



# SHOCKING: THE LACK OF RESPONSIBLE TASER POLICY IN MINNESOTA

SHOCKING:THE LACK OF RESPONSIBLE TASER POLICY IN MINNESOTA SHOCKING:THE LACK OF RESPONSIBLE TASER POLICY IN MINNESOTA SHOCKING:THE LACK OF RESPONSIBLE TASER POLICY IN MINNESOTA

**OPEN**



ACLU-MN 2300 Myrtle Ave. Suite 180 St. Paul, MN

Brochure Design: n/a advertising / minneapolis

## Acknowledgements

### Who We Are

The American Civil Liberties Union of Minnesota (ACLU-MN) is the state's premier guardian of liberty, working daily in the courts, Minnesota Legislature and communities statewide to defend and preserve individual rights and freedoms guaranteed to all by the Constitution and the laws of the United States and Minnesota. The ACLU-MN is an affiliate of the American Civil Liberties Union, the largest civil liberties organization in the country, with more than 500,000 members nationwide. The ACLU-MN Foundation helps to fund the ACLU-MN.

Through litigation, public education and advocacy, the ACLU-MN is working to bring about change intended to improve police-community relations and implement successful strategies to increase police accountability.

This special report is designed to educate the public, policymakers and peace officers about the need to implement meaningful reforms surrounding the use of Tasers.

### Acknowledgements

Author: Jessica Arck, University of Minnesota Robina Public Policy Fellow

Editors: Carolyn Jackson, ACLU-MN Lobbying Coordinator  
Teresa Nelson, ACLU-MN Legal Counsel

Data Practices Request Compliance and Data Review:  
Leora Maccabee Ithman, Merle Busic, Jeffrey Maas, Joe Vaccaro

Report design: n/a advertising

Published by the American Civil Liberties Union of Minnesota Foundation, December 9, 2011

**SHOCKING:**  
**The Lack of Responsible Taser Policy in Minnesota**

**By**

**The American Civil Liberties Union of Minnesota Foundation**  
**December 9, 2011**

## Table of Contents:

Executive Summary

Introduction

Section One: What is an ECD, How Does It Work, and What Does It Do to the Human Body?

- ECD Operational Basics
- Risk of Harm from ECD Use
- Effects of ECD Use on the Heart
- Changes in Blood Chemistry and Impaired Respiration
- ECD Use and Death
- Damage to Skin
- Muscular Injuries
- Sensitive Areas
- Risks from Surroundings
- Vulnerable Populations
- “Excited Delirium”
- Restrained Individuals
- The Use of Force Continuum

Section Two: Excessive Force, the Fourth Amendment and ECDs

Section Three: Taser Use in Minnesota

- Taser Related Deaths in Minnesota
- The ACLU-MN Data Request
- Taser Use Policies
- Use of Force Continuum

Section Three: Taser Use in Minnesota (Cont.)

- Use of Force: Comparison to Other Weapons
- But Comparison to Other Weapons is Incomplete or Misleading
- Warnings
- Training
- Record Keeping and Incident Use
- Use of Force and Race

Section Four: Recommendations

- Concerns
- Use of Force Policies: Recommendations
- Taser/ECD Use Policies: Recommendations
- ECDs and Mental Health Crises: Recommendations
- Taser Training: Recommendations
- Reporting and Data Practices: Recommendations

Endnotes

Appendixes

Appendix A: The ACLU-MN Data Practices Request

Appendix B: Index of Law Enforcement Agencies Receiving Data Practices Requests/Responding to Data Practices Request

Appendix C: Taser Use Policies

Appendix D: Use of Force Continuum

Appendix E: Training Materials Used

Appendix F: Concerns About Over-Reliance on Taser International Materials

## EXECUTIVE SUMMARY

In July, 2006, the ACLU-MN sent out a data practices request to all Minnesota law enforcement agencies to determine what Minnesota's policy is concerning the use of Tasers by peace officers. From that time to 2010, interns continued to contact agencies to gather responses.

This report compiles scholarly research conducted on Tasers and the impact of Taser use on the human body. Potential risks include heart arrhythmia, changes to blood chemistry affecting respiration, burns, muscle and bone injuries, seizures and pain. "Excited delirium" is a term coined as a cause of death in cases which involved Taser use, although excited delirium is not a medical term. International analysis of Tasers shows that the devices cause excruciating pain.

A legal analysis of Tasers shows that use of the devices may constitute excessive force, and that there is a reasonableness standard for qualified immunity. States in the Ninth Judicial Circuit must account for Taser use as a heightened use of force. For purposes of qualified immunity, peace officers must justify their use of Tasers to be considered "reasonable."

Seven deaths related to Taser use have occurred in Minnesota. An analysis of the Taser use policies and use of force policies sent in response to the ACLU-MN data practices request raises the issue of whether there is a reasonable standard for Taser use in Minnesota. Record keeping on Taser use varies considerably across the State. Finally, responses to the ACLU-MN data practices request shows that agencies rely overwhelmingly on Taser International, manufacturer of Tasers, for their training which raises concern about a conflict of interest.

This report makes recommendations on Taser use policy, ranking of Tasers in the use of force continuum, mandated Taser use records and training considerations. Analysis of the data practices request is contained in four appendixes.

### Summary of Recommendations

- The ACLU-MN recommends a uniform, statewide use of force continuum which places Tasers higher than hard, empty hands and at the same level as a baton.
- Each agency which owns a Taser should have a separate Taser Use Policy which accounts for the risks unique to Taser use such as risk of falling, risks to vulnerable populations, and risk of fire.
- Agencies should have strong restrictions on the use of force on people suffering mental health crises.
- Training for Taser use should address the risks of Tasers more explicitly than the materials provided by Taser International do.
- The State of Minnesota should mandate reporting use of Tasers.

## Introduction

The current generation of Tasers and other electronic control devices (“ECDs” or “Tasers”) are relatively new tools in the law enforcement arsenal. ECDs are marketed as non-lethal force and can be used effectively to diffuse certain situations. However, as more and more law enforcement agencies use ECDs, a more troubling picture arises.

According to Amnesty International, 334 people in the United States died after being shocked by an ECD in the years 2001 to 2008.<sup>1</sup> Five of those deaths occurred in Minnesota. In response to the increasing use of ECDs in Minnesota, the ACLU-MN undertook this study to understand the risks of ECD use and Minnesota policy governing their use.

The use of ECDs by peace officers has two major implications for civil liberties. Under the Fourth Amendment, citizens have the right to be free from excessive use of force by police. The Eighth Amendment protects citizens from cruel and unusual punishment. However, this report is limited to an analysis of the use of ECDs for apprehension, not the use of ECDs in a detention setting.

In July, 2006, the ACLU-MN surveyed Minnesota’s 466 law enforcement agencies about their use of force policies with particular reference to the use of ECDs, training manuals on the use of ECDs, ECD use statistics, use of force recordkeeping, and whether the agency owned an ECD. The ACLU-MN made follow-up calls and letters from July, 2007 to July, 2010. Of those 466 surveyed, 15 agencies are counted as disbanded, so the pool of those surveyed consists of 451 agencies. The form of the data practices request is included as Appendix A, and a summary of the responses received is Appendix B. Respondents included the Department of Corrections Prison System (no ECDs) and four county jails; however, those responses are not included in this report.

This report begins with a background on the nature of ECDs and the academic research conducted on the effects of their use. The second section provides a summary of recent developments in the law on excessive force and ECD use. The third section gives an overview of the use of ECDs in Minnesota, focusing on the ACLU-MN’s survey of law enforcement agencies in Minnesota regarding their policies, training and reports of ECD use. Finally, the fourth section contains the ACLU-MN’s recommendations. Spreadsheets of the data gathered by the ACLU-MN are contained in Appendixes C, D and E. An analysis of the ACLU-MN concerns about over-reliance on Taser International is Appendix F.

## **SECTION ONE: WHAT IS AN ECD, HOW DOES IT WORK, AND WHAT DOES IT DO TO THE HUMAN BODY?**

### ECDs: Operational Basics

ECDs are handheld devices with design features similar to those of a handgun, including a handgrip, a trigger and trigger guard, and a barrel from which projectiles may be shot at a person. The projectiles, known as darts or probes, can be fired, in pairs, via a compressed nitrogen charge. ECDs also have a close-range function, known as the “drive-stun” or “touch-stun gun” mode, for administering a shock without releasing the darts.

The dart-firing mechanism works in this fashion: The device is fired at a range of 15 to 35 feet. Two barbed darts attach to a person’s clothing or skin and remain connected to the ECD by thin wires. The wires carry shocks to the target in five second bursts known as cycles, one cycle per pull of the trigger. The barbs deliver a high voltage, low current electrical shock to the target. Because the barbs are spread across the body, the shock incapacitates the individual by causing involuntary muscle spasms.

The drive-stun mode employs a pair of electrodes which are applied directly to the person, either to exposed skin or clothing. Because of the targeted application, the device causes localized pain, not general incapacitation.

Newer devices come equipped with a built-in function that records certain types of data, depending on the model used. At a minimum, the time and date of each use are recorded, but more advanced models may also record the duration of each shock applied, and even may record video and audio for a short duration once the trigger is pressed.

The Federal District Court of Minnesota summarized the use of ECDs:

The Taser causes electrical muscular disruption and a full Taser cycle lasts five seconds and delivers a 50,000 volt shock. The Taser’s air cartridge contains two darts that can be deployed and will penetrate the skin, causing electrical muscular disruption between the two darts. If the air cartridge is removed, the Taser may be operated in drive stun mode and used as a pain compliance tool. In drive stun mode, the Taser’s electrical probes are applied directly to the person and the electrical muscular disruption occurs between the two probes. After the Taser is fired in the standard mode, the darts remain connected to the Taser gun by high-voltage wire. The Taser gun then transmits electrical pulses along the wires and into the body of the target. Those electrical pulses occur at a rate of approximately twelve pulses per second, or sixty pulses for each five-second cycle. The pulses cause immobilization, disorientation, loss of balance, and weakness. When used successfully, a Taser renders an individual incapacitated, disoriented, and unable to move. The Taser is designed to



cause significant, uncontrollable muscle contractions capable of incapacitating even the most focused and aggressive combatants.<sup>2</sup>

### Risk of Harm from ECD Use

Taser International, the manufacturer of the most widely used ECD, promotes its products as “nonlethal” weapons that safely and instantaneously incapacitate subjects with little risk of injury to the subject or the officer. However, emerging evidence and research show that ECDs have caused serious injury and death in a number of cases, even when there is no evidence of misuse.

Many Americans have health problems that a casual observer cannot see. For example, over 1 million American adults have congenital heart defects.<sup>3</sup> Therefore, peace officers are working in a world where they cannot know how vulnerable a subject may be to a jolt of 50,000 volts of electricity. The effects of ECD use is riskier than police observations may show.

Risks of ECD use to the human body include cardiac arrhythmia, changes to blood chemistry, impaired respiration, disruptions of the central nervous system, burns and increased risk of accidental injury.

### Effects of ECD Use on the Heart

Existing studies indicate that the risk of cardiac harm to subjects from a Taser is low.<sup>4</sup> However, almost all research that has been done on the medical ramifications of Taser use has been done on young, healthy, sober subjects in a controlled environment.<sup>5</sup> A Taser shock has certain identifiable effects on humans which can contribute to death or serious injury to subjects outside of controlled test environments.<sup>6</sup>

A Taser shock carries a 50,000-volt current of electricity through a subject’s body. While Taser International maintains that the Taser current is not strong enough to cause a fatal heart arrhythmia, several studies suggest that it can,<sup>7</sup> especially in vulnerable populations, such as those with preexisting heart conditions,<sup>8</sup> those whose hearts are already compromised by drug use,<sup>9</sup> and thinner people who have a lower skin-to-heart distance.<sup>10</sup> Likewise, situational factors such as dart placement near or across the heart,<sup>11</sup> and multiple Taser exposures,<sup>12</sup> can increase the risk of arrhythmia. Further, at least one study, in a peer-reviewed forensic engineering journal, found that ECDs actually discharged far more powerful current than Taser International has acknowledged, and that a Taser shock is powerful enough to cause fatal heart dysrhythmias.<sup>13</sup>

Although the risk of ventricular fibrillation in healthy adult populations is low, such risk does exist.<sup>14</sup> The United States Army recognized the risk of ventricular fibrillation in healthy adults in a 2005 memorandum that recommended against shocking

soldiers during training exercises.<sup>15</sup> The United States Department of Defense also notes that the data are too limited to evaluate probabilities for potentially sensitive populations or for alternative patterns of exposure.<sup>16</sup> Likewise, a study funded by Taser International concluded that “[t]he risk of harm might well be higher for using these devices on patients with pre-existing heart and neurological diseases.” It went on to add that adequate testing in this area has not been done.<sup>17</sup> Findings from a United Kingdom study suggested that the “complex interplay of multiple risk factors” such as drug consumption and heart disease, could be to blame for the “cardiac-related morbidity or mortality associated with Taser use against drug-intoxicated persons.”<sup>18</sup>

The Canadian government commissioned a public inquiry into the safety and proper use of ECDs by law enforcement in Canada, in response to the death of Robert Dziekanski, who died at Vancouver International Airport on October 14, 2007 after being shocked five times with a Taser. The report, known as the Braidwood Inquiry, found that even in people with healthy hearts, the Taser current is capable of overtaking a human body’s internal electrical system, resulting in ventricular capture, which can lead to ventricular tachycardia (a potentially life-threatening arrhythmia), and in some cases, ventricular fibrillation.<sup>19</sup> If ventricular fibrillation continues for more than a few seconds, blood circulation will cease, and sudden cardiac death may occur in a matter of minutes. The study also found that there is a short “window” during the heart’s normal beat cycle (the T-wave), when the heart is most vulnerable to an external electrical shock.<sup>20</sup> Repeated Taser shocks increase the chance that the shock will come at this vulnerable point in the heart’s beat cycle. Additionally, the Braidwood Inquiry concluded that people with cardiovascular disease, thin people, and those who wear an implanted pacemaker or defibrillator are at an increased risk for cardiac harm when subjected to a Taser shock.<sup>21</sup>

### Changes in Blood Chemistry and Impaired Respiration.

Studies have found that a Taser shock lowers the blood’s pH, making it more acidic.<sup>22</sup> Repeated shocks may cause acidosis.<sup>23</sup> Blood carbon dioxide levels also rise immediately following a Taser shock.<sup>24</sup> By itself, the changes in blood chemistry brought on by a Taser shock are not deadly. However, this change in chemistry becomes problematic when the subject is a recreational drug user or has engaged law enforcement officers in a physical struggle. Recreational drug use and physical exertion can cause “hypoventilation,” (inadequate ventilation) which in turn decreases the blood’s pH level.<sup>25</sup> Although insufficient research has been done to conclusively determine the effects of the extreme lowering of blood pH,<sup>26</sup> medical researchers hypothesize that a combination of factors including changes in blood chemistry and impaired respiration is capable of causing death.<sup>27</sup>

The use of ECDs also affects respiration. Taser International acknowledges in its training materials that, “depending on the probe location in the upper torso, it appears likely that the muscular tetany, such as cramps, convulsions and muscle twitches, produced by a Taser deployment could impair a subject’s respiration.”<sup>28</sup> Impaired respiration is a common effect of many law enforcement restraint techniques, including handcuffing, forcing the subject into the “prone” position, use of the LVNR hold<sup>29</sup>

(although illegal in some jurisdictions) and also OC spray. When more than one respiration-impairing technique is used to gain control over a subject, the risk of death or injury by suffocation increases.

### ECD Use and Death

No definitive research or evidence exists that implicates a causal relationship between the use of ECDs and death.<sup>30</sup> However, medical examiners and coroners in the United States have cited ECD exposure as a cause or contributing factor in over 50 deaths to date,<sup>31</sup> despite the fact that Taser International has challenged some of these findings in court, and has reportedly tried to pressure some medical examiners to change their rulings that ECDs contributed to deaths.<sup>32</sup>

The Braidwood Inquiry concluded that although the benefits of ECD use outweighed the risks, the devices did have the capacity to kill, even in people with healthy hearts.<sup>33</sup> The Inquiry also found that the risk of death is exacerbated if the subject has cardiovascular disease or has a smaller skin-to-heart distance (i.e. thinner people).<sup>34</sup> The two most likely predictors of whether a subject will die after an ECD shock are if the person is shocked multiple times or for an extended duration,<sup>35</sup> and if the person's heart is unusually stressed, either by recreational drug use, a preexisting heart condition, or the placement of the ECD barbs across or near the heart.<sup>36</sup> In Amnesty International's review of autopsy reports from post-ECD deaths, they found that 43% of decedents were shocked in the chest, and 52% had cardiovascular disease.<sup>37</sup> Likewise, a study commissioned by the Police Executive Research Forum (PERF) found that, in cases where ECD subjects died, they were shocked for an average of 28 seconds in probe mode and 31 seconds in drive stun mode, whereas subjects who did not die were shocked for 15 seconds or less in 88% of cases, and for five seconds in 45% of cases.<sup>38</sup> The PERF study also found that incidents resulting in death were more likely to involve multiple officers using a ECD simultaneously.<sup>39</sup> The data consistently show these patterns, although there is limited scientific research on the subject.

## Damage to Skin

ECD application can result in second-degree burns, and skin damage is greater when the device is used in drive stun mode. Studies have found that long-term superficial damage to skin is possible.<sup>40</sup>

## Muscular Injuries

Current research “suggests there may be a potential for musculoskeletal injuries caused by the powerful muscular contraction when a [Taser] is applied.”<sup>41</sup> In Taser training, law enforcement personnel commonly report injuries including back injuries, transient muscle soreness, vertigo, and hamstring injuries, believed to have been caused by muscular contraction of the quadriceps.<sup>42</sup>

In 2004, a Maricopa County AZ deputy sued Taser International after he sustained a compression fracture of his spine during a training exposure.<sup>43</sup> He had pre-existing osteoporosis, a condition that leaves people at increased risk of bone fractures. It is estimated that over 50% of adults over age 50 in the US have osteoporosis or osteopenia.<sup>44</sup> Since that first suit in 2004, many more officers have come forward to sue Taser International, claiming serious injury after being shocked with a ECD during training.<sup>45</sup> Injuries claimed include: shoulder dislocation; fractured back; chipped teeth; heart damage, two strokes, and hearing and vision loss; multiple spinal fractures; burns; and soft-tissue injuries.<sup>46</sup>

Taser International’s product warning bulletins note that injuries from muscle contractions are more likely to occur in people with pre-existing conditions such as osteoporosis or muscle, bone, or joint damage.<sup>47</sup> However, a 2007 medical report describes the case of a previously healthy 38-year-old police officer who suffered possibly permanent damage from spine fractures after receiving a five-second ECD discharge during training. The officer was supported by two other officers during the discharge to avoid his falling, and he did not sustain a direct shock to the injured area, but he immediately experienced severe muscle spasms to his back. The report found that the spine fractures were almost certainly “directly related” to the muscular contractions caused by the electrical discharge.<sup>48</sup>

## Sensitive Areas

In addition to the risk associated with probe placement across the heart, other areas of the body are particularly at risk with ECD placement. ECD shocks have the potential to induce seizures when one or both of the probes attach to the subject's head.<sup>49</sup> In at least two incidents in the United States, subjects suffered seizures after being struck in the head by probes.<sup>50</sup> Likewise, increased potential for significant injury exists when ECD barbs strike the eye, open mouth, neck, genital, and large blood vessels in the groin.<sup>51</sup>

## Risks from Surroundings

An ECD shock causes a person to lose control of their skeletal muscle system. Therefore, any use of an ECD creates the risk of injury due to falling. Falls from heights, water, stairs and a standing position increase the risk from an ECD stun.

The ECD's electrical current is capable of igniting flammable substances.<sup>52</sup> Locations that commonly include flammable materials include garages or kitchens where a person may have left a car running or gas leaking in an attempt at suicide, methamphetamine labs, and areas where drug users may be sniffing flammable substances. Chemical sprays with an alcohol base are also flammable, and use of a chemical spray increases the chances of ECD use causing burns.

## Vulnerable Populations

In a 2008 report on the risk of death associated with ECDs, the National Institute of Justice found that "the purported safety margins of ECD deployments on normal, healthy adults may not be applicable in small children, those with diseased hearts, the elderly, those who are pregnant, and other at risk individuals."<sup>53</sup>

People with a lower body weight have reduced margins of safety when exposed to an electrical current. One study found that a 66 pound pig had a safety ratio of 15:1, but a 258 pound pig had a safety ratio of 42:1 before ventricular fibrillation was induced.<sup>54 55</sup>

ECDs are also known to induce vomiting in children.<sup>56</sup> Senior citizens are more likely to have osteoporosis and osteopenia, and are therefore more likely to suffer broken bones due to a fall.<sup>57</sup>

Finally, there is a strong correlation between repeated use of ECDs on a person who has become unconscious and whether that person will die.<sup>58</sup>

## “Excited Delirium”

Many of the individuals who have died following Taser application were showing signs of mental or other illness, including drug-induced psychosis, and were not engaged in criminal activity at the time they were restrained.<sup>59</sup> Several were in the midst of suffering a seizure.<sup>60</sup> A catch-all explanation of in-custody deaths involving disturbed subjects, “excited delirium” is term frequently used as a “diagnosis” to explain Taser-related deaths. Excited delirium refers to a cluster of behaviors that are symptoms of underlying conditions that may constitute a medical emergency.

However, despite the term’s popularity, its existence as a condition is disputed among medical professionals, and is not recognized as a diagnostic term by the American Psychiatric Association, the World Health Organization, the American Medical Association, the American Psychological Association or the International Association of Chiefs of Police.<sup>61</sup> The Braidwood Inquiry directly concluded that excited delirium is not a medical condition or diagnosis.<sup>62</sup>

Excited delirium refers to symptoms exhibited by the individuals in these cases, such as seizures. These symptoms did not result from the use of the device. “Excited delirium” may not be a medical diagnosis; however, the symptoms associated with this terms should be considered as symptoms of underlying conditions that signal the use of the device would be medically dangerous to the subject. Therefore, persons exhibiting symptoms of excited delirium can be considered a vulnerable population in Taser use.

## Restrained Individuals

Restraint impairs breathing, especially in certain positions, such as the prone or hogtie restraint positions.<sup>63</sup> Restrained individuals are at higher risk for restraint or positional asphyxia,<sup>64</sup> and this risk increases when Taser shocks are applied, because Taser shocks also have the potential to impair respiratory function.

## The Use of Force Continuum

Many organizations at the state, national, and international level have weighed in on where ECDs fit in the Use of Force Continuum. Individual agencies generally set a policy for peace officers to consider when using force, escalating the amount of force used according to the seriousness of the crime, the amount of resistance from the subject, and the risk to the officer and surrounding people. This is commonly referred to as a Use of Force Continuum. It generally encompasses the use of verbal commands, soft hands, chemical or pepper spray, hard hands/martial arts, batons and lethal force.

The United Nations (UN) Committee Against Torture, after reviewing the United States' compliance with the Convention Against Torture, raised concern about the "extensive use" of ECDs by United States law enforcement personnel and called for them to be used only as a substitute for lethal force weapons.<sup>65</sup> The UN Human Rights Committee, reporting on the United States' compliance with the International Covenant on Civil and Political Rights, expressed similar concerns, and called for ECDs to be used only in situations where "greater or lethal force would otherwise have been justified."<sup>66</sup> The Braidwood Inquiry recommends limiting the use of ECDs to "truly criminal offences."<sup>67</sup>

Dr. Bill Lewinsky, Executive Director of the Force Science Research Center (FSRC) at the University of Minnesota-Mankato, recommends that ECD be placed on the Force Continuum above chemical spray and below the baton.<sup>68</sup> He also recommends the use of contact/cover when an ECD is activated. That is, one officer deploys the ECD, and one is ready to deploy deadly force if necessary. He notes that officers have been injured when they try to use ECDs on subjects using deadly force, and that ECDs fail more often than guns jam, so officers should not use an ECD in a deadly force situation unless another officer is ready to deploy deadly force.

The League of Minnesota Cities Insurance Trust ("LMCIT") also recommends that ECDs should be placed on the use of force continuum above chemical sprays and below impact weapons.<sup>69</sup> The LMCIT's rationale for their determination came from comparing ECDs to other weapons. In comparing ECDs to impact weapons, the LMCIT reasoned that impact techniques would:

cause injury in the form of substantial bruising at the impact site, with a recovery period measured in days or weeks... [and] if baton strikes are not immediately effective, there is a substantial possibility the subject will increase his or her level of resistance. The harm caused by [ECDs] will usually be substantially less. This strongly suggests that [ECDs] should be placed lower on the continuum than impact weapons and techniques.<sup>70</sup>

When the LMCIT compared ECDs with chemical spray, they reasoned that, although the time period in which the subject is in pain is shorter with the ECD,<sup>71</sup> ECD use is "more likely to result in demonstrable short-term injury and occasional long-term injury than chemical spray."<sup>72</sup> The LMCIT did not mention, however, that the ECD shock is extremely painful ("by far, the most excruciating pain anyone can feel," according to one Police volunteer)<sup>73</sup>, and generally thought to be more painful, though not as long-lasting, as chemical spray.<sup>74</sup>

## SECTION TWO: EXCESSIVE FORCE, THE FOURTH AMENDMENT AND ECDS

The Fourth Amendment to the United States Constitution states that people have the right to be secure in their persons from unreasonable seizures by the government. The Fourteenth Amendment extends that protection to freedom from unreasonable seizures by state and local governments. The Minnesota Constitution, Article I, Section 10, provides the same protection. The law is well established that police use of excessive force against a person violates the Fourth Amendment.

To determine excessive force, courts use a balancing test between a person's right to be secure in their person and the government interests in public safety; and the finding of excessive force depends upon the totality of the circumstances and must be objectively reasonable.<sup>75</sup> Courts consider numerous factors including the severity of the suspected crime, the immediacy of the threat to the police or others at the site, and whether the subject is actively resisting arrest or fleeing.<sup>76</sup>

In 2010, the Ninth Circuit Court of Appeals considered whether an ECD used in the dart mode could incur police liability for excessive force in *Bryan v. MacPhearson*.<sup>77</sup> The court found that it could. The case returned to the Ninth Circuit on a petition for a panel rehearing on the issue.<sup>78</sup> In the second holding, the Ninth Circuit affirmed that use of an ECD could constitute excessive force, holding that the use of an ECD in dart mode constituted an "intermediate, significant level of force that must be justified by the government interest involved."

The Ninth Circuit sets the legal standard of excessive force for Alaska, Arizona, California, Hawaii, Idaho, Oregon and Washington. In Minnesota, decisions from the Ninth Circuit Court of Appeals are advisory unless and until the Eighth Circuit Court of Appeals adopts the same standard. The Eighth Circuit has found that the use of an ECD can constitute excessive force for which the officer may not be protected by qualified immunity as a matter of law<sup>79</sup>, but has not fully adopted the Ninth Circuit standard.

For those States in the Ninth Circuit, the Bryan decision changed the legal standard for excessive force and ECD use. After that decision, according to a report in Legal and Liability Risk Management Institute<sup>80</sup>, law enforcement agencies in the Ninth Circuit must have use of force policies that indicate that an ECD use is a heightened use of force and is an intermediate weapon and there must be an immediate threat posed by the subject.<sup>81</sup> That report also recommended the use of a warning before ECD deployment.



In Minnesota, the Federal District Court examined ECDs and an excessive force claim in 2009.<sup>82</sup> The court found that the pain caused by an ECD could sustain an excessive force claim, writing,

“ECDs are not a routine part of an arrest and inflict a type of pain different in nature and quality from any injury associated with handcuffing alone. The taser prongs puncture the skin and deliver 50,000 volts of electricity into the body. When properly deployed, a taser incapacitates muscles, causing the suspect to collapse to the ground. Assuming Orsack must make a showing of some minimum level of injury in order to make out a claim for excessive force, the pain and puncture marks inflicted by the taser are sufficient to do so.”<sup>83</sup>

Peace officers are granted qualified immunity from excessive force claims if the officer had a reasonable belief that the use of force was lawful.<sup>84</sup> The Bryan case established the “reasonableness” standard for the States of the Ninth Circuit.

However, there is no uniform standard in Minnesota of when the use of an ECD is “reasonable” and not excessive force. According to the materials provided to the ACLU-MN, policies vary widely from agency to agency regarding acceptable use of ECDs. Furthermore, even within single agencies, Use of Force Policies and Taser Use Policies have internal inconsistencies in the level of force represented by ECDs. Most agencies use Taser International materials exclusively. The Taser International training materials fail to represent adequately the health risks involved in Taser use on vulnerable populations. Further analysis of the Taser International training materials is included as Appendix F.

### SECTION THREE: TASER USE IN MINNESOTA

Most of Minnesota's 451 law enforcement agencies own and use ECDs. However, there is no uniform state policy on the training and use of ECDs. ECDs are marketed as alternatives to deadly force, but from 2001 to 2009 six deaths have occurred in Minnesota in cases involving police use of ECDs. A seventh ECD-related death occurred in Minnesota in 2010.

The Minnesota Bureau of Criminal Apprehension annually publishes Uniform Crime Reports which includes statistics on the number of discharges of a firearm by a peace officer in the course of duty. According to the reports published online, the years since 2001 do not show any appreciable drop in shots fired nor in fatalities, despite increasing adoption of ECDs by Minnesota law enforcement over the years.<sup>85</sup>

**Table 1: Shots Fired in Minnesota**

Year      Shots Fired by MN Peace Officers      Shots by MN Peace Officers Resulting in Fatality

Year	Shots Fired by MN Peace Officers	Shots by MN Peace Officers Resulting in Fatality
1995	107	6
1996	278	7
1997	74	1
1998	45	1
1999	77	7
2000	108	7
2001	100	8
2002	63	6
2003	171	5
2004	78	5
2005	66	3
2006	141	4
2007	111	3
2008	87	5
2009	188	11
2010	138	11

## Taser Related Deaths in Minnesota:

### Walter C. Burks

Walter C. Burks, 36, black, died on July 8, 2003. Mr. Burks was unarmed, sweating, and shirtless in a convenience store and suffering from what appeared to be some kind of mental crisis, likely drug-induced. When the Minneapolis Police Department arrived on the scene, Mr. Burks was lying face-down on the ground, restrained by a store clerk. In the process of taking Mr. Burks to the squad car, MPD officers pepper sprayed him, handcuffed and restrained him in the prone position, and tasered him. While face-down on the ground, he was tasered a second time. He died shortly after arriving at the hospital. Cause of death was listed as sudden, unexpected death associated with cocaine excited delirium and coronary atherosclerosis.

### Raymond L. Siegler

Raymond L. Siegler, 40, white, was unarmed when he died on February 2, 2004 in the group home for the mentally ill where he lived. While celebrating his engagement, Mr. Siegler consumed some alcohol and created a disturbance. The Minneapolis Police Department was called, and Mr. Siegler, who suffered from paranoia, panicked when he saw them. The officers shocked Mr. Siegler twice. He suffered cardiac arrest shortly after being shocked, and remained in a coma until he was taken off life support 6 six days later. The medical examiner listed several causes of death, including preexisting conditions of hypertension and heart disease.

### James Arthur Cobb

James Arthur Cobb, 42, black, and unarmed, died on September 6, 2004 after St. Paul Police tasered him twice, pepper sprayed him, and beat him with a baton. Officers were able to handcuff Mr. Cobb, but then he collapsed on the street. He died in the hospital less than two hours after being tasered. Cause of death was listed as excited delirium due to cocaine toxicity.

### Mark Backlund

Mark Backlund, 29, white, and unarmed, died on January 15, 2008. Due to an apparent seizure, Mr. Backlund crashed his car on I-694 in New Brighton on his way to pick his parents up from the airport. When Minnesota State Patrol arrived on the scene, they say Mr. Backlund was “uncooperative” with officers. They stunned him three times with a Taser. Mr. Backlund went into cardiac arrest at the scene and could not be resuscitated. Cause of death was given as the consequence of mixed drug use and acute cocaine intoxication. Other contributing factors included Versed administration, heart conditions, physical exertion, and police restraint.

### Joe Kubat

Joe Kubat, 21, white, unarmed, died on April 5, 2008 after his brother called St. Paul Police because Mr. Kubat, who was in the midst of a “bad trip” on LSD, was suicidal. Officers shocked Mr. Kubat with a Taser “at least twice,” and used pepper spray on him. Mr. Kubat became unresponsive at the scene, and was pronounced dead in an ambulance.

### Quincy De’Shawn Smith

Quincy Smith, 24, black, died on December 9, 2008 after Minneapolis Police beat and tasered him. There is conflicting evidence as to whether or not he was armed. At the time of his death, Mr. Smith did not have any illegal drugs in his system. In January of 2008, the Hennepin County Medical Examiner ruled Mr. Smith’s death a homicide, saying it was the result of “cardiorespiratory arrest complicating physical exertion with law enforcement subdual and restraint.”

### David Cornelius Smith

David Cornelius Smith, 28, black, died on September 17, 2010. Staff at the YMCA believed Mr. Smith was having a mental health crisis due to his bizarre behavior and called the Minneapolis Police. When the responding officers tried to escort him out of the building, Mr. Smith punched and kicked them. Due to his aggression, two officers apparently then deployed their ECDs. Mr. Smith’s heart stopped beating. Paramedics were able to revive him on the scene, and he was revived a second time at the hospital when his heart stopped once again. He fell into a coma, was declared brain dead, then passed away on September 17th after he was taken off of life support.

## The ACLU-MN Data Request

Using the Minnesota Government Data Practices Act, the ACLU-MN contacted 466 law enforcement agencies in 2006 with follow up by letter in 2007 and 2008 and telephone in 2009 and 2010. This request is included as Appendix A. Of these agencies, 15 are no longer in existence and 423 agencies responded. 18 agencies did not respond to the data practices request in any manner. Responses included information on Taser use policies, use of force policies, use statistics, training materials and recordkeeping systems, including whether the agency owned ECDs at that time. The following is an overview of the policies and practices of Minnesota law enforcement agencies with regards to ECDs. A spreadsheet of materials received from law enforcement agencies comprises Appendix B.

Due to fact that agencies responded at different times and the time it took to assemble the data, this report is fashioned to be a portrait of Taser policy in Minnesota. Regardless of how any individual agency has changed over the time of this report, the overall picture shows a patchwork of policy and Taser use across Minnesota.

There is no standard in Minnesota for what is required in a law enforcement agency's Use of Force policy, nor any Taser-specific requirements. Minnesota's Board of Police Officer Standards and Training (POST) Board supplies a model Use of Force policy which many agencies use verbatim. The policy does not address ECDs, except to say that ECDs "will be subject to the provisions governing non-deadly force."<sup>86</sup>

Fifty-one agencies reported that they did not own ECDs at the time of their response to the ACLU-MN data practices request.

### **Table 2: Responses**

	Number
Agencies Contacted	466
Disbanded / Inactive Agencies	15
No Taser	51
Owns a Taser	372
Did Not Respond / Unclear	28

## Taser Use Policies

In total, the ACLU-MN received 345 Taser use policies, including 13 policies for agencies which reported that they did not currently own a Taser or other ECD. 40 agencies that did own Tasers did not provide a Taser use policy.

Of the 345 Taser use policies reviewed, the most common restrictions on the use of a Taser were restrictions on use in an area where flammable materials were present (288), use on sensitive areas of the body such as face or neck (243), use on visibly pregnant women (241), use where there was a risk of the subject falling (203) and use on a person already restrained (187). Despite the health risks of applying a Taser to the area of the heart or on someone with respiratory problems, only 18 Taser use policies mentioned this risk.

Twenty-two agencies restricted or forbade multiple or extended exposures, while 115 specifically allowed multiple or extended exposures with language such as “the unit can be cycled longer [than the 5-second automatic cycle] by continuing to depress the trigger. This can allow the officer to continually keep control of the subject until restrained and in custody.”

Five agencies explicitly allowed Taser use on compliant or passively resisting subjects.

**Table 3: Taser Use Policies**

	Allowed	Not Mentioned	Restricted	Forbidden
Multiple / Extended	115	208	21	1
Restrained	1	157	178	9
Juveniles	0	271	70	4
Elderly	0	277	64	4
Pregnancy	0	104	205	36
Unconscious	0	332	5	8
Passive / Compliant	5	231	27	82
Risk from Fall	0	142	101	102
Heart / Respiration Problems	0	327	16	2
Sensitive Body Parts	2	100	208	35
Flammables	0	57	49	239

## Use of Force Continuum

374 agencies reported the level of force of a Taser. Of those agencies, 152 stated that the use of a Taser was “non-deadly force”, “less lethal” force, or the policy spoke of force but it was unclear what level force the Taser represented. Fifteen agencies of those agencies, all of which owned Tasers, sent use of force policies which were silent on use of Tasers or other ECDs. 25 agencies only reported how Tasers compared to pepper / chemical spray without reference to any other type of non-deadly force. The wide variation of use of force policies complicated the process of compiling statistics on where Tasers fit in the use of force continuum. Some agencies provided a detailed use of force continuum which accounted for use of hands and various weapons including chemical sprays and Tasers. However, some agencies did not provide a continuum of any sort, but compared Tasers to chemical spray. Some agencies compared Tasers to use of hands and also stated that Tasers were an alternative to a baton. Therefore, the use of force analysis is broken into two parts: First, a comparison of Tasers/ECDs to other non-deadly weapons and second, an analysis of how agencies place Tasers in a broader use of force continuum. Appendix D details the responses of individual agencies.

### Use of Force: Comparison to other weapons.

Taser International recommends that ECDs be placed below, or at a lower level of force, than pepper spray. 41 Minnesota agencies placed ECDs at a lower level of force than pepper / chemical spray. 124 agencies placed ECDs equal to pepper / chemical spray. 11 placed them after, or at a higher level of force, than pepper / chemical spray.

24 policies stated that ECDs were equivalent or a substitute for a baton.

**Table 4: Compared to Other Non-Deadly Weapons**

	# of Departments
Lower force than Chemical Spray	41
Same force as Chemical Spray	124
Higher force than chemical Spray	11
Alternative to baton	24

### But Comparison to Other Weapons is Incomplete or Misleading.

Pepper / chemical spray does not have a classified level of force in Minnesota. For instance, in one use of force policy, Tasers were to be used after chemical spray, but before soft, empty hands. In another, Tasers and chemical sprays were to be used only as an alternative to lethal force.

34 policies stated that ECDs were to be used before a soft, empty hand. 18 put ECDs at the same level as soft, empty hand. 65 policies placed ECDs between soft and hard empty hand. 37 policies put ECDs at the same or higher level as hard empty hand.

In addition to the wide variance in the level of force represented by ECDs, the use of force policies varied in the terms used to describe non-deadly force. Some used terms such as “soft empty hand” or “hard empty hand.” But others used “firm grip” (classified as soft empty hand for this report) or “pain compliance” (classified as hard empty hand for this report).

**Table 5: Use of Force Continuum**

	# of Departments
Taser less force than soft empty hand	34
Taser same force as soft empty hand	18
Taser between soft and hard empty hand	65
Taser same or greater force than hard empty hand	37
Taser listed as “non-deadly” only	152
Own taser; use of force policy silent on taser	15



## Warnings

Eighty-nine policies contained requirements for warnings about the impending use of an ECD. There were three types of warnings: warnings to the subject, warnings to other peace officers, and warnings to all persons in the area. Warnings to the subject were designed to give the subject the opportunity to comply before the use of an ECD. Warnings to other officers and dispatchers were designed to avoid confusion over whether shots had been fired. General warnings either were a combination of subject and officer warnings or a general shout of “TASER TASER TASER” before firing.

**Table 6: Warnings**

	# of Departments
Warning issued to subject	26
Warning issued to other officers	37
General warning issued / warn all	26

## Training

315 agencies reported about their Taser training curriculum. 268 agencies use Taser International training materials exclusively, while 20 incorporate their own materials as well. Four agencies use customized training materials. Twenty-two agencies responded that their officers were trained, but the type of training was unclear.

**Table 7: Training Materials**

	# of Departments
Taser International Materials only	269
TI materials plus custom material	20
Local customized training	4
Responded but response unclear	22

## Record Keeping and Incident Use

Law enforcement agencies in Minnesota are required by law to track their use of firearms, but there is no such law for ECDs.

The ACLU-MN asked agencies for their Taser use statistics and how the agency organizes those records. The responses received regarding Taser use statistics ranged from precise numbers to general personal recollections. Some agencies keep Taser use reports in a separate file or database; some are able to search incident reports or use of force reports; and some agencies responded that the staff time to search for the data made the request cost prohibitive. Sixty-two agencies own at least one ECD but reported zero uses.

Given the wide variance and imprecision of the data received on these two points, this report does not contain statistics on the use of Tasers nor the method agencies use to store this data.

## Use of Force and Race

Four of the seven Taser-related deaths in Minnesota were African Americans. According to the 2010 Census, 5.2% of Minnesotans are African American. Current Minnesota law does not require tracking of race data with use of firearms or race data with any other use of force.

## SECTION FOUR: RECOMMENDATIONS

### Concerns

The legal standard for excessive force requires a balance between a subject's Fourth Amendment right to be secure in their person from unreasonable seizures against the state interest in apprehending criminals. The elements to consider in this balance include the severity of the crime, the immediate threat to the safety of officers or others, and whether the subject is actively resisting arrest or evading arrest by flight. Officers are protected by a reasonableness standard, based on what the officer knew about Taser use at the time of deployment.

In Amnesty International's report on Taser-related deaths in the United States, fully one-sixth, or 16.7%, of those deaths occurred in Minnesota.<sup>87</sup> According to the 2010 census, Minnesota represents 1.7% of the United States population.<sup>88x</sup>

According to the policies the ACLU-MN received, 372 of Minnesota's 441 active law enforcement agencies (84%) own at least one ECD. Of those, only 193 have use of force policies that state something other than that a Taser represents "non-deadly force." 345 have Taser use policies; however, the contents of those policies vary widely. The record keeping regarding Taser use varies widely from agency to agency and some agencies would have a difficult time determining the number of times Tasers have been deployed by their officers.

These findings raise the following concerns:

- ECDs may be overused because policies do not properly account for the risks ECDs may pose.
- Based on these results, there may not be a "reasonable officer" standard for Taser use in Minnesota
- That without standardized reporting standards, there is no way to measure whether ECDs are reducing the need for lethal force or whether ECDs are supplanting less painful police practices.
- Without readily accessible ECD use records, departments lack an early warning system for ECD misuse.

### Use of Force Policies: Recommendations

- There should be a mandated statewide standard for ECDs to be on the use of force continuum in regards to use of hard, empty hands. Tasers should be placed higher than hard, empty hands, at the same level as a baton.
- There should be a mandated statewide standard for pepper / chemical spray, and Tasers should be at least as high as sprays, if not higher.

- Taser use should be preceded by a warning to both the subject and fellow officers.
- ECDs should be worn on the opposite side of the officer's belt as the firearm to avoid accidental use of lethal force instead of a Taser.<sup>89</sup>
- The state should establish uniform language for different types of force, such as “soft empty hand” vs. “firm grip”.

#### Taser / ECD Use Policies: Recommendations

- ECD use policies should have a separate analysis for the use of ECDs based on the apparent health and age of the target.
- Use of force policies should prohibit use of an ECD on a visibly pregnant woman.
- Use of force policies should establish excessive force standards for multiple or extended Taser discharges on one subject.
- Use of force policies should prohibit Taser use on passive or unconscious subjects.
- All ECD use policies should contain warnings about risk of falling or flammable surroundings.
- ECD use policies need to address subjects who are suffering health crises such as impaired respiration or drug over-doses.
- ECD use policies should restrict or forbid use on restrained persons.

#### ECDs and Mental Health Crises: Recommendations

- Training and use of force policies need to include methods of identifying mental health crises (as opposed to criminal behavior) and non-violent approaches to these situations.
- The primary response to persons suffering from mental health crises should be non-violent.
- Training and use of force policies should severely limit or prohibit the use of a Taser on anyone exhibiting the signs of a mental health crisis.

## Taser Training: Recommendations

ECDs are marketed as alternatives to lethal force. Taser International both sells ECDs and their replacement cartridges and creates the training materials for their use. They have a conflict of interest in highlighting the risks of Taser use as well as limiting their use as alternatives to lethal force. Therefore, the ACLU-MN recommends:

- The POST Board should create, sponsor and / or approve a Taser training program that is not based solely on Taser International materials but instead relies more heavily on independent medical research.
- That training should include the risk factors to the following individuals:
  - Compromised individuals who have been involved in a physical struggle.
  - Pregnant women
  - Children, the elderly, or low-weight individuals
  - Persons already restrained, especially if the restraint impairs respiration.
- Training should include ways to avoid targeting the heart, head, eye, open mouth, neck, genitals or groin.
- Training should teach situational risks of ECDs such as fire hazards, heights, and stairs.
- Training should address excessive force standards for multiple Taser discharges on one subject.

## Reporting and Data Practices: Recommendations

- The State should mandate reporting of Taser use in addition to the reporting on the discharge of a firearm.
- Reported statistics should include multiple uses on a single subject, the race of the subject, and the suspected crime.
- The POST Board and the Department of Public Safety need to enhance data practices training.
- The agencies which failed to respond the ACLU-MN data practices request for this project and the supervisors of these agencies need to review their data practices policies to ensure compliance with data practices laws.

- 
- <sup>1</sup>AMNESTY INTERNATIONAL, LIST OF DEATHS FOLLOWING USE OF STUN WEAPONS IN US LAW ENFORCEMENT JUNE 2001 TO 31 AUGUST 2008  
Can be found at: <http://amnesty.org/en/library/asset/AMR51/146/2008/en/a4e3aa10-cb62-11dd-9ec2-e57da9519f8c/amr511462008en.pdf>
- <sup>2</sup>*Orsack v. Metropolitan Airport Commission Airport Police*, 675 F. Supp. 2d at 957-958 (D. Minn. 2009). Citations and internal quotation marks omitted
- <sup>3</sup>NATIONAL HEART LUNG AND BLOOD INSTITUTE, <http://www.nhlbi.nih.gov/health/health-topics/topics/chd/>
- <sup>4</sup>CANADIAN POLICE RESEARCH CENTRE, REVIEW OF CONDUCTED ENERGY DEVICES (2005) [hereinafter CPRC REVIEW].
- <sup>5</sup>For example see “Newest Taser Research Finds No Averse Cardiac Arrests,” MEDICAL NEWS TODAY, 5 September 2009, where subjects of research were healthy police officers.
- <sup>6</sup>U.S. DEPARTMENT OF JUSTICE, STUDY OF DEATHS FOLLOWING ELECTRO MUSCULAR DISRUPTION: INTERIM REPORT, 3 (2008) *available at* <http://www.ojp.usdoj.gov/nij> [hereinafter USDOJ INTERIM REPORT]
- <sup>7</sup>AMNESTY INTERNATIONAL, ‘LESS THAN LETHAL’? THE USE OF STUN WEAPONS IN US LAW ENFORCEMENT 35 (2008) [hereinafter AI LESS THAN LETHAL?]; Kumaraswamy Nanthakumar, MD et al., *Cardiac Electrophysiological Consequences of Neuromuscular Incapacitating Device Discharges*, JOURNAL OF THE AMERICAN COLLEGE OF CARDIOLOGY Vol. 48 No. 4 (2006); JAMES A. WILL ET AL., CAN ECDS DIRECTLY CAUSE VENTRICULAR FIBRILLATION? (University of Wisconsin-Madison) (2006).
- <sup>8</sup>CPRC REVIEW, *supra* note 4, at 13.
- <sup>9</sup>UK DEFENCE SCIENTIFIC ADVISORY COUNCIL (DSAC), DSAC SUB-COMMITTEE ON THE MEDICAL IMPLICATIONS OF LESS-LETHAL WEAPONS, STATEMENT ON THE COMPARATIVE MEDICAL IMPLICATIONS OF USE OF THE X26 TASER AND THE M-26 ADVANCED TASER (2005) [hereinafter DSAC TASER STATEMENT].
- <sup>10</sup>U.S. DEPARTMENT OF JUSTICE, STUDY OF DEATHS FOLLOWING ELECTRO MUSCULAR DISRUPTION: INTERIM REPORT, 3 (2008) *available at* <http://www.ojp.usdoj.gov/nij> [hereinafter USDOJ INTERIM REPORT]
- <sup>11</sup>USDOJ INTERIM REPORT. *supra* note 6 at 3; AI LESS THAN LETHAL?, *supra* note 7, at 36.
- <sup>12</sup>JAMES M. CRONIN & JOSHUA EDERHEIMER, CONDUCTED ENERGY DEVICES: DEVELOPMENT OF STANDARDS FOR CONSISTENCY AND GUIDANCE: THE CREATION OF NATIONAL CED POLICY AND TRAINING GUIDELINES (U.S. Department of Justice Office of Community Oriented Policing Services & PERF) (2006); THE JOINT NON-LETHAL WEAPONS HUMAN EFFECTS CENTER OF EXCELLENCE, HUMAN EFFECTIVENESS AND RISK CHARACTERIZATION OF THE ELECTROMUSCULAR INCAPACITATION DEVICE – A LIMITED ANALYSIS OF THE TASER, (2005) [hereinafter CENTER OF EXCELLENCE ANALYSIS]; ANN GERGEN, RISK MANAGEMENT INFORMATION: POLICE USE OF CONDUCTIVE ENERGY DEVICES (ECDS) 3, 4 (League of Minnesota Cities Insurance Trust) (2007).
- <sup>13</sup>Mark Silverstein & Mindy Barton, “*Nonlethal*” force can kill, DENVER POST, Aug. 17, 2006.
- <sup>14</sup>CPRC REVIEW, *supra* note 4, at 13.
- <sup>15</sup>Silverstein & Barton, *supra* note 13.
- <sup>16</sup>UNITED STATES DEPARTMENT OF DEFENSE: HUMAN EFFECTS CENTER OF EXCELLENCE, EFFECTIVENESS AND RISK CHARACTERIZATION OF ELECTROMUSCULAR INCAPACITATION DEVICES (2004) [hereinafter USDOJ EFFECTIVENESS AND RISK].

- <sup>17</sup>DR. ANTHONY BLEETMAN & DR. RICHARD STEYN, THE ADVANCED TASER: A MEDICAL REVIEW, (Birmingham Heartlands Hospital, UK) Apr. 27, 2003.
- <sup>18</sup>DSAC TASER STATEMENT, *supra* note 9.
- <sup>19</sup>BRAIDWOOD COMMISSION ON CONDUCTED ENERGY WEAPON USE, RESTORING PUBLIC CONFIDENCE: RESTRICTING THE USE OF CONDUCTED ENERGY WEAPONS IN BRITISH COLUMBIA (2009) *available at* <http://www.braidwoodinquiry.ca/report/> [hereinafter BRAIDWOOD INQUIRY].
- <sup>20</sup>*Id.*
- <sup>21</sup>*Id.*
- <sup>22</sup>DR. JAMES JAUCHEM, EFFECTIVENESS AND HEALTH EFFECTS OF ELECTROMUSCULAR INCAPACITATING DEVICES (Human Effectiveness Directorate, US Air Force Research Laboratory) 2004.
- <sup>23</sup>AI LESS THAN LETHAL?, *supra* note 7, at 35.
- <sup>24</sup>JAUCHEM, *supra* note 22.
- <sup>25</sup>WIKIPEDIA, RESPIRATORY ACIDOSIS *available at* [http://en.wikipedia.org/wiki/Respiratory\\_acidosis](http://en.wikipedia.org/wiki/Respiratory_acidosis); WIKIPEDIA, HYPOVENTILATION *available at* <http://en.wikipedia.org/wiki/Hypoventilation>.
- <sup>26</sup>JL Hick, et al. *Metabolic acidosis in restraint-associated cardiac arrest: A case series*, ACADEMIC EMERGENCY MEDICINE 6(3):239-243, 1999.
- <sup>27</sup>*Id.*
- <sup>28</sup>CPRC REVIEW, *supra* note 4, at 13.
- <sup>29</sup>LVNR is shorthand for “Lateral Vascular Neck Restraint,” a choke hold that restricts blood flow to the brain and causes the subject to lose consciousness in five to ten seconds.
- <sup>30</sup>CPRC REVIEW, *supra* note 4.
- <sup>31</sup>AMNESTY INTERNATIONAL, REPORT 2009: STATE OF THE WORLD’S HUMAN RIGHTS: USA (2009) *available at* <http://thereport.amnesty.org/en/regions/americas/usa>.
- <sup>32</sup>AI LESS THAN LETHAL?, *supra* note 7, at 30.
- <sup>33</sup>BRAIDWOOD INQUIRY, *supra* note 19, at Executive Summary.
- <sup>34</sup>*Id.*
- <sup>35</sup>CPRC REVIEW, *supra* note 4, at 14, 18, 32; BRAIDWOOD INQUIRY, *supra* note 19, at Executive Summary; GERGEN, *supra* note 12, at 3, 4; CRONIN & EDERHEIMER, *supra* note 12; CENTER OF EXCELLENCE ANALYSIS, *supra* note 12.
- <sup>36</sup>CENTER OF EXCELLENCE ANALYSIS, *supra* note 12; BLEETMAN & STEYN, *supra* note 17; AI LESS THAN LETHAL?, *supra* note 7, at 36; USDOJ INTERIM REPORT, *supra* note 6, at 3.
- <sup>37</sup>AI LESS THAN LETHAL?, *supra* note 7, at 42.
- <sup>38</sup>CRONIN & EDERHEIMER, *supra* note 12.
- <sup>39</sup>*Id.*
- <sup>40</sup>CPRC REVIEW, *supra* note 4, at 16. One dark-skinned individual, a Yupik Eskimo, successfully sued an Alaska State Trooper for the permanent scarring he suffered after being shocked multiple times. The jury awarded the Yupik man \$1.8 million for pain and suffering. John Davidson, *Alakunak man wins civil suit against state trooper*, MATOSU VALLEY FRONTIERSMAN (Wasilla, AK), Oct 18, 2004, *available at* <http://www.frontiersman>.

com/articles/2004/10/18/news/news6.txt.

<sup>41</sup>CPRC REVIEW, *supra* note 4, at 30.

<sup>42</sup>CPRC REVIEW, *supra* note 4, at 30.

<sup>43</sup>Robert Anglen, Police in 5 states sue Taser in Past 2 Weeks, *Ariz. Republic*, Aug. 20, 2005.

<sup>44</sup>CENTERS FOR DISEASE CONTROL AND PREVENTION & NATIONAL INSTITUTES OF HEALTH, HEALTHY PEOPLE 2010: ARTHRITIS, OSTEOPOROSIS, AND CHRONIC BACK CONDITIONS Vol. 1 (2000) *available at* [http://www.healthypeople.gov/Document/HTML/Volume1/02Arthritis.htm#\\_ednref16](http://www.healthypeople.gov/Document/HTML/Volume1/02Arthritis.htm#_ednref16); NATIONAL OSTEOPOROSIS FOUNDATION, AMERICA'S BONE HEALTH: THE STATE OF OSTEOPOROSIS AND LOW BONE MASS (2002), <http://www.osteoporosisnews.org/advocacy/prevalence/index.htm>.

<sup>45</sup>Anglen, *supra* note 43

<sup>46</sup>Anglen, *supra* note 43.

<sup>47</sup>Taser International, *Product Warnings*, 28 April 2008.

<sup>48</sup>Bozeman J. Winslow et al., *Thoracic Compression Fractures as a Result of Shock From a Conducted Energy Weapon: A Case Report*, *ANNALS OF EMERGENCY MED.* Vol 50, Nov. 5, 2007.

<sup>49</sup>GERGEN, *supra* note 12, at 9.

<sup>50</sup>CPRC REVIEW, *supra* note 4, at 15.

<sup>51</sup>BLEETMAN & STEYN, *supra* note 17.

<sup>52</sup>See Paul Morse, *Taser Shock Triggers Fire in Man's Pants*, *THE HAMILTON SPECTATOR* (Ont., Can.), Apr. 19, 2008; *See also* Saeed Ahmed, *Man bursts into flames after Taser shock*, *CNN*, July 21, 2009.

<sup>53</sup>USDOJ INTERIM REPORT, *supra* note 6, at 4.

<sup>54</sup>Dr. Wayne McDaniel (University of Missouri-Columbia), *Cardiac Safety of Neuromuscular Incapacitating Defensive Devices*, *PACING AND CLINICAL ELECTROPHYSIOLOGY*, (2005).

<sup>55</sup>In layman's terms, this means that ventricular fibrillation will be induced if a current 15 times that of the Taser is applied to a 66 lb. person, but in a 258 lb. person, 42 times the Taser's current is required to induce ventricular fibrillation.

<sup>56</sup>DARRELL L. ROSS, PHD & THEODORE C. CHAN, MD, *SUDDEN DEATHS IN CUSTODY* 43, 44 (Humana Press, 2006).

<sup>57</sup>*Id.*

<sup>58</sup>CAT/C/USA/C)2 25 July 2006.

<sup>59</sup>15/09/2006, CCPR/C/USA/CO/3.

<sup>60</sup>BRAIDWOOD INQUIRY, *supra* note 19, at Executive Summary.

<sup>61</sup>Force Science News, *Should Cops Stop Using ECDs? The Force Science Research Center Weighs In On The Controversy*, *MINNESOTA STATE UNIVERSITY- MANKATO* Issue 8, Dec. 12, 2004

<sup>62</sup>GERGEN, *supra* note 12, at 1.

<sup>63</sup>*Id.* at 8.

<sup>64</sup>*Id.*

<sup>65</sup>*Id.*



- <sup>66</sup>Mayor John M. Fabrizi, Bridgeport in Review, June 27, 2007 (referring to comments made by the Bridgeport Chief of Police Bryant T. Norwood, who had volunteered to be shocked the week before).
- <sup>67</sup>See Mollee Francisco, Taser: Friend or foe?, CHASKA HERALD, May 15, 2008; See also Heather May, ECDs vs. Pepper Spray: “Hit me, I’ll tell you which is worse”, SALT LAKE TRIBUNE, June 21, 2005.
- <sup>68</sup>*Graham v. Conner*, 490 U.S. 386 (1989)
- <sup>69</sup>*Id.*
- <sup>70</sup>*Bryan v. MacPhearson*, 608 F.3d 614 (Ninth Cir. 2010)
- <sup>71</sup>*Bryan v. MacPhearson*, 630 F.3d 805 (Ninth Cir. 2010)
- <sup>72</sup>*Brown v. City of Golden Valley*, 574 F.3d 491 (Eighth Cir. 2009)
- <sup>73</sup>Taser Case Revisited: Bottom Line for 9th Circuit and Other Jurisdictions, *Legal and Liability Risk Management Institute*, June 2010 by Jack Ryan
- <sup>74</sup>See Mollee Francisco, *Taser: Friend or foe?*, CHASKA HERALD, May 15, 2008; See also Heather May, ECDs vs. Pepper Spray: “Hit me, I’ll tell you which is worse”, SALT LAKE TRIBUNE, June 21, 2005.
- <sup>75</sup>*Orsack v. Metropolitan Airport Commission Airport Police*, 675 F. Supp. 2d 944 (D. Minn. 2009)
- <sup>76</sup>*Orsack*, at 956-957, citations omitted
- <sup>77</sup>*Bryan v. MacPhearson*, 630 F.3d 805 (Ninth Cir. 2010)
- <sup>78</sup>Minnesota Bureau of Criminal Apprehension Uniform Crime Reports, Table 32, 1995 – 2010, <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/uniform-crime-reports.aspx>
- <sup>79</sup>POST, USE OF FORCE AND DEADLY FORCE MODEL POLICY 3, available at <http://www.dps.state.mn.us/newpost/inservicetrainingreporting.asp>.
- <sup>80</sup>Taser Case Revisited: Bottom Line for 9th Circuit and Other Jurisdictions, *Legal and Liability Risk Management Institute*, June 2010 by Jack Ryan
- <sup>81</sup>*Id.*
- <sup>82</sup>*Orsack v. Metropolitan Airport Commission Airport Police*, 675 F. Supp. 2d 944 (D. Minn. 2009)
- <sup>83</sup>*Orsack*, at 956-957, citations omitted
- <sup>84</sup>*Bryan v. MacPhearson*, 630 F.3d 805 (Ninth Cir. 2010)
- <sup>85</sup>Minnesota Bureau of Criminal Apprehension Uniform Crime Reports, Table 32, 1995 – 2010, <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/uniform-crime-reports.aspx>
- <sup>86</sup>POST, USE OF FORCE AND DEADLY FORCE MODEL POLICY 3, available at <http://www.dps.state.mn.us/newpost/inservicetrainingreporting.asp>
- <sup>87</sup>AMNESTY INTERNATIONAL, REPORT 2009: STATE OF THE WORLD’S HUMAN RIGHTS: USA (2009) available at <http://thereport.amnesty.org/en/regions/americas/usa>.
- <sup>88</sup>2010 Census: Minnesota population = 5,303,925. United States population = 308,745,538.
- <sup>89</sup>Many policies already require this. Statistics not compiled.
-

*Dear Chief:*

The American Civil Liberties Union of Minnesota is currently conducting a study of practices in police and sheriffs' departments throughout the state. For that purpose, we are contacting individual law enforcement offices for certain data.

Pursuant to the Data Practices Act, Minn. Stats. §§ 13.01-13.99, I hereby request:

- 1.** A copy of your current polic(ies) dealing with the use of force, with particular reference to the use of tasers;
- 2.** Training manuals, procedures, plans, and any other materials used in training, and/or continuing education, on the use of tasers;
- 3.** The number of times tasers have been used by your department, for every year since you began using tasers (if you have such statistics readily available);
- 4.** A description of how your use of force records are organized. For instance, whether they are in a database and search able, or whether copies are simply kept in individual incident reports; and
- 5.** If your department currently does not use tasers, please inform me of that. If you plan to use tasers in the future, please tell me when you will begin using them.

As you know, the Data Practices Act allows a charge of \$0.25 for the first one hundred (100) pages of information photocopied. If the cost of providing these items exceeds \$25.00, please contact our office prior to completing this request.

If the information is not immediately available, the ACLU of Minnesota will expect a written acknowledgement of the request within ten (10) business days.

If an acknowledgement is not received within that period, it will be assumed that the request has been denied, and appropriate action will be taken. Please contact our law clerk, Jessica Davis, at (414) 736-0993 if you have any questions regarding this request.

Thank you for your cooperation.

Sincerely,  
Teresa Nelson  
Legal Counsel

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Ada Police Department	MUNICIPAL		N	Y	Y	
Adams Police Department	MUNICIPAL		N			
Adrian Police Department	MUNICIPAL		N			
Airport Police Department	OTHER		Y	Y	Y	X
Aitkin County Sheriff	COUNTY		Y	Y	Y	
Akeley Police Department	MUNICIPAL		Y	Y	Y	X
Albany Police Department	MUNICIPAL		Y	Y	Y	
Albert Lea Police Department	MUNICIPAL		Y	Y	Y	X
Alden Police Department	MUNICIPAL		N			
Alexandria Police Department	MUNICIPAL		Y	Y	Y	X
Amboy/Vernon Police Department	MUNICIPAL		Y	Y	Y	X
Annandale Police Department	MUNICIPAL		Y	Y	Y	X
Anoka County Park Police Department	OTHER		N			
Anoka County Sheriff	COUNTY		Y	Y	Y	X
Anoka Police Department	MUNICIPAL		Y	Y	Y	X
Apple Valley Police Department	MUNICIPAL		Y	Y	Y	X
Appleton Police Department	MUNICIPAL		Y	Y	Y	
Arlington/Green Isle Police Department	MUNICIPAL		N			
Ashby Police Department	MUNICIPAL		Y	Y	Y	X
Atwater Police Department	MUNICIPAL		N			
Audubon Police Department	MUNICIPAL		N			
Austin Police Department	MUNICIPAL		Y	Y	Y	X
Avon Police Department	MUNICIPAL		Y	Y	Y	X
Babbitt Police Department	MUNICIPAL		Y	Y	Y	
Backus Police Department	MUNICIPAL		N			
Bagley Police Department	MUNICIPAL		Y	Y	Y	X
Balaton Police Department	MUNICIPAL		N			
Barnesville Police Department	MUNICIPAL		Y	Y	Y	X
Battle Lake Police Department	MUNICIPAL		Y	Y	Y	X
Baxter Police Department	MUNICIPAL		Y	Y	Y	X
Bayport Police Department	MUNICIPAL		Y	Y	Y	X
Becker County Sheriff	COUNTY		Y	Y	Y	X
Becker Police Department	MUNICIPAL		Y	Y	Y	X
Belgrade Police Department	MUNICIPAL		Y	Y	Y	X
Belle Plaine Police Department	MUNICIPAL		Y	Y	Y	X
Beltrami County Sheriff	COUNTY		Y	Y	Y	X
Bemidji Police Department	MUNICIPAL		Y	Y	Y	
Benson Police Department	MUNICIPAL		Y	Y	Y	X
Benton County Sheriff - Patrol	COUNTY		Y	Y	Y	X
Bertha Police Department	MUNICIPAL		Y	Y	Y	X
Big Lake Police Department	MUNICIPAL		Y	Y	Y	

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Big Stone County Sheriff	COUNTY		Y	Y	Y	X
Bigfork Police Department	MUNICIPAL					
Bird Island Police Department	MUNICIPAL		Y	Y	Y	X
Biwabik Police Department	MUNICIPAL		Y			
Blackduck Police Department	MUNICIPAL		Y	Y	Y	X
Blaine Police Department	MUNICIPAL		Y	Y	Y	X
Bloomington Police Department	MUNICIPAL		Y	Y	Y	X
Blue Earth County Sheriff	COUNTY		Y	Y	Y	X
Blue Earth Police Department	MUNICIPAL		Y	Y	Y	
Bovey Police Department	MUNICIPAL		Y	Y	Y	X
Braham Police Department	MUNICIPAL		Y	Y	Y	X
Brainerd Police Department	MUNICIPAL		Y	Y	Y	X
Brandon Police Department	MUNICIPAL		N			
Breckenridge Police Department	MUNICIPAL		Y	Y	Y	X
Breezy Point Police Department	MUNICIPAL		Y	Y	Y	X
Breitung Police Department	MUNICIPAL		N			
Brooklyn Center Police Department	MUNICIPAL		Y	Y	Y	X
Brooklyn Park Police Department	MUNICIPAL		Y	Y	Y	X
Brooten Police Department	MUNICIPAL	X				
Brown County Sheriff	COUNTY		Y	Y	Y	X
Browns Valley Police Department	MUNICIPAL		Y			
Brownsdale Police Department	MUNICIPAL		N			
Brownton Police Department	MUNICIPAL		Y	Y	Y	X
Buffalo Lake Police Department	MUNICIPAL					
Buffalo Police Department	MUNICIPAL		Y	Y	Y	X
Burnsville Police Department	MUNICIPAL		Y	Y	Y	X
Caledonia Police Department	MUNICIPAL		Y	Y	Y	X
Callaway/Ogema Police Department	MUNICIPAL					
Cambridge Police Department	MUNICIPAL		Y	Y	Y	X
Canby Police Department	MUNICIPAL		Y	Y	Y	X
Cannon Falls Police Department	MUNICIPAL		Y	Y	Y	X
Carlos Police Department	MUNICIPAL		Y			
Carlton County Sheriff	COUNTY			Y	Y	X
Carver County Sheriff	COUNTY		Y	Y	Y	X
Cass County Sheriff	COUNTY		Y	Y	Y	
Cass Lake Police Department	MUNICIPAL	X				
Centennial Lakes Police Department	MUNICIPAL		Y	Y	Y	X
Champlin Police Department	MUNICIPAL		Y	Y	Y	X
Chaska Police Department	MUNICIPAL		Y	Y	Y	X
Chatfield Police Department	MUNICIPAL					
Chippewa County Sheriff	COUNTY		Y	Y	Y	

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Chisago County Sheriff and Rush City and Taylor Falls Police Depts	COUNTY		Y	Y	Y	X
Chisholm Police Department	MUNICIPAL		Y	Y	Y	X
Clara City Police Department	MUNICIPAL		Y	Y	Y	X
Clarkfield Police Department	MUNICIPAL		Y	Y	Y	X
Clay County Sheriff	COUNTY		Y		Y	
Clearbrook - Gonvick Police Department	MUNICIPAL		Y	Y	Y	X
Clearwater County Sheriff	COUNTY		Y	Y	Y	X
Cleveland Police Department	MUNICIPAL		Y	Y	Y	X
Climax Police Department	MUNICIPAL		N			
Cloquet Police Department	MUNICIPAL		Y	Y	Y	
Cold Spring Police Department	MUNICIPAL		Y	Y	Y	X
Coleraine Police Department	MUNICIPAL		Y	Y	Y	X
Columbia Heights Police Department	MUNICIPAL		Y	Y	Y	X
Comfrey Police Department	MUNICIPAL		Y	Y	Y	X
Cook County Sheriff	COUNTY		Y	Y	Y	X
Cook Police Department	MUNICIPAL		Y	Y	Y	
Coon Rapids Police Department	MUNICIPAL		Y	Y	Y	X
Corcoran Police Department	MUNICIPAL		Y	Y	Y	X
Cosmos Police Department	MUNICIPAL		Y	Y	Y	X
Cottage Grove Police Department	MUNICIPAL		Y	Y	Y	X
Cottonwood County Sheriff	COUNTY		Y	Y	Y	X
Crookston Police Department	MUNICIPAL		N	Y	Y	X
Crosby Police Department	MUNICIPAL		Y	Y	Y	X
Crosslake Police Department	MUNICIPAL		Y	Y	Y	X
Crow Wing County Sheriff's Office	COUNTY		Y	Y	Y	X
Crystal Police Department	MUNICIPAL		Y	Y	Y	X
Cuyuna Police Department	MUNICIPAL		Y			
Cyrus Police Department	MUNICIPAL		Y	Y	Y	X
Dakota County Sheriff	COUNTY		Y	Y	Y	X
Danube Police Department	MUNICIPAL		N			
Dawson Police Department	MUNICIPAL		Y	Y	Y	X
Dayton Police Department	MUNICIPAL		Y	Y	Y	X
Deephaven/Woodland Police Department	MUNICIPAL		Y	Y	Y	X
Deer River Police Department	MUNICIPAL					
Deerwood Police Department	MUNICIPAL		Y	Y	Y	X
Detroit Lakes Police Department	MUNICIPAL		Y	Y	Y	X
Dilworth Police Department	MUNICIPAL		Y	Y	Y	X
Dodge County Sheriff	COUNTY		Y	Y	Y	X
Douglas County Sheriff	COUNTY		Y	Y	Y	X
Duluth Police Department	MUNICIPAL		Y	Y	Y	X

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Duluth Township Police Department	MUNICIPAL		Y	Y	Y	X
Dundas Police Department	MUNICIPAL		Y	Y	Y	X
Dunnell Police Department	MUNICIPAL		N			
Eagan Police Department	MUNICIPAL		Y	Y	Y	X
Eagle Bend Police Department	MUNICIPAL		Y	Y	Y	
Eagle Lake Police Department	MUNICIPAL		Y	Y	Y	X
East Grand Forks Police Department	MUNICIPAL		Y	Y	Y	X
Echo Police Department	MUNICIPAL		Y	Y	Y	X
Eden Prairie Police Department	MUNICIPAL		Y	Y	Y	X
Eden Valley Police Department	MUNICIPAL		Y	Y	Y	X
Edina Police Department	MUNICIPAL		Y	Y	Y	X
Elbow Lake Police Department	MUNICIPAL		Y	Y	Y	X
Elgin Police Department	MUNICIPAL	X				
Elk River Police Department	MUNICIPAL		Y	Y	Y	X
Elko Police Department	MUNICIPAL		Y	Y	Y	X
Elmore Police Department	MUNICIPAL		Y	Y	Y	X
Ely Police Department	MUNICIPAL		Y	Y	Y	X
Emily Police Department	MUNICIPAL		Y	Y	Y	X
Erskine Police Department	MUNICIPAL		N			
Evansville Police Department	MUNICIPAL	X				
Eveleth Police Department	MUNICIPAL		Y	Y	Y	X
Fairfax Police Department	MUNICIPAL		Y	Y	Y	
Fairmont Police Department	MUNICIPAL		Y	Y	Y	X
Faribault County Sheriff	COUNTY		Y	Y	Y	X
Faribault Police Department	MUNICIPAL		Y	Y	Y	X
Farmington Police Department	MUNICIPAL		Y	Y	Y	X
Fayal Township Police Department	MUNICIPAL		N	Y	Y	
Fergus Falls Police Department	MUNICIPAL		Y	Y	Y	X
Fillmore County Sheriff	COUNTY		Y	Y	Y	X
Fisher Police Department	MUNICIPAL		N			
Floodwood Police Department	MUNICIPAL		N			
Fond Du Lac Police Department	MUNICIPAL					
Forest Lake Police Department	MUNICIPAL		Y	Y	Y	X
Fountain Police Department	MUNICIPAL		Y			
Franklin Police Department	MUNICIPAL				Y	
Frazee Police Department	MUNICIPAL		Y	Y	Y	X
Freeborn County Sheriff	COUNTY		Y	Y	Y	X
Fridley Police Department	MUNICIPAL		Y	Y	Y	X
Fulda Police Department	MUNICIPAL		Y	Y	Y	
Gaylord Police Department	MUNICIPAL		Y	Y	Y	
Gibbon Police Department	MUNICIPAL					

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Gilbert Police Department	MUNICIPAL		Y	Y	Y	X
Glencoe Police Department	MUNICIPAL		Y	Y		
Glenwood Police Department	MUNICIPAL		Y	Y	Y	X
Glyndon Police Department	MUNICIPAL		Y	Y	Y	X
Golden Valley Police Department	MUNICIPAL		Y	Y	Y	X
Good Thunder Police Department	MUNICIPAL		Y	Y	Y	X
Goodhue County Sheriff	COUNTY		Y	Y	Y	X
Goodhue Police Department	MUNICIPAL		Y	Y		
Goodview Police Department	MUNICIPAL		Y	Y	Y	X
Grand Meadow Police Department	MUNICIPAL					
Grand Rapids Police Department	MUNICIPAL		Y	Y	Y	X
Granite Falls Police Department	MUNICIPAL		Y	Y	Y	
Grant County Sheriff	COUNTY		Y	Y	Y	X
Greenbush Police Department	MUNICIPAL		N		Y	
Grey Eagle Police Department	MUNICIPAL	X				
Grove City Police Department	MUNICIPAL	X				
Hackensack Police Department	MUNICIPAL	X				
Hallock Police Department	MUNICIPAL		N			
Hancock Police Department	MUNICIPAL		Y	Y	Y	X
Hastings Police Department	MUNICIPAL		Y	Y	Y	X
Hawley Police Department	MUNICIPAL		Y	Y	Y	X
Hector Police Department	MUNICIPAL		Y	Y	Y	X
Henderson Police Department	MUNICIPAL		Y	Y	Y	X
Hendricks Police Department	MUNICIPAL					
Hendrum Police Department	MUNICIPAL					
Hennepin County Sheriff	COUNTY		Y	Y	Y	X
Henning Police Department	MUNICIPAL		Y	Y	Y	X
Hermantown Police Department	MUNICIPAL		Y	Y	Y	X
Heron Lake/Okabena Police Department	MUNICIPAL		N			
Hibbing Police Department	MUNICIPAL		Y	Y	Y	X
Hill City Police Department	MUNICIPAL		Y	Y	Y	X
Hokah Police Department	MUNICIPAL		N			
Hopkins Police Department	MUNICIPAL		Y	Y	Y	X
Houston County Sheriff	COUNTY		Y	Y	Y	X
Houston Police Department	MUNICIPAL		Y	Y	Y	
Howard Lake Police Department	MUNICIPAL		Y	Y	Y	X
Hoyt Lakes Police Department	MUNICIPAL			Y	Y	X
Hubbard County Sheriff	COUNTY					
Hutchinson Police Department	MUNICIPAL		Y	Y	Y	X
International Falls Police Department	MUNICIPAL		Y		Y	X
Inver Grove Heights Dept of Public Safety	MUNICIPAL		Y	Y	Y	X

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Isanti County Sheriff	COUNTY		Y	Y	Y	X
Isanti Police Department	MUNICIPAL		Y	Y	Y	X
Isle Police Department	MUNICIPAL					
Itasca County Sheriff	COUNTY		Y	Y	Y	
Ivanhoe Police Department	MUNICIPAL		Y		Y	
Jackson County Sheriff	COUNTY		Y	Y	Y	X
Jackson Police Department	MUNICIPAL		Y	Y	Y	
Janesville Police Department	MUNICIPAL		Y	Y	Y	X
Jordan Police Department	MUNICIPAL		Y	Y	Y	X
Kanabec County Sheriff	COUNTY		Y	Y	Y	X
Kandiyohi County Sheriff	COUNTY		Y	Y	Y	X
Kasson Police Department	MUNICIPAL		Y	Y	Y	X
Keewatin Police Department	MUNICIPAL		N			
Kimball Police Department	MUNICIPAL		Y	Y	Y	
Kittson County Sheriff	COUNTY		Y	Y	Y	
Koochiching County Sheriff	COUNTY		Y	Y	Y	X
La Crescent Police Department	MUNICIPAL		Y	Y	Y	X
Lac qui Parle County Sheriff	COUNTY		Y			
Lake Benton Police Department	MUNICIPAL		Y	Y	Y	X
Lake City Police Department	MUNICIPAL		Y	Y	Y	X
Lake County Sheriff	COUNTY		Y	Y	Y	X
Lake Crystal Police Department	MUNICIPAL		Y	Y	Y	X
Lake Of The Woods County Sheriff	COUNTY		N			
Lake Park Police Department	MUNICIPAL		N			
Lake Shore Police Department	MUNICIPAL		Y	Y	Y	X
Lakefield Police Department	MUNICIPAL		Y	Y	Y	X
Lakes Area Police Department	MUNICIPAL		Y	Y	Y	X
Lakeville Police Department	MUNICIPAL		Y	Y	Y	X
Lamberton Police Department	MUNICIPAL		Y	Y	Y	X
Le Center Police Department	MUNICIPAL		Y	Y	Y	X
Lester Prairie Police Department	MUNICIPAL		Y	Y	Y	X
LeSueur County Sheriff	COUNTY		Y	Y	Y	X
LeSueur Police Department	MUNICIPAL		Y	Y	Y	
Lewiston Police Department	MUNICIPAL		Y	Y	Y	X
Lincoln County Sheriff	COUNTY		N			
Lino Lakes Police Department	MUNICIPAL		Y	Y	Y	X
Litchfield Police Department	MUNICIPAL		Y	Y	Y	
Little Falls Police Department	MUNICIPAL		Y	Y	Y	X
Long Prairie Police Department	MUNICIPAL		Y	Y	Y	X
Longville Police Department	MUNICIPAL		N			
Lonsdale Police Department	MUNICIPAL		Y	Y	Y	X



APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Lowry Police Department	MUNICIPAL		N			
Lyon County Sheriff	COUNTY		Y	Y	Y	X
Madelia Police Department	MUNICIPAL		Y	Y	Y	X
Madison Lake Police Department	MUNICIPAL					
Madison Police Department	MUNICIPAL	X				
Mahnomen County Sheriff	COUNTY		Y	Y	Y	X
Mankato Department Of Public Safety	MUNICIPAL		Y	Y	Y	
Maple Grove Police Department	MUNICIPAL		N			
Mapleton Police Department	MUNICIPAL		Y	Y	Y	X
Mapleview/Lyle Police Department	MUNICIPAL		Y			
Maplewood Police Department	MUNICIPAL		Y	Y	Y	
Marshall County Sheriff	COUNTY		N			
Marshall Police Department	MUNICIPAL		Y	Y	Y	X
Martin County Sheriff	COUNTY		Y		Y	X
Mcgregor Police Department	MUNICIPAL		Y			
McLeod County Sheriff	COUNTY		Y	Y	Y	X
Medina Police Department	MUNICIPAL		Y	Y	Y	X
Meeker County Sheriff	COUNTY		Y	Y	Y	X
Melrose Police Department	MUNICIPAL		Y	Y	Y	X
Menahga Police Department	MUNICIPAL		Y	Y	Y	X
Mendota Heights Police Department	MUNICIPAL		Y	Y	Y	X
Mentor Police Department	MUNICIPAL	X				
Metropolitan Transit Police Department	OTHER		Y	Y	Y	X
Milaca Police Department	MUNICIPAL		Y	Y	Y	X
Mille Lacs County Sheriff	COUNTY		Y	Y	Y	X
Minneapolis Park Police Department	OTHER		Y	Y	Y	X
Minneapolis Police Department	MUNICIPAL		Y	Y	Y	X
Minneota Police Department	MUNICIPAL		Y	Y	Y	X
Minnesota State Fair Police Department	OTHER		Y	Y	Y	X
Minnesota State Patrol	OTHER		Y	Y	Y	X
Minnnetonka Police Department	MUNICIPAL		N	Y	Y	X
Minnetrista Public Safety Department	MUNICIPAL		Y	Y	Y	X
MNDOC - Fugitive Apprehension Unit	OTHER		Y	Y	Y	
Montevideo Police Department	MUNICIPAL		Y	Y	Y	X
Montgomery Police Department	MUNICIPAL		Y	Y	Y	X
Moorhead Police Department	MUNICIPAL		Y	Y	Y	X
Moose Lake Police Department	MUNICIPAL		Y			
Mora Police Department	MUNICIPAL		Y	Y	Y	
Morgan Police Department	MUNICIPAL		Y	Y	Y	X
Morris Police Department	MUNICIPAL		Y	Y	Y	X
Morrison County Sheriff	COUNTY		Y	Y	Y	X

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Morristown Police Department	MUNICIPAL		Y	Y	Y	X
Morton Police Department	MUNICIPAL					
Motley Police Department	MUNICIPAL		Y		Y	X
Mound Police Department	MUNICIPAL		Y	Y	Y	X
Mounds View Police Department	MUNICIPAL		Y	Y	Y	X
Mountain Lake Police Department	MUNICIPAL		N		Y	
Mower County Sheriff	COUNTY		Y	Y	Y	X
Murray County Sheriff	COUNTY		Y	Y	Y	X
Nashwauk Police Department	MUNICIPAL		Y	Y	Y	X
Nett Lake Police Department	MUNICIPAL	X				
Nevis Department	MUNICIPAL		N			
New Brighton Police Department	MUNICIPAL		Y		Y	X
New Hope Police Department	MUNICIPAL		Y			
New Prague Police Department	MUNICIPAL		Y	Y	Y	X
New Richland Police Department	MUNICIPAL					
New Ulm Police Department	MUNICIPAL		Y	Y	Y	X
New York Mills Police Department	MUNICIPAL		Y	Y	Y	X
Newport Police Department	MUNICIPAL		Y	Y	Y	X
Nicollet County Sheriff	COUNTY		Y	Y	Y	X
Nisswa Police Department	MUNICIPAL		Y		Y	
Nobles County Sheriff	COUNTY		N	Y	Y	
Norman County Sheriff	COUNTY		Y			
North Branch Police Department	MUNICIPAL		Y	Y	Y	X
North Mankato Police Department	MUNICIPAL		Y	Y	Y	X
North St. Paul Police Department	MUNICIPAL		Y	Y	Y	X
Northfield Police Department	MUNICIPAL		Y	Y	Y	X
Oak Park Heights Police Department	MUNICIPAL		Y	Y	Y	X
Oakdale Police Department	MUNICIPAL		Y	Y	Y	X
Olivia Police Department	MUNICIPAL		Y	Y	Y	X
Olmsted County Sheriff	COUNTY		Y	Y	Y	X
Onamia Police Department	MUNICIPAL			Y	Y	X
Orono Police Department	MUNICIPAL		Y	Y	Y	X
Ortonville Police Department	MUNICIPAL		N			
Osakis Police Department	MUNICIPAL		Y		Y	X
Osseo Police Department	MUNICIPAL		Y	Y	Y	X
Ostrander Police Department	MUNICIPAL		N		Y	
Otter Tail County Sheriff	COUNTY		Y	Y	Y	X
Owatonna Police Department	MUNICIPAL		Y	Y	Y	X
Park Rapids Police Department	MUNICIPAL		Y			
Parkers Prairie Police Department	MUNICIPAL		Y	Y	Y	X
Paynesville Police Department	MUNICIPAL		Y	Y	Y	X

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Pelican Rapids Police Department	MUNICIPAL		Y	Y	Y	X
Pennington County Sheriff	COUNTY		Y			
Pequot Lakes Police Department	MUNICIPAL		Y	Y	Y	X
Perham Police Department	MUNICIPAL		Y		Y	
Pierz Police Department	MUNICIPAL		Y		Y	X
Pike Bay Police Department	MUNICIPAL		N			
Pillager Police Department	MUNICIPAL				Y	
Pine County Sheriff	COUNTY		Y	Y	Y	X
Pine River Police Department	MUNICIPAL		Y	Y	Y	X
Pipestone County Sheriff	COUNTY		Y	Y	Y	
Plainview Police Department	MUNICIPAL		Y		Y	
Plymouth Police Department	MUNICIPAL		Y	Y	Y	
Polk County Sheriff	COUNTY		Y	Y	Y	X
Pope County Sheriff	COUNTY		Y	Y	Y	X
Preston Police Department	MUNICIPAL		Y	Y	Y	X
Princeton Police Department	MUNICIPAL		Y	Y	Y	X
Prior Lake Police Department	MUNICIPAL		N			
Proctor Police Department	MUNICIPAL		Y		Y	X
Ramsey City Police Department	MUNICIPAL		Y	Y	Y	X
Ramsey County Sheriff	COUNTY		Y	Y	Y	X
Randall Police Department	MUNICIPAL				Y	
Red Lake County Sheriff	COUNTY		Y	Y	Y	X
Red Lake Police Department	MUNICIPAL	X				
Red Wing Police Department	MUNICIPAL		Y	Y	Y	X
Redwood County Sheriff	COUNTY		Y	Y	Y	X
Redwood Falls Police Department	MUNICIPAL		Y	Y	Y	X
Renville County Sheriff	COUNTY		Y	Y	Y	
Renville Police Department	MUNICIPAL		Y	Y	Y	X
Rice County Sheriff	COUNTY		Y	Y	Y	X
Rice Police Department	MUNICIPAL		Y	Y	Y	X
Richfield Department Of Public Safety	MUNICIPAL		Y	Y	Y	X
Richmond Police Department	MUNICIPAL	X				
Robbinsdale Police Department	MUNICIPAL		Y	Y	Y	X
Rochester Police Department	MUNICIPAL		Y	Y	Y	X
Rock County Sheriff	COUNTY		N		Y	
Rogers Police Department	MUNICIPAL		N	Y	Y	
Roseau City Police Department	MUNICIPAL		Y	Y	Y	X
Roseau County Sheriff	COUNTY		Y	Y	Y	X
Rosemount Police Department	MUNICIPAL		Y	Y	Y	X
Roseville Police Department	MUNICIPAL		Y		Y	X
Royalton Police Department	MUNICIPAL			Y	Y	

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Rush City Police Department, C/O						
Chisago County Sheriff's Department	MUNICIPAL	X				
Rushford Police Department	MUNICIPAL		Y	Y	Y	X
Sacred Heart Police Department	MUNICIPAL		Y	Y	Y	
Sartell Police Department	MUNICIPAL		Y	Y	Y	X
Sauk Centre Police Department	MUNICIPAL		Y	Y	Y	
Sauk Rapids Police Department	MUNICIPAL		Y	Y	Y	X
Savage Police Department	MUNICIPAL		Y	Y	Y	X
Scott County Sheriff	COUNTY		Y	Y	Y	X
Sebeka Police Department	MUNICIPAL		Y	Y	Y	X
Shakopee Police Department	MUNICIPAL		Y	Y	Y	X
Sherburn/Welcome Police Department	MUNICIPAL		N			
Sherburne County Sheriff - Patrol Division	COUNTY		Y	Y	Y	
Sibley County Sheriff	COUNTY		Y	Y	Y	X
Silver Bay Police Department	MUNICIPAL					
Silver Lake Police Department	MUNICIPAL		Y	Y	Y	X
Slayton Police Department	MUNICIPAL		Y			
Sleepy Eye Police Department	MUNICIPAL		Y	Y	Y	X
South Lake Minnetonka Police Department	MUNICIPAL		Y	Y	Y	X
South St. Paul Police Department	MUNICIPAL		Y	Y	Y	X
Spring Grove Police Department	MUNICIPAL		Y	Y	Y	X
Spring Lake Park Police Department	MUNICIPAL		Y	Y	Y	X
Springfield Police Department	MUNICIPAL		Y			
St. Anthony Police Department	MUNICIPAL		Y	Y	Y	X
St. Charles Police Department	MUNICIPAL		Y	Y	Y	X
St. Cloud Police Department	MUNICIPAL		Y			
St. Francis Police Department	MUNICIPAL		Y	Y	Y	X
St. James Police Department	MUNICIPAL		Y	Y	Y	
St. Joseph Police Department	MUNICIPAL		Y	Y	Y	
St. Louis County Sheriff	COUNTY		Y	Y	Y	X
St. Louis Park Police Department	MUNICIPAL		Y	Y	Y	X
St. Paul Park Police Department	MUNICIPAL		Y	Y	Y	X
St. Paul Police Department	MUNICIPAL		Y	Y	Y	X
St. Peter Police Department	MUNICIPAL		Y	Y	Y	X
Staples Police Department	MUNICIPAL		Y	Y	Y	X
Starbuck Police Department	MUNICIPAL		Y	Y	Y	X
Stearns County Sheriff	COUNTY		Y	Y	Y	X
Steele County Sheriff	COUNTY		Y	Y	Y	X
Stevens County Sheriff	COUNTY		Y	Y	Y	X
Stewart Police Department	MUNICIPAL	X				
Stillwater Police Department	MUNICIPAL		Y	Y	Y	X

APPENDIX B

INDEX OF LAW ENFORCEMENT AGENCIES RECEIVING DATA REQUESTS / RESPONDING TO DATA REQUEST

DEPARTMENT	TYPE	INACTIVE	USES TASERS?	TASER USE POLICY SENT?	USE OF FORCE CONTINUUM SENT?	TRAINING MATERIALS SENT?
Stillwater Township Police Department	MUNICIPAL		N		Y	
Swift County Sheriff	COUNTY		Y		Y	X
Taylor's Falls Police Department	MUNICIPAL	X				
Thief River Falls Police Department	MUNICIPAL		Y	Y	Y	X
Thomson Township Police Department	MUNICIPAL		N			
Todd County Sheriff	COUNTY		Y	Y	Y	X
Tracy Police Department	MUNICIPAL		Y	Y	Y	X
Traverse County Sheriff	COUNTY		Y		Y	X
Tri-City Police Department	MUNICIPAL		Y		Y	X
Trimont Police Department	MUNICIPAL		Y	Y	Y	X
Truman Police Department	MUNICIPAL					
Twin Valley Police Department	MUNICIPAL		N			
Two Harbors Police Department	MUNICIPAL		Y	Y	Y	X
Tyler Police Department	MUNICIPAL		Y		Y	X
U Of M - Morris Police Department	OTHER		Y	Y	Y	X
U Of M Crookston Police Department	OTHER		N			
University Of Minnesota - Twin Cities Police Department	OTHER		Y	Y	Y	X
University Of Mn-Duluth Police Department	OTHER		Y	Y	Y	X
Verndale Police Department	MUNICIPAL		Y	Y	Y	X
Virginia Police Department	MUNICIPAL		Y	Y	Y	
Wabasha County Sheriff	COUNTY		Y	Y	Y	X
Wabasha Police Department	MUNICIPAL		Y	Y	Y	X
Wabasso Police Department	MUNICIPAL		Y			
Wadena County Sheriff	COUNTY					
Wadena Police Department	MUNICIPAL			Y	Y	X
Waite Park Police Department	MUNICIPAL		Y	Y	Y	X
Walker Police Department	MUNICIPAL		Y			
Walnut Grove Police Department	MUNICIPAL		Y	Y	Y	X
Warroad Police Department	MUNICIPAL		Y	Y	Y	
Waseca County Sheriff	COUNTY		Y		Y	X
Waseca Police Department	MUNICIPAL		Y		Y	X
Washington County Sheriff - Police Div	COUNTY		Y		Y	X
Waterville Police Department	MUNICIPAL			Y	Y	X
Watkins Police Department	MUNICIPAL		Y	Y	Y	
Watonwan County Sheriff	COUNTY		Y	Y	Y	X
Waubun Police Department	MUNICIPAL		N			
Wayzata Police Department	MUNICIPAL		Y	Y	Y	X
Wells Police Department	MUNICIPAL		Y		Y	X
West Concord Police Department	MUNICIPAL		Y		Y	X
West St. Paul Police Department	MUNICIPAL		Y	Y	Y	X



## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flam-Mable	Fall	Heart / Resp	Sensi-Tive
Ada Police Department	Y				F				F	R		F
Adams Police Department												
Adrian Police Department												
Airport Police Department	Y								F			
Aitkin County Sheriff	Y		R		R				F	F		F
Akeley Police Department	Y				R				F			R
Albany Police Department	Y	A	R		R			R	F	R		R
Albert Lea Police Department	Y				R	R				R		R
Alden Police Department												
Alexandria Police Department	Y								F	F		R
Amboy/Vernon Police Department	Y		R	R	R	R			F	R		R
Annandale Police Department	Y								R			
Anoka County Park Police Department												
Anoka County Sheriff	Y				R				F			R
Anoka Police Department	Y	A	R		R			F	F	F		R
Apple Valley Police Department	Y			R	R	R			R	R		
Appleton Police Department	Y				R				F	R		R
Arlington/Green Isle Police Department												
Ashby Police Department	Y		R		F				F	F		F
Atwater Police Department												
Audubon Police Department												
Austin Police Department	Y		R	R	R	R		R	F			R
Avon Police Department	Y	A	R		R				F	F		R
Babbitt Police Department	Y			R	R				F		R	R
Backus Police Department												
Bagley Police Department	Y	A							F	F		R
Balaton Police Department												
Barnesville Police Department	Y		R		R			F	F			
Battle Lake Police Department	Y				R			F	F			R
Baxter Police Department	Y	A	R		R			F	F	F		R
Bayport Police Department	Y				R			F	R			R
Becker County Sheriff	Y		R		R			F	F			
Becker Police Department	Y		R		R			F	F			
Belgrade Police Department	Y	A	R		R		R	R	F	R		R
Belle Plaine Police Department	Y		R		R			F	F	R		R
Beltrami County Sheriff	Y	R	R	R	R	R			R	F		R
Bemidji Police Department	Y	A	R		R			F	F	F		R
Benson Police Department	Y			R	R	R			F	R		F
Benton County Sheriff - Patrol	Y	A	R		R			F	F	F		R
Bertha Police Department	Y								F	R		R
Big Lake Police Department	Y		R	R		R		F	F	F		R

## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Big Stone County Sheriff	Y	A			R				R			
Bird Island Police Department	Y				R				F			R
Biwabik Police Department												
Blackduck Police Department	Y	R	R	R	F	R			F	F		R
Blaine Police Department	Y	A	R					F	F			R
Bloomington Police Department	Y											
Blue Earth County Sheriff	Y	A	R	R	R	R				R		R
Blue Earth Police Department	Y											
Bovey Police Department	Y	A	F						F			R
Braham Police Department	Y				R		R	F	F	F		R
Brainerd Police Department	Y	A	R		R			F	F	F		F
Brandon Police Department												
Breckenridge Police Department	Y								F			
Breezy Point Police Department	Y	A	R		R			F	F	F		R
Breitung Police Department												
Brooklyn Center Police Department	Y				R				F			
Brooklyn Park Police Department	Y											
Brown County Sheriff	Y	A										R
Browns Valley Police Department												
Brownsdale Police Department												
Brownnton Police Department	Y				R				R	R		R
Buffalo Police Department	Y	A	R	R	R			F	F	F		R
Burnsville Police Department	Y								R			R
Caledonia Police Department	Y								F			R
Callaway/Ogema Police Department												
Cambridge Police Department	Y	A								R		
Canby Police Department	Y											
Cannon Falls Police Department	Y	A			R				R	R		R
Carlos Police Department												
Carlton County Sheriff	Y	A	R		R				F	F		R
Carver County Sheriff	Y	R	R		R				R	R	R	R
Cass County Sheriff	Y											
Centennial Lakes Police Department	Y	A	R		R			R	R	R		R
Champlin Police Department	Y								R			R
Chaska Police Department	Y		R		R			A	F	F		R
Chippewa County Sheriff	Y				R				R	R		R
Chisago County Sheriff and Rush												
City and Taylor Falls Police Depts	Y											R
Chisholm Police Department	Y	A	R					R	R	R		R
Clara City Police Department	Y				R				R	R		R
Clarkfield Police Department	Y				R				F	R		F



## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Clay County Sheriff												
Clearbrook - Gonvick												
Police Department	Y	A	R		R			F	F	F		R
Clearwater County Sheriff	Y	A	R		R				R	R		R
Cleveland Police Department	Y				R				F			F
Climax Police Department												
Cloquet Police Department	Y	A	R		R					F		F
Cold Spring Police Department	Y	A	R				R	R	R			R
Coleraine Police Department	Y	A	R		R				R	R		R
Columbia Heights Police Department	Y		R		R			F	F			
Comfrey Police Department	Y											
Cook County Sheriff	Y	R	R	R	R			R	R			R
Cook Police Department	Y		R		R				F	F		R
Coon Rapids Police Department	Y		F					F	F			
Corcoran Police Department	Y		R	R				R	R	R		
Cosmos Police Department	Y											
Cottage Grove Police Department	Y											R
Cottonwood County Sheriff	Y	A			R				R	R		R
Crookston Police Department	Y	A	R		R				R	R		R
Crosby Police Department	Y	A	R		F			F	F	F		
Crosslake Police Department	Y	A	R		R			F	F	R		R
Crow Wing County Sheriff's Office	Y	A	R		R			F	F	R		R
Crystal Police Department	Y											
Cuyuna Police Department												
Cyrus Police Department	Y	R	R	R	R	R		F	F	F		
Dakota County Sheriff	Y	R	R	R	F	R			F	F		F
Danube Police Department												
Dawson Police Department	Y			R	F	R			F	R		R
Dayton Police Department	Y		R		R			F	F	F		R
Deephaven/Woodland												
Police Department	Y		R	R	R	R		R	R	R		F
Deerwood Police Department	Y	A	R		R			F	F	F		R
Detroit Lakes Police Department	Y											
Dilworth Police Department	Y											
Dodge County Sheriff	Y				R				F	F		
Douglas County Sheriff	Y											
Duluth Police Department	Y		R	R	R	R			R	R		
Duluth Township Police Department	Y		R		R				F	F		F
Dundas Police Department	Y		R	R	R	R			R	R		
Dunnell Police Department												
Eagan Police Department	Y	R							F	R		A

## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Eagle Bend Police Department	Y	A	R				F	R	F			F
Eagle Lake Police Department	Y	A	R	R	R	R			F	F		R
East Grand Forks Police Department	Y	A	R		R				F	F		R
Echo Police Department	Y				R				F	R		R
Eden Prairie Police Department	Y											
Eden Valley Police Department	Y		R		R			F	F			
Edina Police Department	Y			R	F	R			F	R		
Elbow Lake Police Department	Y								F			R
Elk River Police Department	Y		R		R			F	F			R
Elko Police Department	Y	R	R	R	F	R			F	F		R
Elmore Police Department	Y											
Ely Police Department	Y											R
Emily Police Department	Y	A	R		R			F	F	F		R
Erskine Police Department												
Eveleth Police Department	Y						R	R	R			
Fairfax Police Department	Y		A	R	R	R			F			F
Fairmont Police Department	Y	A		R	R	R			F	R		R
Fairbault County Sheriff	Y											
Fairbault Police Department	Y				R		R	F	R	R		R
Farmington Police Department	Y											
Fayal Township Police Department	Y											
Fergus Falls Police Department	Y											
Fillmore County Sheriff	Y		R	R	R	R			R	R		
Fisher Police Department												
Floodwood Police Department												
Fond Du Lac Police Department												
Forest Lake Police Department	Y								F			
Fountain Police Department												
Franklin Police Department												
Frazee Police Department	Y								F	R		R
Freeborn County Sheriff	Y	A	R		R				F	R		R
Fridley Police Department	Y								F			R
Fulda Police Department	Y	A										R
Gaylord Police Department	Y			R	R	R			R	R	R	
Gilbert Police Department	Y						F	R	F			
Glencoe Police Department	Y											
Glenwood Police Department	Y											
Glyndon Police Department	Y											
Golden Valley Police Department	Y		R	R	R	R		R	F			R
Good Thunder Police Department	Y											
Goodhue County Sheriff	Y	A	R		R				F	F		

APPENDIX C

TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Goodhue Police Department	Y	A	R		R				F	R		R
Goodview Police Department	Y	A	R	R	R	R				F		R
Grand Meadow Police Department												
Grand Rapids Police Department	Y	A	R		R				F	F		F
Granite Falls Police Department	Y				R				F	F		R
Grant County Sheriff	Y				R				R			R
Greenbush Police Department												
Hallock Police Department												
Hancock Police Department	Y		R	R	R	R				R		
Hastings Police Department	Y											
Hawley Police Department	Y				R				F			R
Hector Police Department	Y								F			R
Henderson Police Department	Y		R		R			F	F	F		R
Hendricks Police Department												
Hendrum Police Department												
Hennepin County Sheriff	Y				R			R	F	R		R
Henning Police Department	Y								F	R		R
Hermantown Police Department	Y		R		R				F	F		R
Heron Lake/Okabena Police Department												
Hibbing Police Department	Y		R	R	R	R			F	F	R	R
Hill City Police Department	Y		R		R					F		R
Hokah Police Department												
Hopkins Police Department	Y	A			R				F	F		R
Houston County Sheriff	Y		R		R			F	F	F		
Houston Police Department	Y									F		F
Howard Lake Police Department	Y											
Hoyt Lakes Police Department	Y											
Hubbard County Sheriff												
Hutchinson Police Department	Y		R		R			F	F	F		R
International Falls Police Department	Y						F	R	R			
Inver Grove Heights												
Dept of Public Safety	Y	F	R		R			F	F			R
Isanti County Sheriff	Y		R		R		F	F	F	R		F
Isanti Police Department	Y											
Itasca County Sheriff	Y	A	R		R				F	R		R
Ivanhoe Police Department												
Jackson County Sheriff	Y		R		R				F	F		R
Jackson Police Department	Y		R		R				F	F		R
Janesville Police Department	Y		R	R	R	R		F	F	F		R

Legend | A= Allowed | R=Restricted | F=Forbidden

## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Jordan Police Department	Y		R		R			F	F	F		R
Kanabec County Sheriff	Y											
Kandiyohi County Sheriff	Y	R	R		R			R	F	R		R
Kasson Police Department	Y											
Keewatin Police Department												
Kimball Police Department	Y	A		R	R	R			F	F		F
Kittson County Sheriff	Y											
Koochiching County Sheriff	Y						F	R	F			
La Crescent Police Department	Y	A	R		R				F	F		R
Lac qui Parle County Sheriff												
Lake Benton Police Department	Y											
Lake City Police Department	Y	A	R		R				F	F		R
Lake County Sheriff	Y	A	R		R				F	R		R
Lake Crystal Police Department	Y	A	R		R				F	F		
Lake Of The Woods County Sheriff												
Lake Park Police Department												
Lake Shore Police Department	Y	A	R					R	R			R
Lakefield Police Department	Y	A	R			R			F	F		F
Lakes Area Police Department	Y								F			R
Lakeville Police Department	Y	R		R	F	R		F	F	F		F
Lamberton Police Department	Y		R		R				F	R		R
Le Center Police Department	Y		R		R	R		F	F			
Lester Prairie Police Department	Y	A	R	R	R	R			F	F	F	
LeSueur County Sheriff	Y										R	
LeSueur Police Department	Y		R		R			F	F	F		R
Lewiston Police Department	Y								R			
Lincoln County Sheriff												
Lino Lakes Police Department	Y		R		R			F	F	F		R
Litchfield Police Department	Y		R	R	R	R		R	F			
Little Falls Police Department	Y				F				F			
Long Prairie Police Department	Y		R				F	R	F			F
Longville Police Department												
Lonsdale Police Department	Y								F			
Lowry Police Department												
Lyon County Sheriff	Y				R				R	R		
Madelia Police Department	Y		R	R	R	R		F	F	F		R
Mahnomen County Sheriff	Y	A			R				F	F		R
Mankato Department Of Public Safety	Y	A	R	R	R	R			F	R		R
Maple Grove Police Department												
Mapleton Police Department	Y		R	R	R	R		F	F	F		R

## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Mapleview/Lyle Police Department												
Maplewood Police Department	Y		R	R	R	R		F	F			R
Marshall County Sheriff												
Marshall Police Department	Y		R		R			F	F	R		R
Martin County Sheriff												
Mcgregor Police Department												
McLeod County Sheriff	Y	A			R				R	R		R
Medina Police Department	Y			R	R			R	F	R	R	
Meeker County Sheriff	Y		R		R			R	F			R
Melrose Police Department	Y	A			R				F	R		R
Menahga Police Department	Y	A			F				F	F		R
Mendota Heights Police Department	Y	A							F			R
Metropolitan Transit Police Department	Y	A	R	R	R	R			R	F	R	R
Milaca Police Department	Y	A	R	R	R				F	F		R
Mille Lacs County Sheriff	Y		R		R			F	F			R
Minneapolis Park Police Department	Y				R				F	R	R	R
Minneapolis Police Department	Y	R	R	R	R	R		F	F	F		
Minnesota Police Department	Y		R		F			F	F		R	
Minnesota State Fair Police Department	Y	A	R					F	F			F
Minnesota State Patrol	Y	R	R	R	R	R			R	R		R
Minnetonka Police Department	Y	A			R				R	R		R
Minnetrissa Public Safety Department	Y	R	R		F				F	R		R
MNDOC - Fugitive Apprehension Unit	Y		R	R	R				F	F		
Montevideo Police Department	Y	A		R	R	R			F	F		F
Montgomery Police Department	Y	A	R		R				F	R		R
Moorhead Police Department	Y											
Moose Lake Police Department												
Mora Police Department	Y	A	R		R			F	F	R		R
Morgan Police Department	Y		R		R				F	F		R
Morris Police Department	Y	A	R		R				F	F		R
Morrison County Sheriff	Y											
Morristown Police Department	Y			R	R				F	R	R	R
Motley Police Department												
Mound Police Department	Y								F	R		R
Mounds View Police Department	Y		R		R			F	F	F		R
Mountain Lake Police Department												
Mower County Sheriff	Y	R	R	R	R	R		R	F	F	R	R
Murray County Sheriff	Y								F			
Nashwauk Police Department	Y	A	R		R				F	F		R
Nevis Department												
New Brighton Police Department												

## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
New Hope Police Department												
New Prague Police Department	Y		R		R			F	F	F		R
New Richland Police Department												
New Ulm Police Department	Y	A	R		R				F	F		R
New York Mills Police Department	Y				F			F	F	F		R
Newport Police Department	Y	A	R		R				R	F		R
Nicollet County Sheriff	Y	A	R		R			F	F	F		R
Nisswa Police Department												
Nobles County Sheriff	Y	A	R		F			F	F	F		R
Norman County Sheriff												
North Branch Police Department	Y				R				F	R		R
North Mankato Police Department	Y		R		R				F			R
North St. Paul Police Department	Y				F	R			F	R		
Northfield Police Department	Y											R
Oak Park Heights Police Department	Y		R						R			
Oakdale Police Department	Y		R		F				F			F
Olivia Police Department	Y	A		R	R	R		A	F			
Olmsted County Sheriff	Y				R				F			
Onamia Police Department	Y		R	R	R				F	F		
Orono Police Department	Y	R	R	F	F	F		F	F	R		
Ortonville Police Department												
Osakis Police Department												
Osseo Police Department	Y	A	R		R			F	F	F		F
Ostrander Police Department												
Otter Tail County Sheriff	Y				R			F	F			R
Owatonna Police Department	Y		R	R	F	R		F	F			R
Park Rapids Police Department												
Parkers Prairie Police Department	Y		R		R				F	R		R
Paynesville Police Department	Y	A			R				F	R		R
Pelican Rapids Police Department	Y											
Pennington County Sheriff												
Pequot Lakes Police Department	Y	A		R	R	R		A	F			F
Perham Police Department												
Pierz Police Department												
Pike Bay Police Department												
Pillager Police Department												
Pine County Sheriff	Y							F				
Pine River Police Department	Y								F			F
Pipestone County Sheriff	Y		R		R				R	R		F
Plainview Police Department												
Plymouth Police Department	Y								R			R

TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Polk County Sheriff	Y	A	R		R				R	F		R
Pope County Sheriff	Y	A										R
Preston Police Department	Y	A	R		R				F	R		R
Princeton Police Department	Y	A	R		R				F	R		R
Prior Lake Police Department												
Proctor Police Department	Y	A			F	F		F	F			R
Ramsey City Police Department	Y		R	R	R	R		F	F			R
Ramsey County Sheriff	Y		R		F							R
Randall Police Department												
Red Lake County Sheriff	Y				R				F	R		
Red Wing Police Department	Y		R		R				F	R		R
Redwood County Sheriff	Y		R		R				F	R		R
Redwood Falls Police Department	Y				R				F	R		R
Renville County Sheriff	Y	A		R	R	R		A	F			F
Renville Police Department	Y	A										
Rice County Sheriff	Y	A	R		R				F	F		R
Rice Police Department	Y	A	R		R			F	F	F		F
Richfield Department												
Of Public Safety	Y	R	R	R	R	R			F	R	R	F
Robbinsdale Police Department	Y		R	R	F	R		F	F	F		R
Rochester Police Department	Y		R		F			F	F	F		
Rock County Sheriff												
Rogers Police Department	Y			F	F				F			F
Roseau City Police Department	Y	A			R			F	F	F		F
Roseau County Sheriff	Y	A			F			F	F	F		R
Rosemount Police Department	Y	A	R		R	R			R	R		
Roseville Police Department												
Royalton Police Department	Y		R						F	F		R
Rushford Police Department	Y	A	R		R				F	R		R
Sacred Heart Police Department	Y	A	R						F			R
Sartell Police Department	Y	A			R				F	R		R
Sauk Centre Police Department	Y	A	R		R				F	F		R
Sauk Rapids Police Department	Y	A	R		F				F	F		R
Savage Police Department	Y								R			R
Scott County Sheriff	Y	A	R		F			F	F	F		R
Sebeka Police Department	Y	A	R		R				F	F		R
Shakopee Police Department	Y								R			R
Sherburn/Welch Police Department												
Sherburne County Sheriff -												
Patrol Division	Y	A	R		R				F	F		
Sibley County Sheriff	Y		R		R			F	F	F		R

## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
Silver Lake Police Department	Y	A	R	F	R	F			F	F	F	R
Slayton Police Department												
Sleepy Eye Police Department	Y	A										R
South Lake Minnetonka Police Department	Y		F						F			R
South St. Paul Police Department	Y											R
Spring Grove Police Department	Y	A	R		R				F	F		R
Spring Lake Park Police Department	Y	A	R		R				F	F		R
Springfield Police Department												
St. Anthony Police Department	Y		R		R				F	F		R
St. Charles Police Department	Y								F			
St. Cloud Police Department	Y	A	R		R			F	R	R		R
St. Francis Police Department	Y	A		R		R			F			R
St. James Police Department	Y											A
St. Joseph Police Department	Y	A	R		R				F	R		R
St. Louis County Sheriff	Y			R	R				F		R	
St. Louis Park Police Department	Y	R	F	R	R	R			F	R	R	R
St. Paul Park Police Department	Y	A	R		R			F	F	R		R
St. Paul Police Department	Y		F						F			F
St. Peter Police Department	Y		F									
Staples Police Department	Y	A	R		F			F	F	F		R
Starbuck Police Department	Y				R				F	R		R
Stearns County Sheriff	Y				R				F	R		R
Steele County Sheriff	Y		R	R	F	R			F			R
Stevens County Sheriff	Y	A	R		R				F	R		R
Stillwater Police Department	Y		R						R			
Stillwater Township Police Department												
Swift County Sheriff												
Thief River Falls Police Department	Y		F		F	R	F	F	F	F		R
Thomson Township Police Department												
Todd County Sheriff	Y	A	R				F	R	F			R
Tracy Police Department	Y				R				R	R		
Traverse County Sheriff												
Tri-City Police Department												
Trimont Police Department	Y	A	R	F	F	F		R	F	R		R
Twin Valley Police Department												
Two Harbors Police Department	Y		R		F				F			
Tyler Police Department												
U Of M - Morris Police Department	Y		R	R	F	R		F	F	F		R
U Of M Crookston Police Department												
University Of Minnesota - Twin Cities Police Department	Y		R	R	R	R		R	F	R		R

Legend | A= Allowed | R=Restricted | F=Forbidden



## TASER USE POLICIES

DEPARTMENT	Policy Sent?	Multiple / Ex	Restrained	Juvenile	Pregnant	Elderly	Uncon-Scious	Passive	Flammable	Fall	Heart / Resp	Sensi-Tive
University Of Mn-Duluth Police Department	Y		R	R	R	R		R	F	R		R
Verndale Police Department	Y	A	R		R			F	F	F		R
Virginia Police Department	Y	A	R		R			F	F	F		R
Wabasha County Sheriff	Y	A	R	R	R	R		F	F			R
Wabasha Police Department	Y	A	R	R	F	R			F			R
Wabasso Police Department												
Wadena County Sheriff												
Wadena Police Department	Y	R			F				R	R		R
Waite Park Police Department	Y			R	R	R			F			R
Walker Police Department												
Walnut Grove Police Department	Y		R		R			A	R	R		R
Warroad Police Department	Y	A			R			F	F	F		R
Waseca County Sheriff												
Waseca Police Department												
Washington County Sheriff - Police Div												
Waterville Police Department	Y		R	R	R	R		F	F			
Watkins Police Department	Y	A		R	R	R		R	F	R		F
Watsonwan County Sheriff	Y									R		
Waubun Police Department												
Wayzata Police Department	Y	R	R	R	R				F	F		R
Wells Police Department												
West Concord Police Department												
West St. Paul Police Department	Y	R	R		R			F	F			R
Westbrook Police Department												
White Bear Lake Police Department	Y	R	F					F	F	F		R
White Earth Tribal Police	Y		R		R				F	F		R
Wilkin County Sheriff	Y				F				F			
Willmar Police Department	Y								F	R		R
Windom Police Department												
Winnebago Public Safety												
Winona County Sheriff/												
Winona Police Dept	Y								F			R
Winona PD	Y								F			
Winsted Police Department	Y			R	R	R			F		R	
Winthrop Police Department												
Woodbury Police Department	Y		R									
Worthington Police Department	Y	A	R		R				F	R		R
Wright County Sheriff	Y								F			
Wyoming Police Department	Y		R	R	R	R		F	F	R		R
Yellow Medicine County Sheriff	Y				R				F	R		R
Zumbrota Police Department	Y		R	R	R	R			F	R		R





APPENDIX D

USE OF FORCE CONTINUUM

DEPARTMENT	Before Chemical Spray	Same As Chemical Spray	After Chemical Spray	Alternative To Baton	Before Soft Empty Hand	Same As Soft Empty Hand	Between Soft And Hard Empty Hand	Equal Or After Hard Empty Hand	Only Listed As Non-Deadly, Less Than Lethal Or Unclear	Silent	Warning To Subject	Warning To Other Officers	Warning To All In Area (Subject And Other Officers)	Only Referenced Chemical Spray
Crookston PD	x						x							
Crosby PD	x												x	
Crosslake PD									x					
Crow Wing Co.Sheriff									x					
Crystal PD										x				
Cyrus PD		x											x	
Dakota Co.Sheriff									x					
Dawson PD		x						x						
Dayton PD		x		x										
Deephaven/Woodland PD		x						x			x			
Deerwood PD	x												x	
DetroitLakes PD		x					x				x			
Dilworth PD								x						
Dodge County Sheriff		x		x										
Douglas Co.Sheriff									x					
Duluth PD		x			x								x	
DuluthTownship PD		x					x						x	
Dundas PD									x		x			
Eagan PD								x						
EagleBend PD		x							x					
Eagle Lake PD		x											x	
East Grand Forks PD									x					
Echo PD				x				x						
Eden Prairie PD	x						x							
Eden Valley PD									x					
Edina PD		x					x					x		
Elbow Lake PD									x					
Elk River PD									x					
Elko PD		x			x								x	
Elmore PD									x					
Ely PD										x				
Emily PD	x								x					
Eveleth PD		x		x										
Fairfax PD		x				x					x			
Fairmont PD		x					x				x			
Faribault Co.Sheriff									x					
Faribault PD			x					x						
Farmington PD									x					
Fayal Township									x					
Fergus Falls PD		x					x							
Fillmore Co.Sheriff		x					x						x	

APPENDIX D

USE OF FORCE CONTINUUM

DEPARTMENT	Before Chemical Spray	Same As Chemical Spray	After Chemical Spray	Alternative To Baton	Before Soft Empty Hand	Same As Soft Empty Hand	Between Soft And Hard Empty Hand	Equal Or After Hard Empty Hand	Only Listed As Non-Deadly, Less Than Lethal Or Unclear	Silent	Warning To Subject	Warning To Other Officers	Warning To All In Area (Subject And Other Officers)	Only Referenced Chemical Spray
ForestLake PD		x		x			x							
Franklin PD									x					
Frazee PD		x							x					
Freeborn Co.Sheriff									x					
Fridley PD								x			x			
Fulda PD		x					x							
Gaylord PD				x				x						
Gilbert/Biwabik PD		x		x										
Glenwood PD									x					
Glyndon PD								x						
Golden Valley PD		x											x	
Good Thunder PD	x						x							
Goodhue Co.Sheriff		x					x							
Goodview PD									x					
GrandRapids PD			x										x	
Granite Falls PD	x			x			x							
Grant Co.Sheriff									x					
Greenbush PD									x					
Hancock									x		x			
Hastings PD		x					x							
Hawley PD		x					x						x	
Hector PD		x		x										
Henderson PD									x					
Hennepin Co.Sheriff	x						x						x	
Henning PD									x					
Hermantown PD		x					x				x			
Hibbing PD		x		x				x						
HillCity PD	x							x						
Hopkins PD		x					x							
Houston Co.Sheriff									x				x	
Houston PD									x					
Howard Lake PD									x					
Hoyt Lakes PD										x				
Hutchinson PD							x							
International Falls PD		x		x										
Inver Grove Heights Dept of Public Safety	x								x					
Isanti Co.Sheriff		x							x					
Isanti PD									x					
Itasca Co.Sheriff					x									
Ivanhoe PD									x					

APPENDIX D

USE OF FORCE CONTINUUM

DEPARTMENT	Before Chemical Spray	Same As Chemical Spray	After Chemical Spray	Alternative To Baton	Before Soft Empty Hand	Same As Soft Empty Hand	Between Soft And Hard Empty Hand	Equal Or After Hard Empty Hand	Only Listed As Non-Deadly, Less Than Lethal Or Unclear	Silent	Warning To Subject	Warning To Other Officers	Warning To All In Area (Subject And Other Officers)	Only Referenced Chemical Spray
Jackson Co.Sheriff									x					
Jackson PD									x					
Janesville PD				x				x						
Jordan PD		x							x					
Kanabec Co.Sheriff									x					
Kandiyohi Co.Sheriff	x						x							
Kasson PD	x				x									
Kimball PD							x							
Kittson Co.Sheriff									x					
Koochiching Co.Sheriff		x		x										
LaCrescent PD	x								x					
Lake BentonPD									x					
Lake CityPD									x					
Lake Co.Sheriff							x							
Lake Crystal PD									x					
Lake Shore PD		x							x					
Lakefield PD									x					
Lakes Area PD					x									
Lakeville PD		x					x							
Lamberton PD		x				x								
LeCenter PD									x					
LesterPrairie PD									x					
LeSueur County Sheriff									x					
LeSueur PD									x					
Lewiston PD									x				x	
LinoLakes PD									x				x	
Litchfield PD									x				x	
Little Falls PD					x									
Long Prairie PD		x											x	
Lonsdale PD														
Lyon Co.Sheriff		x		x			x	x						
Madelia PD								x						
Mahnomen Co.Sheriff		x			x									
Mankato Department Of Public Safety		x									x			
Mapleton PD		x						x						
Maplewood PD		x					x							
Marshall PD		x					x							
Martin Co.Sheriff		x						x						
McLeod Co.Sheriff		x				x								
Medina PD		x					x							

APPENDIX D

USE OF FORCE CONTINUUM

DEPARTMENT	Before Chemical Spray	Same As Chemical Spray	After Chemical Spray	Alternative To Baton	Before Soft Empty Hand	Same As Soft Empty Hand	Between Soft And Hard Empty Hand	Equal Or After Hard Empty Hand	Only Listed As Non-Deadly, Less Than Lethal Or Unclear	Silent	Warning To Subject	Warning To Other Officers	Warning To All In Area (Subject And Other Officers)	Only Referenced Chemical Spray
Meeker Co.Sheriff									x					
Melrose PD									x					
Menahga PD		x			x									
MendotaHeights PD	x						x					x		
MetropolitanTransit PD									x					
Milaca PD									x					
MilleLacs Co.Sheriff		x											x	
Minneapolis Park PD									x		x			
Minneapolis PD								x			x			
Minneota PD		x											x	
Minnesota State Patrol									x		x			
Minnetonka PD		x					x				x			
Minnetrista Public Safety Department		x							x					
MNDOC-Fugitive Apprehension Unit		x			x									
Montevideo PD			x					x						
Montgomery PD									x					
Moorhead PD									x					
Mora PD	x								x					
Morgan PD		x				x								
Morris PD									x		x			
Morrison Co.Sheriff		x						x						
Morristown PD									x					
Motley		x											x	
Mound PD		x					x							
Mounds View PD									x					
Mountain Lake									x					
Mower Co.Sheriff		x			x								x	
Murray Co.Sheriff		x					x							
Nashwauk PD					x									
New Brighton PD		x						x						
New Prague PD		x						x						
New Ulm PD									x					
New York Mills PD			x							x				
Newport PD									x					
Nicollet Co.Sheriff			x	x										
Nisswa										x				
Nobles Co.Sheriff					x									
North Branch PD		x											x	
North Mankato PD									x					





APPENDIX D

USE OF FORCE CONTINUUM

DEPARTMENT	Before Chemical Spray	Same As Chemical Spray	After Chemical Spray	Alternative To Baton	Before Soft Empty Hand	Same As Soft Empty Hand	Between Soft And Hard Empty Hand	Equal Or After Hard Empty Hand	Only Listed As Non-Deadly, Less Than Lethal Or Unclear	Silent	Warning To Subject	Warning To Other Officers	Warning To All In Area (Subject And Other Officers)	Only Referenced Chemical Spray
Richfield Department Of Public Safety									x		x			
Robbinsdale PD	x							x						
Rochester PD		x						x						
Rock County		x						x						
Rogers PD									x					
Roseau City PD									x					
Roseau County Sheriff									x					
Rosemount PD								x						
Roseville PD									x					
Royalton PD		x											x	
Rushford PD	x						x							
Sacred Heart PD		x											x	
Sartell PD								x				x		
Sauk Centre PD									x					
Sauk Rapids PD								x				x		
Savage PD		x							x					
Scott County Sheriff	x												x	
Sebek PD									x			x		
Shakopee PD									x				x	
Sherburne Co. Sheriff														
Patrol Division		x						x				x		
Sibley County									x			x		
Silver Lake PD									x			x		
Sleepy Eye PD	x												x	
South Lake														
Minnetonka PD		x					x							
South St. Paul PD									x			x		
Spring Grove PD								x				x		
Spring Lake Park PD									x			x		
Springfield PD									x					
St. Anthony PD									x			x		
St. Charles PD									x				x	
St. Cloud PD									x			x		
St. Francis PD		x					x							
St. James PD									x					
St. Joseph PD								x				x		
St. Louis Co. Sheriff									x					
St. Louis Park PD								x				x		
St. Paul Park PD									x			x		
St. Paul PD			x				x					x		

APPENDIX D

USE OF FORCE CONTINUUM

DEPARTMENT	Before Chemical Spray	Same As Chemical Spray	After Chemical Spray	Alternative To Baton	Before Soft Empty Hand	Same As Soft Empty Hand	Between Soft And Hard Empty Hand	Equal Or After Hard Empty Hand	Only Listed As Non-Deadly, Less Than Lethal Or Unclear	Silent	Warning To Subject	Warning To Other Officers	Warning To All In Area (Subject And Other Officers)	Only Referenced Chemical Spray
St.Peter PD		x							x			x		
Staples PD										x				
Starbuck PD						x								
State Fair Police		x					x							
Stearns Co.Sheriff						x								
Steele County Sheriff									x					
Stevens Co.Sheriff									x			x		
Stillwater PD		x					x				x			
Stillwater Township PD									x					
Swift Co.Sheriff										x				
Thief River Falls PD									x				x	
Todd Co.Sheriff		x							x					
Tracy PD		x					x							
Traverse Co.Sheriff										x				
Tri-City PD	x				x									
Trimont PD		x									x			
TwoHarbors PD	x			x	x								x	
TylerP D										x				
UOfM-Morris PD	x						x	x				x		
University Of Minnesota														
Twin Cities PD	x						x					x		
University Of Mn														
Duluth PD	x						x					x		
Verndale PD									x			x		
Virginia PD									x			x		
Wabasha Co.Sheriff	x				x								x	
Wabasha PD	x				x								x	
Wadena PD		x			x								x	
WaitePark PD									x					
Walnut Grove PD		x				x						x		
Warroad PD									x					
Waseca Co.Sheriff									x					
Waseca PD										x				
Washington Co. Sheriff-Police Div		x							x					
Waterville PD	x							x						
Watkins PD														
Watsonwan Co.Sheriff							x		x					
Wayzata PD		x							x			x		
Wells PD									x					
West Concord									x					



APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Ada PD				
Adams PD				
Adrian PD				
Airport PD	X			
Aitkin Co. Sheriff				
Akeley PD	X			
Albany PD				
Albert Lea PD	X			
Alden PD				
AleXandria PD	X			
Amboy/Vernon PD	X			
Annandale PD	X			
Anoka Co. Park PD				
Anoka Co. Sheriff	X			
Anoka PD		X		
Apple Valley PD	X			
Appleton PD				
Arlington/Green Isle PD				
Ashby PD	X			
Atwater PD				
Audubon PD				
Austin PD	X			
Avon PD				X
Babbitt PD				
Backus PD				
Bagley PD	X			
Balaton PD				
Barnesville PD	X			
Battle Lake PD	X			
BaXter PD	X			
Bayport PD				X
Becker Co. Sheriff	X			
Becker PD	X			
Belgrade PD	X			
Belle Plaine PD	X			
Beltrami Co. Sheriff				X
Bemidji PD				
Benson PD	X			
Benton County	X			

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Bertha PD				X
Big Lake PD				
Big Stone Co. Sheriff				X
Bigfork PD				
Bird Island PD				X
Blackduck PD	X			
Blaine PD		X		
Bloomington PD	X			
Blue Earth Co. Sheriff	X			
Blue Earth PD				
Bovey PD		X		
Braham PD	X			
Brainerd PD	X			
Brandon PD				
Breckenridge PD	X			
Breezy Point PD	X			
Breitung PD				
Brooklyn Center PD	X			
Brooklyn Park PD	X			
Brooten PD				
Brown Co. Sheriff	X			
Browns Valley PD				
Brownsdale PD				
Brownton PD	X			
Buffalo Lake PD				
Buffalo PD	X			
Burnsville PD		X		
Caledonia PD	X			
Callaway/Ogema PD				
Cambridge PD	X			
Canby PD	X			
Cannon Falls PD	X			
Carlton Co. Sheriff	X			
Carver Co. Sheriff	X			
Cass Co. Sheriff				
Cass Lake PD				
Centennial Lakes PD	X			
Champlin PD	X			
Chaska PD	X			
Chatfield PD				
Chippewa Co. Sheriff				

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Chisago Co. Sheriff				
(Rush City and Taylor Falls PDs)				
Chisholm PD	X		X	
Clara City/Carlos PD				X
Clarissa PD				
Clarkfield PD				X
Clay Co. Sheriff				
Clearbrook - Gonvick PD	X			
Clearwater Co. Sheriff	X			
Clearwater PD				
Cleveland PD	X			
ClimaX PD				
Cloquet PD				
Cold Spring PD	X			
Coleraine PD	X			
Columbia Heights PD	X			
Comfrey PD	X			
Cook Co. Sheriff	X			
Cook PD				
Coon Rapids PD	X			
Corcoran PD		X		
Cosmos PD	X			
Cottage Grove PD	X			
Cottonwood Co. Sheriff	X			
Crookston PD	X			
Crosby PD	X			
Crosslake PD	X			
Crow Wing Co. Sheriff	X			
Crystal PD	X			
Cuyuna PD				
Cyrus PD	X			
Dakota Co. Sheriff	X			
Danube PD				
Dassel PD				
Dawson PD	X			
Dayton PD	X			
Deephaven/Woodland PD	X			
Deer River PD				
Deerwood PD	X			
Dennison PD				

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Detroit Lakes PD	X			
Dilworth PD	X			
Dodge Co. Sheriff	X			
Douglas Co. Sheriff	X			
Duluth PD				X
Duluth Township PD	X			
Dundas PD	X			
Dunnell PD				
Eagan PD	X			
Eagle Bend PD				
Eagle Lake PD	X			
East Grand Forks PD	X			
Echo PD	X			
Eden Prairie PD				X
Eden Valley PD	X			
Edina PD	X			
Elbow Lake PD	X			
Elgin PD				
Elk River PD	X			
Elko / New Market PD	X			
Elmore PD	X			
Ely PD		X		
Emily PD	X			
Erskine PD				
Evansville PD				
Eveleth PD	X			
Fairfax PD				
Fairmont PD	X			
Faribault Co. Sheriff	X			
Faribault PD	X			
Farmington PD	X			
Fayal Township PD				
Fergus Falls PD	X			
Fertile PD				
Fillmore Co. Sheriff	X			
Fisher PD				
Floodwood PD				
Fond Du Lac PD				
Forest Lake PD	X			
Fountain PD				
Franklin PD				

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Frazee PD	X			
Freeborn Co. Sheriff	X			
Fridley PD	X			
Fulda PD				
Gary PD				
Gaylord PD				
Gibbon PD				
Gilbert / Biwabik PD		X		
Glencoe PD				
Glenwood PD	X			
Glyndon PD	X			
Golden Valley PD	X			
Good Thunder PD	X			
Goodhue Co. Sheriff	X			
Goodhue PD				
Goodview PD	X			
Grand Meadow PD				
Grand Rapids PD	X			
Granite Falls PD				
Grant Co. Sheriff	X			
Grant PD				
Greenbush PD				
Grey Eagle PD				
Grove City PD				
Hackensack PD				
Hallock PD				
Hancock PD	X			
Hastings PD	X			
Hawley PD	X			
Hector PD	X			
Henderson PD	X			
Hendricks PD				
Hendrum PD				
Hennepin Co. Sheriff	X			
Henning PD	X			
Hermantown PD				
Heron Lake/Okabena PD				
Hibbing PD		X		
Hill City PD		X		
Hokah PD				
Hopkins PD	X			



APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Houston Co. Sheriff	X			
Houston PD				X
Howard Lake PD	X			
Hoyt Lakes PD		X		
Hubbard Co. Sheriff				
Hutchinson PD	X			
International Falls PD	X			
Inver Grove Heights				
Dept of Public Safety	X			
Isanti Co. Sheriff	X			
Isanti PD	X			
Isle PD				
Itasca Co. Sheriff				
Ivanhoe PD				
Jackson Co. Sheriff	X			
Jackson PD				
Janesville PD	X			
Jordan PD	X			
Kanabec Co. Sheriff	X			
Kandiyohi Co. Sheriff	X			
Kasson PD	X			
Keewatin PD				
Kellogg PD				
Kimball PD				
Kittson Co. Sheriff				
Koochiching Co. Sheriff	X			
La Crescent PD	X			
Lac qui Parle Co. Sheriff				
Lake Benton PD				X
Lake City PD	X			
Lake Co. Sheriff	X			
Lake Crystal PD	X			
Lake Of The				
Woods Co. Sheriff				
Lake Park PD				
Lake Shore PD	X			
Lakefield PD	X			
Lakes Area PD	X			
Lakeville PD	X			
Lamberton PD	X			
Le Center PD	X			

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Le Sueur Co. Sheriff	X			
Le Sueur PD				
Lester Prairie PD	X			
Lewiston PD	X			
Lincoln Co. Sheriff				
Lino Lakes PD	X			
Litchfield PD				
Little Falls PD	X			
Long Prairie PD	X			
Longville PD				
Lonsdale PD	X			
Lowry PD				
Lyon Co. Sheriff	X			
Madelia PD	X			
Madison Lake PD				
Madison PD				
Mahnomen Co. Sheriff	X			
Mankato Department Of Public Safety				
Maple Grove PD				
Mapleton PD	X			
Mapleview/Lyle PD				
Maplewood PD				
Marshall Co. Sheriff				
Marshall PD	X			
Martin Co. Sheriff	X			
Mcgregor PD				
Mcintosh PD				
McLeod Co. Sheriff	X			
Medina PD	X			
Meeker Co. Sheriff	X			
Melrose PD	X			
Menahga PD	X			
Mendota Heights PD	X			
Mentor PD				
Metropolitan Transit PD	X			
Milaca PD	X			
Mille Lacs Co. Sheriff				X
Minneapolis Park PD		X		
Minneapolis PD		X		
Minneota PD				X

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Minnesota State Patrol		X		
Minnetonka PD	X			
Minnetrista Public Safety Department	X			
MN State Fair PD				X
MNDOC - Fugitive Apprehension Unit				
MNDOC - State Prisons				
Montevideo PD	X			
Montgomery PD				X
Moorhead PD	X			
Moose Lake PD				
Mora PD				
Morgan PD		X		
Morris PD	X			
Morrison Co. Sheriff	X			
Morristown PD	X			
Morton PD				
Motley PD	X			
Mound PD	X			
Mounds View PD	X			
Mountain Lake PD				
Mower Co. Sheriff	X			
Murray Co. Sheriff	X			
Nashwauk PD	X			
Nett Lake PD				
Nevis PD				
New Brighton PD	X			
New Hope PD				
New Prague PD	X			
New Richland PD				
New Ulm PD	X			
New York Mills PD	X			
Newport PD	X			
Nicollet Co. Sheriff	X			
Nisswa PD				
Nobles Co. Sheriff				
Norman Co. Sheriff				
North Branch PD	X			
North Mankato PD	X			
North St. Paul PD	X			

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Northfield PD	X			
Oak Park Heights PD	X			
Oakdale PD	X			
Olivia PD	X			
Olmsted Co. Sheriff	X			
Onamia PD	X			
Orono PD	X			
Ortonville PD				
Osakis PD	X			
Osseo PD	X			
Ostrander PD				
Otter Tail Co. Sheriff	X			
Owatonna PD	X			
Park Rapids PD				
Parkers Prairie PD	X			
Paynesville PD	X			
Pelican Rapids PD	X			
Pennington Co. Sheriff				
Pequot Lakes PD	X			
Perham PD				
Pierz PD	X			
Pike Bay PD				
Pillager PD				
Pine Co. Sheriff	X			
Pine River PD	X			
Pipestone Co. Sheriff				
Plainview PD				
Plymouth PD				
Polk Co. Sheriff		X		
Pope Co. Sheriff	X			
Preston PD	X			
Princeton PD	X			
Prior Lake PD				
Proctor PD	X			
Ramsey Co. Sheriff		X		
Ramsey PD		X		
Randall PD				
Red Lake Co. Sheriff	X			
Red Lake PD				
Red Wing PD	X			
Redwood Co. Sheriff	X			

## APPENDIX E

## TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Redwood Falls PD	X			
Remer PD				
Renville Co. Sheriff				
Renville PD	X			
Rice Co. Sheriff	X			
Rice PD	X			
Richfield Department Of Public Safety	X			
Richmond PD				
Robbinsdale PD	X			
Rochester PD	X			
Rock Co. Sheriff				
Rogers PD				
Roseau City PD	X			
Roseau Co. Sheriff	X			
Rosemount PD	X			
Roseville PD	X			
Royalton PD				
Rushford PD	X			
Sacred Heart PD				
Sartell PD	X			
Sauk Centre PD				
Sauk Rapids PD	X			
Savage PD	X			
Scott Co. Sheriff	X			
Sebeka PD	X			
Shakopee PD	X			
Sherburn/Welch PD				
Sherburne Co. Sheriff (Patrol & Corrections Divisions)				
Sibley Co. Sheriff				X
Silver Bay PD				
Silver Lake PD				X
Slayton PD				
Sleepy Eye PD	X			
South Lake Minnetonka PD	X			
South St. Paul PD	X			
Spring Grove PD				X
Spring Lake Park PD	X			

APPENDIX E

TRAINING MATERIALS USED

Department	Use Taser Int'l Materials EXclusively	Incorporate Own Materials with Taser's	Uses customized curriculum	Responded; answer unclear
Springfield PD				X
St. Anthony PD	X			
St. Charles PD	X			
St. Cloud PD	X			
St. Francis PD	X			
St. James PD				
St. Joseph PD				
St. Louis Co. Sheriff	X			
St. Louis Park PD	X			
St. Paul Park PD	X			
St. Paul PD		X		
St. Peter PD	X			
Staples PD	X			
Starbuck PD	X			
Stearns Co. Sheriff	X			
Steele Co. Sheriff	X			
Stevens Co. Sheriff	X			
Stewart PD				
Stillwater PD	X			
Stillwater Township PD				
Swift Co. Sheriff	X			
Thief River Falls PD	X			
Thomson Township PD				
Todd Co. Sheriff	X			
Tracy PD	X			
Traverse Co. Sheriff	X			
Tri-City PD	X			
Trimont PD				X
Truman PD				
Twin Valley PD				
Two Harbors PD	X			
Tyler PD				X
U Of M - Crookston PD				
U Of M - Duluth PD		X		
U Of M - Morris PD		X		
U Of M - Twin Cities PD		X		
Verndale PD	X			
Virginia PD				
Wabasha Co. Sheriff	X			
Wabasha PD	X			
Wabasso PD				



## CONCERNS ABOUT OVER-RELIANCE ON TASER INTERNATIONAL MATERIALS

268 Minnesota law enforcement agencies reported that they rely exclusively on Taser International (“TI”) training materials. However, because TI has a commercial interest in selling Tasers, the ACLU-MN has researched whether Minnesota should rely so heavily on TI for information about electronic control devices.

Taser International aggressively promotes its products as “nonlethal” weapons that safely and instantaneously incapacitate subjects with little risk of injury to the subject or the officer. However, emerging evidence and research show that Tasers have caused serious injury and death in a number of cases, even when used according to departmental policy. Likewise, critics claim that TI overstates the safety of its devices, engages in questionable marketing practices, and cites unreliable studies as evidence for its claims.<sup>1</sup>

Regardless of the ethics of TI’s practices, law enforcement policy-makers must be aware that TI is a for-profit corporation, whose incentives are not aligned with those of law enforcement. While the overriding objective of law enforcement is to serve and protect its citizens, TI’s objective is profit, which comes from selling as many Taser products as possible. The following is meant to distill and clarify existing evidence about Taser safety and use, so that policy-makers can make informed decisions based on facts, rather than rely on the claims of the manufacturer.

Significant evidence exists suggesting that TI manipulates statistics and misreports facts in its promotional materials. For example, in one police department’s study, 28% of Tasered subjects sustained minor secondary injuries, leading the researchers to conclude that “a higher incidence of minor injury was observed than was noted in previous manufacturers’ reports.”<sup>2</sup>

Likewise, TI has made a habit of suing those who disagree with them. They challenge Taser-related death determinations in court and reportedly pressure medical examiners to change their cause of death determinations.<sup>3</sup> In 2005, TI sued an electrical engineer who authored a peer-reviewed study that concluded Taser shocks are powerful enough to kill.<sup>4</sup> That same year, it sued Gannett Co., parent company of USA Today and the Arizona Republic for libel after the media outlets ran stories that portrayed the company in a less-than-positive light.<sup>5</sup> Both suits were dismissed. In August of this year, TI initiated a suit to quash the Braidwood Inquiry’s findings, accusing it of bias.<sup>6</sup> Legal experts agree their chances of success are very slim.<sup>7</sup>



## CONCERNS ABOUT OVER-RELIANCE ON TASER INTERNATIONAL MATERIALS

Taser International also misreports statistics on the cases brought against it. In 2007, TI reported that 52 cases against it had been “dismissed with prejudice.” However, at least 10 of those cases had actually been settled out of court for monetary damages.<sup>8</sup> Samuel Powers, the Maricopa County, Arizona deputy who was the first law enforcement officer to sue TI, notified the company of the fractured back he suffered due to a Taser shock through his lawsuit. However, four subsequent lawsuits accuse TI of continually misreporting Powers’ injury to shareholders and the public as a “minor shoulder injury,” even though the doctor hired by TI concluded that the one-second Taser shock was responsible for Powers’ fractured back.<sup>9</sup>

Taser International has also been sued multiple times by law enforcement officers claiming the company failed to properly warn them of the risks of receiving a training shock. In a written document supplied to the court in one such lawsuit, former Sheriff Bill Young stated, “[i]t is my professional opinion that Taser Intentional downplayed the risk of Taser M26 shocks to sell its product to police officers...”<sup>10</sup> In June 2008, a jury held TI partly liable on grounds of negligence in a wrongful death claim, finding that it had failed to warn police officers of the dangers of prolonged exposure to a Taser. The jury awarded the deceased man’s parents \$150,000 in compensatory damages and \$5 million in punitive damages. (TI appealed and got the \$5 million punitive damage award dismissed, but it still had to pay compensatory damages.)<sup>11</sup> As a result of the injuries and liabilities associated with Taser use, many departments now prohibit training exposures.

One commentator compares TI’s promotion of its products with the Tobacco Institute in the 1960’s and ‘70’s. The industry-funded Institute was created to fight emerging scientific evidence that cigarettes cause cancer. They funded research where the results found no link between cigarettes and cancer, and they disseminated propaganda to sway public opinion in their favor.<sup>12</sup> Similarly, TI sponsors the vast majority of research currently available on Taser safety, and goes to court to contest coroners’ reports that cite Taser application as a cause of death.<sup>13</sup>

Given the prevalence of Tasers across Minnesota, protectors of public safety need to analyze Taser training to ensure that the devices are serving public safety in a factually accurate, non-biased manner.

## CONCERNS ABOUT OVER-RELIANCE ON TASER INTERNATIONAL MATERIALS

<sup>1</sup>ACLU OF NORTHERN CALIFORNIA, HOW THE LACK OF TASER REGULATION ENDANGERS LIVES (2005);

*Alex Berenson, As police use of Tasers rises, questions over safety increase*, N.Y. TIMES, July 18, 2004.

<sup>2</sup>PORTLAND BUREAU OF POLICE, REVIEW OF 227 TASER M26 USAGES (2003).

<sup>3</sup>AI LESS THAN LETHAL?, *supra* note 3, at 30.

<sup>4</sup>Shahien Nasiripour & The Center for Investigative Reporting, *Zapping Taser*, CALIFORNIA LAWYER, Dec. 1, 2008, *available at* <http://callawyer.com/story.cfm?eid=898048&evid=1>.

<sup>5</sup>*Id.*

<sup>6</sup>The Canadian Press, *Taser International Challenges Braidwood Findings*, CBC NEWS, Aug 14, 2009.

<sup>7</sup>David Carp, *Taser maker has uphill battle with judicial review: experts*, VANCOUVER SUN, Aug. 16, 2009.

<sup>8</sup>Margaret Cronin Fisk & Jon Steinman, *Taser Settled 10 of 52 Cases It Said Were Dismissed*, BLOOMBERG NEWS, Aug. 2, 2007.

<sup>9</sup>Anglen, *supra* note 55.

<sup>10</sup>Abigail Goldman, *Cops raise Taser safety claims*, LAS VEGAS SUN, Nov. 23, 2008.

<sup>11</sup>Heston et al. v. City of Salinas, No. C 05-03658, 2007 WL 4754777 (N.D. Cal. Mar. 30, 2007).

<sup>12</sup>Steve Lombardi, *When Money Talks the Truth Walks*, INJURYBOARD.COM, Jul. 31, 2009.

<sup>13</sup>See *TASER Int'l v. Chief Med. Exam'r of Summit County*, No. 24233, 2009 WL 826416 (Dist. Ct. Ohio Mar. 31, 2009).