TASER CEW
ANNUAL CONDUCTED ENERGY WEAPON (CEW) USER UPDATE

AXON Academy l TASER Training

Version 21 - Effective January 14, 2019

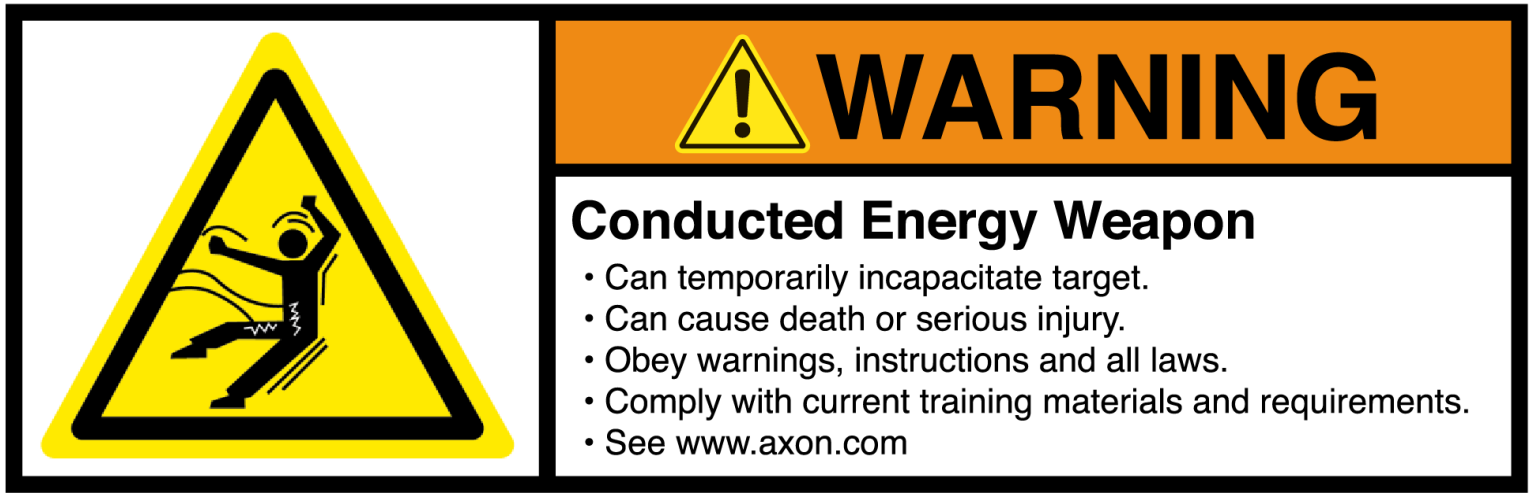
ANNUAL CEW USER UPDATE CONTENTS

- Annual User Recertification Requirements
- CEW Warnings
- CEW Targeting/Tactical Considerations
- CEW Smart Use Considerations
- CEW Medical Overview

ANNUAL RECERTIFICATION REQUIREMENTS

- Review this PowerPoint
- Receive and review current version of:
  - TASER Law Enforcement Product Warnings
  - CEW Study Aid: Smart Use Considerations
- Pass Functional Test
- Deploy a minimum of 2 live CEW cartridges into preferred target zones

TASER CEWS ARE NOT RISK FREE



REVIEW AND UNDERSTAND TASER CURRENT PRODUCT WARNINGS

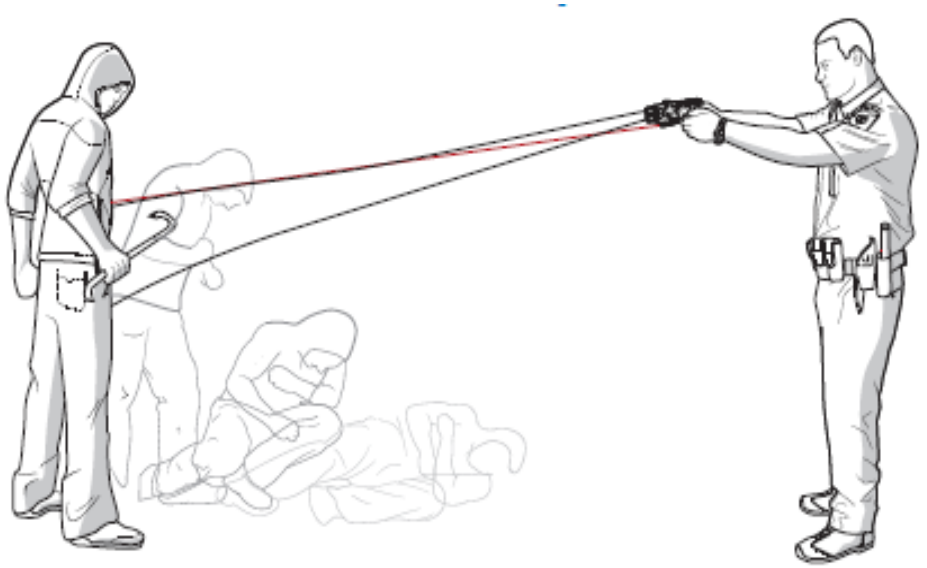
CEW ADVANTAGES

- Most studied and most effective minimal force option
- Reduces risk of injury to officers and suspects alike
- Saves lives and de-escalates use of deadly force
- Allows incapacitation from a distance
- In probe mode, does not rely on pain compliance
- Displaying red LASER dot or arcing the current often achieves compliance without deployment

TACTICAL CONSIDERATIONS

- Probe Placement Considerations
- Limited CEW Effectiveness
- Other Tactical Considerations

TARGETING



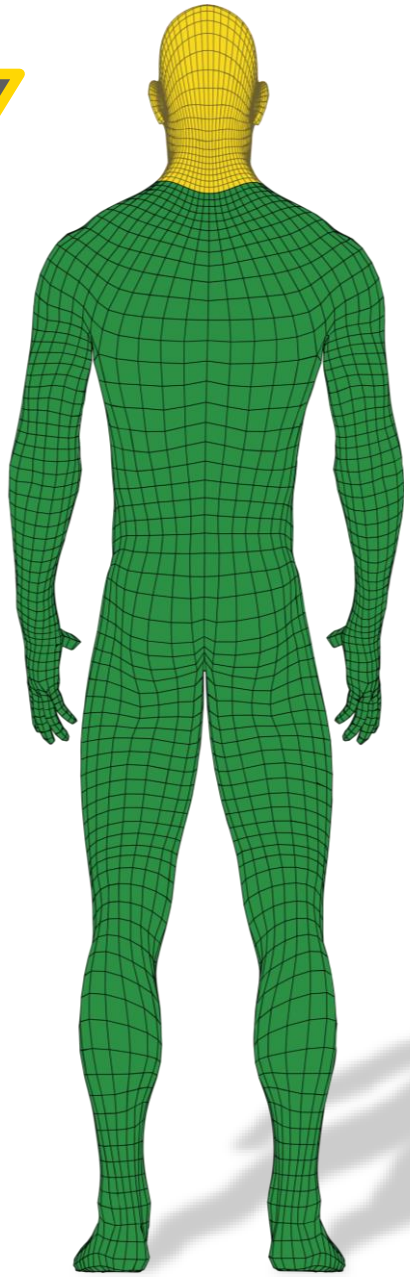
Avoid intentionally targeting the CEW on sensitive areas of the body such as the head, throat, breast/chest or area of the heart, genitals, or known pre-existing injury areas without legal justification

Use Preferred Target Zones: Rear (when practicable)

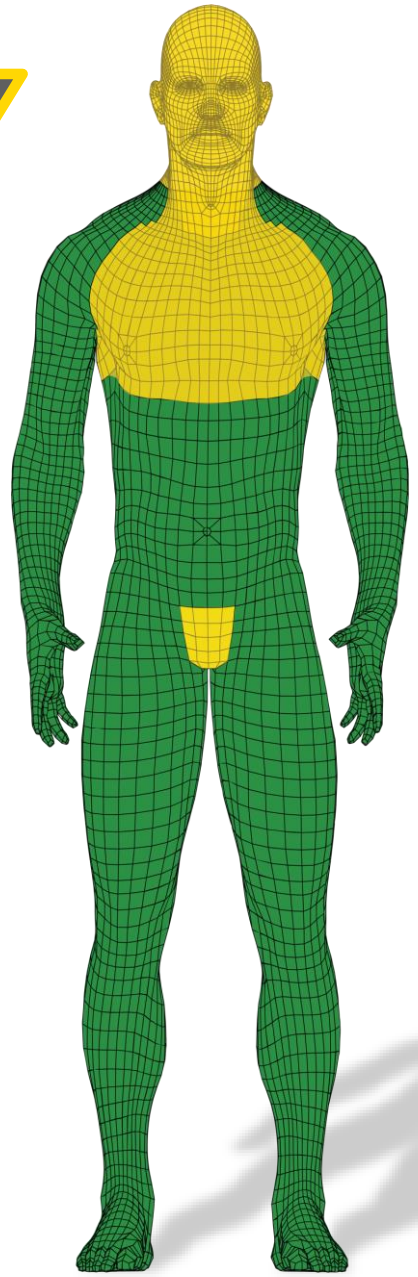
Below neck (green zone)

- Large muscles
- Avoid head and neck

The back is the most preferred target area when reasonably practicable because it contains larger muscle groups and reduces risk of hitting sensitive body areas



Use Preferred Target Zones: Front (when practicable)



Lower torso (green zone below chest)

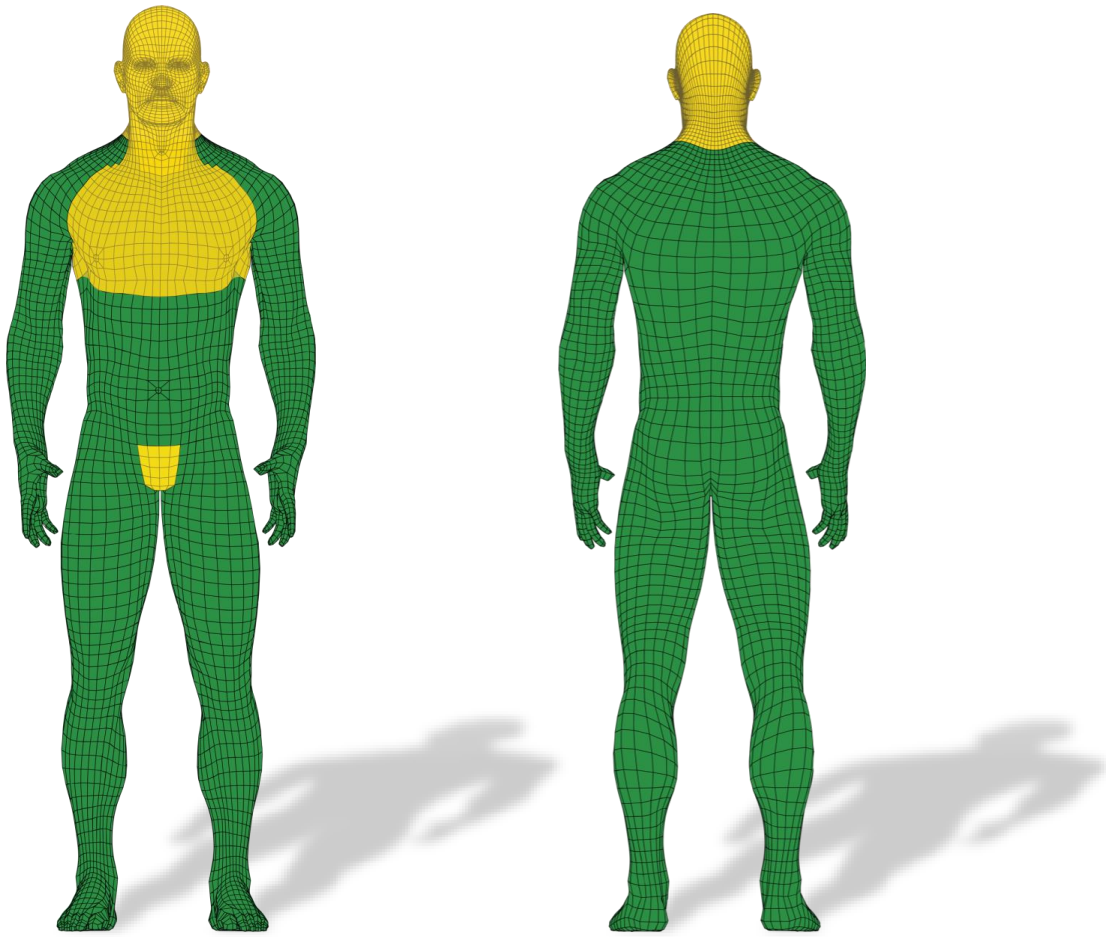
- More effective than hitting the chest
  - Larger muscles (legs)
  - Split the beltline
- Reduces risk of hitting sensitive body areas (see product warnings)
- Increases dart-to-heart safety margin distances
- Do not intentionally target head, eyes, throat, chest or genitals

Use Preferred Target Zones: Front (when practicable)

CEW cardiac risks are low, but not zero

To reduce cardiac risks (when practicable):

- Target the back
- Avoid targeting the chest
- Avoid heart region
- Avoid repeated or continuous exposures



NEURO-MUSCULAR INCAPACITATION (NMI)

- CEWs may not always achieve NMI
- NMI levels range from limited area effects to significant body lockup
- The greater probe spread, the higher likelihood of NMI
- Subject may maintain muscle control, particularly in arms and legs
- Be prepared with other force options, including a drive (or touch) stun follow up away from the probes to expand NMI area
- Drive (or touch) stuns alone cause localized pain, not NMI

PROBE SPREAD

- Greater probe spreads generally increase effectiveness
- 12”+ spread optimal
- Probe spreads under 4” typically create pain effect only
  - Exception is close probe spreads where one probe is above the waist and one is below the waist causing loss of balance and ability to stand
- Consider deploying a second cartridge or using a 3-point drive stun if spread is insufficient to cause NMI

SPLIT THE BELTLINE

For close-range deployments:

- Target the waist area to “split the belt line”
  - Affects core muscles needed for balance
  - Increases officer and cardiac safety
- Avoid the genitals when practicable

SOME CAUSES OF LIMITED CEW EFFECTIVENESS

- Miss or single dart hit
- Incomplete, broken, or intermittent circuit
- Loose or thick clothing
- Low nerve or muscle mass hit
- Obese subject
- Limited probe spread
- Wires break
- Operator error

LOOK FOR CHANGES IN BEHAVIOR

- Look AND listen when evaluating the effectiveness of a CEW deployment
- Watch the subject's reaction and look for a change in behavior
- Loud arcing sound typically indicates no or intermittent connection
- Intermittent arcing typically indicates a poor connection such as a clothing disconnect

ARCING SOUNDS

If you *hear* a loud arcing noise and *see* no change in subject behavior, *think* bad connection

- Reload (X26/X26P) and target different area or
  3-point drive stun follow-up with cartridge still attached
- For X2 and TASER 7 deploy second cartridge
- Consider using other force options

TACTICAL CONSIDERATIONS

- Avoid TASER CEW over-dependence
- Have reasonable and appropriate force options available
- Consider cover and distance tactics

When practicable:

- Have at least one back-up officer present to control/cuff under power
- Optimize choice of landing zone
- Deploy to back (rather than front)

TACTICAL CONTINGENCIES

- CEW may have limited or no effect
- No weapon system will operate or be effective all the time
- A CEW or cartridge may not fire
- Do not attempt to reuse a “dud” cartridge and carry a spare cartridge if possible per department policy
- Be prepared to transition to other force options

BE CAREFUL OF DISTRACTIONS

- Officers have been accused of using excessive CEW exposures due to stress or distractions, including nearby family members, bystanders, and incident witnesses
- Distraction or situational stress may result in electrical discharge of unintended duration if the officer inadvertently holds the trigger down
- Be alert to and avoid potential distractions that may result in extended exposures or unintentional additional applications

CONTROLLING/CUFFING UNDER POWER

- Use each 5-second CEW cycle as a “window of opportunity” to establish control/cuff while subject is affected
- You can go hands on with the subject during the 5-second cycle without getting shocked
  - Do not place hands on or between probes
  - Do not touch wires

TACTICAL CONSIDERATIONS

- Be aware of the maximum range of your cartridges
- Keep sufficient slack in the wires
- Move with the subject if they start to roll
- Failure to do so may result in wire breakage or probe disconnect causing loss of CEW contact with the subject

SMART USE CONSIDERATIONS

Hand out CEW Study Aid

TASER

Protect Life

TASER CONDUCTED ENERGY WEAPON (CEW) USE GUIDELINES

This is a study guide only and is a supplement to, but not a substitute for, TASER warnings and training. Be trained and read full warnings (available online at www.axon.com/legal).

CEWs have risks and CEW use and physical incapacitation, alone or in combination with physical exertion, stress, unforeseen circumstances, or individual susceptibilities, may ↑ risk or cause serious injury or death.

TASER CEW USE GUIDELINES
(THESE GUIDELINES MAY BE MORE RESTRICTIVE THAN CONSITUTIONAL STANDARDS AND DO NOT CREATE OR ELEVATE A STANDARD OF CARE)

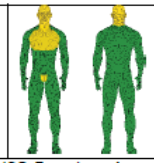
- If no exigency or immediate safety risk exists, slow down and consider alternative force options/solutions including negotiation, commands, or physical skills.
- Physical resistance alone does not equal an immediate safety risk.
- Emotionally disturbed person (EDP) or mentally ill, by itself, does not indicate an immediate threat.
- Choose a force option reasonably likely to cure the immediate safety risk.
- CEWs do not replace deadly-force options.

Incident Basics:
- Complete training first; recertify annually
- Review latest TASER CEW warnings
- Follow all laws, regulations, policies
- If CEW is not achieving intended goal, transition to different force option
- Monitor subject post-CEW; if unresponsive, initiate EMS/CPR protocols

Subjects with Increased Risks (requiring ↑ justification):
- Higher risk populations (children, pregnant, elderly, thin)
- Known medical conditions (pregnancy, heart disease, pacemaker, seizure history)

Secondary Risks (requiring ↑ justification):
- Uncontrolled falls, subjects in elevated positions or running on hard surfaces
  - Consider if tackling or intentional grounding is objectively reasonable
- Operating machinery or transportation (car, motorcycle, bicycle, skateboard)
- Presence of explosive, flammable substance, or vapor

Probe Targeting:
- Back shots ↑ safety and effectiveness
- Avoid intentionally targeting sensitive areas (eyes, head, throat, chest/heart, genitals, known pre-existing injury areas)
- Use preferred target areas (green areas on target figures)
- Avoid chest (↓ cardiac risks, particularly in thin subjects)
- Close-range deployment - split belt line, maximize probe spread



Minimize Number and Duration of CEW Exposures:
- Each CEW trigger pull or 5 seconds of discharge must be objectively reasonable
- Control and restrain subject immediately, if safe and practicable
- Use 5-second "window of opportunity" to restrain and "cuff under power"
- Do not use multiple CEWs or multiple circuits without justification
- Avoid repeated, extended, or continuous exposures beyond 15 seconds absent reasonably perceived immediate threat and ↑ justification

Probe Spread: Wider probe spread ↑ effectiveness. 12" (30.5 cm) probe spread is recommended for ↑ effectiveness.
- If too close to achieve good probe spread, attempt to ↑ distance. If unable to ↑ distance, targeting leg may allow tactical advantage.

CEW Use:
- Use objectively reasonable force under totality of circumstances
- Use the minimum force necessary to accomplish lawful objectives
- Give a verbal warning before using force, if practicable
- **Give subject reasonable opportunity to comply before** force is used or repeated
- Cease force once subject is under control

***If person is NOT immediate threat or flight risk*, Avoid CEW Use:**
- Without first attempting verbal de-escalation, commands, or physical skills
- On person known or perceived to be emotionally disturbed or mentally ill
- On elevated risk populations
- For pain compliance if pain foreseeably ineffective due to ↑ tolerance from drugs, alcohol, or psychosis

Drive (Touch/Contact)-Stun Use:
- Avoid using CEW drive (touch/contact)-stun except:
  - 3 or 4-point contact to complete circuit or ↑ probe spread
  - "break-contact" or distraction tactic when assaulted or tied up with subject
  - brief application to attempt pain-compliance; must give reasonable time and opportunity to comply
- Avoid repeated drive-stuns if compliance is not achieved, particularly with EDPs

Documentation (always document force/CEW justification):
- Document immediate safety risks, danger, resistance, force used from officer POV
- Body worn cameras and CEWs provide best objective documentation of events
- Fully document (identify, collect, maintain evidence)
  - Subject's threats, behaviors, and actions
  - Each application of force, and each injury or alleged injury
  - Each CEW trigger pull or 5-second discharge

SMART USE CONSIDERATIONS

When objectively reasonable and as practicable

- If no exigency or immediate safety risk exists, slow down and consider alternative force options/solutions including negotiation, commands, or physical skills
- Do not immediately resort to CEW
- Physical resistance or mental illness alone does not indicate immediate threat

SMART USE CONSIDERATIONS

When objectively reasonable and as practicable

- Choose a force option reasonably likely to cure the immediate safety risk
- Use the minimum force necessary to accomplish lawful objectives
- Give a verbal warning before the use of force
- Give subjects a reasonable opportunity to comply before force is used or repeated
- Immediately cease any force once a subject is under control

SMART USE CONSIDERATIONS

When objectively reasonable and as practicable

Use CEW within:

- The law
- Department policy and training

Do not use CEW for:

- Verbal defiance
- Belligerence
- Punishment
- Horse play

Different Use of Force Standards May Apply

- Uses of force by law enforcement officers attempting to effect an arrest are governed by the 4th Amendment
- Different federal standards apply to uses of force on pretrial detainees and convicted prisoners
- Additionally, the laws of your state may be more restrictive than federal standards
- It is important that you research and know all use of force standards applicable to you given your jurisdiction and position
- This training version does not cover applicable standards under international law. If you are outside of the United States, please research those standards in your country

4th Amendment Standard

- When effecting an arresting, all officers must comply with the 4th Amendment when using TASER CEWs

- It is up to your agency to set its own policies for the use of TASER CEWs, which may be more restrictive than the Fourth Amendment standard

- TASER provides Smart Use Considerations for the use of TASER CEWs, but does not set the standard

4th Amendment Standard

***Graham v. Connor,* 490 U.S. 386 (1989)**
Officer's force must be objectively reasonable under the totality of circumstances as reasonably perceived by the officer at the moment the force is used

3 Main Factors:

- The severity of the crime at issue
- Whether the suspect poses an immediate threat to the safety of the officers or others
- Whether subject is actively resisting arrest or attempting to evade arrest by flight

USE OF FORCE ON PRETRIAL DETAINEES
(DETAINED BUT NOT CONVICTED)

- Analyzed under the 14th Amendment Due Process Clause

- **Kingsley v. Hendrickson, 576 U.S. ___, 135 S.Ct. 2466 (2015):** the use of force must be objectively reasonable, while considering legitimate interest to manage detention facility and maintain order, discipline and institutional security

USE OF FORCE ON PRETRIAL DETAINEES
(DETAINED BUT NOT CONVICTED)

Factors to consider:

- Relationship between the need for use of force and the amount of force used
- Extent of plaintiff's injury
- Extent of plaintiff's injury
- Effort made to temper or limit amount of force
- Severity of the security problem at issue
- Threat reasonably perceived by the officer
- Whether plaintiff was actively resisting

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USE OF FORCE ON CONVICTED PRISONERS

- Analyzed under the 8th Amendment's prohibition against cruel and unusual punishment

- **Whitley v. Albers, 475 U.S. 312 (1986):**
  A use of force is unlawful if it amounts to an unnecessary and wanton infliction of pain – "whether force was applied in a good faith effort to maintain or restore discipline, or maliciously and sadistically for the very purpose of causing harm."

USE OF FORCE OF CONVICTED PRISONERS

Factors to consider:

- Relationship between the need for use of force and the amount of force used
- Extent of plaintiff's injury
- Extent of threat to safety of staff and inmates, as reasonably perceived by officials
- Effort made to temper or limit amount of force

SMART USE CONSIDERATIONS

When objectively reasonable and as practicable

- Be able to justify every CEW trigger pull or 5-seconds of discharge under the specific circumstances presented
- Avoid repeated or continuous CEW exposures unless necessary to counter immediate threat
- Avoid using CEW on vulnerable or higher risk populations (e.g. small children, elderly, pregnant) unless necessary to counter immediate threat
- Monitor subject post-CEW use. As with any use of force, if subject is unresponsive, initiate EMS/CPR protocols

SMART USE CONSIDERATIONS

When objectively reasonable and as practicable

- **Avoid using CEW drive stuns *except*:**
  - 3 or 4-point contact to complete circuit or increase probe spread
  - “break-contact” or distraction tactic to create reactionary distance
  - brief application to attempt pain compliance
- Do not repeat drive stuns if compliance not achieved
- Do not use drive stuns if pain is unlikely to gain compliance due to mind-body disconnect (psychotic episode) or increased pain tolerance (drugs/alcohol)

CEW MEDICAL/RISKS OVERVIEW

- Higher risk populations
- Injuries from falls
- Increased injury risk examples
- Flammability Risks
- Cardiac Risks
- Physiologic/Metabolic Effects

HIGHER RISK POLULATIONS

- Pregnant women
- Mentally ill
- Elderly
- Small children
- Low body-mass (very thin) persons

CEW use on these individuals could increase the risk of death or serious injury

INJURIES FROM FALLS

- CEWs frequently cause subject to fall
- Falls are often uncontrolled
- Falls, even from ground level, can cause serious injuries or death (especially on hard surfaces)
- Always consider environment subject is standing on
- Consider if you would be justified in tackling or intentionally grounding

INCREASED INJURY RISK EXAMPLES

- Elevated position
- In water, mud/muck (drowning risk)
- Operating machinery/vehicle
- Running or in motion (bike/skateboard)
- Sensitive target areas (head/eyes/groin)
- Probes in heart or chest area
- Repeated or continuous CEW discharges

FLAMMABILITY

- TASER CEWs can ignite explosive materials, liquids, fumes, gases, vapors, and gels
- Some personal defense sprays use flammable carriers such as alcohol and can be dangerous if used in immediate conjunction with CEWs

CARDIAC RISKS

Experts have identified the following key factors related to CEW cardiac risks:

- Dart-to-heart distance
- Duration of delivered electrical charge

The further the CEW dart is away from the heart and the fewer CEW cycles applied, the lower the risk of the CEW affecting the heart

CARDIAC RISKS

CEW cardiac risks are low, but not zero

To reduce cardiac risks (when practicable):

- Target the back
- Avoid targeting the chest
- Avoid prolonged or continuous exposures

PHYSIOLOGIC/ METABOLIC RISKS

CEWs may produce effects that could increase the risk of sudden death, including changes in:

- Blood chemistry
- Blood pressure
- Respiration
- Heart rate and rhythm
- Adrenaline and stress hormones

The longer the CEW exposure, the greater the potential effects

AVOID REPEATED/EXTENDED CEW DURATIONS

- Minimize the number and duration of CEW exposures
- CEW exposure is a physically and psychologically stressful event
- Use the shortest duration of CEW exposure objectively reasonable to accomplish lawful objectives
- Avoid repeated or continuous exposures beyond 15 seconds absent reasonably perceived immediate threat and increased justification
- Reassess the subject's behavior before repeating or continuing the exposure, and provide time for compliance