



Hollywood man dies in custody after being shot with stun gun



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HOLLYWOOD, Fla. (AP) -- A man died in police custody after an officer shot him in the chest with a stun gun.

An employee of a Hollywood hotel called police Sunday and told the dispatcher a strange man was behaving violently in the lobby, said Hollywood Police Department spokesman Tony Rode.

Police said that when they arrived, the man was behaving irrationally in front of the hotel. The man, who police believe was on drugs, refused

orders to get on his knees and put his hands behind his back, Rode said.

An officer then fired an M-26 Taser that hit the man in the chest, Rode said. The gun fires two 1/2-inch probes attached to wires which transmit 50,000 volts of electricity into the body for up to five seconds.

The Taser is supposed to stun its target long enough for police to get control, but in the man "ripped the probes right out of his chest, which is more reason to believe this individual was under some type of narcotic," Rode said.

Several officers then wrestled him to the ground and handcuffed him, Rode said.

But officers quickly noticed the man was having trouble breathing and called paramedics.

When rescue crews arrived, they found the handcuffed suspect with no heartbeat. He was taken to Hollywood Memorial Regional Hospital, where he died, Hollywood Fire-Rescue spokesman Matt Phillips told the South Florida Sun-Sentinel.

Rode didn't immediately release the name of the officer who fired the stun gun but said the officer hadn't been placed on leave.

"We certainly don't believe there was any intent by the officer to kill anyone. It wasn't an actual firearm," he said.

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Man dies after shot by police stun gun

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HOLLYWOOD, Fla. -- A man behaving strangely in front of a hotel died after police shot him with a stun gun, then wrestled him to the ground and handcuffed him because he had not been subdued.

The man, who police believe was on drugs, refused to get on his knees and put his hands behind his back when police arrived at the hotel Sunday, police spokesman Tony Rode said.

An officer fired an M-26 Taser and hit the man in the chest, Rode said. The Taser shoots probes that transmit 50,000 volts of electricity into the body for up to five seconds.

The unidentified suspect ripped the Taser darts out of his chest and went after the officer, Rode said, prompting officers to wrestle him to the ground and handcuff him.

Officers quickly noticed that the man was having trouble breathing, and they called paramedics. When rescue crews arrived, they found the suspect on the ground in handcuffs with no heartbeat. He died at a hospital.

Posted on Tue, Jan. 29, 2002



Police defend use of Taser gun

Homeless man died after shooting

By SARA OLKON AND WANDA J. DeMARZO

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Hollywood police, saying they have used Taser guns "dozens and dozens" of times to subdue violent suspects, said Monday they would not reconsider use of the so-called "nonlethal" weapon following Sunday's death of a homeless man shot with the Taser.

"There have absolutely been no problems with the use of Tasers," said Hollywood police spokesman Lt. Tony R. Rode.

"I would be extremely shocked if the medical examiner would rule that the Taser was the cause of death. It's usually a puncture, at best," he said.

Vincent Del' Ostia, 31, who was once convicted of second-degree murder, died Sunday afternoon following a confrontation with Hollywood police who tried to subdue him with a Taser gun.

Autopsy results are expected today.

Del' Ostia, who friends say was mentally ill and taking the prescription drugs Prozac and Ativan, walked into the lobby of the Entrada Resort Motel on the 500 block of North Federal Highway around 2:30 p.m. Sunday and acted erratically, flailing his arms and trying to break the lobby's windows.

In the 911 call, a motel worker stationed at the front desk urged police to get to the Entrada immediately.

"We have a man on drugs, crazy," the worker said. "He is breaking down our door."

When police arrived, Rode said, they ordered the man to the ground and he refused to comply.

"He made moaning and groaning noises and never spoke English," he said. "It sounded and looked like he was under the influence of PCP."

Then an officer shot Del' Ostia with the Taser.

Del' Ostia, police said, pulled the darts from his chest. Some witnesses said four officers then piled on top of him and kicked him.

Police had subdued and handcuffed Del' Ostia when he began to have trouble breathing. Del' Ostia was not breathing when emergency rescue workers arrived and transported him to the Memorial Regional Medical Center in Hollywood. He was pronounced dead at the hospital.

An hour before the confrontation with police, he had been hanging out with friend Tracy San Martin at Young Circle Park.

Del' Ostia was acting nervous, constantly looking over his shoulder, said San Martin, 22.

He told her he was returning to the Entrada to get his medication, some of which he forgot to take, he told her.

She became concerned when he did not return and went after him.

"He was running in and out of traffic," she said. "All of a sudden, he is lying on the ground. He had a scared look on his face. He was moving his lips, but no words were coming out."

Ed Pazicky, executive director of the Peer Center, an Oakland Park program run by the mentally ill for the mentally ill, which Del' Ostia frequented, criticized the police for using the Taser.

"You can accomplish more with a calm tone," he said.

The weapon has been used since 1974 and was tested extensively before going on the market, said Steve Tuttle, director of government affairs for Taser International Inc.

"It was designed for the one-percenters, those people who aren't bothered by pepper spray," Tuttle said.

The Taser shoots two electrically charged barbs that catch into the clothing of a person up to 21-feet away and deliver a debilitating electrical charge.

"If the shock is going to kill a subject, it will happen immediately, not later," Tuttle said. "The cause of death will be drugs or a medical illness, not the Taser."

The Journal of Forensic Sciences reported 16 deaths associated with the use of Tasers in Los Angeles County in 1991. But the Taser was not found to be the cause of death.

Scott Carrier, spokesman for Los Angeles County Medical Examiner's office, said there was always an underlying problem, such as drug use.

But Terence Allen, a specialist in forensic pathology who served as deputy medical examiner for both the Los Angeles and San Francisco coroner's offices, blamed the Taser for at least nine deaths.

"It seems only logical that a device capable of depolarizing skeletal muscle can also depolarize heart muscle and cause fibrillation under certain circumstances," Allen wrote in a letter to the Journal of Forensic Sciences.

Dr. Robert Myerburg, director of the division of Cardiology at the University of Miami, said the odds are slim that a Taser could kill someone.

"If a shock is big enough, there could be some damage to the heart which could kill someone," Myerburg said. "But that size of a shock should leave a burn, a mark on him where the probes had struck."

Until toxicology results are in, it will be impossible to know whether drugs, illegal or prescribed, played a role in Del' Ostia's death.

Pazicky believes Del' Ostia was clean. He said he had a drug test scheduled this week in order to qualify for subsidized housing through the Peer Center and had already passed a drug test Friday.

"He may have been non-complying," he said, referring to his prescription medications. In addition to the anti-depressant Prozac and the anti-anxiety drug Ativan, he took the steroid Prednisone for asthma, Pazicky said.

Del' Ostia's troubles began early. His mother abandoned him at the age of 1, said Vincent Del' Ostia, 77, his paternal grandfather who raised him with his wife in Hollywood.

His hazel-eyed grandson, once a Boy Scout, became a tattoo artist who also liked drawing Christmas cards.

At 13, Del' Ostia had a tracheotomy after he crashed into a cable strung across a road while on his motorbike and crushed his larynx. After that, he talked "gravel-like," his grandfather said.

But the elder Del' Ostia said "Vinnie" was not mentally ill. Drugs were his downfall, he said.

"When he got on drugs, you couldn't talk to him."

Friend William Cody, 43, spent Monday helping Del' Ostia's grandparents make cremation arrangements for their grandson.

His family said they could not afford a funeral.

Del' Ostia spent time in prison for second-degree murder, cocaine possession and grand theft, according to public records.

But Cody said his friend was beginning to turn his life around.

"This was the first time I had seen him trying to do something right," he said, referring to his daily visits to the Peer Center. "He was off drugs."

In an application for subsidized housing dated Jan. 10, Del' Ostia said being homeless has "worsened my mental conditions, and I am in fear of going back into the hospital."

"Yesterday, I found an efficiency apt., and with a little help, I can get it, and get off the street, and stay out of the hospital."

The Miami Herald

Man shot with police 'nonlethal' gun dies

SARA OLKON, NATALIE P. McNEAL AND DAN MURTAUGH January 28, 2002

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A man who broke a door and thrashed around in a Hollywood motel lobby died in police custody Sunday after being shot with a Taser gun, which fired darts carrying 50,000 volts of electricity into his chest, police said.

It was the first time someone had died since the Hollywood Police Department began using the weapons, billed as a nonlethal method of subduing violent suspects.

Police said the man entered the lobby of a Hollywood motel and acted erratically, flailing about and falling to the floor.

Officers who responded to the 2:45 p.m. 911 call at the Entrada Resort Motel, 509 N. Federal Hwy., "knew he was violent," said Hollywood police Lt. Tony Rode.

Late Sunday night, police had not identified the man, saying they were checking his fingerprints against their records.

Shortly before 3 p.m., the man -- described as having dirty brown hair, "dense tattoos across his arms" and scrapes along his back -- walked into the lobby of the Entrada wearing bathing trunks, said the man at the desk who called police. He declined to give his name.

"He was flailing his arms, going wild. He broke part of the door. He fell," the motel worker said. "He tried to talk. He didn't say a word."

Kim Machutes a bartender at the motel bar, said the man was unsteady on his feet before he was shot.

"He couldn't stand. He could barely hold on to the door."

When they arrived, officers ordered the man to get on his knees and put his hands behind his back, Rode said.

“He made moaning and groaning noises and never spoke English,” Rode said.

Friends said the man, known as Vinnie, was affectionately called “frog” because a tracheotomy had left him with a scratchy voice.

When police shot him with the Taser gun, he didn't tumble to the floor. Instead, the man went after the officer, Rode said.

That's when several police officers wrestled him down and handcuffed him, Rode said. Officers later noticed that he had difficulty breathing, and called Hollywood Fire Rescue.

Taser guns, stun guns and bean-bag guns have recently become popular among police departments for offering a safer alternative in subduing dangerous suspects.

Police use the Taser gun as “another alternative to physically wrestling with the bad guy,” Rode said.

The M26 Taser used by Hollywood police looks like a .45-caliber automatic weapon and can be shot from as far as 21 feet away. The department began using the weapons about a year ago and owns about 55 of them.

DARTS ARE FIRED

When the gun is fired, two darts, called probes, shoot out. The probes are connected to the weapon by high-voltage insulated wire. When the probes hit, they pierce about a half-inch into the body and shoot 50,000 volts of electricity. The Taser gun is supposed to immobilize the human target for five to 10 seconds, just long enough for the police to handcuff the person.

But the Taser gun didn't work as planned, police said.

“He ripped the probes right out of his chest, which is more reason to believe this individual was under some type of narcotic,” Rode said.

Hollywood Fire Rescue spokesman Matt Phillips said the man was face down with his hands handcuffed behind his back when he arrived. Phillips said the man was not breathing and had no pulse. Paramedics, unable to resuscitate him, took him to Memorial Regional Hospital, where he was pronounced dead.

Officials of the Peer Center, an Oakland Park program run by the mentally ill for the mentally ill, identified the man as “Vinnie.”

Witnesses questioned the behavior of police officers at the scene.

George Cressman, 43, of Hollywood, who was at the Entrada watching a football game, said he saw four police officers standing over Vinnie, punching and kicking him and standing on his head.

“It was like four guys on him. They already had him, why [Taser] him?”

Veronica Vitiello, 40, said the man was scrunching up his face and grasping out with his hands.

“It looked like he was crying out for help,” said Vitiello, who came to the bar to watch the New England Patriots play the Pittsburgh Steelers on television. “The minute they put the [Taser] gun on him, he went down. They didn't give him a chance.”

Mark Moening, an official of the Peer Center, said Vinnie was a calming influence at the center.

Vinnie often broke up fights and cooled off people whose temper had flared, Moening said.

“I have never seen him raise his voice,” Moening said.

IN GOOD SPIRITS

He said Vinnie was in especially good spirits Saturday afternoon because he had just learned he received subsidized housing with his girlfriend.

He said Vinnie passed an illegal-substance test Friday and “was definitely not using drugs” Sunday.

However, he said Vinnie had had run-ins with the law.

Peer Center treasurer Alan Sisisky said Vinnie was schizophrenic but could be “a real go-getter” when he was lucid.

“He was talking about selling jewelry at a flea market and on the Internet,” he said. “I'm devastated.”

Autopsy results were expected late Monday or Tuesday morning, Rode said.



Police suspect drugs in death of schizophrenic man with police taser

By Vicky Agnew
Staff Writer

Posted January 29 2002



HOLLYWOOD · Hollywood police said Monday they didn't know what killed a man who died Sunday after a struggle with officers who shot him with a stun gun. While some witnesses to the incident said police kicked and beat the man, the department denies the allegations and has assigned homicide and internal affairs investigators to the case.

Vinnie Delostia, 31, a diagnosed schizophrenic with a history of drug abuse, created a disturbance shortly before 3 p.m. at the Entrada Motel on Federal Highway and reportedly resisted attempts by police to subdue him. Officers shot him with a 50,000-volt M-26 Taser and wrestled him to the ground when he continued to resist.

He died minutes later on the street.

The Broward County Medical Examiner's Office performed an autopsy Monday but did not release the cause of death pending further investigation. Police said they shot Delostia once with a stun gun and did not beat him with their batons or kick him as some witnesses told the Sun-Sentinel.

Also, police tested the Taser on Monday and found it had not malfunctioned, Hollywood police spokesman Lt. Tony Rode said. The four officers involved in the incident are still on duty.

"The man ripped the darts from his chest and kept coming. Our officers wrestled with him and cuffed him, then they realized he was wheezing," Rode said. "It's possible he died from the Taser or from wrestling with the officers, but we believe the most likely scenario is that he was hopped up on PCP or cocaine and died because of that."

Making progress

Delostia spent Sunday with a friend, Tracy St. Martin, walking around Dania Beach and downtown Hollywood. He and St. Martin met about six months ago at the Peer Center, a mental health center in Oakland Park. Delostia had gone to the center about a year ago after being diagnosed with schizophrenia, said Executive Director Edward Pazicky.

The center verified the diagnosis with a doctor and also learned that Delostia was prone to psychotic episodes and had been prescribed a powerful anti-psychotic drug. He had a history of drug abuse and a criminal history that included attempted murder in 1988, cocaine possession and grand theft, according to relatives and court records.

Lately, Delostia seemed to be making small steps toward getting control of his life. He'd been homeless for about eight months but was on the verge of getting an apartment subsidized by the Peer Center and obtaining a paying job at the center. He appeared to be keeping his drug habit at bay, Pazicky said.

"He was joking around when we were together," said St. Martin, who also attends the Peer Center. "He said, 'I'm finally going to get off the streets.'"

While they were walking in Young Circle, Delostia told St. Martin he wasn't feeling well and needed his medicine from the Entrada, where he said he'd taken a room. About fifteen minutes later, St. Martin said she was at a nearby bus stop when she saw Delostia staggering through traffic in front of the hotel.

When she reached the scene she said she saw police shoot Delostia in the chest with a stun gun, wrestle him to the ground and beat him with batons. She said police fired another stun gun at Delostia's back.

An Entrada employee said Monday there was no record of Delostia being a registered guest.

Police spokesman Detective Carlos Negrón said only one officer used a stun gun. He added that seven witnesses had given statements that did not mention police using excessive force.

"When you have a person who's psychotic, the general public might think it's excessive force, but the police officers were trying to subdue him to take him to the hospital," Negron said.

Pazicky said Delostia had only to pass a drug screen and would have been placed in an apartment this week. He said Delostia had been prescribed Clozaril, a powerful psychotropic drug, but he didn't know if he was taking it as prescribed. Taking the drug inappropriately could easily trigger a psychotic episode in which Delostia was unable to deal with police in a rational manner, he added.

Former Boy Scout

Delostia was an only child adopted by his grandparents when he was a baby. Both parents had drug problems and had very little contact with him, said his grandfather Vincent Delostia.

Vincent Delostia said he was deeply saddened by his grandson's death. He said the young man was not mentally ill.

"He would tell us anything; he was very free with us," he said. "Somebody's trying to make him out a nut, but he wasn't a nut. He was a smart kid."

Vincent Delostia said he and his wife moved to Melbourne about four months ago after 31 years in Hollywood. They stayed in touch with their grandson and sent him money occasionally. When he was a teen, young Vinnie was in a motorcycle accident that damaged his throat. The injury left him with a low raspy voice and a legal settlement that paid him \$800 a month since he was 16 years old. He was still receiving the payments.

Vincent Delostia said his grandson was an outgoing man who had played football and T-ball in school and had been a Boy Scout. He said his grandson had struggled with drugs but was not violent.

"I'm still stunned by it," he said. "I can't understand how four policemen had to use a stun gun to subdue a skinny kid. That to me is ridiculous."

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<http://sun-sentinel.com/news/local/southflorida/sfl-staserdeath29jan29.story?coll=sfla%2Dhome%2Dheadlines>

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Police-Involved Taser Shooting Autopsy Completed

The autopsy report is in, but the medical examiner has yet to determine how a man died in the custody of Hollywood police after being shot with a taser gun.

Police say 31-year-old Vincent Delostia (pictured, right) was being disruptive at the Entrada Hotel Sunday night.

When officers arrived on the scene, they shot him with a taser gun in order to subdue him.

After the taser hit, Delostia stopped breathing. He was dead by the time he arrived at Memorial Regional Hospital.

The medical examiner is waiting on toxicology results before ruling on the exact cause of death.

Hollywood police say they have used the taser for a year and they've never had a problem with it before.



Hollywood death casts light on police use of taser gun

By John Holland
Staff Writer

Posted January 29 2002

HOLLYWOOD · A mentally ill or drug-crazed man goes on a rampage, police jolt him with a 50,000-volt electric gun, and the man dies. Suspicion falls on the gun.

That scenario, repeated Sunday night in Hollywood, has caught the attention of police locally and around the country who are quick to defend the taser weapon as the best nonlethal weapon available. They say there is no evidence anyone has ever died from being struck by a stun gun like the one used in Hollywood.

Vinnie Delostia died Sunday night after a struggle with Hollywood police in which they zapped him in the chest with a electric gun. Investigators are awaiting a medical examiner's report, although police Lt. Tony Rode said it appears drugs killed Delostia.

Taser International, a brand name for the electric shock device used to stun suspects, is used by more than 1,100 police departments nationally, company spokesman Steve Tuttle said Monday. It operates by firing two electronic darts, packing 50,000 volts, onto the body of suspects, knocking them down and incapacitating them for at least five seconds.

Because the amperage is low, the shock cannot cause permanent injury, the company said.

One of Taser's strongest supporters is Los Angeles County Sheriff's Capt. Sid Heal, who has gained a reputation for testing and introducing innovative, nonlethal forms of weapons.

"Two things that occur together are not necessarily connected," Heal said. "This is the single best, most effective form of nonlethal weapon, by far. If that [Hollywood death] had been from a Taser, it would have been the first one in history."

Medical evidence is murkier. A 1991 study by the University of Southern California said it found at least one death from the original Taser device, whose technology is the basis for the Taser International gun used by Hollywood police. Taser International is only 8 years old, and no deaths have been linked to its product, Tuttle said.

Several people have died after being hit by a stun gun, research shows, but in nearly every case drugs have been found in the victim's system. Last month in Hamilton, Ohio, police stopped using the stun gun after a man died, but they resumed when autopsy results showed his death was from a cocaine overdose.

One area open to debate is whether the guns are harmful to pregnant women and their fetuses. Last month a woman stunned by Chula Vista, Calif. police gave birth to a stillborn baby two days later.

A medical report said the cause of the death was inconclusive, although the mother tested positive for cocaine.

"We haven't seen any medical evidence that a Taser has ever caused a death or injury to anyone," Tuttle said. "There is no physical way our Taser can put out enough power to do that type of damage. It can't happen."

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Investigation sparked by stun gun death



HOLLYWOOD, Jan. 28 – Police say that they were forced to shoot an out-of-control homeless man with a stun gun, in order to subdue him.

But soon after receiving the shock, Vincent Delostia, 31, died while under police custody.

Now authorities are trying to figure out who or what is to blame. At this time, Hollywood police are saying they handled the situation responsibly.

It all started when an employee of a Hollywood hotel called police Sunday and told the dispatcher a strange man was behaving violently in the lobby, said Hollywood Police Department spokesman Tony Rode.

Police said that when they arrived, the man was behaving irrationally in front of the hotel. The man, who police believe was on drugs, refused orders to get on his knees and put his hands behind his back, Rode said.

An officer then fired an M-26 Taser that hit the man in the chest, Rode said. The gun fires two 1/2-inch probes attached to wires which transmit 50,000 volts of electricity into the body for up to five seconds.

“Our officers respond to a scene, and they immediately make an assessment of the type of person that they’re dealing with,” commented Lt. Tony Rode of the Hollywood Police. “It appears that he is high, possibly under the influence of PCP’s, or something of that nature. They give him several commands, and unfortunately he doesn’t follow their direction. They’re left with the alternative to physically wrestle with him, or utilize a taser.”

Several officers then wrestled him to the ground and handcuffed him, Rode said.

But officers quickly noticed the man was having trouble breathing and called paramedics.

When rescue crews arrived, they found the handcuffed suspect with no heartbeat. He was taken to Hollywood Memorial Regional Hospital, where he died.

Police say he was high on drugs, but his friends dispute that claim.

“I saw Vinnie the day before, about 5 o’clock in the afternoon. And he was quite sober. He had been sober the whole six to eight months I’ve known him,” remembers friend Mark Moening.

Witnesses claim that the police were overly aggressive with the use of their taser gun, but officers are denying that claim.

With a criminal history in two states dating back to 1988, Delostia was no stranger to police.

Friends say he was trying to turn his life around and say out of trouble.

“Was he a person in need of psychiatric help? Of course,” says Moening. “That still doesn’t give a cop a reason to come up to him and shoot him with a taser gun, when all he is doing is basically flailing his arms.”

Officers say that the rookie cop who used the taser gun will remain on active duty, claiming that his actions were “by the book.”

This is the first time someone has died from a taser gun since the Hollywood Police Department started using this weapon.