


AURORA POLICE DEPARTMENT DIRECTIVES MANUAL

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| 05.01 | Title: AUTHORIZED FIRING OF A WEAPON | | Duty Honor Integrity |
|  | Approved By: Nick Metz, Chief of Police | | |
| | Effective: 09/01/1998 | Revised: 03/01/16 | |
| | Associated Policy: | | |
| | References: | | |
| Review: Compliance and Professional Standards Division, Division Chief | | | Page 1 of 2 |

5.1 Authorized firing of a Weapon

The policies regarding authorized firing of a weapon may not cover every situation. At the discretion of the Chief of Police, any deviation from these policies will be evaluated on a case-by-case basis.

Members (sworn and non-sworn) are permitted to fire their weapons where firing a weapon is lawful and in compliance with directives.

5.1.1 Firearms Safety

Members are required to handle the weapons in a safe manner at all times. When having to discharge a weapon, members will follow the firearms safety rules to best of their ability under the relevant circumstances of the event. The firearms safety rules are:

1. All weapons must be treated as if they are always loaded
2. Never let the muzzle of a weapon point at anything you are not willing to destroy
3. Keep your finger off the trigger and out of the trigger guard until the sights are on the target and you are prepared to shoot
4. Always be certain of the target and beyond

5.1.2 Shooting at or from a Moving Vehicle

For the purposes of this directive, a moving vehicle alone will not presumptively constitute a threat that justifies a member's use of deadly or potentially deadly force. Members should not discharge a firearm at a moving vehicle unless a person in the vehicle is immediately threatening the member or another person with deadly force by a means other than the vehicle. A member in the path of an approaching vehicle will attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants of the vehicle. A member will not discharge a firearm from a

moving vehicle, except in exigent circumstances warranting the immediate defense of life. The prohibitions regarding moving vehicles exist for the following reasons:

- Bullets fired at moving vehicles are extremely unlikely to disable or stop a moving vehicle.
- Disabling the driver of a moving vehicle creates unpredictable circumstances that may cause the vehicle to crash and injure other members or innocent citizens.
- Shooting accurately from a moving vehicle is extremely difficult and therefore unlikely to successfully stop a threat to a member or other person.
- Moving to cover to gain and maintain a superior tactical advantage maximizes officer and public safety while minimizing the need for deadly or potentially deadly force.

Shooting at or from moving vehicles is highly discouraged and must be the only objectively reasonable and necessary option under the circumstances. Any time a member shoots at or from a moving vehicle, their actions and decision-making will be subjected to strict scrutiny.

5.1.3 Other Unauthorized firing of a Weapon

In addition to the limitations described in 5.1.2, members should not discharge a firearm:

- As warning shots, unless, in exceptional cases where no lesser degree of force would be effective or practical and the firing of a warning shot is the only alternative to the use of deadly force. Warning shots will not be fired when such discharge would pose a danger to any person.
- At persons who have committed only a misdemeanor or traffic violation.
- To prevent the destruction of property or theft.
- When such a discharge is a result of carelessness or the negligent handling of a firearm.