

MILWAUKEE POLICE DEPARTMENT MEMORANDUM



Date: August 4, 2020

TO: Cpt. James MACGILLIS
Director of Training

FR: Sergeant Allen GROSZCZYK
Range Master

RE: Summary of Accidental Discharges with Sig Sauer P320 Pistols

Captain, I performed a review of my remedial training files, and current incidents, to locate all the accidental discharges with Sig Sauer P320 pistols. What I found were eight incidents of accidental discharges with the issued Sig Sauer P320 pistol, since January of this year. I will provide an overview of each of the incidents, and compare the current number of incidents to the number of accidental discharges the department has had since 2015:

- January 27, 2020, P.O. Benjamin WRIGHT (029235) from district 3. Officer WRIGHT was taking his issued P320 pistol out of a storage locker after he booked a prisoner. He stated his Leatherman tool, which was in the locker with the pistol, inserted to the trigger guard area of his pistol while pulling the pistol from the locker. The pistol discharged into the locker.
- January 31, 2020, P.O. Shelley GOLD (029852) from District 5. Officer GOLD quickly approached an auto after a vehicle pursuit with her pistol drawn, and potentially stepped over some uneven ground. She possibly experienced what is termed a postural disturbance. Her P320 pistol discharged into the ground underneath the suspect vehicle. Her body camera captured the footage, but was not clear regarding the placement of her trigger finger on the pistol.
- March 14, 2020, P.O. Jocelyn KALMANSON (022560) of District 5. Officer KALMANSON was assisting with a house search with her pistol drawn. She transferred her pistol from her dominant hand (right) to the support hand (left) to get a better angle at opening a kitchen door. When she turned the doorknob with her dominant hand, she discharged the P320 in her left hand. She stated her finger slipped into the trigger guard of the pistol discharging it. This situation is commonly referred to as inter-limb interaction. Her body camera captured the footage of the incident, but did not clearly show placement of her trigger finger on the pistol.
- April 10, 2020, P.O. Maurice WOULFE (009070) from Property Section. Officer WOULFE was at his private residence preparing for work. He was holstering his issued P320 pistol into a belt holster, when the pistol discharged. The bullet

went through his pants and into his floor. It was unclear what type of holster he was using.

- May 23, 2020, P.O. Erica MARTINEZ (029447) of District 3. Officer MARTINEZ was preparing for her shift in the women's locker room. She was removing her duty pistol from a personal holster when the pistol discharged through the holster into the floor.
- May 31, 2020, P.O. Riley O'CONOR (029453) of District 4. Officer O'CONOR was in foot pursuit of a suspect in a shots fired incident when he tripped and dropped his P320 pistol. Officer O'CONOR picked up the pistol and it discharged into the ground. His body camera did show footage of the incident, but at this time, it is inconclusive as to what caused the discharge.
- July 14, 2020, P.O. Robert PARKS (029815) of District 5. While placing an uncooperative prisoner into his squad, Officer PARKS' holstered P320 pistol discharged and the bullet struck his partner, P.O. Adam MARITATO (029445), in his right knee. After reviewing body camera footage from several officers at the scene, the statement of officer PARKS, and an inspection of the firearm I am unable to determine at this time how the pistol discharged. I am still awaiting DNA results from the pistol and holster.
- July 28, 2020, P.O. Bryant DEVALKENAERE (016612) of the Tactical Enforcement Unit. During the execution of a search warrant, and while using a rifle rated ballistic shield, Officer DEVALKENAERE had an accidental discharge with his P320 pistol. He used his gun hand to push aside a sheet that was covering a threshold from a living room to other areas of a residence, when his pistol discharged. The bullet traveled at a downward angle about 8' and lodged in a doorjamb. From the body camera footage, it is unclear if the pistol impacted his ballistic shield or a wall next to his gun hand. In addition, it is unclear as to the positioning of his trigger finger on the pistol.

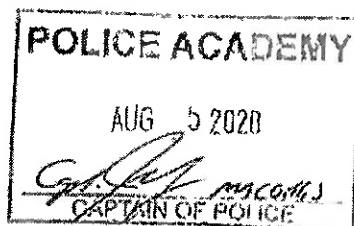
Our department started transitioning to the Sig Sauer P320 pistol in about May 2019. The first accidental discharge was in January 2020. Since January, we have seen nearly one accidental discharge a month with the P320 pistol. Based on my records of remedial training at the Range, in 2015, there were five accidental discharges (including one patrol rifle and one shotgun); in 2016, there were three accidental discharges (including one shotgun); in 2017, there was one accidental discharge; in 2018, there were two accidental discharges; and in 2019 there was one accidental discharge. The average discharges for the five years is 2.4 per year. Since January of this year, there has been a nearly two-and-a-half time's increase in accidental discharges. All of the accidental discharges this year are with the P320 pistol.

The challenging aspect of these discharges is in many circumstances they look like some type of operator error. In addition, after an inspection of the pistol, the safety features appear to be functioning. If the safety features appear to be functioning, the logical conclusion is some sort of operator error; however, that assumption takes into consideration the belief that the internal safety features of the pistol are not moving without the trigger being pulled fully to the rear.

Based off my investigation into The July 14th accidental discharge of Officer PARKS' P320, I discovered the potential danger of the safety lever in the fire control unit of the pistol (unrestricted by a missing safety lever spring) pushing into the safety catch on the striker to move it out of alignment with the striker notch. The potential exists that the striker tail could jump to the secondary sear notch on the sear without a user knowing that occurred. Those events would disengage the internal safety components of the pistol; leaving the pistol susceptible to discharge after some type of disturbance.

In the conference call, you and I had with the lead engineer of the pistol, and law enforcement sales representatives, from Sig Sauer on July 30th, the lead engineer stated the safety lever does have some ability to move without the trigger bar being pulled. The trigger bar restricts the safety lever's movement, but some movement is still there. He stated the safety lever spring was removed with the new safety lever design, because the trigger bar restricts the lever. He said the movement is not enough to dislodge the safety catch on the striker. However, my concern is the safety catch has to only move one millimeter (confirmed by the engineer) to disengage it. With the safety catch disengaged and the striker tail on the second notch of the sear, the internal components are put into position to fire. It appears there is a possibility of this happening without the operator knowing it.

Since January of this year, our department has seen and two-and-a-half time's increase in accidental discharges with the P320 pistol compared to the last five years. Based on the last five years of the range records for accidental discharges, I have a difficult time believing our members are more dangerous with their weapon handling. What has changed is the factor of the issued pistol. I believe the accidental discharges are the result of the internal design and interaction of the components inside the pistol. This issue did not manifest until recently, and since January it appeared to be some type of operator error. In our testing and evaluation of the pistol, before its adoption, we had no unintended discharges, and we had assurance from the manufacturer their upgrades eliminated the potential for unintended discharges. Based off our investigation into the July 14th discharge of Officer PARKS' pistol I have concerns about the functioning of the P320 pistol. As I stated in my previous reports on this issue, I believe we need to immediately look for a replacement pistol for the department.



- Original to Range File
- Copy sent to Insp. Ramirez via e-mail as a PDF

Respectfully submitted,

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Sgt. Allen GROSZCZYK / 008176
Police Academy Range Master