

ARMED AND DANGEROUS

Cop Tasers autistic boy unconscious Family sues police, school after 9-1-1 called during outburst

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The family of a 14-year-old autistic boy is suing police and his school after authorities Tasered him until he lost consciousness.

The student attended Creekside Middle School in Carmel, Ind., and remains unnamed in the complaint. He is described as having "affective disorder and has been diagnosed with [autism](#), manic-depressive disorder and bipolar disorder."

According to the lawsuit filed Wednesday in U.S. District Court in Indianapolis, the boy's mother, Dianne Bell, was late dropping him off for school and called to tell the [administration](#). However, the student received detention and became "frustrated and began to act out."



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"During this outburst he is saying outrageous things," Bells' attorney, Ronald Frazier, told the Indianapolis Star. He said the student said he would call his gang as retaliation against his teachers.

"They know there is no gang there," Frazier said. "They know he has no way of acting on what he is saying. They are taking these idle threats and calling police."

The family claims the school district did not abide by established procedures for dealing with the outbursts

"When a child like (the Bells' son) starts to have emotional problems, the (individual procedure) is supposed to be followed," Frazier told the Star. "It has specific steps that are to be taken in order to keep the child from melting totally down."

The administration dialed 9-1-1 instead.

The family claims Carmel police officer Matthew Kinkade restrained the 5-foot, 90-pound boy and forced him onto a bench in the school lobby. When his outburst continued, the officer allegedly Tasered the boy two times – leaving him unconscious.

"Officer Kinkade used unreasonable and excessive force by failing to follow policies and procedures that were in place for dealing with autistic children," according to the complaint.

The Police Department claims the school never notified officers of the boy's condition, although school officials say they did.

"Autistic children have a great difficulty interpreting what others are thinking or feeling because they don't understand social cues," Frazier told the Star. "(The Bell child) gets confronted with violence, with Tasers, and he is flipping out because of his sensory overload."

Noblesville Police Department Lt. Bruce Barnes trains officers in the use of Tasers.

"You can use the Taser anytime anybody is punching, kicking or threatening to punch or kick," Barnes said. "We can use it when we tell someone to do something, they refuse, lesser-force options are not available and they are a credible threat to you."

Barnes wouldn't speculate about whether the autistic boy actually posed a legitimate threat to police, according to the report.

Sheila Wolfe, director of the Indianapolis-based [Autism Education](#) and Training Center, told the Star school officials and police who responded to the outburst actually made it worse.

"You need to step away and leave them alone so that they can decompress," she said. "I have a hard time believing that a trained officer would Taser a child with a disability if they fully understood the situation they were walking into."

"I know from experience that the people in Carmel (Clay schools) know better. As a school system, they have the expertise and they have the people available that know better. I'm surprised."

The Bell family is now suing the Carmel Police Department, officer Matthew Kinkade and Carmel Clay Schools. They are seeking damages for medical expenses, [pain](#), suffering and mental anguish.

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