

The Nightstick

"There's a lot of law in the end of a nightstick" is a maxim familiar to policemen everywhere. And most Baltimore officers say they would rather enforce their less important orders with a persuasive nudge from the stick than an arrest any time.

Although primarily a weapon, the nightstick, billy, club or, to use the term attested as Baltimore's own (Webster's New International Dictionary), espantoon is as much a symbol of a police officer's authority as his badge.

Those who think it merely an ornament with which to display twirling technique are much mistaken. The drunk who feels its sting through his shoe soles will pass out next time in a less conspicuous place than a gutter, and the young punk whose solar plexus recoils from its jab will in the future think again before raising his fist against the officer who says "move along."

A New York city mayor once praised the nightstick as "far more effective" in police work than "the new scientific ideas."

Realizing the stick's injury-dealing potential, most policemen are reluctant to swing at a man unless he becomes very violent or directly attacks them, preferring instead to poke and prod a recalcitrant customer into submission.

A blow in a vital area from a nightstick can be deadly, as in the case of Paul Clingenpeel, 23, of the 1300 block West Lombard street, who died on September 6 of head injuries after being struck during an attack on Sgt. John Pumphrey, of the Western district.

Sgt. Pumphrey won acquittal yesterday in Central District Police Court on a charge of striking young Clingenpeel and causing his death.

The Rules and Regulations of the Baltimore City Police Department stipulate that "espantoons are to be used only in self-defense, when absolutely necessary."

In Maryland, common law rules, rather than statutes, control the question of police liability for excessive force in making arrests. State's attorneys have ruled. Assault charges may be brought against police in cases where excessive force is used.

Periodic complaints of "police brutality" and too enthusiastic use of clubs are heard, but very few cases have resulted in the prosecution of policemen on charges of assaulting citizens they have arrested.

James M. Hepbron, police commissioner, has cautioned his men against too-free use of their weapons, warning that he will not tolerate use of unreasonable force in making arrests and subduing prisoners.

The Digest of Laws, issued to each member of the force, states that "an officer should use only such force as is necessary to take a prisoner into custody. However, if he is resisted he may repel force with force."

The Digest also tells the officer that he must consider the type of crime involved and the nature of the resistance against him in deciding how much force to bring to bear on a person.

The simplest and least expensive piece of police equipment, the nightstick is usually made of well-seasoned split hickory or locust. It is 22 inches long and an inch and a quarter thick, with a 22-inch rawhide thong secured around the base of the handle.

Baltimore policemen have the option of carrying the clubs or not on the day shift, at the discretion of their commanders, but must carry them on the afternoon and night shifts and on strike details and riot squads at all times.

As much as the nightstick is used as a persuader, it is nearly as often used

to help someone in distress. The long thong, used as a tourniquet, has saved many a person from bleeding to death, and the same thong has served as a lifeline to drunks who have rolled off a pier into the harbor's chilly waters.

Admittedly a throwback to that most primitive of man's weapons, the club, the nightstick continues to be one of the most effective items of enforcement equipment, and is to most policemen a companion they always want at hand.

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