

January 12, 2009

An Open Letter to all candidates for Columbia Police Chief:

We welcome you to Columbia, and in the spirit of helping you know our community better, we are providing you with the enclosed information.

As you may know, in Columbia, police training, use, and oversight of TASERS are under scrutiny by our coalition of non-profit groups and other concerned citizens. The Coalition to Control TASERS is composed of the American Civil Liberties Union (ACLU), GRO-Grass Roots Organizing, Mid-MO Women's International League for Peace and Freedom (WILPF), and the National Association for the Advancement of Colored People (NAACP).

TASERS are relatively new to us. Some Columbia Officers had the use of the TASER weapon starting in 2006. However, in early June of 2008, the City Council received a Department of Justice grant and used it to buy more TASERS and double the TASER-armed officers with the goal of arming them all. This unanimous decision, with very little community input, alarmed many of us.

We want our community to do all it can to protect both our police and the public from the harmful effects of the use of this 50,000 volt weapon, which is proving much more dangerous than claimed by TASER International.

We also want to protect our city and our police from liability and lawsuits resulting from inadequate TASER training, weak regulations, and the lack of oversight, all of which can lead to and have led to TASER injuries and abuse even in Columbia. For example:

In February, 2008, a young Hickman High School student was tased five times for fighting on the school grounds, even though he was innocent. Members of his family, hearing of our efforts to control TASERS, gave us their report from the Police Department. They believe that he has developed mental, physical, and emotional problems due to this "incident".

In July '08, a Columbia citizen suffered a fractured skull, both arms broken and other physical, mental, and emotional injuries when tased from an I-70 bridge by Columbia police. He is asking the city, through his lawyer, for a \$500,000 out of court settlement.

Two other well-known, sad, and alarming occurrences were:

In August of 2008, a 23 year-old man in Moberly, MO, 30 miles north of Columbia, died after being tased. The Medical Examiner declared it a 'homicide'. The deceased's family is now suing the city of Moberly.

Several years ago, in Hallsville, 17 miles northeast of Columbia, a Police Chief became severely disabled after suffering a heart attack right after being voluntarily tased during police TASER training. TASER International settled out of court.

You will find in your packet pertinent newspaper articles and commentary in particular the Columbia Police Department CD containing 48 cases from their TASER deployment records. All cases were requested via the Sunshine Law filed by us in August '08. Finally, the end of October '08, with the assistance of the City Council, most deployment records were obtained from the Department. Enclosed are our summary/questions regarding each case as well as statistics.

In light of our extensive research on TASERs, our Coalition has worked and will continue to work to educate others and persistently and adamantly press our City Council and Police Department to protect us and resolve Columbia's TASER problems. We want training that recognizes the TASER as potentially deadly, and we want training based not on TASER International's self-serving materials, but on the proven realities of TASER use and abuse. Our police training needs more tried and true methods: these include highly successful de-escalation, crisis management, scenario role-playing, and conflict resolution techniques.

Also, a Mental Health professional should always be 'on call' to assist police with someone contemplating suicide or experiencing other mental health problems. A recent hopeful sign of dealing with incidents involving the mentally ill is described in the enclosed newspaper article entitled, "Program aims to improve policing of people with mental illness."

We need adherence to existing regulations as well as increased restrictions. For example, we support placing a limit on how many times a person can be tased and a restriction that prohibits the tasing of children. It is essential that there be strict, meaningful oversight of training and regulations, automatic review of all instances of TASER use (as is done with a firearm), and appropriate consequences for TASER abuse.

In your Police career, have you worked with a Department that employed the TASER weapon and, if so, were the officers under an "imminent danger" standard? That is what we want our City Council to pass (some say "reaffirm") and enforce. This means that the TASER would not be used for threats and/or deployment unless the officer, the public, or the suspect is faced with a physical threat. The fact is, in the vast number of cases when our police deployed TASERs, there was no "imminent danger". It appears that, on many occasions, the officer escalated the conflict or used the TASER for convenience -- or even punishment. Our Columbia Police are using a TASER when a gun would not even be considered.

It is disturbing that the 48 cases reveal that a disproportionate number of African Americans and mentally ill were tased. Also, most tasings occurred in Columbia's First Ward. We regret that our Police Department currently refuses to release, with the necessary redacting of all names, addresses, and other traceable information, the 20 additional TASER deployments where the individuals were innocent or the cases were dropped or are pending. The refusal to disclose the circumstances leading to the TASER deployment in these cases adds to the suspicion that there may be more TASER abuse.

In February, this discussion is expected to continue with the Columbia City Council when the Police will again offer a Report to the City Council. We will be present to request passage of necessary changes in TASER policy.

We seek a good relationship with the new police chief, and our goal is to have a police force we can be proud of. We believe that the TASER weapon, as it has been portrayed and used in Columbia, presents a challenge to community policing. TASERs have caused many of our families to experience pain, anger and fear. Citizens are now more informed about the danger of TASERs and TASER abuse. City Council inaction in addressing the people's TASER threat and usage concerns, the inconsistent use that varies from officer to officer, the shoddy reporting and accountability, and the confusion as to where this weapon fits in the Force Continuum are some of the conditions which have caused many Columbians to react with increased suspicion, hostility, non-cooperation, and lack of trust. With improved leadership from our Chief, better TASER training, regulations, oversight, and transparency, these problems can be corrected and the animosity and distrust healed.

We want a police chief who has a working knowledge and thorough understanding of the TASER issue and who is willing to communicate openly and amicably with the public and intent on justly resolving this troublesome issue. The new Chief should have a positive attitude of service to the public and creative ideas aimed at protecting us all. We hope that that person is among the current candidates.

Thank you for your consideration and attention to the packet materials. If you have questions, feel free to contact any of us.

Sincerely,

Ms Carolyn Mathews
4200 Rock Quarry Road
Columbia, MO 65201
573-443-5985

Mr. Ed Berg
1215 S. Fairview Road
Columbia, MO 65203
573-445-4065

Ms Linda Green
206 Anderson
Columbia, MO 65202
573-443-6977

Ms Mary Hussmann
5306 Rice Road
Columbia, MO 65202
573-474-1983

MISSOURI SUNSHINE REQUEST FOR GOVERNMENTAL DOCUMENT UNDER SECTION 610.010 RSMo. et seq.

**TO: Captain Zim Schwartz
Custodian of Records**

Section 610.023 RSMo requires each public governmental body to make available for inspection and copying all public records maintained by said public governmental body. Each request for public documents must be acted upon as soon as possible. Any response to such request must be in writing and furnished to the requester no later than the end of third business day (5:00 p.m.) following the date the request is received by the custodian of said records. If records are maintained on an electrical format, then they are requested to be furnished in either wordperfect or word.

If access to any document which is requested is denied then a written reply complying with Section 610.023 RSMo must be provided in a timely manner which means that the response must be provided to the requestor on January 15, 2009 at 5:00 o' clock to Edward Berg at 1215 S. Fairview, Columbia, Missouri 65203.

Further under Section 610.024 if a public document contains both materials which are not exempt and/or exempt from disclosure, it is your responsibility to separate the exempt materials and make such materials which are not exempt available. **Your agency may redact the information which is exempt from disclosure by law, but must in writing for each such occurrence explain such action.**

Fees charged for providing copied documents must be calculated in accordance with Section 610.026 and be certified as correct upon payment of said amount. If there is to be a charge, then there must be an estimated cost as to each item requested/ However, it is further requested that any and all fees for production of requested documents be waived as provided in Section 610.026 RSMo since the disclosure of information is in the public interest and is likely to contribute significantly to the public understanding of how and when the Columbia Police Department uses TASERS and said information is not primarily in the commercial interest of the requester.

Further if this request for waiver of fees for reproduction is denied or ignored, then it requested that a written explanation be provided.

Penalties may be assessed against the custodian or agency for failure to comply with Section 210.010 et seq.

It is requested that the following information be provided to

**Edward Berg
Attorney at Law
1215 S. Fairview
Columbia, Mo. 65203**

- 1. The number of times police officers of the Columbia Police Department between January 1, 2006 through December 31, 2008 used the TASER Model X26 to obtain compliance of individuals by displaying such weapons or sparking such weapons and verbally threatening to use such weapons if a person did not do as ordered, but when such weapons were not discharged against such individual.**
- 2. How many written reports were filed by police officers of such use and provide copies of each and every narrative report filed by police officers as to such incidents.**
- 3. Provide a copy of any and all Columbia Police Department policies which permit such use of the TASER against its citizens.**

Date Requested:

January 12, 2009

Date Response is to be received: January 15, 2009