



GENERAL ORDER

USE OF FIREARMS

THE PURPOSE OF THIS GENERAL ORDER IS TO PRESCRIBE DEPARTMENT POLICY REGARDING THE USE OF FIREARMS.

THIS ORDER IS INTENDED FOR INTERNAL USE ONLY. VIOLATIONS OF THIS ORDER MAY FORM THE BASIS OF A COMPLAINT BY THE DEPARTMENT AND THEN ONLY IN A NON-JUDICIAL ADMINISTRATIVE SETTING.

THE GUIDING PHILOSOPHY SHALL BE TO EXHAUST OTHER REASONABLE MEANS OF APPREHENSION AND CONTROL BEFORE RESORTING TO THE USE OF FIREARMS. THIS ORDER DOES NOT PRECLUDE AN OFFICER FROM DRAWING A WEAPON IN READINESS IN THE COURSE OF AN ARREST OR INVESTIGATION WHEN, IN THE OFFICER'S OPINION, IT IS NECESSARY TO ENSURE ANYONE'S SAFETY OR TO REDUCE THE POSSIBILITY OF ATTACK OR ESCAPE BY A FELONY SUSPECT. THE PRIMARY OBJECTIVE FOR USING THE WEAPON IS TO STOP OR DISABLE IN ORDER TO EFFECT AN APPREHENSION.

I. GENERAL POLICY

- A. JUSTIFICATION FOR THE USE OF DEADLY FORCE MUST BE LIMITED TO WHAT REASONABLY APPEARS TO BE THE FACTS KNOWN OR PERCEIVED BY AN OFFICER AT THE TIME A DECISION IS MADE TO FIRE A WEAPON. FACTS UNKNOWN TO AN OFFICER, NO MATTER HOW COMPELLING, CANNOT BE CONSIDERED IN LATER DETERMINING WHETHER THE SHOOTING WAS JUSTIFIED.
 1. EXCEPT IN SELF-DEFENSE, OFFICERS SHALL NOT DISCHARGE A FIREARM WHEN THE SAFETY OF INNOCENT PERSONS ARE PLACED IN JEOPARDY.
 2. FIREARMS SHALL NOT BE DISCHARGED AT MISDEMEANANT SUSPECTS.
 3. FIREARMS SHALL NOT BE DISCHARGED AS A WARNING.
 4. AN OFFICER SHALL NOT FIRE AT OR FROM A MOVING VEHICLE UNLESS THERE IS REASONABLE ASSURANCE THAT SUCH FIRING WILL NOT ENDANGER INNOCENT PERSONS.
- B. IN ACCORDANCE WITH EXISTING LAW, DEPARTMENT PERSONNEL HAVING REASONABLE CAUSE TO BELIEVE THAT A PERSON TO BE ARRESTED HAS COMMITTED A PUBLIC OFFENSE, MAY USE REASONABLE FORCE TO EFFECT THE ARREST, TO PREVENT ESCAPE, OR TO OVERCOME RESISTANCE. FURTHER, DEPARTMENT PERSONNEL MAKING OR ATTEMPTING TO MAKE ARRESTS NEED NOT RETREAT OR DESIST FROM THOSE EFFORTS BY REASON OF THE

RESISTANCE OR THREATENED RESISTANCE OF THE PERSON OR PERSONS BEING ARRESTED; NOR SHALL SUCH PERSONNEL BE DEEMED AGGRESSORS OR LOSE THEIR RIGHT TO SELF-DEFENSE BY THE USE OF REASONABLE FORCE TO EFFECT THE ARREST OR TO PREVENT ESCAPE OR TO OVERCOME RESISTANCE. SPECIFICALLY, DEPARTMENT PERSONNEL MAY DISCHARGE A FIREARM AT ANOTHER HUMAN BEING IN THE PERFORMANCE OF THEIR DUTIES, AFTER OTHER REASONABLE METHODS AND/OR PROCEDURES OF APPREHENSION AND CONTROL HAVE BEEN EXHAUSTED, UNDER THE FOLLOWING CIRCUMSTANCES:

1. IN NECESSARY SELF-DEFENSE WHEN THE OFFICER HAS REASONABLE CAUSE TO BELIEVE THAT THERE IS IMMINENT DANGER OF DEATH OR GREAT BODILY INJURY.
2. IN NECESSARY DEFENSE OF ANOTHER PERSON WHEN THE OFFICER HAS REASONABLE CAUSE TO BELIEVE THAT THE OTHER PERSON IS IN IMMINENT DANGER OF DEATH OR GREAT BODILY INJURY.
3. TO EFFECT AN ARREST, TO PREVENT AN ESCAPE, OR TO RECAPTURE AN ESCAPEE, WHEN THE OFFICER HAS REASONABLE CAUSE TO BELIEVE THAT THE SUSPECT HAS COMMITTED OR ATTEMPTED TO COMMIT A VIOLENT FELONY INVOLVING THE THREAT OF DEATH OR GREAT BODILY INJURY, OR WHEN THE OFFICER HAS REASONABLE CAUSE TO BELIEVE THAT THE FELONY SUSPECT TO BE APPREHENDED MAY CAUSE DEATH OR GREAT BODILY HARM TO AN OFFICER OR TO ANOTHER PERSON, SHOULD THE SUSPECT MAKE GOOD THE ESCAPE.
4. IN EACH SITUATION ABOVE, WHERE FEASIBLE, AN OFFICER SHOULD ISSUE A WARNING PRIOR TO FIRING.

II. JURISDICTIONAL RESPONSIBILITY

- A. ALL SHOOTINGS INVOLVING PEACE OFFICERS OCCURRING WITHIN THE UNINCORPORATED AREA OF SACRAMENTO COUNTY SHALL BE INVESTIGATED BY THE SACRAMENTO COUNTY SHERIFF'S DEPARTMENT.
- B. ALL SHOOTINGS INVOLVING PEACE OFFICERS OCCURRING WITHIN THE CITY LIMITS OF SACRAMENTO SHALL BE INVESTIGATED BY THE OFFICIAL SHOOTING INVESTIGATIONS TEAM OF THE SACRAMENTO POLICE DEPARTMENT.

ALL SHOOTINGS INVOLVING A DEPUTY SHERIFF OF THE SACRAMENTO COUNTY SHERIFF'S DEPARTMENT WHICH OCCUR WITHIN THE PHYSICAL CONFINES OF ALL DEPARTMENT FACILITIES SHALL BE HANDLED BY THE SACRAMENTO COUNTY SHERIFF'S DEPARTMENT.

- C. SHOOTINGS INVOLVING A DEPUTY SHERIFF OF THE SACRAMENTO SHERIFF'S DEPARTMENT OR SHOOTINGS INVOLVING POLICE OFFICERS OF THE SACRAMENTO POLICE DEPARTMENT WHICH OCCUR ON A STREET OR AREA INVOLVING SHARED BOUNDARIES SHALL BE HANDLED BY THE EMPLOYING AGENCY.

- D. SHERIFF'S DEPARTMENT INTERNAL AFFAIRS PERSONNEL, IF NOT ACTIVELY INVESTIGATING THE SHOOTING, SHALL MONITOR ALL INVESTIGATIONS INTO ANY SHOOTING MATTER INVOLVING PERSONNEL OF THE SACRAMENTO COUNTY SHERIFF'S DEPARTMENT. A COMPLETED INVESTIGATION REPORT SHALL BE GIVEN TO THE INVOLVED EMPLOYEE'S CHIEF DEPUTY FOR REVIEW AND DISPOSITION.

- E. THE INVESTIGATING AGENCY WILL BE RESPONSIBLE FOR MEDIA RELEASES PERTAINING TO THE INCIDENT IN QUESTION.