



Las Cruces Police Department
GENERAL ORDERS
FIELD OPERATIONS VOLUME 2
GO-256 CONDUCTED ELECTRICAL WEAPON (MOST CRITICAL)
Revised 8/5/2014

256 CONDUCTED ELECTRICAL WEAPON

PURPOSE

The purpose of this General Order is to provide guidance and direction on the use of conducted electrical weapon.

POLICY

Conducted electrical weapons (CEW) may be used by authorized and trained personnel in accordance with General Order 255 Use of Force and additional guidelines established herein. CEWs may be used as a less-lethal option when there are circumstances to justify CEW usage.

APPLICABILITY

This General Order applies to all employees authorized to carry a CEW. This General Order supersedes all previous versions.

REFERENCES

- CALEA 1.3.4, 1.3.5
- NMML ADM.06.01
- National Institute of Justice Special Report – Study of Deaths Following Electro Muscular Disruption (May 2011)

DEFINITIONS

Conducted Electrical Weapon (CEW) – A less-lethal device that uses electricity to override voluntary motor responses or apply pain in order to gain compliance or overcome resistance.

Passive Resistance - A refusal by a person known to be unarmed to comply with an officer's verbal commands or physical control techniques that does not involve the use of physical force, control, or resistance of any kind.

Sensitive Population Groups - Sensitive population groups include those who reasonably appear to be, or are known to be, children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker.



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256.01 PROCEDURES

- A. Authorized users of CEWs shall only be those officers who have successfully completed the Las Cruces Police Department's (LCPD) approved initial and in-service CEW training programs.
- B. CEW shall be carried in an approved holster on the side of the body opposite the service handgun. Officers not assigned to uniformed patrol may utilize other department-approved holsters and carry the weapon consistent with department training.
 - 1. CEWs shall be carried fully armed with the safety on in preparation for immediate use.
 - 2. Officers shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure or the need for redeployment. The spare cartridge shall be stored and carried in a manner consistent with training and the cartridges shall be replaced following the manufacturer's expiration requirements and after deployment.
 - 3. Only manufacturer approved CEW projectile cartridges issued by the police department shall be used.
 - 4. Only manufacturer-approved battery power sources issued by the police department shall be used in the CEW.
 - 5. CEWs shall be subjected to a pre-shift "spark test" as defined in training to ensure that the device is functioning properly.
 - 6. Any malfunctions, inoperability, damage, theft, loss, or any other issue that may reduce the effectiveness of the CEW shall be immediately reported to a supervisor and the CEW control officer.
 - 7. Modifications or repairs shall only be performed on CEWs by a certified CEW armorer.

256.02 CEW DEPLOYMENT

- A. CEWs are generally authorized to be used in circumstances where there is probable cause to arrest or grounds for detention are present and the subject's actions cause a reasonable officer to believe that physical force will be used by the subject to resist the arrest or detention. Such actions may include but are not limited to:



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1. Assault or battery against the officer or another person
 2. Violent, threatening, or potentially violent behavior
 3. Physically resisting arrest or detention
 4. Flight in order to avoid arrest or detention, in circumstances where officers would pursue on foot and physically effect the arrest or detention
 5. Self-destructive behavior
- B. CEWs are most effective at overcoming resistance and assisting officers with subject control when used in the “probe mode,” which is the preferred deployment technique when practical.
1. The device should be aimed at the subject, fired, and cycled in a manner consistent with and as outlined in training.
- C. CEW may also be used in limited close-range, self-defense, and pain-compliance circumstances in the "contact" mode, if there is no opportunity to use the device in the preferred “probe mode.” When the device is used in ”contact” mode it is:
1. Primarily a pain compliance tool
 2. Generally less effective than when probes are deployed with spread in excess of twelve (12) inches
 3. Subject to the same deployment guidelines and restrictions as probe deployments
- D. An alternative method of close-range deployment involves firing the CEW cartridge at close range, then applying the CEW in “contact” mode to an alternate part of the body. This creates a “probe spread” effect between the impact location of the probes and the point where the CEW is placed in contact with the subject’s body, resulting in an increased probability of subject control as compared to the standard "contact" mode. When the CEW is used in this manner, it is:
1. Potentially as effective at subject control as a conventional cartridge-type probe spread deployment.
 2. Subject to the same deployment guidelines and restrictions as any other CEW cartridge deployment.



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- E. CEWs should not be used on those who passively resist as defined in this policy, and should generally not be used on people from the following categories:
1. Member of a sensitive population group
 - a. Children under 13 years old.
 - b. Female known to be pregnant or who is visibly pregnant
 - c. Elderly Person
 - d. Subject with a known heart condition
 2. On a handcuffed or secured prisoner that is resisting/refusing to enter a police vehicle, ambulance, holding room or holding onto other structure(s). This shall include holding onto fixed objects or other stationary items.
 - a. Absent overtly assaultive, or violently resistive behavior that cannot reasonably be controlled by other readily available means.
 3. In any environment where an officer reasonably believes that a flammable, volatile, or explosive material is present, including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane.
 4. In any situation where the officer has a reasonable belief that the subject might fall resulting in death or serious physical injury, and the circumstances presented do not justify that risk.
- F. Officers shall be aware of the general concerns raised when a CEW is used on a member of a sensitive population group. Officers are not prohibited from using a CEW on such persons, but use is limited to those exceptional circumstances where the potential benefit of using the device (i.e., injury reduction) reasonably outweighs the risks and concerns.
- G. Upon activating the device against a person, the officer shall energize the subject no longer than objectively reasonable to overcome resistance and bring the subject under control.
1. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.



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2. If the subject does not respond to the CEW deployment in the anticipated control manner based on training and experience, personnel should consider transitioning to alternative resistance control measures.
 3. To minimize the number of cycles needed to overcome resistance and bring the subject under control, the subject should be secured as soon as practical while affected by CEW power or immediately thereafter.
- H. When an intended target of a CEW deployment is not struck or affected by the CEW it is still considered a CEW deployment.

256.03 CEW POST-DEPLOYMENT

- A. CEW darts may be removed from the subject after being restrained following procedures outlined in training. The CEW darts should be treated as a biohazard risk.
- B. Officers shall request medical response after all CEW deployments. The person shall be transported to a medical facility for examination if any of the following occur:
 1. The person requests medical attention, or there is an obvious need for medical attention.
 2. The person is hit in a sensitive area (for example, eye, face, head, breasts, genitals).
 3. The officer has difficulty removing the probes.
 4. The person does not appear to recover in a reasonable period of time after being exposed.
 5. The person is part of a sensitive population group as defined in this general order.
 6. The person has been exposed to more than three CEW cycles.
 7. The person has been exposed to the effects of more than one CEW device.
 8. The person is reasonably believed to have been exposed to a continuous cycle of 15 seconds or more.
 9. The person has exhibited signs of over physical exertion sometimes referred to “excited delirium,” as outlined and defined in training, prior to and/or during CEW exposure.



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10. The officer believes that medical treatment may be necessary for any reason.
- C. If the CEW probes penetrate the flesh, photographs of the contact area should be taken before removal if practical and shall be taken after the CEW probes are removed.
- D. All officers who deploy a CEW shall gather all evidence that relates to the deployment prior to going off duty.
 1. Officers shall collect the expended CEW cartridge, wires and probes after the deployment.
 2. After the probes have been removed from the subject they will be photographed and secured in a manner so as to not cause further injury to those handling it.
 3. Wires should not be wrapped or broken while gathered for evidentiary purposes.
- E. When a CEW has been used operationally, the officer shall collect the cartridge(s) and darts, if the CEW is equipped to fire darts, and secure them as evidence. Any wires associated with deployment of a CEW shall be collected and loosely placed into an evidence bag. (Officers shall be careful to maintain the integrity of the wires if they need to be tested later.) Normal rules and regulations shall govern the disposal and/or destruction CEW related evidence.

256.04 REPORTING

- A. Any officer that has deployed CEW shall notify his or her supervisor as soon as practical after using the device.
- B. A Blue Team Use of Force Report shall be completed and submitted after all CEW deployment, whether the intended target was struck or not, prior to the officer going off-duty.
- C. Data from the CEW, including audio/video recordings if the CEW is so equipped, shall be downloaded following use and the file shall be considered a part of the use of force report. The CEW with attached camera (if equipped) shall be turned into the Taser Control Officer for downloading.
- D. All officers who deploy a CEW shall make an offense/incident report or supplemental report prior to going off duty.
 1. Officers shall specifically document in their reports the facts and circumstances that



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reasonably required the use of the CEW, and further specify in the report the following circumstances:

- a. Whether the CEW was deployed in the “probe” or the “contact” mode.
- b. How many cycles the subject was energized for with special emphasis if more than three cycles were deployed or if the subject was energized for longer than 15 seconds.
- c. How many CEWs were deployed and by whom, whether or not the CEW struck the intended target.
- d. If the subject is in a sensitive population group as defined in this general order.

256.05 CEW CONTROL OFFICER

The CEW Control Officer shall be trained in the CEW systems. The CEW Control Officer shall be responsible for:

- A. Receiving, inspecting and issuing all CEW devices.
- B. Repairing or replacing defective or damaged CEWs, CEW Cartridges, and related accessories.
- C. Maintaining records of issued CEW serial numbers, CEW data and audio/video data downloads.
- D. Maintaining his/her CEW instructor/CEW armorer certification.
- E. Downloading all data from the CEW, including audio/video recordings if the CEW is so equipped.

256.06 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall:
 1. Respond to the scene of a CEW deployment. If a supervisor is unable to respond in person, radio communication or telephonic communication shall occur to determine the circumstances of the deployment and ensure the officer takes appropriate post deployment actions.



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2. Ensure that proper medical aid is requested if not already requested by the deploying officer.
3. Ensure that all required reports are completed prior to the deploying officer going off-duty.
4. Review for accuracy and completeness all CEW Use of Force Reports and forward to the next level of review.

256.07 AUDITING

- A. All CEWs are subject to periodic and random data downloading by the CEW Control Officer and/or the Professional Standards Unit (PSU). The data obtained shall be reconciled with existing use of force reports to ensure accountability between the cycles recorded, and those documented in such reports and occurring in pre-shift testing.
- B. PSU shall maintain all CEW deployment records and provide statistical information on CEW deployments as requested by the Chief of Police.