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Colorado Springs Police Department

General Order 720

**Section 7: Deadly Force Guidelines
Force, Detention, and Arrest**

Active Date: 1/5/2015

Supersedes Date: 7/14/1999

Approved
Peter Carey
General Order

.01 Purpose

To set guidelines for police exercise of deadly force.

.02 Cross Reference

[G.O. 710, Non-Lethal Force](#)

[G.O. 815, Deadly Force Investigations](#)

[G.O. 920, Firearms Regulations](#)

[G.O. 962, Vehicles: Emergency Operation](#)

[G.O. 965, Vehicles: Pursuits](#)

[G.O. 1732, Firearms Qualification](#)

[G.O. 1110, Critical Incident Review](#)

.03 Discussion

The value of human life is immeasurable in our society. Police officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders. Their responsibility for protecting lives obviously includes their own.

.04 Policy

At times, officers are confronted with situations in which control is required to effect arrests or protect the public safety. Attempts will be made to achieve control through, warnings or

persuasion. However, when resistance to police action or a threat to life is encountered and reasonable alternatives have been exhausted, or would clearly be ineffective, the force necessary to overcome the resistance or threat to life may be used. In all situations in which deadly force is used, a thorough investigation shall be conducted, in accordance with [G.O. 815, Deadly Force Investigations](#).

.05 Definitions

DEADLY FORCE: Deadly force as used in this policy is defined as intentional use of force which can cause death or serious bodily injury, or which creates a degree of risk that a reasonable and prudent person would consider likely to cause death or serious bodily injury. It ~~may include~~ ~~includes~~, but is not limited to, use of firearms, choke holds, and intentional intervention with a vehicle (forcible stops or ramming). ~~When determining whether the use of a force option, other than the use of firearms, should be considered deadly force, the circumstances surrounding the use of the force option will be taken into consideration. The intent of the officer's action shall also be considered.~~

IMMEDIATE THREAT: An immediate threat is considered to exist if the suspect has demonstrated actions that would lead one to reasonably believe that the suspect will continue to pose a threat of death or serious bodily injury, upon another person, if not apprehended without delay.

SERIOUS BODILY INJURY: "Serious bodily injury," as defined in CRS 18-1-901 (3) (p), means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of second or third degree.

.10 Legal Standard

This directive is for Departmental use only and does not apply in any criminal or civil proceeding. The Department policy should not be construed as creating a higher legal standard of safety or care, in an evidential sense, with respect to third-party claims. Violations of this directive will form the basis for Departmental administrative sanctions only. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

.30 Use Of Firearms

- In the necessary defense of themselves or others from death or serious bodily injury. Officers may use deadly force only to protect themselves or others from what the officers reasonably believe to be an immediate threat of death or serious bodily injury. Deadly force may be used to effect a capture or prevent an escape only when the officer reasonably believes that the suspect poses an immediate threat of death or serious bodily injury to the officer or others.
- At an approved range.

- In the necessary destruction of a vicious or injured animal. The killing of an animal is justified to prevent an immediate threat of bodily injury to the officer or another person, or when the animal is so badly injured that humanity requires its relief from further suffering. If it is possible to do so, an officer should attempt to obtain assistance from the Humane Society rather than using a firearm to destroy an injured animal. Every effort should be made to secure the consent of the owner before destroying a pet or domestic animal.
- The destruction of vicious animals should be guided by the same rules set forth for self defense and the defense and safety of others.

.40 When Firearms Will Not Be Discharged

Firearms shall not be discharged under circumstances not in compliance with this Manual and the law. Other examples of prohibited discharge of firearms are (but are not necessarily limited to) the following:

- As a warning.
- From a moving vehicle, except in cases of extreme emergency.
- Whenever it appears likely that an innocent person may be injured.

.50 Shooting at Moving Vehicles

Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the Officer or another person with deadly force by means other than the vehicle.

For the purpose of this section, the moving vehicle itself shall not presumptively constitute a threat that justifies an Officer's use of deadly force. An Officer threatened by an on-coming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants, unless there is no way to move out of the path of the on-coming vehicle.

Officers shall not intentionally place themselves in a vehicle's path, to either the front or the rear. If they find themselves in danger from a moving vehicle, they shall attempt to move out of the way, if possible, rather than discharging their firearm.

It is understood that this policy may not cover every situation that may arise. In all situations, Officers are expected to act with intelligence and exercise sound judgment. Any deviations from the provision of this policy shall be examined rigorously on a case by case basis. The involved Officer must be able to articulate clearly the reasons for the use of deadly force. Factors that may be considered include whether the Officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

The above prohibitions exist for the following reasons:

1. Bullets fired at moving vehicles are extremely unlikely to stop or disable the moving vehicle
2. Bullets fired may miss the intended target or ricochet and cause injury to officers or other innocent persons
3. The vehicle may crash and cause injury to Officers or other innocent persons if the bullets disable the operator
4. Moving to cover, repositioning and/or waiting for additional responding units to gain and maintain a superior tactical advantage maximizes Officer and public safety and minimized the necessity for using deadly force