with a preexisting medical condition that increases danger.
 - 3. The involved officer will notify his immediate supervisor of the incident and location. If the involved officer is unable to do so, the first officer on the scene will notify the supervisor.

The supervisor, upon being notified, will:

- a. Proceed to the scene.
- b. Ensure that photographs of any injuries are taken and secured as evidence.
- c. Ensure the data from the CEW used is downloaded and attached to the Use of Force Statistical Report.
- d. Ensure that the probes are treated as a biohazard.
- e. Notify the Crimes Against Persons Unit and the Internal Affairs Unit if the subject dies.

4. The involved officer will collect the probes and provide them to medical personnel if necessary. Used probes will be placed into the appropriate plastic container and submitted as evidence in accordance with evidence handling policies.
 5. The officer will document the incident on an incident report.
 6. A Use of Force Statistical Report will be completed by the officer and submitted to the Department of Public Safety Training Unit through the chain of command.
- B.** When an officer unintentionally discharges a CEW and strikes an individual, the procedures in section IV, A will be followed:
- C.** When an officer intentionally or unintentionally discharges a CEW and does not hit an individual, the officer will notify his supervisor and complete and incident report and Use of Force Statistical Report.
- D.** CEWs may be audited at any time by a supervisor to ensure that daily tests are being conducted and all deployment/activations have been reported as required.

IV. PROHIBITED USES

Conducted Electrical Weapons will not be utilized:

- A.** As a punitive measure;
- B.** Against suspects who are passively resistant, non-responsive, or have passed out;
- C.** Near flammable liquids or fumes, or on subjects who are known to have been sprayed with OC Spray by another agency;
- D.** In drive stun mode without the cartridge being activated, except when only one probe attaches, or exigent circumstances exist;
- E.** On women who are known to be pregnant, unless exigent circumstances exist;
- F.** On young children, subjects who are elderly, or substantially physically handicapped individuals, unless exigent circumstances exist;
- G.** On subjects who are handcuffed, except when they are violently resisting or assaulting someone, and other methods of control are likely to be ineffective.