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Ferguson, Mo., police begin testing new 'less-lethal' attachment for guns



Alternative Ballistics has created a device for police officers that can incapacitate individuals through blunt force trauma rather than through lethal force. (Alternative Ballistics)

By [Richard Leiby](#)

About a month after a white officer fatally shot an unarmed black teenager in Ferguson, Mo., the city's assistant police chief, Al Eickhoff, took to Google and searched under the words "less lethal."

Eickhoff, a 36-year veteran of Missouri police work, said he was looking for any new device, weapon or ammunition — any alternative to lethal force — that might

have prevented a deadly result when Michael Brown and Officer Darren Wilson encountered each other in the noonday heat last August.

Browsing a California company's Web site, Eickhoff found pictures and videos of an odd-looking, blaze-orange device docked on a normal handgun barrel. When a bullet fired, it melded with an attached projectile the size of a ping-pong ball that flew with enough force to knock a person down, maybe break some ribs, but not kill him, the product's makers said — even at close range.

Its name: The Alternative.

This week, five Ferguson police instructors will train to use the device; the department plans to introduce it to the entire force of 55 officers.

Attracting ardent fans and just-as-fierce critics, the Alternative is the latest in a growing inventory of less-than-lethal police weapons — including the Taser, bean-bag-loaded shotguns, pepper-filled pellets, rubber-coated bullets and stun grenades — that officers reach for in various situations to minimize the chances of killing people.

The difference is that the Alternative is meant for exactly that time when officers decide, often in a split second, that they must shoot someone to protect themselves or others.

“It gives another option,” Eickhoff said of the device, which he later tested for himself. “I really liked it. . . . You are always looking to save a life, not take a life.” But others consider the product dangerous because officers must take time — if only a few seconds — to remove it from their belts and affix it to a service weapon. That “exposes police officers to greater risk” and “turns policy on its head,” said Steve Ijames, a former Springfield, Mo., police major and training expert.

“I am all about less lethal,” he said. “What bothers me is we will allow an officer to face immediate deadly jeopardy with a less-lethal round. Deadly force is the most likely thing to repel deadly force.”

Post-Ferguson, the issue is particularly fraught. Critics have accused law enforcement agencies of inflicting casual brutality and needless death on minority communities. “Black lives matter” protests erupted after a grand jury declined to charge Wilson in Brown's death and another grand jury, in Staten Island, did not indict the New York City police officer who put Eric Garner in a fatal chokehold.

Then there was the harrowing surveillance video from Cleveland of a 12-year-old African American boy, Tamir Rice, who was one moment nonchalantly playing with a pellet gun, the next moment shot dead by police.

Civil unrest catapulted deadly force onto the agenda of President Obama's new task force on police practices, created to help shore up public trust in the criminal justice system. But nobody can say how widespread police-involved deaths are in the United States because police departments are not required to report that data to the Justice Department.

"The troubling reality is that we lack the ability right now to comprehensively track the number of incidents of either uses of force directed at police officers or uses of force by police," Attorney General Eric H. Holder Jr. said last month. "This strikes many — including me — as unacceptable."

Police officials are quick to point out that the vast majority of officers would prefer to never have to shoot anyone. But juries almost always side with the judgments of those who enforce the law; if officers reasonably believe that they or others are in imminent danger of death or serious bodily harm, they are generally justified to shoot to kill.

That applies even if the suspect's gun was a replica or a mirage, a glint of light or a shadow, or if that now-bullet-riddled unarmed person was just reaching for his or her identification. It applies when a desperate character is waving a loaded gun, inviting "suicide by cop" — or just brandishing a big tree branch while marching on an officer.

Christian Ellis, of Alternative Ballistics, said the company wanted to perfect a device to stop needless citizen deaths in just such episodes. The rough concept was developed several years ago by a retired sheriff's officer from whom the company bought the patent.

"Ask a police officer what are the options when lethal force is justified, and he'll say, 'I have my gun and my bullets,' " who recently began marketing the Alternative in the United States and abroad. He calls it "an air bag for a bullet."

Actually, it's a bulbous metal alloy bullet-capture device that travels up to 250 feet per second (when propelled by a 9mm slug) and sends "a shock wave of pain through the suspect" when it hits, Ellis stated. Effective to a range of 30 feet, the Alternative incapacitates a person but would very rarely penetrate the skin, he said,

citing ballistics tests using leather chamois, foam and gel to simulate the human body. All tests were conducted at a range of five feet from muzzle to target.

The company invited Rep. Duncan D. Hunter (R-Calif.) to a shooting range for a demonstration of the device. The congressman, whose district includes San Diego, came away impressed after he fired a gun equipped with the Alternative.

Last month, Hunter, an Iraq war veteran, sent letters to three federal law-enforcement agencies urging them to give “close consideration” to less-lethal - bullet-capture devices that dock with a weapon. He did not specifically name the Alternative, but there appears to be nothing else fitting that description on the market.

Versions of the Alternative can be readily affixed to standard-issue Glock and Sig Sauer pistols, but for now, no one knows how officers would perform with it under real-life stress. And currently no human being has been shot with it.

The device captures the first bullet only; the next round chambered is a regular one — that is, lethal — so if the Alternative should fail to stop its target, the second slug could be discharged.

Some bloggers and gun enthusiasts have excoriated the product; one labeled it “terrifying.”

“I get this all the time from police until they see it and shoot it,” Ellis said. “I’ve yet to have one agency or person anywhere in the world who has shot it and not instantly believed in its value.” He said the device should never be an option when officers feel that they or those around them are immediately imperiled; then lethal force is obviously required.

“There’s always this understandable tendency to find any kind of weapons that will cause the least amount of harm to avoid deadly force,” said Chuck Wexler of the Police Executive Research Forum, who submitted testimony on the topic last week to the presidential task force. He was unfamiliar with the Alternative, but he noted that other supposedly less-lethal approaches, such as the Taser, can still cause severe injury or death

“The intentions are good here,” Wexler said. “The problem is when the technology gets too far out and advanced and there are not policies or guidelines.”

Eickhoff had been on the job in Ferguson for just six days before Michael Brown was shot. The world would soon after come to know “Ferguson” as shorthand for police brutality, racism and riots — bad PR that has tarred the force, deservedly or not, to this day.

So far, the Ferguson police department is the only domestic police agency that has decided to train with the Alternative. Its use must be approved by city officials. The units cost around \$45 each.

“Hopefully we can get it on the streets soon,” Eickhoff said. “Is it going to work every time? Probably not. It’s not a catch-all. Every situation is different. But it gives an officer, if time allows — and that’s important, if time allows — a chance to save a life instead of taking a life.”

Question: Could this thing have saved Brown? After a ruminative pause, Eickhoff offered that if Wilson’s fusillade of gunfire didn’t stop Brown, it’s not likely that a single-shot blunt-force projectile would have. “You could still shoot him with this round,” the assistant police chief said, “and he could still get up and come at you.