



Chapter: Arrests, Use of Force, Care of Prisoners
Subject: 05-10 – Discharging Firearms at Vehicles
Effective: April 19, 2022
Supersedes: Official Order 10, Section 10.5, dated October 4, 2021
Distribution: Department Members

PURPOSE: This Order establishes department policy related to discharging firearms at vehicles.

05-10-1 DISCHARGING FIREARMS AT VEHICLES

A. Firearms shall not be discharged at vehicles in the following situations:

- (1) At the occupants of a moving vehicle, unless the suspect is using a form of deadly force other than a motor vehicle.
- (2) Against wrong way, high-speed, or reckless drivers of vehicles solely on the assumption that other persons may be injured or killed unless the driver is stopped.
- (3) From a moving vehicle, except under extreme conditions.

B. Firearms may be discharged at a vehicle in the following situations:

- (1) Self Defense or Defense of Another

To justify the discharge of a firearm at a vehicle under the “self-defense or defense of another standard,” there must be some overt action on the part of the driver to establish an intent to kill or severely injure as opposed to actions taken to escape arrest.

- a. Firearms shall not be discharged at a vehicle being driven with the intent to injure or kill the enforcement member unless the enforcement member is unable to take other evasive action or the suspect targets the enforcement member after the enforcement member has attempted evasive action.
- b. Enforcement members shall not intentionally exit their patrol car and position themselves in the path of the suspect vehicle in order to force it to stop.

- (2) Life-Threatening Felonies

Firearms may be pointed and/or discharged at a vehicle when an enforcement member has probable cause to believe an occupant has committed a life-threatening felony listed in written directives related to use of deadly force.

DIRECTOR

Annual Review Responsibility: Training Division

Accreditation Standards: CALEA 4.1.2