



**MYRTLE BEACH POLICE DEPARTMENT
ADMINISTRATION REGULATIONS
AND OPERATING PROCEDURES**

Subject: *Accidental Weapon Discharge*

Number: 263-A

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Revised Date: *April 3, 2026*

Rescinds: 263 – *Accidental Weapon Discharge*

Dated: *11-05-2010*

Approved By:

I. PURPOSE

To establish guidelines and procedures regarding the accidental discharge of a weapon to include Firearms, the Pepperball Launching System, or Tasers. This procedure augments Myrtle Beach Police Department Administrative Regulations and Operating Procedures: 206 - Use of Force, 204 - Weapons, 273 - Less-Lethal Equipment & Techniques, and 261 - Police Patrol Rifle. This regulation applies to all personnel of the Myrtle Beach Police Department.

II. DEFINITIONS

- A. Accidental Discharge - An accidental discharge occurs whenever the user of the weapon does not intend to discharge the weapon; nevertheless, the weapon discharges.
- B. Weapon - For the purpose of this regulation, weapon refers to firearms, Tasers, and the Pepperball Launching System.
- C. Firearm – Includes:
 - 1. Service Weapons -- The semi-auto pistol or revolver issued to an officer by the Department for duty and training purposes.
 - 2. Off-Duty Weapon -- A semi-auto pistol or revolver approved by the Chief of Police for off-duty use.

3. Secondary Weapon – A Pistol, Shotgun, Rifle, or other specialized firearm issued by the Department and approved by the Chief of Police.
- D. Pepperball Launching System (PLS) - A non-lethal chemical agent delivery system that uses high-pressure air launchers to deliver projectiles from a distance. It can be used on individual suspects as well as large groups of people for riot and crowd control.
- E. Taser Devices utilize compressed nitrogen to project two small probes up to various ranges of 15, 21, 25, or 35 feet at a speed of over 160 feet per second. These probes are connected to the TASER device by insulated wire. An electrical signal is transmitted through the wires to where the probes make contact with the body or clothing, resulting in an immediate loss of the person's neuromuscular control and the ability to perform coordinated action for the duration of the impulse.
- F. Enforcement Action - Performing a law enforcement duty, while in contact with the subject(s), that requires you to take your weapon out of the holster (in the case of handguns or taser) or remove it from the trunk or locking device (in the case of Long Gun or Pepperball deployment).

III. PROCEDURE

A. ACCIDENTAL DISCHARGE WHILE ENGAGED IN LAW ENFORCEMENT ACTION

1. These incidents will be treated as a use of force, so the investigation and reporting will be completed in compliance with Procedure 206 - Use of Force.

B. ACCIDENTAL DISCHARGE RESULTING IN INJURY OR DEATH

1. If the incident occurs within the City of Myrtle Beach, the investigation will be conducted by the State Law Enforcement Division (SLED). Any parallel MBPD investigation and reporting will be completed in compliance with Procedure 206 - Use of Force.
2. If the discharge occurs outside the city limits of Myrtle Beach, the Employee involved will immediately notify the law enforcement agency having jurisdiction. The Employee will notify, or cause to be notified, the Myrtle Beach Police Department Supervisor on duty, who will then respond or dispatch a Department Supervisor to the scene and make the

necessary chain of command notifications. The Office of Professional Standards will act as the Departmental Liaison with the investigating agency.

C. ACCIDENTAL DISCHARGE NOT RESULTING IN INJURY AND NOT INVOLVING LAW ENFORCEMENT ACTION OR TRAINING

1. If an Employee accidentally discharges a weapon, regardless of duty status, verbal notification will be immediately made to the on-duty Watch Commander or designee, who will make the necessary chain of command notifications. An on-duty supervisor will respond and take the Employee's and witness statements if applicable. The Employee's Supervisor will conduct an investigation of the incident and provide the findings to the Employee's Division Captain for administrative review.
2. Based upon the results of the investigation, the Division Captain will identify the discharge as:
 - a. Mechanical Discharge: caused by the malfunction of the weapon or ammunition. It could also be caused by a physical event that could not be prevented or foreseen by the user. All weapons involved in mechanical discharges will be examined by the appropriate department armorer for functionality.
 - b. Accidental Discharge: caused by failing to follow safety protocols, or operational protocols in regards to the weapon.
 - c. Negligent Discharge: Discharge related to careless mishandling of the weapon, unauthorized pointing and presenting, or other act demonstrating a degree of recklessness or negligence.
3. The Division Captain will forward their findings and recommendations for corrective action to the Chief of Police for approval.

D. ACCIDENTAL DISCHARGE DURING POLICE TRAINING

1. When a weapon is accidentally discharged during training and there are no resulting injuries, the Training Lieutenant will determine the appropriate course of action.