

To: Members, House Government Operations Committee
From: Laura Ziegler
Re: H.225

1.

In commenting on H.225 some members of the public -- myself among them - - have suggested mandating video recording of taser deployment. Concerning the financial feasibility of such a requirement, journalist Taylor Dobbs did some investigation of the cost of attaching cameras to taser devices. From the comment section of his 2012 article in Vt Digger:

<http://vtdigger.org/2012/07/30/analysis-of-vermont-state-police-records-shows-officers-fired-tasers-33-times-in-15-months/>

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Taylor Dobbs

August 2, 2012 at 10:21 am

Mr. Merrill,

Thank you for your comment. I checked with the Vermont State Police about whether they have cameras on their Tasers.

Vermont State Police Tasers do not have cameras attached.

A representative for Taser International confirmed that there is no Taser model that comes standard with an attached camera. However, a camera that can be attached to the X-26 (the model Vermont State Police use) is available from Taser International. The State Police, however, do not have those equipped.

According to news reports (here: <http://www.abcactionnews.com/dpp/news/taser-mounted-cameras-produce-painful-videos>), the "Taser Cam" costs \$400. Taser International refused to say how much the law enforcement version of the Taser Cam costs, but their customer service representative said the civilian version is \$500.

For the Vermont State Police's 207 Tasers, such an upgrade would cost \$82,800 to \$103,500.

Thanks for reading!

2.

Section 1 of H.225 as introduced includes a requirement that the Office of the Attorney General annually report on all incidents involving the use of electronic control devices. My concern is that the AG's office would need to rely on data provided by law enforcement. Unless there are clear and uniform standards for what *law enforcement* must report, how can reporting by the AG be relied on to convey what is happening in the field and whether standards are followed? Re: people with cognitive disabilities or in emotional crises that interfere with the ability to understand consequences of action, the VSP Taser Tracking spreadsheet for 2012 which I acquired late yesterday afternoon (attached), lists the incident involving Macadam Mason as follows (red flagging added):

[CASE NUMBER	DATE	LAST NAME	FIRST NAME	TROOP BARRACKS]
12B301280	6/20/12	SCHAFFER	DAVID	B BRADFORD

[RACE	GENDER	HEIGHT	WEIGHT	IMPAIRED	ALCOHOL (A)	DRUGS (D)]
WHITE	MALE	6	200	A,D		

[MENTALLY IMPAIRED Y/N	CRIMINAL CHARGES Y/N	ECD DEPLOYMENT]
NO	N/A	YES

ECD DISPLAYED	MEDICAL TREATMENT
NO	N/A

I assume the part of the entry re: drugs and alcohol intoxication is derived from what was first reported to VSP. From the AG's report:

<http://www.atg.state.vt.us/news/no-criminal-charges-to-be-filed-against-vermont-state-trooper-for-deploying-taser.php>

"Dispatch was told that an unidentified male at the address, who sounded intoxicated, had stated that he was suicidal and homicidal, that he had access to weapons and that he hoped the police would shoot him."

Unless drug or alcohol intoxication was validated by subsequent investigation - which I can find no report of -- why state it in the record as fact? As for the "NO" re: mental impairment, this reflects VSP's version of events re: what Trooper Schaffer knew at the time he deployed the taser. But it omits other significant information reported concerning Mr. Mason's condition post seizure. Shouldn't reporting acknowledge that he was under a disability or alleged to be under a disability at the time he was tasered? How would reporting by the AG based on this kind of data collection enable tracking of the use of electronic control devices on people with mental disabilities or mental

impairments? On other vulnerable populations? I believe it is necessary to spell out in statute what must be reported if the intended outcome is to effectively inform the legislature and the public of the more high risk or problematic deployments of these devices.

Thank you for considering my concerns.