

P.G. 203-12 Deadly Physical Force

Date Effective: 08-01-13

DEADLY PHYSICAL FORCE

The New York City Police Department recognizes the value of all human life and is committed to respecting the dignity of every individual. The primary duty of all members of the service is to preserve human life.

The most serious act in which a police officer can engage is the use of deadly force. The power to carry and use firearms in the course of public service is an awesome responsibility. Respect for human life requires that, in all cases, firearms be used as a last resort, and then only to protect life. Uniformed members of the service should use only the minimal amount of force necessary to protect human life. Where feasible, and consistent with personal safety, some warning, such as "POLICE - DON'T MOVE," should be given. Deadly force is never justified in the defense of property. Above all, the safety of the public and uniformed members of the service must be the overriding concern whenever the use of firearms is considered.

DEFINITION

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

GUIDELINES FOR THE USE OF FIREARMS

UNIFORMED MEMBERS OF THE SERVICE

a. 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.

b. Police officers shall not discharge their weapons when, in their professional judgment, doing so will unnecessarily endanger innocent persons.

c. Police officers shall not discharge their firearms in defense of property.

d. Police officers shall not discharge their firearms to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to themselves or another person present.

e. Police officers shall not fire warning shots.

f. 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.

g. 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.

h. 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.

i. Police officers shall not, under any circumstances, cock a firearm. Firearms must be fired double action at all times.