

M26: Why 26 Watts?

by Rick Smith, President, TASER International

Over the past few months, we have received questions as to why we developed the ADVANCED TASER® to deliver an output of 26 Watts using a more intense TASER® waveform than older versions of the TASER. The answer is very simple: when less-lethal force fails to stop a combatant, lethal force must often be used. Over the past years, we have worked extensively to solve a problem faced by all law enforcement agencies -- how do you stop a truly motivated and aggressive combative individual?

To date, none of the existing less-lethal tools could fully satisfy this requirement. Law enforcement is no stranger to the many occasions where focused individuals continue with aggressive actions while being hit with current less-lethal tools. In our own experimentation, we saw that many individuals who were goal-oriented and focused and could fight through any pain tolerance technique to achieve his goal. This presents a dangerous problem for law enforcement officers, especially when faced with "suicide by cop" scenarios. The TASERs in use by law enforcement for the past 20 years have ranged from [33% ineffective \(NYPD per Commissioner Safir\)](#) to 85% effective (per Tasertron). The philosophy of the M26 development program is that 15% to 67% failure rates are not acceptable and place officers at undue risk.

In the course of the ADVANCED TASER development program, the M26's new waveform caused an immediate, involuntary muscle contraction, immobilizing and incapacitating the most difficult focused targets. We also found that law enforcement officers have heard these claims so many times over the years that we were initially met with great skepticism. However, you can ask anyone who has been hit with the ADVANCED TASER and you will find a believer today. Below are several videos you can download to show the difference between the older 5-7 Watt systems versus the new 26 Watt M26 EMD system. (See www.eTASER.com to view these videos).

- 5-7 Watts stun versus 26 Watts EMD Volunteers
- Chandler Arizona SWAT Demo of 7 Watts vs. 26 Watts

There have been those who raise the issue of safety (the most vocal being a competitor selling an older 5.5 watt unit). However, the M26 presents a safer alternative to older versions of the TASER by providing sufficient knockdown power to end a confrontation before it escalates to lethal force. There are many cases in public records where individuals were hit by a 5-7 Watt TASER yet continued to attack police. In one example, Paul Maxwell, a substitute teacher with a history of mental illness, attacked police officers with a baseball bat in Hempstead, NY in 1998. Even after being shot in the torso twice with a Tasertron TE-95 TASER (5-7 Watt output) into bare skin, Maxwell continued to attack officers. The result: several officers were hospitalized, one retired with disability, Maxwell was fatally shot, and the department was sued for \$20 million by Maxwell's family (case pending). Note, the [officers involved were commended](#) as the failure of the less-lethal weapon left them no alternative but deadly force. For more information, on this case, select one of the following articles: (See www.eTASER.com for corresponding articles).

It is exactly this sort of scenario that prompted us to develop the ADVANCED TASER - to provide a less-lethal tool effective in these dangerous combative scenarios.

Why "Less-Lethal" Instead of "Non-Lethal"

There has also been an issue raised by our competitor as to why we designate the ADVANCED TASER as a "less-lethal" weapon. The reason for this designation is very simple: we are conforming to the most common terminology used by leading law enforcement trainers. Sgt. Darren Laur of

Canada, Lt. Sid Heal of the Los Angeles Sheriffs and many others have advised us that we should move away from the term "non-lethal" to the term "less-lethal" as this is the trend in law enforcement use-of-force trainers. Less-lethal is a means of acknowledging that all uses of force carry some finite level of risk -- and it removes the semantic debate over "non-lethal" from the court defense of any less-lethal weapon. Less-lethal is the generally preferred terminology used today for everything from OC to batons. So, we too have adopted the terminology "*less-lethal*" to describe **all** of our weapon systems, from 7 Watts up to 26 Watts.

The NTOA (National Tactical Officers Association) has adopted the following definition of less lethal force: "A concept of planning and force application, which meets operational objectives, with less potential for causing death or physical injury than conventional police tactics." **The NTOA now uses "less-lethal" rather than "non-lethal" in it's training documents.** The definition used in the recent Tasertron fax appears to be a fabrication of the writer, and not based on any law enforcement standard.

All of the following organizations have adopted the term "less-lethal" rather than "non-lethal":

- **IACP (The International Association of Chiefs of Police)**
- **NTOA (National Tactical Officers Association)**
- **FBI (Federal Bureau of Investigation)**
- **Canadian National Police Standards**
- **The majority of law enforcement trainers in North America**

Tasertron's implies that we made the change to "less-lethal" because our new system is more dangerous than older 5-7 Watt systems.

I can state affirmatively that this is not the case. In fact, we have performed more extensive medical testing on the M26 than on any other electronic weapon on the market, including the older 5-7 Watt TASERs. We submitted to extensive testing using animal models to test cardiac safety under a variety of extreme conditions including drugs, multiple simultaneous TASER hits, and even application of the M-26 output directly to the surface of the heart. These medical studies are available to any qualified law enforcement agency upon request. To request a copy of the ADVANCED TASER Medical Studies email: sales@airtaser.com -- *this report contains confidential information and is released only to qualified law enforcement agencies. Your request acknowledges this confidentiality and that you will not redistribute this information.*

The results of both the animal testing, human testing on over 260 volunteers ranging in age from 20 to late 50's, and actual field use (including those on drugs and alcohol) has yielded a consistent result: the ADVANCED TASER leaves no injuries even under extreme conditions. Further, quantitative comparison of the output of the 26 Watt ADVANCED TASER shows a safety margin of approximately 100x compared to safety levels charted from UL and IEC international standards. Dr. Paul Hendry, Co-Director of the Pacemaker Clinic at the University of Ottawa in Canada concluded that the ADVANCED TASER should pose no increase in risk even to patients with a pacemaker or implantable defibrillator. A copy of this letter is available upon request to sales@airtaser.com.

Further, Tasertron's bulletin proposed that the term "less-lethal" is designed to somehow shift liability from manufacturers to agencies. This could not be further from the truth. In discussions with Sgt. Darren Laur of Victoria PD, Canada (the driving force in convincing us to adopt the term less-lethal), told us that law enforcement has adopted the term "less-lethal" specifically because it does reduce the potential liability of agencies deploying force by removing the potential debate over extenuating circumstances (i.e. imagine a plaintiffs attorney in court on any use-of-force, "How can you call this

weapon non-lethal when the use of this weapon caused my clients' son to fall to his death off the edge of a 10 story building? Clearly, your honor, this is not a non-lethal weapon...")

In my opinion, the attempt by Tasertron to cast the use of the term "Less-Lethal" to imply that our weapons are going to kill people or represent a greater danger than their products is not only a blatant misrepresentation of fact, but also an insult to the organizations and officers who are working to standardize use of force terminology and policy in the United States and Canada. In the terminology of most law enforcement trainers and all of the above listed organizations, the Tasertron TASER is a "less-lethal" weapon as well as our products. The higher power and greater effectiveness of the M26 ADVANCED TASER in no way changes the categorization of this weapon on the use of force continuum.

Further, Tasertron asserted that only Tasertron has been authorized to quote safety data from the USCPSC. This is inaccurate. In a discussion with Harleigh Ewell, Office of the General Counsel of the US Consumer Product Safety Commission, on October 30, 1996, Mr. Ewell confirmed that the USCPSC opinions were equally applicable to the AIR TASER model 34000 based upon the fact that the electrical output is the same as the units tested by the USCPSC in the 1970's and authorized the continued use of this data in relation to the AIR TASER.

The argument that the ADVANCED TASER has not been in the field for 20 years is true. However, the Model T Ford has been available for over 70 years, but I'd feel safer in the 2000 model year Mercedes. There have been many innovations in TASER technology since the first TASER was evaluated by the US Consumer Product Safety Commission in 1974. It is unfortunate that those who have failed to innovate seek to stifle innovation through fear tactics.

In summary, TASERs have never caused a fatality by means of the electrical output, however they have resulted in several fatalities where the TASERs were unable to stop a combatant and lethal force had to be used. Hence, given the results of our extensive medical testing, we strongly purport that the probability of fatality or serious injury resulting from a M26 use is statistically lower than the probability of fatality or serious injury resulting from the use of a 5-7 Watt unit. The M26 ADVANCED TASER offers the stopping power police officers need to safely and quickly bring confrontations to a conclusion while protecting the suspect, the officer, and the community.

I apologize on behalf the industry to law enforcement for the misinformation being spread by some companies. To paraphrase Mark Twain, "A lie travels half way around the world before the truth puts its shoes on." We have attempted in the past to obtain retraction of such information from the source, without success. Therefore, as much as we wish to avoid becoming part of a "skunk fight", we must respond directly to this situation. All we ask is that you take the time to ascertain the facts before accepting any information about our products from anyone other than the manufacturer or an independent testing agency (we can provide a list of such contacts upon request).

If you have any questions or comments about this situation, I would greatly appreciate your call. You can reach me at pwsmith@airtaser.com, or at 800-978-2737 ext. 2004.