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Public Statement

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Amnesty International releases its briefing on Tasers submitted to the US Justice Department

Amnesty International (AI) has published the text of its briefing to a US Justice Department inquiry into deaths following discharges from Tasers and similar electrical weapons. AI delivered its briefing with a statement to the Chief Medical Panel assisting the inquiry on 27 September in Washington, DC.

The Justice Department inquiry (set up in June 2006 and due to report in 2008) is reviewing more than 100 deaths of individuals subdued by police Tasers or similar electrical weapons, to assess whether the devices could have played a significant role in the deaths.

AI welcomes the Justice Department study and the opportunity to present its concerns. AI's briefing reiterated the organization's concerns about the use of electro-shock weapons in law enforcement, both as regards their safety and potential for abuse.

AI expressed concern that Tasers are being widely deployed in the USA before the results of rigorous, independent and comprehensive testing of potential health risks. While existing research has found the risk of adverse effects from Tasers in healthy adults generally low, studies have also pointed to the need for more understanding of the effects of such devices on those compromised by poor health, substance abuse or other factors. AI said data it had gathered on more than 290 cases of individuals who died after being struck by police Tasers since 2001 suggested many of the deceased fell within potential "at-risk" categories. Fifteen of these deaths were in Canada, the rest in the USA.

While medical examiners had usually attributed cause of death to other factors, such as drug intoxication, more research was needed, AI said, into the effects of electro-shocks on people agitated and under the influence of drugs; who had heart disease; were subjected to other restraints; or who were subjected to prolonged or multiple shocks. In at least 20 autopsy reports examined by AI, coroners have cited the taser as a causal or contributory factor in the deaths, sometimes combined with other factors.

AI's records show that most of those who died were shocked more than once and 92 were subjected to between 3 and 21 shocks. One man was shocked repeatedly while in handcuffs in cycles lasting 19, 12 and 10 seconds; another man died after being shocked for 57 continuous seconds. AI said that the ability to prolong the electrical cycle beyond five seconds, for as long as the officer keeps his or her finger depressed on the trigger, may dangerously increase stress levels, and that "the psychological and physiological effects of prolonged or repeated shocks requires urgent review by relevant independent experts".

AI further stated: "The degree of tolerable risk involving Tasers, as with all weapons and restraint devices, must be weighed against the threat posed. It is self-evident that Tasers are less injurious than firearms where officers are confronted with a serious threat that could escalate to deadly force. However, the vast majority of people who have died after being struck by Tasers have been unarmed men who did not pose a threat of death or serious injury when they were electro-shocked. In many cases, they did not appear to have posed any significant threat at all".

Of 291 reported deaths, AI has so far identified only 25 individuals who were reportedly armed with any sort of weapon when they were electro-shocked; such weapons did not include firearms.

AI acknowledged that there may be "stand-off" situations where Tasers in dart-firing mode could effectively be used as an alternative to firearms to save lives. However, the potential to use Tasers in drive-stun mode (where they are often used as "pain compliance" tools when individuals are already effectively in custody), and the capacity to inflict severe pain through multiple and prolonged shocks, renders the weapons inherently open to abuse.

AI expressed concern that many US police departments are using Tasers as a routine force option to subdue non-compliant or disturbed individuals who are not a serious risk. Such cases included children as

young as nine. Such usage appears to contravene international standards which require that police should use force only when “strictly necessary”, in proportion to the threat posed.

The concerns AI has raised with the Justice Department inquiry are unaffected by a study led by emergency medicine specialists from Wake Forest University whose results were published earlier this week. The Wake Forest study reviewed nearly 1,000 cases of Taser deployments in the field and found that the injury rate was low and that most injuries appeared to be minor.

AI has no reason to dispute the Wake Forest study’s findings and welcomes continuing research in this area. However, the study says nothing about the misuse of Tasers or about the appropriateness of the use of Tasers in cases where death has followed Taser use. It does not appear to have measured specifically against possible risk factors (such as exposure to multiple or prolonged shocks, especially if combined with other restraints) or tested the effects of Tasers on specific groups, such as those intoxicated, agitated or with underlying heart disease. These are questions still to be resolved in AI’s view, and which we hope will be addressed by the Justice Department study.

AI is calling on all governments and law enforcement agencies to either cease using Tasers and similar devices pending the results of comprehensive, independent studies into their use and effects, or limit their use to situations where officers would otherwise be justified in resorting to deathly force, where no lesser alternatives are available. Strict guidelines and monitoring should govern all use of taser-type weapons.

Link to AI’s briefing:

Amnesty International’s concerns about Taser use: statement to US Justice Department inquiry into deaths <http://web.amnesty.org/library/index/engamr511512007>