

3-10/055.00 - Use of Firearms Against Vehicles and/or Occupants of Vehicles

Firearms should not be discharged at a stationary or moving vehicle, the occupants of a vehicle, or the tires of a vehicle unless a person in the vehicle is imminently threatening a Department member or another person present with deadly force by means other than the moving vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies the use of deadly force.

Department members shall not move into, remain, or otherwise position themselves in the path of a vehicle in an effort to detain or apprehend the occupants. A Department member in the path of a moving vehicle shall immediately attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants.

NOTE: If Department members decide to engage in a pursuit of the vehicle, such pursuit shall be governed by the Department's pursuit policy (section 5-09/210.00 et seq.).

Because this policy may not cover every situation that will arise, a deviation from this policy may be reasonable, depending on the circumstances. A deviation from this policy would, for instance, be justified if the Department member used a firearm in an attempt to terminate an imminent vehicle attack on a crowd or a mass casualty terrorist event. However, this tactic is not without complications and concerns. It is not ideal and *should only be used as a last resort*.

Any deviation from the provisions of this policy shall be reviewed on a case-by-case basis, in accordance with sound tactical principles including the following:

- Cover and/or tactical relocation;
- Safe distance;
- Incident command and tactical leadership;
- Coordinated personnel placement;
- Tactical approach;
- Regard for viable target acquisition;
- Due regard for background, including the location, other traffic, and innocent persons;
- Due regard for crossfire; and
- Controlled fire and management of ammunition.