

AI's position on Conducted Energy Devices - also known as Tasers® or stun guns

Amnesty International's position

Amnesty International is calling for the use of Tasers® or stun guns to be suspended and for a moratorium on their introduction until a rigorous, independent and impartial inquiry into their use and effects has been carried out.

Until now there has been no proper inquiry into the medical and other effects of Tasers®, including their compliance with international human rights standards.

Amnesty International believes that such a report should be undertaken by medical, scientific, legal and law enforcement experts who are independent of the commercial and political interests promoting the equipment. The report should:

- ◆ include the systematic examination of all known cases of deaths and injury involving the use of such weapons
- ◆ consider the mental impact of being subjected to electro-shock.
- ◆ recommend strict rules, safeguards and oversight procedures to prevent misuse of any types of electro-shock equipment that may be viewed as having a legitimate use in law enforcement.
- ◆ A report of the findings of such an inquiry should be made public promptly after completion of the study.

Amnesty International's position has been informed by the inappropriate and excessive use of Tasers® in Canada and the United States of America, where they have played a role in the deaths of more than 300 people since the weapon's introduction in 2001.

As a human rights organisation, Amnesty International acknowledges the importance of developing non-lethal force options to decrease the risk of death or injury inherent in police use of firearms and other weapons. However the uncertainty surrounding the effects of Tasers® will jeopardise the ability of the police to comply with international standards of conduct, including obligations to apply non-violent means before resorting to the use of force, to exercise restraint to minimize damage and injury, and to respect and preserve human life.

In November 2007 the United Nations Committee against Torture declared that the use of Taser® weapons can be a form of torture, in violation of the UN Convention Against Torture and had **“proven risks of harm or death”**.



What is a Taser®?

- ◆ “Taser®” is the brand name for one of a number of weapons within the general category of Conducted Energy Devices (CEDs).
- ◆ CEDs are high voltage, low current electrical weapons designed to cause temporary incapacitation through involuntary muscular disruption. They include traditional stun guns and projectile weapons.
- ◆ Tasers® can be used in both drive stun mode (directly touching the person) and dart-firing mode.



“The Committee was worried that the use of TaserX26 weapons, provoking extreme pain, constituted a form of torture, and that in certain cases it could also cause death, as shown by several reliable studies and by certain cases that had happened after practical use.”

**UN Committee Against Torture
November 2007**

TASER trial in New Zealand

A year long trial of the Taserx26 weapon by frontline police in Auckland and Wellington districts occurred from September 1, 2006. A Police report on this trial is still pending.

Amnesty International sought and received an assurance from the NZ Police that the trial operational rules and training would include a strict prohibition on repeated and prolonged shocks unless absolutely necessary to avoid serious injury or death. Disappointingly, this assurance was not acted on and no mention of restricting repeated shocks was in the trial's operation manual



Amnesty International reports quite clearly link Taser® use to deaths and these reports have been provided during discussions with the NZ Police.

Amnesty International is concerned by the misrepresentation by the NZ Police and Police Association within media reports that Tasers® are a non-lethal weapon, and by the general lack of transparency during the Police trial.

Within its December 2007 report on the New Zealand trial the Campaign Against the Taser (CATT) found that 40% of Taser® use was in breach of the Police's Standard Operating Procedures. It also commented on a lack of transparency within the trial and called for a decision at a Ministerial rather than Police Commissioner level alone.

Amnesty International is particularly alarmed that such a high rate of usage was in breach of the Police Standard Operating Procedure during the trial.

Usage creep resulting in Tasers® being increasingly used in inappropriate situations has been documented wherever they've been introduced and a trial could reasonably be expected to showcase the strongest adherence to the guidelines drawn up by the NZ Police to regulate the weapon's use.

At the end of 2007 Amnesty International:

- ◆ called on the Police Commissioner and the Minister of Police not to make a decision on the introduction of Taser stun guns or similar electro-shock weapons, until results of comprehensive, independent studies into their use and effects were available
- ◆ recommended that any decision should be made at a governmental level in consultation with the Police Commissioner.

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The Risks

Since Tasers were introduced in Canada and the US in 2001 more than 290 people have died after being shocked with Tasers by police officers.

While medical examiners have usually attributed the deaths to other factors, such as drug intoxication, medical experts believe that shocks from Taser®-type weapons may exacerbate a risk of heart failure in cases where people are agitated or under the influence of drugs, or have underlying health problems. Children, pregnant women and the elderly may also be particularly vulnerable.

Repeated shocking has been shown to increase the risk that death or serious injury will result.

The abuse of Tasers® was graphically captured within the video footage of Polish immigrant Robert Dziekanski being restrained after he became agitated in Canada's Vancouver airport arrivals area in October last year.

It showed him being stunned more than once, including while he was restrained on the floor by police officers. According to an eye witness, an officer also used his knee to pin Dziekanski's neck and head against the ground. Another officer is seen striking him several times with a baton. Minutes later, a medical emergency team pronounced him dead at the scene.