PURPOSE

The purpose of this Order is to establish guidelines for the use of firearms by deputies of the Stanford University Department of Public Safety. This order recognizes that the use of force by law enforcement personnel is a matter of critical concern both to the public and the law enforcement community. Through a Memorandum of Understanding (MOU) with Santa Clara County and the authority established under California Penal Code 830.6(a)(1), deputies of the Stanford Department of Public Safety (SUDPS) are granted peace officer powers. They are authorized to carry weapons while on-duty performing the specific assignments defined in MOU Section II, Specific Assignments and Jurisdiction of Reserve Sheriffs/Stanford.

POLICY

All reasonable means of apprehension and control shall be exhausted prior to the use of deadly force. No Stanford University Department of Public Safety Deputy will be disciplined if a suspect is not apprehended when all methods short of the use of deadly
force have been exhausted and the use of deadly force is determined in the discretion of the deputy to be inadvisable. Under circumstances where a SUDPS Deputy has no alternative other than the use of deadly force to protect him or herself, or to protect others from death or serious injury, the deputy is authorized to make use of deadly force.

DEFINITIONS

The definitions provided are for general reference purposes only. They are not intended to alter or limit a known definition defined by case law or current law.

<table>
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<th>TERM</th>
<th>DEFINITION</th>
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<td>Felony</td>
<td>California Penal Code 17(a) defines felony as a crime that is punishable with death, by imprisonment in the state prison, or notwithstanding any other provision of law, by imprisonment in a county jail under the provisions of subdivision (h) of section 1170.</td>
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<td>Serious Bodily Injury</td>
<td>Serious bodily injury means a serious impairment or condition, including, but not limited to: concussion, loss of consciousness, bone fracture, protracted loss or impairment of any member or organ, extensive suturing, serious disfigurement.</td>
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PROCEDURE

A. DRAWING THE FIREARM:

1. A SUDPS Deputy shall draw and exhibit a firearm only:

   a. At an authorized firing range.

   b. During inspections.

   c. When directed to do so by a superior officer or by the range staff or range master.

   d. When the SUDPS Deputy reasonably believes it necessary for his or her own safety or for the safety of others. A SUDPS Deputy also may draw and be ready to use a firearm any time he or she reasonably believes that he or she or another person may be in danger.
of death or great bodily injury.

2. A SUDPS Deputy transferring a firearm must unload it and check to make sure it is empty. The deputy receiving the firearm must personally check it to make sure that it is unloaded.

B. DISCHARGING A FIREARM: (IACLEA 7.1.2, 7.1.8)

A SUDPS Deputy may discharge a firearm under any of the following circumstances:

1. In the reasonable defense of the SUDPS Deputy or another person when the SUDPS Deputy believes that he or she or another person is in imminent danger of death or serious bodily injury.

2. To make a felony arrest when the SUDPS Deputy reasonably believes that the suspect has committed or attempted to commit a felony involving the use or threatened use of deadly force, or when the deputy reasonably believes that there is a predicated substantial risk that the person to be arrested will cause death or serious bodily injury if his or her apprehension is delayed; only after all reasonable and feasible means of apprehension and control have been exhausted, and only after warning has been given, if practical.

3. To kill a dangerous animal, or to kill an animal that is so badly injured that humanity requires it's removal from further suffering and no other disposition is practical.
   a. Per G.O. 12.03 Procedure When a Firearm is Discharged deputies shall as soon as practical notify their on-duty Supervisor regarding the circumstances surrounding the incident.
   b. When possible Santa Clara County Animal Care and Control should be contacted to dispose of wild, injured or deceased animals.

4. To give an alarm or to call for assistance in a life-threatening situation when no other means can be used, when discharge would not jeopardize the safety of other persons.

5. For target practice at an approved range, as directed by the range master in attendance.

6. As a member of the Sheriff's Emergency Response Team when he or she is directed by the commander in charge of the team. (See Sheriff's Emergency Response Team Policies and Procedures manual).
C. **FIREARMS SHALL NOT BE DISCHARGED**: *(IACLEA 7.1.3)*

1. When lesser force can reasonably be used.
2. When there is an unreasonable risk of danger to bystanders.
3. As a warning to a suspect.
4. At or from a moving vehicle, except when a life-threatening situation requires immediate action in the form of deadly force.
5. At a moving vehicle with the intent to disable it, except as a member of the Sheriff’s Emergency Response Team when the member is directed to do so by the commander in charge of the team.

D. **PROCEDURE WHEN FIREARM IS DISCHARGED:**

Whenever a **SUDPS Deputy** intentionally or accidentally (other than for practice, qualification or reasonable lawful recreational purposes) discharges any firearm the deputy shall follow the procedures described in General Order #12.03 (Procedure When a Firearm Is Discharged).