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DEATH IN SOUTHAMPTON

Family files \$570M suit against Taser

Pictures of David Glowczenski are displayed as his sister, Jean Griffin, announces lawsuits against Taser and police.



■ **Calling death of David Glowczenski 'torture' by police with stun guns, his family also files suit for \$550M against Suffolk and village**

BY ZACHARY R. DOWDY
STAFF WRITER

Relatives of David Glowczenski, a mentally ill Southampton man who died in police custody in February, have filed two federal lawsuits seeking more than a billion dollars in damages, saying he was "unmercifully" killed by officers who beat, pepper sprayed and shocked him with a Taser gun.

One of the claims joins several wrongful-death suits filed against the Scottsdale, Ariz.-based manufacturer of the stun gun, a staple in police departments nationwide.

"There is no excuse or justification for the way he was tortured and executed on a public street," his sister, Jean Griffin, said at a news conference in Mineola yesterday. It's been seven months since her brother's Feb. 4 fatal scuffle with Southampton Village police.

Griffin and her mother, Mary Jane Glowczenski, and their attorney, Frederick K. Brewington of Hempstead, announced they are suing Southampton Village and Suffolk County. In a separate lawsuit, the family is suing Taser International Inc., which makes the gun.

The family is seeking \$550 million from Southampton and Suffolk

County, and \$570 million from Taser, according to the lawsuits filed yesterday in U.S. District Court in Central Islip. "David Glowczenski was tortured to death," said Brewington, adding that Glowczenski, 35, had been shocked nine times with a 50,000-volt Taser gun, was pepper-sprayed and beaten. "He was beaten in a way that was, in our view, unmerciful and improper," Brewington said.

However, Thomas Spellman, an attorney for Southampton Village, said the death was not likely a result of excessive force from the gun. "I think it was an unfortunate situation, and we still do not know the actual cause of death," Spellman, a Smithtown attorney, said, adding, "There is no proof that it had anything to do with the Taser."

Suffolk County Attorney Christine Malafi said she could find no liability for the county in the notice of claim, a preliminary brief filed after the death.

At the news conference, Brewington held up grisly photos of Glowczenski's body, bruises visible on each cheek, his nose and his forehead. His knees were a bright red, Brewington said, because he "was crawling for his life."

According to Suffolk police,

the incident began after village police were called by Glowczenski's family to their Layton Avenue home at about 10:30 a.m. when he began acting irrationally, but he left before officers arrived. Southampton Village police found him screaming on North Main Street, where he allegedly pushed down a female officer who tried to calm him down. Other officers arrived and subdued Glowczenski with pepper spray and the Taser, but he stopped breathing.

Brewington claims the Taser jolt was a contributing factor. The family would not release findings from a private autopsy. The county's autopsy has not yet been completed.

While Tasers have been cited in deaths nationwide, last week's Denver medical examiner ruled the gun played no role in the death of a man who died Aug. 19 in police custody. But an Arizona Republic investigation in July found other medical examiners have linked Tasers to deaths of five people in police custody.

Taser's Web site says the guns are used by 5,400 police departments. The company claims the 50,000 volts are harmless since the shock carries low amperage. Taser officials claim the gun delivers a 26-watt current of electricity. Company officials said in a statement Tasers can help subdue violent people being taken into custody, and that there have been similar in-custody deaths where a Taser gun wasn't used.