



**WEST LAKE HILLS POLICE DEPARTMENT**  
**GENERAL ORDERS**  
907.00 CONDUCTED ELECTRICAL WEAPON

**SCOTT E. GERDES**  
**CHIEF OF POLICE**

Revised June, 2020

**West Lake Hills Police Department General Orders**  
**907.00 CONDUCTED ELECTRICAL WEAPON**

**907.01 Definitions**

- A. Conducted Electrical Weapon (CEW) – a less than lethal force alternative that utilizes compressed nitrogen to shoot two small probes up to 21 feet. The probes are connected to the weapon by high voltage insulated wires. Electrical pulses are then transmitted along the wires into the target.
- B. Air Cartridge – uses a non-flammable nitrogen propellant. The probes and wires are contained within the cartridge. Each cartridge is marked with an individual serial number.
- C. Performance Power Magazine (PPM) – a lithium energy cell power supply system for the X26P CEW.
- D. CEW Coordinator – Department employee responsible for the distribution, upkeep, functionality and auditing of the CEW devices. The CEW Coordinator will update the firmware on every Department CEW as required by the manufacturer.
- E. (Anti-Felon Identification): Every time an Air Cartridge is fired, it disperses 20-30 identification tags called AFIDs. These tags are printed with the serial number of the cartridge and can be used to determine who fired the cartridge.
- F. Objectively Reasonable Standard - This term means, in determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances. These circumstances should cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances.

**907.02 General Departmental Policy**

- A. It is the policy of the West Lake Hills Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible.
- B. To that extent, the West Lake Hills Police Department will use less than lethal alternatives (CEWs) in those circumstances that provide for the safe and efficient deployment of less lethal alternatives as described in this policy.
- C. The CEW is a less than lethal weapon system that delivers electrical energy and is designed for the purpose of subduing persons who are actively resisting arrest without causing serious injury or death.
- D. The CEW may be used in the following instances:
  - 1. Subjects who aggressively assault the officer in a less than deadly force manner (Active Aggression); and
  - 2. Subjects who threaten or attack an officer (or another) with force, which the officer believes could result in serious injury.
- E. Officers need to be aware of changes in the levels of resistance and coordinate their level of force accordingly. All uses of force must be justified and all pertinent information should be documented including such possible factors as:
  - 1. The severity of the crime
  - 2. Whether the suspect poses an immediate threat to the safety of themselves, officers, or others.
  - 3. Are circumstances tense, uncertain, rapidly evolving (“pace” of events)
  - 4. Does the suspect have a history of violent behavior?
- F. The deployment of the CEW is allowed within this policy in arrest situations involving active aggression.
- G. Officers may draw or display with an arch their CEW when there is a threat or reasonable belief that there is a threat of Active Aggression. This means the



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officer may draw or display the CEW at a lesser level if the suspect's actions, or words, reasonably lead the officer to believe that the situation is likely to escalate to the Active Aggression level. If an arch display is used but there is no actual deployment of a cartridge, the officer is required to complete a CEW (TASER X26P) Incident Report and should notify a supervisor. An arch display is performed by removing the live cartridge and pulling the trigger to display the electrical arch, with the intent that seeing the arch will gain suspect compliance. The arch display does not make contact with the suspect.

**907.03 Authorization and Training**

- A. The departmental issued Taser X26P is the only CEW device authorized to be used by trained and certified sworn members of the West Lake Hills Police Department. No other CEW will be carried or used. Officers are provided the CEW by the Department – they are not allowed to purchase their own CEW of any type to carry on duty. Certified CEW users are required to use Departmental issued cartridges and must surrender their CEW upon request. Approved CEWs will only be used in the line of duty or in approved training with a certified instructor present.
- B. All users of the CEW will attend an initial course of instruction including, but not limited to familiarity, application, deployment (physical competency), use of force, transition to primary weapon and maintenance approved and sanctioned by the Chief of Police. Initial instruction will also include successful completion of a written examination and demonstration of proficiency with retention skills. Officers will not be allowed to carry or use a CEW without successfully completing the initial course of instruction, including the physical competency exam.
- C. To maintain certification, all users will be re-qualified in the use of the CEW every year. Failure to successfully complete re-qualification would require an officer to attend another certification course in order to become certified again.
- D. Unless working in an administrative capacity, every officer trained and certified in the use of a CEW will carry their Departmental issue CEW during their tour of duty.

**907.04 Use and Deployment**

- A. Officers will notify a supervisor, if time allows, when there is an indication by comments of the call or officer's prior knowledge of a location or individual, that there may be a potential for conflict and the use of a CEW may be a needed resource at the location.
- B. An "objectively reasonable" standard will be applied when controlling a suspect through the use of CEW force. Officers will attempt to de-escalate the situation prior to the use of a CEW. While control of a suspect through advice, warning, or persuasion is preferable, the use of a CEW is sometimes necessary.
  - 1. Use of a CEW is justified :
    - a. To control a physically resisting suspect displaying Active Aggression.
    - b. To defend an officer or another person from an Actively Aggressive subject.
    - c. To protect a person from seriously injuring themselves.
      - 1. Officers should be mindful that the U.S. Supreme Court has ruled that law enforcement has no legal duty to intervene in "personal violence" (suicide), because suicide itself is not a criminal act.
    - d. To stop or subdue an animal that is aggressive to any person.
    - e. When lesser levels of control are ineffective.



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2. Cautious Subjects: Unless there are compelling reasons that can be clearly articulated, CEWs should not be used on:
    - a. Handcuffed Prisoners
    - b. Pregnant Women
    - c. Infirm
    - d. Elderly
    - e. Small children
    - f. Juveniles - The deployment of a CEW on such individuals should only be done in extreme circumstances where the officer believes no other less or equal levels of control may be reasonably applied or have proven ineffective, and the continued actions of the suspect place the officer, suspect, or another person in imminent danger of serious injury or death.
  3. Length and number of exposures: The number of CEW cycles and the length of each cycle should be based upon the immediate threat of the suspect's actions. Whenever additional cycles are given, or any cycle is given for longer than the standard five (5) seconds, the officer must further explain the intensity of the circumstances that would justify such an exposure. Maximum exposure should be no more than fifteen (15) seconds, total.
  4. Under no circumstances will any CEW be deployed after resistance has ceased.
  5. CEWs WILL NOT be used on subjects who are using techniques of passive resistance, defensive resistance or subjects who are not posing a physical threat to persons or property.
  6. CEWs WILL NOT be used for any of the following:
    - a. Coercion of any type.
    - b. Escorting or prodding individuals.
    - c. Waking unconscious or intoxicated individuals.
    - d. Individuals operating a moving motor vehicle.
    - e. Handcuffed prisoners who are not physically resisting.
    - f. When the subject has come in contact with flammable liquids or is in a flammable or explosive atmosphere.
    - g. When the subject is in an elevated position where a fall may cause serious injury or death.
    - h. Horseplay or practical jokes.
    - i. Subjects in deep water.
    - j. In conjunction with alcohol-based OC spray.
    - k. Suspects who the officers knows or suspects are mentally ill.
    - l. Persons with a low body mass index (BMI) – i.e underweight individuals.
  7. Anytime a CEW is deployed by an officer, with the exception of a controlled function check, a supervisor will be notified.
- C. CEWs should never be used to intentionally target the head, neck, face, eyes, spine, or groin unless deadly force is justified. Certified CEW users should aim at lower center mass.
- D. Certified CEW users should be cognizant that other agencies or citizens may at any point introduce the use of an alcohol based OC spray.
- E. Two or more certified CEW users will not intentionally deploy their conducted energy devices simultaneously at the same subject at the same time.



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**907.05 Tactical Considerations**

- A. Certified CEW users deploying a CEW will announce deployment of the device to prevent contagious fire to other officers. Certified officers will also provide loud verbal commands to the subject, when possible and practical, ordering him/her to comply with the officer's instructions. As a standard practice prior to deploying the CEW, certified officers shall announce the words "TASER, TASER" to alert others of the impending use of the weapon.
- B. All officers should be aware that the reaction to the electrical impulses varies from subject to subject and may not establish control.
- C. Certified CEW users should be aware of and assess the background, surroundings and their location, as well as the subjects, before deploying a conducted energy device.
- D. DO NOT fire the Taser X26P weapon or any other CEW near flammable liquids and fumes. A CEW such as the Taser X26P weapon can ignite gasoline or other flammables. Some self-defense OC sprays use flammable carriers like alcohol and could be dangerous to the arrested person and the officers to use in immediate conjunction with a CEW.
- E. The Taser X26P weapon is equipped with a "Drive-Stun" backup capability. The use of the "Drive-Stun" backup weapon is authorized only if the use of the Taser X26P weapon is justified.
- F. Employees shall not alter, adjust, or modify the Taser X26P weapon or any other departmental approved CEW in such a way as to change the pressure, the velocity of the probes, or the basic design of the weapon.
- G. When a suspect takes an officer's CEW or the suspect is armed with their own CEW and attacks or threatens to attack an officer, the officer may defend themselves to avoid becoming incapacitated and risking the possible loss of their firearm. When possible, officers should attempt to move outside the CEW's range and seek cover as well as back away to mitigate the danger.

**907.06 Follow Up Care**

Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.

- A. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, try to determine if the subject is displaying any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until release to a detention facility or medical personnel.
- B. Subjects that are subjected to a CEW will receive medical treatment. First aid includes:
  - 1. Officers should immediately have an ambulance respond to the scene.
  - 2. Reassure and encourage subject to remain calm.
  - 3. Monitor the subject and look for signs of recovery: controlled breathing, calming of the subject.
  - 4. CEW probes shall be removed as soon as possible. CEW probes that are embedded in a subject's skin (as opposed to just clothing), shall only be removed by Fire Rescue personnel, or other medical personnel. Officers, including certified CEW users shall not remove probes that are embedded in a subject's head, throat, groin, female breast area, or any other sensitive area. Fire Rescue or other medical personnel will remove these



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probes. Probes that have penetrated a person's skin shall be considered a biological hazard and shall be handled with the appropriate care.

- C. Adults subjected to a CEW will be seen by medical personnel if the subject shows no sign of recovery and then transported to a medical facility for further treatment if necessary or to a detention facility. This information will also be noted in the booking sheet by the transporting officer.
- D. Juveniles subjected to a CEW will be seen by medical personnel and then transported to a medical facility to be examined prior to being transported to the Gardner Betts Juvenile Detention Facility. Every effort will be made to contact the parent or guardian of a juvenile to advise them of what has occurred and that we are obtaining medical treatment for the juvenile, however, ensuring the juvenile has adequate medical care is paramount in this instance. Any conflict during this process will require notification of a supervisor.

**907.07 Reporting and Administrative Requirements Regarding the Use of the CEW**

- A. Certified CEW users will articulate an account of all CEW deployments and provide a brief account of the CEW used (including the CEW's serial number and the spent cartridge serial number). The officer will also include the date, time, location, the name of the medical personnel examining the individual, and if applicable, the ambulance number. If a CEW is deployed, officers will also give a detailed description of number of shots fired, number and length of energy bursts, as well as any observed or reported injuries. In ALL situations where a CEW is deployed (cartridge fired, drive stun, or arch display), a CEW (Taser X26P) Use Form must be completed and forwarded through the officer's chain of command. Officers must report this information using the following:
  - 1. A Tyler Public Safety RMS Offense report
  - 2. An arrest report – a copy of the arrest report must be attached to the CEW Use Form
  - 3. In all situations where a cartridge is deployed or a suspect is "drive stunned" with the CEW, the West Lake Hills Use of Force Form will be completed before the end of tour of duty, and forwarded through the chain of command to the Chief of Police.
- B. Data Downloads
  - 1. Each time a CEW is deployed; the CEW Coordinator will download the data of the CEW used and print the data download report. This report should be forwarded with the CEW (TASER X26P) Use Form to the Chief of Police.

**907.08 Accidental Discharges**

- A. Officers will be held accountable for every trigger pull of the CEW.
- B. If an accidental discharge occurs, the officer must prepare an offense report and forward it through the chain of command to the Chief of Police. If a person is struck or the result of the discharge is serious bodily injury or death, a supervisor will be called to the scene. The supervisor will investigate as necessary and ensure the proper reports are completed. If there is serious bodily injury or death to any person, the Lieutenant and Chief will be notified and will respond to the scene.

**907.09 Storage and Other Precautions**

- A. At the beginning of each shift, the CEW should be inspected and a function check done prior to being secured on the officer's duty belt. The CEW will be carried on the certified user's duty belt and shall never be left unsecured. The CEW will be carried in its designated holster in a cross draw configuration. This means the CEW will never be carried on the same side of the officer's duty belt as their



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- firearm. This is intended to reduce the possibility of weapon confusion during critical incidents.
- B. The Department CEW coordinator will maintain a log with the serial numbers of the cartridges assigned to each officer.