

Tasers cost taxpayers millions of dollars – Tab 1

The Reuters series investigated cases where monies were paid with tax payer dollars. They reviewed 442 wrongful death lawsuits in which Tasers were a factor that may have caused death. Reuters was able to determine payouts in 193 cases, totaling \$172 million paid by cities and their insurers. There were three dozen cases in which settlements remained confidential.

<https://www.reuters.com/investigates/section/usa-taser/>

Ten other cases reported in the media totaling \$73.45 million includes:

- A \$12-million-dollar case involving 15-year-old Damon Grimes in Michigan in 2017, settled in 2019
<https://www.detroitnews.com/story/news/local/detroit-city/2019/12/27/family-teen-atv-driver-killed-trooper-gets-12-million-settlement/2757401001/>
- **A \$10-million-dollar case involving Jamal Sutherland in a Charleston, SC jail in 2021, settled in 2021**
<https://www.prisonlegalnews.org/news/2021/sep/1/10-million-settlement-taser-death-mentally-ill-man-south-carolina-jail/>
- A \$9.5-million-dollar case involving Jose Lopez in Chicago, Illinois in 2011, trial in 2017, settled in 2017
<https://www.chicagotribune.com/news/breaking/ct-chicago-police-taser-settlement-met-20170622-story.html>
- A \$8-million-dollar case involving Jim Rodgers a homeless black man in Pittsburg, PA in 2021, settled 2023
<https://www.wtae.com/article/jim-rogers-pittsburgh-lawsuit-death-police/43715214>
- A \$7-million-dollar case involving Michael Clark in Idaho Springs, Colorado in 2021, settled in 2022
<https://kdvr.com/news/problem-solvers/idaho-springs-settles-taser-case-michael-clark/>
- A \$6.5 million-dollar case involving Bryce Masters in Independence, Missouri in 2016, jury trial, upheld on appeal 2021
<https://www.kcur.org/news/2021-06-01/court-upholds-6-5m-verdict-against-ex-independence-cop-who-tased-a-high-school-student>
- A \$5.75-million-dollar case involving Michael Frederick Mears in LA County in 2014, jury trial 2017, settled 2020
<https://www.latimes.com/california/story/2020-01-22/los-angeles-police-stun-gun-death-settlement>
- A \$5.2-million-dollar case involving John Hernandez in Sacramento, CA in 2017, settled 2019
<https://www.sacbee.com/news/local/article231173283.html>
- A \$5-million-dollar case involving Javier Ambler in Georgetown, Texas in 2019, settled in 2021
<https://www.cnn.com/2021/12/14/us/williamson-county-javier-ambler-wrongful-death-lawsuit-settlement/index.html>
- A \$4.5-million-dollar case involving Chinedu Okobi who was repeatedly Tasered to death by a San Mateo County Sheriff's Deputy in 2018, settled 2021
<https://www.ktvu.com/news/san-mateo-county-pays-4-5m-after-man-dies-following-taser-deployments>

Seven of the ten cases above involved a Black or Latinx individual.

Tasers kill and are a weapon of torture– Tab 2

Reuters tracked 1,081 deaths in their 2018 six-part series. (see tab 1 for details on the deaths reported by Reuters) <https://www.reuters.com/investigates/section/usa-taser/> More recently, five deaths and one use of the Taser to torture have been reported in various media sources including:

- the January 3, 2023 death of Keenan Anderson, cousin of Black Lives Matter co-founder Patrisse Coullors <https://www.nbclosangeles.com/investigations/officers-out-of-policy-in-keenan-andersons-death/3251544/>
<https://www.theguardian.com/us-news/2023/jun/06/keenan-anderson-lapd-taser-death-undetermined>
- the January 17, 2023 death of Darryl Tyree in Raleigh, North Carolina
<https://www.cnn.com/2023/02/13/us/darryl-tyree-williams-attorney-raleigh-north-carolina/index.html>
<https://spectrumlocalnews.com/nc/coastal/news/2023/06/07/darryl-williams--death-after-raleigh-police-used-stun-guns-on-him-ruled-a-homicide>
- the January 22, 2023 death of a Maycarla Sulapas 25-year-old resident of South San Francisco
- the January 24, 2023 torture by TASERS of two Black men, Michael Corey Jenkins and Eddie Terrell Parker. A \$400 million federal civil rights lawsuit filed against Rankin County, Mississippi
<https://www.nytimes.com/2023/06/28/us/mississippi-officers-fired-lawsuit-black-men.html>
<https://www.cnn.com/2023/08/14/us/mississippi-goon-squad-cops-guilty-plea/index.html>
- the July 7, 2023 death of Jawan Dallas in Mobile, Alabama
<https://www.cnn.com/us/jawan-dallas-mobile-alabama-police-video/index.html>
<https://myabc15.com/news/local/mobile-police-chief-addresses-death-investigation-of-man-killed-by-police-taser>
- the August 10, 2023 death of Johnny Holman in Atlanta, Georgia
<https://roughdraftatlanta.com/2023/08/11/gbi-investigating-death-of-man-after-atlanta-police-used-taser/>
<https://www.wabe.org/i-cant-breathe-body-cam-video-shows-church-deacon-being-tased-by-atlanta-police-officer/>

Four of the five people killed by a Taser were Black.

Response to December 12,2023 memo from Sheriff Jonsen – Tab 3 (a copy of this letter is included in the TASER binder)

Sheriff Jonsen cites recent incidents in the jail where deputies were injured and two other incidents where, “the Sheriff’s Office has faced two civil law suits related to deputy involved shootings” as justification for equipping deputies in the jail and enforcement deputies with Tasers. According to news reports, the deputy in the jail was “blindsided” at a desk. Had the deputy been armed with a Taser, it is probable that the Taser would have been turned against him.

The two fatal incidents where deadly force was used by deputies are described by the Sheriff as involving deputies, who were, “confronted by individuals armed with weapons who aggressively charged at them” [the deputies]. When faced with deadly force, law enforcement is trained to respond with deadly force – to shoot for center mass. <https://www.mercurynews.com/2017/03/27/inmate-survives-stabbing-ambush-after-shivs-bend/>

Taser warnings limit liability of Axon – Tab 4

(a copy of the 8-page warning is included in the TASER binder)

Axon the manufacturer of Taser has an extensive 4,500 word eight-page warning. By warning police departments regarding the risk of death and serious injury when a Taser is improperly used, Axon has effectively shifted liability from itself to police departments and municipalities.

The warning advises users not to deploy the Taser weapon in the area of the face, eyes, neck, chest, heart and the genitals. The warning further cautions to not use the Taser weapon on a variety of populations including the frail, mentally ill, pregnant woman and those with heart problems.

Taser warning to Employees and to law enforcement training Tab 5

<https://www.reuters.com/investigates/special-report/axon-taser-exposures/>

As part of the August 30, 2023 investigative report on the toxic corporate culture at Axon, Reuters also reported on the tasing of Axon employees. "Even in the controlled setting of the Axon workplace, the company requires exposure candidates to sign a waiver, forfeiting their right to sue Axon for any exposure-related injury. The waiver warns of the potential for death at least 12 times, according to a 2019 copy. Repeated electrical stimuli "can induce seizure in some people, which may result in death or serious injury," the waiver states." (see TASER BINDER page 7 of 21)

The 2011 Electronic Control Weapons Guidelines developed by the Police Executive Research Forum and the Community Oriented Policing Services of the U.S. Department of Justice states that, "**Agencies should be aware that exposure to ECW (Tasers) application during training could result in injury to personnel and is not recommended.**" <https://www.ojp.gov/ncjrs/virtual-library/abstracts/electronic-control-weapon-guidelines-2011> (see TASER BINDER page 18 #11)

The tragic death of Everette Howard, a young African American student, is a case examined in the Reuter's series. One Taser blast by University of Cincinnati police officer Richard Haas, a certified Taser instructor, resulted in Everette Howard's death. "Haas fired his stun gun. One electrified dart hit below Howard's lower left chest, the other near his waist. The 18-year-old collapsed, unconscious, and was pronounced dead at the hospital." Haas subsequently said, "I did not in my wildest dreams expect this kid to die.." <https://www.reuters.com/investigates/section/usa-taser/>

As part of his role as a certified Taser trainer, Haas acknowledged that he had studied the Taser safety warnings over a ten-year period and noted that they had become more complex over the years. Ironically, the Taser blast that killed Everette Howard was the first time Haas had deployed a Taser in the field. He ultimately concluded, "it seemed like it was getting harder and harder to use the Taser." The University of Cincinnati ultimately settled the Howard's family wrongful death lawsuit for \$2 million. Taser was not sued in the matter. <https://www.reuters.com/investigates/section/usa-taser/>

Ed Davis, former Boston Police Chief from 2006-2013, in ultimately declining to purchase Tasers for his department said the following: The warnings "made the weapon impractical to use, and it gave a lot of us the impression that we weren't getting the full story. I didn't want to take the risk. The potential litigation costs absolutely were a factor." <https://www.reuters.com/investigates/section/usa-taser/>

Axon's toxic and unethical corporate culture Tab 6

<https://www.reuters.com/investigates/special-report/axon-taser-exposures/>

On August 30, 2023, Reuters released an investigative report on the toxic corporate culture at Axon the manufacturer of TASERS. In that report, Reuters found an "all-in culture, in which some felt pressed to

be tased before onlookers, get permanently inked with company tattoos, or join a stock plan that left some in the lurch.”

“At Taser maker Axon, ex-staffers say loyalty meant being tased or tattooed.” ...“Less well-known is the all-in corporate culture at Axon, which has tested employees’ commitment and fealty in unusual ways – through measures that some embraced wholeheartedly but others felt were extreme and potentially dangerous. Shawn Gorman, a lawyer who worked at Axon until 2019, said the company had a high-pressure culture of loyalty, unlike anything he has seen in nearly two decades of practice.

Many ex-employees interviewed by Reuters described Axon as a boys’ club that was unwelcoming or even offensive to women. One HR staffer’s 2019 PowerPoint presentation to an executive on inclusion efforts – reviewed by Reuters – specifically criticized Axon’s “Bro’ culture” and “lack of diversity in top leadership.”

A dozen people told Reuters that leaders sometimes used obscene or sexual terms for women or discriminated against them. Josh Isner, now Axon’s second in command, referred to one of the company’s few female executives as the “Vagina,” according to several people who either heard the slur or were told about it soon afterward, as well as text exchanges alluding to the comments.

[Rick]Smith at times mocked male employees by calling them a “pussy,” according to two written exchanges seen by Reuters. In a meeting held in recent years with more than a dozen employees including women, he used the same term to refer to a male staffer who wouldn’t do as he asked, an attendee said.

On December 27, 2023, Reuters released another investigative report on Axon’s CEO Rick Smith claims that his highly successful Taser company was inspired by the death of two school friends gunned down years ago. Reuters found that much of the tale is untrue and is part of a pattern of misrepresentations and self-serving behavior among top Axon executives. <https://www.reuters.com/investigates/special-report/axon-taser-corporate-governance/>

Health concerns – Tab 7

Experts from the Santa Clara Valley Medical Center – Valley Homeless healthcare program expressed their strong opposition to Tasers in the jail in a letter dated February 10, 2023. The letter stated, “At best, correctional facilities should maintain their purported focus on rehabilitation, rather than intensifying weaponry that may be used to inflict harm. Ultimately a public health approach to reducing trauma in jail will benefit the families and communities to which incarcerated folks are returning. Taxpayer dollars should be diverted from plans to purchase Tasers and instead put towards investment in more robust mental health and substance use treatment.” (a copy of this letter is included in the TASER binder)

An April 10, 2023 article in Business insider outlines the damages that can be caused by Tasers from damage to the body and brain, from twisted testicles to temporary memory loss.

- Stun guns make your muscles seize up like a Charley horse
- People who have been shocked say it hurts a lot
- An electrical shock may severely affect the heart
- Strikes can temporarily affect memory and cognition
- Getting shocked may also be emotionally or psychologically jarring

- Sharp probes can lead to puncture wounds, scrapes, and bruises
In one study involving 1,201 cases of shocks from stun guns against criminal suspects, about 83% of people reported a mild injury of superficial puncture wounds, making these wounds the most common injury associated with Tasers. Many Tasers and some other CEWs have two probes with pointed metal barbs that shoot out and puncture the skin. While the wounds are typically minor, at least one person reported he needed surgery to remove a barb. Scrapes and bruises are also possible since many people fall over after being hit by a CEW. A study from 1987 found that 38% of people who were shocked reported lacerations or scrapes.
- Rarely, stun guns can severely harm kidney function
- In a few cases, electrical shocks have caused the testicles to twist up
- You usually regain muscle control quickly, but you'll probably be sore afterward

<https://www.businessinsider.com/how-taser-stun-gun-affect-brain-body-2023-4>

Tasers are contrary to County policies – Tab 8

48 community leaders signed a letter dated December 7, 2023 saying no to Tasers in the jails or on the streets. (a copy of the letter is included in the TASER binder). Santa Clara County has taken a leadership role in developing a more humane approach to law enforcement with the development of the Trust Program and establishing mental health response teams. Arming deputies in the jails and on the streets with the Taser weapon runs counter to this more humane approach to law enforcement.

Tab 9

Link to REUTERS series on TASERS

The Reuters series is a comprehensive investigative report on Tasers and how Tasers kill.

<https://www.reuters.com/investigates/section/usa-taser/>

Link to Reuters focus on Taser in the Jails

The Reuters series also focused a portion of their investigative report on how Tasers are used to torture people who are incarcerated. <https://www.reuters.com/investigates/special-report/usa-taser-jails/>

Tab 10

- The Stanford Criminal Justice Center developed guidelines and recommendations on the use of Tasers by law enforcement. (a copy of this report is included in the TASER binder)
- The ACLU issued a report on stun gun fallacy. <https://www.aclunc.org/publications/stun-gun-fallacy-how-lack-taser-regulation-endangers-lives> (a copy of this report is included in the TASER binder)

Tab 11

Letter from Ray Samuels, formerly the Chief of Police of the Newark, California Police Department, concluded that the use of Tasers by law enforcement was unacceptable to him because, “the risk of unattended death is too high.” (A copy of this letter is included in the TASER binder)

Tab 12

- Daily Journal article on Tasers in the Jail (a copy of this article is included in the TASER binder)
- Letter to Laurie Smith on Tasers in the Jail (A copy of this letter is included in the TASER binder)
- DeBug article on Tasers in the Jail <https://www.siliconvalleydebug.org/stories/stop-tasers-from-being-introduced-to-our-jails>

Tab 13

Aram James article on Tasers (a copy of this article is included in the TASER binder)