



Use of Force Recommendation 21 & 32

Guidance for Shooting
at or from a moving vehicle



Agenda

- Recommendation Highlights
- Gap Analysis
- Discussion Points
- Committee Feedback
- Revised Recommendation
- Final Guidance



Recommendation Highlights

- 21- Include Prohibition Against Shooting at Moving Vehicles
- 32- Simplify Language to Indicate Shooting at or From Moving Vehicle is Prohibited with Exceptions

Gap Analysis -DPM 2.1.20

- Shooting at a Motor Vehicle / Occupant
 - A Department member shall not discharge a firearm at an occupant of a moving vehicle unless the officer reasonably believes that:
 - The subject poses an immediate threat of death or serious physical injury to the officer or another person; AND
 - There is no reasonable alternative course of action for the officer to prevent the death or serious physical injury
 - If at all possible, an officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants.
 - Discharging a firearm at a vehicle solely in an attempt to disable the vehicle is generally prohibited.
 - Bullets fired at a moving vehicle are extremely unlikely to stop or disable the moving vehicle.



Gap Analysis DPM 2.1.20

- Shooting at a Motor Vehicle / Occupant (cont)
 - If it becomes necessary for officers to shoot at a moving vehicle, the following ramifications shall be considered:
 - Moving vehicles present a rapidly changing field of fire.
 - If the driver is incapacitated, the vehicle would be uncontrolled.
 - The action could create a danger to the public that outweighs the reason the deadly force was initially used.



Gap Analysis

- Recommendation
- “Shooting at or from a moving vehicle is prohibited unless someone inside the vehicle is using or threatening deadly physical force by means other than the vehicle itself. The only exceptions are an apparent act of terrorism when the vehicle is being used as a weapon of mass destruction, or as a deadly instrument.”

- Current Policy

Discussed in previous slides.



Discussion Points

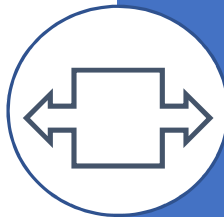
Mesa PD policy is following best practices. (*Industry trend*)

*List the reasons **for** adopting the recommendation*

- *Simplification*
- *Provides clear direction*

*List the reasons **against** adopting the recommendation*

- *Eliminates guidelines*



Committee Feedback

- We want officers to clearly understand we do not shoot at moving vehicles, then the exceptions clarify.
- We all agree shooting from a moving vehicle is prohibited but simplify the compound sentence.
- You don't have to cover all exceptions in policy.
- Policy needs to be simply stated.



Revised Recommendation

Shooting at or from a moving vehicle is prohibited. The only exceptions are:

- An apparent act of terrorism when the vehicle is used as a weapon of mass destruction or is being used a dangerous instrument.
 - Someone inside the vehicle is using or threatening deadly physical force.
-
- *Examples: San Bernardino Shooting, Truck being driven into crowd. (not part of policy)*



Final Guidance

- Approve policy recommendation to provide concise, clear, direction.



Discussion