

Fax memo sent by
Wayne W. Schmidt, Attorney/Director
AELE Law Enforcement Legal Center
5519 N. Cumberland Ave. #1008
Chicago IL 60656-1498 USA
Website: <http://www.aele.org/>
E-mail: AELE@aol.com
Tel. (800) 763-2802
Fax (800) 763-3221

March 27, 2000

To: Harold Juren
Chief Deputy City Attorney
Norfolk VA
Phone - 757-664-4529
Fax - 757-664-4201

1. AELE is not aware of any litigation concerning the composition of a baton (versus the manner of its use).
2. Trauma tests performed for the ASP collapsible baton (several years ago) showed no noticeable difference between metal and other batons.
3. Officers will not carry a straight or side-handle baton on routine car stops and at most other times -- because of their size and inconvenience. The collapsible baton is always carried and available.

That means that officers who do not have collapsible batons will be without an impact weapon much of time -- which increases the likelihood of their resorting to a firearm.

4. Police litigation experts, hired by the plaintiff, are likely to strongly criticize any decision not to equip officers with both a collapsible baton and OC spray, if that is an issue.