



AMERICAN CIVIL LIBERTIES UNION OF UTAH FOUNDATION, INC.
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March 20, 2008

VIA FAX AND U.S. MAIL

Chief Mary Reep
Washington County Sheriff's Office
750 South 5400 West
Hurricane, Utah 84737
(801) 656-6666

Dear Chief Reep,

I write to confirm in writing my understanding that the Washington County Sheriff's Office will no longer be engaging in the practice of restraining pregnant inmates with stun or electro-shock technology.

As you know, we received a complaint from [REDACTED] a sixth-month pregnant inmate housed at the Washington County Jail. [REDACTED] maintained that during her court appearance on February 15, 2008, Washington County Sheriff employees required her to wear a remote controlled stun belt, identified as "the bandit." Despite her legitimate concerns about the medical risks that an accidental or purposeful activation of the taser would pose to herself and her developing fetus, Washington County Sheriff employees required her to wear the electro-shock restraint while at court. She requested our aid because she feared she would be required to wear "the bandit" for her sentencing hearing, scheduled for March 26, 2008. Based on phone conversations with you and Lieutenant Stanley on March 17 and 18, 2008 respectively, I now understand that [REDACTED] will not be required to wear any form of electro-shock restraint during any future court appearances.

As you may know, there is considerable debate in our country about the use and safety of tasers. With respect to use of tasers on pregnant women and other vulnerable populations, these concerns increase. Indeed, Amnesty International concludes that taser use on vulnerable populations, including pregnant women, "constitutes excessive force in violation of international standards" and in some cases "amount[s] to cruel, inhuman or degrading treatment, and torture."¹

¹ Amnesty International's Continuing Concerns About Taser Use, available at <http://www.amnestyusa.org/document.php?id=engamr510302006>

Even Taser International, a major producer of taser products, cautions that women who are "pregnant are among those who may be at higher risk" for "serious injury or death" if subject to a taser device.² Indeed, there is evidence that women have miscarried after being tasered. For example, in Chula Vista, California, a woman who was six-months pregnant when she was tasered, subsequently miscarried.³ The city of Chula Vista was sufficiently concerned that taser use contributed to her miscarriage that it paid her \$675,000 to settle her lawsuit.⁴

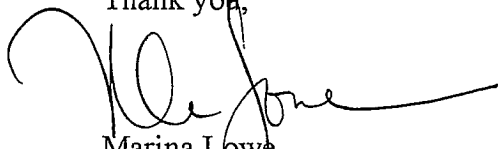
Finally, and consistent with the above conclusions, the U.S. Department of Justice published a report that concludes tasers and other conducted energy devices (CED) "should not generally be used against pregnant women, elderly persons, young children, and visibly frail persons unless exigent circumstances exist."⁵

Accordingly, we are pleased that you have decided to discontinue this practice with respect to pregnant inmates under your authority. We nevertheless request written assurances that pregnant inmates will not be restrained by means of electro-shock technology, and specifically, that such restraints will not be used on [REDACTED] in the future. Additionally, we request that you provide us with copies of the Washington County written policies or other training manuals that guide your facility's use of any form of electro-shock restraint on pregnant women.

Please feel free to contact me should you have any questions.

I look forward to hearing from you by Tuesday, March 25, 2008.

Thank you,



Marina Lowe
Staff Attorney

² Taser International Product Warnings – Citizen, available at <http://www2.taser.com/sitecollectiondocuments/controlled documents/warnings/lg-inst-ctzwarn-001 rev e citizen warnings.pdf>

³ Use Of Tasers By Law Enforcement Agencies: Guidelines And Recommendations Prepared For The City Of Mountain View Human Relations Commission By The Stanford Criminal Justice Center, available at <http://www.law.stanford.edu/academic/programs/criminaljustice>

⁴ *Id.*

⁵ Police Executive Research Forum, Conducted Energy Devices: Development of Standards for Consistency and Guidance (2006) (published by the Department of Justice), available at http://www.ojp.usdoj.gov/BJA/pdf/CED_Standards.pdf