

Memorandum

City of Lawrence

Police Department

To: Tarik Khatib, Chief of Police
From: Rob Murry, Police Sergeant
Date: January 4th, 2013
Re: Lawrence Police 2012 TASER Report

DISCUSSION

Between January 1, 2012 and December 31 2012, eleven members of the public received an exposure from an Electronic Control Device (ECD or TASER) during a criminal incident. The ECD was displayed 19 times during criminal incidents without being deployed and without anyone receiving an exposure. All TASER uses resulting in ECD exposure to a member of the public were upon individuals who were actively engaged in physical violence against another person or officer, fleeing from violence against another person, or they were actively and physically resisting lawful arrests. A brief synopsis of each event is included as an attachment.

All the members of the public, except one, who received an ECD exposure, were examined by medical health care professionals at a hospital after the ECD exposure.

All Lawrence Police ECD deployments are subject to a review process. All ECD deployments involved a person who was involved in active assaultive behavior, the threat thereof, or fleeing from active assaultive behavior. Active assaultive behavior presents injury risks to the person and the officers who must accomplish their lawful objectives. Lawrence Police Department ECD usage philosophy dictates that ECD usage is for the purpose of intervening in violent encounters where there is a threat of or actual "Inbound Violence" toward a person or any of the officers. This philosophy recognizes there are some instances of active resistance that may not necessitate an ECD deployment. The policy recognizes that fleeing from active assaultive behavior without continued threat may not necessitate an ECD deployment.

In 2012 55 officers received the initial user certification from a certified TASER instructor. 90 officers received user re-certification from a certified TASER instructor. Currently, every officer departmentally certified to carry a TASER has received an exposure from the ECD.

In 2012 the department spent approximately \$27,930.71 on Electronic Control Devices and related equipment. The breakdown is as follows:

TASER Cartridges	\$13,151.60
Actual TASERS	\$10,264.00

Digital Power Magazines	\$ 3,080.67
Cleaning Swabs	\$ 216.40
Holsters	<u>\$1,218.04</u>

Total	\$ 27,930.71
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INCIDENT SYNOPSES

On 02/07/2012 officers responded to the 200 block of Maine Street. The call was in reference to a disturbance. After being requested numerous times to accompany officers to Lawrence Memorial Hospital the individual attempted to leave. An officer stepped in front of the individual and instructed the individual to stop. The individual shoved the officer and began to run for the exit. A second officer grabbed the right arm of the individual and pushed through the exit and to the ground. The first officer attempted to secure the left arm of the individual while the second officer continued to try to secure the right arm. During the incident the individual rolled over and attempted to grab items on the second officers' duty belt. The officer secured his firearm first and then observed the individuals hand in close proximity to his ECD. The officer got the individuals hand away and then observed the individual pushing and striking the first officer. An ECD was deployed and it was successful. The individual continued to resist but was placed in custody.

On 02/26/2012 officers responded to the 800 block of Louisiana Street. The call was in reference to a wanted person with information that a woman was possibly also in danger inside the residence. Officers made entry and the wanted person emerged wielding a steak knife and yelling. With lethal cover an officer deployed an ECD. The deployment was successful.

On 02-29-2012 officers responded to the 300 block of Maine Street. The response was in reference to a suicidal subject that had been involuntarily placed in custody and needed to be transported to a state hospital. The individual refused to go and pushed an officer backward when attempted to be handcuffed. The officer pushed the individual down into a chair. A second officer removed an ECD from the holster. The individual stood again and took a fighting stance. The individual attempted to leave and the first officer secured the right wrist of the individual. The individual struggled and attempted to swat the officer's hand away. The individual struck another victim while struggling with the first officer. The second officer deployed an ECD. The deployment did not cause incapacitation but the drive stun follow-up assisted in placing the individual in custody and stopping the assaultive behavior.

On 03-21-2012 officers responded to the 800 block of Mississippi Street. The response was in reference to a fight in progress. The individual fled the scene in a vehicle and refused to stop for officers. The individual fled to 6th Street and Ohio Street where the individual was involved in a vehicle accident. The individual then fled on foot. An officer pursued on foot and deployed an ECD, the second cartridge was successful. The

individual was taken into custody.

On 03-21-2012 officers responded to the 1700 block of East 1500 Road. The Douglas County Sheriff's department requested assistance with an armed suspect with active warrants. The individual was wearing a jacket the individuals hand was concealed in the jacket. The individual refused to show his concealed hand. The individual pushed a deputy backward and then attempted to flee into a residence. An ECD was deployed and was initially successful. When officers attempted to place the individual into handcuffs the individual began actively thrashing with hands and feet at officers. The individual continued to fight through the deployment. As officers attempted to place the actively fighting individual into handcuffs a second officer deployed an ECD. The deployment was not effective and the individual attempted to pull the probes from the body and continued to fight. Eventually the individual was taken to the ground and placed into handcuffs.

On 5/5/2012 officers responded to a business in the 1000 block of W. 23rd Street. The response was in reference to a suicidal subject armed with a knife. An officer arrived on scene and observed an individual holding a utility knife near their own neck and yelling at officers already on scene. The officer positioned himself behind the individual and deployed his ECD. The deployment was successful and the individual collapsed onto the ground. Officers secured the individual in handcuffs and secured the knife.

On 6/13/2012 officers were dispatched to a business in the 500 block of Congressional Drive. The call was in reference to a child being blindfolded with the child's hands and feet bound. When officers arrived an officer observed a child bound and blindfolded near a vehicle. An individual exited the vehicle. The officer stated why the officer was present and asked the individual for identification. The individual did not respond and stared at the officer for a few seconds. The individual then started walking back toward the vehicle. The officer pursued, and the individual told the officer to stay away from their person and the vehicle. The officer continued and told the individual to provide identification and speak with the officer. As the officer got closer to the individual the officer observed another child blindfolded and bound. The officer ordered the individual away from the vehicle and the individual refused. The officer attempted to grab the individual and the individual attempted to close the vehicle door. The officer again attempted to grab the individual and the individual started kicking both feet toward the officer. The officer deployed an ECD. The deployment worked momentarily but then the individual pulled out the wires and continued kicking. The individual continued to strike out at officers and a second cartridge was deployed. The deployment was successful but officers were not able to handcuff the individual before the individual was again able to pull out the wires. Other officers arrived on scene and they were able to physically take the individual into custody.

On 7/01/2012 officers responded to a business in the 1000 block of Massachusetts in reference to a fight. As an officer approached the officer observed another officer and another individual actively fighting and falling into a crowd of people. The officer attempted to help the other officer physically restrain the individual. The individual

continued to push and fight officers, and individuals from the crowd were yelling at officers and grabbing at their person. The officer deployed an ECD and the individual stopped fighting briefly (1-2 seconds). The individual then got back to their feet and again began to actively fight officers. Additional officers arrived on scene and the individual was taken into custody.

On 08/21/2012 officers were dispatched to the 2500 block of Redbud Lane. The call was in reference to a stolen vehicle. Three officers located the vehicle in a parking lot. Three individuals were with the vehicle. Officers confirmed the vehicle and registration displayed on the vehicle were stolen. Officers attempted to take the three individuals into custody. One individual ran from the vehicle and two officers pursued the individual. One officer yelled "stop police" but the individual continued to run. One officer also yelled "Taser" multiple times hoping the announcement would cause the individual to stop. One officer continued to pursue the individual and one officer went around a building hoping to intercept the individual. The individual tripped and the pursuing officer caught up to the individual enough to push the individual to the ground. The officer attempted to handcuff the individual and the individual rolled into the officer pinning the leg of the officer. The individual continued rolling applying pressure to the knee of the officer. The officer felt a "pop" and fell back into a seated position. The individual then got up and over the officer. The individual then pushed off of the officer. The officer believed the fight was continuing and drew his ECD and deployed it. The officer was able to control the individual until another officer arrived to place the individual into handcuffs.

On 10/20/2012 officers were dispatched to the 100 block of Pinecone Drive. The response was in reference to a domestic disturbance. An officer located an involved individual outside an apartment building. The individual immediately started walking toward the patrol car. The individual had his forehead lowered and appeared angry. The officer exited the patrol car and attempted to identify the individual. The individual refused to answer with the requested information and instead shouted profanities at the officer. The individual raised his fists and threatened the officer with immediate bodily harm. The individual stepped toward the officer. The officer removed an ECD from the holster and held it near his own leg and gave the individual verbal commands. The individual refused to comply with the commands. The individual again balled his fists and raised them. The individual again stepped toward the officer closing the distance. The officer deployed the ECD. The deployment was successful and the individual was taken into custody without further incident.

On 11/18/2012 officers were dispatched to the 1700 block of W. 6th Street. The call was in reference to a suicidal subject. An officer arrived on scene and witnessed the individual actively bleeding and actively cutting their own wrist with a knife. The officer gave verbal commands but the individual did not comply. The individual ordered the officer out and then raised the knife and began to walk toward officers on scene. Officers continued to give verbal commands and warned the individual of the ECD deployment. The individual continued and an officer deployed the ECD. The deployment was successful and the individual was taken into custody without further incident.

EVENTS SUMMARY

Ten of the eleven people who received an exposure from an Electronic Control Device were examined by medical health care professionals at a medical care facility. One was examined by Lawrence Douglas County Fire Medical and was not transported to a medical care facility.

The medical attention was typically provided at the expense of the City and not the person.

None of the eleven persons who were exposed to the Electronic Control Device filed complaints.

Two Electronic Control Device policy violations were noted during 2012. Both policy violations were discussed with the officer(s) involved, and directed to their respective supervisor for discipline. One of the violations occurred during the aftercare of a deployment. During the aftercare, the individual received care from Lawrence Douglas County Fire Medical but was not taken to a hospital for evaluation. The other violation occurred during the deployment of the Electronic Control Device. The individual was actively resisting apprehension, but was not actively involved in violence directed against the officer or another at the time of deployment. The policy and the philosophy of the policy were reviewed during user re-certification.

The eleven persons who were exposed to the Electronic Control Device discharge were comprised of one (1) Native American Male, seven (7) Caucasian Males, (1) African American Male, (1) Caucasian Female, and (1) Caucasian Male Hispanic Ethnicity. Their ages: one was (56) years old, one was (51) years old, one was (47) years old, one was (20) years old, one was (44) years old, two were (23) years old, one was (52) years old, two were (26) years old, and one was (18) years old.

The following Kansas Statute and Lawrence Municipal Ordinance violations were listed by the arresting officers in the seven cases where a person received an exposure to an Electronic Control Device:

- Aggravated assault on a law enforcement officer
- Aggravated battery against a law enforcement officer
- Assist outside agency
- Assault
- Assault on a law enforcement officer
- Battery against a law enforcement officer
- Child abuse
- Child endangerment
- Criminal damage
- Disorderly conduct
- Emergency Detention

Interference with duties