

Fremont Police Department Warning Shots

Purpose: To supply the officers with the less lethal option prior to the deployment of deadly force in accordance with Operations Directive Z-1 (Use of Force Policy).

Deployment of warning shots: In accordance with Operations Directive Z-1, III, B., 1.

- 1) When all the elements for the use of deadly force are present pursuant to Ops. Directive Z-1.
 - Probable cause to believe the use of such force is justified to prevent death or serious bodily injury to the officer or other persons and when all other reasonable means to capture have failed.
 - Probable cause to believe the person sought has committed, or is charged with, a violent felony, and when they reasonably believe that:
 - i. The crime for which the arrest is to be made involved conduct including the use or threatened use of deadly force; or
 - ii. There are circumstances that reasonably create a fear of death or serious bodily harm to the officer or other persons.
 - The officer believes that the use of the warning shot would affect the apprehension of the suspect without the taking of life.
 - The use of the shot will be fired only when circumstances reasonably ensure no immediate danger to other persons.

Deployment considerations:

- 1) Population of the immediate area.
 - Human beings.
 - Buildings occupied or not known if occupied.
- 2) Impact Areas:
 - Recommended soft impact areas ideally 3' – 7' from the officer's position.
 - Examples: lawn, tilled soil, soft dirt, or areas that could absorb the projectile.
 - While 3' – 7' would be the ideal circumstance; one could supply an impact area farther away such as a hillside, berm, or other soft impact area that would allow the shot without endangering bystanders.

- Angles vs. direct impact of projectiles:
 - The greater the angle, the greater the chance of ricochet.
- 3) Backdrop area (that area beyond the impact area).
 - A safe area beyond the impact area to allow for projectile travel if it travels beyond the impact area.

Weapon Selection Considerations:

- 1) Long rifles, shotgun pellets and slugs, and pistols.
- 2) Size, velocity, and number of pellets, must be considered when selecting an impact area and considering the backdrop. Expansion of these areas is required with larger caliber projectiles and greater velocity rounds.

Buildings and Dwelling Places Considerations:

- 1) Impact areas i.e. slab floors vs. raised foundations or multi-stories.
- 2) Backdrops that include common walls, floors, or ceilings.
- 3) Important: If unknown, do not deploy the warning shot. (SSU story of dog shot through floor into bed).

Post Warning Shot Action:

- 1) Assess the threat.
- 2) Respond with the minimum force required to accomplish the goal, in accordance with Z-8.