

## MEMORANDUM

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Capt. Glen Chrisman  
Police Dept.  
324 S. Church St.  
Murfreesboro TN 37130

Re: Batons

I am not aware that the composition of a baton has ever been the cause of a liability award. The premise of such a claim is that the officer had a right to hit me, but used an impact weapon that was negligently manufactured out of metal or a composite material instead of wood (or vice-versa) and the officer and/or his department should have known this.

Baton manufacturers, unlike flashlight manufacturers, recommend their products as impact weapons. They must be light enough that officers will carry them and strong enough to deliver a blow sufficient to quell aggression.

The part of the body struck and the intensity of the strike are more relevant than the weight of a wood baton versus a metal or composite baton.

The most comparable litigation we have seen are three suits, all filed before 1975, which alleged that expandable ammunition caused a more severe injury to the plaintiff than a typical wound caused by standard ammunition. To our knowledge, none of the cases proceeded to the jury on that theory, and in fact hollow point bullets are less likely to ricochet or pass through one person and then harm a second person.

