



330 Main St  
Hartford, CT 06106  
860-523-9146

## Written Testimony in Support of House Bill 6628, An Act Concerning the Safe Use of Electronic Defense Weapons by Peace Officers

Senator Coleman, Representative Fox and distinguished members of the Judiciary Committee, I am David McGuire, staff attorney for the American Civil Liberties Union of Connecticut. I am here to testify in favor of House Bill 6628, An Act Concerning the Safe Use of Electronic Defense Weapons by Peace Officers.

First, I want to commend the committee for raising this legislation. As the use of Tasers has spread over the past several years, we've learned a great deal about the advantages and the dangers they present. (I'll refer to Tasers here because, in practice, these are the only electronic control weapons used by police in Connecticut.) We've discovered in recent years that Tasers can cause fatal heart attacks, and we've identified 11 people who have died after being stunned by Tasers in Connecticut since 2005. Amnesty International counted 500 Taser-related deaths in the United States between 2001 and 2012.<sup>1</sup> We've also learned that police practices and policies for Taser deployment vary widely from one police department to another. We've found that officers have sometimes used Tasers inappropriately against people who are unarmed, are putting up no active resistance and pose no threat to anyone. We see clear indications that members of minority groups are disproportionately targeted.

In 2011, Marcus G. Brown was handcuffed and confined to the back of a Waterbury police cruiser when an officer fired a Taser into his chest because he was kicking the car door and windows. The cause of his death was listed as undetermined. The Chief State's Attorney's Office concluded that the shock administered to Marcus Brown was not sufficient to kill a healthy subject. But last year the American Heart Association journal *Circulation* reported cases of Taser shocks, particularly those delivered to the chest, causing fatal ventricular fibrillation.<sup>2</sup>

In 2010, three Middletown police officers responding to a call for medical assistance shocked Efrain Carrion, while he was handcuffed, a total of 34 times until he became unresponsive and died. In 2011, the U.S. Department of Justice warned that many deaths after Taser exposure were "associated with continuous or repeated shocks."<sup>3</sup> The same report advised against administering shocks to people

---

<sup>1</sup> AMNESTY INTERNATIONAL, *Amnesty International Urges Stricter Limits on Police Taser Use as U.S. Death Toll Reaches 500* (February 15, 2012) <http://www.amnestyusa.org/news/press-releases/amnesty-international-urges-stricter-limits-on-police-taser-use-as-us-death-toll-reaches-500>

<sup>2</sup> Zipes DP *Sudden cardiac arrest and death associated with application of shocks from a Taser electronic control device* CIRCULATION (2012).

<sup>3</sup> U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, NATIONAL INSTITUTE OF JUSTICE, *Police Use of Force, Tasers and Other Less-Lethal Weapons*, at 4 (MAY 2011) <https://ncjrs.gov/pdffiles1/nij/232215.pdf>

who are handcuffed or otherwise restrained,<sup>4</sup> and warned of particular risk in relation to “[a]bnormal mental status in a combative or resistive subject.”<sup>5</sup>

While a growing body of research demonstrates that Tasers can cause serious injury or death when used improperly, Taser International has continued to aggressively promote them as “nonlethal” weapons that safely and instantaneously incapacitate subjects with little or no risk of injury. The company has directly and indirectly funded a significant amount of the research currently available on Taser safety<sup>6</sup>, aggressively attacked experts who disagreed with their safety claims, sued the author of a peer-reviewed study that concluded that Taser shocks are powerful enough to kill<sup>7</sup>, legally challenged and reportedly pressured medical examiners to change their findings that Tasers caused or attributed to deaths<sup>8</sup> and courted the attention and favor of law enforcement. Last year, Taser International sponsored the annual summer barbecue of the Connecticut Chiefs of Police Association.

Despite the pressure that Taser International has brought to bear, the need to regulate, monitor and evaluate Taser use has become stronger with every new case of injury or death. These cases have taught us that we need standardized training for police officers who use Tasers. That concern will be addressed by the training requirements in this legislation. These cases also demonstrate a need for more information about the way Tasers are being used. We need to know how, when, how often and against whom Tasers are being fired so that we will have enough information to keep pace with the technology, guide law enforcement and protect the public. These questions will be answered by the bill’s Taser tracking requirements.

This bill will require that police departments be required to have an internal policy on the use of electronic control weapons and that Tasers be issued only to officers who receive standardized initial training and regular review training. Another key component of this legislation mandates that police document the use of Tasers in use-of-force reports, including the name of the officer, the race and gender of the person against whom the weapon was deployed, any injuries suffered by that subject and the number of times the weapon was activated. Any information automatically recorded by the Taser must also be downloaded and archived. This bill also requires police officers to seek medical attention for any member of the public they shock. This requirement recognizes that the barbs inflict skin and muscle damage, that direct contact with the weapon in drive mode causes burns and that the electric shocks can cause potentially fatal heart problems in some people.

For these reasons I strongly urge this committee to pass House Bill 6628.

---

<sup>4</sup> *Id.* at 15

<sup>5</sup> *Id.* at 5

<sup>6</sup> [http://www.nytimes.com/2011/05/17/health/research/17safety.html?\\_r=3&partner=rss&emc=rss&](http://www.nytimes.com/2011/05/17/health/research/17safety.html?_r=3&partner=rss&emc=rss&)

<sup>7</sup> <http://cironline.org/reports/zapping-taser-2252>

<sup>8</sup> <http://www.amnesty.org/en/library/asset/AMR51/010/2008/en/530be6d6-437e-4c77-851b-9e581197ccf6/amr510102008en.pdf>