

# Cleveland PD Public Safety Messaging

## Talking Points around the Importance of this TASER Contract for Cleveland

- **There is a current gap in resources at CPD:**
  - Currently the PPD only has enough TASER CEWs to equip 1,232 officers, and their current single-shot inventory is up to two generations old- X26E and X26P TASER models .
  - TASER CEWs are proven as the safer, most studied, and most effective less-lethal law enforcement intermediate response-to-resistance tool.
  - This contract equips officers with a TASER 7 device, the newest and most effective CEW yet, with technology 10-18 years newer than CPD's current platform, and provides a critical built-in backup shot.
  - There are no TASERS available for new recruit class(es) or to replace one if one was to go down.
  - TASER CEWs are the most used intermediate response-to-resistance tools in the US with more than 4.5 million field uses.
- **TASER CEWs are a de-escalation tool:**
  - The TASER 7 is designed to de-escalate dangerous situations both through visual and auditory feedback. This is extremely effective in gaining compliance without actually deploying probes at a subject. As a global example, all agencies across the U.K., including the London Metropolitan Police, reported that 88.6% of all TASER usages do not escalate to an actual discharge of the device (e.g., Warning Arc and laser compliance.)
  - This contract provides significantly enhanced training, with substantial focus on the de-escalation, equipping officers with an understanding of not simply when and how to utilize TASER devices, but more importantly how to avoid the deployment of TASER CEWs by leading with verbal de-escalation whenever appropriate and reasonable.
    - The highly visible yellow coloration of the TASER 7 handle and the increased volume of the Warning Arc greatly enhance the likelihood that a TASER 7's principle value will be the avoidance of force or violence.
      - CPD's older TASER models do not have this Warning Arc capability and this is a new and very effective de-escalation technique for its officers
    - The dual lasers not only improve targeting success (CPD currently must estimate where the bottom probe would make contact with its older TASER models), but a more highly visible top green laser can provide de-escalation with laser-dot compliance as a means of de-escalation even in daytime lighting.
- **Increased Transparency - Auto BWC Activation:**
  - When an officer arms a TASER 7, it automatically activates that officer's Axon body worn camera, as well as every Axon camera, both on body and mounted within vehicles, within the immediate vicinity.

- **Enhanced Accountability:**
  - When a TASER 7 is deployed in the field, the device provides crucial accountability with a TASER 7 CEW log report for review by CPD administrators.
  - With TASER 7, all armed event activities are recorded in the device logs. This includes safety activation, trigger pulls, Arc Switch use, weapon discharge, cartridge deployment including serial number, firmware version, battery levels, etc.
  - TASER 7's dock and walk workflow is a dramatic leap toward real time TASER accountability. All data associated with TASER 7 usage and maintenance is instantly made available for remote supervisor and command review during this process.
- **Fiscal Responsibility:**
  - Given the protection that TASER CEWs affords to both officers and the public from serious injury or death, it is also important to note that TASER 7 programs are designed to minimize the number of staff and man hours to maintain devices through improved automation and the streamlined workflow mentioned above.
  - The efficient resolution of incidents with no or minimal injuries resulting can reduce the number of officers required to resolve the incident and allow those officers to return to calls for service quicker. TASER 7's increased effectiveness, leading as a de-escalation tool, offers this force-multiplication benefit.
  - Agencies deploying TASERs as the primary alternative to far more injurious force, with that alternative readily available to every officer equipped with a firearm, will routinely experience substantial reductions in workers' compensation expenses and litigation costs.
- **5 year useful like messaging**
  - AXON has a 5 year life recommendation on all TASERS, currently CPD TASERS are at or beyond their 5 year useful life.
  - It is recommended because CEWs wear over time and 5 years has been identified as a point where it may not be as reliable as it is within 5 years of use. As a result, we will not service CEWs past its 5-year useful life, and will not provide our 10 Million dollar product liability insurance certificate. The product liability insurance certificate is provided to agencies to show Axon's CEW product liability insurance policy. That policy applies to actual or alleged third party bodily injury and property damage claims brought against Axon, or for liability Axon assumed in a contract or agreement
  - From AXON legal: With regard to potential liability, I can only speak to what I have seen as Axon's Litigation Counsel and CEW Legal Advisor. I recommend that you consult with your agency's legal advisor to obtain their assessment of potential liability.

With that said, I believe the main concern with using CEWs that are past their 5-year useful life is the potential that they will not be effective in the field when needed in potentially dangerous situations. This may lead to injury to the officer

and/or suspect or an escalation of use of force which may, in turn, lead to worker's compensation claims and/or litigation against the agency. Ultimately, the best course of action is to update your agency's CEWs to ensure your deputies are equipped with the most reliable device possible."