



# Colorado Springs Police Department

## Standing Operating Procedure

### DL-1530-10 Accidental Discharges of Service Weapons

#### Section 1500 – Police Equipment

Effective Date: 5/6/2024

Supersedes Date: 2/16/2021

---

## .01 Purpose

The purpose of this procedure is to specify the process for investigating incidents in which department personnel accidentally discharge a service firearm.

## .02 Cross Reference

[GO 600 Complaints and Internal Investigations](#)

[GO 1530 Firearms Regulations](#)

[DL-1840-01 Call Out Criteria for the Investigations Division](#)

[DL-1840-04 Call Out Criteria for Internal Affairs](#)

## .03 Definitions

*Accidental Discharge (AD):* An unintentional discharge of a service firearm, whether on duty or off duty. This terminology does not include accidental discharges involving a firearm other than a service firearm.

*Service Firearm:* Firearms issued by CSPD and those authorized by CSPD for on duty use.

## .04 Policy

An accidental discharge (AD) may be the result of a weapon malfunction, carelessness, or other factors. The response to an AD may vary dependent on whether the employee was on duty or off duty at the time of the AD, the location at which it occurred, as well as whether any injuries occurred. After summoning medical attention (if necessary), employees will immediately report the AD to an on-duty supervisor.

## Additional Notifications

The supervisor receiving notification of an AD will immediately notify the duty lieutenant. As soon as practical, the duty lieutenant will ensure the internal affairs section is notified of all accidental discharges, regardless of time of occurrence, injuries, criminal charges, venue, etc.

The duty lieutenant will notify the on-call Staff Duty Officer (SDO), if after hours, or the involved officer's chain of command during regular business hours. Regardless of time of day, either the SDO or the involved officer's division commander will arrange for the dissemination of a command staff page. This notification can be accomplished through the Communications Center. If this occurs after hours or on weekends, the SDO will ensure that the involved employees division commander is notified.

## **Investigative Responses to Accidental Discharges**

### *Incidents Occurring in the City of Colorado Springs Jurisdiction (Non-Qualification/Training Related)*

The duty lieutenant will assign a sergeant to respond to the scene to oversee the initial patrol response. This process will include assessing the circumstances surrounding the AD and the extent of any injuries.

AD incidents that do not result in injury or death and with no indication of a crime, other than unlawful discharge, or reckless endangerment having been committed, will be the responsibility of the responding supervisor. Nothing in this procedure precludes the supervisor from requesting assistance from the Homicide Unit if the incident is complex, or otherwise warrants a specialized response.

AD incidents resulting in injury, death, or that could include a criminal element requires notification to the on-call Homicide Unit who will be responsible for conducting these investigations. Internal Affairs personnel will respond as well.

If the employee was working in an official police capacity at the time of the AD that resulted in injury or death, whether on or off duty, the investigation will be completed by the Deadly Force Investigation Team (DFIT). Representatives from the Homicide Unit will coordinate a DFIT response for these purposes.

### *Incidents Occurring Outside the City of Colorado Springs Jurisdiction (Non-Qualification/Training Related)*

For any AD that occurs outside the jurisdiction of Colorado Springs, the duty lieutenant will ensure the agency with jurisdiction has been notified, in addition to the other required notifications. At

the duty lieutenant's discretion, an on-duty supervisor may respond to the employee's location to coordinate with the other jurisdiction.

AD investigations resulting in injury, death, or that could include a criminal element requires notification to the on-call Homicide Unit.

#### *Incidents Occurring at an Authorized Firearms Range, During Qualification or Training*

An AD that takes place at a CSPD authorized firearms range during a qualification/training course of fire will be assessed by the range master/firearms instructor overseeing the qualification/training. If the AD does not result in injury or death and there is no indication of a crime having been committed, the incident will be handled in accordance with the current range policy and procedures.

If the AD resulted in injury or death or there is an indication a crime has been committed, the previously mentioned procedures will be followed.

### **Accidental Discharge Investigative Procedures**

#### *Patrol Level Investigation*

AD investigations must include an assessment of the following factors:

- Alcohol and/or drug involvement
- The role, if any, of recklessness, carelessness, or negligence
- The functionality of the involved weapon

If neither the DFIT, nor the CSPD Homicide Unit respond to an AD based on initial information, the responding supervisor is responsible for ensuring a thorough investigation into the incident is conducted.

### **Reporting Processes**

If it appears that no crime was committed by the AD, the investigation will be documented in an incident report. If the elements of a crime are present, the incident will be documented in an offense report.

In situations where a criminal investigation is initiated, the on-call internal affairs supervisor must be notified of the situation as a POST notification may be mandated.

## **Required BlueTeam Reporting**

The responding supervisor will complete a Firearms Discharge report in BlueTeam and submit a memo outlining the events that occurred. This memo will be attached to the BlueTeam report. If a supervisor does not respond, the supervisor receiving the notification will complete the Firearms Discharge report and memo.

Internal Affairs personnel will route the Firearms Discharge report to the involved employee's chain of command, who will create a Level I entry by duplicating the Firearms Discharge report. The assigned supervisor will then be responsible for conducting an administrative investigation. Nothing in this procedure precludes the employee's chain of command from initiating a Level II investigation if they believe the circumstances dictate it necessary.

Each Level I and Level II involving an AD will be reviewed by the chain of command, through the involved employee's assigned deputy chief.