

**POLICY
815**

**EFFECTIVE
DATE
4-21-17**

Eugene Police Department



Unintentional Discharges

815.1 PURPOSE AND SCOPE

This policy will outline the process whereby unintentional discharges (UD) of Firearms, Less Lethal weapons, and Tasers are tracked and reviewed by the Department.

815.2 DEFINITION

Unintentional Discharge: An unintentional discharge is any time a projectile weapon such as a firearm, less lethal launcher, or TASER is activated or discharges a projectile at a time not intended by the user.

Firearm: For the purposes of this policy firearm includes any Department issued pistol, rifle, shotgun, or any secondary handgun which is approved by the Chief of Police or his designee and carried while on duty.

815.3 UNINTENTIONAL DISCHARGES PROHIBITED

Any unintentional discharge of a firearm is prohibited by the Department.

815.4 INVESTIGATIVE PROCEDURE

Following an Unintended Discharge, the involved employee will immediately notify his or her supervisor. If his or her supervisor is not on duty, the involved employee will notify any on-duty sworn supervisor.

The supervisor will respond to the scene and complete a preliminary investigation as to cause and effect of the Unintentional Discharge. The investigation should include photographs, witness statements, and collection of the expended round/cartridge if applicable. The supervisor will enter a Blue Team Incident Report – Unintentional Discharge and complete and submit it before the end of the supervisor's shift.

If there is any indication the equipment that is the subject of the Unintentional Discharge has experienced a malfunction, the supervisor will deliver the equipment to the appropriate Department armorer as soon as practicable. A replacement duty issue firearm will be issued to the employee as soon as possible. The Department armorer should reply by memorandum to the submitting supervisor their findings about the weapon system.

If during the course of the investigation the supervisor believes that significant misconduct (including but not limited to: impacts of a projectile or probe with any person, near-miss impacts of a projectile or probe with any person, significant property damage, or gross disregard for responsible use of the weapons system) has occurred, the supervisor will consult with the IA Lieutenant regarding the facts of the incident. The IA lieutenant will make a recommendation to the Chief of Police and Auditor on how to proceed.

PETE KERNS
Chief of Police