

Conducted Energy Device Policy Comparison

	SFPD	Seattle PD	Baltimore PD	IACP	San Jose PD	Albuquerque PD	Las Vegas PD	Minneapolis PD	Police Executive Research Forum	Oakland PD
Nomenclature	CED	CEW	CEW	ECW	Taser	ECD	ECD	CED	ECW	ECW

Definitions

Active Resistance	Evasive; Bracing, tensing, verbal/physical signals signaling intention to avoid or prevent being taken into custody or retained in custody	Degree of force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.	Between passive resistance and active aggression: <i>Bracing and Tensing does not constitute Active Resistance</i>			Objectively reasonable standard based on the totality of the circumstances outlined in <i>Graham vs. Connor</i> . Objectives where force may be used: Lawful arrest or detention, gain control of a combative, prevent and /or terminate the commission of a crime, intervene in a suicide, defense of self or others.	Verbal or physical actions intended to prevent control and/ or arrest, but are not directed at harming the officer: walking or running away, breaking the officer's grip	Engaging in physical actions (or verbal behavior reflecting an intention) to make it more difficult for officers.		
		Degree of force that is objectively reasonable, necessary under the circumstances, and proportional to the		Cause reasonable officer to believe subj. will resist arrest or detention by force, violent, threatening, or potentially violent behavior, physically resisting arrest, flight in order to avoid arrest /detention if officer would pursue on foot to arrest.	Not defined				Not defined	Allowed to use objectively reasonable force based on a totality of circumstances as analyzed under the 4th Amendment to affect a lawful police purpose to control dangerous

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Active Aggression	Not Mentioned	threat or resistance of a subject.	Attempting to or attacking officer or other (e.g. lunging fighting stance, punching).			Objectively reasonable standard based on the totality of the circumstances outlined in Graham vs. Connor. Objectives where force may be used: Lawful arrest or detention, gain control of a combative, prevent and /or terminate the commission of a crime, intervene in a suicide, defense of self or others.	Aggressive Resistance: Intent to harm the officer, themselves or another person. Prevent officer from controlling or taking into custody: fighting stance, punching, kicking, striking, attacks with weapons or other actions which present an imminent threat of physical harm to officer or another.	Behavior initiated by a subject that may or may not be in response to police efforts to bring the person into custody or control. Active aggression is presenting behaviors that reasonably indicate an assault or injury to any person is likely to occur.		and violent subjects. Note: OPD's General Order (K3) Use of Force does not contain definitions nor prohibitions for using ECWs.
Aggravated Aggression	Not Mentioned		Subject's actions create perception that the officer or another person is subject to imminent death or SBI.	Not defined	Not defined		Aggravated Aggressive Resistance: Subject's actions are likely to result in death or SBI to officer, themselves or another. May include a firearm, blunt or bladed weapon, and extreme physical force.	Not defined	Not defined	
Passive Non-Complaint	No response to verbal but no physical resistance.	Degree of force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject.	No response to verbal but no physical resistance.	Not defined		Not defined	Passive Resistance: Not complying with commands/uncooperative, but taking only minimal physical action to prevent being taken into custody: e.g.: falling limp, no moving, standing stationary, locking arms to another during protest.	Response to police efforts to bring a person into custody or control for detainment or arrest. Subject does not comply with verbal or physical control efforts, yet the subject does not attempt to defeat an officer's control efforts.		
Compliant	Subject offers no resistance			Not Addressed			Person who acknowledges direction and lawful order		Not Addressed	

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	Resistance.						given.			
Juvenile	Apparently under 13	Apparently pre-adolescent	Apparently a Child	Reasonably appears to be a child	Very Young Persons	Small Children.	Extreme of age	Young children	Young children, should not be used.	Not addressed
Authorized, Restricted and Prohibited Uses										
Active Resistance					Totality of the Circumstances	Totality of the Circumstances			Only used against subjects actively resisting in a manner that, in the officer's judgment, is likely to result in injury to themselves or another.	
Assaultive			N/A					Not Addressed		
Active Aggression	N/A						May only be used when there is an imminent threat of physical harm.			
Aggravated Aggression	N/A									
Passive Non-Complaint		Not Addressed			In general, Taser should not be used on subjects exhibiting only passive noncompliance. This is not defined in their policy.	Not Addressed			Should not be used.	

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Self-destructive (suicidal)									Not addressed	
Animals	Not Addressed	Not Addressed	Not Addressed	Not Addressed			Not Addressed	Not Addressed	Can be effective. PD should indicate whether to use is permitted	
Pregnant	Shall not if obviously pregnant*	May on visibly pregnant only when there is an exigency or an immediate threat to officers or third parties.	Obviously Pregnant*	Reasonably appears or known to be.	Should be avoided when feasible and known to be	Shall consider other Force Options if Potentially.	Visibly pregnant*	Women known to be pregnant; heightened justification needed	Should not be used.	
Age	Apparently over 65 *	May on elderly only when there is an exigency or an immediate threat to officers or third parties.	Apparently Elderly*	Reasonably appears or known to be elderly	Should be avoided if very old	Not Addressed	Should not if at the extremes of ages (elderly/young) or physically disabled.	Elderly persons - heightened justification needed	Should not be used.	
Frail/Body Mass	Visibly Frail	Visibly frail only when there is an exigency or an immediate threat to officers or third parties.	Apparently Frail, Low Body Mass*	Reasonably appears to be infirm	Should be avoided	Shall consider other options	Should not*	Heightened justification needed	Should not be used.	
Juvenile	Apparently under 13 unless deadly force would be permitted.	Apparently pre-adolescent only when there is an exigency or an immediate threat to officers or third parties.	Apparently a Child*	Reasonably appears to be a child; no age given.	Should be avoided when feasible if very young.	Shall consider other force options if small children.	"Extremes of age" Should not*	Young children, heightened justification needed	Young children, should not be used.	

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Vehicle	In control of unless deadly force would be permitted.	Shall not*	Only if Lethal Force Were Authorized*		Shall not unless SBI/death	Not Addressed	Should not unless compelling reason	Should not*	Should not be used.	
Fall Hazard	Shall not*	Shall not*	*	Should not be used	Not Addressed			Should not*		
Medical Condition	Credible info to believe*	Shall not*	Apparently*		Should be avoided	Not Addressed	Should not unless compelling reason	Persons with known heart conditions, including pacemakers or those known to be in medical crisis.		
Combustibles	Near/exposed*		*	Should not be used				Should not*		
Only Destroying Evidence			Not Addressed	Not Addressed	Not Addressed	Not Addressed	Not Addressed	Not Addressed	Should not be used.	
To intimidate				Not Addressed						
Flight Only					Not Addressed	Not Addressed		Should not*		
Submerged in Water/drowning										
Number Of Cycles	(3) 15 seconds*	(3) 15 seconds*	(3) 15 seconds*	Minimum necessary based on training and experience	(3) 15 seconds, unless subsequent activations can be independently articulated.	Not Addressed	Each cycle must be justified, after 3 cycles ECD deemed ineffective, continued use based on exigent circumstances.	Minimum necessary, more than 15 sec may increase risk of SBI or death	Each cycle must be justified, more than 3 cycles should be avoided as it may cause serious injury/death	Not addressed
Medical	Transport to Hospital	Request Medical Aid	EMS Respond to Scene	EMT Respond to Scene	Hospital Clearance	Treatment on scene	Summon medical attention.	If needed	Medical evaluation, if exposed to more than 3 cycles, should go to ER.	Medical evaluation on scene, if injured or complaint of pain EMS summoned.

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Legend:

	Active consent decree or settlement agreement.
	Authorized use
	Restricted/conditional use
	Forbidden use
"*"	Only when lethal force would be authorized
"Shall"	Must, required, mandatory
"Should"	Self explanatory
Standard Cycle, Cycle	Length in seconds device discharges energy when activated unless manually deactivated.
EMS	Emergency Medical Services
SBI	Serious Bodily Injury: Injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
Less-lethal	Weapon not <u>designed</u> to kill or cause serious bodily injury.