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The Adaptation of the M-26 Taser within the Miami Police Department

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Abstract

In an effort to confirm that the M-26 Taser weapon will minimize the risk of death and injury to Miami Police Officers, the general public, subjects and reduce liability, the Miami Police Department adapted the M-26 Taser. The Miami Police Department will conduct a survey during a 120-day pilot program beginning March 27, 2002 through July 27, 2002. The manufacture of the M-26 Taser, Taser International has provided extensive research to support that the M-26 Taser is the most effective less-than lethal weapon on the market today. Dr. Richard Luceri, an expert in arrhythmia and sudden death and Dr. Robert Goldberg, a specialist in forensic medicine and a physiologist supports the safety of the M-26 Taser. Several incidents involving the use of the M-26 Taser have already confirmed that the use of this weapon have saved lives and prevented injuries to the subjects and to the officers.

On Wednesday March 27, 2002, the City of Miami Police Department adapted the M-26 Taser weapon for the patrol officers to utilize for a period of 120 days during a pilot program. The training conducted consisted of an eight-hour training course that covered the following important topics: The history and nomenclature of the M-26 Taser, physiological and psychological effects of the M-26 Taser, reporting and utilizing the M-26 Taser, proper deployment methods of the M-26 Taser and an overview of the Use of Force Continuum. (*Taser International, 7.1 Version, CD-ROM, 2001*) These topics in addition to the hands on training were all valuable to ensure success with this training program and to support the fact that this weapon will minimize the risk of death and injury to Miami Police Officers, the general public, the subjects and to reduce liabilities within our department.

The process to approve this pilot program to go forward was a task in and of itself. The Chief of Police designates a Policy Review Committee to review and approve all policies and/or implementation of any new weapons within the Miami Police Department. The panel consists of the Deputy Chief of Police, Assistant Chief of Police and a Major of police. I presented this committee on two separate occasions all of the data and research gathered relating to the M-26 Taser to support the fact that this weapon will reduce injuries to the officers and just as important, reduce the injuries to the citizens of Miami.

I also provided a training presentation for the M-26 Taser to the Internal Affairs Unit, the Community Relations Committee, and to the Chief of Police and his respective staff. I also implemented an M-26 Taser policy, Taser report and log sheet that had to be approved by the Policy Review Committee.

The M-26 Taser is a weapon that overrides the central nervous system and the EMD systems affects the Sensory and Motor nervous systems. EMD stands for Electro-Muscular Disruption and is how the M-26 Taser works and explains why it extremely effective. The M-26 Taser has 50,000 Volts, 26 Watts and the two probes that are launched are done so by compressed nitrogen. The safety factor is that the M-26 Taser has only 0.162 Amps. Medical research supports that high amps not high volts or watts is what can cause serious injuries or death to a person and since the amps are very low for this weapon, there is no concern in regard to a long term injuries to the officer and/or the subject. (*Taser International, 7.1 Version, CD-ROM, 2001*) Recent articles in the Miami Herald regarding police related shootings and on going lawsuits are examples of why less than lethal weapons such as the M-26 Taser is the focus of this department as well as hundreds of other respective departments.

The goal of this pilot program is to provide the officers who patrol the streets of Miami with a new and improved technology type of weapon, the M-26 Taser. The officers that were selected represent all shifts and all NET service areas throughout the City of Miami.

There are thirty-six officers participating in this pilot program in order to facilitate for more field uses and documentations in order to support the fact that injuries and liabilities to all parties will be reduced. To ensure success of this pilot program it is vital that all of the officer's involved use sound judgment and ensure that the policy is strictly adhered to. In an effort to effectively and proficiently review all of the data from this project, the setting will be Citywide and all shifts will be represented.

The history and the background of the injuries sustained by subjects from the ASP baton and or the firearm as resulted in serious injuries and even death that and has resulted in several lawsuits to the City of Miami. The Miami Herald and the media have criticized the officers and the department as a whole for several cases involving the ASP baton and especially the use of deadly force. The M-26 Taser does not and will not replace lethal force however, the option to utilize the M-26 Taser now that it is approved for our department during this pilot program will give the patrol officer another choice of a weapon that hopefully will be effective so that the officer does not have to escalate higher on the Use of Force Matrix possibly using deadly force. The actions and or inactions of the subject are crucial with the decision factor for the officer with what response is given. The ultimate goal for the officer is safety and to effect all arrest or contacts with the subjects in any manner without incident.

The scope of this project is to prove that the injuries to the officers or to the subjects will decrease and prove that the M-26 Taser is the most complete, effective, and dependable less than lethal weapon on the market. In all aspects of training, officer safety is paramount for the officer

to go home to his/her respective family after their tour of duty. Training also focuses on the importance with providing quality training to the officers so they in return can provide quality, fair and professional services to the citizens of Miami. The Miami Police Department also focuses on the importance with all officers to strictly comply with all policies that govern our respective department.

It is imperative that all officers comply with policies and procedures within the Miami Police Department and the success of the M-26 Taser pilot program will allow our department to once again regain the confidence and respect from the citizens of Miami and for the Miami Police Department to provide our mission statement which states: The Miami Police Department is dedicated to providing service of the highest quality in response to needs as defined by the citizens of the City of Miami. This service is performed within prescribed ethical, legal, and constitutional constraints. Our commitment is demonstrated by qualified personnel providing professional services through the effective and efficient utilization of state of the art technology. *(Miami Police Departmental Orders, Departmental Order 1 Chapter 2.4, 1989, p. 5)*

An article written by Ms. Vicky Agnew, a staff writer for the Sun-Sentinel is an important factor confirming the safe usage of the M-26 Taser. In January 2002, a City of Hollywood Officer utilized the M-26 Taser on a violent subject who was diagnosed with schizophrenic and had a history of drug abuse. The subject died in police custody and the media immediately blamed the death on the Taser.

The Broward County Medical Examiner's Officer said a shot from the Taser did not contribute to the death of the violent subject who died after a struggle with Hollywood Police Officer. Toxicology tests revealed the subject had cocaine in his system and died from Toxicology tests revealed the subject had cocaine in his system and died from causes unrelated to the Taser. Dr. Richard Luceri, director of the Arrhythmia Center at Holy Cross Hospital in Fort Lauderdale is an expert in arrhythmia and sudden death and is not affiliated with the Medical Examiner's Office. Dr. Luceri clearly states in the article: "The charge of the M-26 Taser causes muscle contractions but not heart contractions". This is valuable data in regard to the safe usage of the M-26 Taser. (*Sun-Sentinel, Vicky Agnew, 04-03-02*).

In order to support that the M-26 Taser is not considered a firearm, I have a letter from the Department of Treasury confirming the facts. The Department of Treasury (Bureau of Alcohol, Tobacco and Firearms) is directly responsible for classifying any and all type of weapons. Due to the fact that the M-26 Taser utilizes compressed nitrogen to expel two barbed darts attached to insulated wires, the Department of Treasury classified the Taser as not being a firearm. This classification occurred on November 30, 1993. This is valuable data in regard to research pertaining to the M-26 Taser. (*Department of the Treasury, Chief Edward M. Owens, 10-13-98*).

In order to support the statement that the M-26 Taser is both safe and effective, I will be utilizing statements from Dr. Robert Goldberg. Dr. Goldberg is a Physiologist and a specialist in forensic medicine. He has reviewed the technology and the medical literature concerning the M-26 Taser. Based on his review of the data, he has stated that the technology of the M-26 Taser is both safe and effective. He further states that the M-26 Taser provides an effective response to a threat without the use of lethal force therefore, avoiding not only loss of life, but post traumatic stress syndrome and recovery for the officer. Non-Lethal Force presents a clear public relations and understanding within the community. (*American Academy of Forensic Science, Robert H. Goldberg, J.D., M.D., 08-09-00*).

An article was provided by Taser International pertaining to an incident that occurred in Philadelphia. This incident involved a 6-foot tall, 280-pound subject who was brandishing a 7-inch knife. This subject died in custody and civil liberties groups blamed the death on the M-26 Taser. The Philadelphia Medical Examiners Office ruled that the death of the subject was caused by a drug overdose and not the M-26 Taser. The subject was intoxicated and high on cocaine when he came into contact with the police department. This information is valuable to confirm that the M-26 Taser is safe and effective and was not a contributing factor in any subjects death. (*Philadelphia Associated Press, 03-08-02*).

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Since the Miami Police Department adapted the M-26 Taser, there has been 18 Taser incidents. All of the incidents prevented injuries to the officer and the subject and 3 incidents would have been a deadly force situation. The M-26 Taser is by far the most safe and effective less than lethal weapon on the market today. (Taser International, 7.1 Version, CD-ROM, 2001). I am also attending a master instructor course sponsored by Taser International in Las Vegas, Nevada. This training conference will be held from Tuesday, May 14 through Friday 17, 2002 and will involve further training in regard to the M-26 Taser weapon.

I am confident that the data collected thus far involving the use of the M-26 Taser including my own personal experiences regarding the M-26 Taser, that the adaptation of this weapon within the Miami Police Department will decrease the injuries to the officers, subjects as well as the citizens of the City of Miami.

References

American Academy of Forensic Sciences, Robert H. Goldberg, J.D., M.D., 08-09-00

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Philadelphia Associated Press, 03-08-02

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