

3-10/045.00 - Use of Deadly Force and Firearms

The use of deadly force is one of the most serious decisions a Department member may have to make. The authority to use deadly force is a tremendous responsibility given to Department members by the community who expect them to exercise that authority judiciously.

Department members are justified in using deadly force upon another person only when they reasonably believe, based on the totality of the circumstances, that such force is necessary for either of two reasons:

- To defend against an imminent threat of death or serious bodily injury to the Department member or another person; or
- To apprehend a fleeing subject for any felony that threatened or resulted in death or serious bodily injury if they reasonably believe that the person will cause death or serious bodily injury to another unless immediately apprehended.

In determining whether deadly force is necessary, Department members shall evaluate each situation considering the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable peace officer.

If reasonably safe and feasible to do so, members shall, prior to the use of deadly force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the Department member has objectively reasonable grounds to believe the person is already aware of those facts.

Department members shall consider their surroundings and the potential risk to bystanders, to the extent reasonable under the totality of the circumstances, before discharging their firearm.

Suicidal Persons or Persons Posing a Danger to Themselves

Department members shall not use deadly force against a person based solely on the danger that person poses to themselves, if an objectively reasonable peace officer would believe the person does not pose an imminent threat of death or serious bodily injury to the Department member or another person.

Prohibited Force

The following force options are prohibited unless deadly force is justified:

- All face, head, or neck strikes with an impact weapon;
- Striking a person's face, head, or neck against or with a hard object;

- Kicks or knee strikes to a person's face, head, or neck.

Displaying Firearms

- Unnecessarily or prematurely displaying a firearm (pistol, rifle, or shotgun) could limit a Department member's alternatives in controlling a situation, may create unnecessary anxiety on the part of members of the public, and could result in an unwarranted or unintentional discharge of the firearm. Department members are expected to exercise sound judgment and critical decision-making when choosing to display a firearm or point it at a person.
- Department members may display a firearm to a threatening person to help establish or maintain control in a potentially dangerous situation if the totality of the circumstances creates an objectively reasonable belief that it may be necessary to use the firearm.
- When a Department member displays their firearm to a threatening person, in the absence of an imminent threat but where they reasonably believe that a potential threat exists, based on the totality of the circumstances, Department members should generally point their firearm in a safe direction without pointing it at a person.
- In situations where a Department member reasonably believes an imminent threat exists based on the totality of the circumstances, that Department member may point their firearm at the threatening person or animal until they no longer reasonably perceive the threat.

Discharging Firearms

All shots fired at a person by a Department member must meet the standards for the use of deadly force set forth in this policy. Each Department member discharging a firearm must establish independent justification for using deadly force. The fact that other law enforcement personnel discharge their firearm is not by itself sufficient to justify the decision by a Department member to shoot.

Warning Shots

The firing of warning shots is inherently dangerous. They should not be fired except under the most compelling circumstances. Warning shots may be fired to stop a person only when the Department member is authorized to use deadly force and if the Department member reasonably believes a warning shot can be fired safely considering all the circumstances of the encounter.

DISCLAIMER FOR UOF POLICY:

The Use of Force policy published on July 19, 2024, will be effective once training on the policy takes place.

This transition period is being provided to ensure awareness of the new policy provisions throughout the Department, and to ensure education on the new policy and its components have been made available to Department members.
