



# SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



## Procedure 512 – Electronic Control Devices

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### **.01 INTRODUCTION**

This procedure provides officers with guidelines necessary for the safe carrying, handling, deployment, and use of Electronic Control Devices (ECD).

### **.02 POLICY**

- A. Officers are authorized to use an ECD to affect an arrest if physical force has proven ineffective or are not a reasonable option based upon the circumstances.
- B. Officers are responsible for the safekeeping and appropriate use of their ECD.
- C. All officers issued an ECD shall carry it in accordance with Procedure 309, “*Weapons.*”

### **.03 TERMINOLOGY** (For specific use within this procedure, see Glossary)

Air Cartridge	Anti-Felon Identification (AFID)	Drive Stun Mode
Electronic Control Devices (ECD)	Neuro-Muscular Incapacitation (NMI)	Probe Mode
Ready Room Spark Display		

### **.04 APPROVAL TO CARRY ECD**

- A. An officer desiring to carry an ECD while on or off-duty must:
  - 1. Successfully complete a training course at the Training Academy in the use of the ECD; or
  - 2. Present a certificate of training from a TCOLE approved ECD training course and demonstrate proficiency in the use of the ECD to the Training Academy Commander or his designee.
- B. Upon satisfactorily demonstrating proficiency in the use of the ECD, the Training Academy Commander or designee:
  - 1. Recommends approval or disapproval for the officer to carry the ECD while on or off-duty; and
  - 2. Routes a written report of the approval or disapproval to the officer’s division commander.
- C. The officer's division commander makes a written recommendation approving or disapproving the carrying of the ECD to the Training Academy Section and the Office of the Chief.
- D. The Chief of Police makes the final decision to approve or disapprove the carrying of the ECD.

### **.05 ELECTRONIC CONTROL DEVICE (ECD):**

- A. When the probes make contact with the suspect, the ECD will transmit electrical pulses along the wires and into the suspect.



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1. The pulses can penetrate clothing up to two inches in thickness.
  2. The pulses will temporarily override the sensory nervous system and motor nervous system control over the skeletal muscles, resulting in uncontrollable muscle contractions, temporarily disabling the individual.
- B. The ECD is pre-programmed to deliver a five-second electrical burst.
1. During an actual deployment, it is recommended the full five-second cycle be used for maximum effectiveness of the weapon.
  2. The officer can shorten this automatic five-second cycle by simply engaging the safety, thereby turning off the weapon.
- C. Each ECD includes a data port located on the unit. Every time the ECD is utilized, specific information will be recorded to assist in accurate reporting of ECD usage.

### **.06 ECD TRAINING**

- A. Officers must be selected by the Chief of Police or designee to receive ECD training.
- B. Officers must successfully complete a training course and be certified in the use of ECDs to be authorized to carry and use an ECD as an intermediate weapon. Additionally, only officers who have also successfully completed a forty (40) hour Crisis Intervention Training course will receive authorization to carry an ECD.
- C. Annually, ECD operators will be required to attend a Department approved ECD recertification course.
1. If an officer fails the written or practical exam, they shall participate in remedial training, which will include additional information and practical training prior to recertification to carry the ECD.
  2. If the officer fails any portion of the remedial training, they will not be authorized to carry an ECD.
  3. The officer who has failed remedial training may request authorization to carry an ECD after six (6) months and, if approved, must complete the entire block of ECD training.

### **.07 ECD EQUIPMENT ISSUE**

- A. Officers shall only carry and use department-issued ECDs.
- B. Officers who carry the ECD may choose not to carry a second intermediate weapon.
- C. Officers have the option of wearing the holster in front of the firearm for a support side cross-draw, or on the opposite hip of the duty firearm to draw the ECD only with the support hand. The strong hand cross-draw carry still applies.
- D. An ECD and two (2) cartridges will be issued to authorized officers.
- E. The serial number of the ECD and the serial number of each cartridge will be documented at the time of issue/replacement of the equipment.
- F. Cartridges will not be stored except in the designated issue point, a Department locker, or the armory.
- G. After each deployment, a supervisor will be notified for a replacement cartridge. Prior to issuance of a new cartridge, a report documenting the deployment will be provided to the supervisor.

### **.08 PRE-OPERATIONAL CHECK OF THE ECD**



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- A. A pre-operation check of the ECD will be conducted prior to going on duty.
  - 1. The ECD resembles a pistol and it should be handled accordingly.
  - 2. With the cartridge removed and the weapon pointed in a safe direction, the officer will perform a spark display of the ECD.
  - 3. If the ECD fails to fire or fires slowly, ensure the batteries are fully charged and properly installed. If it doesn't work, contact your immediate supervisor, or the armory for replacement.
  - 4. The officer will attach the cartridge and holster the weapon.
- B. The officer will not test fire the ECD a second time during the shift without a specific reason and a supervisor's approval. After a successful spark test an officer will not conduct an additional spark test without supervisor approval.
- C. Accidental discharges will require supervisor notification.
  - 1. The officer shall report the incident in writing through his chain of command, to his division commander.
  - 2. A copy of the report shall be forwarded to the Internal Affairs Unit.

### **.09 ECD DEPLOYMENT**

- A. If physical force has proven ineffective or is not a reasonable option based upon the circumstances, officers are authorized to use an ECD to affect an arrest.
- B. The ECD is deployed as a non-deadly tool for the officer and is not intended to be used in deadly force situations. Personnel shall only utilize the ECD consistent with the training received.
- C. The ECD is not intended to replace the open/empty hands control techniques used to restrain a passive resister.
  - 1. The ECD is to be used for control and arrest of aggressive resisters who may be exhibiting violent behavior or when there is reasonable belief it would be unsafe for officers to approach within contact range of the suspect.
  - 2. The ECD is placed at the same level of force as oleoresin capsicum (OC) spray/Gel.
- D. The decision to use the ECD will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.
- E. As with any other type of force, officers will end application of the ECD when the subject discontinues resistance or aggression.
- F. ECDs should not be brandished, displayed, or pointed at a subject in an intimidating manner unless an officer is attempting to prevent further escalation of force.
- G. More than one officer may deploy (brandish) an ECD, however, no more than one officer at a time should activate an ECD against a person.
  - 1. When activating an ECD, officers should use it for one standard 5-second cycle and then evaluate the situation.
  - 2. If subsequent cycles are necessary, officers shall restrict the number and duration of those cycles to the minimum activations necessary to place the subject in custody.



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H. Officers may use an ECD when:

1. Lesser methods have failed;
2. In self-defense or defense of a third person;
3. Subduing or controlling a violent subject;
4. Subduing an aggressively resisting actor; or
5. Physical force has proven ineffective or is not a reasonable option based upon the circumstances.

I. Situations appropriate for ECD deployment include, but are not limited to:

1. Probe Mode - Proper application will result in temporary immobilization of the subject and provide the officer a “window of opportunity” in which to take the subject safely into custody. Optimum range for probe deployment is 7 to 15 feet with a 21 foot maximum distance.
  - a. A subject threatening himself or others with physical force and other means of controlling the subject are unreasonable or could cause injury to the public, the officer, or the subject.
  - b. May be used on a subject when reasonably necessary to overcome aggressive resistance to lawful objectives.
  - c. Other means of lesser or equal force have been ineffective and the threat still exists to the public, the officer, or the subject.
  - d. May be used on aggressive animals in the defense of the officers or innocent bystanders.
2. Drive Stun Mode - When touched to the body, the ECD causes significant localized pain in the area touched by the ECD but does not have the effect of NMI. The Drive Stun does not incapacitate a subject but may assist in taking a subject into custody.
  - a. To eliminate physical resistance from an arrestee in accomplishing an arrest or physical search.
  - b. May be used on aggressive animals in the defense of officers or innocent bystanders.
  - c. Multiple “Drive Stuns” are discouraged and must be justified on the SAPD #62-UOF, *Use of Force Report*. If the initial application is ineffective, the officer will reassess the situation and consider other available options.
3. Spark Display - This is used to show the suspect ECDs are present and may be used on them if they do not comply with the instructions issued by the officer. Nothing prohibits officers from utilizing this tactic for crowd control purposes. However, officers are cautioned to be cognizant of crowd reaction. If this appears to incite an already unruly/volatile crowd, spark displays should be discontinued.

J. Improper handling or inappropriate uses of this device which may result in disciplinary action include, but are not limited to:

1. Needless display of the device;
2. Careless or haphazard muzzle control of the device;
3. Use against any person in a punitive manner;



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4. Use or threat of use of the device during an interrogation;
  5. Using the device to awaken a person;
  6. Using the device as a prod;
  7. Using the device on a helpless or obviously disabled person;
  8. Carelessness in its storage;
  9. Abuse of the equipment;
  10. Failure to report damage to the device;
  11. Failure to document receipt of a new or replacement device or cartridge; or
  12. Tampering with the device or the data.
- K. Prior to deployment of the ECD, the ECD operator should attempt to obtain a cover officer capable of providing deadly force if needed. The cover officer will be armed with a department-approved firearm appropriate to the situation. Should a subject take control of an officers ECD, the subject possess the capability to discharge the weapon and render the officer helpless
1. The cover officer will provide deadly force if needed for the ECD operator.
  2. Officers should consider cover and distance at all times.
  3. Officers should consider bystanders at all times.
- L. Prior to discharging the ECD, the operator should notify others on scene by announcing “TASER.”
1. By providing an advance warning, officers are better prepared and will stay clear of the probes and their intended target.
  2. If practical, instruct the Communications Unit to broadcast an ECD is going to be deployed.
  3. If not practical, notify the dispatcher, as soon as feasible, an electrical charge has been administered through use of an ECD and which mode was utilized, (i.e. probe, stun, or both).
- M. Prior to firing, use loud verbal commands when feasible and point the laser sight at the subject.
1. A suggested warning to the suspect may be: “If you do not comply with my commands I may be forced to use a Taser.”
  2. Preferred target zones are (a) below the chest and off center so as to split the hemisphere from a frontal position and (b) below the neck from a back position.
  3. Care should be taken to avoid the face, neck, groin, and other sensitive areas of the subject.
- N. An arrest team consists of no less than two officers: one officer with an ECD and another officer with a department-approved firearm.
1. Firearms will be secured prior to approaching and securing the suspect.



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2. When given the command to do so by the ECD operator, the handcuffing officer will immediately attempt to safely control the subject. Subjects are most easily controlled while the ECD is discharging.
  3. Throughout the incident, ECD operators will continually assess compliance levels and breathing ability of the subject before applying additional cycles to the subject.
  4. Following ECD activation, officers should not use a restraint technique that restricts breathing.
- O. ECDs shall not be utilized in the following circumstances:
1. When the officer knows a subject has come in contact with flammable liquids or is in a flammable atmosphere;
  2. When the subject is in a position to fall and possibly sustain substantial injury or death;
  3. Punitively for purposes of coercion;
  4. To escort or jab subjects;
  5. To awaken unconscious subjects;
  6. When the subject is visibly pregnant, unless deadly force is the only other option;
  7. The subject is in or around water where drowning could result;
  8. Against frail persons of any age; or
- P. ECDs should not be utilized in the following situations:
1. On subjects operating motor vehicles (this includes autos, trucks, motorcycles, and scooters);
  2. On a person operating a self-propelled vehicle (e.g. bicycle);
  3. When the subject is holding a firearm;
  4. When the subject is at extremes of age (youth or aged) or physically disabled;
  5. When deadly force is clearly justifiable, unless another officer is present and capable of providing deadly force to protect officers and/or civilians as necessary;
  6. In cases where another officer has already successfully deployed an ECD on the suspect.
  7. Against persons known to be under the influence of drugs.
  8. On a handcuffed prisoner;
- Q. A supervisor shall be notified and respond to all scenes in which an ECD has been activated. The supervisor will conduct a preliminary assessment of the ECD activation and submit a report of his findings along with the Use of Force Report. Additionally the supervisor will ensure the following is accomplished:
1. Photographs will be taken of the affected area and any other injuries noted.
  2. Collect clothing when burn marks or fabric tears occur because of ECD use.
  3. SAPD Form #62-UOF, *Use of Force Report*, will be completed.



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4. Secure all in car videos of the incident, if available, and forward with the use of force report.
  5. A copy of all reports, in car videos, and Crime Scene Unit Investigators' photos will be forwarded to the Internal Affairs Unit through the chain of command for review and compilation of statistics.
  6. A copy of all reports, in car videos, and Crime Scene Unit Investigators' photos will also be forwarded to the Training Academy ECD instructors for review and possible curriculum enhancements.
  7. A supervisor shall download the ECD information and include it with the use of force report. A spark display must be performed prior to downloading the information in order to confirm current time as a relative point of reference. Remove cartridge before performing spark display.
  8. Supervisor shall ensure fired ECD cartridges are replaced prior to the end of the officer's tour of duty.
  9. SAPD Form #62-RFI, *Receipt for Issue/Replacement OC Spray/Gel and/or ECD*, shall be completed by the officer. The receipt is deposited in a designated receptacle in the ready room. When returning an OC canister, attach the receipt to the canister prior to depositing in the receptacle
- R. Any use of the ECD contrary to the direction of this procedure can result in revocation of the officer(s) authorization to use this weapon and may result in disciplinary action.
- S. Any officer discharging an ECD accidentally or intentionally shall immediately notify an on-duty supervisor and report the incident in writing, through his chain of command, to his division commander.
1. The supervisor notified will review all the circumstances surrounding the weapon discharge to ensure all policy, training, weapon/equipment, and discipline issues are addressed, and evidence is collected as applicable.
  2. Upon completion of his initial review, the supervisor will determine if there are any violations of departmental policy and he will make a recommendation based on his review of the incident.
  3. The officer's initial report and the supervisor's recommendations are then forwarded through the chain of command for final review and disposition.
  4. The division commander shall review the reports and recommendations, and based on the merits, substance, and gravity of the incident, will request further investigation, implement discipline, or recommend no disciplinary action.
  5. Regardless of the outcome, all reports with recommendations will be routed to the Internal Affairs Unit and will be maintained on file in accordance with the Department's retention schedule.

### **.10 FIRST AID PROCEDURES**

- A. Attention to the subject(s) after utilization of the ECD is vital. Officers need to be aware and look for obvious signs of injury that may be incidental to ECD use.
- B. EMS is requested, as soon as possible, to all scenes where a subject has received an electrical charge from an ECD.
- C. An ECD certified officer may remove the ECD darts when penetration has occurred.
  1. The officer will not remove probes embedded in the face, eye, mouth, neck, hands, female breast area, nipples, groin, and/or genitals of the subject.
  2. Officers will remove probes from strikes in any other area not listed above, utilizing techniques learned in training.



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3. Anytime the probes break off inside the suspect, the suspect will be transported for medical treatment.
- D. If not removed prior to EMS arrival, EMS personnel may remove the ECD darts when penetration has occurred.
  1. EMS personnel examine the subject and determine whether the subject requires further medical attention.
  2. If darts cannot be removed by EMS personnel, the subject should be transported to a medical facility as soon as possible.
- E. If EMS personnel determine a prisoner requires further medical attention, the prisoner is continuously observed visually and audibly, by the officer during transport, to include an officer riding with EMS.
  1. Should the arresting officer be involved with other duties, another officer is assigned to accompany the prisoner.
  2. After examination at medical facility, prisoners not requiring further medical attention are transported to the Detention facility.
  3. Officers transporting a prisoner from the Downtown University Health Care facility to the Detention Facility, request BCHD Form #60-1, *E. R. Encounter - Admitting Form*, from hospital personnel. The form is routed in the same manner as SAPD Form #62, *Injured Prisoner Report Form*.
- F. When EMS personnel determine a prisoner does not require further medical attention, the prisoner is transported to the Detention Facility by the officer.
  1. The officer verbally notifies Detention Facility personnel the prisoner was exposed to an ECD.
  2. The officer writes \*ECD\* in large block letters at the top of the MS-DC Form #17, *Registration/Property Form*, in accordance with GM Procedure 601.11G, *Taking Prisoners into a Detention Facility*.
  3. The name of the officer who continuously observed the subject and the name of the Detention facility personnel the officer notified of the ECD exposure are included on SAPD Form #62-UOF, *Use of Force Report*.

### **.11 UNIT RESPONSIBILITIES:**

- A. Dispatchers shall dispatch Crime Scene Unit Investigators to all scenes where there has been a discharge of an ECD by a San Antonio Police Officer.
- B. Crime Scene Unit Investigators shall promptly respond to the scene where there has been a discharge of an ECD by a San Antonio Police Officer. The Crime Scene Unit Investigator shall place spent probes into the Property Room as evidence by using the following procedure:
  1. Leave the wires the way they are and place the probes (if used in probe mode) back into the cartridge with the barbs down. Leave the cartridge and wires in the same place where the subject was apprehended and let CSI personnel know where the subject was placed in custody and the direction the ECD was fired.
  2. The cartridge holes will be secured with evidence tape.
  3. The cartridge shall be placed in an evidence envelope and labeled with a biohazard sticker.
  4. A sample of the AFID confetti from the ECD cartridge will be placed in a separate evidence envelope.
  5. If the AFID confetti cannot be recovered from the scene (washed away by rain, destroyed by fire, etc.), the circumstances preventing recovery will be detailed in the offense/incident report and the use of force report.



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- C. The Armory and Supply Office replaces ECD equipment returned to the Armory by officers, and
  1. Completes the appropriate section of SAPD Form #62-RFI, *Receipt for Issue/Replacement OC Spray/Gel and/or ECD*.
  2. Forwards a copy of the form to the Internal Affairs Unit.
- D. Supervisory Officers
  1. Must understand the maximum effective range of all weapons carried by their shift personnel.
  2. Ensures through periodic inspections officers under their supervision carry only approved ECDs as defined in this procedure, and all equipment is in proper working order.
  3. When the Armory is closed, verifies information entered in the appropriate section of SAPD Form #62-RFI, *Receipt For Issue/Replacement of OC Spray/Gel and/or ECD*, by officers returning an ECD or cartridges to the Ready Room and also verifies information entered into the OC spray/gel and/or ECD logbook when officers check out replacement equipment.
  4. All ECD's assigned under the supervisor must be downloaded on a quarterly basis to keep the time and date accurate.