

FRAMINGHAM POLICE DEPARTMENT		Next Review Date: July 13, 2021
Subject: Expandable Baton		Effective Date: July 13, 2020
Category: 100 - Operations		Expiration Date: Indefinite
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED:		POLICY 100-30
Distribution: Police Department	Issuing Authority <i>Ronald S. Brandolini</i> Ronald S. Brandolini Acting Chief of Police	

Policy Statement

The Framingham Police Department recognizes that combative, noncompliant, armed and/or violent subjects present handling and control problems that require special training and equipment. Thus, the Framingham Police Department has adopted this policy governing the use and deployment of the expandable baton.

Expandable batons are generally used as impact weapons and their usage falls under the parameters of the Department's Use of Force Policy. The use of a baton is considered a use of force, and must therefore conform to the methods, tactics, policies and procedures adopted by the Department. As always, any use of force must be objectively reasonable, necessary, and proportional.

It is recognized that due to the unpredictable nature of a person's movements and/or actions, expandable batons may unintentionally (on the part of the officer) impact a bodily area, or produce an outcome which does not parallel Department training. In evaluating the appropriateness of an officer's actions in these circumstances, the Department will examine each instance on a case-by-case basis in light of the foregoing to determine whether or not the force used was reasonable, and thus, authorized by policy.

References

Special Terms

Expandable Baton: A three stage steel baton with hardened shafts that extend and lock by friction or a cam system. They possess a reinforced textured hard rubber or metal tip with a firm foam or rubber grip handle. The baton is designed to disrupt a subject's noncompliance by means of striking or penetrating large muscle groups, pressure points or close quarters contact areas sufficient to cause pain, immobilization, distraction or displacement of balance to gain compliance.

Green Target Areas: Areas of the body that are considered primary target areas when a baton technique is chosen.

Monadnock Baton Chart: A color-coded diagram that displays the potential level of risk of physical trauma to a human body that is subjected to the application of baton techniques, depending upon the area of the body to which the technique is applied.

Red Target Areas: Red Target Areas may be targeted during confrontations where the subject is attempting to cause serious bodily injury or is applying deadly force to an officer or another; or in situations where force to lower level target areas are ineffective based upon an escalation of resistance presented by the subject during an attempt to end the confrontation. Baton techniques directed at Red Target Areas pose a substantially greater risk of injury to the subject and with few exceptions constitute lethal force due to the probability of causing death.

Yellow Target Areas: Areas of the body that are considered optional target areas when force applied to a Green Target Area fails to overcome resistance or does not correspond with the threat level. Yellow Target Areas are areas of the body where a baton technique is directed at either a joint or an area in close proximity to a prominent Red Target Area, and therefore the risk of injury increases.

Policy & Procedures

I. AUTHORIZATION FOR ISSUANCE & USE

- A. All sworn members of the Framingham Police Department will be issued an expandable baton and scabbard.
- B. No modifications of the expandable baton or scabbard are authorized.
- C. The only expandable baton(s) to be issued, carried, and used is the:

1. Armament Systems and Procedures (ASP) 21" Expandable Baton
2. Monadnock 21" AutoLock Expandable Baton with Power Safety Tip.

No other batons are issued or authorized.

II. **TRAINING**

- A. All personnel who are carry and use an expandable baton shall complete Expandable Baton Basic Certification Program, taught by a certified instructor.
- B. In-service training covering baton usage/proficiency, and a thorough review of the Department's Use of Force and baton policies, shall be conducted by certified baton instructors within the Department and successfully completed biennially in order for an officer to maintain Department-authorized status.
- C. Training records shall be well documented, providing the date of attendance, persons in attendance, identity of instructor(s), pass/fail scores of all attendees, and a copy of the lesson plan.
- D. Personnel who fail to meet the training requirements will be prohibited from carrying/using batons unless and until a remedial training course is successfully completed and documented.
- E. Training records shall be maintained by the Bureau of Administrative Services.
- F. Training will include, but is not limited to, the following:
 1. A thorough review of the Department's Use of Force Policy;
 2. Baton techniques;
 3. The primary target areas for the delivery of baton strikes;
 4. The avoidance of applying baton techniques to certain body areas unless the use of lethal force is justified;
 5. Using batons as restraint and control devices vs. striking devices;
 6. The avoidance of using batons in a manner that would impede the flow of blood or oxygen to the brain, unless the use of lethal force is justified;
 7. Using batons during vehicle extractions.

III. **DEPLOYMENT AND TACTICS**

- A. The expandable police baton is to be used for defensive and control purposes against assaultive individuals who if not stopped would cause bodily injury to the officer or another. The use of baton as an impact weapon to strike passive resistors is prohibited.
- B. The baton shall be used only in accordance with policy and department training (e.g., blocking, jabbing, to apply control holds, passive/active escort techniques, etc...)
- C. The expandable baton can be carried either strong side or support side of duty belt, as long as it does not interfere with other weapon systems and/or equipment. The baton will not be placed near the spine due to the possibility of a disabling injury occurring in an accident or assault.
- D. During a close range encounter, the officer should strike and immediately move laterally to side step an attempted attack.
- E. The expandable baton may be used:
 - 1. As a restraining, "pressure point," or come-along tool in instances where verbalization and physical strength have failed or would obviously be futile;
 - 2. As a defensive weapon to ward off blows;
 - 3. As a defensive weapon to deliver disabling blows to non-vital areas of the body as a means to halt or deter a subject. An officer is justified in using this type of force under the following circumstances:
 - a. To overcome the violent resistance of an arrestee;
 - b. To overcome an assault on an officer or a third party;
 - c. To deter persons engaged in violent conduct.
 - 4. To effect the removal of a person or persons who voluntarily lock themselves in a vehicle and refuse to exit when lawfully commanded to do so by an officer;
 - 5. For guidance on the use of the baton, please refer to the Monadnock Baton Chart for appropriate striking areas and descriptions of "Green," "Yellow," and "Red" target areas.
 - 6. Officers shall issue a verbal warning and allow a reasonable amount of time for compliance whenever it is feasible to do so and the warning would not endanger the officer or others.

- F. When the expandable baton is used as an impact weapon, an officer should attempt to strike a primary area (green). The officer may strike secondary (yellow) target areas when a primary target area is unavailable, or fails to overcome resistance, or does not correspond to the threat level. A strike to the lethal area (red) is justified in confrontations where the subject is attempting to cause serious bodily injury or death to an officer or another. Refer to the Monadnock Baton Training Chart for Primary, Secondary and Lethal areas.
- G. The following acts and techniques with the Expandable Baton are prohibited when using less-lethal force:
 - 1. Choke holds, carotid control holds, and other neck restraints;
 - 2. Use of a baton to apply “come-along” holds to the neck area; and
 - 3. Intentional strikes with the baton to the head, the neck, the face, the groin, the solar plexus, the kidneys or the spinal column.
- H. When delivering a closed mode strike, the officer should keep the thumb positioned across the tip of the baton to prevent the baton from opening.
- I. The expandable baton may be used as a “come along” tool for overcoming active resistant behavior. It may also be used as a striking weapon for overcoming assaultive-bodily harm behavior.
- J. Use reasonable caution prior to striking subjects who are physically engaged with other officers or not isolated from bystanders.
- K. Recognize that the expandable baton is a less-lethal weapon and may be an insufficient level of force against an attacker armed with a firearm, knife or other deadly weapon.
- L. Once the suspect is in custody, if the expandable baton has been used against the suspect, the arresting officer shall arrange for a medical evaluation of the suspect (this may be done at the holding facility by EMS).

IV. USE AGAINST AN OFFICER

- A. If the suspect attempts to gain control of the expandable baton, the officer shall employ weapons control techniques.

- B. If a suspect gains control of the officers' expandable baton, disengage and consider other use of force options.
- C. An officer's response to being threatened to being struck with a blunt instrument may include deadly force if the officer is unable to disengage and reasonably believes that he/she or another is in immediate danger of death or serious bodily injury.

V. CARE AND MAINTENANCE

- A. After each use, Officers shall examine the expandable baton for damage. If the baton is damaged or if a user detects a problem with his or her baton, it shall be turned in to the Expandable Baton Instructor for repair/replacement.
- B. Officers who do not use the expandable baton regularly, should test it at least every other month to be sure it is still clean and functions properly.
- C. If the expandable baton becomes wet or dirty, it needs to be wiped down to clean it and remove moisture. However, officers shall not disassemble this weapon; consult the Expandable Baton Instructor. Officers shall NOT apply oil to the expandable baton.
- D. The Expandable Baton Instructor shall maintain a record of the issue and replacement date of each expandable baton.
- E. The Expandable Baton Instructor shall inspect each expandable baton at time of issue and at least annually.
- F. The Expandable Baton Instructor will maintain an inspection log that documents baton inspections with the date of the inspection as well as the inspector's name.

VI. MEDICAL CARE

Anyone who strikes an individual with a baton or other impact weapon must ensure that medical care is provided, up to and including an ambulance if necessary. Any time force is used and the individual has a visible injury or complaint of injury, medical care will be provided. The medical care provided will be the responsibility of any employee who has immediate knowledge of the injury or complaint of injury. Individuals requiring medical treatment will normally be transported to the closest hospital. Any time that medical care is summoned for an individual involved in a use of force incident, the employee requesting medical care will promptly notify a supervisor.

VII. EXIGENT (IMPROVISED) IMPACT WEAPONS

The use of instruments, other than the issued expandable baton, as a weapon for the purpose of striking or jabbing is strongly discouraged and acceptable only when other authorized force options have been exhausted, are unavailable, or are ineffective.

Depending on the totality of circumstances, members may use other tools or items as a striking implement. These items may include a radio, flashlight, or any other hard object that when used would interrupt or incapacitate an aggressive subject.

The use of any improvised impact weapon against a subject shall be considered a reportable use of force, and shall be reported in accordance with the Department's Policy on Use of Force Reporting.

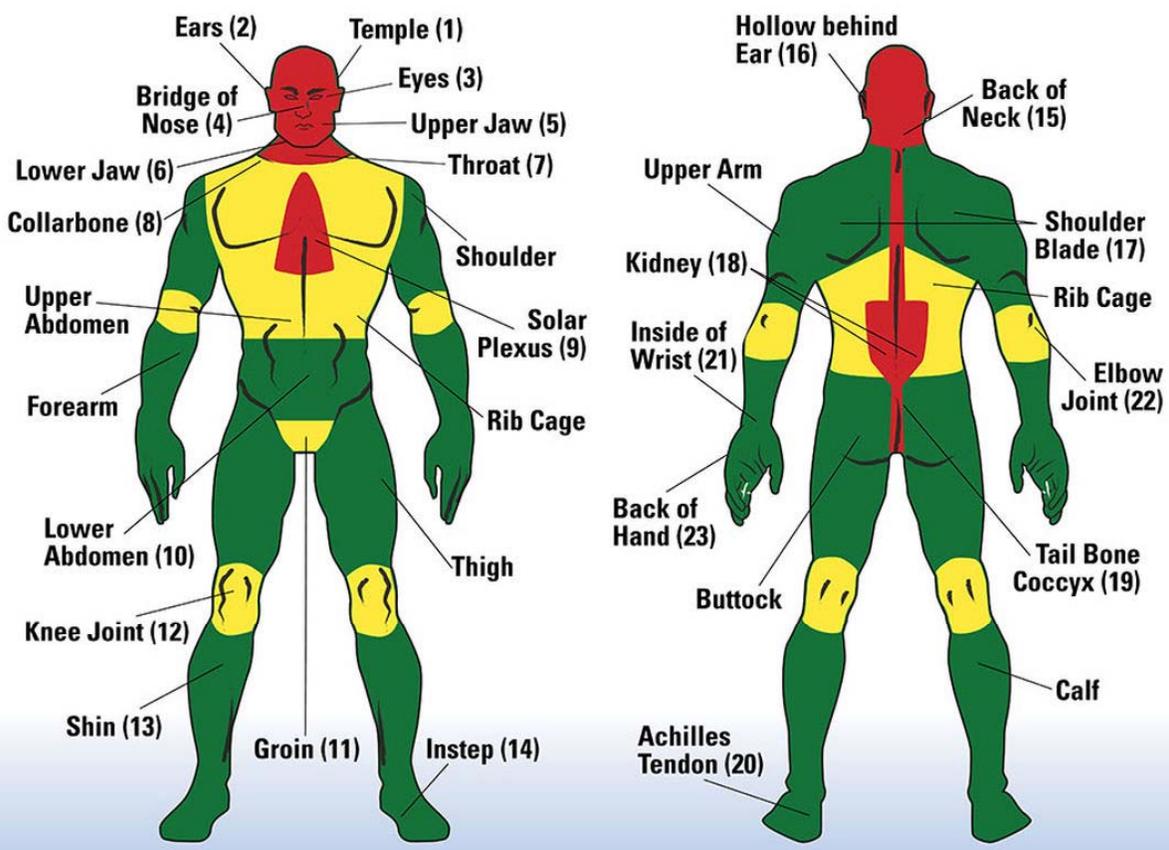
Members must be able to clearly articulate a compelling need and reason to use any other device or object other than the issued expandable baton as an impact weapon.

VIII. REPORTING

- A. The use of the expandable baton is considered a reportable use of force. Such use shall be reported and documented as required by the Department's Policy on Use of Force, 100-4.

BATON CHART

Escalation of Trauma By Vital And Vulnerable Striking Areas



STRIKING AREAS		
GREEN	YELLOW	RED
<p>REASONING Minimal level of resultant trauma. Injury tends to be temporary rather than long-lasting, however exceptions can occur.</p> <p>Except for the HEAD, NECK, SPINE, the whole body is a Green Target Area for the application of baton blocking and restraint skills.</p>	<p>REASONING Moderate to serious level of resultant trauma. Injury tends to be more long-lasting, but may also be temporary.</p>	<p>REASONING Highest level of resultant trauma. Injury tends to range from serious to long-lasting rather than temporary and may include unconsciousness, serious bodily injury, shock or death.</p>

When performing Static /Dynamic training techniques utilizing this baton chart as a reference, it is suggested to use training batons while performing any technique. If utilizing a training suit it is also recommended to utilize training batons while performing striking, jabbing techniques.

