



FILE COPY

August 3, 2004

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The Honourable Rich Coleman
Solicitor General of British Columbia
PO Box 9053, Stn Prov Govt
Victoria, B.C.
V8W 9E2

BY FAX: 250-356-8270

Dear Mr. Coleman:

RE: Tasers

I am writing on behalf of the B.C. Civil Liberties Association to urge your Ministry to immediately undertake a comprehensive review of police use of taser guns in B.C.

At the outset, you should know that the BCCLA's past support for the police use of tasers has always been conditional upon authorities ensuring that the advantages of using the taser must sufficiently outweigh any health risks posed by the weapon. We have been clear in our public pronouncements that the BCCLA has neither the expertise nor the authority to decide this question but that the provincial government bears the responsibility of ensuring public safety in this regard.

In light of the most recent tragic death of Mr. Robert Bagnell and other deaths in B.C. in which the taser was a factor in their deaths, we urge you again to begin a review of the taser.

Aside from assessing health risks associated with the taser, this review should include audits of the various police forces in the province that use tasers including the RCMP. If you conclude that there are insufficient health risks to preclude the use of the taser at this time, the province should also formulate a province wide policy with respect to the use of tasers. This policy must include provisions for adequate training, appropriate use and accountability.

For example, only officers with appropriate training and knowledge with respect to usage policy should be authorized to use tasers. Furthermore, the BCCLA has been particularly concerned that the taser not become a preferred use of force option when there other less intrusive, though more time consuming, force options that are available. Usage policy should also distinguish between situations where there is no urgent physical danger to a suspect or others such that the use of the taser is not

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From: *John Russell, President*
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immediately necessary to subdue the suspect. This may particularly be important in cases where drug or alcohol use is present as in Mr. Bagnell's case. Finally, in any event but especially given the relatively new and still experimental use of the taser, there ought to be considerable measures for accountability when it is used. We were particularly concerned to learn via media reports that the Chief Constable of the Vancouver Police Department is only now requiring his officers to record and report each use of the taser. The BCCLA had been calling for such a policy for the last several years.

Though the BCCLA is not calling for a suspension of the use of tasers at this time, their current use should be limited to situations in which the only necessary response available in situations of imminent risk of significant harm would otherwise be lethal force.

Given that the generation of taser that is currently in use by police is relatively new technology, we would also urge your Ministry to continually update its assessment of the safety of the taser as new information becomes available from other jurisdictions.

The BCCLA has been on public record in the past as supporting the availability of tasers as an important addition to the use of force options available to police, subject to ensuring its safety. We continue to be open-minded about the taser as being an important addition to use of force options especially when the only alternative is lethal force via firearms.

However, given recent events in B.C., the time has come for you as Solicitor General to review whether the weapon is safe for police use and if so, to ensure that its use is adequately and consistently regulated among all police forces via province wide policy.

I look forward to hearing from you.

Yours sincerely,



John Russell,
President

cc: Kevin Begg, Assistant Deputy Minister/Director of Police Services
Dirk Ryneveld, Police Complaint Commissioner
Jamie Graham, Chief Constable, Vancouver Police Department



DEC 7 - 2004

December 3, 2004

Mr. John Russell
President
British Columbia Civil Liberties Association
425 – 815 West Hastings Street
Vancouver BC V6C 1B4

Dear Mr. Russell:

Thank you for your August 3, 2004 letter regarding police use of tasers. I apologize for the delay in my response.

There are a number of processes currently underway that relate to the use of Tasers in British Columbia.

The Office of the Police Complaint Commissioner, an independent agency established under the *Police Act*, has appointed a committee to study the use of tasers, and has recently released an interim report. This report is posted online at: <http://www.victoriapolice.org/>.

The report makes interim recommendations regarding taser use by police officers in British Columbia, as well as recommendations regarding related training and reporting. That review is currently ongoing.

As well, the Canadian Association of Chiefs of Police is leading a review of electric-shock weapon use in Canadian and international police work. The Canadian Police Research Centre, the RCMP and the National Research Council are conducting this study.

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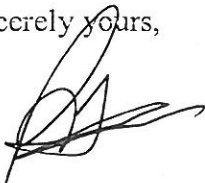
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Additionally, the B.C. Coroners Service is currently conducting a review of all restraint-related in- custody deaths of individuals.

My Ministry is reviewing these, and other related reports and recommendations, to ensure provincial use-of-force guidelines and training maximize both police and public safety.

Thank you for writing.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'R. T. Coleman', written in a cursive style.

R. T. (Rich) Coleman
Solicitor General