

NEWYORK CITY POLICE DEPARTMENT

ANNUAL FIREARMS DISCHARGE REPORT



2011



ANNUAL FIREARMS DISCHARGE REPORT

2011

RAYMOND W. KELLY
POLICE COMMISSIONER

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IN MEMORIAM

Police Officer Alain Schaberger, 84 Precinct
March 13, 2011

Detective First Grade Peter J. Figoski, 75 Precinct
December 12, 2011

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EXECUTIVE SUMMARY

In 2011, the number of firearms discharge incidents involving members of the New York City Police Department remained unchanged from the previous year: 92 total incidents. As was true last year, this is the smallest number of firearms discharges since the recording of police shootings in the City began. While it must be acknowledged that the most serious category of discharges—shootings involving adversarial conflict with a subject—increased by 9 percent over last year’s record low, it is also true that experiencing 36 adversarial-conflict incidents during a year makes for a remarkably infrequent rate. In context, the rarity is even more apparent: in a city of 8.2 million people, from a Department of nearly 35,000 uniformed members who interacted with citizens in approximately 23 million instances, 62 officers were involved in 36 incidents of intentional firearms discharges during an adversarial conflict, with 19 subjects injured and nine killed. This is an impressive record of firearms control.

Neither the Department nor the officer on the street can afford complacency, however. Protecting the public from those who disdain the law is a noble calling, but it carries dangers. Two officers were murdered in 2011—one as a result of being pushed to his death, the other slain by gunfire during an incident in which no officer fired—and in other incidents three additional officers were shot and injured. Furthermore, as this report was being prepared, the first six months of 2012 saw eight officers injured by gunfire.

It is true that the drastic reduction in violent crime over the past decade has meant that criminals and police enter into conflict less often. But the declining figures associated with officer-involved firearms discharges are equally a testament to police officers’ restraint, diligence, and honorable performance of duty. In this arena, the Department and its officers have provided an example for law enforcement nationwide.

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Officer	For this publication, refers to a sworn Uniformed Member of the New York City Police Department of any rank.
Subject	A person engaged in adversarial conflict with an officer or a third party, in which the conflict results in a firearms discharge.
Civilian	A person who is not the subject in the adversarial conflict but is included as a victim, bystander, and/or injured person.
Firearms Discharge	An incident in which an officer of the New York City Police Department discharges <i>any</i> firearm, or when a firearm belonging to an officer of the New York City Police Department is discharged by <i>any</i> person. This does not include a discharge during an authorized training session nor while lawfully engaged in target practice or hunting. Additionally, it does not include a firearms discharge at a firearms safety station within a Department facility.
Intentional Firearms Discharge – Adversarial Conflict	A firearms discharge in which an officer intentionally discharges a firearm in defense of self or another during an adversarial conflict with a subject. May include firearms discharges that are inside the scope of the officer’s employment but outside Department guidelines. This does not include discharging a firearm against an animal attack.
Mistaken Identity Discharge	A firearms discharge in which an officer intentionally discharges a firearm at another law-enforcement officer whom the discharging officer mistakenly believes to be a perpetrator. Not to be confused with so-called “friendly fire” or <i>crossfire</i> incidents in which the discharging officer did not intentionally fire on or strike the other officer.
Intentional Firearms Discharge – Animal Attack	A firearms discharge in which an officer intentionally discharges a firearm in defense of self or another against an animal attack. May include firearms discharges that are inside the scope of the officer’s employment but outside Department guidelines.
Intentional Firearms Discharge – No Conflict	A firearms discharge in which an officer intentionally discharges a firearm to summon assistance. May include firearms discharges that are determined to be legally justified but outside Department guidelines.
Unintentional Firearms Discharge	A firearms discharge in which an officer discharges a firearm without intent, regardless of the circumstance. Commonly known as an <i>accidental discharge</i> .
Unauthorized Use of a Firearm	A firearms discharge that is considered unauthorized and is not listed as an intentional firearms discharge. In these instances the firearm is being discharged without proper legal justification and/or outside the scope of the officer’s employment. This includes instances when an unauthorized person discharges an officer’s firearm.
Use/threaten the Use of a Firearm	A contributing factor in which a subject discharges or threatens the discharge of a firearm by displaying a firearm or what reasonably appears to be a firearm, or by simulating a firearm or making a gesture indicative of threatening the use of a firearm.

Firearm	For this publication, includes any pistol, revolver, shotgun, rifle, or variation of such.
Imitation Firearm	For this publication, includes any instrument that is designed by the manufacturer or modified by a person to appear as if it were a firearm. This includes air pistols, toy guns, prop guns, and replicas.
Use/threaten the Use of a Cutting Instrument	A contributing factor in which a subject cuts, stabs, or slashes a person with any cutting instrument or threatens or attempts to do the same while armed with a cutting instrument or what reasonably appears to be a cutting instrument.
Cutting Instrument	For this publication, includes any knife, razor, sword, or other sharp-edged instrument, such as a broken bottle.
Use/threaten the Use of a Blunt Instrument	A contributing factor in which a subject strikes another person with a blunt instrument or threatens or attempts to do the same while armed with a blunt instrument or what reasonably appears to be a blunt instrument.
Blunt Instrument	For this publication, includes any bat, stick, pipe, metal knuckles, or other instrument that, when used as a weapon, can cause blunt-force trauma to an individual. Includes automobiles and unbroken bottles.
Use/threaten the Use of Overwhelming Physical Force	An incident in which an unarmed subject or subjects physically attack a person or threaten or attempt to do the same, and while doing so put the person at risk of serious physical injury or death. This includes gang attacks and attempting to push a person from a roof or train platform. This also includes attempting to take an officer's firearm.
Proactive Policing	Instances in which officers engage in operations or activities that actively seek out violators of the law. This includes undercover operations, traffic enforcement, checkpoints, verticals, street narcotics enforcement, warrant executions, quality-of-life enforcement, and Anti-Crime operations.
Reactive Policing	Instances in which officers respond to a call for service from the public. This includes calls of a man with a gun, crimes in progress, domestic disputes, and quality-of-life complaints. This also includes calls for service in which proactive police units respond.
Attacked	Instances in which officers are not engaging in proactive or reactive policing but are set upon by a subject. This includes off-duty instances when the officer is a victim of a crime (e.g., robbery, burglary, assault), or involved in an altercation that is escalated by the subject (e.g., a traffic incident, a neighbor dispute). This also incorporates instances in which on-duty officers are performing administrative or non-patrol assignments (e.g., guarding a prisoner, processing reports, securing a location).

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CATEGORY	TOTAL NUMBER
NEW YORK CITY TOTAL POPULATION (U.S. Census, July 1, 2011)	8,244,910
NYPD TOTAL OFFICER STAFFING (July 1, 2011)	33,497
TOTAL CIVILIAN CONTACTS (APPROXIMATE)	23,000,000
TOTAL RADIO-RECEIVED ASSIGNMENTS	5,119,535
RADIO ASSIGNMENTS INVOLVING WEAPONS	251,791
ARRESTS INVOLVING WEAPONS USED/DISPLAYED/POSSESSED	28,075
GUN ARRESTS	6,087
CRIMINAL SHOOTING INCIDENTS	1,510
OFFICERS FIRING DURING INCIDENTS OF INTENTIONAL POLICE DISCHARGE DURING ADVERSARIAL CONFLICT	62
INCIDENTS OF INTENTIONAL POLICE DISCHARGE DURING ADVERSARIAL CONFLICT	36
SUBJECTS SHOT AND INJURED	19
SUBJECTS SHOT AND KILLED	9
OFFICERS SHOT AND INJURED	3
OFFICERS SHOT AND KILLED	*1
NOTE: all numbers are for CY 2011	

* The officer who was shot and killed was murdered in an incident that did not involve an NYPD discharge; the particulars of that incident are therefore not incorporated into this report.

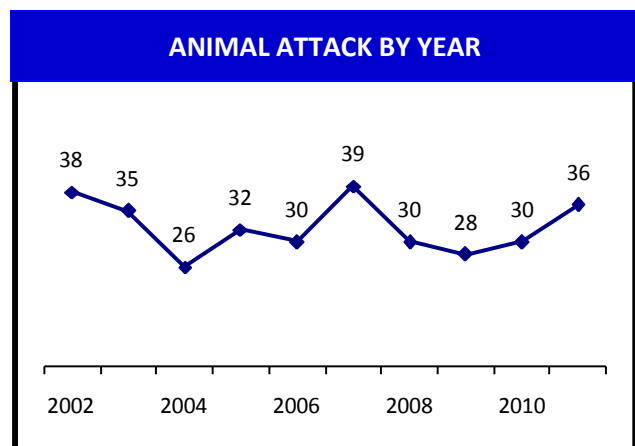
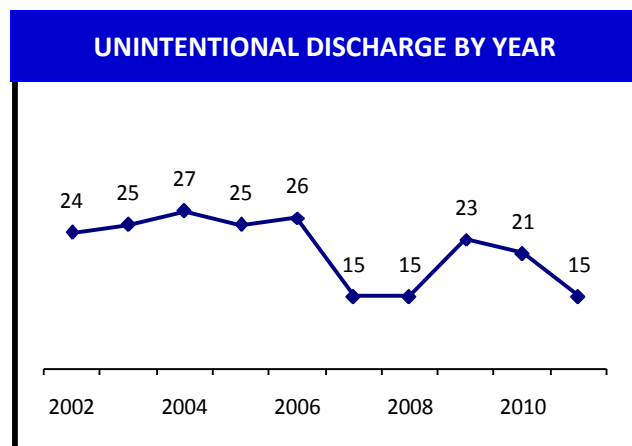
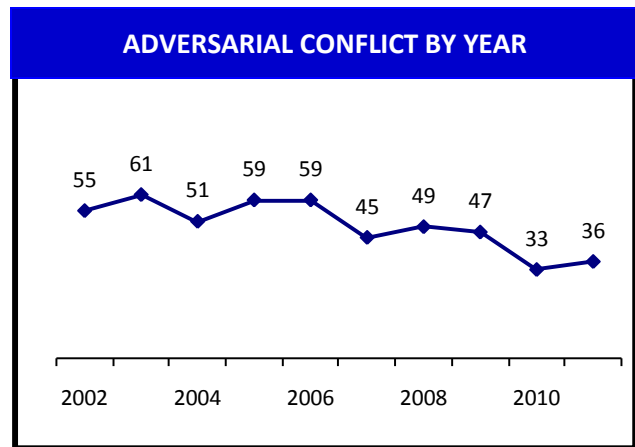
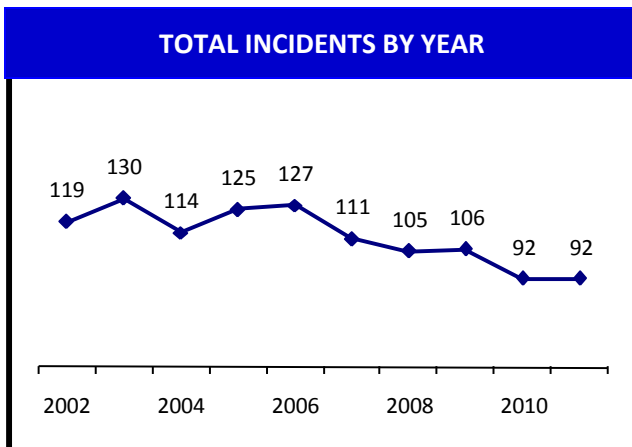
NOTE: The numbers and percentages described in this report are often rounded to the nearest whole number and are preliminary and subject to further review.

2011 ANNUAL FIREARMS DISCHARGE REPORT

CATEGORY	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
ADVERSARIAL CONFLICT	55	61	51	59	59	45	49	47	33	36
ANIMAL ATTACK	38	35	26	32	30	39	30	28	30	36
UNINTENTIONAL DISCHARGE	24	25	27	25	26	15	15	23	21	15
MISTAKEN IDENTITY	0	0	0	0	1	0	0	1	0	0
UNAUTHORIZED USE – FIREARM*	0	2	5	6	8	6	3	4	6	2
SUICIDE/ATTEMPT**	2	7	5	3	3	6	8	3	2	3
TOTAL INCIDENTS FOR YEAR	119	130	114	125	127	111	105	106	92	92

* This category was modified in 2005 to include incidents in which an officer's firearm is discharged by persons other than the officer (e.g., a family member accidentally discharges the weapon, or a perpetrator gains control of an officer's firearm and discharges it, etc.).

** Suicide/Attempt is a subcategory of Unauthorized Use of a Firearm, but the numbers for the category and subcategory have been disaggregated in the table above. Additionally, it should be noted that this report only tallies firearms-related suicides and attempts. In 2011, only one officer took his own life, and he did so with a firearm.



CATEGORY	2010	2011	%CHANGE
INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT	33	36	9%
INTENTIONAL DISCHARGE – ANIMAL ATTACK	30	36	20%
MISTAKEN IDENTITY	0	0	N/A
UNINTENTIONAL DISCHARGE	21	15	-29%
UNAUTHORIZED USE OF FIREARM	8	5	-38%
TOTAL FIREARM DISCHARGES FOR YEAR	92	92	N/A
TOTAL OFFICERS FIRING (includes all categories)	115	124	11%
TOTAL SHOTS FIRED (includes all categories)	368	416	13%
TOTAL OFFICERS SHOT AND INJURED BY SUBJECT	2	3	50%
TOTAL OFFICERS SHOT AND KILLED BY SUBJECT	0	*1	N/A
TOTAL SUBJECTS SHOT AND INJURED BY OFFICER	16	19	19%
TOTAL SUBJECTS SHOT AND KILLED BY OFFICER	8	9	13%

* Note: Because no officer discharged a weapon during the incident that claimed Detective Peter Figoski’s life, that incident is not otherwise tallied in this report.

BY CATEGORY

INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT	2011
SUBJECT USED/THREATENED THE USE OF A FIREARM	24
SUBJECT USED/THREATENED THE USE OF A CUTTING INSTRUMENT	4
SUBJECT USED/THREATENED THE USE OF A BLUNT INSTRUMENT	2
SUBJECT USED/THREATENED THE USE OF OVERWHELMING PHYSICAL FORCE	3
OFFICER PERCEIVED THREAT OF DEADLY PHYSICAL FORCE	3
TOTAL	36

INTENTIONAL DISCHARGE – ANIMAL ATTACK	2011
DOG ATTACK	36
OTHER ANIMAL ATTACK	0
TOTAL	36

UNINTENTIONAL DISCHARGE	2011
DURING ADVERSARIAL CONFLICT	2
HANDLING FIREARM	13
TOTAL	15

UNAUTHORIZED USE OF A FIREARM	2011
SUICIDE**	1
ATTEMPTED SUICIDE**	1
UNAUTHORIZED INTENTIONAL DISCHARGE	2
UNAUTHORIZED PERSON DISCHARGED OFFICER’S FIREARM	1
TOTAL	5

** Note: This report only tallies firearms-related suicides and attempts. In 2011, only one officer took his own life, and he did so with a firearm.

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**2011 ANNUAL FIREARMS
DISCHARGE REPORT**

2011 ANNUAL FIREARMS DISCHARGE REPORT

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THE ANNUAL FIREARMS DISCHARGE REPORT: AN INTRODUCTION

One of the most abrupt, dynamic, and potentially traumatic incidents that can happen in a police officer's career is the line-of-duty discharge of his or her firearm. As much as handcuffs, the uniform, or the shield, the gun is a symbol of the officer's authority. It is, moreover, a physical embodiment of the officer's responsibility. The weapon on an officer's hip is a constant reminder—for officer and citizen alike—of the officer's role and society's trust.

More than forty years ago, the New York City Police Department adopted Department Order SOP 9 (s.69) and began to collect in-depth documentation of discharges during hostile encounters, for the stated purpose of “[increasing] the safety potential of each member of the force.” The policy quickly expanded beyond police-involved combat, however, and came to include the study of all firearms discharges by police. Since the early 1970s, the NYPD has endeavored to record and evaluate every instance in which an officer discharges his or her weapon, whether the discharge occurs purposefully, accidentally, or, in rare instances, criminally. More recently, in 2005, the policy's mandate was expanded further: today, the Department tracks any incident in which an NYPD gun is discharged, even if the person discharging the weapon was not the officer.

The SOP 9 process has been demonstrably effective. By making oversight manifest, the Department made it clear that each and every discharge is a matter of immediate concern. When annual recordkeeping began in 1971, there were 12 NYPD officers shot and killed by another person; 47 officers were shot and injured. Officers, in turn, shot and mortally wounded 93 subjects, and another 221 subjects were injured by police gunfire. These statistics are difficult to conceive of today. ***In 2011, one NYPD officer was shot and killed and three officers were shot and injured by criminal subjects, while police shot and mortally wounded nine subjects, and injured 19.*** Four decades of annual analyses have altered the way officers respond to, engage in, and even assess the need for firearms discharges. Information gleaned from the annual reports has saved the lives of citizens and officers alike, and there has been Department-wide change—tactical, strategic, and cultural—with regard to how officers use and control their firearms. The Department has made restraint the norm.

Today, the reports serve an additional but equally important role: they are statistical engines for the development of training, the adoption of new technologies, and even the deployment of Department assets. New instructional scenarios are implemented from these reports, new hardware—from bullet-resistant vests to speed loaders to semi-automatic handguns to conducted-energy devices—is introduced.

Tracking how, when, where, and why officers discharge their weapons is an invaluable tool for working towards the Department's ultimate goal of guaranteeing that, for every discharge, no option exists other than the use of a firearm.

CATEGORIES

The 2011 Annual Firearms Discharge Report is subdivided into five categories. Each category is analyzed based only on the information in that category. This allows the Department to better understand a specific type of incident and adjust training and policy to continue to reduce those incidents.

Firearms discharges are broken down into five categories*.

- **INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT:** when an officer intentionally discharges his or her firearm during a confrontation with a subject
- **INTENTIONAL DISCHARGE—ANIMAL ATTACK:** when an officer intentionally discharges his or her firearm to defend against an animal attack
- **UNINTENTIONAL DISCHARGE:** when an officer unintentionally discharges his or her firearm
- **UNAUTHORIZED USE OF A FIREARM:** when an officer discharges his or her firearm outside the scope of his or her employment, or when another person illegally discharges an officer's firearm
- **MISTAKEN IDENTITY:** when an officer intentionally fires on another officer in the mistaken belief that the other officer is a criminal subject

The following pages present an overview of the laws and policies that relate to an officer's ability to use force, a delineation of the Department's investigatory process for officer-involved shootings, and an analysis of the year's firearms discharges, grouped according to the categories above. This report contains information compiled from preliminary and final shooting reports, detective case files, medical examiner reports, Firearms Discharge Assault Reports, arrest and complaint reports, Firearms Analysis Section reports, Firearms Discharge Review Board findings, and previous yearly firearms discharge reports, as well as information compiled from city and state computer databases and official websites.

It should be noted that, insofar as statistical analysis is concerned, the small sample studied for this document—92 discharge incidents total, only 36 of them in the category of "adversarial conflict"—limits the predictive value and conclusions that may be derived.

* The possibility of a sixth category—Intentional Discharge—No Conflict—exists, but its occurrence is extremely uncommon. Intentional Discharge—No Conflict involves an officer discharging his or her firearm to summon assistance. Because of the rarity of this type of discharge, it is not regularly tracked in the annual report, but is addressed on an as-it-occurs basis. In 2011, no such discharge occurred.

WHAT'S NOT INCLUDED IN THIS REPORT

Two police officers were murdered in 2011, but because no officer discharged a firearm during either of those incidents, they are not included in this report. Police Officer Alain Schaberger was pushed from a staircase, sustaining injuries that took his life; Detective First Grade Peter J. Figoski was ambushed and shot by a home-invading robber. (Detective Figoski's partner, who witnessed the assault, chased down the perpetrator and, despite the perpetrator's possession of a firearm, apprehended the murderer without firing a shot.) These two incidents, and the officers' heroism, are described at length in the appendix, but they are not statistically included in this report. Similarly, incidents in which officers were injured by violent perpetrators but did not discharge their firearms are excluded.

This report also excludes the handful of instances each year in which perpetrators fire upon officers to no effect, and officers do not return fire. Furthermore, it excludes the uncounted instances when officers encounter situations in which it would be lawful for them to use deadly physical force but instead manage, through courage and calmness, to effect peaceful resolutions. There were 28,075 weapons arrests in 2011, of which 6,087 were gun arrests, and each of those arrests carried the potential for violence. On October 8, 2011, for example, a sergeant investigating livery cab robberies encountered a suspect armed with a revolver. The suspect violently resisted arrest, and during the struggle pressed his firearm into the sergeant's belly. It was only owing to the sergeant's wedging his finger between the revolver's hammer and its cylinder that a shooting was prevented. In that incident, neither the sergeant—who broke his finger during the struggle—nor his partner discharged his firearm, and the incident is therefore excluded from this report, as are numerous similar, albeit less dramatic incidents in which armed suspects were arrested.

But weapons need not be involved for danger to be present. On November 29, 2011, a police officer observed a male suspect smoking marijuana in a College of Staten Island restroom. The officer attempted to apprehend the suspect, who fled outside and then continued to resist arrest. During an intense struggle, the suspect fought the officer for control of his firearm, to the extent that the weapon's slide was pulled back, ejecting a live round. No discharge occurred, however. Ultimately, the subject's vigorous resistance caused a medical crisis, which allowed the officer to arrest him, but also resulted in the suspect's demise. It was later determined that the subject was living in New York under an assumed identity, having absconded probation and an ongoing felony assault trial in Texas.

Incidents such as this, wherein unarmed subjects violently resist officers in circumstances that might otherwise justify an officer's use of deadly physical force, are not statistically examined included in this report.

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USE OF FORCE

Police officers are among a select few to whom society has granted the right to use force in the course of their duty. Under New York State law, police may use force to effect arrest or prevent escape, as well as to protect property or people. With certain very specific exceptions, a private citizen's ability to resort to force is limited to self-defense and is also predicated on first exhausting all attempts at retreat. Police, on the other hand, are not only obligated to stand their ground, but required to pursue fleeing malefactors and use force, if necessary, to terminate that flight.

An officer's role encompasses service, crime control, and order maintenance, and the last two regularly require officers to issue instructions and orders. Compliance in these matters is not optional. The vast majority of police encounters involve nothing more than words, but when words are insufficient—when people choose to ignore or actively resist police—officers have an ascending array of force options to compel others to submit to their lawful authority.

These options extend from professional presence up through verbal force, physical force, non-impact weapons (e.g., pepper spray), Conducted Energy Devices, impact weapons like batons, and, finally, deadly physical force. All of these are tools at the officer's disposal, and the officer is under no obligation to move sequentially from one to the next; he or she may jump from verbal force to pointing a firearm—or vice versa—if the situation dictates.

But an officer's permission to use force is not unlimited. According to the law, as well as the Department's regulations, officers may exercise only as much force as they believe to be reasonably necessary. Reasonableness, more than any other factor, is the most salient aspect of an officer's legitimate use of force—but it is a reasonableness assessed in light of a police officer's modes of understanding.

Police are regularly exposed to highly stressful, dangerous situations, and the risks they face and the experience they gain are appreciated and conceded by those who write and interpret the law. In Brown v. United States, 256 U.S. 335 (1921), Justice Oliver Wendell Holmes, Jr., noted that “detached reflection cannot be demanded in the presence of an uplifted knife.” Sixty-eight years later, in Graham v. Connor, 490 U.S. 386 (1989), the Supreme Court wrote that “The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” And in People v. Benjamin, 51 NY2d 271, the New York State courts observed that “it would, indeed, be absurd to suggest that a police officer has to await the glint of steel before he can act to preserve his safety.”

These rulings explicitly acknowledge the strain under which officers make life-or-death use-of-force decisions. The law should and does provide latitude for those who carry the shield and protect the common good. But latitude is not unrestricted discretion—rather, it is an admission that reasonableness is fluid. In fact, even as they have shown willingness to appreciate the difficult situations in which officers make life-or-death decisions, lawmakers and the courts have also continually restricted the situations in which force, especially deadly physical force, may be used.

In Tennessee v. Garner, 471 U.S. 1 (1985), the Supreme Court disallowed the use of deadly physical force against *any* fleeing felon, but affirmed an officer's right to use such force against certain suspects. The opinion stated that if a fleeing suspect were to inflict or threaten anyone

with serious physical harm, the use of deadly force would “pass constitutional muster.” And Graham v. Connor (1989) delineated a standard of “objective reasonableness” that restricts an officer’s prerogative to compel or constrain another citizen.

The New York State Penal Law, for its part, allows an officer to use physical force only when he or she “reasonably believes such to be necessary” to effect arrest, prevent escape, or defend a person or property from harm. And the state limits an officer’s ability to exercise *deadly* physical force even further—Penal Law §35.30(1) provides that police may only use deadly physical force against a subject in three very specific instances:

- 1) when the subject has committed or is attempting to commit a felony *and* is using or about to use physical force against a person, or when the subject has committed or is attempting to commit kidnapping, arson, escape, or burglary;
- 2) when an armed felon resists arrest or flees; and
- 3) when the use of deadly physical force is necessary to defend any person from “what the officer reasonably believes to be the use or imminent use of deadly physical force.”

The use of deadly physical force, then, is properly restricted by statute. But NYPD policy represents an even more stringent guideline, and the Department goes further than the law in its efforts to control the use of force by its personnel. State law, for example, allows the use of deadly physical force to protect property (e.g., to prevent or terminate arson or burglary); the Department does not. Additionally, according to the laws of New York State, it is not unlawful for an officer to shoot at the driver of a vehicle who is using the vehicle so that it poses an imminent threat of deadly physical force. Such a firearms discharge would violate Department guidelines, however.

NYPD policy emphasizes that “only the amount of force necessary to overcome resistance will be used,” and warns that “EXCESSIVE FORCE WILL NOT BE TOLERATED” (Patrol Guide 203-11). Specifically regarding the use of deadly physical force, the NYPD states that “Uniformed members of the service should use only the minimal amount of force necessary to protect human life” (Patrol Guide 203-12).

GUIDELINES FOR THE USE OF FIREARMS

To ensure that officers use only the minimal amount of force, the Department promulgates nine rules that guide a New York City police officer in his or her use of deadly physical force. They are as follows:

1. Police officers shall not use deadly physical force against another person unless they have probable cause to believe they must protect themselves or another person present from imminent death or serious physical injury.
2. Police officers shall not discharge their weapons when, in their professional judgment, doing so will unnecessarily endanger innocent persons.
3. Police officers shall not discharge their weapons in defense of property.

4. Police officers shall not discharge their weapons to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to themselves or another person present.
5. Police officers shall not fire warning shots.
6. Police officers shall not discharge their firearms to summon assistance except in emergency situations when someone's personal safety is endangered and unless no other reasonable means is available.
7. Police officers shall not discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the police officer or another person present, by means other than a moving vehicle.
8. Police officers shall not discharge their firearms at a dog or other animal except to protect themselves or another person from physical injury and there is no other reasonable means to eliminate the threat.
9. Police officers shall not, under any circumstances, cock a firearm. Firearms must be fired double action at all times.

PROFESSIONAL JUDGMENT AND TRAINING

Both the Department and the courts will assess an officer's exercise of deadly physical force according to the measure of "reasonableness." This complex gauge uses the letter of the law, the totality of circumstances surrounding an incident, and an appreciation for an officer's professional judgment to determine whether that officer's actions were appropriate.

In 2012, in acknowledgment of this, the NYPD made professional judgment an explicit part of its guidelines. Patrol Guide Procedure 203-12 was clarified to include the following definition:

PROFESSIONAL JUDGMENT — judgment based not only on experience as an individual, but taking into account the knowledge, experience, and training gained through employment as a police officer.

Additionally, the subordinate prepositional phrase "in their professional judgment" was added to the second guideline for the use of firearms.

Experience and training are the foundations of professional judgment. Officers forced to make determinations about whether and how to use deadly force rely on nerve and skill, but even more on experience and, perhaps most of all, on training. It is training that sets the officer apart from the civilian, and is an anchor in those dangerous situations that most people never face.

The main purpose of the Annual Firearms Discharge Report is to ensure that the NYPD's training is the best it can be.

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INVESTIGATION

The New York City Police Department recognizes the serious nature of police-involved firearms discharges, and it seeks to record and evaluate every such incident. The mandate for such recordkeeping was first published in Department Order SOP 9 (s. 1969), but the intervening forty years have greatly refined the NYPD's process. Today, investigations are conducted in accordance with two guiding documents:

- 1) Patrol Guide Procedure 212-29; and
- 2) a handbook entitled "The Firearms Discharges Investigation Manual; The NYPD Guide to the Preparation of a Shooting Incident Report."

THE SHOOTING TEAM

When an officer discharges his or her firearm, whether on or off duty, or when a firearm owned by an officer is discharged, a patrol supervisor responds to the incident, takes charge of the scene, and secures and inspects the involved officer's firearm. He or she also immediately notifies the chain of command. A Patrol Borough Shooting Team, led by a shooting-team leader in the rank of captain, is then dispatched. The shooting team is an ad hoc entity that may be comprised of personnel from investigatory units, community affairs units, the Emergency Service Unit, the Firearms and Tactics Section, and/or any other personnel whose training or expertise may prove valuable to the pending investigation.

The shooting-team leader, under the supervision of an Inspector, undertakes an in-depth examination of the discharge incident, and begins by contacting and conferring with the District Attorney. In many instances—including nearly every instance in which a subject is killed or injured—the District Attorney will advise that any officer who fired should not be interviewed, in order to preserve the integrity of the Grand Jury process. Whether or not the District Attorney allows an interview, the shooting-team leader will, in every instance, direct the officer who fired to prepare a Firearms Discharge/Assault Report, or FDAR.

If a discharge causes death or injury, the officer who fired is required to submit to a Breathalyzer test. He or she is also automatically reassigned to an administrative position for a minimum of the next three consecutive work days. Investigations into discharges that cause death or injury are supervised by executives in the rank of Chief.

If the discharge incident appears legally or administratively problematic, or if malfeasance is suspected, the shooting-team leader, in conjunction with personnel from the Internal Affairs Bureau, will remove the shooting officer's weapon and modify or suspend his or her duty status. An officer's weapon must also be removed in all instances of self-inflicted injury (absent extenuating circumstances).

Each shooting investigation is thorough and exhaustive, and includes canvasses, area searches, witness interviews, subject interviews, evidence collection, crime-scene sketches and investigation, hospital visits, and firearms/ballistics analyses. Afterwards, all available investigatory results are collated into a Shooting Incident Report and forwarded to the Chief of Department, ordinarily within 24 hours of the incident.

THE SHOOTING INCIDENT REPORT

A preliminary report—usually written within eight hours of the incident—outlines, as much as possible, the shooting incident; however, the rapidly evolving nature of shooting investigations means information contained therein is unavoidably preliminary. The primary means of mitigating this is the use of the Firearms Discharge Investigation Manual.

The manual, in its current incarnation, is a 72-page instruction booklet that provides a template by which shooting-team leaders can produce accurate, data-rich Shooting Incident Reports in a timely manner. It ensures that pertinent questions are asked and relevant avenues of investigation are pursued, even in the wake of a dynamic, sometimes chaotic incident. Firearms discharges, especially those that occur during adversarial conflict, can be tremendously complex events. The Firearms Discharge Investigation Manual functions as a checklist, promoting both uniformity and specificity.

Each Shooting Incident Report should end with a statement, made with appropriate caveats, assessing whether or not the discharge was consistent with Department guidelines and whether or not the involved officers should be subject to Departmental discipline. Often, if involved officers have not been interviewed, the shooting-team leader may not make a determination, but rather state that the investigation is ongoing. This does not preclude the shooting-team leader from offering a tentative determination, however, nor from commenting on the apparent tactics utilized during the incident.

THE FINAL REPORT

Within 90 days of the incident, the commanding officer of either the precinct of occurrence or the applicable Borough Investigation Unit prepares a finalized version of the Shooting Incident Report. This final report is a reiteration of the original, but includes any clarifications or re-evaluations that may have been developed in the meantime. Because of the speed with which the initial report is prepared, tentative data is unavoidable. Accordingly, the final report will contain material that was not initially available to the shooting-team leader (e.g., detective's case files, forensic results, and medical reports). And because information is more extant, more complete subjective assessments are possible.

Generally, with regard to discharges that occur during adversarial conflict and involve injury or death to a subject, the final report cannot be finished within the 90-day period. Instead, it must wait until the investigation into the incident has been completed, or at least until the district attorney from the county of occurrence has permitted the officer or officers who shot to be interviewed. At times it must wait even longer, until all relevant legal proceedings have been concluded.

If a final report is delayed—whether because of ongoing legal proceedings or incomplete investigations—the Borough Investigation Unit submits monthly interim-status reports. Once the final report is finished, it is forwarded, through channels, to the Chief of Department.

REVIEW

After a firearms discharge has been investigated and the final report has been prepared, and after the District Attorney's office has determined whether the incident requires prosecutorial action, the NYPD initiates a tertiary examination to assess the event from a procedural and training perspective and, if necessary, to impose discipline. This third layer of oversight is the purview of the Firearms Discharge Advisory Board and the Firearms Discharge Review Board.

THE BOROUGH FIREARMS DISCHARGE ADVISORY BOARD

The review of firearms discharges is two-tiered, and conducted at the borough and executive levels. Members of the borough Firearms Discharge Advisory Board are supervisors assigned to the borough in which the incident took place. This board further scrutinizes the incident, with the benefit of new material contained in the final report. Based on the accumulated evidence, the borough Firearms Discharge Advisory Board issues preliminary findings regarding whether or not the officer's actions violated the Department's firearms guidelines or use-of-force policy. The preliminary findings, along with a preliminary disciplinary recommendation, are appended to the final report and presented to the Chief of Department's Firearms Discharge Review Board for determination.

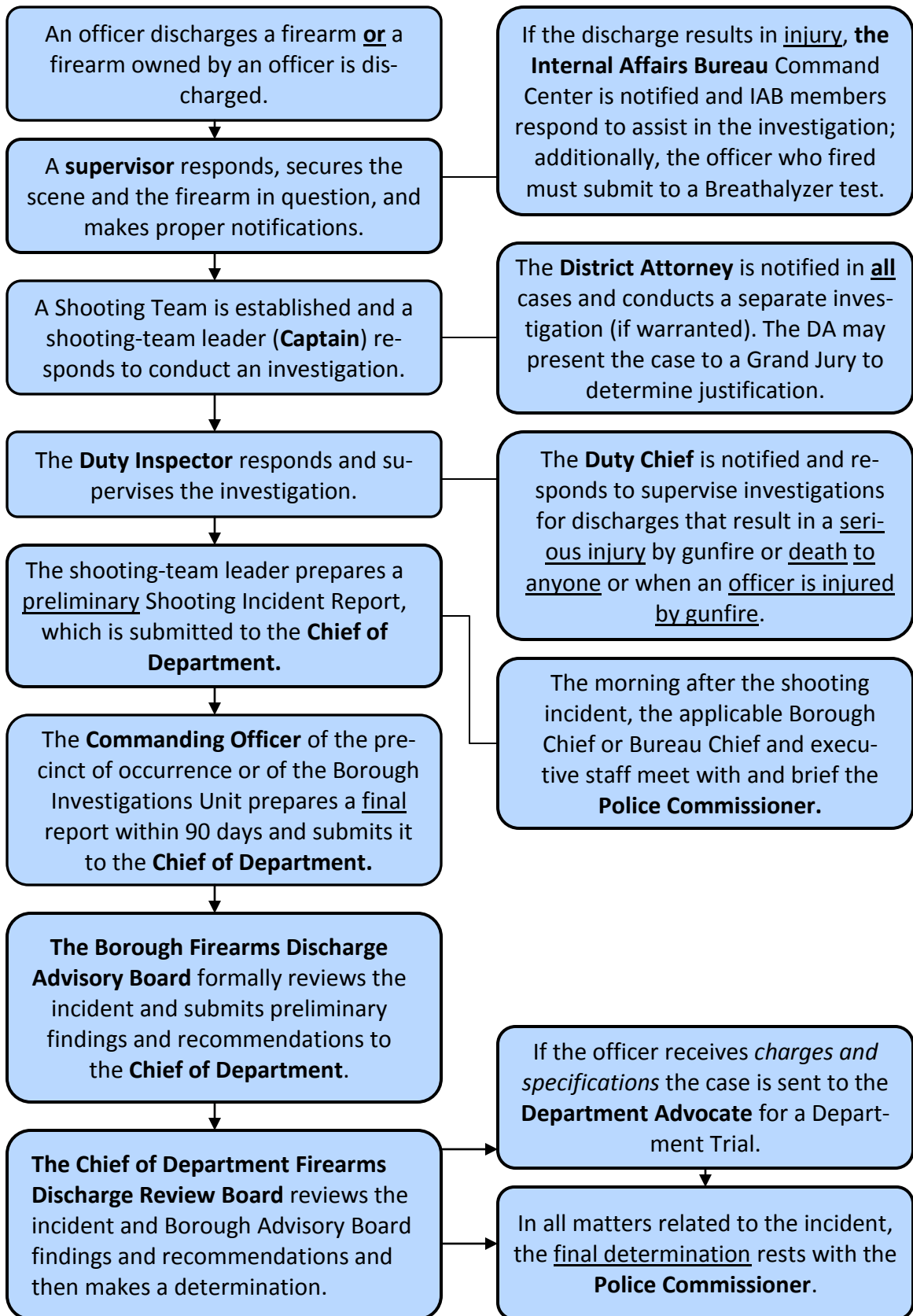
THE CHIEF OF DEPARTMENT'S FIREARMS DISCHARGE REVIEW BOARD

The Department's Firearms Discharge Review Board is the penultimate arbiter of any given discharge incident. It issues determinations concerning the tactics used during the incident, the propriety of the officer's actions, and the disciplinary action to be taken. The Review Board gives due consideration to and often concurs with the original recommendations of the shooting-team leaders and the subsequent findings and recommendations of the borough Advisory Board, but in some cases it overrides, alters, or clarifies the preceding assessments and arrives at new, more accurate findings or more appropriate disciplinary results.

The Chief of Department then produces a Final Summary Report—a single document that memorializes and synthesizes the whole of the exhaustive investigation and review process—and presents it to the Police Commissioner.

THE POLICE COMMISSIONER

The final decision in all matters related to these incidents rests with the Police Commissioner. Using the recommendations from both the Advisory and the Review Boards, the Police Commissioner makes a final determination as to the incident. Once the Commissioner has issued this final determination, the incident is considered closed. The results of the 2011 findings are published throughout this report.



Intentional Discharge During Adversarial Conflict

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INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT: OVERVIEW

There were 36 incidents of intentional firearms discharge during an adversarial conflict in 2011. This represents a 9 percent increase from 2010. Sixty-two officers intentionally fired their weapons during these incidents, up 19 percent from 2010.

Five officers were injured by gunfire during these incidents. Three were shot by subjects and two were shot by other officers owing to crossfire.* Additionally, two officers suffered injuries from being physically attacked by unarmed subjects—one of these officers was choked almost to unconsciousness. No officers were killed during these incidents.

There were 41 subjects involved in these 36 conflicts. Nineteen subjects were injured and nine subjects were killed.

REASONS FOR DISCHARGES

Officers intentionally discharging their firearms during adversarial conflict did so to defend themselves or others from the threat of serious physical injury or death.

In two-thirds of these incidents, the threat came in the form of a firearm. Officers also acted to defend themselves or others from the use or threat of a cutting instrument (11 percent), a perceived threat (8 percent), the use or threat of overwhelming physical force (8 percent), or the use or threat of a blunt instrument (6 percent) [see Figure A.1]. In both incidents in which officers were threatened with a blunt instrument, the threat involved a vehicle.

DATES AND TIMES OF DISCHARGES

In 2010, Adversarial-conflict incidents occurred evenly over the four quarters of the year, but in 2011 there was a pronounced summer spike, with 39 percent of the year’s incidents occurring in July, August, or September. Each month but February had at least one incident.

The distribution across days of the week showed no pattern: Mondays, Thursdays, and Sundays saw four incidents each, while Tuesdays, Wednesdays, Fridays, and Saturdays saw six incidents each. Sixteen incidents occurred during the first platoon, or midnight police shift (2331 to 0730 hours); while the second platoon (1531 to 2330 hours) saw 13 incidents. Perhaps unsurprisingly, the day tou (0731 to 1530 hours) saw about half that, with seven incidents.

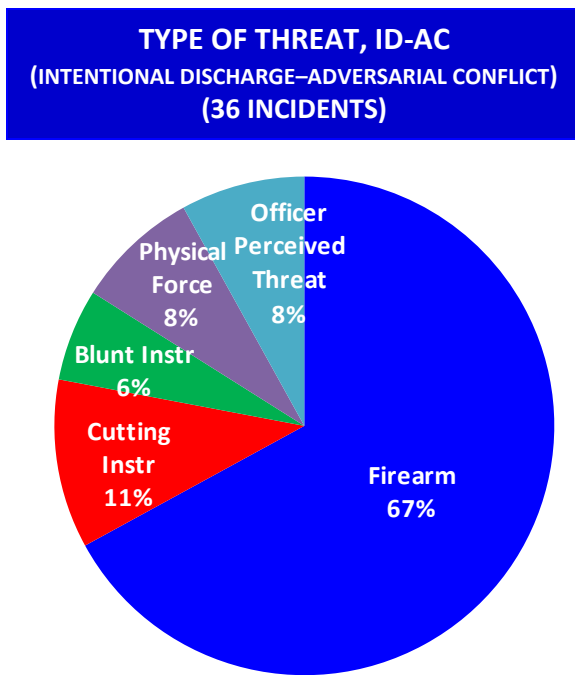
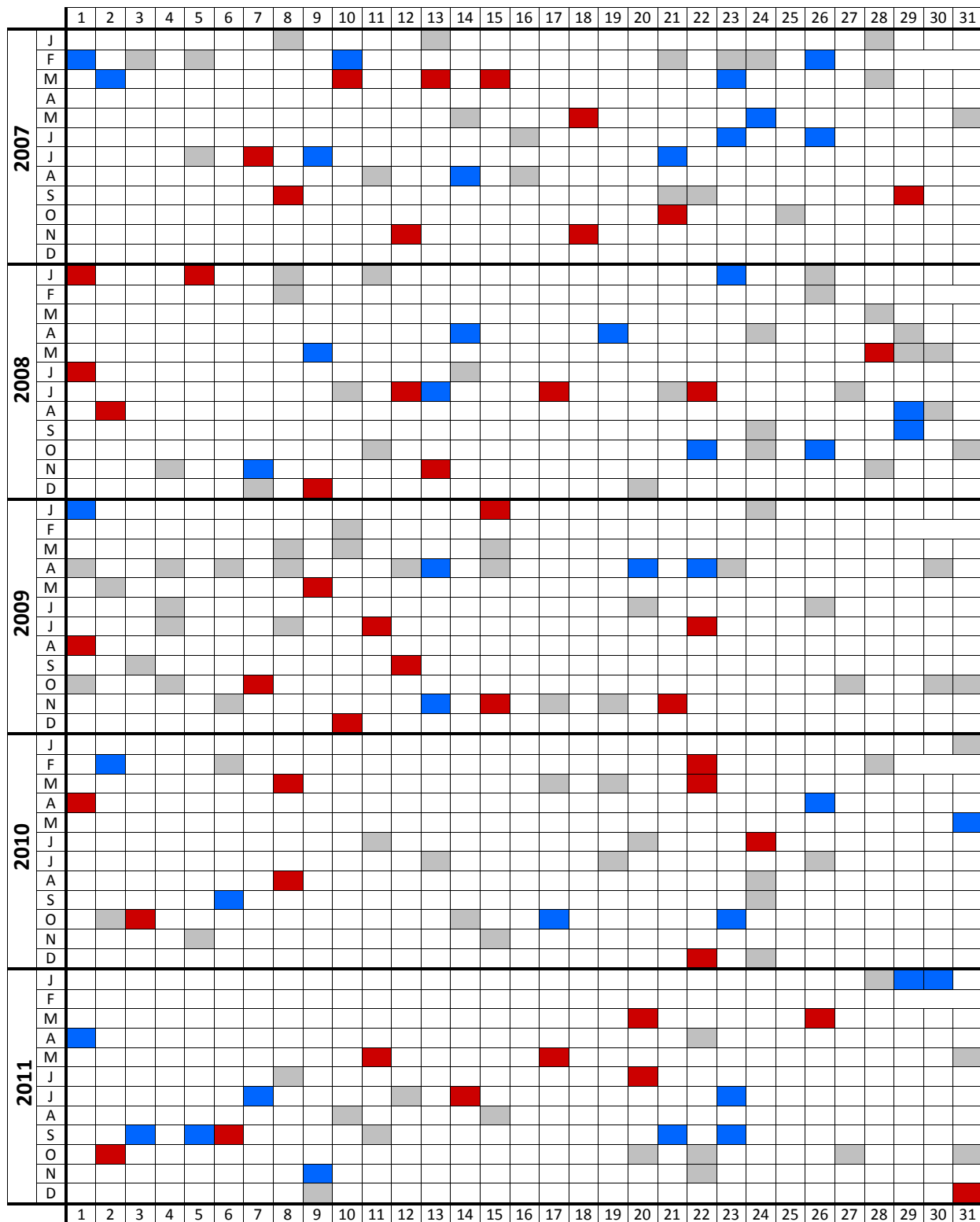


Figure A.1

*Crossfire incidents are distinguished from Mistaken Identity Discharges by the shooting officer’s intent: in crossfire incidents, the officer who fired did not intend to shoot the officer he or she struck, whereas in incidents of mistaken identity, the shooting officer is purposefully firing upon the subject officer in the mistaken belief that the subject officer is posing an imminent threat. A crossfire incident always involves injury or death; mistaken identity incidents can involve a discharge with no hits. There were no mistaken identity incidents in 2011. See the Mistaken Identity

ID-AC INCIDENTS, 2007 TO 2011, BY CALENDAR DATE

	Intentional Discharge – Adversarial Conflict
	Intentional Discharge – Adversarial Conflict with subject returning fire (i.e., “gunfight”)
	Intentional Discharge – Adversarial Conflict causing subject’s demise



note: some dates saw more than one incident. In such cases, the date is coded with the color for the most “severe” type of discharge.

The graphic on the preceding page shows the calendar-day distribution of adversarial-conflict incidents over the past five years. It displays only randomness, and betrays no seasonal nor week-based pattern. The chart illustrates what police officers have long known: there is no predicting when these incidents will occur, only that they will.

LOCATIONS OF DISCHARGES

Of the 36 incidents, two discharges took place outside New York City, three discharges took place in or on New York City Housing Authority (NYCHA) premises, and one incident occurred in a Metropolitan Transportation Authority facility. Thirty-one incidents—86 percent—occurred in the jurisdiction of the patrol precincts. (The Police Department divides New York City’s five geographic counties into eight “Patrol Boroughs.” Each of the patrol boroughs has eight to 12 police precincts, with the exception of Staten Island, which has three.) Four of every five incidents took place outside.

Brooklyn saw the most incidents, although they were evenly divided between the two Brooklyn patrol boroughs, with five incidents in Brooklyn South and five incidents in Brooklyn North. Nine incidents occurred in the Bronx, the most of any single patrol borough. Percentages of discharges per patrol borough are depicted in Figure A.3.

These incidents took place in 30 separate precincts, up from 25 in 2010. Only four precincts saw more than one incident, compared to seven in 2010 and fourteen in 2009. Each of those four precincts—the 34 Precinct, 42 Precinct, 47 Precinct, and 122 Precinct—experienced two incidents. As with the calendar-day graphic, this precinct distribution illustrates the fact that adversarial conflicts occur irrespective of arbitrary boundaries.

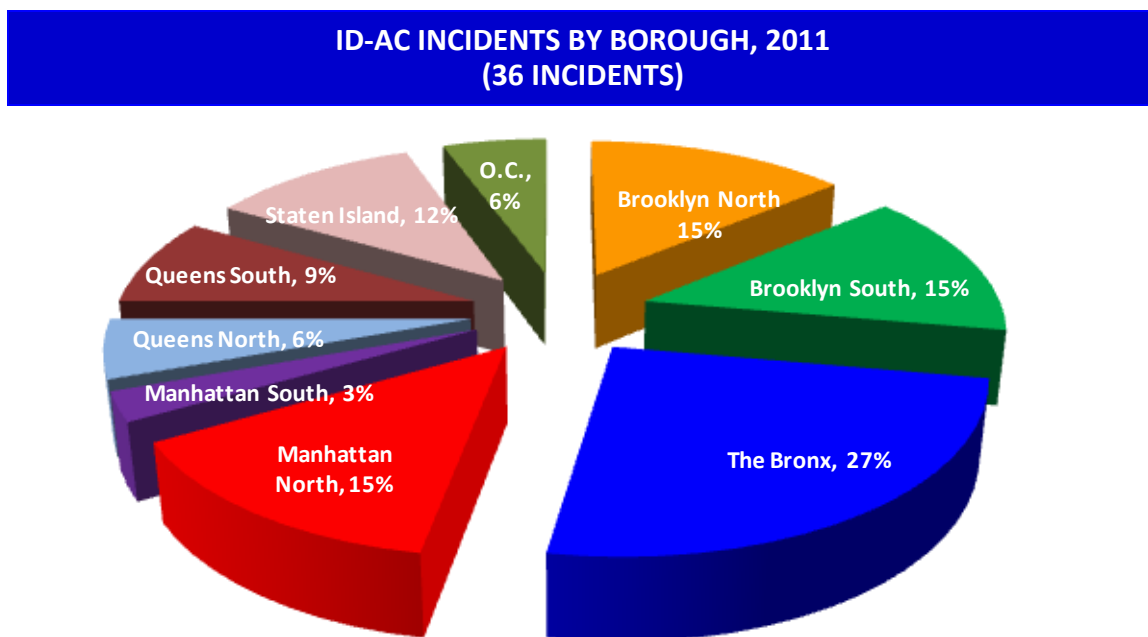
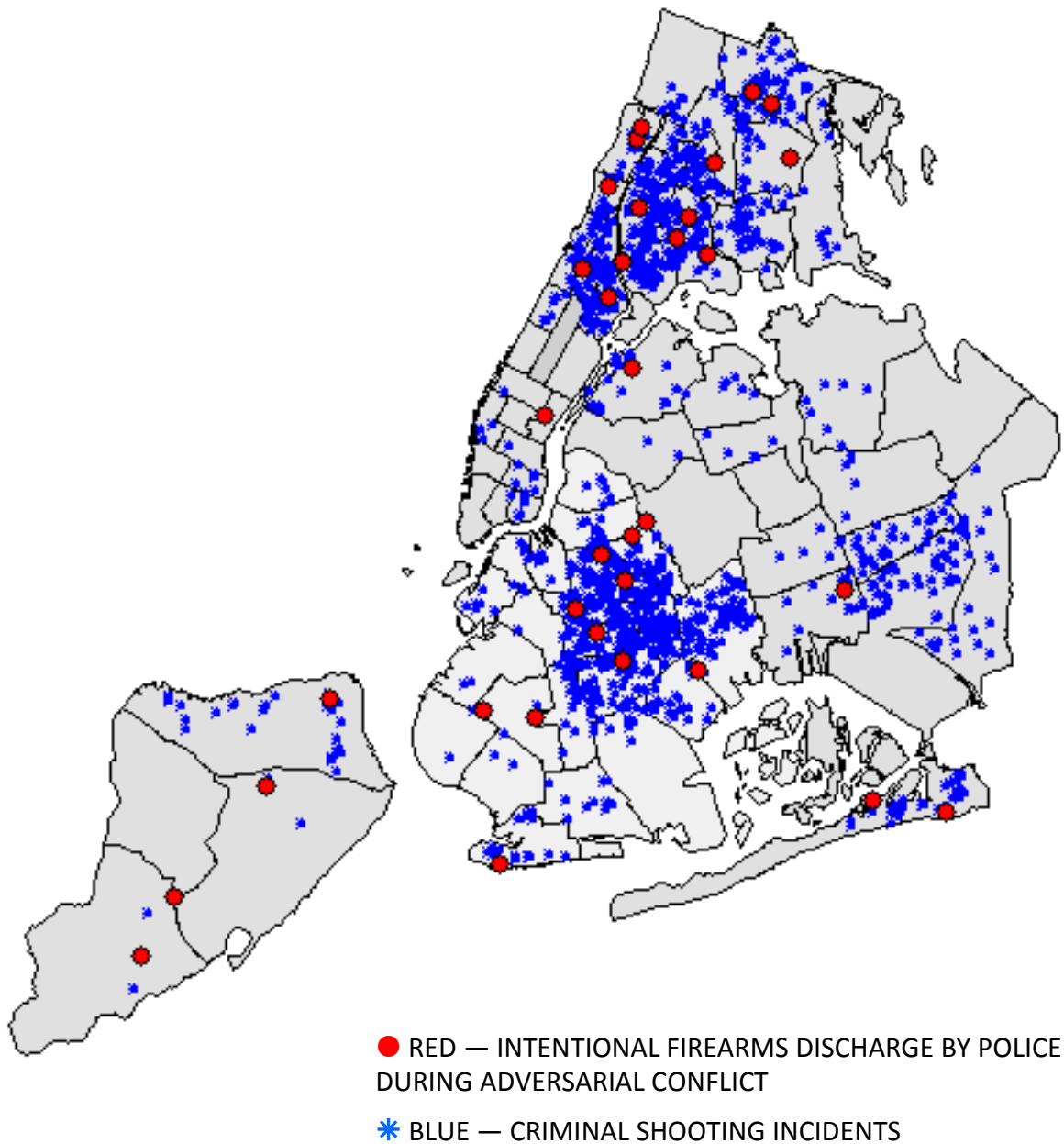


Figure A.3

**LOCATIONS OF 34 INTENTIONAL DISCHARGES DURING ADVERSARIAL CONFLICT*
vs LOCATIONS OF 1,510 CRIMINAL SHOOTING INCIDENTS, 2011**



* does not include two Intentional Discharge – Adversarial Conflict incidents that took place outside the city, one in Nassau County and one in Miami, Florida

Figure A.4

LOCATIONS OF CRIMINAL SHOOTINGS

While the locations of police-involved shootings are not anchored to specific precincts, however, they are closely associated with larger geographic crime patterns. This is especially true when comparing adversarial-conflict locations to the locations of criminal shootings in 2011. The map on the preceding page [Figure A.4] depicts the location of the city’s 1,510 incidences of criminal shootings (represented by blue asterisks), resulting in 1,821 people shot, and overlays them with all 34 incidents of intentional discharge during adversarial conflict that occurred in the city (represented by red dots). The map shows, very clearly, that police go where they are needed: police firearms discharges occur in those areas of the city most plagued by gun violence.

CRIMINAL SHOOTING INCIDENTS vs ID AC INCIDENTS, BY BOROUGH

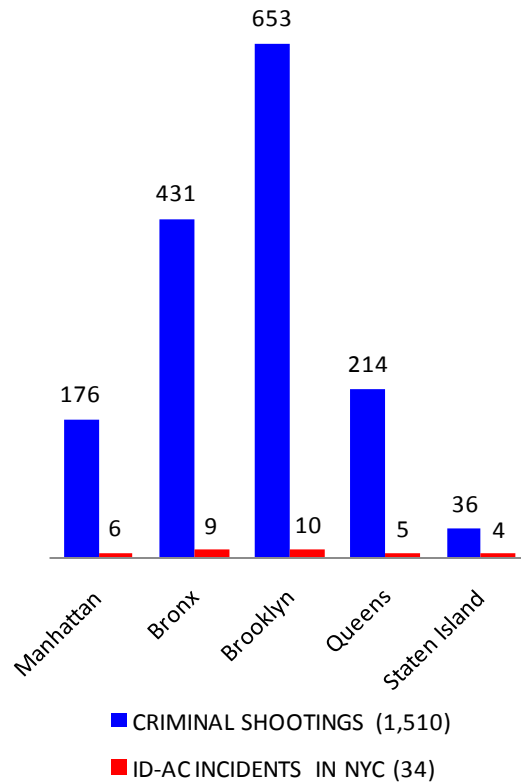


Figure A.5

CRIMINAL SHOOTING INCIDENTS vs ID-AC INCIDENTS, PERCENTAGE BY BOROUGH

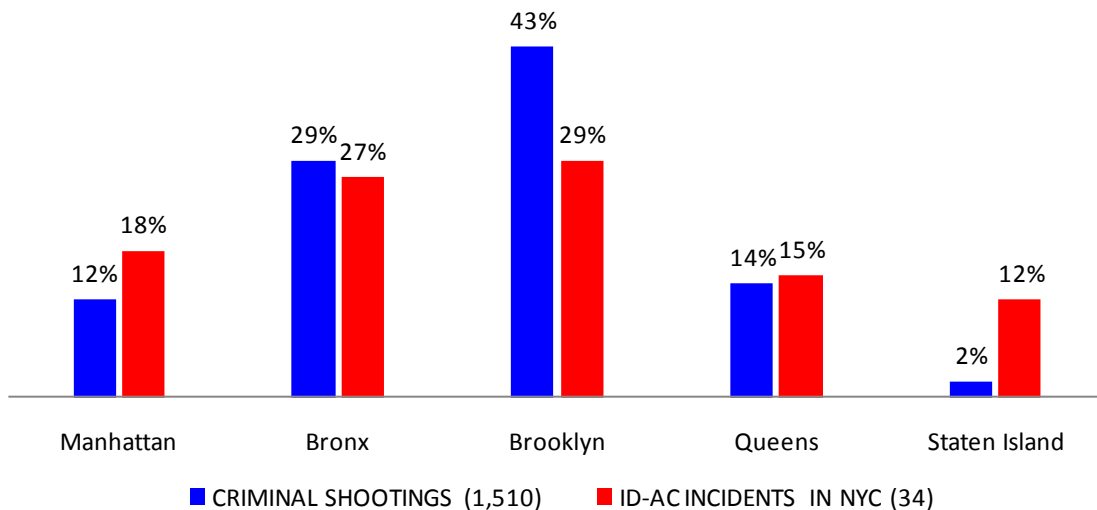


Figure A.6

REASONS OFFICER INVOLVED

Officers become involved in incidents of intentional discharge during adversarial conflict for a variety of reasons. The Annual Firearms Discharge Report categorizes incidents by whether the officers involved were engaged in reactive police work (60 percent) or proactive police work (36 percent), or were attacked (5 percent).

Of 56 on-duty officers discharging their firearms during these incidents, 46 percent were assigned to proactive crime-control units such as Anti-Crime teams, conditions units, or Task Force. These units actively seek out armed criminals and violent perpetrators. Although this is disproportionate to these units' small numbers—for example, officers assigned to Anti-Crime make up less than 8 percent of any given precinct's headcount—it is predictable given the units' mandate. Nearly as many officers were performing patrol or Operation Impact duties (41 percent). This, too, is unsurprising, as the Patrol Bureau forms the Department's core and is staffed accordingly. An additional 9 percent of shooting officers were assigned to investigative units and/or the Organized Crime Control Bureau (OCCB) and 4 percent were assigned to Emergency Services Units (ESU) [see Figure A.7].

**ON-DUTY OFFICERS' ASSIGNMENTS
(56 OFFICERS)**

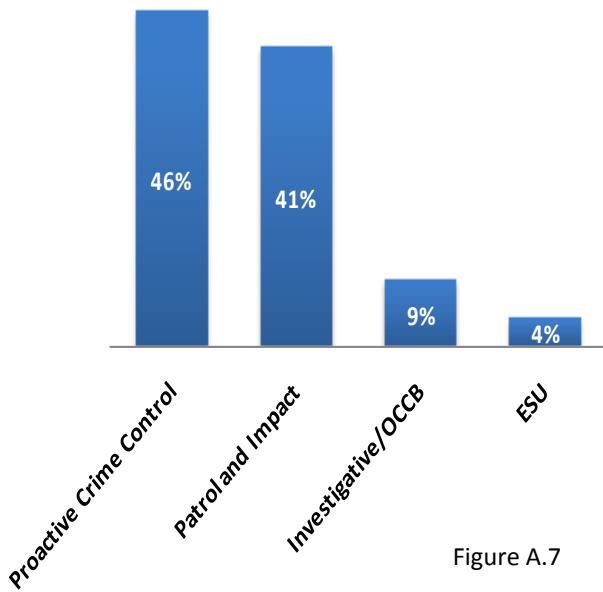


Figure A.7

One out of every three on-duty officers who fired was on routine patrol or answering a 911 call—or “radio run,” in police parlance—before the incident. An additional 30 percent were investigating, canvassing, or chasing a suspect. Five officers were engaged in police work related to narcotics enforcement, and five were investigating suspected criminal activity.

In 2011, 85 percent of all discharge incidents were precipitated by four basic situations. A third of all incidents occurred when officers responded to—or sometimes were victims of—robberies,

SITUATIONS PRECIPITATING DISCHARGE INCIDENTS (36 INCIDENTS)

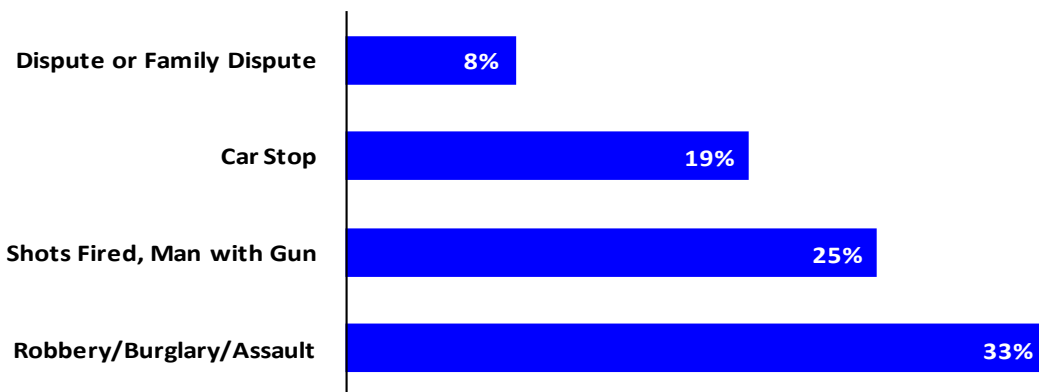


Figure A.8

SHOTS FIRED PER OFFICER (62 OFFICERS)

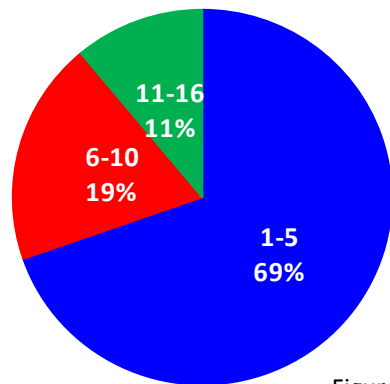


Figure A.9

burglaries, or assaults. One out of four occurred after officers observed or were made aware of gunshots or armed subjects. And nearly one out of five stemmed from car stops, illustrating how dangerous that police action can be [see Figure A.8]. (The remaining 15 percent of incidents—five incidents—occurred when officers made arrests, or reasonable suspicion stops, or were engaged in other patrol duties.)

OFFICER RESTRAINT

Of officers discharging their firearms during an adversarial conflict, 69 percent fired five or fewer times [see Figure A.9]. At the other end of the scale, three officers fired 16 rounds each, emptying their firearms. (No officer reloaded in any incident.) One of these officers was fired upon and severely injured before he himself fired; the other two were confronting an armed subject who had just murdered a civilian and then, even after being struck by police gunfire, repeatedly pointed his weapon at officers.

Nevertheless, restraint is the norm. More than a quarter of the officers discharging their firearms in adversarial-conflict incidents only fired one shot. And this pattern of control is also apparent when analyzing the number of shots fired per incident, rather than per officer. Sixty-one percent of the incidents involved five or fewer shots being fired. In 31 percent of adversarial-conflict incidents, the total number of shots fired by all police officers involved was one.

In total, 311 shots were fired by officers during these incidents, up 32 percent from 2010. An appurtenance of the NYPD’s small number of shootings is that a single anomalous exchange of high-volume gunfire can noticeably distort the real picture. There were two such outliers in 2011—one incident in which eight officers fired 73 rounds, and another in which eight officers fired 45 rounds. Both incidents involved armed subjects firing on police or civilians, and combined they accounted for 38 percent of all the shots fired in all adversarial-conflict incidents.

SHOTS FIRED PER ID-AC INCIDENT, BY PERCENT (36 INCIDENTS)

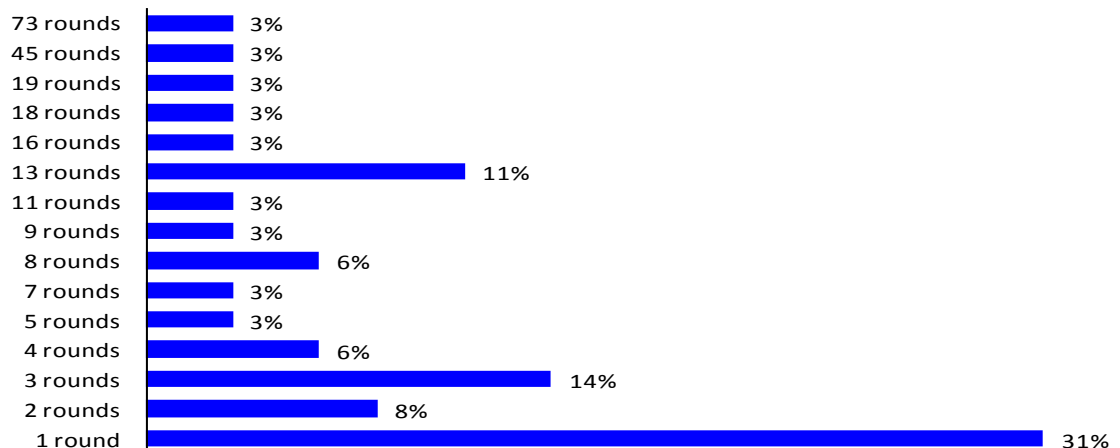


Figure A.10

When working with such a small number of incidents, officers, and rounds fired, typical use of means and medians can lead to false conclusions. Additionally, as noted above, a single incident can significantly skew averages. For this reason, with small samples, the mode can be most revelatory [see Figure A.10]. **The mode for the number of shots fired by police is one.**

OBJECTIVE COMPLETION RATE

Similarly, the Department does not calculate *average hit percentages*. Instead, the **objective completion rate per incident** is employed as it is both more accurate and more instructive.

Like combat itself, the objective completion rate per incident is pass/fail. When an officer properly and lawfully adjudges a threat severe enough to require the use of his or her firearm, and fires at a specific subject, the most relevant measure is whether he or she ultimately hits and stops the subject. This is the objective completion rate, and it is determined irrespective of the number of shots the officer fired at the subject.

In these 36 incidents, officers hit at least one subject per incident 28 times, for an objective completion rate of 78 percent. When officers were being fired upon, however, they struck subjects two thirds of the time (six out of nine incidents).

SHOOTING TECHNIQUE

Utilizing a two-handed grip, standing, and lining up a target using the firearm’s sights is the preferred method of discharging a firearm, but it is not always practical during an adversarial conflict. Of officers reporting their shooting techniques, 71 percent gripped the firearm with two hands. Sixty percent of officers who reported their stance state that they were standing, while 31 percent were moving or struggling. Finally, thirty-four officers reported whether or not they had used their sights, with 44 percent reporting in the affirmative.

Of 62 officers shooting, 58 responded as to whether or not they took cover. Of those 58, three quarters were not able to make use of any type of cover during the incident. Lack of cover can be a factor in the need for a firearms discharge, because a protected defensive position often allows officers to control the pace of an incident.

DISTANCE

Although officers are trained to fire on a target from as far away as 75 feet, the majority of adversarial conflict discharges occur when the officer is closer than fifteen feet to the subject. Nevertheless, in 2011, five officers reported firing from distances greater than 45 feet [see Figure A.11]. One officer fired at and struck a subject on a balcony three stories above him; that subject was stabbing a woman to death.

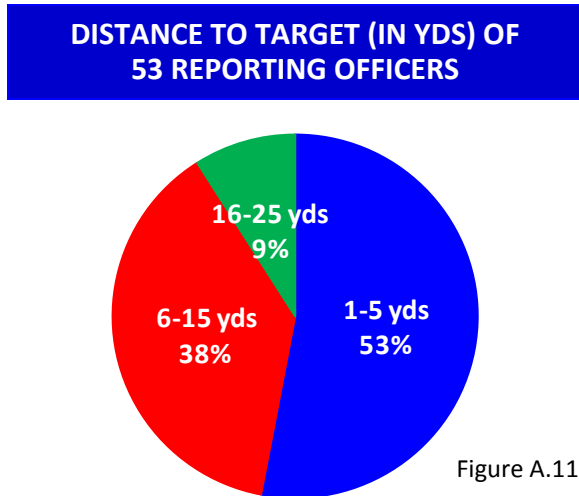


Figure A.11

RACE/ETHNICITY OF ID-AC OFFICERS, 2011

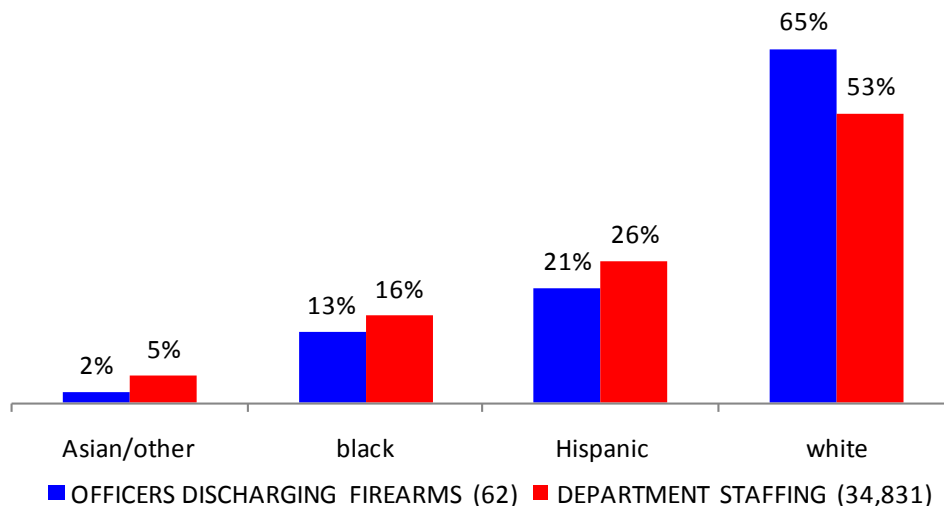


Figure A.12

OFFICER PEDIGREE

Although 17 percent of the Department’s uniformed personnel are females, only 3 percent of officers who discharged their firearms during an adversarial conflict were females (two of 62 officers). This one-to-31 discrepancy significantly exceeds the Department’s overall female-male ratio of approximately one-to-five.

With regard to race, 65 percent of the officers who intentionally discharged a firearm during an adversarial conflict were white. This is somewhat higher than the percentage of white officers employed by the Department (53 percent) [see Figure A.12].

When compared to Department staffing, black officers who fired were underrepresented in 2011, constituting 16 percent of the Department but 13 percent of shooting officers. Hispanic officers* were slightly underrepresented, constituting 26 percent of staff but 21 percent of the officers firing.

ATTIRE

Fewer on-duty plainclothes officers intentionally discharged their firearms during adversarial conflict than did on-duty uniformed officers (22 plainclothes officers versus 34 uniformed officers). Since there are fewer plainclothes officers in the field than uniformed officers, this discrepancy is unsurprising, although it actually marks only the second year of a pattern reversal that began in 2010. Previously, the number of plainclothes officers firing often equaled and sometimes exceeded the number of uniformed officers doing so, despite the significant disparity in their overall staffing percentages.

*In personnel records, the Department further sub-categorizes Hispanics as black Hispanic or white Hispanic, but the Annual Firearms Discharge Report does not. All Hispanic persons are combined into a single group. This is true for officers and subjects.

YEARS OF SERVICE FOR ID-AC OFFICERS, 2011

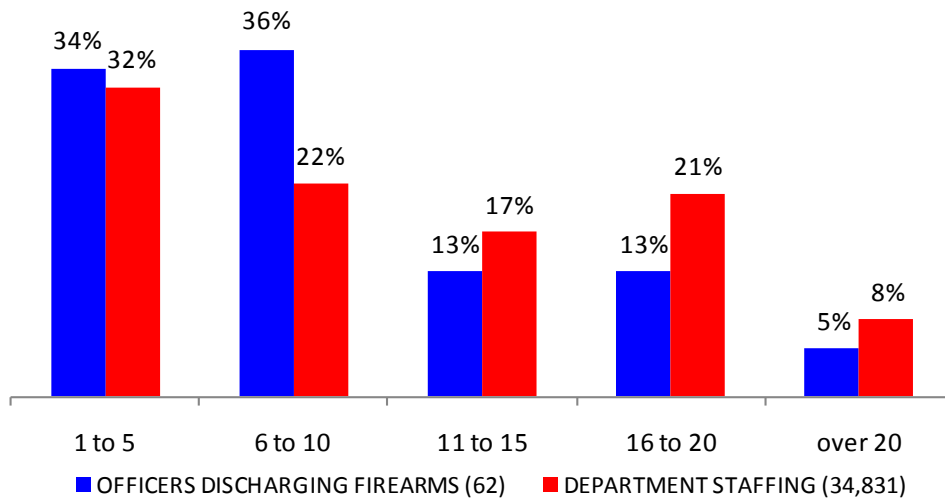


Figure A.13

2011 also marks the second year in a continued reduction of shooting officers assigned to the Organized Crime Control Bureau (OCCB). These officers specialize in combating narcotics, vice offenses, and auto-related crimes, and over the past several years it was observed that they were increasingly involved in on-duty discharge incidents (from six officers in 2007, to 11 officers in 2008, to 14 officers in 2009). In 2011, however, as in 2010, only three discharging officers were on-duty OCCB personnel.

YEARS OF SERVICE

Figure A.13 compares years-of-service distribution among officers who fired to the Department’s overall years-of-service distribution. Younger officers, who are more likely to be on patrol in the field, are overrepresented—but by a slimmer margin than in the past. In 2011, 34 percent of the officers who discharged their firearms during adversarial conflict had between one and five years of service, whereas the figure was 44 percent in 2007, 42 percent in 2008, 47 percent in 2009, and 38 percent in 2010. This significant decrease from years past may be attributable to the historically small numbers of officers hired by the Department in 2009, 2010, and 2011. (Normally, the NYPD hires two classes of recruits each year, with approximately 1,400 recruits per class, but in 2011, only one class was hired.) The Department’s overall tenure has also risen accordingly.

RANK

Sixty-nine percent of the officers discharging their firearms in these incidents were in the rank of police officer [see Figure A.14]. Because police officers are the front line, and represent the majority of officers responding to violent jobs and actively seeking out criminals, this is unsurprising. Additionally, the rank of Police Officer forms the majority of the Department and

RANKS OF OFFICERS, ID-AC vs STAFFING

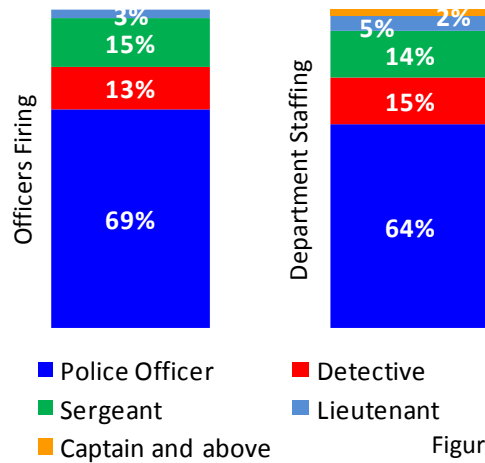


Figure A.14

therefore the pool of officers who may become involved in adversarial conflict is greater.

Nine sergeants and eight detectives were involved in adversarial-conflict discharges, as well as two lieutenants. No officer of higher rank—i.e., captains or officers in discretionary ranks such as Inspector or Chief—were represented in this category in 2011.

POLICE WEAPONS

The overwhelming majority of officers discharged their service weapons during these incidents (94 percent). The remaining four officers fired off-duty weapons.

SUBJECT PEDIGREE

There were 41 subjects involved in the 36 incidents of intentional police discharge during adversarial conflict. Forty subjects were male and one was female. (One subject was not apprehended but is known by gender and race.) Of the 40 apprehended subjects, ages ranged from 17 to 57, although half the subjects fell within the first quartile of this range (i.e., 17 to 26 years of age).

SUBJECT RACE

Suspects' races are determined by complainants and/or victims. Subjects' races are generally determined by the officer who encountered or arrested the subject. This determination may be based on a subject's self-identification, existing government-issued documentation, racial/ethnic physical characteristics, or other factors.

All 41 subjects were identified by race. A slim majority of subjects (51 percent) were black.

RACE/ETHNICITY OF 27 ID-AC SUBJECTS ARMED WITH FIREARMS

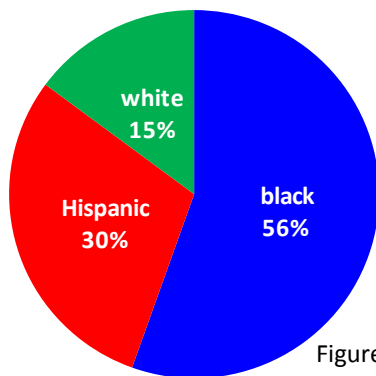


Figure A.15

RACE/ETHNICITY OF 28 ID-AC SUBJECTS STRUCK BY POLICE GUNFIRE

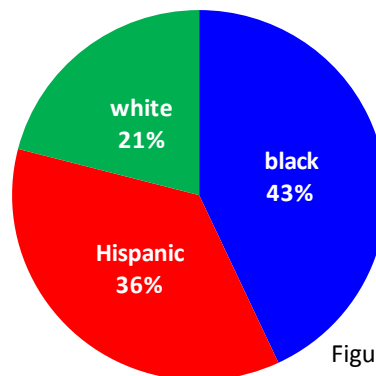


Figure A.16

This percentage is significantly smaller than the representation of blacks among criminal-shooting suspects: in 2011, 73 percent of criminal-shooting suspects who were identified by race were black. (Blacks were also 74 percent of all shooting victims.)

Hispanics, on the other hand, are slightly overrepresented among adversarial-conflict subjects in comparison to their representation among racially identified criminal-shooting suspects. About a third of adversarial-conflict subjects were Hispanic, whereas about a quarter of racially identified criminal-shooting suspects were Hispanic. (Hispanics were also 22 percent of all shooting victims.)

Among subjects who fired on officers, 67 percent were black and 33 percent were Hispanic. No whites fired on police [see Figure A.18 and A.20]. The races of persons who exchanged gunfire with police in 2011 closely mirrored the races of persons who were identified as criminal shooting suspects.

In summary, in 2011, blacks and Hispanics represented 52 percent of New York City’s population but 97 percent of racially-identified criminal-shooting suspects, 96 percent of all criminal-shooting victims, and 96 percent of victims killed by criminal gunfire. Additionally, every person who fired at police was black or Hispanic. Blacks and Hispanics represented only 85 percent of those fired on by police, however, and only 79 percent of those struck by police gunfire.

PRIOR ARRESTS

A subject’s arrest history is usually unknown to the officer at the time of a typical incident. Nevertheless, arrest history is pertinent. It is indicative of a subject’s propensity for criminal conduct and capacity for violently confronting a police officer, and it can evince itself in a subject’s bearing, actions, and reactions. An arrest history, pending charges, or parole status may also make a subject more willing to attempt to avoid arrest by confronting the officer.

Of the 40 identified subjects in these incidents, **93 percent had been previously arrested**—and each of those 37 individuals had multiple prior arrests [see Figure A.21]. Of the three individuals with no prior arrest record, two had shot civilians immediately prior to being engaged by police officers. For the 37 individuals with prior arrests, the number of those priors ranged from two to 27, and more than half of the individuals had ten or more priors.

Three subjects were on parole or wanted on a warrant at the time of the incidents. Thirty-

RACE/ETHNICITY OF NINE ID-AC SUBJECTS KILLED BY POLICE

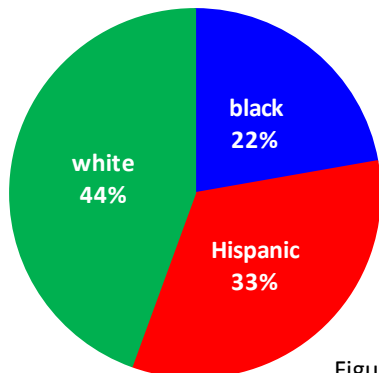


Figure A.17

RACE/ETHNICITY OF 12 ID-AC SUBJECTS FIRING ON POLICE

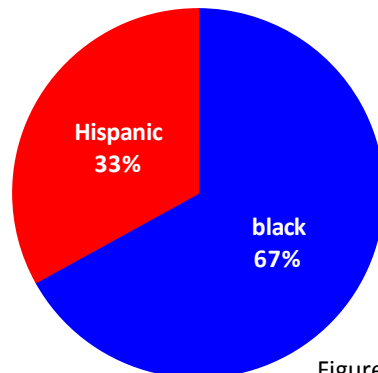
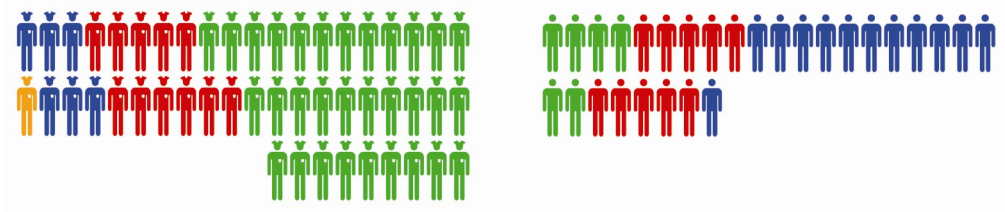


Figure A.18

62 OFFICERS vs 41 SUBJECTS INVOLVED IN ID-AC, BY RACE



49 OFFICERS vs 28 SUBJECTS STRUCK BY POLICE GUNFIRE DURING ID-AC, BY RACE



20 OFFICERS vs 12 SUBJECTS WHO FIRED AT POLICE DURING ID-AC, BY RACE

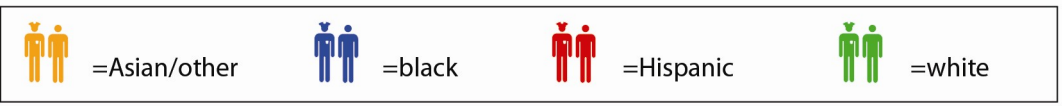


Figure A.19

12 SUBJECTS WHO FIRED ON OFFICERS vs 972 RACIALLY IDENTIFIED CRIMINAL-SHOOTING SUSPECTS, BY RACE

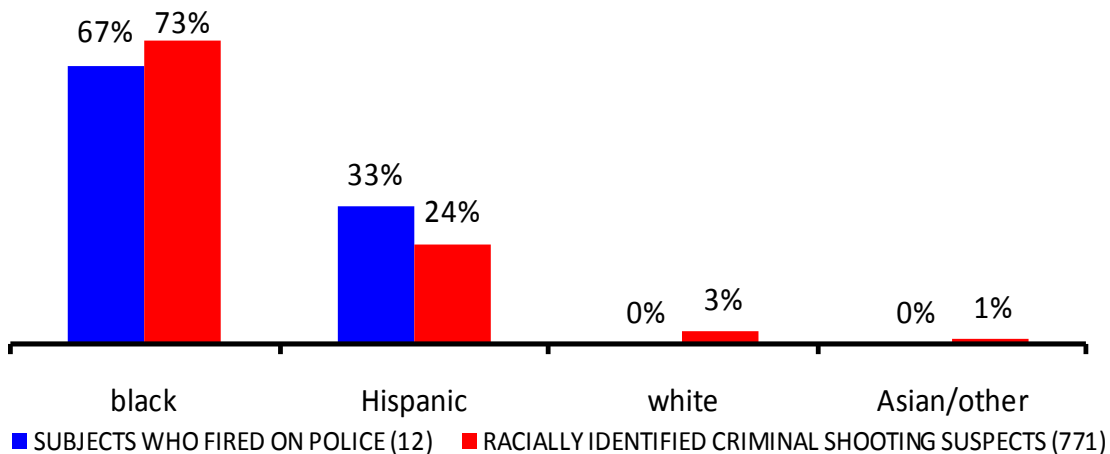


Figure A.20

three subjects had been arrested for drug-related crimes, thirty-two for violent crimes such as robbery, assault, and resisting arrest, and three had been arrested for murder or attempted murder. Sixty-two percent of the subjects with prior arrests had arrests for weapons possession, and 60 percent had prior robbery arrests. (It should be noted that individual subjects may be identified in several of the previous categories.)

SUBJECT WEAPONS

The subjects in these incidents utilized a variety of weapons when confronting officers. The most frequently used weapon was a firearm. Twenty-seven subjects carried firearms, fifteen of them fired those weapons, and twelve exchanged gunfire with police. Nine millimeter and .380 semi-automatic pistols and .38 revolvers were the most popular of the known firearms, accounting for 13 of 18 known firearms used [see Figure A.22].

Four incidents involved subjects who attacked or menaced officers with cutting instruments. Half of these occurred indoors, and three of the four involved emotionally disturbed persons. In one cutting-instrument incident, a man stabbed a woman on their third-floor balcony, but was shot by a responding officer who fired from the ground below. A second cutting-instrument incident involved an emotionally disturbed subject who attacked his family members and then attacked officers with

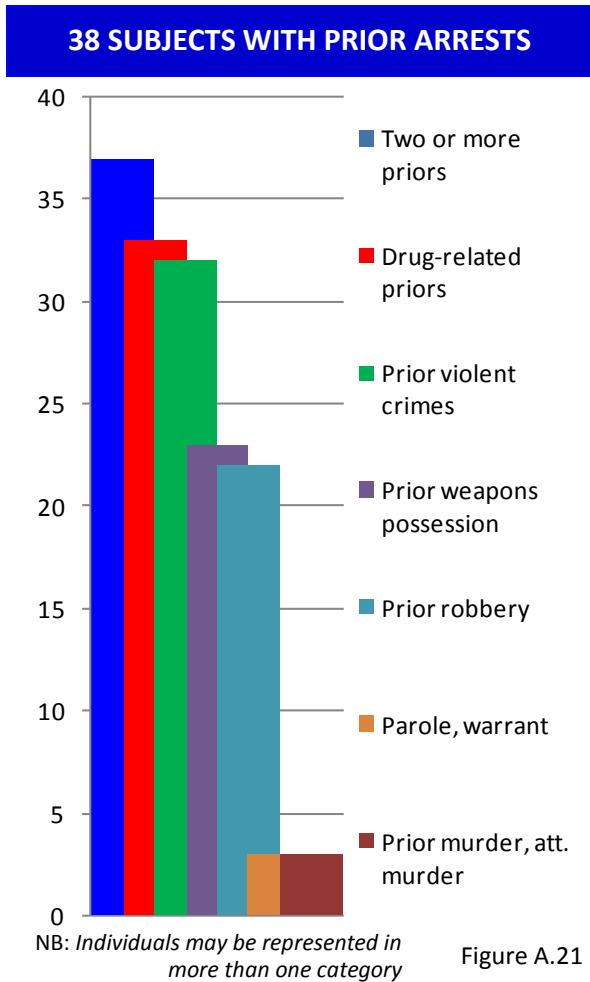


Figure A.21

33 WEAPONS POSSESSED/USED BY SUBJECTS

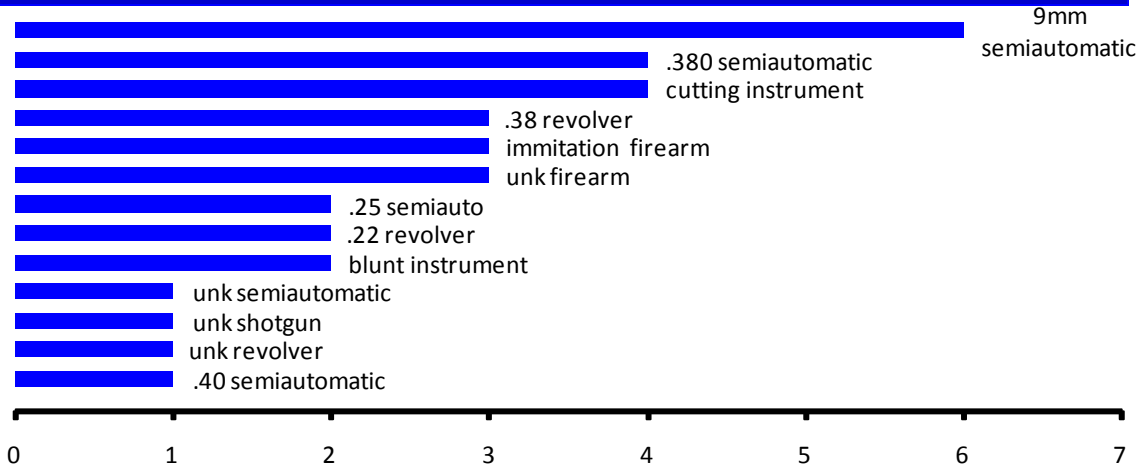


Figure A.22

two box cutters. Officers attempted to use OC spray and a conducted-energy device to no avail, before a lieutenant was forced to resort to his firearm.

Five subjects used overwhelming physical force against officers, including one who, after sexually abusing two female civilians, attempted to throw an arresting officer in front of an oncoming subway train. In another incident, a drug suspect violently resisted a lone detective's arrest, whereupon the suspect's friend joined the fray, and nearly choked the detective unconscious. In fear for his life, the detective shot and killed the subject choking him. (The drug suspect was apprehended.) A second detective was attacked by two would-be robbers while off duty. They violently attempted to take his firearm; he fired and struck both subjects.

INCIDENT OUTCOMES

Of the 36 incidents, 28 resulted in injury or death to a subject or police officer.

OFFICER DEATH

No police officer was killed by a perpetrator during adversarial conflict in 2011. One officer was killed by perpetrator's gunfire, however, and another officer was killed by a perpetrator's physical resistance. Because neither of those incidents involved an NYPD officer discharging his or her firearm, the incidents are not statistically included in this report. (The incidents are described in the Appendix.)

OFFICER INJURIES

Five officers were injured by gunfire during adversarial conflict, one of them severely. That officer, who was set upon by two armed robbers, was shot in the thigh, and sustained significant blood loss. He lapsed into a coma, but not before returning fire and striking both of his attackers, who fled and were later apprehended. (The officer has made a recovery.) Two other officers were grazed by a perpetrator's gunfire during a high-volume exchange of gunfire, and the final two were struck by crossfire from fellow officers in a separate incident.

BULLET-RESISTANT VEST

No officer suffered a bullet strike to his or her bullet-resistant vest in 2011.

MALFUNCTION

One officer experienced a phase-one malfunction, which did not affect the outcome of the discharge incident.

SUBJECT DEATH

Nine subjects were killed by police bullets in 2011. Seven of the nine had prior arrest histories. Both of the individuals with no arrest histories shot civilians—in one case, killing one—

immediately before confronting police. Five toxicology reports were available at the time of this writing and show four had illegal narcotic or controlled chemical substances in their systems at the time of the incidents; one did not.

Five subjects who were killed were in possession of firearms; two of these had shot civilians. Two other subjects menaced officers with knives, and a third nearly choked a detective unconscious.

The ninth subject used his vehicle as a weapon, injuring four civilians and threatening officers. Three officers discharged their firearms in this incident.

For narratives describing all incidents in which a subject was killed by police gunfire, see the Appendix.

SUBJECT INJURIES

Of the 19 subjects who were injured by police gunfire, 12 had firearms. Seven of these 12 subjects fired on police, and one officer was struck and critically injured. Two subjects attacked civilians or menaced police with cutting instruments; one of these killed a woman before he was stopped. Three subjects used overwhelming physical force against officers. One subject dragged an officer with his vehicle, and another, identified by a complainant as being in possession of a gun, made an aggressive gesture indicative of drawing a firearm, causing the officer approaching him to fire. No weapon was found.

BYSTANDER KILLED

One innocent civilian bystander was killed during a particularly chaotic incident, which occurred when a subject shot and murdered a rival, who witnesses stated was also armed. When police responded, the subject turned on them and, despite being wounded in two volleys of gunfire, continued to attempt to rise and point his firearm at officers. Sometime during the incident, a female civilian bystander several doors down from the location of the shooting was struck and killed. Forensics were unable to determine definitively whose round caused her death. Two officers were also injured by crossfire during the incident.

FINDINGS

Even when intentional firearms discharges are deemed justifiable in a court of law, they are still reviewed by the Department for tactical concerns and violations of procedure. It must be noted that discipline in these cases does not always relate to the actual discharge of the firearm, but can result from a violation of other Department procedures. Additionally, **all officers who discharge their firearms are sent to a firearms-retraining course, regardless of the circumstances of the discharge.**

At the time of this report, the actions of 44 of the 62 officers involved had been reviewed and findings had been issued.

Among the officers involved in reviewed incidents, four officers who fired on subjects in vehicles were held in violation owing to the Patrol Guide's clear proscription regarding vehicles: "Police officers shall not discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the police officer or another person present, by

means other than a moving vehicle.” This determination does not mean that their actions were unlawful or unjustified, however, only that they were in violation of Department policy, which is stricter than the New York State Penal Law.

Six other officers were ordered to attend specific retraining, in addition to the automatic retraining all discharging officers receive. Despite the fact that these six officers’ shootings were not held to violate procedure, four were reinstructed on cover, crossfire, and concealment, one was reinstructed on apprehending armed subjects, and one was reinstructed in general tactics.

Thirty-four officers’ actions were determined to involve no violation and require no corrective action. Reviews of the remaining incidents are pending.

CONCLUSION

There were 36 intentional discharges during adversarial conflicts in 2011, involving 62 officers who fired. These conflicts involved 41 subjects, including 12 who fired directly on police.

In 2011, there were nearly 1,821 victims of criminal shootings in New York City. The number of intentional firearms discharges by police, comparatively, is small, but every time an officer discharges a firearm he or she risks inflicting injury or death on subjects, fellow police officers, or innocent bystanders. Because of this, the Department strives to ensure that each incident is thoroughly investigated and analyzed in order to reduce these events, thereby reducing the likelihood of harm to civilians and officers alike.

One method of judging the Department’s relative success is to put the rate at which its officers engage in adversarial-conflict discharges in perspective. There were, on average, 34,565 uniformed officers employed by the NYPD in 2011. Of them, only 62—*0.18 percent*—intentionally discharged a firearm at a subject.

Another method is to compare the number of adversarial-conflict discharge incidents to the number of high-risk radio runs and the number of arrests of armed individuals made by officers each year. In 2011, officers responded to more than four million calls for service, of which more than 200,000 involved weapons. During the same year, New York City police officers also made 28,075 weapons arrests, including 6,087 gun arrests. (These numbers do not include instances in which officers confront armed emotionally disturbed persons and transport those persons to the hospital rather than arresting them.)

In other words, there were more than 28,000 incidents in which an officer took an armed subject into custody without firing his or her weapon.

Of the millions of dangerous calls that thousands of officers responded to in 2011 (not including proactive incidents during which officers were actively seeking out criminals), officers intentionally discharged their firearms during adversarial conflict in a total of 36 incidents.

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Intentional Discharge During Animal Attack

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INTENTIONAL DISCHARGE–ANIMAL ATTACK: OVERVIEW

There were 36 incidents of intentional firearms discharge during an animal attack in 2011, up 20 percent from 2010 and down 5 percent from 2002.

To contextualize these 36 incidents, it is worth noting that in 2011, police officers responded to approximately 28,000 calls for service involving dogs and other animals. It does not account for incidents in which officers encounter dogs while executing search-warrants or investigate incidents that were not processed through 911 or 311.

A total of 43 officers intentionally fired their weapons during these 36 incidents, up 13 percent from 2010. Additional officers were directly involved in attacks but did not fire. All of the animal attacks involved dogs.

(It should be noted that the following statistics, graphs, and observations are based on this limited sample.)

There were six officers injured in these incidents. Five officers were bitten by dogs and one officers suffered injuries from ballistic fragments during the attacks. Two civilians were also bitten by dogs in the course of these animal-attack incidents. These numbers do not encompass all dog attacks on officers or civilians, only dog-attack incidents involving intentional firearms discharges by police officers.

INTENTIONAL DISCHARGE–ANIMAL ATTACK (ID-AA) INCIDENTS, 2011	
Total Incidents	36
Total Animals Involved	43
Total Officers Firing	43
Officers Bitten	5
Civilians Bitten	2

Figure B.1

Of the 43 dogs involved, 12 were killed and 19 injured during these conflicts.

REASONS FOR DISCHARGES

Officers who intentionally discharged their firearms during animal attacks did so to defend themselves or others from the threat of physical injury, serious physical injury, or death. In all but one of the incidents the threat came in the form of a dog attack.

When able, officers attempt to prevent an animal attack using non-lethal options, including batons and OC spray. Emergency Service Units possess dog nooses to restrain animals at a safe distance, as well as CO₂ pistols and rifles capable of firing tranquilizer darts containing Ketaset, a veterinary anesthetic. In rapidly evolving situations, however, these other options are not always prudent or possible. Nevertheless, a police officer uses his or her firearm as a last resort to stop an animal attack.

DATES AND TIMES OF DISCHARGES

Twenty-eight percent of the intentional discharges during animal attacks occurred during the first four months of the year, whereas half of 2010’s 30 incidents occurred during the same period. July saw seven incidents, the most of any month. Every month had at least one incident.

**ID-AA
(INTENTIONAL DISCHARGE-ANIMAL ATTACK)
BY TOUR (36 INCIDENTS)**

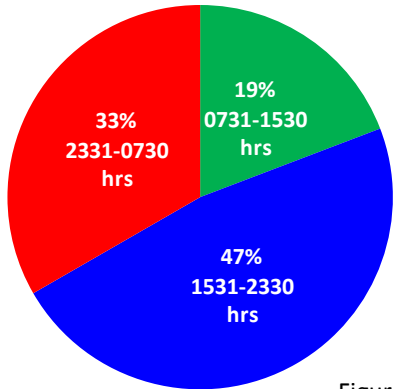


Figure B.2

The first quarter of the year saw eight incidents, the second quarter of the year saw five incidents, the third saw 14, and the fourth saw nine incidents.

Discharges during animal attacks occurred least often on Sunday (6 percent). These incidents occurred most often on the third platoon (47 percent), followed by the first platoon (33 percent) and the second platoon (19 percent) [see Figure B.2].

LOCATIONS OF DISCHARGES

All but one of the intentional discharges during animal attacks occurred within the city limits, and 83 percent of the incidents transpired under the jurisdiction of the patrol precincts.

Whereas only 8 percent of adversarial-conflict discharges occurred within the jurisdiction of the Housing Bureau (i.e., in the buildings or on the grounds of the New York City Housing Authority), 14 percent of intentional discharges during animal attacks occurred in Housing [see Figure B.3].

These incidents took place in 23 separate precincts, with most of those precincts only experiencing a single incident. Seven precincts accrued two or more incidents; the largest number—four—occurred in the 52 Precinct.

Figure B.4 on the next page maps the exact location of the 35 intentional discharges during animal attacks that occurred in 2011. (The single attack that occurred outside New York City is not depicted on the map.) The Bronx experienced the most incidents of any patrol borough (39 percent). Figure B.5 presents a percentage breakdown of locations by patrol borough.

Of the 36 incidents, 64 percent occurred outdoors. This is less than for adversarial-conflict discharges, 81 percent of which occurred outside.

Location types vary from streets and sidewalks to roofs, living rooms, and hallways. The plurality of incidents happened on the street or on a sidewalk (39 percent), a significant change from last year when 33 percent of these incidents occurred inside a residence. On page 40, Figure B.6 indicates the locations and percentages of the incidents.

JURISDICTION, ID-AC vs ID-AA

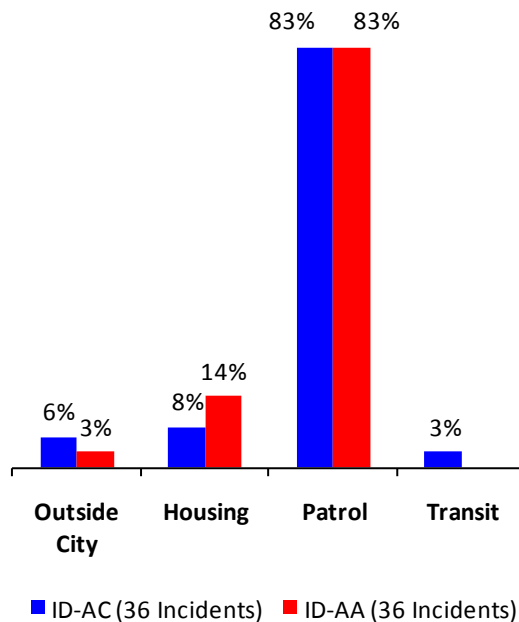
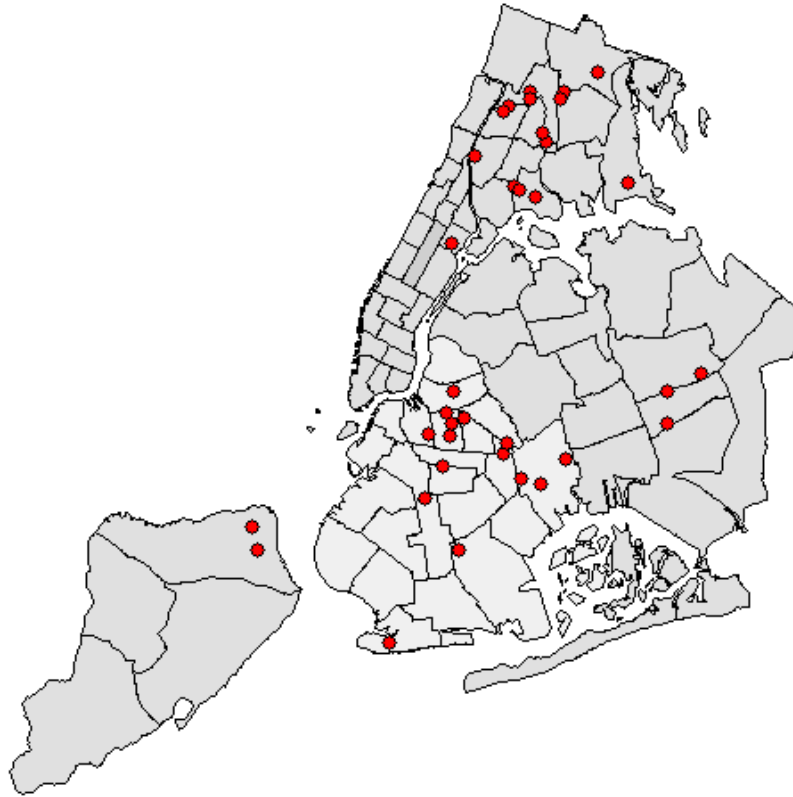


Figure B.3

**LOCATIONS OF INTENTIONAL DISCHARGES DURING ANIMAL ATTACK, 2011
35 INCIDENTS***



*Does not include the location of one incident that occurred outside the city limits

Figure B.4

ID-AA INCIDENTS, BY PATROL BOROUGH (36 INCIDENTS)

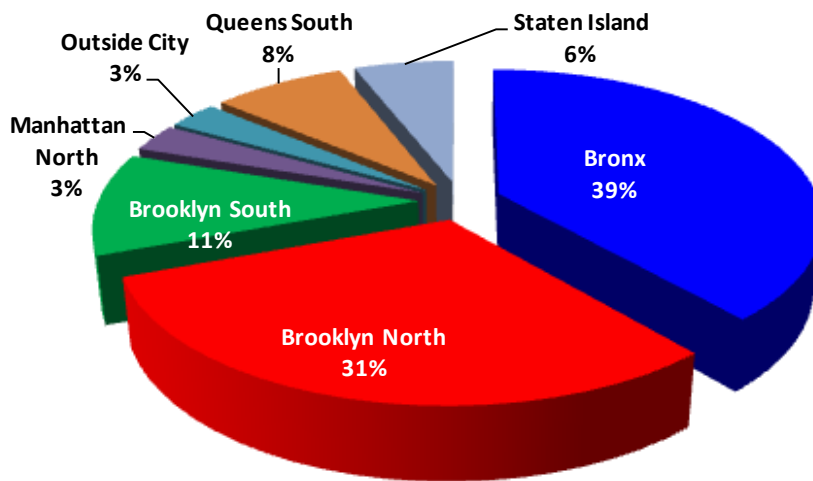


Figure B.5

ID-AA INCIDENTS, BY LOCATION TYPE (36 INCIDENTS)

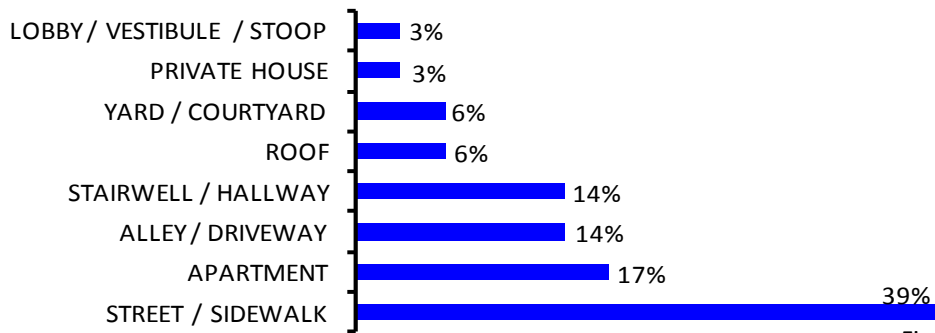


Figure B.6

ON-DUTY OFFICERS' ACTIONS PRECIPITATING ID-AA INCIDENTS (42 OFFICERS)

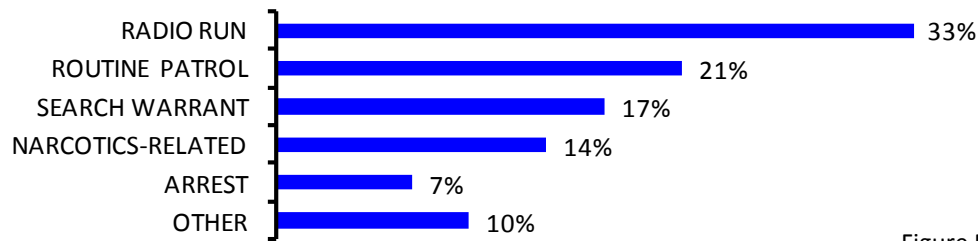


Figure B.7

REASONS OFFICER INVOLVED

For the 42 on-duty officers involved in animal attacks, a variety of events precipitated the incidents. Most commonly, on-duty officers were responding to radio dispatches, many of which were animal-involved radio runs. Other officers were engaged in routine patrol (21 percent) or were executing search warrants (14 percent) when they encountered aggressive animals. Figure B.7 illustrates these and other precipitating events.

Two thirds of on-duty officers were assigned to precinct or housing patrol duties, which include conducting verticals, effecting arrests, and responding to calls for service from the public, including calls about vicious dogs. These specific jobs account for 61 percent of the incidents. It is interesting to note, however, that 29 percent of on-duty officers were assigned to the Organized Crime Control Bureau (OCCB), a much larger percentage than that command's share of Department staffing would suggest. This stems largely from the fact that OCCB officers are much more likely to conduct search warrants than officers in other assignments.

OFFICER RESTRAINT

A total of 79 shots were fired by officers during animal-attack incidents; this is a **22 percent decrease** from 2010. Seventy percent of officers discharging their firearms fired only **one time**, and no officer fired more than six rounds [see Figure B.8]. This pattern of restraint is also apparent when analyzing the number of shots fired per incident. In three out of every four animal attacks, two or fewer rounds were fired [see Figure B.9].

SHOTS FIRED PER OFFICER (43 OFFICERS)

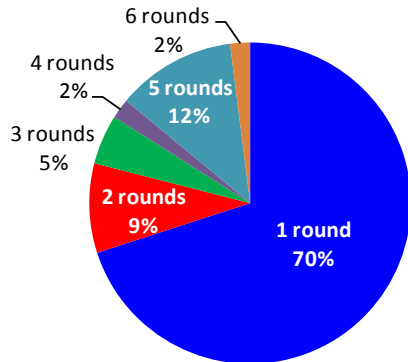


Figure B.8

SHOTS FIRED PER INCIDENT (36 INCIDENTS)

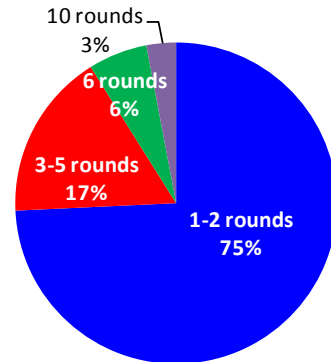


Figure B.9

Of the 43 animals involved, 31 were struck. At least one animal was hit in 29 of the 36 incidents. This yields a per-incident objective completion rate of 81 percent per incident, slightly higher than the objective completion rate during adversarial conflict (78 percent) and noticeably higher than the objective completion rate of adversarial-conflict officers under fire (66 percent). A likely explanation for this is the proximity of the animal to the shooter in most animal-attack incidents, as well as the fact that the animal, unlike a human opponent, does not make any attempt to avoid gunfire.

SHOOTING TECHNIQUE

Of officers who reported their shooting techniques, only 32 percent report gripping the firearm with two hands, which is radically divergent from the 71 percent of officers involved in adversarial conflict who used a two-handed grip. This likely stems from the fact that animal attacks are often abrupt, close-quartered affairs, in which the animal rushes towards the officer and the officer seeks to ward off the animal even as he or she draws and fires. In all but one incident, the animal was within five yards of the officer.

Only three officers (7 percent of those reporting) used their sights when discharging their firearm during these confrontations, which is dramatically different from the 44 percent of reporting officers who used sights during adversarial conflict. This, too, likely derives from the immediacy and proximity of most animal attacks.

Eighty-four percent of reporting officers indicated that they were unable to utilize cover, versus 75 percent of reporting officers in adversarial-conflict incidents. Fully 88 percent of reporting officers stated that they were standing when they discharged, versus 60 percent of reporting officers in adversarial-conflict incidents.

OFFICER PEDIGREE

Two of the 43 officers firing in animal attack incidents were female. The race of the officers involved in intentional discharges during animal attacks diverges slightly from the racial makeup of the Department’s staffing. By a thin margin, white officers were underrepresented,

RACE/ETHNICITY OF ID-AA OFFICERS, 2011

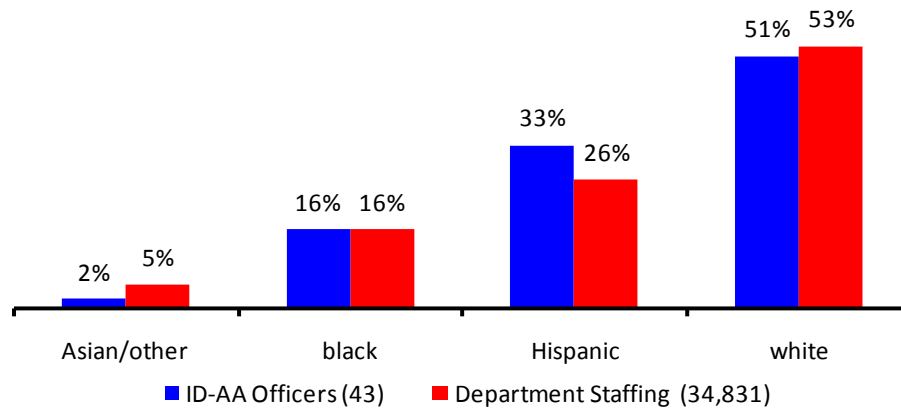


Figure B.10

comprising 51 percent of officers firing versus 53 percent of Department staffing. Hispanic officers were noticeably overrepresented, however, comprising 33 percent of officers firing versus 26 percent of Department staffing. Black officers accounted for 16 percent of both groups [see Figure B.10].

YEARS OF SERVICE

More than a third of the officers who discharged firearms during animal attacks had between one and five years of service. As years of service increase, the number of intentional discharges during animal attacks trends down [see Figure B.11]. This is to be expected, as officers assigned to patrol are often the first officers to respond to dangerous jobs involving animals, and the majority of officers with fewer than five years of service are assigned to patrol precincts performing these types of duties. There is an interesting exception to the trend: officers with 16 to 20 years of service are slightly overrepresented. A possible explanation is that officers of this tenure are more likely to have transitioned into elite assignments such as the Warrants Squad and OCCB.

YEARS OF SERVICE FOR ID-AA OFFICERS, 2011

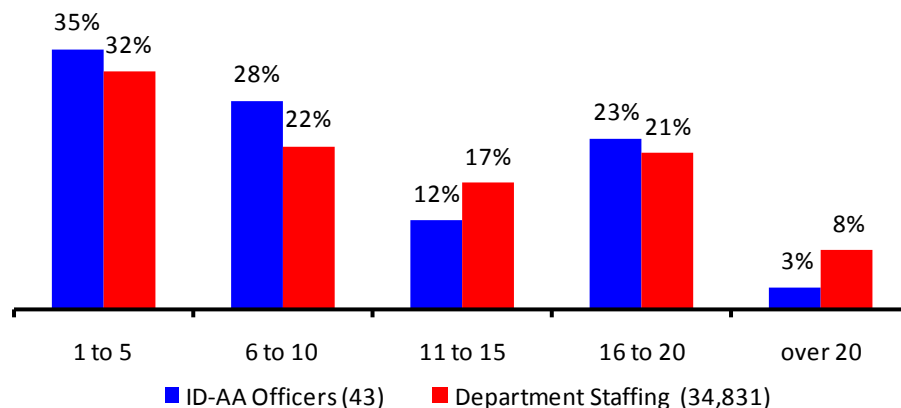


Figure B.11

RANKS OF ID-AA OFFICERS (43)

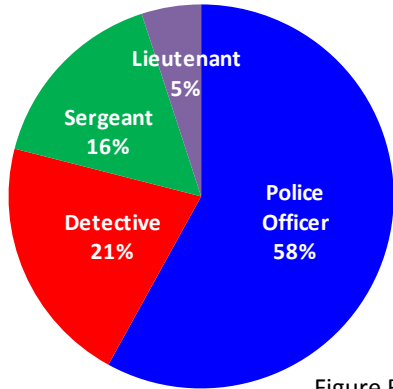


Figure B.12

RANK

More than half of officers discharging their firearms in these incidents were police officers, who are most likely to perform duties that expose them to animal attack [see Figure B.12]. The next-most represented rank was that of detective, which is also the second-most numerous rank in Department staffing. Whereas 2010 saw a spike in the involvement of detectives in animal attacks, from 12 percent of 34 officers in 2009 to 34 percent of 38 officers in 2010, that figure has fallen this year, to 21 percent of 43 officers.

ATTIRE

Exactly half of the on-duty officers who discharged their weapons during animal attacks were attired in plainclothes. This statistic is driven by plainclothes OCCB officers who accounted for 29 percent of officers discharging firearms during animal attack in 2011.

POLICE WEAPONS

Officers utilized their service weapons in each of the 36 incidents, including the one off-duty incident. No officer reported a firearms malfunction during an animal attack in 2011.

INCIDENT OUTCOMES

Of the 36 intentional discharges occurring during animal attacks, 29 resulted in injury or death to at least one animal. Five officers were bitten by dogs (down from nine in 2010).

Two civilians were bitten by dogs. No civilians were injured by a police gunfire during these incidents.

Of the 43 animals involved, 12 were killed and 19 injured by police gunfire. All of the animals involved were dogs.

FINDINGS

All of the intentional firearms discharges during animal attacks in 2011 were investigated and, at the time of this report, 64 percent offered findings and recommendations. Of the 28 officers in the completed investigations, none was in violation of procedure or law.

CONCLUSION

From among approximately 28,000 calls involving animals answered by thousands of officers, as well as uncounted incidents in which officers came into contact with dogs or other animals, a total of 36 instances resulted in officers discharging their firearms.

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Unintentional Discharge

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UNINTENTIONAL DISCHARGES: AN OVERVIEW

In 2011, there were 15 reported incidents of unintentional firearms discharge, involving 15 officers. (There were 21 such incidents in 2010.) The unreported 2009 incident involved an off-duty officer accidentally discharging his firearm in his living room. No injuries were sustained from this incident. The officer was suspended for failing to report the incident.

There were six officers injured in the 15 incidents. Two sustained through-and-through injuries to their thighs, one shot herself in the buttocks, two were struck by rounds or spall in their hands, and one was struck in his ankle. No officers were killed as a result of these incidents.

No civilians or subjects were killed in these discharges; one civilian was injured.

REASON FOR DISCHARGES

Officers unintentionally discharging their firearms did so in two distinct circumstances—either purely unintentionally (13 incidents), or unintentionally during adversarial conflict (two incidents). Purely unintentional discharges usually occur while the officer is loading, unloading, or otherwise handling the firearm. Unintentional discharges during adversarial conflict occur while the officer is actively engaged in the arrest or apprehension of a subject.

PURELY UNINTENTIONAL DISCHARGES

There were 13 incidents in which an officer unintentionally discharged a firearm absent an adversarial conflict or animal attack. In each of the 13 incidents, only one shot was fired.

LOADING/UNLOADING

Six of the purely unintentional incidents occurred while the officer was loading or unloading the firearm. Five of the officers were males; one was a female. Four of the six incidents involved off-duty officers, including one member who ill-advisedly sought to use his gun safe as a loading/unloading safety station. When the officer accidentally discharged a round, it ricocheted back out of the safe, striking him in a finger. Two of the incidents occurred while officers were at work and in the course of their duties. In one, a detective in the Firearms Analysis Section, working at the Police Laboratory in Queens, did not properly unload an evidence firearm that was being tested for operability. Another instance occurred when an Anti-Crime officer attempted to render a recovered weapon safe but fired instead. This last incident was the only loading/unloading incident that occurred outdoors. Three incidents resulted in injuries to the officers who fired.

HANDLING

Of the other seven purely unintentional discharges, five occurred while the officer was holstering or otherwise handling the firearm. Four of the officers were males; two were females. The majority of incidents occurred at the officer's residence or a police facility. One occurred at Rikers Island and two occurred in vehicles; one of those vehicles was in the parking lot of the police department's firing range in the Bronx. Three incidents resulted in gunshot injuries to the officers who fired.

Two incidents occurred during the execution of search warrants. The more notable of these involved an detective assigned to the Emergency Services Unit (ESU) who, in attempting to adjust the flashlight attached to his weapon, inadvertently fired the pistol. A resident of the location for which the warrant had been issued was struck and seriously injured. (The individual, a 76-year-old man, was the father of the subject of the search warrant. He was struck in the abdomen but survived. The warrant resulted in the recovery of narcotics.)

WEAPONS

Three of the 13 firearms discharged during purely unintentional incidents were weapons that were not the officers' regular service or off-duty firearms—two were perpetrator's weapons, and one was an ESU Glock 19 equipped with an under-the-barrel flashlight.

More notably, six of the remaining ten firearms were also manufactured by Glock (three model 19s and three model 26s). In fact, with regard to officers experiencing unintentional discharges while loading or unloading their own firearms, 75 percent of such incidents involved Glocks. Their overrepresentation in this category has been seen consistently over the past five years: since 2007, there have been 31 incidents in which officers unintentionally discharged their own firearms during loading/unloading, and 22 of those incidents—71 percent—have involved Glocks. This most likely stems from the fact that a person disassembling a Glock must depress the trigger to do so.

OFFICER PEDIGREE

No pattern can be discerned in the pedigree information. Gender, age, race, years of service and assignment vary without significance across the 13 incidents. The fact of the matter is that, with 35,000 officers and an even larger number of authorized firearms, accidents occur.

FINDINGS

In nine of the purely unintentional discharge cases, findings have been determined—in each of those cases, the officer who fired was determined to have violated Department guidelines and was subject to discipline and/or retraining. Findings for four cases are pending.

UNINTENTIONAL DISCHARGES DURING ADVERSARIAL CONFLICT

There were two incidents in which officers unintentionally discharged their firearms during an adversarial conflict in 2011. (This is a decrease from six such incidents in 2010.) In each incident only one shot was fired.

REASON FOR DISCHARGE

The first of these discharges involved an officer wielding a bunker a bullet-resistant shield during a search-warrant execution. Officers assigned a bullet-resistant shield must carry the shield in one hand and their firearm in the other, usually their non-dominant hand. In this instance, a subject of the warrant attacked the officer; during the struggle, the officer inadvertently discharged his weapon.

The second incident involved an officer who accidentally discharged his firearm when he was almost struck by a fleeing car thief driving a stolen vehicle.

INJURIES

There were no injuries or deaths as a result of either of these incidents.

FINDINGS

Only one of the two cases of unintentional discharge during adversarial conflict has been finalized. It was determined that the officer involved in the finalized incident, in which he was attacked during a search warrant execution, was not in violation of Department guidelines.

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Unauthorized Use of a Firearm

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OVERVIEW

There were five firearms discharges in 2011 that were deemed to be unauthorized and outside the scope of the officers' employment. Three of these incidents involved suicides or attempts, one involved the discharge of an officer's weapon by someone other than the officer, and one remains under investigation.

DISCHARGE BY OTHER THAN OFFICER

In one incident, an off-duty sergeant failed to secure his revolver, which was discovered by his 14-year-old son. The boy accidentally discharged the weapon into the floor of his home, causing no injuries and minor property damage.

SUICIDE OR ATTEMPT BY FIREARM, 2002 to 2011

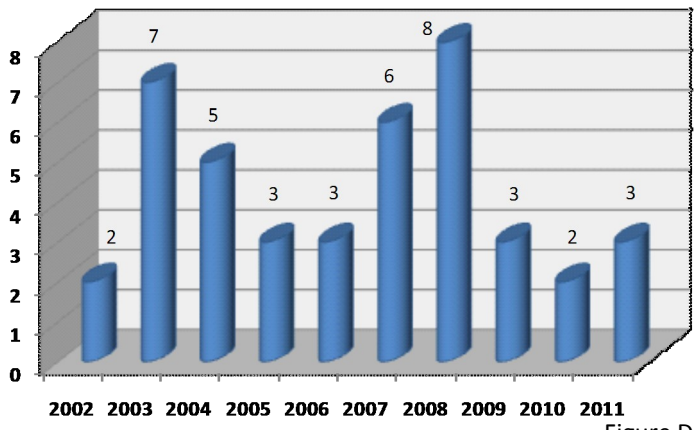


Figure D.1

SUICIDE

One officer committed suicide in 2011. And two others attempted suicide by firearm.

Suicide incidents, whether firearms-related or otherwise, are tracked and investigated by the Department, but they are not discussed in this public report.

OTHER

The final unauthorized incident remains under investigation. It resulted in a modification of the involved officer's duty status. Preliminary investigations have determined that there was no property damage nor were there any injuries to any party as a result of the incident.

OUTCOME

The unauthorized use of a firearm owned by a New York City police officer is investigated thoroughly, and more often than not results in discipline against the officer discharging the weapon or the officer charged with the security of the weapon. In cases of serious misconduct, officers are suspended, arrested, and eventually terminated for their actions.

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Mistaken Identity

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DEFINITION

The Department defines an incident of mistaken identity as one in which a New York City police officer fires on another New York City police officer or other law-enforcement agent in the mistaken belief that the subject officer is a criminal and poses an imminent physical threat. Mistaken-identity incidents are distinguished from crossfire incidents in that the shooting officer is purposefully and intentionally choosing to fire on the targeted officer. Unintentional crossfire incidents and accidental discharges resulting in injury or death to fellow officers are not included in this category. Unauthorized discharges, in which an officer injures or kills another officer in a criminal manner (e.g., domestic incidents), are also excluded. This definition comports with the 2010 New York State Task Force on Police-on-Police Shootings' definition of "Police-on-Police Confrontations."

2011 INCIDENTS

In 2011 there was an incident of Mistaken Identity in which an NYPD officer was involved, although that officer's firearms discharge was not the mistaken discharge.

On December 31st, in Nassau County, an off-duty NYPD officer and a retired lieutenant from the Nassau County Police Department were alerted to an ongoing robbery and altercation at a nearby pharmacy. They rushed to the scene, and observed two men engaged in a violent struggle over a firearm.

At some point, the retired lieutenant deemed one of the two men who were fighting to be an apparent threat, and discharged his firearm at that individual. Sadly, this was a mistaken-identity discharge: the subject of the retired lieutenant's discharge was in fact an off-duty federal law-enforcement officer who had been inside the pharmacy when the other man had perpetrated an armed robbery. The federal officer had pursued and fired upon the robber, and a struggle ensued. After the retired lieutenant intentionally but mistakenly shot the federal officer, the robber gained control of the federal officer's firearm. At this point the off-duty NYPD officer correctly adjudged the robber to be a threat and fired three rounds, striking and killing him. Tragically, the federal officer subsequently succumbed to his injuries, as well.

Because the NYPD officer in this incident discharged his weapon intentionally at an adversary, rather than mistakenly at a fellow law-enforcement officer, the Department categorizes this as an Intentional Discharge–Adversarial Conflict, and it is statistically included in that chapter of this report.

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APPENDIX

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IN MEMORIAM

The accounts below are adapted from narratives associated with the New York City Police Department's 2012 Medal Day honors. On June 12, 2012, both Officer Schaberger and Detective Figoski were posthumously recognized with the Department's highest award, the Medal of Honor.

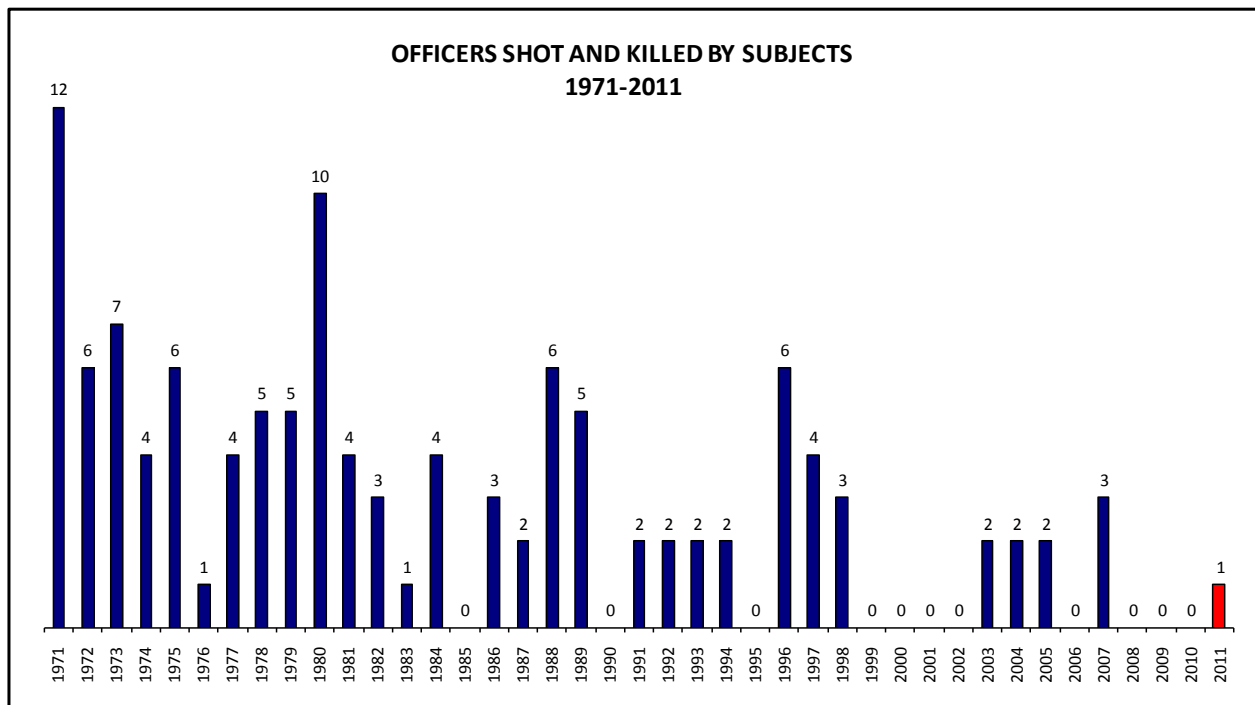
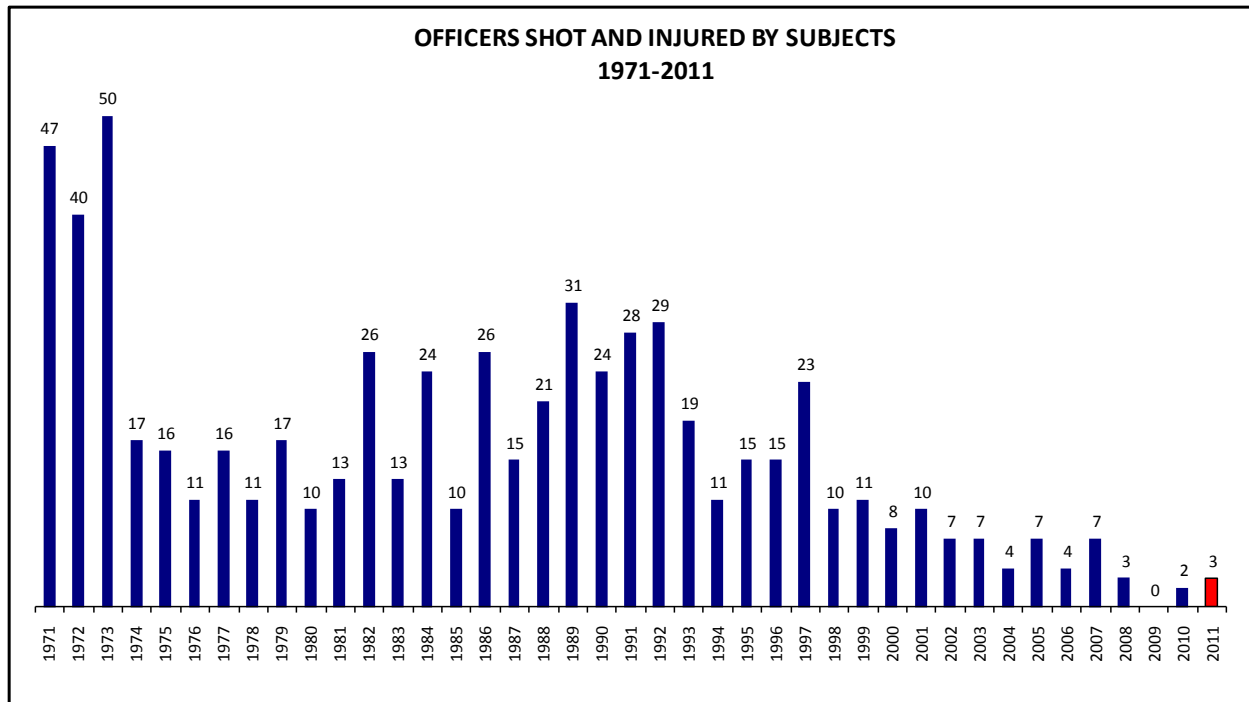
On March 13, 2011, Police Officer Alain Schaberger, 42, was on patrol with his partner when they responded to a domestic-violence incident in the 84 precinct. They were met by a female complainant who stated that her boyfriend had threatened to kill her and directed them to his residence. The officers traveled to the residence, identified the subject, and escorted him onto the front steps of the location, where they attempted to take him into custody. At this point, the subject resisted and pushed Officer Schaberger over a railing, causing him to fall nine feet down a cement stairwell. Additional responding officers used a conducted energy device to subdue the subject. As a result of the fall, Officer Schaberger suffered severe trauma to his head and neck and later succumbed to his injuries at the hospital. The subject was convicted of manslaughter in the first degree in connection with Officer Schaberger's death and was sentenced to 28½ years to life in prison. Police Officer Alain Schaberger is survived by his parents, Paul and May, by his sister, Tracey, and her husband Jeff and their twins Kate and Jill, and by his fiancée, Shonshone.



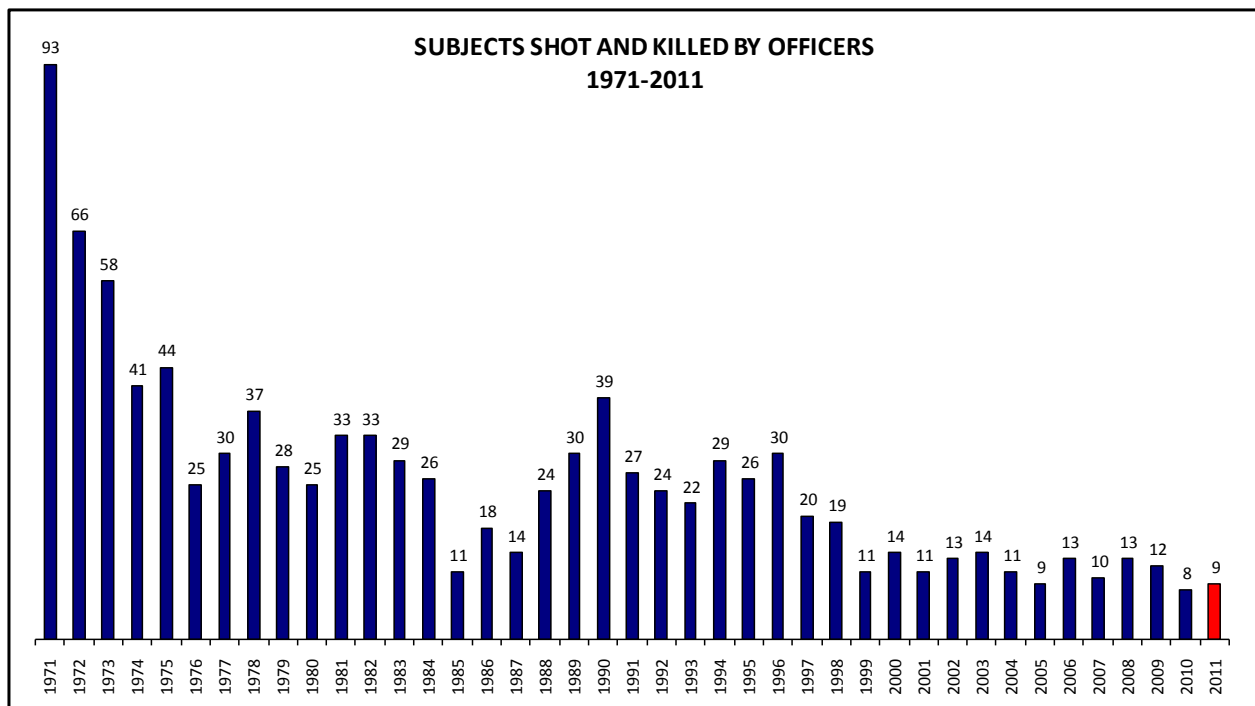
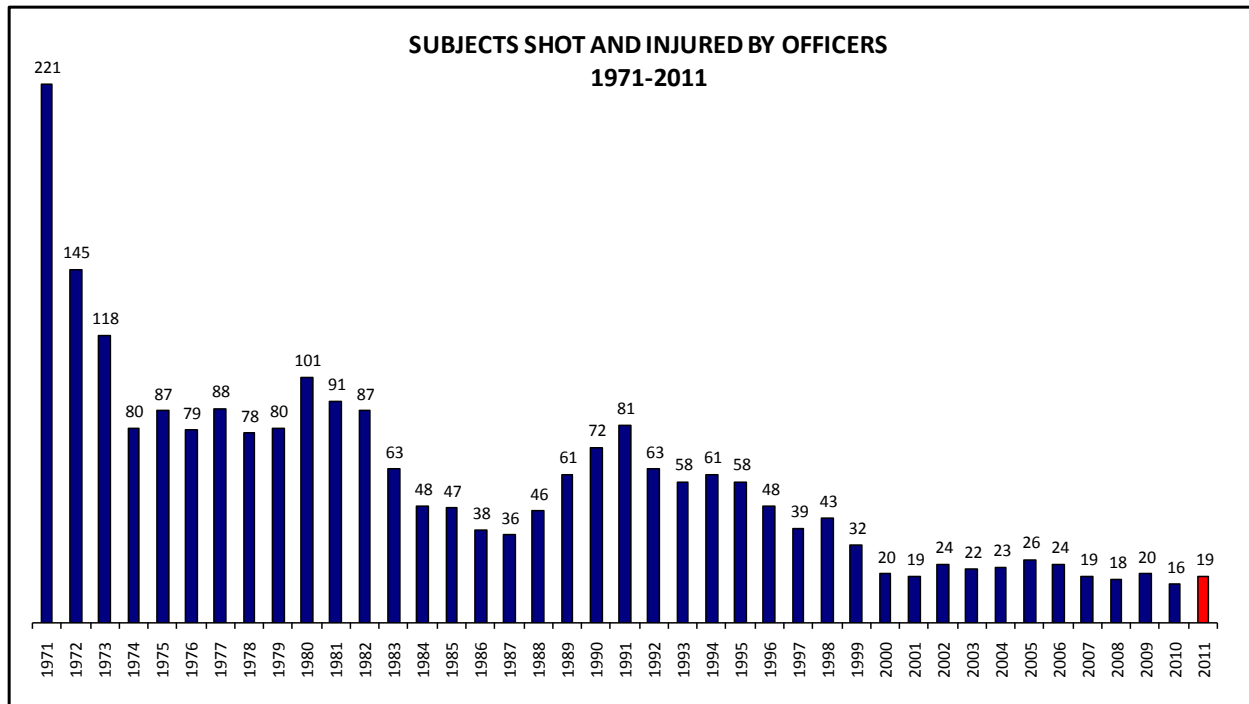
On December 12, 2011, at 0200, then-Police Officer Peter J. Figoski, 47, was on patrol with his partner when they responded as backup to a radio run for a burglary in progress at a basement apartment in the 75 precinct. Unbeknownst to the arriving officers, two subjects were hiding at the location, waiting for a chance to escape. After the first officers on scene passed their hiding spot, the subjects attempted to flee—just as Officer Figoski and his partner descended the stairs to the apartment. A fierce struggle ensued, during which one of the subjects shot Officer Figoski, critically wounding him. Officer Figoski's partner disengaged from the subject he was fighting and chased the armed subject who had shot his partner, and was able to apprehend him after a foot pursuit without firing his weapon. Tragically, Officer Figoski later succumbed to his wounds at a nearby hospital. Officer Figoski, a 22-year veteran of the Department with a long history of decorations, arrests, and dedication to duty, was posthumously promoted to Detective First Grade on December 18, 2011. His murderer and the man's accomplices await trial. Detective Figoski is survived by his four daughters, Christine, Caitlyn, Caroline, and Corinne; their mother, Paulette; his parents, Frank and Mary Ann; and a brother, Robert, a retired NYPD Police Officer.

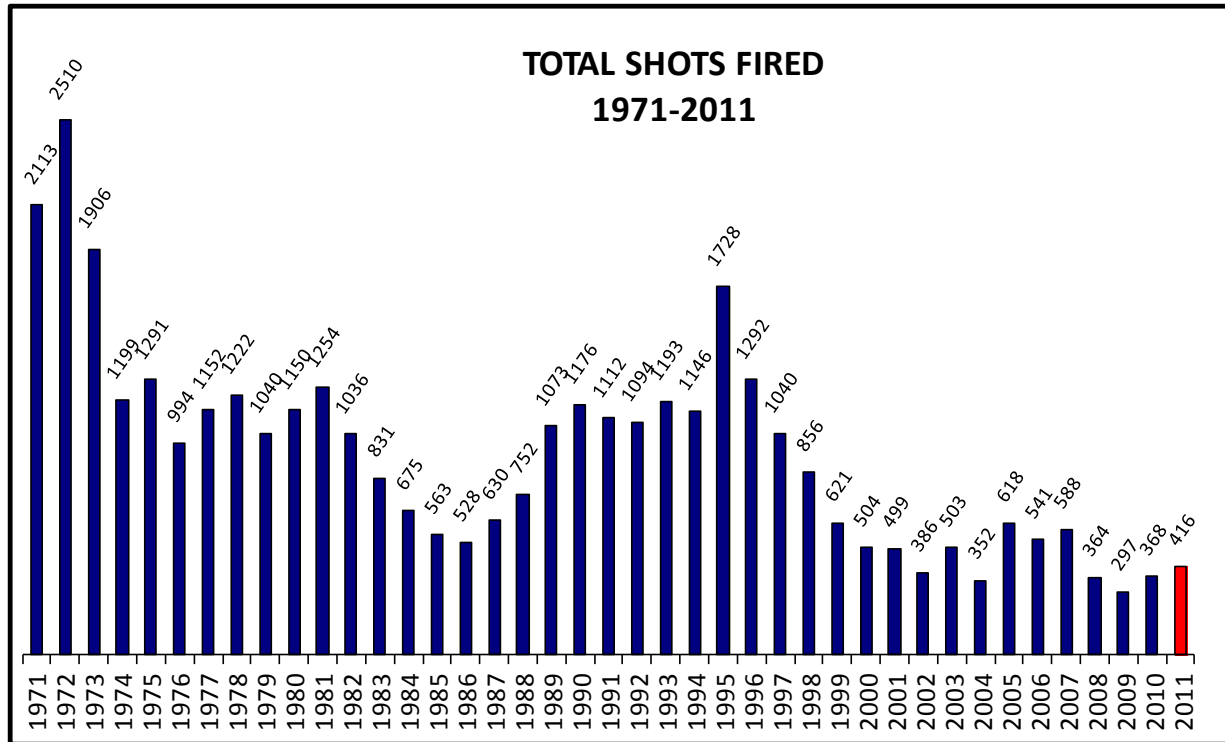


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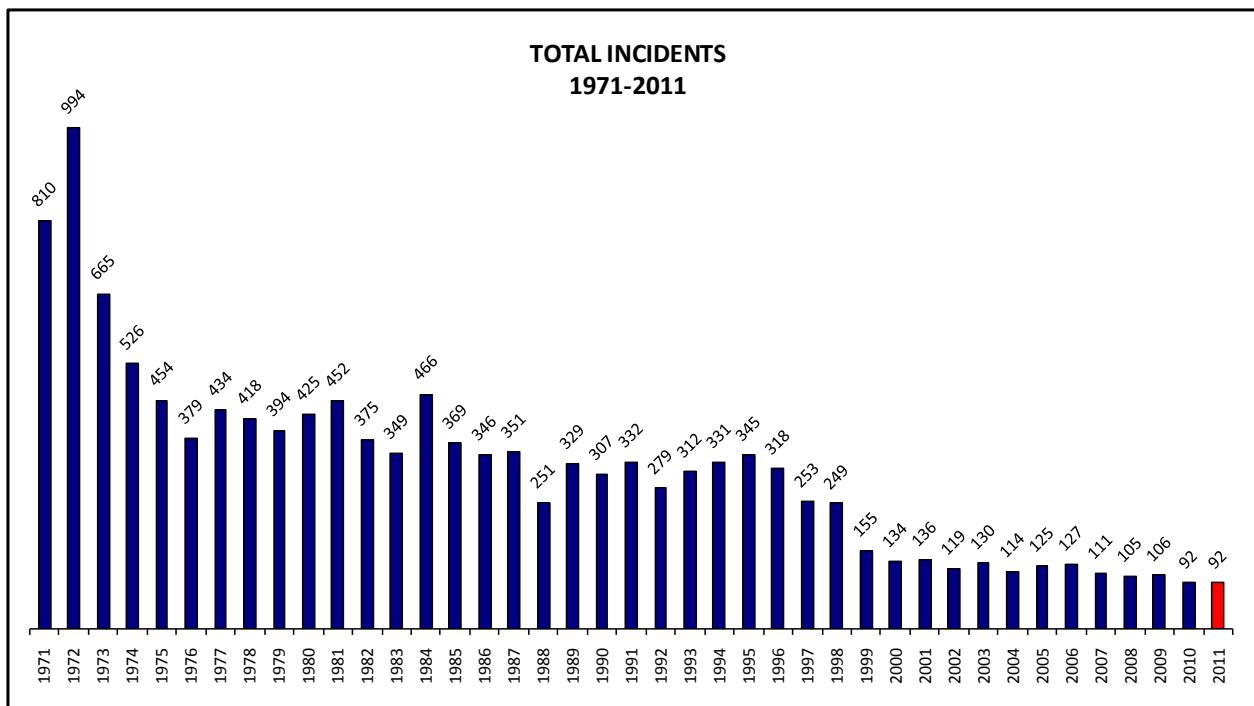


These two charts represent officers who were shot by criminal subjects and do not represent accidental shootings, suicides, unauthorized shootings, incidents in which officers were personally involved, crossfire incidents, or mistaken-identity shootings





Since 2005, the shots-fired data have included all rounds discharged from an NYPD officer's gun, even if the officer did not fire.



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OVERVIEW

NYPD firearms training emphasizes that the ultimate goal of every police officer is to protect life. This means all lives: those of bystanders, victims, and subjects—and of officers and their fellows, too. One of the grim realities of police work, however, is the terrible contradiction that can arise when it becomes necessary to protect life by using deadly physical force.

According to the New York State Penal Law, and in keeping with the Patrol Guide restrictions delineated previously in this report, an officer may use deadly physical force when he or she has probable cause to believe that such force is necessary to protect the officer or other persons from imminent death or serious physical injury. (This includes instances in which a subject is in possession of an object that, because of its appearance and the manner in which the subject holds or uses it, gives the officer a reasonable belief that the object is capable of imminently causing death or serious physical injury—e.g., when an officer confronts a subject menacing people with a firearm that is later revealed to be a replica.)

SHOOT TO STOP

Once an officer has determined that deadly physical force is warranted and necessary, the goal of using such force is not to kill, but to stop. Police officers are trained to use deadly physical force to “stop the threat”—i.e., to end the subject’s ability to threaten imminent death or serious physical injury to the officer or another person.

If, for example, a missed shot nevertheless causes a subject to cease and desist, then that one errant round is all that is necessary. If a subject is injured and surrenders, then shooting to stop has been accomplished. But sometimes the only means of stopping a subject is one that results in the subject’s demise. Stated explicitly, however, **POLICE OFFICERS DO NOT “SHOOT TO KILL”**—they are trained to shoot to stop.

WEAPONS CONTROL

NYPD firearms training also emphasizes weapons control. With regard to shooting technique, the mechanics of pistol shooting in a controlled environment include proper grip, sight alignment, sight picture, trigger control, and breath control. All of these require a degree of concentration and fine motor skills. Unfortunately, in a combat situation, concentration and fine motor skills are sometimes among the first casualties. Training can mitigate this, but officers must be taught to rely on mechanical actions that employ gross motor skills and have as few components as possible.

POPULAR CULTURE MISREPRESENTATIONS

One of the purposes of this report is to make it clear that, contrary to media-fostered misimpressions, police officers rarely use their firearms and show great restraint when they do so. (The risible Hollywood fiction that police shootings have no consequence—that officers are back on the street immediately after a firearms discharge, that officers may engage in multiple incidents on a regular basis—is also dispelled by this report.) Perhaps the worst of popular cul-

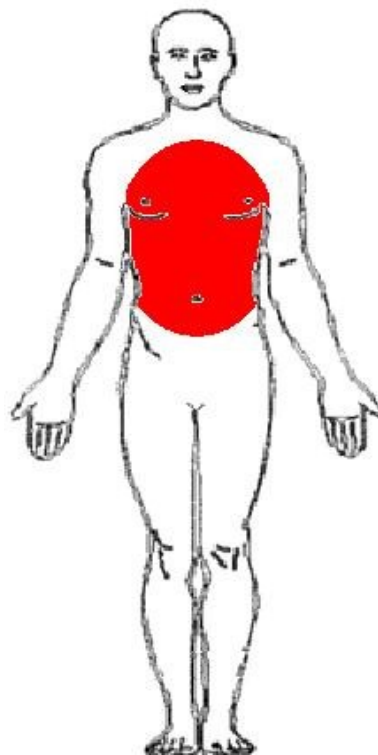
ture’s purposeful inaccuracies concerns the accuracy of pistols. Thanks to the movies and TV, many civilians have a mistaken understanding of police and their firearms.

Action heroes routinely display miraculous precision with their guns, and they routinely use handguns instead of rifles or long guns. In real life, handguns are much more limited weapons. They are short, making axial sight misjudgment more likely, and they lack a third bracing point (such as a rifle’s butt stock), and are thus more difficult to steady and aim.

NYPD PISTOLS

There are three pistol models that are authorized as on-duty service weapons for NYPD officers: the Glock 19, the Sig Sauer P226, and the Smith & Wesson 5946. These weapons are semi-automatic, chambered in 9mm, and equipped with 15-round magazines. (Additionally, there are several weapons authorized for off-duty carry, such as the Glock 26, Smith & Wesson 3914, and the Beretta 8000D Mini Cougar. A handful of officers carry .38 caliber revolvers; these officers are senior members whose weapons have been grandfathered in; revolvers have not been issued as service weapons since 1992.) All NYPD service pistols are “double action only” (DAO), meaning they have a two-stage trigger pull for each round fired (unlike single-action weapons, which can be “cocked,” resulting in a one-stage trigger pull, which is smoother and easier). Additionally, all NYPD weapons are also modified to have a heavier-than-stock 12-lb trigger pull; this diminishes the likelihood of unintentional discharges but also affects aiming. Nevertheless, it balances the fact that NYPD pistols do not have safeties, and are carried “hot,” with a round in the chamber. The NYPD uses a 124 grain, hollow-point bullet that is designed to prevent over-penetration and ricochets.

CENTER MASS



CENTER MASS

Ersatz experts in police tactics who have never been police officers occasionally claim that shooting to wound is a valid choice, even in life-or-death combat situations: they are mistaken. Both the impairment of fine motor skills during combat stress and the relative imprecision of pistols contribute to the fact that **ALL POLICE OFFICERS ARE TAUGHT TO SHOOT FOR CENTER MASS**. Police officers never aim for a subject’s extremities; they fire at center mass.*

The human body’s center mass, also called the center of gravity, is, by definition, the most central and largest area available as a point of aim. Physicians use a quick assessment tool known as “the rule of nines” to divide body surface by region. The torso represents one third

* In cases in which a subject uses cover and presents only a portion of his or her body, officers are trained to use the geometric center or “barycenter” of the exposed portion as a point of aim in lieu of center mass.

of a human's surface area, versus a mere 9 percent for an arm or 18 percent for a leg. The torso is also the most stationary portion of the body. Extremities, on the other hand, are smaller and far less static. Arms flail, legs pump, and in so doing they become nearly impossible to target. This is exacerbated by the stress and dynamism of a combat situation.

Additionally, shooting a subject in an extremity is far less likely to stop him or her than a shot to the center mass. A leg wound, for example, does little to prevent a subject from continuing to use a knife or gun. Stopping a subject from threatening imminent death or serious physical injury to another person is the sole reason an officer utilizes deadly physical force.

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ADVERSARIAL CONFLICT RESULTING IN A SUBJECT'S DEMISE

In 2011, nine subjects were shot and killed by officers who intentionally discharged their weapons during adversarial conflict.

The very essence of police work is the desire to protect life. Because of this, taking a life in order to protect another is a terrible contradiction, and no officer relishes the prospect of encounters such as these. When facing armed, violent suspects, however, these events are a possibility for which officers must be prepared. The tactics used in these confrontations can be analyzed and assessed in order to develop training that can provide officers with more use-of-force options or conflict-resolution opportunities so that, in the future, similar events may have different outcomes. A short narrative of each incident is found below. It is worthy of note that seven of the nine subjects had prior arrest histories; Five toxicology reports were available at the time of publication and show that four were intoxicated and/or had controlled substances in their systems when these incidents occurred.

On March 20, at 2328 hours, in the confines of the 49th Precinct, several uniformed police officers responded to a 911 call describing a violent dispute with a knife. Upon arriving at the location, the officers encountered a male shouting "Help! They're going to kill each other!" Officers ascended to a fifth-floor apartment where they observed a victim attempting to use a chair to fend off a male white subject who was menacing him with a large kitchen knife. A female officer and her male partner were able to pull the victim out of the room but then faced the subject, who refused repeated instructions to discard the knife and instead charged at the officers. Both officers fired, striking the subject and causing his demise. The subject had a long arrest history that included assaults and resisting-arrest charges, and had controlled substances in his system at the time of the incident.

On March 26, at 0002 hours, in the confines of the 40th Precinct, three officers had occasion to discharge their firearms at an individual who was aggressively attempting to run them and other officers down with a vehicle, and had already injured civilians while doing so. A short time prior, two plainclothes officers had observed a sports utility vehicle with defective equipment and had attempted to stop the driver. After refusing to pull over, the male Hispanic driver fled, running red lights and driving on sidewalks as he did so. Other officers, included uniformed officers in marked vehicles, joined the pursuit. The subject attempted to enter an expressway, but was blocked by traffic, and began to use his vehicle to ram other occupied cars. Several officers exited their vehicles and approached the subject, who continued to crash his SUV into the automobiles blocking his path, injuring civilians, and also attempted to run over the officers. Three officers discharged their weapons, striking the subject and causing his demise. A passenger in the SUV was unhurt. The subject, who had controlled substances in his system at the time of his death, had a long felony history, including arrests for assault and weapons possession, and had served nine years in prison. At the time of the incident, there was a warrant for the subject's arrest.

On May 11, at 1934 hours, in the confines of the 83rd Precinct, an undercover detective exe-

cuting a firearms purchase was the victim of a gunpoint-robbery attempt. The undercover officer had arranged to meet an illegal firearms dealer and purchase several guns. Upon arriving at the agreed location, both the seller and the undercover officer were accosted by a male Hispanic armed with a .380 caliber semiautomatic pistol who ordered them to the ground. Fearing for his life, the undercover officer drew his firearm and discharged three rounds, striking the subject and causing his demise. The subject had numerous felony priors, including arrests for robbery and assault. His toxicology report was unavailable at the time of this writing.

On May 17, at 1230 hours, in the confines of 123rd Precinct, an officer assigned to the Emergency Services Unit discharged his weapon at an armed male white subject who had just murdered one civilian and seriously injured another. Upon receiving reports of a shooting, patrol units responded and were able to interview the victim who had been shot and injured. She stated that the subject, a business associate of her husband, had come to their house and, without preamble, shot her and then shot and killed her husband. Patrol officers entered the house and encountered the subject, who was still armed. An on-scene police executive ordered a tactical evacuation, and while moving out of the house officers heard a gunshot. Police established a secure perimeter, and awaited the response of the Emergency Services Unit. When the unit arrived, they determined that the gunshot heard might have been the subject injuring himself, and entered the house in order to assess the situation. The lead officer encountered the subject, who pointed a .25 caliber semiautomatic pistol at the officer. The officer discharged his weapon several times, striking the subject and causing his demise. The subject had no prior arrest history, and had controlled substances in his system at the time of the incident.

On June 30, at 1650 hours, in the confines of the 75th Precinct, officers responded to a radio call for a robbery during which a man had been shot. A male white subject had entered an auto repair shop, abruptly produced a revolver, and shot and injured the owner. He then fled. Numerous officers converged on the location to canvas for the subject. One uniformed sergeant and officer were alerted by a passerby that the subject had hailed a livery cab. Upon locating and stopping the cab, the sergeant and officer approached the vehicle, at which point the subject suddenly opened the cab's rear door and menaced the officers with pistol in hand. The subject refused orders to relinquish his weapon, and a struggle over the gun ensued. When the subject wrested the .38 revolver away and pointed it at the officers, each officer discharged a single round, striking the subject and causing his demise. The subject had no prior arrest history, and had controlled substances in his system at the time of the incident.

On July 14, at 1120 hours, in the confines of the 42nd Precinct, an undercover detective engaged in a narcotics transaction was the victim of a gunpoint-robbery attempt. The undercover officer agreed to purchase crack cocaine from a male black subject, and the subject retired to a second location to retrieve the narcotics while the undercover waited in a vestibule. When the subject returned, however, he refused to show the undercover officer any drugs, and instead produced a .25 caliber semiautomatic pistol and demanded money. In fear for his life, the undercover officer drew his firearm and discharged four rounds, striking the subject and causing his demise. The subject had prior narcotics and weapons possession arrests.

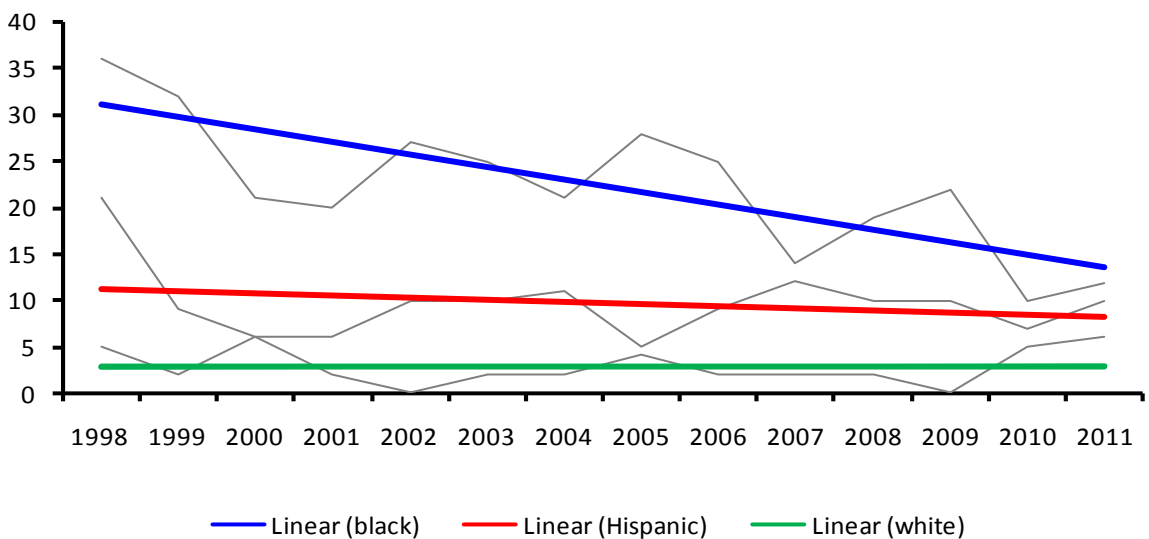
On September 6, at 1700 hours, in the confines of the 34th Precinct, a detective observed a narcotics transaction conducted by a known male Hispanic subject with a history of arrests for drug sales and possession. When the detective attempted to effect an arrest, the subject resisted violently. The fight spilled from the vestibule where the transaction had occurred into the street, at which point a male Hispanic neighbor attempted to intercede on the drug dealer's behalf. This second subject choked the detective, nearly causing him to lose consciousness. In fear for his life, the detective fired a single round, striking the second subject and causing his demise. The first subject fled but was subsequently apprehended. The second subject had prior arrests associated with narcotics. His toxicology report was unavailable at the time of this writing.

On October 02, at 2030 hours, in the confines of the 17th Precinct, two uniformed officers were alerted to a dispute. They observed a female black subject armed with two knives and chasing another female. The officers confronted the subject and shouted numerous instructions, all of which the subject ignored. In lieu of compliance, the subject brandished her weapons and aggressively advanced on the officers. Both officers discharged their weapons, striking the subject and causing her demise. The subject had prior arrests for assault, weapons possession, burglary, and narcotics. Her toxicology report was unavailable at the time of this writing.

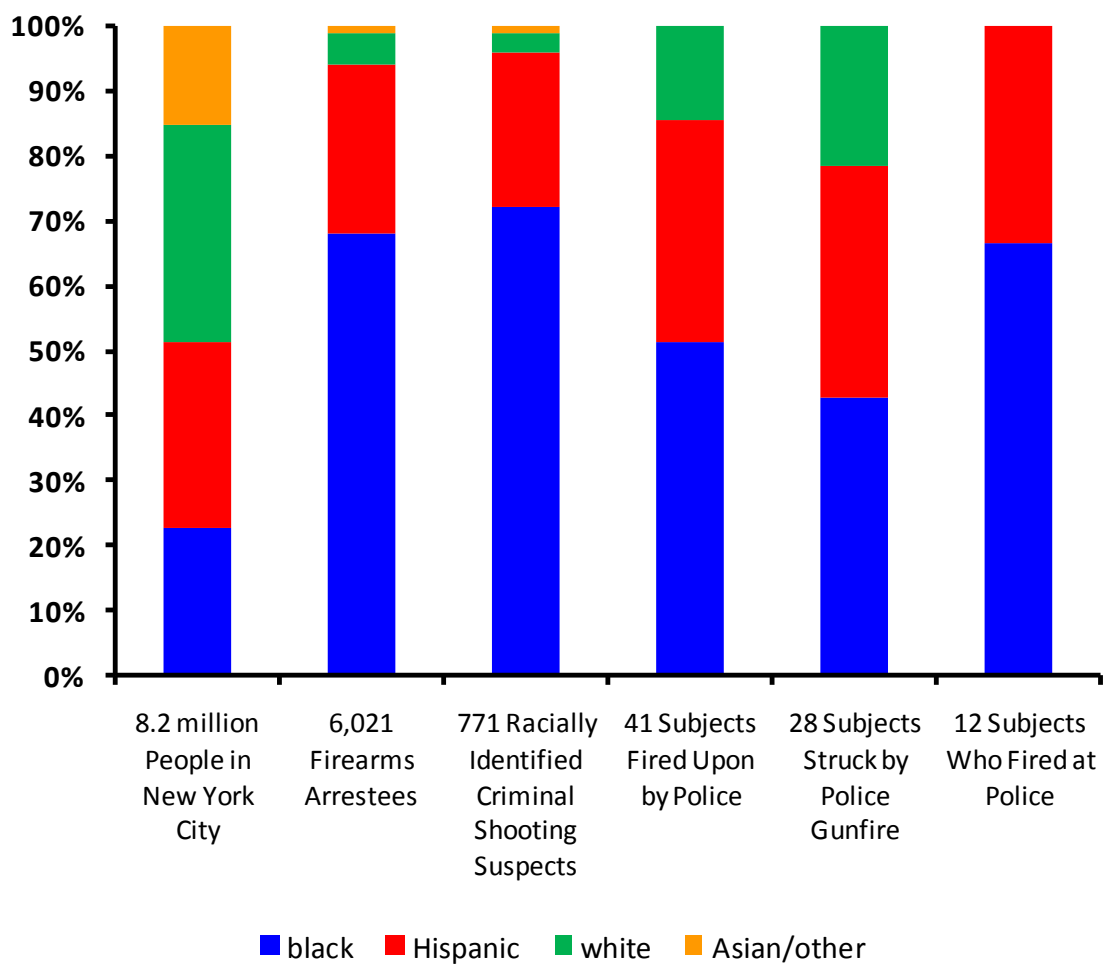
On December 31st, in Nassau County, an off-duty NYPD officer and a retired lieutenant from the Nassau County Police Department were alerted to an ongoing robbery and altercation at a nearby pharmacy. They rushed to the scene, and observed two men engaged in a violent struggle over a firearm. At some point, the retired lieutenant deemed one of the two men who were fighting to be an apparent threat, and discharged his firearm at that individual. Sadly, the subject of the retired lieutenant's discharge was in fact an off-duty federal law-enforcement officer who had been inside the pharmacy when the other man had perpetrated an armed robbery. The federal officer had pursued and fired upon the robber, and a struggle ensued. After the retired lieutenant intentionally but mistakenly shot the federal officer, the robber gained control of the federal officer's firearm. At this point the off-duty NYPD officer correctly adjudged the robber to be a threat and fired three rounds, striking and killing him. Tragically, the federal officer subsequently succumbed to his injuries, as well. The criminal subject had served time in prison for previous robbery convictions and was on parole at the time of the incident; His toxicology report was unavailable at the time of this writing.

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SUBJECTS SHOT BY NYPD OFFICERS, 1998 TO 2011, BY RACE



GUNFIRE IN NEW YORK CITY, 2011, BY RACE



2011 ANNUAL FIREARMS DISCHARGE REPORT

	2000		2001		2002	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	0	6	2	0	0	0
BLACK	15	6	11	9	20	7
HISPANIC	4	2	4	2	4	6
ASIAN	1	0	0	0	0	0
TOTAL	20	14	17	11	24	13

	2003		2004		2005	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	1	1	1	1	4	0
BLACK	12	13	15	6	21	7
HISPANIC	10	0	7	4	3	2
ASIAN	1	0	0	0	1	0
TOTAL	24	14	23	11	29	9

	2006		2007		2008	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	1	1	0	2	0	2
BLACK	16	9	9	5	12	7
HISPANIC	6	3	9	3	6	4
ASIAN	0	0	1	0	0	0
TOTAL	23	13	19	10	18	13

	2009		2010		2011	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	0	0	3	2	2	4
BLACK	14	8	9	1	10	2
HISPANIC	6	4	3	4	7	3
ASIAN	0	0	1	1	0	0
TOTAL	20	12	16	8	19	9

APPENDIX – SUPPLEMENTAL DATA

DAY OF WEEK	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
SUNDAY	4	2	3	0	9
MONDAY	4	6	2	0	12
TUESDAY	6	6	1	1	14
WEDNESDAY	6	6	3	0	15
THURSDAY	4	5	1	1	11
FRIDAY	6	5	2	3	16
SATURDAY	6	6	3	0	15
TOTAL	36	36	15	5	92

TOUR	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
0731-1530	7	7	4	1	19
1531-2330	13	17	8	2	40
2331-0730	16	12	3	2	33
TOTAL	36	36	15	5	92

MONTH	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
JANUARY	3	2	2	0	7
FEBRUARY	0	3	2	0	5
MARCH	2	3	2	1	8
APRIL	2	2	2	0	6
MAY	4	2	0	2	8
JUNE	2	1	0	0	3
JULY	5	7	0	0	12
AUGUST	3	3	3	0	9
SEPTEMBER	6	4	1	1	12
OCTOBER	5	3	0	1	9
NOVEMBER	2	5	1	0	8
DECEMBER	2	1	2	0	5
TOTAL	36	36	15	5	92

- ID-AC** – Intentional Discharge – Adversarial Conflict
- ID-AA** – Intentional Discharge – Animal Attack
- UNINT** – Unintentional Discharge
- UNAUTH** – Unauthorized Use of Firearm

2011 ANNUAL FIREARMS DISCHARGE REPORT

BOROUGH	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
BRONX	9	14	5	0	28
MANHATTAN	6	1	1	2	10
QUEENS	5	3	2	0	10
BROOKLYN	10	15	3	1	29
STATEN ISLAND	4	2	2	0	8
OUTSIDE CITY	2	1	2	2	7
TOTAL	36	36	15	5	92

MANHATTAN	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
1st PRECINCT	0	0	0	0	0
5th PRECINCT	0	0	0	0	0
6th PRECINCT	0	0	0	0	0
7th PRECINCT	0	0	0	0	0
9th PRECINCT	0	0	0	0	0
10th PRECINCT	0	0	0	0	0
13th PRECINCT	0	0	0	0	0
MTS PRECINCT	0	0	0	0	0
17th PRECINCT	1	0	0	1	2
MTN PRECINCT	0	0	0	0	0
19th PRECINCT	0	0	0	0	0
20th PRECINCT	0	0	0	0	0
CENT PARK PRECINCT	0	0	0	0	0
23rd PRECINCT	0	1	0	0	1
24th PRECINCT	0	0	0	1	1
25th PRECINCT	1	0	0	0	1
26th PRECINCT	1	0	0	0	1
28th PRECINCT	0	0	0	0	0
30th PRECINCT	0	0	0	0	0
32nd PRECINCT	0	0	0	0	0
33rd PRECINCT	1	0	1	0	2
34th PRECINCT	2	0	0	0	2
TOTAL	6	1	1	2	10

APPENDIX — SUPPLEMENTAL DATA

BRONX	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
40th PRECINCT	1	1	1	0	3
41st PRECINCT	1	2	1	0	4
42nd PRECINCT	2	0	1	0	3
43rd PRECINCT	0	0	1	0	1
44th PRECINCT	1	1	0	0	2
45th PRECINCT	0	1	1	0	2
46th PRECINCT	0	0	0	0	0
47th PRECINCT	2	1	0	0	3
48th PRECINCT	1	2	0	0	3
49th PRECINCT	1	2	0	0	3
50th PRECINCT	0	0	0	0	0
52nd PRECINCT	0	4	0	0	4
TOTAL	9	14	5	0	28

BROOKLYN	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
60th PRECINCT	1	1	0	0	2
61st PRECINCT	0	0	0	0	0
62nd PRECINCT	0	0	0	0	0
63rd PRECINCT	0	1	0	0	1
66th PRECINCT	1	0	0	0	1
67th PRECINCT	1	0	1	0	2
68th PRECINCT	0	0	0	0	0
69th PRECINCT	0	0	0	0	0
70th PRECINCT	1	1	0	0	2
71st PRECINCT	1	1	0	0	2
72nd PRECINCT	0	0	0	1	1
73rd PRECINCT	0	1	0	0	1
75th PRECINCT	1	3	1	0	5
76th PRECINCT	0	0	0	0	0
77th PRECINCT	1	0	0	0	1
78th PRECINCT	0	0	0	0	0
79th PRECINCT	0	3	0	0	3
81st PRECINCT	1	1	0	0	2
83rd PRECINCT	1	1	0	0	2
84th PRECINCT	0	0	1	0	1
88th PRECINCT	0	1	0	0	1
90th PRECINCT	1	1	0	0	2
94th PRECINCT	0	0	0	0	0
TOTAL	10	15	3	1	29

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QUEENS	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
100th PRECINCT	1	0	0	0	1
101st PRECINCT	1	0	1	0	2
102nd PRECINCT	0	0	0	0	0
103rd PRECINCT	0	2	1	0	3
104th PRECINCT	1	0	0	0	1
105th PRECINCT	0	0	0	0	0
106th PRECINCT	1	0	0	0	1
107th PRECINCT	0	1	0	0	1
108th PRECINCT	0	0	0	0	0
109th PRECINCT	0	0	0	0	0
110th PRECINCT	0	0	0	0	0
111th PRECINCT	0	0	0	0	0
112th PRECINCT	0	0	0	0	0
113th PRECINCT	0	0	0	0	0
114th PRECINCT	1	0	0	0	1
115th PRECINCT	0	0	0	0	0
TOTAL	5	3	2	0	10

STATEN ISLAND	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
120th PRECINCT	1	2	0	0	3
122nd PRECINCT	2	0	0	0	2
123rd PRECINCT	1	0	2	0	3
TOTAL	4	2	2	0	8

DUTY STATUS	ID-AC	ID-AA	UNINT	UNAUTH	TOTAL
OFFICERS ON-DUTY	56	42	11	1	110
OFFICERS OFF-DUTY	6	1	4	4	15
TOTAL (MOS firing)	62	43	15	4*	124*

* It must be noted that the number of officers involved will not equal the number of officers firing due to incidents where an officers' firearm was discharged by a person other than a member of this Department .

APPENDIX – SUPPLEMENTAL DATA

ID-AC	TYPE OF THREAT FROM SUBJECTS FIRED UPON	OFFICERS INVOLVED	SHOTS	INJURY FATALITY	# SUBJECTS FIRED UPON	SUBJECT GENDER	SUBJECT RACE	SUBJECT AGE	SUBJECT WEAPON
1	BLUNT INSTRUMENT - VEHICLE	1	4	INJURY	1	male	white	24	VEHICLE
2	FIREARM - SUBJECT FIRED AT OFFICER	1	2		1	male	black	23	FIREARM
3	FIREARM - SUBJECT FIRED AT OFFICERS	3	5, 5, 3	INJURY	1	male	white	61	FIREARM
4	CUTTING INSTRUMENT - SUBJECT ATTACKED CIVILIAN	2	1 and 2	FATAL	1	male	white	49	KNIFE
5	BLUNT INSTRUMENT - VEHICLE	3	9, 9, 1	FATAL	1	male	Hispanic	28	VEHICLE
6	FIREARM - SUBJECT FIRED AT POLICE	1	8	INJURY	1	male	black	20	FIREARM
7	IMITATION FIREARM - SUBJECT MENACED POLICE	3	9, 5, 4	INJURY	1	male	black	20	IMITATION
8	FIREARM - SUBJECT MENACED OFFICER THEN FLED	1	1	unk	1	male	black	unk	FIREARM
9	FIREARM - SUBJECT ATTEMPTED TO ROB UNDERCOVER	1	3	FATAL	1	male	Hispanic	31	FIREARM
10	FIREARM - SUBJECT MURDERED CIVILIAN	1	7	FATAL	1	male	white	48	FIREARM
11	OFFICER PERCEIVED THREAT	1	1	INJURY	1	male	black	23	NONE
12	OFFICER PERCEIVED THREAT	1	1		1	male	black	19	FIREWORKS
13	FIREARM - SUBJECT SHOT CIVILIAN	2	1 and 1	FATAL	1	male	white	45	FIREARM
14	FIREARM - SUBJECT FIRED AT OFFICERS	1	9	INJURY	1	male	Hispanic	26	FIREARM
15	CUTTING INSTRUMENT - SUBJECT MURDERED CIVILIAN	1	3	INJURY	1	male	black	53	KNIFE
16	FIREARM - SUBJECT ATTEMPTED TO ROB UNDERCOVER	1	4	FATAL	1	male	black	17	FIREARM
17	FIREARM - SUBJECTS SHOT AND SERIOUSLY INJURED OFFICER	1	16	INJURY	2	male	black	28	FIREARM
18	FIREARM - SUBJECT MENACED OFFICER	1	2	INJURY	1	male	black	21	FIREARM
19	CUTTING INSTRUMENT - SUBJECT MENACED OFFICER	1	1	INJURY	1	male	black	42	FIREARM
20	OFFICER PERCEIVED THREAT	1	1		1	male	Hispanic	21	UNKNOWN
21	FIREARM - SUBJECT MENACED OFFICER	1	1		1	male	black	25	FIREARM
22	FIREARM - SUBJECT FIRED AT OFFICERS, SHOT CIVILIANS	1	13	INJURY	1	male	Hispanic	19	FIREARM
23	FIREARM - SUBJECT MURDERED CIVILIAN	8	73 total	INJURY	1	male	black	35	FIREARM
24	OVERWHELMING PHYS FORCE - SUBJECT CHOKED OFFICER	1	1	FATAL	1	male	Hispanic	43	PHYS FORCE
						male	Hispanic	24	PHYS FORCE

New York City Police Department
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Deputy Inspector Edward Carrasco, Commanding Officer

Detective Jonathan C.W. Murad
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