



NO on SB 2570

Do not reduce standards for jailers and guards to allow force when not immediately necessary, when reckless, or against vulnerable people -- disincentivizes de-escalation.

This bill justifies inappropriate taser use, chemical sprays and batons, the weapons most often abused by jailers.

Steve Martin, former General Counsel for the Texas Department of Corrections who has inspected more than 500 US prisons and jails is quoted in a December 2017 Reuters Investigative report ² on the use of tasers in correctional facilities, ***"I can count on one hand when it was used appropriately."***

The same report states that when Tasers are misused in correctional settings, **taxpayers also pay a price: 68 percent of the 104 inmate fatalities identified by Reuters led to wrongful death lawsuits against the county or municipality responsible for the jail. And families or estates of the deceased won payouts in 93 percent of those cases, a far higher success rate than in lawsuits over such deaths outside jails.**

Rather than improve jailer's de-escalation strategies, this bill will encourage unnecessary and reckless use by adding to the Penal Code a new, broad "justification" for use of force including lethal force by tasers and other less lethal weapons. As per the Texas Association of Counties, the county jail system is the largest mental health - warehouse of people with serious mental illnesses - system in the state.¹ This population is uniquely vulnerable in a jail setting.

The Senate has already rejected proposed amendments to ensure detention officers get training BEFORE granting a lower force standard.

- TCOLE has NO training unit on most less lethal weapons.
- Detention officers are NOT trained in the particular proper and improper uses of these weapons.
- Most criminal cases brought against officers using "less lethal" weapons relate to their IMPROPER USE
- Encourages excessive use when NOT immediately necessary

Texas Jail Project has documented complaints where use of force including tasers, pepper sprays and chemical sprays have led to serious lifelong harms and custody deaths. *

Under this bill jailers *are justified* using less lethal weapons dangerously when:

- the officer inappropriately used these weapons **against people with serious mental illness and intellectual and developmental disabilities**
- they are **NOT *immediately necessary***; the current force standard
- **the officer is NOT defending himself or others, and no one is escaping or presenting an imminent danger to self or others**
- the officer **violated department policy** related to force or these weapons
- The jailer has not actually been trained in the inappropriate use of the weapons
- the jailer acted **recklessly** or with criminal negligence
- used the weapon **in violation of the instructions** from the manufacturer

Justifying reckless and dangerous use of any weapon is not an appropriate incentive for its use. NO on SB 2570!

¹<https://mmhpi.org/topics/policy-research/smart-justice-texas-needs-more-effective-alternatives-than-jail-to-treat-mentally-ill/>; Accessed on 05/13/2025

² <https://www.reuters.com/investigates/special-report/usa-taser-jails/> **Inmate deaths reveal “torturous” use of tasers**

*[Inmate dies in Galveston county jail after taser use](#) Galveston, 2024

*[Emmanuel Mora died after being tasered in Bexar county jail](#) San Antonio August 2023

*[Inmate who died in Ector county jail was subdued with taser, restrained](#) Midland, June 2020

*[Family of RGV man sues jailers after death in custody of Willacy County Jail after use of pepper and chemical spray](#) 2021

*[New video shows what happened after Tarrant county jailers pepper sprayed prisoner \(Robert Miller\) who died](#), 2024

* [Marine with schizophrenia - Anthony Johnson Jr.'s death in Tarrant county jail ruled homicide by asphyxiation](#) (pepper sprayed), 2024

Questions or concerns?

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