



**OFFICIAL: Sensitive**

**GENERAL ORDER**

**OPERATIONAL SAFETY—OPERATIONAL EQUIPMENT**

<b>General Order title</b>	<b>Operational safety—operational equipment</b>
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General Orders provide an employee with instructions to ensure organisational standards are maintained consistent with SAPOL's vision. To this end, General Orders are issued to assist an employee to effectively and efficiently perform their duties. It is important that an employee constantly bears in mind that the extent of their compliance with General Orders may have legal consequences.

Most orders, as is indicated by the form in which they are expressed, are mandatory and must be followed. However, not all situations encountered by an employee can be managed without some form of guidance and so some of these orders are prepared as guidelines, which should be applied using reason. An appendix to a General Order will be regarded as part of the General Order to which it relates. At all times an employee is expected to act ethically and with integrity and to be in a position to explain their actions. Deviation from these orders without justification may attract disciplinary action.

To ensure best practice an employee should be conversant with the contents of General Orders.

The contents of General Orders must not be divulged to any person not officially connected with SAPOL. Requests for General Orders will be managed as follows:

- Civil subpoena and disclosure requests—contact the Information Release Unit.
- Criminal subpoena and disclosure requests—refer to General Order, **Disclosure compliance and subpoena management**.
- Freedom of information requests—contact the Freedom of Information Unit.
- Any other requests (including requests by employees)—refer to instructions provided within General Order, **Corporate policy framework, 5. GENERAL ORDER REQUESTS/RELEASE**.

## 7. ELECTRONIC CONTROL DEVICE

Section 4 of the *Firearms Act 2015* prescribes the legal meaning of a firearm. Electronic control devices (ECDs) fit within this definition; however, for the purpose of this General Order when referring to a firearm the plain meaning applies—excluding ECDs.

### Purpose

A member/PSO is issued with an ECD as a tactical option which, depending on the situation, can be applied as the most effective means of eliminating or minimising the risks of serious injury or harm arising from:

- lawful arrest/detention of a violent or potentially violent person
- cell extraction
- attacking animal.

In any given situation, the risk of serious injury or harm might apply to members, PSOs, members of the public, victims or offenders.

### Carriage

Other than in authorised training, a member/PSO may only use or carry an ECD when they:

- have successfully completed the ECD training program and are currently certified
- hold a current certification—refer General Order, **Operational safety** relative to certification
- in the case of a member, are performing uniformed operational patrol or station front counter duties
- in the case of a PSO, are performing duties on mobile patrol or at a static site.


An ECD will be carried on the accoutrement belt in a comfortable position, support side opposite to the firearm. It is essential that this position is where the member/PSO is able to perform the tasks of drawing and re-holstering the device. The ECD will not be carried on the load bearing vest (exemption to this applies for members attached to STAR Operations Section, Security Response Section or in approved trials).

One ECD will be issued to a patrol crew and must be worn on the accoutrement belt by one member each shift. A patrol crew includes working solo. One ECD will also be issued to a front counter station member nominated by the station supervisor and must be worn on the accoutrement belt. In instances of expected prolonged absence such as meal breaks, the carriage of the ECD should be transferred to another qualified member as directed by the station supervisor. Carriage priority must be given to operational patrol crews when demand exceeds devices available for issue.

When carried, a member/PSO shall ensure that:

- the ECD is carried in the approved holster and is secured to the accoutrement belt or load bearing vest for STAR Operations Section, Security Response Section or in approved trials

4(2)(a)(iii) and 4(2)(b)



- they immediately advise the forward commander or supervisor of any use.

### **Use**

A member may only use an ECD when they believe on reasonable grounds there is a risk of serious injury to any person and they are satisfied that it is the most appropriate tactical option in the circumstances.

Using an ECD is a use of force and should be considered as only one of the tactical options available when applying the operational safety philosophy and principles.

The use of an ECD includes:

- presentation—drawing and presenting the device at a suspect as a visual deterrent, in conjunction with a verbal warning and includes removing the device from its holster in anticipation of use (other than when loading or unloading the device or in approved training)
- laser painting and/or arc warn applying the laser sighting system and/or activating arc warn of the device on a suspect as a visual deterrent, in conjunction with a verbal warning
- discharge—trigger activated firing the probes, regardless of successful outcome
- direct contact (drive-stun)—firing the device with or without the cartridge attached while the device is applied to the body of a suspect.

### *Limitations of drive-stun use*

The following limitations apply:

- drive-stun shall not be used as a compliance tool under any circumstances
- drive-stun is only used after conducting a risk assessment that considers but is not limited to the following:
  - the vicinity/position of the offender in relation to any other person in the area
  - the safety of using the drive-stun application
  - other tactical options available, including tactical withdrawal.

A drive-stun may be required in the following circumstances:

- in a situation of self-defence
- a cartridge fails to fire and the suspect moves towards or rushes the operator, the operator has a secondary option to either fire bay two cartridge or apply the drive-stun to create distance between the operator and the suspect
- a cartridge is fired and there is a low probe spread resulting in limited or no incapacitation—the operator may consider a drive-stun follow-up away from the probes to complete the circuit (cross connect) to achieve incapacitation
- where only one probe hits the subject, firing bay two cartridge or a drive-stun with the cartridge still attached will act as the second probe and complete the circuit, thus causing incapacitation.

When using an ECD, every practical precaution must be taken to minimise any risk to innocent persons.

A member/PSO shall not simultaneously draw an ECD and a firearm.

In all cases where it becomes apparent that an ECD may be used, the Communications Centre (ComCen) and the immediate patrol supervisor must be advised. The supervisor must attend the scene prior to or immediately after the use of the ECD.

### Use considerations

When considering the use of an ECD, members/PSOs must comply with General Order, **Operational safety** relative to high risk situations (including requesting attendance of STAR Group Operations Section) unless:

- it is not geographically or operationally viable
- when circumstances dictate that action should be taken immediately.

In the event that the ECD is to be used, there should be at least one additional member/PSO supporting the operator, who can provide immediate backup in the form of alternative tactical options and assistance, unless an appreciation of the circumstances dictates that immediate action is required by a solo uniformed operational member/PSO. The member/PSO must assess the risk and any potential danger in the context of the immediate action.

Specific risks emerge from the use of an ECD; therefore, any member/PSO using the device will:

4(2)(a)(iii) and 4(2)(b)

- ensure a risk assessment is conducted when considering using an ECD against a person armed with a firearm and consider other tactical options to ensure their safety and the safety of others
- exercise caution when using an ECD when a person is armed with a weapon, to ensure a safe reactionary distance is maintained
- exercise caution when using an ECD in the immediate vicinity of a police horse or police dog
- not point the ECD laser at any person's eyes (the device is equipped with an integrated laser which can cause eye damage when directed into eyes).

A member/PSO will not use an ECD:

4(2)(a)(iii) and 4(2)(b)

In addition to the forward commander responsibilities outlined in General Order, **Operational safety—incident command and control system** and General Order, **Operational safety** relative to high risk situations, the forward commander shall provide direction and guidance relative to the use of the ECD as a tactical option.

An ECD can only be used in the manner prescribed in the approved training course.

Verbal warnings should be given to an offender prior to any use. An arc warn can also be given—this may encourage peaceful compliance in addition to warning other members/PSOs present that an ECD is to be used.

### **Handling/inspection—safe practices**

In the event of an unintentional discharge, safe handling of the ECD will minimise the risk of injury to persons and property.

When handling an ECD a member/PSO must:

- treat every ECD as though it is loaded
- ensure the device is always pointed in a safe direction and never pointed at any person or in any direction where a person is likely to be situated, unless it is actually intended to use the device against that person
- keep hands away from the front of the ECD/cartridges at all times
- ensure the safety switch is engaged and the ECD is in safe mode in the following circumstances:
  - before handing the ECD to someone else
  - upon receiving the ECD from someone else
  - before loading or removing cartridges from an ECD
  - when replacing the TASER® CAM™ video/audio recorder in the ECD
  - whenever the ECD is not intended for immediate use
- never throw an ECD to someone else or attempt to catch one
- not attempt to dismantle or perform maintenance on an ECD unless qualified and authorised to do so, refer also to **7. ELECTRONIC CONTROL DEVICE, Maintenance** further in this General Order.

### **Loading**

A member/PSO will at all times carry out loading/unloading procedures whilst the device is pointed in the designated safe direction (at the inside lid of the pelican case). Such procedure will be conducted subsequent to a risk assessment of the background of the area utilised. At no time will this procedure be done whilst any person is located behind the selected loading area.

Prior to commencing duty, a member/PSO will be issued with an ECD (no cartridges present) and will be required to conduct all pre-operational checks of the device to ensure it is serviceable.

*Loading procedure*

During the loading procedure, members/PSOs must:

- keep finger off the trigger at all times
- point the ECD in the designated safe direction (pelican case) with finger outside the trigger guard
- inspect and confirm the cartridge bays are empty
- inspect the device for any visible damage
- place the safety switch in the up position (armed) and provide the verbal cue 'rank, name, ID, no cartridges present'
- check the light and laser are visible (only one laser will be visible when unloaded)
- announce 'arc test' and depress the arc switch with the ECD pointing in the safe direction at all times; when conducting a five second cycle the ECD must be inspected to see/hear that both bays arc—the ECD must not point at or be near their face
- visually and audibly inspect both arcs—the test needs to run for a minimum of five seconds to test the power source
- place safety switch to safe position (switch off)
- collect two cartridges and inspect for any visible damage and that they are within the expiry date
- load the ECD with the two cartridges
- return the ECD to the holster—do not switch the device on at this stage
- once device is in its holster, switch the device on (armed) to inspect the central information display and ensure that the ECD has sufficient charge, the two cartridges have registered, HD camera is working and that there are no visible faults
- switch off the device and roll the hood of the ECD holster to secure the device
- commence shift.

**Unloading procedure**

During the unloading procedure, members/PSOs must:

- keep finger off trigger at all times
- draw the ECD from its holster
- point the ECD in a safe direction, inspect for visible damage
- leave the ECD switched off
- remove both cartridges and return items separately from the ECD
- reholster the device.

## ECD cartridges

Cartridges are to be issued at the commencement of a member's/PSO's shift and returned at the completion of their shift. A member/PSO <sup>4(2)(a)(iii) and 4(2)(b)</sup> cartridges which must be recorded on the **PD250**.

All ECD cartridges are to be replaced before the cartridge expiry date. The District/LSA/branch O/C or the O/C, STAR Group is to ensure the efficient management of their cartridges to ensure cartridge stocks are maintained and replaced according to replacement schedules.

District/LSA/branch part time operational safety trainers (POST) should regularly check District/LSA/branch stock and consult with the O/C to determine the quantity required, taking into consideration the amount of new cartridges required to replace anticipated cartridge use.

## Storage

ECDs (when not issued) will always be stored in the unloaded condition—that is, with the cartridge detached from the device. ECDs and cartridges must be stored separately in a designated secure area within police premises.

A member/PSO must remove an ECD when:

<sup>4(2)(a)(iii) and 4(2)(b)</sup>

- in police cells and cell facilities, including the charge counter area
- on approved study leave away from police premises
- on light duties that prohibit the carrying of a firearm

<sup>4(2)(a)(iii) and 4(2)(b)</sup>

## Cell complexes

Before entering a cell complex a member/PSO will:

- remove the holster containing the ECD from the accoutrement belt
- secure the holster containing the ECD in a designated storage cabinet or safe within a cell complex.

On leaving the cell complex a member/PSO will:

- collect their holster containing the ECD from the storage cabinet or safe
- secure the holster containing the ECD onto the accoutrement belt.

When the O/C of the cell complex requires the use of an ECD for a cell extraction and an immediate response is required, a member may access their ECD from the designated storage area for the sole purpose of conducting a cell extraction.

## Record of daily issue

A member/PSO authorised to carry and deploy an ECD, must immediately record the removal of the device and any air cartridges by serial number from the equipment room by recording the details on the **PD250**.

### Categories of use

ECD incidents are categorised as follows:

- category A—the ECD is fired, discharged or has direct contact with a subject (drive-stun)—this includes an accidental discharge or the failure of a device to operate or deploy where a subject is involved
- category B—the ECD is presented to a subject or the subject is laser painted or removing the device from its holster in anticipation for use (other than when loading or unloading the device or in approved training)
- category C—an accidental discharge occurs (not involving a subject) or the ECD cartridge fails to operate when fired in a training environment.

### Take home approval

Community constables or PSOs shall not have take home approval granted.

All ECDs are to be stored at the workplace in accordance with Firearms Regulations 2017. Approval to take police issue ECDs home can only occur in accordance with the instructions in this General Order. The same process as detailed in **8. FIREARMS—POLICE ISSUE, Take home approval** and **Appendix A—Flowchart for approval of SAPOL issue firearms to be taken home after completing duty** further in this General Order must be taken for ECDs.

Except where operational requirements dictate, all police issue ECDs are to be stored and secured at the station or workplace in a secure area designed for the safe storage of firearms, in accordance with the Firearms Regulations 2017. All police issue ECDs must be unloaded before being securely stored and must be stored separately from cartridges.

A member must not take a police issue ECD away from the work environment after completing duty unless prior authorisation has been given in accordance with this General Order. The take home approval will not be authorised unless storage is pursuant to that as detailed at **8. FIREARMS—POLICE ISSUE, Take home approval** further in this General Order.

### Reporting of incidents

A member/PSO must report immediately any incident involving the use, discharge or direct contact made with a person including an accidental discharge to:

- ComGen
- the forward commander for the incident
- the immediate patrol supervisor
- an officer of police responsible for the area in which the incident occurs—when that member is not available, the incident must be reported to another officer of police.

For all categories of use, a **PD355** or **use of force notification** via Blue Team must be submitted prior to the completion of the member's/PSO's shift. The **PD355** should immediately be forwarded electronically to IIS and the hard copy completed by the District/LSA/branch O/C (or delegate) and forwarded to IIS within 48 hours of receipt.

The O/C, IIS shall nominate an officer of police to examine the STAR Group databases once a month to ensure compliance with General Orders.



## Notification and investigation

The following notifications and investigations apply.

### *Category A incidents*

For all category A incidents, ComCen must advise the district duty inspector (DDI) who shall attend the scene where possible. In circumstances where the DDI cannot attend the scene, such as remote areas, the supervisor in charge of the ECD operator will attend the scene and seek instructions from the DDI.

IIS will be responsible for conducting an investigation into all category A incidents. In circumstances where it is reasonably suspected there has been a breach of the [South Australia Police Code of Conduct](#) in the use of the ECD, the DDI, or Communications Shift Manager where the DDI is unavailable, must advise the on call IIS investigator at the earliest opportunity.

The following procedures will apply for all category A incidents:

- when a cartridge is fired the operator will retain the contents of the used cartridge and place it into the post deployment bag for retention as an exhibit unless:
  - otherwise instructed by an officer of police/DDI
  - the use of the ECD has resulted in a serious injury or death
  - the use of the ECD is likely to become part of a serious investigation (for example a death in custody, Commissioner's inquiry, significant incident); however, when the operator has been instructed to leave the deployed cartridge 'in situ', it must be disconnected from the ECD and as far as practicable not disturbed (where the cartridge must be moved the wires must be left as they are and must not be coiled) and where possible the wires must not be broken from the probes or the cartridge
- the ECD will be immediately removed from service, marked 'out of service' and secured in the equipment room—the ECD will not be returned to service until approval is given from IIS
- where the ECD/cartridge has failed to operate when fired, the ECD/cartridge will be removed from service and returned to the Armoury Section for repair/replacement and the Senior Sergeant, Operational Safety Training Team advised—the Armoury Section holds stocks of spare ECDs and cartridges for replacement
- the District/LSA/branch O/C or where a STAR Group member is involved, the O/C, STAR Group must provide the following to the IIS investigator conducting the investigation as soon as possible but within 48 hours:
  - copy of the **PD355** or **use of force notification** via Blue Team
  - CD/DVD copy of the audio-video
  - electronic copy of the PDF firing data/audio-video log from the ECD (which can be placed on the CD/DVD).

### *Category B incidents*

For all category B incidents, the District/LSA/branch O/C will be notified of the incident and investigate the circumstances of the presentation, laser painting or removing the device from its holster in anticipation for use (other than when loading or unloading the device or in approved training).

The District/LSA/branch O/C is responsible for reviewing the following to determine whether the device has been used in accordance with this General Order:

- **PD355** or **use of force notification** via Blue Team
- firing data
- audio-video.

A member of STAR Operations Section or Security Response Section must record all category B ECD incidents on the appropriate STAR Group database. The O/C, STAR Group is responsible for maintaining this database and will critically examine all incidents of STAR Group ECD usage to ensure compliance with General Orders.

### *Category C incidents*

For all category C incidents, the District/LSA/branch O/C or where a STAR Group member is involved, the O/C, STAR Group will be notified of the incident and investigate the circumstances of the accidental discharge or ECD/cartridge failure. In all category C incidents, the District/LSA/branch O/C or the O/C, STAR Group will forward a copy of the **PD355** or **use of force notification** via Blue Team to the Senior Sergeant, Operational Safety Training Team who will advise the Operational Safety Portfolio.

The incident must be entered onto the [Self-insurance management system—hazard incident reporting module \(HIRS\)](#) and investigated in accordance with General Order, **Hazard and incident reporting/resolution**.

The District/LSA/branch O/C or the O/C, STAR Group is responsible for reviewing the following and determining whether the device has been used in accordance with this General Order:

- **PD355** or **use of force notification** via Blue Team
- firing data
- audio-video.

Where the ECD/cartridge has failed to operate when fired in a training environment, the ECD/cartridge will be removed from service and returned to the Armoury Section for repair/replacement and the Senior Sergeant, Operational Safety Training Team advised. The Armoury Section holds stocks of spare ECDs and cartridges for replacement.

The Operational Safety Portfolio will address any training needs identified as a result of any accidental discharge(s).

The Armoury Section will report through the Senior Sergeant, Operational Safety Training Team any issues relating to defective ECDs or cartridges.

When the incident constitutes a clear breach of the [South Australia Police Code of Conduct](#), a **PD185 Complaints and reports about breaching code of conduct (PD185)** shall be submitted to IIS.

### Data management and recording

The ECD has a data port memory which stores the time, date and duration when the device was fired. Additionally, the device is fitted with an audio-video digital recording capability. The audio-video recording is activated within 1.5 seconds of the safety switch being placed into the 'armed' position.

The District/LSA/branch O/C or the O/C, STAR Group must ensure the following occurs:

- all digital audio-video evidence must be transferred to permanent storage media, being CD-R or DVD-R compact discs—the contents of the CD/DVD are not to be altered in any manner
- the original copy of the CD/DVD will be labelled 'original copy', maintained as an 'in specie copy' and lodged into property—refer to General Order, **Property** for the correct handling, maintenance and disposal of exhibit property
- a minimum of two working copies of the audio-video CD/DVD will be produced—each labelled 'working copy' (one for the court file and one for the IIS investigator conducting the investigation)
- the audio-video obtained from an ECD is not used, shown or copied other than for official police related purposes
- when the downloading of ECD data is completed, the PDF printout and the audio-video discs have been created, the District/LSA O/C or the O/C, STAR Group will contact IIS and gain authorisation to return the device into service.

### *Category A incidents*

For category A incidents, two media storage discs are to be created from the data port download of audio-video and two PDF printouts of the record of firing data/audio-video are to be produced (one for the court file and one for the IIS member conducting the investigation).

### *Category B and C incidents*

For category B and C incidents, the District/LSA/branch O/C must examine the downloaded audio-video and determine whether the ECD has been used in accordance with this General Order.

Where the General Order has not been complied with, the following must be forwarded to IIS:

- **PD185**
- one CD/DVD copy of the download of audio-video and an electronic copy of the PDF firing data/audio-video log from the ECD (which can be placed on the CD/DVD).

In circumstances of an accidental discharge or ECD/cartridge failure, the Senior Sergeant, Operational Safety Training Team may request a CD/DVD copy of the download of audio-video including an electronic copy of the PDF firing data/audio-video log.

### Responsibility for welfare

First aid, when required, should be administered as soon as practicable after a person has been incapacitated through the use of an ECD.

Medical assistance shall be provided by a medical practitioner as soon as is practically possible after an ECD is used on a person and the person:

- does not immediately recover from the effects of an ECD after use
- complains of a medical condition
- asks for medical attention
- is reasonably suspected of suffering from a medical condition
- has the probes imbedded in a sensitive area (including any part of the head, face, neck, groin and female breasts)
- insists that the probes be removed by a health care professional.

When the probes are removed by a health care professional, a member/PSO must request that the probes be returned to SAPOL in a bio-hazard container for retention as an exhibit with the other expended contents of the air cartridge. Where the probes are not given to the member/PSO at the time, the member/PSO must arrange to collect them at a later date.

Where the removal of probes is appropriate and it is practicable to do so, the wounds should be treated at the scene with an antiseptic wipe and an adhesive dressing strip applied where necessary. When treatment at the time is not practicable, treatment must be administered as soon as possible and prior to release from custody.

### Post incident procedures

Whenever an ECD is used against another person, the member/PSO involved must ensure that:

- appropriate aftercare and where required, any appropriate medical attention is provided
- subject to any instruction from an officer of police or IIS investigator the following applies:
  - the probes are placed point first into the used cartridge
  - the end of the cartridge is taped over (using the hazard warning tape to retain the probes inside)
  - all contents of the used cartridge are placed in the resealable plastic bag holding the post deployment kit
  - the bag is resealed with hazard warning tape and lodged as an exhibit.

### Armoury Section

Armoury Section coordinates the control of all SAPOL ECDs and their cartridges. All movement of ECDs, TASER® CAM™ video/audio recorders and cartridges will be recorded on the Armoury Section's ECD database. Used cartridges will be exchanged on a 'one for one' basis through the Armoury Section. A copy of the **PD355** or **use of force notification** via Blue Team is required.

Any request to the Armoury Section for additional cartridges will require a **PD98** from the District/LSA/branch O/C or the O/C, STAR Group to the O/C, Armoury Section detailing the reasons for the request.

### **Maintenance**

Armoury Section is responsible for developing and managing the ECD service schedule and the District/LSA/branch O/C or the O/C, STAR Group will ensure the devices are made available for servicing in accordance with that schedule. Queries about maintenance or technical information should be referred to the Armoury Section.

Should an ECD holster become unserviceable through wear or damage, particularly where the fault affects the holster's ability to secure or retain the device, the holster must be replaced immediately. Forward the ECD holster to the Armoury Section with a report detailing the wear, damage or fault. The Armoury Section maintains stocks of spare holsters and minor repair kits.

Armoury Section will report through the Senior Sergeant, Operational Safety Training Team to the Operational Safety Portfolio regarding any issues relating to defective ECD holsters or accessories.

### **Security**

Each District/LSA/branch/group where ECDs are stored will ensure where required, that local policies are developed and maintained in accordance with General Order, **Corporate policy framework** to ensure accountability regarding access to ECDs, cartridges, accessories and storage facilities, and transportation of ECDs for maintenance or replacement purposes.

### **Carriage on aircraft**

For instructions regarding the carriage of ECDs on SAPOL or civil aircraft refer to General Order, **Aircraft Services**.

### **Auditing**

Local policy (where required) should include audit and inspection procedures relative to the management of ECDs. The District/LSA/branch O/C or the O/C, STAR Group will conduct mandatory monthly audits of ECD storage and data port downloading procedures in accordance with General Order, **Audit procedures**.

The O/C, IIS shall nominate an officer of police to examine the approved STAR Group databases once a month to ensure compliance with General Orders.

Out of Scope

