

May 7, 2008

EXECUTIVE COMMITTEE:

City Council on April 28 and 29, 2008, referred the following Motion to the Executive Committee:

M20.16 City Council Policy on Conducted Energy Devices (i.e. Tasers)
Moved by Councillor Walker, seconded by Councillor Jenkins

SUMMARY:

There is currently an ongoing public discussion on the use of conducted energy devices (CEDs) or electroshock/stun guns (i.e. Tasers). The Toronto Police Service has been using these devices since 2004 and is contemplating expanding their use by purchasing more, spending millions of taxpayer dollars. Now, the Toronto Transit Commission (TTC) is speculating publicly about arming its security officers with these stun guns.

Tasers (Thomas A. Swift Electric Rifle – TASER International) are hand-held weapons that deliver a 50,000 volt jolt of electricity through a pair of hooked wires propelled by compressed air from up to 10.6 metres away. The jolt stuns the person by causing an uncontrollable contraction of their muscle tissue. The person is immobilized and falls to the ground – regardless of pain tolerance or mental focus. In the opinion of some, the use of stun guns is tantamount to corporeal punishment.

Apparently, conducted energy devices/stun guns are not regulated in Toronto or in the rest of Canada.

The safety of these stun guns continues to be an important question. As many as 20 people in Canada and 290 in the United States have died after being shocked by a Taser. In October 2007, RCMP officers used a Taser on a Polish immigrant, Robert Dziekanski, in Vancouver International Airport; the officers used the Taser within 25 seconds of their arrival on the scene, instead of talking to Mr. Dziekanski, who died shortly after being hit twice with a Taser. In October 2007, Toronto Police used a Taser on a drunken man and the Taser hit him in the eye and in the leg, sending the electroshock through his body, damaging his eye beyond repair. Recently, transit police in Vancouver have used electroshock guns/Tasers on customers who didn't pay and a customer who held onto a railing when told not to.

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Further, a recent Radio-Canada report has found that approximately 20% of the time Montreal police officers use a Taser it is used incorrectly. Further still, it seems the Taser is being used as a first resort, not last next to using the gun, and is replacing talking to the perpetrator.

The safety-testing of these conducted energy devices has been called into question also. For example, recent medical studies have found that the Taser produces latent effects upon the human heart that results in irregular, spastic heart beats and possible cardiac arrest. Because of recent independent testing of the effects of Tasers, Taser International is distancing itself from their in-house tests on pigs carried-out years ago and is stating that testing on pigs cannot be considered conclusive. Now, Taser International is stating that human testing needs to be done; they are carrying-out these tests on humans in Police forces and on the streets across North America.

Because of the controversy surrounding conducted energy devices/Tasers and their use, City Council needs to decide what its formal policy concerning these devices is.

RECOMMENDATIONS:

1. City Council direct the City Manager to report on the use of conducted energy devices (i.e. TASERS) by any of the City's divisions, agencies, boards or commissions, and such report include information from other national and international jurisdictions, and be completed by September 2008 and submitted to the Executive Committee for public hearings on the subject and then onto City Council for debate.
2. A formal, city-wide public consultation be conducted by the City regarding the use and purchase of conducted energy devices (i.e. TASERS) by the City of Toronto and its agencies, boards and commissions, to which all interested parties (i.e. Toronto Police Accountability Coalition) be invited to make submissions.
3. City staff report by September 2008 on the feasibility of prohibiting the purchase and sale of conducted energy devices (i.e. TASERS) in Toronto, except by government organizations, as there are no restrictions on their purchase by individuals.

Council also considered the following:

- (April 25, 2008) from the Chair, Toronto Police Services Board (M20.16.1)
- (April 15, 2008) from John Sewell for the Toronto Police Accountability Coalition (M20.16.2)
- Fiscal Impact Statement (April 28, 2008) from the Deputy City Manager and Chief Financial Officer

for City Clerk

M. Toft/cd

Attach.

- c. Chair, Toronto Police Services Board
John Sewell for the Toronto Police Accountability Coalition