



GENERAL ORDERS		NO: 14-04
<b>ELECTRONIC CONTROL WEAPON POLICY (TASER)</b>		
PAGE 1 OF 5		AUTHORITY: CHIEF CHRISTOPHER J. PREMO
EFFECTIVE DATE: 11/04/2008	AMMENDMENT DATE:	

**1. PURPOSE**

- A. The purpose of this policy is to provide Officers with guidance and direction on the use of electronic control weapons (ECWS).

**2. Policy**

- A. It is the policy of this agency to use only that force that reasonably appears necessary to control or otherwise subdue violent or potentially violent individuals. ECWWs may be used by authorized and trained personnel in accordance with this use-of-force policy and additional guidelines established herein. The accompanying concepts and issues paper on ECWs should be read with this policy in order to gain a full understanding of the following policy directives.

**3. Definitions**

- A. Electronic Control Weapon (ECW): A weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

- B. AFIDS: Confetti-like pieces that are expelled from the cartridge when fired. Each anti-felon identification (AFID) tag contains an alphanumeric identifier unique to the cartridge used.

#### 4. Procedures

##### A. Authorized users:

1. Only Officers who have satisfactorily completed this agency's approved training course shall be authorized to carry ECWs.

##### B. Weapon Readiness:

1. The device will be carried in an approved holster on the side of the body opposite the service handgun. Officers not assigned to uniform patrol may utilize other department approved holsters and carry the weapon consistent with department training.
2. The device shall be carried fully armed with the safety on in preparation for immediate use when authorized.
3. Officers authorized to use the device shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. The spare cartridge shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.
4. Only agency-approved battery power sources shall be used in the ECW.

##### C. Deployment:

1. The ECW is generally analogous to oleoresin capsicum (OC) spray on the use-of-force continuum, and decisions to use the ECW involved the same basic justification. As such, it is forbidden to use the device as follows:
  - a. In a punitive or coercive manner.
  - b. On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
  - c. On any suspect who does not demonstrate an overt intention

1. To use violence or force against the Officer of another person, or
  2. To flee in order to resist or avoid detention or arrest (in cases where Officers would pursue on foot) unless a known felony has been committed.
- d. In any environment where an Officer knows that flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas or propane).
  - e. In any environment where the subject's fall could reasonably result in death.
  - f. While operating machinery or vehicles.
2. As in all uses of force, certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when using an ECW against children, the elderly, persons of small stature irrespective of age, or those who the Officer knows to be pregnant or equipped with a pacemaker.
  3. Upon firing the device, the Officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.
  4. The subject should be secured as soon as practical while disabled by ECW power to minimize the number of deployment cycles, Officers should be aware that the energized subject may not be able to respond to commands during or immediately following exposure.
  5. In preparation for firing, the ECW shall be pointed in a safe direction, take off safe, and then aimed. Center mass of the subject's back should be the primary target where reasonably possible; center mass of the chest or the legs are the secondary targets.
  6. Fixed sights should be used as the primary device and the laser dot as the secondary device.
  7. The device may also be used in certain circumstances in a "touch stun" mode. This involves removing the cartridge and pressing the unit against an appropriate area of the body based on training. It is important to note that when the device is used in this matter, it is:
    - a. Primarily a pain compliance tool due to the lack of probe spread.
    - b. Minimally effective compared to conventional cartridge-type deployments.
    - c. More likely to leave marks on the subjects skin.

- d. Subject to the same deployment (use) guidelines and restrictions as those of the ECW in cartridge deployments.
8. The ECW shall be pointed in a safe direction with the safety on during unloading, or when handled in other than an operational deployment.

**D. Aftercare:**

1. The ECW darts may be removed by an Officer from the subject after the subject is restrained following procedures outlined in training if transportation to a medical facility is not reasonably possible.
2. The following persons shall be transported to a medical facility for examination following exposure to an ECW. Any person who:
  - a. Requests medical attention; Officers shall ask persons if they desire medical attention.
  - b. Is hit in a sensitive area (eg., face, head, female breasts, male groin)
  - c. From whom Officers have difficulty removing the probes (owing to probe or barb separation)
  - d. Does not appear to recover properly after being hit.
  - e. Is in a potentially susceptible population category.
  - f. Has been energized more than three times.
  - g. Has had more than one ECW effectively used against him or her in any given incident.
  - h. Has been subjected to a continuous cycle of 15 seconds or more, or
  - i. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to ECW exposure.
3. Photographs of the affected area should be taken after the darts are removed.
4. When the device has been used operationally, the Officer shall collect the cartridge, wire leads, and AFIDs as evidence.

**E. Reporting:**

1. The deploying Officer shall notify his or her supervisor as soon as practical after using the device, and complete the appropriate use-of-ECW report.
  - a. Supervisor will then forward completed use of force report to the Chief for review.

2. Officers shall respectively articulate the rational in their use-of-force report for any instance in which: an ECW is energize more than three times, an energy cycle longer than 15 seconds in duration is used, more than one ECW is used against an individual designated to be in a "susceptible population"
3. Chief of Police shall review the use-of-force report, incident report, and video and will make determination on deployment. In cases where the deployment is inconsistent with policy, or not justified, he shall take appropriate action.
4. Downloading of information or video will be authorized only by the Taser instructor, Chief of Police, or his designee. In no event will the Officers involved in a tasing event be allowed to download information or video.



<b>GENERAL ORDERS</b>		<b>NO: 14-31</b>
<b>EMERGENCY SITUATIONS</b>		
PAGE 1 OF 1		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
<b>EFFECTIVE DATE: 10/20/2002</b>	<b>AMMENDMENT DATE:</b>	

**Emergency Situations:**

It shall be the responsibility of the Senior Officer on duty at the time to notify the Chief of Police whenever an emergency situation exists, or a serious felony occurs.

Notification will be made as soon as time permits after the incident is reported.

If the Chief is unable to be contacted, the Senior Sergeant will be notified, it will then be the responsibility of the Senior Sergeant to notify the Chief of Police.



<b>GENERAL ORDERS</b>		<b>NO: 14-32</b>
<b>EVIDENCE</b>		
PAGE 1 OF 2		<b>AUTHORITY: CHIEF CHRISTOPHER J. PREMO</b>
<b>EFFECTIVE DATE: 02/08/2002</b>	<b>AMMENDMENT DATE:</b>	

**Evidence:**

Evidence obtained at a crime scene and returned to the Police Department will be tagged immediately. This evidence is to be turned over to the Shift Supervisor. The Shift Supervisor in turn will secure the evidence in the evidence locker located in the back storage room. If the evidence is too large to fit in the locker the Shift Supervisor will then secure it in the back storage room or the Detectives Office. If there is evidence that has been stored outside the evidence locker in the storage room a memo will be placed into the Detectives mail slot.

Detective will then secure the evidence in the evidence room until the items can be returned or destroyed. There will be a joint effort between the first securing Officer and Detective to monitor the deposition of the case and the evidence. Continuity must be kept and documented throughout this process. Detective will maintain the evidence room and evidence log.

No evidence will be left lying around the Station and shall be placed in the appropriate location. Evidence will be handled as outlined in the New Your State Manual for Police.

Special items such as blood, fingerprints, etc. will be flagged accordingly.

When securing evidence fill out the evidence tag/bag with the following information:

- a. Case Number
- b. Evidence description and place it was located

- c. Date and time of recovery
- d. The offense involved
- e. If there is a suspect, his or her name and date of birth
- f. The victim's name
- g. The name of the person who recovered the evidence

Evidence film sheet will be signed and dated by the Officer taking last picture. Film will be placed in film canister, taped shut. Film sheet will be attached to the canister and then placed in the Detective Officer door box.





Executive Search Warrants		NO: <b>20-04</b>
PAGE 1 OF 5		
EFFECTIVE DATE: <b>09/24/2020</b>	AMMENDMENT DATE:	AUTHORITY: <b>CHIEF CHRISTOPHER J. PREMO</b>

### 1. PURPOSE

The purpose of this policy is to provide law enforcement officers with guidelines for the execution of a search warrant.

### 2. POLICY

It is the policy of this law enforcement agency to provide techniques to accomplish a thorough and legal search; respect the constitutional rights of the person(s) the warrant is being served upon; minimize the level of intrusion experienced by those who are having their premises searched; provide for the safety of all persons concerned; and establish a record of the warrant execution process.

### 3. DEFINITIONS

**Search Site:** The premises to be searched, as explicitly stated in the search warrant.

**Search Personnel:** Law enforcement officers and supporting personnel taking part in the execution of a search warrant.

**Evidence Collector:** Member of the search team responsible for the possession, packaging, sealing, and marking of all items seized.

**Case Agent:** The officer primarily responsible for the investigation, and preparing, planning, and implementing the search warrant.

**Protective Sweep:** Quick and limited search of premises incident to an arrest or service of a warrant performed to identify weapons or other dangers to officers or others. Officers must be able to articulate a reasonable basis for conducting a protective sweep.

#### **4. PROCEDURES**

##### **A. Warrant Service Planning**

1. The case agent shall advise and receive approval from his or her supervisor before serving the warrant.
2. Selection of officers to serve the warrant shall be based on the officers' prior training and experience in conducting warrant service consistent with the demands of the warrant service in question.
3. No lock entries, where legally permitted and specified in the warrant, shall be conducted in accordance with state law.
  - A. Gather intelligence on the target site to include the structure, immediate area surrounding the structure, and surrounding neighborhood.
  - B. Assess the capabilities and backgrounds of suspects to include criminal records, and history of weapon usage and potential for violence.
  - C. Determine the best date and time for warrant execution. The warrant shall be executed as soon as practicable as defined by state law.
  - D. Determine equipment, team personnel, and any specialized team requirements.
  - E. Secure a warrant and ensure that it is thoroughly reviewed for accuracy, legal integrity, and completeness.
    - 1) No lock entries, where legally permitted and specified in the warrant, shall be conducted in accordance with state law.
    - 2) The need for a no-lock warrant shall be clearly specified in the application and affidavit for a warrant.
    - 3) Should nighttime service be anticipated or desired, justification shall be included in the affidavit and must be authorized in the search warrant.

## **B. Preparation for Executing the Warrant**

1. The case agent shall be responsible for preparation, planning, and service of the warrant. He/she shall detail procedures for executing the warrant to all team members in a warrant service briefing. The plan briefing shall be conducted by the case agent and will include, but not necessarily be limited to, the following:
  - A. The specific items subject to the search as defined in the warrant and any available information on their location.
  - B. Information concerning the structure to be searched and surroundings, to include floor plans where available, mock-ups, photos, and diagrams of the location identifying entrances, exits, obstructions, fortifications, garages, outlying buildings, suspect vehicles, and all other points of concern.
  - C. Suspects and other occupants who may be present at the location – incorporating photos or sketches whenever possible – with emphasis on suspect threat potential, as well as the presence of children, the elderly or others who may not be involved with suspects.
  - D. A complete review of the tactical plan to include the staging area, route of approach; individual assignments for entry, search, management of evidence, custody and handling of seized vehicles, custody of prisoner, and post-execution duties, such as securing the location and conducting surveillance on the site for additional suspects.
  - E. Personnel, resources, or armament necessary for gaining entry, safety and security of officers, or for conducting the search.
  - F. If a joint agency taskforce operation, all officers participating in the warrant service shall be present and identified as members of the warrant service team.
  - G. Contingency plans for encountering hazardous materials, canines, booby traps, fortifications, or related hazards; measures to take in case of injury or accident, to include the nearest location of trauma or emergency care facilities.
  - H. Procedures for exiting the location under emergency conditions.
2. At all times, the entry team shall include uniformed officers who shall be conspicuously present where the warrant is served. All non-uniformed officers shall be clearly identified as law enforcement officers by a distinctive jacket or some other conspicuous indicator of office.
3. All members of the search team shall wear body armor or ballistic vests as designated by the case agent.

4. Prior to execution of the warrant, the case agent shall attempt to determine if any circumstances have changed that make executing the search warrant undesirable at that time. Where possible, pre-search surveillance shall be conducted up to the point at which the warrant is executed.
5. The case agent shall make a final assessment of the warrant's accuracy in relationship to the location to be searched.
6. The case agent shall ensure that the entire search warrant execution process is documented until the search team leaves the premises. A written record shall be supported by photographs and, if practical, videotaping of the entire search process.

### **C. Entry Procedures**

1. If an advance surveillance team is at the target site, radio contact shall be made to ensure that the warrant can be served according to plan.
2. The search personnel shall position themselves in accordance with the execution plan.
3. Notification
  - A. An easily identifiable police officer shall knock and notify persons inside the search site, in a voice loud enough to be heard inside the premises, that he/she is a police officer and has a warrant to search the premises, and that he/she demands entry to the premises at once.
  - B. Following the knock announcement, officers shall delay entry for an appropriate period of time based on the size and nature of the target site and time of day to provide a reasonable opportunity for an occupant to respond (normally between 15 and 20 seconds). If there is reasonable suspicion to believe that the delay would create unreasonable risks to the officers or others, inhibit the effectiveness of the investigation, or would permit the destruction of evidence, entry may be made as soon as practicable.

### **D. On-Premises Activities**

1. Upon entry, the occupant shall be given a copy of the search warrant.
2. The supervisory officer shall ensure that a protective sweep of the site is performed immediately.

3. After the site has been secured, a photographic and/or videotape record of the premises shall be made prior to conducting the search. Search personnel shall then follow the plan that details likely whereabouts of the items to be seized and the order of operation for conducting the search.
4. Items specified in the warrant may be searched for in places where they may reasonably be expected to be located and seized, as well as other items that are reasonably recognized as evidence.
5. An officer, designated in the plan, shall be responsible for collecting, preserving, and documenting all items seized until possession is transferred to the evidence custodian, laboratory, or other authority.
6. Cash and currency taken as evidence shall be verified by a supervisor and be transported to a separate safe as designated by department policy.
7. Officers should exercise reasonable care in executing the warrant to minimize damage to property.
  - A. If damage occurs during an entry to premises that will be left vacant, and the damage may leave the premises vulnerable to security problems, arrangements shall be made to guard the premises until it can be secured.
  - B. If damage occurs, justification for actions that caused the damage and a detailed description of the nature and extent of the damage shall be documented. Photographs of the damage should be taken where possible.
  - C. If items are taken from the search site, an itemized receipt shall be provided to the resident/occupant, or in the absence of the same, left in a conspicuous location at the site.
  - D. In a timely manner upon consideration of the warrant service, the case agent shall conduct a debriefing of all participating officers.
  - E. The case agent shall thereafter prepare and submit an after-action report on the warrant service, results of actions taken, and recommendations for further investigative actions,

