

17.3 INCIDENTS INVOLVING USE OF A CONDUCTED ENERGY WEAPON

Departmental Order #: 34-11 (Previously issued under Department Order #s 13-08, 05-08, 10-07, 47-04 and 31-03)

A. GENERAL

1. The primary purpose for deploying the Conducted Energy Device (CEW) is to save human lives and reduce serious injury to suspects, police officers and the general public. Use of the CEW is not intended to be a substitute for other less lethal or lethal force options.
2. The CEW is classified as a prohibited weapon under the Criminal Code of Canada and an intermediate weapon option within the National Use of Force Framework.

B. REFERENCE

1. Nova Scotia Department of Justice Guidelines on Conducted Energy Weapons (CEWs).

C. POLICY

1. The CEW is designed to assist in gaining control of violent or potentially violent individuals, including persons with mental illness (PMI), where alternative control tactics have been or would likely be ineffective. CEWs shall not be used without due consideration being given to de-escalation or other force options in diffusing the situation.
2. Only officers who have successfully completed training on the CEW are authorized to use it. Recertification training shall be conducted every two years. Only CEWs approved for use by the Department of Justice and issued by HRP shall be used by members and only during the execution of official police duties.
3. An officer's decision to discharge a CEW shall take into consideration the following:
 - a. The officer's perception of:
 - i. the threat posed by the subject; and
 - ii. the subject's ability to carry out that threat.
 - b. The totality of the situational risks, including environmental factors, subject factors and officer factors.
 - c. Whether a subject's behaviour is consistent with aggressive or violent resistance or an active threat which may cause bodily harm or serious injury to the police officer(s) involved, the subject or the Public.
4. With the exception of training purposes, all instances involving CEW usage including presentation only and accidental discharges, shall be reported in a Subject Behaviour Officer Response, SBOR, template on the related GO. By the end of a shift during which a CEW is deployed, the latter shall be delivered to the Training Section as per policy to permit Training Section staff to download the related data.
5. CEW cartridges shall not be carried loosely in pockets or in similar fashion as static electricity may cause discharge and serious injury.
6. Used probes shall be disposed of in designated Sharpes containers and treated in accordance with established policy on DANGEROUS GOODS.
7. Persons exposed to a CEW probe shall promptly be evaluated by EHS personnel.
8. All damaged or malfunctioning Tasers requiring repairs shall be delivered in person to Training Section personnel and shall be accompanied in all instances by a completed Equipment Repair Form, HRP99. The member delivering the

CEW shall, before leaving, ensure a member of the Training Section staff has taken possession of the equipment and form and the delivering member has signed the CEW Repair Log. CEWs will not be left unattended and unsecured outside the Training Section.

D. PERSONS WITH MENTAL ILLNESS (PMI) AND OTHER HIGH-RISK SITUATIONS

1. When dealing with a person who appears to be displaying indications of a mental illness (PMI), officers shall before deploying a CEW on the PMI, give particular consideration to and reasonably believe that no other force option, including de-escalation and/or crisis intervention techniques have been or will be effective in eliminating the risk of bodily harm or serious injury. See also **INVOLUNTARY PSYCHIATRIC TREATMENT ACT**.
2. When an officer reasonably believes that a subject is exhibiting signs/symptoms of Autonomic Hyperarousal State (AHS), has considered options in accordance with D1 above and continues to believe the circumstances of the situation dictate that the officer gain immediate physical control of the subject in order to reduce the health risks associated with a struggle, the following use of force options should be considered:
 - a. Deployment of a CEW.
 - b. Overwhelming force.
3. Good judgement must be used and deployment of the CEW on persons in the following high risk situations should be avoided until all other options have been carefully considered:
 - a. Persons in wheelchairs, on a bicycle or who are in control of a motor vehicle.
 - b. Pregnant women.
 - c. The elderly, young children or persons who appear frail and likely to be injured by a fall.
 - d. Handcuffed prisoners.
 - e. Deployment to sensitive areas of a subject's body including the head, throat and genital area.
 - f. Subjects in an elevated or otherwise precarious environment where flammable or hazardous products are present.

- g. A person who an officer reasonably believes is presenting sign/symptoms of Autonomic Hyperarousal State (AHS) and the officer has also considered de-escalation and crisis intervention techniques.

E. CEW OPERATOR

1. At the start of each shift, a CEW Operator shall conduct a spark test of the unit at a firearm unloading station, inspect it to ensure it is in working order and the unit is equipped with two unexpired cartridges, one secured on the front of the unit and one in the spare cartridge holder. Ensure the NCO i/c has documented the assigned CEW serial number.
2. A CEW Operator shall adhere to the following additional responsibilities. S/he shall:
 - a. When dealing with a person showing signs of AHS and when consideration is being given to using the CEW on the subject, request EHS attendance prior to the deployment of the CEW. See also **PERSONS WITH MENTAL ILLNESS (PMI) AND OTHER HIGH-RISK SITUATIONS**
 - b. Request EHS attendance for all persons exposed to CEW probes. Once the individual is restrained and under control, the Operator may break the electrical wire from the probe while waiting for EHS arrival.
3. After deploying a CEW, officers shall immediately secure the scene for investigative purposes and notify their supervisor as soon as practical.
4. After each use, a CEW Operator shall ensure:
 - a. The CEW is delivered to a member of the Training Section in accordance with policy in this section. Provide the Training Section with the associated GO to facilitate downloading of pertinent data.
 - b. An Equipment Repair Form, HRP99, is completed for any malfunctions or damaged units and the operator delivers the form with the unit to the NCO i/c of the section responsible for the CEW. Once the form is signed by the NCO i/c, the member shall then ensure the equipment and form are delivered as per established policy above to Training Section personnel as soon as practical.