

# How to Avoid Conviction of Improper Use of Firearms

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It is always interesting to see how cases turn out when the defendant is a police officer. These cases are especially interesting when the incident involves a police officer improperly enforcing their power. In the case of a Boynton Beach Police officer, he has been arrested for improperly using a Taser. Again.

## The case

According to an article in WPTV News, 30-year-old David L. Coffey has a history of using a Taser as his weapon of choice. He has been arrested for using a Taser improperly - yet again - this time near a fellow officer. He has been charged with improper exhibition of a dangerous weapon or firearm and culpable negligence. He has been placed on administrative leave with pay, effective immediately, pending the outcome of an internal affairs investigation, said police department spokeswoman Stephanie Slater.

According to the Boynton Beach Police arrest report, Coffey sneaked up behind a fellow officer on April 2, while on duty, placed his department-issued Taser behind her ear and activated it for a few seconds. Coffey told the officer that he had done so in an effort to get "back at her for an alleged incident that occurred over a month ago," the report stated.

The female officer is now being treated for hearing loss.

Coffey was fired from the Boynton Beach Police Department in 2007 after an investigation found he attacked a suspected intoxicated driver in a holding cell and later, after the man had been handcuffed, shocked him four times with a Taser. He was later rehired in December of 2008.

## Improper exhibition of a firearm

According to Florida law, improper exhibition of a dangerous weapon or firearm is also called "brandishing a weapon." It is a first-degree misdemeanor, which is punishable by 12 months in the county jail and a \$1,000 fine.

The charge of improper exhibition of a firearm or other weapon requires proof beyond a reasonable doubt that the defendant carried a weapon, exhibited the weapon in a threatening or careless manner, and did so in the presence of at least one other person.

The first-degree misdemeanor charge of improper exhibition of a dangerous weapon can apply to much more than just firearms. The term “weapon” can include a sword, firearm, or an electric device, in this case, a Taser. If you have been accused of improper exhibition of a dangerous weapon, you can only be declared not guilty of the crime if your [criminal defense lawyer](#) can prove you used the weapon in self-defense.

## **Criminal defense**

If you have been accused or charged with improper exhibition of a dangerous weapon or firearm, you need to speak with a criminal defense lawyer. While self-defense is a common strategy, a [criminal defense lawyer](#) is the only person who can use your whole story to build a strong defense. Don't let a misdemeanor charge ruin 12 months of your life, employ the knowledge and experience of a [criminal defense lawyer](#).

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