



RICHMOND POLICE DEPARTMENT GENERAL ORDER



Subject: CONDUCTED ENERGY WEAPONS		Chapter 1	Number 21	Pages 6
References: CALEA Standards: 1.2.2, 4.1.4, 4.1.5, 4.2.1b-c, 4.3.1a, 4.3.1c-e, 4.3.2, 4.3.3, 4.3.4, 17.5.2	Related Orders: 01-05, 01-07, 01-08, 01-20, 04-04, 07-22	Effective Date: 10/25/2024 Revised By: PD-132 Prv. Rev. Date: 07/28/2021		
<i>If any provision of this General Order conflicts with any collective bargaining article, the collective bargaining agreement shall govern.</i>				
Chief of Police: <div style="text-align: center;"></div>				

I. PURPOSE

The purpose of this directive is to establish the policy and procedure for the training, issuance, carry, use and maintenance of Conducted Energy Weapons (***CEWs***) issued to Officers of the Richmond Police Department.
[CALEA 1.2.2, & 4.1.4]

II. SUMMARY OF CHANGE

This revision updates outdated procedures, inclusion of new technologies, and nomenclature. All changes are in bold and italicized throughout the document.

III. POLICY

It is the policy of the Richmond Police Department to ensure that Officers are properly trained and equipped for the appropriate use of CEWs.

IV. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this general order. Responsibility rests with the Division Commander to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated.

This directive is for internal use only and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

V. DEFINITION

- A. CONDUCTED ENERGY WEAPON (CEW) – An electroshock weapon that delivers an energy current via two probes or electrodes to disrupt voluntary control of the muscles causing temporary neuromuscular incapacitation.
- B. CONDUCTED ENERGY WEAPON (CEW) COORDINATOR – Employee designated by the Chief of Police to manage the Conducted Energy Weapon program.
- C. NEUROMUSCULAR INCAPACITATION (NMI) – A physical state that occurs when a CEW is able to cause involuntary stimulation of both the sensory nerves and the motor nerves to render an attacker temporarily unable to control muscle movement.
- D. FUNCTION TEST – A test that should be performed *prior to the start of* each shift to ensure proper function of the core electronics of the CEW. Commonly referred to as a “spark test”.
- E. DRIVE STUN – A pain compliance technique in which NMI is not achieved.
- F. CARTRIDGE – A detachable container, which houses a pair of electrode probes and propellant for a single deployment of the CEW.
- G. ELECTRODE – Energy contact on the CEW used to deliver a shock with the drive stun technique.
- H. PROBE – Projectile fired from a cartridge by a CEW.

VI. PROCEDURE

- A. Conducted Energy Weapon (CEW): [CALEA 4.1.4]
 - 1. Prior to Officers receiving the CEW, the qualified weapon instructor(s) shall inspect the weapon prior to issuance. The CEW Coordinator or designee shall also maintain the tracking system through [REDACTED] and [REDACTED]. [CALEA 4.3.1c, 4.3.1e, 4.3.3a, 17.5.2]
 - 2. The Department has authorized the [REDACTED] for use. No other CEW is authorized for use by Department personnel. [CALEA 4.3.1a]
 - 3. The CEW shall be assigned to select Officers within the Department, *to include all uniformed personnel the rank of Sergeant and below who serve within patrol operations, and/or any specialized units as designated by the Chief of Police. Officers and supervisors assigned and certified on the CEW shall carry their CEW while on duty and in uniform, or when conducting high risk operations.* Officers assigned a CEW are responsible for the care and maintenance of the unit.
 - 4. The CEW shall be used pursuant to all applicable Departmental policies and procedures regarding use of force.

NOTE: Officers who are assigned CEWs shall make every effort to record the CEW deployments for any purpose other than a function test with a Body Worn Camera (BWC).

5. The CEW [REDACTED]
6. Officers whose duty belt do not accommodate Taser Holsters, due to the lack of space necessary to facilitate the holster, may purchase their own. The CEW Coordinator would have the authority to approve or disapprove the holster. The Taser Holster must be approved before it can be worn.
7. The *CEW shall only be used in response to resistance that raises a risk of immediate danger.* [CALEA 4.1.4]

NOTE: Officers shall modify their level of force in relation to the amount of resistance offered by the subject.

8. Officers should consider the subject's threat level to others and the risk of serious injury to the subject before using a CEW. [CALEA 4.1.4]

NOTE: Avoid multiple, repeated, prolonged, extended, or continuous CEW exposures unless necessary and justifiable to counter reasonably perceived threat(s).

9. Verbal threats of violence alone do not justify the use of the CEW. [CALEA 4.1.4]
10. Officers may remove CEW probes, EXCEPT in cases where probes have landed in sensitive areas of the body, i.e., face, head, neck, groin area, etc. Alternatively, Officers may wait for medical assistance to remove probes. If there is any concern or question whether to remove probes, wait for medical assistance. [CALEA 4.1.5]

B. Post-Deployment Procedure:

1. Officers shall notify a supervisor immediately after a CEW has been discharged. The Officer will also notify DEC to request that EMS respond to their location.

NOTE: In the event of an accidental discharge, a supervisor will still be notified. The deploying Officers will complete a Uniform/Equipment Replacement Request (PD-21) with a Complainant/Officer Statement (PD-118) attached and submit them with their supervisor's signature/approval through the chain of command. A copy shall also be submitted to the CEW Coordinator.

2. As soon as possible, all persons to whom the CEW has been applied shall be taken to an appropriate medical facility for examination and appropriate medical care/treatment. The Officer shall document all actions to provide medical treatment for the suspect in both the PD-35 and the IBR. [CALEA 4.2.1b, 4.1.5]
3. The Officer utilizing the CEW shall complete a Use of Force Report (PD-35) and forward the original through channels prior to the end of *their* tour of duty. The spent cartridge shall be recovered and placed into Property & Evidence with the probes inserted, *point down* into the portals. The evidence bag shall be marked with a biohazard sticker. [CALEA 4.2.1c]

4. The Officer shall **dock their CEW battery and replace it with a fresh one after deployment. They will** notify the BWC/CEW coordinator so metadata can be **reviewed**. To replace cartridges after hours, contact Unit Nine (9) who will retrieve new cartridges from the Property and Evidence Unit for the Officer.

C. CEW Deployment Restrictions:

1. The CEW may not be used when the following circumstances exist:
 - (a) When **the environment makes it** unsafe for Officers to approach within contact range of the suspect;
 - (b) When any chemical agent containing an alcohol base has been or is being used in an effort to subdue the suspect;

NOTE: RPD uses a water-based OC spray. In the event the type of chemical agent deployed to subdue a suspect is unknown, for any reason, the CEW will not be deployed.
 - (c) When Officers have knowledge that a female suspect is pregnant;
 - (d) When Officers have knowledge that the suspect has a pacemaker;
 - (e) When the suspect is fleeing and/or refuses to obey commands, but poses no immediate threat or danger to **the Officer** or others;
 - (f) When the suspect is effectively restrained by handcuffs, leg irons, a belly chain, flex cuffs, or any other restraint device; and,
 - (g) When the suspect is in a position or engaging in an activity which may result in **serious** collateral injury (**potential examples include:** fall from height, operating a vehicle, located in water, **in a flammable environment**);
 - (h) Officers should avoid using repeated drive-stuns on any person who has a known or suspected mental illness if compliance is not achieved. (A 2013 study by Taser International concluded that drive-stun use may not be effective on emotionally disturbed persons or others who may not respond to pain due to a mind-body disconnect.)
2. While in schools, nursing homes, retirement homes, or other locations primarily occupied by obvious juveniles, elderly individuals, or frail people, the use of the CEW should be limited to situation where the Officer has no other means of controlling the situation or to avoid injury to the public, Officer or suspect.
3. While in a hospital setting, Officers should take into account medical staff, hospital equipment and overall surroundings before utilizing the CEW. The use of the CEW in a hospital setting should be limited to situations where the Officer has no other means of controlling the situation or to avoid serious injury to the public, Officer or suspect.
4. CEWs MAY NOT be used in place of a flashlight to illuminate an area.

[CALEA 4.1.4]

D. CEW Training:

Use of the CEW is only authorized for Officers who have been properly trained and are currently certified in its operation. Officers must attend and receive Use of Force policies with related instructions on annual Re-Certification training to maintain their CEW certification, and authorization to carry the CEW. [CALEA 4.1.4, 4.3.2, 4.3.4]

NOTE: Initial CEW Training and Re-Certification training will be documented and monitored by the CEW Coordinator. [CALEA 4.3.3a-c]

E. CEW Administration:

1. ***CEW metadata shall be retained in [REDACTED] per retention policy guidelines set by the CEW/BWC Coordinator.***

F. Supervisory Responsibilities

1. Supervisory personnel shall ensure that Officers equipped with CEW devices utilize them in accordance with the policy and procedures defined herein.
2. As per GO 07-22, Inspections, supervisors shall inspect the CEWs twice a month and complete the appropriate sections of the Uniform ***and*** Equipment Inspection Report (PD-144***B***) during the first and third week of every month.
3. The CEW Coordinator will provide CEW assistance and technical support to CEW equipped Officers.
4. Upon receiving notification of any damage or malfunction of a CEW, the supervisor will ensure the CEW is immediately removed from service. The supervisor will also ensure that the Officer has contacted the CEW Coordinator or designee.
[CALEA 4.3.1d]
5. After a CEW deployment, the supervisor shall email the CEW Coordinator and/or designee prior to the end of the shift so that they may ***review the metadata.***

Note: In the event of a negligent discharge, the supervisor will ensure that the Officer completes a PD-21 and PD-118 and will email the CEW coordinator and designee prior to the end of the shift.

6. Supervisors are reminded of the application of GO 07-21 Internal Investigations, Citizen Complaints, and Integrity Tests:

“Any employee, after observing or learning of alleged misconduct, or policy violation shall notify IAD by the end of his/her tour of duty. All employees have the right and the ability to make such notifications to IAD without fear of reprisal or retaliation. After normal business hours, they will contact the on call IAD supervisor to make that notification.”

VII. USE AND MAINTENANCE

Officers are responsible for the proper use and maintenance of the CEW. Equipment malfunctions shall be brought to the attention of the Officer's supervisor as soon as possible, so a replacement unit may be procured and to ensure the availability of the equipment for that Officer. ***The Officer shall also follow the procedures set forth in General Order 03-03, Uniforms and Equipment and complete a PD-21, Uniform-Equipment Replacement Request.*** In the event the CEW equipment is malfunctioning in any way, the equipment will immediately be taken out of service and turned in to a supervisor to ***have the equipment examined by qualified personnel and repair, if needed, scheduled.*** The supervisor will store the CEW in the gun safe and notify the CEW Coordinator. Officers shall not attempt to repair a CEW suspected of malfunctioning.

VIII. ACCESS/STORAGE

- A. The CEW and all metadata recorded by an RPD issued CEW is the property of the Richmond Police Department and shall only be used for official business. Accessing ***or copying of*** metadata for non-law enforcement purposes is strictly prohibited.
- B. All requests for access to CEW metadata must be specifically authorized by the Chief of Police or designee.
- C. The CEW Coordinator and/or designees will ***periodically*** review CEW ***metadata and associated BWC video*** to ensure that the equipment is operating properly and that the Officers are using the devices appropriately and in accordance with Department policy.

IX. RETENTION

- A. After a CEW deployment, the metadata from the CEW will be securely stored on [REDACTED] in accordance with the records and retention schedules issued by the Library of Virginia.
- B. The CAD number will be formatted as follows: ID example for the CAD#: YYYYMMDD-####.

X. FORMS

- A. PD-21, Uniform/Equipment Replacement Request
- B. PD-35, Use of Force Report
- C. PD-118, Complainant-Officer Statement
- D. PD-144B, Uniform ***and*** Equipment Inspection Report