



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

467 –CONDUCTED ENERGY WEAPON

GENERAL ORDER: 2024-01
ISSUED: January 10, 2024

EFFECTIVE: January 10, 2024

REVIEWED/APPROVED BY:
Assistant Chief Nicole Waldner
DATE: November 28, 2023

ACTION: Amends General Order 2023-18 (May 1, 2023)

WILEAG STANDARD(S): 5.1.1, 5.1.4, 5.2.1, 5.3.1, 12.1.1, 12.1.2, 12.1.4, 12.2.1

467.00 PURPOSE (WILEAG 5.1.4)

The purpose of this standard operating procedure is to provide guidance to police members on the proper use of the department's conducted energy weapon (CEW). It is the policy of this department to authorize the use of the CEW as a less-lethal use of force option.

467.05 POLICY (WILEAG 12.1.1)

- A. The department is authorizing the use of an AXON TASER 7 CEW as a less lethal force option in conjunction with existing department policies, practices, and under law and ordinance.
(WILEAG 12.1.1.1)
- B. Advantages of the AXON TASER 7 CEW as a less lethal force option include:
1. CEWs provide a use of force option that may assist officers when dealing with combative, violent, or aggressive people.
 2. CEW use may reduce the risk of injury to police officers, offenders, and members of the public.
 3. When properly deployed in dart mode, CEWs may be effective against people who have a high pain threshold, or are temporarily unresponsive to pain stimuli. This includes people who are particularly motivated, extremely aggressive, or under the influence of drugs or alcohol.
 4. Immobilization (Neuromuscular Incapacitation/NMI) and pain effects cease as the CEW is turned off.
 5. Dual targeting lasers display the approximate points of dart impacts, improving officer accuracy and effectiveness.
 6. Usually, only minimal medical aftercare is required.

467.10 DEFINITIONS**A. 3-POINT CONTACT**

A CEW deployment method utilized when a dart deployment fails to achieve NMI and/or compliance. A contact stun is delivered to a different area of the body while the darts are still in the subject. This method causes the electrical current to travel between the darts and the front of the AXON TASER 7 CEW, increasing the likelihood of achieving NMI.

B. ACTIVE DEPLOYMENT

The discharge of electrical current into a subject whether by contact or darts.

C. AXON TASER 7 CONDUCTED ENERGY WEAPON (CEW)

An Axon TASER 7 CEW equipped with a rechargeable battery pack and two (2) Taser 7 cartridges each containing 2 darts attached by 25' wires.

The CEW utilizes propelled wires, or direct contact, to conduct electrical energy to affect the sensory and motor functions of the nervous system, disrupting the body's ability to communicate messages from the brain to the muscles, causing temporary motor skill dysfunction (neuro muscular incapacitation or NMI) to a subject. Generally, NMI will only be achieved during a dart deployment.

D. CONTACT STUN

The process of using a CEW to affect the sensory nervous system as a localized pain compliance technique. This is done by placing the front of the CEW against the body of an individual resisting lawful orders to stop physically resisting and activating it. The contact stun causes localized pain in the area tracked by the CEW but does not have a significant effect on the central nervous system.

E. DART DEPLOYMENT

The CEW is most effective when the cartridge is deployed and the two darts make direct contact with the subject by imbedding themselves into the subject. 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. Generally, the greater the dart spread, the greater the effectiveness.

F. LASER DISPLAY

When the CEW is activated and the dual lasers are displayed but the system is not deployed.

G. NEURO MUSCULAR INCAPACITATION (NMI)

The direct contraction of muscles that disrupts neuro-motor control.

H. OPERATOR

A sworn police member that has been trained and certified to carry and operate a CEW.

I. TASER 7 CARTRIDGE

1. A single use item that contains a small circuit board, gas capsule, 2 darts, insulated wires, and wire pockets. It is identified with a tamper-resistant serial number.

2. There are two (2) types of Taser 7 Cartridges:

a. Close Quarters (CQ)

12° dart spread from the CEW. The cartridge has a black front and black body. Printed on top is the cartridge serial number, cartridge degree (12°), 2D bar code, and expiration date.

b. Stand Off (SO)

3.5° dart spread from the CEW. The cartridge has a black front and gray body. Printed on top is the cartridge serial number, cartridge degree (3.5°), 2D bar code, and expiration date.

J. WARNING ARC

A non-contact demonstration of the CEWs ability to discharge electricity. This is conducted only by utilizing the ARC switch. The purpose of this display is to convince the subject to comply with a lawful order and avoid the CEW from being deployed in the contact stun or dart mode. It is also used to assure the CEW is working properly.

467.15 MEMBER'S RESPONSIBILITIES (WILEAG 5.2.1, 12.1.2, 12.1.4)

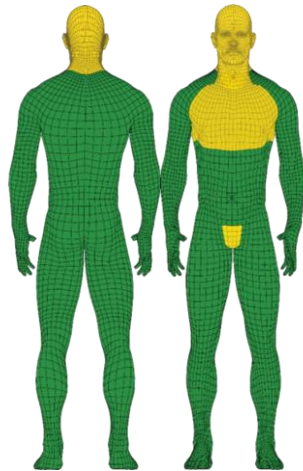
A. Only police members that have completed the department's Axon TASER 7 CEW certification training program shall be authorized to carry and deploy the Axon TASER 7 CEW. Members are required to complete recertification on an annual basis. Records of employees participating in CEW training and certification shall be updated by Training Division personnel following successful completion of the training. Certified members shall carry an Axon TASER 7 CEW on their person if one is available.

B. When not in use, the CEW, holster, and peripherals shall be stored in a secure area of the work location as designated by the commanding officer. CEW trained and certified members shall sign-out the CEW at the start of their shift and sign-in the CEW at the end of their shift in a CEW control log.

1. The CEW shall be stored in its holster and with two (2) cartridges inserted into the cartridge bays.
 2. The cartridges shall be placed in the bays as such: a CQ cartridge shall be in the 1st (left if looking from the top of the CEW) bay and a SO cartridge shall be placed in the 2nd (right if looking from the top of the CEW) bay. This shall be the configuration unless an alternate configuration is authorized by the Milwaukee Police Department Taser Administrator or the Training Division – Firearms Unit.
- C. Prior to the start of each shift, as well as at the end of the shift, the member signing out the CEW shall inspect the CEW cartridges, and holster. A functions check shall be conducted prior to the start of each shift to ensure the equipment is in proper working order with no fault icons displayed in the central information display (CID) and has adequate battery power. The CEW battery should be changed when the battery percentage is less than 25% or every 30 days. The rechargeable battery shall be placed on the charging dock for no less than 30 minutes to complete its download.
- D. A supervisor shall be notified immediately if any CEW equipment is damaged, not functioning properly, or if both cartridges are not accounted for.
1. If the CEW is damaged or not functioning, the CEW shall be placed out of service and be conveyed to the Training Division – Firearms Unit as soon as practicable.
 2. The supervisor shall file a *Department Memorandum* (PM-9E) and explain the circumstances of the damage, or why the CEW is not functioning properly, and submit it through the chain of command to the commanding officer of the Training Division.
 3. If the battery or cartridges need to be replaced, they shall be replaced with the spare batteries or cartridges at the work location (work locations should keep 12 spare rechargeable batteries and 5 of each spare cartridges. All damaged batteries and damaged / replaced cartridges shall be returned to the Training Division – Firearms Unit.
- E. Operators shall carry the CEW in a Blackhawk!TM Taser holster on the reaction side of the body (opposite the duty weapon) and in the “safety on” position. The CEW shall be drawn and deployed with the support side hand.
- F. At the start of each shift, members equipped with a CEW shall notify the dispatcher that they are equipped with a CEW. A notation identifying the member as being equipped with the CEW shall also be made on the daily line-up in the MPD (N:) drive “Lineup” folder.
- G. The CEW shall only be removed from its holster when a member anticipates its use, when it is being inspected, conducting a functions test in a safe area, or it is being taken out of service.
- H. The CEW has a maximum effective range of up to 25 feet. The optimal recommended

distance for the close quarter's cartridges are 4 to 11 feet. The optimal recommended distance for the stand off cartridges are 8 to 18 feet. If the CEW is to be deployed, the preferred target areas (with the exception of sensitive CEW target areas) are lower center of mass (below chest or area of the heart) and legs for front exposure and below the neck for back exposures (with the back being the most preferred area).

Preferred Target Areas in Green



When practical, the most preferred target area for the CEW is the back area.

- I. Attempts should be made to avoid targeting sensitive tissue areas such as head, face, neck, groin, or female breast area, however, darts penetrating these areas shall be removed by medical personnel at a medical facility. Medical personnel shall remove darts appearing deeply imbedded in tissue.
- J. After the subject has been properly stabilized and handcuffed, the CEW certified operator shall remove the darts, if applicable, and provide appropriate care to the subject except in those sensitive areas listed above in subsection I. The subject shall be transported to an appropriate medical facility for treatment and medical clearance for either dart deployments or contact / 3-point contact stuns before being conveyed to a district temporary holding facility, the Central Booking Division, or CJF.
 1. If the subject displays signs of a serious medical condition, becomes unconscious or there are other injuries or circumstances that require immediate medical attention, an ambulance shall convey the subject to a medical facility.
 2. In those circumstances when a trained CEW operator removes the darts and the subject displays no other injuries or adverse effects, they shall be transported by department vehicle in accordance with SOP 090 - Transportation of Arrestees.
- K. If the CEW is deployed, whether intentional or unintentional, the member shall notify a supervisor immediately. If a person is struck by any darts or receives any electric current, the person shall be medically cleared.
- L. Conveying officers shall notify detention medical personnel, at the time of booking, that the subject has been struck with CEW darts or received a contact stun. An

examination will be conducted by detention medical personnel to determine whether the individual has suffered any injury, either directly from the CEW discharge or indirectly, such as by falling after incapacitation.

- M. If the CEW was intentionally deployed in dart mode, the deployed cartridge with wires and darts attached (if possible) shall be inventoried as "Evidence" and retained for seven (7) years. If the CEW was deployed accidentally, the deployed cartridge with wires and darts attached (if possible) shall be inventoried as "Safe Keeping". A copy of the inventory report shall be sent to the Training Division – Firearms Unit.

467.20 GUIDELINES FOR USE (WILEAG 5.1.1)

The Axon TASER 7 CEW has limitations and restrictions requiring consideration before its use. The Axon TASER 7 CEW should only be used when the operator can safely approach the subject within the operational range of the device. Although the Axon TASER 7 CEW is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other Control Alternatives.

- A. The CEW shall be used within the guidelines established by the department's Use of Force policy (SOP 460).
- B. The CEW is located on the Disturbance Resolution Model, Intervention Options, in the section titled "Control Alternative-Control Devices." The purpose of the CEW is to provide officers with a less-lethal force intervention option to defend themselves, and to overcome active resistance or its threat. Active resistance is defined as behavior that physically counteracts an officer's attempts to control a subject and which pose a risk of bodily harm to the officer, subject, and others.
- C. The CEW is designed to incapacitate individuals where alternative restraint tactics have been or are reasonably likely to fail, and/or where it would be unsafe for officers to approach a subject to apply restraints.
- D. The CEW is not a substitute for lethal force. However, the use of less-lethal force, such as a CEW, may prevent situations from escalating to deadly force levels and save lives.
- E. The CEW shall not be pointed at any individual unless the member involved reasonably believes it will be necessary to use the device.
- F. The deployment of the CEW will be evaluated using the department use of force policy and within the framework of the authorized Defense and Arrest Tactics Disturbance Resolution Model, Intervention Options. The CEW may be used under the following circumstances:
1. To overcome active resistance or its threat.
 2. To control persons in order to prevent them from harming themselves or others.

G. The CEW shall not be used when it is reasonable to believe that incapacitation of the subject may result in serious injury or death:

1. In proximity to flammable liquids, fumes, gases, blasting materials, or any other highly combustible materials that may be ignited by use of the device, including, but not limited to, any subject who may have been contaminated with combustible liquids.

Note: Some areas within hospitals have oxygen or other flammable gases or substances in use. Operators need to be aware of this when deciding whether to use a CEW.

2. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death.
3. Near roofs or the edge of buildings, to eliminate the possibility of the subject falling and sustaining serious injury or death.
4. Punitively for purposes of coercion, or in an unjustified manner.
5. To escort or prod subjects.
6. To awaken unconscious or intoxicated individuals.
7. Against subjects who are offering only passive and/or verbal resistance.

H. The CEW should not be used in the following circumstances (unless there are compelling reasons to do so which can be clearly articulated):

1. Against persons operating a motor vehicle.
2. Against persons with apparent debilitating illnesses or the elderly.
3. Against small children.
4. Against persons on stairs, to eliminate the possibility of the subject falling and sustaining injury.
5. When the subject is visibly or known to be pregnant.
6. Against a person with apparent medical conditions that may be adversely affected by using the CEW, left to the totality of the situation and tactical necessity of the user.
7. Against a person holding a firearm.
8. Against handcuffed subjects.

9. In a situation where deadly force is clearly justifiable, unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary.
10. Against subjects fleeing on foot.

I. CEW / OFF-DUTY

1. When off-duty, only police members who have completed the department's CEW certification training program shall be authorized to carry a personally owned CEW in a holster approved by the range master. The range master shall establish clear and consistent guidelines for the approval of off duty CEWs and written protocols establishing department expectations for carrying CEWs when off duty. Members must carry their department issued identification card and metal badge and have them readily accessible for display when carrying a CEW off-duty.
2. The range master shall record the type, description, manufacturer, model, and serial number of members off duty CEWs and will keep this information on file. It is recommended members consult the range master or designee at the Training Division prior to purchasing an off-duty CEW or holster to ensure compatibility with department standards. The range master will maintain a list of approved off-duty CEWs and holsters. Police members must demonstrate proficiency with the CEW prior to carrying it. The range master or designee shall determine proficiency.
3. Police members appearing at the Milwaukee County Courthouse complex as litigants in personal matters such as divorce hearings, family matters, small claims procedures, or as a defendant in a criminal matter, are to do so unarmed. Police members summoned for jury duty shall not carry a CEW. This prohibition does not apply to matters in which police members are a witness and/or are under subpoena in their official capacity, and this does not restrict police members from conducting official business in or about the courthouse complex while on duty and armed.
4. Members shall not carry department owned CEWs while off-duty.

J. MULTIPLE APPLICATIONS OF THE CEW

Operators should apply the CEW for one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CEW against a single individual are generally not recommended and should be avoided unless the member reasonably believes that the need to control the individual outweighs the potential risk posed by multiple applications. In determining the need for additional cycles, members should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.

467.25 USE ON ANIMALS

- A. A CEW may be used on an animal to create temporary incapacitation in order to

restrain and control with a capture pole. The CEW is a less lethal option that can be used in situations where the animal is not deemed an imminent threat to the officer or the public.

- B. During active deployment of the CEW, the target area for use on an animal is the profile of the body which appears to provide the most muscle mass.
- C. When feasible, secondary officers may choose to provide deadly force cover if the CEW fails to have the desired controlling effect and the animal becomes an imminent threat.
- D. If active or multiple CEW deployment proves to be ineffective against the animal, officer(s) should reassess the force options available to them and apply the appropriate level of force needed to control the animal and protect the public or officers.
- E. Deployment of the CEW on an animal should be treated like any other use of force.

467.30 IMMEDIATE SUPERVISOR RESPONSIBILITIES (WILEAG 5.2.1, 5.3.1)

- A. When there is an active deployment of the CEW, whether intentional or not, a supervisor shall be notified and will respond to the scene. The responding supervisor shall ensure the subject receives appropriate medical treatment, conduct an administrative review of the incident and file a *Use of Force Report* in accordance with SOP 460.
(WILEAG 5.3.1.3)
- B. Supervisors shall ensure that deployed / spent cartridges, darts, and wires are properly inventoried taking into consideration biohazard procedures. A copy of the inventory (safekeeping or evidence) shall be forwarded to the Training Division – Firearms Unit.
- C. Supervisors shall ensure the discharged cartridge is replaced from the work location spare cartridge inventory after a discharge of the CEW cartridge. Work locations shall be issued spare cartridges in increments of ten (10). Supervisors shall request additional spare cartridges from the Training Division – Firearms Unit when five (5) spare cartridges remain.
- D. Supervisors shall ensure that CEW use data has been imported to Evidence.com.
- E. Supervisors shall ensure that the CEW is downloaded using the Taser battery and the loading/charging dock:
 - 1. Every month (whether or not there was an active deployment). A *Department Memorandum* (form PM-9E) shall be completed and endorsed by the district or work location commanding officer stating that the monthly download was completed.
 - a. The *Department Memorandum* shall note any discrepancies or issues

discovered during the monthly download. The original *Department Memorandum* shall be kept at the work location. A copy shall be sent to the Training Division – Firearms Unit if any discrepancies are found.

- b. Work locations shall retain the monthly download report according to the record retention schedule.
2. When there is an active deployment;
 3. When there is a reason to believe there was an active deployment (e.g., a complaint of inappropriate use); or
 4. When otherwise deemed necessary.
- F. Supervisors shall ensure all Axon TASER 7 CEW certified operators sign out a CEW and carry it on their person if CEWs are available. Supervisors may give priority assignment to overlapping shifts (e.g., power shifts).

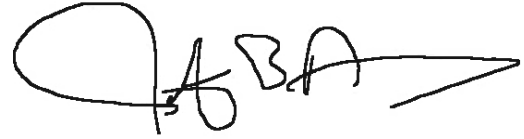
467.35 SHIFT COMMANDER / COMMANDING OFFICER RESPONSIBILITIES

- A. Shift commanders shall ensure that the CEW control log is properly used, only certified and trained CEW operators are fielding the CEW, and the CEWs are properly maintained by the individual users. Commanding officers shall ensure a control log is maintained for every CEW as well as a register of cartridges. The control log shall include the type, description, manufacturer, model, and serial number for each CEW and cartridge as well as the name of the assignee.
- B. Commanding officers shall review all *Use of Force Reports* related to the use of the CEW. They shall ensure that the reports are complete and accurate and tracked pursuant to SOP 460 Use of Force.

467.40 EQUIPMENT MAINTENANCE AND CARE (WILEAG 12.1.1)

- A. Only CEW cartridges issued, inspected, and approved by the Training Division - Firearms Unit shall be used. The Blackhawk!TM Taser 7 holster is the only holster approved for use.
- B. The CEW and peripheral equipment shall be treated with due care and shall not be abused or mistreated.
- C. Only personnel authorized by the Training Division - Firearms Unit shall conduct repairs of the CEW and peripherals.

- D. Members may make a personal purchase of a Blackhawk!™ Taser 7 holster for duty use. Certified operators are authorized to make a personal purchase of a Blackhawk!™ Taser 7 holster and may make a private purchase of a Blackhawk!™ Tactical Holster Platform for wearing the CEW on the support side thigh.
(WILEAG 12.1.1.3)

A handwritten signature in black ink, appearing to read 'JBN' followed by a stylized flourish.

JEFFREY B. NORMAN
CHIEF OF POLICE

JBN:mfk