

USE OF FIREARMS

This order establishes policies and reporting procedures regarding the use of firearms.

I. POLICY

A. GENERAL. It is the policy of the San Francisco Police Department that officers exhaust all reasonable means of apprehension and control before resorting to the use of firearms. Officers, however, shall not unnecessarily or unreasonably endanger themselves in applying the policies and procedures contained in this order in actual situations.

B. DRAWING FIREARMS

- 1. PUBLIC PLACES.** An officer shall not draw a firearm in any public place, except in the line of duty or for inspection by a superior.
- 2. OFFICER/PUBLIC SAFETY.** Nothing in this policy shall prohibit the drawing or exhibiting of a firearm in the line of duty when an officer reasonably believes it necessary for his/her own safety or for the safety of others. Officers may also draw and be ready to use a firearm anytime they have reasonable cause to believe that they or another person may be in immediate danger of death or great bodily injury. Officers shall not cock their firearms in these instances.
- 3. JUSTIFICATION.** Any officer drawing a weapon in public must be able to articulate the reasons consistent with this order and any other current order regarding the subject. Firearms shall not be displayed without justifiable cause.
- 4. HOLSTERING WEAPONS.** When an officer determines that the danger is eliminated, the handgun shall be holstered or the shoulder weapon held in a port arms position away from the person. If the person is not arrested, the officer should tell the individual the reason the weapon was pointed at him/her if the circumstances permit.
- 5. COCKING OF FIREARMS.** An officer shall not carry a firearm in the cocked position at any time.

C. DISCHARGE OF FIREARMS

- 1. REASONABLE METHODS OF APPREHENSION. Officers shall not discharge a firearm in the performance of their duties except in the circumstances described below in Section I. C. 2, and only after all other reasonable methods and procedures of apprehension and control have failed. "Other reasonable methods and procedures of apprehension and control" shall be based upon the officer's capabilities at the time of the discharge, the nature and immediacy of the threat, the extent of the threat to innocent persons, the nature of the crime, and the suspect's reputation for violence.**

- 2. PERMISSIBLE CIRCUMSTANCES. Officers may discharge a firearm in any of the following circumstances:**
 - a. In the necessary defense of himself/herself when the officer has reasonable cause to believe that he/she is in imminent danger of death or serious bodily injury.**

 - b. In the necessary defense of another person when the officer has reasonable cause to believe that the person is in imminent danger of death or serious bodily injury.**

 - c. To make an arrest when:**
 - (1) The officer has reasonable cause to believe that the suspect has committed or attempted to commit a felony involving the use or threatened use of deadly force; and**

 - (2) The officer has reasonable cause to believe that a substantial risk exists that the person to be arrested will cause death or serious bodily injury if his/her apprehension is delayed; and**

 - (3) After all other reasonable means of apprehension and control have been exhausted.**

 - d. To kill a dangerous animal or one that is so badly injured that humanity requires its removal from further suffering, and where other alternatives are impractical.**

- e. To give an alarm or to call for help for an urgent purpose when no other means can be used.
3. **VERBAL WARNING.** If feasible, and if to do so would not increase the danger to the officer or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force.
 4. **ENDANGERING THE PUBLIC/RECKLESS DISCHARGE.** Officers shall take extreme care when discharging their weapons so as not to endanger innocent persons or jeopardize property. The discharging of firearms in a reckless and irresponsible manner, or while under the influence of any substance likely to impair physical or mental processes, is prohibited and subject to disciplinary action by the Department, whether the incident occurs within or outside the City and County limits.
 5. **PROHIBITED CIRCUMSTANCES.** Officers shall not discharge firearms under any of the following circumstances:
 - a. As a warning.
 - b. At or from a moving vehicle unless the circumstances come within the provisions as set forth in Section I, C, 2., a., b., c. of this order.
 - c. In misdemeanor cases, except if the circumstances come within the provisions as set forth in Section I, C, 2., a., b. of this order.
 - d. In circumstances that do not require police action.
 - e. At a moving vehicle with the intent to disable it.
- D. REPORTING DISCHARGE OF FIREARMS** (also see DGO 8.11, Officer-Involved Shootings). Except while at an approved range, an officer who discharges a firearm, either on or off duty, shall report the incident according to the procedures in this order. This includes an intentional or accidental discharge, either within or outside the City and County of San Francisco.

References

DGO 8.01, Critical Incident Notification
DGO 8.04, Critical Incident Response Team
DGO 8.11, Officer-Involved Shootings