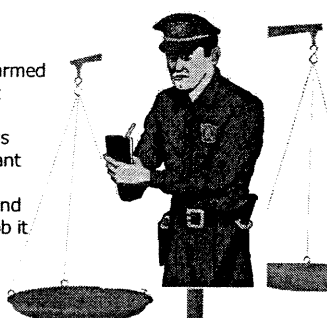


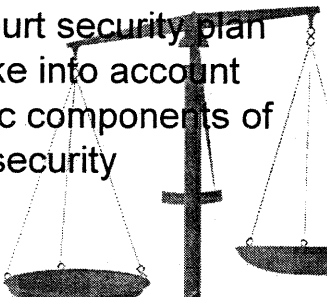
ALTERNATIVES TO LETHAL FORCE IN THE COURTROOM ENVIRONMENT

Force Options and the Courtroom

- The vast majority of nonlethal weapon incidents involve unarmed suspects who exhibit resistive, violent, or bizarre behavior, thus presenting a significant safety threat to themselves, others and the officers whose job it is to intervene.

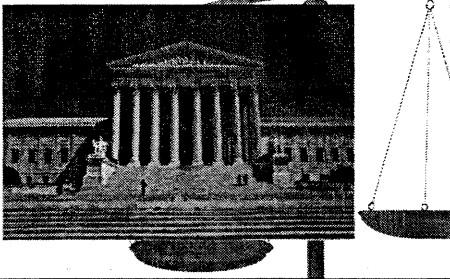


A local court security plan must take into account three basic components of security



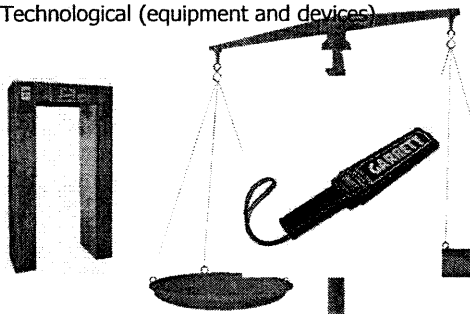
Court Security

- 1) Architectural (facility features or modifications)



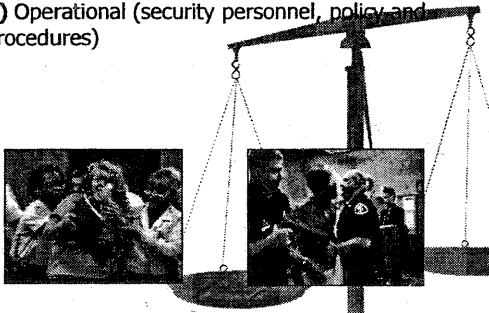
Court Security

- 2) Technological (equipment and devices)



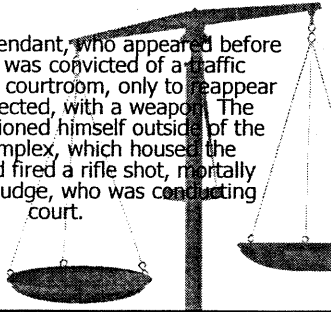
Court Security

- 3) Operational (security personnel, policy and procedures)



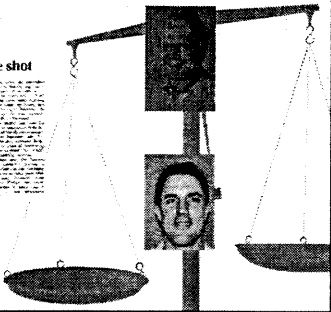
New Jersey

A disgruntled defendant, who appeared before the court and was convicted of a traffic violation, left the courtroom, only to reappear outside, undetected, with a weapon. The defendant positioned himself outside of the municipal complex, which housed the courtroom, and fired a rifle shot, mortally wounding the judge, who was conducting court.



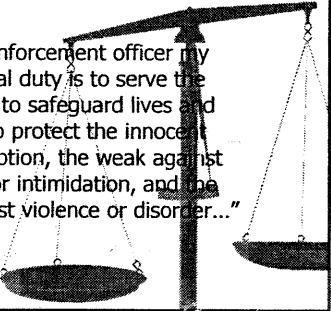
Reno

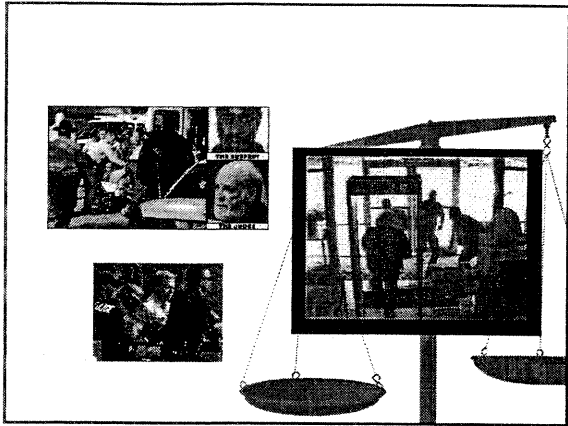
Wife murdered and divorce judge shot



Duty of a Peace Officer

"As a law enforcement officer my fundamental duty is to serve the community, to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder..."





Law Enforcement Officers Feliciously Killed

Age Group of Victim Officer, 1998-2007

| Age group | Total | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|----------------------------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Number of victim officers | 540 | 61 | 42 | 73 | 70 | 54 | 52 | 77 | 59 | 48 | 57 |
| Under 25 | 25 | 7 | 1 | 5 | 6 | 1 | 2 | 3 | 2 | 1 | 1 |
| 25-30 | 115 | 18 | 10 | 12 | 17 | 11 | 13 | 9 | 9 | 9 | 7 |
| 31-35 | 124 | 19 | 14 | 10 | 13 | 16 | 9 | 12 | 15 | 10 | 17 |
| 36-40 | 183 | 7 | 9 | 6 | 13 | 12 | 9 | 9 | 17 | 8 | 8 |
| 41-45 | 41 | 11 | 2 | 4 | 3 | 6 | 10 | 12 | 3 | 4 | 4 |
| 46-50 | 51 | 3 | 3 | 6 | 5 | 4 | 5 | 7 | 3 | 7 | 7 |
| 51-55 | 34 | 3 | 1 | 3 | 7 | 3 | 2 | 4 | 1 | 0 | 4 |
| 56-60 | 9 | 1 | 0 | 0 | 2 | 1 | 1 | 1 | 0 | 0 | 1 |
| Over 60 | 13 | 1 | 2 | 2 | 2 | 0 | 2 | 1 | 0 | 1 | 2 |
| Not reported | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 |
| Average age | 37 | 35 | 34 | 37 | 37 | 37 | 38 | 39 | 38 | 37 | 37 |

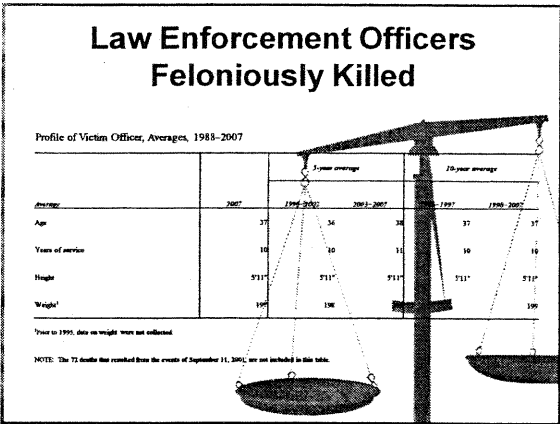
The 72 deaths that resulted from the events of September 11, 2001, are not included in this table.

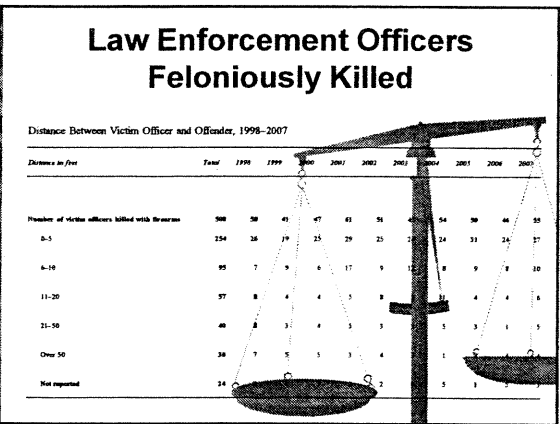
Law Enforcement Officers Feliciously Killed

Years of Service of Victim Officer, 1998-2007

| Years of service | Total | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|----------------------------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Number of victim officers | 540 | 61 | 42 | 73 | 70 | 54 | 52 | 77 | 59 | 48 | 57 |
| Less than 1 | 15 | 2 | 1 | 3 | 1 | 0 | 2 | 2 | 0 | 2 | 2 |
| 1-5 | 197 | 25 | 15 | 19 | 28 | 16 | 17 | 20 | 14 | 12 | 17 |
| 6-10 | 137 | 12 | 12 | 12 | 12 | 19 | 14 | 10 | 13 | 21 | 17 |
| 11-15 | 91 | 11 | 16 | 3 | 14 | 11 | 9 | 7 | 9 | 7 | 7 |
| 16-20 | 98 | 8 | 2 | 7 | 6 | 6 | 5 | 9 | 4 | 4 | 4 |
| 21-25 | 59 | 0 | 2 | 5 | 2 | 2 | 2 | 5 | 4 | 5 | 5 |
| 26-30 | 23 | 1 | 0 | 0 | 0 | 1 | 1 | 2 | 2 | 3 | 3 |
| Over 30 | 5 | 2 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 1 | 0 |
| Not reported | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Average years of service | 10 | 9 | 9 | 9 | 11 | 10 | 10 | 10 | 10 | 9 | 9 |

The 72 deaths that resulted from the events of September 11, 2001, are not included in this table.



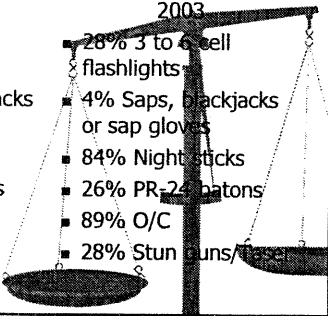


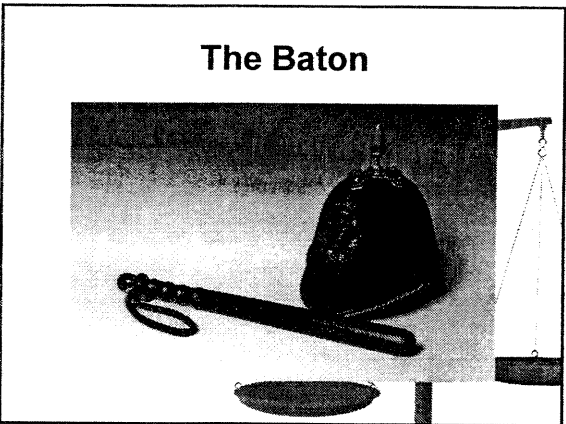
Less-Lethal

**Lethal-force backup is a must.
Nothing works all the time.**

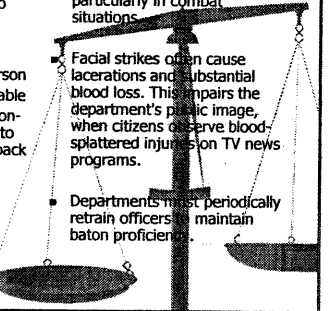
Weapons issued or permitted

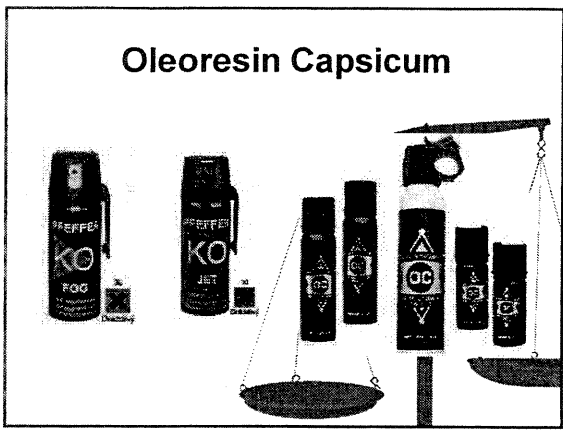
| | |
|--|--|
| <p style="text-align: center;">1987</p> <ul style="list-style-type: none"> ■ 89% 3 to 6 cell flashlights ■ 16% Saps, blackjacks or sap gloves ■ 75% Night sticks ■ 54% PR-24 batons ■ 50% Mace ■ 15% Stun guns | <p style="text-align: center;">2003</p> <ul style="list-style-type: none"> ■ 28% 3 to 6 cell flashlights ■ 4% Saps, blackjacks or sap gloves ■ 84% Night sticks ■ 26% PR-24 batons ■ 89% O/C ■ 28% Stun guns |
|--|--|

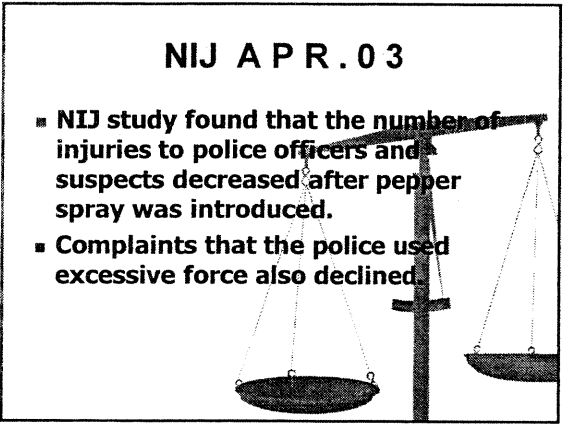


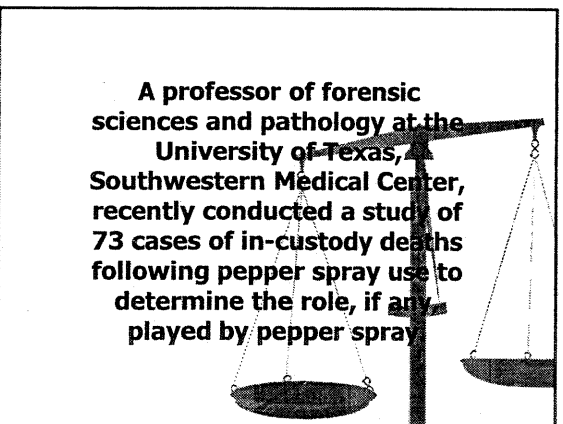


| | |
|---|---|
| <p style="text-align: center;"><i>STRENGTHS</i></p> <ul style="list-style-type: none"> ■ It is a lightweight weapon, and inexpensive. ■ The public is accustomed to seeing police officers carry them. ■ A blow with a baton can immobilize a combative person ■ Competent training is available ■ A baton can be used in a non-offensive blocking fashion, to ward off blows or to push back an attacker. ■ Manufacturers recommend their products as impact weapons. | <p style="text-align: center;"><i>WEAKNESSES</i></p> <ul style="list-style-type: none"> ■ It is difficult or impossible to avoid head strikes in all cases, particularly in combat situations. ■ Facial strikes often cause lacerations and substantial blood loss. This impairs the department's public image, when citizens observe blood-spattered injuries on TV news programs. ■ Departments must periodically retrain officers to maintain baton proficiency. |
|---|---|

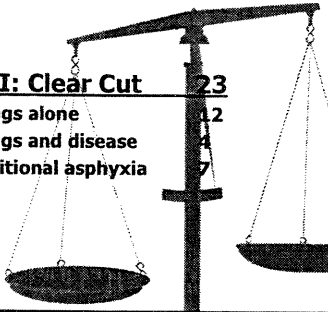








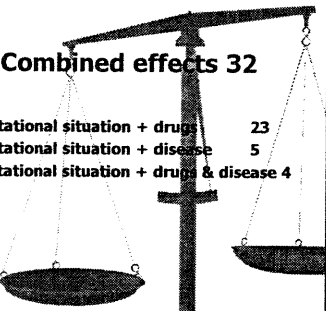
Category of cases



Category I: Clear Cut 23

- IA: Drugs alone 12
- IB: Drugs and disease 4
- IC: Positional asphyxia 7

Category of cases



Category II: Combined effects 32

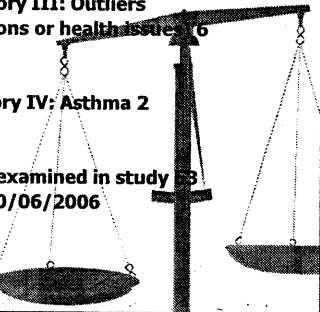
- IIA: Confrontational situation + drugs 23
- IIB: Confrontational situation + disease 5
- IIC: Confrontational situation + drugs & disease 4

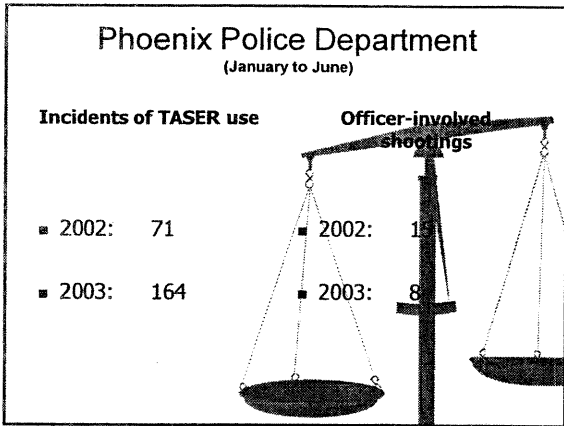
Category of cases

**Category III: Outliers
(Other weapons or health issues) 6**

Category IV: Asthma 2

**Total cases examined in study 63
10/06/2006**





El Paso Police Department (December 2003 to October 2007)

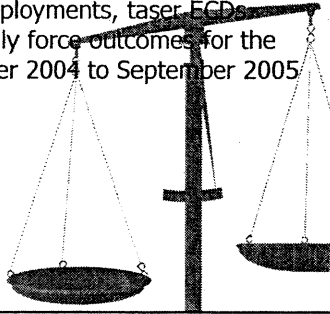
| Year Fielded | Taser ECDs | Officer Assaulted |
|--------------|------------|-------------------|
| 2000 | 0 | 520 |
| 2001 | 0 | 492 |
| 2002 | 0 | 506 |
| 2003 | 10 | 378 |
| 2004 | 110 | 298 |
| 2005 | 260 | 174 |
| 2006 | 590 | 73 |
| 2007 | 947 | 65 |

Houston Police Department

- As of 12-20-06, Houston Police Chief Harold Hurt said taser x 26 were used 982 times between December 2004 and October 2006
- In 39 instances, officers involved would have been justified in using deadly force instead of their tasers.

Dallas Police Department

- In 29 of 429 deployments, taser ECDs prevented deadly force outcomes for the period November 2004 to September 2005



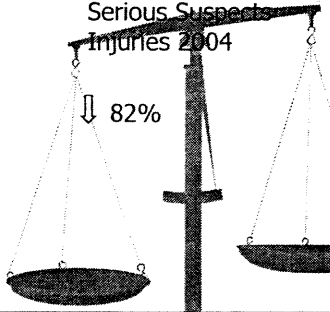
Austin Police Department

Officer Injuries
2004

↓ 50%

Serious Suspect
Injuries 2004

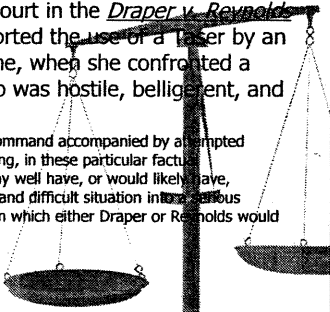
↓ 82%

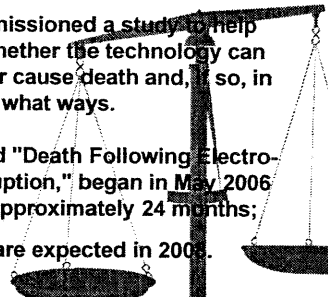


23rd Product Liability Lawsuit Dismissed Against TASER International

- The 11th Circuit Court in the *Draper v. Reynolds* case (2004) supported the use of a taser by an officer, acting alone, when she confronted a traffic violator who was hostile, belligerent, and uncooperative:

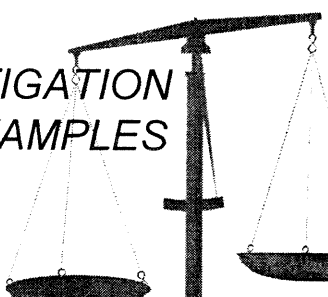
- "A verbal arrest command accompanied by attempted physical handcuffing, in these particular facts and circumstances, may well have, or would likely have, escalated a tense and difficult situation into a serious physical struggle in which either Draper or Reynolds would be seriously hurt."





NIJ has commissioned a study to help understand whether the technology can contribute to or cause death and, if so, in what ways.

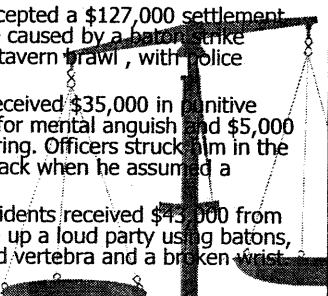
The study, titled "Death Following Electro-Muscular Disruption," began in May 2006 and will last approximately 24 months; findings are expected in 2008.



LITIGATION
EXAMPLES

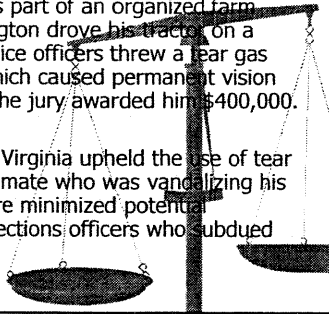
LITIGATION EXAMPLES

- An Illinois man accepted a \$127,000 settlement for a skull fracture caused by a baton strike received during a tavern brawl, with police officers.
- A Michigan man received \$35,000 in punitive damages, \$5,000 for mental anguish and \$5,000 for pain and suffering. Officers struck him in the groin and on his back when he assumed a "fighting stance."
- Four California residents received \$43,000 from officers who broke up a loud party using batons, causing a fractured vertebra and a broken wrist.



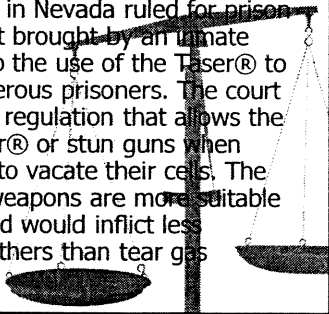
LITIGATION EXAMPLES

- A farmer who was part of an organized farm protest in Washington drove his tractor on a sidewalk. D.C. Police officers threw a tear gas capsule inside, which caused permanent vision loss in one eye. The jury awarded him \$400,000.
- A federal court in Virginia upheld the use of tear gas on a prison inmate who was vandalizing his cell. The procedure minimized potential resistance to corrections officers who subdued him

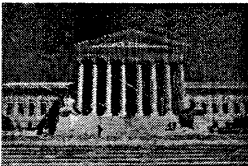


LITIGATION EXAMPLES

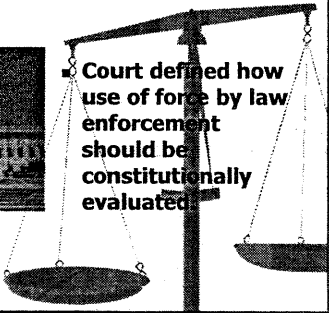
- A Federal Court in Nevada ruled for prison officials in a suit brought by an inmate who objected to the use of the Taser® to control obstreperous prisoners. The court upheld a prison regulation that allows the use of the Taser® or stun guns when inmates refuse to vacate their cells. The court said the weapons are more suitable than batons, and would inflict less discomfort on others than tear gas



1989 U.S. Supreme Court decision in Graham v. Connor.

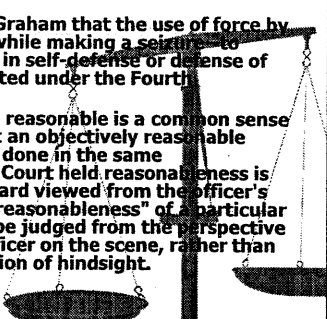


- Court defined how use of force by law enforcement should be constitutionally evaluated

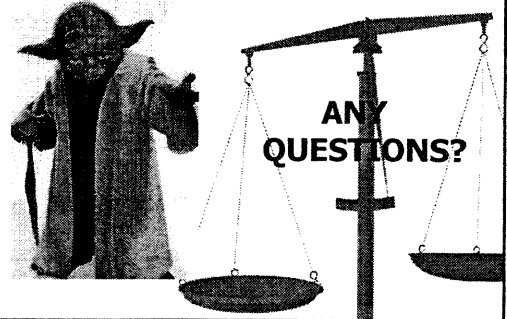


1989 U.S. Supreme Court decision in Graham v. Connor.

- The Court held in Graham that the use of force by law enforcement while making a seizure--to include force used in self-defense or defense of another--is evaluated under the Fourth Amendment
- The test of what is reasonable is a common sense evaluation of what an objectively reasonable officer might have done in the same circumstance. The Court held reasonableness is an objective standard viewed from the officer's perspective: The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.



FORCE OPTIONS



ANY QUESTIONS?
