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US authorities urged to control tasers as official report on deaths issued

The final report of the National Institute of Justice (NIJ) study of deaths following police use of conducted energy devices (CEDs) such as Tasers, published this week, leaves many questions unanswered about the safety of such devices, particularly in vulnerable populations.

Amnesty International believes the report's findings underscore the need for strict limits on the use of such weapons.

While the report found there was "no conclusive medical evidence" to indicate a high risk of serious injury or death from the direct or indirect effects of CED exposure in healthy, normal, non-stressed adults, the study noted that the safety margins may not be applicable in the case of small children, those with diseased hearts, the elderly, pregnant women and other "potentially at-risk individuals".

In the absence of further data, it stated that the use of a CED on such individuals, when recognized, should be "minimised or avoided unless the situation excludes other reasonable options".

The study found most deaths following CED deployment to be associated with multiple or prolonged discharge and cautions that there is limited research on the effects of such exposure; it recommends that such usage should also be "minimized or avoided".

The report also found that, while the risk of death directly or primarily due to the electrical shock from CEDs was not conclusively demonstrated in existing studies, there were "anecdotal cases" of deaths where no other significant risk factor was known.

Despite these caveats, the study concluded that police officers need not refrain from using CEDs to place "uncooperative or combative subjects in custody", provided the devices are used appropriately. In reaching this conclusion, it noted that studies and field use indicated that CEDs caused fewer injuries overall than other lethal and less lethal weapons.

Amnesty International remains concerned, however, by continuing gaps in research in key areas, and lack of conclusive evidence about the effects of such weapons on the heart or in increasing stress and respiratory problems triggered by other circumstances. Amnesty International continues to call for Tasers and similar weapons to be strictly limited to situations where they are necessary to avoid recourse to police firearms.

The organization is also concerned that, of the more than 300 deaths following CED use documented in its own reports, many of those who died did not appear to present a serious threat when Tasers were deployed against them.

While the NIJ report did not address this issue, Amnesty International believes that, apart from safety concerns, electro-shock weapons are particularly open to abuse as they are easy to use and they can inflict severe pain at the push of a button without leaving substantial marks.

Amnesty International believes that CEDs should never be used as a low or medium-level force option. They should be regarded in all cases as a substantial use of force, given both the physiological and psychological effects of the severe pain, uncontrollable muscle spasm and collapse induced by such weapons.

Amnesty International's research into death cases showed that some individuals may suffer catastrophic unintended effects which are impossible to reverse.

According to international standards, law enforcement officials should use force only when strictly necessary, in proportion to the threat posed and in a manner that does not constitute ill-treatment. CEDs have often been deployed in contravention of these standards.

In a report published in December 2008, Amnesty International examined data on more than 330 cases of individuals who died following CED use, including autopsy reports in 98 cases. Many of the individuals who died were subjected to multiple shocks, or had underlying conditions such as heart disease. Most collapsed at the scene, shortly after being shocked and/or subjected to other force. While most were agitated, under the influence of drugs or had other risk factors for sudden death, some of those who died, however, had no apparent significant risk factors and died shortly after being shocked, a finding also noted by the NIJ study.

In more than 50 of the cases in Amnesty International's study, medical examiners had cited the Taser gun as a cause or contributory factor in the death. The NIJ report calls for more rigorous and consistent standards to be applied by medical examiners in investigating such cases, something Amnesty International welcomes.

While cases can be challenging, in that there is often no physical sign on the body to show the effects of electrical shock from CEDs, many of the autopsy reports reviewed by Amnesty International raise serious concerns about the role of the CED, after taking into account toxicology reports, the deceased's medical history and a range of circumstances.

The NIJ study included a review of medical literature and field studies, as well as CED-related deaths. It was assisted by a 14-member medical panel which included medical examiners and other specialists in cardiology, emergency medicine and toxicology.

Amnesty International welcomes publication of its findings which the report states should be used for further thorough review by medical personnel and those involved with CED policies, together with evaluation of the research literature cited.

Amnesty International will evaluate the report and may provide further comment in due course.

According to data collected by Amnesty International, as of 10 May, there have been 466 deaths following taser use since June 2001 and 14 so far in 2011.

While most cases have been attributed by coroners to other causes, such as drug intoxication, in around 60 cases to date medical examiners have found a link between the Taser and death and there are other cases where the exact cause is unclear.

For more information, please see: <http://amnesty.org/en/news-and-updates/report/tasers-potentially-lethal-and-easy-abuse-20081216>

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