

USE OF ELECTRIC STUN GUNS AS A MEANS OF RESTRAINT AGAINST PERSONS IN THE CENTER FOR FOREIGNERS

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Abstract

This article presents the legal, ethical, technical, and health aspects of the use of electric stun guns as a means of restraint at the Center for Foreigners. We conclude that this is an effective but sensitive means of police use of force that can replace firearms in certain situations. The use of electric stun guns must be based on the principles of proportionality, necessity, and respect for human rights and fundamental freedoms, especially since foreigners are often in a vulnerable position. The article analyzes the legal frameworks, health risks, ethical dilemmas, and practical examples. It emphasizes the need for adequate training of police officers and the inclusion of alternative methods of incident management. The article also offers recommendations for improving practices and control over the use of electric stun guns in closed institutional environments, where the risk of police overuse of force against foreigners is greater.

Keywords: *police, electric stun gun, Center for Foreigners, human rights and fundamental freedoms*

Introduction

In modern security practices, the use of stun guns raises numerous questions regarding the legality¹, proportionality, effectiveness, and ethical acceptability of their use. These issues are particularly sensitive when it comes to the use of coercive measures against individuals who are already in a vulnerable position, such as foreigners in the Republic of Slovenia. Center for Foreigners represents a specific environment where individuals are in a subservient relationship with the state, which

¹ Legality means that police officers may exercise their police powers on the basis and to the extent prescribed by law, and in the manner prescribed by law or subordinate legislation (Pozderek, 2020, p. 25).

is why oversight of the use of coercive measures by police officers is particularly important. This article addresses precisely this challenge—whether the use of stun guns at the Center for Foreigners is permissible and ethically acceptable, and whether it constitutes an appropriate alternative to the use of firearms. The main issue addressed in this article is if the use of stun guns is permissible and ethical and if it constitutes a viable alternative to the use of firearms. The use of this coercive measure, intended to partially replace firearms, raises numerous dilemmas—particularly regarding the protection of human rights and fundamental freedoms, the proportionality of the action, and the conditions under which this measure is used (e.g., a confined spatial context, group behavior of foreigners (refugees, migrants), forced removals, etc.). This raises the question of whether current police procedures and officer training are sufficient to ensure the safe, lawful, and proportionate use of stun guns. The purpose of this article is to examine the use of electric stun guns at the Center for Foreigners and to determine whether such use is consistent with the fundamental principles of human rights protection, proportionality, and the necessity of using coercive measures, as well as whether there are more appropriate alternative methods for managing risky situations.

1. The legal basis for the use of stun guns by the Slovenian police

The legal basis for the use of a stun gun is set forth in Article 73 of the Police Tasks and Powers Act (hereinafter ZNPPol) 2025, which classifies such a device as a means of coercion, and specifically in Article 86.a, which sets forth the conditions, methods, and limitations on its use. This article clearly stipulates that a police officer may use an electric stun gun only in cases where no other means are available (ZNPPol, 2025, Article 86.a):

- to subdue active resistance or an attack with a weapon or dangerous objects, or
- to prevent self-harm in the event of an immediate danger of serious injury or death.

Furthermore, Article 86.a of the ZNPPol stipulates that the use of a stun gun against particularly vulnerable persons (children, pregnant women, persons with disabilities, the elderly) is permitted only if the conditions for the use of firearms are met, which means that this constitutes an exception.

The law also sets forth technical requirements—every stun gun must be equipped with a camera to record the procedure and a system to log all activations. After each use, the person must be provided with a medical examination as soon as circumstances permit (ZNPPol, 2025, Article 86.a).

In addition to the law, the use of stun guns is further regulated by the Rules on Police Powers (2014), which stipulate that stun guns may only be used by specially trained police officers from intervention units, mobile criminal investigation departments, and the Special Unit. The Regulations also stipulate that the person must be warned before use (if possible) and that the device must not be used on vital parts

of the body (head, neck, genitals) or in circumstances² that could cause additional danger (e.g., falling from a height, drowning) (Regulations on Police Powers, 2014, Article 43.a).

The Weapons Act (2005, Article 3) classifies stun guns that operate by firing electrodes as Category D8—weapons prohibited for civilian use—which means that their use is permitted only by authorized police personnel, not by ordinary citizens.

2. Technical and medical aspects of the use of a stun gun

The use of a stun gun, specifically the TASER X2 model, in police practice requires a thorough understanding of its technical composition, mode of operation, and the potential physiological effects on the person against whom it is used. Because it uses electrical energy to temporarily disable muscle control (Kroll, 2009, p. 174), it is a specific tool whose effectiveness, safety, and legality are the subject of ongoing professional, legal, and medical analysis.

The TASER X2 stun gun, used by the Slovenian police, is classified as an electronic restraint device. The device is gas-powered and, when fired, launches two 9-mm darts connected by wires at a range of up to 10 meters. An electric current is established between the electrodes, which temporarily incapacitates the person's muscular system and causes so-called neuromuscular incapacitation (sudden muscle contraction, loss of balance, and temporary inability to move) (Rikander, 2017, p. 123; Statement on the medical implications of use of the TASER X2 conducted energy device system, 2016, p. 8).

The kit used by the Slovenian police includes (Positive Experiences of European Police Forces and Fewer Injuries, 2020):

- a TASER X2 stun gun,
- two operational cartridges and two spare cartridges,
- an Axon Body 2 body camera that records every police procedure,
- internal memory that stores data on every activation.

The TASER device operates in two modes: probe mode, in which two wires with electrodes are fired, and drive-stun mode, in which the device is physically pressed against the skin. In this case, the electric shock acts directly on the skin, but with reduced effectiveness. Both modes cause severe pain and muscle paralysis. The manufacturer, Axon, recommends using the projectile mode, as it leaves fewer visible marks on the body. The wires have a range of up to 7.6 meters, allowing for operation at a greater distance (TASER X2, n.d.). The device also features a dual sequential trigger function, which allows for the handling of multiple subjects or a retest if the first attempt is unsuccessful. The user interface includes a battery status display, a targeting laser, and a data port for transferring records. Use is permitted only after

² A police officer makes decisions based on the circumstances he observes at a given moment, when he sees and assesses a particular situation, and then decides which powers and coercive measures to use (Pozderec and Kotnik, 2023, p. 17).

prior training, which is also a prerequisite for assigning the device to an individual police officer (TASER X2, b. l.). It is important to note that the mere threat of using the device (e.g., powering it on, firing a warning shot, or using the laser sight) is often sufficient to subdue a person (Rikander, 2017, p. 138).

According to Sheridan and Hepper (2022, p. 1), the TASER X2 stun gun works by delivering electrical pulses that cause temporary neuromuscular incapacitation, enabling police officers to physically subdue a person. The device uses two probes, which are fired from a cartridge along diverging trajectories. The probes are connected to the device via a wire, and the electrical current can only be effective if both probes make contact with the body, preferably the skin. The distance between the probes plays a crucial role here—it has been found that a gap of less than 23 cm significantly reduces the device's effectiveness, as it does not result in sufficient muscle stimulation (Sheridan and Hepper, 2022, p. 6). An analysis of 4,048 instances of TASER X2 use in the United Kingdom showed that the device was effective in incapacitating a person in 68.5% of cases. Effectiveness was highest when both probes penetrated the skin (up to 94% success rate) and lowest when the probes remained on the clothing (only 16.3–33.5% success rate). The main reasons for the device's ineffectiveness were thick or loose clothing, insufficient spacing between the probes, and missed shots, with the lower probe being missed more frequently than the upper one (Sheridan and Hepper, 2022, p. 7).

These findings highlight the need for caution in situations where circumstances (e.g., winter clothing) may reduce the likelihood of successful incapacitation. Kroll (2009, p. 173) adds that TASER stun guns are designed to cause temporary muscle paralysis without permanent injury, operating at low energy in very short pulses, which is said to significantly reduce the risk of cardiac injury. The author notes that the risk of ventricular fibrillation is extremely low, primarily due to the pulse configuration and low total energy. Nevertheless, he warns of the possibility of injuries due to falls following paralysis, puncture wounds from the electrodes, and complications in individuals with pre-existing cardiovascular conditions. Safe use in accordance with the manufacturer's instructions, consideration of the person's medical condition, and minimal necessary exposure are therefore essential. After using a stun gun, the police officer must ensure that the person is examined by a doctor. A form is provided for this purpose. It is printed in duplicate and is to be filled out by the police officer and the doctor (Kotnik, 2025, p. 85).

From a medical perspective, the use of stun guns raises important questions regarding risks, particularly for vulnerable groups. Based on these findings, it is important to emphasize that despite their apparent safety, the use of stun guns remains a sensitive issue from the perspective of human rights and medical ethics. Particular caution must be exercised with vulnerable groups and individuals with specific health conditions. Due to the lack of research on the general population, Baliatsas et al. (2021, p. 10) recommends applying the precautionary principle until additional data is available and ensuring a medical evaluation in all cases of use.

A systematic review of 71 cases involving the use of stun guns, conducted by Brasholt et al. (2024, p. 51), confirms a wide range of health consequences, including burns, fractures, eye injuries, and even fatal cardiac arrhythmias. In individual cases, brain injuries, permanent disability due to nerve damage, and mental disorders such as anxiety were also identified. The authors note that most cases stem from lawful use by trained police officers, which highlights the need for even more judicious and restricted use of such devices.

Although most studies indicate that the risk of serious complications is low when used correctly and for short periods, the scientific community points out methodological limitations—most studies were conducted on healthy individuals in controlled settings. In real-world settings, however, there are several unpredictable factors, such as stress, physical exhaustion, and specific health conditions, which require additional caution and continuous monitoring of effects in practice (Baliatsas et al., 2021, p. 9).

3. Ethical Issues Regarding the Use of Stun Guns

The use of stun guns as a means of coercion raises numerous ethical questions, particularly when it comes to vulnerable groups, such as individuals at the Center for Foreigners. Although the electric stun gun is often presented as a safer alternative to firearms, its use in certain circumstances may constitute an excessive infringement of human rights and raise social, legal, and ethical concerns (Choudhury and Sabri, 2010, p. 351; Kleinig, 2007, p. 284).

The literature (Ethical standpoints on police taser use, *op. cit.*) suggests that there are three ethical perspectives that can help determine whether the use of a stun gun is permissible in a given case. Utilitarian ethics assesses the acceptability of use based on the benefit to the majority—that is, use is justified if it causes less harm than alternative interventions. However, the use of stun guns on individuals who do not pose an immediate threat (e.g., children, passive protesters) is inconsistent with utilitarian principles, as it causes disproportionate harm without broader benefit. The deontological perspective, meanwhile, emphasizes the police officer’s duty to protect both the public and the suspect, which can lead to an ethical conflict when a measure simultaneously protects and endangers. The peacemaking approach, however, emphasizes the importance of care, connection, and thoughtful decision-making, and advocates for the use of stun guns only in situations where human dignity and relationships can be preserved, rather than destroyed.

When assessing the ethical use of a stun gun, two classic approaches can be applied: the deontological approach, which emphasizes the duty to respect human dignity regardless of the circumstances, and the consequentialist approach, which permits the use of means if they lead to the greater good (e.g., protecting the life of a police officer, the life of another person...). In police practice, a combination of both

approaches is typically emphasized, with a strong focus on the principles of proportionality and subsidiarity (Kleinig, 2007, p. 291).

Foreign nationals housed at the Center for Foreigners often already belong to a particularly vulnerable group—whether due to past traumatic experiences, lack of language proficiency, legal ignorance, or psychological distress. Therefore, any use of force, including a stun gun, requires additional ethical consideration. The Human Rights Ombudsman has warned in several reports that special caution must be exercised when dealing with foreign nationals in detention centers, particularly when it comes to the use of force (Use of Stun Guns by the Police, 2015).

As the European Council also emphasizes (Standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, 2015), the use of stun guns in enclosed spaces where vulnerable groups are present poses a high risk of disproportionate use of force. According to Kleinig (2007, p. 287), the use of such devices can negatively impact the legitimacy of police operations, particularly when physical restraint tools are used on individuals who do not pose an immediate threat. Therefore, the author warns that in situations involving individuals who are already in a subordinate position (e.g., foreigners with restricted mobility), it is important that the use of a stun gun is not used as a tool for quickly and easily asserting control, but rather as a last resort in emergency situations. Precisely for this reason, it is essential that the use of a stun gun does not become a routine response to non-cooperation, but rather remains an exception justified by specific security circumstances and an individual assessment of the case.

Similar to the concerns raised by European institutions, academic literature from the United States also highlights the importance of using modern technology to enhance accountability and oversight of police procedures. One of the key elements that significantly contributes to the protection of human rights is the use of body cameras, which record procedures and thereby enable better oversight of the use of force. Cameras help increase police accountability and can help confirm whether the use of force—such as a stun gun—was appropriate given the circumstances. At the same time, there is a risk that such recordings do not present the full picture of an event or that they infringe on individuals' privacy, which in turn raises ethical questions (The role of technology in policing, n.d.).

A particular challenge arises from the fact that foreigners often do not understand warnings and orders given in Slovenian, which can lead to misinterpretations of their behavior as well as resistance. Van Reemst et al. (2022, p. 3) note that police officers may misinterpret individuals' behavior due to various factors, including perceived aggression or disobedience, which may not necessarily be accurate. Consequently, we can conclude that communication barriers may increase the risk that a police officer will interpret a situation as disobedience or aggression, even though the person in fact simply does not understand the orders—which can lead to excessive use of force. Therefore, Fabian (2010, p. 788) warns that the use of a stun gun requires a clear assessment of the situation, as even passive disregard of orders can lead to an excessive reaction by the police officer. The use of

a stun gun as a reaction to frustration caused by a stranger's lack of response or a delay in the procedure is, in fact, neither permissible nor ethical (Kleinig, 2007, p. 287). In such cases, the principle of proportionality must prevail, taking into account the specific circumstances and the person's vulnerability.

One of the key ethical dilemmas regarding the use of a stun gun on strangers is the lack of information about their medical condition. Use on individuals with heart disease, mental disorders, or under the influence of psychoactive substances can be life-threatening (Statement on the medical implications of use of the TASER X2 conducted energy device system, 2016, p. 9; Choudhury and Sabri, 2010, p. 350). Therefore, police officers must exercise the utmost caution when making this decision. Cases where the use of a stun gun is inappropriate due to medical or communication barriers are particularly sensitive, raising new ethical questions.

The following are examples where the use of a stun gun is controversial or even ethically unacceptable:

- Use against a passively resistant person – Kleinig (2007, p. 289) cites the case of a college student in the U.S. who was subjected to an electric shock solely because he refused to leave the library. The case sparked public outrage and a debate about the excessive use of force.

- Use against individuals in mental distress – For individuals in a state of "excited delirium," the use of a stun gun can be particularly dangerous. In such cases, it is recommended that medical services be called in before police intervention (Product warnings, 2008, p. 6).

- Use against individuals in handcuffs – McDuffey (2023) and Kleinig (2007, p. 291) agree that the use of a stun gun on an already subdued individual (e.g., a person in handcuffs) is not justified unless it directly threatens one's own or another's life.

- Use for convenience or punishment – Unethical use of stun guns often stems from a desire for a quick resolution of the situation or to punish non-cooperation. However, this is inconsistent with the legal principle that coercive measures are intended for restraint and not for punishment (Kleinig, 2007, p. 287).

As Kleinig (2007, p. 291) points out, every decision to use a stun gun must be based on an assessment not only of the physical danger but also on respect for human dignity, especially in the case of individuals who are unable to defend themselves adequately or understand the situation. For these reasons, it is important that police units develop precise policies regarding the circumstances under which the use of a stun gun is permitted, and that all borderline situations be assessed strictly according to the principle of proportionality, taking into account the dignity and human rights of the individual.

4. Conclusion

The use of stun guns at the Center for Foreigners involves a complex interplay of legal, technical, ethical, and operational issues. As demonstrated in this article, it is

an effective tool for managing dangerous situations, but only when the principles of proportionality, legality, and respect for human dignity are strictly applied. Its use must be carefully considered, clearly documented, and always carried out with the protection of life and physical integrity of all involved in mind.

With the introduction of electric stun guns on September 1, 2020, the Slovenian police also implemented a training program for officers on their use. According to Kolenović (2022, p. 10), 237 police officers had been trained by the beginning of 2022, mostly those serving in intervention teams, mobile criminal investigation units, and the Special Unit. The training took place in two phases: first, instructors were trained at the Police Academy in Tacen under the guidance of an official representative from Axon, and then these instructors conducted training for selected police officers who primarily serve in intervention units and mobile criminal investigation departments (Positive Experiences of European Police Forces and Fewer Injuries, 2020).

Training in the use of electric stun guns includes both theoretical and practical components, during which police officers learn how to use the TASER X2 electric stun gun, de-escalation techniques, and the use of Axon BodyCams, which automatically activate every time the stun gun is discharged (Positive Experiences of European Police and Fewer Injuries, 2020). The purpose of the training program is to ensure the safe, proportional, and legally justified use of the stun gun in accordance with the highest standards. As part of the practical training, police officers also learn about the use of training cartridges, practice scenarios, and voluntary testing of the device's effectiveness (Kolenović, 2022, p. 36). The goal of such training is to better understand a person's reaction to an electrical impulse and to ensure the safety of all participants in a real-life situation. The training also includes warnings regarding the prohibition of using a stun gun against individuals in handcuffs, individuals in mental distress, and in situations where its use would not be necessary (McDuffey, 2023). Particular emphasis is placed on a step-by-step approach: first verbal warnings, then aiming with a laser beam, a warning discharge, and only then the potential application of an electric shock. According to Worley (2018, p. 743), a stun gun should only be used in cases of active resistance or when police officers are threatened, as it represents a medium level of force on the continuum of force. Its use in response to mere verbal resistance constitutes a violation of human rights and is constitutionally disproportionate.

Based on the comprehensive study, I conclude that the stun gun is a permissible and, under certain circumstances, even a necessary means of ensuring safety at the Center for Foreigners. However, their use must always be contingent upon a high level of professionalism, continuous training, oversight of police procedures, and strict respect for human rights and fundamental freedoms. Only in this way can the legitimate, ethical, and proportional use of coercive measures in closed institutions be ensured.

Even if the use of a stun gun is technically in compliance with regulations, both law enforcement agencies and facility operators must exercise particular caution when

assessing its appropriateness and necessity. Electroshock devices are not a completely safe alternative, as they can cause serious bodily injury or even death if used improperly—especially in the case of physically or psychologically vulnerable individuals.

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