

The Use of Force Journal

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From the Editor

The TASER Debate

The growing public debate over tasers presents both some problems and some opportunities for those of us in the police training business. As police departments around the country deploy the taser, the ACLU and Amnesty International are pushing for a national moratorium on use of the tasers pending an independent inquiry into the weapon's health effects. The media have begun tracking every police intervention death where a taser was used and over the past few months, the language and tenor utilized in many of the news reports on these incidents has changed.



Early reports were typically characterized by a reporting of the taser use followed by death of the suspect and a determination of the cause of death pending the autopsy. Recent reports have abandoned the pretense of waiting for autopsy results in favor of the assumption that the death was the direct result of the taser use. Each "taser" death is now national news that fuels the anti-taser outcry.

By any standard, this campaign is succeeding. Several jurisdictions have shelved plans to deploy tasers. The International Association of Chiefs of Police (IACP) has announced an inquiry into taser deaths. At least two states are considering legislation that would ban taser deployment by police departments. And in the last few weeks, Lucas County (Toledo, OH) has taken tasers out of service and the Chicago Police Department temporarily halted plans for widespread deployment of the taser.

Like most public debate on police use of force issues, anti-police bigotry, racial tension, and a huge dose of misinformation all contribute to the underlying context. If we as trainers are to lead a reasonable debate on taser use, understanding the dynamics driving the debate is essential. Here are just a few of the issues that need to be addressed.

Safety of the Taser – There have been numerous studies which provide information on the relative risks of taser use. In addition, many police departments have accumulated significant data on taser use. In Cincinnati, we are approaching 2000 human trials – about 900 officers have been tased as part of training and several hundred suspects have been tased with the most serious injury to date a broken bone from a fall. Critics point to the fact that some of the research was either funded or directly done by Taser International implying any conclusions are automatically suspect. Perhaps the best summary of the state of research knowledge comes from an independent study done by the Air Force Research Laboratory.

> Overall, the results support the conclusion that the M26 and X26 TASERs are generally effective for their intended use. However, they may cause several unintended effects, albeit with estimated low probabilities of occurrence.

This statement, eloquent in its simplicity, is unlikely to pacify critics who cling to the fantasy of risk free force. Any force alternative, short of the Star Trek Phaser (set to stun), will be viewed as "unsafe." Can some of these concerns on taser risk be addressed? Some departments are putting AEDs in patrol cars or requiring immediate medical response on taser incidents as a way to allay community concerns on taser safety. Community education on the taser and its effects would seem to be sorely lacking.

Putting the Risks in Context - The unfortunate fact is that some of the people who involve themselves in force confrontations with the police have taken illegal drugs, may have underlying health conditions, and the stress of the physical struggle may contribute to what are typically described as sudden in-custody deaths. In November of 2003, the Cincinnati Police confronted a 350 pound individual, high on PCP and cocaine, with an underlying heart condition. After violently assaulting an officer, the suspect was repeatedly struck with PR-24s, sprayed with chemical irritant, and finally physically subdued by multiple officers. He died at the scene and the

subsequent cause of death was described as "cardiac dysrhythmia due to physiologic stress reaction with hypoxia due to a violent struggle with restraint." This type of "incustody" deaths is an unfortunate part of the policing business. When describing the risks of tasers, the context question is "Compared to what?" The correct question is not "Is the taser risk free?" But "How do the risks to suspects and officers compare to other force alternatives?" The findings from departments across the country who have deployed tasers are consistent – dramatic reductions in injuries to both officers and suspects.

Potential for Abuse – A concern often expressed is that the taser may become an instrument for excessive use of force. These concerns are typically raised by people who believe police excessive use of force and brutality are widespread and the taser is simply a good tool to abuse people. This bigotry against the police is rarely challenged. Are there bad cops out there who will utilize the taser in an inappropriate fashion? I think we'd all agree there are a small number of officers who are prone to using excessive use of force. However, the fact is that the technical safeguards built into the taser make it less likely to be an instrument of excessive force. The answers to controlling excessive use of force includes good

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recruiting/selection, training, supervision, and administrative policy on force reporting and investigation. The assumption that police are prone to brutality and will abuse any tool provided should never go unchallenged.

<u>The Racial Divide</u> – The gulf between minority citizens, especially African-Americans, and the police remains substantial. The taser debate is occurring in the context of this uneasy relationship. Police leaders who've established strong relationships with minority communities are less likely to have taser incidents interpreted as examples of biased policing. Public education on tasers, particularly in minority communities, should be an essential element of the deployment process.

Police Trainers are in a unique position to play an important role in the ongoing taser debate. A reasoned and professional approach to the debate will be a welcome change from the hysteria and misinformation that characterizes much of the current public discussion.