

5-06/045.08 - CEW Warnings and Time to Comply

Prior to using a CEW, when feasible, Department members shall give a loud verbal warning to the subject and anyone else present, that a CEW will be used. An example of a verbal warning to a subject is: "Stop or you will be tased!" If feasible, the Department member will not use the CEW until a reasonable amount of time has passed to allow the subject time to comply. An example of verbal announcement to other Department members prior to use is: "Taser, Taser!"

After initial or subsequent CEW applications, where feasible, Department members will continue to give warnings before additional deployments while allowing sufficient time for the subject to recover, reconsider their refusal to comply, and comply with instructions. Depending on the placement of the probes, a subject may not be able to physically respond to further instructions. In these circumstances, a mere failure to respond to instructions is not sufficient justification for additional CEW discharges.

NOTE: Department members are not required to give a verbal warning if giving that warning would compromise the safety of the Department member or others. If applicable, Department members are required to clearly articulate in their use of force report the specific safety reasons justifying the lack of verbal warning.

Department members are to consider whether the initial CEW application in probe mode has rendered the subject unable to physically move or comply with commands before applying subsequent cycles.

In addition to a verbal warning, the Department employee may activate any warning system on the device, which may include display of an electrical arc, an audible alert, or a visible laser as a visual or audible warning to gain compliance. Department members should point the CEW in a safe direction when activating a warning system on the device and never intentionally point the lasers into the eyes of a subject.
