



# Use of Force Recommendation 34

*Revise the Definition of Drive Stun*



# Agenda

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- Objective
- Recommendation Highlights
- Overview
- Gap Analysis
- Industry Trends
- Current Policy
- Proposed Action
- Questions



# Objective

Review DPM 2.1.35 Electronic Control Device (ECD) Protocols and bring MPD policy in line with industry best practices and current MPD training related to Conducted Energy Weapon (CEW) use.



## Recommendation Highlights

1. Redefine drive stun in policy to specify deployment criteria
2. Recommend against deploying probes in the groin
3. Discuss appropriate target areas during training
4. *Rename Electronic Control Device to Electronic Control Weapon*
5. Discourage the use of drive stuns for pain compliance

# Overview

## TASER Conducted Energy Weapon (CEW)

- An electro-muscular disruption device that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a subject. Synonymous with TASER, Electronic Control Device (ECD) and Electronic Control Weapon (ECW).
- CEWs deliver a high voltage, low watt current to the individual when the trigger is pulled. The current is delivered in two ways:
  1. Via probes fired from the CEW
  2. By touching the subject with the cartridge bay of the CEW, while the CEW is activated and cycling. This is also referred to as a drive stun.



# Gap Analysis

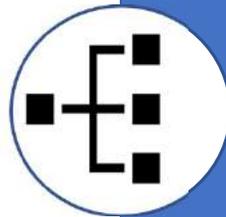
## MPD Training & Policy:

1. MPD training materials are current and aligned with PERF recommendations and CEW best practice.
2. MPD is current and aligned with PERF recommendations related to training frequency.
3. MPD policy is misaligned with current MPD training and CEW best practice.



# Industry Trends

Agency	Policy on CEW Drive Stun (Discourages / Limits Use)	
<b>IACP</b>	<p>Discusses factors and issues with drive stuns and identified it as a less effective technique. States drive stuns are generally discouraged and generally should be used only in close range or self-defense situations. Specifically allows for:</p> <ul style="list-style-type: none"> <li>• Brief application to attempt compliance to distraction.</li> <li>• Breaking contact or distraction technique when “tied up” with subject</li> <li>• Three or four point contact to achieve NMI</li> </ul>	
<b>Gilbert</b>	<p>Does not discourage drive stuns. Defines prohibited uses to include:</p> <ul style="list-style-type: none"> <li>• Escorting or prodding an individual into action</li> <li>• Waking an unconscious or intoxicated individual.</li> </ul>	
<b>LVMPD</b>	<p>Limits the use of drive stun to only completing NMI effect. Defines prohibited uses to include:</p> <ul style="list-style-type: none"> <li>• Coercion</li> <li>• Escorts or jabs</li> <li>• To awaken unconscious or intoxicated individuals</li> </ul>	
<b>Scottsdale</b>	<p>Does not discourage drive stuns. Defines prohibitions to include:</p> <ul style="list-style-type: none"> <li>• As a prod</li> <li>• To awaken sleeping or intoxicated subjects</li> <li>• To obtain information</li> </ul>	



# Considerations

- The definition should be concise and describe a drive stun.
- The definition section of the policy is not the proper location for use guidelines, training considerations, or deployment procedures.
- General Guidelines, Restrictions, and Deployment Procedures are appropriate sections for additional direction on the drive stun technique.

## Policy Recommendation

### CURRENT: 2.1.35 Section 2 Definitions: Drive Stun

- A function of the CEW is to stun a subject by making direct contact with the body after the air cartridge has been expended or removed.
- A drive stun does not override an individual's motor responses but can be used for pain compliance. Use of the CEW with an air cartridge is preferred.

### RECOMMENDED 2.1.35 Section 2 Definitions: Drive Stun

- A drive stun is a secondary function intended to cause pain by placing the cartridge bay of the CEW in contact with a subject, while the CEW is activated and cycling.

*Note: SMART Cartridges have replaced Air Cartridges.*



# Overview

## PERF HIGHLIGHT

[Redefine drive stun to specify deployment criteria](#)

MPD should revise the definition of Drive Stun to state that “Drive Stun mode should be used only to supplement the probe mode to *complete the incapacitation circuit*, or as a countermeasure to *gain separation between officers and the subject* so that officers can consider another force option.”

This definition should include additional language on Drive Stuns included throughout the policy, specifically the language on page 3 of the policy.

## CURRENT POLICY

[DPM 2.1.35 Section 3 – Authorized Use](#)

- A CEW should only be deployed when reasonably necessary, consistent with DPM 2.1.5 Use of Force, to subdue or incapacitate a subject in order:
- To prevent violent behavior; or
- To prevent physical harm to the officer or another person; or
- In response to threats of physical injury to himself/herself or of other persons; or
- prevent a subject from committing suicide.
- Members may use a CEW against dangerous animals.



# Discussion

CEW is categorized as a significant intermediate control option:

- Use of impact weapons
- Strike to the head / face

Can be used when there is imminent threat of physical harm to officers or others.

Drive stun deployment criteria is the same as probe deployment.

Axon states to avoid using drive stuns with three exceptions.

MPD teaches probe deployment with the option of a drive stun follow-up.

MPD does not teach drive stun for pain compliance.

Situation: Officer in close quarter combat.

Situation: Multiple officer grappling with subject.

## Current Training



### **Avoid using CEW drive stuns *except*:**

- ❑ 3 or 4-point contact to complete circuit or increase probe spread
- ❑ “break-contact” or distraction tactic to create reactionary distance
- ❑ brief application to attempt pain compliance

**Do not repeat drive stuns if compliance not achieved**

**Do not use drive stuns if pain is unlikely to gain compliance due to mind-body disconnect (psychotic episode) or increased pain tolerance (drugs/alcohol)**

# Considerations

- CEW is categorized as a significant intermediate control option.
- CEW probe deployment and drive stun deployment require the same justification.
- Provides direction on the use of the technique.
- Prohibits the use of drive stun solely for pain compliance
- Restricts the use of drive stun to a higher level of force.

## Policy Recommendation

### [2.1.35 Section 3 General Guidelines Authorized Use](#)

#### Add Heading: Drive Stun

Drive stuns are subject to the same guidelines and restrictions as a probe deployment.

A drive stun is considered a secondary deployment technique and relies on pain to gain compliance.

Drive stuns shall not be used solely as a pain compliance technique.

A drive stun will not result in neuro muscular incapacitation (NMI).

A drive stun is considered less effective than when probes are deployed with adequate probe spread and is therefore discouraged.



# Overview

## PERF HIGHLIGHT

[Discourage the use of TASER for pain compliance](#)

The current definitions of “Drive Stun” included in the MPD’s ECW policy specifics behavior that should be discouraged. PERF recommends clarifying the definition of “Drive Stun” to discourage its use as a pain compliance technique.

## CURRENT POLICY

[DPM 2.1.35 - Section 4 – Restrictions](#)

Members shall not use a CEW on a subject:

- [As a form of coercion or punishment.](#)
- When known to be or visibly pregnant, elderly, very young, frail, or disabled unless deadly force is the only other option.
- In an elevated position where a fall is likely to cause substantial injury or death.
- In a location where the subject could drown.
- In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including, but not limited to OC spray with alcohol or other volatile propellant, gasoline, natural gas, or propane).
- Operating a motor vehicle or motorcycle when the engine is running or on a bicycle or scooter in motion, unless the subject is displaying overtly assaultive behavior which cannot be reasonably dealt with in any other safer fashion.
- Handcuffed or otherwise restrained, unless displaying assaultive behavior which cannot be reasonably dealt with in any other safer fashion.
- [To awaken him/her if unconscious or intoxicated.](#)
- To prevent the destruction of evidence.
- [To escort, prod, or jab.](#)
- To gain the attention or voluntary compliance of a group of people except as outlined in crowd dispersal guidelines as outlined in FFS 1.2 Field Force System.



# Considerations

- CEW probe deployment and drive stun deployment require the same justification.
- CEWs are not at the same level of force as pressure points, soft hands, or limited hard hands and therefore are not authorized as a pain compliance technique.
- Policy prohibits the use of CEWs for pain compliance without additional justification.

# Policy Recommendation

## [DPM 2.1.35 - Section 4 – Restrictions](#)

Members shall not use a CEW on a subject:

- As a form of coercion or punishment.
- When known to be or visibly pregnant, elderly, very young, frail, or disabled unless deadly force is the only other option.
- In an elevated position where a fall is likely to cause substantial injury or death.
- In a location where the subject could drown.
- In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including, but not limited to OC spray with alcohol or other volatile propellant, gasoline, natural gas, or propane).
- Operating a motor vehicle or motorcycle when the engine is running or on a bicycle or scooter in motion, unless the subject is displaying overtly assaultive behavior which cannot be reasonably dealt with in any other safer fashion.
- Handcuffed or otherwise restrained, unless displaying assaultive behavior which cannot be reasonably dealt with in any other safer fashion.
- To awaken him/her if unconscious or intoxicated.
- To prevent the destruction of evidence.
- **Solely for pain compliance or to escort, prod, or jab**
- To gain the attention or voluntary compliance of a group of people except as outlined in crowd dispersal guidelines as outlined in FFS 1.2 Field Force System.



# Overview

## PERF HIGHLIGHT

[Recommend against deploying probes in the groin](#)

PERF recommends against deploying probes to the groin area as currently allowed in this section.

## PERF HIGHLIGHT

[Discuss appropriate target areas during training](#)

MPD should discuss appropriate target areas during annual recertification and conduct refresher training on the use of ECWs as needed.

## CURRENT POLICY

[DPM 2.1.35 - Section 5 – Deployment Procedures](#)

### Air Cartridge

- The primary target area is the back of the subject, below the neck line.
- Secondary targets include, in order, the side and the front (lower center mass) of the subject.
- When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.

### Drive Stun

- The primary target area is the back of the subject, below the neck line.
- Secondary targets include, in order, the side and the front (lower center mass) of the subject.
- Once probes have been deployed, the groin is an acceptable target area for drive stun.



# Discussion

## CURRENT TRAINING

- Recommends large muscle groups as primary targets for probe deployment.
- Sensitive areas are prohibited from being intentionally targeted when deploying probes.
- Drive stuns utilize the same recommended target areas as the probes.

## Use Preferred Target Zones: Rear (when practicable)

### Below neck (green zone)

- Large muscles
- Avoid head and neck

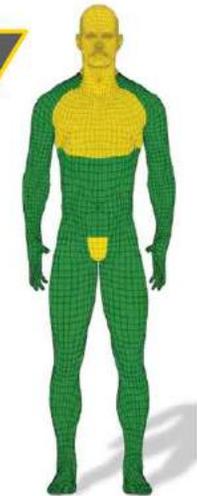
*The back is the most preferred target area when reasonably practicable because it contains larger muscle groups and reduces risk of hitting sensitive body areas*



## Use Preferred Target Zones: Front (when practicable)

### Lower torso (green zone below chest)

- More effective than hitting the chest
  - Larger muscles (legs)
  - Split the beltline
- Reduces risk of hitting sensitive body areas (see product warnings)
- Increases dart-to-heart safety margin distances
- Do not intentionally target head, eyes, throat, chest or genitals



# Considerations

- Replace heading AIR CARTRIDGE with new heading.
- Combine Air Cartridge and Drive Stun.
- Policy language reflects manufacturer recommendations and CEW best practices.
- Language is consistent with current training practice.

## Policy Recommendation

### [DPM 2.1.35 - Section 5 – Deployment Procedures](#)

#### PROBE DEPLOYMENT & DRIVE STUN TARGETING

- The primary target area is the back of the subject, below the neckline
- Secondary target area is the front (lower center mass) of the subject.

## Proposed Action

1. Revise policy to properly describe equipment and technique.
2. Remove reference to groin being an acceptable target area for drive stun and revise policy to align with CEW best practice and current MPD training.
3. Add language to policy restricting the use of the drive stun techniques except as described in current MPD training and revised policy.



Discussion