

DEPARTMENT OF CONSUMER AFFAIRS
Bureau of Security and Investigative Services



BATON TRAINING MANUAL
STUDENT TEXT

MARCH 2006



ACKNOWLEDGEMENT

The Department of Consumer Affairs would like to thank the following individuals for volunteering their time, experience, and expertise to this project. This Baton Training Manual is the result of their professionalism and dedicated effort.

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STATE OF CALIFORNIA
BUREAU OF SECURITY AND INVESTIGATIVE SERVICES

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INTRODUCTION

The baton training course is designed to give students the minimum level of proficiency to carry and use a baton while on duty as private security guards. Individuals required to obtain a baton permit must be taught in the format described in Section 7585.9(a) of the Business and Professions Code. The Baton Training Manual provides that format.

Under existing law, the Bureau of Security and Investigative Services (the "Bureau") only has authority to issue "a baton permit" or a "baton instructor certificate. The Bureau shall issue only a single "generic" type of baton permit and baton instructor certificate.

All licensees holding a baton permit may carry any type of baton on the job regardless of the type specified on the baton permit so long as he or she is **proficient in the use of the device.**

In summary, the Bureau has the authority to require an applicant to undergo baton training in order to receive a baton permit and for an applicant to meet a set of specific criteria to receive a baton instructor permit. However, once a permit or certificate is issued, the holder may carry or teach any type of baton.

BATON TRAINING OUTLINE

Instructors are to ensure that the course they teach complies with all baton course subjects listed below as stated in Business and Professions Code Section 7589.9.

7585.9. (a) The course of training in the carrying and usage of the baton, the satisfactory completion of which shall be required of applicants who wish to obtain a baton permit, shall be in the format prescribed by the Department of Consumer Affairs as delineated in the bureau's "Baton Training Manual." The course of training contained in the manual shall include, but not be limited to, the following subjects:

- (1) Moral and legal aspects of baton usage.
- (2) Use of force.
- (3) Baton familiarization and uses.
- (4) First aid for baton injuries.
- (5) Fundamentals of baton handling.
 - (A) Stances and grips.
 - (B) Target areas.
 - (C) Defensive techniques.
 - (D) Control techniques.
 - (E) Arrest and control techniques.
- (6) Examination of the subject matter as taught in the classroom and as provided by the bureau.

The Baton Training Manual is to be used as a guide in an approved baton training course.

1. It will help instruct you on the appropriate discretion and restraint in using a baton.
2. It will specify methods of baton handling once you have determined it is necessary to use the baton.

RECOMMENDED INSTRUCTION SEQUENCE

CHAPTER I MORAL AND LEGAL ASPECTS OF BATON USAGE

A. Guard Responsibilities

Although you may be trained in the use of the baton and have received your baton permit, you may not actually carry the baton until you are in possession of a valid guard registration card. Keep in mind that your baton permit will authorize you to carry a baton while on duty, while directly en route to or from your home, to your work site with a valid security guard registration.

Security guard renewal applications should be submitted to the Bureau at least 90 days prior to the date of expiration to ensure continuous possession of a valid baton permit.

While your baton permit does not expire and there is no statute requiring further training, the Bureau encourages continuous training so that you may be able to carry the baton with confidence to effectively and legally defend yourself.

- Guards who carry a baton while on duty but who do not have possession of a baton permit are subject to a \$100 fine for the first violation and \$200 for each subsequent violation (Business and Professions Code Section 7587.10 (a)). They also may be charged with felony possession of a deadly weapon, Penal Code Section 12020 (a).
- Guards who use excessive or unjustifiable force may be suspended from employment after official notice from the Director of the Department of Consumer Affairs to the guard and to his or her employer (Business and Professions Code Section 7583.15). That code section provides for the immediate suspension of any registrant or licensee who is considered a hazard to public safety. Suspension is followed by action to seek revocation of the security guard's registration.
- An in-house security guard who carries a baton must also possess a Bureau-issued security guard registration. (Business and Professions Code Section 7582.2)

B. Employer Responsibilities

- Licensees who allow employees to carry a baton without a baton permit may be fined \$2,500 for the each violation. (Business and Professions Code Section 7587.8(e).)
- Licensees must report physical altercations involving a security guard resulting in: (1) the arrest of the security guard; (2) the filing of a police report by a member of the public; (3) injury on the part of a member of the public that requires medical attention; or, (4) the discharge, suspension, or reprimand of a security guard by his or her employer. (Business and Professions Code Section 7583.2(g)).

If a security guard is forced to use the baton and it results in one or more of the actions above, the employer must report the altercation to the Bureau within seven days or the employer will be fined \$500 for the first violation and \$1,500 for each subsequent violation (Business and Professions Code Section 7583.2(g) & 7587.8(d)).

C. Criminal Liability

A security guard who is armed with a baton must remember that they are subject to all laws – California and federal – and particularly those laws included in the Penal Code, the Civil Code and the Business and Professions Code. A security guard, that uses a baton in violation of the law, may be charged as a defendant in a criminal complaint or indictment filed in court.

However, criminal responsibility may be avoided if a baton permit holder uses *only that amount of force reasonable under the circumstances* to repel an attack or to prevent harm to another or to property under the lawful control of the permit holder. The permit holder will be considered responsible for any marked excess. In any case in which a baton is used or threatened in self-defense, the use of the baton must be reasonable under the circumstances and may be resorted to only if no other alternative means of avoiding the danger is available.

In such circumstances, the permit holder must actually be in fear – fear for the permit holder’s or another’s life or injury, or fear of damage to property. And, the conduct of the person that causes such fear must be such conduct as would produce a reasonable person to be in fear for their or another’s life or injury, or fear of damage to property.

At the same time, the right of self-defense exists only as long as the real or apparent threatened danger continues to exist. When such danger ceases to appear or exist, the right to use force in self-defense ends.

D. Civil Liability

Civil liability can arise completely separate from criminal responsibility. Criminal charges are pursued by public prosecutors. As a separate matter, a permit holder that uses excessive force that causes injury to another person - or damage property – will (in addition to criminal responsibility) be exposed to civil liability – that is, a lawsuit in court. Such a lawsuit may be brought by a person, against a permit holder, even if criminal charges are never threatened or filed. A civil lawsuit, or ‘action,’ can result in a court order to pay money to a victim in compensation for injuries, losses, suffering, or any damages incurred due to a wrongful act. In extreme cases, a wrongdoer may be ordered to pay additional money damages to a victim in order to punish and to make an example of a wrongdoer.

E. Vicarious Liability (Civil)

PERMIT HOLDERS ARE RESPONSIBLE FOR THEIR ACTIONS; however, a permit holder’s employer may also be considered responsible for a permit holder’s actions. The term, “vicarious liability” is often used to describe the employer’s responsibility to pay money to victims for injuries and losses caused by wrongful acts committed by an employee. For example, if a permit holder employee uses a baton in violation of law, the employee and the employee’s employer may be sued for recovery of money damages. Although proper training and the exercise of caution in the field may not prevent lawsuits, such practices provide some defensive evidence in such a suit. Therefore, it is important to take training seriously and to follow an employer’s lawful policies, procedures and post orders.

CHAPTER II USE OF FORCE

A. The Continuum of Force

The word “force” can express a variety of activities. For example, the simple presence of a uniformed security guard is considered an extreme form of passive *force*, in that it can *force* a potential wrongdoer to avoid a guarded area. On the other extreme is deadly force. Between the two extremes lies an infinite variety and combination of forces. Many security agencies and law enforcement agencies refer to this variety of forces as a ‘continuum of force.’ Dictionaries define “continuum” as “a continuous whole, quantity, or series; a thing whose parts cannot be separated or separately discerned.”

Some general categories of force that may typically be included in an agency's continuum of force include: physical presence, verbal commands, physical (directional) contact, physical touch, serious physical control, and deadly force.

Each situation is unique. Good judgment and the circumstances of each situation (including the availability of a type or variety of force) will dictate the level on the continuum of force at which a person will start. Depending on the circumstances, a person often finds it necessary to escalate or de-escalate the use of force by progressing up or down the force continuum.

B. Reasonable/Rational Force

Reasonable or rational force is that amount of force necessary to defend oneself and to control a potentially violent situation. It is excessive only if it is not necessary. Fear by itself is not justification for force or for using the baton in an aggressive, threatening manner. Should force be needed to make a citizen’s arrest, use only that amount of force that is reasonable to stop the actions of the adversary.

C. Force Against Insulting Words

Words of abuse or insult, no matter how objectionable, are not justification for assault with a deadly weapon [California Jury Instruction Code No. 9.07].

PEOPLE VS. LARRY PAUL CHAVEZ

73 Cal Rptr 865 (1968)

Defendant Chavez, and the victim, Cooper, were at a party at a third party’s private residence. Cooper began insulting Chavez and Chavez’s girlfriend.

Chavez attacked Cooper. Because of the attack, Cooper required medical attention and had 13 stitches on the side of his head. Chavez was charged with assault and pleaded not guilty based on self-defense.

Chavez was found guilty of assault by means of force likely to produce great bodily injury.

The case was appealed. The appellate court upheld the conviction, ruling that *insults did not justify the assault*.

D. Force Against Trespassing

Trespassing against lands or goods does not justify assault with a deadly weapon [California Jury Instruction Code No. 9.07]

E. Force Against Assault with Hands and Fists

Use of a deadly weapon against an attack of hands or fists is not justifiable unless one believes (reasonably) that the assault will result in great bodily injury. It is possible that an assault with a deadly weapon could mean assault with fists [People vs. Chavez (1968) 73 CAL Rptr 865] [California Jury Instruction Code No. 5.30]. The security guard must use the good judgment of a reasonable person.

F. Deadly Force

Deadly force may be used only against an immediate, life-threatening attack. Before using deadly force, a suspect's actions must cause a person to be in fear of the person's, or another's, life or serious bodily injury. The person may have to justify their failure to use an alternative means of defense, and the person may even have to justify failing to retreat if that course of action was available.

When it comes to using the baton, only the amount of force that is reasonable under the circumstances may be used. In a serious altercation, one may use enough force to repel an attacker. Once compliance by the attacker, or if the attacker's force stops, self-defensive, damaging force must stop. At such a time, force is de-escalated to verbal commands and control options. As a rule of thumb, no force options are 100% effective 100% of the time.

G. Force in Defense of Another and Property

If a person reasonably believes that an attack or assault upon another would result in great bodily injury, the person may use force reasonably necessary to repel the attack or assault.

Similarly, only reasonable force may be used in defense of property. Since property is not a person (and cannot suffer death or serious bodily injury), a person is not authorized to use types of serious or deadly force in the defense of property that might otherwise be appropriate in the defense of persons.

H. Avoidance of Deadly Force – De -Escalation of Force

The escalation of force is the increase in the amount of force used in an escalating conflict situation. Ideally, the situation would allow for a security guard to do a step-by-step increase in the use of force. However, a security guard may be required to jump from one level to a higher level of force based on the amount of resistance to which he/she is confronted.

1. Avoid, Observe and Report

A security guard following the principles of Avoid, Observe and Report would avoid the conflict and observe the suspect(s) in order to factually report the situation to superiors and/or law enforcement as soon as possible. The guard would not confront and may literally retreat from the suspect or the conflict situation. The security guard would continue to maintain a visual presence by allowing the suspect and other persons to see the security guard.

2. Visual presence:

This level is often called a visual deterrence. This means a security guard simply allows him/herself to be clearly seen. The fact that a security guard can be clearly seen by anyone may in itself inhibit a potential conflict situation. For example, if a person is considering committing a crime or engaging in hostile behavior then sees a guard standing or patrolling nearby, that person may NOT commit the crime or engage in hostile behavior. Thus, a potential conflict situation, and the risk of escalation in the use of force by the security guard, may have been avoided because the security guard maintained a visual presence. A security guard can

easily maintain a visual presence in a relaxed, alert and non-threatening manner. This in turn may reduce the possibility of force.

Physical Stance:

Maintain a professional stance and appearance. For example, stand straight and relaxed with your hands raised and open, not in closed fist. **UNLESS JUSTIFIED, DO NOT** stand in a threatening ready position, such as with a hand on a baton. The more calm and professional a guard's total physical stance and gestures project, the more likely the guard will be able to de-escalate a situation.

3. Verbal Communication:

Engaging in a simple non-threatening, non-hostile verbal communication is often not thought of as a possible show of force. But it can be. There are many other factors involved in effective verbal communication than just talking, especially in tense conflict situations. When engaging the subject in verbal communication be aware of how the following factors can inhibit or promote conflict.

Tone of Voice:

Speak in a calm and respectful tone. Do not speak in a loud, cursing manner. The more politely one speaks, the more likely another will respond with politeness to the speaker. It is important to be polite and calm in conflict situations, particularly if one is giving a firm directive. This may be hard to do, but one can often keep a situation from escalating and control the situation more effectively. A guard may be far less threatening by saying: "Please, Sir," or, "excuse me, Miss." When these words are said in a respectful manner, it can contribute to a person's cooperation and can prevent a situation from escalating.

4. Physical Control Levels:

Physical control levels in escalating order are frequently stated as: slight physical directional touching, harsher physical contact, use of pepper spray, use of a baton, use of a firearm (provided the guard has received training in all options). Remember that all of these levels may be used only for justifiable defensive purposes. A security guard who engages in physical control with a subject must be able to establish that it was reasonable and justified.

5. Physical Contact:

There are many factors for a security guard to consider prior to initiating physical contact in any conflict situation, among them being, (1) does the situation justify the use of physical force, and (2) is there a real and immediate threat to the physical safety of the security guard or another person? If the answer to these questions are "No", physical contact may be unjustified and illegal. An appropriate response may be for the security guard to withdraw and contact a supervisor or police authorities. If physical force is unjustified or not required by an immediate threat (such as being seriously physically attacked) a guard, permit holder, or another's proper and appropriate action may be to withdraw from the conflict situation, avoid physical contact with the suspect, and notify police authorities to respond to the situation.

6. Using a Baton:

Used only for **DEFENSIVE** purposes. A permit holder must be able to justify any use of a baton. Again, refer to the factors to consider when using force under the section **Escalation-De Escalation of Force**. Would the use of the baton make the situation worse? If the subject was drunk, uncooperative and refuses to leave, would the baton be justified? Permit holders must consider options to retreat, keep visual contact with a subject, and notify law enforcement.

Security guards are advised not to handle potentially violent situations alone. Always try to get the assistance of another guard and notify your supervisor prior to engagement when possible. Keep in mind that whenever you are preventing a conflict or attempting to stop an attack, there is always at least one weapon available – YOURS! Always do your best to keep your distance from an adversary where possible. Get out of the line of attack and continue verbal discussion to help de-escalate the situation. Maintaining a reactionary distance of about 6'-8' from your adversary gives you a better chance to respond should you need to move in toward a suspect, side-step to get out of an attacker's line of attack, or simply move back to gain more distance from a suspect or an attacker.

Justification for the decision to draw a baton and use it in self-defense or in defense of another rests upon the person who uses the baton. Immediate circumstances will require a permit holder to use good judgment supported by knowledge of the laws concerning the use of force. Once a permit holder has decided to use the baton, *they are obligated to use it properly.*

REMEMBER TO USE ONLY THAT AMOUNT OF FORCE REASONABLE TO DEFEND YOUR LIFE OR THE LIFE OF ANOTHER OR TO CONTROL AN IMMEDIATE, DANGEROUS SITUATION. USE OF EXCESSIVE FORCE MAY BE THE BASIS FOR CIVIL OR CRIMINAL LIABILITY, OR BUREAU DISCIPLINE.

TO MAINTAIN CONTROL OF YOUR BATON, YOU MUST FIRST CONTROL YOURSELF.

The baton is to be used to protect yourself against attack and not to injure someone permanently. It must be used selectively with skill and restraint to counter aggression. It must never be used offensively to threaten, intimidate, or otherwise harass an individual who does not pose a physical threat of bodily injury.

You may not antagonize, anyone with your baton, by poking or probing. These are offensive moves and may cause a subject to grab the baton and attack you with it. When the baton is used, the aggressor is likely to suffer some injury. However, if it is used correctly, injury will be minimal.

I. Escalation and De -Escalation of Force

You should remain open to discussion and conversation as a method to end aggression. It makes good sense to step away, out of the line of attack, and try to de-escalate a situation. Control an aggressive situation by reasoning with the individual. A guard who remains calm may be able to control an otherwise violent situation.

Consider these factors before using force:

- **WHETHER OR NOT YOU BELIEVE THE SUBJECT IS GOING TO HARM YOU**

There is no need to remove your baton from its ring if the subject is non-combative.

- **SIZE OF THE SUBJECT**

Is the subject likely to overcome you, take your baton away and use it against you?

- **WHETHER OR NOT THE SUBJECT DISPLAYS KNOWLEDGE OF MARTIAL ARTS**

Unless equally matched, you may be overpowered.

- **WHETHER OR NOT THE SUBJECT MAY BE UNDER THE INFLUENCE OF DRUGS**

Persons under the influence of drugs and/or alcohol display abnormal strength and resistance to pain. You may not be able to subdue such a person, and you could be injured.

- **WHETHER OR NOT YOU CAN DE-ESCALATE THE SITUATION BY TALKING**

Talk first.

- **WHETHER OR NOT THE SUBJECT IS ARMED**

A knife, club, gun, or other dangerous instrument may cause you serious injury or death.

- **THE SUBJECT'S AGE, APPARENT HEALTH AND APPARENT INTELLIGENCE**

What nature of threat might the subject pose? How strong or feeble is the subject?

- **WHETHER OR NOT THERE IS MORE THAN ONE SUBJECT**

Remember, there is strength in numbers.

- **WHETHER OR NOT THERE IS AN AVENUE OF ESCAPE**

Consider getting away if you can.

CHAPTER III

BATON FAMILIARIZATION AND USES

A. Straight Expandable / Straight Baton

Introduction

Do not refer to the baton as a "club" or a "nightstick." The correct term is a "straight baton" or "expandable straight baton."

The only difference between the straight and side handle batons are the techniques. Your use of force, liability, responsibilities, target areas, vital areas and first aid; are the same.

Description and Definition of a Straight Expandable/Straight Baton

According to Attorney General Opinion No. 81-615, the baton is a deadly weapon. Following are specifications for the straight baton. (Straight batons meeting these specifications are approved for use by uniformed, on-duty security guards.)

Material: Wood, synthetic (plastic) substance of equivalent physical properties to the wooden baton (strength, density, and toughness) or aluminum.

Length: Solid or expanded, between 16 inches and 36 inches, constant, or two to three section expandable.

Weight: Weight in proportion to size as specified by manufacturer.

Diameter: 1 inch to 1-1/4 inches.

Color: Wood may be brown or black, plastic must be black, metal is black or chrome.

Surface: Ends must be rounded blunt; no cutting, ridged, or sharp edges.

Loading: No "loading" with any substance.

Grommet: Black rubber; it may be slipped over the baton and placed approximately six to eight inches from the end.

Strap: Baton may not be fitted with a thong or strap.

The plastic baton is inclined to warp if exposed to direct sunlight or heat for a considerable length of time. It may break or snap if powerful contact is made with a hard object such as wood or a metal pipe.

You will be at a disadvantage in any confrontation if you become overconfident and/or you do not practice. You must have at your command a series of well practiced moves, any combination of which you must be able to use instantly and proficiently. One technique may not be sufficient to ward off an attacker. However, if you move smoothly from one technique to another, you will be demonstrating your ability to defend yourself and possibly de-escalate a threatening situation.

Remember: Use your baton for DEFENSIVE purposes only. You must be able to justify using the baton in a use-of-force situation. Annual enrollment in a baton training class will help you retain your proficiency and will reassure your employer that you know when and how to use your baton.

B. Side Handle / Side Handle Expandable

Introduction

Do not refer to the baton as a "club" or a "nightstick." The correct term is a "side handle" or "side handle expandable baton."

The primary difference between the straight and side handle batons are the techniques. Your use of force, liability, responsibilities, target areas, vital areas and first aid are the same.

Description and Definition of a Straight Expandable/Straight Baton

According to Attorney General Opinion No. 81-615, the baton is a deadly weapon. Following are specifications for the straight baton. (Straight batons meeting these specifications are approved for use by uniformed, on-duty security guards.)

Material: Wood, synthetic (plastic) substance of equivalent physical properties to the wooden baton (strength, density, and toughness) aluminum, polycarbonate.

Length: Between 14 inches and 24 inches, constant, or two section expandable.

Weight: Weight in proportion to size as specified by manufacturer.

Diameter: Short end: 1 inch to 1-1/4 inches; long end: 3/4 inch to 1/4 inches

Color: Wood may be brown or black, plastic/polycarbonate must be black, metal is black or chrome.

Surface: Ends must be rounded blunt; no cutting, ridged, or sharp edges.

Loading: No "loading" with any substance. Baton cannot be altered and filled with any substance that causes additional weight other than manufacturer specifications for that baton.

Grommet: Black rubber; it may be slipped over the side handle of the baton.

Strap: Baton may not be fitted with a thong or strap.

The plastic baton is inclined to warp if exposed to direct sunlight or heat for a considerable length of time. It may break or snap if powerful contact is made with a hard object such as wood or a metal pipe. Polycarbonate type batons usually do not warp or break.

You will be at a disadvantage in any confrontation if you become overconfident and/or you do not practice. You must have at your command a series of well practiced moves, any combination of which you must be able to use instantly and proficiently. One technique may not be sufficient to ward off an attacker. However, if you move smoothly from one technique to another, you will be demonstrating your ability to defend yourself and possibly de-escalate a threatening situation.

Remember: Use your baton for DEFENSIVE purposes only. You must be able to justify using the baton in a use-of-force situation. Annual enrollment in a baton training class will help you retain your proficiency and will reassure your employer that you know when and how to use your baton.

CHAPTER IV

FIRST AID FOR BATON INJURIES

Instruction on first aid in this chapter will not certify you in first aid, nor will you be required to administer first aid. It is included in your training to provide you with information to assist you if you choose to involve yourself in an emergency situation. **However, the Bureau strongly recommends a certified class in first aid.**

In case of serious injury, call for help (professional medical assistance) immediately. If you are not personally able to do so, ask a witness or bystander to make the call.

Definition of First Aid

First aid is the immediate and temporary care given to an injured victim until professional medical assistance arrives or until the victim is safely transported to a medical facility.

Fractures

There are two basic types of fractures: simple (closed) or compound (open). Evidence of a fracture may include swelling, tenderness, deformity, severe pain on movement, and broken skin in the case of a compound fracture. If ice is available, it should be applied to the swollen area. If the skin has been broken, a sterile dressing may be gently applied. Keep the fracture immobile by applying splints and/or support if you know how. If the fracture is in an upper extremity, an arm sling as well as a splint may immobilize the fracture.

Shock

Shock is a depressed state of vital body functions accompanied by reduced body temperature and reduced blood flow. It may be caused by loss of large quantities of blood, either externally or internally. Signs of shock may include one or a combination of the following: dull eyes; pale or blue face; shallow and labored breathing; rapid or weak pulse; cold, moist skin; nausea; collapse; vomiting; anxiety; and thirst.

Have the person lie down or remain lying down if he or she has collapsed. This allows more blood to flow to the head and chest and the prone position places less stress on the body. If there is difficulty in breathing, the head and chest should be slightly elevated.

Place a blanket over the person only to maintain body temperature if the air is cool. The general rule is: do not add heat, but prevent large loss of body heat.

Bleeding

Heavy bleeding should be stopped immediately, usually by applying direct pressure with a clean cloth over the wound. Protective medical gloves should be used. Apply a snug and sterile gauze. Do not remove it, but add more cloth and tighten bandage slightly if needed.

CHAPTER V

FUNDAMENTALS OF BATON HANDLING

A. Stances and Grips

Stances include body position and distance from subject before, during and after using a baton. Positioning and distance also include patterns of movement around a subject.

Grips include the proper way to hold the baton before, during and after it's use.

B. Target Areas

Here is a general rule to remember about baton strikes: aim for the extremities or the lower abdomen, depending on the technique you are using. You can expect to cause injury and may break bones, so care and control must be exercised to avoid serious injury. Small bones in the hand are particularly vulnerable to breaking. A strike to the hand is effective when the suspect has a weapon (other than a firearm) and intends to use it against you.

Blows to the heavily muscled areas in the arms and legs are effective and may result in pain, numbness, and cramping, but do not usually cause serious damage.

TARGET (strike) AREAS

Main target areas are the extremities and the lower abdomen.

- A. Hands
- B. Arms (inner and outer biceps, elbows, wrists)
- C. Lower abdomen (below the navel)
- D. Legs (thighs, shins, calves)
- E. Feet

VITAL AREAS OF THE BODY (To be avoided)

There are vital areas of the body that, when struck, may result in serious or fatal injury. The following areas are to be avoided.

A. Head

Blows to the head may cause blindness, deafness, unconsciousness, brain damage, or death. Head wounds may bleed profusely. Blows to the head are easily deflected and may result in loss of the baton to the attacker. If a blow lands in a certain spot, it may numb the attacker's senses and make him more difficult to control. Also, this is the easiest area of the body for the aggressor to defend by ducking or dodging.

B. Neck/Throat

Blows to the back of the neck could fracture vertebrae and damage the spinal cord, causing paralysis or death. The side of the neck is where the jugular vein and carotid artery are located and if ruptured, could cause death. The trachea and larynx are located in the throat; if fractured or crushed they could rupture or collapse, causing serious injury or death.

C. Spine

The spine contains the central nervous system; blows may cause paralysis or death.

D. Tailbone

Blows to the tailbone may cause paralysis or death.

E. Chest

This area contains many vital organs including the heart, sternum, “xyphoid process” (which is an extension of the sternum), ribs, and solar plexus. Sharp blows to the chest could cause great bodily injury or death. Broken ribs could puncture vital organs.

F. Kidney/Liver

The kidney and liver contain poisons that, if released from rupture, could cause death.

G. Clavicle/Collar Bone

Severe blows to these areas could cause paralysis or death.

C. Defensive Techniques

Drawing Techniques

When you are faced with a dangerous situation that requires drawing and possibly using your baton, the drawing method you choose may have an effect on the suspect and may determine whether the situation will escalate or de-escalate. You should attempt to let the suspect know that, although you have removed your baton to protect yourself, there is still room for talking. Drawing the baton in a rude and threatening manner is never allowed and you could face criminal charges (417 P.C.) Practice drawing over and over again until you no longer need to look at the baton in order to draw or secure the baton back in its holder.

There are two important things to remember when confronted with an adversary:

- Eye Contact

You should become so familiar with the position of your baton that you do not need to look at it to remove it from or replace it in the ring. **Your eyes should never leave your adversary.**

- Show of Competence

If you become proficient in drawing the baton, you will show confidence that will be evident to your adversary. This may place him at a psychological disadvantage and may de-escalate the situation immediately. This is not intimidation; it is taking the advantage.

All techniques should be taught with emphasis on the following concepts:

- Proper balance and self control
- Proper carrying, gripping and holding
- Control of the baton from drawing to returning it to its holder
- Position of the baton to effectively block and defend
- Placement of the baton to non-vital areas of the body when striking

Blocking Techniques

The purpose of blocking is to stop an object from hitting you. The four areas of the body to protect are:

1. Head
2. Left side of the body
3. Right side of the body
4. Chest and below the waist

** The baton should be angled and in a position to stop the object from hitting you and positioned where it can deflect the force of the blow where possible.*

REMEMBER THE VITAL AREAS OF THE BODY. While you are practicing, do not forget that you are aiming for the lower abdomen and extremities.

REMEMBER TO USE ONLY THAT AMOUNT OF FORCE REASONABLE FOR DEFENSE.

D. Control Techniques

Techniques used to escort and/or control a potentially aggressive subject. These techniques can be done with empty hands or with a baton.

E. Arrest and Control Techniques

Physical control techniques used to control and/or handcuff a subject. These techniques can be done with empty hands or with a baton.

**REFERENCE INDEX
CALIFORNIA PENAL CODE SECTIONS**

The following sections have been condensed for clarity. For exact terminology, please refer to the California Penal Code.

SECTION

240

Assault.

An assault is an unlawful attempt and ability to commit a violent injury upon another person. An assault is punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail not to exceed six months, or by both a fine and imprisonment.

242

Battery.

A battery is any willful and unlawful use of force or violence upon another person. The commission of a battery is punishable by a fine not to exceed \$2,000 or by imprisonment not to exceed six months, or by both a fine and imprisonment.

245(a)(1)

Assault with a deadly weapon other than a firearm.

Any person who commits an assault against another person with a deadly weapon or instrument other than a firearm or by any means of force likely to produce great bodily injury, is punishable by imprisonment in the state prison for two, three, or four years, or in a county jail not to exceed one year, or by a fine not to exceed \$10,000, or by both a fine and imprisonment.

245(a)(2)

Assault with a firearm.

Any person who commits an assault with a firearm upon another person is punishable by imprisonment in the state prison for two, three, or four years, or in a county jail for not less than six months, and not to exceed one year, or by both a fine not to exceed \$10,000 and imprisonment.

245(c)

Assault with a deadly weapon other than a firearm on a peace officer.

Any person who commits an assault with a deadly weapon or instrument other than a firearm, or by any means likely to produce great bodily injury upon a peace officer or fireman, and who knows or reasonable should know that the victim is a peace officer or fireman engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for three, four, or five years.

417(a)(1) Drawing, exhibiting, or using a deadly weapon other than a firearm.

Any person who, except in self defense, in the presence of another person, draws or exhibits any deadly weapon other than a firearm, in a rude, angry, or threatening manner, or who in any manner unlawfully uses the same in any fight or quarrel, is guilty of a misdemeanor punishable in the county jail for a term of not less than 30 days.

417(a)(2) Drawing or exhibiting a firearm.

Any person who, except in self defense, in the presence of another person, draws or exhibits any firearm, whether loaded or unloaded, in a rude, angry, or threatening manner, or who in any manner unlawfully uses the same in any fight or quarrel, is guilty of a misdemeanor punishable by imprisonment in the county jail for a term of not less than three months.

12002(b) Authority to carry a baton.

Nothing in this chapter prohibits a uniformed security guard, regularly employed and compensated as such by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of his or her employment, from carrying a baton if the uniformed security guard has satisfactorily completed a course of instruction certified by the Department of Consumer Affairs in the carrying and use of a baton. The training institution certified by the Department of Consumer Affairs to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

12002(d) Issuance of a permit.

Any uniformed security guard who successfully completes a course of instruction is entitled to receive a permit to carry and use a baton within the scope of his or her employment, issued by the Department of Consumer Affairs. The Department may authorize certified training institutions to issue permits to carry and use a baton. A fee in the amount provided by law shall be charged by the Department of Consumer Affairs to offset the costs incurred by the Department in course certification, quality control activities associated with the course, and issuance of the permit.

12002(e) Training prior to January 1, 1983.

Any person who has received a permit or certificate that indicates satisfactory completion of a baton training course approved by P.O.S.T. prior to January 1, 1983, shall not be required to obtain a baton permit or complete a course certified by the Department of Consumer Affairs.