

554.50 Deadly Force Restrictions

If circumstances permit, a warning should be given prior to the use of deadly force.

Mere suspicion is not sufficient to justify the use of deadly force.

Mere contact between two vehicles does not constitute a violent felony for purposes of this policy. A collision involving an occupied vehicle does not justify the use of deadly force unless:

1. All of the elements necessary to use deadly force in the preceding section are satisfied; and
2. The intent to injure the officer or others is reasonably apparent.

Where authorized to use deadly force in accordance with this policy, officers may discharge a firearm:

1. From a moving vehicle only if the officer or others are being fired upon or threatened to be fired upon; and
2. At an occupant of a moving vehicle only if the officer has considered the presence of other occupants in the vehicle and:
 - a. The officer or others are being fired upon or threatened to be fired upon;
 - b. Another person is being actively pursued or targeted by the suspect vehicle; or
 - c. The officer is being actively pursued or targeted by the suspect vehicle and:
 - i. The officer has exhausted all means to avoid and move out of the path of the moving vehicle; and
 - ii. The officer has not intentionally placed themselves in the path of the moving or stationary suspect vehicle.

Prior to discharging a firearm, officers must be able to identify the threat and be aware of the area behind or around the threat.

Officers shall not use deadly force under the following circumstances:

- A. Solely to effect any misdemeanor or non-violent felony arrest;
- B. When its use clearly constitutes a greater threat to innocent lives than apprehending a suspect; or
- C. When a person's actions present a threat only to themselves.

Officers shall not fire a warning shot.

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