

WEBER COUNTY SHERIFF'S OFFICE		POLICY AND PROCEDURES	
SUBJECT: Deadly Force		CHAPTER/SECTION NO.: 1.23, 1.24, 1.25	
EFFECTIVE DATE: 10/7/03		REVIEW DATE:	
AMENDS/SUPERSEDES:		APPROVED: <u>**See Master File</u> Sheriff	
STANDARD NUMBER: 1.3.2			

### 1.23 Discussion

- 1.23.1 The value of human life is immeasurable in our society. Deputies have been delegated the awesome responsibility to protect life and apprehend criminal offenders. The apprehension of criminal offenders must at all times be subservient to the protection of life. The Deputy's responsibility for protecting life includes his/her own life.

### 1.24 Definition

- 1.24.1 **Deadly Force:** Any use of force which is likely to cause death or serious bodily injury.
- 1.24.2 **Reasonable Suspicion/Belief:** Facts and circumstances which, taken together with reasonable inferences in light of a Deputy's training and experience and measured in terms of common sense, would cause a Deputy to **suspect** that a person has been, is, or is about to be, involved in criminal activity; or a person is armed with a quickly accessible weapon and constitutes a danger to the Deputy or others.
- 1.24.3 **Probable Cause:** A higher standard of care that includes facts and circumstances which, taken together with reasonable inferences in light of a Deputy's training and experience and measured in terms of common sense and available evidence, would cause a Deputy to believe that a person probably has been, is,

or is about to be, involved in criminal activity.

- 1.24.4 **Serious Bodily Injury:** Physical injury which creates a substantial risk of death or serious and permanent disfigurement, protracted loss or impairment of the function of any bodily member or organ. UCA 76-1-601(10)

#### 1.25 Policy

- 1.25.1 Sheriff's Office personnel shall be trained to the following standards concerning the use of deadly force.
- 1.25.2 A Deputy, or any person acting by his command in his aid and assistance, is justified in using deadly force when:
- A. Effecting an arrest or preventing an escape from custody following an arrest, where the Deputy reasonably believes that deadly force is necessary to prevent the arrest from being defeated by escape; and
    - 1. The Deputy has probable cause to believe that the suspect has committed a felony offense involving the infliction or threatened infliction of death or serious bodily injury; or
    - 2. The Deputy has probable cause to believe the suspect poses a threat of death or serious bodily injury to the Deputy or to others if apprehension is delayed.
  - B. The Deputy reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the Deputy or another person. UCA 76-2-404
  - C. The deputy reasonably believes that the force is necessary to prevent the commission of a forcible felony. UCA 76-2-402(1)

- 1.25.3 A Deputy shall use no more force than is reasonable and necessary in making an arrest, and shall not subject such person to more restraint than is necessary for his arrest, detention and for the safety and protection of the prisoner, arresting Deputy and the public.
- 1.25.4 If feasible, a verbal warning should be given by the Deputy prior to any use of deadly force.
- 1.25.5 Deputies will not fire warning shots.
- 1.25.6 A Deputy should not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another or to prevent escape under circumstances set forth for the use of deadly force in WCSO policy section 1.25.2. The deputy must always be aware of the inherent danger to innocent bystanders, involved in firing at or from a moving vehicle, when assessing the situation.
- 1.25.7 Except for general maintenance, storage or authorized training, Deputies shall not draw or exhibit their firearms unless circumstances create reasonable cause to believe that it may be necessary to lawfully use the weapon in conformance with other sections of this policy.  
(This does not preclude a Deputy from drawing his weapon during incidents which include but are not limited to: the search of a building, structure, open field, wooded area or vehicle or when responding to an in progress call which may require the use of deadly force).
- 1.25.8 Whenever a Deputy must employ any amount of force capable of causing injury in the course of effecting an arrest, overcoming resistance, or controlling a dangerous situation, the Deputy should promptly submit a written report once the incident has been resolved. This same requirement applies if an incident in which force was used results in actual injury.