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February 8, 1991

Our reference #:

Please reply to:

Victoria Bunsen Esq.
Asst. City Attorney
4800 West 92nd Avenue
Westminster, CO 80030-6399

Re: Collapsible batons

Dear Victoria:

I have been informed by Dr. Kevin Parsons that medical tests show no differences in impact injuries between collapsible metal batons and traditional plastic/composite batons. Wooden batons are, to my knowledge, not used by most departments, but I would imagine they would cause impact injuries similar to plastic/composite materials.

I am not aware of any litigation that involves the shape, form or the construction material of batons. The litigation focuses on:

- (1) whether the use of impact weapons was justified (physical resistance offered vs. officer's desire to inflict pain as summary punishment),
- (2) whether the officer struck an inappropriate body part (head strike), and
- (3) whether the officer was sufficiently and properly trained and qualified (and annually re-trained) by a recognized baton-training professional.

I have sent copies of this correspondence to Dr. Parsons, in case he wants to communicate directly with you.

Yours very truly,

Wayne W. Schmidt

cc: Dr. Kevin Parsons