



AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF COLORADO

CATHRYN L. HAZOURI EXECUTIVE DIRECTOR, MARK SILVERSTEIN, LEGAL DIRECTOR

March 8, 2004

The Open Forum
The Denver Post
1560 Broadway
Denver, CO 80202

Re: Reply to Post article 3/7/04 and editorial on 3/1/04

To the Editor:

In a locally-written paragraph inserted into a New York Times report on tasers, the Post mistakenly states that Mayor Hickenlooper proposed buying additional tasers for the Denver Police Department “despite objections from the American Civil Liberties Union.” “Deaths fall as Taser use rises,” March 7, 2004. Contrary to the Post’s suggestion, the ACLU has never objected to the purchase of tasers, which can certainly save lives when they are used instead of firearms. Instead, the ACLU has questioned the use of tasers in situations where deadly force is not even arguably justified.

In a letter sent to Chief Whitman on February 26, the ACLU reviewed the disturbing increase in the number of in-custody deaths associated with the use of electroshock weapons: three in 2001; ten in 2002; sixteen in 2003; and four more already this year. In more than 90% of those cases, the deceased was not brandishing any weapon, and police were not using the taser as an alternative to firearms. In light of these fatalities, the ACLU has asked Chief Whitman to consider whether the claims made for the taser’s safety are sufficiently trustworthy to justify its use in situations where there is no threat to life or limb.

In an editorial discussing that letter, the Post says the ACLU is “off-base” for suggesting that previously unknown information about the taser’s dangers should prompt a policy review. “Police Tasers can save lives,” March 1, 2004. The ACLU agrees with the editorial’s headline. That is why the ACLU suggests that while unresolved questions of safety remain, the use of the taser should be limited to those situations where they can save lives. Otherwise, when electroshock weapons are authorized in situations where no officer would dream of using a revolver, tasers may wind up taking lives instead of saving them.

Sincerely,

Mark Silverstein
Legal Director