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ACLU of Massachusetts Praises Stern Commission Report and Urges Adoption of Recommendations

Boston, MA – Attorneys at the American Civil Liberties Union of Massachusetts today praised the Stern Commission report as a crucial first step toward appropriate regulation of so-called “less lethal” weapons, but urged law enforcement agencies also to consider whether such weapons are ever an effective means of crowd control.

“This is an important first step, but only a first step,” said John Reinstein, legal director of the ACLU of Massachusetts. “The recommendations require much-needed changes in policy by the Boston Police Department to avoid similar incidents in the future. But in formulating guidelines for the use of these weapons, it is important to consider whether they should be used at all for crowd control purposes.”

On May 10, the ACLU of Massachusetts released an independent report setting forth specific recommendations for improved training, use, and monitoring of so-called “less lethal” weapons by the Boston Police Department and other law enforcement agencies in the Commonwealth.

“We applaud Commissioner O’Toole’s decision to appoint an independent and outside commission to review the tragic death of Victoria Snelgrove,” said Carol Rose, Executive Director of the ACLU of Massachusetts. “Her death and other fatal incidents arising from the introduction of new police weaponry around the country should serve as a warning to all law enforcement that so-called “less lethal” weapons can be very lethal if adopted without specific guidelines to prevent their abuse.”

The pepper spray guns that killed Ms. Snelgrove are only one in an array of less lethal weapons. In July 2004, Massachusetts became the forty-ninth state to allow law enforcement officials to use electroshock weapons -- known as “stun guns” or “Tasers” -- without any legislative standards regarding the training in or use of these weapons. Since 2001, over 100 people have died in the United States after being stunned with a Taser. As a result, police departments nationwide – notably Chicago and the State of New Jersey – have suspended or delayed the use of Tasers citing safety concerns following fatal incidents.

Specific recommendations set forth in the ACLUM report on less lethal force include: (1) independent review of weapons systems (2) training; (3) use; (4) post-use practices; and (5) monitoring of less lethal force weapons. To review the Executive Summary and complete

ACLU of Massachusetts report, Less Lethal Force: Proposed Standards for Massachusetts Law Enforcement Agencies, go to: www.aclu-mass.org.

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