

## BRIEFING NOTE

**To:** Executive Management Group  
**From:** Acting Assistant Commissioner Kevin Scott  
**Subject:** Provision of Electronic Control Devices (ECD) to general duty operational members.  
**Date:** 1/04/08

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Electronic Control Devices (ECD) or conducted energy weapons, use propelled wires to conduct energy that affects the sensory and motor functions of the central nervous system. The main advantage of an ECD over other more conventional use of force options is its non reliance on pain to extract compliance from highly motivated subjects who have a high pain tolerance due to mental illness, the ingestion of drugs and/or alcohol.

There are currently two ECD's known to Victoria Police, the Taser and the Stinger. Both of these weapons have high levels of accountability, including the following features:

- databases recording the time, date, duration of firing
- camera systems that activate when the safety switch is in the armed position.

Research into the use of ECD's by OSTTU provides reliable evidence that despite significant concerns expressed by organisations such as Amnesty International ECD's are a safe, effective less lethal option for frontline operational police members.

Indeed Amnesty International have recently qualified their concerns stating (Footnote),

Amnesty International is not opposed to deployment of Tasers as an alternative to lethal force, nor does it seek a total ban on the device. However, Amnesty International is particularly concerned by the widespread deployment of a potentially lethal electro-shock weapon. That is when they are not restricted to deployment only the highest level of the force continuum, i.e. just below the point at which lethal force would be used. It should also be made clear here that the use of a Taser is clearly preferable to the deployment of a firearm as an alternative to lethal force.

Discussions in regard to the litigation risk posed by the use of ECD's by frontline operational police have been held with Director Findlay McRae of Legal Services who believes that, 'If used properly it is low risk'. A comprehensive list of independent medical research into the use of ECD's is available on the DVD supplied.

### Strategic Direction

The use of ECD's by frontline operational police members supports the strategic priorities of Victoria Police in the following ways:

#### A Safer Victoria:

- prevention of deaths;
- prevention of serious injuries;
- Improving the effectiveness of the police response to violence and anti social behaviour.

#### Connecting the Community:

- Increasing levels of confidence in the police capacity to respond to violence;

- increasing the levels of public satisfaction with the way police conclude violent incidents

Valuing our People - supports the health safety and wellbeing of our people through:

- providing a safer workplace;
- reducing injuries;
- preventing distress;
- providing the technology they need to do their work well;
- providing equipment that improves confidence and capability in dealing with violence within the community.

### Benefits

The potential benefits of providing ECD's to frontline operational police include:

- greater level of capability to control violent offenders including the mentally ill;
- reduction in current levels of injuries relating to arrest and restraining offenders (Appendix A)
- reduction in Victoria Police Work Cover premiums relating to arrest and restrain injuries
- reduction in injuries to offenders suffered during arrest and restrain incidents
- reduction in the number of deaths in custody
- reduction in litigation relating to arrest and restrain incidents/ deaths in custody
- reduction in the number and length of contested court matters - due to visual and audio recording of incident via ECD
- Increased confidence of police members to deal with violent confrontation

ECD's are being considered for general duties use by a number of Australian Law Enforcement Agencies in addition to numerous overseas police agencies including the New Zealand Police and a number of UK Forces (Appendix B).

### COST

Current Budget - \$10 million (Less funds required for semi automatics if approved)

Depending on the implementation model and the type of ECD, the cost associated with providing ECD's to frontline operational police (including initial training) based on one ECD per operational member (1200 - 1500 units total) range between 1.6 M - 1.9 M (Stinger) to 3.4M - 4.2 M (taser).

1 X VPS 4 Project Officer - 12 month contract - 80K

### Ongoing costs

Batteries	Stinger - 300K per year	Taser - Nil
Training (6000 operational members)	Stinger - 324K per year	Taser - 580K per year
Recruit Training (500 Recruits)	Stinger - 81K per year	Taser - 145K per year

Costs associated with the deployment of ECD's with cameras to general duties members will be potentially offset by the following:

- reduction in Work Cover premiums;
- reduction in time lost to injuries suffered during arrests
- reduction in wrongful arrest litigation
- reduction in the number of complaints relating to excessive use of force
- increase in the number of guilty pleas

Actuarial research into the range of potential savings is yet to be completed.

### **Implementation Strategy**

#### **Do we need options here?**

If ECD's are to be issued to frontline operational police members a possible implementation strategy would include:

- Issue to frontline operational members only – members performing duties on divisional vans, patrol cars, supervising sergeants and TMU vehicles;
- Conduct of a series of 'train the trainer' 2 day courses (Included in ECD tender) – all current OSTT facilitators trained as ECD facilitators;
- Policy framework developed that ensures ECD carried and used in appropriate circumstances;
- Policy and procedures developed in regard to accountability – database, camera downloads, data storage;
- ECD training package developed for all frontline operational members (Includes constables/senior constables/sergeants at Police Stations and TMU's - need to issue to CIU's and RRU members?);
- ECD training package (approximately 6 hours) incorporated into current OSTT package;
- Development of a comprehensive internal and external communications strategy;
- Carriage system incorporated into Integrated Operational Equipment Vest or thigh rig;
- Rollout of ECD's to stations for use by qualified members;
- Development of evaluation plan (6 – 12 months) including OSD attendance at all incidents of ECD use.

As the majority of the policy and processes required for implementation already exist in basic form as templates it is envisaged that a realistic time frame for rollout of the taser would be in the order of 12 months depending on the priority given to the project. The Operational Safety Division would require the addition of one full time VPS 4 project officer to administer the project with Procurement and Project Management being provided from existing Divisional resources.

### **Risks**

See Appendix C

### **Conclusion**

In addition to the reduction in injuries to members and subjects, evidence from multiple jurisdictions (Including Victoria) has indicated that there are numerous instances where the deployment of Taser has avoided the use of lethal force. The development of appropriate policy to guide the use of ECD's combined with the inclusion of a camera that records each use of the ECD and the surrounding circumstances along with a strong internal and external communications strategy will assist in mitigating risk associated with broader use of the ECD by Victoria Police.