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Police defend use of Taser gun

Homeless man died after shooting

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Hollywood police, saying they have used Taser guns "dozens and dozens" of times to subdue violent suspects, said Monday they would not reconsider use of the so-called "nonlethal" weapon following Sunday's death of a homeless man shot with the Taser.

"There have absolutely been no problems with the use of Tasers," said Hollywood police spokesman Lt. Tony R. Rode.

"I would be extremely shocked if the medical examiner would rule that the Taser was the cause of death. It's usually a puncture, at best," he said.

Vincent Del' Ostia, 31, who was once convicted of second-degree murder, died Sunday afternoon following a confrontation with Hollywood police who tried to subdue him with a Taser gun.

Autopsy results are expected today.

Del' Ostia, who friends say was mentally ill and taking the prescription drugs Prozac and Ativan, walked into the lobby of the Entrada Resort Motel on the 500 block of North Federal Highway around 2:30 p.m. Sunday and acted erratically, flailing his arms and trying to break the lobby's windows.

In the 911 call, a motel worker stationed at the front desk urged police to get to the Entrada immediately.

"We have a man on drugs, crazy," the worker said. "He is breaking down our door."

When police arrived, Rode said, they ordered the man to the ground and he refused to comply.

"He made moaning and groaning noises and never spoke English," he said. "It sounded and looked like he was under the influence of PCP."

Then an officer shot Del' Ostia with the Taser.

Del' Ostia, police said, pulled the darts from his chest. Some witnesses said four officers then piled on top of him and kicked him.

Police had subdued and handcuffed Del' Ostia when he began to have trouble breathing. Del' Ostia was not breathing when emergency rescue workers arrived and transported him to the Memorial Regional Medical Center in Hollywood. He was pronounced dead at the hospital.

An hour before the confrontation with police, he had been hanging out with friend Tracy San Martin at Young Circle Park.

Del' Ostia was acting nervous, constantly looking over his shoulder, said San Martin, 22.

He told her he was returning to the Entrada to get his medication, some of which he forgot to take, he told her.

She became concerned when he did not return and went after him.

"He was running in and out of traffic," she said. "All of a sudden, he is lying on the ground. He had a scared look on his face. He was moving his lips, but no words were coming out."

Ed Pazicky, executive director of the Peer Center, an Oakland Park program run by the mentally ill for the mentally ill, which Del' Ostia frequented, criticized the police for using the Taser.

"You can accomplish more with a calm tone," he said.

The weapon has been used since 1974 and was tested extensively before going on the market, said Steve Tuttle, director of government affairs for Taser International Inc.

"It was designed for the one-percenters, those people who aren't bothered by pepper spray," Tuttle said.

The Taser shoots two electrically charged barbs that catch into the clothing of a person up to 21-feet away and deliver a debilitating electrical charge.

"If the shock is going to kill a subject, it will happen immediately, not later," Tuttle said. "The cause of death will be drugs or a medical illness, not the Taser."

The Journal of Forensic Sciences reported 16 deaths associated with the use of Tasers in Los Angeles County in 1991. But the Taser was not found to be the cause of death.

Scott Carrier, spokesman for Los Angeles County Medical Examiner's office, said there was always an underlying problem, such as drug use.

But Terence Allen, a specialist in forensic pathology who served as deputy medical examiner for both the Los Angeles and San Francisco coroner's offices, blamed the Taser for at least nine deaths.

"It seems only logical that a device capable of depolarizing skeletal muscle can also depolarize heart muscle and cause fibrillation under certain circumstances," Allen wrote in a letter to the Journal of Forensic Sciences.

Dr. Robert Myerburg, director of the division of Cardiology at the University of Miami, said the odds are slim that a Taser could kill someone.

"If a shock is big enough, there could be some damage to the heart which could kill someone," Myerburg said. "But that size of a shock should leave a burn, a mark on him where the probes had struck."

Until toxicology results are in, it will be impossible to know whether drugs, illegal or prescribed, played a role in Del' Ostia's death.

Pazicky believes Del' Ostia was clean. He said he had a drug test scheduled this week in order to qualify for subsidized housing through the Peer Center and had already passed a drug test Friday.

"He may have been non-complying," he said, referring to his prescription medications. In addition to the anti-depressant Prozac and the anti-anxiety drug Ativan, he took the steroid Prednisone for asthma, Pazicky said.

Del' Ostia's troubles began early. His mother abandoned him at the age of 1, said Vincent Del' Ostia, 77, his paternal grandfather who raised him with his wife in Hollywood.

His hazel-eyed grandson, once a Boy Scout, became a tattoo artist who also liked drawing Christmas cards.

At 13, Del' Ostia had a tracheotomy after he crashed into a cable strung across a road while on his motorbike and crushed his larynx. After that, he talked "gravel-like," his grandfather said.

But the elder Del' Ostia said "Vinnie" was not mentally ill. Drugs were his downfall, he said.

"When he got on drugs, you couldn't talk to him."

Friend William Cody, 43, spent Monday helping Del' Ostia's grandparents make cremation arrangements for their grandson.

His family said they could not afford a funeral.

Del' Ostia spent time in prison for second-degree murder, cocaine possession and grand theft, according to public records.

But Cody said his friend was beginning to turn his life around.

"This was the first time I had seen him trying to do something right," he said, referring to his daily visits to the Peer Center. "He was off drugs."

In an application for subsidized housing dated Jan. 10, Del' Ostia said being homeless has "worsened my mental conditions, and I am in fear of going back into the hospital."

"Yesterday, I found an efficiency apt., and with a little help, I can get it, and get off the street, and stay out of the hospital."