

# EXPANDABLE BATON POLICY

## **Patrol Procedure**

Subject: Use of the Baton

### **I. Purpose**

To establish Public Safety philosophy and policy regarding the use of Baton and for dealing with resistive and combative subjects while minimizing risks of physical injury to officers, staff members and others.

### **II. Policy**

Members of the Public Safety shall use the Baton only within the guidelines of the Force Matrix and Use of Force Guidelines. Officers who have successfully completed the prescribed training course and received proper certification which assures safe and proper handling of the Baton shall be eligible to use the product in the performance of their duties. No officer shall carry the Baton without proper training, certification and approval of the Department Director.

### **III. Procedure**

#### **A. Use of the Baton**

1. An officer shall use the Baton only within the guidelines of the Force Matrix and Use of Force Guidelines.
  - a. In addition the Baton will be used in the following circumstances:
    - i. To defend him/herself or a third party from what is reasonably believed an immediate threat of physical injury or death.
    - ii. To prevent the commission of suicide or self-inflicted serious physical injury.
    - iii. To deter a vicious or aggressive animal that threatens the safety of the officer or others.
2. When an officer uses the Baton, he/she shall use the baton only until the threat is neutralized. When the behavior that justified the use of the Baton ends, the officer must stop the use of the Baton.
3. An officer shall not draw or display his/her Baton in a public place except when it is to be officially and properly used as noted in subsection 1, or for inspection by a supervisor.
4. An officer shall file a written report immediately upon the loss or theft of a department-issued Baton. The report shall include all facts surrounding the loss or theft.

#### **B. Notification of Use of the Baton**

1. An officer involved in the use or display of a Baton must report the incident as follows:
  - a. Whenever an officer uses or displays the Baton in the performance of Public Safety duties (excluding training conditions), the officer must verbally notify his/her on-duty supervisor as soon as time and circumstance permit. The event must be reported no later than the conclusion of the officer's current shift. If a supervisor is not on duty at the time of the reported incident, the officer must contact an off-duty supervisor. A supervisor who uses or displays must contact the Director to advise of the occurrence.
  - b. An officer who has used or displayed the Baton, to gain compliance of a threat, must file a Physical Control report with the officer's supervisor immediately following the event or prior to the conclusion of the officer's current shift. Details will include all officers involved in the incident. A supervisor who uses or displays the Baton must file a Physical Control report prior to the conclusion of his/her current shift.
  - c. If an officer who used or displayed the Baton, is physically affected by the use or display or injured and incapable of filing the aforementioned required report, the officer's supervisor must file a complete report as soon as possible pending further departmental investigation.
  - d. If a Baton is removed from its holster during an incident and no report (for whatever reason) is initiated, a Physical Control report shall be written even if the situation was resolved without the actual use of the Baton.

2. Supervisors should follow the procedures listed below when investigating the use of the Baton:
  - a. Each use of a Baton shall be investigated personally by a supervisor. If the display or use occurs when there is no supervisor on duty, an off-duty supervisor shall be contacted and he/she will determine who will conduct the investigation and when it will occur.
  - b. After conducting a thorough investigation of the circumstances surrounding the use of the Baton, the supervisor will submit a detailed written report outlining the results of the investigation to the Director of PS. The Director will immediately submit a report to the Vice President for Finance and Administration. In addition to the results of the investigation, the reports shall contain the observations and assessments of the supervisor and the Director regarding the justifiability of the use.
  - c. Approval to carry and/or use of the Baton on duty may be revoked at any point that an officer has demonstrated an inability or unwillingness to strictly adhere to established Departmental policy regarding the use of the Baton.

**C. Inspections, Maintenance and Storage of the Baton**

1. Each officer who is certified and authorized to carry the Baton will be assigned a Baton. He/she is solely responsible for any use or misuse of the Baton. The Baton will not be removed from University property except in an official capacity that is authorized by a supervisor.
2. Any damage to or malfunction of a Baton will be reported immediately to a supervisor.
3. Supervisory personnel may periodically inspect the Batons assigned to their subordinates.
4. Only Departmental issued or Director approved Batons are to be carried or used on duty.

**D. Training**

1. All officers who will carry a Baton and must first successfully complete certifying training and be accredited by the instructor as being satisfactorily proficient in its use.
2. No officer shall carry a Baton without proper training and subsequent periodic retraining and certification as required by the department.
3. Each officer must pass a written test as part of the initial training and any periodic training process. Such documentation will be permanently maintained by the department.

**E. Violation of Policies Contained Herein:**

Violations of this policy and philosophy require an investigation reportable to the Director of PS and will result in appropriate progressive disciplinary action.

1. Accidental, unauthorized, or unnecessary use or display of Baton resulting from negligence or misuse shall result in appropriate disciplinary action which may include dismissal.