



AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF COLORADO

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

March 8, 2004

Letters to the Editor
Rocky Mountain News
P.O. Box 719
Denver, CO 80201

Re: Response to Rocky Mountain News editorial

Dear Editor:

Citing an increasing number of in-custody deaths associated with use of electroshock weapons, the American Civil Liberties Union of Colorado (ACLU) asked the Denver Police Department to review its use-of-force policy and restrict the use of the taser to situations that present a true threat to life or safety. In an editorial, the Rocky Mountain News labels that request as “bizarre” in light of the Paul Childs case, which, as the editorial points out, served as a catalyst for some long-needed police reforms.

It is the Rocky’s editorial, however, that deserves the label of “bizarre.” When an officer confronts an individual who wields a knife and does not respond to commands to put it down, there is a threat to life or safety. Many persons question whether the threat in the Childs case was sufficiently imminent to justify the use of deadly force, but it certainly may have justified the use of the less lethal taser under the standard proposed in the ACLU’s letter. Indeed, the Paul Childs case may be one of those cases in which a taser could have saved a life.

The ACLU’s letter to Chief Whitman cited 33 recent in-custody deaths associated with electroshock weapons. In over 90% of those cases, the deceased was not brandishing any weapon, and police were not using electroshock weapons as an alternative to firearms. In light of unresolved questions about safety and the increasingly-common in-custody deaths, the ACLU suggests that the use of tasers 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