ASP EXPANDABLE BATON

AN IMPLEMENTATION PROPOSAL

EXECUTIVE SUMMARY

The purpose of this report is to analyze and make recommendations to the Executive Management, to adopt the expandable baton as standard issue for the both uniform and non-uniform officers.

The report focuses on the ASP expandable baton which reflects current trends and technology that best meet the needs of the members of the Peel Regional Police. Addressed will be some of the concerns and deficiencies that exist with the side handle baton and the advantages of phasing in the expandable baton.

Specifically, the areas addressed regarding the side handle baton are:

1. **The side handle baton is limited to uniform use.**

2. **The side handle baton does not generate sufficient striking power.**

3. **The side handle baton requires lengthy training time, both initially and during annual requalification.**

4. **The side handle baton is highly visible, may be viewed as high profile, and is easily disarmed.**

5. **The side handle baton is cumbersome and is not regularly carried by officers.**

Additionally, the expandable baton is evaluated and the following advantages are identified:

1. **The expandable baton is easily carried by all members.**

2. **The expandable baton is a more effective baton for striking.**

3. **The expandable baton is low profile.**

4. **The expandable baton is easy to use, uses basic skills, and requires short initial and annual requalification time.**

5. **The expandable baton has a psychological deterrent effect capable of de-escalating an offenders resistance.**

The Peel Regional Police have already successfully implemented the use of the ASP expandable baton with the bicycle patrol, motorcycle, and tactical units. The response has been extremely positive and recommendations from surveying these officers is that the baton should be issued to the entire department.

The cost for these batons would be approximately $60.00 and $15.00 for the scabbard. This is the same price that is currently being payed for the side handle baton.

EXPANDABLE STRAIGHT BATON PROPOSAL

Background

Prior to 1979 the Peel Regional Police issued a small leather "sap" as an intermediate impact weapon. The "sap" was of very little value as a use of force option and was replaced by the Monadnock PR24 side handle baton in 1979-1980. At the time of the evaluation the baton was found to be an effective impact weapon and meet the needs of the Peel Regional Police.

In the 1980's several manufacturers invested alot of research and development into the area of practical police batons. What emerged was the expandable style of baton in a straight configuration.

These types of batons are currently manufactured by a number of companies, however they are very much the same in design. Where the difference lies is in the quality of construction. One of the original and best quality baton is the ASP (Armaments Systems and Procedures) expandable baton. This is the baton that has been the one of choice across Canada, and is the one issued to our specialized units.

The ASP baton is produced in 16, 21 and 26 inch (expanded) lengths. It is made of a metal alloy tubing that expands out in three sections by centrifugal force and locks into place by friction.

SIDE HANDLE BATON - MONADNOCK PR24

1. **The side handle baton is limited to uniform use.**

   The size of the side handle baton, and the extending side handle, make it very impractical for non-uniform officers to carry. Unfortunately this creates a situation, that when non-uniform officers would normally use a baton during a confrontation they must resort to alternative force options. Those options may be lower levels of force that may be ineffective, or higher levels of force that may have been unnecessary.

In a PRP study that was conducted in 1992, of 105 non-uniform officers surveyed, 63% of the officers felt that an expandable type of baton would be an asset to their job.

It therefore becomes reasonable that non-uniform officers be afforded the same options of force that uniform officers have. The side handle baton makes this impractical.

2. The side handle baton does not generate sufficient striking power.

When Monadnock Lifetime Products first mandated the side handle baton, they emphasized the increased striking power of the baton because of the spinning action associated with it. Recent studies however find the side handle baton has an inherent energy loss because of the side handle being unstable and the baton bouncing back upon impact. A Winnipeg Police study found that 41% of the members experienced a high failure rate when using the side handle baton to strike with. In a 1990 report by Mr. Aubrey Futrell of Baton Rouge, Louisiana, he states that "the side handle baton does not transmit fluid shock and often fails to control resistive subjects."

There also appears to be a slow learning curve for officers to develop a competent skill level to feel comfortable using the baton. Often officers are heard saying: "I don't feel confident with it, so I don't take it out." In a 1991 uniform survey of 502 officers, 70 of them indicated that they did not feel they had the skills to use the baton. This was validated during the 1993 mandated use of force training when the majority of officers were only able to demonstrate minimal skill levels.

With a minimal skill level and an ineffective baton design, officers are more likely to:

a) *Use continual repetitious strikes in order to gain control. An example of this is the Rodney King incident in Los Angeles, where King was struck 57 times with a side handle baton.*

b) *Lose control of the subject and consequently allow the subject to injure the officer, others or themselves.*

c) *Escalate to higher levels of force, or striking the head area, and thereby causing much more serious injuries.*

These consequences can have serious ramifications on officer safety, public safety, and civil liability to both the officer and the department.

A selling advantage of the side handle baton is its' ability to be used in a blocking capacity. Because of the protection afforded by the shaft of the baton, the officer never exposes the surface of the hand to a strike.

Two concerns exist here. First, the baton is generally not the option of choice when confronted by a subject swinging an object like a baseball bat. Officers are justified, and instructed, to draw firearm when in situations where it is reasonable that death or serious bodily harm could result. Secondly, the baton is primarily used as an impact weapon, therefore its primary design application should be for impact weapon strikes. In a PRP study in the fall of 1990, 413 officers were surveyed and only 14% were found to have ever used the baton in a defensive capacity. This is consistent with a 1989 US study by Mr. Rick Garcia where he found that only 8% of the batons use was defensively.

In a report submitted by the Metro Toronto Defensive Tactics Unit, it was emphasized that using the side handle baton to block objects was unrealistic. When they tested this they found that officers arms were incapacitated after a full force blow with a club. In a PRP recruit course, one of the officers broke his arm while executing a block. The object used to strike the officers arm was a plastic pipe!

3. The side handle baton requires lengthy training time, both initially and during annual requalification.

In the past, recruit officers have been given an average of 24 hours of instruction by the Ontario Police College and Peel Regional Police Training Bureau. This length of time is generally considered a minimum amount of time and only brings officers to an adequate competency level. One defensive tactics instructor in L. A.P.D., states that the minimum amount of time required to become confident with the baton is 80 hours. The Winnipeg Police Service have identified that the side handle baton requires four times the amount of training time to elevate the officer to the same competency level as the straight baton.

The reason for the more extensive degree of training is because of the more complex skills required to use the side handle baton. In a DEA report on impact weapons, Special Agent Tony King states "During the examination of the listed impact weapons, it was determined that the PR24 (side handle) required unique skills in order to utilize the weapon effectively. Based upon the reality of a DEA agents time allocated to training, it is felt that the utilization of this weapon would be impractical." The baton is not a natural configuration and requires alot of time to develop the muscle memory. Martial Artists train with the side handle baton (known as Tonfa) for years before becoming proficient. Police officers are expected to accomplish this in a matter of a few days of training.

If officers have difficulty developing these skills initially, it stands to reason that the same holds true for requalification. The recommended requalification time for the side handle baton is four hours per year. Currently the allocated time for in-service training on an annual basis is one hour. This minimum time, is what is identified by the Provincial Use of force Standards. Unfortunately the standard does not take into account the type of baton being trained on.

4. **The side handle baton is highly visible, may be viewed as high profile and is easily disarmed.**

   When the side handle baton is worn it is in full view of the public it may be viewed as an excessive display of force and is high profile to the public. Further to the visual concerns, the baton is easily taken from the ring by a subject during a confrontation. This type of disarming could easily cause the officer to escalate to the firearm.

   Officers have also reported that the baton has fallen out of the ring during footchases and struggles with subjects.

5. **The side handle baton is cumbersome and is not regularly carried by officers.**

   The size of the baton and the side handle, make it awkward to carry, to move around with, or to sit in a chair. Therefore officers will often judge a situation prior to attending to determine whether to carry the baton. The difficulty is that most situations are spontaneous and cannot be predicted.

   A PRP study in 1991 found that only 14% of officers always carry their batons. Of the remainder, 55% usually carry it, 22% sometimes, and 4% never. These findings are similar to a 1990 Vancouver study where it was found that the officers carried the conventional straight baton (not expandable) 10% always, 65% sometimes, and 25% never.

   A use of force option should always be available to an officer, as there is no way of knowing when it will be needed. Comparatively it would be unacceptable for an officer only to carrying their firearm some of the time.

EXPANDABLE STRAIGHT BATON - ASP TACTICAL BATON

1. **The expandable straight baton is easily carried by all members.**

   The collapsed position of the ASP Baton, makes it easily carried in a scabbard by either uniform on non-uniform officers. This makes the baton always available and ready to use.

   The PRP bicycle patrol officers indicated on a survey that they found the ASP baton superior for portability and convenience. Not one officer felt that it was equal or inferior to the existing side handle baton. They were also asked how the ASP baton compared to the side handle baton for retention while chasing or controlling a subject; 50% said vastly superior, 24% superior, and 12% equal.

   When the ASP baton is collapsed and in the scabbard it is very secure and will not fall out. It is also not openly visible and can still be easily accessed by the officer.

2. **The expandable straight baton is a more effective baton for striking.**

   The ASP baton is a simple straight baton configuration and uses simple gross motor skill strikes. These strikes are extremely effective in transferring the energy necessary to establish control. Also, because the baton only requires basic skills to use, it is more effective in the hands of an officer who only has a minimal amount of training. An officer using the baton is more likely to incapacitate the subject with one strike, opposed to multiple hits. This offers the advantage of greater personal safety to the officer, and greater safety to the subject by; shortening the duration of the encounter, eliminating multiple strikes, and not having to escalate to a higher level of force.

3. **The ASP baton is low profile.**

   During general duties when the baton is not being deployed it is not openly visible to the public. This keeps the baton low profile and prevents it from inciting any type of confrontation. Further to the low profile nature of the baton, a report recently submitted to the Metro Toronto Police Services Board stated "the expandable baton was received very favourably by the communities and committee with which they participate. These groups found that compared to the currently used PR24 (side handle baton), the expandable baton, which is significantly smaller in size, appears less intimidating". It also reduces the likelihood of someone attempting to disarm the officer.

4. **The expandable baton is easy to use, and requires short initial and requalification time.**

   Initial training for the expandable baton is only eight hours and one hour for annual requalification. This is one quarter of the time recommended for side handle baton training. This reduced amount of required time would allow training programs to more properly reflect appropriate training times for baton use. This time frame also coincides with the existing allocated time block within the mandated use of force training .

   The reason the training time is greatly reduced is because of the simple configuration of the baton. The baton is very natural to hold and officers learn the skills very quickly.

5. **The expandable baton has a psychological deterrent effect capable of de-escalating an offenders resistance.**

   The expanding action of the baton is regarded as one of the most valuable features. When the baton is expanded it has a strong audible and visual impact that has been compared to the racking of a shotgun. Through numerous studies this has been found to be extremely effective in de-escalating the situation. This has significant benefits in increasing officer safety, reducing subject injury, reducing civil or criminal litigation, and increasing the professional image of the police service.

   One experience in Winnipeg had two bicycle patrol officers confront a suspect who had just robbed a courier driver. The male suspect was 6'4" tall weighed 300 lbs. was wearing a balaclava, and was unarmed. One of the officers challenged the male and the offender began to approach him. The officer snapped open his ASP baton to the extended position and repeated the challenge. The suspect, obviously affected by the sight of the baton, immediately stopped advancing toward the officer, was ordered to the ground and handcuffed.

   In another incident the officer wrote: "He stopped, looked at me, and then started to talk while walking towards me. I adopted a sideways stance, and deployed my ASP baton to the fully extended and locked position. The accused stopped dead in his tracks, eyes wide as saucers, and his hands flew up over his head, his speech having come to an abrupt halt. I did not have to strike him as the mere show of force of the ASP baton was enough, and enabled me to successfully apprehend him."

   In the PRP study, 95% of the bicycle patrol officers indicated that the expanding of the baton had a significant psychological impact on the subject. This impact allowed officers to effectively de-escalate the situation using Tactical Communications and no physical interaction.

USE OF FORCE CONTEXT

Batons have always been accepted as an intermediate level of force, between empty hand technique and the firearm. The justification for its use is defined in the PRP directive as a level of force to: "control resistant subjects when lower levels of force would be ineffective and the use of the firearm is not justified."

Its primary use is impact weapon strikes that are meant to incapacitate the subject as quickly and effectively as possible, using the minimal amount of force necessary to control the subject. It is therefore only reasonable that an officer who uses a baton on a subject will likely cause injury to that person. Consequently the baton is placed as a high level of force just below the firearm .

The construction of the expandable baton is metal and is occasionally viewed to have a high propensity to cause serious structural damage. It is true that the expandable baton will have a greater transfer of fluid shockwave, however because of its tubular design it has less propensity to cause permanent tissue damage. This information comes from a study that was conducted by the Japanese Secret Service who have been using expandable batons for over 20 years.

Another study conducted in Tampa, Florida found that when the usage of batons and empty hands were compared, the injuries sustained from ASP Baton strikes were only slightly higher than empty hands. Of the 239 baton blows struck to subjects, 146 resulted in no injury, 128 resulted in minor injury requiring no medical attention, and only 27 incidents resulted in injury that required treatment - NOTE - only two incidents (1 %) required the subject to be hospitalized.

The propensity to cause injury is more greatly controlled by the officers selection of the striking target of the body. In training, officers are instructed to select large motor nerve points instead of boney structures and joints. Regardless of the type of baton used, this type of training will reduce subject injuries and increase the effectiveness of the baton strike.

OC AND THE POLICE BATON

With the development and implementation of OC the baton's context of use has changed slightly. Virtually all police departments accept the use of OC as a lower level of force that is definitely below the baton. OC was never implemented to replace the baton, however it was meant to augment existing force options. A recent study by this service found that in over 50% of OC usages, its application was augmented by empty hand technique or baton. It was also found in the study that in 25% of cases, the subject became more aggressive and required other applications of force, including the use of the baton.

Another logistical consideration in force selection, is the practicality of its use. For example, OC is not likely to be used outside in a wind, or inside in a confined space. It is therefore reasonable that various force options exist and that no individual option should be removed.

The adoption of OC will definitely reduce the number of incidents of baton uses. To date, OC has been extremely valuable in subject control, however, there have been many incidents where OC was ineffective, inappropriate, or required augmented force options.

MECHANICAL OPERATION AND MAINTENANCE

The ASP baton has been in limited service with this department for over two years. During that time there has never been a complaint of the baton not expanding, or any other major mechanical difficulty. The maintenance has been virtually non-existent. Occasionally officers may require the baton retention spring to be adjusted if the release of the baton is too loose or too tight. This has only been necessary on one or two batons over the last two years. Any type of maintenance could be conducted at the Division or at the Training Bureau.

Other police services report similar findings. The baton seems to be extremely high quality and performs exceptionally well.

TRAINING

The ASP expandable baton requires a minimum of four hours of training to transition from the side handle baton. In the past, the bicycle patrol officers were able to quickly grasp the required skills and were confident with their abilities.

For officers who have never been trained with a baton, the recommended training time is 8 hours. Generally this is received at the Ontario Police College during recruit training.

RECOMMENDATIONS

The ASP expandable baton is an accepted baton by the Provincial Ministry Standards and meets all the current needs of the members of the Peel Regional Police. It is therefore recommended that:

1. The 21" ASP Expandable Baton be accepted as the standard issue baton for both uniform and non-uniform officers.

2. An implementation strategy be developed that will be sensitive to the availability of training and funding.