

	SECTION:	ADMINISTRATION	ADM-152
	CHAPTER:	FORCE-FIREARMS-WEAPONS	
	DIRECTIVE:	FIREARMS – DISCHARGE	

152.01 PURPOSE AND SCOPE

The purpose of the Firearm Discharge Policy is to establish procedures for the use and reporting of incidents involving the discharge of firearms. This policy is for internal use only and does not increase the civil or criminal liability of the Department and/or an officer in any way. Violations of this policy can only form the basis for administrative actions by the Department.

152.02 POLICY

Firearms may be discharged only as outlined within this policy. Where practicable, a warning or notification should be given before an officer discharges a firearm.

152.03 DISCHARGE AGAINST A PERSON

It is the policy of this department to resort to the use of a firearm against a person when it reasonably appears to be necessary under the circumstances, and generally (CRS § 18-1-707(2)):

- An officer may protect him/herself or others from what he/she reasonably believes would be an imminent use of force that could result in serious bodily injury or death.
- An officer may use deadly physical force to effect an arrest, or to prevent the escape from custody, of a person whom he/she reasonably believes:
 1. Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon.
 2. Is attempting to escape by the use of a deadly weapon.
 3. Otherwise indicates, except through a motor vehicle violation, that he/she is likely to endanger human life or to inflict serious bodily injury to another unless apprehended immediately.

Any firearm discharge against a person shall also comply with the Use of Force Policy

152.04 DISCHARGE RELATED TO MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and are generally discouraged. Unless it reasonably appears that it would endanger officers or the public, officers are expected to move to avoid the path of any approaching vehicle.

DISCHARGE RELATED TO MOVING VEHICLES (cont'd)

This is not intended to restrict an officer's right to use deadly physical force on the operator of a vehicle when it is reasonably perceived that the vehicle is being used as a deadly weapon against the officer or others. Such a discharge shall also comply with the Discharge Against a Person Policy and the Use of Force Policy.

152.05 DISCHARGE AGAINST ANIMALS

An officer is authorized to use a firearm to stop or destroy an animal:

- When necessary to protect the safety of any person in imminent danger of being attacked by an animal and alternative methods to neutralize the threat are not reasonably available or would likely be ineffective.
- When necessary to protect livestock in imminent danger of being attacked and alternative methods to neutralize the threat are not reasonably available or would likely be ineffective. Dogs may be euthanized when it is necessary to prevent them from inflicting death or injury to big game, small game, birds and mammals. Any wildlife killed shall be reported to the Colorado Division of Wildlife within five days (CRS § 33-3-106(3)).
- Under circumstances in which officers have sufficient advanced notice that a potentially vicious or dangerous domestic animal (e.g. dog) may be encountered, such as in the serving of a search warrant, officers should develop reasonable contingency plans for dealing with the animal (e.g. fire extinguisher, control devices, TASER®, OC spray, animal control officer). Nothing in this policy shall prohibit any officer from destroying a dangerous animal if a contingency plan has failed or becomes impractical.

With the approval of a supervisor, an officer may euthanize any animal when, in the judgment of the officer, the animal is experiencing extreme pain or suffering, or is severely injured, disabled or diseased past recovery

- When reasonable, an attempt should be made to contact the owner to make a determination regarding euthanasia.
- When practicable, a licensed veterinarian should be contacted to make the determination of euthanasia, which should be performed by the licensed veterinarian.

DISCHARGE AGAINST ANIMALS (cont'd)

With the approval of a supervisor, an officer may euthanize injured wildlife when no other action is practicable, humane or effective for the rehabilitation of the animal (2 CCR § 406-14:1405(F)).

A gunshot to the head is an accepted method of euthanasia by the American Veterinary Medical Association, taking into consideration people and nearby animals. The procedure should be performed outdoors and away from public access or visibility.

If disease such as rabies or chronic wasting disease is suspected, euthanasia by gunshot to the head should not be performed.

152.06 DISCHARGE OF WARNING SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe.

152.07 DISCHARGE FOR TRAINING OR RECREATION

Officers may discharge firearms for target practice or recreational shooting at an approved range or any area where firing a weapon would be safe and not a violation of law.

152.08 REPORT OF WEAPON DISCHARGE

Except during training or recreational shooting, any Officer who discharges an authorized/assigned weapon negligently or intentionally, on- or off duty, shall make an initial verbal report to his/her Supervisor as soon as circumstances permit. If on duty at the time of the incident, the Officer shall also file a written report with his/her supervisor prior to the end of shift. If off duty, the Officer shall file a written report as directed by the Supervisor but no later than the end of the next regularly scheduled shift. If the intentional discharge occurred as a use of deadly force in the performance of their duties, refer to the "USE OF FORCE" (ADM-156) directive. Additional statements and reports shall be made in accordance with those Directives.

152.09 SCREENING TESTS

Under the Drug and Alcohol Use Policy, the Department may request an employee to submit to a drug or alcohol screening test if the employee discharges a firearm during the performance of his/her duties.

