



# Use of Force Recommendation 34

*Guidance for  
Revise the Definition of Drive Stun*



# Agenda

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- Recommendation Highlights
- Gap Analysis
- Discussion Points
- Committee Feedback
- Further Analysis
- Final Guidance



# 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

# 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.



# Gap Analysis

## MPD Policy:

1. Definition of drive stun includes information on function and limitations of the CEW.
2. Policy for authorizing use of CEW does not provide clear direction on use of drive stun.
3. Policy list the groin as an acceptable target area for a drive stun after probe deployment.
4. Policy for CEW deployment procedures lists target areas in two separate locations in policy.



# Gap Analysis

## CURRENT POLICY

### [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 POLICY

### [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.



# Pros and Cons (Discussion Points)

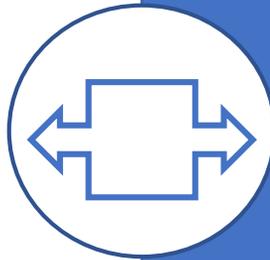
*List the reasons **for** adopting the recommendation*

- Concise
- Removes training information on function and limitations of the CEW
- Relocates guidelines, training considerations, and deployment procedures to other sections of the policy.

*List the reasons **against** adopting the recommendation*

- None

***NOTE:** There was no committee discussion or additional analysis required for this recommendation.*



# Gap Analysis



## 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.

## RECOMMENDED POLICY

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

Create new heading called Probe Deployment and Drive Stun and consolidate target areas to match current training material.

### **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.

# Pros and Cons (Discussion Points)

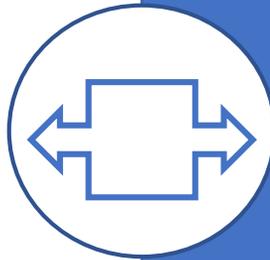
*List the reasons **for** adopting the recommendation*

- Concise
- Removes reference to groin as a target area
- Consolidates duplicate lists of target areas
- Aligns with current lesson plans and best practice

*List the reasons **against** adopting the recommendation*

- None

**Committee Feedback** consisted of a question about the policy for female breasts. The policy recommendations avoids the chest area and there is policy in place if a prob hits that area. No additional analysis was required.



# Gap Analysis

## 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.

## RECOMMENDED 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.
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- 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, jab, or use solely for pain compliance.**
- 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.



# Policy Recommendation

Create new heading in General Guidelines Authorized Use called Drive Stun to provide direction on use of drive stun.

## 2.1.35 Section 3 General Guidelines Authorized Use

### 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.



# Committee Feedback

1. The committee asked about the use of the drive stun for officers involved in one-on-one encounters.
2. The committee asked if the policy accounted for differences in levels of aggression. Commander Beaton gave an example of exceptions Spec Ops may encounter.
3. The committee asked about the preferred method for gaining control of a subject, once on the ground. The team take down and limited strikes were discussed.
4. A question on the effectiveness of the drive stun verse limited strikes was discussed, considering the optics of striking a subject who is on the ground. The reasons limited strikes verses CEW were discussed.
5. A question on capturing a “team takedown” as a use of force was discussed. Consideration was given to adding it to the new use of force report.



# Further Analysis

Additional analysis was conducted on the situation mentioned by Commander Beaton related to Spec Ops deployments and noncompliant subjects.

After review of the policy and discussions with Commander Beaton and Lieutenant Walker, the current policy language regarding authorized use of the CEW to prevent violent behavior covers the situations discussed by Commander Beaton.

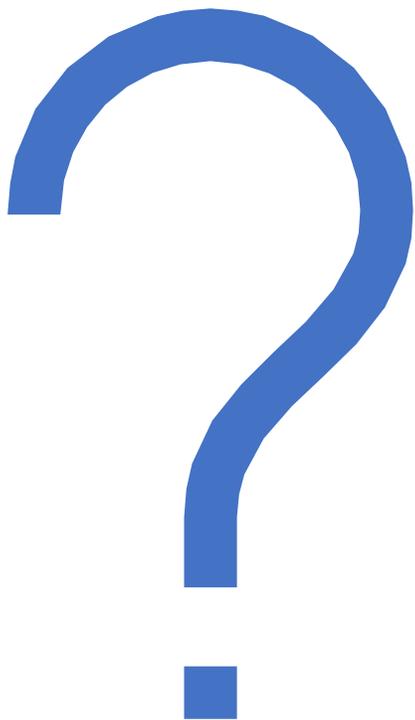
Regardless of the situation, the decision to use force must meet the factors of *Graham vs Conner*. These factors are detailed in policy.



# Final Guidance

Adopt policy recommendations which:

1. Properly describe equipment and technique.
2. Removes reference to groin being an acceptable target area for drive stun and aligns with CEW best practice and current MPD training.
3. Restrict the use of the drive stun techniques except as described in current MPD training and revised policy.



Questions