

Press Release
For immediate release

Criminal Lawyers' Association calls for an immediate moratorium on the use of tasers and for the launch of a national commission of inquiry into the safety and use of these weapons by law enforcement personnel.

Toronto, ON, November 21, 2007 – In a letter sent yesterday to The Rt. Hon. Stockwell Day, Frank Addario, President of The Criminal Lawyers' Association urged the imposition of an immediate moratorium on the use of tasers by RCMP and other federal law enforcement officers in Canada and to launch a national commission of inquiry into the safety and use of these weapons by law enforcement personnel.

Since 2001 when tasers were introduced into common use in North America, over 300 people have died after being shocked with this weapon by police officers. In Canada alone, the number of reported deaths has now risen to 17. Almost half of those deaths have occurred in the past two years amidst allegations of multiple or prolonged taser discharges. This, in spite of the fact that an August 2005 study commissioned by the Canadian Association of Chiefs of Police warned that police officers need to be aware of the adverse effects of multiple, consecutive taser discharges on human subjects.

In addition, there are a number of other, disturbing reports of the abusive use of tasers by Canadian police officers that are detailed in two studies published by Amnesty International in 2004 and 2007.¹ In a number of these instances, tasers were used by police against individuals who were already detained in custody, sometimes in handcuffs, and often under the influence of drugs or alcohol.

We are extremely concerned that police training does not strictly limit the authorized use of tasers to those situations where individuals pose a probable threat of serious injury to themselves or others. The need for less invasive restraint techniques and the utilization of mental health crisis workers by police is an equally important but apparently under-explored option. In October 2006, Mr. Paul Kennedy, Chairman of the R.C.M.P. Public Complaints Commission, expressed his concern about how officers are using the taser, including how early on in a confrontation they are deploying the weapon. It was reported by the Canadian Press just two days ago that in 563 out of over 600 reported R.C.M.P. taser incidents between 2002 and 2005, tasers were discharged by police to ensure compliance, rather than to defuse major threats. In a further 105 cases, it was reported that R.C.M.P. officers "tasered" prisoners who were already detained, the vast majority of whom were unarmed.

¹ *Canada: Excessive and Lethal Force? Amnesty International's concerns about deaths and ill-treatment involving tasers* (AI Index: AMR 20/002/2004); *Canada: Inappropriate and excessive use of tasers* (AI Index: AMR 20/002/2004)

The release of the disturbing videotape of the last minutes of Richard Dziekanski's life, after he was repeatedly tasered by R.C.M.P. officers at Vancouver International Airport on October 14th, has made the need for urgent action by the federal government more pressing. This incident is the latest in a series of cases in this country that raise questions about the safety of electro-shock weapons. It has also reduced confidence in the training of RCMP and other police officers.

While our Association is encouraged by yesterday's decision by British Columbia's Solicitor General to hold a public inquiry into the circumstances surrounding the death of Mr. Dziekanski on October 14th, more is needed. In our view, a rigorous and independent national commission of inquiry is required to report to the Canadian public on the safety of these weapons and their use.

A national commission of inquiry should undertake a systematic examination of all known cases of deaths associated with the use of tasers by law enforcement officers in Canada. The inquiry should hear from independent experts in the medical, psychiatric, scientific, legal and law enforcement fields. It should make recommendations on improved training for police officers in alternative restraint techniques and the safe use of these weapons in well-defined circumstances. Finally, the requested inquiry should be asked to consider the creation of rules, oversight and reporting procedures designed to prevent the misuse of these weapons. A report of the inquiry's findings should then be made public promptly after completion of the study. A moratorium on the use of tasers by police officers in Canada should only be lifted after careful consideration of the national commission of inquiry's final report, and a full implementation of its recommendations is undertaken.

Canadians deserve immediate action and leadership from our federal government on this issue, which has recently become one of intense national and international concern. Only an immediate moratorium on the use of tasers by law enforcement officers in this country and the launching of a national commission of inquiry will restore Canadians' faith in our domestic law enforcement agencies use of this weapon.

The Ontario Criminal Lawyers' Association (CLA) is one of the largest specialty legal organizations in Canada, comprising of more than 1,000 members, including associate members from across Canada. The Association is a strong voice for criminal lawyers and everyone concerned with the quality of criminal justice, and regularly consults with all levels of government and the judiciary on all issues relating to the legislation and administration of criminal justice in Ontario and throughout the country. The Criminal Lawyers' Association strives to assist its members in every aspect of the practice of criminal litigation.

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