

**The Bill Blackwood
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**Police, Public Schools, and
Thomas A. Swift's Electric Rifle (TASER)**

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ABSTRACT

Despite the increasing TASER's reputation among law enforcement, inquiries have been raised concerning the effectiveness of the devices in addition to its potential to cause severe injury and/or death. Although law enforcement use of TASERs are rapidly increasing, this study exposed that statistical data is limited in reference to school resource officers (SRO's) and independent school districts (ISD) implementation. Perhaps a large majority of society would consider the thought of a 50,000 electrical charge penetrating a juvenile terrible and inhumane. But the reality is that the possibility of .45 caliber ammunition penetrating the human body is equally dreadful regardless of the recipient's age. Rosenfeld, White, and Finn-Aage (2012) stated, "The prevalence of offending tends to increase from late childhood, peak in the teenage years (from 15 to 19) and then decline in the early 20s" (as cited in Loeber, Farrington, Petechuk, 2013, para. 2). Consequently, such impact affect student's educational achievement which may drastically increase the age population of students attending secondary public schools. Society must recognize the need for innovative and effective methods for law enforcement to provide a safe learning enironment on school campuses. This review will examine the need for SRO's and ISD's to gain approval to be afforded the options of utilizing TASER's as an additonal less lethal force option to gain compliance when confrontated with aggressive behavior while protecting the educational environment. The implementation of TASER's will provide advantages in the area of acquiescence and afford the probability of fewer on the job injuries, thus offering the likelihood of reducing worker compensation claims.

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INTRODUCTION

As the duties of law enforcement evolve, so does the need for enhanced education, skills, training, and weapons. In order to protect and serve efficiently, police officers are allowed options for non-lethal and deadly force when confronting violent and/or combative persons. Law enforcement officers must make a conscious decision to enhance their knowledge and skills as new criminal tactics emerge. This is indispensable for agency's liability, in addition to officer and offender safety.

Arguably disputed is whether or not police actually prevent crime. The reality of it is that the law enforcement profession is more reactive than it is proactive. Regardless of which side of the quarrel one may find themselves, many would agree that criminals are becoming more and more innovative when committing crimes. Correspondingly, the age group(s) in which police are having to interact with hostile individuals are becoming younger and younger with each criminal infraction. A study by Rosenfeld, White, and Finn-Aage (2007) stated that "the average age of onset is earliest for gang membership (average age of 15.9), followed by marijuana use (16.5), drug dealing (17.0), gun carrying (17.3) and hard drug use (17.5)" (as cited in Loeber et al., 2013, para. 1). This data further supports the necessity for school based police officers to have the option of including TASERs to their artillery. Weapons possession on school grounds are becoming all too familiar while simultaneously violator's ages are plummeting from adults to adolescences. Rosenfeld et al. (2012) found that "Of all offenses, dealing drugs and illegally carrying guns have the highest persistence from adolescence into adulthood" (as cited in Loeber et al., 2013, para. 1).

Modern technology and advanced training techniques have made existing non-lethal options more effective and safer for police officers. Law enforcement agencies allocate an unspecified amount of resources annually for technology and training of non-lethal as well as lethal weapons. Conceivably, such training systems will reduce injuries sustained by officers and offenders during physical encounters in addition to a shrinkage in agencies' civil liability claims. In spite of growing approval among agencies, societal apprehension exists regarding the effectiveness and probability presented by TASERs use to cause serious injury or death. Even though some agencies have begun the implementation of TASERs, discussion varies regarding the weapon's placement on the use of force continuum. Additional debate includes the causation for deployment of TASERs.

Thomas A. Swift Electric Rifle, often referred to as a TASER gun, is a less lethal weapon when compared to the traditional firearm. Rather than the customary ammunition projectile, TASERs delivers an electric shock in order to subdue their adversarial target. By construction, TASERs are not designed to kill opponents. Instead, the device is used to safely apprehend and control dangerous suspects by delivering 50,000 volts of electric shock through copper wires. Probes attached to the end of the wires penetrate the attended target's body rendering them incapacitated (Baker & Mores, 2012, para. 7).

The media, both electronic and printed, currently denote the risks and benefits of outfitting law enforcement with TASERs. According to Davis (2007), Taser International, the leading developer of stun device technology, has sold more than 200,000 weapons to more than 9,000 police agencies in the United States (as cited in White & Ready,

2010, p. 70). In attempts to decrease vicarious liability, the vendor offers a variety of features and accessories in an attempt to assure effectiveness.



As listed on their website, TASER International (Research and Safety, n.d.) stated: “a dependable piece of law enforcement technology, the TASER X2 incorporates agencies’ most requested features such as a backup shot, dual lasers, and a warning arc to ensure accuracy and effectiveness” (para. 1). To further satisfy the desires of end users, TASER International (Research and Safety, n.d.) developed a secondary model: “safer and more effective than the X26E, the TASER X26P has been improved inside and out, with an intuitive design, diagnostics and charge metering” (para. 1).

There have been several reports regarding “situations where police have been able to successfully disarm suspects without causing permanent injury are the reason these weapons have gained widespread use” (Upson, 2007, p. 26). The implementation of TASERS have a high possibility of reducing the number of deadly force encounters, thus decreasing the number of serious injuries and/or deaths. Analyses conducted by British and Canadian police research centers and by the U.S. Air Force concluded “that TASERS are generally effective and do not pose a significant health risk to the recipients of a shock” (Upson, 2007, p. 26-27). In fact, Amnesty International reported that between 2001 and 2005, “150 people died in the aftermath of

receiving shocks from a TASERs (Upson, 2007, p. 26). In reality, medical examiners contributed electronic shock as the origin in only a handful of cases (Upson, 2007). Nevertheless, a substantial amount of doubt exists regarding the physical effects of a shock in addition to suitability circumstances for when law enforcement should have utilized such a device.

Although society would like to think of school's campuses as safe havens for youth, the reality is crime has no prejudice. Law enforcement is charged with providing a safe environment for students to absorb information, teachers to teach, and the community to have confidence in the service they provide. With the surge of criminal episodes occurring on school grounds, drugs, weapons possession and mass shootings, additional options for less lethal weapons should be a prerequisite. The 1999 massacre in Colorado on the campus of Columbine High School revealed that schools and educational facilities are vulnerable to international and national attacks. The incident ended with 21 injured, several students and a teacher murdered as the result of a well thought out plan of two students (Columbine High School Massacre, 2010).

While some department heads have indicated their support and approval of TASERs use in an educational environment, others are in total disagreement. It appears that society is more likely to approve other force options such as a baton, pepper spray, and firearms to gain compliance from aggressive youths. Perhaps it has not registered to society, but all force options afforded to police officers in a hostile situations rely on inflicting some degree of pain.

Several educational environments in the United States employ their own police officers while others contract law enforcement personnel from their local police agencies to satisfy their security needs. Both groups are fully trained and prudent when responding to disorder. The positions of ISD officers exist chiefly to protect students, staff and visitors. School district police officers are granted the same authority as all certified law enforcement officers within a given state. In most agencies, officer duties consist of patrolling and interacting with adults as well as the student body. Both citizen groups present the potential for conflict equally.

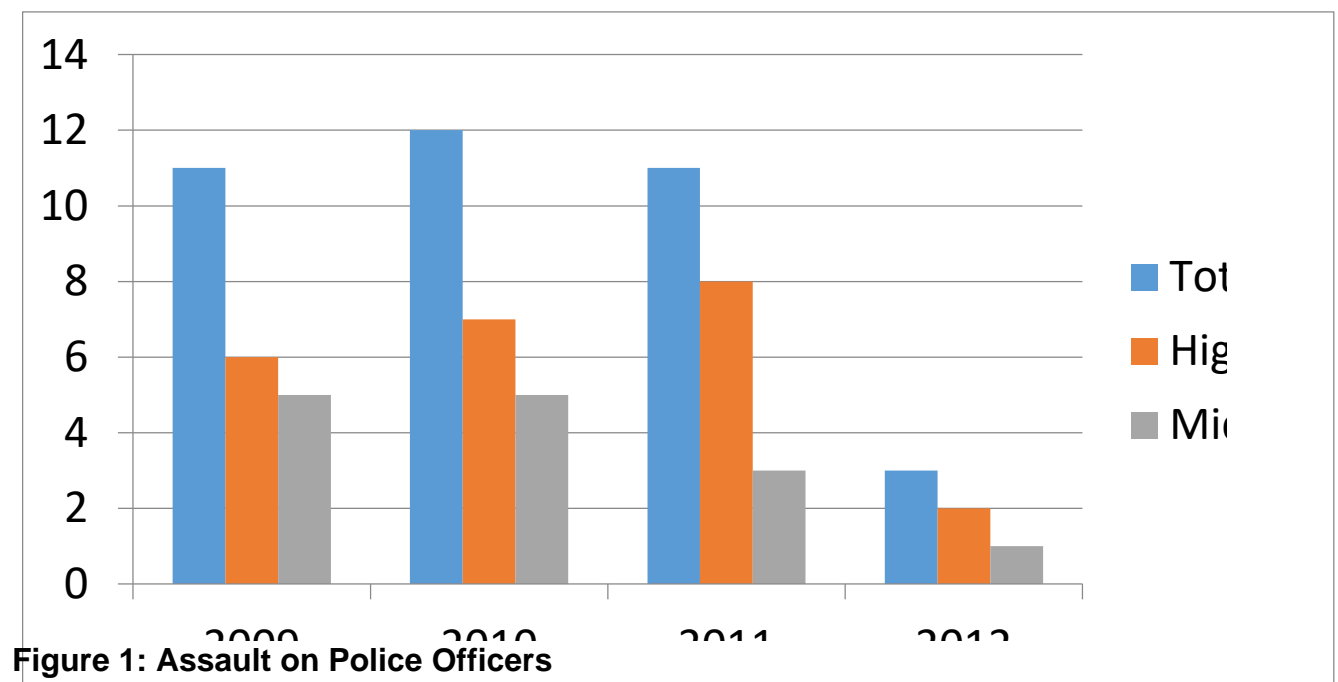
Thomas (n.d.) stated, "Alright, guns in schools are a bit too extreme. How about something less lethal? What if we allow safety officers to bring TASERs to schools?" (para. 1). The option of TASERs is geared toward maintaining a safe environment rather than a weapon focused at disciplining the student population. An officer can use a TASER anywhere within his/her jurisdiction. In an attempt to assure officer safety and decrease officer involved shootings, law enforcement officers should be allowed to carry and use TASERs while on school campus.

POSITION

There is a need for innovative measures of protection. The approval of TASERs implementation on school campuses affords officers the option of using TASERs while providing a safe end solution where juveniles are involved versus using a firearm. Additionally, in situations of non-student encounters on school grounds, TASERs will allow officers the opportunity to gain compliance while minimizing the likelihood of injury to innocent bystanders. According to their website, "the Houston Independent School District is the largest public school district in Texas and the seventh largest in the United

States (<http://www.houstonisd.org/domain/7908>). HISD employ their own fully accredited police department. Duty assignment officers are assigned to secondary campuses. Usually there is, at minimum, one officer assigned to each campus. HISD reported on their website that “the district consist of more than 215,000 students and encompassing 301 square miles within greater Houston”

(<http://www.houstonisd.org/domain/7908>, n.d., para 1). The district is among the largest in the Houston area, with nealy 30,000 employees. Undoubtedly, the officer to civilian ratio is unbalanced. Considering this information, TASERs implementation, policies, and actual training of the device may prove beneficial for providing a safe learning environment. Representatives with HISD Police Department presented the graph denoted below to members of the School Board in 2012 in a request for TASER approval (Davis, 2012). The chart below indicates the number of assaults encountered by HISD police officers assigned to high (grades 9th-12th) and middle (grades 6th-8th) school campuses during 2009-2012 school years.



Additionally, the presentation also revealed a total of 119 use of force incidents during the reporting period. Furthermore, denoted in the data was the fact that during such altercations, several on duty injuries occurred which resulted in \$215,215 in worker's compensation claims for 2009-2011. Nevertheless, their attempts for TASERs implementation was not successful.

One of the advantages of TASERs authorization on school grounds is the high probability of officer and citizen safety. When used properly, the sensation from a TASER shock ends quickly and leaves no lasting physical damage. However, the burst of pain causes people to comply with the officer's demand(s). A large amount of law enforcement encounters occur in public places which creates the opportunity for innocent bystanders to be injured. Likewise, students often gather where confrontation is taking place. Although some agencies have authorized the use of pepper spray, its use creates the possibility of unintentional contamination. This adds an additional risk for officers seeking to gain order. The intent of TASERs are to render an aggressive subject incapacitated with little to no injury to the officer and/or offender.

In a study, Klass (2007) reported that "TASERs and similar stun guns, increasingly popular among law enforcement agencies nationwide, are generally safe for police to use, according to new research" (para 1). As cited in ScienceDaily, "Tasers are used by many police departments in the United States and are credited with decreasing police officer and suspect injuries and deaths due to police use of force" (Wake Forest, 2007, para 5). It appears that TASERs shock poses no greater risk to adolescent than it does to adult offenders. Wake Forest University Baptist Medical Center (2007) reported that "A nationwide study examining the safety of TASERs used by

law enforcement agencies suggests the device are safe, causing a low occurrence of serious injuries” (Summary section, para. 1). This study also revealed that “approximately 99.7 percent of subjects tased suffered minor injuries, (e.i. scrapes, bruises or none at all” (Wake Forest, 2007, Summary Section, para. 1).

One of law enforcement goals in any aggressive encounter is to end unlawful or threatening conduct. This includes the threat of hurt or harm to self and/or others. The use of TASERs effectively allows officers to gain control of suspects using electricity rather than resorting to blunt or deadly force. With TASERs, officers are able to temporarily take away the subject’s control and effectively gain control of the situation. Once the probes of a TASER makes contact with an assailant, voluntary movement is restricted. Consequently, often the mere presence of a TASER can result in a number of suspects withdrawing from criminal activity. TASER International (n.d.c) reported that their devices, “incapacitate threatening subjects via an electrical charge that specifically targets the motor nerves that control movement” (Saving Lives Section, para 1) . This proprietary approach “enhances the effectiveness of restraint while minimizing harm, providing an alternative far superior to firearms in many contexts” (TASER International, n.d.c.). Down (2007) reported that “collectively, studies tend to agree that conducted energy devices (CEDs) are effective and safe” (as cited in Wolf, Pressler, & Winton, 2009, p. 40). Additionally, Down (2007) stated that “CED’s are unquestionably effective; the device can incapacitate a subject for up to 5 seconds through the use of electrical shock, generally allowing the user enough time to apprehend a subject or retreat from confrontation” (as cited in Wolf et al, 2009, p. 32).

Because of the high probability of officer and civilian safety and the fact that TASERs can be used from a safe distance of 21' feet, the device has inadvertently decreased the agency's worker's compensation claims. This distance allows officers to gain compliance without having to go hands-on (close encounters) with hostile subjects. As a result, officers are experiencing less on the job injuries. This allows for officers to spend their time on active duty protecting and servicing the community. According to the TASER International (n.d.) website, "numerous independent studies have shown that because their devices are helping to keep officers and subjects safe, they can have a substantial impact on agencies workers' compensation and liability expenditures" (para. 1).

In a report from Pinkerton (2010), Houston Police Department (HPD) "invested heavily in arming officers with "conducted energy devices," commonly known as TASERs, as part of a strategy to reduce deadly confrontations" (para 2). Furthermore, the report released that "in fiscal year 2004, workers' compensation claims related to officers involved in physical confrontations totaled \$2.2 million" (Pinkerton, 2010, para. 4). Since the department's implementation of TASERs in 2004, payments for on duty injuries has continued to decline (Pinkerton, 2010). Subsequently, the department's statistics for use of force incidents decreased after the adaption of TASERs (Pinkerton, 2010).

COUNTER ARGUMENTS

Despite the growing popularity of TASERs implementation, the community at large questions its potential to cause serious injury or death. Although the intent of TASERs is to briefly restrict movement and quickly end undesirable behavior, it does

not always end as such. The news media outlets are inundated with police officer and suspect encounters where the subject subsequently dies after being tased. However, the media fails to disclose specific details that may have contributed to the suspect's death. Individuals with prior medical conditions and/or illegal drug use present a higher possibility of serious consequences from being tased.

Baker & Morse (2012) reported that, "for the first time, amid continuing controversy and lawsuits over use of Tasers, a scientific, peer-reviewed study released this week shows the electronic stun guns can cause cardiac arrest and death" (para. 1). Also cited in the report was Dr. Douglass Zipes, of Indiana University's Krannert Institute of Cardiology, who stated that TASER shock "can cause cardiac electric capture and provoke cardiac arrest as a result of an abnormally rapid heart rate and uncontrolled, fluttering contractions" (Baker & Morse, 2012, para. 5). One may conclude after reviewing the report that TASERs are not as safe as they are being presented to be. Moreover, Baker & Morse (2012) cited, "since 2001, more than 500 people have died following Taser stuns according to Amnesty International, which said in February that stricter guidelines for Taser use were "imperative"" (para. 9).

The availability of funds may play a crucial role in department's decision to implement TASERs. In addition to purchasing the device itself, departments will also need to purchase proper holsters, cartridges (including replacements), and batteries in order to properly equip each officer. Detecting the prices listed on TASER International website, departments could easily exceed \$1,600.00 per officer for suitable hardware. In addition to deployment, agencies must consider the extra expenditures associated

with maintaining properly operating weapons. Thus, it is understandably why agencies may decide to gradually incorporate the weapon until full deployment is achievable.

TASERs sounds like the perfect weapon for law enforcement as an option to less lethal use of force. The device is typically effective, efficient, and safe. TASERs affords officers an added opportunity to subdue hostile suspects without the use of a firearm which is seemly the desired solution. Nevertheless, the media has done a good job in informing the public of improper use of the device. There have been some noteworthy cases where undeserving individuals have endured excruciating pain. Without proper training, officers may react too quickly in deployment. In Miami-Dade County, Florida., a police officer used a stun gun on a 6 year old student. Leinwand (2005) reported that “the child was waving a piece of glass and had injured himself with it” (para 2). The incident ended without any serious injuries; however, the community raised concerns (Leinwand 2005). Incidents such as this calls for clearly defined policies identifying the appropriate situations to utilize a TASER when dealing with an aggressive youth.

Department heads must realize the importance of thoroughly trained officers in regards to the capabilities, maneuvers, and deployment of the device. It is equally vital that officers understand the liability that comes with deployment. Accountability is not only the responsibility of the agency but also a degree of responsibility lies with each individual officer. Perhaps TASER use on school grounds should be restricted to secondary campuses in the event of life threatening situations and to break up large confrontations.

As stated on TASER International website, their training academy provides training for active duty law enforcement and military (Taser International, Research and

Safety, n.d.). Officers are able to gain practical training and knowledge from TASER specialists. Such experts are believed to have extensive knowledge not only with the use and operation of the product but also an understanding of the issues surrounding the weapon that affect law enforcement around the world (TASER International, n.d.).

RECOMMENDATION

School resource and independent school district (ISD) police officers should be allowed to carry and use TASERs while on school grounds. In today's society, having a police presence in public schools is a must. These officers are expected to provide a safe learning environment by deterring criminal behavior occurring on and around school grounds. In order to do that effectively, proper equipment and training is crucial. It is true that most officers carry standard weapons, such firearms, batons, and oleoresin capicum (o.c.) spray. However, because of innovative methods being used today to outwit law enforcement, in modern society, police must also enhance their tactics in order to maintain law and order. Officers assigned to school campus should have multiple options for compliance. According to law enforcement use-of-force continuum the amount of force used should only outweigh the amount of resistance by one level. Without less lethal options, officers only option(s) will be to resort to their deadly force option the firearm when hands-on alternatives are not successful.

Even though research has proven that the 50,000 volts of electric shock that is ejected from TASERs does not directly result in death, much debate still remains. News media outlets have done a noteworthy job in highlighting incidents in which subjects ultimately die after being tased by police. Also publicized are documented occasions where the police were too quick to deploy their TASER when other alternatives would

have been just as sufficient. Due to undesirable media reports, much deliberation remains regarding the implementation of TASERs.

However, despite all the media scrutiny, TASERs have been proven to be effective, efficient, and productive for officers and their prospective agencies. Because of TASERs, police officers have successfully ended antagonistic situations without the use of deadly force. However, no officer should become solely dependent on any one non-lethal weapon.

Although very much necessary to assist in maintaining order and preserving life, several safety measures must be put into practice before adaptation. Subsequently, carefully thought out precise policies be developed, implemented, and enforced before officers are allowed to carry and utilize TASER type devices on school grounds. However, usage should be restricted to secondary schools only and not authorized on elementary age students unless extreme situations are presented. It is imperative that the policies strictly enforce proper training and mandatory re-certifications. Supervisors must be meticulous in ensuring that TASER deployments are accurately documented and evaluated. In an effort to assure proper and appropriate deployment it is vital that TASER training include the devices capabilities, safe operation, and multiple utilization scenarios. Moreover, with the increase and magnitude of occurrences in addition to the responsibilities of school based law enforcement providing a safe environment conducive to a learning setting, it is the recommended that authorization be granted to police officers working secondary school campuses to possess and utilize TASERs as a less lethal use of force option.

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