

A. CAMERON WARD & COMPANY
BARRISTERS & SOLICITORS

The Dominion Building
1106 - 207 West Hastings Street
Vancouver, British Columbia
Canada V6B 1H7

Telephone: (604) 688-6881
Facsimile: (604) 688-6871

www.cameronward.com
e-mail: cward@cameronward.com

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BY HAND

Standing Committee on Public Safety and National Security
House of Commons
Ottawa, Canada K1A 0A6

Attention: Roger Prefontaine, Clerk

Dear Sirs/Mesdames:

Re: Taser Study

I am a lawyer who was called to the Bar of British Columbia in 1984. I am counsel for the family of Robert Bagnell, deceased, who died on June 23, 2004 after being subjected to repeated 50,000 volt shocks administered in "drive-stun" mode by two members of the Vancouver Police Department. They were part of a group of about a dozen police officers who responded to a call requesting medical assistance for Mr. Bagnell, who was unarmed and in a washroom within his residence when confronted by police. Since being retained by the Bagnell family in the latter part of 2004, I have extensively researched the issue of the safety of conducted energy devices like the TASER weapons¹ used to subdue Mr. Bagnell. I therefore feel qualified to offer comments on the public safety implications of these "less than lethal" weapons.

For the reasons summarized below, I urge you to act in the public interest and make a recommendation that there be an immediate moratorium on the deployment of TASER weapons, so further unnecessary deaths like those of Robert Bagnell and Robert Dziekanski can be prevented.

According to media accounts, at least 336 North Americans have died since September 28, 1999 after being subjected to TASER shock(s). A copy of my list² of these fatal incidents is enclosed. There have now been at least 20 reported deaths in Canada, including six here in the Province of British Columbia, with the most recent being that of Mr. Dziekanski on October 14, 2007 at Vancouver International Airport in Richmond.

TASER use is obviously very controversial. Police departments in Chicago, Illinois and Birmingham, Alabama have reportedly discontinued their use of the weapons due to safety concerns. Amnesty International, the American Civil Liberties Union, the National Association for the Advancement of Colored People and the Southern Christian Leadership Conference are some of the public interest advocacy groups that have been

outspoken in their criticism of the weapons. However, the principal manufacturer, TASER International Inc.³, has been very effective in persuading the law enforcement community that its products are safe, despite a significant body of evidence to the contrary⁴.

Simply put, many people, including many experts, cannot accept that the deaths of at least 336 people after being subjected to the TASER's 50,000 volt electrical output are purely coincidental. The manufacturer and many members of the law enforcement community have adopted the position that "excited delirium"⁵ causes the deaths, due to "psychiatric illness or the over use of street drugs, primarily methamphetamine or cocaine", not the electrical trauma associated with the TASER. In my view, there simply has been insufficient independent research and study into these fatalities to reach any valid conclusions. If "excited delirium" is a "potentially fatal medical condition", as the manufacturer asserts, one would expect that deaths would occur with similar frequency in incidents that did not involve law enforcement or in situations where TASER weapons had not been used. That is apparently not the case, as I have not yet seen any studies to that effect.

Although TASER International Inc. has commissioned some limited testing on animals, extensive independent testing of the lethality of the devices has apparently never been done in Canada, and was certainly not done before TASER weapons were first distributed to Canadian law enforcement personnel. Furthermore, although other electrical restraint devices like electric fences or cattle prods are subjected to Canadian Standards Association (CSA) testing and certification before distribution, the TASER weapons apparently are not.

You are undoubtedly aware of the TASER Technology Review Final Report prepared by members of the Victoria Police Department at the behest of the Police Complaint Commissioner of British Columbia. In my view, this report was clearly not independent as one of the principal authors, one Inspector Darren Laur, had earlier received payments and stock options from TASER International Inc. for his services to the company. The report failed to make the obvious recommendation, that is, that TASER use be discontinued until the health effects of the weapon are better understood.

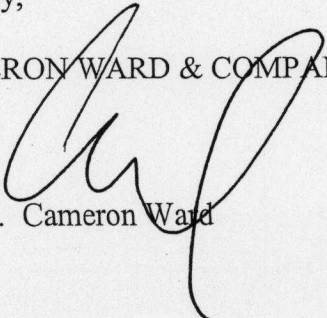
There may be a place in the police use of force continuum for TASER technology. However, TASER use should be suspended until rigorous independent scientific research has been performed to properly assess the public safety risk. Unless that happens, more people will die like Mr. Dziekanski did, inexplicably and unnecessarily.

Yours truly,

A. CAMERON WARD & COMPANY

Per:

A. Cameron Ward



¹ Hereafter, conducted energy devices will be referred to by the trade name TASER.

² The list has been compiled by the writer and Patti Gillman from published media accounts and includes the dates, names, ages and locations involved in the fatal incidents. I have further information in my files on these incidents, which includes more detail on the circumstances, condition of the victims, number of electrical shocks administered, etc.

³ TASER International Inc. is a public company (NASDAQ symbol:TASR) based in Scottsdale, Arizona.

⁴ I have numerous research reports in my files, copies of which are available upon request.

⁵ The phrase "excited delirium" is referred to within quotation marks because it is not a medical condition recognized by either the American Medical Association or the Canadian Medical Association.