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## **Less lethal issues in law enforcement** ***Sponsored by TASER International***

with Capt. Greg Meyer (ret.)

### **Resources for sudden in-custody deaths**

by PoliceOne.com Columnist Greg Meyer  
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So how did this happen? Guy you arrested dies in the back of your police car. Or back of the ambulance. Or in the emergency room. Or in your jail. Could you have done anything different that would have saved the life (and the lawsuit)?

You get the call. Too bad you're not on your lunch break.

Violent guy in the street. Naked. Acting crazy. Flipped out. Paranoid. Shouting gibberish worse than your sergeant in roll call. Sweaty. "Super-human strength." A case of "excited delirium."

You and several back-up officers confront him. Maybe a big fight. Maybe a TASER. You finally get him down and handcuffed. (It usually takes about six officers to do that.)

While you're waiting for paramedics to come and check him out, he stops breathing and dies. Or maybe it's an hour later. Or a day. Or a week.

Internal affairs. District attorney's investigation. Front pages. Relatives on the 6 o'clock news: "The police murdered my son. He was a good boy who never caused anyone any trouble."

Your chief wants to know what happened. The family's attorney gets on TV. You get sued.

After a few weeks, the coroner comes back with the toxicology report. It makes the back pages, small article. Cause of death: Cardiac arrhythmia due to acute cocaine (or methamphetamine, or PCP) intoxication. Contributory factors: Police restraint (maybe involving a TASER, maybe not). Next step: Coroner's inquest.

This scenario plays out hundreds of times a year. Some doctors are trying to do something about it.

What can we learn from them?

Dr. Christine Hall, up in Canada, is one of the doctors in the forefront of new research on this subject. She and some colleagues in the United States have secured some grants to study this phenomena with an eye toward identifying possible prevention measures.

She had a young guy die in her emergency room last year. It was his *tenth* visit, with identical medical “presentation,” as doctors like to call it. He was flipped out. He was acting the same, time after time. It was cocaine, time after time.

So why did he die on the *tenth* visit? Why not the ninth? Or the fifth? Or the first?

A small number of people who flip out on coke, meth, PCP, and in some cases schizophrenics who refuse to take their medication, manage to over-exert themselves right into a heart attack.

Some doctors advise that the TASER ought to be the restraint mechanism of first resort, because it is the person’s hyperactivity that is killing them, and the TASER is the quickest way to stop the hyperactivity.

Of course you’re probably aware of the big controversy playing out in the media the past couple of years. Amnesty International and the ACLU have called for banning use of TASERs except in cases where you would otherwise shoot the person. (Not very logical, in my opinion. It ignores the question of how exactly the police are supposed to restrain such a person, and it ignores the fact that many such deaths that did not involve TASER use. And one of the national board members of the ACLU calls the AI and ACLU position “ludicrous” and “dangerously naïve.”)

So, with demonstrations in front of your headquarters, and the media demanding answers, you and your agency and your attorneys and your public can’t wait for the results of a multi-year study that may or may not yield helpful protocols that might save that life.

So I’d like to provide you with some education and support resources about sudden in-custody deaths, or what the Canadians are calling “sudden deaths proximal to police restraint.”

Then, I’d like to ask you for a favor.

First, I hope you are aware of the fine work of Dr. John Peters, who runs the Institute for the Prevention of In-Custody Deaths [[Visit the IPICD Website](#)]. On November 16-17, 2006, in Las Vegas, John will bring together a fabulous panel of experts, including many knowledgeable doctors, for a seminar on this subject.

Second, I have two books to recommend to you. Some of the most prominent doctors knowledgeable about police restraint, TASERs, excited delirium and sudden in-custody deaths are featured. I got both books from Amazon.com, and I got extra copies for Los Angeles Police Department use of force investigators, the city attorney who defends police use of force litigation, and the Police Academy trainers.

- “Sudden Deaths in Custody,” by Dr. Darrell L. Ross and Dr. Theodore Chan [Humana Press, 2006]: [[More details](#)]
- “Excited Delirium Syndrome: Cause of Death and Prevention,” by Theresa G. DiMaio and Vincent

J. M. DiMaio [CRC, 2004]: [\[More details\]](#)

Third, if your agency experiences one of these deaths, it is important that your coroner/medical examiner personnel and your investigators are aware of important procedures that need to be followed to preserve the evidence. By all means, see the article by Chris Lawrence and Dr. Wanda Mohr in "[The Police Chief](#)" magazine of January, 2004.

### **Has your agency experienced an in-custody death?**

Please e-mail me at [gregmeyer@earthlink.net](mailto:gregmeyer@earthlink.net) if your agency has experienced a sudden in-custody death after a police-restraint event in the past two years or so. Briefly tell me the circumstances. What tools and tactics were used (neck restraints, batons, pepper spray, TASERS . . . please specify)? What did the toxicology report say? What was the certified cause of death? No names, no dates. Tell me your agency if you wish, or don't tell me.

I hope to use this very informal study as the kick-off point for developing a more formal study of this all-important subject.

Until next time...stay safe!

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Greg Meyer, a retired Captain from the Los Angeles Police Academy, served for 30 years, including eight years as a commanding officer. Greg is a member of the National Advisory Board of the Force Science Research Center, a member of the Police Executive Research Forum (PERF) and the International Association of Chiefs of Police (IACP).

He holds the Certified Litigation Specialist credential of the Americans for Effective Law Enforcement (AELE), and is a member of the AELE seminar faculty for lethal and nonlethal weapons issues.

He is chairman of the Training Seminars Committee of the Peace Officers Association of Los Angeles County (POALAC); and he serves on the advisory board for "POLICE" magazine.

Greg has served as a use of force expert witness in his official capacity for the Los Angeles City Attorney and Los Angeles District Attorney, as well as privately across the United States. He specializes in risk management issues including policy, training, equipment, tactics, supervision and review processes, with a focus on injury reduction during lethal and nonlethal encounters.

He was an expert witness during the Rodney King federal civil trial, and he was a consultant for the defense during the sentencing phase of the criminal trial.

He is the recipient of Defensive Tactics Newsletter's leadership award for his research in the nonlethal weapons field. Greg can be reached at: [gregmeyer@earthlink.net](mailto:gregmeyer@earthlink.net)

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