

	POLICY & PROCEDURE	SERIES # 538	PAGE 1 OF 4
	REPORTING PROCEDURES FOR DISCHARGE OF FIREARMS		EFFECTIVE DATE 03/01/2018
			OVERSIGHT Prof. Standards
	DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P # 538 dated 12/08/04.	

I. PURPOSE:

The purpose of this policy is to establish reporting and investigation procedures for incidents involving the discharge of firearms by members of the Hampton Police Division.

II. POLICY:

- A. Except for firearms qualification, supervised target practice or competition on an approved range, or hunting, members shall not discharge any firearm or service weapon as defined herein unless in conformity with the provisions of Policy & Procedure #533.

For the purpose of this policy an investigative process shall consist of the following (when appropriate):

- Criminal Investigation
- Professional Standards Investigation/Review

The Investigation/Review process shall not be implemented for the discharge of firearms during firearms qualification, supervised target practice or competition on an approved range, or hunting, except when such a firearms discharge presents a dangerous situation that could or does result in an injury, death or property damage.

III. DEFINITION:

For purposes of this Policy and Procedure, the words “firearm” and “service weapon” shall mean any handgun, shotgun or other firearm issued by the Hampton Police Division, and any authorized personal non-issued handgun, shotgun, or other firearms whenever members keep such weapons readily available for use in lieu of their issued weapon.

APPROVED:
CHIEF OF POLICE



IV. PROCEDURES:

A. Reporting

1. Any member who discharges a firearm, intentionally, or accidentally, either on or off duty, for reasons other than firearms qualification, supervised target practice or competition on an approved range or hunting, shall immediately notify the Watch Commander or Senior Officer on duty.
2. A member who, for whatever reason, is unable to immediately contact the Watch Commander or Senior Officer on duty shall instead immediately notify the Communications Supervisor.
3. Delay in the required notification shall be allowed only to render first aid, to maintain the arrest or prevent the escape of a felon, to protect a crime scene, or when the member himself is incapacitated.
4. Officers involved in the authorized euthanizing of animals will refer to P&P 554 “Animal Control” for documentation and reporting requirements.
5. Officers involved in all other firearm discharges as specified in this policy are required to submit a written report as soon as possible after verbal notification. The report will be submitted to the chain of command on duty at the time of the incident no later than when the officer involved is relieved from duty. If the incident occurs while off duty, the written report will be submitted as soon as possible upon the officer’s return to duty.

The report will include but is not limited to:

- a. a description of the incident in full detail;
 - b. outline of medical treatment received by involved persons;
 - c. unusual circumstances surrounding the discharge of firearm; and
 - d. any other information that the officer believes to be relevant.
6. The reporting officer’s supervisor shall forward all firearm discharge related reports through the chain of command for review and forwarding.
 7. The chain of command on duty at the time of the incident will be responsible for completing a BlueTeam “Firearms Discharge” incident report. The following procedures will apply:
 - a. All related information required by BlueTeam will be entered.
 - b. Officers involved and witnesses to the incident will submit written reports capturing the information noted above. The supervisor reporting the incident will scan and attach all written reports to the corresponding BlueTeam incident report.

- c. Additional documentation related to the incident, such as hard copies of witness statements will be scanned and attached to the corresponding BlueTeam entry.
 - i. Accident Loss reports and medical documentation should be forwarded separately as required by P&P 601 “Injury Procedures.”
 - d. Photographs and video footage
 - i. Photographs will be taken pursuant to crime scene investigation protocol.
 - ii. BWC video information should be noted in the supervisor’s summary of the Blueteam incident report.
 - iii. All digital evidence such as in car camera video, surveillance video, digital photograph files, etc. should be forwarded physically through the chain of command for review. These files should not be attached to the BlueTeam incident file.
 - e. Completed BlueTeam incident reports will be forwarded through the chain of command via the BlueTeam email notification and review process.
 - i. Unit supervisors will review all involved officer’s written reports for format, grammar and content prior to attachment in BlueTeam.
 - ii. BlueTeam incident reports will not be printed until approved through the chain of command.
 - f. BlueTeam incident entries will be forwarded to the Office of Professional Standards (IAPro) upon approval by the originating unit’s chain of command.
 - g. All BlueTeam incident reports, related documentation, and evidence records are required to be on file with the Office of Professional Standards within 14 days of the event.
 - h. The Office of Professional Standards will review each firearm discharge incident regarding the application of law, rules and regulations, and policy and procedure.
 - i. The Office of Professional Standards will maintain firearm discharge reports pursuant to records retention requirements.
8. If the incident occurs in another jurisdiction, the member shall immediately notify the local police agency, as well as the Watch

Commander or Senior Officer on duty in this Division.

B. Responsibilities

1. Official in Charge of Communications Section

When the Communications Supervisor on duty in the Communications Section is notified of an incident involving the use of a firearm or service weapon, he/she shall immediately contact the Watch Commander or Senior Officer on duty. The Chief of Police and Professional Standards shall be notified.

2. Professional Standards

In the event of a firearms discharge, the Professional Standards Unit will conduct an investigation (subordinate to any criminal investigation) and forward a written report to the Chief of Police.

3. Investigation

- a. The Professional Standards Unit shall utilize any resources of the Division to assist in the internal investigation(s). Any investigators or other personnel assigned to assist in the internal investigation shall be temporarily assigned to Professional Standards.
- b. If, after appropriate interviews are completed and necessary documents obtained, it appears to the investigator that criminal charges could be lodged against the employee or that civil action against the employee could be lodged, the Chief of Police and the Professional Standards Branch Commander shall be contacted immediately.
- c. When it appears that probable cause exists to substantiate a criminal charge, the case file will be presented to the Commonwealth Attorney, after consultation with the Chief, for review and determination.
- d. A copy of the report on the firearm discharge incident will be forwarded to the Office of the Chief of Police.
- e. A Criminal Investigation shall be conducted separate from the Professional Standards investigation anytime the discharge of a firearm results in death or injury to any person.

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