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Sheriff

HARFORD COUNTY SHERIFF'S OFFICE OPERATIONAL POLICY

Use of Firearms

Distribution:	All Personnel	Index:	OPS 0507
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1. Purpose

To provide Harford County Sheriff's Office (HCSO) employees with guidance on proper procedures regarding situations when firearms must be used.

2. Policy

Deputies have been given the responsibility to protect and serve all citizens while balancing the need for officer safety and are granted the authority to use force when necessary to accomplish lawful ends. This authority is grounded in the laws of the State of Maryland, the United States Constitution, Court rulings and the provisions of this policy. Recognition of, and respect for the dignity of all persons and the value of human life shall guide all training, leadership, and procedures, as well as guide deputies in the use of force.

3. Definitions

AGGRAVATED AGGRESSION: when a subject's actions create an objectively reasonable perception on the part of the deputy that the deputy or another person is subject to imminent death or serious physical injury as a result of the circumstances and / or nature of an attack. Aggravated Aggression represents the least encountered but most serious threat to the safety of law enforcement personnel or another person.

DEADLY FORCE: a degree of force applied which is intended to cause death or serious injury; or force which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

DEPLOYMENT: the visible presence of a firearm, shotgun or rifle for an operational purpose. A deployment is not considered a use of force or display and no report will be required.

DISPLAY: pointing a firearm, shotgun or rifle at a subject or in the direction of a subject will be considered a "display", not a use of force; therefore, will be recorded as a "Display Only" on the Use of Force Report (Form SO-044).

DISCHARGE: the firing of a firearm, shotgun or rifle at or in the direction of a subject.

IMMINENT DANGER: actions or outcomes that may occur during an encounter which places a fear for safety of the deputy or others.

USE OF FORCE: any execution of a physical act to control a person, overcome resistance and / or defend oneself or another. The force may entail the use of body parts, issued Agency defense equipment, an instrument of necessity or deployment of a K-9.

4. References

HCSO Policy OPS 0501 - Use of Force
HCSO Policy OPS 0502 - Issued and Approved Firearms and Ammunition
HCSO Policy OPS 0503 – Qualification and Remedial Firearms Training

5. Procedures

A. Use of Force

1. Deputies shall use only the force objectively reasonable to effectively and safely resolve an incident, while protecting the lives of the deputy or others. When practical, deputies should announce that force will be utilized prior to the application of such force.
2. Deputies will utilize their approved weapons in accordance with the established HCSO policy and training for that particular item.
3. Carrying of weapons shall be consistent with HCSO Policy OPS 0502 – Issued and Approved Firearms and Ammunition.
4. A deputy may use deadly force when they reasonably believe such action is immediately necessary to protect a deputy or another person from imminent danger of death or serious physical injury.
5. Deputies shall always consider the potential consequences of their actions when making the decision to use a firearm, shotgun or rifle.

B. Primary and Secondary Handgun

1. The deployment and / or discharge of an approved primary or secondary handgun shall be consistent with Agency training.
2. Deputies shall take into consideration the potential background targets and the likelihood that rounds may pass through walls etc. when deciding to utilize the handgun.
3. Secondary handguns are authorized for use only in those critical situations when the primary weapon has been taken, lost, emptied or disabled. Approval, inspections, qualifications and training shall be done in accordance with HCSO Policy OPS 0502 – Issued and Approved Firearms and Ammunition.

C. Shotguns and Rifles

1. Operational Guidelines

- a. the primary function of the shotgun and rifle is that of a perimeter weapon. The decision to deploy a shotgun or rifle shall be in conformance with the training provided by the Training Academy and based upon the resources available to the deputy at the time, the risks created by the use of the shotgun or rifle and the danger posed by the suspect. Such situations may include, but are not limited to:

- i. response to an active shooter or a major criminal incident such as a barricaded subject;
- ii. high-risk traffic stop or roadblocks ;
- iii. any situation where a deputy reasonably believes there is a high likelihood that weapons may be encountered or a potential of encountering an armed subject;
- iv. provide cover for a police K-9, or another deputy, in the search for an armed subject;
- v. incidents in which suspects are believed to have weapons superior to the issued handgun;
- vi. incidents where suspects are believed to be wearing body armor;
- vii. destruction of animals in situations where the handgun would not be effective; or
- viii. any situation where the supervisor of an operation deems the shotgun or rifle to be necessary, in accordance with the guidelines of this Order.

D. Reporting Requirements

1. Deputies must immediately report to their supervisor or the on-duty supervisor whenever they discharge or display a handgun, shotgun or rifle for any reason other than training purposes or target practice at an established firing range.
2. Deputies must document the event in an Incident Report (Form SO-001) for the original call for service or a Supplemental Report (Form SO-002) prior to the end of that deputy's tour of duty.
 - a. in instances whereby a deputy is injured or otherwise unable to complete an Incident Report (Form SO-001), his supervisor will complete that report.
 - b. in the event that the deputy's supervisor is also unavailable, the on-duty supervisor will complete the report.
 - c. discharge of firearms to humanely destroy an injured animal will be documented by a CAD entry.

E. Supervisory Responsibilities

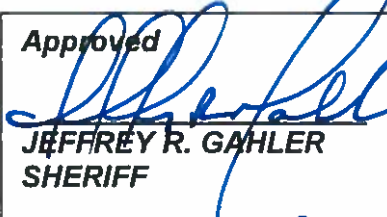
1. Any supervisor who is notified of a use of a firearm must follow the guidelines established in the HCSO Use of Force Policy OPS 0501.
2. The deputy's supervisor or an on-duty supervisor must report to the scene of any firearm use or display (except when firearm discharge was to humanely destroy an injured animal).
3. The responding supervisor will assist the deputy as necessary and will review the circumstances of the incident.
4. The responding supervisor must complete one Use of Force Report (Form SO-044) for each deputy involved in any incident described in D.1. above before the end of that supervisor's tour of duty and forward it through the chain of command (except when firearm discharge was to humanely destroy an injured animal).

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5. The supervisor completing the Use of Force Report (Form SO-044) will verify that the deputy made the appropriate entry on an Incident Report (Form SO-001) or Supplement Report (Form SO-002) as required above.

F. Chain of Command Review

1. Shift Lieutenants, Duty Officers and Division Commanders will ensure the use of force reporting requirements, training, investigations, review process and distribution of the Use of Force Reports (Form SO-044) are conducted in accordance with the procedures established in the HCSO Use of Force Policy OPS 0501.

Approved

JEFFREY R. GAHLER
SHERIFF
DATE 6-1-18