



Tasers and the Fight Against Police Brutality

**by Sallydarity
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The Boston Anarchist Black Cross functions as the defensive arm of local anarchist struggles. We work to forge an organized support network for local activists in need and for folks behind bars. We seek the total abolition of prisons and work on projects in support of this cause.

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Take a moment to count five seconds. 1-2-3-4-5. That's how long a taser usually stuns a person.

We all want the police to stop shooting people. The Taser, providing an alternative to shooting as a means to incapacitate an individual, is said to decrease police shootings. However, knowing that police are capable of abusing any means they have to control people, we need to be aware of some of the factors involved with the Taser that the media and the police department won't share with the public.

Some primary concerns:

- Police departments that use tasers do not necessarily shoot less people due simply to the Taser.
- While in many cases the number of police shootings decreases when tasers are introduced to a police department, use-of-force incidents (police brutality) tend to significantly increase.
- Police department policies and training on tasers vary greatly from department to department. Some find it acceptable for a taser to be used on an individual who is passively resisting, while others require officers to use it only in situations where it is acceptable for officers to use a gun.
- Unarmed and non-threatening people have been tased simply for walking or running away from the police, not following a command quickly enough, for being loud, etc. Several people have been tased while already handcuffed.
- Non-threatening people who are mentally ill or disturbed have been tased. Children and the elderly have been tased. Pregnant women have been tased. People with heart conditions and epilepsy have been tased. Several people have died after being tased.

The majority of the information within this document is from Amnesty International's Report on tasers, entitled "Excessive and lethal force? Amnesty International's concerns about deaths and ill-treatment involving police use of Tasers" that can be found at

<http://web.amnesty.org/library/Index/ENGAMR511392004?open&of=ENG-USA> .
Unless stated otherwise, all quotes are from the above cited document.

How Tasers work:

More than 5,000 US law enforcement agencies are currently deploying Tasers, and the numbers are increasing rapidly. Most police departments use either the M26 or X26 model of Taser, manufactured by Taser International. The Taser delivers a 50,000 volt shock "designed to override the subject's central nervous system, causing uncontrollable contraction of the muscle tissue and instant collapse." The Taser can

and subjected to an "overly invasive bodily search" and repeatedly called a "faggot"(91). He was allegedly tasered while he was prostrate and in handcuffs.

- A woman booked into the jail in March 2003 was placed in a cell by herself in a distraught condition. A jail employee said he would taser her if she did not be quiet and calm herself. It is alleged that, while she was attempting to calm down, two guards entered her cell and one attached two taser clips to her shirt in the chest region; the other guard then activated the taser gun. According to the lawsuit, she suffered "severe burns and permanent scars to her chest and stomach" as a result of being tasered.

- A woman instructed to strip front of male guards hesitated after removing all her clothes except her underwear; she was pushed into the shower by a male guard and saw an officer pointing a taser at her as she emerged from the shower. It looked like a firearm and she was very scared, begging the officer "don't do this." She was given nothing to dry herself with and she was escorted from the room by male guards while wearing a small paper garment resembling a "diaper" and forced to walk past male inmates waiting to be booked into the jail.

Monroe County Jail, Georgia

- James Borden, aged 47, died in Monroe County Jail, Georgia, on 6 November 2003, after being stunned at least six times with an M26 Taser. Police had arrested him earlier that evening for violating a home detention order (Borden had been spotted the previous day acting in a confused and disoriented state near a local convenience store). According to a subsequent lawsuit, at the time of his arrest Borden "exhibited slurred speech, was unstable on his feet and was physically weak." An Emergency Medical Team (EMT) ambulance was called and medical personnel indicated that he needed to go to hospital but he was taken to jail instead. He was tasered on arrival at the jail, reportedly for "thrashing around" and talking incoherently as he was being removed from a police car. Once in the jail, still with his hands cuffed behind him, the same officer (Shaw) shocked Borden several more times for being "uncooperative" and failing to comply with a command to step out of his shorts or pyjama pants which had fallen around his ankles. In one statement, Shaw is reported to have said: "... I asked Borden to lift up his foot to remove the shorts, but he was being combative and refused. I dry stunned(120) Borden in the lower abdominal area ... We got Borden into the booking area. Borden was still combative and uncooperative. I dried (sic) stunned Borden in the buttocks area." Borden was then reportedly pinned to the floor of the booking area and shocked again, after which he turned blue and lost consciousness. An ambulance was called and he was taken to hospital where he was pronounced dead. A statement released by the county jail authorities just after Borden's death said that "standard police procedures by trained officers to control combative or uncooperative individuals" had been used. The autopsy report gave cause of death as consistent with "cardiac dysrhythmia, secondary to hypertrophic cardiomyopathy [abnormal thickening of the heart muscle], pharmacological intoxication and electrical shock", with manner of death "accidental."

-A prisoner was strapped into a restraint chair for three hours for yelling and mouthing off. According to the ACLU "Officers periodically approached the prisoner, held a stun gun to his chest, and threatened to shock him. The prisoner has an enlarged heart and may be particularly vulnerable to adverse effects from electroshock weapons."

Texas:

- Several lawsuits have been filed against officers from the Baytown Police Department, Texas, for alleged abusive use of Tasers. Naomi Autin, a 59-year-old disabled Latina woman, was reportedly tasered three times by police officer Micah Aldred in July 2003 for banging on her brother's door with a brick. According to a lawsuit filed by Autin, she had gone to her brother's house to collect mail while he was away, and became worried after failing to get an answer from the house-sitter and seeing a truck parked in the driveway. She called the police and officer Aldred arrived on the scene. Autin, who is 5 feet 2 inches tall and suffers from severe arthritis, was allegedly tasered in the back by Aldred after she continued to try to gain entry to the house; the officer also allegedly threw her against a post, causing a severe cut to her head. A grand jury indicted the officer on charges of using excessive force, but he was acquitted at trial. Reportedly, police officers corroborated his account that the use of force was justified. Amnesty International understands that no disciplinary action has been taken against the officer. The same officer is a defendant in another lawsuit in which an unarmed woman wanted on an outstanding arrest warrant was allegedly "shocked numerous times about the back, face, neck, shoulders and groin."

Greene county jail, Missouri

- An African American woman was asked to remove her jewellery on being booked into the jail in June 2003. She removed everything except an eyebrow ring, which was difficult to remove. When she asked for a mirror she was allegedly sprayed in the face with pepper spray and, when she put her hands up to protect her face, was shot with a taser, causing her to fall to the ground and lose control of her bladder. While on the ground, a male officer forcibly removed her eyebrow ring with pliers. She was left in her urine for several hours without being given anything to clean herself with.

- A man being taken to the "drunk tank" was slammed to the ground face-first. As he lay on the ground bleeding, a guard allegedly fired a taser gun at him, causing acute pain, although he was not moving or struggling. He was taken to hospital where he had stitches to his mouth. On return to the jail, when told he had failed to shampoo his hair satisfactorily, an officer threatened him with a taser gun, saying "you don't want this again." On his release, the jail tried to get him to sign "reprimand papers" stating that he was shocked with a taser because he had attempted to run to the jail entrance; according to the lawsuit, he refused to sign the papers because the facts in it were not true.

- A man who said he might be allergic to soap in the shower was threatened with a taser gun and told to use the soap provided.

-A man booked into the jail on an outstanding traffic warrant was allegedly assaulted

either shoot at a distance of up to 21 feet (some up to 25 feet), or used directly in "touch mode." When fired, the Taser shoots two barbed probes at a speed of over 160 feet per second and sends an electrical charge through insulated wires to the target for 5 seconds. The Taser has laser sights for accurate targeting and is fired by an air cartridge, which must be reloaded for another shot. In both cases, the shock lasts for a default length of 5 seconds, but if the trigger is held, the shock can last as long as the trigger is held, for as long as the battery lasts. Also, if used in touch mode, or if the probes remain in the subject (or in their clothing) after a first firing, the subject can be shocked as many times as the officer pulls the trigger, reportedly for as long as the battery lasts.

There are some built-in safety measures "intended to guard against abuse and provide an audit trail to monitor each Taser deployment. When darts are fired, confetti-like identification tabs are ejected which are printed with the cartridge's serial number, allowing departments to determine which officer fired the cartridge. [They] also have an on-board microchip memory function, which records the date and time of each firing (trigger pull); this applies whether the Taser is used in dart or touch stun mode (although the microchip cannot distinguish which mode the weapon is in). The data can be downloaded onto a computer which, according to the company, downloads to text in the case of the M26 but is encrypted in the case of the X26 to protect the integrity of the data. The X26 Taser also records the duration and battery strength of each firing... Officers may also cut off the flow of electricity before the standard five-second burst by switching the safety switch. However, the ability to record the duration of each firing is not contained in the M26 Taser, which remains widely used (possibly by a majority of US police agencies)."

Questioning Tasers' Justifications: There are claims that police departments that use tasers tend to have lower incidents of police shootings and therefore fewer deaths by police. Tasers can be used to subdue a suspect in a threatening or dangerous situation without great injury to anyone. We know, however, that the police will shoot suspects, usually people of color, whether or not the suspects are actively resisting or combative, whether they're armed or unarmed. We would prefer that if a police officer thinks a person is pulling out a gun when he/she may actually be pulling out a wallet or cell phone, that a police officer uses a Taser rather than a firearm. We would hope that if a disturbed or mentally ill individual is acting in a way that an officer finds threatening, that the officer would use a taser instead of a gun. This is not to imply that the police are justified in shooting armed suspects, nor to imply that an officer has only the choice of a gun or a taser.

In fact, Amnesty International reports that in some cases, a combination of better training on the use-of-force, crisis intervention, and/or independent auditing of police activity within some departments has led to a decrease in police shootings in departments such as San Jose, Washington D.C., and Los Angeles. In addition, Amnesty International noted that although police shootings fell to zero in San Jose in 2002 when they obtained their first sizable amount of Tasers, the numbers had started

decreasing since '99 due to the above factors (training, auditing, etc), but rose again after all patrol officers were issued tasers in 2004. In some cases across the country where a suspect was shot by an officer, it was after a taser failed to subdue the suspect. It is worth questioning whether the failure of a taser when used, increases the likelihood that an officer will shoot a suspect.

The most disturbing aspect of the prevalence of tasers due to the justification that it "saves lives" is that while in some cases police shootings decrease, use-of-force incidents have greatly risen. A statistic used by Amnesty International was that "while police shootings in Phoenix fell from 28 to 13 in 2004, tasers were used that year in 354 use-of-force incidents, far more than would be needed to avoid a resort to lethal force." In a local Phoenix newspaper, the Arizona Republic article, it was reported that "Officers used stun guns last year (2003) more than they used batons, chemical spray, physical force and firearms combined. Records show that the number of incidents in which police used some type of force went up 22 percent after tasers were issued to all patrol officers."

Amnesty International cites other statistics that show that it may be the case that tasers are being used in situations where there otherwise would have been no use of force. In addition, Amnesty International's report, news articles, and personal accounts verify that tasers are being used in many more cases than those in which an officer is "justified" in using a firearm or even a billy club.

Tasers and Police Brutality

"Portable and easy to use, with the capacity to inflict severe pain at the push of a button without leaving substantial marks, electro-shock weapons are particularly open to abuse by unscrupulous officials... Amnesty International is concerned that deployment of Tasers, rather than minimizing the use of force, may dangerously extend the boundaries of what are considered 'acceptable' levels of force."

Deaths: Taser deaths seem to be in the news every few weeks these days. Amnesty International reports that over 70 people have died in the USA and Canada after being struck by tasers by police since 2001, with the numbers increasing every year since. Most of the death incidents involving the Taser also involve heart problems, other health conditions, drug abuse, physical resistance, and/or being restrained. Amnesty International's report contains many details on the complicated and controversial cases of these deaths. For more information on how likely that these deaths were directly tied to the use of the Taser, see Amnesty International's report. Though details of the deaths will not be covered here, it is important to mention that Amnesty International reported that "Most of those who died were unarmed men who, while displaying disturbed or combative behaviour, did not appear to present a serious threat to the lives or safety of others. Yet many were subjected to extreme levels of force, including repeated taser discharges and in some cases dangerous

- In May 2004 a police officer from South Tuscon, Arizona, used a taser on a nine-year-old girl who was a runaway from a residential home for severely emotionally disturbed children. According to reports, the child was already handcuffed with her hands behind her back and sitting in the back of a police car when the taser was used as an officer struggled to put her into nylon leg-restraints. The officer is reported as saying that the girl was "screaming, kicking and flailing, and would not listen". Reportedly, the officer had requested the taser because he was aware of the girl's combative behaviour from past incidents.

- a female suspect who had broken into her grandfather's apartment was tasered when she "attempted to walk away from the officer" and "pulled away" when he tried to stop her. The taser was applied five additional times before other officers arrived on the scene.

- a burglary suspect hiding in an attic when he "refused to comply with commands."

- a suspect who, stopped for driving with a suspended license, ran away from police.

- an autistic teenager after he assaulted his mother and wrestled an officer to the ground.

- a man standing on the sidewalk yelling and screaming at the sky. He was threatened with the taser if he did not comply with police commands to be quiet. He refused to comply and the taser was then deployed. The taser was effective but "as the subject began to get up, the taser was cycled a second time."

-A thirteen-year-old girl was tasered in a public library after she threw a book at someone and was "yelling obscenities." The case summary states: "The juvenile continued to be verbally disruptive and resisted when officers attempted to place her under arrest. The Taser was displayed and threatened. The juvenile continued to resist by curling into a ball. As the juvenile was preparing to kick at the officer, she was touch-stunned in the middle of her back."

Kansas City, Missouri

-In June 2004, a Kansas City police officer electro-shocked an unarmed 66-year-old African American woman in her home, as she resisted being issued with a ticket for honking her car horn at police. The incident started when Louise Jones honked her horn while parking behind a police car. The police officers, who were responding to an unrelated disturbance in the street, returned to Ms Jones' house and tried to issue her with a ticket for unlawful use of her horn. She protested and a tussle ensued, during which an officer shocked her twice with his taser.

Colorado:

- a man was shocked in the genitals for continuing to resist while he was handcuffed and sitting in the back of a police car. The officer admitted to applying a "drive stun to the groin." (Westminster Police Department, Colorado)

- Police responded to a report of a possible overdose and took an apparently intoxicated and possibly suicidal man to hospital. A police officer applied a taser to the man while he was restrained on a hospital bed, screaming for his wife. According to the police report, "Officer Furney repeatedly told Andre to be quiet and when he did not comply placed the Taser against Andre's chest and tased him once." (Pueblo Police Department)

Appendix

Some cases of people being tasered mentioned in Amnesty International's report

Florida:

- a man who refused to discard the drink he was drinking in a park and refused to turn round and be handcuffed (Orange County Sheriff's Office)
- a woman who, ordered out of a pool for swimming naked and once dressed, refused repeated commands to turn round and put her hands behind her back. (Orange County Sheriff's Office)
- a 15-year-old schoolgirl, who was tasered and pepper sprayed after arguing with officers after she and other children were put off a bus during a disturbance. (Miramar Police Department, Broward County)
- a 14-year-old schoolgirl who was tasered after fighting with a school "resource officer" in a classroom. The officer first used the taser as a "stun gun" applying it directly to her chest; when she continued to struggle he deployed the "air cartridge" twice before she was handcuffed. (Putnam County Sheriff's Office)
- a 14-year-old boy who had allegedly broken a window and tried to run away;
- a 50-year-old man who refused to give police his date of birth during a disturbance at a picnic;
- a woman jolted at least five times with a taser as an officer held her down.

Portland, Oregon:

- 20-year-old Dontae Marks, a bystander who protested when police tried to arrest a friend for being drunk outside a night-club. Police reportedly pointed a taser at Marks' chest when he refused an order to leave, then tasered him in the back as he walked away shouting an obscenity. Six officers then reportedly grappled with him in a struggle in which Marks was pepper-sprayed and touch-stunned at least ten times while lying face-down on the ground. He was reported to have sustained 13 taser burn marks across his back, neck, buttocks and the rear of his legs. He was later acquitted on charges of affray and has filed a lawsuit. According to the WW report, an internal police review found the taser use to be justified.
- An 18-year-old was tasered when he told police responding to an under-age drinking party to "get the f... out of my house". He was tasered again when, after complying with an order to put his hands up, his hands started to drop.
- A driver pulled over on a bridge, angry that his car was being towed away for lack of insurance, was tased after repeatedly complaining and turning his head and body towards an officer.
- A woman who fell asleep in her parked car was tasered when officers woke her up when they opened her car door and, according to the police report, she glared at them and reached for her pocket. According to the WW review, police reports were inconsistent as to whether or not she was warned before the taser was used.

Arizona:

- a female driver of a stolen vehicle being followed by police who, after she crashed the car and fled on foot and was caught by officers, "would not comply with verbal commands and made a move towards her waistband."

restraint techniques such as 'hogtying'." The question about whether tasers can cause death is a very important question, which should be looked at from an anti-police brutality perspective.

Pain and Injury: Taser International downplays the pain involved with tasers, but those who have experienced it, including police officers, have said such things as, "They call it the longest five seconds of their life ... it's extreme pain, there's no question about it." And a firearms consultant said "It is the most profound pain I have ever felt." The pain is said to be temporary, but not necessarily if the Taser is being used longer than the 5 seconds, or if it is used several times on one subject.

While the darts can shock a person if only attached to their clothing, the darts can also penetrate up to 2 inches of skin, and the Taser can also leave burn marks that have been said to leave scars. Some police departments require that officers take the subject to receive medical care after being tased.

Due to the incapacitation involved with being tased, a standing or elevated person cannot take measures to ensure their fall will involve minimum injury (i.e. bracing for a fall). People have been known to be injured from falls due to being tased, some falling flat on their face. In one incident in Chandler, Arizona, a man who was in a tree was tased and is reported to now be physically disabled due to the fall. These secondary injuries seem common, but rarely mentioned in news reports.

Excessive Use of Force: It is important to note that certain use of Tasers can be possibly considered torture. Amnesty International says, "Given the pain and the psychological impact or fear caused by being stunned or threatened with an electro-shock weapon, the use or threat of Tasers in these and other cases, even without physical injury, may constitute torture or other cruel, inhuman or degrading treatment." "Amnesty International considers that using powerful electro-shock technology against unruly children; disturbed, intoxicated but non-dangerous individuals; and people who are non-compliant but who do not pose a probable threat of serious injury to themselves or others, is an excessive use of force which may also constitute torture or other cruel, inhuman or degrading treatment." There is a history of torture by police, some involving electric devices. For instance, a Chicago police officer, Jon Burge was accused in the early 1980s of administering electric shocks to a victim's head and genitals. More info: <http://www.hrw.org/reports98/police/uspo53.htm>

The use of a Taser can be considered excessive use of force when the method is not appropriate to the incident (i.e. the subject's action or inaction does not warrant being shocked), or when the Taser is used more than once or for longer than five seconds (though the one 5-second shock as not excessive force is a standard put forth by Taser International and police departments). Some may view any use of the Taser "excessive" while others may see it as appropriate in certain situations. People have been tased for walking away from an officer, for "mouthing off," for not answering specific questions, for not obeying a command quickly enough, while on the ground, while hand-cuffed or otherwise restrained.

Tasers in combination with other brutality, forceful restraint, or chemical weapons is common. Alcohol-based pepper spray can possibly ignite by the spark caused by the taser. Fortunately a lot of police departments are now using water-based pepper sprays, but there was one incident where a man's hair caught on fire after having been pepper-sprayed and tased.

Officers seem quick to grab the taser to solve problems with people who are mentally ill, or disturbed. Advocacy for mentally ill and disturbed people who have been tased or otherwise brutalized is especially important.

Compliance: "A Taser International training manual states that the M26 can function in stun mode after the probes have been fired, as a back-up weapon. The training manual also states that, if used only in touch stun mode, the Taser becomes a "pain compliance" tool and officers are instructed to apply it "aggressively" to sensitive areas, including the neck and groin."

When the police taser an individual in order to gain compliance, and not in a dangerous situation, this is not only excessive force, but could be seen as a violation of our rights. This could also be the case when only the threat of the Taser is used. A man in Florida was tased for not supplying his birth date to an officer. In Oregon, a young man was tased after saying "get the f... out of my house" and was tased again when, "after complying with an order to put his hands up, his hands started to drop." Tasers have also been used to urge a suspect into a patrol car, as well. Certainly, the government, specifically through the courts, is empowered to punish those who commit crimes, but this technology is empowering police to threaten or carry out punishment against a person for action or inaction of the officers' dislike (legal or not). It is disconcerting that tasers could be used to force a person to do something against their will, but this will inevitably increase as taser use increases.

Standards for Force: As previously mentioned, tasers are justified because of their role in decreasing police shootings, yet use-of-force incidents have increased significantly and those involving tasers far outnumber incidents that could end up with a police shooting. This is because tasers are acceptable for incidents requiring less than lethal force, at various levels depending on the police department. "Although described by the manufacturer as a suitable tool for 'aggressive, focused combatants,' the taser appears to be a relatively low level force option in many US police departments. A survey by Amnesty International of more than 30 US police departments (including 20 of the largest city or county agencies) indicates that tasers are typically placed in the mid-range of the force scale, below batons or impact weapons rather than at, or just below, lethal force. Some departments place the entry level for tasers at an even lower level, after verbal commands and light hands-on force." Depending on the police department, Tasers may be acceptable to use in the case of passive resistance (refusal to comply with police commands but no interference with an officer and no physical threat posed), defensive resistance (physical actions which attempt to prevent officer's control but do not attempt to

harm the officer), active physical resistance (bracing or tensing, or attempts to push or pull away) active aggression (an assault or imminent assault). Even if it is not the policy of a police department to consider the use of a taser a low-level use-of-force, appropriate for a passive resister, officers still get away with it, as we know police are rarely punished. There seem to be no consistent policies on the appropriate use of tasers in the cases of minor violations and crimes, or when a subject is already adequately restrained. "A statistical analysis of 2,050 Taser field applications across the USA, produced for Taser International in November 2002 showed that in 79.6% of cases the suspects were unarmed; of the other cases, 15.6% had an 'edged weapon' and 4.8% a firearm; in 4.9% of cases the 'suspect weapon' category was 'blunt force'. An analysis of the 'suspect force level' in which a Taser was deployed gave the most common category (37% of cases) as 'verbal non-compliance'. This was followed by "active aggression" in 32.6% of cases; 'defensive resistance' in 27.7% of cases and 'deadly assault' in only 2.7% of cases." Standards vary between police taser usage, and Taser International training manuals and policies as well. Reevaluation of Taser policy by police departments has been a news topic here and there, but there continues to be a lack of across the board policy on Taser usage.

- *The Fight for Justice:* Each individual or group can use the information about tasers to move along with a strategy of fighting police brutality and excessive force involving tasers. Whether you want to call for police accountability, or want to abolish the police force, some questions to ask when strategizing include:
- Do we want to call for a moratorium, ban, restrictions on tasers?
- Is it more important to focus on tasers/Taser International or on police brutality in general?
- How can people who have had different (positive or negative) experience with tasers come together on the issue?
- How can victims of excessive force involving tasers get justice?
- How can we get unbiased information about tasers out to the general public?

There have been and continue to be many lawsuits against police departments for the various abuses related to tasers. For example, a woman who was pregnant but had a miscarriage shortly after being tased and falling on her stomach won \$675,000 from the City of Chula Vista, California. There are many lawsuits and news stories surrounding deaths related to tasers. There have also been news reports of studies that show tasers to be unsafe. These incidents cause police to be on guard if not change their ways, and cause Taser International some problems including drops in stocks. Protests at times when police departments are obtaining tasers, or when an incident of abuse or death occurs may or may not be fruitful.