

The Trouble with Tasers

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The Trouble with Tasers

by Anne-Marie Cusac, *The Progressive*: **The use of tasers -- even on the elderly and children as young as one year old -- is increasing.**

High-powered tasers are the new fad in law enforcement. They are becoming ever more prevalent even as their safety is increasingly in question. The proliferation of tasers in police departments across the country has led to unconventional uses.

Among those hit by tasers are elderly people, children as young as one year, people apparently suffering diabetic shock and epileptic seizures, people already bound in restraints, and hospital mental patients. Police used tasers against protesters at the 2003 Miami Free Trade Area of the Americas demonstration and against rowdy fans at the 2005 Fiesta Bowl. Schools are employing the weapons, with some officers carrying tasers even in elementary schools.

But doctors, reporters, and human rights groups have raised questions about the safety of the devices, which shoot two barbs designed to pierce the skin. The barbs are at the end of electrical wires carrying 50,000 volts. Last summer, *The New York Times* reported that at least 50 people had died within a short time after being hit with a taser. By November, when Amnesty International released its own report, that number had risen to more than 70.

In February, Chicago police used the device against a 14-year-old boy, who went into cardiac arrest but survived, and a fifty-four-year-old man, who died. The Chicago Police Department, which had recently purchased 100 of the devices, decided not to distribute them until it had investigated the incidents.

The Department of Justice is conducting its own investigation into the safety of the devices. It has selected researchers at Wake Forest University and the University of Wisconsin to run independent taser studies.

Taser International, the biggest manufacturer of the weapon, denies that its product caused any deaths. The company insists that its products are safe. "The ADVANCED TASER has a lower injury rate than other nonlethal weapons and has had no reported long-term, adverse aftereffects," says the company website.

Early tasers, those used from the 1970s until the early 1990s, were lower wattage devices. "The original taser operated on only five watts and was followed by Air Taser on seven watts," says the November Amnesty International report.

"Electro-muscular disruption"

William Bozeman, a medical doctor at the Wake Forest University department of emergency medicine, is investigating the safety of tasers for the Justice Department. "They've increased the amount of wattage that's delivered," he says. Above 14 watts, he says, you get "electro-muscular disruption."

According to Taser International, that's the point. The "uncontrollable contraction of the muscle

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tissue" allows the taser "to physically debilitate a target regardless of pain tolerance or mental focus," says the company website. The tasers "directly tell the muscles what to do: contract until the target is in the fetal position on the ground."

Taser International introduced its "Air Taser" in 1994. Then, in 1998, "the company began Project Stealth: the development of the higher-power weapons to stop extremely combative, violent individuals who were impervious to nonlethal weapons." Project Stealth led to the M26, a taser with 26 watts of power. In 2003, Taser International started selling an additional version of the 26-watt taser, called the X26, which is light enough for police officers to carry at all times.

Police like tasers, sometimes for good reason. Greg Pashley, officer and spokesperson for the Portland Police Department, says the taser "is a tool that is effective in ending what could otherwise be a violent conflict without injuries. We're finding that time and again."

Many other officers add praise of their own. "It's increasingly a less lethal weapon of choice," says Scott Folsom, police chief at the University of Utah. "It doesn't have residual effects. It's proven to be a relatively safe and effective tool."

The Department of Justice is not the only governmental authority inquiring into tasers. On January 7, Taser International issued a press release that said the U.S. Securities and Exchange Commission was investigating what Taser International described as "company statements regarding the safety" of the company's products. Arizona's Attorney General Terry Goddard is also investigating their safety.

Taser International did not respond to repeated requests for an interview. It eventually allowed The Progressive to submit a list of questions, but it never answered them. The company did, however, send several press releases by e-mail. One of those press releases concerned stories by AP and CBS about a study they said linked the taser to heart damage in pigs. The company disputed the news reports, saying, "TASER International is deeply concerned that CBS News and the Associated Press would publicize erroneous links between the TASER and heart damage conflicting with the study author's own assertions and relying solely on statistically insignificant readings."

Restraining the elderly

In Portland, Oregon, police used a taser to shock a 71-year-old blind woman four times on her back and once on the right breast. They also pepper-sprayed her and beat her. On June 9, 2003, Eunice Crowder was home when a city official came to clean up her messy yard. When Crowder objected, he called the police. The Portland Oregonian reported that Crowder, who claimed to be hard of hearing, ignored police commands and tried to climb into a city truck to retrieve her possessions. The police claimed that when they tried to stop Crowder, she kicked at them. That's when they pepper-sprayed her and used the taser. Then they handcuffed Crowder's arms and yelled at her to stand up. "And she says, 'I bet you wouldn't yell at your mom like that,'" her lawyer, Ernest Warren Jr., told a radio station. One of the officers responded, "My mom is 74." She said, "Well, I'm 71." In 2004, Crowder agreed to the \$145,000 settlement from the city of Portland. The police department admitted no wrongdoing.

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"We don't have age restrictions" for use of tasers, says Pashley of the Portland Police Department. But he says that policy is currently "under review."

Crowder wasn't the oldest person hit by a taser. The oldest one on record was 75-year-old Margaret Kimbrell of Rock Hill, South Carolina, who describes the electricity from the taser as traveling "all over your chest like a big snake or something worming to try to get out." Kimbrell says, "I prayed, 'Lord, Jesus, make it quicker.' I was waiting to die so the pain would go away." Police used the taser on Kimbrell when she refused to leave a nursing home and, the police claimed, tried to hit an officer.

Some of Taser International's own materials suggest that shocking senior citizens may pose a danger. In its November report, Amnesty International cites a "certified lesson plan" from the company that warns it is "not advisable" to use its high-power devices on someone who is pregnant or elderly. A study of available medical literature commissioned by Taser International and available on the company's web site says that older people may have particular vulnerabilities. "Elderly subjects and those with preexisting heart disease are perhaps at an increased risk of cardiac complications and death following exposure to large quantities of electrical energy," wrote Anthony Bleetman of the University of Birmingham. "Since the elderly and heart patients don't often require to be subdued or controlled with a high level of force, then this is unlikely to pose a common problem."

Scientists and medical doctors have several theories, some of them conflicting, about how tasers affect bodies. Electricity near the heart can be dangerous, explains John Webster, professor emeritus in biomedical engineering at the University of Wisconsin, "because it might cause ventricular fibrillation." Webster and a team of University of Wisconsin researchers are investigating the taser's effect on the heart for the U.S. Department of Justice. While suggesting that the taser may be relatively safe for the heart, they speculate that an excess of potassium, produced when muscles contract violently but also produced by cocaine use, may be a key ingredient in the deaths associated with the device.

Many police departments say that use of tasers has reduced injuries and fatalities. The city of Phoenix saw a 54 percent drop in police shootings the year it began to use tasers. In 2003, Seattle, which also uses tasers, for the first time in fifteen years had no shootings that involved officers. That correlation has made tasers popular.

"As of October 2004, over 6,000 police departments in the United States and abroad had purchased TASER products," says the company website. "Over 200 police departments--including Phoenix, San Diego, Sacramento, Albuquerque, and Reno--have purchased TASER products for every patrol officer."

But Amnesty International says the tasers are making it too easy for the police to use excessive force. "Claims that tasers have led to a fall in police shootings need to be put into perspective, given that shootings constitute only a small percentage of all police use of force," says the November report. "In contrast, taser usage has increased dramatically, becoming the most prevalent force option in some departments. While police shootings in Phoenix fell from 28 to 13 in 2003, tasers were used that year in 354 use-of-force incidents, far more than would be

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needed to avoid a resort to lethal force."

A number of the stories in the Amnesty report involve police use of tasers on people who were already restrained, including two who were strapped to gurneys and on their way to, or already inside, hospitals. In one such case in Pueblo, Colo., "a police officer applied a taser to the man while he was restrained on a hospital bed, screaming for his wife," said Amnesty. Amnesty International wants the devices temporarily banned "pending a rigorous, independent, and impartial inquiry into their use and effects." The investigation should "be carried out by acknowledged medical, scientific, legal, and law enforcement experts who are independent of commercial and political interests in promoting such equipment," says the human rights organization. In response to the Amnesty report, Taser International issued a press release accusing the human rights organization of being "out of step with law enforcement worldwide."

Shocking children into "fear"

On Dec. 10, 2004, police in Pembroke Pines, Fla., used a taser on a 12-year-old boy who tried to stab another child with a pencil and then became combative with police. Commander Ken Hall, public information officer for the Pembroke Pines police, says the case "was looked at very closely, obviously because of the controversial nature" and found to be "within the parameters of our policy."

In November, a Miami-Dade officer shocked a 12-year-old Florida girl who was playing hooky. At the moment he shocked her, she was running from him. Although Miami-Dade police did at the time consider tasers to be an appropriate weapon for use on children, the director of the Miami-Dade Police Department has raised questions about the event. "It was his opinion that that incident may not have been within our guidelines" because the girl was not posing a threat to herself or others, says Detective Juan DelCastillo, who handles media relations for the Miami-Dade police. The director is reviewing the incident.

Back in May, a nine-year-old runaway girl in Tucson, who was already handcuffed by police and sitting in a police vehicle, was shocked with a taser when she began to kick at the car and bang her head. The Pima County attorney general's office conducted an investigation of the incident and decided not to bring criminal charges against the officer who used the taser. "In all likelihood, the use of the taser prevented" the girl "from injuring herself any further," wrote David L. Berkman, the chief criminal deputy, in explaining his decision.

Even one-year-olds have been shocked, according to records Taser International supplied to the Associated Press. The company also told the San Jose Mercury News that its taser can be used safely on toddlers.

In October, in a widely reported incident, police in Miami shocked a six-year-old. The officers were dispatched to an elementary school where they encountered "a mentally-disturbed student bleeding and holding a piece of glass," says the police report. "Upon their arrival, the officers were confronted by a highly agitated and disturbed male bleeding and smearing blood on his face while clutching a piece of glass in his left hand." The officers tried to talk the boy into giving up the glass and tossing it into a wastebasket. The boy refused and "attempted to cut his leg

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with the shard of glass." The report says that officers then shocked the boy to keep him from hurting himself more extensively. The boy "dropped the glass and was subdued without further incident."

The officers shot the boy with the taser "for his own safety and to stop him from hurting himself," says DelCastillo of the Miami-Dade police. As for the appropriateness of shocking a six-year-old, DelCastillo says, "Our understanding is that there has been research" and that the taser causes "no aftereffects." He says there is "no reason that would cause harm to someone younger than an adult."

But the research is not nearly so clear-cut.

A scientist who tested some of the early tasers for the Canadian government recommended that the government ban the devices. Andrew Podgorski says his tests showed the devices could cause death. He says that children could be especially vulnerable.

The use of a taser on the six-year-old disturbed Rudolph Crew, superintendent of Miami-Dade schools. In a Nov. 16 letter to the police department, Crew wrote, "While I acknowledge the need of law enforcement officers on occasion to subdue and to restrain members of the public, I believe that certain tactics should never be used in dealing with young children ... particularly within a school." Crew recognized that the student "was agitated and injured." But, he said, "Police officers have dealt with other children in this condition without resorting to a taser." Crew requested that the police department "refrain from deploying or discharging tasers against elementary school students in Miami-Dade County public schools" and that officers use the taser only as a "last resort" on older students.

Tony Hill, the Democratic whip in the Florida State Senate, was so concerned that he sponsored a bill that would prohibit schools from using tasers on schoolchildren.

"Every day here in Florida," says Hill, there are reports of "use of a taser on someone." But, he says, it was a group of tasings at schools near Palatka, Fla., that first made him wonder about the appropriateness of the weapon. "They all were African-American kids," he says. "That raised a red flag."

In early January, the Miami-Dade police revised their guidelines. The new policy "requires officers to consider factors such as age, size, and weight," in addition to other considerations, reported the Associated Press.

Crew and Hill are bucking a trend: the increasingly common use of tasers against students. Taser International says that 32 percent of the police departments it interviewed include tasers in local school systems, reported the Birmingham News. In Birmingham, Ala., officers armed with tasers will soon patrol the hallways of many schools. Superintendent Wayman Shiver says he's OK with that.

"You have got to have something that the children fear," says Shiver, who has heard about people who were injured or who died after being hit with a taser. "We have to be in a position to

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control these schools by whatever means possible."

For Virginia Volker, a Birmingham School Board member, "whatever means possible," is too much. "It's easier for systems to say, 'Zap them, throw them out,' something technical, when there's not a technical fix," she says. "It's a human problem." Like Shiver, Volker also talks about problems with fighting in the schools, but she opposes the taser. "It's treating the children as criminals," she says. "It doesn't address why the children are acting out."

In the South, electronic shocking devices have a disturbing precedent, says Volker. Back in the time of the civil rights marches, sometimes the police department would use cattle prods on protesters. "When I think of the taser," she says, "I think of that."

Dexter Massey is president of the PTA at Parker High School in Birmingham. He says he took a taser instruction course from the police academy, but he still has doubts about the device when it comes to kids. The trainers, he said, told him that the average shock from the taser is three seconds. "Who's to say how many seconds it takes to die?" he asks.

No home complete without one

Taser International, which features the slogan "Saving Lives Every Day" on its web site, is also hawking tasers directly to consumers. "Choose your citizen taser device," says the company. Calling them "home self-defense systems," the company says tasers are a "safe and effective defense" that is "easy to use" and has "no aftereffects or contamination." The company offers three different consumer models, including one with a 15-foot range. The police version, the M-26, has up to a 21-foot range. So, presumably, in a taser duel between a police officer and a consumer, the officer would win.

On Jan. 26, Jim Weiers, House speaker in the Arizona legislature, announced that he would propose a bill that would give police officers -- and citizens -- the upper hand against consumers who buy the tasers. It would allow the state's "police officers and ordinary citizens the use of lethal force in confronting people who threaten them with remote stun guns such as tasers," reported the Associated Press.

The consumer models sell for \$399.95, \$599.95, or \$999.00.

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