

From: Alicia Roman
To: [SFPD Commission \(POL\)](#)
Subject: Tasers should not be used unless lethal force is appropriate
Date: Tuesday, March 13, 2018 9:36:44 PM

Please forward to SF police Chief as well as to union. Thank you.

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Begin forwarded message:

From: Alicia Roman <Aliciaromanlaw@yahoo.com>
Date: March 13, 2018 at 9:29:59 PM PDT
To: esernoffsky@sfcchronicle.com
Subject: **Tasers should not be used unless lethal force is appropriate**

Taser Use should be Reserved Only For Lethal Force Situations

On May 12, 2017, Branch Wroth, a Sonoma County native, sought medical attention, instead he died after being tased by Rohnert Park Public Safety officers. The Sonoma County Sheriff's-Coroner's Office ruled Mr. Wroth's death a homicide.

Although the determination of whether excessive force was used in a particular case is fact specific, the courts have given law enforcement guidance on what constitutes excessive force when it comes to tasers.

In one case, a court held that the use of a taser on a man who had not committed a crime, was a danger only to himself, was unconstitutional, even though the man was a flight risk and was resisting police. In another case, the court held that the use of a taser on a man who had committed minor crimes including a traffic infraction, was acting erratic, shouting expletives and gibberish, and who did not pose a threat to the officer, was unconstitutional.

Another court held that the continuous use of a taser on a person who had already been tased and had fallen in response to being tased was unconstitutional. In another case, the court held that tasing a

pregnant woman for a minor traffic infraction was unconstitutional.

Aside from what the law requires, local police have also had sufficient notice that tasers can cause serious injury or death. For several years, the Human Rights organization, Amnesty International has documented deaths that resulted after being shocked with tasers either during their arrest or while in jail. Moreover, after being sued multiple times for allegations of failing to warn of serious injury or death, in May of 2017, Axon Enterprise, Inc. (formerly Taser International) the manufacturer of tasers, issued new warnings, which had long been popular knowledge, to police that tasering healthy or vulnerable persons, which include but are not limited to the elderly, young, intoxicated, thin, obese, pregnant, wet people, and people with heart conditions, may kill or cause serious injury. This means that law enforcement officials who use a taser may no longer claim they didn't know that a single taser application can cause serious injury or death.

I want safer alternatives to guns, however, are tasers really a safer alternative? The questions I have for law enforcement who argue in favor of continuing to use tasers on the elderly, pregnant women, minor children, the mentally ill and other vulnerable persons are: Can you guarantee that an elderly person is not going to have a heart attack after being tased? Can you guarantee that tasering a minor child will not result in the child falling and breaking his neck or dying? Can you guarantee that tasering a pregnant woman will not harm the fetus? Can you guarantee that a mentally ill person, a person with a heart condition, an intoxicated, or otherwise unhealthy

person will not die after being tased? If law enforcement could guaranteed the community that the tasing of a person would only inflict momentary pain, I would agree that a taser was a viable alternative to guns. The reality is that it's impossible for law enforcement officials to guarantee that a person will not suffer serious injury or death after being tased.

When we consider the high cost associated with the use of tasers, safety concerns, waste of millions in public funds litigating the constitutionality of taser use, and lack of deescalation policies, the choice is clear, tasers should cease being used unless the taser policy is strictly limited to instances in which an officer would be justified in using lethal force.

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