

Two former Oklahoma police officers convicted of second-degree manslaughter in 2019 tasing death of Jared Lakey

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11 November 2021

Last Friday, two former Wilson, Oklahoma police officers were convicted of second-degree murder for using their “less lethal” Taser-X26Ps dozens of times over a nine-minute period on 28-year-old Jared Lakey, resulting in his death.

On July 4, 2019, Wilson police officers Joshua Taylor and Brandon Dingman arrived on the scene after responding to a call that Lakey was acting disorderly by running around naked outside and screaming. Body camera footage shows officers issuing commands to “put your hands behind your back,” all the while proceeding to fire their tasers a total of 53 times into Lakey’s body, spanning less than four minutes, before he was choked unconscious by a third officer, Carter County Sheriff’s Deputy David Duggan. Lakey died in the hospital two days later on July 6.

According to prosecutors, former officers Dingman and Taylor’s repeated use of the tasers, also known as stun guns, was “dangerous and unnecessary” and a “substantial factor” in the death of Lakey. Axon, the company that sells the “directed energy weapon,” explicitly warns that “[r]epeated, prolonged or continuous energy weapon applications may contribute to cumulative exhaustion, stress, cardiac, physiologic, metabolic, respiratory and associated medical risks which could increase the risk of death or serious injury.”

Axon further states that “[m]ost human energy weapon lab testing has not exceeded 15 seconds of energy weapon application,” and not to use “multiple energy weapons or multiple completed circuits at the same time *without justification*” (emphasis added.)

According to court records, in addition to a second-degree murder conviction, which carries a minimum of

10 years to life in prison, Taylor, now 27, and Dingman, now 35, were also found guilty of assault and battery with a dangerous weapon by a jury and are to be sentenced on December 2.

Shannon McMurray, Dingman’s lawyer, said on Monday that the former officer planned to appeal his conviction. Citing a medical examiner’s autopsy report, McMurray said that Lakey had an enlarged heart and critical coronary artery disease prior to his death. The autopsy report, however, listed the officers’ use of electrical weaponry and restraint as contributing factors in Lakey’s death.

“It’s just a tragedy for everybody,” McMurray said. “In my opinion, they acted within policy.” McMurray claims the officers had been trying to avoid using “other types of force” on Lakey. “They were truly, truly concerned for his safety and theirs if they had gone hands-on,” she said.

Warren Gotcher, Taylor’s lawyer, also said on Monday that his client would file an appeal. “We’re very disappointed in the verdict,” said Gotcher, who also pointed to Lakey’s health as playing a “significant role” in his death. “No one could look at him and tell that he had that much of a diseased heart.”

A lawsuit filed by Lakey’s family reports that his body was riddled with taser probes and that medical providers told the family that Lakey died from multiple heart attacks.

Spencer Bryan, a lawyer for Lakey’s parents, Doug and Cynthia Lakey, said in a statement on Monday that they were “grateful to the jury and prosecution for taking these officers off the streets,” but heavily criticized the Police Chief Kevin Coley’s explanation, i.e., justification, during the trial about why the officers

continued to tase Lakey.

Coley testified that Taylor and Dingman had been attempting to cause “neuromuscular incapacitation” in Lakey. Ignoring all of Axon’s explicit warnings, the officers continued to attempt “neuromuscular incapacitation” because he had kept moving.

According to Axon, the devices [tasers] “save lives” and “prevent injuries.” However, according to a 2017 investigation by Reuters, more than 1,000 people in the United States have died after being tased by police since 2000. In July 2008, a grand jury in Louisiana indicted police officer Scott Nugent on a manslaughter charge involving the death of 21-year-old Baron Pikes, who was shocked nine times with a taser. During the grand jury proceeding, the District Attorney said, “It is our intention to show at trial that Mr. Nugent caused the death of Baron Pikes by tasing him multiple times, unnecessarily and in violation of Louisiana law.”

However, at the conclusion of an inquiry on deaths after “electro-muscular disruption,” i.e., “neuromuscular incapacitation,” by the US Department of Justice, the National Institute of Justice published a special report stating that “there is no conclusive medical evidence within the state of current research that indicates a high risk of serious injury or death from the direct effects of CED [Conducted Energy Devices] exposure.”

District Attorney for the 20th Judicial District Craig Ladd said on Monday that police officers were “trained to limit Taser exposure to 15 seconds or less” and to “avoid simultaneously using their devices. But in the case of Mr. Lakey,” he continued, “the electrical connection from the officers’ Tasers lasted 3 minutes and 14 seconds.”

Ladd went on to say, “They clearly failed to adhere to these safety guidelines. They tased Jared because he was lying naked in a ditch and wouldn’t put his hands behind his back when they asked him to, even though it wasn’t clear whether Jared truly understood what was going on or what he was being requested to do.” Ladd continued, “He never made any aggressive moves towards the officers, swung at them, lunged at them, or kicked at them.”

Tasers, which are classified as “less lethal,” are designed to assist law enforcement officers in temporarily immobilizing a person by jolting them with 50,000 volts of electricity. Lakey’s brutal and

agonizing death has brought further scrutiny to the use of tasers by law enforcement officers, with proponents claiming the devices are a “practical alternative” to lethal firearms, while critics point to their frequent misuse and routine fatalities.

The conviction of Taylor and Dingman is an exceptional case. While police in the US routinely kill 1,000 people every year, or approximately three people every day, criminal charges are rare, and successful prosecutions are even more uncommon. The Henry A. Wallace Police Crime Database at Bowling Green State University identified just 104 non-federal law enforcement officers charged with murder or manslaughter in relation to on-duty shootings between 2005 and June 2019. One third of those cases resulted in any criminal conviction and only 4 officers were convicted of murder and 18 found guilty of manslaughter.



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