

NEW YORK CITY POLICE DEPARTMENT

ANNUAL FIREARMS DISCHARGE REPORT



2010 ANNUAL FIREARMS DISCHARGE REPORT

ANNUAL FIREARMS DISCHARGE REPORT

2010

RAYMOND W. KELLY
POLICE COMMISSIONER

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2010 ANNUAL FIREARMS DISCHARGE REPORT EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

In 2010, the New York City Police Department saw a 13 percent decrease in the number of firearms discharges from 2009: 92 total incidents in 2010, down from 106 in 2009. This is the smallest number of firearms discharges since the recording of police shootings in the City began. Furthermore, the most serious category of discharges—shootings involving adversarial conflict with a subject—experienced an even larger decline, down 30 percent from 2009. 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, 52 officers were involved in 33 incidents of intentional firearms discharges during an adversarial conflict, with 16 subjects injured and eight killed. These numbers are all record lows.

The figures are a testament to police officers' restraint, diligence, and honorable performance of duty. But they also show that the drastic reduction in violent crime over the past decade has meant that criminals and police enter into conflict less often.

Neither the Department nor the officer on the street can afford complacency, however. Perpetrators shot and injured two officers in 2010—one of whom survived because of his bullet-resistant vest.

2010 ANNUAL FIREARMS DISCHARGE REPORT

GLOSSARY OF TERMS

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.
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.

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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 solid bat, stick, pipe, metal knuckles, or other instrument that, when used as a weapon, can cause blunt-force trauma to an individual. This 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 execution, 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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2010 ANNUAL FIREARMS DISCHARGE REPORT INTRODUCTION

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 the trust society has given.

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.

The SOP 9 process has been demonstrably effective. 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 2010, two NYPD officers were shot by criminal subjects, while police shot and mortally wounded eight subjects,***

and injured 16. 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.

2010 ANNUAL FIREARMS DISCHARGE REPORT INTRODUCTION

CATEGORIES

The 2010 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 33 of them in the category of "adversarial conflict"—limits the predictive value and conclusions that may be derived.

2010 ANNUAL FIREARMS DISCHARGE REPORT FIREARMS DISCHARGE SCOPE

CATEGORY	TOTAL NUMBER
NEW YORK CITY TOTAL POPULATION (U.S. Census, April 1, 2010)	8,175,133
NYPD TOTAL OFFICER STAFFING (2010 year-end total)	34,565
TOTAL CIVILIAN CONTACTS (APPROXIMATE)	23,000,000
TOTAL RADIO-RECEIVED ASSIGNMENTS	4,481,440
RADIO ASSIGNMENTS INVOLVING WEAPONS	206,874
ARRESTS INVOLVING WEAPONS USED/DISPLAYED/POSSESSED	28,880
GUN ARRESTS	6,021
CRIMINAL SHOOTING INCIDENTS	1,473
OFFICERS FIRING DURING INCIDENTS OF INTENTIONAL POLICE DISCHARGE DURING ADVERSARIAL CONFLICT	52
INCIDENTS OF INTENTIONAL POLICE DISCHARGE DURING ADVERSARIAL CONFLICT	33
SUBJECTS SHOT AND INJURED	16
SUBJECTS SHOT AND KILLED	8
OFFICERS SHOT AND INJURED	2
OFFICERS SHOT AND KILLED	0
NOTE: all numbers are for CY 2010	

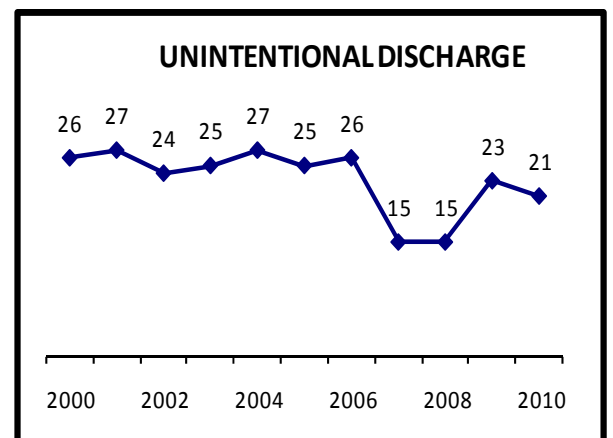
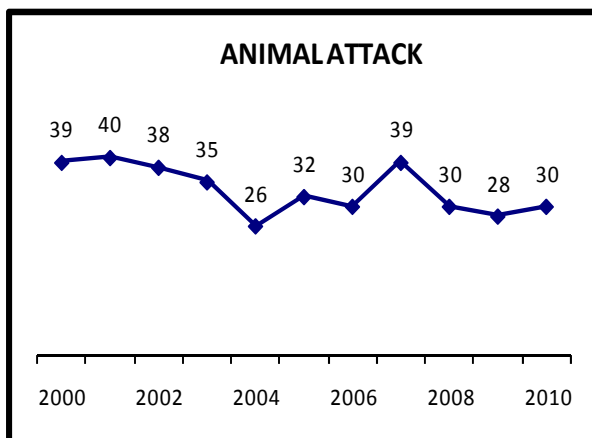
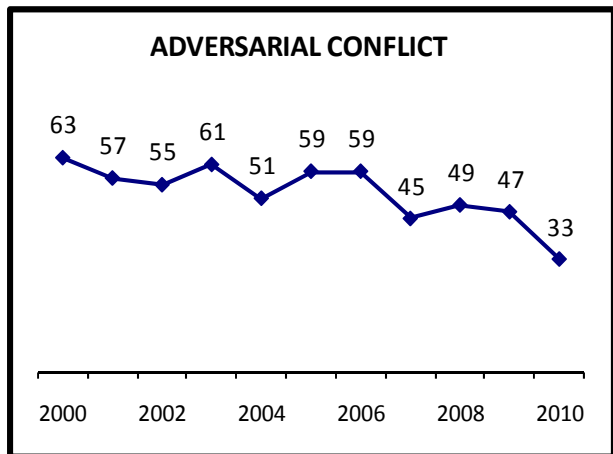
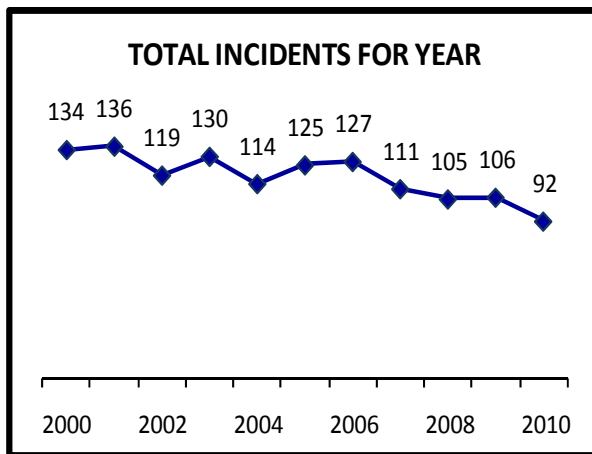
NOTE: The numbers and percentages described in this report are often rounded to the nearest whole number and are preliminary and subject to further review.

2010 ANNUAL FIREARMS DISCHARGE REPORT HISTORICAL SNAPSHOT 2000-2010

CATEGORY	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
ADVERSARIAL CONFLICT	63	57	55	61	51	59	59	45	49	47	33
ANIMAL ATTACK	39	40	38	35	26	32	30	39	30	28	30
UNINTENTIONAL DISCHARGE	26	27	24	25	27	25	26	15	15	*23	21
MISTAKEN IDENTITY	0	0	0	0	0	0	1	0	0	1	0
UNAUTHORIZED USE – FIREARM**	1	7	0	2	5	6	8	6	3	4	6
SUICIDE/ATTEMPT	5	5	2	7	5	3	3	6	8	3	2
TOTAL INCIDENTS FOR YEAR	134	136	119	130	114	125	127	111	105	*106	92

* These numbers were modified from last year's reports to include a previously unreported incident.

** 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, a perpetrator gains control of an officer's firearm and discharges it, etc.).



2010 ANNUAL FIREARMS DISCHARGE REPORT FIREARMS DISCHARGE SNAPSHOT

CATEGORY	2009	2010	%CHANGE
INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT	47	33	-30%
INTENTIONAL DISCHARGE – ANIMAL ATTACK	28	30	7%
MISTAKEN IDENTITY	1	0	N/A
UNINTENTIONAL DISCHARGE	*23	21	-9%
UNAUTHORIZED USE OF FIREARM	7	8	14%
TOTAL FIREARM DISCHARGES FOR YEAR	*106	92	-13%
TOTAL OFFICERS FIRING (includes all categories)	*131	115	-12%
TOTAL SHOTS FIRED (includes all categories)	*297	368	24%
TOTAL OFFICERS SHOT AND INJURED BY SUBJECT	0	2	N/A
TOTAL OFFICERS SHOT AND KILLED BY SUBJECT	0	0	0
TOTAL SUBJECTS SHOT AND INJURED BY OFFICER	20	16	-20%
TOTAL SUBJECTS SHOT AND KILLED BY OFFICER	12	8	-33%

* Number modified from last year's report to include previously unreported incident

BY CATEGORY

INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT	2010
SUBJECT USED/THREATENED THE USE OF A FIREARM	21
SUBJECT USED/THREATENED THE USE OF A CUTTING INSTRUMENT	8
SUBJECT USED/THREATENED THE USE OF A BLUNT OBJECT	1
SUBJECT USED/THREATENED THE USE OF OVERWHELMING PHYSICAL FORCE	1
OFFICER PERCEIVED THREAT OF DEADLY PHYSICAL FORCE	2
TOTAL	33

INTENTIONAL DISCHARGE – ANIMAL ATTACK	2010
DOG ATTACK	29
OTHER ANIMAL ATTACK	1
TOTAL	30

UNINTENTIONAL DISCHARGE	2010
DURING ADVERSARIAL CONFLICT	6
HANDLING FIREARM	15
TOTAL	21

UNAUTHORIZED USE OF FIREARM	2010
SUICIDE	2
ATTEMPTED SUICIDE	0
UNAUTHORIZED INTENTIONAL DISCHARGE	2
UNAUTHORIZED PERSON DISCHARGED OFFICER'S FIREARM	4
TOTAL	8

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USE OF FORCE

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), 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 both federal and

state 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.

In federal case law, both Tennessee v. Garner, 471 U.S. 1 (1985) and Graham v. Connor, 490 U.S. 386 (1989) delineate a standard of "objective reasonableness" (Graham) that restricts an officer's prerogative to compel or constrain another citizen. Tennessee v. Garner, while disallowing the use of deadly physical force against any felon, affirmed an officer's right to use force against certain suspects, stating that if a fleeing suspect were to inflict or threaten anyone with serious physical harm, the use of deadly force would "pass constitutional muster."

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 a person from "what the officer reasonably believes to be the use or imminent

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USE OF FORCE

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. 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 this end, 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:

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.

Police officers shall not discharge their weapons when doing so will unnecessarily endanger innocent persons.

Police officers shall not discharge their weapons in defense of property.

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.

Police officers shall not fire warning shots.

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.

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.

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.

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

REASONABLENESS

In the final telling, both legal standards and the Department’s expectations assess the appropriateness of an officer’s exercise of deadly physical force based on reasonable-ness. 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 Holmes noted that “detached reflection cannot be demanded in the presence of an uplifted knife.” Sixty-eight years later, the Supreme Court wrote, in Graham v. Connor, 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

2010 ANNUAL FIREARMS DISCHARGE REPORT USE OF FORCE

NY2d 267, 271, the New York courts wrote “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.

TRAINING

Latitude is not unrestricted discretion, of course, but rather an admission that reasonableness is fluid. In order to make the right conclusion about whether and how to use deadly force, an officer in these situations relies on nerve, judgment, and skill, but 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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2010 ANNUAL FIREARMS DISCHARGE REPORT THE INVESTIGATION AND REVIEW PROCESS

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, on- or off-duty, or when a firearm owned by an officer is discharged, a patrol supervisor responds to the incident and 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 in-

stances—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.

2010 ANNUAL FIREARMS DISCHARGE REPORT THE INVESTIGATION AND REVIEW PROCESS

THE SHOOTING INCIDENT REPORT

A preliminary report—written usually within 8-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.

When 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, however, it is forwarded, through channels, to the Chief of Department.

2010 ANNUAL FIREARMS DISCHARGE REPORT THE INVESTIGATION AND REVIEW PROCESS

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 in order 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.

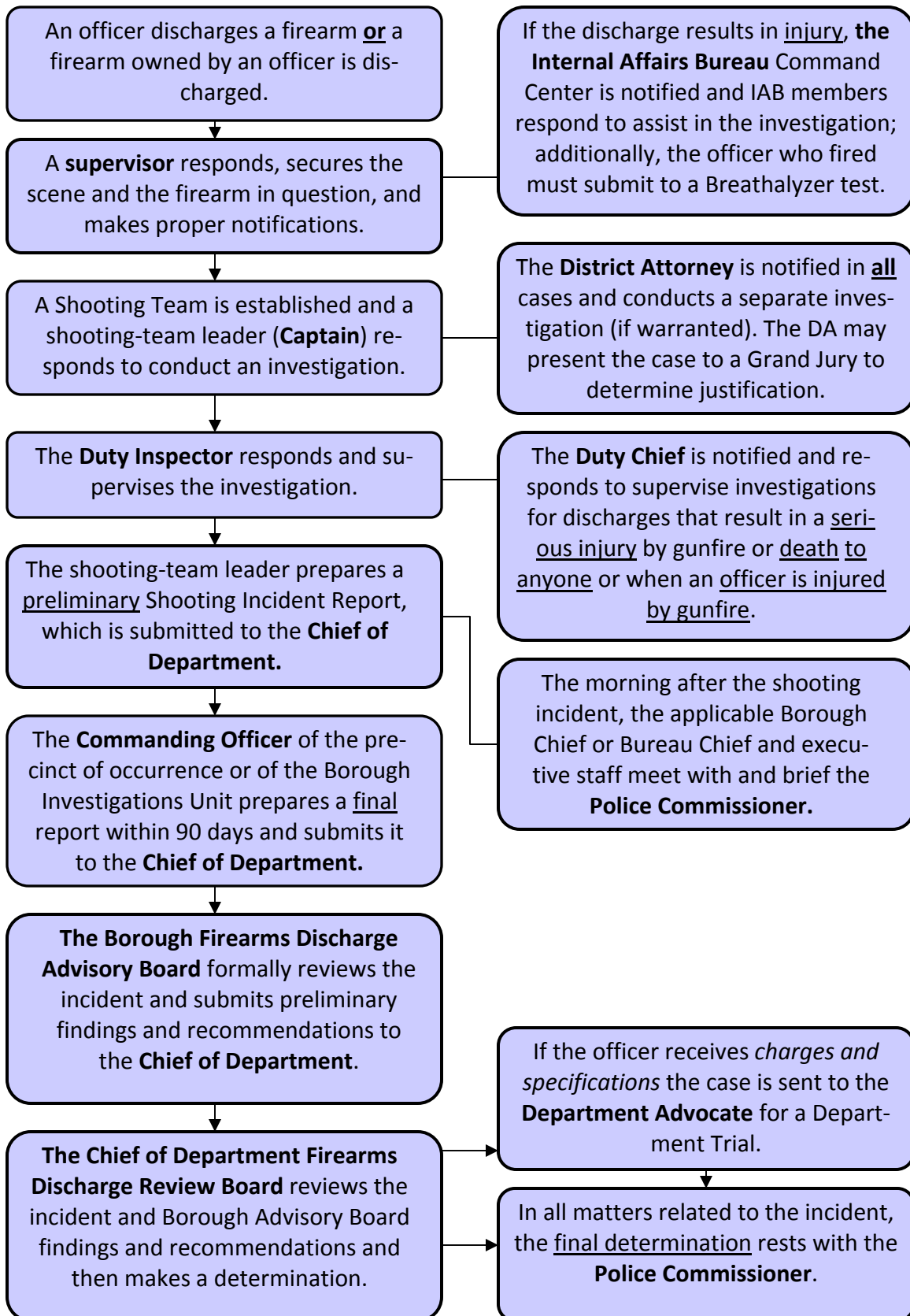
Once the Commissioner has issued this final determination, the incident is considered closed. The results of the 2010 findings are published throughout this report.

2010 ANNUAL FIREARMS DISCHARGE REPORT

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ANATOMY OF A FIREARMS DISCHARGE INVESTIGATION



2010 ANNUAL FIREARMS DISCHARGE REPORT

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**2010 FIREARMS DISCHARGES
BY CATEGORY**

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2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

OVERVIEW

There were 33 incidents of intentional firearms discharge during an adversarial conflict in 2010. This represents a 30 percent decrease from 2009. Fifty-two officers intentionally fired their weapons during these incidents, down 24 percent from 2009.

Four officers were injured by gunfire during these incidents. Two were shot by subjects and two were shot by other officers owing to crossfire.* No officers were killed during these incidents.

There were 34 subjects involved in these 33 conflicts. Sixteen subjects were injured and eight 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 the majority of these incidents (64 percent) the threat came in the form of a firearm. Officers also acted to defend themselves or others from the use or threat of a blunt instrument (3 percent), the use or threat of a cutting instrument (24 percent), a perceived threat (6 percent), or the use or threat of

*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 a perpetrator. 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 2010. See the Mistaken Identity chapter, page 37.

overwhelming physical force (3 percent) [see Figure A.1].

DATES AND TIMES OF DISCHARGES

Adversarial-conflict incidents in 2010 occurred evenly over the four quarters of the year. Each quarter had between seven and nine incidents. Five incidents occurred in October, but each month had at least one incident.

The distribution was fairly equal over the three platoons, or police shifts, with ten occurring in the first platoon, ten in the second, and 13 in the third. Thirty percent of the incidents occurred on Mondays.

LOCATIONS OF DISCHARGES

Of the 33 incidents, three discharges took place in or on New York City Housing Authority (NYCHA) premises, and 30 occurred in the jurisdiction of the patrol precincts.

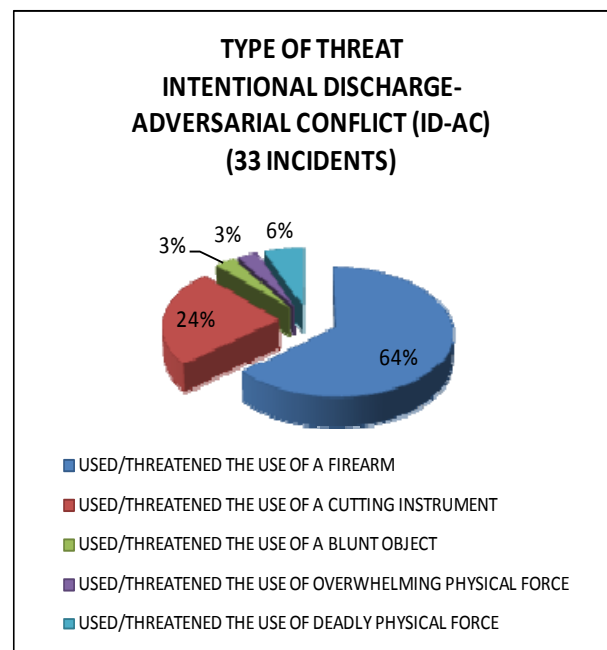


Figure A.1

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

For management purposes, the Police Department divides New York City’s five geographic boroughs or counties into eight “Patrol Boroughs.” Each of these patrol boroughs has eight to 12 police precincts, with the exception of Staten Island, which has three.

Half of the incidents occurred in Brooklyn, with eight incidents in Brooklyn South and eight incidents in Brooklyn North. Seven incidents occurred in The Bronx. Percentages of discharges per borough are depicted in Figure A.3, below.

These incidents took place in 25 separate precincts, down from 27 in 2009. Six precincts experienced two incidents (down from 11 in 2009), and the 67 Precinct had three (as it did in 2009) [see Figure A.2].

Two-thirds of the incidents occurred outside.

LOCATIONS OF CRIMINAL SHOOTINGS

When the locations of police-involved shootings are compared to the locations of criminal shootings in 2010, an explicit association appears. The map on the next page [Figure A.4]

depicts the precise location of the city’s 1,473 criminal shootings (represented by blue asterisks) and overlays them with all 33 incidents of intentional discharge during adversarial conflict (represented by red dots) that occurred in 2010. 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.

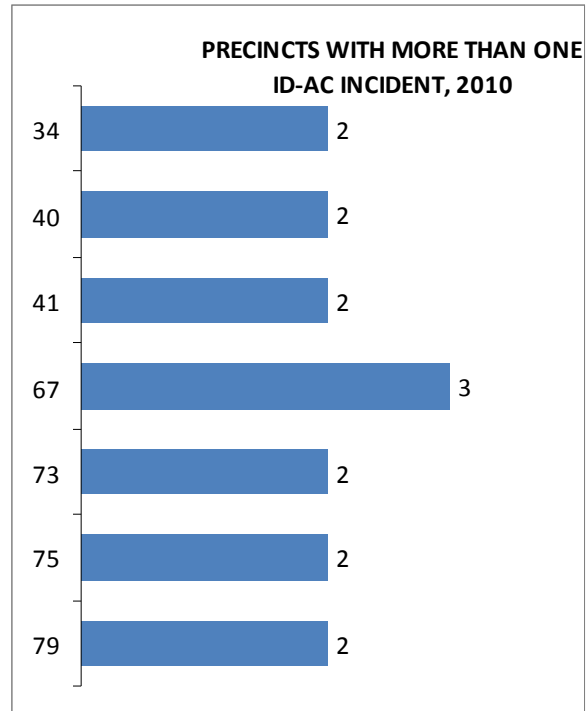


Figure A.2

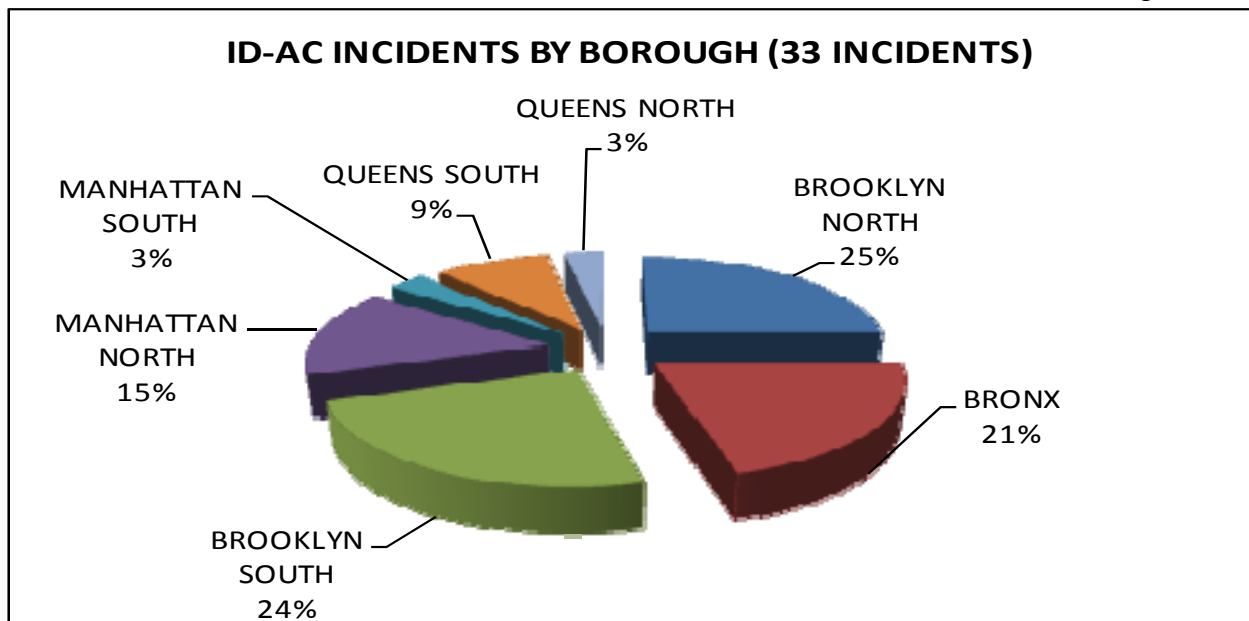


Figure A.3

2010 ANNUAL FIREARMS DISCHARGE REPORT
INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

LOCATIONS OF 33 INTENTIONAL DISCHARGES DURING ADVERSARIAL
CONFLICT vs LOCATIONS OF 1,473 CRIMINAL SHOOTINGS, 2010

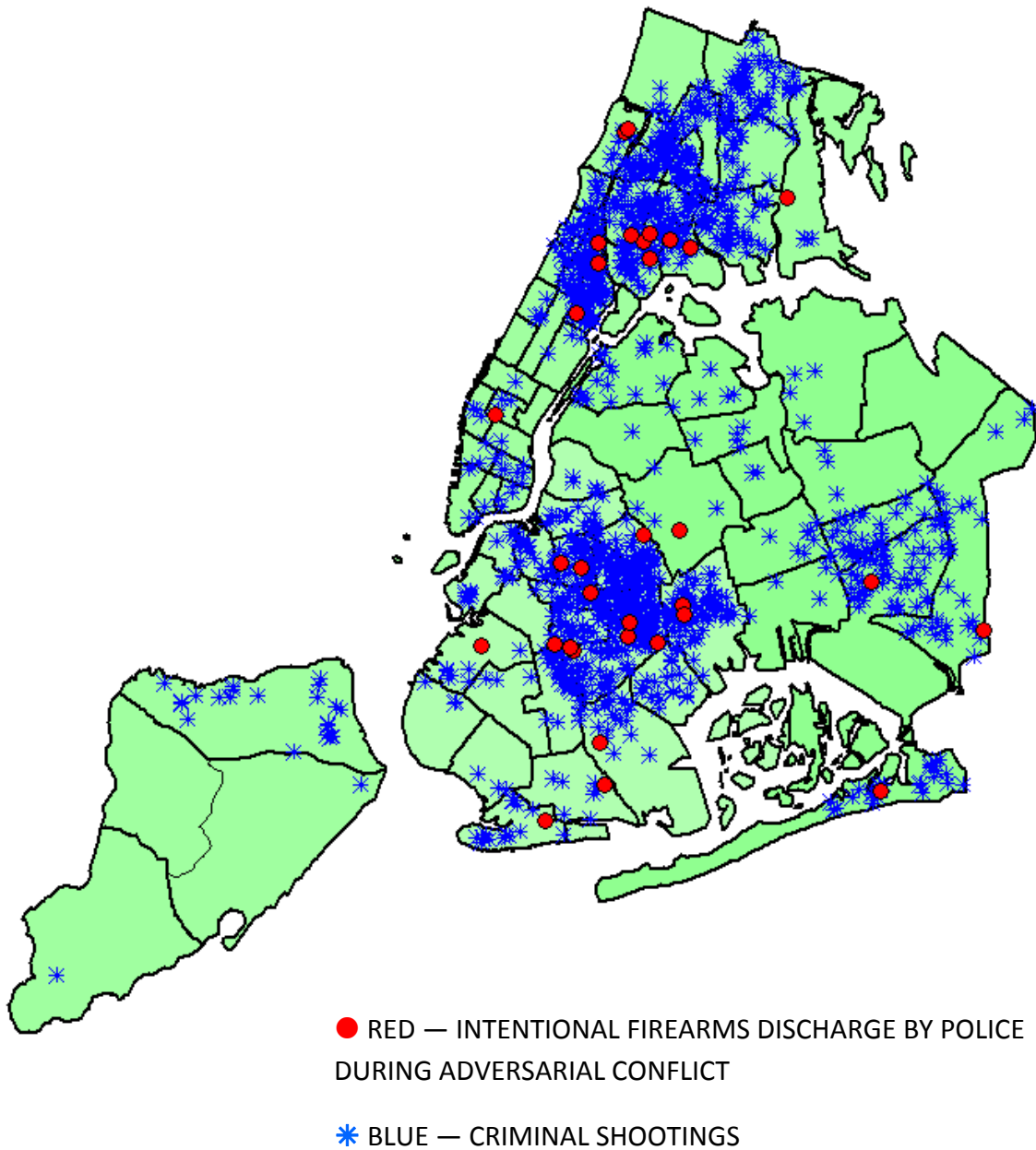


Figure A.4

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

As seen in Figure A.6, below, the association also exists with regard to relative rate—on a percentage-by-borough basis, police-involved shootings and criminal shootings are analogous, as well. Of course, given that there are nearly 45 criminal shootings for each police discharge citywide, the rates are not entirely parallel. Brooklyn South and the Bronx each saw appreciable differences between the percentages of the two categories.

Despite this association, the absolute number of these police-discharge incidents is small when compared to the number of criminal shootings [see Figure A.5]. Only 2 percent of the city’s shooting incidents involve police.

REASONS OFFICER INVOLVED

Officers become involved in incidents of intentional discharge during adversarial conflict

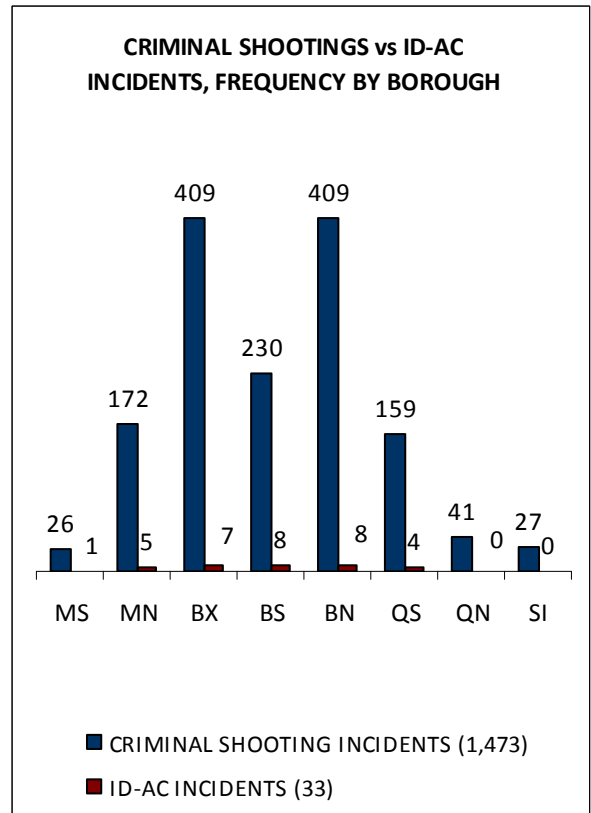


Figure A.5

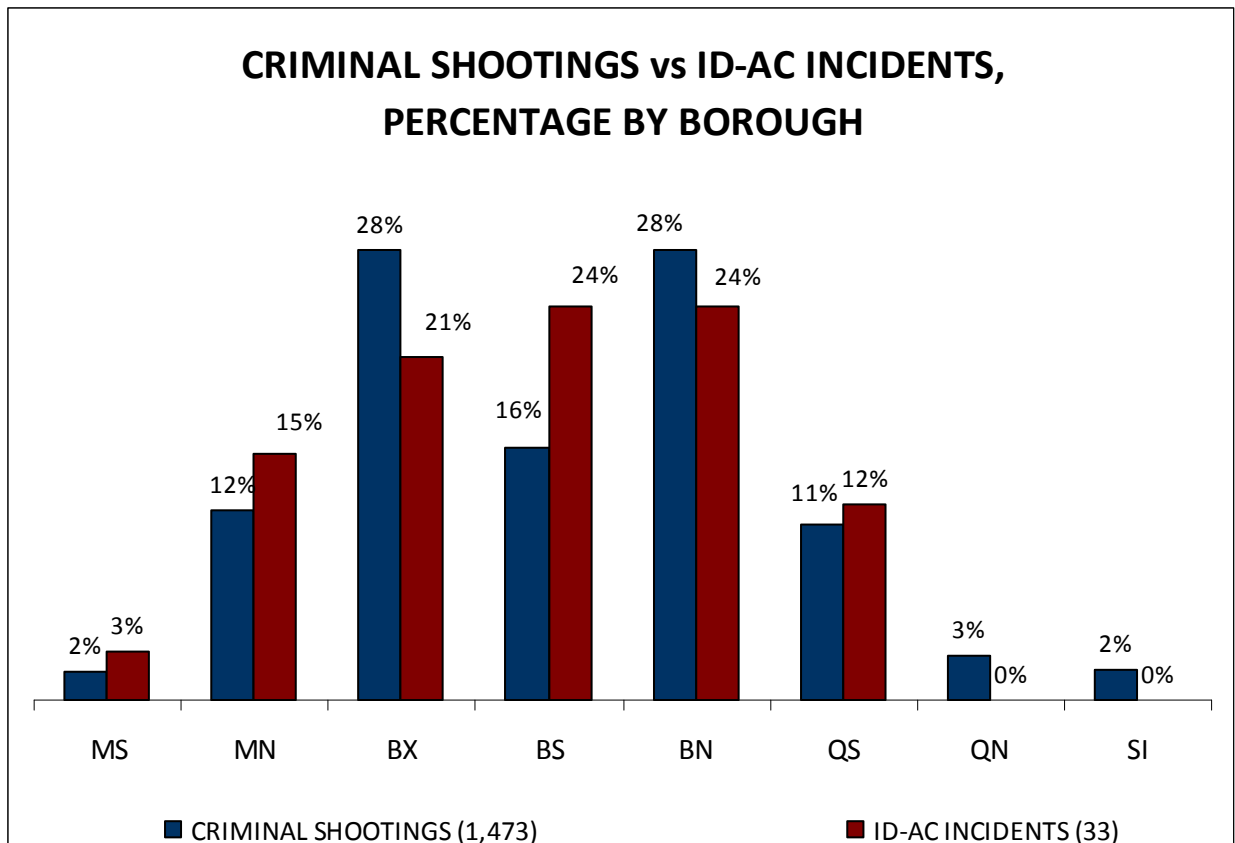


Figure A.6

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—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 (39 percent) or proactive police work (61 percent).

Of on-duty officers discharging their firearms during these incidents, most were performing patrol duties (57 percent). This is unsurprising, as the Patrol Bureau forms the Department’s core and is staffed accordingly. An ad-

ditional third of those officers firing were assigned Anti-Crime units (32 percent), which actively seek out armed criminals and violent perpetrators. Although this is disproportional to these units’ small numbers—officers assigned to Anti-Crime make up less than 8 percent of any given precinct’s headcount—it is predictable given the units’ mandate [see Figure A.7].

The majority of officers who ultimately fired their weapons (53 percent) became involved in the precipitating situation owing to 911 calls. Such calls—or “radio runs,” in police parlance—can involve reports of ongoing or developing conditions or calls for assistance from crime victims or witnesses. Fifteen percent of the incidents involved officers conducting stops based on reasonable suspicion [see Figure A.8].

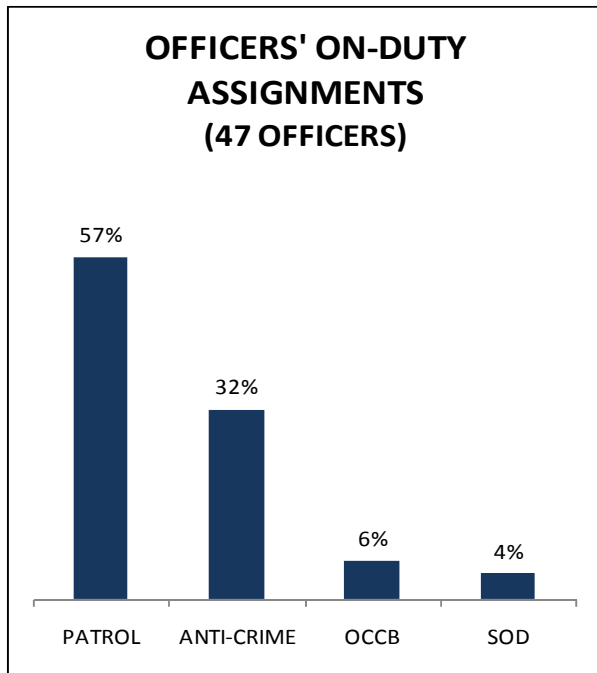


Figure A.7

OFFICER RESTRAINT

Of officers discharging their firearms during an adversarial conflict, 77 percent fired five or fewer times [see Figure A.9]. At the other end of the scale, three officers fired 16 rounds, emptying their firearms. All three of these officers were fired upon before they them-

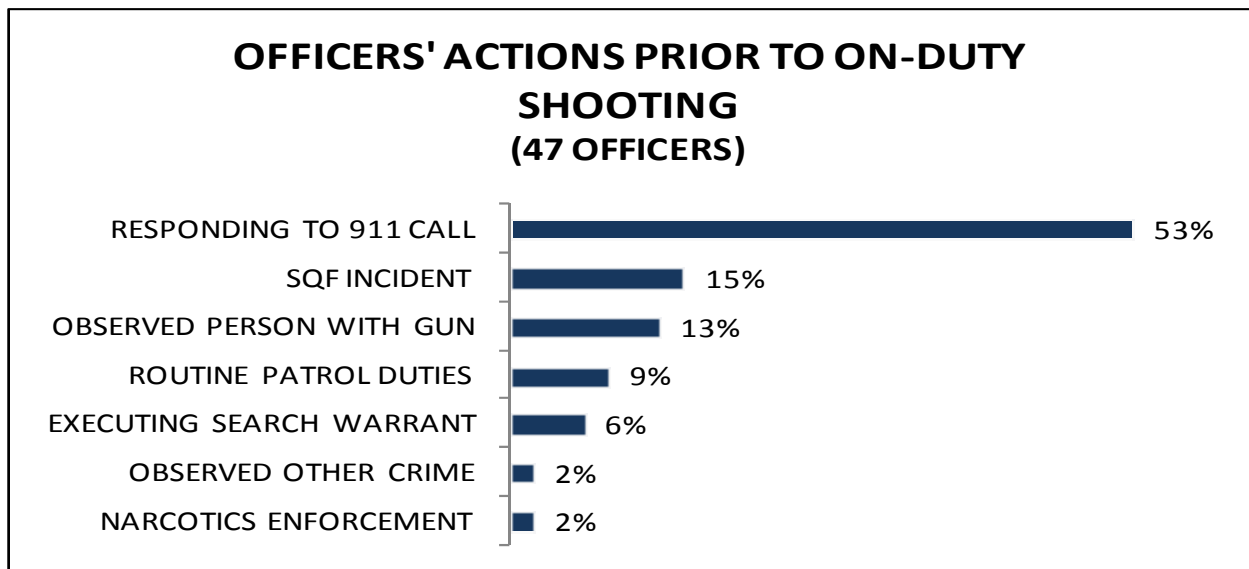


Figure A.8

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

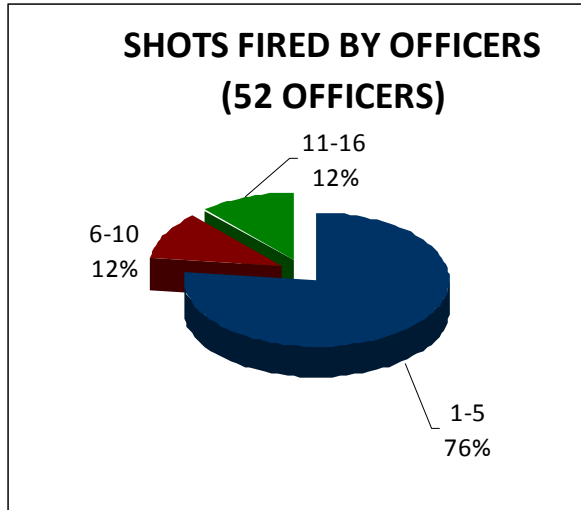


Figure A.9

selves fired; one of them had been shot and severely injured by the subject with whom he exchanged gunfire.

Nevertheless, restraint is the norm. 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 percent of the incidents involved five or fewer shots being fired. In 27 percent of adversarial-conflict incidents, the total number of shots fired by all police officers involved was one.

In total, 236 shots were fired by officers during these incidents, up 28 percent from 2009's record low of 184 shots. This increase is largely attributable to the fact that, in 2009, no incident involved a protracted gun battle. 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. Because 2010 included two such gunfights, the number of total shots fired has increased. These two incidents accounted for almost 30 percent of all the shots fired in adversarial conflict incidents.

When working with such a small number of incidents, shooting 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

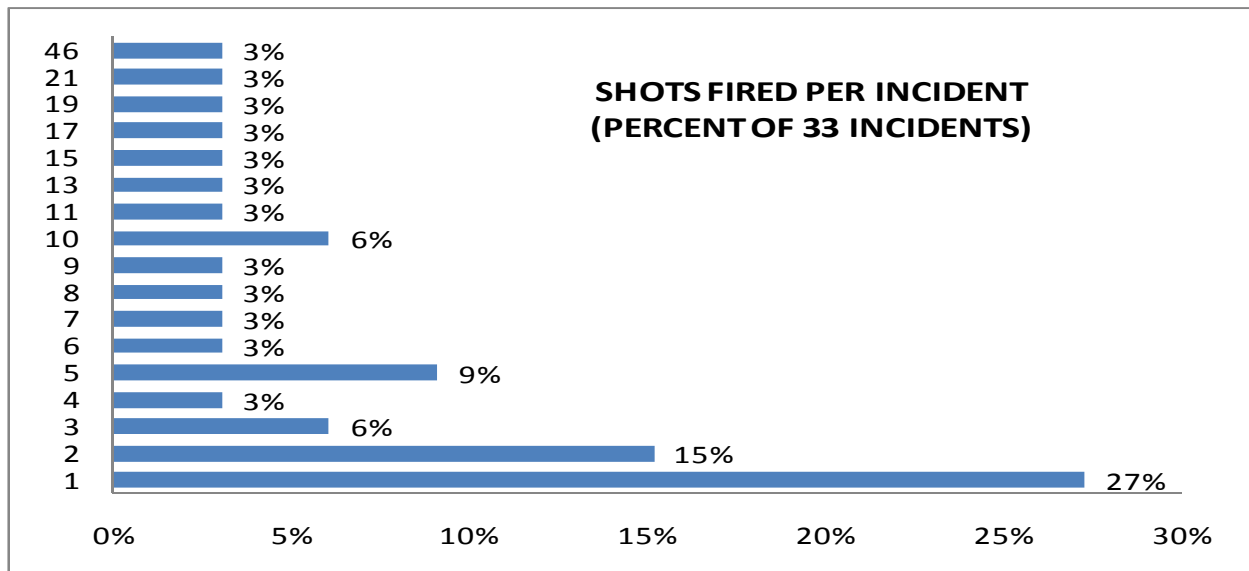


Figure A.10

2010 ANNUAL FIREARMS DISCHARGE REPORT

INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

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 33 incidents, officers hit at least one subject per incident 23 times, for an objective completion rate of 70 percent. During the incidents in which officers were being fired upon, however, the objective completion rate increased to 78 percent.

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, there was a nearly even split between officers who gripped the firearm with two hands and those who gripped the firearm with one hand. More than half of officers who reported their stance state that they were standing (58 percent). And although only 40 percent of officers made any report of whether or not they had used their sights, it is notable that only one officer reported in the affirmative.

Only 25 percent of reporting officers were able to make use of some type of cover dur-

ing the incident. Lack of cover can be a factor in the need for a firearms discharge.

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 ten feet to the subject. Nevertheless, in 2010, one officer reported firing from a distance of 50 feet. He did not hit the subject. More typically, the greatest percentage of officers fired at a range of six to ten feet [see Figure A.11].

OFFICER PEDIGREE

Although approximately 83 percent of the Department's uniformed personnel are males, 90 percent of officers who discharged their firearms during an adversarial conflict were males (47 of 52 officers).

With regard to race, 50 percent of the officers who intentionally discharged a firearm during an adversarial conflict were white. This is slightly less than the percentage of white officers employed by the Department (53 percent) [see Figure A.12].

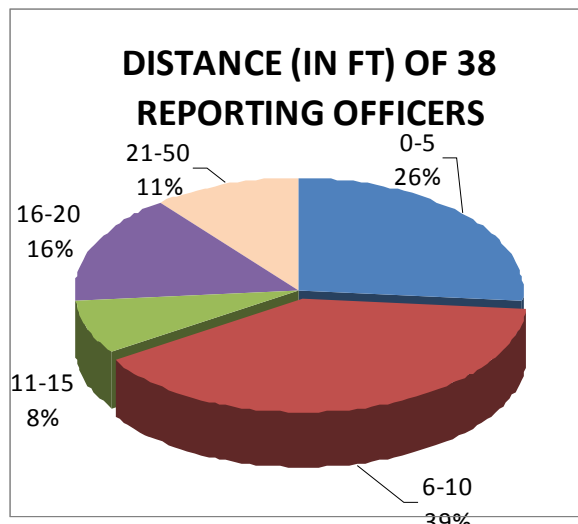


Figure A.11

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

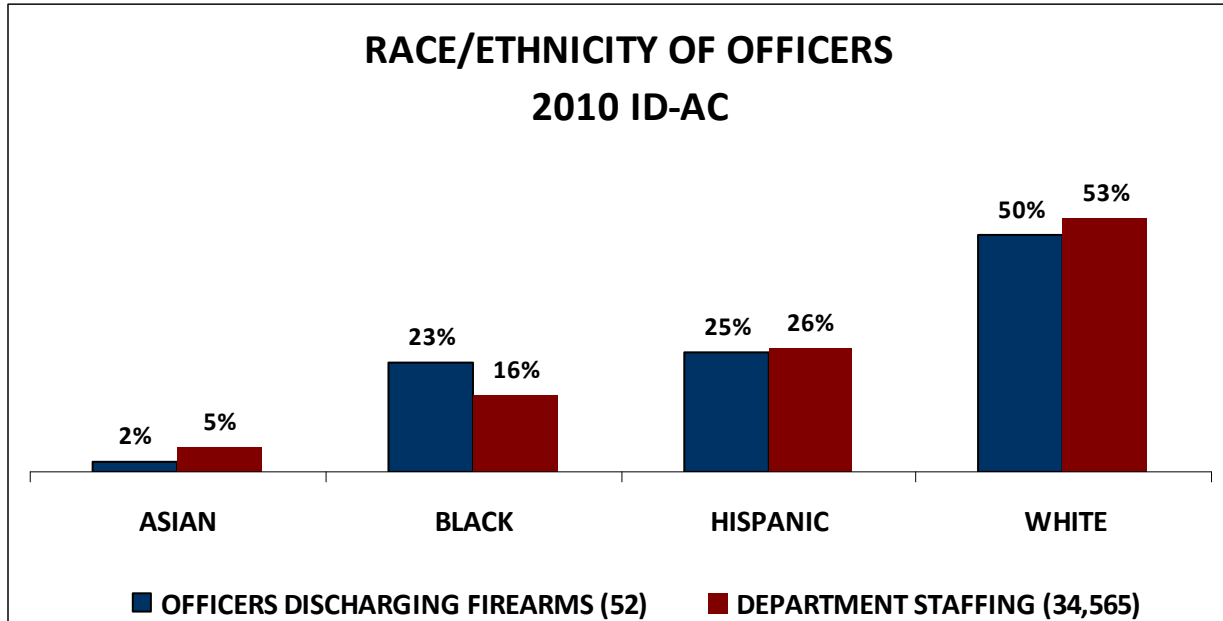


Figure A.12

When compared to Department staffing, black officers who fired were overrepresented in 2010, constituting 16 percent of the Department but 23 percent of shooting officers. Hispanic officers were slightly underrepresented, constituting 26 percent of staff but 25 percent of the officers firing.

ATTIRE

Fewer on-duty plainclothes officers intentionally discharged their firearms during adversarial conflict than did on-duty uniformed officers (14 plainclothes officers versus 38 uniformed officers).

Since plainclothes officers make up a smaller portion of officers in the field than those in uniform, their relative representation in discharge incidents should not be noteworthy. But this is a break from previous years, in which 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.

2010's reduction in adversarial conflict incidents is largely due to the decrease in on-duty plainclothes officers firing. This is especially true with regard to officers assigned to the Organized Crime Control Bureau, or OCCB, which includes officers specializing in combating narcotics, vice offenses, and auto-related crimes. Over the past several years it was observed that OCCB officers were increasingly involved in on-duty discharge incidents (from six officers in 2007, to 11 officers in 2008, to 14 officers in 2009. In 2010, however, 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 years-of-service distribution throughout the Department. (The Department staffing numbers only indicate the percentage of officers who are in these categories of tenure; they do not indicate the assignments of those officers, nor their level of exposure to the dangers that increase the likelihood of an intentional po-

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

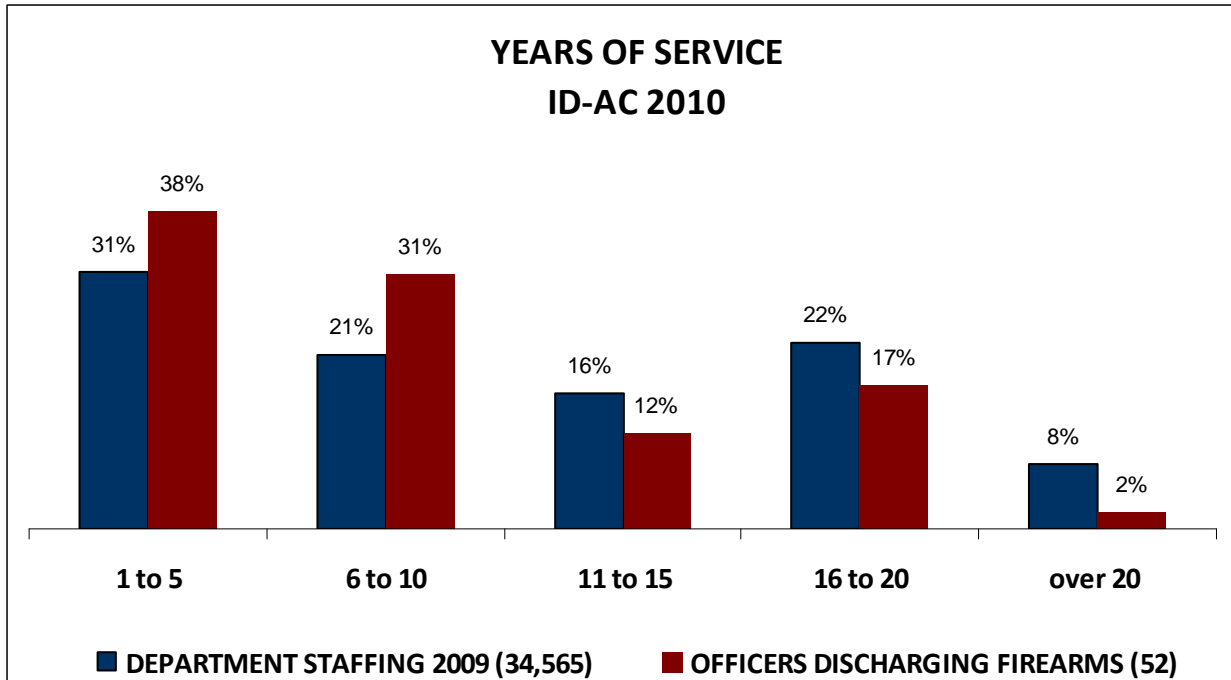


Figure A.13

lice discharge.) Younger officers, who are more likely to be on patrol in the field, are overrepresented. In 2010, 38 percent of the officers who discharged their firearms during adversarial conflict had between one and five years of service. The decrease may be attributable to the small numbers of officers hired over the past three years, and the resulting rise in tenure among the Department as a whole.

RANK

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

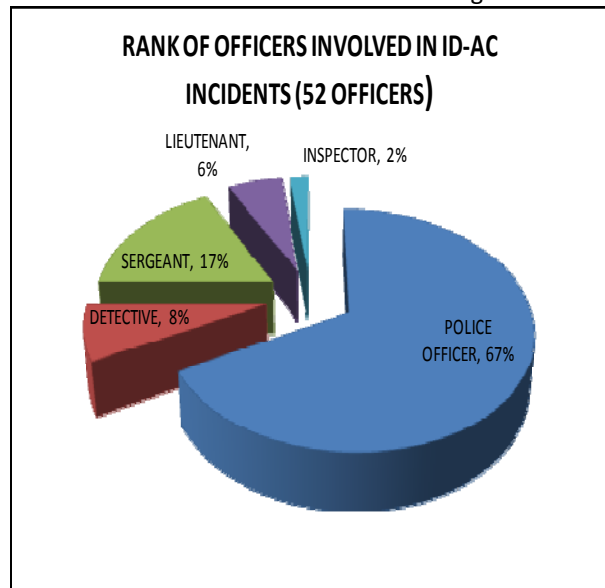


Figure A.14

Worthy of note, however, is the involvement of an Inspector in an adversarial-conflict discharge incident in 2010. It is rare that shooters come from the ranks above Lieutenant. Still, the Inspector's involvement emphasizes that, for all police officers, the possibility of adversarial conflict never ceases being a part of the job.

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

POLICE WEAPONS

The overwhelming majority of officers discharged their service weapons during these incidents (87 percent). The remaining officers fired off-duty weapons (11 percent) or weapons specific to the Emergency Services Unit (2 percent). [See Appendix]

SUBJECT PEDIGREE

There were 34 subjects involved in the 33 incidents of intentional police discharge during adversarial conflict. (One subject was not apprehended but is known by gender and race.) Thirty-three subjects were male and one was female. Of the 33 apprehended subjects, ages ranged from 17 to 69, although 61 percent were between of the ages of 17 and 27.

SUBJECT RACE

In NYPD paperwork concerning suspects, race is determined by complainants and/or victims. In arrest paperwork, the officer filling out the report generally determines the subject's race. This determination may be based on a subject's self-identification, existing government-issued documentation, racial/ethnic physical characteristics, or other factors. The Department also sub-categorizes Hispanics as black Hispanic or white Hispanic in arrest paperwork, although the Annual Firearms Discharge Report combines all Hispanic persons into a single group.

All 34 subjects were identified by race [see Figure A.15]. The majority of subjects (53 percent) were black. This percentage is significantly smaller than black suspects' representation among criminal-shooting suspects. In 2010, 74 percent of criminal-shooting suspects who were identified by race were black.

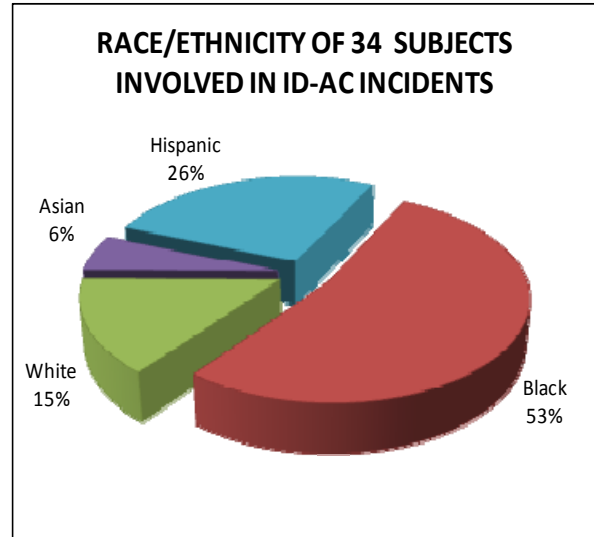


Figure A.15

Hispanics, on the other hand, are slightly overrepresented among adversarial-conflict subjects in comparison to their representation among racially identified criminal-shooting suspects. Twenty-six percent of adversarial-conflict subjects were Hispanic; approximately 24 percent of racially identified criminal-shooting suspects were Hispanic [see Figure A.15 and Figure A.19].

Among subjects who fired on officers, 67 percent were black, 22 percent were Hispanic, and 11 percent were white [see Figure A.16 and Figure A.19].

The races of persons arrested in 2010 for firearms possession are also closely aligned to the races of persons who engaged in adversarial conflict with police. See Figure A.18 for a visual representation of these comparisons.

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

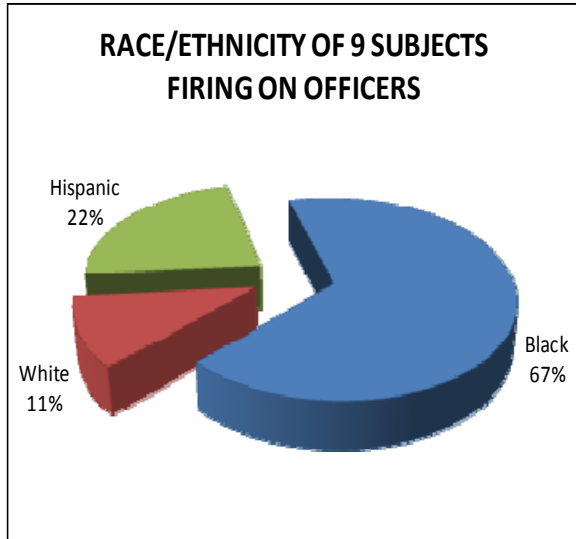


Figure A.16

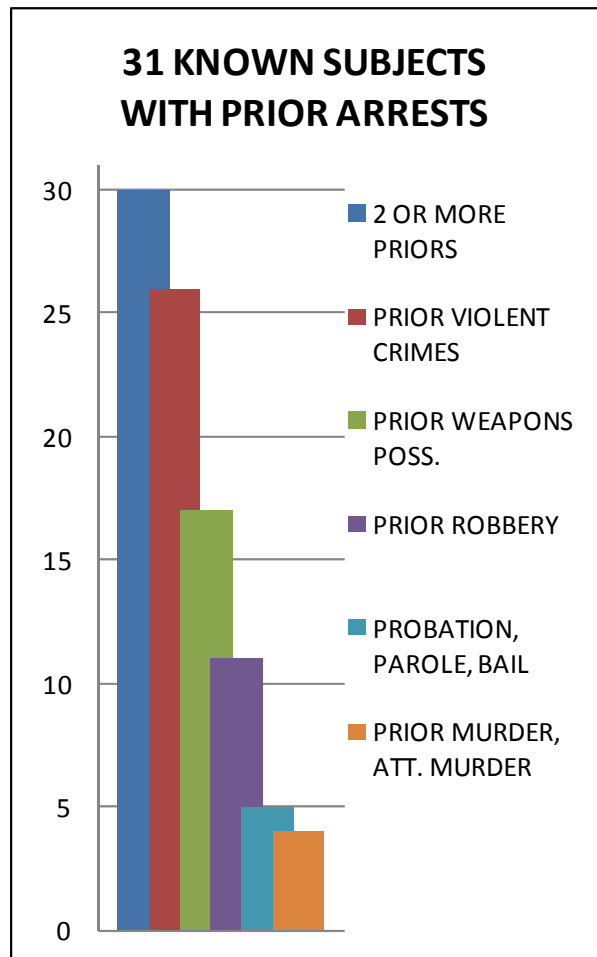
In summary, in 2010, blacks and Hispanics represent 52 percent of New York City’s population, 98 percent of racially-identified criminal-shooting suspects, 96 percent of criminal-shooting victims, 94 percent of those arrested for firearms possession, 89 percent of those firing on police, and 79 percent of those fired on by police.

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 33 identified subjects in these incidents, **94 percent had been previously arrested**—and 91 percent had multiple prior arrests [see Figure A.17].

Four subjects were on parole or probation at the time of the incidents, and one was out on bail, awaiting trial for possession of a loaded gun. Twenty-six of the subjects with prior arrests had been arrested for violent crimes such as robbery, assault, and resisting arrest, and four had been arrested for murder or attempted murder. Fifty-two percent of the subjects with prior arrests had arrests for weapons possession, including eight subjects arrested for possessing or using a firearm. Thirty-six percent had prior robbery arrests. (It should be noted that individual subjects may be identified in several of the previous categories.)



NB: Individuals may be represented in more than one category

Figure A.17

2010 ANNUAL FIREARMS DISCHARGE REPORT
 INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

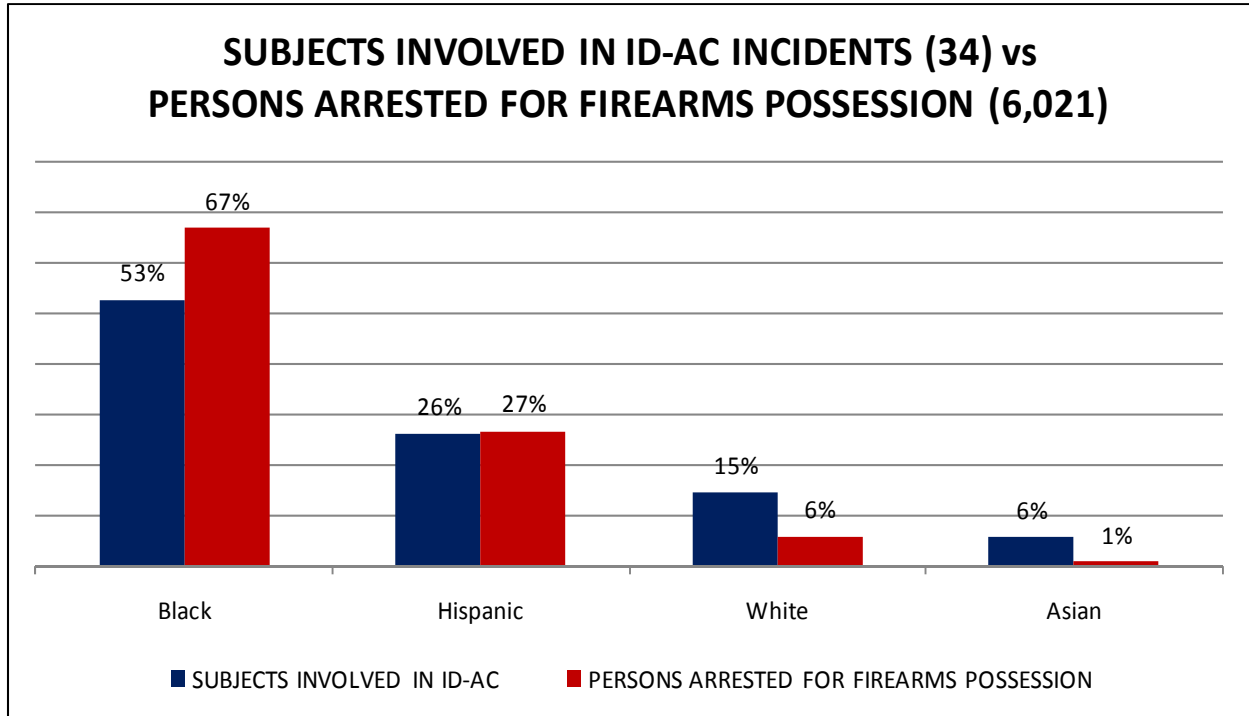


Figure A.18

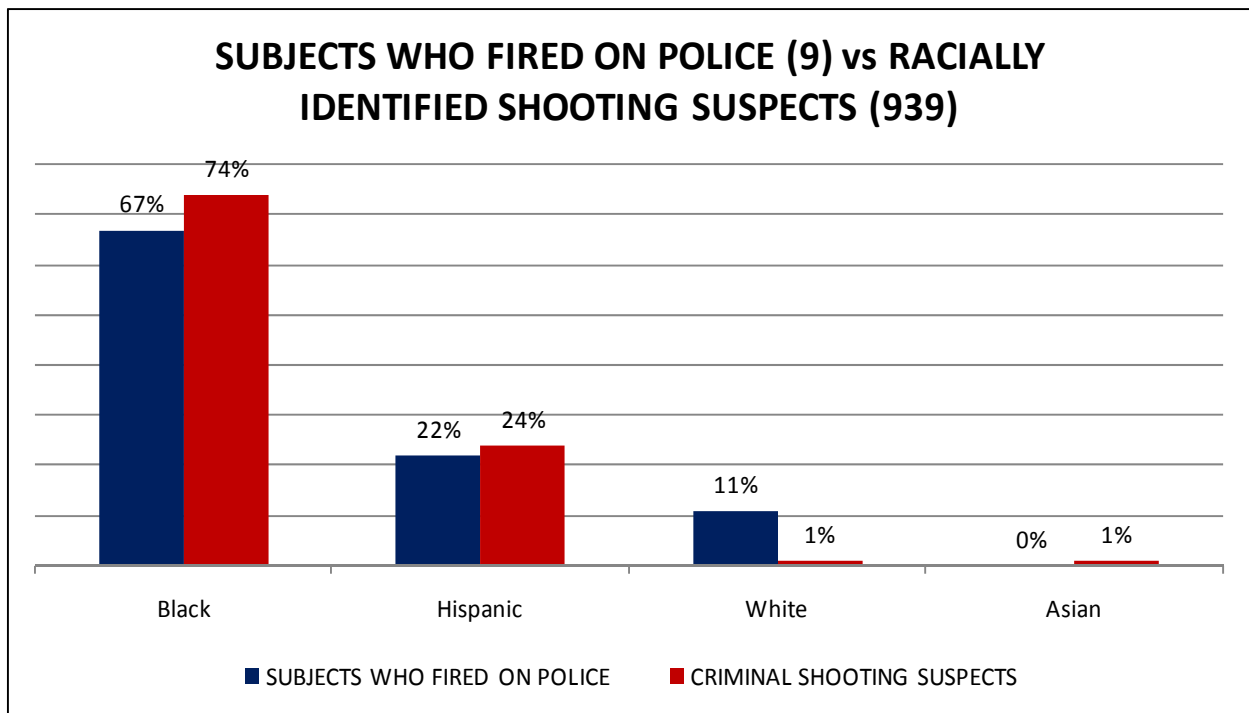


Figure A.19

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

SUBJECT WEAPONS

The subjects in these incidents utilized a variety of weapons when confronting officers. The most frequently used weapon was a firearm. Twenty-two subjects carried firearms; nine of them fired those weapons. Of the known firearms possessed or used by subjects, 9mm semi-automatic pistols and .38 caliber revolvers were the most popular, accounting for 11 of the 20 known firearms used [see Figure A.20].

Eight incidents involved subjects who attacked or menaced officers with cutting instruments. Half of these occurred indoors, and six of the eight involved emotionally disturbed persons. In one cutting-instrument-involved incident, a knife was wielded by a 69-year-old bank robber who, the previous day, had been released from prison after 21 years incarceration. Officers in three incidents first attempted to use OC spray before being forced to resort to their firearms; a sergeant in another incident deployed a conducted energy device, or TASER, to no avail.

One subject viciously beat his mother with a frying pan, causing skull and facial fractures.

Another emotionally disturbed person attacked a police car with a cobblestone, and then attempted to take a responding officer's firearm via overwhelming physical force. In two incidents subjects made purposeful and aggressive gestures indicative of drawing a firearm, and thereby caused the officers to perceive an immediate threat.

INCIDENT OUTCOMES

Of the 33 incidents, 24 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 2010.

OFFICER INJURIES

Four officers were injured, however, two severely. One officer was shot twice in the abdomen and critically injured. (That officer was struck in the chest, as well, but saved by his bullet-resistant vest.) Another officer was struck in the femoral artery and very nearly exsanguinated. Additionally, two officers were struck by fellow police during a particu-

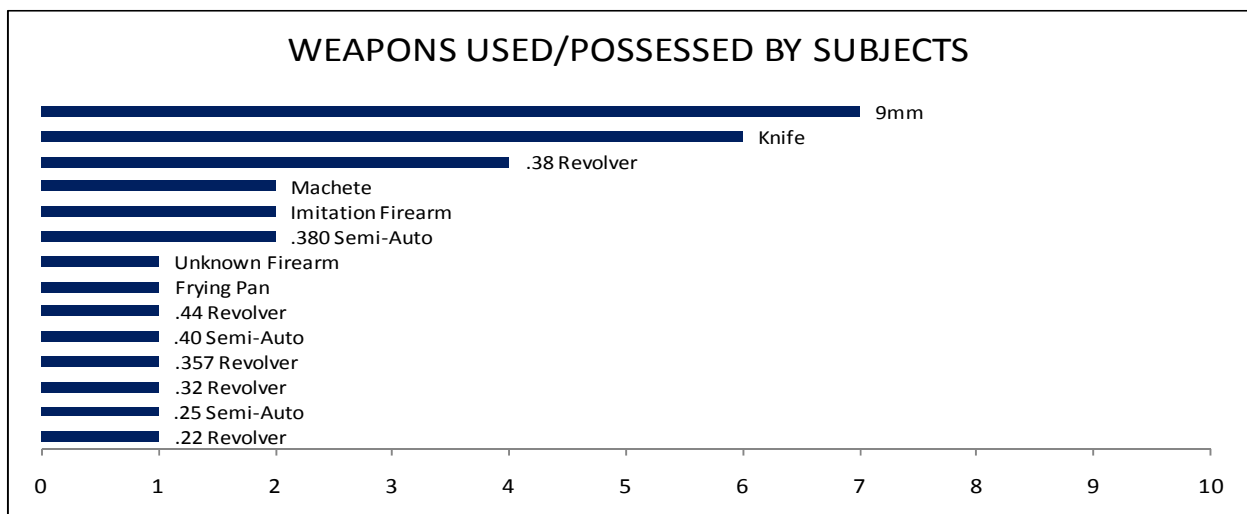


Figure A.20

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

larly chaotic gun battle: one was struck superficially in the hand, and a second was struck in his vest, suffering blunt-force trauma. Two other officers were injured by physical assault during these incidents.

BULLET-RESISTANT VEST

Two officers were saved from rounds that impacted their chests by their bullet-resistant vests. In only one instance did the body armor affect the outcome of the attack.

MALFUNCTION

One officer, an off-duty investigator assigned to OCCB, observed a subject firing on other, uninvolved individuals in the Bronx. When the officer identified himself and confronted the subject, the subject turned and pointed his firearm at the officer. The officer fired one round, but then experienced a malfunction. He was able to clear the weapon and reacquire the subject. Additionally, a female police officer assigned to Anti-Crime experienced a magazine malfunction after firing on a subject menacing her partner with a loaded revolver. Fortunately, she was able to fire her chambered round, striking and stopping the subject, before her magazine disengaged and fell to the ground. No civilians or officers were injured as a result of these malfunctions.

SUBJECT DEATH

Eight subjects were killed by police bullets in 2010. Of these, seven of the eight had prior arrest histories. The one individual with no prior arrest history shot a police officer three times. Five of the eight killed were intoxicated or had illegal narcotic or controlled chemical substances in their systems at the time of the

incidents.

Five subjects who were killed were in possession of firearms; three of these had fired on or shot police. Two menaced officers with knives, and one was attempting to kill his mother with a frying pan [see Figure A.21].

Additionally, a ninth subject took his own life after firing upon a sergeant and being struck in the leg by her return gunfire.

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

SUBJECT INJURIES

Of the 16 subjects who were injured by police gunfire, half had firearms. Five of the subjects fired on police, and one of those five struck and critically injured an officer. Another of those five—a burglar on parole, whose criminal history included 17 prior arrests—fired on a female sergeant, and, after being struck by her return fire, stopped in the street and took his own life. Six subjects were shot and injured after menacing or attacking civilians and/or officers with knives. One subject was wounded after making an aggressive gesture indicative of drawing a firearm while attempting to steal an off-duty sergeant's motorcycle, and another subject was shot in the shoulder while attempting to take an officer's firearm [see Figure A.22].

BYSTANDER INJURED

Three innocent civilian bystanders were injured during a particularly chaotic gun battle. Although two perpetrators also fired during the incident, the bystanders were very possibly struck by police rounds. None of the by-

2010 ANNUAL FIREARMS DISCHARGE REPORT
INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

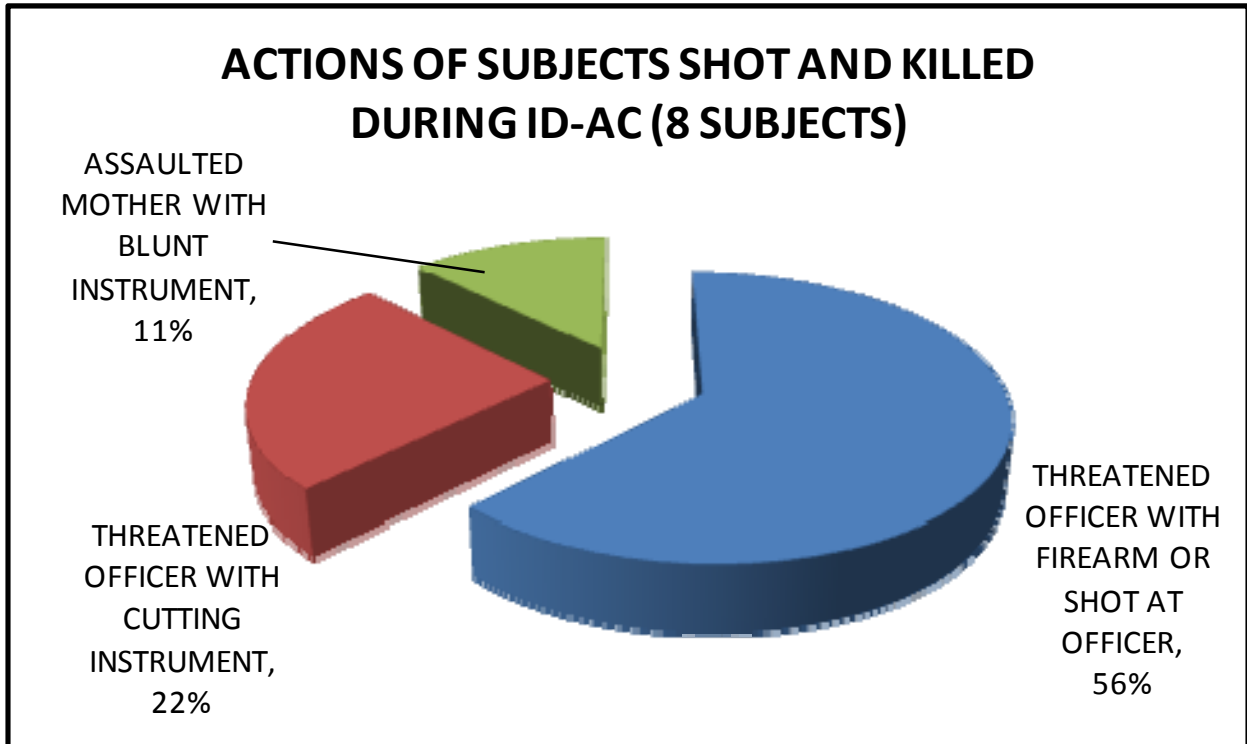


Figure A.21

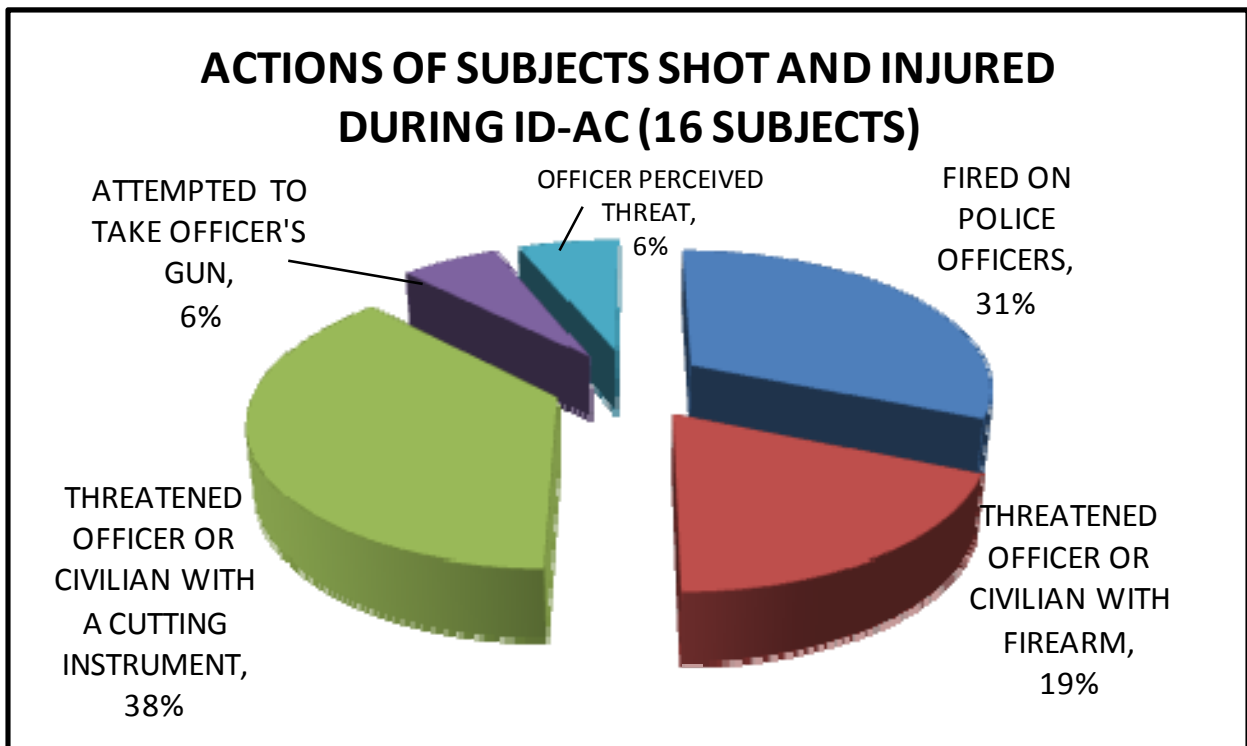


Figure A.22

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ADVERSARIAL CONFLICT

standers' injuries were life-threatening.

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.

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 22 of the 52 officers involved had been reviewed and findings had been issued. (It must be noted that the Police Commissioner has the authority to change the findings of "finalized" cases.)

Among the officers involved in reviewed incidents, one officer—who was violently assaulted and injured by two would-be home invaders on his stoop, then broke away and retrieved his firearm, and then re-confronted the two perpetrators—was held in violation for not retreating and summoning assistance. (When one home invader made a gesture indicative of drawing a firearm, the officer fired on him. The home invaders were not identified or apprehended.) Seven other officers were ordered to additional retraining: four were re-instructed on how to deal with barricaded persons, one was re-instructed on shooting tactics, one was re-instructed on tactically approaching suspects, and one was re-instructed on maintaining proper ammunition loads.

Thirteen officers' actions were determined to involve no violation and require no corrective action. Finally, one officer, whose discharge was deemed proper, was issued a command discipline for failing to carry a conducted energy device as required, although it was determined that the device would not have been a prudent option in the incident. Reviews of the remaining incidents are pending.

CONCLUSION

There were 33 intentional discharges during adversarial conflicts in 2010, involving 52 officers who fired. These conflicts involved 34 subjects, including nine who fired directly on police.

In 2010, there were nearly 1,775 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 compare the number of adversarial-conflict discharge incidents with the number of arrests of armed individuals made by officers each year. In 2010, New York City police officers made 28,880 weapons arrests, including 6,021 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.)

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In other words, there were nearly 29,000 incidents in which an officer took an armed subject into custody without firing his or her weapon.

There were, on average, 34,565 uniformed officers employed by the NYPD in 2010. Of them, only 52—*0.15 percent*—intentionally discharged a firearm at a subject.

These officers responded to more than five million calls for service in 2010, of which more than 206,874 involved weapons.

Of the millions of dangerous calls that thousands of officers responded to in 2010 (not including proactive incidents during which officers were actively seeking out criminals), officers intentionally discharged their firearms in a total of 33 incidents.

2010 ANNUAL FIREARMS DISCHARGE REPORT

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2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

OVERVIEW

There were 30 incidents of intentional firearms discharge during an animal attack in 2010, up three percent from 2009 and down 23 percent from 2000.

To contextualize these 30 incidents, it is worth noting that in 2010, police officers responded to approximately 28,000 calls for service involving dogs and other animals. It does not account for incidents in which officers proactively encounter dogs or investigate incidents that were not processed through 911 or 311.

A total of 38 officers intentionally fired their weapons during these 30 incidents, up 12 percent from 2009. Four officers were directly involved in the attack but did not fire. All but one of the attacks involved dogs. The outlier involved an attacking raccoon.

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

There were 12 officers injured in these incidents. Nine officers were bitten by dogs and three officers suffered injuries from ballistic fragments during the attacks. Six civilians were also bitten by dogs in the course of these animal-attack incidents. These num-

TOTAL INCIDENTS	30
TOTAL ANIMALS INVOLVED	33
TOTAL OFFICERS INVOLVED	38
OFFICERS BITTEN	9
CIVILIANS BITTEN	6

Figure B.1

bers do not encompass all dog attacks on officers or civilians, only dog-attack incidents involving intentional firearms discharges by police officers.

Of the 32 dogs involved, 19 were killed and seven injured during these conflicts. The raccoon was unharmed. A more detailed analysis of injuries to all persons and animals involved will be provided in the following pages.

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

Half of the intentional discharges during animal attacks occurred during the first four months of the year. March saw eight incidents, the most incidents of any month. Every other month had between one and four incidents.

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

The first quarter of the year saw 12 incidents, the second quarter of the year saw five incidents, the third saw six, and the fourth saw seven incidents.

Discharges during animal attacks occurred most often on Friday (37 percent). These incidents occurred most often on the third platoon (47 percent), followed by the first platoon (33 percent) and the second platoon (20 percent) [see Figure B.2].

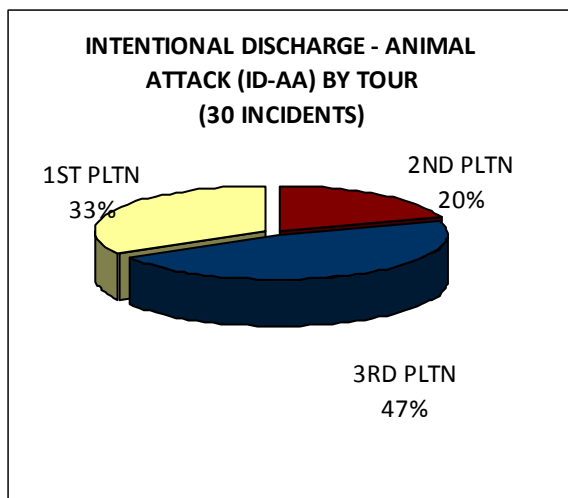


Figure B.2

LOCATIONS OF DISCHARGES

All but three of the intentional discharges during animal attacks occurred within the city limits, with 70 percent of the incidents transpiring under the jurisdiction of the patrol precincts. This is a noticeable departure from intentional discharges during adversarial conflict. While intentional discharges during adversarial conflict occurred within Housing jurisdiction only 9 percent of the time, intentional discharges during animal attacks occurred within Housing jurisdiction

20 percent of the time [see Figure B.3].

The Bronx experienced the most incidents (37 percent). The pie chart on the following page shows the percentages of discharges per patrol borough [see Figure B.4].

These incidents took place in 17 separate precincts, with most of those precincts only experiencing a single incident. Ten precincts accrued two incidents.

Of the 30 incidents, 40 percent occurred outdoors. This is less than the 67 percent for adversarial conflicts. The exact locations of the incidents vary from streets and sidewalks to roofs, living rooms, and hallways.

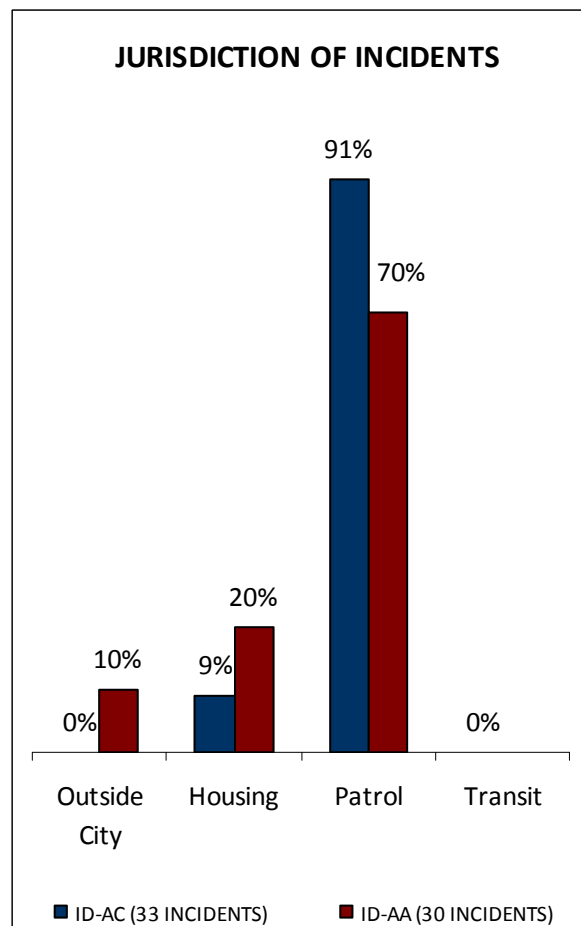


Figure B.3

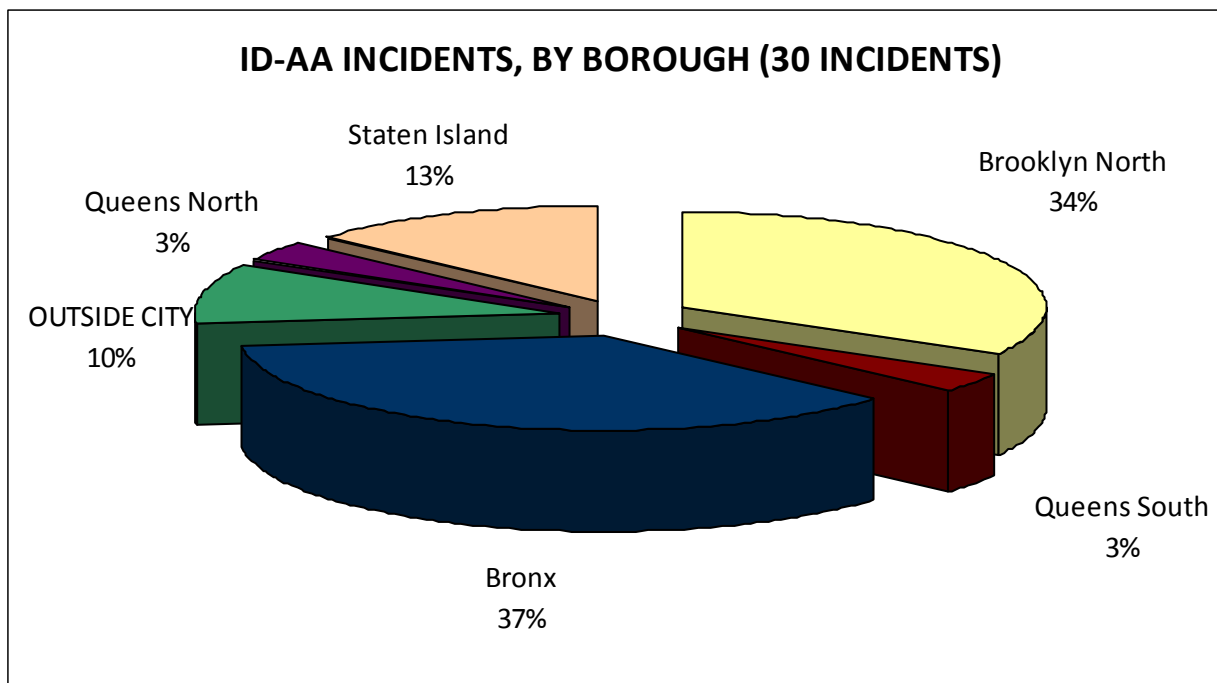
2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

The plurality of occurrences happened in a residence (33 percent), with seven of those ten incidents occurring in the living room. Figure B.5 below indicates the locations and percentages of the incidents.

Figure B.6 on the next page maps the exact location of all of the intentional discharges during animal attacks that occurred in 2010. The three attacks that occurred outside New York City are not depicted.

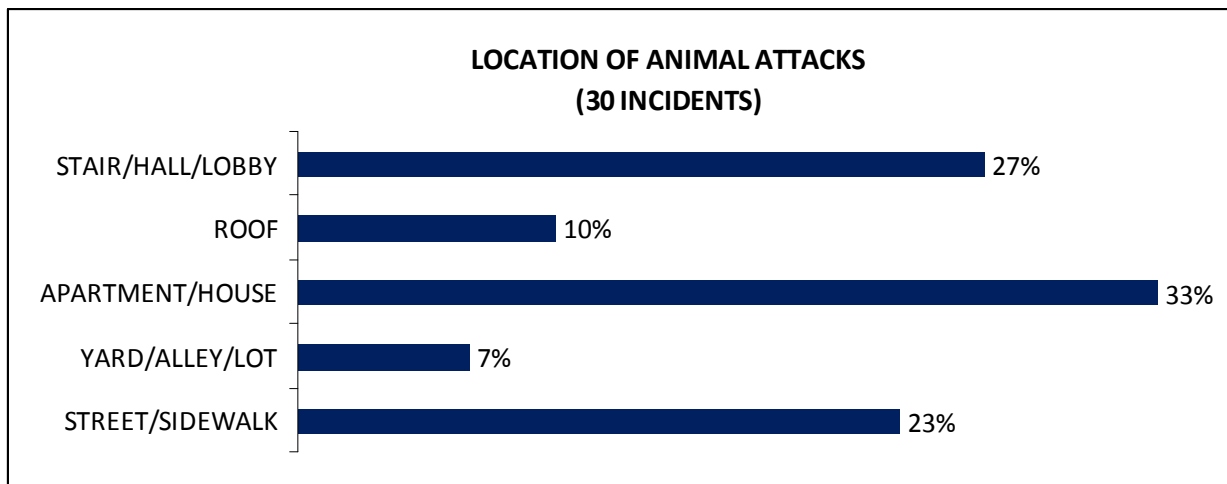
REASONS OFFICER INVOLVED

A variety of reasons led officers to become involved in incidents of intentional discharges during animal attacks. The most common (26 percent) was effecting an arrest [see Figure B.7]. The next most frequent reasons were executing a warrant or responding to an unleashed or vicious dog (21 percent each).



Above, Figure B.4

Below, Figure B.5



2010 ANNUAL FIREARMS DISCHARGE REPORT
INTENTIONAL DISCHARGE—ANIMAL ATTACK

LOCATIONS OF 2010 ANIMAL ATTACK INCIDENTS
27 INCIDENTS*



*Does not include the locations of three incidents that occurred outside the city limits.

Figure B.6

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

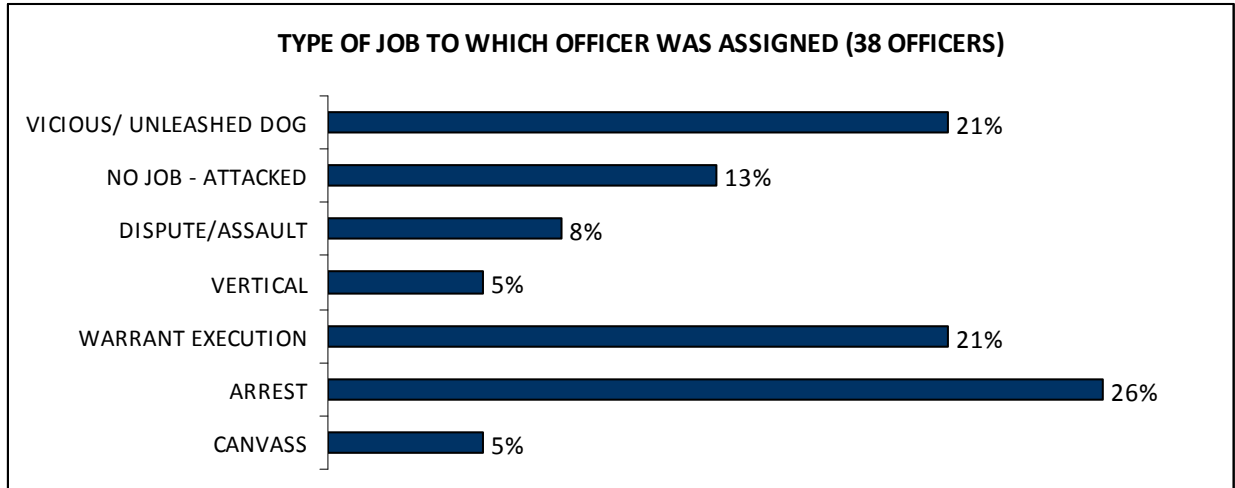


Figure B.7

A large proportion of officers (45 percent) were assigned to precinct and housing patrol duties, which include conducting verticals, effecting arrests, and responding to calls for service from the public, such as calls for vicious dogs. These types of jobs, as mentioned in figure B.7, account for 52 percent of the incidents [see Figure B.9 below for officer assignment].

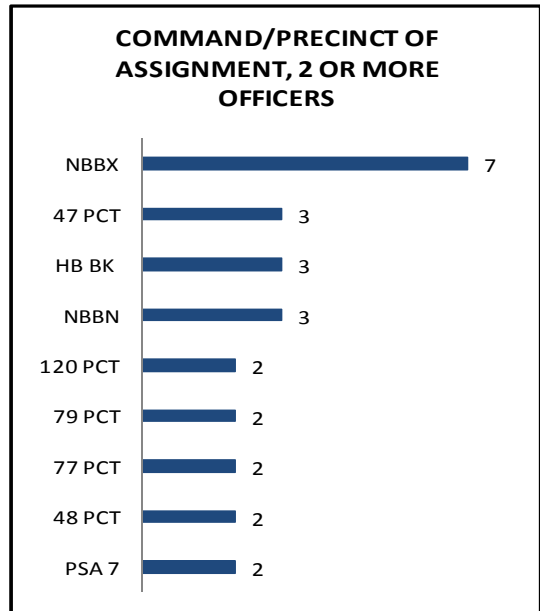


Figure B.8

Figure B.8 indicates the top command or precinct of assignment for officers involved in intentional discharges during animal attacks. Bronx Narcotics officers accounted for 18 percent of the officers involved in animal-attack discharges, compared to 4 percent of the officers involved in adversarial-conflict incidents.

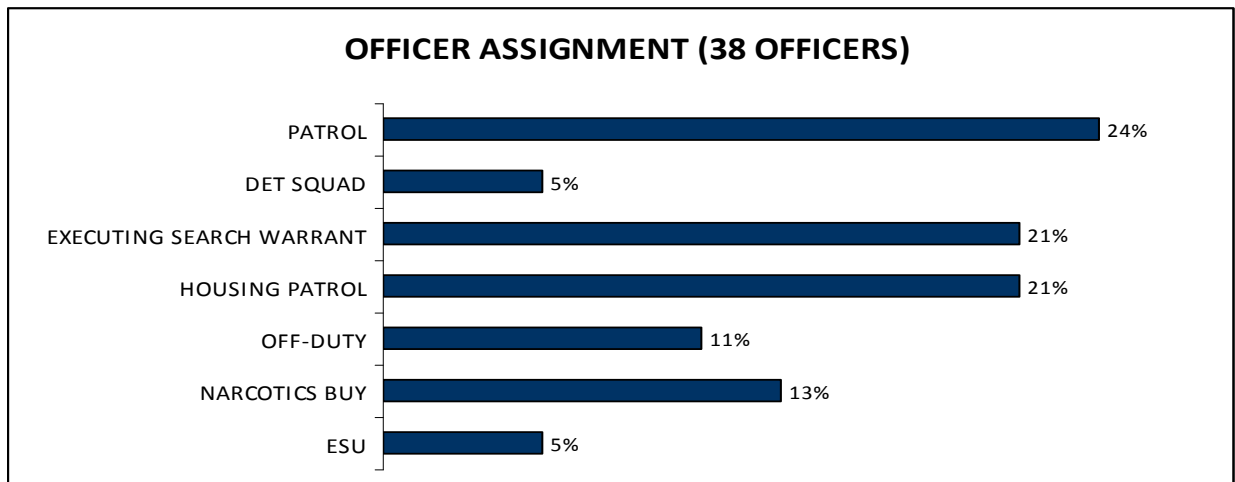


Figure B.9

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

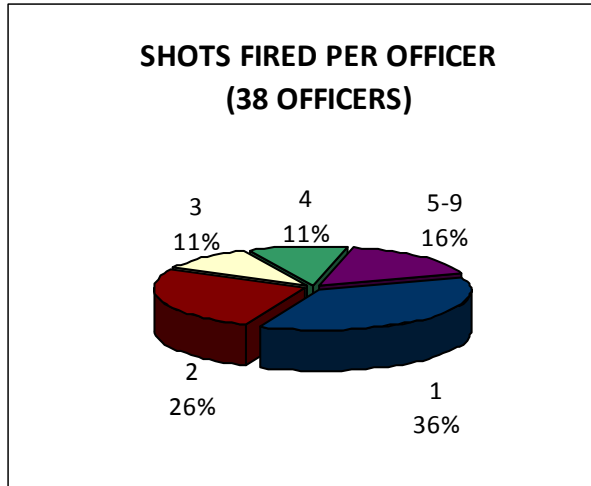


Figure B.10

One off-duty officer, arriving at his residence in Westchester County, observed a raccoon fighting with a skunk. When the raccoon became aware of the officer, it abandoned the skunk and advanced on the officer, hissing. The officer discharged one round, and both the raccoon and skunk fled.

OFFICER RESTRAINT

When officers did discharge their firearms during an animal attack, the plurality of officers (37 percent) fired only one time [see Figure B.10].

This pattern of restraint is also apparent when analyzing the number of shots fired per incident. In the majority of animal attacks (57 percent) officers fired only one or two rounds [see Figure B.11].

A total of 101 shots were fired by officers during these incidents; this is a **42 percent increase** from 2009 but a 29 percent decrease from 2008. Several factors likely contributed to these fluctuations, including changes in the number of officers firing and the number of incidents involving multiple

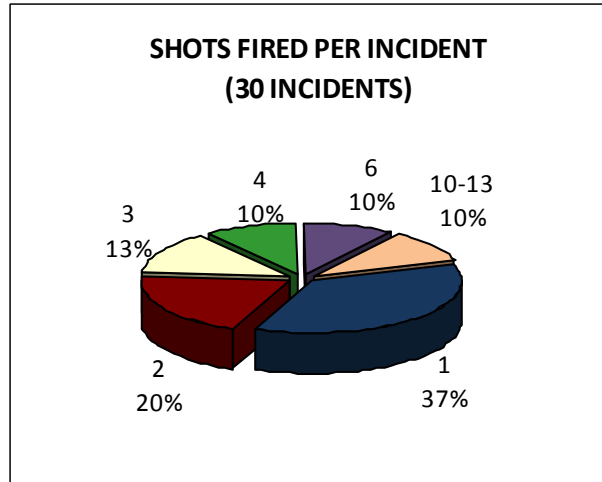


Figure B.11

dogs. Additionally, three incidents in which more than ten shots were fired skew the totals.

During these 30 incidents, officers hit at least one animal per incident 26 times; this yields an objective completion rate of 87 percent. This is higher than the objective completion rate during adversarial conflict (70 percent) and higher than the objective completion rate of officers under fire (78 percent) [see OUTCOME section for explanation].

SHOOTING TECHNIQUE

Fifty-four percent of the officers in animal attacks who reported their position, report gripping the firearm with two hands; similar to the 50 percent of officers in adversarial conflict.

Seventy-five percent of reporting officers reported that they were unable to utilize cover during adversarial conflicts. Yet, all of reporting officers involved in animal attacks report having no cover during the discharge. Officers who can find cover from an animal

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

attack may not find it necessary to fire.

Animal attacks and adversarial conflict incidents are usually similar with regard to shooting position. As with adversarial conflicts, the majority of officers involved in animal attack incidents report being in a standing position, yet this year the numbers have grown slightly further apart with 58 percent standing during adversarial conflict and 87 percent standing during animal attacks.

Half of the reporting officers report utilizing their sights when discharging their firearm during these confrontations, which is dramatically different from the single reporting officer who used his sights during adversarial conflict. (It was noted in adversarial conflict that only 40 percent of officers made a notation of sights use.)

OFFICER PEDIGREE

Two of the 38 officers firing in animal attack incidents were female.

The race of the officers involved in intentional discharges during animal attacks is slightly dissimilar to the racial makeup of the Department’s staffing. White officers were overrepresented, comprising 63 percent of officers firing versus 53 percent of Department staffing. Hispanic officers were underrepresented, comprising 13 percent of officers firing versus 26 percent of Department staffing. Black officers were overrepresented, with blacks accounting for 24 percent of officers firing versus 16 percent of Department staffing. No Asian officers fired on animals in 2010 [see Figure B.12].

ATTIRE

Slightly more than half of the officers who discharged their weapons during animal attacks were attired in uniform (53 percent). This is a significant reduction from last year when they represented nearly 80 percent of officers firing. While the number of plainclothes officers discharging their firearm in adversarial conflict incidents has significantly

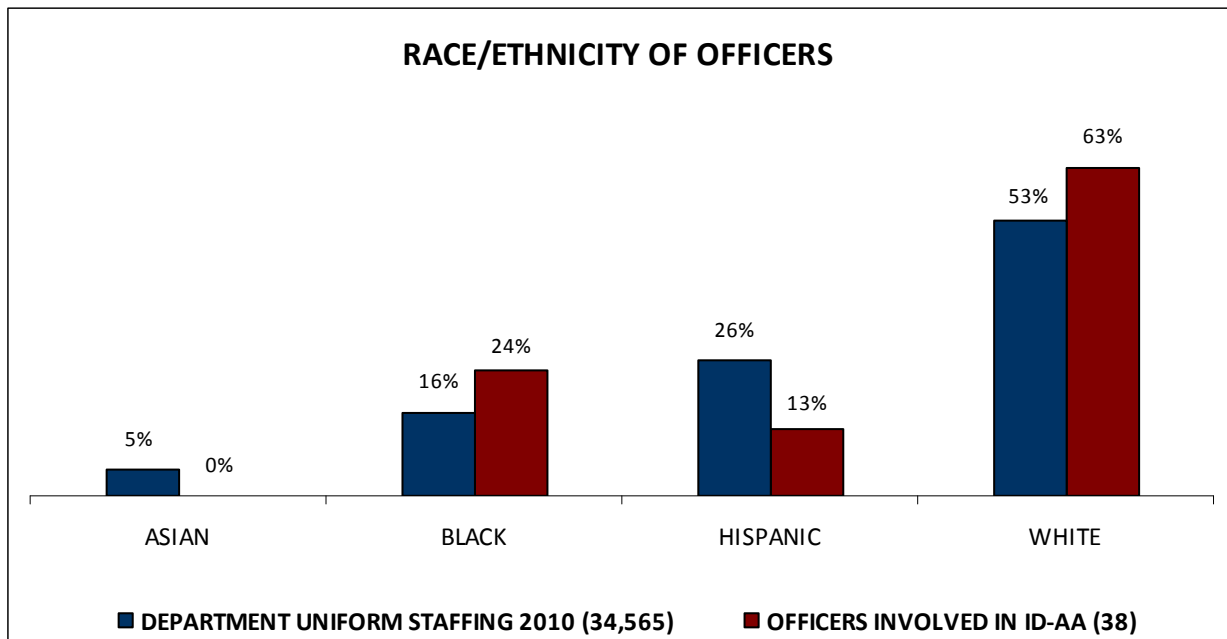


Figure B.12

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

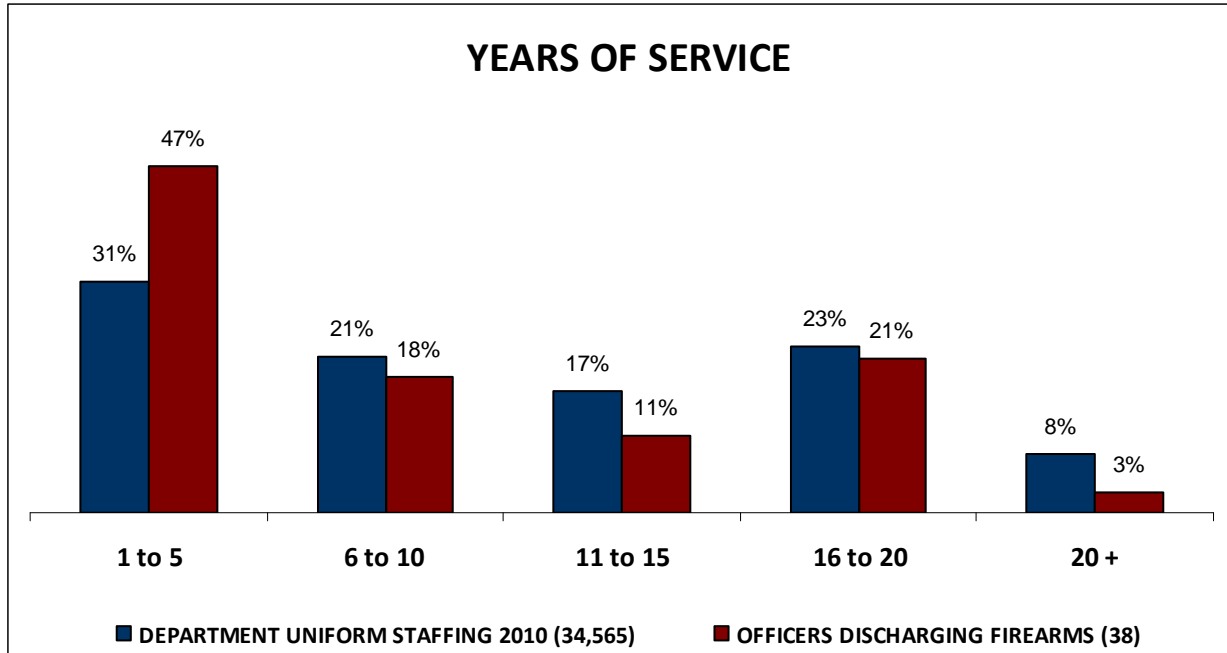


Figure B.13

decreased in 2010 the number discharging firearms during animal attack have significantly increased. This statistic is driven by plainclothes OCCB officers who, in 2010, accounted for 29 percent of officers discharging during animal attack (they accounted for only nine percent in 2009), yet they have significantly reduced the number of adversarial conflict discharges in that same year, from 26 percent in 2009 to eight percent in 2010.

YEARS OF SERVICE

Almost half 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 tends to decrease [see Figure B.13].

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. The notable exception in 2010 was the larger percentage of officers in the 16-20 *year of service* range. This is a result of several off-duty incidents and incidents involving supervisors (including a Captain) and precinct detectives, both of which ranks require more time in service than that held by the average police officer.

RANK

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.14]. Yet this is a significant decrease from the 68 percent in 2009. As mentioned earlier, this is also a result of the increase in OCCB officers discharging their firearms during animal attack. The number of detectives discharging firearms during these incidents increased from 12 percent in 2009 to 34 percent in 2010.

2010 ANNUAL FIREARMS DISCHARGE REPORT INTENTIONAL DISCHARGE—ANIMAL ATTACK

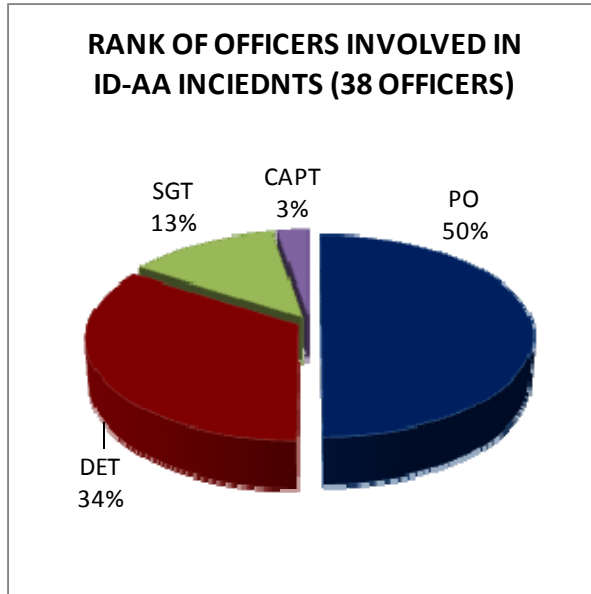


Figure B.14

POLICE WEAPONS

Officers utilized their service weapons in 34 of the 38 incidents. The remaining officers discharged their off-duty weapons.

INCIDENT OUTCOMES

Of the 30 intentional discharges occurring during animal attacks, 26 resulted in injury or death to at least one animal. Twelve officers were also injured, including nine who were bitten by dogs (up from three in 2009). The remaining three officers suffered ballistic injuries from the shrapnel of the fired bullets.

Six civilians were bitten by dogs. No civilians were injured by a police discharge during these incidents.

Of the 33 animals involved, 19 were killed and seven injured by police gunfire. All but one of the animals involved were dogs, with 30 of the 32 dogs being pit bulls. One animal was a raccoon.

When officers fired at attacking animals they hit their targets in 87 percent of the incidents. This objective completion rate is higher than for adversarial attacks (70 percent) and higher than for officers under fire (78 percent). A possible explanation is the distance between officer and animal. Although in both kinds of attack officers are often attempting to avoid injury by running for cover or physically pushing a subject or animal away, officers in animal attacks are more often within arm's reach of the animal. All of the officers who reported their distance report being five feet or closer to the attacking animal. Of the officers who fired in adversarial conflict incidents who reported their distance from the subject, only 26 percent were within five feet of the subject.

MALFUNCTION

No officer reported a firearm malfunction during an animal attack in 2010.

FINDINGS

All of the intentional firearms discharges during animal attacks in 2010 were investigated and, at the time of this report, 58 percent offered findings and recommendations. Of the 22 officers in the completed investigations, all were found not 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 30 instances resulted in officers discharging their firearms.

2010 ANNUAL FIREARMS DISCHARGE REPORT

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2010 ANNUAL FIREARMS DISCHARGE REPORT UNINTENTIONAL DISCHARGES

OVERVIEW

In 2010, there were 22 reported incidents of unintentional firearms discharge, involving 22 officers. One of these incidents occurred in 2009 and was not reported until 2010. This increases the number of 2009 incidents to 23. Twenty-one incidents occurred 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 three officers injured in the 21 (2010) incidents. Two were a result of being struck by debris from the discharge and one sustained a gunshot wound to the leg. No officers were killed as a result of these incidents.

No civilians or subjects were injured or killed in these firearms discharges.

REASON FOR DISCHARGES

Officers unintentionally discharging their firearms did so in two distinct circumstances—either purely unintentionally (15 incidents), or unintentionally during adversarial conflict (six incidents). Purely unintentional discharges 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 15 incidents in which an officer unintentionally discharged a firearm during times when there was no adversarial conflict or animal attack. In 14 incidents only one shot was fired. In one incident the officer unintentionally fired twice. In that incident the first bullet struck the officer and he reacted to the pain by pulling the trigger again.

LOADING/UNLOADING/HANDLING

Half of the incidents occurred while the officer was unloading the firearm. The other half occurred while the officer was handling the firearm. The reasons for handling the firearm vary from inspecting or cleaning the firearm, to attempting to render the firearm safe, to testing the firearm's operability. In two incidents the officers were attempting to render a perpetrator's firearm safe. Another incident occurred during a forensic analysis of the firearm when the weapon malfunctioned and discharged. The majority of incidents occurred at the officer's residence or a police facility. Only two incidents occurred outside, and another occurred inside a police vehicle.

It is notable that five of the 15 firearms discharged during purely unintentional incidents involved weapons that were not the officers' regular service or off-duty firearms. (This trend was noted over the last three years, as well). This may stem from the officers' lack of familiarity with the firearms in question.

2010 ANNUAL FIREARMS DISCHARGE REPORT UNINTENTIONAL DISCHARGES

Also notable is the fact that six of the remaining nine firearms were manufactured by Glock (four model 19s and two model 26s). This most likely has to do with the fact that the handler must depress the trigger to disassemble the firearm.

PEDIGREE OF OFFICER

Pedigree information appears inconsequential. Gender, age, race, and assignment vary at random over the 15 incidents. It is worthy to note that one police recruit unintentionally discharged his newly issued firearm. He was suspended for failure to notify the Department of the incident.

INJURIES

Three officers sustained injuries as a direct result of these 15 purely unintentional discharges. One officer sustained a gunshot injury to his leg, and one officer sustained a laceration to the head after being struck by fragments of a tile that was shattered during the discharge. The third officer sustained injuries to his eyes when during forensic operability testing a round discharged from a defective handgun the officer was attempting to render safe.

FINDINGS

In all but one of the cases for which a finding has been determined, the officer has received some sort of discipline or retraining. The one case where the officer was found not in violation was the forensic-testing incident referred to in the preceding paragraph.

See the chart on the next page for a detailed breakdown of discipline against all officers

involved in unintentional discharges.

UNINTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT

There were six incidents in which officers unintentionally discharged their firearms during an adversarial conflict in 2010. This is a decrease from the eight incidents in 2009. In all incidents only one shot was fired.

REASON FOR DISCHARGE

Of these six discharges, three involved officers chasing a suspect with their firearm in their hand. Two involved officers actively struggling with a perpetrator while holding their firearm. The final incident involved an officer who discharged her firearm when exiting a police vehicle to apprehend a suspect after a vehicle pursuit.

The sample size of this category is so small that no significant conclusions can be derived. Yet there were some observations worth noting.

In 2009, no incident involved precinct sectors; all incidents involved specialized units. In 2010, all but one incident involved patrol officers. All officers involved were in uniform and four of the six officers were from Brooklyn South precincts. All of the incidents occurred outdoors. Four of the six firearms were Glock 19s and one was a shotgun.

2010 ANNUAL FIREARMS DISCHARGE REPORT UNINTENTIONAL DISCHARGES

INJURIES

There were no firearms-related injuries or deaths to officers as a result of these six incidents. Although three officers sustained injuries related to chasing or struggling with a suspect. No subjects or civilians were injured or killed as a result of these unintentional discharges.

Figure C.1 below encompasses the discipline for all unintentional discharges, including all officers who discharged in the incident. It should be noted that disciplined officers also usually receive retraining that may not be reflected in the chart below.

FINDINGS

Only two of the six cases of unintentional discharge during adversarial conflict have been finalized. Both of the officers in those two cases were found in violation and both received retraining. The other four cases are pending. It must be noted that the Police Commissioner has the authority to change the findings of “finalized” cases. Therefore, the below chart is preliminary and subject to further review.

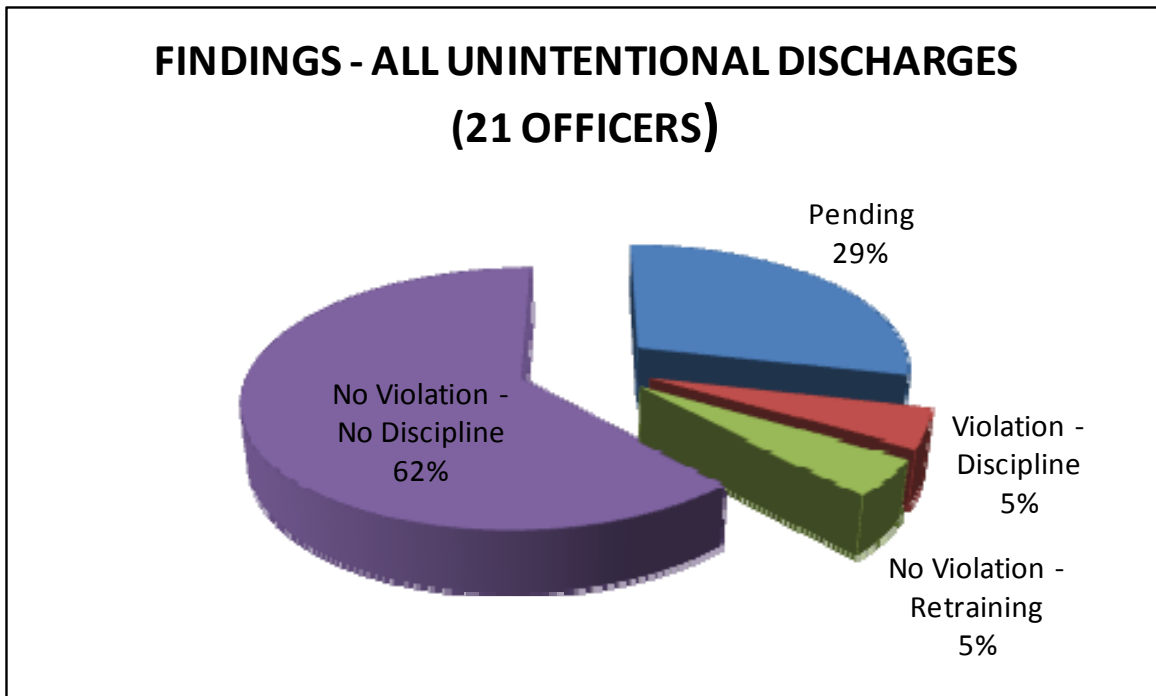


Figure C.1

2010 ANNUAL FIREARMS DISCHARGE REPORT

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2010 ANNUAL FIREARMS DISCHARGE REPORT UNAUTHORIZED USE OF A FIREARM

OVERVIEW

There were eight firearms discharges in 2010 that were deemed to be unauthorized and outside the scope of the officers' employment. Two of these incidents involved the suicide of an officer. Of the other six incidents, four involved the discharge of an officer's weapon by someone other than the officer and two incidents were unauthorized events in which the officers were suspended from service and arrested.

SUICIDE

Two officers committed suicide in 2010. This total is down from three officers who took their own lives during the previous year. It is also a significantly lower figure than represented by the seven officers who committed suicide in 2008 (and an eighth officer attempted suicide as well).

The details of suicide incidents are not discussed in this report, but rather they are studied and investigated by other units within the Department.

DISCHARGE BY OTHER THAN OFFICER

With regard to the four incidents in which an officer-owned firearm was discharged by a civilian, three of these incidents involved a family member gaining access to an improperly secured firearm. One of these incidents resulted in injury (the officer's stepson committed suicide using the firearm) The final incident occurred when a drug suspect was being arrested. During a struggle, the suspect momentarily gained control of the officer's firearm and fired a single shot. No one was injured in that discharge.

OTHER

The final two unauthorized incidents involved **personal disputes** between the officers and subjects and were deemed unauthorized. Each resulted in the suspension and arrest of the officer involved. Both incidents resulted in injury to the subjects.

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.

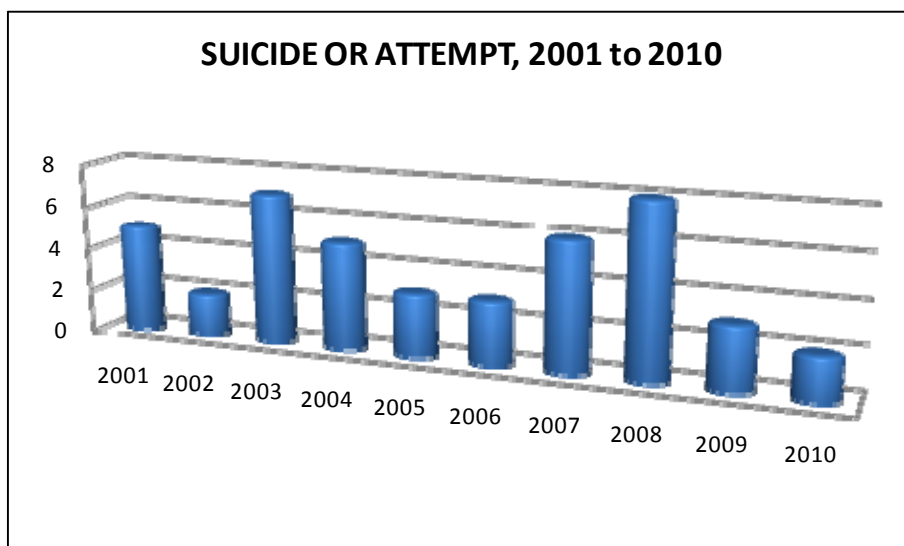


Figure D.1

2010 ANNUAL FIREARMS DISCHARGE REPORT

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2010 ANNUAL FIREARMS DISCHARGE REPORT MISTAKEN IDENTITY

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 New York State Task Force on Police-on-Police Shootings' definition of "Police-on-Police Confrontations."

2010 INCIDENTS

There were no incidents of Mistaken Identity in 2010.

2010 ANNUAL FIREARMS DISCHARGE REPORT

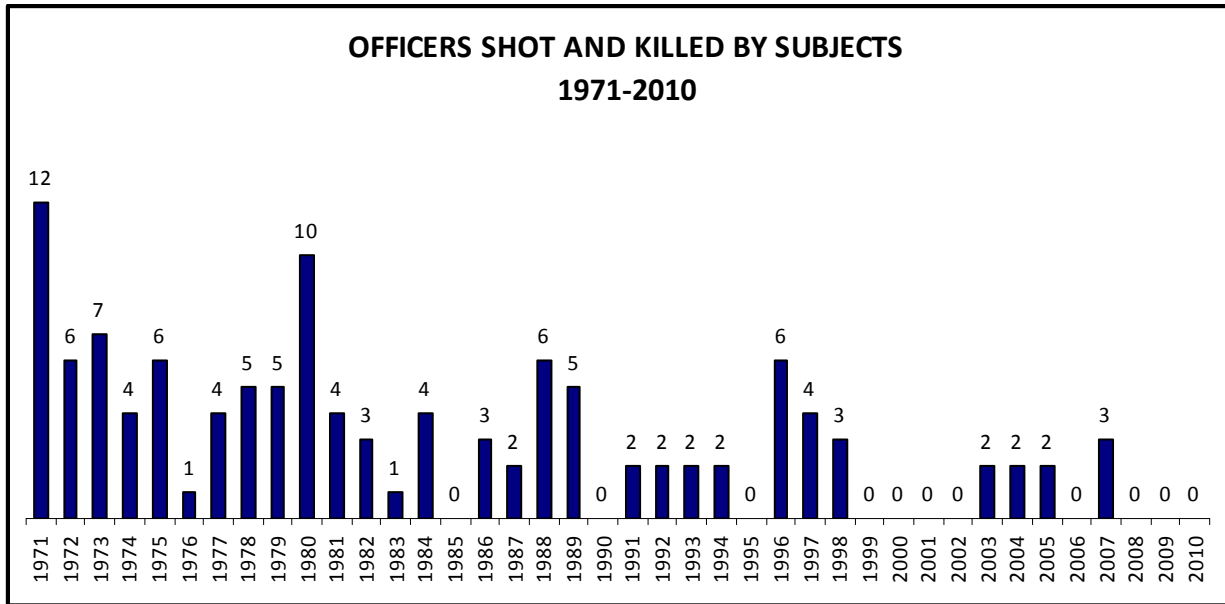
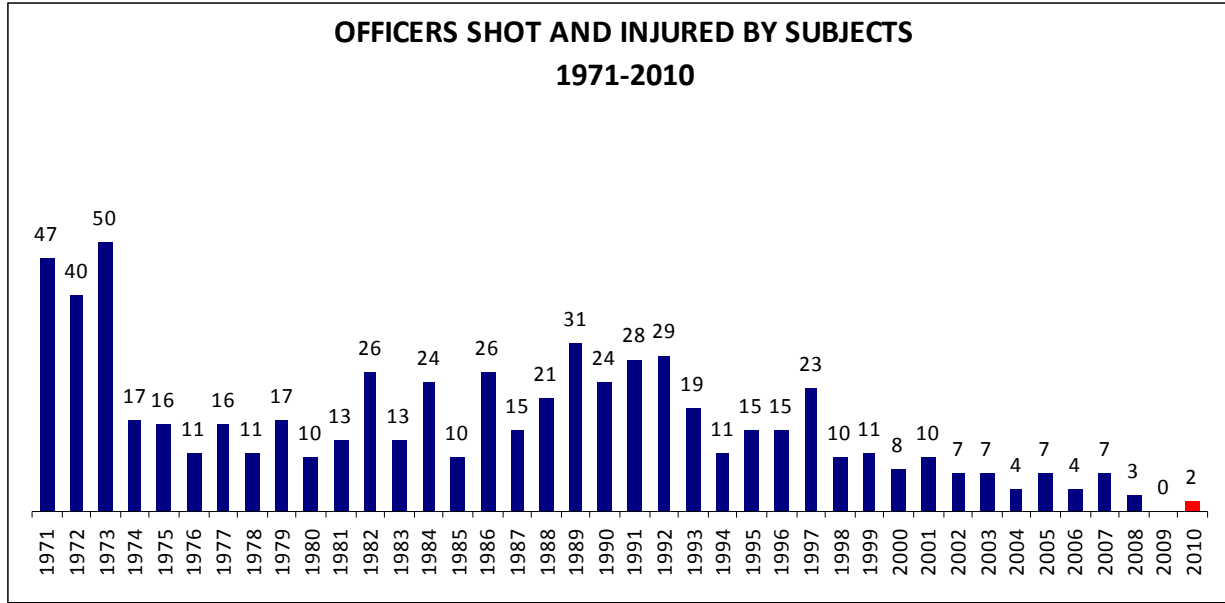
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APPENDIX

2010 ANNUAL FIREARMS DISCHARGE REPORT

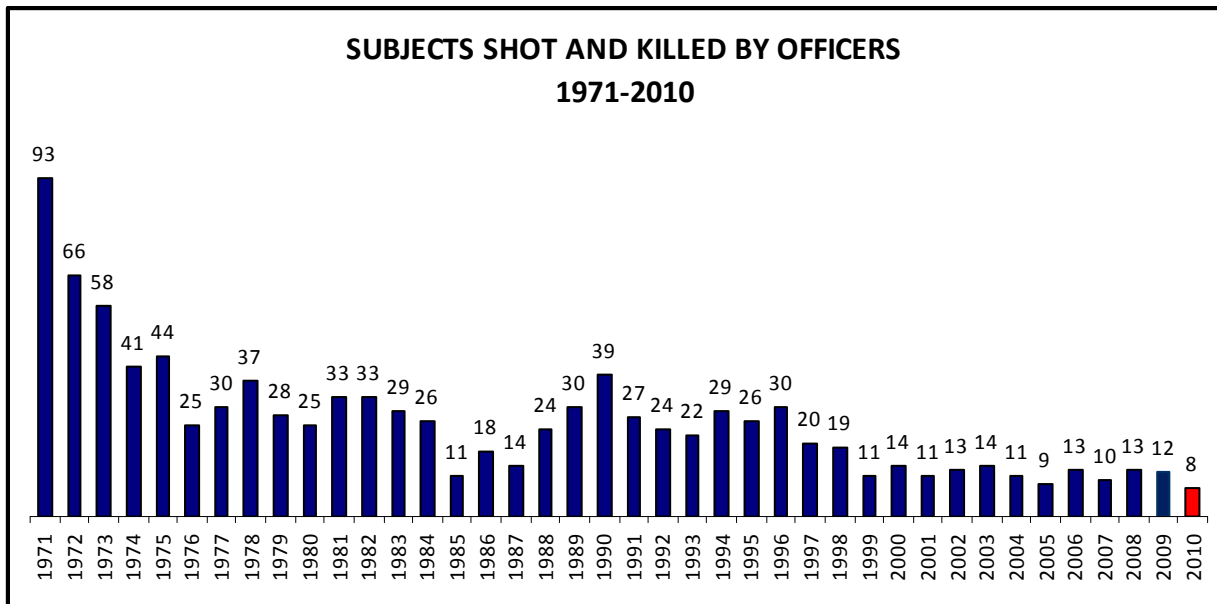
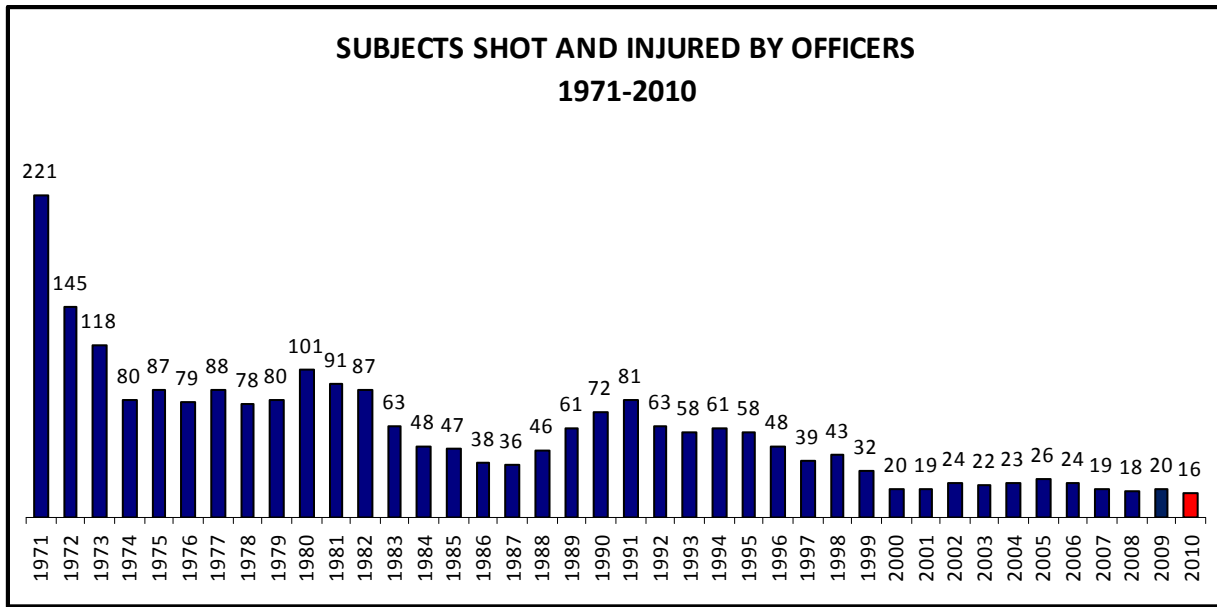
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2010 ANNUAL FIREARMS DISCHARGE REPORT APPENDIX — HISTORICAL DATA

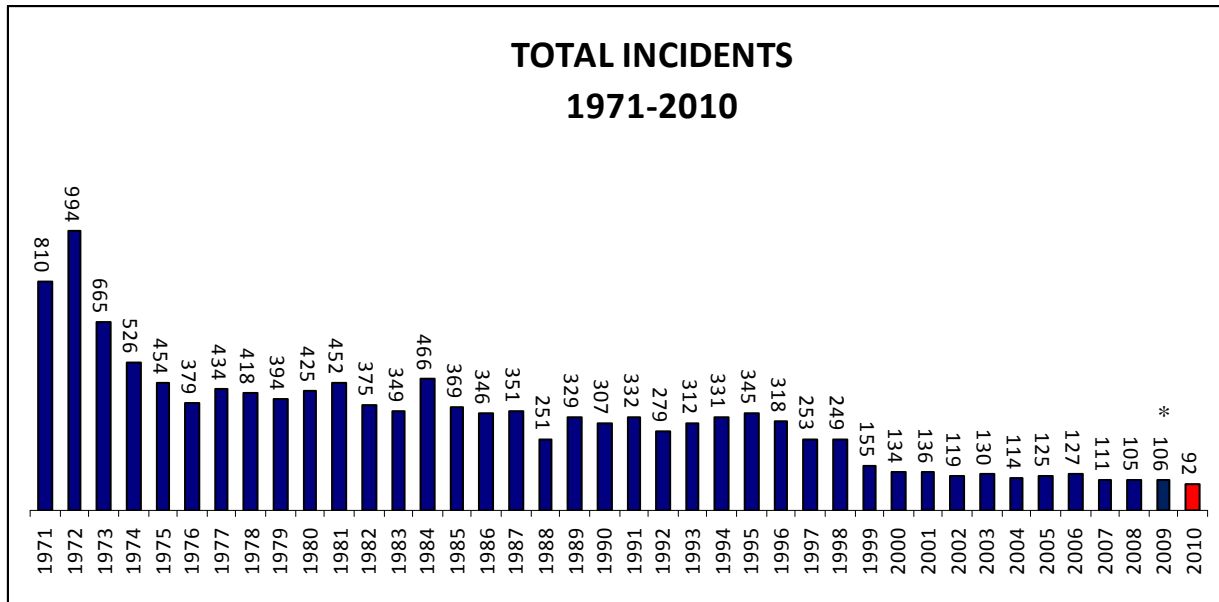
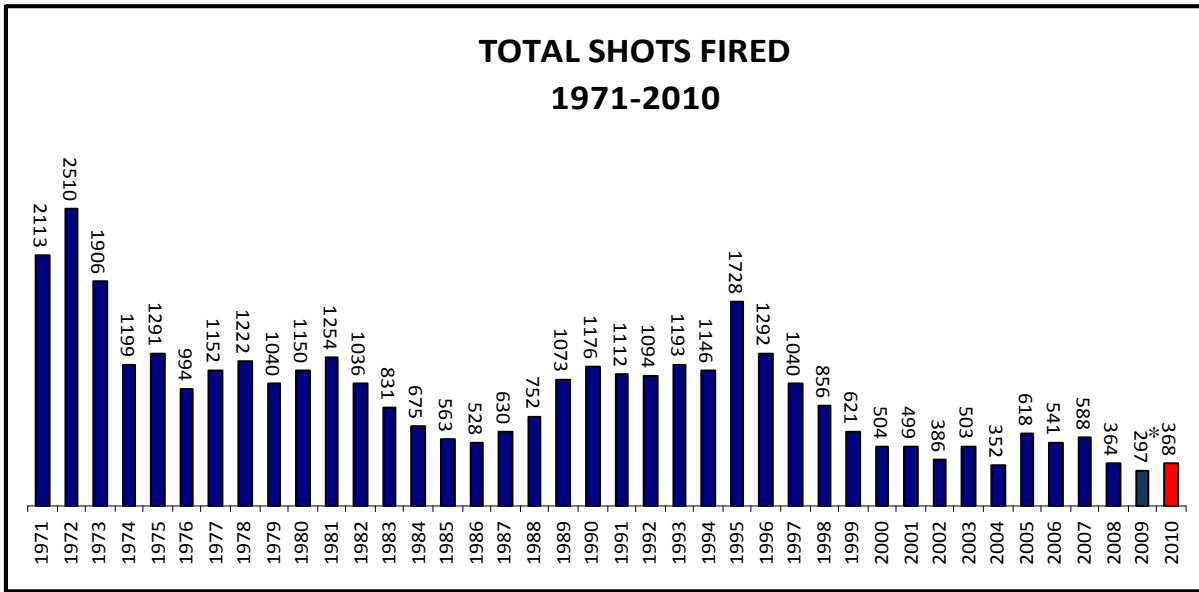


These charts represent officers who were shot by criminal subjects and do not represent accidental shootings, suicides, unauthorized shootings, incidents in which officers were personally involved, or mistaken-identity shootings

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*2009 incident number increased by one from previous reports. This is due to a previously unreported unintentional discharge from that year.

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APPENDIX — FIREARMS TRAINING

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-based 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 culture’s purposeful inaccuracies concerns the accuracy of pistols. Thanks to the movies and TV, many ci-

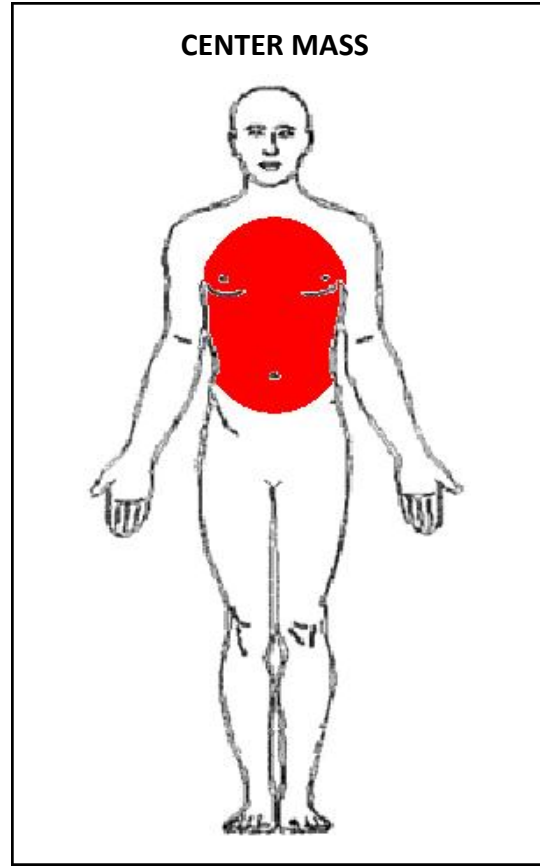
2010 ANNUAL FIREARMS DISCHARGE REPORT APPENDIX — FIREARMS TRAINING

vilians 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

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.*

* 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.

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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 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 2010, eight subjects were shot and killed by officers who intentionally discharged their weapons during adversarial conflict—the smallest number of such incidents in the Department's recorded history.

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 eight subjects had prior arrest histories, and five were intoxicated and/or had controlled substances in their systems when these incidents occurred.

In addition to the incidents below, there was one adversarial-conflict incident in which a subject fired upon a female sergeant, and was struck in the leg by the sergeant's return fire, but then took his own life. Because the subject's demise was not the result of police gunfire, it is not included here.

On February 22, at 0009 hours, in the confines of the 40th Precinct, a uniformed sergeant and police officer discharged their weapons at a male Indian subject who was beating his mother with a metal pan. Approximately 50 minutes earlier, officers had responded to the location for a wellness check, initiated by the subject's brother (who is also the victim's son). Although the officers could hear a disturbance inside the location, they were unable to gain entry. A supervisor was called to the scene and, via telephone, the subject's brother suggested contacting the building's superintendant to gain entry. The sergeant was able to open the door with the superintendant's keys, although there was a security chain in place as well. Through the partly opened door, however, officers were able to see the victim, covered in blood and seated on a couch. The officers forcibly entered and then observed the subject, standing over his bloodied mother, with the frying pan raised as if to strike her again. When officers confronted the subject, stating "Police! Don't move!" he briefly turned towards them, approached, then turned back to his mother and again prepared to strike her. The officers shouted warnings again but were ignored. One police officer and the sergeant then discharged four rounds and one round, respectively, striking the subject and causing his demise. The subject had an arrest history that included felony assault and resisting arrest.

On March 8, at 1511 hours, in the confines of the 61st Precinct, a uniformed police officer responded to a 911 call of a man with a gun present in a schoolyard. Witnesses had seen the man acting erratically and pointing the firearm at passerby. Once at the location, the officer, who was on solo patrol, encountered a white male subject carrying a silver firearm. With his

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firearm drawn, the officer shouted "Police! Don't move!" but the subject turned his back to the officer. As the officer radioed that he had the subject stopped, the subject abruptly spun and pointed his firearm directly at the officer while cursing him. The officer fired three rounds, striking the subject three times, and causing his demise. Subsequently, the subject's firearm was determined to be an imitation pistol that had been painted silver and black. The subject had an arrest history for criminal mischief and false personation. At the time of the incident, the subject's blood alcohol content was three and a half times the legal limit for driving and he had phencyclidine (PCP) in his system, as well as anti-anxiety drugs and other substances consistent with reports that he had stolen and then consumed significant quantities of cough suppressant.

On March 22, at 1225 hours, in the confines of the 44th Precinct, four uniformed officers responded to a 911 call about a dispute involving a firearm. Upon arrival at the Morrisania Air Rights Houses, the officers were met by a female complainant who had been assaulted and menaced at gunpoint by the adult son of an elderly woman for whom the complainant was a home attendant. Proceeding to the elderly woman's apartment, the officers discovered that the subject, a male Hispanic, had retreated to a bedroom just past the living room. A second adult son informed the subject in English and Spanish that the police were present. One officer approached the bedroom door and forcibly opened it, at which point the subject opened fire with a .38 caliber Smith & Wesson revolver. The officer at the bedroom door was struck in the chest, but saved by his bullet resistant vest. As he fell back, injured, he returned fire, but was also fired upon again by the subject. In this second exchange he was struck twice in the lower abdomen, beneath his vest, and severely injured. He nevertheless returned fire, ultimately discharging all 16 rounds from his weapon, and the subject fell back into the bedroom. The three other officers, who were also in the line of fire, discharged two, one, and two rounds, respectively, as they dragged their wounded partner back to the living room and safety. At this point supervisors arrived on scene, and ordered the location locked down and the wounded evacuated. Emergency Services deployed mechanical means and a canine officer to assess the scene, and determined that the subject had been struck three times and killed. His revolver, with four spent rounds and a live round in the cylinder, was recovered. The subject had no arrest history.

On April 1, at 1413 hours, in the confines of the 72nd Precinct, plainclothes officers were canvassing for a robbery suspect with a sketch and photo in hand. They observed a male Hispanic subject who they believed resembled the suspect and attempted to address him from their unmarked vehicle. As the vehicle operator called to the subject, the two other officers in the vehicle exited and positioned themselves at the front and rear of the automobile. The subject suddenly and aggressively approached the vehicle, saying "You want my fuckin' ID? I'll show you my fuckin' ID!" At the same time, he reached into a bag he was carrying and withdrew a silver revolver, which he pointed into the car and at the officer in the driver's seat. A brief struggle ensued, but was ended when the female officer positioned at the front end of the vehicle fired a single round, striking the subject and causing his demise. The subject's weapon, a

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loaded .357 caliber Rossi revolver, was recovered, as was a stolen .44 caliber Ruger revolver also on his person, several bags of marijuana, and in excess of \$2,000 in US currency. The subject had 39 prior arrests, for offenses including robbery, burglary, and criminal possession of firearms. The subject had cannabinoids in his system at the time of the incident.

On June 24, at 0918 hours, during the execution of a search warrant in the confines of the 41st Precinct, two officers discharged their firearms at a male black subject who fired on one of the officers. As an Emergency Services Unit team entered the subject's location for a narcotics warrant, the subject attempted to escape via a rear basement door. He was in possession of a black semi-automatic handgun which he pointed at an officer posted at the rear entrance. That officer fired five rounds at the subject, who then retreated back into the location. An Emergency Services detective armed with an MP-5 special weapon took a tactical position with oversight of the back yard. Once again the subject again attempted to exit, and now fired one round at the Emergency Services detective. The detective fired one round in return, and the subject retreated again into the basement where he was apprehended, having suffered bullet wounds in his torso and leg. His loaded 9mm Hi Point pistol was recovered. The subject was removed to the hospital where he succumbed to his injuries. The subject had an arrest history that included sex abuse, and he had alcohol, cannabinoids, cocaine, and levamisole, a veterinary dewormer that is used as a cocaine adulterant and has been linked to necrosis and psychosis, in his system at the time of the incident.

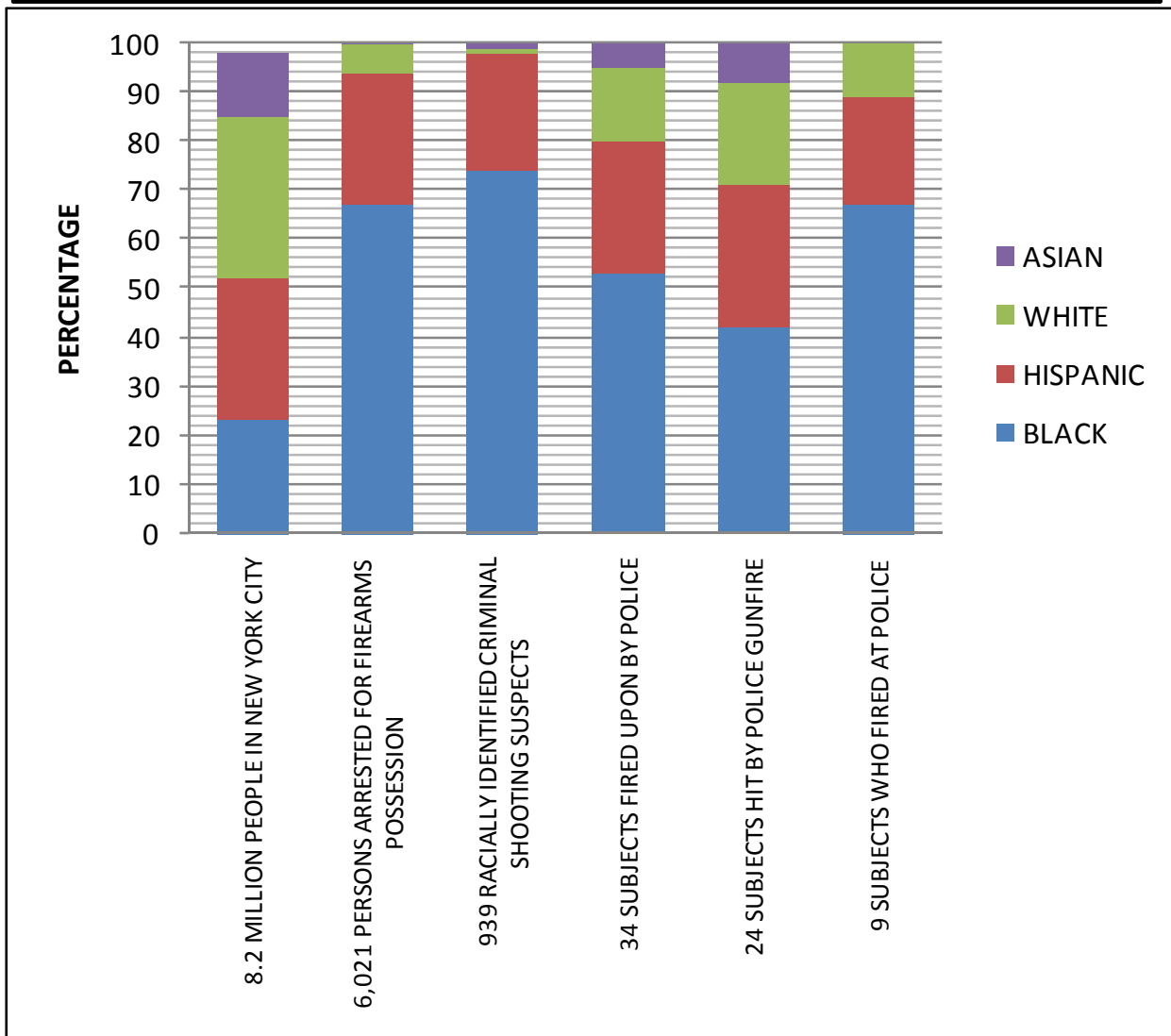
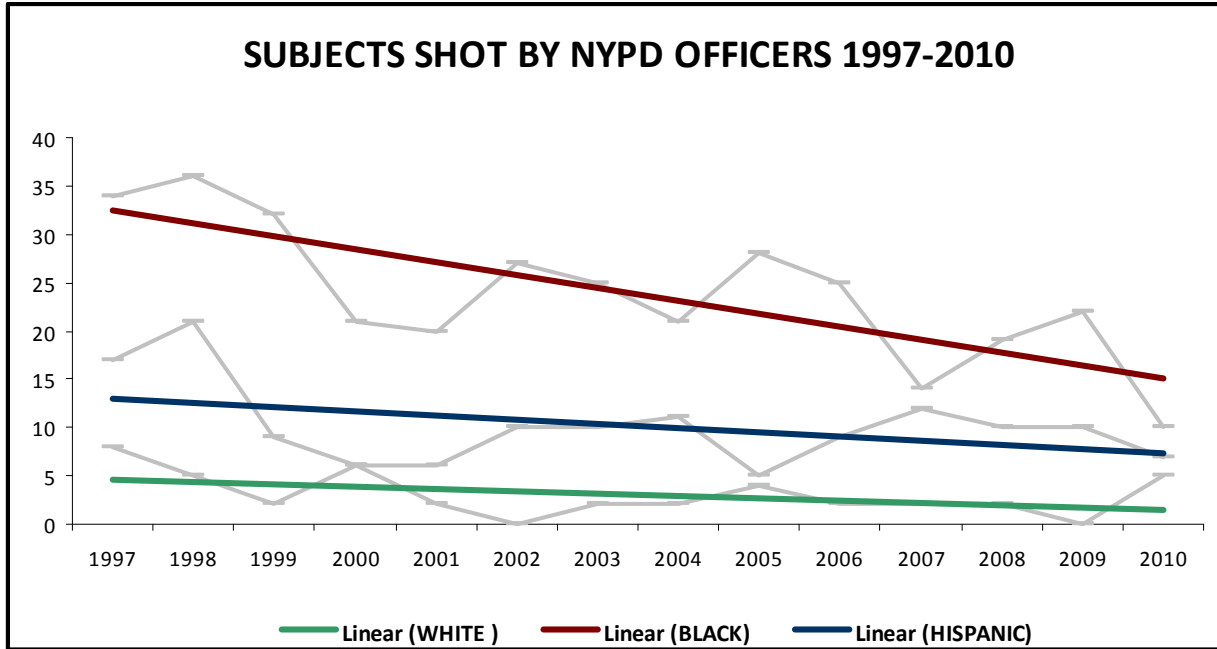
On August 8, at approximately 0300 hours, in the confines of the 32nd Precinct, four officers became involved in an exchange of gunfire with two male Hispanic subjects, resulting in the demise of one subject and injuries to the other. Two officers were injured during this incident, and three bystanders were struck and injured, as well. The event was precipitated by a fight between the two subjects, during which the first subject produced a firearm and possibly fired on the second subject. Police heard gunfire and responded: one uniformed officer approached from the south as an unmarked vehicle with one plainclothes sergeant and two plainclothes officers approached from the north. At some point, the second subject achieved control of the firearm, and possibly fired on the first subject. He also discharged a round at the lone uniformed officer, who had now closed to within several feet. The uniformed officer returned fire, while the plainclothes officers at the opposite end of the block also began to shoot. Of the two rounds fired by the uniformed officer, one struck one of the two plainclothes officers in the chest—the officer was saved from this crossfire by his bullet-resistant vest. The plainclothes sergeant discharged 16 rounds, and the two plainclothes officers discharged 16 rounds and 12 rounds, respectively. During the gunfire, a fifth officer, who did not fire, was struck in the wrist and injured, and the three previously mentioned civilian bystanders were also struck. Of the criminal participants, the first subject was struck six times and succumbed to his injuries, and the second subject was struck 23 times, but survived. (A grand jury refused to indict the second subject for firing on the uniformed officer.) The deceased subject had 13 prior arrests, including robbery, burglary, and resisting arrest. The deceased subject's blood-alcohol content was twice the legal limit for driving at the time of his demise.

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On October 3, at approximately 0545 hours, in the confines of the 34th Precinct, ten uniformed officers responded to a radio run for a violent emotionally disturbed person. A male Hispanic subject had called 911 and stated "I'm ready to kill some cops right now... Get 'em, I'll be right here." As they converged on the location, they observed the subject with a black knife in his hand. Maintaining cover behind parked cars, the officers surrounded the subject and issued orders to drop the knife, which the subject ignored. The subject made threatening statements, and acted belligerently. A sergeant on scene deployed a conducted energy device, but it was ineffective and the subject was able to pull the prongs from his body. At this time the subject began to move, and the sergeant on scene instructed the officers to move with him while maintaining a proper zone of safety. Two officers, however, found themselves backed against parked vehicles as the subject abruptly changed direction and advanced upon them while swinging the knife. With no means of escape available, the two officers discharged their firearms, five rounds and four rounds, respectively. The subject was struck multiple times and succumbed to his injuries. The subject had an arrest history for crimes including reckless endangerment and drugs sales, and was on federal probation for heroin trafficking at the time of the incident.

On December 22, at approximately 2145 hours, in the confines of the 104th Precinct, a female complainant called 911 to state that her adult son, against whom she had an order of protection, was menacing her with a knife. A uniformed sergeant and five uniformed officers responded to the scene and were joined by another sergeant and two officers. The first, larger group proceeded to the backyard of the location, after being informed by the complainant that her son sometimes fled via a rear window. The second group went to the front door and used the complainant's keys to enter. Inside, they immediately encountered a male white subject armed with several knives. The subject rushed at the sergeant and two officers, who, with no room to retreat, fired three rounds, four rounds, and one round, respectively, striking and killing the subject. A knife with a five-inch blade was recovered from the subject's hand, and two additional knives were found in his immediate vicinity. The subject had an arrest history that included assault, criminal possession of a weapon, and menacing. At the time of his demise, the subject had a blood-alcohol content two-and-a-half times the legal limit for driving, and had anti-depressants and anti-anxiety medications in his system.

2010 ANNUAL FIREARMS DISCHARGE REPORT APPENDIX — SUBJECTS SHOT BY POLICE—RACE/ETHNICITY



**2010 ANNUAL FIREARMS DISCHARGE REPORT
APPENDIX — SUBJECTS SHOT BY POLICE—RACE/ETHNICITY**

	1999		2000		2001	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	1	1	0	6	2	0
BLACK	24	8	15	6	11	9
HISPANIC	7	2	4	2	4	2
ASIAN	0	0	1	0	0	0
TOTAL	32	11	20	14	17	11

	2002		2003		2004	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	0	0	1	1	1	1
BLACK	20	7	12	13	15	6
HISPANIC	4	6	10	0	7	4
ASIAN	0	0	1	0	0	0
TOTAL	24	13	24	14	23	11

	2005		2006		2007	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	4	0	1	1	0	2
BLACK	21	7	16	9	9	5
HISPANIC	3	2	6	3	9	3
ASIAN	1	0	0	0	1	0
TOTAL	29	9	23	13	19	10

	2008		2009		2010	
	WOUNDED	KILLED	WOUNDED	KILLED	WOUNDED	KILLED
WHITE	0	2	0	0	3	2
BLACK	12	7	14	8	9	1
HISPANIC	6	4	6	4	3	4
ASIAN	0	0	0	0	1	1
TOTAL	18	13	20	12	16	8

2010 ANNUAL FIREARMS DISCHARGE REPORT APPENDIX — SUPPLEMENTAL DATA

DAY OF WEEK	ID-AC	ID-AA	UD	UUF	TOTAL
MONDAY	10	6	0	4	20
TUESDAY	3	2	4	0	9
WEDNESDAY	2	3	2	1	8
THURSDAY	4	4	5	1	14
FRIDAY	4	11	6	0	21
SATURDAY	4	3	3	0	10
SUNDAY	6	1	0	2	9
TOTAL	33	30	20*	8	91*

*The *day of week* for one unintentional discharge is unknown because it was not reported by the officer.

TOUR	ID-AC	ID-AA	UD	UUF	TOTAL
0731-1530	10	6	5	2	23
1531-2330	13	14	12	4	43
2331-0730	10	10	3	2	25
TOTAL	33	30	20*	8	91*

*The *tour* for one unintentional discharge is unknown because it was not reported by the officer.

MONTH	ID-AC	ID-AA	UD	UUF	TOTAL
JANUARY	1	2	2	0	5
FEBRUARY	4	2	0	1	7
MARCH	4	8	2	0	14
APRIL	4	3	2	0	9
MAY	1	2	1	1	5
JUNE	3	0	2	1	6
JULY	3	3	2	1	9
AUGUST	2	1	3	2	8
SEPTEMBER	2	2	3	0	7
OCTOBER	5	4	1	0	10
NOVEMBER	2	1	2	2	7
DECEMBER	2	2	1	0	5
TOTAL	33	30	21	8	92

ID-AC – Intentional Discharge – Adversarial Conflict

ID-AA – Intentional Discharge – Animal Attack

UD – Unintentional Discharge

UUF – Unauthorized Use of Firearm

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BOROUGH	ID-AC	ID-AA	UD	UUF	TOTAL
BRONX	7	11	2	0	20
MANHATTAN	6	0	5	1	12
QUEENS	4	2	3	2	11
BROOKLYN	16	10	10	2	38
STATEN ISLAND	0	4	0	0	4
OUTSIDE CITY	0	3	1	3	7
TOTAL	33	30	21	8	92

MANHATTAN	ID-AC	ID-AA	UD	UUF	TOTAL
1st PRECINCT	0	0	0	0	0
5th PRECINCT	0	0	1	0	1
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	1	0	1
14th PRECINCT	1	0	0	0	1
17th PRECINCT	0	0	0	0	0
18th PRECINCT	0	0	1	0	1
19th PRECINCT	0	0	0	0	0
20th PRECINCT	0	0	0	0	0
22nd PRECINCT	0	0	1	0	1
23rd PRECINCT	1	0	0	0	1
24th PRECINCT	0	0	0	0	0
25th PRECINCT	1	0	0	0	1
26th PRECINCT	0	0	0	0	0
28th PRECINCT	0	0	0	0	0
30th PRECINCT	0	0	1	0	1
32nd PRECINCT	1	0	0	1	2
33rd PRECINCT	0	0	0	0	0
34th PRECINCT	2	0	0	0	2
TOTAL	6	0	5	1	12

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BRONX	ID-AC	ID-AA	UD	UUF	TOTAL
40th PRECINCT	2	2	0	0	4
41st PRECINCT	2	1	1	0	4
42nd PRECINCT	1	1	0	0	2
43rd PRECINCT	0	0	0	0	0
44th PRECINCT	1	2	0	0	3
45th PRECINCT	1	0	0	0	1
46th PRECINCT	0	0	0	0	0
47th PRECINCT	0	2	0	0	2
48th PRECINCT	0	2	0	0	2
49th PRECINCT	0	0	0	0	0
50th PRECINCT	0	0	0	0	0
52nd PRECINCT	0	1	1	0	2
TOTAL	7	11	2	0	20

BROOKLYN	ID-AC	ID-AA	UD	UUF	TOTAL
60th PRECINCT	1	0	0	0	1
61st PRECINCT	1	0	0	0	1
62nd PRECINCT	0	0	1	0	1
63rd PRECINCT	1	0	0	0	1
66th PRECINCT	0	0	1	0	1
67th PRECINCT	3	0	2	0	5
68th PRECINCT	0	0	1	0	1
69th PRECINCT	0	0	1	0	1
70th PRECINCT	0	0	1	0	1
71st PRECINCT	1	0	1	0	2
72nd PRECINCT	1	0	0	1	2
73rd PRECINCT	2	1	0	0	3
75th PRECINCT	2	0	2	0	4
76th PRECINCT	0	0	0	0	0
77th PRECINCT	1	2	0	0	3
78th PRECINCT	0	0	0	0	0
79th PRECINCT	2	2	0	0	4
81st PRECINCT	0	1	0	1	2
83rd PRECINCT	1	2	0	0	3
84th PRECINCT	0	0	0	0	0
88th PRECINCT	0	0	0	0	0
90th PRECINCT	0	2	0	0	2
94th PRECINCT	0	0	0	0	0
TOTAL	16	10	10	2	38

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STATEN ISLAND	ID-AC	ID-AA	UD	UUF	TOTAL
120th PRECINCT	0	2	0	0	2
122nd PRECINCT	0	2	0	0	2
123rd PRECINCT	0	0	0	0	0
TOTAL	0	4	0	0	4

QUEENS	ID-AC	ID-AA	UD	UUF	TOTAL
100th PRECINCT	0	0	0	0	0
101st PRECINCT	1	0	0	0	1
102nd PRECINCT	0	0	0	0	0
103rd PRECINCT	0	0	1	0	1
104th PRECINCT	1	0	0	0	1
105th PRECINCT	1	1	0	0	2
106th PRECINCT	0	0	0	0	0
107th PRECINCT	0	0	0	0	0
108th PRECINCT	0	0	0	0	0
109th PRECINCT	0	0	1	1	2
110th PRECINCT	0	0	0	0	0
111th PRECINCT	0	0	0	0	0
112th PRECINCT	0	0	0	0	0
113th PRECINCT	1	0	0	1	2
114th PRECINCT	0	1	1	0	2
115th PRECINCT	0	0	0	0	0
TOTAL	4	2	3	2	11

DUTY STATUS	ID-AC	ID-AA	UD	UUF	TOTAL
ON-DUTY	47	34	17	1	99
OFF-DUTY	5	4	4	3	16
TOTAL (MOS firing)	52	38	21	4	115

**2010 ANNUAL FIREARMS DISCHARGE REPORT
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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	FIREARM - SUBJECT POINTED FIREARM	1	1		1	Male	Black	20	FIREARM
2	FIREARM - SUBJECT FIRED AT OFFICER	2	8 and 2		1	Male	Black	22	FIREARM
3	FIREARM - SUBJECT POINTED FIREARM	1	2	INJURY	1	Male	White	61	IMITATION
4	BLUNT INSTRUMENT - ATTACKING CIVILIAN	2	1 and 4	FATAL	1	Male	Asian	27	FRYING PAN
5	CUTTING INSTRUMENT - SUBJECT MENACED OFFICER	1	13	INJURY	1	Male	Black	49	MACHETE
6	FIREARM - SUBJECT POINTED FIREARM	1	3	FATAL	1	Male	Whites	23	IMITATION
7	FIREARM - SUBJECT SHOT CIVILIAN	1	1		1	Male	Black	20	FIREARM
8	CUTTING INSTRUMENT - SUBJECT MENACED OFFICER	1	2	INJURY	1	Male	Hispanic	33	KNIVES
9	FIREARM - SUBJECT SHOT OFFICER	4	16,2,1,2	FATAL	1	Male	Hispanic	57	FIREARM
10	FIREARM - SUBJECT POINTED FIREARM	1	1	FATAL	1	Male	Hispanic	32	FIREARMS
11	FIREARM - SUBJECT FIRED AT CIVILIAN	1	7		1	Male	Black	26	FIREARM
12	FIREARM - SUBJECT FIRED AT OFFICER	1	2	INJURY	1	Male	White	47	FIREARM
13	CUTTING INSTRUMENT - SUBJECT MENACED OFFICER	1	1	INJURY	1	Female	Black	31	KNIFE
14	FIREARM - SUBJECT FIRED AT OFFICER	1	5	INJURY	1	Male	Black	17	FIREARM
15	CUTTING INSTRUMENT - SUBJECT ATTACKED OFFICER	1	1	INJURY	1	Male	Black	19	KNIFE
16	CUTTING INSTRUMENT - SUBJECT MENACED OFFICER	1	1	INJURY	1	Male	Asian	19	MACHETE
17	FIREARM - SUBJECT FIRED AT OFFICER	2	5 and 1	FATAL	1	Male	Black	48	FIREARM
18	FIREARM - SUBJECT POINTED FIREARM	1	15		1	Male	Hispanic	58	FIREARM
19	FIREARM - SUBJECT FIRED AT CIVILIAN	2	5 and 5	INJURY	1	Male	Black	21	FIREARM
20	OVERWHELMING FORCE - SUBJECT ATTACKED OFFICER	1	1		1	Male	Black	UNKNOWN	UNKNOWN
21	FIREARM - SUBJECT 1 FIRED AT SUBJECT 2 FIREARM - SUBJECT 2 FIRED AT OFFICER	4	16,16,2,12	FATAL	2	Male	Hispanic	21	FIREARM
22	FIREARM - SUBJECT POINTED FIREARM	1	1	INJURY	1	Male	Hispanic	23	FIREARM
23	FIREARM - SUBJECT FIRED AT OFFICERS	3	3,8,8		1	Male	Black	22	FIREARM
24	FIREARM - SUBJECT POINTED FIREARM	1	1		1	Male	Black	22	FIREARM
25	FIREARM - SUBJECT POINTED FIREARM	4	10,3,2,2	INJURY	1	Male	Black	26	FIREARM
					1	Male	Hispanic	35	FIREARM

**2010 ANNUAL FIREARMS DISCHARGE REPORT
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
26	CUTTING INSTRUMENT - SUBJECT MENACED OFFICERS	2	5 and 4	FATAL	1	Male	Hispanic	24	KNIFE
27	CUTTING INSTRUMENT - SUBJECT MENACED OFFICER	1	2	INJURY	1	Male	White	69	KNIFE
28	FIREARM - SUBJECT SHOT OFFICER	2	6 and 5	INJURY	1	Male	Black	17	FIREARM
29	FIREARM - SUBJECT FIRED AT OFFICER	1	5	INJURY	1	Male	Black	20	FIREARM
30	OVERWHELMING FORCE - SUBJECT GRABBED GUN	1	3	INJURY	1	Male	Black	35	NONE
31	PERCEIVED THREAT - SUBJECT SIMULATED FIREARM	1	4	INJURY	1	Male	Black	35	NONE
32	CUTTING INSTRUMENT - SUBJECT ATTACKED OFFICERS	3	3,4,1	FATAL	1	Male	White	21	KNIVES
33	FIREARM - SUBJECT FIRED AT CIVILIANS	1	2		1	Male	Hispanic	26	FIREARM

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