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Police not forthcoming with Taser documents

Effectiveness of recent Taser standards hard to judge through red tape

The residents of Columbia need information from the Columbia Police Department regarding adherence to proper procedures, guidelines and accountability for Taser use since its adoption of the higher Police Executive Research Forum (PERF) Taser standards in May.

The Aug. 1 incident, in which Columbia police accused Mr. Alan Giles of urinating in public and subsequently pepper sprayed and then twice Tasered him, intensifies our concern about whether our officers are following PERF standards.

The Coleman, McDuffy and Harlan cases are graphic examples of the grave harm Tasers can cause. These serious injuries and one death (fol-

lowing an incident in Moberly) underscore how essential it is for the public, through the Sunshine Law, to have access to all pertinent information on Taser use by Columbia police.

The Coalition to Control Tasers has requested documents of the PERF standard period of May to August 2009. We have consistently encountered delays, incomplete reports and high charges.

This difficulty of accessing information is not a new problem.

When the Columbia City Council, in June 2008, voted unanimously to use a federal Justice Department grant (unspecified funds that could have been used for any equipment) to ultimately arm all officers with Tasers, many residents were surprised and

alarmed. This "tipping point" decision and the subsequent education and activation by the coalition all contributed to the community's understanding that better standards and adherence to these standards were urgently needed.

These developments underscore how crucial it is that the public knows it has the right to, and indeed has access to, all pertinent information on Columbia police Taser use. Yet, those seeking Taser information, including copies of cases and data the department sends to its retailer manufacturer Taser International, were typically unable to obtain the documents.

In the summer and fall of 2008, the coalition informed the council of the perennial difficulties and delays regarding our Sunshine Law requests for Taser deployment documents. In October, the council mandated that the police department furnish the documents directly to the council itself, but not to the coalition, and then they released them publicly for free.

The council's roundabout procedure of ordering that the Taser cases first be released to the council begs the question: Was the Sunshine Law written solely to fulfill the requests of the council, other public bodies

According to the Missouri Sunshine Law (Chapter 610.026) and our city ordinance (Chapter 2 Administration Section 2-25.5 Fees), charges for providing documents may be waived if the following two stipulations are met: 1) the information is in the public interest because it is likely to significantly contribute to the public's understanding of the activities of the government — which we believe is the case with the Taser issue; and 2) the requester would not commercially benefit — which our volunteer coalition would not. All Sunshine Law requests should be scrutinized according to these two stipulations and public document fees should be waived only if they meet these two criteria.

Here's one example of our Sunshine Law difficulties. On May 15, a suicidal, mentally ill man was shot with a Taser — the first deploy-

ment, we were told by police personnel, of a Taser under PERF. On May 17, a coalition member submitted a Sunshine Law request for records on this case, and, as the form allowed, requested fees be waived. Finally on June 15, the coalition received scant information — six pages that cost 84 cents per page. Of four officers' reports.

THE COALITION TO CONTROL TASERS

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and the “important people” of Missouri? No. The Sunshine Act was written to ensure that ordinary taxpaying residents can directly find out what their government is doing on their behalf.

we obtained only one. They said the other three were currently classified as “investigative.”

In the past, the coalition has received estimated costs of \$1,400, \$800 and \$400 to be paid prior to receiving the

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requested documents. History shows that the “power of the purse” often has been used to withhold information from the public.

The unique power of the police to detain, restrain and use force on alleged lawbreakers requires the highest order of responsibility and transparency both to their own professional standards and to the people they serve. Yet, too often, those in our Democratic society who insist upon police accountability encounter obstacles and are even labeled troublemakers,

The Coalition To Control Tasers seeks peaceful cooperation with our police department and City Council. But cooperation is very difficult under the current circumstances.

In the spirit of participatory democracy and invoking the Sunshine Law and Columbia ordinance, the coalition again insists that our police department release, with fees waived, all documents regarding persons threatened or shot with a Taser since May.

The public’s eye on the public’s Taser documents is the only way to verify compliance with PERF standards.

The Coalition to Control Tasers includes the following groups: Mid-Missouri American Civil Liberties Union, GRO - Grass Roots Organizing, Mid-MO Women’s International League For Peace and Freedom, Missouri Association For Social Welfare, the National Association for the Advancement of Colored People, Mid-Missouri Parents, Family and Friends of Lesbians and Gays, and Columbia Unitarian Universalist Social Action Committee. The editorial was authored by Ed Berg and Dan Vlets.