

JACKSONVILLE POLICE DEPARTMENT

Policy: 9-3

Effective: 01-01-09

Revised: 04-29-19

ELECTRONIC CONTROL DEVICE

PURPOSE: This policy is to direct officers in the appropriate response to resistance with respect to the deployment of the Electronic Control Device (ECD). This policy is for internal use only and is not intended to enlarge an employee's civil liability in any way. This policy should not be interpreted as creating a higher duty of care, in an evidentiary sense, with respect to civil claims by a third party against officers. A violation of this policy, if sustained, is for departmental administrative action in accordance with the laws and policies governing employee discipline.

POLICY: When using the ECD, officers will use only objectively reasonable force to bring the subject committing a serious offense under control given the totality of the circumstances; the extent to which the subject poses an immediate threat to the officer(s) or another, and whether the subject is actively resisting arrest or attempting to evade arrest. To properly consider the reasonableness of the force employed, it should be viewed in full context toward the proportionality of force in light of the circumstances. Deploying an ECD is a serious use of force and must be reasonably justified by the officer(s) and/or supervisor authorizing such force.

DEFINITIONS:

- I. **ELECTRONIC CONTROL DEVICE:** known as ECD, is a device that uses a high-voltage, low power charge of electricity to induce involuntary muscle contractions that cause temporary incapacitation. This includes the TASER® X26 or stun guns that disrupt the central nervous system of the body. ECD's are a less-lethal technology used by law enforcement to reduce reliance on weapons more likely to produce lethal injuries.
- II. **PASSIVE RESISTANCE:** Non-cooperation and other nonviolent methods used as a means to resist authority.
- III. **ACTIVE RESISTANCE:** A subject actively resists when they take adverse action to defeat an officer's ability to take them into custody.
- IV. **OBJECTIVELY REASONABLE:** The amount of force that would be used by other reasonable and well-trained officers when faced with the circumstances with which the officer using the force is presented.
- V. **SENSITIVE AREAS:** For this policy, sensitive areas are considered the face, neck, groin, rectum or the female breast.
- VI. **FIRING MODE:** The ECD when in firing mode will deploy two (2) probes up to a distance of twenty-five feet (25'). It is programmed to deploy up to five (5) second bursts of electricity, although the charge can be prolonged indefinitely if the officer's finger remains on the trigger. The probes are attached to copper wires, which remain connected to the weapon. The shock can be repeated countless times, so long as both probes remain attached to the subject. The ECD contains a cartridge of compressed nitrogen that fires the probes, and which must be reloaded every time the officer wants to fire. It has a laser sight for accurate targeting and a built in memory to record the time and date of each firing. The ECD delivers up to fifty thousand-volt (50,000-v) shock, which is designed to override