

THE INCREASED USE OF TASER STUN GUNS

“Taser” is a brand name for an electronic control device (a “stun gun”) that uses electro-muscular disruption technology (“EMD”) to shock a “target.” Tasers are manufactured and marketed by Taser International of Scottsdale, Arizona.

The standard Taser weapon is approximately the size and shape of a handgun. Rather than bullets, the Taser fires small barbs connected to two wires that remain attached to the instrument.

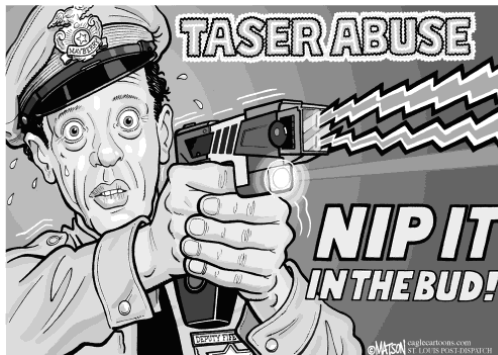
The barbs, once in contact with the target’s skin or clothing, deliver 50,000 volts of electricity in a series of pulses over five seconds. The Taser’s electric shock causes muscular contractions that usually make the person fall to the ground.

Because the stun gun utilizes compressed nitrogen gas as a propellant, it is not categorized as a firearm and is therefore not regulated by the federal government’s Bureau of Alcohol, Tobacco, Firearms and Explosives.

The Taser company used to call its product “non-lethal,” but the term generally used now

is “less-lethal.” Taser states that its weapons accomplish the goal of incapacitating subjects “in a manner that is generally recognized as a safer alternative to other uses of force.”

Tasers have been used across the country on children as young as six, on elderly people, pregnant women, people who were already handcuffed, and people who were not actively resisting arrest.



RJ Matson, *St. Louis Post-Dispatch*

4th AMENDMENT PROTECTION

Generally, police may not use excessive force with individuals. This protection is based on the Fourth Amendment to the U.S. Constitution, which prohibits unreasonable seizures. Using a Taser on someone who presents no imminent threat to himself, police, or bystanders is inhumane and can result in legal judgments (or settlements) against police – as occurred in a 2006 St. Johnsbury case.

TASER CONSUMER VERSION

Taser has introduced a new compact consumer version of its stun weapon, at a price one-third (about \$350) of the standard police model (about \$1,000). The new model will be marketed to women, according to Taser President Kathy Hanrahan, for personal protection. It will come in an array of colors – including pink.

IS THERE A PLACE FOR TASERS?

The ACLU believes that police should use Tasers only when the following conditions are met:

- ◆ The use of deadly force is justified.
- ◆ Officers have been trained in Taser use and follow established policies.
- ◆ Records of use are kept, and every use is reviewed to determine appropriateness.
- ◆ Tasers are fully tested and determined to be “safe” as advertised.

Much of the controversy around Tasers centers on the first point. Taser itself, on its Web site, describes its products as devices “to incapacitate dangerous, combative, or high-risk subjects who pose a risk to law enforcement officers, innocent citizens, or themselves....”

Some officers, though, view Tasers as “pain

compliance devices” that rely on the pain, or the threat of pain, created by the 50,000-volt shock to make the “target” comply with police orders – whether risk is present or not.

Disagreement surrounds the issue of the “safety” of Tasers. Amnesty International has documented the deaths of more than 200 people who had been “Tased.” Whether Tasers were the cause of death is disputed.

The U.N. Committee Against Torture has criticized the use of Tasers as a “form of torture” that “can even provoke death.”

No successful product liability case has been brought against Taser (although as of mid-2007, 10 of 52 cases brought against the company had been settled out of court, according to Bloomberg news service).

REGULATION OF TASER USE

Some states (not Vermont) regulate the use of Tasers, but otherwise it is up to each police agency using the weapons to determine policy regarding use.

Within Vermont, there is wide variation in the range and specificity of policies. Taser use is not taught at the Vermont Police Academy, where all Vermont law enforcement officers are trained and certified.

When police anywhere contemplate the use of Tasers, they should do all they can to determine whether the targeted individual has a medical condition (such as heart problems) or is on drugs or recently drank alcohol. These conditions can aggravate the impact of stun gun shocks.

Other injuries from Taser use can result from an uncontrolled fall or convulsion by the target. Even an otherwise healthy subject can break bones or suffer spinal damage when he or she loses control of bodily movements.

Multiple applications of the Taser's shock

can cause respiratory distress, medical authorities worry.

Medical attention should be offered immediately to anyone who is "Tased" in order to mitigate the impact of any injuries.

A police officer's job is not easy. Stress, conflict, tension, and quick judgments are endemic to the job. Yet how police carry out their responsibilities is, in the end, a reflection of the community and of how the community wants citizens to be treated. It reflects poorly on a community if excessive force is tolerated as a part of standard policing efforts.

WHY "TASER"?

"Taser" stands for "Thomas A. Swift Electric Rifle."

The name comes from a series of children's science-fiction novels written in the early 20th century featuring the young genius inventor Tom Swift.

STATE REVIEW

Following the much-publicized Tasing last summer of a mental patient and then a protestor in Brattleboro, the Vermont Attorney General's Office announced a statewide review of police use of Tasers. The goal is to see what standards exist for Tasers and similar weapons, and determine appropriateness.

Vermont State Police are conducting their own review of Taser use. Currently only officers with VSP tactical units have Tasers. VSP officials are considering expanding Taser use to field officers.

WHAT'S AHEAD

That a powerful weapon such as the Taser has come into broad use with little public scrutiny is disturbing. Citizens need to step up and demand scrutiny, and to demand ongoing review of Taser use.

Without reviews, without answers, there will inevitably be misuse, and misuse will almost certainly lead to lawsuits, expensive litigation, and regrets that better strategies for enforcing the law or defending the public weren't identified.

If consumer models become widely available, even tougher questions will have to be

answered. Police are trained to deal with conflict situations in which weapons may be involved. Private citizens, generally, are not.

ACLU interns are conducting a survey of Taser use in Vermont, and so far we know of at least 18 local departments that have Tasers. These are in addition to Tasers used by the Vermont State Police.

The use of Tasers has become widespread in countries other than the U.S. Several high-profile incidents recently took place in Canada, including one that resulted in the death of a Polish immigrant at the Vancouver airport.

"TASE" AS A VERB

The word "Tased" (or "Tazed") was chosen by Oxford American Dictionary editors as a runner-up "word of the year" in 2007 — presumably reflecting the increased use of Tasers.

Got the card?



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