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Sheriff

# HARFORD COUNTY SHERIFF'S OFFICE OPERATIONAL POLICY

## Use of Conducted Energy Weapons

<b>Distribution:</b>	All Personnel			<b>Policy Number:</b>	OPS 0506
<b>Responsible Unit:</b>	Administrative Services Division			<b>Rescinds:</b>	OPS 0506 (08/05/22)
<b>Original Issued Date:</b>	12/20/22	<b>Revision #:</b>	2	<b>Latest Revision Date:</b>	01/13/26
<b>Required 3-yr. Review Completed:</b>	11/03/25	<b>Next Required 3-yr. Review Due:</b>		11/30/28	

### 1. Purpose

To provide Harford County Sheriff's Office (HCSO) employees with guidelines for proper deployment of the Conducted Energy Weapons (CEW) and the actions which will take place thereafter.

### 2. Policy

Deputies have been given the responsibility to protect and serve all citizens while balancing the need for officer safety and are granted the authority to use force when necessary to accomplish lawful ends. This authority is grounded in the laws of the State of Maryland, the United States Constitution, Court rulings and the provisions of this policy. Recognition of, and respect for the dignity of all persons and the value of human life will guide all training, leadership, and procedures, as well as guide deputies in the use of force.

### 3. Definitions

**ACTIVE RESISTANCE:** physical evasive movements or behaviors to defeat a deputy's attempt at arrest or control, including physical bracing, twisting, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into custody.

**ACTIVE AGGRESSION:** overt, hostile, attacking movements or actions by a subject, which may cause injury to the deputy. This aggression may manifest itself through actions including, but not limited to, punching, kicking, biting, or pushing.

**AGGRAVATED AGGRESSION:** when a subject's actions create an objectively reasonable perception on the part of the deputy that the deputy or another person is subject to imminent death or serious physical injury as a result of the circumstances and/or nature of an attack. Aggravated Aggression represents the least encountered but most serious threat to the safety of law enforcement personnel or another person.

**ARMED SETTING:** the CEW is fully armed and ready for immediate deployment.

**BATTERY PACK:** re-chargeable lithium power supply system for the CEW.

**AUTO SHUT DOWN CONFIGURATION:** once a connection is made, stops the electrical output after 5 seconds, even if the trigger is held down or selector switch is held upward.

**CONDUCTED ENERGY WEAPON (CEW):** the CEW is a less lethal weapon that emits an electrical energy charge which causes neuromuscular incapacitation (NMI) that affects the sensory and motor functions of the central nervous system.

FUNCTION TEST: testing to determine the functionality and the battery life of the CEW.

PASSIVE RESISTANCE: subject is not physically cooperating with the deputy's attempt to restrain them and is not assaulting the deputy or trying to escape (e.g., going limp).

PROBES: metal projectiles that are connected to high voltage insulated wires that are propelled from the Cartridge of the CEW, delivering the electrical current from the CEW to the target.

PROBE DEPLOYMENT SETTING: the primary setting of the CEW, where if activated will deploy each probe individually with separate trigger pulls, up to 40 feet, until Nero-Muscular-Incapacitation is achieved.

USE OF FORCE: any execution of a physical act to control a person, overcome resistance and/or defend oneself or another. The force may entail the use of body parts, issued Agency defense equipment, an instrument of necessity or deployment of a K-9.

WARNING ALERT: a sustained press-up of the selector switch initiating an audible alert along with an arc that is displayed across the front of the Taser.

#### 4. References

HCSO Use of Force Policy [OPS 0501](#)

#### 5. Procedures

##### A. General

1. The use of a CEW by a deputy in the performance of his duties is considered a use of force, and must therefore conform to the methods, tactics and procedures established in the HCSO Use of Force Policy [OPS 0501](#).
2. All deputies are only authorized to utilize HCSO issued CEWs upon successful completion of CEW training.
3. The use of personally owned CEWs on-duty is strictly prohibited.
4. Deputies are not authorized to carry Agency issued CEWs while off-duty.
  - a. Exception: Law enforcement deputies working approved secondary employment while in uniform or supplemental law enforcement assignments.
5. Deputies will ensure that CEWs are secured in a manner that will keep the weapon inaccessible to others.

##### B. Training and Inspection

1. All Deputies at the rank of Sergeant and below are required to receive training and be certified by the HCSO Training Academy. Personnel holding other ranks may also receive the training and certification.
2. All deputies are permitted to carry and use a CEW only after successfully completing written and practical testing as set forth by the Agency and weapon manufacturer.

3. To continue to carry and use the CEW, each deputy will be required to qualify annually with an Agency issued CEW.
4. If a deputy fails to qualify at any stage of qualification the deputy will have remedial training arranged through their supervisor with the Training Academy and be given a second opportunity to successfully qualify.
5. If a deputy fails to qualify after the second attempt, any additional re-qualification attempts will be based upon the recommendations of the CEW instructor and the Training Academy.
6. Until such time as the deputy qualifies, will not be authorized to carry, or deploy the CEW. All non-authorized deputies will be required to have the appropriate less lethal options per assignment.
7. The Agency issued CEW used by the deputy will be inspected annually by a CEW instructor during the annual requalification.
8. Supervisors will inspect CEWs and cartridges of subordinates bi-monthly and record the results on the Bi-Monthly Personnel and Equipment Inspection Report ([SO-139](#)).
9. Prior to every tour of duty, deputies must perform a functionality test of their assigned CEW.
10. CEW batteries will be changed by the deputy in accordance with manufacturer's recommendations.
11. CEWs will not be deployed if found to be defective or not functioning consistent with the manufacturer's training guidelines and will be forwarded to the Agency CEW Coordinator.

#### C. Deployment

1. Only those deputies trained as instructors and/or operators will be permitted to carry and use the CEW and will do so consistent with training received regardless of direction given.
2. All deputies at the rank of Sergeant and below while in uniform will carry the CEW in the Agency issued holster on a duty belt on the support side of the body or carried within an instructor approved holster which is integrated into an external body armor cover on the support side.
3. When the CEW is carried by non-uniformed deputies, it will be secured in the Agency issued holster and attached to a waist belt on the support side of the body or carried within an instructor approved holster which is integrated into an external body armor cover on the support side.
4. The CEW will be carried fully armed, with safety on, in preparation for immediate use under appropriate circumstances.
5. Each standard cycle is a separate use of force that must be separately justifiable as reasonable. Deputies must be able to articulate the facts and circumstances that justified each cycle of the CEW.
6. A CEW may be used when there is no opportunity to use de-escalation tactics, no availability of de-escalation tactics, or de-escalation tactics have been used and failed to gain a subject's compliance, and either:

- a. The person presents an immediate threat of harm or injury to themselves or others, or
  - b. The person is fleeing or is a flight risk and the person presents a risk to public safety that outweighs the harm likely to result from the use of CEW.
7. When reasonable, unless it would otherwise endanger the safety of the deputy or others, every deputy should loudly announce that the CEW is going to be deployed. The purpose of the warning is to:
- a. Provide the individual with a reasonable opportunity to voluntarily comply; and
  - b. Provide other deputies and other individuals with a warning that the CEW may be deployed.
8. The CEW will be pointed in a safe direction with the safety on during loading, unloading, and any other required handling outside of an operational deployment.
9. In preparation for deployment, at least one additional deputy should be assigned to assist the CEW operator whenever practical. This is to assist with handcuffing and controlling the subject once exposed to the CEW probes.
10. If the first application of the CEW appears to be ineffective in gaining control of a subject, the deputy will evaluate the situation and consider certain factors before additional applications of the CEW, including whether:
- a. It is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications;
  - b. The probes are making proper contact;
  - c. The subject has the ability and has been given a reasonable opportunity to comply; and
  - d. Verbal commands, other options or tactics may be more effective.

D. Considerations for CEW use

1. The use of a CEW could increase the risk of death or serious injury if:
  - a. The subject is apparently a child or elderly;
  - b. The subject is obviously pregnant, infirm, or in an altered mental state;
  - c. The subject is in water or situations with increased fall potential;
  - d. The subject is visibly frail or has a low body mass; or
  - e. The subject is in physical control of a vehicle in motion.
2. The CEW will not be used in the presence of volatile gases or combustible vapors, such as gasoline or oleoresin capsicum (OC) spray.

3. CEWs will not be used on handcuffed or restrained subjects unless the subject is displaying an overtly assaultive, self-destructive, or violently resistive behavior and lesser means have been tried and failed or would be ineffective.
4. All deputies will not use a CEW in the following instances:
  - a. To intimidate a subject;
  - b. To punish a subject;
  - c. If the CEW is or has been submerged in water or other liquid (do not turn on a CEW that has been submerged in water);
  - d. To overcome a subject who is engaging in only Passive Resistance except for passive resistance in the Harford County Detention Center (HCDC) where the resistance is causing disruption to daily operations or there is a known history of violence.
5. CEW use is only authorized where the subject is displaying Active Resistance, Active Aggression, Aggravated Aggression, Passive Resistance described in 5.D.4.e. above, or to prevent an escape from the HCDC or preservation of property at the HCDC.

E. Deployment Methods

1. All deployments of a CEW will be in accordance with the manufacturer's training guidelines and the training provided by the HCSO Training Academy.
2. Pointing the CEW
  - a. A show of force or threat of force may be all that is necessary to de-escalate a volatile situation.
  - b. A non-compliant subject may become compliant once faced with the realization that a CEW may be used on him or her.
  - c. Displaying a **warning alert** will not be used in circumstances where the actual deployment would not be justified.

F. Duty to Provide Medical Assistance

1. Whenever there is an obvious injury or complaint of injury due to an application of a CEW, or if requested by any subject, deputies will render aid in a timely manner or as soon as practical without further endangering the deputy or others, consistent with the deputy's training and experience, and request that a medic unit respond to the scene to treat or transport the individual directly to the nearest hospital emergency room.
  - a. A deputy will remove the probes from the subject in the field, if appropriate, using the procedure outlined in the training. Universal precautions will be followed to protect the deputy from the transfer of bodily fluids/materials.
2. Emergency Medical Services (EMS) will be requested to respond for probe removal in cases where sensitive tissue impalement has occurred (i.e., groin, eye, breast, face, or neck) or in

situations in which the deputy feels it is necessary or appropriate. At the HCDC the Medical Department will perform this task if needed. If required, the subject will be transported to a medical facility for treatment.

3. The deputy will document the requested medical aid and/or assistance provided or made available to all persons who have sustained a physical injury occurring as a result of an employee's use of force on the Incident Report in the Law Enforcement Records Management System (RMS) for the original call for service.

#### G. Collection of Evidence

1. The probes will be collected and preserved as evidence by a deputy.

#### H. Reporting Requirements

1. A deputy is required to immediately notify his supervisor or the on-duty supervisor whenever:
  - a. Force is applied through the use of the CEW;
  - b. The warning **alert** is displayed;
  - c. The CEW is pointed at a subject; or
  - d. In the event of an accidental discharge.
2. All deputies will document the event in the Incident Report in the RMS for the original call for service or a Supplemental Report prior to the end of that deputy's tour of duty.
  - a. Exception: In the event of an accidental discharge, the supervisor will document the event with a Guardian entry.
  - b. If the accidental discharge results in property damage or injury, a Supervisor Incident Report and Employee First Report of Incident will also be completed.

#### I. Animal Control

1. Animal Control Officers may be issued a CEW to be used for protection.
2. The CEW may be carried on strong or support side.
3. The Animal Control Officer will comply with the training and inspection requirements outlined in section 5.B.
4. If the CEW is deployed, a report will be written.

#### J. Supervisory Responsibilities

1. Any supervisor who is notified of a use of CEW must follow the guidelines established in the HCSO Use of Force Policy [OPS 0501](#).

2. It will be the responsibility of the trained Shift/Unit Supervisor to ensure that the CEW data is downloaded to the appropriate database within 24 hours of the discharge.
3. The supervisor completing the Use of Force Report in the RMS will verify that the deputy made the appropriate entry on an Incident Report or Supplement Report as required above.
4. The supervisor will complete the Use of Force Report in the RMS before the end of the supervisor's tour of duty and forward it through the chain of command.

K. Conducted Energy Weapons Coordinator

1. The Sheriff will appoint a member of the command staff as the Conducted Energy Weapons Coordinator.
2. The Conducted Energy Weapons Coordinator will:
  - a. Maintain a current inventory list of all CEW units;
  - b. Maintain a sufficient stock of CEWs, batteries and **probes**;
  - c. Replace **spent probes** or defective CEW units as requested by Division Commanders;
  - d. Ensure all downloads to the database are completed prior to the CEW being sent to the manufacturer or repair facility for service, prior to permanently re-assigning the CEW to another deputy and annually as required by this policy; and
  - e. Be the liaison with the CEW vendor for ordering replacement items and arranging for unit repairs.

L. Chain of Command Review

1. Shift Lieutenants, Duty Officers and Division Commanders will ensure the use of force reporting requirements, training, investigations, and review process are conducted in accordance with the procedures established in the HCSO Use of Force Policy [OPS 0501](#).

## 6. Summary of Changes

A. **On 01/13/26 the below revisions were made:**

1. **Under Section 3. Definitions, the following terms were revised:**
  - a. **BATTERY PACK: re-chargeable lithium power supply system for the CEW.**
  - b. **AUTO SHUT DOWN CONFIGURATION: once a connection is made, stops the electrical output after 5 seconds, even if the trigger is held down or selector switch is held upward.**
  - c. **PROBES: metal projectiles that are connected to high voltage insulated wires that are propelled from the Cartridge of the CEW.**

- d. PROBE DEPLOYMENT SETTING: the primary setting of the CEW, where if activated will deploy each probe individually with separate trigger pulls, up to 40 feet, until Nero-Muscular-Incapacitation is achieved.
  - e. WARNING ALERT: a sustained press-up of the selector switch initiating an audible alert along with an arc that is displayed across the front of the Taser.
- 2. Under Section 5.B. Procedures, Training and Inspection: clarified that all Deputies at the rank of Sergeant and below are required to receive training and be certified by the HCSO Training Academy.
  - 3. Under Section 5.E. Procedures, Deployment Methods: clarified that displaying a warning alert will not be used in circumstances where the actual deployment would not be justified.
  - 4. Under Section 5.K. Procedures, Conducted Energy Weapons Coordinator: added text to clarify the Conducted Energy Weapons Coordinator will also maintain a sufficient stock of probes, and replace spent probes as requested by Division Commanders.

Approved  
  
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DATE 1-30-20