

Law Enforcement Advisory Board Meeting  
DPS Headquarters, 3<sup>rd</sup> Floor Conference Room, Waterbury VT  
Minutes of Meeting  
June 19, 2014

- Chairman Rick Gauthier called the meeting to order at 1:01 pm with the following present: Tom Hanley, VT Association of Chiefs of Police; Glen Button, Department of Motor Vehicles; Nelson Tift, Vermont Constable Association; Tom L'Esperance, Vermont State Police; Jonathan Wolff, Primmer Piper Eggleston & Cramer PC on behalf of TASER; Paco Aumand, Department of Public Safety; Allen Gilbert, ACLU; A. J. Rubin, DRVT; Jim Hughes, State's Attorneys; Jim Leene, U. S. Attorney Office-Vermont; and Suellen Royea, Criminal Justice Services Admin. It was noted that a quorum of members was present. John Treadwell, Attorney General's Office and George Merkel, Vermont Chiefs Association joined the meeting shortly after the start. Rick Gauthier noted everyone should have received a packet through email and paper copies were available, which included:
  - May 14, 2014 Minutes,
  - TASER Certified Test Procedures,
  - Email regarding recommended policy on testing and calibration,
  - Email regarding body cameras,
  - Email regarding pricing for testing supplies and equipment,
  - Case study, and
  - Updated Draft Proposed Policy on Use of Conducted Electrical Weapons.
  
- **Review of Minutes of May 14, 2014 Meeting:** Paco Aumand made a motion to accept the minutes. The motion was seconded by Jim Hughes. Motion carried. Minutes accepted.
  
- **Old Business:**
  - **CEW Model Policy Revision:** John Treadwell provided a review of the changes made to the draft policy. Some of the changes highlighted included: adding "it is expected" to the final sentence of the 3<sup>rd</sup> paragraph; adding the legislature's definition to Section 1.1; adding Section 1.3, a definition of special circumstances; adding Sections 1.5 and 1.6 to define Active Resistance and Active Aggression; adding new language as required by legislation to Sections 2.1, 2.3, 2.4, 2.8, 2.9, and the final sentence of Section 2.11 was added as a result of comments received. John suggested we may need to review Section 2.2 in the future. Most of Section 3, Post Deployment Procedures, was part of the earlier draft, except Section 3.7.4 was added and Section 3.13 was modified to be consistent with the provision to report to the Vermont Criminal Justice Training Council. A suggestion was made to change "...consulted with any mental health agencies" in Section 3.7.4 to include other types of applicable agencies. The changes to Section 4, Training requirements, included the addition of Section 4.2 to address consistency with manufacturer recommendations. It was suggested to include the last sentence of

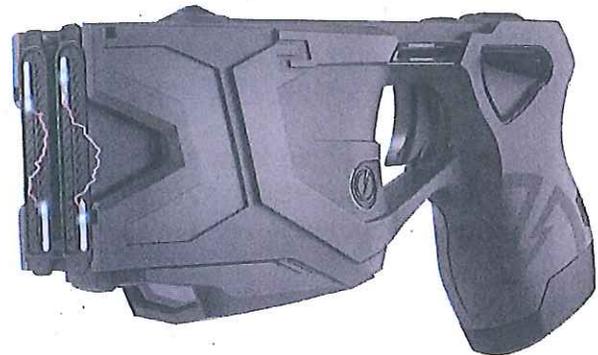
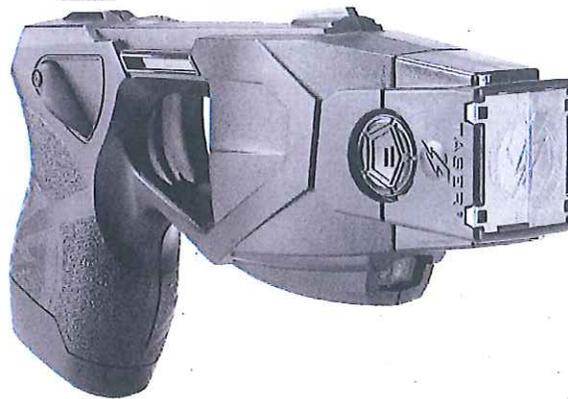
Section 2.1.1 in the reporting section as well. There was some discussion about the amount of detail to have in the policy. Some thoughts included creating a full policy and a key components policy, and bolding those sections in this policy that are required by law and leaving the remaining details as best practices. It was decided to highlight the essential pieces and submit the entire policy. John Treadwell volunteered to add the bold to those pieces required by legislation and the rest is recommended by the Law Enforcement Advisory Board. The process for finalizing the policy was reviewed. It was noted that the final policy will be available on the Vermont Criminal Justice Training Council and Law Enforcement Advisory Board's websites.

- **CEW Measurement and Calibration:** Rick Gauthier reviewed the email correspondents with TASER International about calibration and measurement and Dr. Adler's recommendations. He noted that the new models coming out (X26P and X2) have some self-calibrating programming in them. Measurement frequency was reviewed. Some suggested times included upon delivery, after an adverse outcome from deployment, and at a specified interval, possibly every 2 years. It was noted that a daily spark test is suggested by the manufacturer. Over charges being deployed was discussed. It was thought that this might be a problem in some older CEW models. If there was a concern about a particular weapon, it could be checked by the serial number. A question was asked about a list of weapons being used. It was noted that each agency purchases their weapons independently and should have an inventory list. Reporting on the use of CEWs was reviewed. Some suggestions included the Law Enforcement Advisory Board to assist the Training Council with this requirement; that the reporting should be similar to the use of force reporting, and the policy may need a public comment period. Rick Gauthier and John Treadwell volunteered to work on some discussion points.
- **New Business:**
  - Rick Gauthier reported that Senate Gov Ops tasked us with developing a reporting mechanism and criteria with the ACLU (Allen Gilbert) and DRVT (A. J. Rubin). He suggested creating a small working group with them as there is a January 2015 deadline. Allen Gilbert thought there was going to be a letter with some details, but Rick Gauthier has not received one. It was thought that some clarification was needed regarding reporting and it was requested to ask the Senate Gov Ops to send a letter.
  - Legislative items tasked to the Law Enforcement Advisory Board were reviewed and thought to include: developing a use and training policy, developing a calibration & testing policy, study and report on body cameras, and reporting to Training Council. It was noted that more work on the Eye Witness Identification and Custodial Interrogation was also assigned to the Law Enforcement Advisory Board with an October, 2014 deadline. A suggestion was made to create a working group to work on this. Colonel

L'Esperance, John Treadwell, Tom Hanley/Jen Morrison were volunteered to work on the working group.

- It was decided to hold the next Law Enforcement Advisory Board meeting on Thursday, August 7, 2014 from 1:00-3:00 pm in the 3<sup>rd</sup> Floor Large Conference Room at the Department of Public Safety Headquarters.
- **Review of Board Members:** It was noted that the Legislature made some changes to the membership of the Law Enforcement Advisory Board to include a representative from the Vermont Constable Association and that the Defender General could designate a designee. In addition to these changes, Paco Aumand suggested that there are other special law enforcement agencies that should be included on the Board. It was noted that Department of Motor Vehicles and Fish & Wildlife are active participants without voting rights. A suggestion was made to review and possibly change their roles to voting members.
- A motion to adjourn was made by Tom Hanley and seconded by Jim Leene. The motion carried. Meeting adjourned at 2:20 pm.

## TASER<sup>®</sup> X26<sup>™</sup>/X26P<sup>™</sup>/X2<sup>™</sup>



## TASER Certified Test Procedure

## PURPOSE

This procedure and instructions are the TASER certified protocol for testing the TASER<sup>®</sup> X26<sup>™</sup>, X26P, and X2 conducted electrical weapons (CEWs) to determine if the CEW is operating within published TASER customer specifications.

## SCOPE

This procedure applies to the TASER X26, X26P, and X2 CEWs. This procedure should only be performed by TASER certified personnel trained and experienced with electrical testing and the specified electronic test equipment.

## EQUIPMENT REQUIRED

- 1 – Tektronix<sup>®</sup> DPO3034 oscilloscope
- 1 – Tektronix TPA-BNC: BNC adapter
- 1 – Tektronix P5100 100X voltage probe
- 1 – Tektronix TCP-202 current probe
- 1 – Ohmite<sup>®</sup> LN100J600 600-ohm non-inductive resistor
- 1 – DPM/XDPM/PPM, or other smart CEW power pack
- 2 – Jumper wires (with alligator clips)
- 1 – Expended TASER standard cartridge
- 1 – Expended TASER smart cartridge

**Note:** Test measurement accuracy may be compromised if equipment other than the specified equipment is used.

## ADDITIONAL REQUIREMENTS

- The work surface must be non-conductive.
- Keep voltage and current probe cables from touching the load resistor, expended TASER cartridge, jumper wires, or TASER CEW.
- To prevent noise from affecting measurements, keep the voltage and current probe cables separated as much as possible. Keep the voltage probe positive and negative separated as much as possible. Do not extend the ground wire of the voltage probe.
- Testing should be conducted at an ambient temperature of  $25\text{ °C} \pm 5\text{ °C}$  and relative humidity not exceeding 80%. Specification testing accuracy may be compromised if tested outside of the temperature range.

## TEST PROCEDURE

### 1 OSCILLOSCOPE SPC

Ensure that oscilloscope has been properly calibrated by initiating the Signal Path Compensation (SPC) within 1 week of testing or whenever the room temperature has changed by 10 °C or more. To initiate SPC, follow the steps in the *Tektronix DPO3000 Series Oscilloscope User Manual* under **Signal Path Compensation**.

### 2 VOLTAGE PROBE COMPENSATION

Ensure that the P5100 Voltage Probe has been compensated. To compensate the probe, follow the steps in the *Tektronix DPO3000 Series Oscilloscope User Manual* under **Compensating a passive voltage probe**.

### 3 TEST EQUIPMENT SETUP

- 3.1 Attach the P5100 voltage probe to **channel 1** as shown in Figure 1.
- 3.2 Attach the current probe with BNC adapter to **channel 4** as shown in Figure 1.

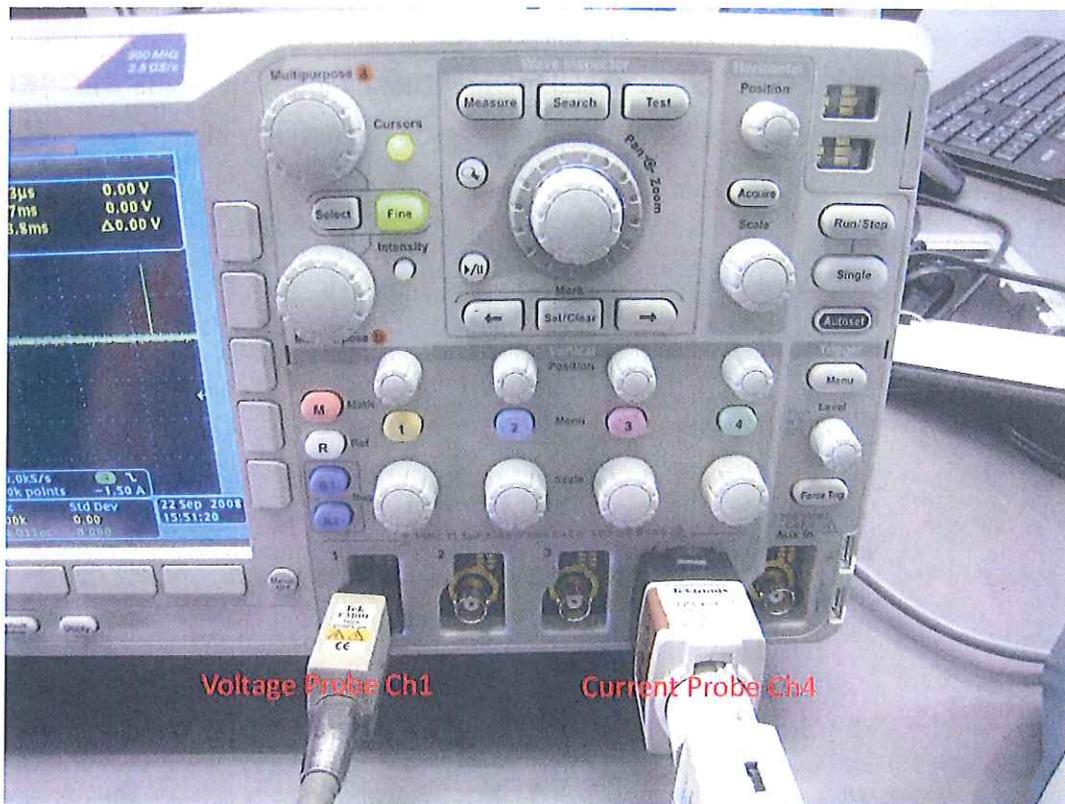


Figure 1

- 3.3 Place the TASER CEW on the work surface and insert the expended cartridge.

\*Note: Each cartridge bay of the TASER X2 is to be tested independently. Additionally, the original cartridge wire, must be used for the TASER X2 testing. Jumper wires are not permitted

- 3.4 Attach a jumper wire from the **top (positive)** electrode of the expended TASER cartridge to one 600-ohm non-inductive resistor terminal (Figure 2).
- 3.5 Attach a jumper wire from the **bottom (negative)** electrode of the TASER cartridge to the other resistor terminal.

**NOTE:** For convenience in testing multiple X26 or X26P CEWs, the jumper wires may be soldered to the expended TASER cartridge.

- 3.6 Attach the high voltage probe (positive) to the resistor terminal that the top electrode jumper is connected to.
  - 3.7 Clip the high voltage probe (negative) to the resistor terminal that the bottom electrode jumper is connected to. Ensure the positive and negative leads are separated and do not cross.
  - 3.8 Clamp the current probe on the jumper wire going from the top electrode to the resistor with the arrow following the current flow (Figure 2).
  - 3.9 Move the **OPEN/CLOSE** switch until the Open/Closed indicator reads **CLOSED**.
- NOTE:** Measurement error is imminent if the probe is not fully closed.

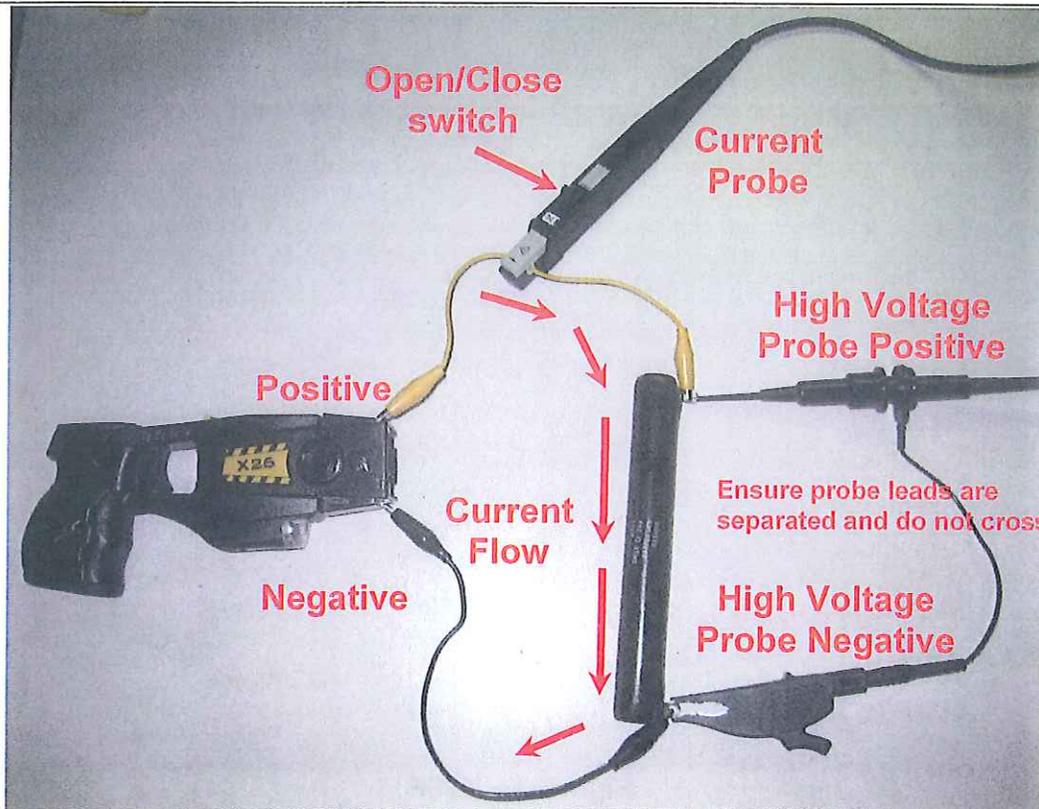


Figure 2 – X26

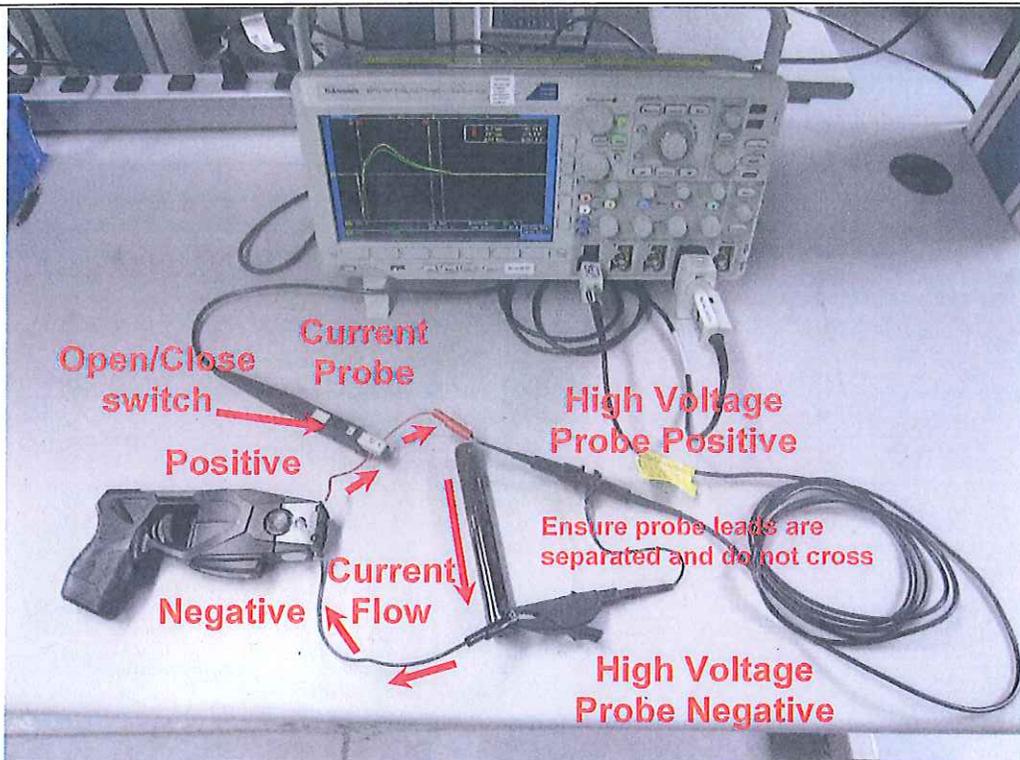


Figure 3 – X26P

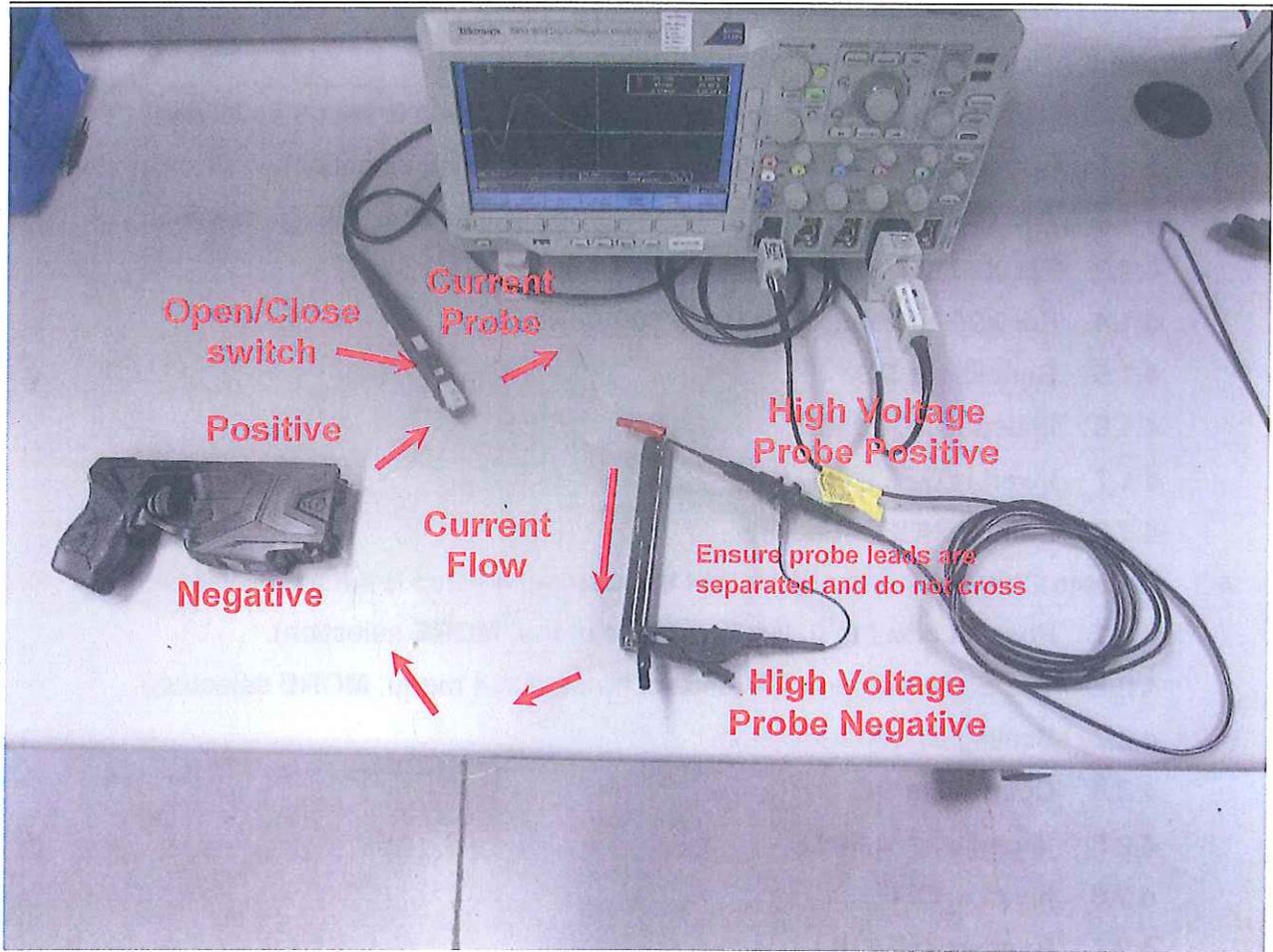


Figure 4 – X2

#### 4 OSCILLOSCOPE SETUP

- 4.1 Activate Channel 1 and ensure that the channel 1 setup is set up as follows;
  - 4.1.1 Position is set to **0** divisions (Ch1 menu, **MORE** selection).
  - 4.1.2 The probe setup is **100X** voltage probe (Ch1 menu, **MORE** selection).
  - 4.1.3 For X26 only: Scaling is **1.00 kV/division**.
  - 4.1.4 For X26P/X2 only: Scaling is **500V/division**
  - 4.1.5 Coupling is **DC**.
  - 4.1.6 Impedance is **1 M $\Omega$** .
  - 4.1.7 Invert is **OFF**.
  - 4.1.8 Bandwidth if **FULL**.
- 4.2 Activate Channel 4 and ensure that the channel 4 setup is set as follows;
  - 4.2.1 Position is set to **0** divisions (Ch 4 menu, **MORE** selection).
  - 4.2.2 The probe setup is **10X** current probe (Ch 4 menu, **MORE** selection).
  - 4.2.3 Scaling is **1.00 A/division**.
  - 4.2.4 Coupling is **DC**.
  - 4.2.5 Impedance is **50  $\Omega$** .
  - 4.2.6 Invert is **OFF**.
  - 4.2.7 Bandwidth if **FULL**.
- 4.3 Ensure that the trigger is set up as follows using the Trigger Menu;
  - 4.3.1 Type is **edge**.
  - 4.3.2 Source is **channel 4**.
  - 4.3.3 Coupling is **DC**.
  - 4.3.4 Slope is **falling**.
  - 4.3.5 Level is **-1.5 amperes**.
  - 4.3.6 Mode is **NORMAL**.

- 4.4 Ensure that the horizontal and acquisition settings are as follows using the **Horizontal** knobs and **Acquire** menu;
  - 4.4.1 Acquisition mode is **SAMPLE**.
  - 4.4.2 Record length is **100 K points**.
  - 4.4.3 Delay is **OFF**.
  - 4.4.4 Position is **90.00 %**.
  - 4.4.5 Scale is **100 ms/div**.

## 5 PULSE RATE TEST

The steps below will acquire the Pulse Rate measurement of the TASER CEW\*

\*Tests to be conducted for both cartridge bays independently on the X2 CEW

- 5.1 Insert the DPM/XDPM/PPM into the CEW if not already installed.
- 5.2 Place the CEW safety switch in the up (ARMED) position.
- 5.3 Record the power remaining % or battery power status by reading the number or bars displayed on the CID within a few seconds of arming the CEW.

### NOTES:

- If the DPM/XDPM/PPM is less than 25%, or 1 bar (as shown on the CID when armed), replace the used DPM/XDPM/PPM with a new DPM/XDPM/PPM.
- 5.4 Press the **run/stop** button on the oscilloscope.
  - 5.5 Ensure that **Trig?** is displayed in the upper-right corner of the screen.
  - 5.6 Press the X26 trigger switch.
  - 5.7 After the 5-second cycle, press the **run/stop** button.
  - 5.8 Move the safety switch to the down (SAFE) position.
  - 5.9 The oscilloscope screen should display 1 full second of pulses as in Figure 5 below.

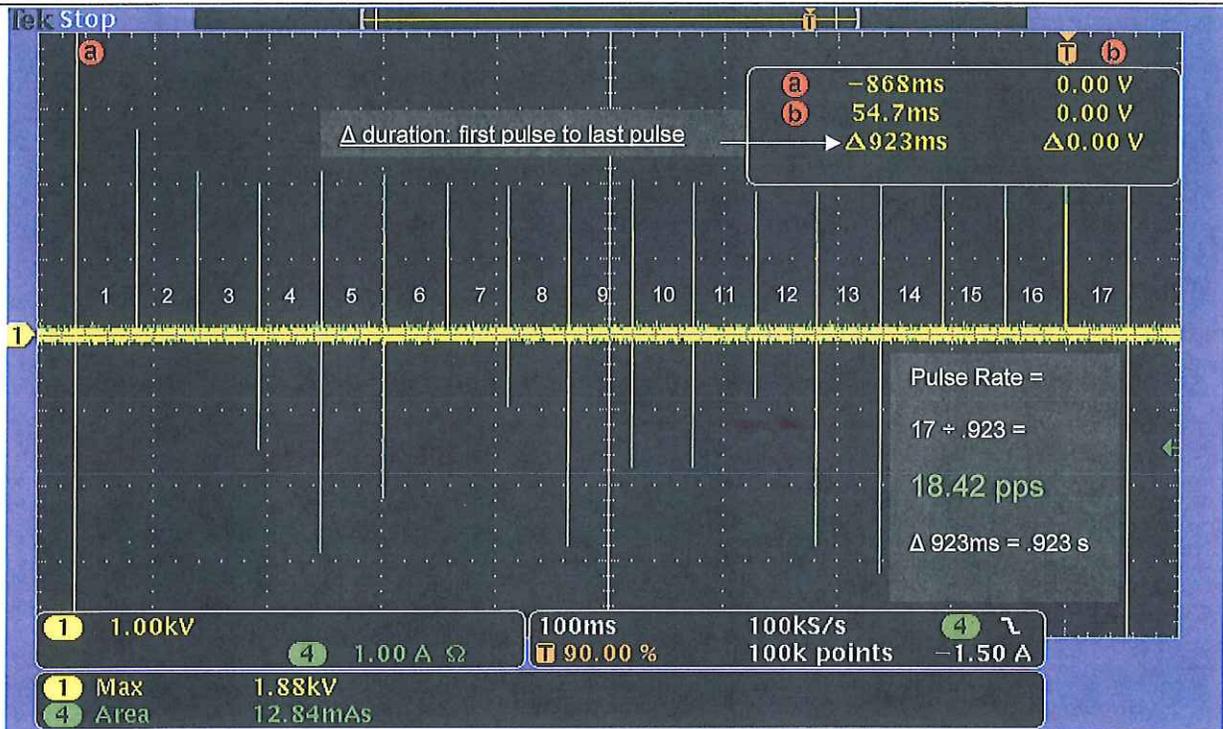


Figure 5

- 5.10 Using the cursors, measure the duration from the first pulse to the last pulse.
- 5.11 Count the number of spaces (periods) between pulses.
- 5.12 Calculate the pulse rate (pulse rate = number of spaces/duration).
- 5.13 Refer to Table 1–Table 3 as applicable at the end of the procedure to confirm that the pulse rate is within the specification.

**NOTES:** Pulse rate can run slow if the battery is low or marginal. The battery % reading on TASER CEWs is a calculated value, not a measurement. It is an indication of remaining power on the battery, but does not account for conditions such as a bad or marginal cell. Consider the following if the pulse rate is measured out of specification;

- If the pulse rate is measured low and testing was conducted with the original DPM/PPM, replace the DPM/PPM and re-test.

- If the pulse rate is measured low and testing was conducted with a new DPM/PPM, check the condition of the DPM/PPM before concluding the CEW to be out of specification.

## 6 MEASURE MENU SETUP

- 6.1 Ensure that the following measurements are displayed using the **MEASURE** menu:
  - 6.1.1 Add measurement for **MAX** of **channel 1** (Press Add Measurement).
  - 6.1.2 Add measurement for **AREA** of **channel 4** (Press Add Measurement).
  - 6.1.3 Press "**MORE**", select "**GATING**", and select "**Between Cursors**".
  - 6.1.4 Press "**MORE**", select "**STATISTICS**", and select "**Statistics OFF**".
  - 6.1.5 Press **Bring Cursors on Screen**.
  - 6.1.6 Adjust cursor A at the first division graticule scale and cursor B at the last graticule scale.
  - 6.1.7 Ensure Cursors are enabled and set to **Vertical** and measuring **Channel 1** (press the Cursors button until the cursors are vertical only as shown in **Error! Reference source not found.** above. The cursor color will match the channel they are measuring. Press the Channel 1 button if the cursors are not yellow, then press the Measure button again to bring up the Measure Menu).

## 7 CURRENT PROBE ZERO

- 7.1 Change the horizontal scale to **20.0  $\mu$ s/div** using the Horizontal **SCALE** knob.
- 7.2 Change the acquisition mode to **average 8** using the **ACQUIRE** menu
- 7.3 Change the horizontal position to **10%** using the horizontal position knob.
- 7.4 Change the trigger mode to **AUTO (Untriggered Roll)**.
- 7.5 Press **RUN/STOP** on the oscilloscope to start capture.
- 7.6 Ensure **Auto** is displayed in the upper-right corner of the screen.
- 7.7 Press the current probe **DEGAUSS** button.
- 7.8 Read the **Channel 4 AREA** measurement

**Note:** The area measurement unit is displayed as **As** (Ampere-Seconds), which is the equivalent of Coulombs, or charge. A typical measurement in this process should be in the  **$\mu$ C** (micro-Coulombs) or **nC** (nano-Coulombs) range.

- 7.9 Ensure the charge reading is less than  $\pm 1.0 \mu\text{C}$  ( $1.0 \mu\text{As}$ ) on the oscilloscope
- 7.10 If more than  $\pm 1.0 \mu\text{C}$  is read, adjust the current probe using the Zero Thumbwheel.  
**Note:** If the current probe will not zero with the thumbwheel, there is an adjustment potentiometer on the bottom side of the probe that will do a coarse adjustment of the zero.
- 7.11 Press **RUN/STOP** on the oscilloscope to stop capture.

## 8 CHARGE, VOLTAGE, DURATION TEST

The steps below will acquire the main phase charge, peak loaded main phase voltage, and pulse duration of the CEW waveform.

- 8.1 Change the trigger mode to **NORMAL**.
- 8.2 Press the **run/stop** on the oscilloscope.
- 8.3 Ensure that **Trig?** is displayed in the upper-right corner of the screen.
- 8.4 Place the CEW safety switch in the up (ARMED) position.
- 8.5 Press the CEW trigger.
- 8.6 During the 5-second cycle, confirm that a waveform is displayed on the oscilloscope screen as in Figure 6–Figure 8 as applicable and that there is no arcing at any test setup connections from the cartridge electrodes to the resistive load.

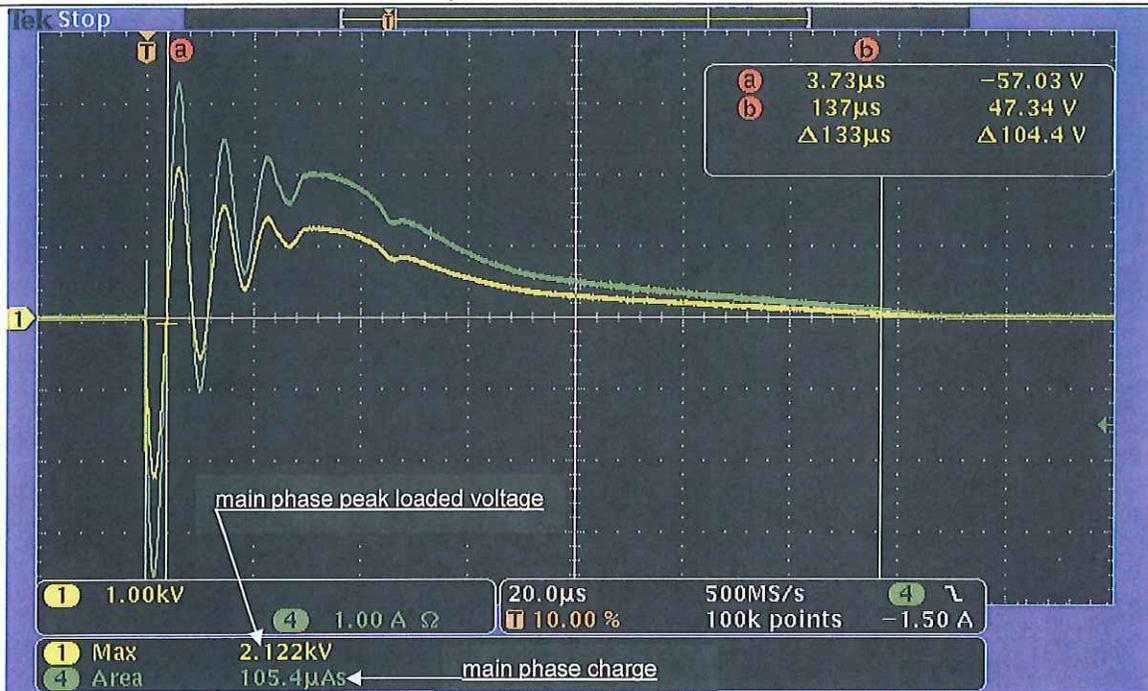


Figure 6 – X26

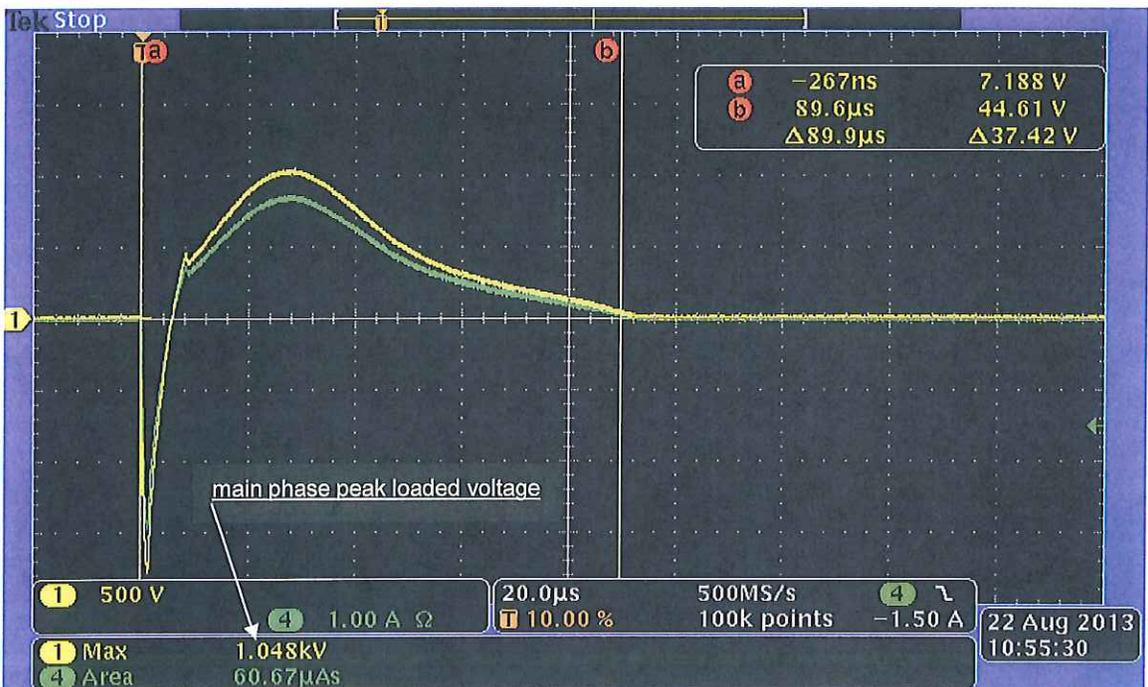


Figure 7 – X26P

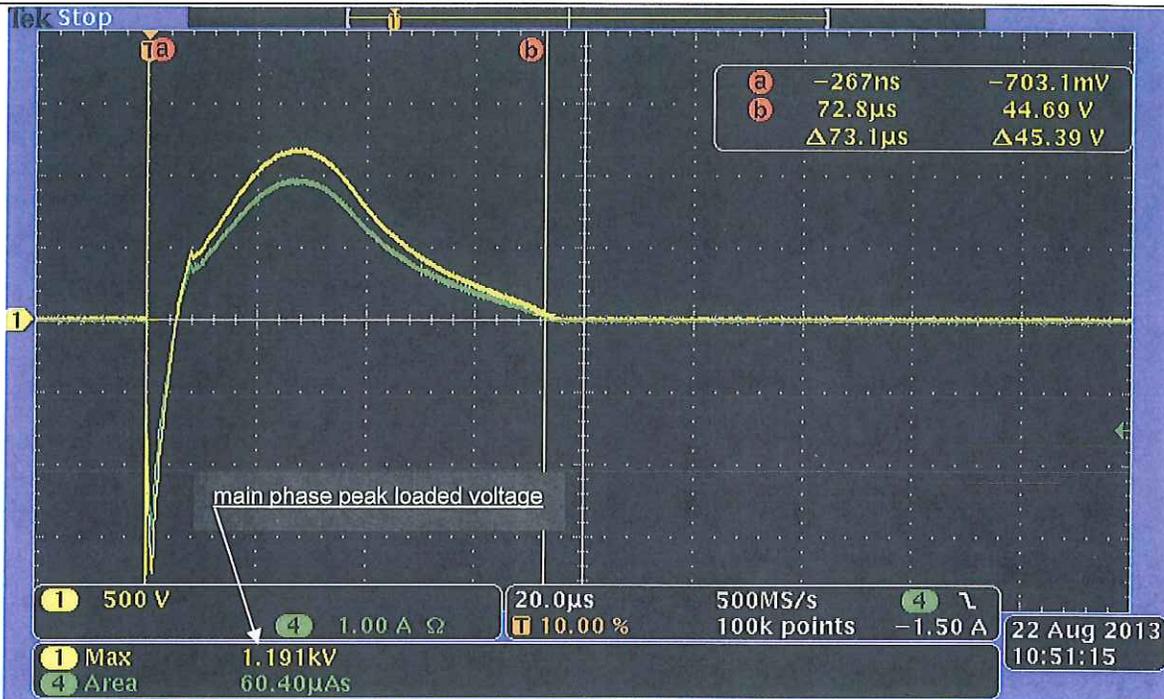


Figure 8 – X2

- 8.7 After the 5-second cycle ends, press the **run/stop** button.
- 8.8 Move the safety switch to the down (SAFE) position.
- 8.9 Using the cursors, measure the following:
  - 8.9.1 The peak loaded main phase voltage (**max channel 1**), Figure 6–Figure 8 as applicable.

**Note for X26 ONLY:** The main phase peak loaded voltage is measured after the negative arc phase, at the point **before the voltage reaches +50 volts** until the point **after it drops below +50 volts** at the end of the waveform.
  - 8.9.2 Main phase charge (**area channel 4**), Figure 6–Figure 8 as applicable.

**Note for X26 ONLY:** The main phase charge is measured after the negative arc phase, at the point **before the voltage reaches +50 volts** until the point **after it drops below +50 volts** at the end of the waveform.

**Note for X26P/X2 ONLY:** The pulse duration: full wave waveform and charge is measured from the point **before the voltage first reaches -50 volts** in the arc phase to the point **after the voltage drops below +50 volts** at the end of the waveform.

8.9.3 Full waveform pulse duration (Cursor's  $\Delta$  measurement), Figure 9.

**Note:** The pulse duration: full wave waveform is measured from the point before the voltage first reaches -50 volts in the arc phase to the point after the voltage drops below +50 volts at the end of the waveform.

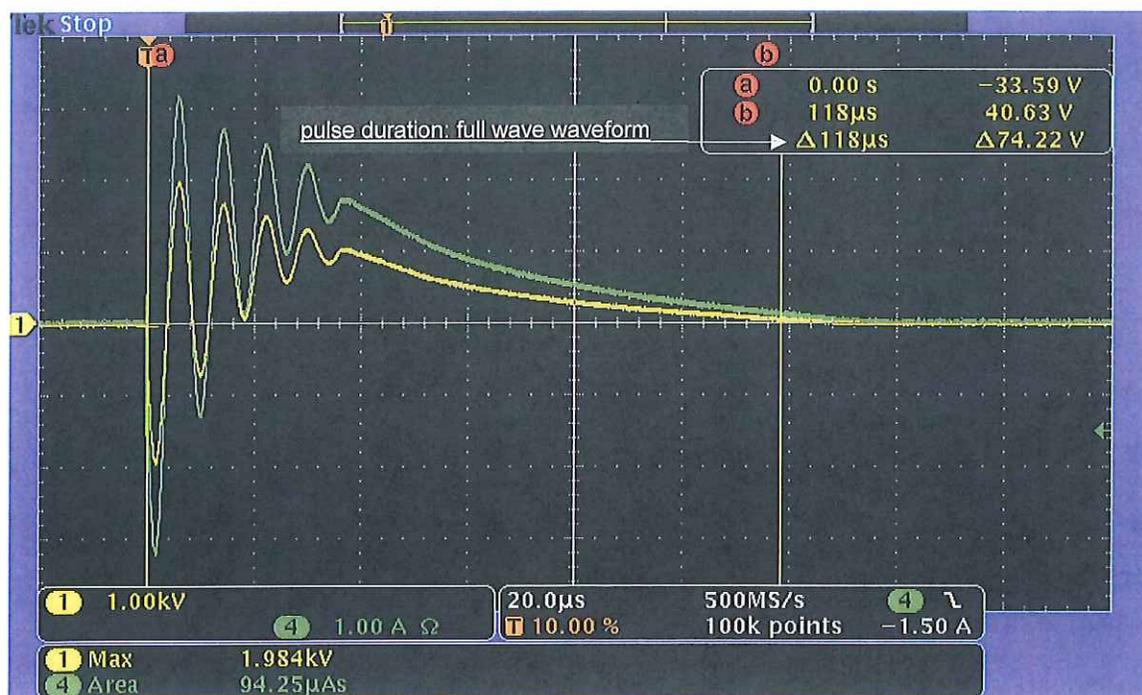


Figure 9

8.10 Refer to the appropriate table below to confirm that the CEW is operating within specifications.

**Table 1 X26 Customer Specifications**

Electrical Output Specifications with a 600 $\Omega$ Load	TASER X26 Specifications
Pulse rate	16.5 to 20 pulses per second (pps)
Main phase charge	80 to 125 microcoulombs
Peak loaded main phase voltage	1400 to 2520 volts
Pulse duration: full waveform	105 to 155 microseconds

**Note:** The TASER X26 output may vary depending on temperature, battery charge, and load characteristics. The above output specifications are derived from a 600  $\Omega$  (ohms) resistive load as specified in the above protocol. Please see TASER published product specifications.

**Table 2 X26P Customer Specifications**

Electrical Output Specifications with a 600 $\Omega$ Load	TASER X26P Specifications
Pulse rate	19 $\pm$ 1 pulses per second (pps)
Full pulse charge	63 $\pm$ 9 microcoulombs
Peak loaded voltage	840 to 1440 volts
Pulse duration: full waveform	50 to 125 microseconds

**Note:** The TASER X26P output may vary depending on temperature, battery charge, and load characteristics. The above output specifications are derived from a 600  $\Omega$  (ohms) resistive load as specified in the above protocol. Please see TASER published product specifications.

**Table 3 X2 Customer Specifications**

Electrical Output Specifications with a 600 $\Omega$ Load	TASER X2 Specifications
Pulse rate	19 $\pm$ 1 pulses per second (pps)
Full pulse charge	63 $\pm$ 9 microcoulombs
Peak loaded main phase voltage	840 to 1440 volts
Pulse duration: full waveform	50 to 125 microseconds

**Note:** The TASER X2 output may vary depending on temperature, battery charge, and load characteristics. The above output specifications are derived from a 600  $\Omega$  (ohms) resistive load as specified in the above protocol. Please see TASER published product specifications.

**END OF PROCEDURE**

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## Royea, Suellen

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**From:** Gauthier, Richard  
**Sent:** Tuesday, June 17, 2014 1:26 PM  
**To:** Royea, Suellen  
**Subject:** FW: VT CEW Bill

Would you please forward this to LEAB members as well? I might have a couple more in a few minutes. Thanks.

Rick

Richard B. Gauthier  
Executive Director  
VT Criminal Justice Training Council  
802-483-2738 (Work)  
802-342-6310 (Cell)  
[Richard.gauthier@state.vt.us](mailto:Richard.gauthier@state.vt.us)

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**From:** Rick Smith <[rick@taser.com](mailto:rick@taser.com)>  
**Date:** Tuesday, June 3, 2014 at 2:00 PM  
**To:** "Gauthier, Richard" <[richard.gauthier@state.vt.us](mailto:richard.gauthier@state.vt.us)>  
**Cc:** Jamie Feehan <[jfeehan@primmer.com](mailto:jfeehan@primmer.com)>  
**Subject:** Re: VT CEW Bill

For our discussion in 30 min, we drafted the following suggested language re: testing & maintenance:

### **Recommended Policy on Testing and Calibration**

- 1. All CEW's should be maintained per the manufacturer's recommendations, including:**
  - 1. Performing a spark test at regular intervals (as specified by the manufacturer) to ensure the weapon is operational**
  - 2. Ensuring that the firmware of all CEW's are updated within 90 days of the manufacturer issuing updated firmware. (Definition: firmware is the operating software within a CEW that controls its operation and output)**
- 2. Agencies shall take reasonable care to ensure that the output of a CEW is operating within the manufacturer's specifications as follows:**
  - 1. If the CEW device does not include on-board self-testing capability (Model X26 and M26 TASER CEW's):**
    - 1. The device should be tested once every two years by a person or entity certified by the manufacturer to perform certification testing**
  - 2. If the CEW includes on-board self-testing capability (Model X26P and X2)**

- 1. The operator shall perform a spark test prior to each shift and shall check the display on the back of the device to ensure there are no critical errors noted on the display.**
- 2. If the operator sees a critical error warning, the device should be removed from service until the device has been serviced**

## Royea, Suellen

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**From:** Gauthier, Richard  
**Sent:** Tuesday, June 17, 2014 1:33 PM  
**To:** Royea, Suellen  
**Subject:** FW: VT Cameras

More for the LEAB, more to come.

Richard B. Gauthier  
Executive Director  
VT Criminal Justice Training Council  
802-483-2738 (Work)  
802-342-6310 (Cell)  
[Richard.gauthier@state.vt.us](mailto:Richard.gauthier@state.vt.us)

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**From:** Rick Smith <[rick@taser.com](mailto:rick@taser.com)>  
**Date:** Tuesday, June 3, 2014 at 7:27 PM  
**To:** "Gauthier, Richard" <[richard.gauthier@state.vt.us](mailto:richard.gauthier@state.vt.us)>  
**Cc:** Jamie Feehan <[jfeehan@primer.com](mailto:jfeehan@primer.com)>, Joshua Isner <[jisner@taser.com](mailto:jisner@taser.com)>  
**Subject:** Fwd: VT Cameras

Here's a list of current body camera users in VT. Offline means they are just saving files on a local PC. The others are using [EVIDENCE.com](http://EVIDENCE.com) to storage and manage their videos.

Sent from my iPad

Begin forwarded message:

**From:** William Halbach <[whalbach@taser.com](mailto:whalbach@taser.com)>  
**Date:** June 3, 2014 at 4:22:51 PM MST  
**To:** Rick Smith <[rick@taser.com](mailto:rick@taser.com)>  
**Subject:** RE: VT CEW Bill

Rick,

See below and attached.

Total	Online
20 Agencies	13 Agencies
142 units	96 Units

Agency	AX	Units	Type	E.com
VT Police Training Academy	465149	20	Body	Offline
Hartford Police Dept. -VT	127831	16	Flex	Online renewal
Winooski Police Department	155114	16	Flex and Body	Online
Newport Police Dept. VT	116194	14	Body	Offline
Grand Isle County Sheriff -VT	463278	10	Body	Online

Morristown Police Dept. - VT	171312	10	Flex	Online
Berlin Police Dept. - VT	327519	8	Flex	Online
Lamoille County Sheriff's Office - VT	110883	8	Flex and Body	Online
Burlington Police Dept. - VT	116180	6	Flex	Online
Milton Police Dept. - VT	116192	6	Body	Online
HARDWICK-GREENSBORO POLICE DEPT. - VT	239169	5	Flex	Offline
SWANTON POLICE DEPT. - VT	325138	5	Flex	Online
BARRE CITY POLICE DEPT. - VT	226865	3	Flex	Online
Barre Town Police Dept. - VT	456996	3	Flex	Online renewal
BRISTOL POLICE DEPT. - VT	193979	3	Body	Offline
Orleans County Sheriff's Office - VT	469103	3	Flex(Do not have cameras yet)	Online
Manchester Police Department - VT	109372	2	Flex	Offline
St. Michael's College DPS - VT	462648	2	Body	Online
Town of Groton	468236	1	Flex	Offline
Town of Rochester - VT	468108	1	Body	Offline

**From:** Rick Smith  
**Sent:** Tuesday, June 03, 2014 15:46  
**To:** William Halbach  
**Subject:** Fwd: VT CEW Bill

I need a list of all agencies deploying AXON & E.com in VT. Can you help? Also would be super useful if we had a contact for each agency

Rick

Sent from my iPad

Begin forwarded message:

## Royea, Suellen

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**From:** Gauthier, Richard  
**Sent:** Tuesday, June 17, 2014 1:34 PM  
**To:** Royea, Suellen  
**Subject:** FW: Price

One more after this...

Richard B. Gauthier  
Executive Director  
VT Criminal Justice Training Council  
802-483-2738 (Work)  
802-342-6310 (Cell)  
[Richard.gauthier@state.vt.us](mailto:Richard.gauthier@state.vt.us)

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**From:** Rick Smith <[rick@taser.com](mailto:rick@taser.com)>  
**Date:** Tuesday, June 3, 2014 at 6:16 PM  
**To:** "Gauthier, Richard" <[richard.gauthier@state.vt.us](mailto:richard.gauthier@state.vt.us)>  
**Subject:** Price

Here is a quote for the supplies needed to correctly test a CEW

**From:** Bryan Chiles  
**Sent:** Tuesday, June 03, 2014 1:23 PM  
**To:** Mike Gish  
**Subject:** RE: I need your help

Purchasing from TASER and Technitool:

- 1- DPO3034 Oscilloscope: \$7910.00
  - 1- TCP-202A (no need for BNC adapter): \$2340
  - 1- P5100 Voltage Probe: \$483.00
  - 1- Ohmite LN100J600 load: \$75
  - 1- Expended TASER Cartridge with alligator clips: \$50
- TOTAL: \$10,858.00 (not including tax/shipping)**

This is the minimum needed. I'd suggest they also buy a spare P5100 and a spare cartridge.



# City of Rialto Case Study



Rialto PD's comprehensive, randomized experiment proves that TASER's AXON cameras reduced citizen complaints by 87.5% and reduced use of force by 59%.

## Agency

Rialto PD serves the family-friendly City of Rialto with 115 Sworn Officers and 42 non-sworn Officers. The PD covers 28.5 square miles and serves a population of 100,000. The City of Rialto retains its small-town atmosphere amidst quickly developing areas nearby and prioritizes Public Safety in order to maintain the City's safe, small-town feel.

## Department Profile



<b>Agency</b>	Rialto, CA
<b>Industry</b>	Law Enforcement
<b>Country</b>	United States
<b>Personnel</b>	115 sworn & 42 non-sworn
<b>Tech Solution</b>	AXON flex and EVIDENCE.com
<b>Web site</b>	<a href="http://www.rialtopd.com">www.rialtopd.com</a>

## Challenge

When facing the public, Rialto PD found two main areas for improvement: Use of Force, and Officer Complaints. These issues cost the department valuable time and resources. Rialto PD believed that improving oversight, gathering more video evidence, and improving trust within the community would decrease the frequency of these issues.

## Solution

Rialto PD invested in TASER's Digital Evidence Ecosystem, AXON flex and EVIDENCE.com. After purchasing 66 cameras and licenses to EVIDENCE.com<sup>1</sup>, the PD began a scientific research study to determine the effects of TASER's AXON flex and EVIDENCE.com solution.

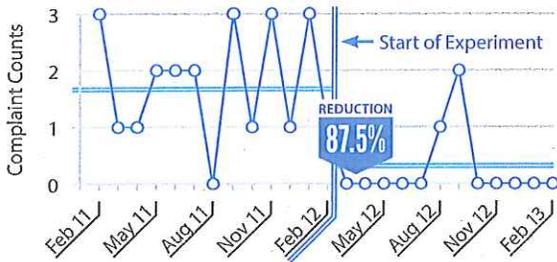
To protect the integrity of data gathered during the experiment, Rialto PD used the "Cambridge Randomizer" and followed a strict scientific process. This strategy shaped a sophisticated, web-based experiment with data protected

<sup>1</sup> 61% deployment

from outside influences. Officers, shifts, and days were randomly assigned to experiment or control assignments. During the experiment, there were 498 experimental uses of AXON Flex and 499 control instances. The Study reached its 1-year mark in February 2013.<sup>2</sup>

Because of Rialto PD's extensive data gathering and controlled study, the data is compelling. Over the course of 1 year, **officer complaints fell by 87.5%** in the experimental group. The data shows the officers increased interactions with the public compared to the previous year, and still complaints fell dramatically.

### Monthly Complaints Received

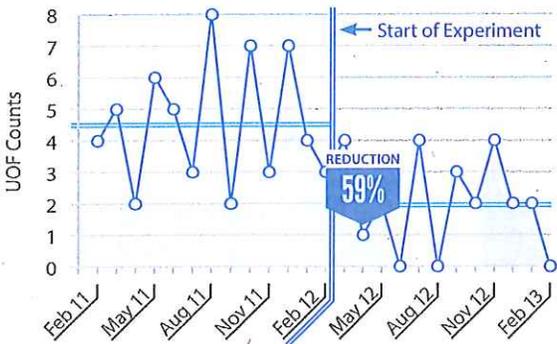


Decrease in Complaints



Rialto PD also focused on their Officer use-of-force data. During the experiment, individuals wearing an AXON flex **reduced use-of-force by 59%**. This data indicates that the presence of the camera not only encouraged compliance from the public but it also reduced instances of use of force by officers.

### Patrol Officer's Use-of-Force



Reduced Use-of-Force



## Conclusion

Rialto PD addressed their biggest areas for improvement with one system: TASER's Digital Evidence Ecosystem. Rialto PD justified the purchase of additional AXON flex and EVIDENCE.com licenses using their data. In the future, they'll use the study to educate other agencies on the benefits of on-officer video and cloud-based evidence management.

<sup>2</sup> The study is ongoing and will yield further data regarding: conviction rates, number of complaints dismissed, cost savings, time saved, and reduction of assaults on Officers. AXON™ and AXON Flex™ are trademarks of TASER International, Inc., and TASER® and © are registered trademarks of TASER International, Inc., registered in the U.S. © 2013 TASER International, Inc. All rights reserved.

**LEAB's  
Proposed Policy:  
Use of Conducted Electrical Weapons**

## INTRODUCTION AND PURPOSE

The purpose of this policy is to effectuate 20 V.S.A. § 2367 and establish state-wide training and policies governing law enforcement agencies' use of Conducted Electrical Weapons ("CEWs").

When properly used, CEWs can be an effective and efficient law enforcement tool that can reduce injuries to suspects, bystanders, and law enforcement officers. However, a recent review of existing CEW policies from around Vermont indicates that law enforcement agencies have different policies regulating when and how CEWs may be used. In addition, the frequency with which law enforcement agencies must work together and community concern over the potential dangers of CEWs support the need for a consistent and safe approach to the use of CEWs as less-lethal law enforcement tools.

This policy sets forth recommended minimum standards for training officers on using CEWs, the circumstances under which officers should use CEWs, and the procedures officers should follow after using CEWs. Although this policy contains provisions and principles that may apply to several different types of force, it focuses on CEWs and does not specifically address all other lawful types of force law enforcement officers may use in a given situation. This CEW policy is designed to supplement rather than replace any existing use of force policies. It is expected that law enforcement agencies incorporate the provisions of this policy into their existing use of force policies.

Finally, because this policy attempts to apply universally to all law enforcement agencies regardless of their size, it is not possible to fully detail the level of supervisory review of use of force reports completed after CEW deployment. Agencies should refine these provisions of this policy according to their size, existing policies, and the needs of the communities they serve.

## POLICY

### 1. **Definitions.**

- 1.1. Conducted Electrical Weapon ("CEW"): A less-lethal law enforcement device that delivers an electrical pulse to the body of a subject in either a "drive stun" or "probe" mode. When used in "probe mode" the device discharges two probes that remain connected to the CEW via wire and which upon impact deliver an electrical pulse designed to temporarily incapacitate that subject. When used in "drive stun" mode, the device makes direct contact with and delivers an electrical pulse to the body of a subject, but does not result in the same temporary incapacitation of a subject as when used in "probe" mode. CEWs include "Electronic control devices" which are defined at 20 V.S.A. § 2367(a)(1) as "device[s] primarily designed to disrupt an individual's central nervous system by means of deploying electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses."

- 1.2. Special populations: Members of special populations include subjects an officer has reason to believe are:
  - 1.2.1. Cognitively impaired such that they are unable to comply with an officer's instructions.
  - 1.2.2. Experiencing an emotional crisis that may interfere with the ability to understand the consequences of their actions or follow directions.
  - 1.2.3. Persons with disabilities whose disability may impact their ability to communicate with an officer, or respond to an officer's directions.
  - 1.2.4. Under 18 years of age.
  - 1.2.5. Pregnant.
  - 1.2.6. Over 65 years of age.
  - 1.2.7. Physically infirm, subject to or diagnosed with a heart condition, or epilepsy, or a seizure disorder.
- 1.3. Special circumstances: Special circumstances include situations where an officer has reason to believe the subject is:
  - 1.3.1. Operating a motor vehicle.
  - 1.3.2. Standing in an elevated area, near water, or near flammable materials (including but not limited to alcohol-based chemical sprays).
  - 1.3.3. Restrained.
- 1.4. Special consideration: A consideration of: (i) the potential additional risk of harm posed by deploying a CEW against a member of a special population or a subject in special circumstances; and (ii) whether other types of force are reasonably available to effectuate custody of or facilitate control over a member of a special population or a subject in special circumstances while still preserving the safety of that person, third parties, and the responding officer(s).
- 1.5. Active Resistance: A subject using physical activity to resist or takes an affirmative action to defeat an officer's ability to take him/her into custody or to seize him/her, but the subject's actions would not lead a reasonable officer to perceive a risk of physical injury to him/herself, the subject, or a third person. Examples of active resistance include pulling away, escaping or fleeing, struggling and not complying on physical contact, or other energy enhanced physical or mechanical defiance. Refusing to move upon verbal direction or chaining oneself to an object does not constitute active resistance.
- 1.6. Active Aggression: Behavior that creates an imminent risk of physical injury to the subject, officer, or third party, but would not lead a reasonable officer to perceive a risk of death or serious bodily injury. Examples include an attack on an officer, strikes, wrestling, undirected strikes with injury potential, kicking, shoving, punching, and other words or behavior indicating that such actions are imminent.

## 2. CEW Use and Deployment Procedures.

- 2.1 Only officers who complete training on the use of CEWs containing the minimum elements set forth in Section 4 of this policy, as approved by the Vermont Criminal Justice Training Council, shall be authorized to carry CEWs.
- 2.2 Prior to the start of each shift, an officer authorized to carry a CEW shall conduct a spark test of the CEW to ensure that it is properly functioning. Only properly functioning CEWs shall be carried for use. CEWs that are not properly functioning shall be taken out of service and sent for repair.
- 2.3 When it is safe to do so, law enforcement should display and provide a warning prior to deploying a CEW.
- 2.4 Officers may only deploy CEWs in the following circumstances:
  - 2.4.1 In response to either:
    - 2.4.1.1 A subject exhibiting active aggression.
    - 2.4.1.2 A subject actively resisting in a manner that, in the officer's judgment, is likely to result in injury to the subject, the officer, or third persons.
  - 2.4.2 If, without further action or intervention by the officer, injuries to the subject, the officer, or others will likely occur.
  - 2.4.3 To deter vicious or aggressive animals that threaten the safety of the officer or others.
- 2.5 Neither an officer, a subject, nor a third party has to actually suffer an injury before use of a CEW may be justified.
- 2.6 An officer should attempt to avoid deployment to a suspect's head, neck, chest, genitals, female breast, and stomach of a pregnant woman.
  - 2.6.1 When targeting a subject from the front, the preferred target area is a horizontal line approximately 2 inches lower than the sternum and below. An ideal probe deployment from the front will "split the hemispheres" having one probe strike a subject above the belt line and the other probe striking the subject in the thigh or leg thereby activating the hip flexor.
  - 2.6.2 When targeting a subject from the back, the preferred target area is below a horizontal line drawn even with the shoulders across the neck and below.
- 2.7 Officers should use the minimum number of cycles necessary to take a suspect into custody or mitigate their assaultive behavior.
- 2.8 CEWs shall not be used in a punitive or coercive manner and shall not be used to awaken, escort, or gain compliance from passively resistant subjects. The act of fleeing or destroying evidence, in and of itself, does not justify the use of a CEW.

- 2.9 When it is safe to do so, officers should attempt to deescalate situations. However, officers are not required to use alternatives to a CEW that increases the danger to the officer, another person or the public.
- 2.10 Officers should avoid deploying more than one CEW on a single subject at the same time unless special circumstances exist such as an ineffective probe spread on the first CEW or the first CEW fails to achieve immobilization of the subject and a second deployment is independently justified. Before deploying a second CEW, officers should consider the feasibility and safety of attempting to control the subject with a lesser type of force.
- 2.11 Officers having reason to believe they are dealing with a member of a special population or are dealing with special circumstances shall give special consideration to deploying an CEW. Officers having reason to believe they are dealing with an individual with a psychiatric disability shall consider consulting with the area designated mental health agency.

### **3 Post Deployment Procedure.**

- 3.1 Following CEW use, officers should only use restraint techniques designed to minimize the risk of impairing a suspect's respiration. Once restrained, the subject should be moved into a recovery position that facilitates breathing.
- 3.2 As soon as practicable after CEW deployment, the CEW probes shall be removed from the subject. The probes shall be treated as a biohazard. In the following cases, officers should wait for EMS to remove the probes:
- 3.2.1 The probes impeded in a sensitive area such as the face, neck, throat, groin, female breast, or stomach of a pregnant woman.
- 3.2.2 The officer encounters problems when attempting to remove the probe.
- 3.3 Medical attention at a medical facility shall be offered to all individuals subjected to a CEW deployment.
- 3.4 Emergency medical services shall be contacted if a subject:
- 3.4.1 Suffers an obvious injury.
- 3.4.2 Does not appear to recover properly and promptly after deployment.
- 3.4.3 Is a member of a special population.
- 3.4.4 Has been subjected to three or more CEW deployments or a continuous deployment exceeding 15 seconds.
- 3.4.5 Has been subjected to a deployment to his or her chest.
- 3.4.6 Exhibits signs of extreme uncontrolled agitation or hyperactivity prior to the CEW exposure or the subject was involved in a lengthy struggle or fight prior to the CEW exposure.

- 3.5 If a subject refuses additional medical attention, that refusal should be documented.
- 3.6 When an officer has reason to believe (s)he is responding to a situation that may necessitate emergency medical services, (s)he shall make reasonable efforts to summon such services in advance.
- 3.7 With the exception of the required spark test and accidental discharges that do not connect with any living being, each time a CEW is deployed and/or displayed it shall be documented in a use of force report within 24 hours of the deployment unless otherwise authorized by a supervisor. This use of force report shall contain the following, at a minimum:
  - 3.7.1 The date, time, and location of the incident.
  - 3.7.2 The officer(s) involved in the incident, identifying which officer(s) used CEWs.
  - 3.7.3 The type of CEW deployment, i.e., display, drive stun, or probe mode.
  - 3.7.4 Identifying and descriptive information for the subject, including any information indicating if the subject was a member of a special population or encountered during an incident involving special circumstances. If the subject was a member of a special population, the use of force report should document whether law enforcement consulted with any mental health agencies.
  - 3.7.5 A list of other known witnesses.
  - 3.7.6 The number of CEW cycles used, the duration of each cycle, and the duration between cycles.
  - 3.7.7 The level and description of resistance encountered.
  - 3.7.8 Whether CEW use was effective.
  - 3.7.9 The type of crime/incident the suspect was involved in.
  - 3.7.10 The approximate range at which the CEW was used.
  - 3.7.11 The point of impact.
  - 3.7.12 Whether law enforcement used or attempted to use any other types of force.
  - 3.7.13 The medical care provided to the subject, including any refusal of additional medical attention after initial screening by EMS.
  - 3.7.14 The type of injuries, if any, sustained by any of the involved persons including the officer(s).
  - 3.7.15 When possible, photographs of the CEW probe entry sites.
- 3.8 The department shall also collect the download data, cartridges, probes, and wires from the CEW that was deployed and shall maintain them pursuant to its evidence policies. The download shall occur as soon as reasonably practical after the CEW is deployed.
- 3.9 When possible, in instances in which more than one CEW has been deployed, a sampling of the AFID tags should also be collected and maintained pursuant to the department's evidence policies.
- 3.10 Accidental discharges that do not connect with any living thing shall be documented in a departmental memorandum explaining in detail how the discharge

occurred within 48 hours of the alleged accidental discharge unless otherwise authorized by a supervisor.

3.11 All use of force reports and departmental memorandum required under this policy shall be reviewed by the officer's supervisor. The department shall conduct a use of force review in the following situations:

3.11.1 The department receives a complaint of excessive use of force.

3.11.2 The supervisor recommends conducting a use of force review.

3.11.3 The encounter resulted in death or serious bodily injury.

3.11.4 The individual exposed to the CEW is a member of a special population.

3.11.5 An individual was exposed to three or more CEW cycles or a cycle that lasted longer than 15 seconds.

3.12 Upon request, a suspect subjected to a CEW deployment, or his/her next of kin, shall be kept informed of the procedural status and final result of the review.

3.13 Annually each law enforcement agency shall report to the Vermont Criminal Justice Training Council all incidents involving the use of a CEW in a form to be determined by the Council. The Council shall make this information available on its website.

#### **4 Training Requirements.**

4.1 Training for officers authorized to carry CEWs shall be conducted annually.

4.2 Training shall not be restricted solely to training conducted by the manufacturer of the CEW. However, training shall include the recommendation by manufacturers for the reduction of risk of injury to subjects, including situations where a subject's physical susceptibilities are known.

4.3 Training shall emphasize that CEWs may be less-lethal, but are not non or less-than lethal.

4.4 Training shall also incorporate, at a minimum:

4.4.1 Instruction on the use of force continuum.

4.4.2 Techniques to avoid or deescalate confrontations.

4.4.3 The underlying technology and operation of CEWs.

4.4.4 The physiological effects upon an individual against whom such a CEW is deployed.

4.4.5 The proper use of the weapon, including both the proper mechanical use of the weapon and the circumstances under which it is appropriate to use the weapon.

4.4.6 Scenario-based training.

4.4.7 Proper removal of CEW probes.

- 4.4.8 The potential medical needs of a subject who has been subjected to a CEW deployment.
- 4.4.9 The post-deployment reporting requirements.
- 4.4.10 Instruction on interacting with individuals experiencing a mental health crisis, emotional crisis or other type of crisis, as recommended by the Vermont Criminal Justice Training Council.

4.5 Departments should also evaluate the value of requiring or allowing officers to feel the effects of a CEW as part of training. If an officer decides to feel these effects, the training shall include an explanation of the potential differences between that officer's experience and the experience of a subject in the field. Departments requiring or allowing its officers to undergo a CEW deployment shall, beforehand, provide a thorough explanation of the potential injuries an officer could incur as a result of the deployment even within a controlled training environment.

## **5 Review**

5.1 Vermont's Law Enforcement Advisory Board shall review this policy annually.