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Donald E. Wilkes Jr.

University of Georgia School of Law, wilkes@uga.edu

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Taser Time: Electroshock Injustice Coming Soon to Athens-Clarke County

By Donald E. Wilkes, Jr.



“The official rationale for issuing tasers to police officers is that the electro-shock devices represent a ‘non-lethal’ alternative to the use of a firearm in dealing with situations that threaten the life or safety of an officer or innocent bystanders... In practical terms, however, the taser —which is proving to be a reliably lethal weapon— has become an instrument of ‘pain compliance.’ In unadorned terms, this is summary punishment through torture for those who pose no threat to anyone, but who refuse to cooperate instantly with orders issued to them by police officers.”

—William Norman Grigg

“Of the hundreds who have died following police use of tasers in the United States, dozens and possibly scores of deaths can be traced to unnecessary force being used. This is unacceptable, and stricter guidelines for their use are now imperative.”

—Susan Lee, Americas Program Director, Amnesty International

Author's Note: *Before reading this article I urge the reader to take a look at both [Electroshock Injustice](#), an article I coauthored with attorney Lauren "Elle" Farmer, which appeared in *Flagpole* on Jan. 8, 2014, and our website [Fatal Police Taserings](#), in which Ms. Farmer and I list and give details about 618 fatal taserings of American citizens by American police that occurred between 2001 and Oct. 13, 2013.*

Tasers are electroshock weapons which disable by a combination of extreme pain and muscular disruption. Tasers inflict painful, debilitating electrical shocks. They cause people to lose control of their muscles and to convulse and collapse. When used maliciously or sadistically—for example, to extract a confession or obtain information—they are torture instruments. The same is true when they are deployed under circumstances where their use is unnecessary or excessive. (For more on this, Google "taser torture".)

Although taser electroshock devices are technically classified as nonlethal weapons, this means only that their purpose is to avoid fatalities, not that they are incapable of resulting in fatalities. Use of a nonlethal weapon may and sometimes does result in death or serious injury. In recent years, at least 600 Americans, perhaps as many as 1,000, have died suddenly, unexpectedly, or shortly after being shocked by tasers deployed by police. An even larger number of Americans have gone into cardiac arrest, stopped breathing, been rendered comatose or have been otherwise seriously or permanently injured by police deploying this supposedly nonlethal electrical shock device that inflicts excruciating pain.

The dangers to the public posed by American police use of tasers are far greater and much more serious than the dangers associated with police use of other so-called nonlethal weapons. For example, although it may be true that police use their batons (i.e., clubs) excessively, they have not been clubbing hundreds of persons to death. Tasers are qualitatively more dangerous than other nonlethal weapons.

On Sunday, Apr. 19, 2015, an article in the daily newspaper in Athens announced that Athens-Clarke County Police have already received a shipment of 145 tasers and will soon begin using them on the citizenry of this county.

That article is an excellent example of the decline in American newspaper journalism. It reads more like a police press release than an objective news story. Its lack of objectiveness is startling.

The only persons quoted in the article are police or police spokesmen, and the only other source of information it relies on consists of the self-serving claims of the corporation that markets tasers. No attempt is made to seek input from citizens tasered by police or

from the researchers who have documented the widespread abuses and excesses committed by police deploying tasers. This one-sidedness is compounded by the article's unquestioning acceptance of anecdotal stories told by police to justify their use of tasers.

The online version of the article even links to a pro-taser video by the Oconee county sheriff which not only refuses to even acknowledge the proven dangers to life and health posed by administering powerful electrical shocks to human beings, but also pretends that taser devices do not inflict acute pain. Almost comically, this police-produced propaganda video endeavors to downplay the perils of tasing American citizens by depicting a young, healthy, strapping policeman being tasered (only once) in the back while his arms are being supported by two other policemen wearing surgical gloves, who then gently lay him down face-first on a soft mat! As if this had anything to do with what I shall show are the grim actualities of current American police tasing practices!

Sadly, therefore, the daily newspaper article is little more than cheerleading for the police and does not contribute to an informed discussion of police use of tasers.

Having cleverly purchased their tasers before they informed the public of their decision to begin electroshocking local citizens, county police officials probably believe they have headed off debate about the merits of their decision. But as far as I am concerned, they have not. Therefore, in the first part of this article, I shall summarize some (but hardly all) of the reasons why the decision to arm local police with electroshock weapons is terribly mistaken. These reasons are firmly grounded on actual police practices all over the country in the jurisdictions where police already use tasers. Perhaps, when informed of these facts, the local citizenry can persuade our police to reverse their decision and return the tasers and get a refund.

On the other hand, if county police refuse to change their minds, it will be necessary to impose strict limits on their use of tasers. To this end, in the second part of the article I shall propose protocols that police must be required to adhere to if and when they administer or threaten to administer taser electrical shocks.

Why Athens-Clarke County Police Should Not Have Tasers

What are the reasons why county police should rethink their decision to add tasers to their arsenal? Here are a few, each of which is rooted in the harsh realities of widespread American police practices.

Taser use increases injuries to citizens by police. It does not reduce them. What more proof is needed than the stark fact that there have been hundreds of taser-related deaths of citizens? Law enforcement use of tasers is simply another, additional form of police violence which results in injuries to citizens, injuries that would not occur in the absence of tasers.

Use of tasers by police is not restricted to violent offenders. Police frequently use tasers against persons suspected of minor, nonviolent or even petty offenses. They also frequently use tasers against people who are not even suspected of any crime, e.g., citizens whom police deem to be disrespectful or insufficiently docile. Most persons tasered by police are unarmed.

Quite apart from the frightening militarization of law enforcement agencies, which has caused them to treat citizens as enemies, American police have become desensitized to the torturous pain and serious injuries their tasers inflict. This is one of the reasons why police keep widening the circumstances in which they deploy their tasers. They seem to think that tasering people can be a joke. This is why they say such things as, “It’s taser time!” before electroshocking a citizen.

Police use tasers as a method of pain compliance. One of the most important things to know about current police taser practices is that police have perverted the original purpose of tasers (which was incapacitating violent offenders) by transforming them into a handy instrument for coercing citizens to follow their orders. Every day all across the nation police inflict electrical shocks for no other reason than that the citizen declined to obey a policeman’s command.

“Pain compliance” is a catch-all phrase used to categorize a variety of pain-inducing techniques police officers utilize to induce uncooperative persons to comply with their demands. American police on a regular basis deploy tasers or threaten to deploy them in order to force people to obey their orders, even when no violence has occurred or is threatened. Police routinely administer electroshocks to people who won’t obey their commands, even though neither the officer nor anyone else is in danger of harm. As one Texas blogger has rightly observed, “...there are many videos on YouTube that show officers using tasering not as a last resort and in place of a gun, but as a shortcut to getting compliance from people who are clearly not a danger to them.”

The driver of a car stopped for a traffic violation won’t obey an order to exit the vehicle? Taser time! A traffic offender refuses to sign or refuses to accept a citation? Taser time! A suspect on the ground won’t obey an order to get up? Taser time! A standing suspect won’t prone out? Taser time! An Alzheimer's patient has wandered out of a nursing home? Taser time! A person at a political rally heckles the speaker? Taser time! An excited fan runs onto the field during a major league baseball game? Taser time! A jaywalker ignores crosswalk signals? Taser time! A man stopped for walking two lapdogs off-leash in a National Park gives a false name and tries to walk away? Taser time! A teenage graffiti artist is caught spray-painting a disused building and flees? Taser time! A legless wheelchair-bound man is uncooperative? Taser time! A distraught stepfather tries to run back into his burning house and save a three-year old child? Taser time! A handcuffed woman is fleeing arrest? Taser time!

Members of minority groups—particularly African-American men and Latino men—are tasered by police (both fatally and nonfatally) at a disproportionate rate. This is in conformity with the well-documented rates at which American police disproportionately apply other forms of violence against people of color

Police seem incapable of understanding that there are some citizens who should be never be tasered under any circumstances. They taser pregnant women. They taser children. They taser the elderly. They taser naked people. They taser mentally handicapped people. They taser the mentally ill. They taser epileptics. They taser military veterans suffering from post-traumatic stress disorder. They taser peaceful protesters. They taser people whose arms are handcuffed behind their back. They taser people who are both handcuffed behind their back and leg-shackled. They taser people who are securely tied down in a “restraint chair.” They taser nonviolent misdemeanants fleeing arrest.

Police frequently taser a person multiple times on a single occasion. Sometimes the victim is electroshocked five or 10 or even more times (typically these horrible incidents result in fatalities or permanent, serious injuries). Frequently, these are incidents where, in police-state fashion, multiple police have surrounded and gathered about their victim, who is lying on the ground as they taser him over and over again.

Police frequently lie about taserings. This is in accordance with the longstanding, widespread problem of police perjury that occurs when police officers act illegally or violate constitutional rights.

Police who abuse their power by illegally tasering citizens, even killing them, are almost never prosecuted or convicted. This is in accordance with the longstanding, widespread problem of police escaping punishment after they have used excessive or unreasonable force against citizens. A number of local government entities have, however, been required to pay out hundreds of thousands of dollars in damages to victims of unlawful police taserings.

Based on nationwide police taser practices, therefore:

The claim of our local police officials that police use of tasers “will reduce injuries... to citizens” or that there will be “less injuries to suspects” is untrue.

The claim of those officials that police “don’t just pull it [a taser] out because someone didn’t do what we said, it’s only used to reduce the potential for injury” is untrue.

The claim of those officials that “law enforcement has grown in how it [a taser] should be used correctly” is untrue.

That our local police have made these deceptive claims so they can get their hands on tasers is strong evidence that taser use here will be no different from and no better than the pattern of abusive use of tasers by other police agencies across the nation.

Furthermore, the claim of local police officials that police use of tasers will save money is doubtful. The police officials have not, to begin with, revealed how much the tasers they secretly purchased cost or how much it will cost to purchase more and to maintain all of them. They definitely need to tell us. The officials say that use of tasers will reduce injury claims of police officers and what they call “civilians.” The officials say that so far this fiscal year the county paid out \$52,000 for injuries to police and \$47,000 for injuries to civilians, and that last year the respective figures were \$57,000 and \$87,000. It may well be true that once county police start administering electrical shocks to people there will be fewer injuries to police. However, since taser use will mean more not less police violence, it will not reduce the costs of treating injuries to citizens. In addition, every time local police unlawfully taser a citizen, the county could end up paying out hundreds of thousands of dollars as a result of a civil rights action or an out-of-court settlement. Ultimately, however, even if it should turn out to be true that taser use saves the taxpayers money, that is not a civilized reason for purchasing the tasers. The notion that police should electroshock citizens because it is cheaper than not electroshocking them is repellent.

(Police use of the term “civilian injuries” to defend their resort to tasers on cost-cutting grounds is ambiguous. Does it mean, as I assume, citizens injured by police? If so, local police have an obligation to explain this matter to the citizens and taxpayers of this county. What violent or negligent acts against citizens have they engaged in, and what injuries have they inflicted, that have cost the county over \$120,000 in medical expenses in less than two years? Or does “civilian injuries” mean something else? Will our police please be transparent and explain this?)

Any Use of Tasers by Athens-Clarke County Police Must Be Strictly Regulated by Written Rules

I cannot compel ACC police to alter the decision they have made, reckless and ill-advised as I believe it is. They are the ones with government power. I can, however, suggest some written rules and regulations which I hope local citizens will insist be adopted before local officers begin electroshocking people. The rules will have as their purpose the prevention of abusive, excessive or unnecessary taserings, as well as fatal ones. These rules, once adopted, must be rigorously adhered to and strictly enforced. They could be promulgated by either the police themselves or by the mayor and commission. These rules should at a minimum provide:

1. Every taserings by an officer must be recorded on video. The video shall not be erased in whole or in part and shall not be tampered with. The video shall be promptly made

available to anyone who wants to see it, and reasonable requests to copy it shall not be denied. Police are prohibited from withholding the video from the victim, the victim's family, the news media or the general public.

2. Every incident in which an officer tasers someone shall be promptly reported to the public. Every officer deploying or witnessing the deployment of a taser shall promptly file a report on the tasing. The report shall be factually specific and shall not consist of boilerplate, legally conclusory phrases such as "became combative" or "behaved in a threatening manner." These reports shall be promptly made available to anyone who wants to see them and reasonable requests to copy them shall not be denied. Police are prohibited from tampering with any such report. Police are prohibited from withholding any such report from the victim, the victim's family, the news media or the general public.

3. Every person tasered by an officer shall be immediately taken to a hospital emergency room for observation, diagnosis and treatment by physicians.

4. Police are prohibited from using tasers, or threats of tasing, as a method of pain compliance unless the suspect uses or threatens the immediate use of deadly force against the officer or third persons.

5. No suspect shall be tasered to prevent the suspect from fleeing arrest, unless there is probable cause to believe the suspect has committed a violent felony.

6. In January of each year, the county police chief shall file a report with the county commission listing and describing every incident during the previous year in which county police tasered a citizen. The report shall include specific information as to how many times each of the citizens was tasered, the location of the tasing, the names of the officer or officers doing the tasing, the age, sex and race of the citizen tasered and what injuries the citizen suffered and what medical treatment the citizen received. The report shall also state how many complaints against police officers were filed by tasered citizens, and shall provide information on disciplinary actions, if any, imposed on any officer on account of tasing a citizen. The report shall also fully disclose the amounts paid out for purchasing, servicing, and upgrading all county police tasers.

7. Any police officer violating these rules shall be dismissed or otherwise appropriately disciplined.

8. All rules regarding police use of tasers shall be permanently posted on the ACC police website.

Conclusion

On our tasering [website](#), Ms. Farmer and I have documented 17 fatal police taserings in Georgia from 2003 to 2013, nine of which occurred after 2006. I predict that, if ACC police are unwilling to reverse their decision to use tasers, there will, sooner or later, be a tragic incident in which they electroshock someone one or more times and the victim dies or is turned into a vegetable. When that happens, of course, there will be sadness and regret. But everyone who reads what I am now writing will know that this was an entirely preventable tragedy. We citizens will have failed once again to do what is increasingly needed in the United States—to first listen politely to suggestions that we give the police more power, and then firmly and finally just say NO!

Denying tasers to county police does not disarm them, of course. They still have ample supplies of firearms, clubs, pepper-spray and handcuffs. They still can request backup. They still have a SWAT team.

Since the Rodney King incident, and especially since the development of cellphone cameras, it has gradually been dawning on Americans that there is far too much police violence, that in far too many respects our country's police are out of control. Our police, people are beginning to see, have seized too much power, and they abuse it almost with impunity. Americans are acquiring a new understanding of what goes on in a "police-state." Soon, it will be obvious to everyone that, in the words of George Miccariello-Maher, "... there is an aggressive ambition at the heart of American policing," and the law enforcement establishment is constantly "demanding ever more power and autonomy while jealously shielding officers from even the slightest degree of public scrutiny and accountability."

The citizens of this county can join a nationwide movement to rein in police tasering excesses. The best approach would be to flatly deny our county police the power to electroshock. Alternatively, and less effectively, we might permit taser use under very limited circumstances and subject to strict and unwavering supervision. But if (as is probable) we do nothing and let police proceed as planned, we will eventually regret that we ever made it taser time in Athens-Clarke County.

Future generations of Americans will look back at the present era and puzzle that this nation could have ever empowered police to electroshock its citizens with a sinister contraption whose very invention is an example of what Winston Churchill called "perverted science."

Donald E. Wilkes, Jr. is a Professor of Law Emeritus at the UGA School of Law.