

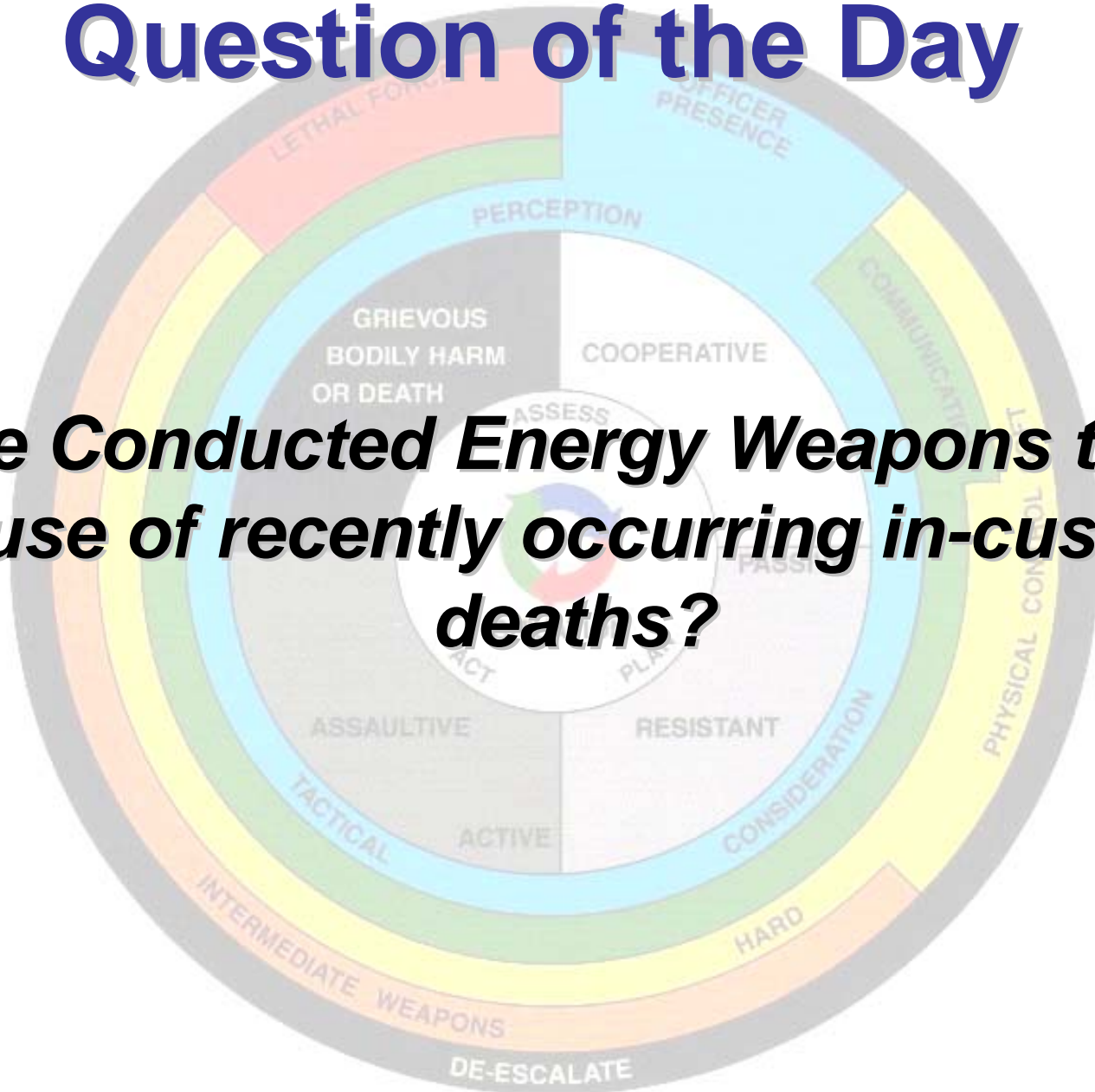
Thomas R. Braidwood, Q.C., Study Commission into the use of Conducted Energy Weapons



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Question of the Day

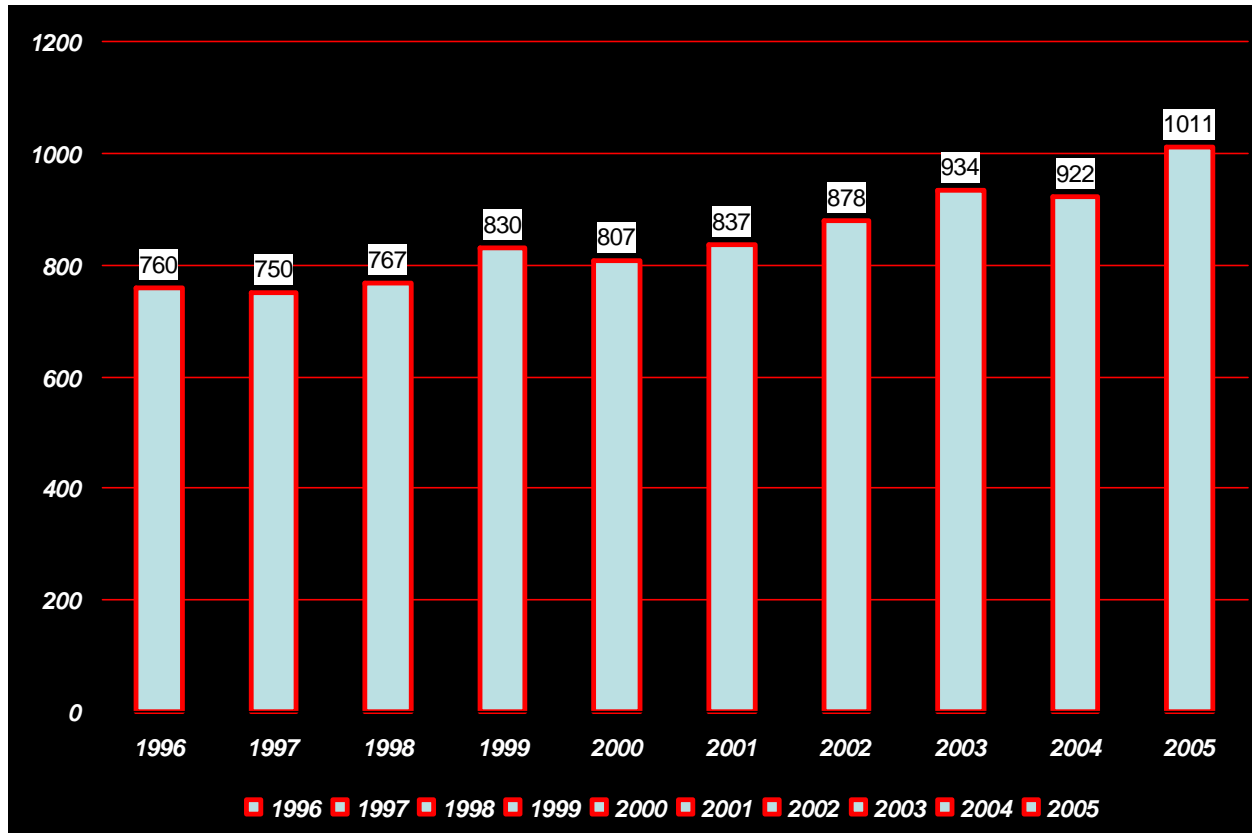
Are Conducted Energy Weapons the cause of recently occurring in-custody deaths?



REALITY – Graphic Content

TASER M26
vs.
Drug Users

ASSAULT POLICE OFFENCES: BC 1996-2005

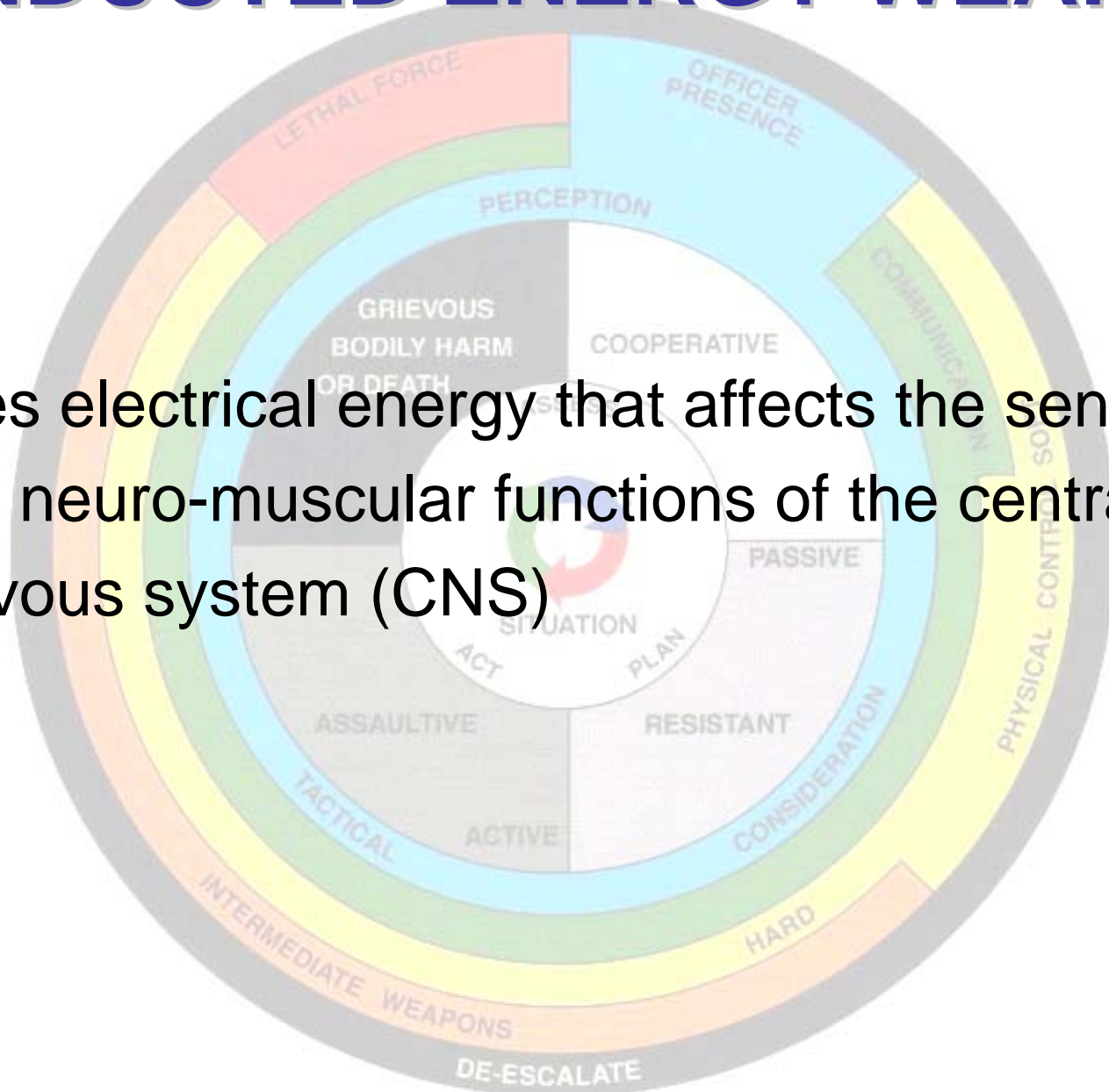


35% Increase

BC Ministry of Public Safety and Solicitor General

CONDUCTED ENERGY WEAPON

Uses electrical energy that affects the sensory and neuro-muscular functions of the central nervous system (CNS)



Conducted Energy Weapons – Stun vs. NMD

- 1st and 2nd generation Conducted Energy Weapons – **Stun Systems Only**
 - CNS jammed with electrical noise
 - Only the sensory nerves affected
 - Rely on pain compliance

1st Generation - Stun Gun



2nd Generation - Air TASER Model 34,000



Conducted Energy Weapons – Stun vs. NMD

- 3rd and 4th generation Conducted Energy Weapons – **Incapacitation**

- Neuro-Muscular Disruption (NMD) weapons
- CNS override
- Sensory and motor nerves affected

3rd Generation – Advanced TASER M26

4th Generation – TASER X26

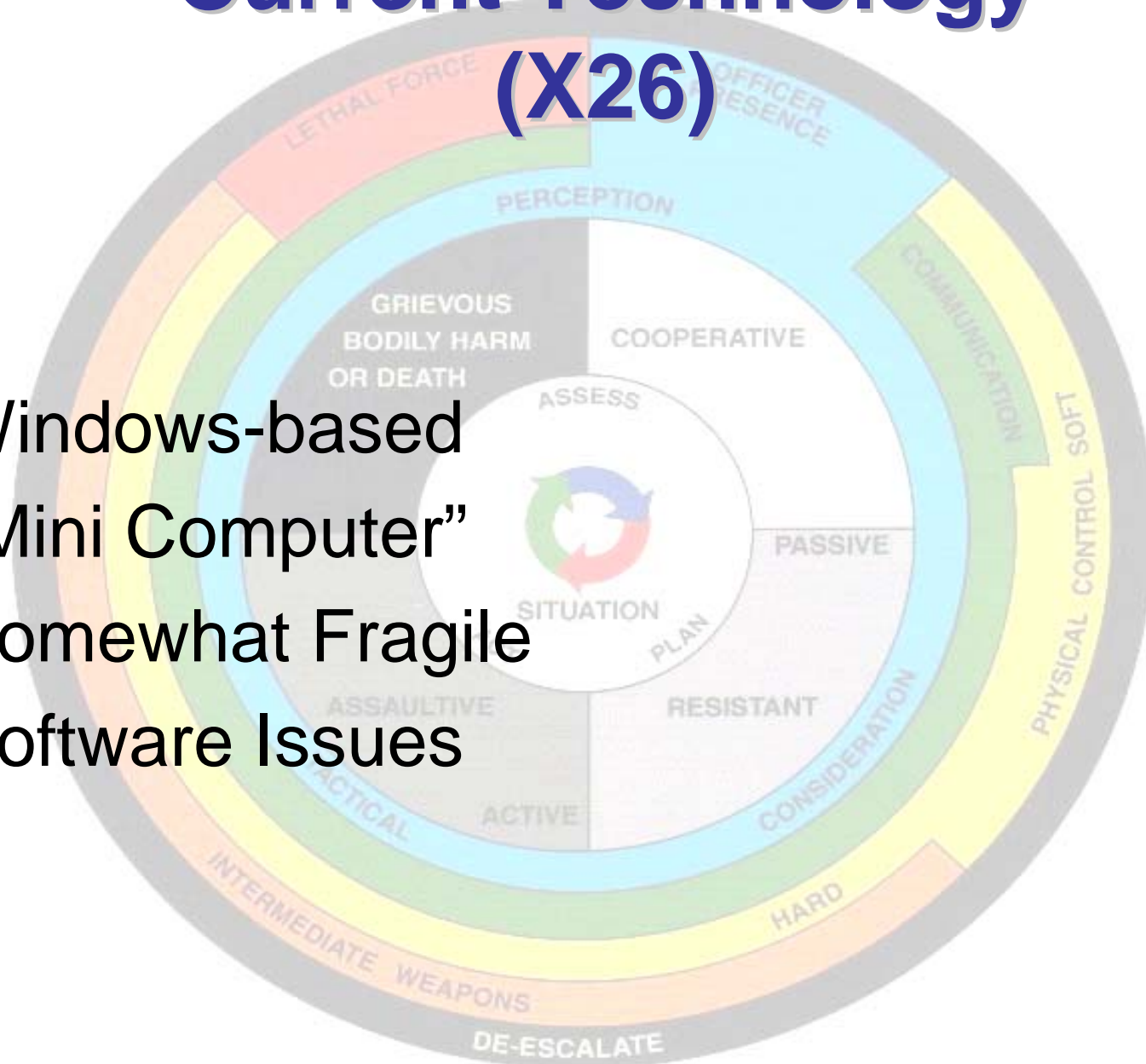


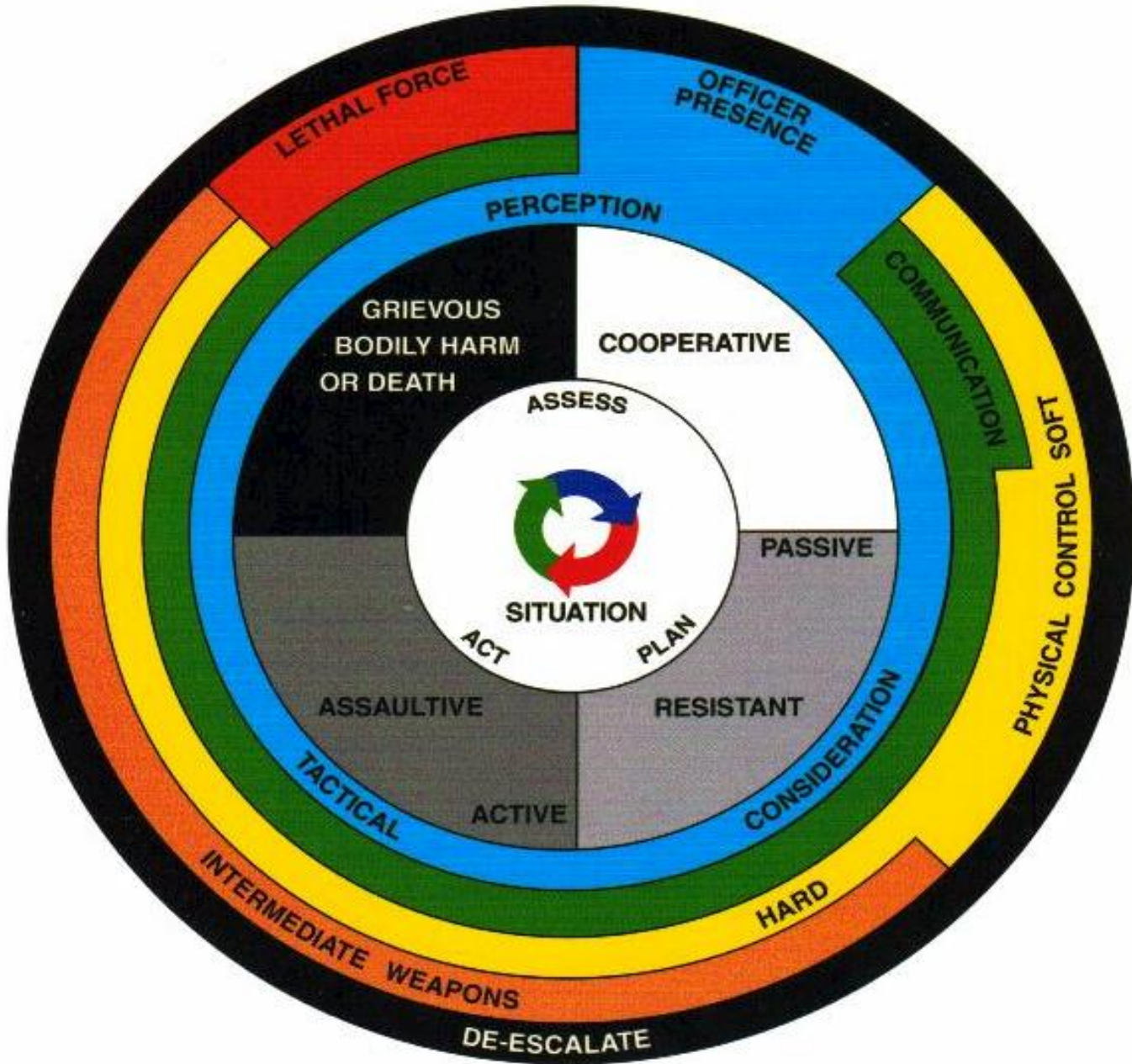
HISTORY OF CEWs

Evolution of the
TASER

Current Technology (X26)

- Windows-based
- “Mini Computer”
- Somewhat Fragile
- Software Issues

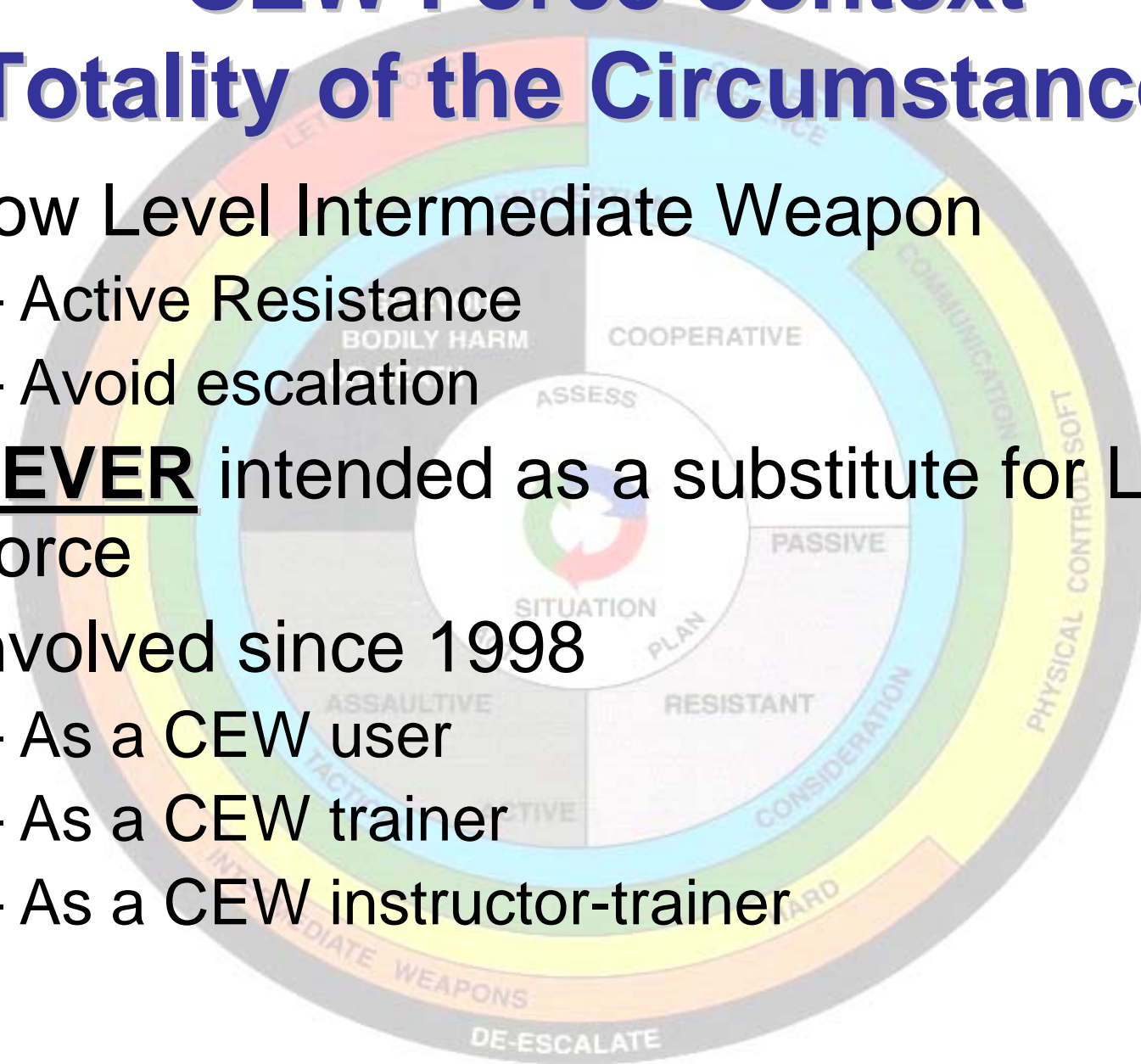




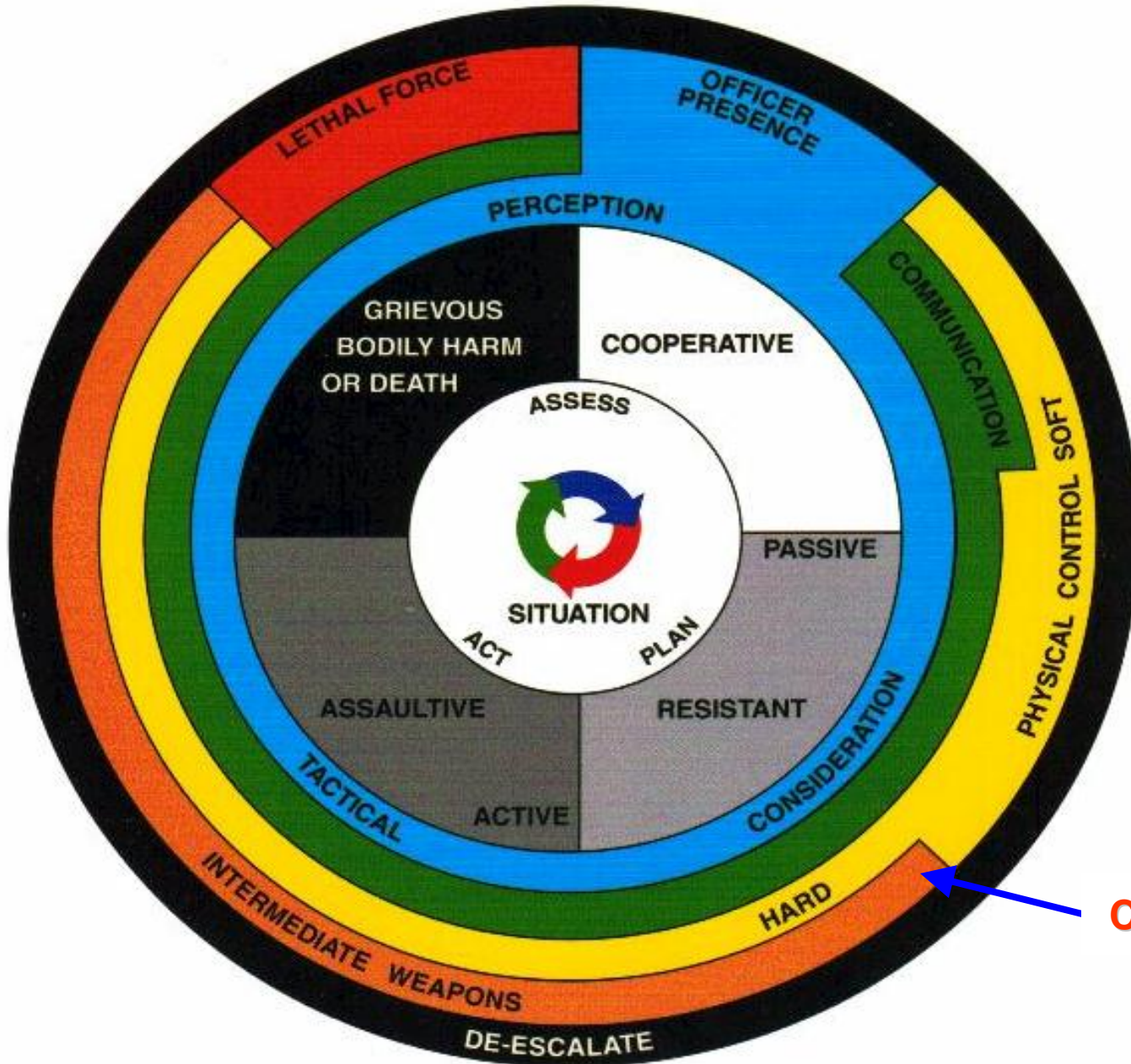
CEW Force Context

Totality of the Circumstances

- Low Level Intermediate Weapon
 - Active Resistance
 - Avoid escalation
- **NEVER** intended as a substitute for Lethal Force
- Involved since 1998
 - As a CEW user
 - As a CEW trainer
 - As a CEW instructor-trainer



NATIONAL USE OF FORCE



FRAMEWORK 1999

CEW



2004 – 05 OPCC Study

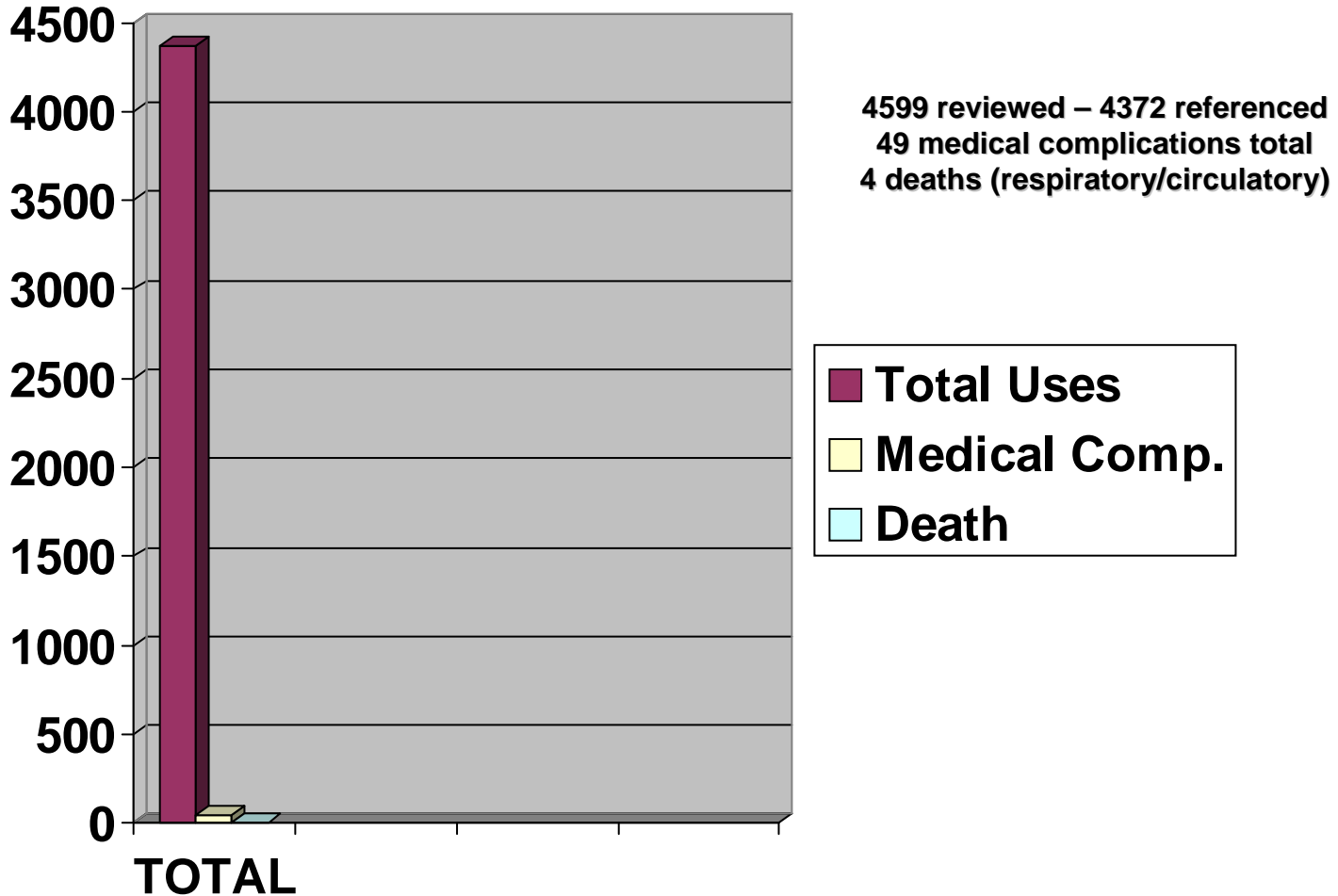
- **National/Provincial Training Standards, all Vendor Neutral**
 - Excited Delirium Syndrome
 - Conducted Energy Weapons (CEW)
 - Modified Restraint Training
- **Standardized Subject Behaviour Report**
 - PRIME based template
 - Recently discovered reliability issues

2004 – 05 OPCC Study

- **All training standards endorsed by:**
 - Medical community/Public interest
 - Canadian Police Research Centre (CPRC)
 - National
 - Justice Institute of British Columbia (JIBC)
 - Provincial
 - All elements presented across North America and the United Kingdom

2004 – 05 OPCC Study

Number of Medical Complications and Deaths Proximal to Total TASER® Uses



Training Standards



- **Excited Delirium Syndrome**
 - Two hours of theory
 - Police, jail and communications staff
- **Conducted Energy Weapons**
 - five hours of theory, hands-on and reality-based training
 - Police only
- **Modified Restraint Training**
 - Two hours of theory and hands-on training
 - Police and jail staff

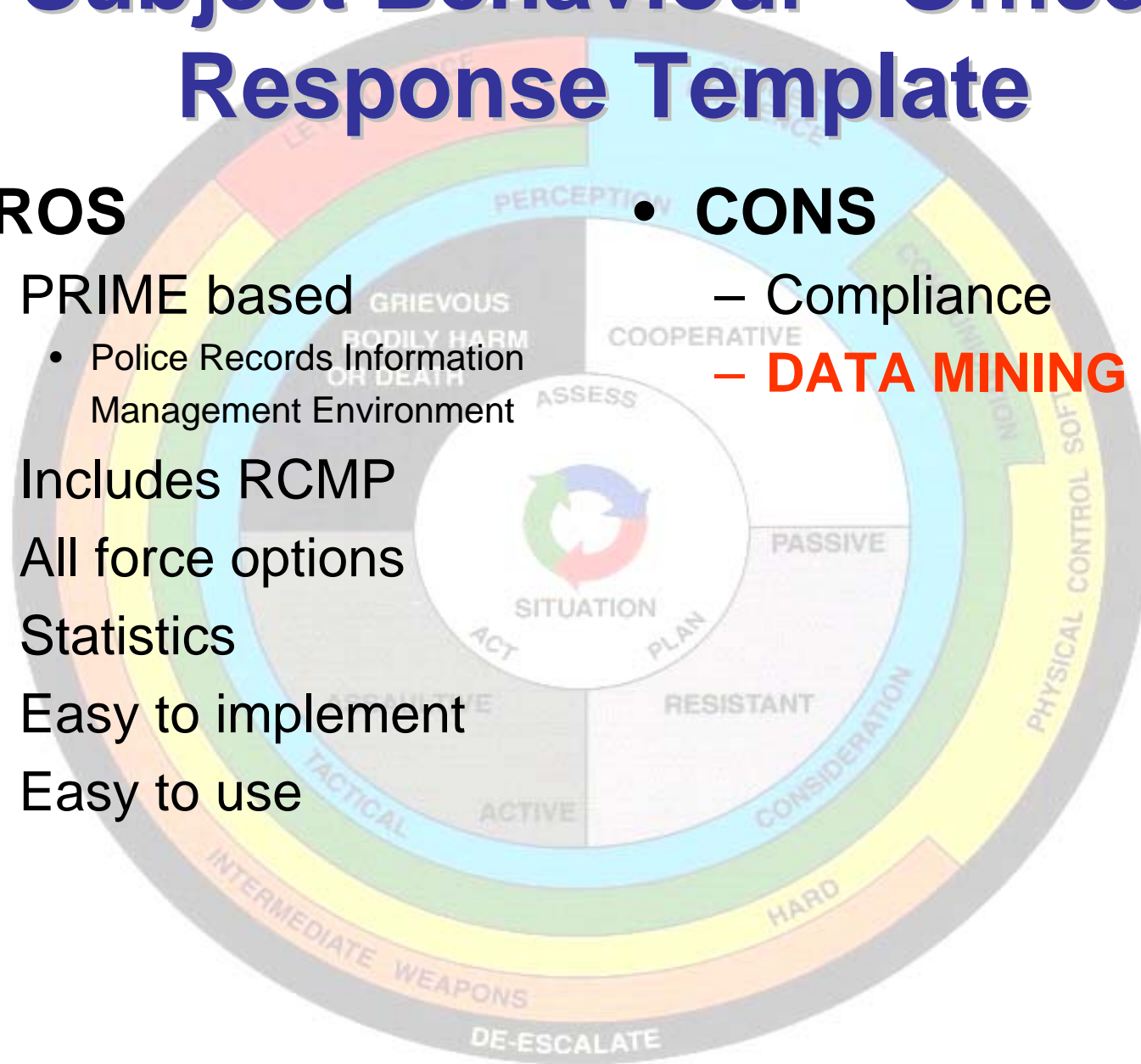
Subject Behaviour - Officer Response Template

• PROS

- PRIME based
 - Police Records Information Management Environment
- Includes RCMP
- All force options
- Statistics
- Easy to implement
- Easy to use

• CONS

- Compliance
- **DATA MINING**



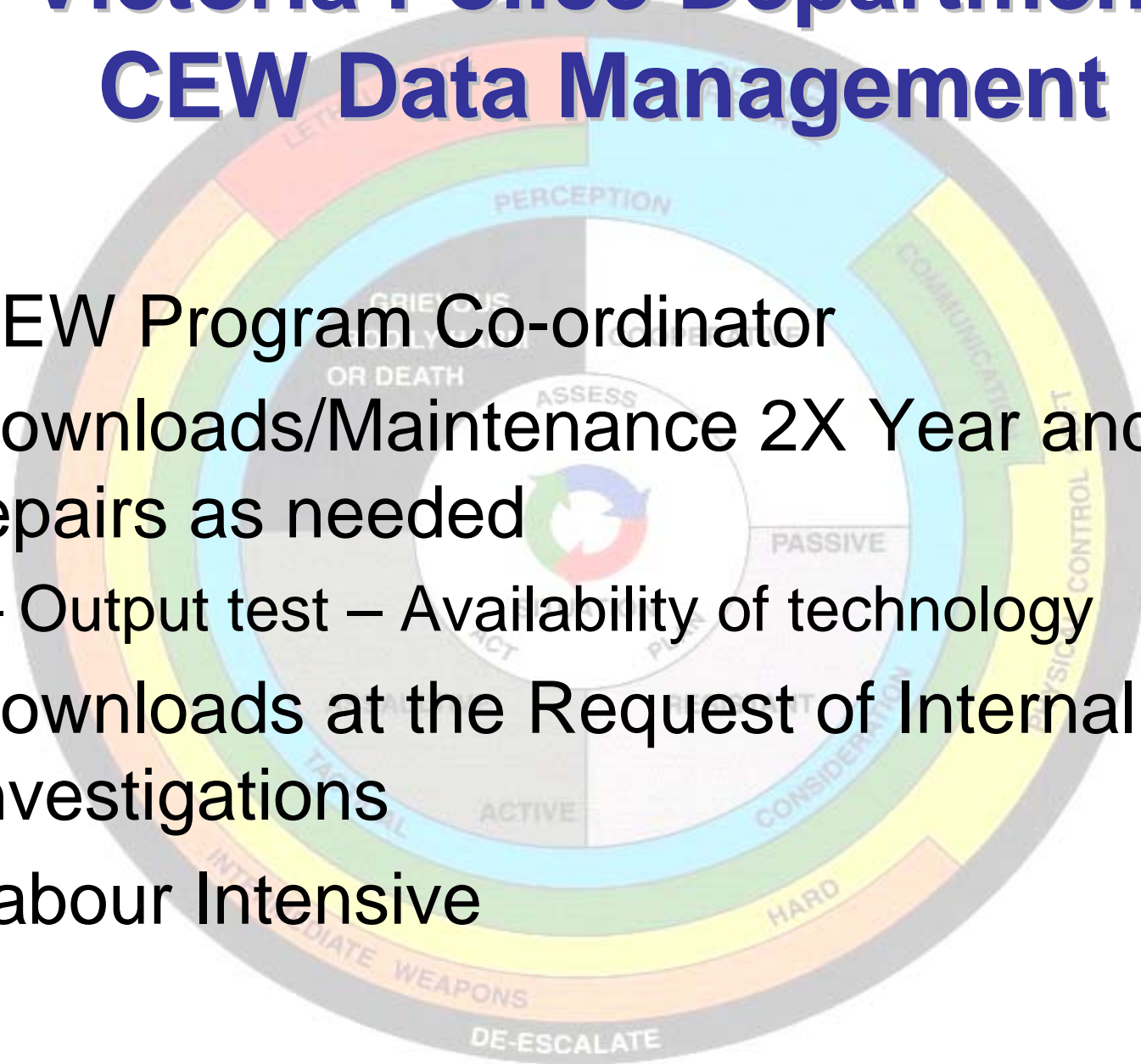
Reporting – Best Case

- PRIME based
- Details Page
- Mandatory Prompt
- Compliance
- **DATA MINING**



Victoria Police Department CEW Data Management

- CEW Program Co-ordinator
- Downloads/Maintenance 2X Year and repairs as needed
 - Output test – Availability of technology
- Downloads at the Request of Internal Investigations
- Labour Intensive



Victoria Police Department Control Tactics Training

- **One half-time (at best) Constable**

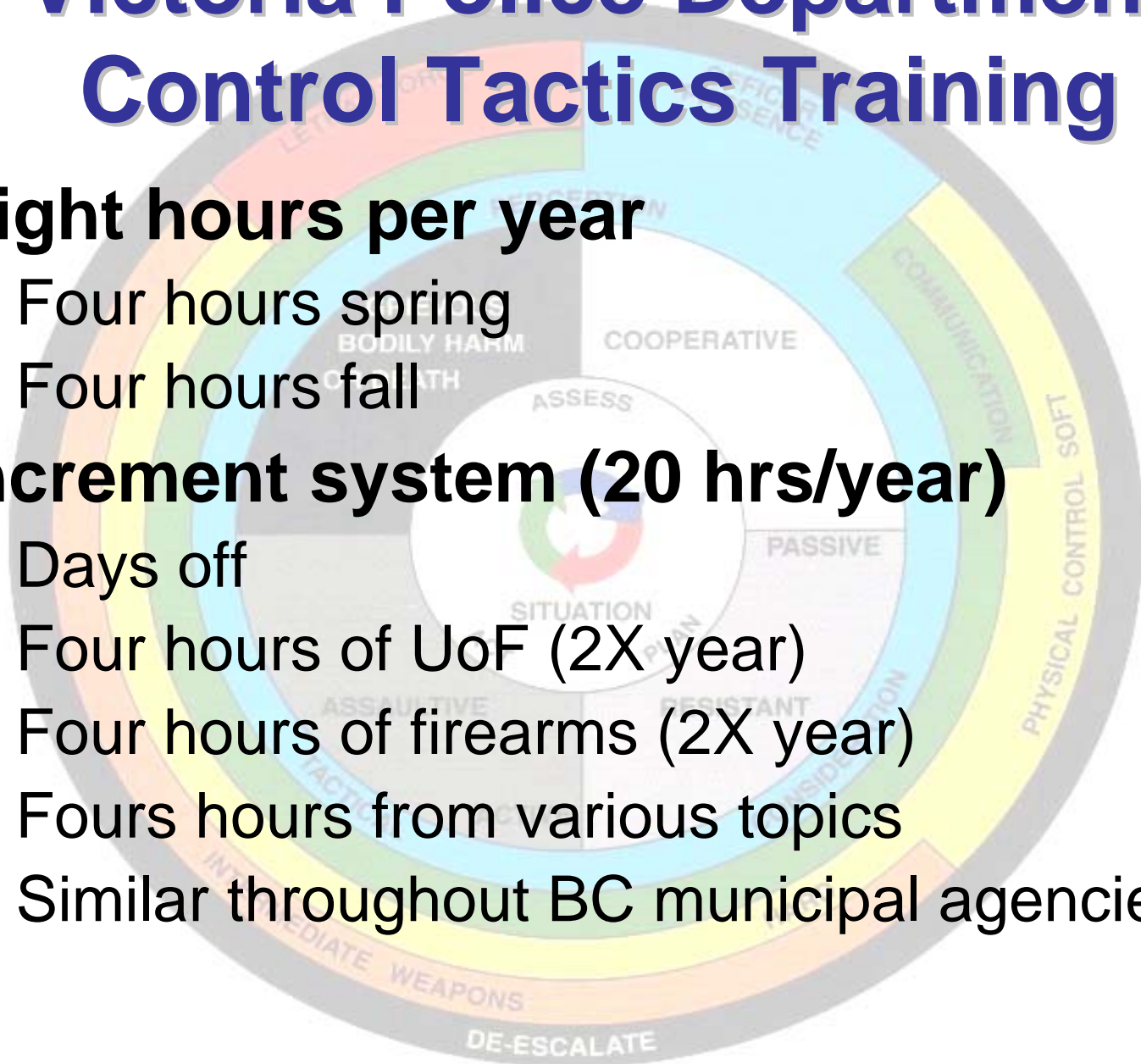
- Responsible for:

- Police training
- Reserve training
- Police board updates
- Public interest groups
- Media briefings
- Expert reports
- Related committees
- Equipment, policy revisions, own training
- Other duties as ordered



Victoria Police Department Control Tactics Training

- **Eight hours per year**
 - Four hours spring
 - Four hours fall
- **Increment system (20 hrs/year)**
 - Days off
 - Four hours of UoF (2X year)
 - Four hours of firearms (2X year)
 - Four hours from various topics
 - Similar throughout BC municipal agencies



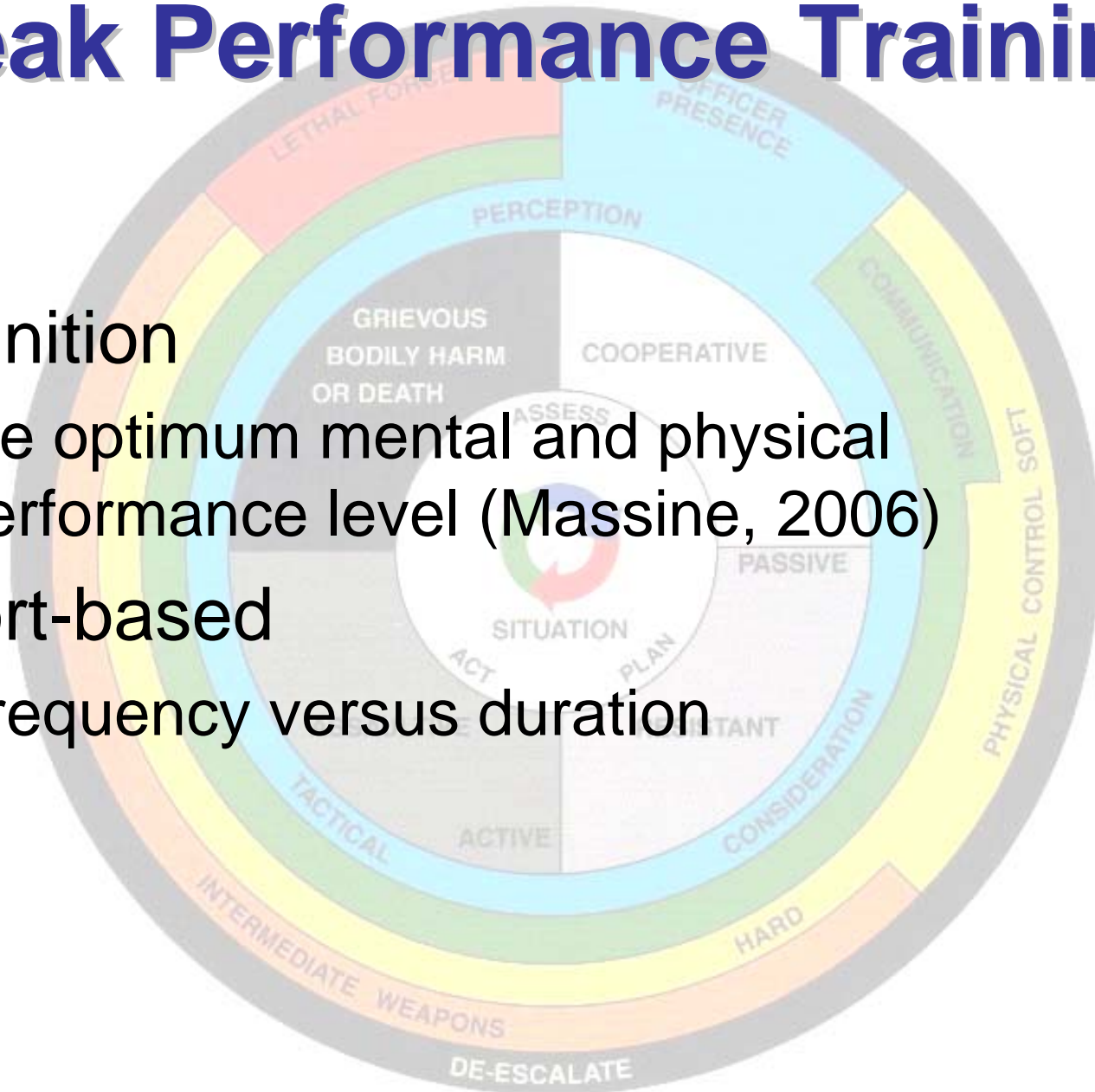
Control Tactics Training



- **“There’s no commitment to training in this department.”**
 - Less than one percent of annual budget on Control Tactics Training (firearms and use of force)
 - Consistent with Research (Kinnaird, 2003)
 - according to most insurance companies, inadequate training will likely be the predominant factor in imposing liability for excessive force actions of officers

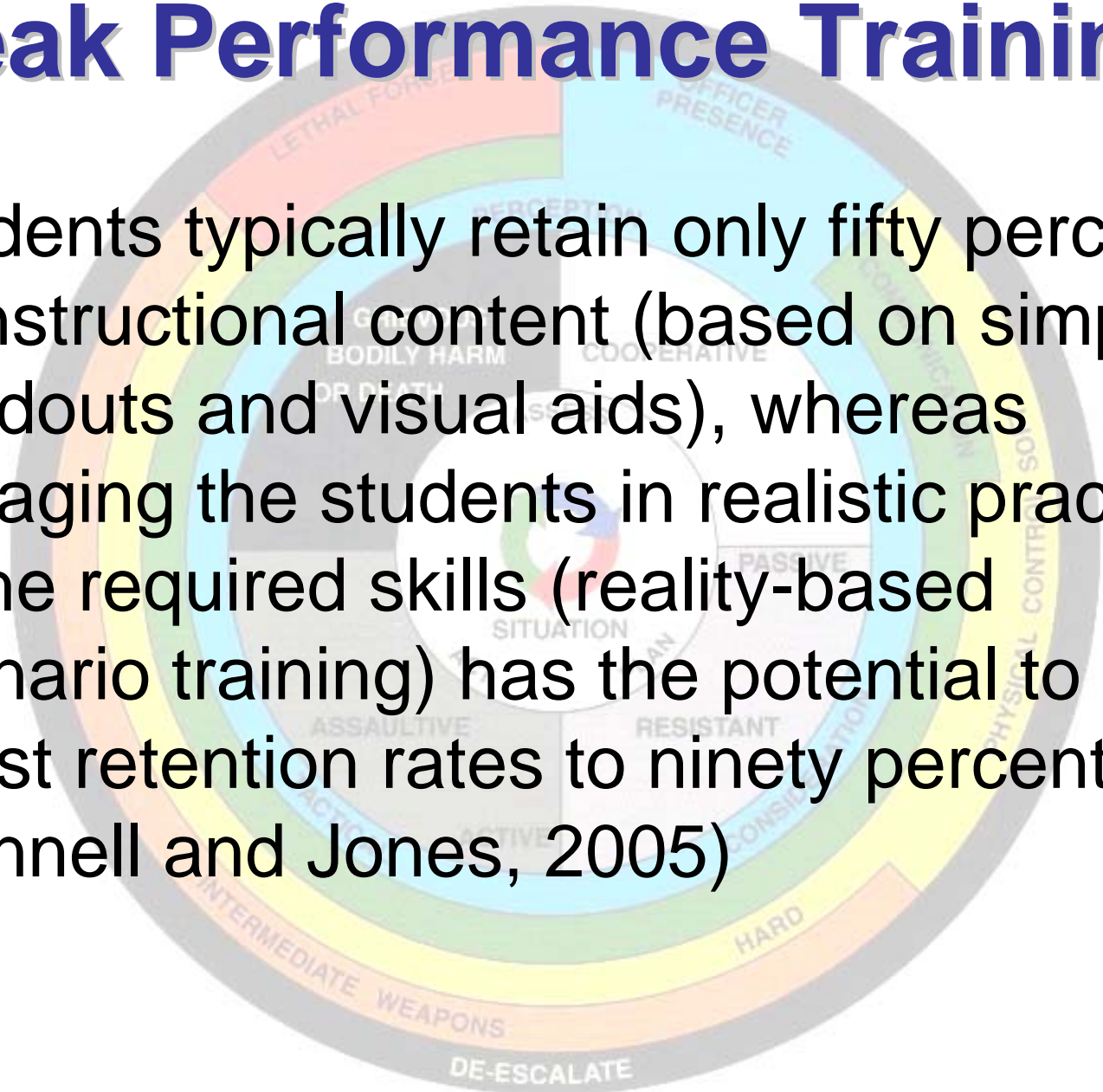
Peak Performance Training

- Definition
 - the optimum mental and physical performance level (Massine, 2006)
- Sport-based
 - Frequency versus duration

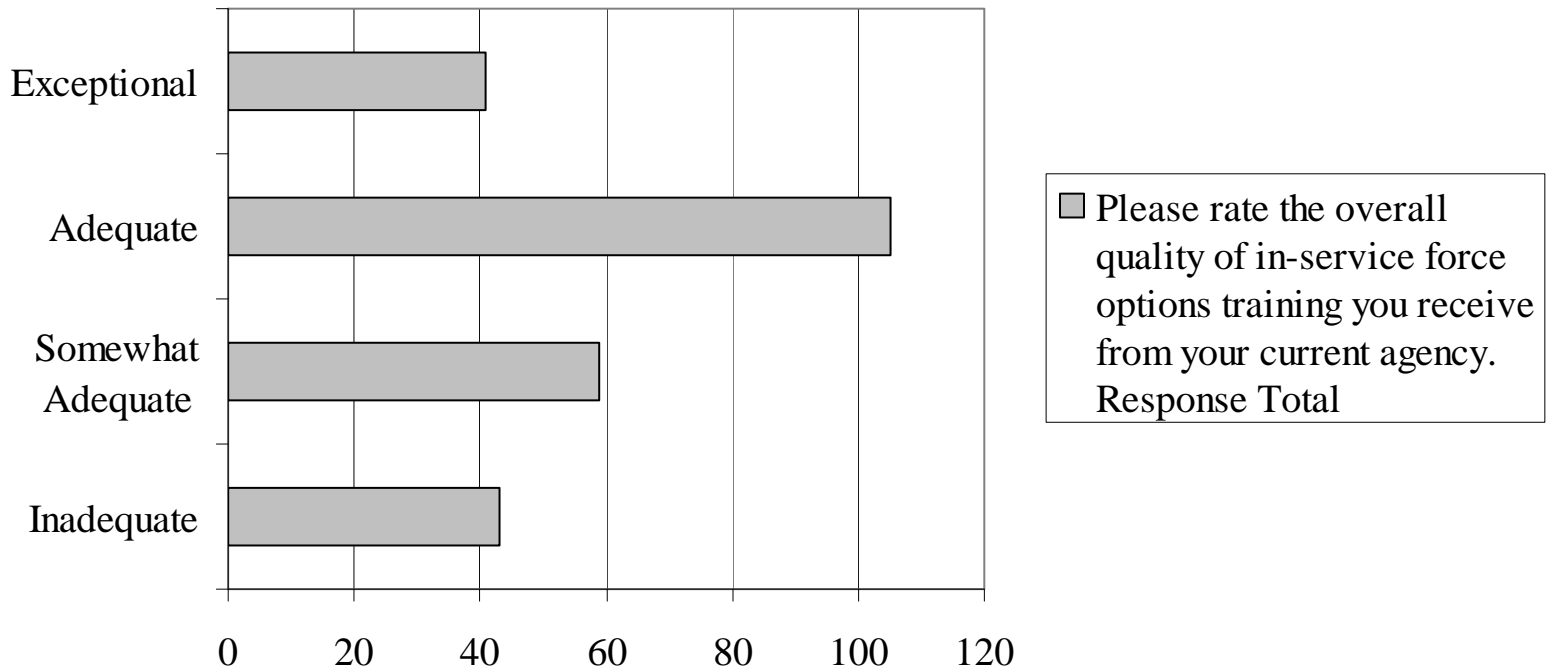


Peak Performance Training

- Students typically retain only fifty percent of instructional content (based on simple handouts and visual aids), whereas engaging the students in realistic practice of the required skills (reality-based scenario training) has the potential to boost retention rates to ninety percent (Bennell and Jones, 2005)



Quality of Training



264 responses from 2,273 distributed surveys, or 11.6 %

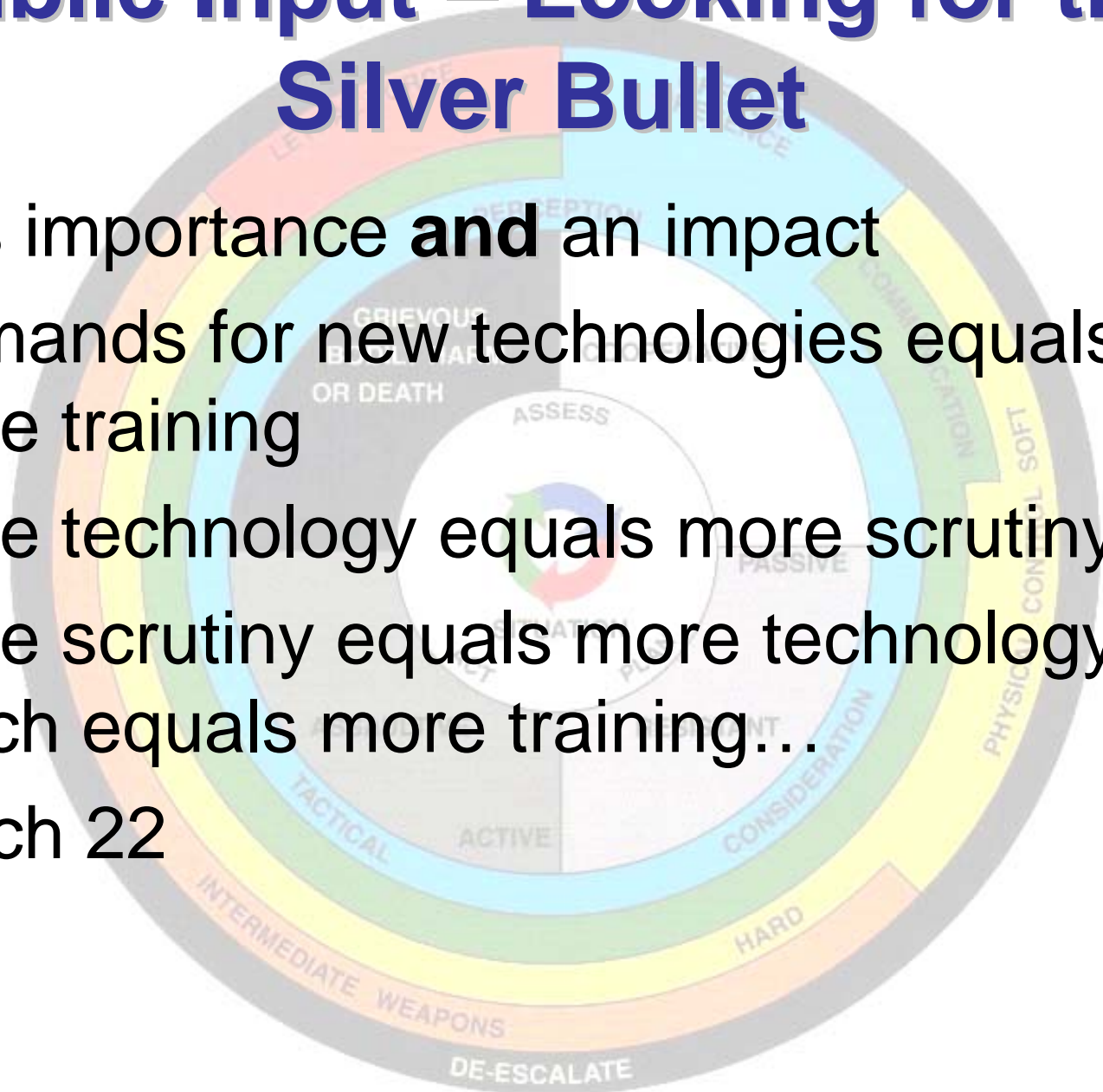
Solutions to Training Woes

- **Integrated/Amalgamated Training Teams**
 - Consistent Standards
 - Best Practices
- **Critical Incident Training Done on Company Time**
 - Full Participation
- **A Real Commitment to Training**
 - Money and Resources



Public Input – Looking for the Silver Bullet

- Has importance **and** an impact
- Demands for new technologies equals more training
- More technology equals more scrutiny
- More scrutiny equals more technology which equals more training...
- Catch 22



Police Priority



#1 PRIORITY IS PRESERVATION OF LIFE

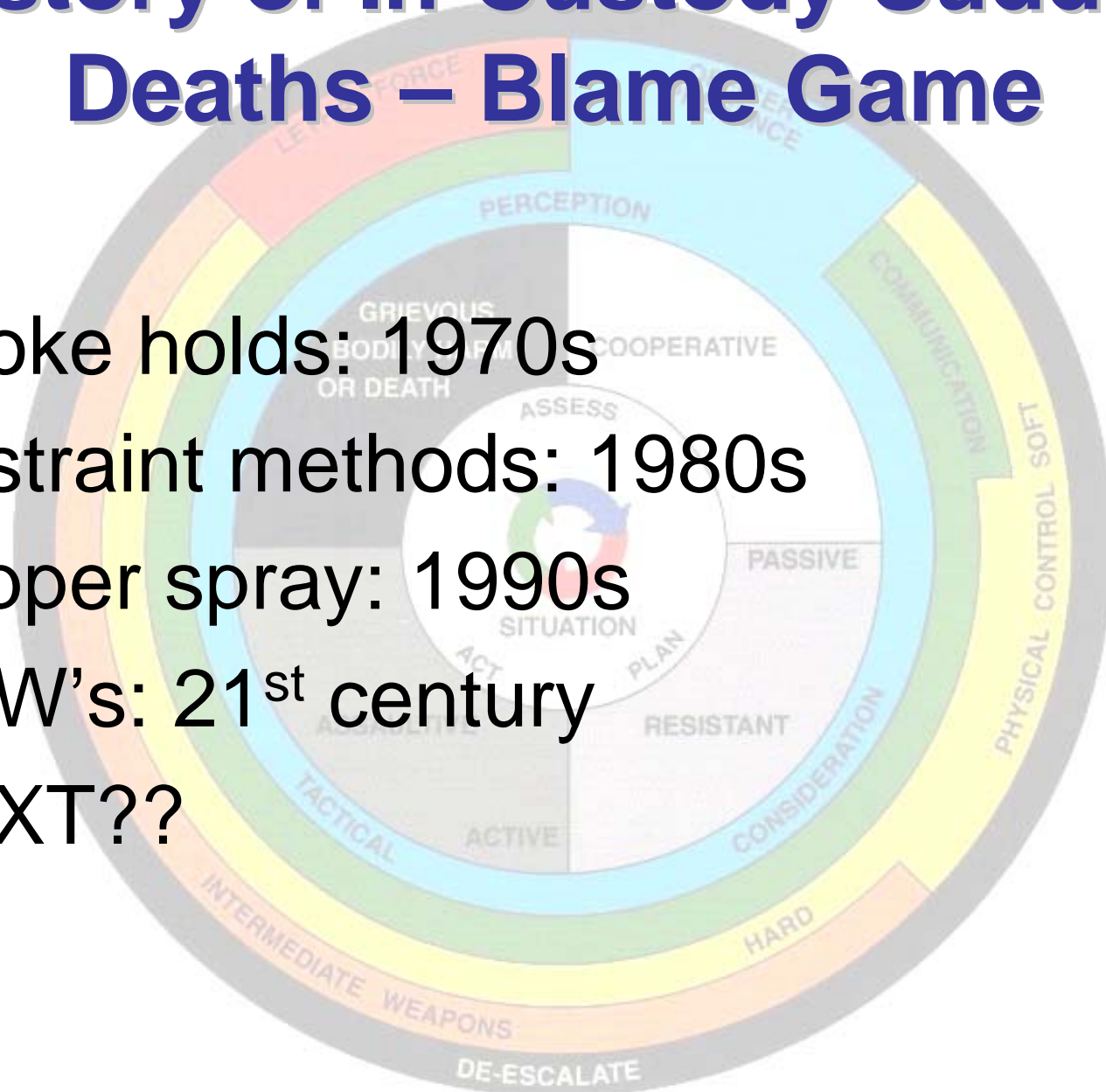
- Recognize cluster of symptoms – **NOT** a medical diagnosis (It is a state of being or a condition for which many underlying explanatory diagnoses are possible)
- If EDS **suspected** = Medical priority
- “There can be no medical treatment without Restraint.” (Dr. L. Denmark)

History of In-Custody Sudden Deaths - EDS

- first described in British medical literature in 1650
- “excited delirium” can be found in US medical treatises as early as 1881
- the concept first being presented and published in America by Dr. Luther Bell in 1849
- Bell invested over 12 years evaluating patients with this peculiar form of delirium (Bell’s Mania)

History of In-Custody Sudden Deaths – Blame Game

- Choke holds: 1970s
- Restraint methods: 1980s
- Pepper spray: 1990s
- CEW's: 21st century
- NEXT??



Media Influence

- **HUGE!!**
- Dwell on the negative outcomes
- Sensationalize critical incidents
- Balanced reporting??



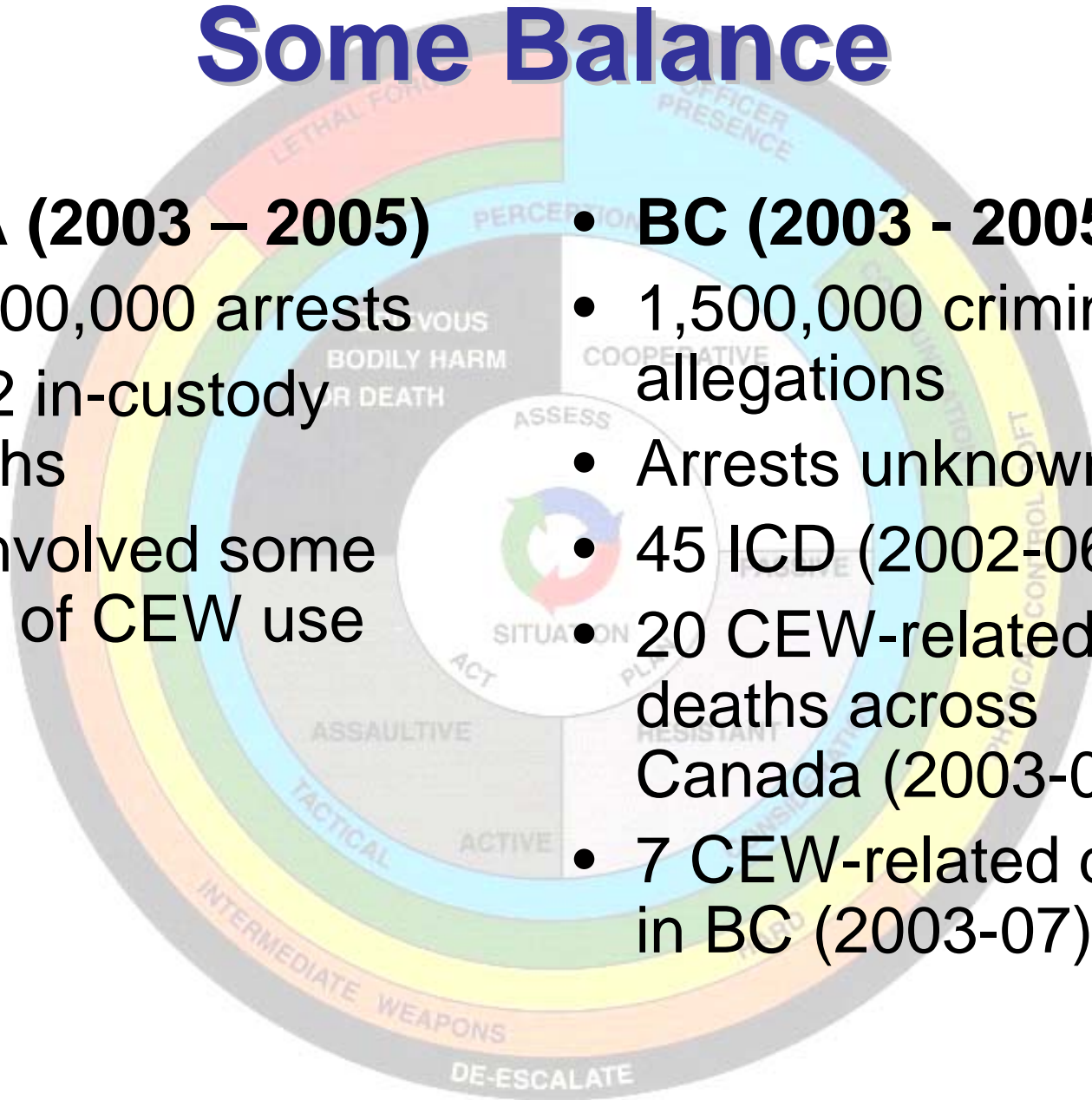
Some Balance

- **USA (2003 – 2005)**

- 41,600,000 arrests
- 2002 in-custody deaths
- 36 involved some form of CEW use

- **BC (2003 - 2005)**

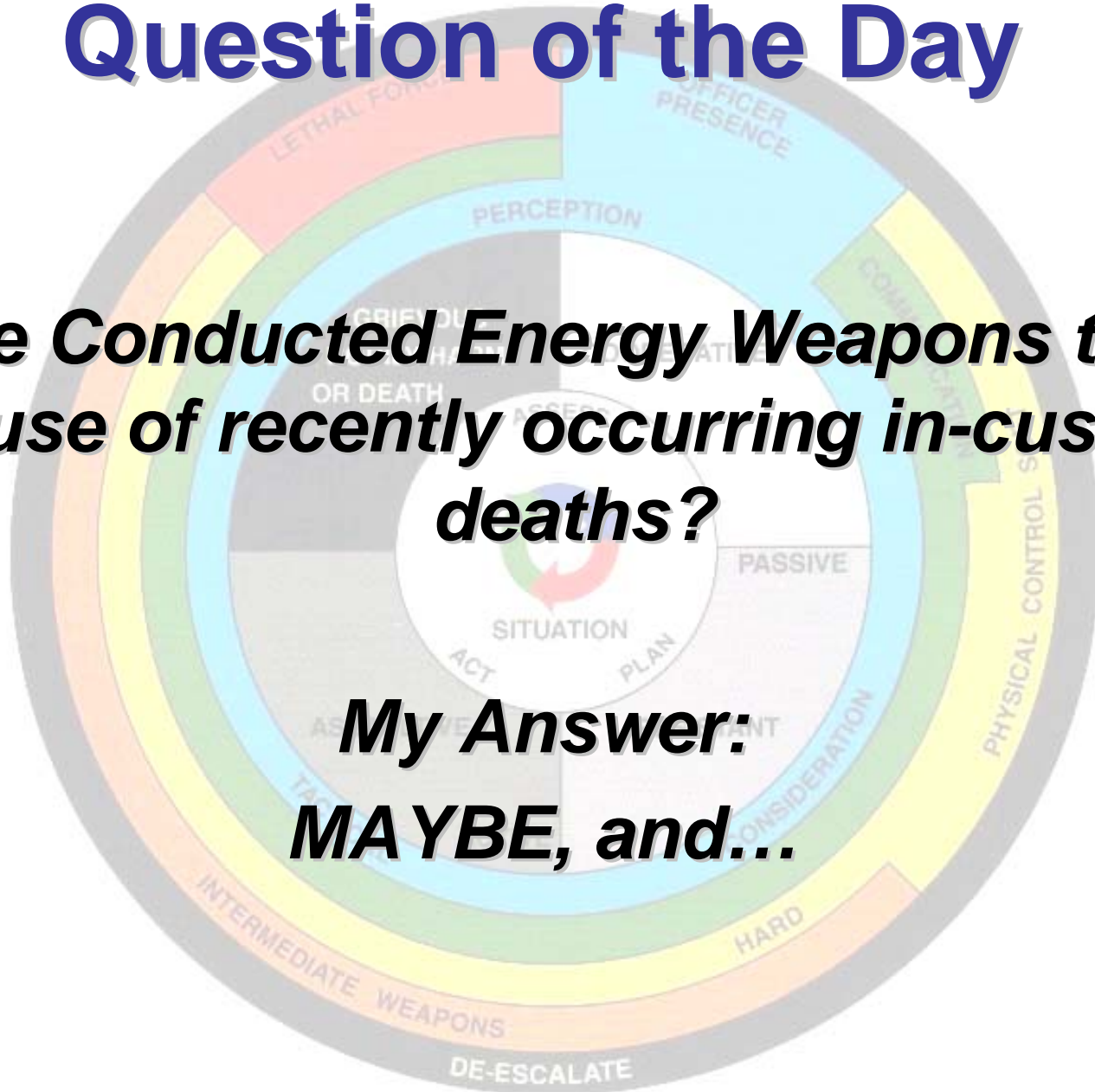
- 1,500,000 criminal allegations
- Arrests unknown
- 45 ICD (2002-06)
- 20 CEW-related deaths across Canada (2003-07)
- 7 CEW-related deaths in BC (2003-07)



Question of the Day

Are Conducted Energy Weapons the cause of recently occurring in-custody deaths?

***My Answer:
MAYBE, and...***





Thank You!

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May 6th, 2008

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