

NYPD

2015

Annual Firearms Discharge Report



JAMES P. O'NEILL
Police Commissioner

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Police Commissioner

New York City Police Department, October 2016

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Part I: Overview

Introduction

One of the most traumatic and life-changing incidents that can occur in the course of a police officer's career is the line-of-duty discharge of his or her firearm. In an effort to guarantee that these incidents only occur when necessary, and thus prevent avoidable Member of Service (MOS) and civilian trauma, the Department began collecting in-depth data of police related firearms discharges in 1971. Today, the Department records all officer-related discharges, whether purposeful, accidental, or, more rarely, criminal, as well as discharges of a police firearm by a third party.

Analysis of these data over more than four decades has indelibly altered the way that officers respond to, engage in, and assess the need for firearms discharges. By making oversight manifest, the Department has made it clear that each and every firearm discharge is a matter of immediate concern. When recordkeeping began in 1971, 12 officers were shot and killed by another person, and 47 officers were shot and injured. In turn, officers shot and mortally wounded 93 subjects, with a further 221 subjects injured by police gunfire. In 2015, by contrast, two officers were shot and killed by another person, and three were injured, while police shot and fatally wounded eight subjects and injured 15. Information gleaned from these reports has initiated a Department-wide tactical, strategic, and cultural shift with regard to how officers use and control their firearms. The Department has made restraint the norm.

Today, these reports serve as a statistical engine for the development of training, the adoption of new technology, and the deployment of Department resources. New instructional scenarios are implemented as a result of this analysis and new hardware—from bullet-resistant vests to conducted energy weapons—has been 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 existed other than the use of a firearm.

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 an arrest or prevent an escape, as well as to protect life and property. 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 perpetrators and use force, if necessary, to terminate that flight.

An officer's role encompasses service, crime control, and order maintenance; 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 induce others to submit to their lawful authority.

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

Federal case law (*Tennessee v. Garner*, 471 U.S. 1 (1985) and *Graham v. Connor*, 490 U.S. 386 (1989)) delineates a standard of "objective reasonableness" that restricts an officer's prerogative to compel or constrain another citizen. But *Tennessee v. Garner* 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. Additionally, 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 instances:

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

The use of deadly physical force, then, is properly restricted by statute. But NYPD policy represents an even more stringent guideline, and the Department goes further than the law in its efforts to control the use of force by its personnel. State law, for example, allows the use of deadly physical force to protect property

(e.g., to prevent or terminate arson or burglary); the Department does not. Additionally, according to the laws of New York State, it is lawful for an officer to shoot at the driver of a vehicle who is using the vehicle so that it poses an imminent threat of deadly physical force. However, such a firearms discharge would violate Department guidelines.

NYPD policy emphasizes that “only the amount of force necessary to overcome resistance will be used,” and “excessive force will not be tolerated,” (Patrol Guide 203-11). Regarding the use of deadly physical force, Department policy states, “uniformed members of the service should use only the minimal amount of force necessary to protect human life,” (Patrol Guide 203-12).¹

Guidelines for the Use of Firearms

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

- 1) Police officers shall not use deadly physical force against another person unless they have probable cause to believe they must protect themselves or another person present from imminent death or serious physical injury.
- 2) Police officers shall not discharge their weapons when, in their professional judgment, doing so will unnecessarily endanger innocent persons.
- 3) Police officers shall not discharge their weapons in defense of property.
- 4) Police officers shall not discharge their weapons to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to themselves or another person present.
- 5) Police officers shall not fire warning shots.
- 6) Police officers shall not discharge their firearms to summon assistance except in emergency situations when someone’s personal safety is endangered and unless no other reasonable means is available.
- 7) Police officers shall not discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the police officer or another person present, by means other than a moving vehicle.
- 8) Police officers shall not discharge their firearms at a dog or other animal except to protect themselves or another person from physical injury and there is no other reasonable means to eliminate the threat.
- 9) Police officers shall not, under any circumstances, cock a firearm. Firearms must be fired double action at all times.

¹ In June of 2016, the Department announced the implementation of a new series of Patrol Guide procedures concerning the use of force, from physical force to firearms discharges. Patrol Guide series 221 revised and replaced 203-11 and 203-12.

Reasonableness

An officer's permission to use force is not unlimited. According to the law, as well as the Department's regulations, officers may exercise only as much force as they believe to be reasonably necessary.

Police officers are regularly exposed to highly stressful, dangerous situations. The risks they face and the experience they gain are appreciated and conceded by those who write and interpret the law. In *Brown v. United States*, 256 U.S. 335 (1921), Justice Oliver Wendell Holmes, Jr. noted that "detached reflection cannot be demanded in the presence of an uplifted knife." Sixty-eight years later, in *Graham v. Connor*, 490 U.S. 386 (1989), the Supreme Court wrote that "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." And in *People v. Benjamin*, 51 NY2d 267 (1980), the New York State courts observed that "it would, indeed, be absurd to suggest that a police officer has to await the glint of steel before he can act to preserve his safety."

These rulings explicitly acknowledge the strain under which officers make life-or-death use-of-force decisions. The law should and does provide latitude for those who are delegated the authority to enforce the law and maintain public order.

Training

Latitude is not unrestricted discretion; rather, it is an admission that reasonableness is fluid. In order to make the right decision about whether and how to use deadly force, an officer in these situations relies on nerve, judgment, skill, and most importantly, 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 NYPD Training Bureau is in the process of developing an annual in-service training program. In-service training options will include sessions on the latest tactics, de-escalation strategies, intervention skills, and changes in the law and police procedures, as well as ways to positively interact and collaborate with community members. The first iteration of this program commenced in July 2015, and concluded in June 2016; comparable programs will continue on an annual basis moving forward. Program content will include tactical skills that emphasize the "3 Cs" – Cover, Concealment and Containment – as well as a critical fourth "C" which is Communication. As much as possible, officers and supervisors will be trained by platoon in the company of officers with whom they usually work and during the hours that they usually perform duty. Platoon training will prevent needless and disruptive changes to officers' schedules and have the added benefit of reinforcing situational awareness, team tactics and decision-making among a group of officers who usually work together.

Investigation and Review Process

The New York City Police Department recognizes the serious nature of police-involved firearms discharges and seeks to record and evaluate every incident. The mandate for recordkeeping was first published in Department Order SOP 9 (s. 1969), but the intervening forty-six years have greatly refined the NYPD's process. In 2015, investigations were conducted in accordance with two guiding documents: 1) Patrol

Guide Procedure 212-29; and 2) a handbook entitled, “The Firearms Discharge Investigation Manual; The NYPD Guide to the Preparation of a Shooting Incident Report.”

The Shooting Team²

When an officer discharges his or her firearm, whether on or off-duty, or when a firearm owned by an officer is discharged by another person, a patrol supervisor responds to the incident, takes command of the scene, and secures and inspects the involved officer’s firearm. He or she also immediately notifies the desk officer, who in turn notifies the Patrol Borough command and Operations Unit. 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, beginning by contacting and conferring with the District Attorney. In many cases, including nearly every case in which a subject is killed or injured, the District Attorney will advise that any officer who discharged their weapon 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 discharged their weapon 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 an Intoxilyzer 5000EN test to determine whether there is any alcohol in their system. He or she is also automatically reassigned to an administrative position for a minimum of 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, 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, the highest ranking uniformed member of the NYPD, ordinarily within 24 hours of the incident.

² Beginning in July of 2015, the NYPD abolished the shooting team model and replaced it with an investigatory unit; known as the Force Investigation Division (FID) dedicated to officer-involved shootings. See page 9.

The Shooting Incident Report

A preliminary report (usually written within eight hours of the occurrence) outlines, as much as possible, the shooting incident; however, the rapidly evolving nature of shooting investigations means the report is unavoidably preliminary. The primary means of mitigating this is via the use of the Firearms Discharge Investigation Manual.³

The manual, in its current incarnation, is a 72-page instruction manual 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 or 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 Investigations 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 are 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, medical reports, etc.).

When discharges that occur during adversarial conflict involve injury or death to a subject, the final report often cannot be finished within the 90-day period. Instead, the final report 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 discharged to be interviewed. At times, it must wait even longer, until all relevant legal proceedings have been concluded.

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

³ This reporting process was applicable for the first half of 2015.

Review

After a firearms discharge has been investigated, the final report prepared, and after the District Attorney's office has determined whether the incident requires prosecutorial action, the NYPD initiates a tertiary examination to assess the event from a procedural and training perspective and, if necessary, to impose discipline. This third layer of oversight is under 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 Patrol Borough and executive levels. Members of the Patrol Borough Firearms Discharge Advisory Board (FDAB) are supervisors assigned to the Patrol Borough command, in which the incident occurred, with oversight over the Precinct. This board further scrutinizes the incident with the benefit of new material contained in the final report. Based on the accumulated evidence, the Patrol Borough FDAB 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 (FDRB) for determination.

The Chief of Department's Firearms Discharge Review Board

The FDRB issues determinations concerning the tactics used during the incident, the propriety of the officer's actions, and the disciplinary action to be taken, if any. The FDRB gives due consideration to, and at times 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, which is a single document that memorializes and synthesizes the whole exhaustive investigation-and-review process. It is then presented 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 the Advisory and the Review Boards, the Police Commissioner makes a final determination regarding the incident. Once the Commissioner has issued this final determination, the incident is considered closed. The results of the 2015 findings are published throughout this report.

Force Investigation Division

As of July 1, 2015, under the supervision of the First Deputy Commissioner, the Force Investigation Division (FID) is the sole unit responsible for investigating all aspects of firearms discharges by members of the service and deaths in custody related to police activity. FID is comprised of seasoned supervisors and investigators, many of whom have been involved in officer-involved shootings. Their purpose is to maximize the timeliness, transparency, and thoroughness of investigations into officer-involved shootings.

Investigations into officer involved shootings are multi-faceted. The duties and responsibilities of FID personnel include the building of prosecutorial cases against perpetrators involved in criminal acts against officers, as well as assessing the culpability of officers' actions and determining if they comply with New York State Law, and adhere to Department guidelines with regard to their application of deadly physical force. The completed investigations are presented to the First Deputy Commissioner's Use of Force Review Board for final determination. This Board is chaired by the First Deputy Commissioner and has officially absorbed the duties and responsibilities of the Borough Firearms Discharge Review Board and Chief of Department's FDRB.

Investigators take an objective look at the circumstances of discharges as they relate to the tactics employed, equipment available, and what can be learned and improved upon from these rapidly unfolding incidents. A team of investigators assesses strategies, creates lesson plans, and lectures in-service audiences so that members performing enforcement duty are made aware of best practices and tactical concerns in a timely manner.

Anatomy of a Firearms Discharge Investigation

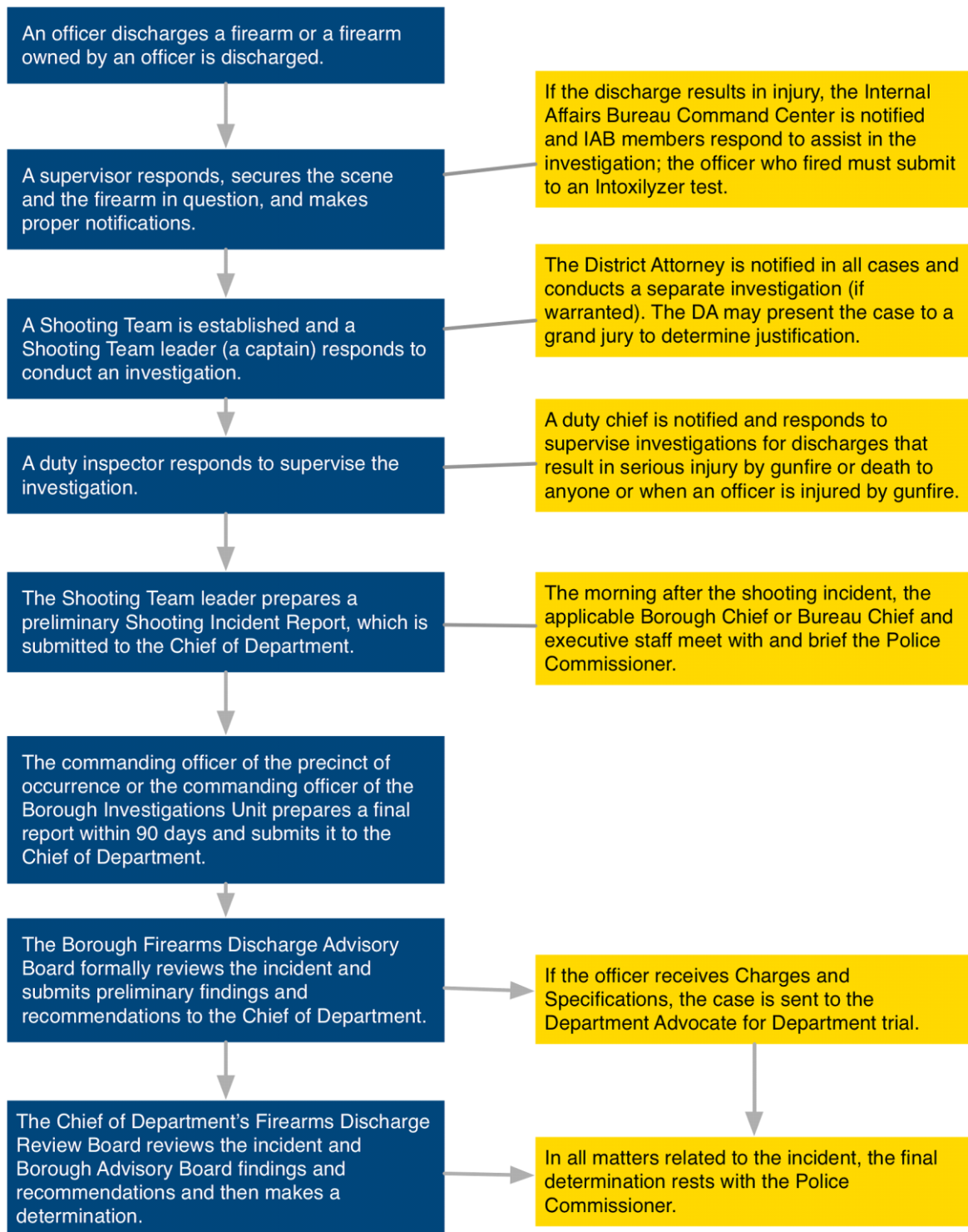


Figure 1

*The Department adopted a new model midway through 2015. The 2016 AFDR will reflect the new model as 2016 is the first full year of use.

Glossary	
Officer	A 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, which results in a firearms discharge.
Civilian	A person who is not the subject of an adversarial conflict, but is a crime-victim, bystander, and/or injured person.
Firearms Discharge	An incident in which an officer discharges any firearm, or when a firearm belonging to an officer is discharged by any person, excluding discharges during authorized training sessions, lawful target practice, or at a firearms safety station within a Department facility.
Intentional Discharge – Adversarial Conflict	An incident in which an officer intentionally discharges a firearm in defense of self, or another, during an adversarial conflict with a subject, including those inside the scope of the officer’s employment but outside Department guidelines. This does not include a discharge against an animal attack.
Mistaken Identity Discharge	An incident in which an officer intentionally discharges a firearm at another law-enforcement officer whom the discharging officer mistakenly believes to be a criminal. This does not include crossfire incidents in which a discharging officer unintentionally strikes another officer.
Intentional Discharge – Animal Attack	An incident in which an officer intentionally discharges a firearm in defense of self, or another, against an animal attack, including those inside the scope of the officer’s employment but outside Department guidelines.
Intentional Discharge – No Conflict	An incident in which an officer intentionally discharges a firearm to summon assistance, including those inside the scope of the officer’s employment but outside Department guidelines.
Unintentional Firearms Discharge	An incident in which an officer discharges a firearm without intent, regardless of the circumstance.
Unauthorized Use of a Firearm	An incident in which an officer intentionally discharges a firearm without proper legal justification and/or outside the scope of the officer’s employment, or an incident in which an unauthorized person discharges an officer’s firearm. This includes suicides.
Use/Threaten the Use of a	A contributing factor to a firearms discharge in which a subject discharges

Firearm	or threatens to discharge 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 to use a firearm.
Firearm	A pistol, revolver, shotgun, or rifle, including a variation of any of these (e.g., a sawed-off shotgun, etc.).
Imitation Firearm	Any instrument that is designed to appear as if it were a firearm, or modified to appear as if it were a firearm, including air pistols, toy guns, prop guns, and replicas.
Use/Threaten the Use of a Cutting Instrument	A contributing factor to a firearms discharge 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	Any knife, razor, sword, or other sharp-edged object such as a broken bottle.
Use/Threaten the Use of a Blunt Instrument	A contributing factor to a firearms discharge 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	Any bat, stick, pipe, metal knuckles, or object which, when used as a weapon, can cause blunt-force injury to a person, including motor vehicles and unbroken bottles.
Use/Threaten the Use of Overwhelming Physical Force	An incident in which an unarmed subject physically attacks a person or threatens or attempts to do the same, and by doing so puts the victim at risk of serious physical injury or death, including gang assaults, attempts to push a person from a roof or train platform, and attempts to take an officer's firearm.

Historical Snapshot, 2005-2015											
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Adversarial Conflict	59	59	45	49	47	33	36	45	40	35	33
Animal Attack	32	30	39	30	28	30	36	24	19	18	15
Unintentional Discharge	25	26	15	15	23	21	15	21	12	18	15
Mistaken Identity	0	1	0	0	1	0	0	0	0	0	0
Unauthorized Use of a Firearm	6	8	6	3	4	6	2	6	2	4	2
MOS Suicide/Attempted Suicide	3	3	6	8	3	2	3	9	8	4	2
Total	125	127	111	105	106	92	92	105	81	79	67

Figure 2

Adversarial Conflict, 2005-2015

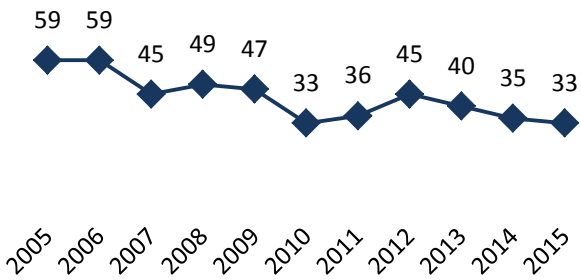


Figure 3

Animal Attack, 2005-2015

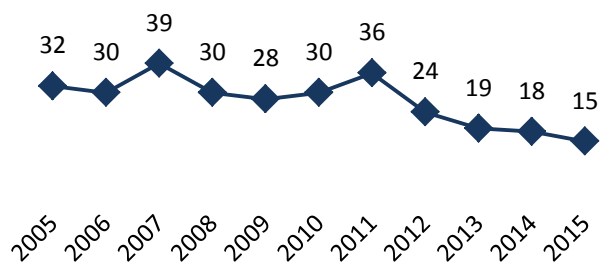


Figure 4

Unintentional Discharges, 2005-2015

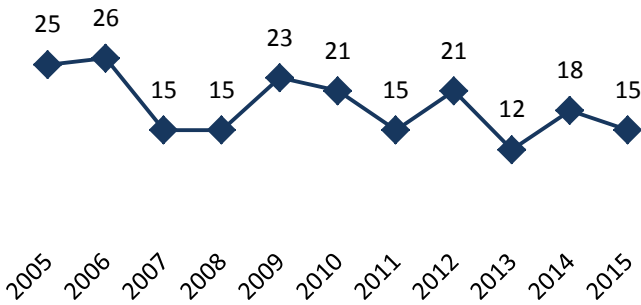


Figure 5

Total Discharges, 2005-2015

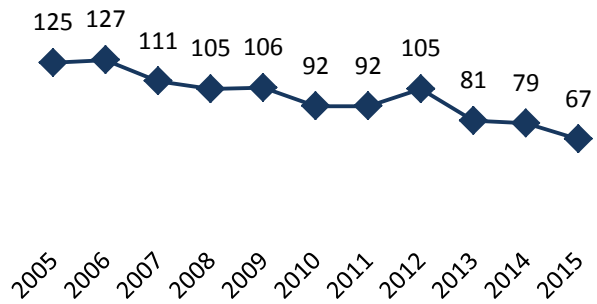


Figure 6

2014 vs. 2015 Snapshot			
Category	2014	2015	Change
Intentional Discharge - Adversarial Conflict	35	33	-5.7%
Intentional Discharge - Animal Attack	18	15	-16.7%
Unintentional Discharge	18	15	-16.7%
Unauthorized Use of a Firearm (Including Suicide)	8	4	-50.0%
Total Firearms Discharges	79	67	-15.2%
Total Officers Firing	104	89	-14.4%
Total Shots Fired	315	351	11.4%
Total Officers Shot and Injured by Subjects	2	3	50.0%
Total Officers Shot and Killed by Subjects	2	2	0.0%
Total Subjects Shot and Injured by Officers during ID- AC	14	15	7.1%
Total Subjects Shot and Killed by Officers during ID-AC	8	8	0.0%

Figure 7

2015 by Category	
Intentional Discharge - Adversarial Conflict	
Subject Used/Threatened Use of a Firearm	23
Subject Used/Threatened Use of a Cutting Instrument	4
Subject Used/Threatened Use of a Blunt Instrument or Vehicle	2
Subject Used/Threatened Use of Overwhelming Physical Force	2
Perceived Threat	2
Total	33

Intentional Discharge - Animal Attack	
Dog Attack	15
Other Animal Attack	0
Total	15

Unintentional Discharge	
During Adversarial Conflict	1
Handling/Cleaning Firearm	14
Total	15

Unauthorized Use of Firearm	
Suicide	2
Attempted Suicide	0
Unauthorized Person Discharged Officer's Firearm	1
Other	1
Total	4
Total Firearms Discharges	67

Figure 7A

2015 Firearms Discharge Scope

2015 Firearms Discharge Scope	
New York Population (U.S. Census, 2015)	8,175,133
NYPD Average Annual Uniformed Staffing	35,217
Total Radio Assignments	4,580,537
Radio Assignments Involving Weapons	66,477
Gun Arrests	4,924
Criminal Shooting Incidents	1,138
Adversarial Conflict: Total Number of Officers Who Intentionally Fired	55
Adversarial Conflict: Total Number of Firearms Discharge Incidents	33
Subjects Shot and Injured during ID-AC	15
Subjects Shot and Killed during ID-AC	8
Officers Shot and Injured during ID-AC	3
Officers Shot and Killed	2

Figure 8

2015 Report

Total Firearms Discharges

In 2015, the Department continued to experience a decline in discharge incidents (See Figure 2). In fact, 2015 was the lowest recording of discharge incidents since official recording began in 1971. In particular, total discharges decreased 40% since 2007, when the new reporting model began, and 15% since 2014 (see Figure 7). Likewise, the most serious category of discharges (Intentional Discharge – Adversarial Conflict) also mirrors this trend, down 27% since 2007, and 5.7% since 2014 (see Figure 7). Approximately 35,000 uniformed officers police the City’s 8.2 million residents; of approximately 35,000 uniformed members, 55 officers were involved in a total of 33 incidents of intentional firearms discharges during adversarial conflict, resulting in 15 injured subjects, and eight killed (see Figure 8).

These data are a testament to NYPD police officers’ restraint, diligence, and honorable performance of duty. They also show that, over the past four decades, attacks on both police and citizens have steadily declined. The drastic reduction in violent crime over the past 25 years is sociologically reflexive: as crime decreases, criminals and police enter into less adversarial conflict.

This report is subdivided into five categories. Each category is analyzed based only on the information in that category, allowing the Department to understand specific types of incidents and adjust training and policy to continue to reduce them. Nevertheless, the relatively small sample studied for the report (67 discharge incidents, 33 in the Adversarial Conflict category) can limit the predictive value and conclusions that may be derived.

The report contains information compiled from preliminary and final Shooting Incident Reports, detective case files, medical examiner’s reports, Firearms Discharge Assault Reports, arrest and complaint reports, Firearms Analysis Section reports, Firearms Discharge Review Board findings, and previous Annual Firearms Discharge Reports.

Because of rounding, some charts may not precisely equal 100%.

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 intentionally 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 possibility of a sixth category, *Intentional Discharge – No Conflict*, exists, but its occurrence is extremely uncommon. *Intentional Discharge – No Conflict* involves an officer discharging his or her firearm to summon assistance. Because of the rarity of this type of discharge, it is not regularly tracked in the annual report, but is addressed on an as-it-occurs basis. In 2015, no such discharge occurred; no such discharge has occurred in more than a decade.

Part II: Intentional Discharge – Adversarial Conflict

Overview

There were 33 total incidents of intentional firearm discharges during adversarial conflict (ID-AC) in 2015, constituting a 5.7% decrease from 2014 (see Figure 7). In total, 55 officers were involved in these incidents, a 5.2% decrease from the previous year.

Forty-seven subjects were involved in ID-AC incidents in 2015, 23 of whom were shot in the course of the conflict, one more than the previous year where 22 subjects were shot (see Figure 7). Overall, the number of subject deaths as a result of ID-AC incidents remained unchanged from 2014 to 2015 (eight vs. eight).

Three officers were shot and injured by criminals in ID-AC incidents in 2015, one more than the previous year, and significantly lower than the 13 incidents recorded in 2012. Three officers were shot in two separate ID-AC incidents; of the three officers shot and injured, none suffered a wound that could have been mitigated by a bullet-resistant vest. There were two line-of-duty deaths by firearm in 2015, with one officer death during an ID-AC incident.⁴ Also, no officers were struck by crossfire in 2015.

On six separate occasions, officers intervened during assaults on civilians (five involving a firearms attack and one during a knife assault).

Dates and Times of Discharges

The distribution of ID-AC incidents was relatively consistent throughout the calendar year. Exceptions included February, with zero incidents for the entire month, July, which had one, and June, which had six. Two, three, or four incidents were recorded in every other month (see Appendix G). Overall, ID-AC incidents exhibited no discernible seasonable pattern in 2015.

ID-AC incidents were most likely to occur on either Wednesday or Friday of a given week (eight incidents each), with Sunday being the day that was least likely to incur an ID-AC incident (one incident). This is in contrast to 2014, which recorded Sunday as the day with the highest number of ID-AC incidents (ten incidents).

In 2015, approximately 40% of ID-AC incidents occurred during the third platoon (between 1531 hours and 2330 hours), while in the preceding year, 57% occurred on the third platoon (see Figure 9).

ID-AC Incidents by Tour, 2015

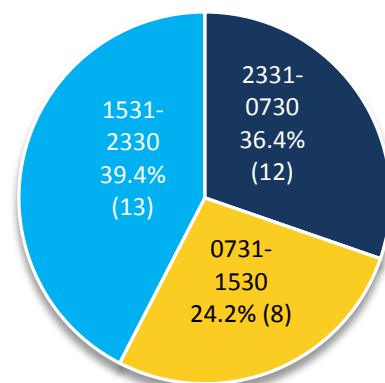


Figure 9

⁴ Since the officers were unable to return gunfire in one incident, it was not recorded as an ID-AC incident and, therefore, not reflected in this report.

Locations of Discharges

Most firearms discharges by members of the service transpire within the five counties comprising New York City. In 2015, 30 of the 33 ID-AC incidents occurred within City limits, with the remaining three occurring in Westchester County. Of the 30 within-City incidents, 17 of those occurred in Brooklyn. Each Borough experienced at least two ID-AC incidents; despite Brooklyn comprising over half of the 2015 total (see Figure 10).

ID-AC incidents occurred in 21 separate precincts throughout the City, seven of which had more than one incident. The 75th and 83rd Precincts were the only precincts with three distinct ID-AC incidents in 2015; this is a decrease from 2014, when a single precinct recorded five incidents.

ID-AC Incidents by Location

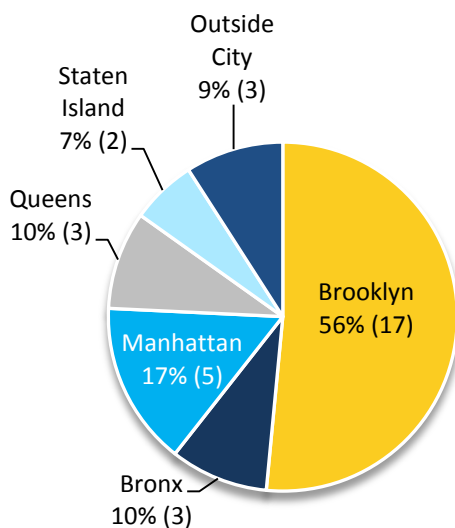


Figure 10

Locations of Criminal Shootings

The locations of ID-AC incidents largely correspond with wider geographic crime patterns, which can be seen when comparing ID-AC locations to locations of criminal shootings. Figure 11 depicts the 30 ID-AC incidents overlaying the locations of the 1,138 criminal shootings that occurred in New York City in 2015. The map shows that police firearms discharges occur in those areas of the City already suffering from high gun violence. In addition, figure 12 depicts confirmed ShotSpotter incidents from March to December 2015. ShotSpotter is a relatively new technological innovation that cues officers to the locations where gunfire is erupting. Upon juxtaposition of figures 11 and 12, it is evident that the clustering of confirmed ShotSpotter detections correlates well with the location of ID-AC incidents.

Since introduction of the map depicting both criminal shooting incidents and ID-AC in the 2007 Firearms Discharge Report, this correlation has been generally preserved. The frequency of criminal gun activity within New York City directly, and proportionally, affects the frequency and location of police involved shootings; this proportionality is visible at the borough level in figure 13, although in 2015 Brooklyn showed an increase in the percentage of ID-AC incidents as compared to criminal shootings and the Bronx showed a decrease. However, the number of within the City ID-AC incidents (30) is comparatively small against the backdrop of Citywide criminal shootings, with police involved in less than 3% of total shootings for the City in 2015 (see Figure 14).

2015 Shooting Incidents and Intentional Discharges - Adversarial

Legend

- Firearm Discharge - Adversarial (30) within NYC
- Shooting Incidents (1,138)
- Precinct Boundary

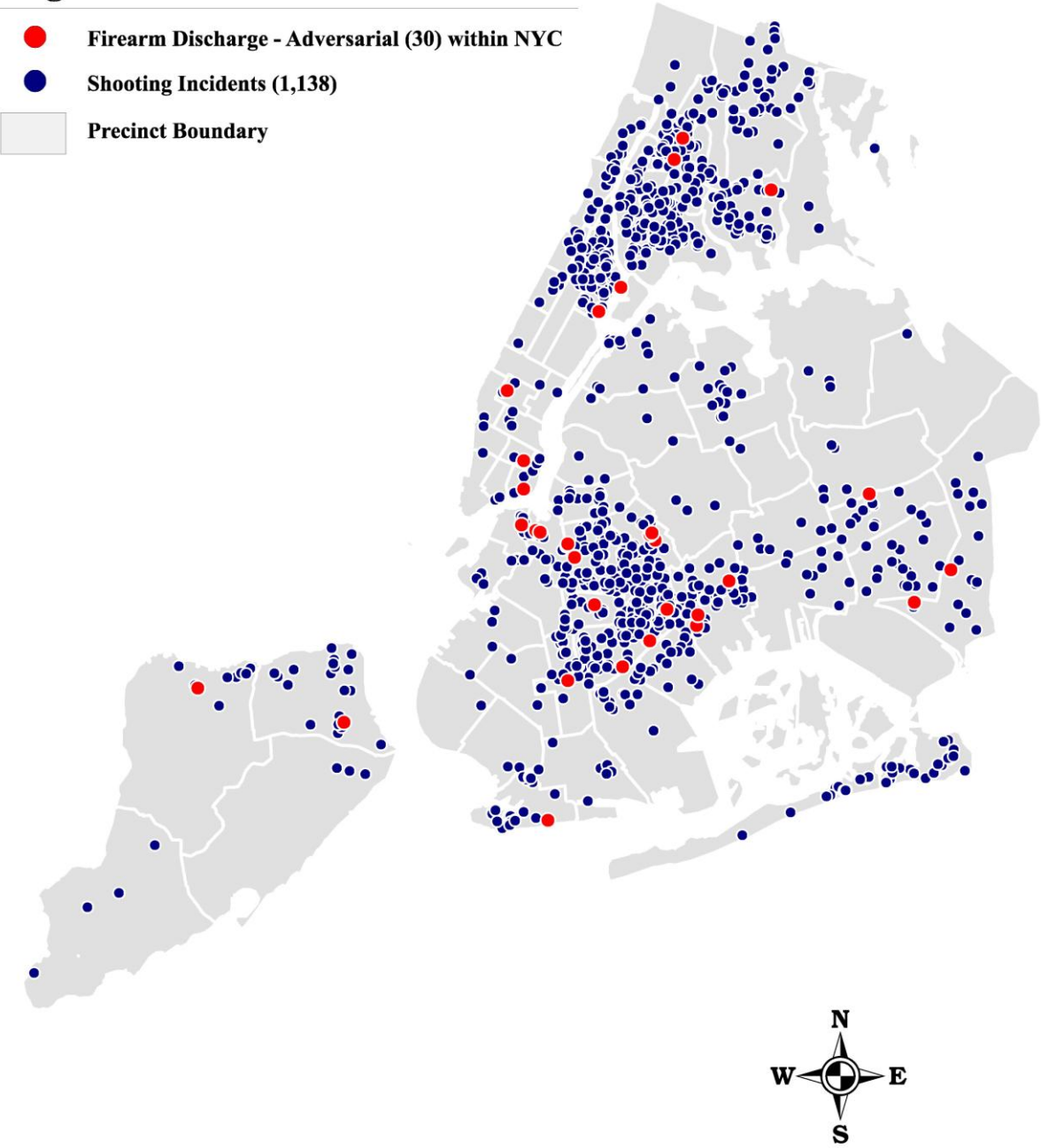


Figure 11

CY 2015 ShotSpotter Incidents

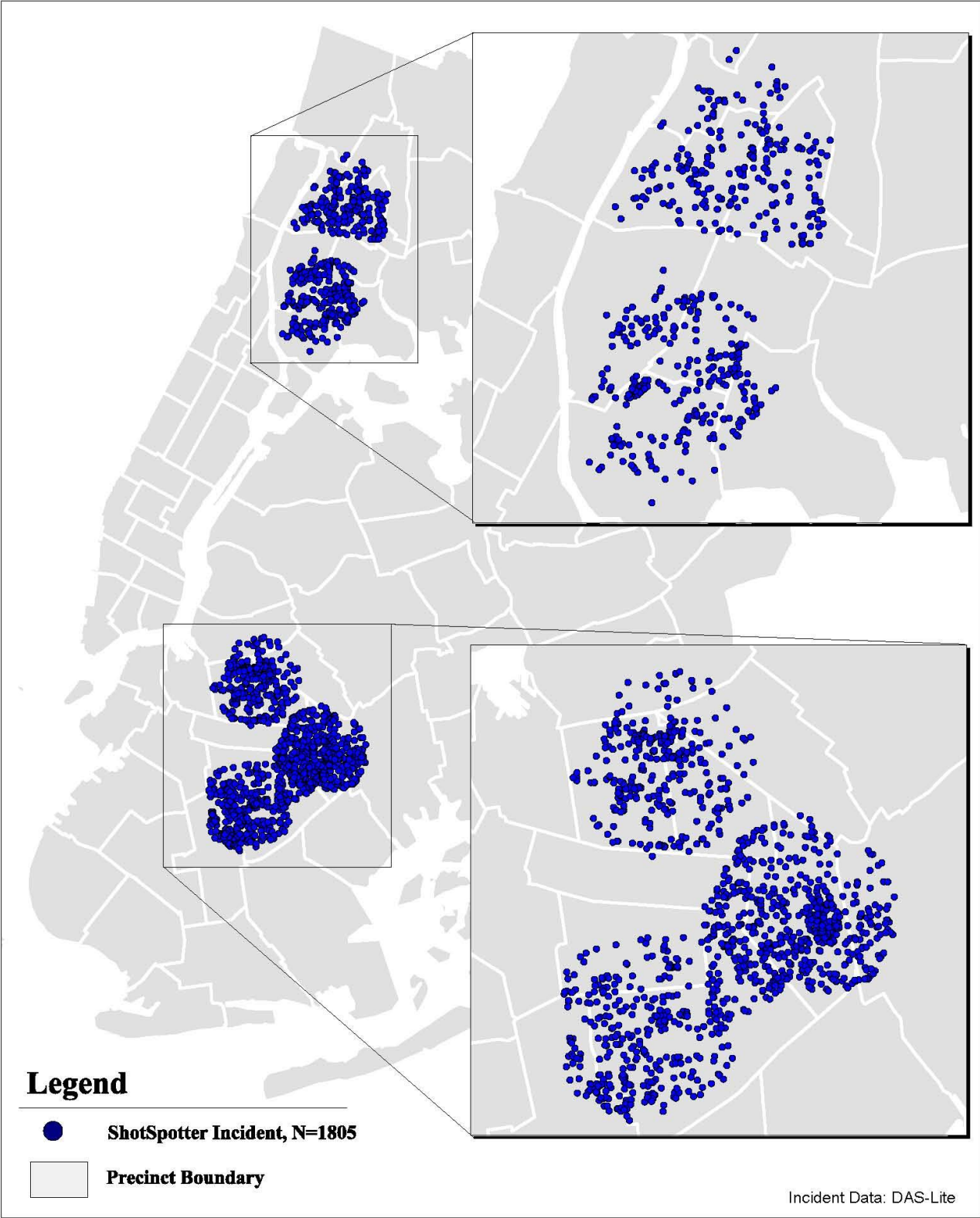


Figure 12

ID-AC Incidents vs. Criminal Shooting Incidents, Percentage by Borough

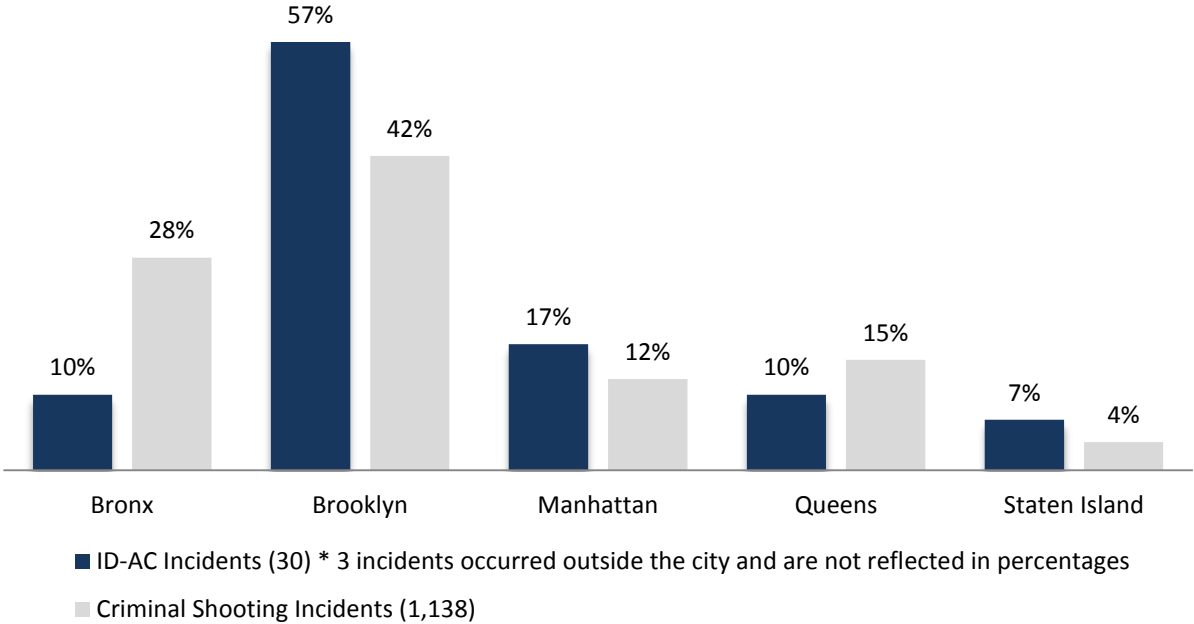


Figure 13

ID-AC Incidents vs. Criminal Shooting Incidents, Frequency by Borough

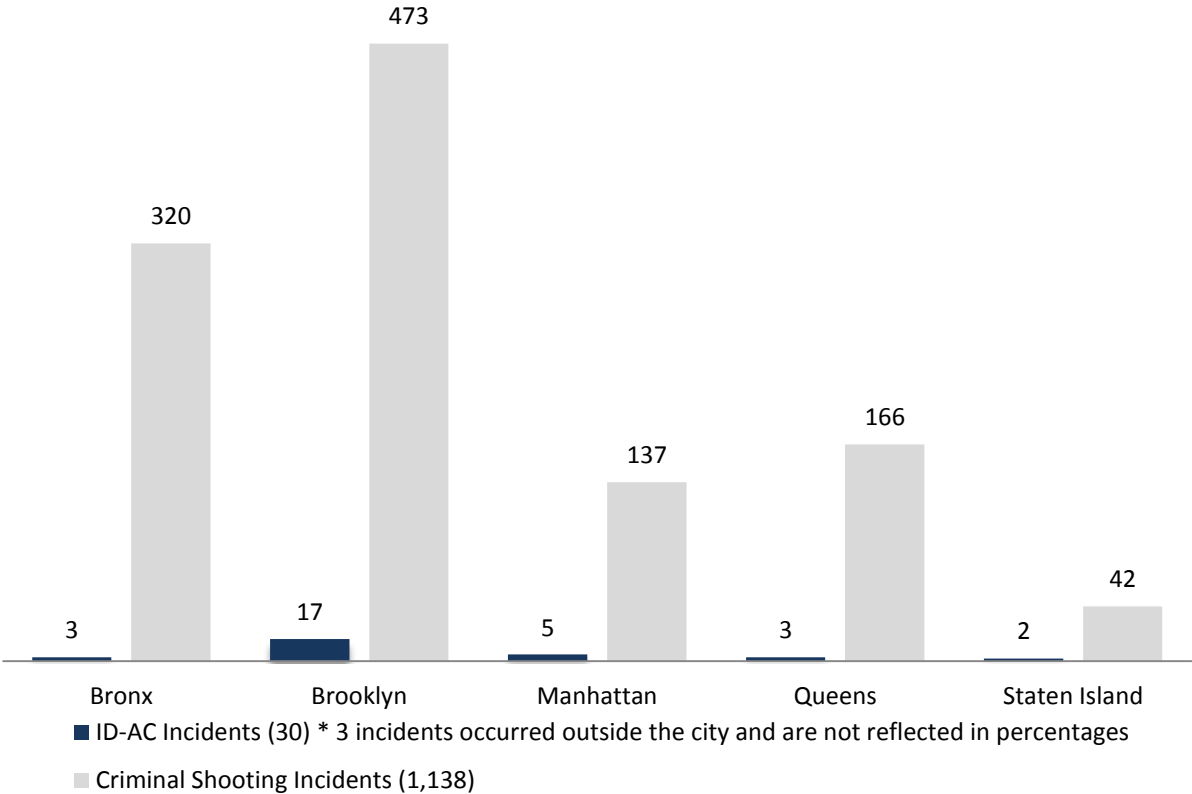


Figure 14

Location Type

Of the 33 ID-AC incidents in 2015, 27 occurred in outdoor settings, primarily on streets and sidewalks, and the remaining six occurred indoors, encompassing residential buildings and their immediate areas (see Figure 15). Twenty-five within-City incidents occurred within the jurisdiction of the Patrol Services Bureau (PSB), with the remaining five on New York City Housing Authority (NYCHA) property.

Of the five ID-AC incidents that occurred on NYCHA property, four occurred in Brooklyn (encompassing the Van Dyke, Pennsylvania Avenue-Wortman Avenue, Lafayette Gardens, and Walt Whitman Houses) and one in Manhattan (Vladeck Houses). Of these, three incidents occurred outdoors, one occurred in an apartment, and the last in a stairwell.

ID-AC Incidents by Location Type

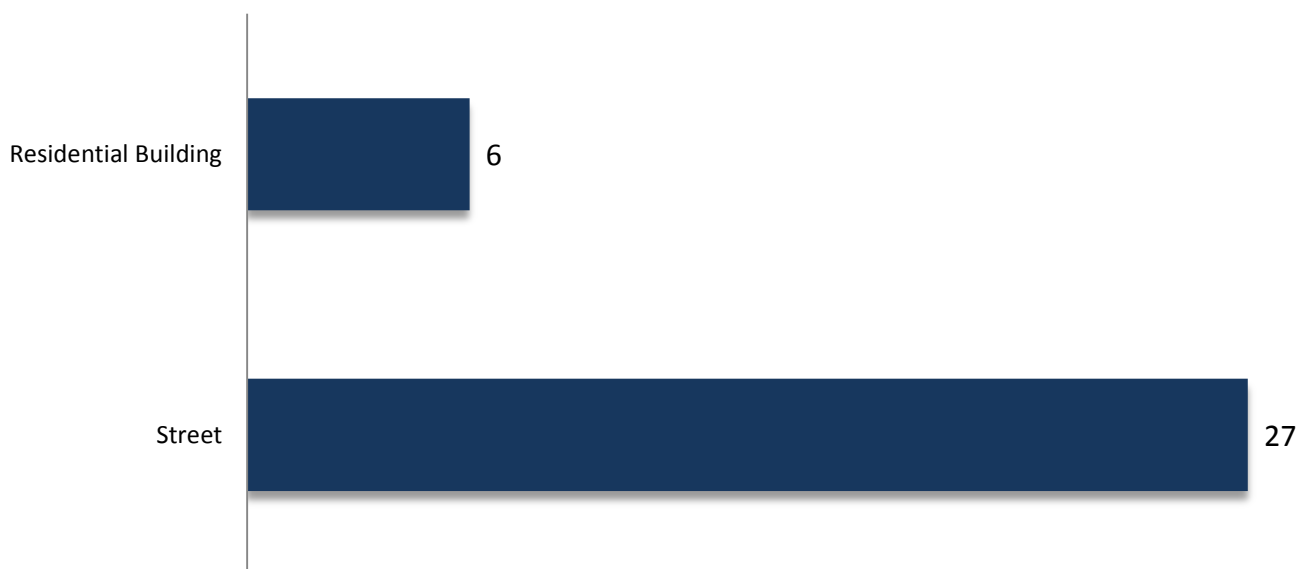


Figure 15

Reasons Officer Involved

Fifty-five officers were involved in 33 discrete ID-AC incidents in 2015. The variety of officer motive is apparent given the variable nature of policing and the myriad functions that officers fulfill on a daily basis. Similar to 2014, the vast majority (95%) of ID-AC incidents involved officers who were on-duty. Three incidents involved officers who were off-duty. In two off-duty incidents, the officer was the victim of a robbery and in the third; the officer was the victim of a larceny. The majority of officers (55%) were in plainclothes or civilian attire at the outset of the incident. Uniformed officers accounted for 45% of ID-AC incidents, and approximately two-thirds (62%) were assigned to the Patrol, Transit, or Housing Bureaus.

Approximately 31% of officers were either on uniformed foot posts or in sector cars assigned to respond to 9-1-1 calls from the public when they became involved in ID-AC incidents (see Figure 16). Although officers assigned to specialty units (i.e., anti-crime) represent a small proportion of the Department's uniformed

personnel, roughly one-third of ID-AC incidents involved these officers. This is almost certainly attributable to their mandate to proactively pursue criminals rather than answer calls for service. The variety of scenarios that precipitated the involvement of these officers in ID-AC encounters is indicative of an officer's need for perpetual vigilance.

On-Duty Officer Assignment, ID-AC Incidents

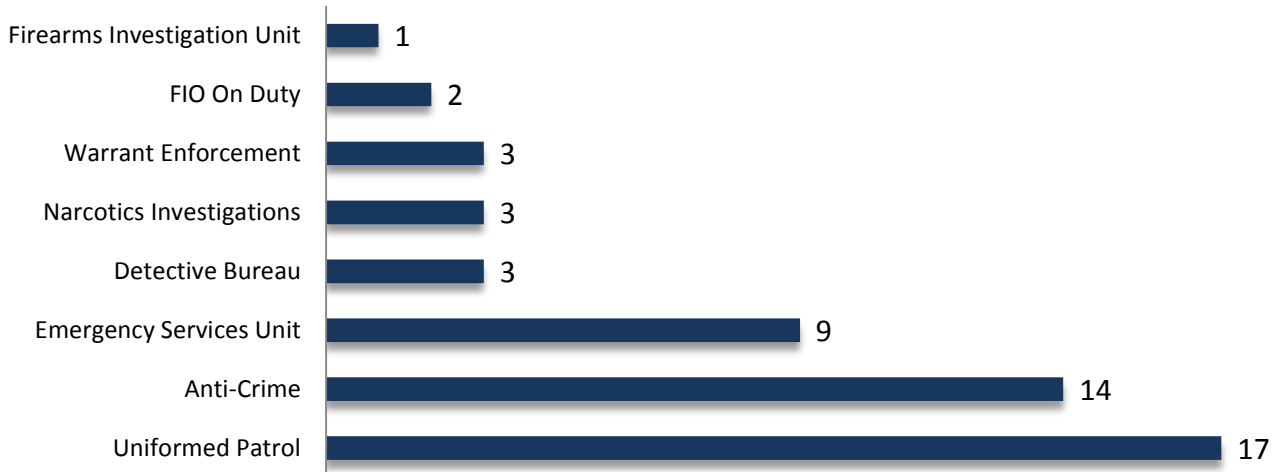


Figure 16

As discussed, the variety of situations precipitating officers becoming involved in ID-AC incidents was broad. The most common, constituting roughly one-third of all within-City incidents, was either a random pick-up assignment (i.e., pick-up shots fired), or 9-1-1 call involving shots fired while on routine patrol (see Figure 17). Over half of the within-City ID-AC incidents occurred as a result of pick-up assignments (i.e., situations that officers encounter on patrol without being directed to a location by a dispatcher), indicating that the majority of encounters are precipitated by officer observation of criminal activity in the field.

Situations Precipitating On-Duty ID-AC Incidents

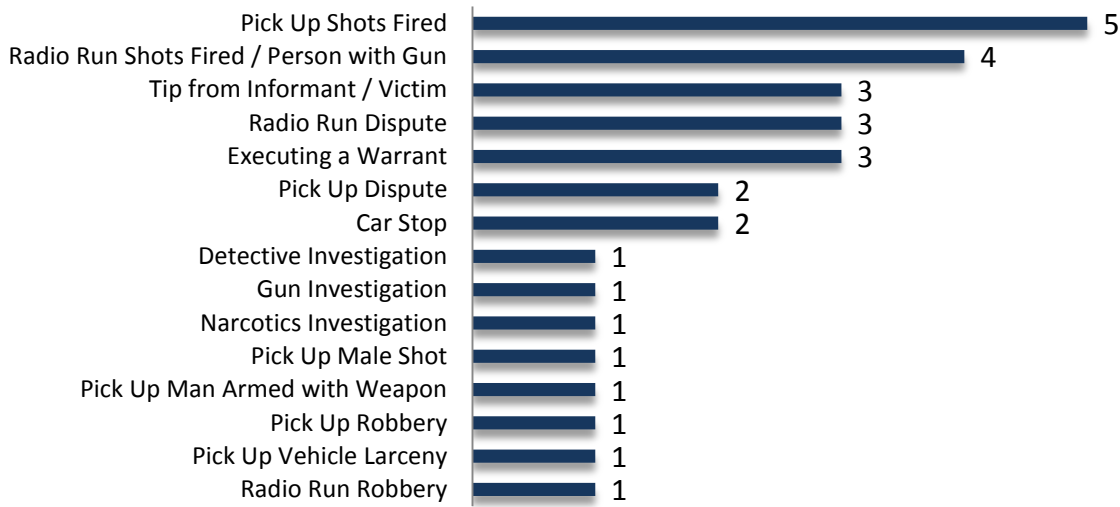


Figure 17

Threat Type

Department policy requires officers who intentionally discharge their firearms during ID-AC incidents to do so only as a means of defending themselves or others from imminent serious physical injury or death.

The subjects involved in ID-AC incidents utilized a variety of weapons when confronting officers. Twenty subjects in 33 incidents possessed firearms: 15 were semi-automatic pistols, four were revolvers, and one was an assault rifle. Three subjects carried imitation firearms (BB guns and pellet guns). Four subjects were armed with knives. On one occasion, the subject utilized a blunt instrument (hammer), and during two incidents, officers perceived the threat of a weapon (subject reached for a knife and subject made gestures indicative of threatening the use of a firearm) (see Figure 18).

Threat type - ID-AC Incidents

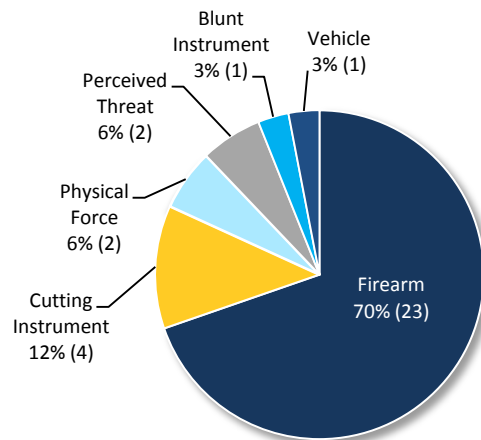


Figure 18

Officer Restraint

Officers discharged a total of 306 rounds during ID-AC incidents in 2015, an increase of 34.8% from 2014 when 227 rounds were fired, but still 8% lower than the total of 331 recorded in 2012. The majority of officers fired five rounds or fewer (65%) during incidents of adversarial conflict. The most common number of rounds fired by an officer was two to five rounds (36%). Six officers fired more than 15 rounds, constituting 11% of the total numbers of officers involved in an ID-AC incident (see Figure 20).

Rounds Fired per ID-AC Incident

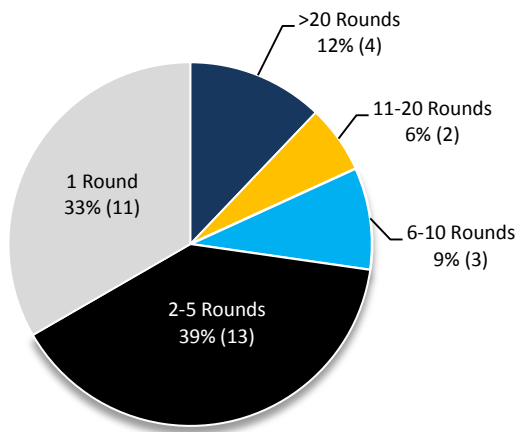


Figure 19

Rounds Fired per ID-AC Officer

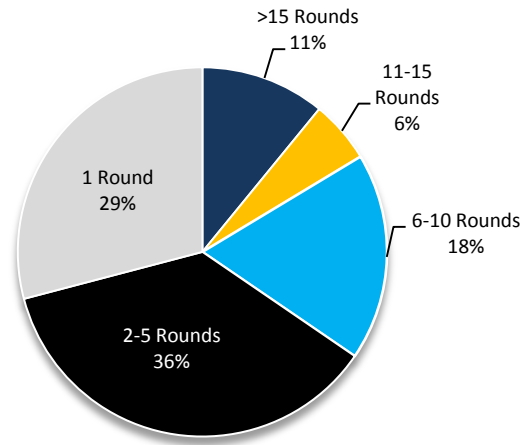


Figure 20

Restraint is also apparent when analyzing the number of rounds discharged per ID-AC incident as opposed to per officer. The most common number of rounds fired during any incident was two to five (39%); combining this figure with the number incidents in which officers fired only one round, and approximately three-quarters of all ID-AC incidents involved the discharge of 5 rounds or less (see Figure 19). The most rounds fired during any one incident was 84. During this one exceptional incident, four officers assigned to the 83rd Precinct and two officers assigned to the 81st Precinct were involved in a protracted foot pursuit with a male perpetrator who recently assaulted a person with a firearm. During the pursuit, the perpetrator fired multiple rounds indiscriminately toward responding officers. After a prolonged engagement, officers were able to subdue the subject, with the subject sustaining a gunshot wound to his calf. One .45 caliber semi-automatic pistol was recovered from the scene.

Objective Completion Rate

The Department does not consider hit percentages, in part because it is often unknown (e.g., in cases when a subject flees), and also because of the widely varying circumstances among incidents. 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 perceives a threat severe enough to require the use of his or her firearm, and fires at a specific threat, the most relevant measure is whether he or she ultimately stops the threat. This is the objective completion rate, and it is determined irrespective of the number of shots the officer fired at the subject. The objective completion rate is used for statistical purposes and is not a factor in individual investigations.

In 2015, officers hit at least one subject in 23 of the 33 ID-AC incidents, for an objective completion rate of 70%. The objective completion rate in 2014 was 63%. Because subjects in three incidents were not apprehended, the objective completion rate may be higher. In ten instances where officers were directly fired upon, officers hit at least one subject in six of those incidents, for an objective completion rate of 60%; three subjects were killed during these exchanges.

Officer Firearms

In 2015, officers involved in ID-AC incidents discharged rounds from the following firearms: 21 were from Glocks, 16 were from Smith & Wessons, and 12 were from Sig Sauer 9mm’s; five were from Colt M4’s, and one was from a Heckler & Koch MP5. Department regulations allow officers to carry their on-duty service firearms while off-duty, and authorized off-duty firearms as secondary weapons while on-duty. No officer reported a firearms malfunction.

Shooting Technique

Utilizing a two-handed grip, standing, carefully lining up a target and using the firearm’s sights is not always practical during adversarial conflict. Of the officers who reported how they held their firearms: 48% utilized a two-handed, supported position, while 12% reported a one-handed, unsupported position. With respect to officer stance, 87% of officers were in a standing position, 4% were in a seated position, and the position or posture of the remaining 9% of officers is undetermined.

Lack of cover can be a factor in the need for a firearms discharge, because a protected defensive position may allow officers to better control the pace of an incident. Eighteen officers reported that they were able to take cover during ID-AC incidents; during one incident in particular, seven officers assigned to the Emergency Service Unit took cover behind an armoured vehicle/rolling bunker. Overall, most of the officers involved utilized a vehicle, or part of a vehicle (i.e., door or door frame) as their primary form of ballistic protection.

Fifteen officers provided information about how far they were from their targets during ID-AC incidents. Although officers are trained to fire on a target from as far away as seventy-five feet, seven officers reported that they were 15 feet or fewer from the target at the time of the shooting (see Figure 21).

Information was provided with respect to lighting conditions in 11 separate incidents: 45% reported poor or dark lighting, including one incident that occurred in the rain, and 55% reported that there was ample lighting, either from sunlight or artificial lighting.

Officer Pedigree

Of the 55 officers who intentionally discharged their firearms during ID-AC incidents in 2015, 2 were female (4%) and 53 were male (96%); 17% of the Department’s uniformed personnel are female and 83% are male.

**ID-AC Distance to Target
(in feet)**

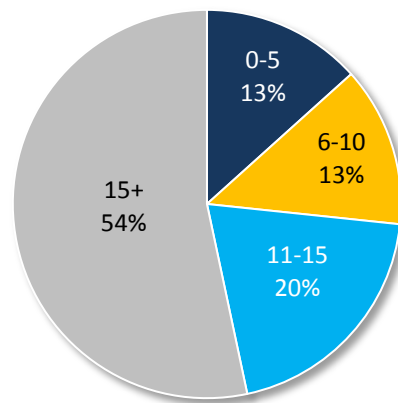


Figure 21

Considering both current data and data from prior years, no discernible pattern emerges with regard to the likelihood that an officer of any particular race will become involved in an ID-AC incident (See Figure 22). Historically, members of the service in the rank of police officer with fewer years of aggregate service are significantly more likely to be involved in ID-AC incidents when compared with those officers of longer tenure, or officers of higher rank. Officers in the rank of police officer were involved in 56% of ID-AC incidents in 2015, although they accounted for 65% of the Department’s total uniformed staffing. Officers in the rank of detective were involved in 29% of ID-AC incidents, though they comprise 14% of the Department’s total uniformed staffing. Fifty percent of the detectives involved in ID-AC incidents were assigned to the Emergency Service Unit (ESU) and, as such, are regularly requested to respond to incidents that involve armed subjects. In one incident, six detectives assigned to ESU discharged their firearms at a subject armed with an assault rifle who had been firing the assault rifle at the officers. Officers with ten years of service or less were involved in 52% of ID-AC incidents, although they accounted for 55% of the Department’s total uniformed staffing. Typically, officers with fewer years of aggregate service have a greater likelihood of becoming embroiled in ID-AC incidents (see Figures 23 & 24)

Race, ID-AC Officers vs. Department Staffing

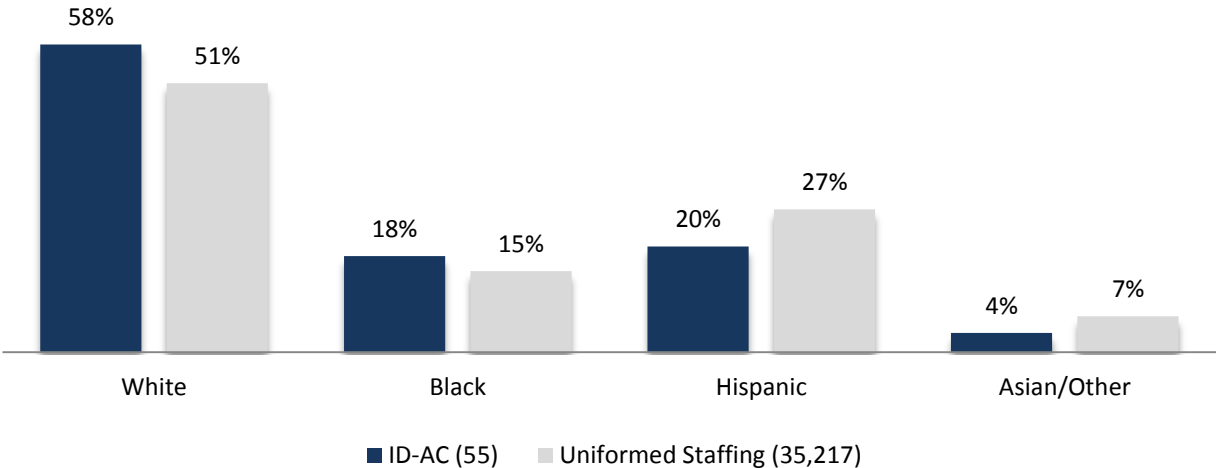


Figure 22

Years of Service, ID-AC Officers vs. Department Staffing

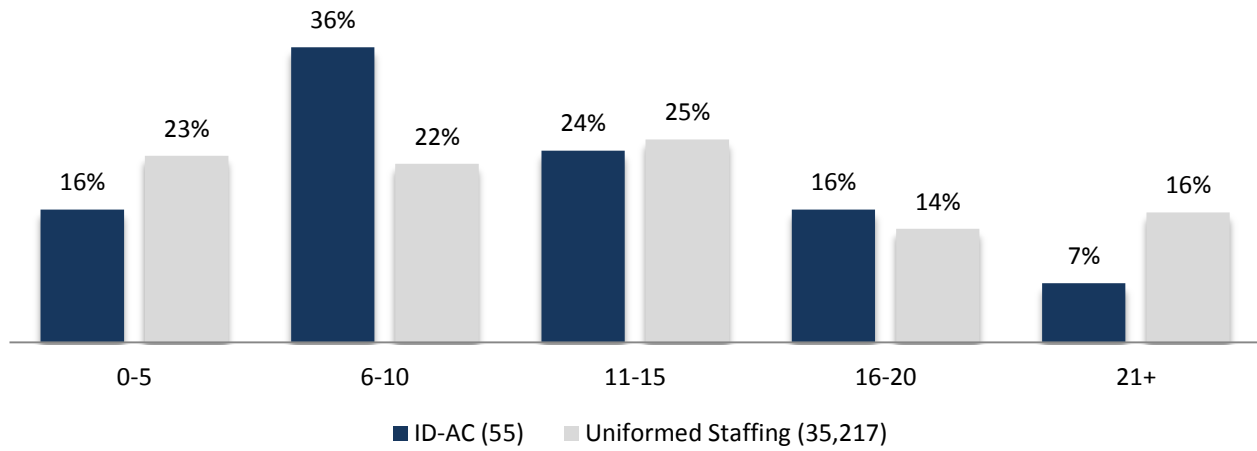


Figure 23

Rank, ID-AC Officers vs. Department Staffing

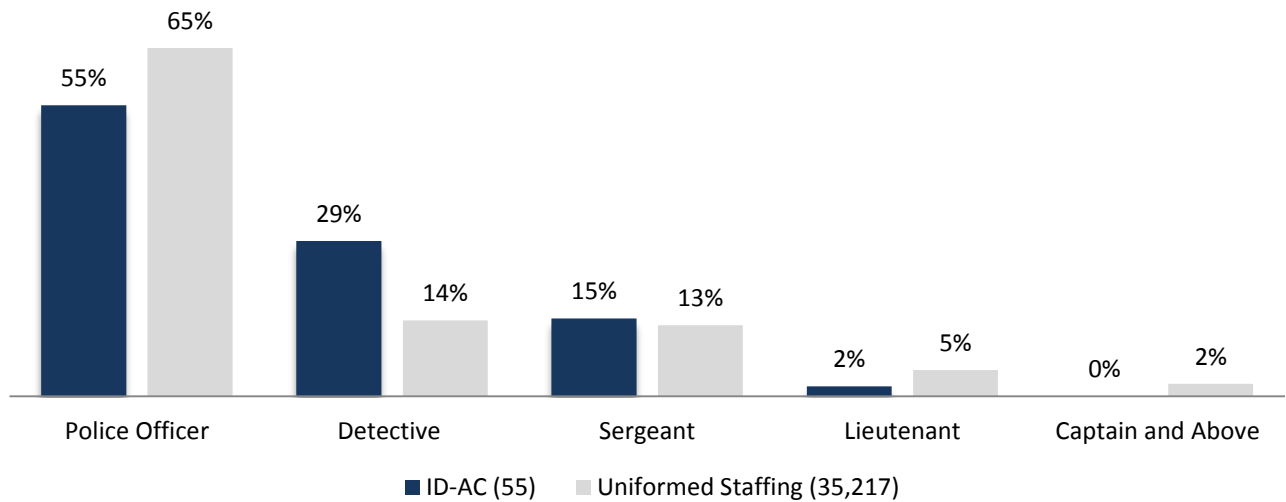


Figure 24

Subject Pedigree

There were a total of 47 perpetrators involved in ID-AC incidents in 2015, all of whom were male. Forty-two of the 47 subjects were apprehended, while five remain un-apprehended, four of whom are known only by sex and race.

Known subject ages ranged from 16 to 58 years-of-age, with a median age of 27. Approximately 70% of involved subjects were 30 years-of-age or younger.

The race of a criminal suspect is determined by eyewitness reports, usually that of the victim(s). The race of a subject is determined by a subject’s self-identification, existing government-issued documentation, racial/ethnic physical characteristics, medical examiner reports, or other factors.

The race of subjects involved in ID-AC incidents corresponds to the race of subjects involved in criminal shootings (see Figure 25). Similarly, victims of criminal shootings tend to come from the same communities as the suspects. Among criminal-shooting victims identified by race in New York City in 2015, 73% were black, 13% were Hispanic, 9% were white, and 4% were Asian or other.

Criminal Shooting Suspects vs. ID-AC Subjects, by Race

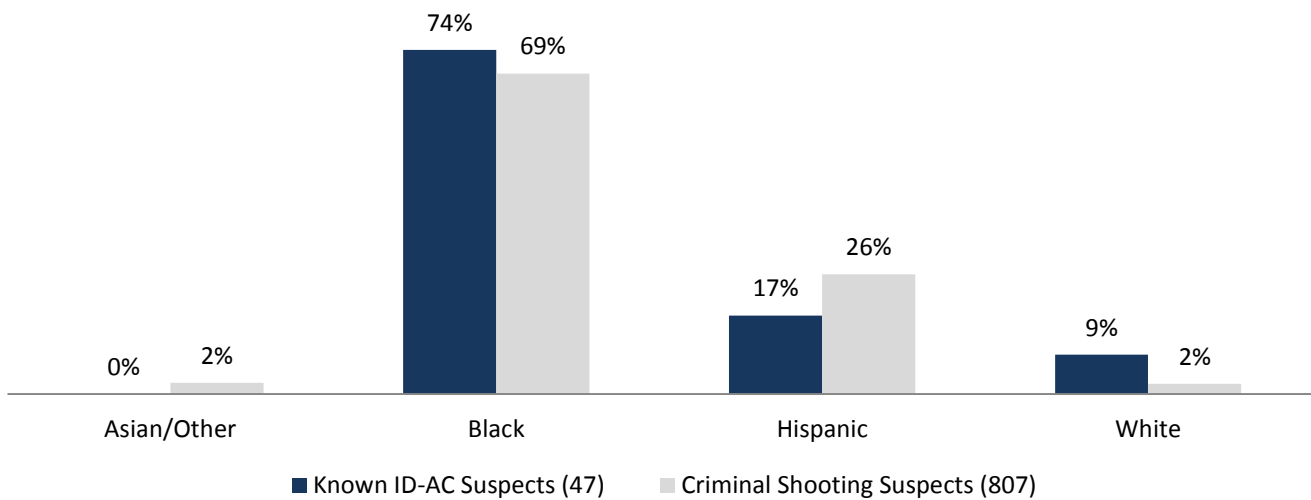


Figure 25

Prior Arrests

Generally, a subject’s arrest history is unknown to the officer at the onset of an incident. Nevertheless, arrest history is pertinent because it is indicative of a subject’s propensity for criminal conduct and capacity for violence when confronting a police officer. It can evince itself in a subject’s bearing, actions, and reactions. An arrest history, pending charges, or parole/probation status may also make a subject more willing to confront a police officer in an attempt to avoid arrest.

All but one apprehended subject involved in ID-AC incidents had a known criminal history. Four subjects still remain unidentified at the time of this report. Of the 41 subjects with a known criminal history, 36 had multiple prior arrests, ranging from two to 23 arrests. These arrests were for numerous offenses, including attempted murder, robbery, assault, and criminal possession of a weapon. The distribution of prior arrests across known subjects remains relatively symmetric—with the mean, median, and modal number of prior arrests nearing 10. Although the status of a criminal offender remains unknown during adversarial engagements, it is certainly predictive of an offender’s involvement in violent altercations with law enforcement.

Officer Deaths

One officer was killed during an ID-AC incident in 2015. The plainclothes officer was fatally shot while responding to a shooting incident that occurred within the confines of Police Service Area 5. After the officer confronted the fleeing perpetrator in the nearby 25th Precinct, the perpetrator fired one round in the officer's direction, striking him in the head. His partner at the time exchanged gunfire with the perpetrator.

One additional officer was shot and killed in 2015; however, the officers involved did not discharge their weapons during the incident so data with respect to this incident is not included within this report. The plainclothes police officer was killed in the confines of the 105th Precinct while on routine patrol. While seated in their unmarked vehicle, both the deceased officer and his partner confronted a person believed to be concealing a firearm in his waistband. The perpetrator brandished a loaded firearm from his waist and discharged multiple rounds into the officers' vehicle. One of the officers was fatally wounded during this assault and succumbed to his injuries two days later.

Officer Injuries

Five officers were injured in the course of ID-AC incidents. Three were struck by a subject's bullets, one of whom was able to return fire causing the subject to flee. One officer sustained abrasions to her shoulder and back as a result of an assault with a hammer, and one officer sustained wounds to his shoulder from a knife assault.

Bullet-Resistant Vests

Out of 52 on-duty officers who were involved in ID-AC incidents in 2015, 47 were wearing bullet-resistant vests. Three off-duty officers involved in an ID-AC incident were not wearing their vests during the conflict. One off-duty officer was injured by a subject's firearm. No officers were struck in the torso by a subject's weapon, and as such, no case of an officer being saved by their vest was recorded in ID-AC incidents in 2015.

Subject Deaths

Of the 47 known subjects involved in ID-AC incidents in 2015, eight were killed by police gunfire. This figure has remained constant since 2013, but down 50% from 2012 when 16 subjects were shot and killed by police officers. The number of subjects shot and killed between 2013 and 2015 inclusive, represents the lowest figures recorded since the Department began collecting in-depth statistics in 1971. All eight subjects that were killed by police gunfire during an ID-AC incident had prior arrest histories, and, of the seven toxicology reports available at time of this report, four showed the presence of drugs or alcohol.

Officer's perceived the presence of a dangerous weapon in six of the eight incidents. Four were actual firearms capable of discharging live rounds, and one was a pellet gun. In one incident the perpetrator was killed after he assaulted the officer with a knife. Of the remaining two incidents in which no weapons were

recovered at the scene, the officers discharged their weapons while they were attempting to restrain the perpetrators; during one incident in particular the perpetrator was attempting to remove the officer's firearm from his holster. Narratives describing the eight ID-AC incidents in which subjects were killed can be found in Appendix D.

Subject Injuries

Fifteen subjects were shot and injured by police gunfire in 2015, all of whom had prior arrests. Eight were armed with firearms, two were armed with imitation pistols, two were armed with knives, one was armed with a hammer, and one was reaching for a knife.

Bystander Deaths and Injuries

One bystander was killed by police gunfire in 2015. An undercover officer assigned to the Firearms Investigation Unit (FIU) was engaged in an ongoing investigation into the sale of illegal firearms. The undercover officer became the victim of a robbery, by a person known to this Department, while attempting to engage in a firearms transaction. During the confrontation, the officer was fired upon by the suspect. One bystander was fatally wounded as the officer returned gunfire. During the follow-up investigation, an imitation pistol (BB gun) was recovered at the scene.

In two other incidents, bystanders suffered non-fatal injuries. During an exchange of gunfire between officers and an armed perpetrator, one discharged round went through the windshield of a vehicle; shards of glass resulted in a civilian eyewitness suffering a laceration to her eye. In another incident, the perpetrator held a civilian at gunpoint before turning the weapon on responding officers; the civilian suffered a non-fatal gunshot wound to her left shoulder. At the time of this report, it is unclear whether the civilian's injuries were caused by discharged rounds belonging to the responding officers' or perpetrator.

Discipline

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

Of the seven investigations that have been completed at the time of this report, six were determined to have been in compliance with Department procedures and the law, and one was found to be in violation of Department guidelines.

Summary

There were 33 ID-AC incidents in 2015, involving 55 officers who discharged their firearms. These conflicts involved 42 known subjects and five unknown and/or un-apprehended subjects. In ten separate ID-AC incidents at least 11 subjects fired directly at officers.

In 2015, there were 1,138 victims of criminal shootings in New York City. The number of intentional firearm discharges by police, comparatively, is very 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. And in 2015, two bystanders were injured and one was killed by police gunfire. Because of this, the Department ensures 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.

There were, on average, 35,217 uniformed officers employed by the NYPD in 2015. Of them, 55 (0.16%) intentionally discharged a firearm at a subject.

Other instructive metrics involve comparing the number of ID-AC incidents to the number of high risk radio runs, or to the number of arrests of armed suspects made by officers each year. Over the course of 2015, officers responded to more than 4.5 million calls for service, of which more than 66,000 involved weapons. Of the thousands of weapons arrests that resulted from these encounters, 4,924 were gun-related. Officers also had millions of additional interactions with the public, including reasonable suspicion encounters, car stops, and violation stops, and further, escorted thousands of emotionally disturbed persons to hospitals and care facilities. In the overwhelming majority of incidents in which officers took an armed subject or an emotionally disturbed person into custody, they did not fire their weapons.

Part III: Intentional Discharge – Animal Attack

Overview

Department policy requires officers who intentionally discharge their firearms during animal attacks to do so only to defend themselves or others from the threat of physical injury, serious physical injury, or death, and to use their firearm only as a last resort to stop an animal attack. Officers are equipped with non-lethal tools that can be used to cope with animal attacks, including batons and OC spray, but these options are not always feasible or effective.

However, in the latter half of 2015, executive approval was obtained for the Firearms and Tactics Section to purchase 20,200 canisters of OC/Pepper Spray with increased potency. The new formulation contains a significantly higher concentration of Major Capsaicinoids. With this upgrade, NYPD service members are equipped with a more effective, less lethal option. Currently, canisters with the new formula are being issued to members of the service performing patrol duties within the Patrol, Transit, and Housing Bureaus. The remainder of the Department will be issued their new OC sprays at a later date.

Emergency Service Unit personnel carry restraining devices to keep animals at a safe distance, as well as CO₂ pistols and rifles capable of firing tranquilizer darts containing Ketaset, a veterinary anesthetic, and Animal Care and Control is also available to assist officers in capturing dangerous dogs or other animals. In rapidly evolving situations, however, when officers may not have prior knowledge that a dog is present, these options are not always prudent or possible.

There were 15 intentional firearms discharges during an animal attack (ID-AA) in 2015, representing an 11.1% decrease from 2014. Thirteen of the 15 were on-duty incidents; the remaining two involved off-duty members. A total of 15 officers discharged their firearms.

Eighteen animals—all of them dogs—were involved in 15 separate incidents; sixteen of the dogs were Pit Bulls, one was a German Shepherd, and one was a Rottweiler; two Pit Bulls were involved in three separate incidents, accounting for any disparity between the total number of incidents and the number of animals. Of the 18 dogs involved, four were killed and an additional eight were injured. Two officers and three civilians were bitten during these exchanges. One officer was shot and four civilians were struck by fragments and debris.

These numbers do not encompass all dog attacks on officers or civilians; only incidents involving intentional firearms discharges by police officers are included. In 2015, police officers responded to thousands of calls for service involving dogs and other animals, and they encountered many more while on patrol, executing search warrants, or investigating complaints—incidents that were not processed through 9-1-1 or 3-1-1.

ID-AA Incidents by Tour

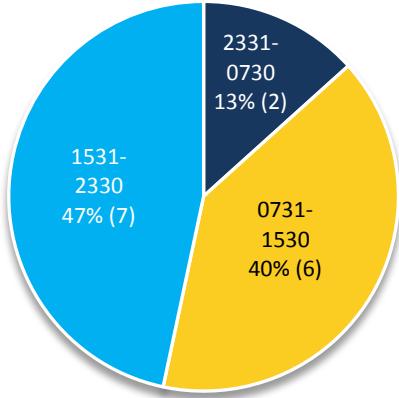


Figure 26

Dates and Times of Discharges

ID-AA incidents were scattered throughout the year in 2015. April recorded the most incidents (three total), with the months of May, June, and September recording zero (see Appendix G).

Twelve of the 15 ID-AA incidents occurred on Wednesday, Thursday, and Saturday (four incidents each). The remaining three occurred on Monday, Tuesday, and Friday (one incident each); there were no incidents on Sunday. Seven of the 15 or 47% of total incidents occurred during the third platoon, between 1531 in the afternoon and 2330 at night (see Figure 26).

ID / AA Incidents

Legend

- Animal Attact Incidents (14) within NYC
- Precinct Boundary

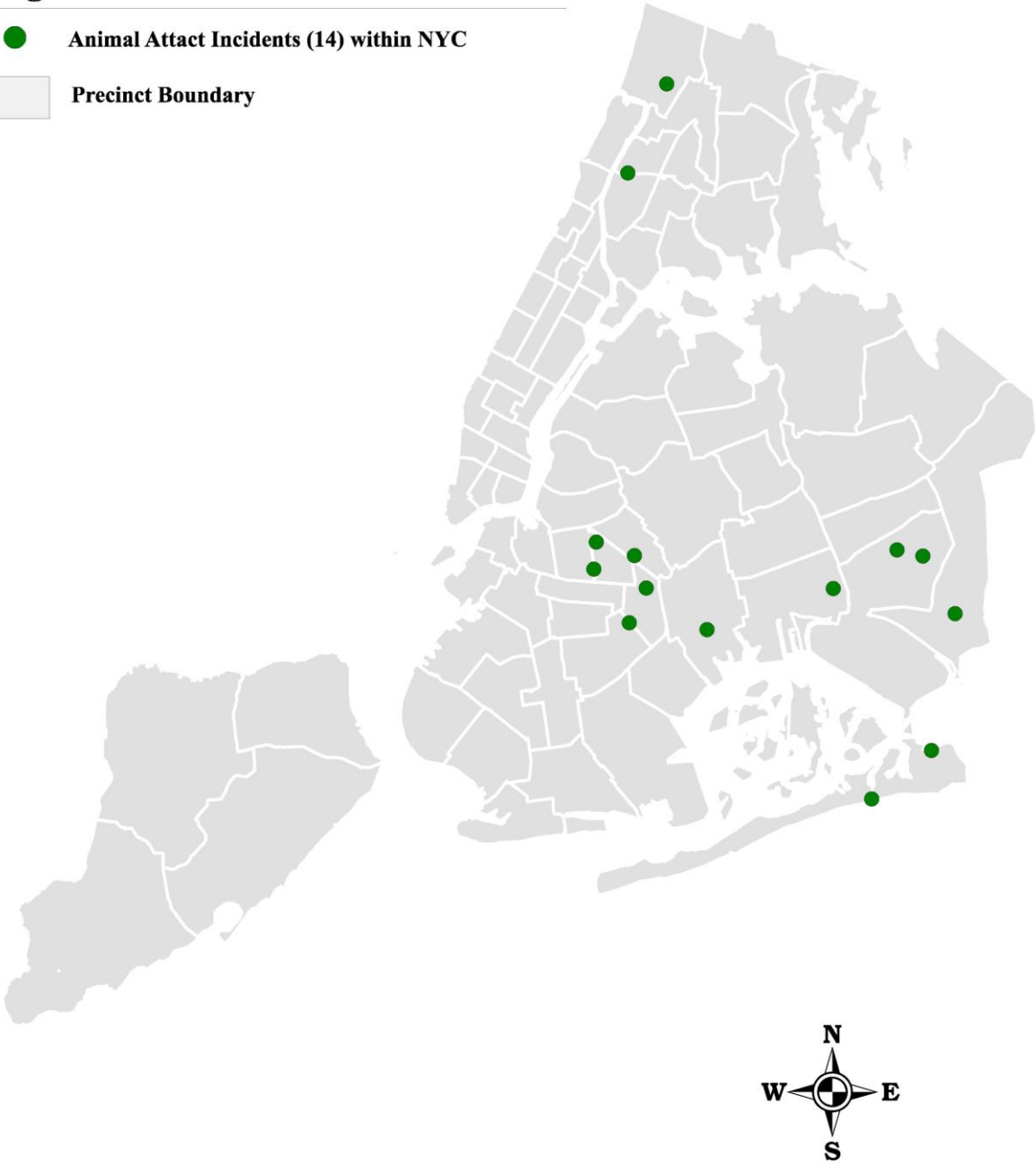


Figure 27

Locations of Discharges

Of the 15 total ID-AA incidents in 2015, 14 occurred within New York City, and one in Nassau County. Of the 14 within-City incidents, 13 occurred within the jurisdiction of the Patrol Services Bureau, and the remaining was on Housing Development grounds (Eleanor Roosevelt II Houses). No incidents took place within the Metropolitan Transportation Authority (MTA) transit system. Brooklyn and Queens accounted for 80% of ID-AA incidents in 2015, with a total of six incidents each (see Figures 27 and 28). ID-AA incidents occurred in 13 separate precincts; the 113th precinct was the only command to have two separate incidents in 2015. Nine ID-AA incidents occurred in outdoor settings (i.e., on sidewalks and streets), and the remaining six occurred in indoor, residential locations (see Figure 29).

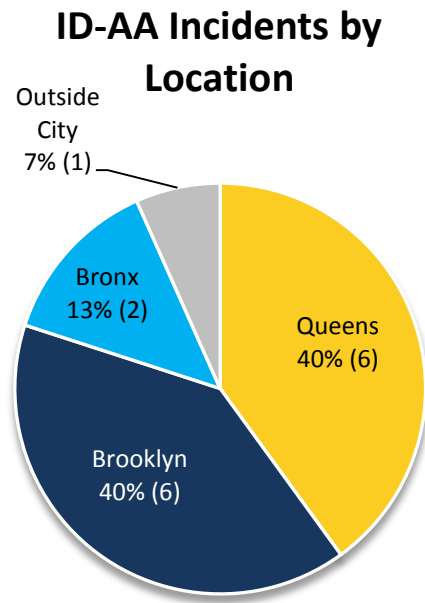


Figure 28

ID-AA Incidents by Location Type



Figure 29

Reasons Officer Involved

Officers became involved in ID-AA incidents for a variety of reasons. Thirteen officers were on-duty at the time of the incident. Overall, uniformed patrol assignments were more likely to be involved in ID-AA incidents in 2015. Of the on-duty members involved: 11 were assigned to uniformed patrol and one was assigned to Operation Impact (within the Patrol Services Bureau and the Housing Bureau). One officer was assigned to the Narcotics Division (see Figure 30).

On-Duty Officer Assignment, ID-AA Incidents



Figure 30

The most common reasons precipitating ID-AA incidents were pick-up assignments involving a dog attack, calls for service involving a suspicious/vicious dog, and calls for service involving assaults. Sixty percent of these encounters were precipitated by 9-1-1 requests made by private citizens; the remaining resulted from independent observations and/or investigations conducted by NYPD service members (see Figure 31).

Situations Precipitating ID-AA Incidents

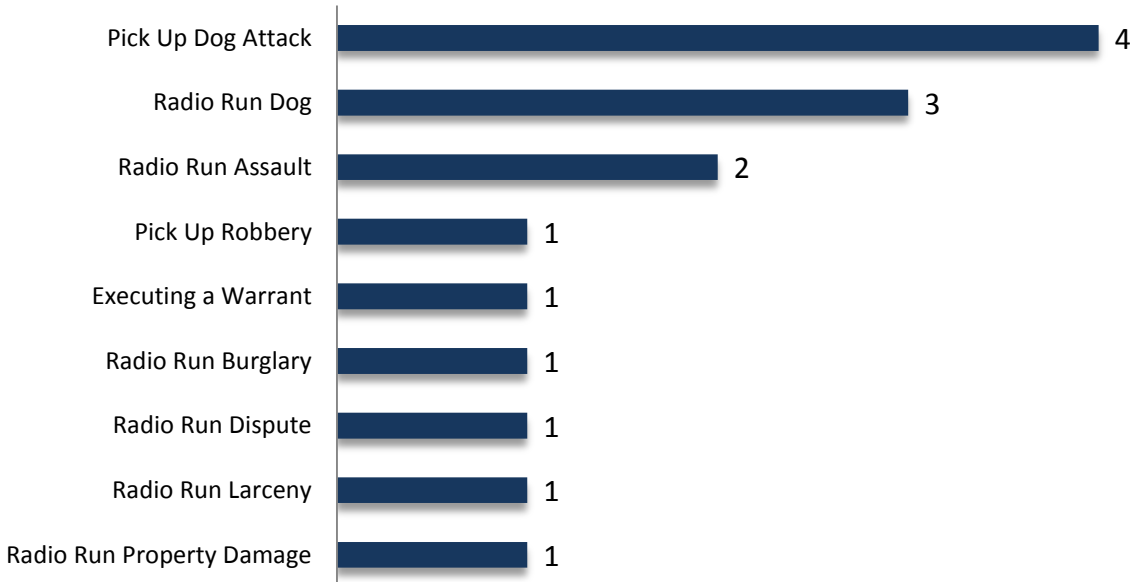


Figure 31

Officer Restraint

A total of 26 rounds were fired by officers during ID-AA incidents in 2015, a decrease of 41% from 2014, when 44 rounds were fired. In fourteen of the 15 ID-AA incidents, officers fired 5 rounds or less; nine

incidents involved the discharge of only one round. Only one officer fired more than five times, and none were required to reload their firearm during an incident (see Figure 32).

Restraint is also apparent when analyzing the number of shots fired per ID-AA incident. In 60% of incidents, only one round in total was fired. The most rounds fired during any incident were six (see Figure 33).

Rounds fired per ID-AA Officer

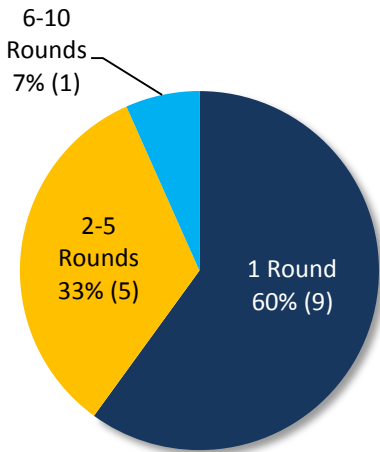


Figure 32

Objective Completion Rate

In 2015, officers struck 12 animals in 15 discrete ID-AA incidents, for an objective completion rate of 80%. This is significantly higher than the objective completion rate for ID-AC incidents. A likely explanation for this higher rate of completion is that, where listed, officers involved in ID-AA incidents were predominantly between one and five feet from the animal when they fired.

Firearms

All 15 officers who fired their weapons during ID-AA incidents in 2015 utilized 9mm firearms—11 were Glocks (ten ‘Model 19’ and one ‘Model 26’) and four were Smith & Wessons (one off-duty 9mm was used by an off-duty member). No officers reported malfunctions during animal attack incidents.

Shooting Techniques

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 the fast-paced nature of dog attacks often renders these tactical maneuvers impracticable during the course of duty. Nine of the 15 officers who discharged their firearm during an animal attack incident reported their grip. Eighty-nine percent utilized a two-handed grip, while the remaining 11% reported that they held their firearm with a one-handed, unsupported grip.

Rounds fired per ID-AA Incident

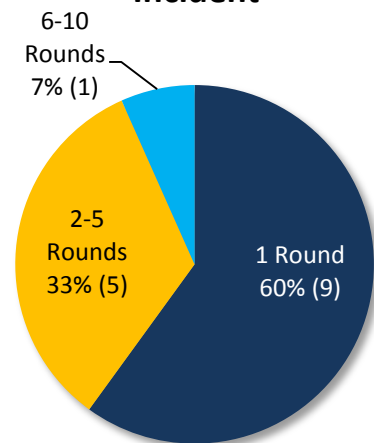


Figure 33

Seven officers discharged their firearms when the dogs were seven feet away or closer; an additional five officers discharged their weapons when the dog was between eight to fifteen feet away. The officers that discharged their firearms were unable to take cover during the animal attack.

Eight officers reported on light conditions. Four incidents occurred during daylight hours; in the other four incidents, officers reported adequate, artificial lighting.

Officer Pedigree

Of the 15 officers who intentionally discharged their firearms during ID-AA incidents in 2015, three were female (20%) and 12 were male (80%). These figures are relatively consistent with the Department’s gender demographics; approximately 17% of the Department’s uniformed personnel are female and 83% are male.

Although the percentages of White and Hispanic officers involved in ID-AA incidents are, to varying extents, at odds with their representation within the Department, the sample size of officers involved in ID-AA discharges is only 15, just a small fraction of the Department’s total uniformed personnel. These figures are therefore not useful in determining the likelihood that an officer of any particular race will become involved in an ID-AA firearms discharge (see Figure 34). There is a greater likelihood that officers in the ranks of police officer or detective and those with fewer years of service will become involved in ID-AA incidents. These officers are more likely to be assigned to respond to 9-1-1 calls involving animal attacks. In addition, these members conduct vertical patrols, effect arrests, and engage in myriad other assignments that significantly increase the likelihood of becoming involved in an ID-AA incident (see Figures 35 and 36).

Race, ID-AA Officers vs. Department Staffing

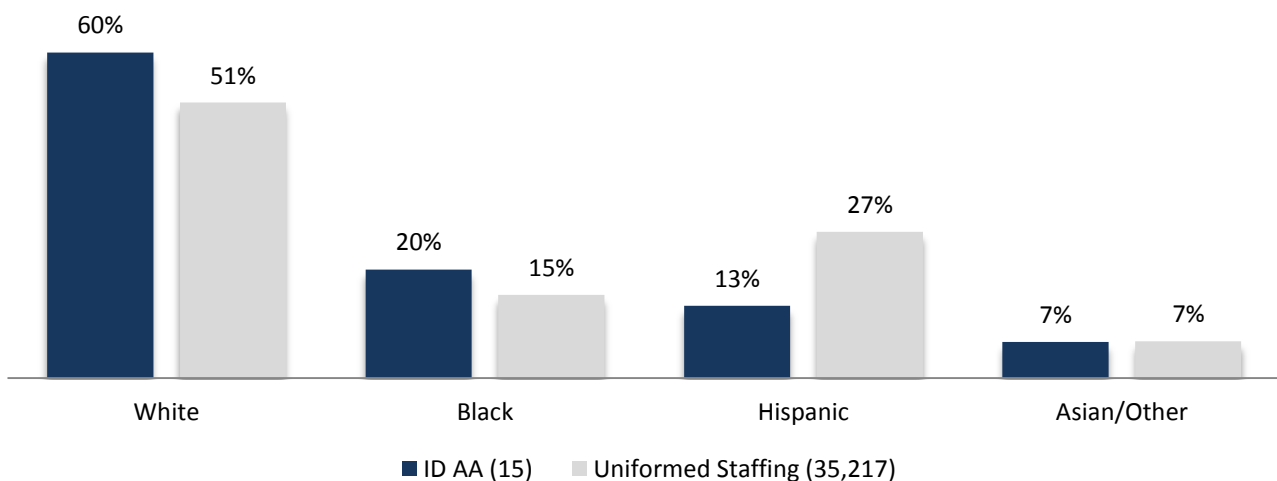


Figure 34

Years of Service, ID-AA Officers vs. Department Staffing

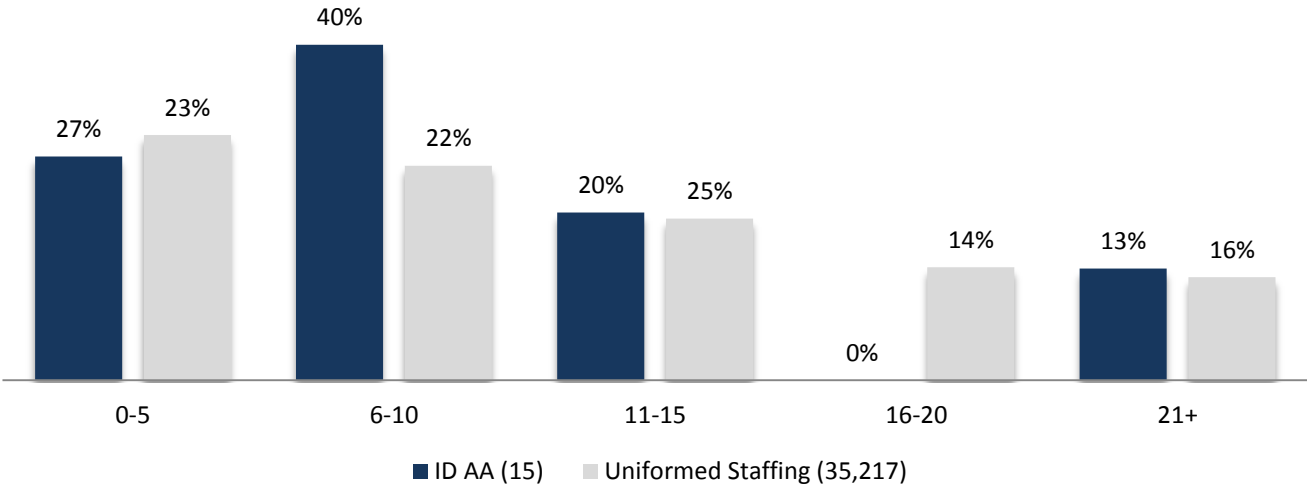


Figure 35

Rank, ID-AA Officers vs. Department Staffing

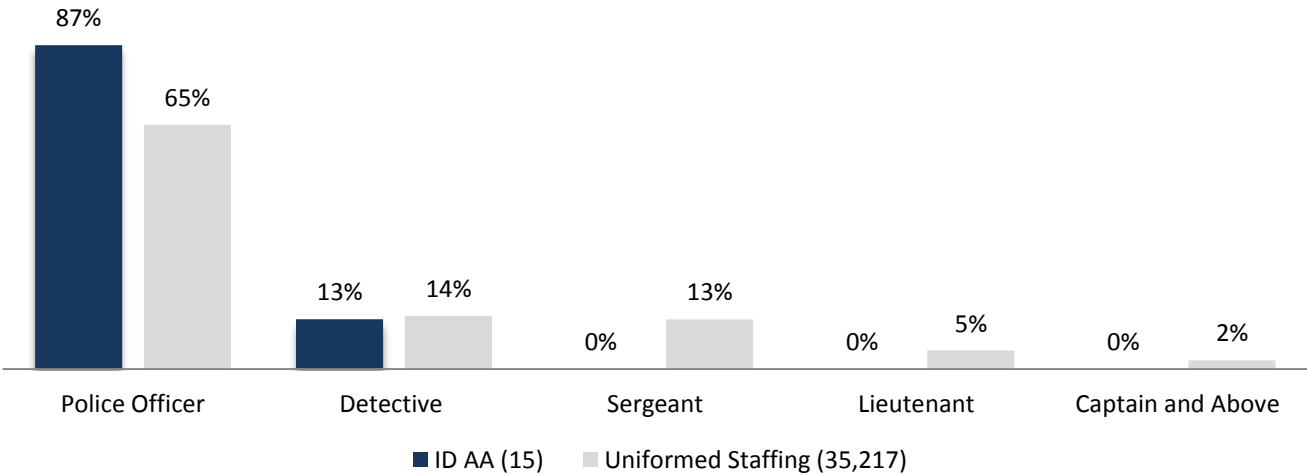


Figure 36

Incident Outcomes

Of the six investigations that have been completed at the time of this report, all were determined to have been in compliance with Department firearms guidelines. Although no corrective action was instituted, re-training was recommended for five of the officers involved. Nine cases are pending.

Part IV: Unintentional Discharge

Overview

There were 15 incidents of unintentional firearms discharges in 2015, a 16.7% decrease from 2014, when there were 18 recorded. All 15 incidents involved a single officer, and all resulted in a single discharge.

Three incidents resulted in injuries to three separate officers: one to the right thigh and shin, one to the left thigh, and one sustained a laceration above the right eye when the round struck the ground causing concrete to fracture.

Five unintentional discharges occurred while the officer was off-duty, and 10 occurred on-duty. Two incidents occurred outside (one in a hospital parking lot and one in a marked RMP), and 14 occurred inside (eight occurred inside Department facilities, five inside officers' residences, and one inside a church gymnasium).

Non-Adversarial Unintentional Discharges

Non-adversarial unintentional discharges occur when an officer is loading or unloading, holstering or unholstering, cleaning, or otherwise handling a firearm. In 2015, 14 of the 15 total unintentional discharges were non-adversarial, and therefore fall into this category.

Loading/Unloading

There was one unintentional discharge in 2015 that involved an officer attempting to unload his service weapon, causing a minor injury to his left thigh.

Handling

Thirteen non-adversarial unintentional discharges resulted from handling a firearm that was unrelated to loading or unloading a firearm, resulting in injury to two officers. In one incident, an officer accidentally discharged a round from an AR-15 rifle while attempting to voucher the firearm. In the second incident where injury occurred, the officer was seated in his personal vehicle when a round was discharged from his weapon.

Four of the unintentional discharge incidents were related to holstering/unholstering; no injuries resulted from these discharges. One officer was on duty and was attempting to holster her service weapon while sitting in a radio motor patrol (RMP) car. The other three incidents occurred while the officers were on duty in Department facilities and were attempting to holster their authorized weapons.

Three of these incidents transpired during firearm cleaning and one occurred while the officer was handling a newly purchased firearm; none resulted in any injury to MOS.

Adversarial Unintentional Discharges

Unintentional discharges during adversarial conflict or animal attack occur during the course of lawful police conduct and are brought about either wholly, or in part, by aggravating factors, such as a suspect grabbing an officer's firearm, an officer losing his or her balance, or when an officer's shooting hand is struck by an object. One such discharge occurred while officers were conducting a search for a burglary suspect in a dimly lit church gym. An officer tripped on a commercial floor mat, causing the officer to discharge his firearm.

Firearms

Of the 15 firearms that were unintentionally discharged in 2015, eight were the officer's service weapons, six were authorized off-duty firearms, and one was a suspect's recovered firearm. Seven of the firearms were Glocks, five were Smith and Wessons, two were Sig Sauers, and one was an AR-15 style rifle.

Officer Pedigree

Of the 15 officers who unintentionally discharged firearms in 2015, 13 were male (87%) and two were female (13%). These figures are relatively consistent with the Department's gender demographics: approximately 83% of the Department's uniformed personnel are male and 17% are female.

Although the percentages of Black and Hispanic officers involved in unintentional discharges are, to varying extents, at odds with their representation within the Department, the sample size of officers involved in unintentional discharges is only 15, just a small fraction of the Department's total uniformed personnel. These figures are therefore not useful in determining the likelihood that an officer of any particular race will become involved in an unintentional firearms discharge (see Figure 37).

Race, Unintentional Discharges vs. Department Staffing

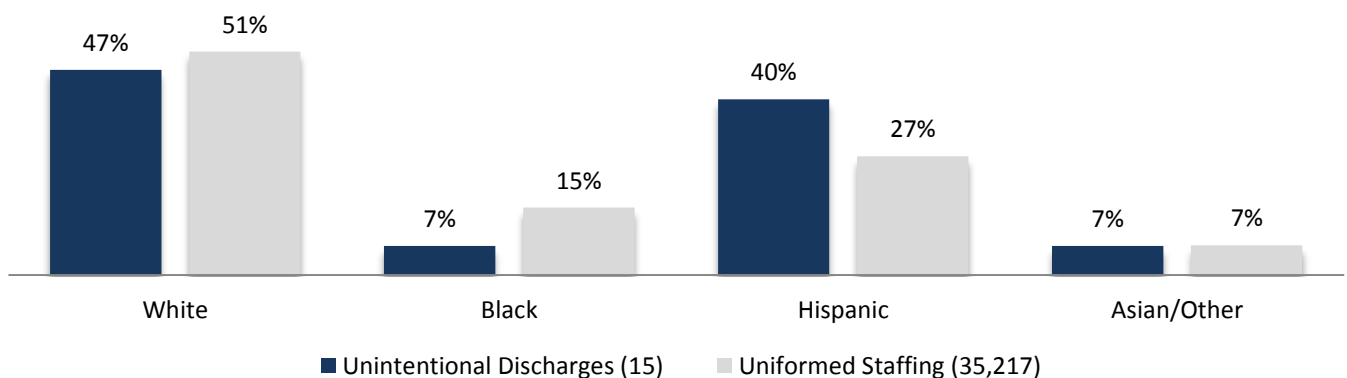


Figure 37

Officers with fewer years of service were more likely to be involved in unintentional firearms discharges. Of the officers with five years of service or fewer, three had performed three years of aggregate service and two had accumulated five. Six officers had performed between six to ten years of aggregate service (see Figure 38). Of the officers involved, nine were police officers, four were detectives, and two were sergeants (see Figure 39).

Years of Service, Unintentional Discharges vs. Department Staffing

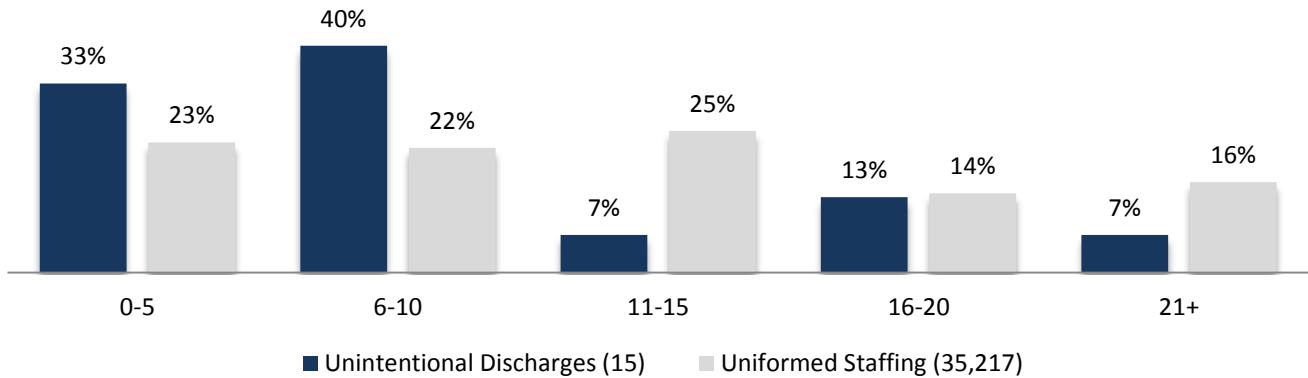


Figure 38

Rank, Unintentional Discharges vs. Department Staffing

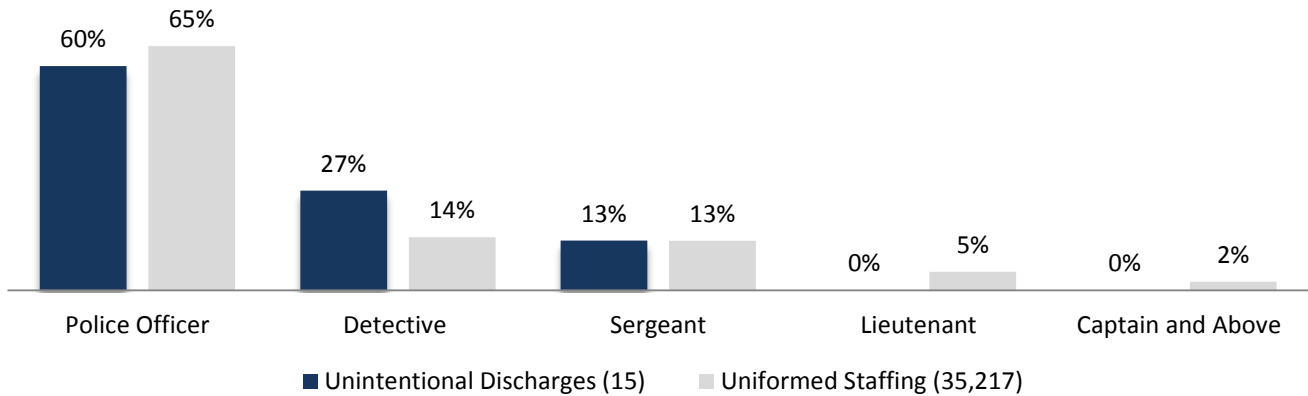


Figure 39

Incident Outcomes

The Department investigates all unintentional firearms discharges thoroughly. One officer was placed on modified assignment and a supervisor was suspended when one unintentional discharge occurred. The investigations that have been completed at the time of this report found that officers were in violation of Department guidelines in eleven cases. The recommended discipline for involved officers ranged from a Schedule 'B' Command Discipline to *Charges and Specifications*. Retraining on relevant tactics was recommended in four cases.

Part V: Unauthorized Use of a Firearm

Overview

There were four firearms discharges in 2015 that were classified as unauthorized use of firearm, a 50% decrease from 2014, when eight unauthorized incidents were recorded. Two incidents involved officer suicides, one involved a domestic dispute, and the remaining involved an accidental discharge by a person who mishandled an officer's firearm. During the off-duty domestic incident, the member reportedly fired one round from his off-duty service weapon at a victim known to the Department. The member was summarily arrested by the Yonkers Police Department and placed on suspension.

Officer Pedigree

Of the three officers who were involved in unauthorized firearms discharges in 2015, all were male; the two officer suicides involved White officers and the domestic incident involved a Hispanic officer. One member had twelve years of service, one had 16, and the remaining had over 20 years. One officer held the rank of police officer, and two were sergeants. An additional police officer with 17 years of service, permitted a civilian to hold his off duty .38 caliber revolver, and the civilian accidentally discharged a round, striking another civilian.

Unauthorized firearms discharges are a relatively infrequent occurrence, and yield no discernible or generalizable trend over time. Moreover, due to the diminutive sample that was captured in 2015—representing a small fraction of the Department's total uniformed staffing—these statistics are insufficient in determining the likelihood that an officer of any particular demographic will become involved in an unauthorized firearm discharge.

Suicide

Two police officers committed suicide by firearm in 2015; both members were off-duty at the time of the suicide (see Figure 40*).

The Department and a number of external organizations provide mental health resources specifically targeted to uniformed members of the service who may be at risk for suicide. Department resources include the Employee Assistance Unit, the Counseling Services Unit, the Chaplain's Unit, the NYPD Helpline, and the Psychological Evaluation Unit. External resources include Police Officers Providing Peer Assistance (POPPA), the Police Self Support Group, and Columbia Cares (COPE). The Department actively promotes these resources to all uniformed police members of the service.

**Because of the focus of this report Figure 40 depicts officer suicides by firearm only. Suicides or attempted suicides by other methods were not included.*

Police Officer Suicides by Firearm, 2005-2015

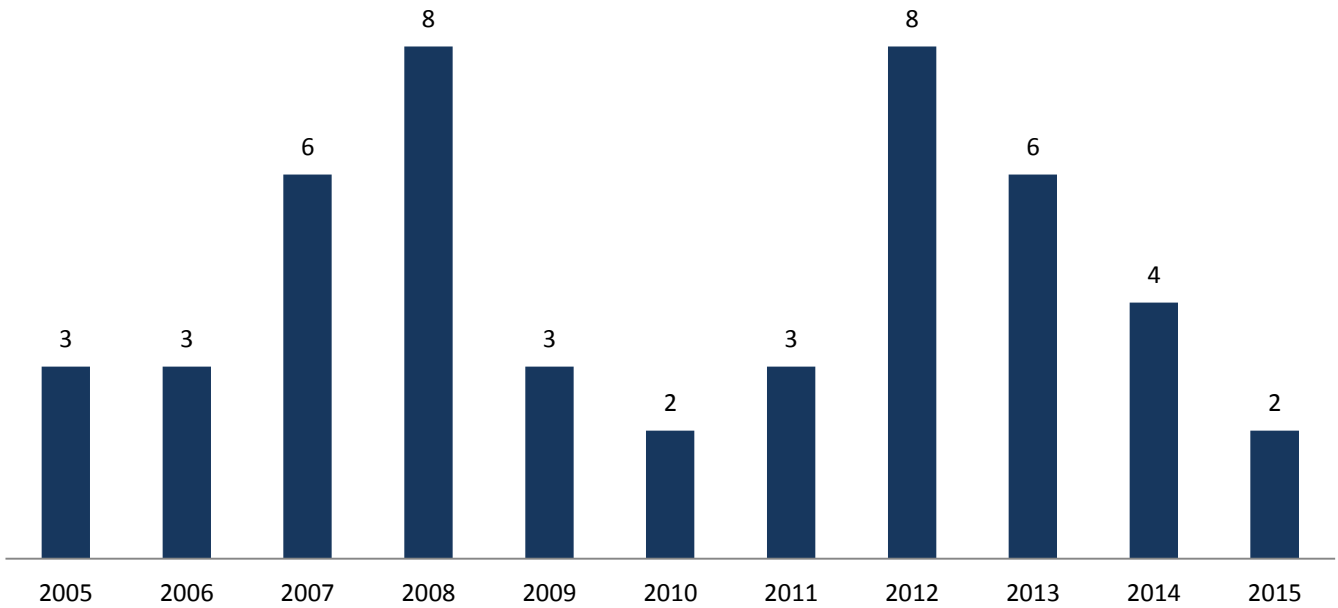


Figure 40

Discharges by Other than an Officer

There was one incident of a firearms discharge by other than an officer in 2015. One off-duty police officer permitted a friend to handle a loaded revolver and she accidentally fired one round, striking her husband in the leg.

Incident Outcomes

The Department investigates all incidents of unauthorized use of a firearm thoroughly. In the rare case of an unauthorized discharge other than suicide, the disciplinary process will be initiated against the officer discharging the weapon, and/or the officer charged with the security of the weapon. In cases of serious misconduct, officers are arrested, suspended, and eventually terminated for their actions.

Two officers had been disciplined pending the results of the investigations, one was placed on modified assignment and the second was suspended.

Part VI: Mistaken Identity

Overview

The Department defines an incident of mistaken identity as one in which a New York City police officer fires on any 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 intentionally firing on the targeted officer. Unintentional crossfire incidents and accidental discharges resulting in injury or death to fellow officers are not included in this category. An unauthorized discharge, in which an officer injures or kills another officer in a criminal manner (e.g., domestic incident), is also excluded. This definition comports with the 2010 New York State Task Force on Police-on-Police Shootings' definition of "Police-on-Police Confrontations."

2015 Incidents

In 2015 there were no incidents of mistaken identity.

Appendices

Appendix A – Tribute

DETECTIVE FIRST GRADE BRIAN MOORE

105th Precinct



On May 2, 2015, Police Officer Brian Moore, assigned to the Anti-Crime Unit within the 105th Precinct observed a suspicious male walking in the street. Police Officer Moore and his partner were seated inside their vehicle when they approached the perpetrator from behind based on their belief he was carrying a firearm in his waistband. The perpetrator pulled a firearm from his waist and discharged multiple rounds into the vehicle that Police Officer Moore was seated. Police Officer Moore was struck and removed to Jamaica Hospital due to his injuries. Two days later, on May 4, 2015, Police Officer Moore succumbed to his injuries. The perpetrator was arrested a short time later and charged with first degree Murder.

Police Officer Moore was sworn in as a New York City police officer in January 2010, and served 5 years in the Police Department. Police Officer Moore lived with his parents in Massapequa, New York.

Police Officer Moore is survived by his parents: Raymond, Irene and his sister Christine. Police Officer Moore completed over 90 college credits, working towards a degree in Chemical Engineering. Police Officer Moore was laid to rest at St. Charles Cemetery in Farmingdale, New York. Police Commissioner William J. Bratton posthumously promoted Police Officer Brian Moore to Detective First Grade.

DETECTIVE FIRST GRADE RANDOLPH HOLDER

Police Service Area 5



On October 20, 2015, Police Officer Randolph Holder and his partner, responded to a 911 call of shots fired. Upon arrival, Police Officer Holder observed the perpetrator fleeing from the scene. As Police Officer Holder heroically approached the armed perpetrator, the perpetrator suddenly turned and discharged his weapon, striking and causing the death of Police Officer Holder. Shortly thereafter, the gunman was apprehended and was charged with first degree murder.

Police Officer Holder was sworn in as a New York City Police Officer in July 2010. Immigrating to the United States in November 2002, to live with his father, Police Officer Holder pursued his lifelong dream of becoming a Police Officer. He followed in his father and grandfather's footsteps, both of whom were Police Officers in his native Guyana.

Police Officer Holder is survived by his father Randolph and stepmother Princess. He held an Associate's Degree in Management. Police Officer Holder was laid to rest in his native country of Guyana. On October 28, 2015, during his funeral, Police Commissioner William J. Bratton posthumously promoted Police Officer Holder to Detective First Grade.

Appendix B – Historical Data 1971-2015

Officers Shot and Injured by Subjects, 1971-2015

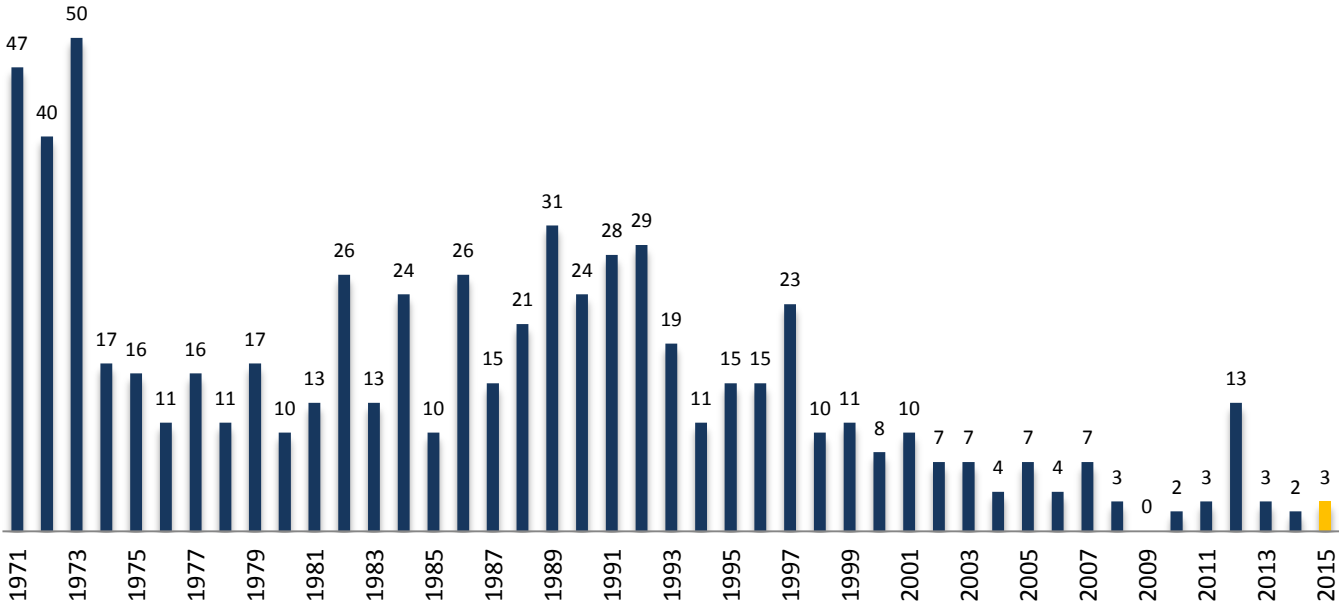


Figure 41

Officers Shot and Killed by Subjects, 1971-2015

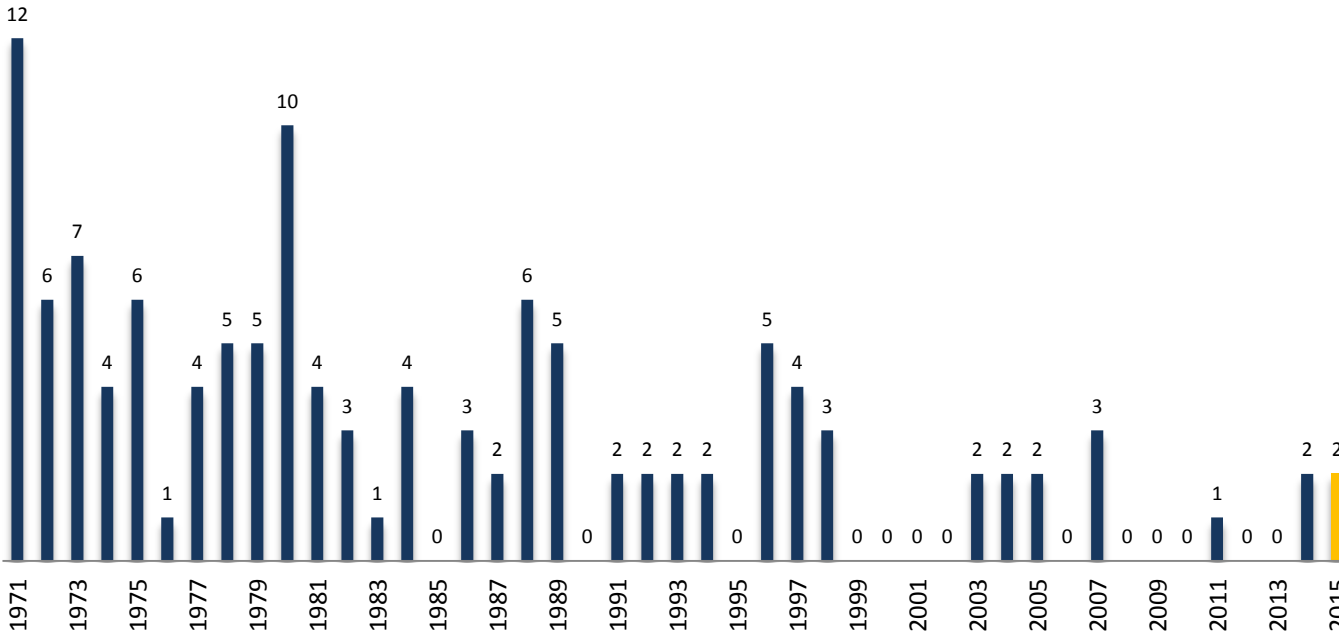


Figure 42

Subjects Shot and Injured by Officers, 1971-2015

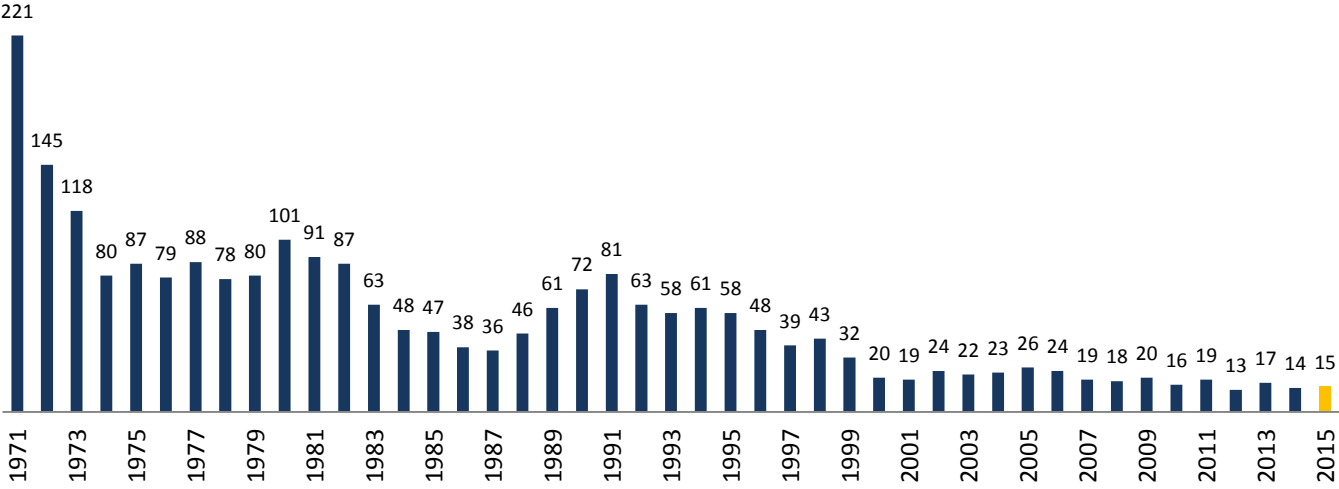


Figure 43

Subjects Shot and Killed by Officers, 1971-2015

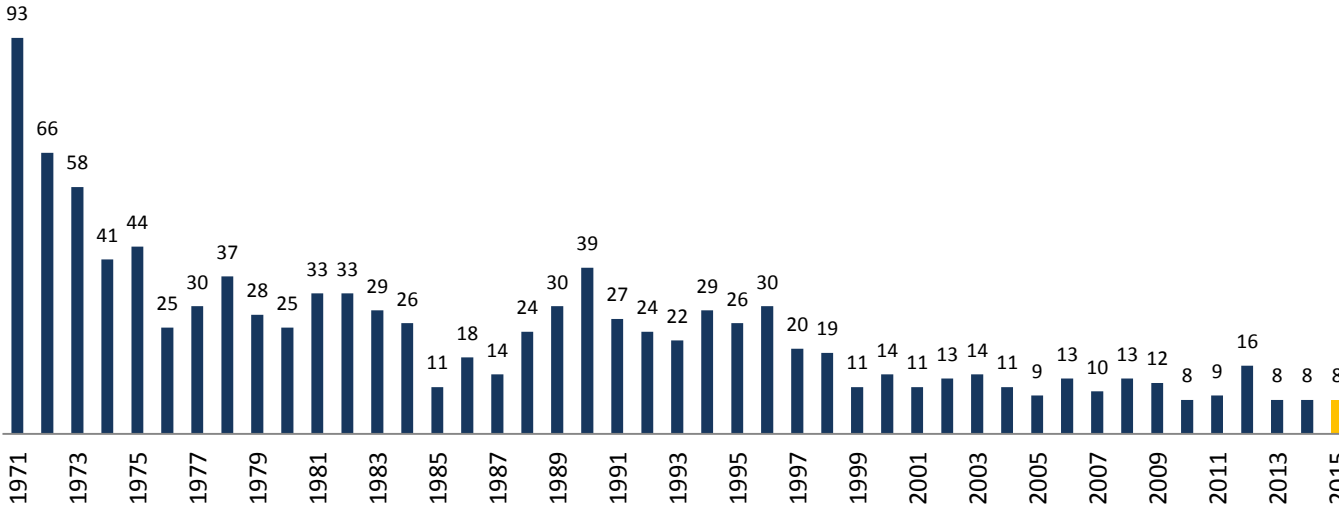


Figure 44

Total Shots Fired, 1971-2015

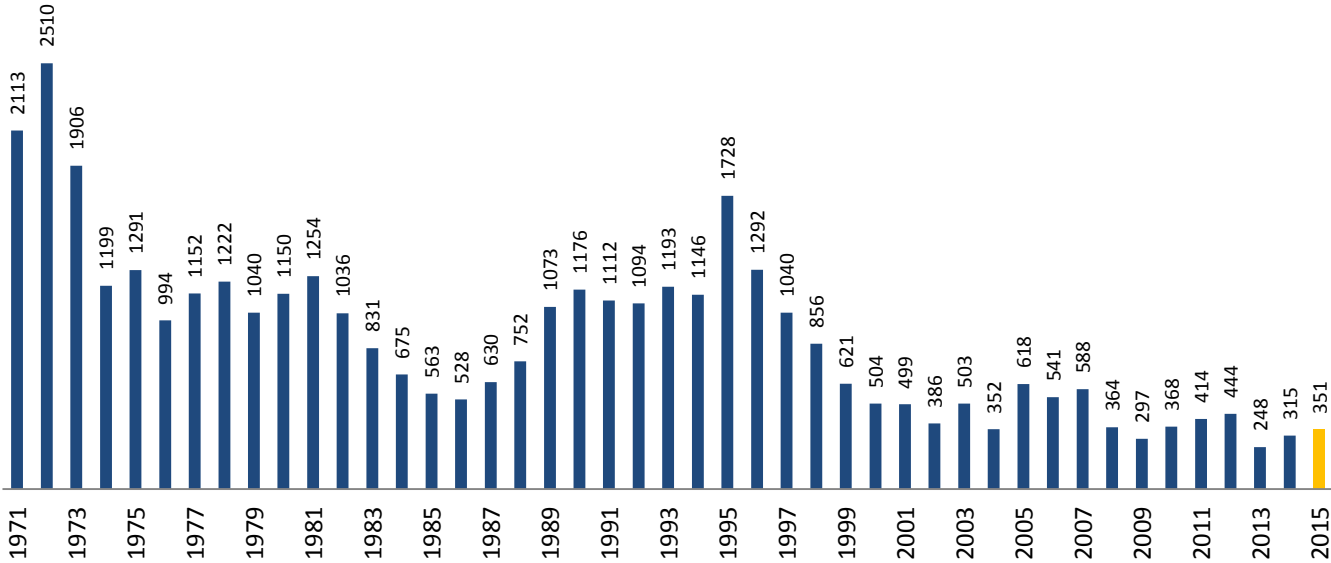


Figure 45

Total Shooting Incidents involving Officers, 1971-2015

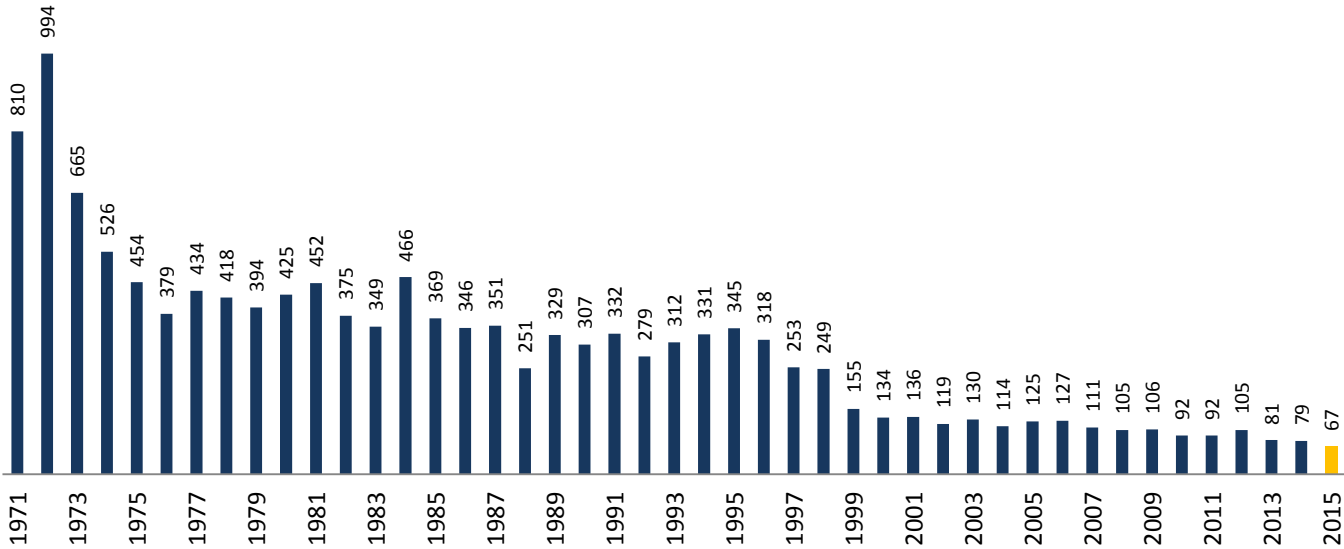


Figure 46

Appendix C: 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, subjects, and other officers. One of the realities of police work, however, is the 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 present 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.

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, both of which are unfortunately the first factors impacted in a combat scenario. 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.

NYPD Pistols

There are three semi-automatic 9mm 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 equipped with 15 round magazines, and, with one round in the chamber, each firearm is capable of holding 16 total rounds. Additionally, there are several weapons authorized for off-duty carry, such as the Glock 26, the Smith & Wesson 3914, the Smith & Wesson 3953, the Sig Sauer P239, and the Beretta 8000D Mini Cougar. Some 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. Current NYPD service pistols are all “double action only,” 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). Additionally, all NYPD weapons are modified to have a heavier-than-stock 12 pound trigger pull; this diminishes the likelihood of unintentional discharges. The NYPD uses a 124-grain, hollow-point bullet that is designed to prevent over-penetration and ricochets.

Because combat stress can contribute to the impairment of fine motor skills, and because of the relative imprecision of pistols, police officers are taught to shoot for center mass – usually, the torso. 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 of the exposed portion as a target.

The human body’s center mass is the largest area available as a point of aim. The torso represents approximately one third of a human’s surface area, compared to nine percent for an arm or 18 percent for a leg. The torso is also the most stationary portion of the body; extremities are much smaller and less static and therefore are a far less certain target. Additionally, shooting a subject in an extremity is far less likely to stop him or her than a shot to center mass. A leg wound, for example, does little to prevent a subject from continuing to use a knife or gun (see Figure 47).

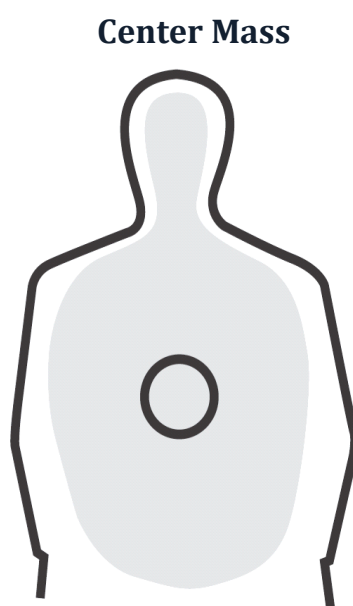


Figure 47

Appendix D: Subjects Killed During ID-AC Incidents

Incident 1

On Wednesday, April 22, 2015, at approximately 2120 hours, six officers responded to a radio run at 168-02 Hillside Avenue within the confines of the 103rd precinct. A male perpetrator was involved in an altercation inside of the location which resulted in the discharge of one round into the ceiling of the location. Shortly thereafter the perpetrator verbally ordered seven individuals at gunpoint to extricate themselves from the location. Six 9-1-1 calls were placed in regard to the incident and multiple police units responded. The perpetrator was observed by responding officers to be in possession of a firearm. After the officers issued verbal commands to drop the weapon, the perpetrator proceeded to flee on foot. Two officers exited their vehicles and attempted to approach the subject. During the foot pursuit, the perpetrator fired at the pursuing officers and continued to point his firearm in their direction. Both officers discharged their firearms, striking the armed perpetrator twice. The injured perpetrator was removed to Jamaica Hospital, where he was pronounced deceased. A loaded Glock, 9mm Pistol was recovered on scene. Subject toxicology revealed the presence of alcohol.

Incident 2

On Saturday April 25, 2015, at approximately 1337 hours, an individual known to the Department was wanted in regard to an I-Card investigation involving a robbery. Two detectives assigned to the 26th Precinct Detective Squad arrived at 538 East 6th Street, the East Village Halfway House, with the intention of arresting the subject. Detectives arrived at the location, and with the assistance of a civilian security guard, proceeded to the subject's room. The East Village Halfway House offers shelter to ex-prisoners diagnosed with mental disorders. The civilian security guard gained access to the apartment, and as the detectives entered, they observed the subject fleeing out of the window and down the rear fire escape. The detectives pursued, via the inside stairwell and confronted the subject in the rear courtyard of the building. A violent struggle ensued between the detectives and the wanted subject which lasted a minimum of three minutes and thirty seconds. Video surveillance captured a portion of the physical altercation. One round was discharged by one of the involved detectives, striking the individual in his chest and ultimately resulting in his demise. No weapons were recovered on scene. Both detectives were removed to the hospital to treat significant lacerations to their heads as well as other bodily injuries. One detective was admitted for observation. Subject toxicology yielded no presence of narcotics or alcohol.

Incident 3

On Tuesday, May 26, 2015, at approximately 0558 hours, a perpetrator wanted for murder in Queens County was confronted by a Sergeant, Detective, and Police Officer from the Warrant Squad in the rear of 875 Pennsylvania Avenue within the confines of the 75th precinct. Hours earlier, the perpetrator fatally

shot a female victim in the confines of the 106th precinct. The officers from the Warrant Squad, working in conjunction with the Technical Assistance Response Unit (TARU) were able to ascertain the perpetrator's physical location through his cellphone. The officers approached the perpetrator's vehicle and, when attempting to exit their vehicle, were fired upon by the perpetrator. The perpetrator had discharged rounds from inside of his vehicle in the direction of the officers and then exited his vehicle continuing to discharge his firearm. All three officers returned fire and struck the perpetrator multiple times, resulting in his demise. A .380 caliber handgun was recovered at the scene next to the perpetrator's body. Subject toxicology yielded the presence of ephedrine and phenylpropanolamine.

Incident 4

At approximately 0814 hours on Wednesday, June 10, 2015, four officers responded to a 9-1-1 call about a man with a firearm at 2000 Valentine Avenue within the confines of the 46th precinct. The officers immediately conducted a canvass and were apprised of additional information by the radio dispatcher; they learned that the perpetrator was inside of Apartment 405. The officers were able to look into the apartment and observed the perpetrator sticking his head out of a bedroom. The officers entered the apartment and issued multiple verbal commands to the perpetrator to show his hands. After hearing screams for help from a female, the officers entered the bedroom and observed the perpetrator holding a firearm and pointing it toward the female's midsection. Additional commands were given to the perpetrator to drop the firearm; suddenly, the perpetrator swung his arm to point his firearm in the direction of the Officers. At this time, the female was able to break free. One Police Officer and one Sergeant discharged their firearms at the perpetrator, striking him multiple times. A Taurus .38 caliber revolver was recovered from the perpetrator's right hand. The perpetrator succumbed to his injuries. Subject toxicology yielded no presence of narcotics or alcohol.

Incident 5

At approximately 1317 hours on Thursday, June 18, 2015, a police officer assigned to Transit District 34 was assigned to the Q-Line at Ocean Parkway within the confines of the 60th Precinct. The officer was advised of an assault in progress and observed the suspect fleeing from the location. After a short foot pursuit, the officer engaged the perpetrator at Seabreeze Avenue and West 1st Street. The perpetrator violently resisted arrest, produced a large knife and stabbed the police officer in the right shoulder, causing a laceration. The police officer stepped back from the perpetrator and discharged two rounds from his service weapon, striking and stopping the perpetrator's advance. The officer's rounds struck the perpetrator in the chest, resulting in his demise. A large knife was recovered at the scene, directly in front of the deceased. The officer was removed to the hospital and admitted for his injuries. Subject toxicology revealed the presence of alcohol.

Incident 6

At approximately 1150 hours, on Saturday, August 14, 2015, members of the Regional Fugitive Task Force, consisting of four NYPD Detectives and four United State Marshals, were seeking to execute a federal probation and weapons possession warrant on a subject at 15 Destiny Court in the confines of the 121st Precinct. Upon arrival, entry into the location was made by the Regional Fugitive Task Force. The team was overcome by smoke that was emanating from a container on the floor inside the apartment. Detectives called out to an individual observed inside to exit location but received no response, leading them to tactically withdraw from inside the location due to the smoke condition. The team placed a call for additional units and FDNY to respond. FDNY responded to the scene and was informed by members of the Regional Fugitive Task Force that a wanted fugitive was believed to be inside the location. A Lieutenant from the FDNY entered the location in an attempt to assist the individual inside. Gunshots were fired a short time later from within the location, striking the FDNY Lieutenant causing a gunshot wound to his leg. The Lieutenant was removed to the hospital and additional officers were called to the scene to assist. The Emergency Service Unit secured the perimeter of the location and the Hostage Negotiation Unit established contact with the perpetrator. Social media revealed that the perpetrator had made statements including, "Today I die." The Hostage Negotiation Unit engaged in conversation with the perpetrator for over six hours resulting in the perpetrator stating he was going to exit the location. Shortly thereafter, Emergency Service members were fired upon by the perpetrator who was armed with a fully automatic AK-47. The perpetrator had begun to fire through the windows of the location and then opened the rear door in an attempt to exit, all the while continuing to fire his weapon. Seven members of the Emergency Service Unit returned fire, striking the perpetrator multiple times resulting in his demise. No injuries were sustained to members of the Department. Three additional firearms were recovered from inside of the location. Subject toxicology revealed the presence of cocaine.

Incident 7

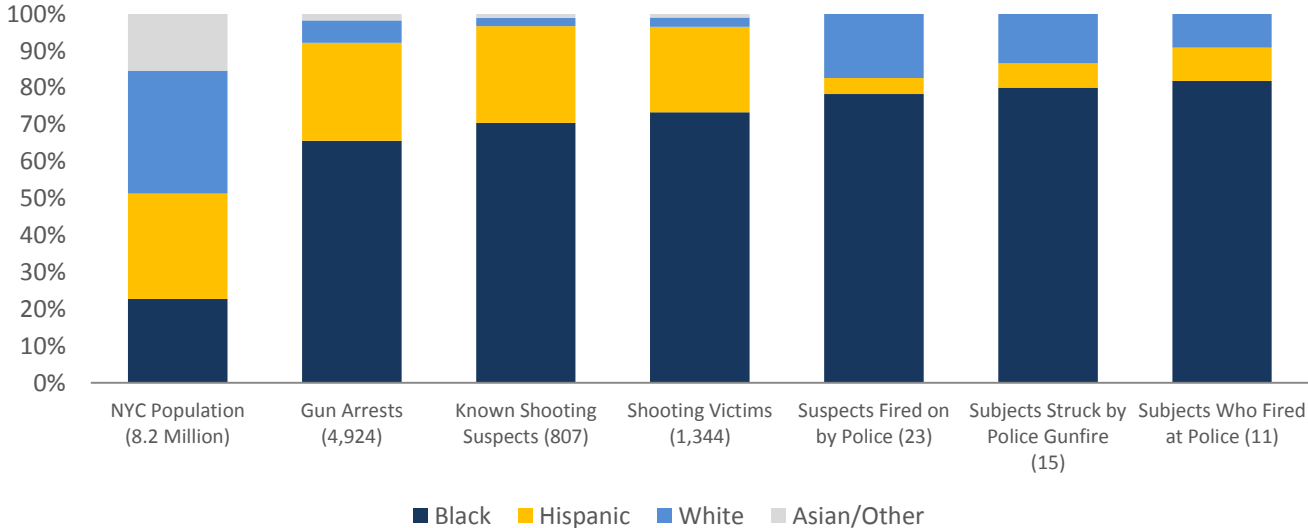
At approximately 2230 hours, on Monday, December 7, 2015, an off-duty police officer agreed to meet an individual regarding a vehicle listed for sale on Craigslist. Communication between the police officer and the individual was conducted through text messaging. The police officer arrived at 177-39 145th Avenue within the confines of the 105th Precinct and was met by two individuals, one of whom placed a firearm to the officer's back and removed his wallet. The other individual attempted to remove additional items and discovered the officer's Department issued shield on his waist band. This perpetrator fled the scene in a vehicle, while the other continued to brandish a firearm and point it in the direction of the officer. At this time, the police officer drew his weapon and discharged five rounds, striking the armed perpetrator four times. The officer called 9-1-1 on his cellphone and requested additional units and medical attention for the injured perpetrator. The perpetrator was removed to the hospital, where he succumbed to his injuries. A pellet gun was recovered near the perpetrator. Subject toxicology is still pending.

Incident 8

On Tuesday, December 12, 2015, an on-duty police officer observed a motor vehicle in violation of the New York State Vehicle and Traffic Law. Upon activating their emergency lights to conduct a car stop, the vehicle accelerated, striking another vehicle. The driver of the vehicle fled on foot, and was approached by a police officer. The perpetrator attempted to grab the officer's firearm. During the altercation the officer discharged one round striking the perpetrator in the chest, which led to his demise. The passenger in the vehicle was apprehended on scene. The subject had 16 prior arrests including multiple arrests for Burglary and had previous charges of resisting arrest and fleeing from the police. Subject toxicology yielded no presence of narcotics or alcohol.

Appendix E – Subject Injury & Race

Gunfire in New York City, 2015



Gunfire in New York City, 2014

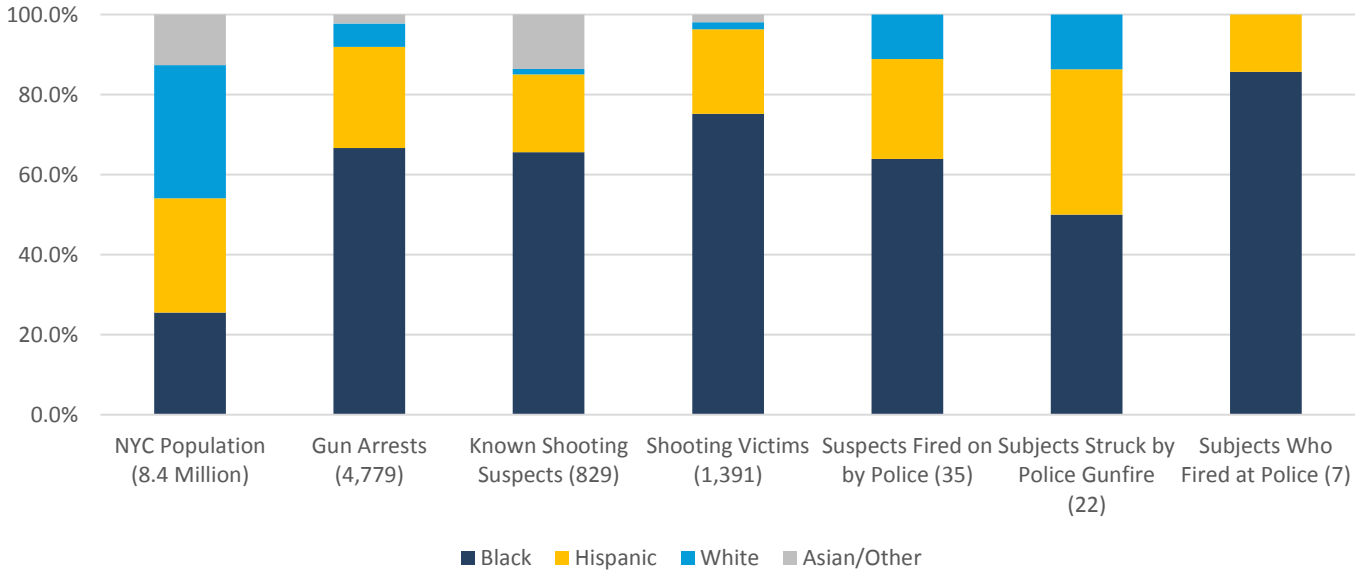


Figure 48

Subjects Wounded by Officers, 2010-2015					
Year	White	Black	Hispanic	Asian	Total
2010	3	9	3	1	16
2011	2	10	7	0	19
2012	1	9	3	0	13
2013	1	12	4	0	17
2014	0	8	6	0	14
2015	2	12	1	0	15

Figure 49

Subjects Killed by Officers, 2010-2015					
Year	White	Black	Hispanic	Asian	Total
2010	2	1	4	1	8
2011	4	2	3	0	9
2012	2	11	2	1	16
2013	0	6	2	0	8
2014	2	4	2	0	8
2015	2	6	0	0	8

Figure 50

Appendix F – Incident Breakdown Tables

Firearms Discharge Incidents by Day, 2015					
Day	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Monday	3	1	0	1	5
Tuesday	7	1	3	0	11
Wednesday	8	4	4	1	17
Thursday	2	4	1	0	7
Friday	8	1	2	0	11
Saturday	4	4	3	0	11
Sunday	1	0	2	2	5
Total	33	15	15	4	67

Figure 51

Firearms Discharge Incidents by Month, 2015					
Month	ID-AC	ID-AA	Unintentional	Unauthorized	Total
January	4	1	4	0	9
February	0	2	1	0	3
March	3	1	1	1	6
April	2	3	2	2	9
May	3	0	1	0	4
June	6	0	0	0	6
July	1	2	1	0	4
August	3	1	2	0	6
September	2	0	1	0	3
October	2	2	0	0	4
November	3	1	2	0	6
December	4	2	0	1	7
Total	33	15	15	4	67

Figure 52

Firearms Discharge Incidents by Borough, 2015					
Borough	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Brooklyn	17	6	3	1	27
Bronx	3	2	1	0	6
Manhattan	5	0	5	0	10
Queens	3	6	4	0	13
Staten Island	2	0	2	0	4
Outside City	3	1	0	3	7
Total	33	15	15	4	67

Figure 53

Firearms Discharge Incidents by Precinct, Manhattan, 2015					
Precinct	ID-AC	ID-AA	Unintentional	Unauthorized	Total
1st Precinct	0	0	0	0	0
5th Precinct	0	0	0	0	0
6th Precinct	0	0	1	0	1
7th Precinct	1	0	0	0	1
9th Precinct	1	0	1	0	2
10th Precinct	0	0	0	0	0
13th Precinct	0	0	0	0	0
Midtown South	1	0	0	0	1
17th Precinct	0	0	0	0	0
Midtown North	0	0	0	0	0
19th Precinct	0	0	0	0	0
20th Precinct	0	0	0	0	0
Central Park	0	0	0	0	0
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	1	0	1
28th Precinct	0	0	0	0	0
30th Precinct	0	0	1	0	1
32nd Precinct	0	0	1	0	1
33rd Precinct	0	0	0	0	0
34th Precinct	0	0	0	0	0
Total	5	0	5	0	10

Figure 54

Firearms Discharge Incidents by Precinct, Bronx, 2015					
Precinct	ID-AC	ID-AA	Unintentional	Unauthorized	Total
40th Precinct	0	0	0	0	0
41st Precinct	0	0	0	0	0
42nd Precinct	0	0	0	0	0
43rd Precinct	0	0	0	0	0
44th Precinct	0	0	0	0	0
45th Precinct	1	0	0	0	1
46th Precinct	2	1	0	0	3
47th Precinct	0	0	0	0	0
48th Precinct	0	0	0	0	0
49th Precinct	0	0	0	0	0
50th Precinct	0	1	1	0	2
52nd Precinct	0	0	0	0	0
Total	3	2	1	0	6

Figure 55

Firearms Discharge Incidents by Precinct, Brooklyn, 2015					
Precinct	ID-AC	ID-AA	Unintentional	Unauthorized	Total
60th Precinct	1	0	0	0	1
61st Precinct	0	0	0	0	0
62nd Precinct	0	0	0	0	0
63rd Precinct	0	0	0	0	0
66th Precinct	0	0	0	0	0
67th Precinct	2	1	1	0	4
68th Precinct	0	0	0	1	1
69th Precinct	0	0	0	0	0
70th Precinct	1	0	1	0	2
71st Precinct	1	0	0	0	1
72nd Precinct	0	0	0	0	0
73rd Precinct	1	1	0	0	2
75th Precinct	3	1	0	0	4
76th Precinct	0	0	0	0	0
77th Precinct	0	0	1	0	1
78th Precinct	0	0	0	0	0
79th Precinct	2	1	0	0	3
81st Precinct	0	1	0	0	1
83rd Precinct	3	1	0	0	4
84th Precinct	1	0	0	0	1
88th Precinct	2	0	0	0	2
90th Precinct	0	0	0	0	0
94th Precinct	0	0	0	0	0
Total	17	6	3	1	27

Figure 56

Firearms Discharge Incidents by Precinct, Queens, 2015					
Precinct	ID-AC	ID-AA	Unintentional	Unauthorized	Total
100th Precinct	0	1	0	0	1
101st Precinct	0	1	0	0	1
102nd Precinct	0	0	0	0	0
103rd Precinct	0	0	0	0	0
104th Precinct	0	0	0	0	0
105th Precinct	2	1	0	0	3
106th Precinct	0	1	0	0	1
107th Precinct	1	0	1	0	2
108th Precinct	0	0	0	0	0
109th Precinct	0	0	1	0	1
110th Precinct	0	0	0	0	0
111th Precinct	0	0	0	0	0
112th Precinct	0	0	0	0	0
113th Precinct	0	2	0	0	2
114th Precinct	0	0	2	0	2
115th Precinct	0	0	0	0	0
Total	3	6	4	0	13

Figure 57

Firearms Discharge Incidents by Precinct, Staten Island, 2015					
Precinct	ID-AC	ID-AA	Unintentional	Unauthorized	Total
120th Precinct	1	0	0	0	1
121st Precinct	1	0	1	0	2
122nd Precinct	0	0	0	0	0
123rd Precinct	0	0	1	0	1
Total	2	0	2	0	4

Figure 58

Firearms Discharge Incidents by Counties, Outside City, 2015					
Precinct	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Suffolk	0	0	0	1	1
Nassau	0	1	0	0	1
Westchester	3	0	0	2	5
Rockland	0	0	0	0	0
Total	3	1	0	3	7

Figure 59

Firearms Discharge Incidents by Location, 2015					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Within City	30	14	15	1	60
Outside City	3	1	0	3	7
Total	33	15	15	4	67

Figure 60

Firearms Discharge Incidents by Officer Duty Status, 2015					
Status	ID-AC	ID-AA	Unintentional	Unauthorized	Total
On-Duty	30	13	10	0	53
Off-Duty	3	2	5	4	14
Total	33	15	15	4	67

Figure 61

2015 Annual Firearms Discharge Report

ID-AC	TYPE OF THREAT FROM SUBJECT	OFFICERS INVOLVED	SHOTS	HITS	SUBJECTS INVOLVED	SUBJECT GENDER	SUBJECT RACE	SUBJECT AGE	SUBJECT WEAPON
1	FIREARM-SUBJECT FIRED AT OFFICER AFTER BOTH SUBJECTS INVOLVED IN ROBBERY	1	3	1	2	Male Male	Hispanic Hispanic	28 26	Firearm None
2	CUTTING INSTRUMENT- SUBJECT LUNGED AT OFFICER	1	1	1	1	Male	White	27	Cutting Instrument
3	FIREARM-SUBJECT WITH FIREARM	1	1	1	1	Male	Black	29	Firearm
4	CUTTING INSTRUMENT- SUBJECT WAS STABBING CIVILIAN	1	8	4	1	Male	White	37	Cutting Instrument
5	FIREARM- SUBJECT POINTED A FIREARM AT THE OFFICER	2	1,3	3	1	Male	Black	34	Firearm
6	THREATENED WITH AUTO SUBJECTS INVOLVED IN NARCOTICS SALE	1	1	1	2	Male Male	Black Black	36 N/A	Blunt Instrument
7	FIREARM- SUBJECT POINTED A FIREARM AT THE OFFICER	1	2	0	1	Male	Black	33	Firearm
8	FIREARM- SUBJECT FIRED AT OFFICERS	2	2,3	2	1	Male	White	30	Firearm
9	SUBJECT ATTACKED OFFICERS	1	1	1	1	Male	Black	24	Physical Force
10	FIREARM-SUBJECT POINTED A FIREARM AT THE OFFICER	1	1	0	1	Male	Hispanic	31	Firearm
11	BLUNT INSTRUMENT-ATTACKED POLICE OFFICER WITH HAMMER	1	4	4	1	Male	Black	30	Blunt Instrument
12	FIREARM-SUBJECT FIRED AT OFFICER	3	16,9,12	14	1	Male	Black	43	Firearm
13	FIREARM-SUBJECT SHOT CIVILIAN	1	2	1	1	Male	Hispanic	28	Firearm
14	FIREARM- SUBJECT POINTED A FIREARM AT THE OFFICER	2	13,14	24	1	Male	Black	19	Firearm
15	CUTTING INSTRUMENT- SUBJECT WITH KNIFE SUBJECTS WERE COMMITTING A LARCENY	1	1	0	2	Male Male	Black Black	24	Cutting Instrument
16	FIREARM-SUBJECT FIRED AT OFFICER	2	3,1	0	1	Male	Black	20	Firearm
17	FIREARM-SUBJECT FIRED AT OFFICER	3	2,1,4	0	1	Male	Black	25	Firearm
18	CUTTING INSTRUMENT- SUBJECT STABBED OFFICER	1	2	2	1	Male	White	58	Cutting Instrument
19	FIREARM- SUBJECTS ROBBED & FIRED SHOTS AT OFF DUTY OFFICER	1	4	0	2	Male Male	Black Black	22 N/A	Firearm Firearm
20	FIREARM-SUBJECT FIRED AT OFFICERS	7	9,7,4,7, 2,7,3	3	1	Male	Black	38	Firearm
21	OFFICER PERCEIVED THREAT SUBJECTS WERE COMMITTING A LARCENY	1	1	0	2	Male Male	Black Black	16 16	None None
22	FIREARM- SUBJECT ROBBED UNDERCOVER OFFICER CONDUCTING AN INVESTIGATION INTO FIREARMS SALES	1	20	6	3	Male Male Male	Black Hispanic Hispanic	38 24 37	Imitation Firearm None None
23	FIREARM- SUBJECT FIRED AT OFFICERS	6	16,1,25 ,10,16, 16	1	1	Male	Black	27	Firearm
24	FIREARM- SUBJECT WITH FIREARM	1	2	0	1	Male	Black	N/A	Firearm
25	FIREARM- SUBJECTS FIRED AT OFFICERS	3	5,8,6	1	3	Male Male Male	Black Black Black	22 20 19	Firearm Firearm N/A
26	FIREARM-SUBJECT FIRED AT OFFICER	1	10	1	1	Male	Black	30	Firearm
27	FIREARM-SUBJECTS ROBBED PLAINCLOTHES OFFICER	1	1	1	3	Male Male	Black Black	16 17	Imitation Firearm None

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						Male	Black	21	None
28	FIREARM- SUBJECT WITH FIREARM	1	2	1	1	Male	Black	24	Firearm
29	OFFICER PERCEIVED THREAT	1	1	1	1	Male	Black	32	Cutting Instrument
30	FIREARM-SUBJECT POINTED A FIREARM AT THE OFFICER	2	1,4	0	2	Male	Black	25	Firearm
						Male	Black	24	None
31	FIREARM-SUBJECTS ROBBED OFF DUTY MOS	1	5	4	2	Male	Black	30	Imitation Firearm
						Male	Black	N/A	None
32	SUBJECT ATTACKED POLICE OFFICER	1	1	1	2	Male	Black	36	Physical Force
						Male	Black	35	None
33	FIREARM-SUBJECT WITH FIREARM	1	1	1	1	Male	Black	20	Firearm

Figure 62

New York City Police Department
James P. O'Neill,
Police Commissioner

