

39th Parliament, 2nd Session
Standing Committee on Public Safety and National Security

Discussion between Hon. Ujjal Dosanjh (Vancouver South, Lib.) and Mr. Tom Smith (Chairman, Taser International Inc.)

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EVIDENCE

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(1540)

The Chair:

Thank you very much.

We'll begin with the official opposition and Mr. Dosanjh for seven minutes.

Hon. Ujjal Dosanjh (Vancouver South, Lib.):

Thank you, Mr. Palmer and Mr. Smith.

This is not an easy issue. One of the things I've noticed, with all of the coverage Mr. Smith has received over the last number of years, is the claim—and correct me if I am wrong—that tasers don't kill. We are told—and I have believed it to date but I'm questioning my own belief—that tasers are non-lethal alternatives to guns in the hands of police.

Are you suggesting to us—and if you are, I want you to admit it—that while 300 people have died in North America, 17 of them in Canada, subsequent to being tasered, tasers have not played any part whatsoever in their deaths?

(1550)

Mr. Tom Smith (Chairman, Taser International Inc.):

Again, I would suggest that you have to look at the scientific research that has been done today. I've been tasered myself. We rely on the scientific experts to look at the data, and in the studies that have been done, we have not seen anything conclusive come back scientifically to say that a taser has killed.

In fact, in the vast majority of the cases you just referenced, when certain emotions have been removed—certainly these are tragic scenarios, and our hearts go out to the family any time that occurs—and you have been able to look at the science, the taser has been removed in almost all the cases. There are less than 30 cases where the taser has

been listed as a contributing factor, meaning it's listed along with other devices. But that is completely different from saying the taser caused a certain outcome.

Hon. Ujjal Dosanjh:

Are you then suggesting to me that the 270 who have died--other than the 30 deaths you say may have been contributed to by tasers--would have died regardless of whether or not a taser was used?

Mr. Tom Smith:

I'm responding to the medical community—

Hon. Ujjal Dosanjh:

No, I'm asking you a question. Give me an answer in layperson's language. Are you suggesting that those 270 would have simply vanished, even if a taser had not been used?

Mr. Tom Smith:

I'm telling you that the research that was done on those particular cases has shown that the taser did not cause, or contribute, in those 270 cases.

Hon. Ujjal Dosanjh:

And they would have died regardless?

Mr. Tom Smith:

I'm not going to make that statement. But I am going to tell you the research that has been done claims the taser had nothing to do with the outcome of those tragic incidents.

Hon. Ujjal Dosanjh:

Look, you say the taser is not risk free. Obviously you admit there are risks. And so does the U.S. Department of Defense, which actually concluded in 2004 that it didn't want its military personnel to be tasered during training because, they said, there are risks. So they know what you know, but you are not prepared to actually admit, in simple

layperson's language, that those 270 persons might have been alive today if they had not been tasered.

Mr. Tom Smith:

Well, sir, with all due respect, there is no perfect solution out there. I have to rely on the scientific community, which said that in those 270 cases, when they examined the science, the taser did not have to do with the outcome of those incidents.

In regard to the U.S. military, there are certain risks. We do cause incapacitation where you can fall to the ground, and that can certainly result in an injury, but it's going to be much more similar to an athletic type of injury. I would also point to the United States Department of Justice study that recently looked at 1,000 incidents and showed there were roughly two or three that resulted in that exact type of an injury. Out of 1,000 incidents, it's a very, very low injury rate.

Hon. Ujjal Dosanjh:

Let me preface my next question by simply saying that I still believe the police ought to have this non-lethal alternative, if it is non-lethal—and there are increasing questions with respect to that in my own mind, although I haven't come to a conclusion.

I was the attorney general in British Columbia when, for the first time in Canada, the device was introduced by the Victoria police subsequent to a pilot project. I was assured that it was absolutely non-lethal and that it would be used sparingly by the police. I have now come to believe that it's riskier than I was led to believe, and in fact it is not being used as sparingly as it ought to have been used.

The question I have is the same question that someone asked you in Toronto, I believe. This is not to cast aspersions on police officers, but this is a real question that I think the public needs to know. The fact is you admit that you pay police officers every now and then for certain things. I would like to know, how much have you paid in terms of actual money to police officers in Canada, and for what purposes do you pay them? That's a huge issue of conflict. It's the same police officers who then come to us and say they would like to be able to use this device.

(1555)

Mr. Tom Smith:

I was asked that question in Toronto and, at the time, I did not have an answer. I can give you the answer today: it's two. One is Officer Darren Lauer, who was paid for the design of a holster he created in the year 2000. We paid him for the design of the holster that we used and then reproduced to sell. We have paid one other officer who did some training for us on his own time in Europe.

Hon. Ujjal Dosanjh:

I understand you also said that you pay for training.

Mr. Tom Smith:

We pay officers when they take their own time for training in the United States. That is correct.

Hon. Ujjal Dosanjh:

But not in Canada, not for Canadians?

Mr. Tom Smith:

The two incidents I just gave you are the only two in which my company has paid officers in Canada.

Hon. Ujjal Dosanjh:

All right.

Let me ask you another question. Most of the studies you have, you say have been done on humans. Initially you started out with the studies on pigs, then you obtained authorization to use this device with respect to humans—and then, obviously, subsequently you had this data with respect to humans.

I've looked at those studies. Most of the studies exclusively focus on the age group between 19 and 43. Those are people who are aware they are going to be tasered. They are healthy people. When you take those two or three factors out, when the police go onto the street and taser an individual they know nothing about, who could be older, younger, or unhealthy, do you think your research takes all of that into account?

Mr. Tom Smith:

I believe the research we're doing today is the best available. We are following the ethics standards set by our leading institutions worldwide, not just in the United States.

I can tell you that in the classes where law enforcement officers do get trained, we don't de-select anyone. In fact, we looked at recent studies where the members in the class had a previous heart attack or a previous heart condition, or had been exposed to that. We've also now been subjecting them to alcohol, or that type of application—which is also going to be seen on the street—and we are also exercising them to the point of their becoming acidotic, literally exhausting them, before hitting them with the taser, and then scientifically measuring their blood, breathing, and pulse rates. We're using an ultrasonic waveform so that we can see how they're reacting. That's being done independently of our company. It's being funded by the National Institute of Justice, the University of California at San Diego, Dr. Ted Chan.

So I do believe the research is out there today. While you'll never be able to look at every possible scenario that exists, the research certainly covers the vast majority of cases that exist within the human body.