

EXPANDABLE BATON – FIELD SERVICES

- AUTHORITY:** Administrative Directive
Sections 830.5 and 12002 of the California Penal Code
- RESCINDS:** Procedure Manual Item 1-4-121, dated 10/26/18 (Recertified)
- FORMS:** Request for Authorization to Possess and Use (F057-8220AF)
An Expandable Baton
Expandable Baton Inventory Form (F057-10076)
[Special Incident Report \(SIR\)](#)
- PURPOSE:** To set forth procedures for staff to follow in order to obtain training and/or authorization to possess and use an expandable baton in the course and scope of employment.

I. GENERAL INFORMATION

- A. Department policy regulates possession and use of an expandable baton by deputized employees of the Orange County Probation Department while they are on duty. Such possession or use is strictly prohibited by the Department during the course and scope of employment unless specific prerequisites have been met and specific written authorization has been granted by the Chief Probation Officer. Designated deputized employees are authorized to possess and use an expandable baton during the course of their employment.
- B. The training, certification, and authorization to possess and use an expandable baton in the course and scope of employment is limited by Department policy and law to use as a defensive tool, either for self-defense, or the defense of others against a violent, aggressive act, which occurs in the direct course of duty as a deputized employee. Staff who have a reasonable cause to believe that the person to be arrested has committed a public offense, may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance. Staff are expected to approach all dangerous situations skillfully to avoid unnecessarily provoking aggressive acts, which require a defensive response. Staff are referred to Procedure Manual Item (PMI) 1-4-105 (Use of Force [Field Services]) for further guidance.
- C. Because state law prohibits any person from bringing any weapon, including an expandable baton, into an institution or on the grounds of an institution, except where authorized by the person in charge, all Probation Department employees who possess an expandable baton are prohibited from bringing said "weapon" onto any institutional grounds unless specific prerequisites are met. When entering a restricted building, correctional facility or juvenile institution, the deputy shall secure the weapon as prescribed by the director of each facility.

II. PROCEDURE

Designated armed deputies are authorized to carry an expandable baton when conducting field operation duties. Authorization for these positions and the use of an expandable baton on duty is granted by the Chief Probation Officer (CPO) and may be withdrawn at any time per his/her discretion.

A. Training

In order to possess and use an expandable baton while on duty, armed deputized staff must complete a Peace Officer Standards and Training (P.O.S.T.) approved course. Mandated staff will be scheduled for this training as designated.

1. Mandated P.O.S.T. training will be arranged by the Professional Standards Division (PSD).
 - a. If it is impractical to provide this training at the Probation Department, the PSD Director may approve attendance at a P.O.S.T. certified training course presented elsewhere.
 - b. Authorized staff who have completed P.O.S.T. certified training shall:
 - (1) Complete and submit the Request for Authorization to Possess and Use an Expandable Baton Form (F057-8220AF) to the PSD Director, along with proof of completion of training.
 - (2) The PSD Director shall forward said documents to the CPO for final authorization to possess and use an expandable baton.
 - (3) The original Request for Authorization will be forwarded to the PSD Director, who will maintain a centralized file of all those authorized to possess and use an expandable baton within the scope of employment.
 - (4) If authorization is not granted, a copy will be returned to the individual deputy and the original will be sent to the PSD Director.
2. The Authorization to Possess and Use an Expandable Baton form will be completed prior to delivery of the Department-issued baton. A permanent copy will be maintained by the PSD Director.

B. Use of an Expandable Baton

The specific instructions given to the authorized employee during the P.O.S.T training and departmental training are to serve as specific guides for performance. Generally:

1. Deputized staff that are authorized to carry an expandable baton, have met all prerequisites, and are authorized to possess and use an expandable

baton on duty, will be issued an expandable baton and holder that is approved and purchased by the Probation Department. Upon receipt of an authorization signed by the Chief Probation Officer, the PSD Director or designee will contact the individual deputy to issue an expandable baton.

2. Consistent with County and Department policy, Department-issued equipment is not to be used outside the course and scope of employment. However, authorized deputies may carry the expandable baton to and from their residence in case they are called upon to assume an on duty status during non-traditional working hours. In this instance, staff shall take special precautions to assure that the expandable baton is safely secured.
3. Only a Department-issued or authorized expandable baton and holder will be approved for use in the course and scope of employment.
4. When deploying the baton, deputies are expected to properly use the techniques taught in Department-approved training class.
5. Anytime an individual is struck with an expandable baton it is mandatory the officer have the subject evaluated by medical personnel to evaluate and treat any injuries.

C. DPO Notifications and Documentation

In all incidents involving the use of the expandable baton on a person or animal, the deputy shall verbally report the incident to their Critical Incident Manager (CIM)/immediate supervisor as soon as possible. A Special Incident Report (SIR) shall be completed including all relevant facts related to the circumstances leading up to the incident, the DPO's perceptions at the time of the incident, level of resistance, tactics attempted prior to the use of force, and why force appeared necessary.

1. A DPO may consult with their union representative when writing/submitting the SIR.
2. Except as specified in C.4. below, any DPO involved in a use of force shall have the opportunity to review available audio/video recordings prior to submitting an SIR.
3. A DPO involved in a use of force incident shall submit his/her SIR to their assigned SPO or CIM promptly.
4. If circumstances delay the submission of the SIR past 48 hours, approval must be granted from the assigned SPO or CIM. The assigned SPO or CIM will consider the circumstances of the incident, injuries sustained (e.g. serious bodily injury or death), ability review audio/video recordings, etc. when granting an extension for the submission of the report.

D. Security and Care of an Expandable Baton

The security of the expandable baton is the responsibility of the individual to whom it is issued or approved. At a minimum, it:

1. Should be carried, stored, and used only in accordance with instructions provided during required training.
2. When not wearing the baton it must be secured at all times (locked car, glove box, drawer, compartment, or other secure place) so as to ensure that no unauthorized person will have access to the device.

E. Damage or Loss of an Expandable Baton

1. Any loss of a Department-issued expandable baton is to be reported verbally to the immediate supervisor as soon as possible. A SIR shall be completed within 48 hours, unless directed otherwise by a supervisor
2. Any damage or other maintenance problems with a Department-issued expandable baton shall be reported immediately to your chain of command via SIR.
3. Staff shall report the damage/loss to range staff for a replacement baton and provide a copy of the SIR.

F. Use of Force Review Board

Whenever an expandable baton is used on another person during the course of employment, the Use of Force Review Board will review the incident (See PMI 1-4-108 [Use of Force Review Board]).

REFERENCES:

Procedures:	1-4-105	Use of Force (Field Services)
	1-4-108	Use of Force Review Board
	1-4-110	Threats, Harm or Danger to Employees and Others
Policies:	D-1	Threats, Harm, Danger to Employees and Others
	D-2	Use of Physical Restraint/Corporal Punishment

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APPROVED BY: