



Annual Electronic Control Weapons Use Brief

Electronic Control Weapons in Massachusetts: 2014

Daniel Bennett, Secretary
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INTRODUCTION

Massachusetts General Law chapter 140, section 131J permits the use of Electronic Control Weapons (ECW) by law enforcement personnel in the course of their official duties, provided that they have completed a training course approved by the Secretary of Public Safety and Security. Moreover, the statute requires that ECW devices contain a mechanism in order to track the number of times each weapon is deployed.¹ In October 2004, in response to Chapter 170 of the Acts of 2004, the Executive Office of Public Safety and Security (EOPSS) promulgated 501 CMR 8.00 *et seq.*, regulations governing the sale of electronic control weapons in the Commonwealth and the training of law enforcement personnel on the appropriate use of such weapons. In September 2005, the Secretary of Public Safety and Security began authorizing ECW training programs in order to facilitate the purchase and use of ECWs by law enforcement agencies in the Commonwealth.

The law further states that the Secretary of Public Safety and Security shall develop a uniform protocol directing state and municipal police officers to collect data pursuant to this act. Such data shall include the number of times the device or weapon has been fired and the identifying characteristics, such as race and sex, of the individuals who have been fired upon. This brief provides information pursuant to this legislative requirement.

METHODOLOGY

Law enforcement agencies may request approval from the Secretary of Public Safety and Security for their proposed ECW training programs on a rolling basis over the course of a calendar year. Once approved, the law enforcement agency is required to report on its ECW usage, regardless of whether equipment and training has been procured.

During 2014, agencies with approved training programs were required to complete and submit quarterly ECW reports detailing the usage of ECWs each quarter ([Appendix A](#)). Questions included on the 2014 quarterly reporting form consisted of: (1) the number of both sworn and ECW trained officers serving the agency, as well as the number of ECWs owned by the agency; (2) a list of ECW involved incidents (e.g., warnings, deployments, submissions, etc.); and (3) demographic information for the subject. This brief examines the data reported by the law enforcement agencies with approved ECW training programs from January 1, 2014 through December 31, 2014.

¹ As amended by St. 2004, c. 170, § 1.

AGENCY LEVEL INFORMATION

As of December 31, 2014, a total of 195 law enforcement agencies had ECW training programs that were approved by the Secretary of Public Safety and Security (190 municipal police departments and 5 non-municipal agencies) (Appendix B).² It was reported that 9,318 sworn officers served these departments, of which 5,363 (57.6%) were trained in ECW usage (Table 1).³

Table 1. Number of Sworn Officers, Trained Officers, and ECWs, Yearend 2012-2014

Officer/Device	Number			Annual percent change		Percent change, 2012-2014
	2012	2013	2014	2012-2013	2013-2014	
Sworn Officers	7564	8648	9318	14.3 %	7.7 %	23.2 %
Municipal	5485	6407	7039	16.8	9.9	28.3
Non-municipal	2079	2241	2279	7.8	1.7	9.6
ECW Trained Officers	4013	4620	5363	15.1 %	16.1 %	33.6 %
Municipal	3902	4506	5241	15.5	16.3	34.3
Non-municipal	111	114	122	2.7	7.0	9.9
ECW Devices	2193	2586	3358	17.9 %	29.9 %	53.1 %
Municipal	2169	2548	3319	17.5	30.3	53.0
Non-municipal	24	38	39	58.3	2.6	62.5

INCIDENTS AND CONTACTS

An ECW *incident* is defined as an event in which an officer (or a group of officers) issued a warning and/or deployed an ECW towards a single subject. An ECW *contact* is defined as an individual officer's deployment, warning, or display of an ECW towards a single subject. Multiple contacts can occur within an incident. For example, if two officers each deploy their individual ECWs at a single subject, this would be considered two contacts and one incident.

From January 1, 2014, through December 31, 2014, municipal departments with approved training programs reported 978 ECW incidents which resulted in 1,035 contacts. Non-municipal law enforcement agencies reported 2 ECW incidents which resulted in 2 contacts during 2014 (Appendix B). Combined, this was a 3.3% increase from the

Table 2. ECW Contacts by Sex and Race, Yearend 2014

Characteristic	Number	Percent
Total	1037	100.0 %
Sex	1037	100.0 %
Male	918	88.5
Female	117	11.3
Unknow n	2	0.2
Race	1037	100.0 %
White	718	69.2
Black	174	16.8
Hispanic	123	11.9
Other ^a	17	1.6
Unknow n	5	0.5

^aThe race/ethnic categories of Asian, Middle Eastern, and Native American comprise *other*.

² Non-municipal departments include the Massachusetts State Police, regional law enforcement councils (LECs), and college/university police departments.

³ Officers who serve on both municipal departments and regional law enforcement councils that are ECW approved could potentially have been double-counted in the aggregate totals.

total number of incidents reported by municipal departments in 2013 (949) and a 3.7% increase from the total number of contacts reported by municipal departments in 2013 (1,000).⁴

Of the 1,037 ECW contacts made during 2014, the majority of subjects were male (88.5%), a little over two-thirds were white (69.2%), followed by black (16.8%), Hispanic (11.9%), and other (1.6%) (Table 2).⁵

WARNINGS

Of the 1,037 ECW contacts made during 2014, warnings were issued in 870 instances (83.9% of the time) (Table 3). Males were 1.2% more likely to receive a warning than females (84.1% and 82.9%, respectively). Amongst the four racial categories, white subjects were the most likely of any race to receive a warning (86.9% of the time). Black subjects (77.6%) were slightly more likely to receive a warning than Hispanics (77.2%) and subjects reporting race as other (76.5%).

Table 3. Distribution of Warnings by Sex and Race, Yearend 2014

Characteristic	Warnings		Contacts		Percent of contacts receiving warning
	Number	Percent	Number	Percent	
Total	870	100.0 %	1037	100.0 %	83.9 %
Sex	870	100.0 %	1037	100.0 %	83.9 %
Male	772	88.7	918	88.5	84.1
Female	97	11.1	117	11.3	82.9
Unknown	1	0.1	2	0.2	50.0
Race	870	100.0 %	1037	100.0 %	83.9 %
White	624	71.7	718	69.2	86.9
Black	135	15.5	174	16.8	77.6
Hispanic	95	10.9	123	11.9	77.2
Other ^a	13	1.5	17	1.6	76.5
Unknown	3	0.3	5	0.5	60.0

^aThe race/ethnic categories of Asian, Middle Eastern, and Native American comprise *other*.

⁴ Approved non-municipal agencies reported no ECW incidents or contacts during 2013.

⁵ Race and ethnic categories of Asian, Middle Eastern, and Native American comprise *other*.

ADDITIONAL INFORMATION ON WARNINGS

Of the 870 instances when a warning was issued, the subject submitted 393 times (45.2%). Of the 474 cases where a warning was issued but the subject did not comply, weapons were deployed 443 times (93.5%).⁶ Probe devices were deployed in 205 instances, with subjects submitting 145 times (70.7%). Stun devices were deployed in 182 instances with subjects submitting 156 times (85.7%). In 56 instances both a probe and a stun were deployed with subjects submitting 44 times (78.6%). In the remaining 31 cases, a warning was issued and the subject did not comply, but neither a probe nor stun device was deployed.

There were 167 cases in which a warning was not issued and a device was utilized. During these instances, submissions occurred 80.8% of the time. There were 72 probe submissions, 46 stun submissions and 17 combined probe and stun submissions.

⁶ See Appendix A, page 8 for definition.

**Executive Office of Public Safety and Security
Electronic Control Weapons (ECWs) Use Quarterly Report**

Calendar Year 2014

Agency Name:

Individual Completing Report:

Office Telephone Number:

Date Submitted:

Reporting Quarter	Reporting Period	Report Due Date
____ 1 st Quarter	January 1 st – March 31 st , 2014	April 15 th , 2014
____ 2 nd Quarter	April 1 st – June 30 th , 2014	July 15 th , 2014
____ 3 rd Quarter	July 1 st – September 30 th , 2014	October 15 th , 2014
____ 4 th Quarter	October 1 st – December 31 st , 2014	January 15 th , 2015

Please provide information that reflects use of ECWs *during this quarter only*. **Approved law enforcement agencies are required to submit this form every quarter even if they have not yet purchased the devices, trained their officers, or utilized the weapons.** In this case, please indicate that there were zero (0) incidents in which ECWs were used this quarter.

Part I. Agency Level Information

1. How many sworn officers were in your department at the end of this quarter?	
2. How many officers have completed the approved training program for ECWs?	
3. How many ECWs does your department own?	
4. In how many <i>incidents</i> was an ECW involved during this quarter? An incident is an event in which an officer issued a warning and/or deployed an ECW.	

Note: If the response to Question #4 above is 0, submit only this page to EOPSS. If, however, the response is ≥ 1, submit both page 2 and page 4 to EOPSS.

Electronic Control Weapons (ECWs) Use Quarterly Report

Part II. Incident Level Information

A: INSTRUCTIONS:

Please complete one row for each incident. An incident is an event in which an officer issued a warning and/or deployed an ECW. Separate incidents should be numbered sequentially (i.e. 1, 2, 3). If more than one officer was involved in the same incident involving a single subject, use the same incident number for all officers in that incident (i.e. 1A, 1B, 1C). The number of incidents listed on page 4 should match the total number of incidents in Question #4 on page 2. Additional rows can be added to the table on page 4 if necessary.

Please provide information that reflects the use of ECWs *during this quarter only*. **Do not include equipment testing, usage during trainings, accidental deployments, displays of weapons when not accompanied by a warning or deployment, or deployments on animals.**

- Warning Type – More than one response may be entered. Please indicate all that apply:

N/A = Not applicable (no warning given)

V = Verbal warning used

L = Laser function used

S = Spark function used

- Deployment Type – Please indicate the number of each deployment type in ALL applicable columns:

PROBE DEPLOYMENT = Number of times probe function is used and includes follow-up drive stun when a single probe is still

attached

STUN DEPLOYMENT = Number of times drive stun function is used

- Subject Submitted – Please indicate whether each warning, probe, or stun resulted in submission by or cooperation of the subject (Yes, No, N/A). If a warning was not issued, please enter *N/A* in the *Did Subject Submit* field. If the subject did not submit (through flight, continued resistance, equipment failure), please enter *No* in the *Did Subject Submit* field. If a subject submitted for reasons *other than* ECW use, such as hands-on techniques, pepper spray, or baton use, please enter *No* in the *Did Subject Submit* field. If weapons were not deployed, please enter *N/A* in the *Did Subject Submit* field.

- Gender – Please indicate the gender of all ECW subjects.

M = Male

F = Female

- Race/Ethnicity – Please indicate the racial/ethnic composition of all ECW subjects.

A = Asian or Pacific Islander

B = Black

H = Hispanic

I = Native American, American Indian, or Alaskan Native

M = Middle Eastern or East Indian

W = White

Executive Office of Public Safety and Security
Electronic Control Weapons (ECWs) Use Quarterly Report

B: EXAMPLES OF INCIDENT LEVEL INFORMATION:

Incident Number	Weapon Serial Number	Date of Incident	Warning Type	Did Subject Submit?	# of Probe Deployments	Did Subject Submit?	# of Stun Deployments	Did Subject Submit?	Subject's Gender	Subject's Race
1A	XX12345	1/1/14	S	No	0	N/A	2	Yes	M	W
1B	C23456	1/1/14	N/A	N/A	1	Yes	0	N/A	M	W
2	11234DE	2/5/14	V	No	0	N/A	1	No	F	B
3	B23456	3/7/14	V, L, S	No	1	No	3	No	M	A
4	W78514	3/15/14	V	Yes	0	N/A	0	N/A	M	H
5	X225844	3/31/14	N/A	N/A	1	Yes	1	No	M	I

C: CURRENT INCIDENT LEVEL INFORMATION*

Incident Number	Weapon Serial Number	Date of Incident	Warning Type	Did Subject Submit?	# of Probe Deployments	Did Subject Submit?	# of Stun Deployments	Did Subject Submit?	Subject's Gender	Subject's Race

**If necessary, please insert additional columns.*

Part III. Additional Information

If there is any other incident-specific information you would like to report, please use the space below to do so.

Appendix B. Number of Municipal and Non-municipal ECW Incidents, 2011 - 2014

Agency type	Number of incidents			
	2011 ^a	2012 ^a	2013 ^a	2014
Total	521	841	949	980
Non-municipal	4	2	0	2
Cape Cod Regional Law Enforcement Council	0	0	0	0
MA State Police	3	2	0	0
Martha's Vineyard Police Tactical Response Team	0	0	0	0
Massasoit Community College	--	--	--	0
Northeast MA Law Enforcement Council	1	0	0	2
Municipal	517	839	949	978
Abington	0	9	3	2
Acushnet	--	0	2	5
Adams	1	1	4	1
Amesbury	5	6	0	0
Andover	2	2	2	2
Aquinnah	--	--	--	0
Ashburnham	6	0	3	4
Athol	--	11	41	26
Attleboro	14	17	10	6
Auburn	--	--	0	8
Ayer	--	5	10	4
Barnstable	33	36	45	25
Barre	--	3	6	4
Becket	--	--	--	0
Belchertown	2	2	4	4
Berkley	0	0	0	0
Bernardston	0	1	0	0
Beverly	0	0	0	0
Billerica	2	5	4	2
Blackstone	2	2	1	1
Bourne	--	10	12	7
Boxborough	--	--	0	2
Boxford	--	--	--	0
Brewster	--	--	0	0
Bridgewater	2	0	2	2
Brockton	--	--	6	30
Brookfield	--	--	2	7
Canton	1	3	2	2
Carver	--	--	2	0
Chelmsford	3	3	1	2
Chelsea	17	6	15	8
Clinton	--	--	0	15
Concord	0	0	1	0

-- Data not collected as agency did not have an approved ECW training program.

^a As reported in *Annual Electronic Control Weapons Use Brief: Electronic Control Weapons in Massachusetts: 2013* (July 2015).

Appendix B-cont. Number of Municipal and Non-municipal ECW Incidents, 2011 - 2014

Agency type	Number of incidents			
	2011 ^a	2012 ^a	2013 ^a	2014
Dalton	3	1	0	0
Danvers	--	0	5	12
Dartmouth	0	8	13	9
Deerfield	7	5	3	1
Dennis	0	2	5	1
Dighton	0	0	0	0
Dover	--	0	2	1
Dracut	--	--	5	3
Dunstable	--	--	0	0
Duxbury	2	2	2	1
East Bridgewater	--	3	2	4
East Brookfield	2	2	2	1
Eastham	1	1	1	0
Edgartown	--	--	2	4
Erving	--	0	0	1
Everett	--	--	7	17
Fairhaven	9	7	5	2
Fall River	28	44	37	29
Falmouth	--	15	12	22
Foxborough	1	6	2	7
Framingham	3	4	2	7
Franklin	1	3	6	4
Freetown	3	0	2	7
Gardner	5	12	10	13
Georgetown	1	0	1	0
Gill	0	0	1	1
Gosnold	--	--	--	0
Grafton	--	--	0	5
Granville	0	0	0	0
Great Barrington	--	--	3	12
Greenfield	18	12	9	6
Groton	0	0	0	0
Groveland	0	1	0	0
Hampden	--	2	0	0
Hanson	--	--	0	4
Hardwick	4	3	3	1
Harwich	6	0	2	3
Hingham	2	11	5	7
Holden	0	0	2	3
Holliston	--	--	--	0
Holyoke	--	6	37	27
Hopedale	5	0	0	2
Hubbardston	3	4	1	4
Hudson	0	4	5	6

-- Data not collected as agency did not have an approved ECW training program.

^a As reported in *Annual Electronic Control Weapons Use Brief: Electronic Control Weapons in Massachusetts: 2013* (July 2015).

Appendix B-cont. Number of Municipal and Non-municipal ECW Incidents, 2011 - 2014

Agency type	Number of incidents			
	2011 ^a	2012 ^a	2013 ^a	2014
Hull	--	--	--	2
Ipswich	0	0	0	0
Lakeville	--	--	--	0
Lanesborough	--	0	0	1
Lawrence	19	26	26	57
Lee	--	2	0	0
Lenox	--	0	2	0
Leominster	23	18	10	10
Littleton	3	1	2	1
Lunenburg	--	--	--	0
Lynnfield	0	0	0	0
Mansfield	5	4	1	3
Marblehead	--	--	0	1
Marion	--	0	9	1
Marlborough	--	0	12	11
Marshfield	--	--	--	5
Mashpee	6	7	7	4
Maynard	0	0	2	5
Mendon	1	2	0	1
Methuen	6	1	4	3
Middleborough	13	10	6	15
Middleton	0	3	1	3
Milford	2	3	16	6
Millbury	--	--	1	10
Millville	4	1	0	2
Montague	2	0	0	5
Nantucket	2	5	2	2
Natick	10	3	10	7
New Bedford	14	145	125	105
New Braintree	0	0	0	0
Newbury	--	--	2	0
Norfolk	0	0	1	4
North Adams	5	4	5	1
North Andover	--	0	0	0
North Attleboro	0	0	0	2
North Brookfield	1	2	3	1
North Reading	0	0	0	0
Northborough	0	0	0	0
Northfield	0	0	0	0
Norton	8	5	12	9
Norwood	1	16	12	10
Oak Bluffs	--	--	1	4
Oakham	--	--	--	0
Orleans	--	--	--	0

-- Data not collected as agency did not have an approved ECW training program.

^a As reported in *Annual Electronic Control Weapons Use Brief: Electronic Control Weapons in Massachusetts: 2013* (July 2015).

Appendix B-cont. Number of Municipal and Non-municipal ECW Incidents, 2011 - 2014

Agency type	Number of incidents			
	2011 ^a	2012 ^a	2013 ^a	2014
Oxford	0	14	8	10
Palmer	--	7	24	13
Paxton	0	0	1	0
Peabody	3	5	3	3
Pembroke	2	8	3	4
Pepperell	4	3	6	4
Petersham	0	0	1	0
Phillipston	0	0	0	0
Pittsfield	24	14	13	11
Plainville	0	0	3	5
Plymouth	4	35	31	22
Plympton	1	0	0	2
Provincetown	2	2	5	2
Raynham	1	0	6	5
Rehoboth	0	10	0	3
Revere	--	--	--	0
Rockland	4	7	7	8
Rowley	0	0	0	1
Salisbury	4	7	2	1
Sandwich	0	2	6	2
Seekonk	6	3	17	7
Sharon	0	0	0	1
Sheffield	--	--	--	0
Sherborn	3	3	0	0
Shrewsbury	--	--	--	0
Somerset	2	1	3	1
South Hadley	1	5	0	3
Southborough	--	--	--	0
Southbridge	10	36	18	15
Southwick	--	--	2	1
Spencer	3	3	10	2
Sterling	0	2	0	3
Stoughton	--	6	24	13
Sturbridge	0	1	1	6
Sudbury	--	--	--	0
Sunderland	--	0	0	0
Swampscott	--	0	0	2
Swansea	2	3	4	4
Taunton	13	22	18	27
Templeton	6	0	2	3
Tewksbury	5	12	11	9
Tisbury	--	--	0	0
Topsfield	2	3	0	0
Townsend	--	--	--	0

-- Data not collected as agency did not have an approved ECW training program.

^a As reported in *Annual Electronic Control Weapons Use Brief: Electronic Control Weapons in Massachusetts: 2013* (July 2015).

Appendix B-cont. Number of Municipal and Non-municipal ECW Incidents, 2011 - 2014

Agency type	Number of incidents			
	2011 ^a	2012 ^a	2013 ^a	2014
Truro	1	2	2	2
Tyngsborough	0	0	1	1
Upton	--	--	0	0
Uxbridge	--	--	--	0
Walpole	--	--	--	2
Wareham	14	31	14	27
Warren	--	--	2	0
Warwick	--	--	0	0
Webster	25	9	8	11
Wellesfleet	--	--	1	0
West Boylston	2	0	1	2
West Bridgewater	--	--	0	1
West Brookfield	--	--	3	2
West Springfield	0	0	1	6
West Tisbury	--	--	--	0
Westfield	26	18	16	14
Westminster	2	5	2	1
Westport	0	2	6	1
Westwood	--	--	--	0
Williamstown	2	1	5	2
Winchendon	3	3	6	1
Woburn	--	--	0	3
Worcester	9	7	4	9
Wrentham	--	--	--	3
Yarmouth	12	9	4	10

-- Data not collected as agency did not have an approved ECW training program.

^a As reported in *Annual Electronic Control Weapons Use Brief: Electronic Control Weapons in Massachusetts: 2013* (July 2015).