



Cover Memorandum

Conducted Electrical Weapon, JHPD Directive #405

Purpose of the Directive

The purpose of this Directive is to establish the Johns Hopkins Police Department (JHPD) guidelines for proper maintenance and deployment of the Conducted Electrical Weapon (CEW).

Summary of Directive Requirements

To ensure that officers have less-lethal use of force options to properly engage in de-escalation, the JHPD issues a Conducted Electrical Weapon (CEW), commonly referred to as a Taser™, to specially trained officers. The CEW is designed to temporarily incapacitate a person at a safe distance.

The use of a CEW shall be strictly administered in accordance with JHPD Directive #401, de-escalation and JHPD Directive #402 Use of Force. A CEW may only be used when de-escalation is not feasible, and a reasonable officer would conclude that its use is reasonable, necessary, and proportional to eliminate or mitigate an imminent threat of bodily harm posed by the person to themselves or others under the totality of circumstances.

In addition, officers shall only use the CEW when grounds for arrest or investigatory detention are present, and the person is exhibiting active or aggravated aggression or otherwise poses an imminent threat of bodily harm to themselves or others.

Importantly, the Directive generally prohibits the use of the CEW drive in stun mode.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as “directives”) shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD’s draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall’s Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout

Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

- a. **Publicly available policies from municipal police departments that have undergone substantial reform efforts**, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;
- b. **National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations**, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts’s “Racially Just Policing: Model Policies for Colleges and Universities”; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.
- c. **National and local higher education institutions that are based in comparable environments and make policies publicly available**, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community’s public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

**CONDUCTED
ELECTRICAL WEAPON
(CEW)**

**OPERATIONAL
PROCEDURE #405**

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

Table of Content

POLICY STATEMENT1

WHO IS GOVERNED BY THIS POLICY.....2

PURPOSE2

DEFINITIONS.....2

POLICY.....4

CORE PRINCIPLES5

PROCEDURES6

POLICY ENFORCEMENT15

RELATED RESOURCES16

CONTACTS16

APPENDIX.....17

Policy Statement

The sanctity of human life is paramount. Johns Hopkins recognizes and respects the value of all human life and views the preservation and improvement of human life as central to its mission. It is therefore the policy of the Johns Hopkins Police Department (JHPD) that officers seek to avoid any use of force by applying de-escalation strategies. When de-escalation is not possible, officers may only use the least amount of force that is reasonable, necessary, and proportional to control an incident, effect an arrest, or to protect themselves or others from harm or death. Further, each officer has a duty to intervene to prevent the use of unreasonable or excessive force by other officers of the public safety team toward any person, render aid to those injured, and report misconduct.

Who is Governed by this Policy

All sworn police officers, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD are governed by this Directive.

Purpose

The purpose of this Directive is to establish guidelines for proper maintenance, display, and use of the Conducted Electrical Weapon (CEW). While officers must at all times comply with the minimum legal requirements governing the use of force, they must also comply with even stricter standards set forth by this Directive.

Definitions

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| Active Aggression: | Active Aggression is when a person presents an Imminent Threat of physical harm to the officer or another person based on the Totality of the Circumstances. Examples include violent attacks or attempts to attack an officer or another person, with hand strikes, kicks, or attempted strikes or kicks with hands, fists, the head, elbows, knees, or an instrument. Even when confronted with Active Aggression, the officer is required to make every reasonable effort to de-escalate and continuously assess their use of force. |
| Aggravated Aggression: | Aggravated Aggression is when a person presents an Imminent Threat of death or serious physical injury to the officer, or to another person based on the Totality of the Circumstances. Aggravated Aggression represents the least encountered but most serious threat towards an officer or other person. Even when confronted with Aggravated Aggression, the officer is required to make every reasonable effort to de-escalate and to continuously assess their use of force. |
| Anticipatory Force: | Force used by an officer against a person to prevent a potential, but not yet imminent, threat of physical harm, aggression or resistance that an officer believes will, but has not yet, occurred based on observed or perceived verbal or non-verbal cues. Examples of prohibited anticipatory force include a pre-emptive hand strike or take down based on observing a person balling a fist, a possible visual cue of aggression, or bouncing their feet, a possible visual cue of potential resistance or flight. |
| Arc Switch: | A switch located on either side of the device at touch-point that when the CEW safety switch is selected on FIRE mode, will, when depressed, spark the probes for up to five seconds. |
| Conducted Electrical Weapon (CEW): | A weapon designed to discharge electrical impulses in two modes: <ul style="list-style-type: none">• Drive Stun — A CEW is deployed in Drive Stun mode by an officer depressing the Arc Switch and placing the electrodes upon the skin/clothing of a person. Drive Stun mode by itself does not cause neuro-muscular incapacitation but causes severe |

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| | <p>pain. Drive Stun may be used to complete a circuit if only one of the two Probes are connected to an individual.</p> <ul style="list-style-type: none"> • Probes Deployment — Probes Deployment is the primary way that CEWs are used. With a cartridge attached, pulling the trigger fires two probes with barbs on the end that can penetrate the clothing or skin of a person. The two probes are connected to the CEW by wires and upon contact, if an electrical circuit is established, the CEW delivers pulsed electricity into the person and overrides the person's voluntary motor function. Probes Deployment also causes significant pain. |
| Deadly Force/Lethal Force: | Any force likely to cause death or Serious Physical Injury, whether or not the officer intended to cause death or Serious Physical Injury. |
| De-escalation: | The process of reducing the level of agitation and tension in a situation or encounter, including the use of non-physical force alternatives, additional resources, options for de-escalation, disengagement, or tactical repositioning should be considered when responding to situations involving individuals who are aggravated, aggressive, or hostile. De-escalating an incident so that no force is needed to achieve a lawful objective is always preferred over a use of force. |
| De-escalation techniques: | Actions, techniques, and/or tactics taken or used by officers that are designed to eliminate the need to use force to resolve a situation. De-escalation techniques include: talking to a person using a tone of voice and language that is not aggressive or confrontational; creating space or placing barriers between the officer and the person; waiting the person out when circumstances permit; permitting a person to move about when safe; permitting a person the opportunity to make statements or ask questions; slowing down the pace of an incident; tactical repositioning; and requesting additional resources. The guiding principles for de-escalation are patience, flexibility, and the desire to resolve each situation peacefully. |
| Displaying the Arc: | Displaying the Arc is when the officer depresses the Arc Switch, resulting in a visible electric current and associated sounds. |
| Imminent Threat: | A person presents an Imminent Threat when the person has the means and ability to physically injure the officer or another person, and the officer reasonably believes the person intends to deliver that harm. |
| Member: | All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.). |
| Officer: | All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD. |
| Positional asphyxia: | An inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by a person being placed in a body position which |

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| | compresses their airway, prohibits the full expansion of their lungs, and does not allow them to breathe freely. |
| Resistance: | <p>Officers may face the following types of Resistance to legitimate lawful objectives:</p> <ul style="list-style-type: none"> • Active Resistance — Active Resistance is when a person moves to avoid detention or arrest but does not attack or attempt to attack the officer or another person. Attempts to leave the scene, fleeing, hiding from detection, physical resistance to being handcuffed, or pulling away from the officer’s grasp are all examples of Active Resistance. Verbal statements, bracing, or tensing alone do not constitute Active Resistance. A person’s reaction to pain caused by an officer or purely defensive reactions to force does not constitute Active Resistance. • Passive Resistance — Passive Resistance is when a non-assaultive person fails to comply with the officer’s commands without attempting to flee. Passive Resistance may include, but not be limited to, going limp, standing stationary and not moving based upon lawful direction, and/or verbally signaling an intention to avoid or prevent being taken into custody, including refusing to walk. |
| Spark Tests: | Officers shall turn the safety switch to the FIRE position and depress the Arc Switch, allowing the electrical current to pulse for one full cycle (approx. five seconds). The test shall assist the officer in determining the functionality and the battery life of the device. |
| Standard Cycle: | When the officer pulls the trigger in Probes Deployment or depresses the Arc Switch in Drive Stun mode, the CEW will deliver electricity for five (5) seconds. To deliver additional electricity, the officer will depress the Arc Switch again. |
| Taser: | TASER refers to the type of CEW that JHPD authorizes for use. TASER is a registered trademark of TASER International, Inc., and can only be used to identify a TASER brand CEW. |
| Totality of Circumstances: | All facts and circumstances surrounding any event, including circumstances earlier in the interaction leading up to an officer’s use of force. |

Policy

Proper de-escalation requires that officers use time, distance, and cover, along with proper communication skills, to resolve situations without the use of force. In order to ensure that officers have less-lethal use of force options, the JHPD issues a CEW to specially-trained police officers. The CEW is designed to temporarily incapacitate a person at a safe distance, allowing the officer the ability to create the distance needed to properly engage in de-escalation techniques. A CEW, like a gun, a baton, or other weapon, inflicts pain or injury when deployed.

When used appropriately, the pain is temporary and has a reduced risk of injury when compared to other use of force options. (CALEA 4.1.4)

Core Principles

- I. **Sanctity of Human Life.** Officers shall make every effort to preserve human life in all situations.
- II. **Value of All Persons.** All human beings have equal value and worth and officers shall respect and uphold the value and dignity of all persons, at all times through actions that avoid causing unnecessary injury, pain, or harm.
- III. **Peaceful Resolutions.** Officers shall avoid the Use of Force, unless it is not possible to do so.
- IV. **De-Escalation.** Officers shall use de-escalation techniques and tactics in conformance with JHPD Directive #401, De-escalation to reduce any threat or gain compliance to lawful commands without the Use of Force or with the lowest level of force possible.
- V. **Avoiding Escalation.** Officers shall not do or say anything that escalates an encounter unless necessary to achieve a lawful purpose.
- VI. **Assessment.** Officers shall continuously assess each situation and change their response as the circumstances change. Officers may be justified in using force in one instance, but not justified in using force an instant later. This duty to assess includes the continuous assessment of circumstances before and after the officer uses force.
- VII **Reasonable, Necessary, and Proportional.** Officers shall use only the force that is reasonable, necessary, and proportional to respond to a threat or resistance to safely resolve an incident and will immediately reduce the level of force as the threat or resistance diminishes.
- VIII. **Retaliatory Force Prohibited.** Officers are prohibited from using force against persons engaged in acts of expression protected by the First Amendment as described in JHPD Directive #486, Response to Assemblies, Demonstrations, and Disruptions of Campus Events, or to punish persons for fleeing or resisting arrest, assaulting an officer, or for any other reason.
- IX. **Duty to Intervene.** Officers shall intervene to prevent abusive conduct or the use of retaliatory and excessive force by another officer in conformance with JHPD Directive #111, Duty to Intervene. (CALEA 1.2.10)

- X. Duty to Provide Medical Assistance.** After any Use of Force incident, officers shall immediately render aid to any injured person consistent with the officer's training and request medical assistance. If restrained, persons are not to be positioned facedown as it may cause positional asphyxia, and placing restrained persons on their back may lead to radial nerve damage to the wrists and forearms. Restrained persons are to be placed in a seated position or on their sides.
- XI. Accountability.** All officers shall be held accountable for any use of force that violates the law or JHPD policy and procedures.

Procedures

I. General

The CEW provides officers with an effective alternative to using other force options, including deadly force. The CEW uses battery-powered electric energy that can incapacitate a subject by temporarily disrupting voluntary control of muscles causing neuromuscular incapacitation. Because a CEW is designed to cause injurious pain, any use of the CEW must strictly comply with the requirements of this Directive. Only officers who have successfully completed the prescribed course of instruction and demonstrated proficiency in the use of the CEW, and an understanding of its permitted use, are authorized to carry the device. (CALEA 4.1.4). Any use or display of a CEW or display qualifies as a use of force consistent with JHPD Directive #402, Use of Force.

- A. Pointing a CEW at a person and/or "Displaying the Arc" is considered Level 1 use of force.
- B. Most uses of a CEW in probe deployment shall be reported as a Level 2 use of force.
- C. Use of a CEW for more than three (3) Standard Cycles on a person from one officer or cumulatively among officers shall be reported as Level 3 use of force.
- D. Use of a CEW that strikes the head, neck, chest, or groin area or in Drive Stun Mode will be investigated as a Level 3 use of force.

II. Permitted Use

- A. Prior to the use of any force, including use of the CEW, officers shall, to the greatest extent possible, analyze the situation by applying the principles of the sanctity of life, critical thinking and decision-making, and de-escalation to determine the most effective and safest way to resolve the situation. See JHPD Directive #402, Use of Force. These principles must be an ever-present priority as an officer is making the serious decision of whether to use any type of force, and particularly injurious force, like a CEW or Deadly Force/Lethal Force.

- Note: If an officer observes any indication that a person may be in crisis or have a behavioral health condition, the behavioral health crisis team should be immediately dispatched to the scene of these types of encounters, and if possible, should handle communications with the person prior to use of CEW. See JHPD Directive #416, Behavioral Health Crisis Dispatch.
- B.** Because a CEW is designed to cause injurious and painful force, a CEW may only be used when a reasonable officer would conclude that its use is reasonable, necessary, and proportional to the Imminent Threat of physical harm posed by the person to themselves or others under the Totality of Circumstances. See JHPD Directive #402, Use of Force.
- C.** In addition, officers shall only use the CEW when grounds for arrest or investigatory detention are present and the person is exhibiting Active or Aggravated Aggression and/ or otherwise poses an imminent threat of physical harm to themselves or others.
- NOTE: Physical resistance to being handcuffed, verbal threats, and non-compliance alone, do not rise to the level of Active or Aggravated Aggression. In the event that an officer encounters a person clearly posing a danger only to themselves (i.e., suicidal person), officers may only use a CEW after the officer has exhausted de-escalation techniques or tactical alternatives, including intervention by the BHCST.
- D.** Prior to use of the CEW, officers shall:
- Attempt to use de-escalation techniques, apply the Critical Thinking Decision Making Model (CTDMM) when safe to do so (See JHPD Directive #401, De-Escalation and #402, Use of Force), and consider:
 - o Whether an individual's actions are the product of a behavioral health condition or crisis, including being under the influence of drugs/alcohol; or
 - o Whether the individual is physically or hearing impaired or there is a language barrier. If so, the officer shall attempt to use other resources (e.g., Crisis Intervention Trained (CIT) officer, or a bilingual officer) with a goal of avoiding use of the CEW, if possible.
 - Provide verbal or visual warnings, whenever possible and safe to do so, and allow the person an opportunity to comply.
 - o visual warnings include displaying the arc.
 - o verbal warnings shall provide clear consequences of non-compliance and instructions for compliance.

- To minimize the risk of contagious fire (when officers mistake the CEW probe deployment as gunfire and respond by firing their own gun), when feasible, the officer shall loudly announce that the “CEW is being deployed” a minimum of three (3) times, and, if feasible, stay at a safe distance from the person before the CEW is deployed.
- E.** Officers shall attempt to control/handcuff a person while the person is under the effects of a successful CEW probe deployment.
- F.** Officers shall use the fewest number of five (5) second Standard Cycles of the CEW probe deployment.
- G.** The most effective target for Probe Deployment is the back, below the neck, and above the waist. Officers shall aim for the back whenever possible. If the only target presented is the person’s front, the officer shall aim for the lower torso, below the chest.
- H.** After each individual CEW cycle or application, to a maximum of three (3) Standard Cycles or fifteen (15) seconds, officers shall assess whether a subsequent cycle is reasonable, necessary, and proportional to the Imminent Threat of physical harm posed by the person.
- Note: Each application and/or Standard Cycle of the CEW requires a reassessment by the officers and must be separately reasonable, necessary, and proportional to the Imminent Threat of physical harm posed by the person at the time of the application, and any subsequent re-application. The justification for a prior or previous application or Standard Cycle does not automatically provide justification for a subsequent Standard Cycle.
- I.** If a CEW probe deployment is successful, the person may be unable to respond to commands. In assessing whether any additional application is reasonable, necessary, and proportional, the officer shall allow sufficient time for the person to comply. A lack of response cannot be justification for further applications of CEW unless the non-compliance presents an Imminent Threat of physical harm to the officer or to another person (i.e., the suspect still has a weapon, is within reach of a weapon, or is still exhibiting assaultive behavior).
- Note: The CEW’s electric energy may result in involuntary muscle movement that may appear as voluntary resistance.
- J.** CEW probe deployment to the head, neck, face, chest, or groin is Deadly Force/Lethal Force. The officer may target those areas only when Deadly Force/Lethal Force would be appropriate under the Totality of the Circumstances. See JHPD Directive # 402, Use of Force.

IV. **Prohibited Use**

Except where Deadly Force/Lethal Force is permitted by JHPD Directive #402, Use of Force, officers **shall not**:

- A. Use a CEW in drive stun mode.
- B. Target a CEW probe deployment to an area not within the proper target zone.
 - o If a CEW is deployed, and the probes contact an area outside of the proper probe deployment zone (e.g., head, neck, chest, or groin), DO NOT activate additional energy cycles unless Deadly Force/Lethal Force is permitted.
- C. Use a CEW on a person who is fleeing and does not pose an Imminent Threat of physical harm to the officer or others. Flight shall never be the sole reason for applying a CEW on a person.
- D. Use a CEW on a person that has been exposed or is in proximity to the MK-9 Pepper Fogger or flammable material, such as gasoline, an alcohol-based pepper or O.C. Spray, or:
 - If the person is in standing water.
 - If there is any indication the person is pregnant.
 - If the person appears to be elderly.
 - If the person appears to be a child.
 - If the person is visibly frail or has a low body mass.
 - If the person is in an elevated position, such as a rooftop, porch, or ascending a staircase or is otherwise in a position where immediate loss of muscle control could cause serious injury or death.
- E. Alternative tactics shall be considered if the officer has information that the person:
 - Has a condition that would increase the danger to that person if exposed to a CEW probe deployment (e.g., a person at the scene tells the officer that the person has a heart condition).
 - Is in physical control of a vehicle in motion. "Vehicle" includes any motorized vehicle, bicycle, or scooter.
 - Is in danger of falling from an elevated position where a fall is likely to cause substantial injury or death.
- F. Use a CEW for more than three (3) Standard Cycles or fifteen (15) total seconds against a person during a single incident, regardless of the number of officers who may use a CEW against the person.

- G.** Use a CEW when there is already a CEW deployed on a person. No more than one officer may use a CEW on a person at a time.
- NOTE: While a CEW can be used on two subjects at the same time, officers must be aware that both deployed cartridges will be energized when either the trigger or Arc Switch are pressed. Force must be justified for both subjects in instances of dual probe deployment.
- H.** Officers shall not use the CEW on handcuffed or restrained persons except in the rare and very limited instances when:
- The person is exhibiting violent behavior, and
 - The person presents an Imminent Threat of physical harm to the officer and/or other persons, and
 - Lesser means or attempts to resolve the incident, such as hands-on arrest or control techniques, have failed.
 - NOTE: The CEW may not be used against a restrained person when the threat presented is only damage to property.
- I.** The following uses of the CEW are **ALWAYS** prohibited:
- To intimidate by reckless display.
 - To punish a person.
 - To overcome a person who is engaging in only Active or Passive Resistance.
 - If the CEW is or has been submerged in water or other liquid.
 - o Note: Do not turn on a CEW that has been submerged in water. Immediately take the CEW to an armorer for inspection/service.

III. Post-CEW Probe Deployment Procedures

- A.** Officers shall render aid to any person who was subjected to a CEW. Officers shall summon emergency medical service (EMS) and immediately request that the on-duty supervisor respond to the scene. (CALEA 4.1.5)
- B.** After the use of the CEW, most people will recover quickly and will appear to regain normal muscle control. When summoning EMS, the officer shall inform EMS that a CEW was used on the person and advise EMS personnel if the person lost consciousness, is not fully responsive, exhibits any signs of distress, sustains a secondary injury (e.g., as the result of a fall), and/or was struck in sensitive areas (e.g., face, eyes, neck, chest, breast, and groin).
- The officer shall tell EMS of the approximate time when the CEW was used. If the probes made contact with the person, the responding EMS

Unit will transport the person to the hospital to have the probes removed. Officers shall not remove barbs embedded in a person's body.

- C. Officers shall treat probe deployments to sensitive areas or anything other than a quick return to normal muscle control by the person as a medical emergency and will request an expedited response from EMS.
- D. Officers shall continuously monitor a person who was subjected to a CEW, render aid as necessary, and notify EMS of any changes.
- E. Following all probe deployments, officers shall download their CEW data and retrieve a charged battery from a JHPD docking station.

IV. Proper Handling of CEW

- A. Officers shall carry issued CEWs in the agency-issued CEW holster on the side of the duty belt opposite the firearm. When not worn by the authorized officer, the issued CEW will be stored in the JHPD provided locker or secured in the holster and transported to a safe and secure location. (CALEA 4.3.1.f)
 - Officers shall not tamper with, alter, or in any way modify the CEW, holster, or related equipment.
 - Officers shall not store, use, display, or handle the CEW in a careless manner.
 - Only JHPD-issued CEWs shall be carried by authorized officers. The use of privately owned CEWs, or similar equipment, is strictly prohibited. (CALEA 4.3.1.a.)
 - Officers shall not carry a CEW while off-duty.
- B. Prior to beginning each shift, officers shall perform a Spark Test of their assigned CEW.
 - If submerged in water, officers shall take their assigned CEW out of service and respond to the Armory Unit for inspection. Officers shall not attempt to Spark Test the CEW.
- C. Issued CEWs and cartridges shall be inspected by supervisors monthly.
 - If a "Weapon Error" message is noted on the CEW display (See Appendix B), that CEW is to be taken out of service and taken to Armory Unit as soon as possible.
- D. **Downloads:** Officers shall download their CEW at least once per month.
 - The CEW will be downloaded at a JHPD docking station.

- Additional requests to download CEW data may be made at any time by the officer's supervisor, commander, or any other JHPD authority.

D. Lost or Stolen CEW: Officers shall immediately report lost or stolen CEWs and components in conformance with JHPD Directive #403, Authorized Defensive Weapons.

V. Accidental Discharges

A. If an officer has an accidental discharge of a CEW, they must notify a supervisor immediately. The officer's supervisor will conduct an investigation as to the circumstances of the discharge/damage.

B. An Administrative Report signed by the on-duty supervisor and the signed CEW Cartridge Replacement Form must be submitted to a JHPD armorer to receive a replacement cartridge.

C. If an accidental discharge occurs and a person is struck, officers shall immediately render aid and notify EMS. The officer shall then notify a supervisor, who will confiscate the CEW and initiate a use of force review in conformance with JHPD Directive #407, Use of Force Review, Assessment, and Investigation.

D. Officers shall be accountable for every trigger pull of the CEW.

V. Reporting & Review

Each officer who uses force, or observes other officer(s) using force, shall immediately notify the on-duty supervisor, and will accurately and completely report the Use of Force by the end of their shift. All officers and supervisors will adhere to the use of force reporting guidelines found in JHPD Directive #407, Use of Force Review, Assessment, and Investigation, and this Directive. (CALEA 4.2.1c)

A. Officers must notify the on-duty supervisor immediately, or as soon as practicable, following a use of force. The notification will contain basic information concerning the incident.

- Any officer with knowledge that another officer used force must also immediately report that use of force to the on-duty supervisor.
- In all instances, the on-duty supervisor will ensure that JHPD Directive #407, Use of Force Review, Assessment, and Investigation is followed.

B. All officers shall document any additional injury that occurred as a result of a CEW being used on a person, consistent with JHPD Directive #407, Use of Force Review, Assessment, and Investigation. (CALEA 4.2.1.b)

- C. When a CEW is deployed in a use of force, officers must submit a Cartridge Replacement Form to a JHPD Armorer to receive a replacement cartridge.
- D. All officers shall clearly articulate the following regarding the use of a CEW on a Force Report every time a CEW is deployed. The report shall include:
 - Number of CEW cycle(s) used or attempted against a person,
 - Location that the probe(s)/CEW contacted the person,
 - Effectiveness of the CEW probe deployment, and
 - All information required by JHPD Directive #407, Use of Force Review, Assessment, and Investigation.
- E. The failure of any commander, supervisor, or officer to fulfill any of the requirements of this Directive will not prevent, inhibit, or otherwise affect the ability of the Department to conduct an investigation of any misconduct arising from a use of force incident or to otherwise discipline an officer for any violation of this Directive.

VI. Supervisory Responsibilities

- A. In addition to the reporting requirements and procedures enumerated in JHPD Directive #407, Use of Force Review, Assessment, and Investigation, the on-duty supervisor, upon being notified that an officer under their supervision used a CEW, shall:
 - Ensure medical attention is requested and is administered to the person on whom the CEW was used.
 - Ensure a use of force review consistent with JHPD Directive #407, Use of Force Review, Assessment, and Investigation is completed.
 - o Ensure the officer under their supervision used the CEW in accordance with the methods disposed in the JHPD directives, including this Directive, and procedures.
 - o Enter the use of force into BlueTeam.
 - Ensure any spent cartridges and probes are submitted as evidence in conformance with JHPD Directive #469, Property and Evidence Management.
 - o Due to potential bio-hazard conditions, cartridges and probes that have struck a person should be packaged consistent with bio-hazard standards prior to submission.
 - o Complete a “CEW Cartridge Replacement” form, sign it, and give to the officer for in-person delivery, or scan and email it directly to a JHPD Armorer.
 - Ensure officers obtain replacement cartridges, as needed.

- B.** After any use of force involving the use of a CEW, a supervisor or commander not involved in the incident shall take possession of the CEW, and ensure its data is downloaded before completing their shift.
- Ensure any spent cartridges and probes are submitted to the Armorer after an accidental/unintentional discharge.
 - o If a person was struck with a probe during an accidental/unintentional discharge, submit the cartridge and probes as evidence in conformance with JHPD Directive #469, Property and Evidence Management.
 - o Due to potential bio-hazard conditions, cartridges and probes that have struck a person should be packaged consistent with bio-hazard standards prior to submission.
- C.** Supervisors will ensure officers download their CEW data before the end of their shift.
- D. Inspection of CEWs:** Supervisors will conduct monthly inspections of their officers' CEWs.
- If any issue is noted, first-line supervisors shall report it via an Administrative Report and submit it to command.
 - If a "Weapon Error" is noted on the CEW display (See Appendix B), that CEW is to be taken out of service and taken to Armory Unit as soon as possible.
- E. Auditing:** All Department CEWs will be subjected to periodic and random data downloading by the PSAU, the Chief of Police, or their designee. The data obtained will 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.

VII. Maintenance & Training

- A. Armorer:** The JHPD shall train and certify Armorers to provide general maintenance of the CEW, its systems, and accessories. JHPD Armorers will also:
- Maintain a record of each CEW issued by the JHPD, including but not limited to the serial number, assignment, maintenance, etc. (4.3.1.e)
 - Complete pre-issue and ongoing inspections in accordance with CEW manufacturer recommendations. (CALEA 4.3.1.e)
 - Replace spent CEW cartridges only upon receiving a copy of the signed CEW Cartridge Replacement Form.

- Download data from the CEW when scheduled or after a CEW use of force.
- Review officer compliance with CEW download requirements.
- Notify the Deputy Chief when officers fail to download their CEW data and/or indicators of abuse arise.

B. Training: All initial, refresher, and remedial training will be completed by a certified CEW instructor and shall be in conformance with JHPD Directive #403, Authorized Defensive Weapons.

- Prior to carry or use, officers will successfully complete all required initial training in the use of the CEW and demonstrate proficiency in loading, unloading, deploying, and discharging the CEW through firing of the probes. (CALEA 4.3.2)
- Refresher training in the use of the CEW will occur annually. (CALEA 4.3.3.a)
 - o Proficiency, as observed by a certified CEW instructor, will also be demonstrated at least annually.
 - o Officers who fail to successfully complete refresher training and demonstrate proficiency will be restricted from carrying the weapon until successful re-training occurs and proficiency is demonstrated. (CALEA 4.3.3.c)
 - o If the officer fails to demonstrate proficiency after remedial training, or the same officer fails to demonstrate proficiency with the CEW within 365 days of the first retraining, the Training Director will, having reviewed all prior training records and the CEW Instructor notes, make a written recommendation to the Chief of Police on a course of action.
 - o This recommendation may be for additional remedial training or, in the case of serious safety concerns, it may be to revoke the officer's authorization to carry the CEW for a longer period of time.
 - o Under no circumstances will an officer be provided with a CEW until remedial training has been successfully completed.
- Records – Following the participation in weapons training, a record of attendance and proficiency scores will be documented and maintained by the Public Safety Training Section, to include the type of training, instructor, the type of weapon, and course approval. (CALEA 4.3.3.b)

Policy Enforcement

| | |
|-----------------------------|---|
| Enforcement | Police Department managers and supervisors are responsible for enforcing this Directive. |
| Reporting Violations | Suspected violations of this directive should be reported to the Public Safety Accountability Unit. |

Related Resources

| |
|---|
| University Policies and Documents |
| Operational Procedure #401, De-escalation Operational Procedure #402, Use of Force Operational Procedure #403, Authorized Defensive Weapons Operational Procedure #407, Use of Force Review, Assessment and Investigation Operational Procedure #486, Assemblies, Demonstrations and Disruptions of Campus Activities Operational Procedure #469, Property & Evidence Management Operational Procedure #470, Field Reporting System |
| External Documentation |
| |
| Police Department Forms and Systems |
| |

Contacts

| Subject Matter | Office Name | Telephone Number | E-mail/Web Address |
|---|-------------|------------------|--------------------|
| Policy Clarification and Interpretation | | | |

Appendices

Appendix A CEW Cartridge Replacement Form

Form 285

Baltimore Police Department
CEW Cartridge Replacement

Reason for Cartridge Replacement (Please check one)

Use of Force Accidental Discharge Damaged Cartridge Lost Cartridge

Incident Information

CC# (if applicable): _____ District of Occurrence: _____

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Officer's Name: _____ Seq #: _____

CEW Serial #: _____ CEW Model:

Discharged/Damaged Cartridge Serial Number(s): 3.5" SO _____
 12" CQ _____
 3.5" SO _____
 12" CQ _____

Cartridge(s) Submitted to ECU ? Property #: _____

Supervisor's Signature: _____

Seq #: _____ Assignment: _____ Date: _____

Cartridge Replacement Information (Armory/ECU Use Only)

Replacement Cartridge Serial Number(s)

3.5" SO _____ 3.5" SO _____
 12" CQ _____ 12" CQ _____

Replaced by: _____ Date of Replacement: _____

Appendix B Central Information Display Guide

Central Information Display (CID) BASICS



Full Battery



Cartridges Loaded



Count Up



Deployed Bay #1



Recharge Battery (Blinks)



Battery Error (Blinks)



Cartridge Error Bay #1



Weapon Error Identified



Firmware Version Display

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