

## Department of the Interior Departmental Manual

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**Series:** Law Enforcement and Security

**Part 446:** Law Enforcement

**Chapter 22:** Electronic Control Devices

**Originating Office:** Office of Law Enforcement and Security

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### 446 DM 22

**22.1 Purpose.** This chapter establishes policy concerning use of Electronic Control Devices (ECD) by law enforcement officers (LEOs) or armed Federal security guards (AFSGs).

**22.2 Scope.** This policy applies to all LEOs and AFSGs of the Department of the Interior (Department/DOI).

**22.3 Definitions.** For the purpose of this chapter, the terms below are defined as follows:

A. Electronic Control Device (ECD): A handheld conducted energy device designed to transmit a disruptive electrical impulse to a target.

B. Law Enforcement Officer (LEO): A DOI law enforcement officer sworn and commissioned to enforce criminal statutes and authorized to carry firearms, execute and serve warrants, search, seize, make arrests, and perform such duties as authorized by law.

C. Armed Federal Security Guard (AFSG): A DOI security guard who has been trained, certified, and authorized to carry firearms for the protection of life only within the framework of legal authority, agency policy, and training.

D. Probes: Projectiles fired from an ECD in order to transmit an electrical impulse to a target.

**22.4 Policy.** Bureaus and offices may, through bureau or office policy, authorize LEOs or AFSGs to use ECDs in the performance of their duties. All bureau or office policy authorizing ECD use will, at a minimum, meet the standards set forth herein.

### 22.5 Responsibilities.

A. Deputy Assistant Secretary – Law Enforcement, Security, and Emergency Management is responsible for policy development and provides program guidance and oversight of the Department’s law enforcement, security, and emergency management programs.

B. Heads of Bureaus and Offices are responsible for promulgating any counterpart policy or procedure required to implement the policy established in this chapter.

C. Bureau/Office LEOs or AFSGs are responsible for complying with established policy and procedure governing ECD use.

22.6 **Standards.** This section sets forth minimum standards for use of ECDs within the Department.

A. General Conditions.

(1) Only LEOs or AFSGs will be authorized to carry ECDs for law enforcement or security purposes.

(2) Only ECDs issued or otherwise approved by the bureau or office will be used by LEOs or AFSGs in the performance of their duties.

(3) As practicable, the bureau or office will standardize the model of ECD authorized and its method of carry.

(4) For purposes of acquisition, inventory, storage and disposal, ECDs will follow guidelines/policies for firearms.

B. ECD Use Parameters.

(1) When such force is legally justified and consistent with Department policy, ECDs may be used on individuals who are actively resisting an LEO or AFSG and/or to prevent individuals from harming themselves or others.

(2) When such force is legally justified and consistent with Department policy, ECDs may be used on animals if they pose an imminent danger to the LEO or AFSG or others.

(3) Unless compelling reasons to do so can be clearly articulated, ECDs should not be used when:

(a) a subject exhibits passive resistance to an LEO or AFSG;

(b) the LEO or AFSG believes the use of deadly force is necessary pursuant to 446 DM 20, "Use of Deadly Force"; or

(c) the LEO or AFSG perceives use of an ECD may result in direct or secondary injuries, including but not limited to when:

(i) a subject may fall from a significant height;

(ii) a subject is operating a moving vehicle or machinery;

(iii) a subject is in or near a body of water which presents a risk of drowning;

(iv) a subject is believed to be contaminated by or otherwise near flammable or explosive materials; or

(v) a subject is believed to be part of a group that may be at high risk for secondary injuries (e.g., the very young, the very old, the infirm, pregnant females, etc.).

(4) All ECD use will be consistent with approved ECD training curricula.

C. ECD Post-Deployment Procedures. As applicable, the following procedures will be implemented subsequent to an ECD deployment.

(1) If a LEO or AFSG reasonably believes that the recipient of an ECD impulse is in need of medical treatment the LEO or AFSG will make reasonable efforts to obtain such treatment.

(2) ECD probes will be removed by a medical care provider, in the presence of a LEO, when they are embedded in the following sensitive areas or subjects:

(a) face, neck, groin, or female breast;

(b) high risk subjects such as the very young, the very old, the infirm, visibly pregnant females, etc.;

(c) subjects who display signs of distress, loss of consciousness, difficulty breathing, or chest pain; or

(d) subjects who received three or more ECD impulse cycles.

(3) ECD probes embedded in non-sensitive areas or subjects may be removed by the LEO or AFSG according to procedures outlined in training. Universal precautions for infection control will be followed and probes will be treated as biohazard sharps.

(4) When practicable and appropriate, photographs of ECD probe impact sites should be taken before and after probe removal.

(5) Probes and their expended cartridge will be placed into evidence as prescribed by bureau or office policy. This evidence will be labeled a "bio-hazard."

(6) A use history report will be downloaded from the deployed ECD(s) as soon as practicable.

## 22.7 Certification and Training.

A. Prior to carrying or utilizing an ECD, LEOs and AFSGs will successfully complete a bureau or office approved ECD certification course which complies with Departmental law enforcement training policies as applicable, and the requirements set forth herein.

B. All LEOs and AFSGs certified to use an ECD will receive re-certification training annually.

C. All ECD certification training will be conducted by bureau or office approved instructors.

D. Bureaus and offices will ensure ECD certification and training records are maintained.

E. ECD certification and re-certification training curricula will include the following:

- (1) ECD fundamentals (e.g., system terminology, functional principals, etc.);
- (2) ECD handling and use (e.g., equipment care and inspection, function testing, carry methods, deployment, subject target areas, etc.);
- (3) ECD physiological effects (e.g., recognition of high risk groups, deployment scenarios, etc.);
- (4) ECD post-deployment procedures (e.g., probe removal, medical treatment, evidence collection, etc.);
- (5) ECD reporting requirements; and
- (6) ECD use policies.

F. With the exception of LEOs participating in instructor-level training courses where exposure to ECDs is required for certification, DOI employees will not receive an ECD impulse as part of any training curricula.

22.8 **Inspection.** ECDs will be inspected annually per requirements established in bureau or office policy.

## 22.9 Reporting.

A. Bureaus and offices will document and maintain the following:

- (1) a record of all ECDs and ECD cartridges issued, to include serial numbers and LEO identifying information;
- (2) a record of all ECD and ECD cartridge damage, repair, or loss;

- (3) a record of all ECD certification and training;
- (4) a record of annual ECD inspection; and
- (5) a record of all unintentional ECD deployments.

B. In addition to standard bureau or office “use of force” and/or incident reporting requirements, bureaus and offices will:

- (1) when available, download and maintain device-specific use history reports for all ECD deployments, excluding those associated with authorized training and demonstrations.
- (2) report “use of force” deployment of an ECD in accordance with the requirements outlined in Departmental Manual, 446 DM 17, “Serious Incident Reporting”.