

New York City Police Department Annual Firearms Discharge Report

2013



ANNUAL FIREARMS DISCHARGE REPORT

2013

William J. Bratton
Police Commissioner

TABLE OF CONTENTS

PART I: OVERVIEW	1
Introduction	2
Use of Force	3
Guidelines for the Use of Firearms.....	4
Reasonableness.....	4
Training.....	5
Investigation and Review Process	5
The Shooting Team.....	5
The Shooting Incident Report.....	6
The Final Report.....	7
Review.....	7
The Borough Firearms Discharge Advisory Board.....	7
The Chief of Department’s Firearms Discharge Review Board.....	8
The Police Commissioner.....	8
Glossary	10
2013 by Category	13
2013 Report	14
Total Firearms Discharges.....	14
Categories.....	15
 PART II: INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT	 16
Overview	17
Dates and Times of Discharges	17
Locations of Discharges	18
Locations of Criminal Shootings.....	18
Location Type.....	20
Reasons Officer Involved	21

Threat Type.....	22
Officer Restraint.....	23
Objective Completion Rate.....	23
Officer Firearms.....	24
Shooting Technique.....	24
Officer Pedigree.....	24
Subject Pedigree.....	26
Prior Arrests.....	27
Incident Outcomes.....	27
Officer Death.....	27
Officer Injuries.....	27
Bullet-Resistant Vests.....	28
Subject Death.....	28
Subject Injuries.....	28
Bystander Injuries.....	28
Discipline.....	28
Summary.....	29
 PART III: INTENTIONAL DISCHARGE – ANIMAL ATTACK.....	 30
Overview.....	31
Dates and Times of Discharges.....	31
Locations of Discharges.....	32
Reasons Officer Involved.....	33
Officer Restraint.....	34
Objective Completion Rate.....	35
Officer Firearms.....	35
Shooting Technique.....	35
Officer Pedigree.....	35
Incident Outcomes.....	37

PART IV: UNINTENTIONAL DISCHARGE	38
Overview	39
Non-Adversarial Unintentional Discharges	39
Loading/Unloading.....	39
Handling.....	39
Adversarial Unintentional Discharges	39
Firearms	40
Officer Pedigree	40
Incident Outcomes	42
 PART V: UNAUTHORIZED USE OF A FIREARM	 43
Overview	44
Officer Pedigree	44
Suicide	44
Discharges by Other Than an Officer	45
Incident Outcomes	45
 PART VI: MISTAKEN IDENTITY	 46
Overview	47
2013 Incidents	47
 APPENDICES	 48
Appendix A: Historical Data	49
Appendix B: Firearms Training	52
Appendix C: Subjects Killed During ID-AC Incidents	54
Appendix D: Subject Race, 2009-2013	57
Appendix E: Supplemental Data	58

TABLES, CHARTS AND FIGURES

PART I: OVERVIEW	1
1.1 Anatomy of a Firearms Discharge Investigation	9
1.2 Historical Snapshot, 2003-2013	11
1.3 Adversarial Conflict, 2003-2013	12
1.4 Animal Attack, 2003-2013	12
1.5 Unintentional Discharges, 2003-2013	12
1.6 Total Discharges, 2003-2013	12
1.7 2012 v. 2013 Snapshot	12
1.8 2013 Firearms Discharge Scope	14
 PART II: INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT	 16
2.1 ID-AC Incidents by Tour	17
2.2 ID-AC Incidents by Borough	18
2.3 ID-AC Incidents vs. Criminal Shooting Incidents	19
2.4 Criminal Shooting Incidents vs. ID-AC Incidents, Percentage by Borough	20
2.5 Criminal Shooting Incidents vs. ID-AC Incidents, Frequency by Borough	20
2.6 ID-AC Incidents by Location Type	21
2.7 On-Duty Officer Assignments, ID-AC Incidents	21
2.8 Situations Precipitating On-Duty ID-AC Incidents	22
2.9 Threat Type, ID-AC Incidents	22
2.10 Rounds Fired Per ID-AC Officer	23
2.11 Rounds Fired Per ID-AC Incident	23
2.12 ID-AC Distance to Target	24
2.13 Race, ID-AC Officers vs. Department Staffing	25
2.14 Years of Service, ID-AC Officers vs. Department Staffing	25
2.15 Rank, ID-AC Officers vs. Department Staffing	26
2.16 Criminal Shooting Suspects vs. ID-AC Subjects by Race	26

PART III: INTENTIONAL DISCHARGE – ANIMAL ATTACK.....	30
3.1 ID-AA Incidents by Tour.....	31
3.2 Locations of Discharges.....	32
3.3 ID-AA Incidents by Borough.....	32
3.4 ID-AA Incidents by Location Type.....	33
3.5 Officer Assignment, ID-AA Incidents.....	33
3.6 Situations Precipitating On-Duty ID-AA Incidents.....	34
3.7 Rounds Fired Per ID-AA Officer.....	34
3.8 Rounds Fired Per ID-AA Incident.....	35
3.9 Race, ID-AA Officers vs. Department Staffing.....	36
3.10 Years of Service, ID-AA Officers vs. Department Staffing.....	36
3.11 Rank, ID-AA Officers vs. Department Staffing.....	37
 PART IV: UNINTENTIONAL DISCHARGE.....	 38
4.1 Race, Unintentional Discharges vs. Department Staffing.....	41
4.2 Years of Service, Unintentional Discharges vs. Department Staffing.....	41
4.3 Rank, Unintentional Discharges vs. Department Staffing.....	42
 PART V: UNAUTHORIZED USE OF A FIREARM.....	 43
5.1 Police Officer Suicides by Firearm, 2003-2013.....	45
 PART VI: MISTAKEN IDENTITY.....	 46
 APPENDICES.....	 48
A.1 Officers Shot and Injured by Subjects, 1971-2013.....	49
A.2 Officers Shot and Killed by Subjects, 1971-2013.....	49
A.3 Subjects Shot and Injured by Officers, 1971-2013.....	50
A.4 Subjects Shot and Killed by Officers, 1971-2013.....	50
A.5 Total Shots Fired, 1971-2013.....	51
A.6 Total Shooting Incidents, 1971-2013.....	51

A.7	Gunfire in New York City, 2013.....	57
A.8	Subjects Wounded by Officers, 2009-2013.....	57
A.9	Subjects Killed by Officers, 2009-2013.....	57
A.10	Firearms Discharge Incidents by Day, 2013.....	58
A.11	Firearms Discharge Incidents by Tour, 2013.....	58
A.12	Firearms Discharge Incidents by Month, 2013.....	59
A.13	Firearms Discharge Incidents by Borough, 2013.....	59
A.14	Firearms Discharge Incidents by Precinct, Manhattan, 2013.....	60
A.15	Firearms Discharge Incidents by Precinct, Bronx, 2013.....	61
A.16	Firearms Discharge Incidents by Precinct, Brooklyn, 2013.....	62
A.17	Firearms Discharge Incidents by Precinct, Queens, 2013.....	63
A.18	Firearms Discharge Incidents by Precinct, Staten Island, 2013.....	63
A.19	Firearms Discharge Incidents by Location, 2013.....	64
A.20	Firearms Discharge Incidents by Officer Duty Status, 2013.....	64
A.21	ID-AC Incidents, 2013.....	65

PART I: OVERVIEW

INTRODUCTION

The New York City Police Department began to collect in-depth documentation of firearm discharges during hostile encounters in 1971, for the purpose of “[increasing] the safety potential of each member of the force.” The policy quickly expanded beyond police-involved combat, however, and came to include the study of other categories, such as unintentional discharges. Today, the Department tracks any incident in which a Department firearm is discharged, even if the person discharging the weapon is not an officer.

Four decades of annual analyses have altered the way officers respond to, engage in, and assess the need for firearms discharges. Information gleaned from the annual reports has saved lives, and there has been Department-wide change with regard to firearms safety, retention, and tactics. The Department has made restraint the norm. When annual recordkeeping began in 1971, 12 officers were shot and killed by another person, and 47 officers were shot and injured. Officers, in turn, shot and killed 93 subjects, and injured another 221. By contrast, in 2013, three officers were shot and injured by subjects, while police shot and killed eight subjects, and injured 17 others; no officer was killed by subject gunfire in 2013.

Today, the reports additionally serve as statistical support 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 devices — have 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 exists 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 affect 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 compel others to submit to their lawful authority.

These options extend from professional presence up through verbal force, physical force, non-impact weapons (i.e. pepper spray), conducted energy devices, impact weapons (i.e. 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 jump 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).

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. 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.

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 carry the shield and protect the common good.

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.

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 such incident. The mandate for such recordkeeping was first published in Department Order SOP 9 (s. 1969), but the intervening forty years have greatly refined the NYPD’s process. Today, investigations are conducted in accordance with two guiding documents: 1) Patrol Guide Procedure 212-29; and 2) a handbook entitled, “The Firearms Discharges Investigation Manual; The NYPD Guide to the Preparation of a Shooting Incident Report.”

THE SHOOTING TEAM

When an officer discharges his or her firearm, whether on or off-duty, or when a firearm owned by an officer is discharged 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 chain of command. A Patrol Borough Shooting Team, led by a shooting-team leader in the rank of Captain, is then dispatched. The shooting team is an ad hoc entity that may be comprised of personnel from investigatory units, community affairs units, the Emergency Service Unit, the Firearms and Tactics Section, and/or any other personnel whose training or expertise may prove valuable to the pending investigation.

The shooting-team leader, under the supervision of an Inspector, undertakes an in-depth examination of the discharge incident, 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 fired should not be interviewed, in order to preserve the integrity of the Grand Jury process. Whether or not the District Attorney allows an interview, the shooting-team leader will, in every instance, direct the officer who fired to prepare a Firearms Discharge/Assault Report, or FDAR.

If a discharge causes death or injury, the officer who fired is required to submit to an Intoxilyzer test to determine level of intoxication, if any. 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, ordinarily within 24 hours of the incident.

THE SHOOTING INCIDENT REPORT

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

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

Each Shooting Incident Report should end with a statement, made with appropriate caveats, assessing whether or not the discharge was consistent with Department guidelines and whether or not the involved officers should be subject to Departmental discipline. Often, if involved officers have not been interviewed, the shooting-team leader may not make a determination, but rather state that the investigation is ongoing. This does not preclude the shooting-team leader from offering a tentative determination 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 Investigation Unit prepares a finalized version of the Shooting Incident Report. This final report is a reiteration of the original, but includes any clarifications or re-evaluations that may have been developed in the meantime. Because of the speed with which the initial report is prepared, tentative data is unavoidable. Accordingly, the final report will contain material that was not initially available to the shooting-team leader (e.g., detective's case files, forensic results, and medical reports).

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 fired to be interviewed. At times, it must wait even longer, until all relevant legal proceedings have been concluded.

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

REVIEW

After a firearms discharge has been investigated, 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 the purview of the Firearms Discharge Advisory Board and the Firearms Discharge Review Board.

THE BOROUGH FIREARMS DISCHARGE ADVISORY BOARD

The review of firearms discharges is two-tiered and conducted at the borough and executive levels. Members of the borough Firearms Discharge Advisory Board (FDAB) are supervisors assigned to the borough in which the incident occurred. This board further scrutinizes the incident with the benefit of new material contained in the final report. Based on the accumulated evidence, the 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

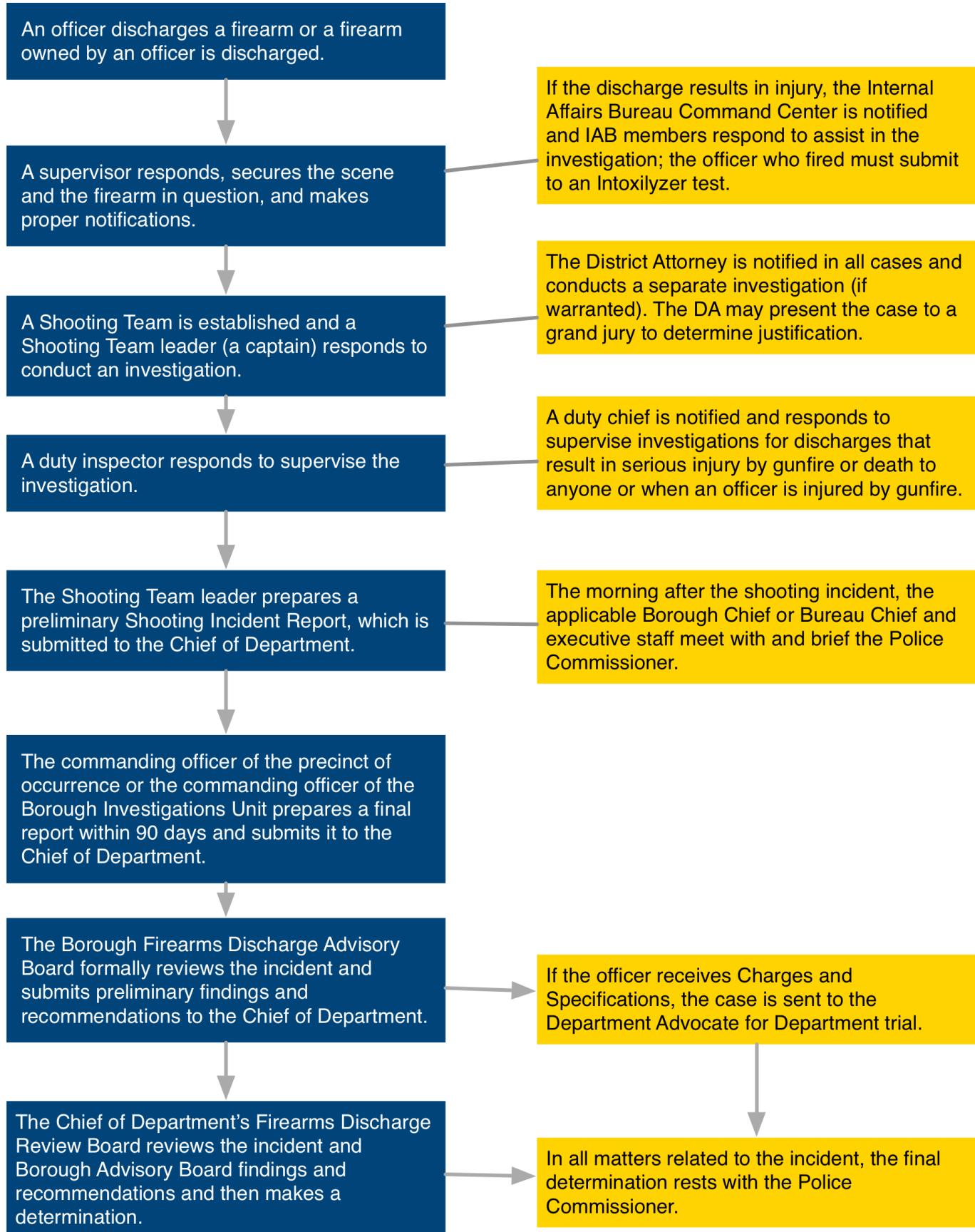
The FDRB issues determinations concerning the tactics used during the incident, the propriety of the officer's actions, and the disciplinary action to be taken. The FDRB gives due consideration to, and often concurs with, the original recommendations of the shooting-team leaders and the subsequent findings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

The Chief of Department then produces a Final Summary Report, which is a single document that memorializes and synthesizes the whole of the 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 both 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 2013 findings are published throughout this report.

ANATOMY OF A FIREARMS DISCHARGE INVESTIGATION



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 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 firearm 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 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.
Use/Threaten the Use of a Firearm	A contributing factor to a firearms discharge in which a subject discharges 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).
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 other 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, 2003-2013											
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Adversarial Conflict	61	51	59	59	45	49	47	33	36	45	40
Animal Attack	35	26	32	30	39	30	28	30	36	24	19
Unintentional Discharge	25	27	25	26	15	15	23	21	15	21	12
Mistaken Identity	0	0	0	1	0	0	1	0	0	0	0
Unauthorized Use of a Firearm ¹	2	5	6	8	6	3	4	6	2	6	2
MOS Suicide/Attempt ²	7	5	3	3	6	8	3	2	3	9	8
Total	130	114	125	127	111	105	106	92	92	105	81

Figure 1.2

¹ This category was modified in 2005 to include incidents in which an unauthorized person discharges an officer's firearm

² MOS Suicide/Attempt is a subcategory of Unauthorized Use of a Firearm – the numbers have been disaggregated in this table

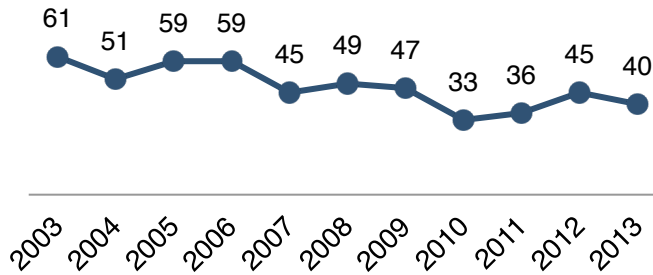
ADVERSARIAL CONFLICT, 2003-2013

Figure 1.3

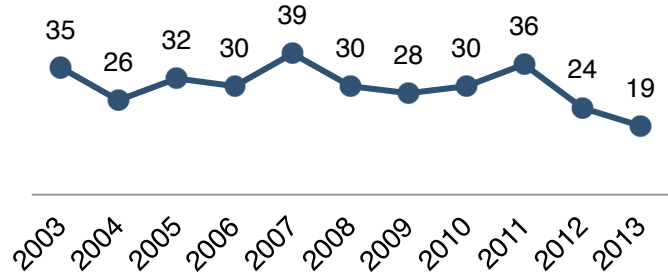
ANIMAL ATTACK, 2003-2013

Figure 1.4

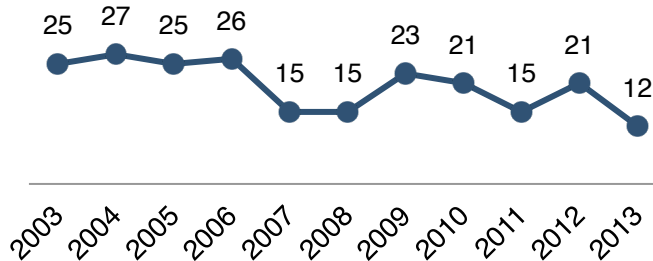
UNINTENTIONAL DISCHARGES, 2003-2013

Figure 1.5

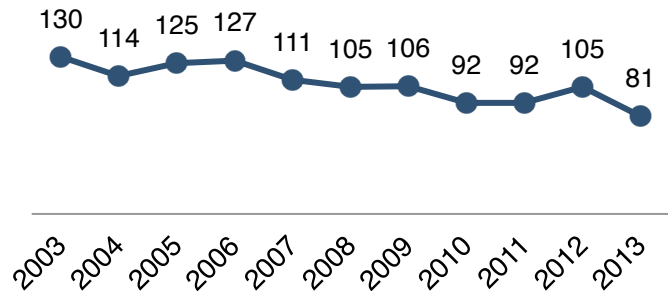
TOTAL DISCHARGES, 2003-2013

Figure 1.6

2012 v. 2013 SNAPSHOT

CATEGORY	2012	2013	CHANGE
Intentional Discharge – Adversarial Conflict	45	40	-11%
Intentional Discharge – Animal Attack	24	19	-21%
Unintentional Discharge	21	12	-43%
Unauthorized Use of a Firearm	15	10	-33%
Total Firearms Discharges	105	81	-23%
Total Officers Firing	120	98	-18%
Total Shots Fired	444	248	-44%
Total Officers Shot and Injured by Subjects	13	3	-77%
Total Officers Shot and Killed by Subjects	0	0	None
Total Subjects Shot and Injured by Officers	14	17	21%
Total Subjects Shot and Killed by Officers	16	8	-50%

Figure 1.7

2013 BY CATEGORY

INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT

Subject Used/Threatened the Use of a Firearm	21
Subject Used/Threatened the Use of a Cutting Instrument	5
Subject Used/Threatened the Use of a Blunt Instrument or Vehicle	6
Subject Used/Threatened the Use of Overwhelming Physical Force	3
Simulated Firearm/Perceived Threat of Deadly Physical Force	5
Total	40

INTENTIONAL DISCHARGE – ANIMAL ATTACK

Dog Attack	19
Other Animal Attack	0
Total	19

UNINTENTIONAL DISCHARGE

During Adversarial Conflict	6
Handling Firearm	6
Total	12

UNAUTHORIZED USE OF A FIREARM

Suicide	6
Attempted Suicide	2
Other Unauthorized Intentional Discharge	1
Unauthorized Person Discharged Officer's Firearm	1
Total	10

Total Firearms Discharges	81
----------------------------------	-----------

2013 FIREARMS DISCHARGE SCOPE	
New York City Population (U.S. Census, July 1, 2013)	8,405,837
NYPD Average Annual Uniformed Staffing	35,182
Total Radio Assignments	4,580,953
Radio Assignments Involving Weapons	80,768
Arrests Involving Weapons Used/Displayed/Possessed	25,568
Gun Arrests	5,078
Criminal Shooting Incidents	1,103
Adversarial Conflict: Total Number of Officers Who Intentionally Fired	55
Adversarial Conflict: Total Number of Firearms Discharge Incidents	40
Subjects Shot and Injured	17
Subjects Shot and Killed	8
Officers Shot and Injured	3
Officers Shot and Killed	0

Figure 1.8

2013 REPORT

TOTAL FIREARMS DISCHARGES

In 2013, the New York City Police Department saw the smallest number of firearms discharges since the recording of police shootings in the City began. Furthermore, the most serious category of discharges (shootings involving adversarial conflict with a subject) has also seen a steep decline, down 34 percent since 2003. In a city of 8.3 million people, from a Department of approximately 35,000 officers, 55 officers were involved in 40 incidents of intentional firearms discharges during an adversarial conflict, with 17 subjects injured and eight killed.

The figures are a testament to police officers' restraint, diligence, and honorable performance of duty. But 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 two decades is sociologically reflexive: as crime decreases, criminals and police enter into conflict less often.

The report is subdivided into five categories. Each category is analyzed based only on the information in that category, allowing the Department to better understand a specific type of incident and adjust training and policy to continue to reduce those incidents. The relatively small sample studied for the report (81 discharge incidents, 40 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 reports, detective's 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 Firearm Discharge reports.

Due to rounding, some charts may not precisely equal 100 percent.

CATEGORIES

- **Intentional Discharge – Adversarial Conflict:** when an officer intentionally discharges his or her firearm during a confrontation with a subject
- **Intentional Discharge – Animal Attack:** when an officer intentionally discharges his or her firearm to defend against an animal attack
- **Unintentional Discharge:** when an officer unintentionally discharges his or her firearm
- **Unauthorized Use Of A Firearm:** when an officer discharges his or her firearm outside the scope of his or her employment, or when another person illegally discharges an officer's firearm
- **Mistaken Identity:** when an officer intentionally fires on another officer in the mistaken belief that the other officer is a criminal subject

The 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 2013, no such discharge occurred.

PART II: INTENTIONAL DISCHARGE – ADVERSARIAL CONFLICT

OVERVIEW

There were 40 incidents of intentional firearms discharge during adversarial conflict (ID-AC) in 2013, an 11 percent decrease from 2012. A total of 55 officers intentionally fired their weapons during these incidents, down eight percent from 2012.

Thirty-nine known subjects were involved in ID-AC incidents, and one incident involved an unknown number of subjects. Twenty-five subjects were shot in 2013, a 17 percent decrease from 2012. Although there was a 21 percent increase in the number of subjects injured by police gunfire, there was a 50 percent decrease in the number of subjects shot and killed.

Three officers were shot and injured by criminals in 2013, down from 13 in 2012. Two of the three injured officers were shot within the category of adversarial conflict, both during the same incident; one of these officers was saved by his bullet-resistant vest. The other shooting occurred when a criminal managed to get control of an officer's firearm and shot and injured his partner with it; this shooting falls within the Unauthorized Discharge category (Part V of this report). No officer was struck by crossfire in 2013, nor was any officer killed during an ID-AC incident.

On seven occasions, officers intervened in attacks on civilians (three in stabbings, three in firearms attacks, and one in an attack with a metal chain). Six times officers interrupted subjects who were firing indiscriminately into the air.

DATES AND TIMES OF DISCHARGES

The distribution of ID-AC incidents was fairly even throughout the year. Between one and six incidents occurred in every month except July, when there were no firearms discharges of any category.

ID-AC Incidents were most likely to occur on Saturday (13 incidents), and least likely to occur on Sunday or Monday (two incidents each).

More than half occurred during the third platoon, between three thirty in the afternoon and eleven thirty at night. See Figure 2.1. No officer had been working more than eight hours at the time of the incident.

ID-AC INCIDENTS BY TOUR

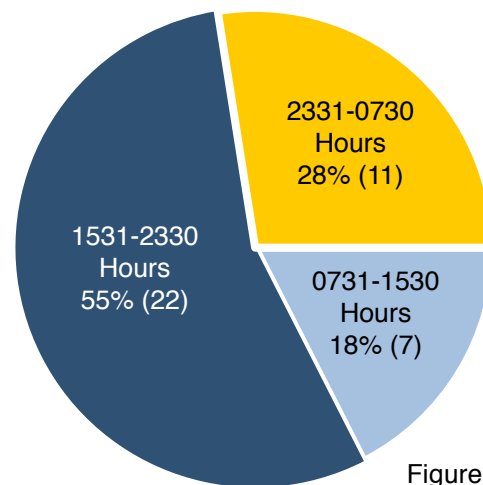


Figure 2.1

LOCATIONS OF DISCHARGES

ID-AC INCIDENTS BY BOROUGH

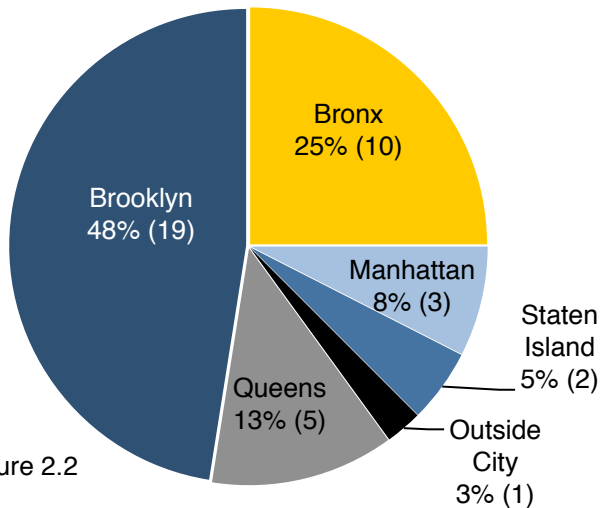


Figure 2.2

In 2013, 39 ID-AC incidents occurred within New York City, and one occurred in Suffolk County.

Nearly half of all ID-AC incidents occurred in Brooklyn, and a quarter occurred in the Bronx. See Figure 2.2.

ID-AC incidents occurred in 26 separate precincts, including seven precincts that had multiple ID-AC incidents. The 73rd Precinct in Brownsville, Brooklyn had the most incidents with five, and the 75th Precinct in East New York, Brooklyn had the second most, with four.

LOCATIONS OF CRIMINAL SHOOTINGS

The locations of ID-AC incidents tend to be associated with larger geographic crime patterns, which can be seen by comparing ID-AC locations to the locations of criminal shootings. See Figure 2.3, which depicts the location of the 1,103 criminal shooting incidents that occurred in New York City in 2013, resulting in 1,299 people shot, and the location of the 40 ID-AC incidents. The map shows that police firearms discharges occur most often in those areas of the City most plagued by gun violence.

Since the Annual Firearms Discharge Report first introduced this map in 2007, the data has consistently identified the same correlation. The frequency of criminal gun activity within New York City directly and proportionally affects the frequency and location of police involved shootings. As illustrated by Figure 2.4, the correlation is explicit with regard to relative rate, as well – police-involved shootings and criminal shootings are dispersed similarly by borough. Despite this correlation, the number of ID-AC incidents (40) is small when compared to the number of criminal shootings (1,103). Only three percent of the City's shooting incidents involve the police. See Figure 2.5. Note that the ID-AC incident that occurred outside the City is not included in figures 2.3, 2.4 and 2.5.

ID-AC INCIDENTS v. CRIMINAL SHOOTING INCIDENTS

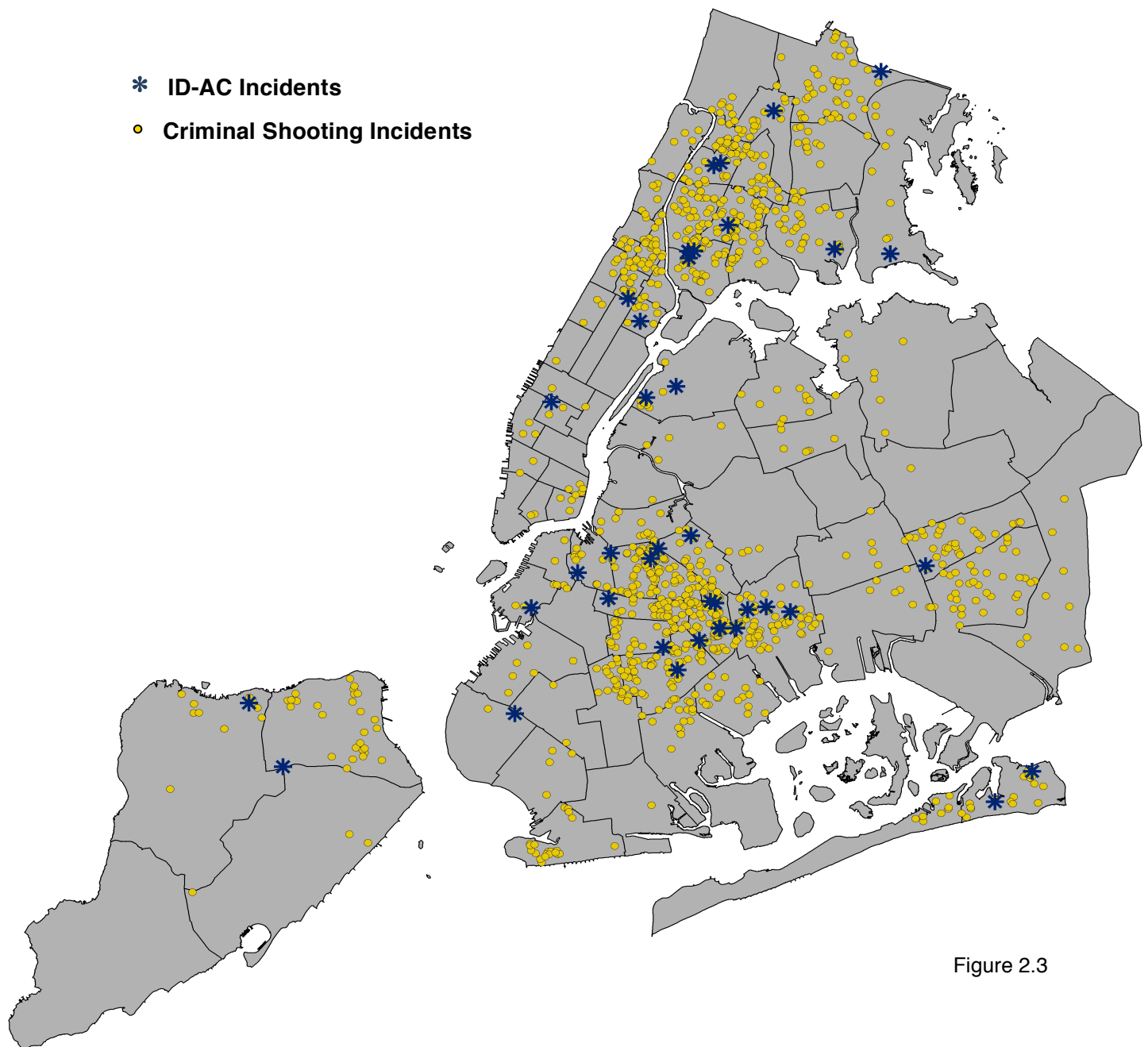


Figure 2.3

CRIMINAL SHOOTING INCIDENTS v. ID-AC INCIDENTS, PERCENTAGE BY BOROUGH

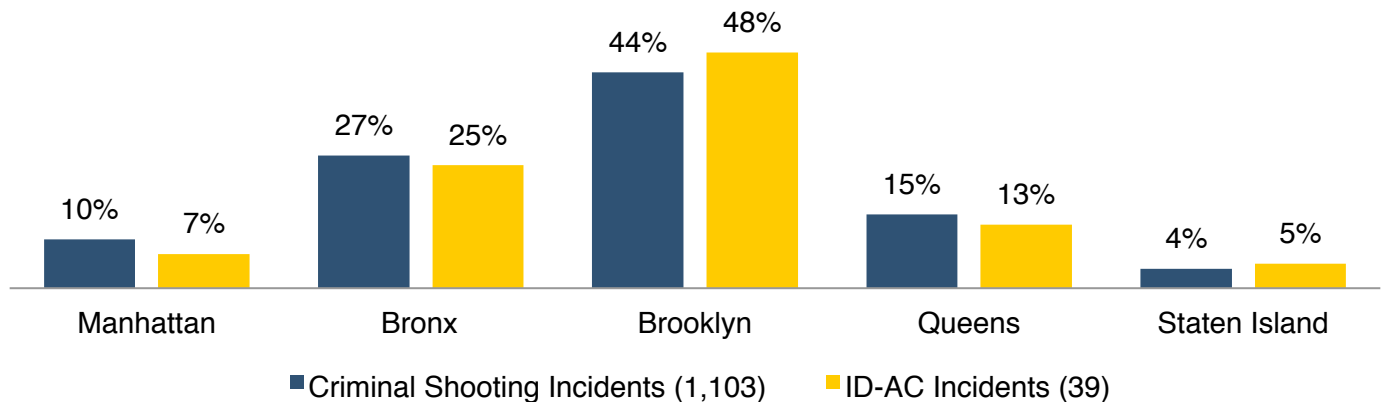


Figure 2.4

CRIMINAL SHOOTING INCIDENTS v. ID-AC INCIDENTS, FREQUENCY BY BOROUGH

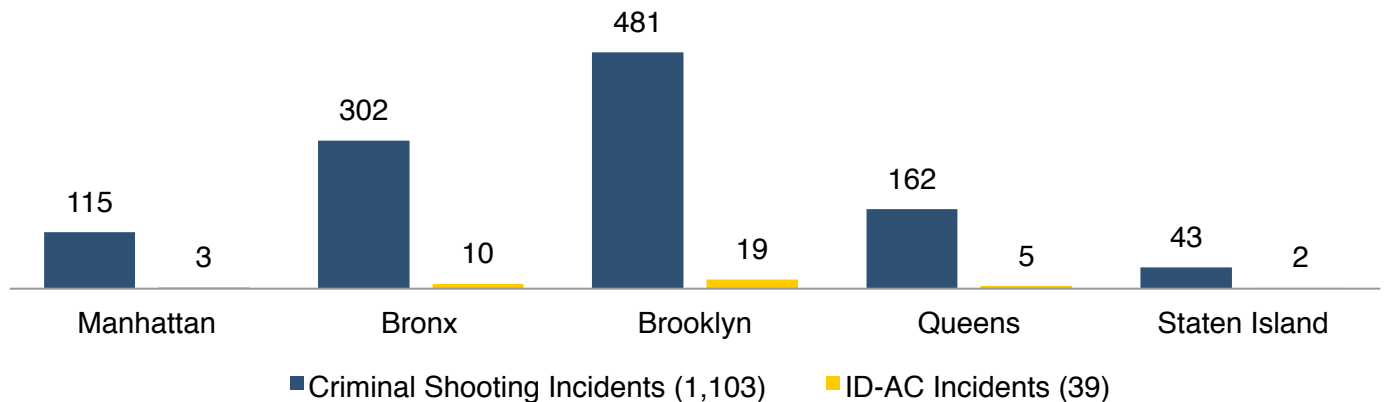


Figure 2.5

LOCATION TYPE

The majority of ID-AC incidents occurred outdoors (78 percent), all but two of which occurred on streets and sidewalks. See Figure 2.6.

Thirty-two ID-AC incidents were within the jurisdiction of the patrol precincts, six were on New York City Housing Authority (NYCHA) premises, and one was within the Metropolitan Transportation Authority transit system. Of the six ID-AC incidents that occurred on NYCHA property, three were in Brooklyn (two in the Brownsville Houses and one in the Cypress Hills Houses), two were in the Bronx (one in the Castle Hill Houses and one in the Patterson Houses), and one was in Queens (in the Beach 41st Street Houses).

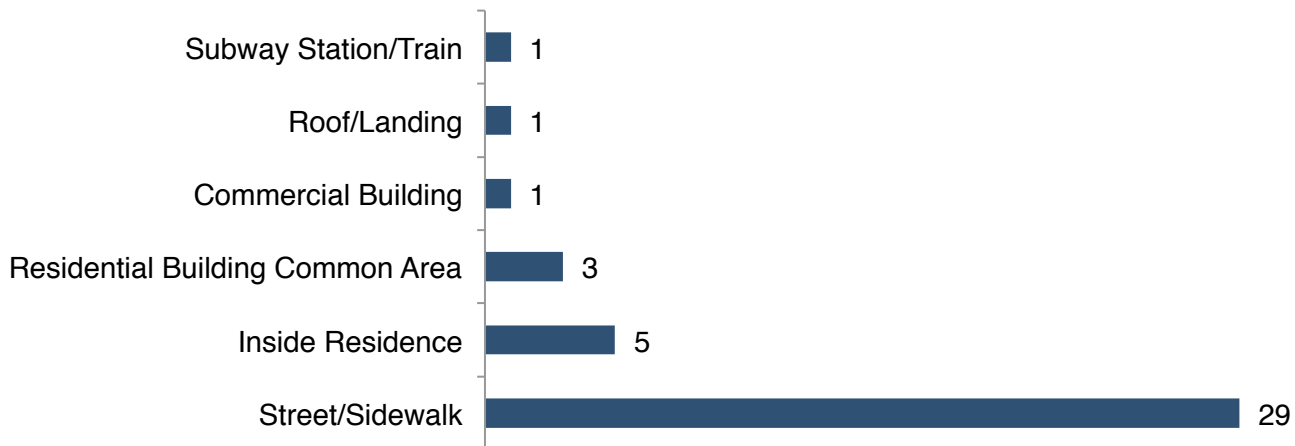
ID-AC INCIDENTS BY LOCATION TYPE

Figure 2.6

REASONS OFFICER INVOLVED

Officers became involved in ID-AC incidents for a variety of reasons. Most (96 percent) were on-duty at the time of the incidents. Of the three officers who became involved while off-duty, two were victims of crimes, and one intervened to protect a victim of a crime. The majority of the on-duty officers (65 percent) were in uniform, and most were assigned to the Patrol, Housing, or Transit Bureaus (91 percent).

The majority of officers (52 percent) were either on uniformed foot posts or in sector cars assigned to respond to calls for service from the public when they became involved in ID-AC incidents. Although officers assigned to plain-clothes anti-crime and conditions units represent a small proportion of the Department's uniformed personnel, 33 percent of ID-AC incidents involved these officers; this is likely due to their mandate to proactively seek criminals rather than answer calls for service. There was one case of an officer becoming involved while assigned to court, and another while assigned to secure a vehicle, illustrating an officer's perpetual need for vigilance. See Figure 2.7.

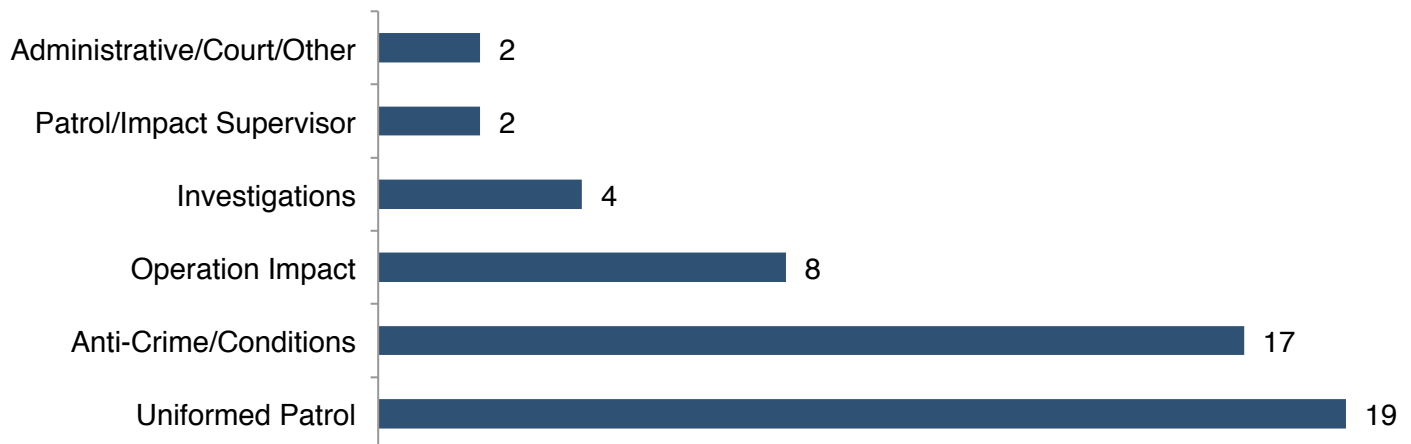
ON-DUTY OFFICER ASSIGNMENT, ID-AC INCIDENTS

Figure 2.7

A wide variety of situations precipitated officers becoming involved in ID-AC incidents. The most common was encountering armed subjects or shots fired while on routine patrol (30%). See Figure 2.8. The “Radio Run – Other” category includes two 911 calls for disputes, one call for threats, and one call for a stabbing. 65 percent of incidents occurred as the result of pick-up assignments (situations officers encounter on patrol without being directed to a location by a radio dispatcher). Four of the pick-up assignments were for emotionally disturbed persons; one was attacking passers-by with a metal chain, one attacked a woman with scissors, one attacked officers with a cane, and one pointed what appeared to be a firearm at officers.

SITUATIONS PRECIPITATING ON-DUTY ID-AC INCIDENTS

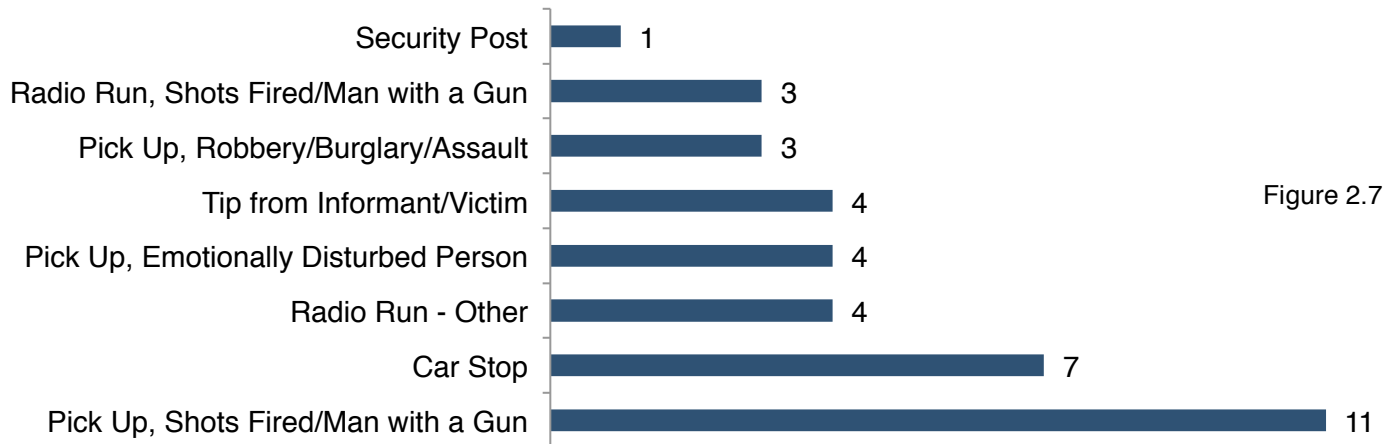


Figure 2.7

Figure 2.8

THREAT TYPE

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

The subjects involved in ID-AC incidents utilized a variety of weapons when confronting officers. Twenty-one subjects carried handguns: ten were semi-automatic pistols, ten were revolvers, and one was unrecovered and described as a silver handgun. Four of the threats categorized as “perceived” came from simulated firearms, and four of the threats categorized as blunt instruments came from moving vehicles. See Figure 2.9.

THREAT TYPE, ID-AC INCIDENTS

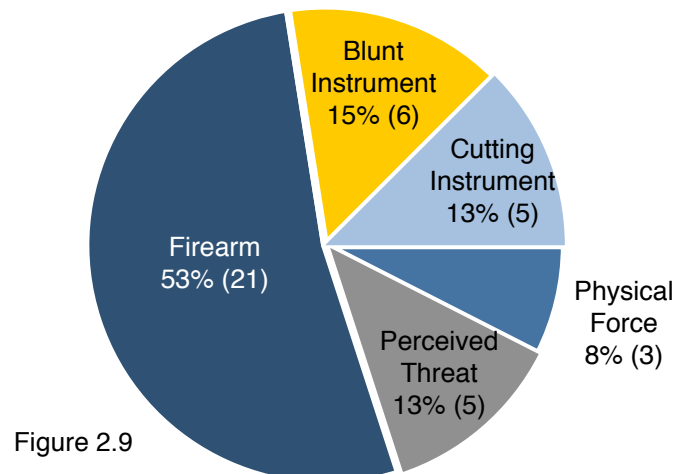


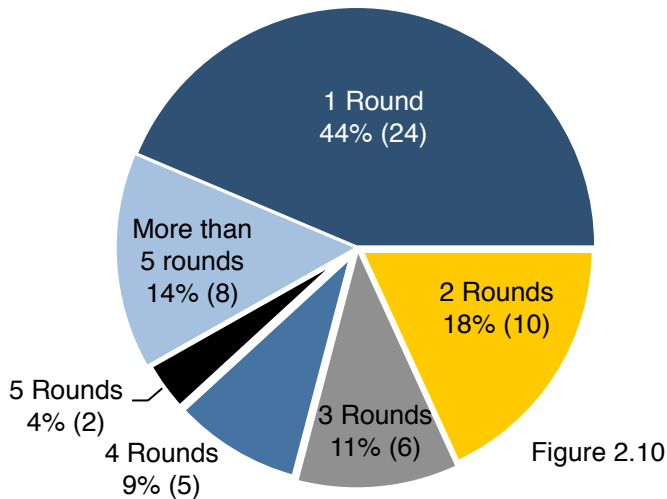
Figure 2.9

OFFICER RESTRAINT

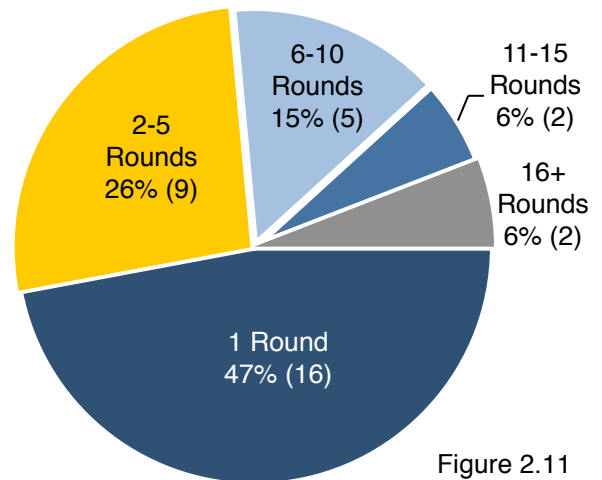
Officers fired a total of 162 rounds during ID-AC incidents in 2013, a decrease of 51 percent from 2012, when 331 rounds were fired. The majority of officers fired five or fewer rounds (86 percent). The most common number of rounds fired was one (44 percent). No officer fired more than 16 times, or was required to reload their firearm during an incident. See Figure 2.10.

Restraint is also apparent when analyzing the number of shots fired per ID-AC incident. The most common number of rounds fired per ID-AC incident was also one (47 percent); this includes two fatal shootings in which only one round was fired. The most rounds fired during any incident was 17. See Figure 2.11.

ROUNDS FIRED PER ID-AC OFFICER



ROUNDS FIRED PER ID-AC INCIDENT



OBJECTIVE COMPLETION RATE

The Department does not consider average hit percentages, in part because it is often unknown (in cases when a subject flees), and also because of the widely varying circumstances between 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 hits and 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 2013, officers hit at least one subject in 25 of the 40 ID-AC incidents, for an objective completion rate of 63 percent. Because subjects were not apprehended in four incidents, the objective completion rate may be higher. During the five incidents in 2013 in which officers were being fired upon, officers hit at least one subject three times, for an objective completion rate of 60 percent. All five subjects known to have fired at the police were apprehended.

OFFICER FIREARMS

The majority of officers (96 percent) involved in all ID-AC incidents (both on and off duty) discharged their on-duty service firearms: 24 were Glocks, 19 were Smith & Wessons, and ten were Sig Sauers. The remaining two officers discharged authorized off-duty firearms; one was a Glock and one was a Sig Sauer. 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. Two officers reported firearms malfunctions – one was a Glock and one was a Sig Sauer. Neither malfunction ultimately prevented the officer from firing his weapon.

SHOOTING TECHNIQUE

Utilizing a two-handed grip, standing, carefully lining up a target, and using the firearm's sights is not always practical during an adversarial conflict. Thirty-five of the 55 officers reported how they held their firearms; 80 percent of those held their firearms in the two-hand supported position, and the rest fired with one hand. Thirty-five officers reported sight usage; of those, 29 percent reported that they had been able to use their sights. Fifty-four officers reported their stance; 76 percent of those were standing, 11 percent were running, 11 percent were struggling with the subject, and two percent were seated.

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. Only six officers reported that they were able to take cover during ID-AC incidents, three behind vehicles, two behind a wall, and one did not specify the type of cover used.

Thirty-nine officers were able to report 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 25 yards, all but one officer reported that he was 15 yards or less from the target at the time of the shooting. See Figure 2.12.

Forty-two officers reported lighting conditions; 38 percent reported poor or dark lighting, and 25 percent of those reported that they were able to use their flashlights.

ID-AC DISTANCE TO TARGET

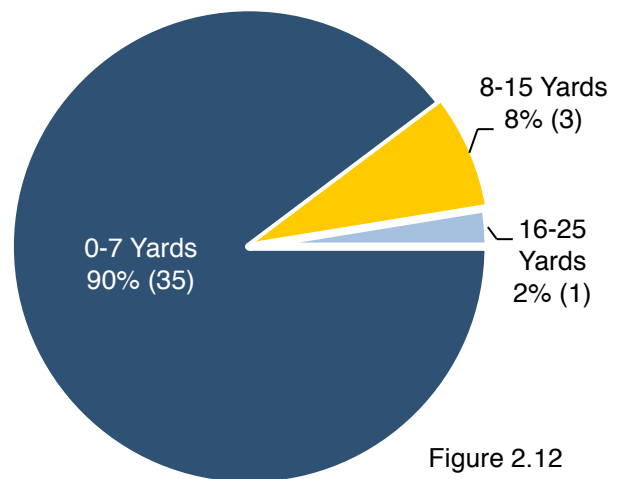


Figure 2.12

OFFICER PEDIGREE

Of the 55 officers who intentionally discharged their firearms during ID-AC incidents in 2013, two were female (4 percent) and 53 were male (96 percent); 17 percent of the Department's uniformed personnel are female and 83 percent are male.

Considering current data and data from prior years, no discernable pattern emerges with regard to the likelihood that an officer of any particular race will become involved in an ID-AC incident. See Figure 2.13.

There is a greater likelihood that officers in the rank of police officer and those with fewer years of service will become involved in ID-AC incidents. Officers in the rank of police officer were involved in 82 percent of ID-AC incidents in 2013, although they accounted for 66 percent of uniformed members of the service, and officers with ten years of service or less were involved in 82 percent of ID-AC incidents, although they accounted for 54 percent of uniformed members of the service. These officers are more likely to be assigned to patrol functions and to conduct other assignments that are the most likely to precipitate ID-AC incidents compared to longer tenured officers and those of higher rank. See Figures 2.14 and 2.15.

RACE, ID-AC OFFICERS v. DEPARTMENT STAFFING

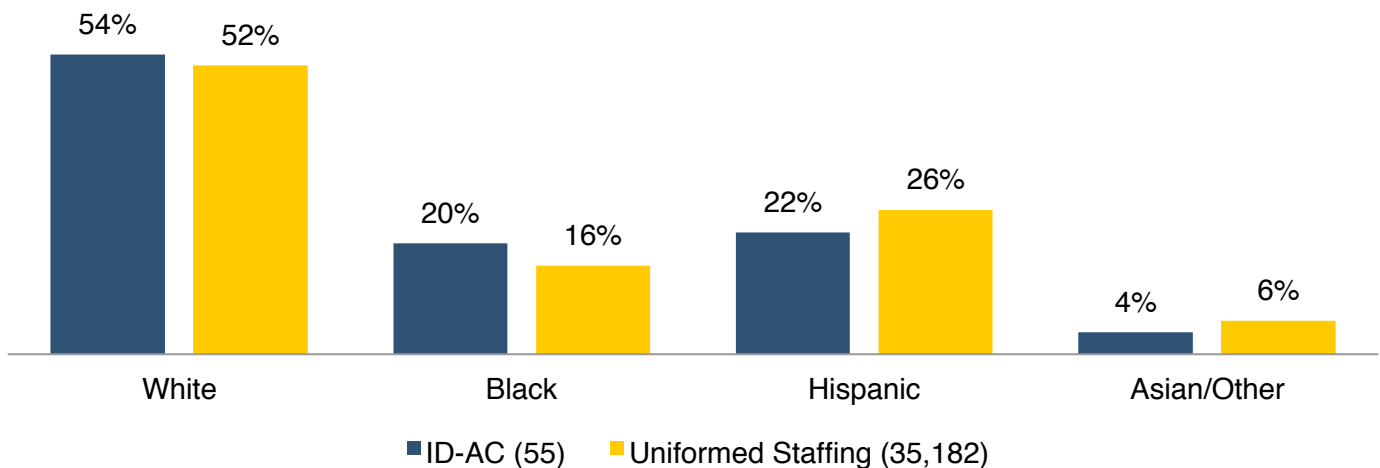


Figure 2.13

YEARS OF SERVICE, ID-AC INCIDENTS v. DEPARTMENT STAFFING

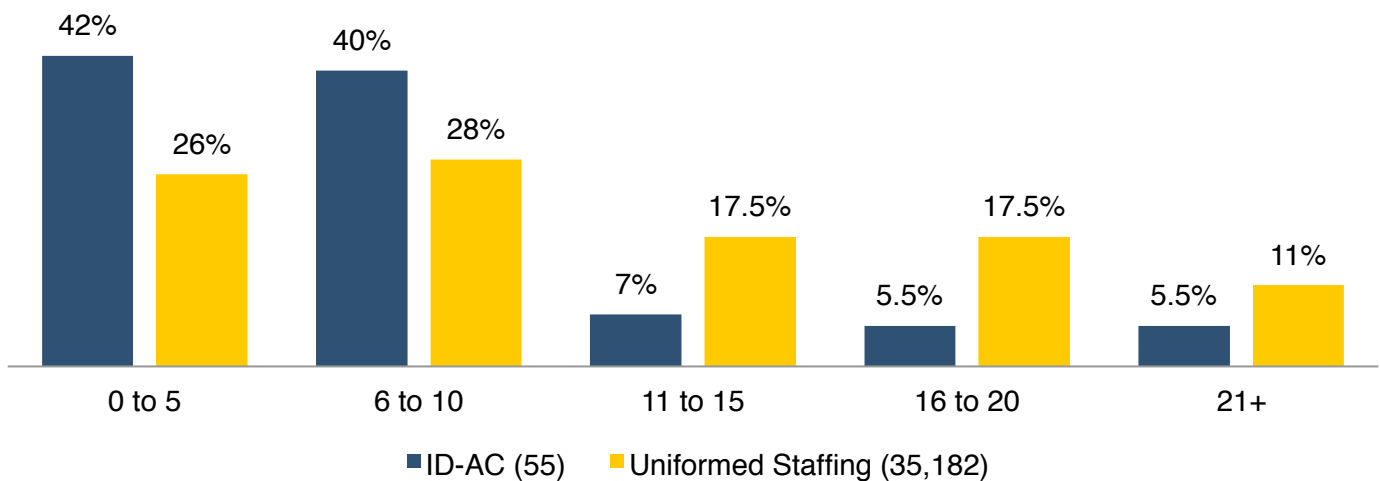


Figure 2.14

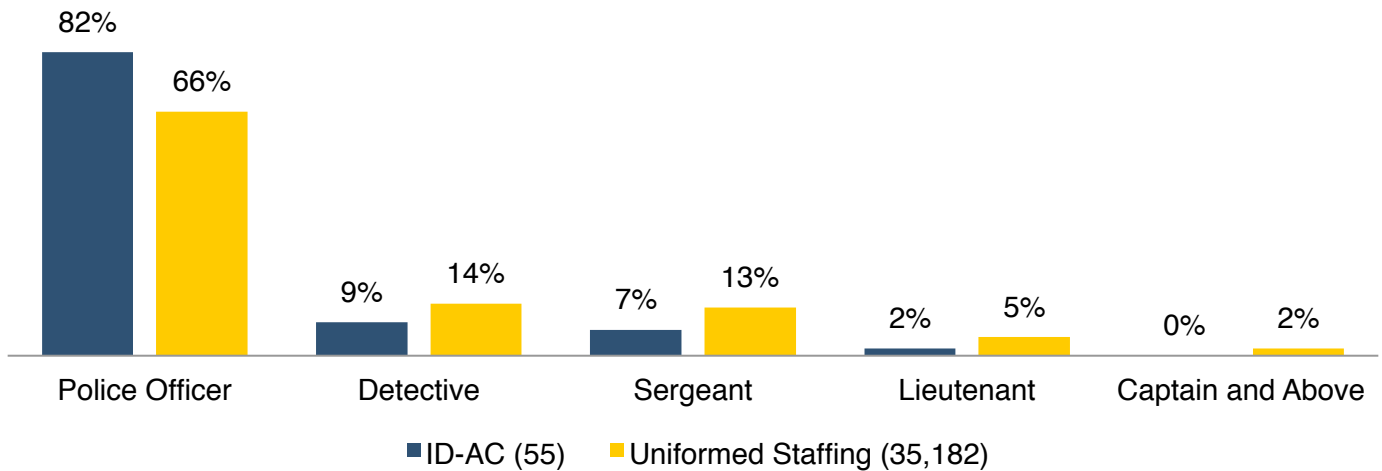
RANK, ID-AC OFFICERS v. DEPARTMENT STAFFING

Figure 2.15

SUBJECT PEDIGREE

There were 36 apprehended subjects involved in ID-AC incidents in 2013; four incidents involved unapprehended subjects. Two unapprehended subjects are known by sex and race, one is known by sex but not race, and one incident involved a vehicle with an unknown number of subjects who are not known by sex or race.

All 39 known subjects were male. Of the 36 apprehended subjects, ages ranged from 14 to 50 years old, with a median age of 27; 44 percent were 25 years old or younger.

The race of a criminal suspect is determined by eyewitness reports, usually that of the victim. The race of a subject is determined by the officer who encountered the subject. This determination may be based on a subject's self-identification, existing government-issued documentation, racial/ethnic physical characteristics or other factors.

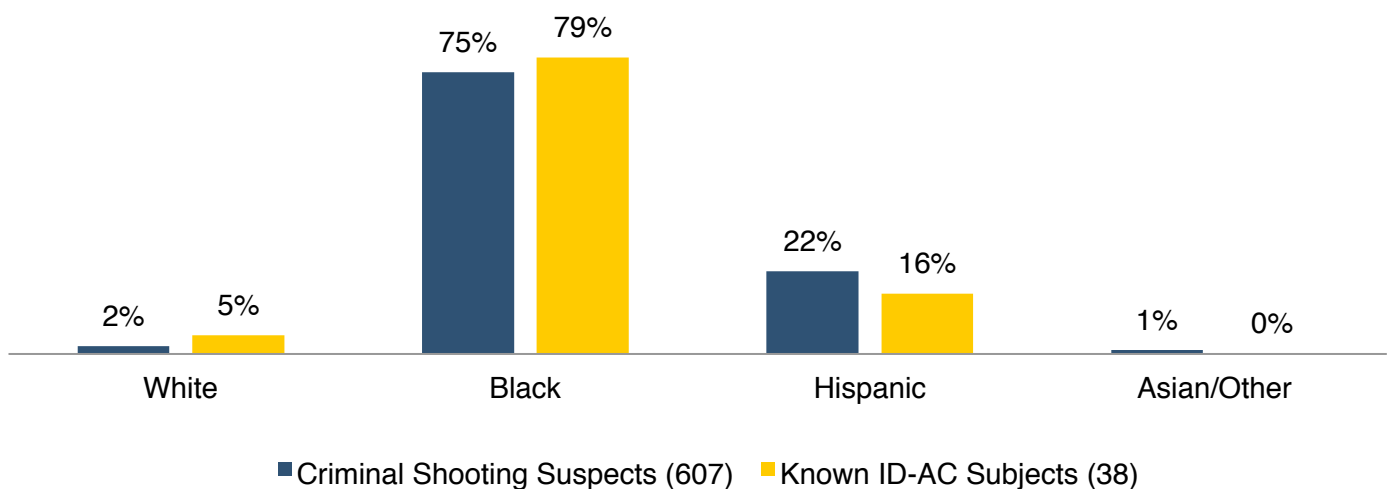
CRIMINAL SHOOTING SUSPECTS v. ID-AC SUBJECTS BY RACE

Figure 2.16

The race of subjects involved in ID-ACs corresponds to the race of subjects involved in criminal shootings. See Figure 2.16. 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 2013, three percent were white, 74 percent were black, 22 percent were Hispanic, and one percent were Asian.

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.

Four subjects were unapprehended and their criminal histories could not be identified. Of the known subjects, three had no criminal history, one of whom had a history of mental illness and attacked several civilians with a metal chain. The other two subjects without criminal histories were in the process of committing crimes when the shootings occurred; one had just stabbed a woman and menaced responding officers with a knife, and the other fled a car stop and pointed a handgun at the officers who attempted to stop him.

Of the 33 subjects with a criminal history, 32 had multiple prior arrests, ranging from two to 33, for numerous offenses including murder, robbery, and weapons possession. The median number of prior arrests for ID-AC subjects was nine.

INCIDENT OUTCOMES

Of the 40 ID-AC incidents in 2013, 28 resulted in some injury or death; to a police officer, a subject, or both.

OFFICER DEATH

No officers were killed by a perpetrator during an adversarial conflict in 2013.

OFFICER INJURIES

Three officers were injured by gunfire during adversarial conflicts in 2013. Two were struck by a subject's bullets in the same incident, and one was shot in the hand during a violent off-duty struggle with a subject. One of the officers who was struck by a subject's bullets was able to return fire, resulting in the death of the subject. No officers were injured by crossfire.

BULLET-RESISTANT VESTS

All 52 on-duty officers who were involved in ID-AC incidents in 2013 were wearing bullet-resistant vests. The three off-duty officers involved in ID-AC incidents were not wearing vests. One officer was saved by his vest; he was struck in the back of his vest by a subject's bullet and suffered a blunt force trauma injury as a result.

SUBJECT DEATH

Of the 39 known subjects involved in ID-AC incidents, eight were killed by police gunfire, down 50 percent from 2012, when 16 subjects were shot and killed by the police. The number of subjects shot and killed in 2013 was, along with 2010, the lowest number since the Department began collecting in-depth statistics in 1971. All eight subjects had prior arrest histories, and two were found to be intoxicated at the time of the incidents. Of the eight subjects killed, six were armed with firearms and two were armed with cutting instruments. Narratives describing the eight ID-AC incidents in which subjects were killed can be found in Appendix C.

SUBJECT INJURIES

Seventeen subjects were shot and injured by police gunfire in 2013, 15 of whom had criminal records. Nine were armed with firearms, three were armed with blunt instruments, three were armed with cutting instruments, and one had an imitation firearm.

BYSTANDER INJURIES

Two bystanders were injured by police bullets in 2013, both during the same incident involving an emotionally disturbed subject. One suffered a graze wound to the buttocks and the other a gunshot wound to the right calf.

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 nine investigations that have been completed at the time of this report (June 2014), all nine have found that the involved officers were in compliance with Department procedures and with the law. Forty-six cases are pending.

SUMMARY

There were 40 ID-AC incidents in 2013, involving 55 officers who discharged their firearms. These conflicts involved 39 known subjects, including five who fired directly at officers.

In 2013, there were 1,299 victims of criminal shootings in New York City, who were shot during 1,103 criminal shooting incidents. The number of intentional firearms 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. 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.

One method of judging the Department's restraint is to compare the number of ID-AC incidents to Department staffing. There were, on average, 35,182 uniformed officers employed by the NYPD in 2013. Of them, only 55 (0.15 percent) intentionally discharged a firearm at a subject.

Other instructive ratios are the number of ID-AC incidents to the number of high-risk radio runs and the number of arrests of armed suspects made by officers each year. In 2013, officers responded to more than 4.5 million calls for service, of which 80,768 involved weapons. Officers also had millions of additional contacts with the public, including reasonable suspicion encounters, car stops, and summonses. Officers made 25,568 weapons arrests, including 5,078 gun arrests, and escorted thousands of emotionally disturbed persons to hospitals; in the vast 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. 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 19 intentional firearms discharges during an animal attack (ID-AA) in 2013, a 21 percent decrease from 2012. All 19 were on-duty incidents, one of which involved both on and off-duty members of the service. A total of 22 officers discharged their firearms, a 21 percent decrease from 2012. Three incidents involved two shooters, and 16 incidents involved one shooter.

A total of 23 animals were involved, all of them dogs; there were two incidents involving two dogs, and one incident involving three dogs. Four officers and four civilians were bitten. No officers or civilians were shot during ID-AA incidents. Of the 23 dogs involved, seven were killed, a decrease of 22 percent from 2012. An additional eight dogs were injured. Twenty-two of the dogs were Pit Bulls, and one was a Bull Mastiff.

These numbers do not encompass all dog attacks on officers or civilians; only incidents involving intentional firearms discharges by police officers. In 2013, 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 911 or 311.

ID-AA INCIDENTS BY TOUR

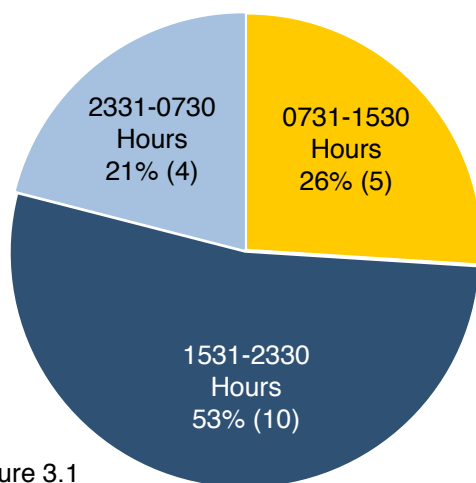


Figure 3.1

DATES AND TIMES OF DISCHARGES

ID-AA incidents occurred fairly evenly throughout the year in 2013. April had the most incidents with five, and February, July, and November had no incidents.

ID-AA incidents occurred most often on Tuesday (four incidents), with two or three incidents all other days. The majority of these incidents occurred during the third platoon, between three thirty in the afternoon and eleven thirty at night (53 percent). See Figure 3.1.

LOCATIONS OF DISCHARGES

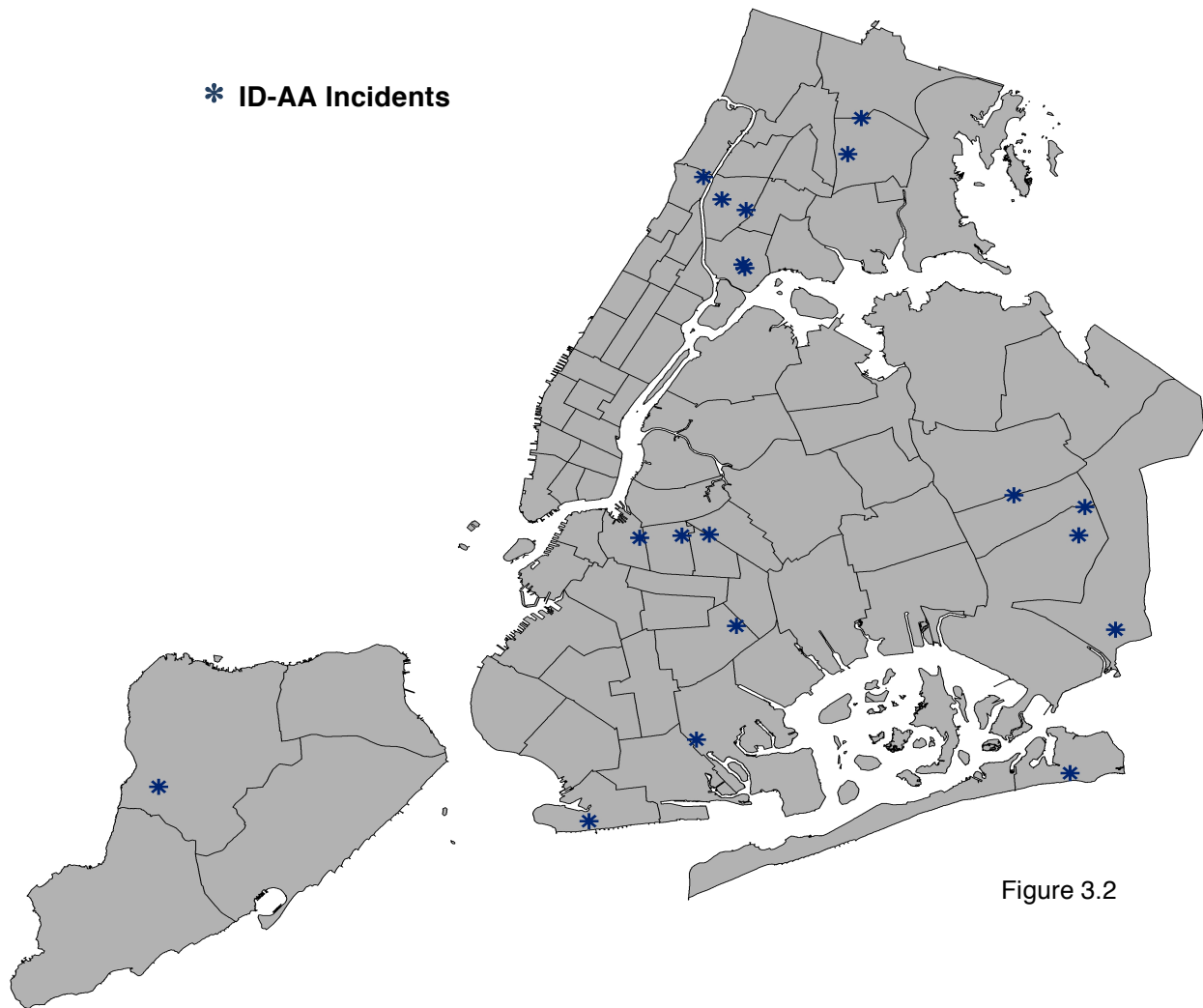


Figure 3.2

All 19 ID-AA incidents in 2013 took place within New York City – 17 within the jurisdiction of the patrol precincts and two on New York City Housing Authority premises (one in the Coney Island Houses and one in Washington Heights Rehab). No incidents took place within the Metropolitan Transportation Authority transit system. In 2013, Brooklyn and the Bronx accounted for the most ID-AA incidents (six incidents each). See Figure 3.3. ID-AA incidents occurred in 16 separate precincts, including three precincts that had two incidents (the 40, 44 and 113 precincts). Eleven ID-AA incidents occurred outdoors, and eight occurred indoors. More occurred in the common areas of residential buildings (58 percent) than any other location type; this category includes both outdoor (courtyards) and indoor (hallways) locations. See Figure 3.4.

ID-AA INCIDENTS BY BOROUGH

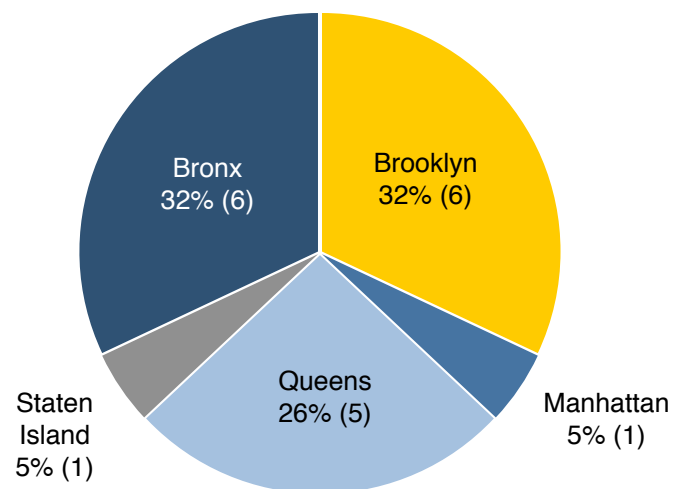


Figure 3.3

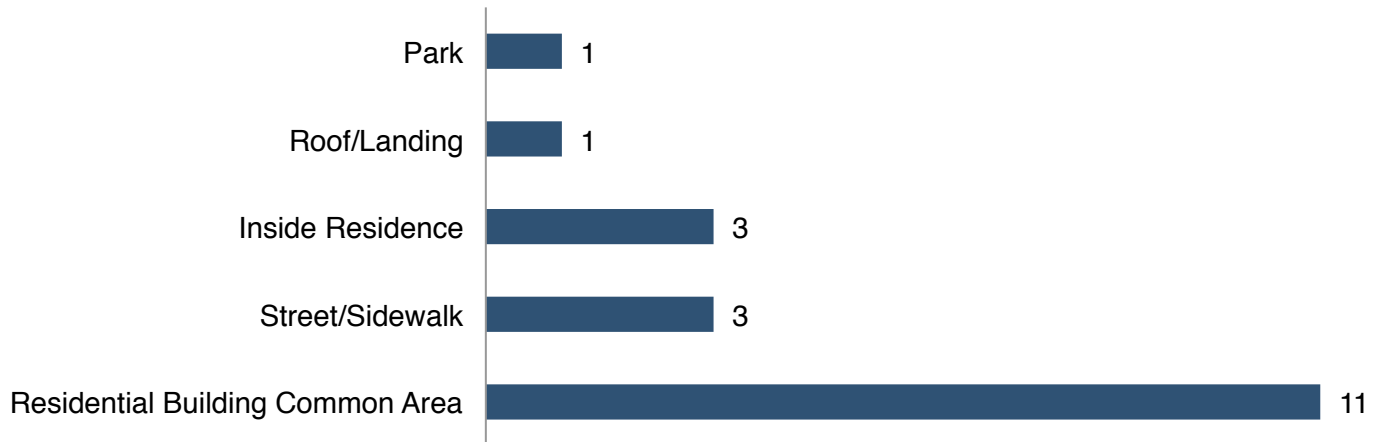
ID-AA INCIDENTS BY LOCATION TYPE

Figure 3.4

REASONS OFFICER INVOLVED

Officers became involved in ID-AA incidents for a variety of reasons. Twenty-one officers were on-duty at the time of the incident, and one was off-duty. One incident involved one on-duty officer and one off-duty officer, both of whom heard screams from a nearby park from two women who were attempting to break up a dog fight and ran to help. Fifteen officers were in uniform, and seven officers, including the off-duty officer, were in plainclothes. Seventeen were assigned to the Patrol Services Bureau, and five to the Organized Crime Control Bureau (three to Narcotics and two to Warrants).

Officers were assigned to a variety of duties when they became involved in ID-AA incidents, the most common of which was uniformed patrol (eight officers). See Figure 3.5.

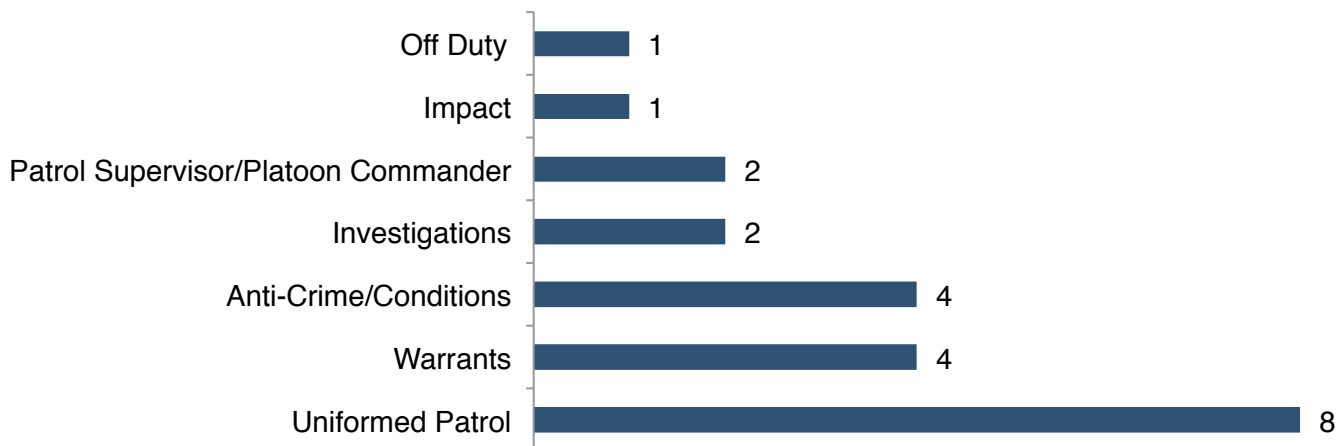
OFFICER ASSIGNMENT, ID-AA INCIDENTS

Figure 3.5

The most common reasons that led to officers becoming involved in ID-AA incidents were search warrants and 911 calls for vicious animals (four incidents each). See Figure 3.6. The “Radio Run – Other” category includes two 911 calls for emotionally disturbed persons and three calls for crimes in progress. Both of the ID-AA incidents precipitated by vertical patrols occurred in New York City Housing Authority locations.

Forty-seven percent of ID-AA incidents were received via radio assignment, 32 percent occurred while officers were conducting canvasses or investigations, and 21 percent occurred when officers encountered dogs while on patrol.

SITUATIONS PRECIPITATING ID-AA INCIDENTS

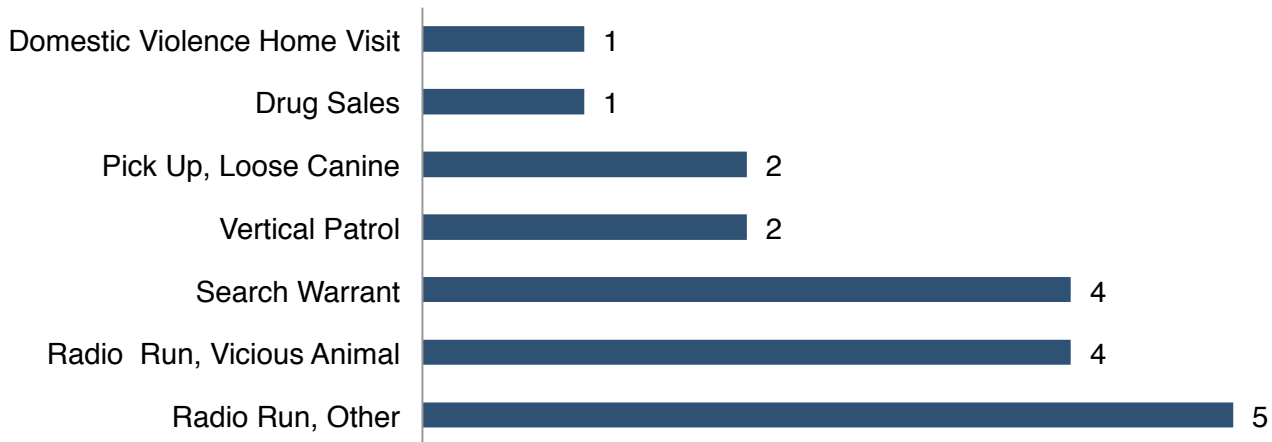


Figure 3.6

ROUNDS FIRED PER ID-AA OFFICER

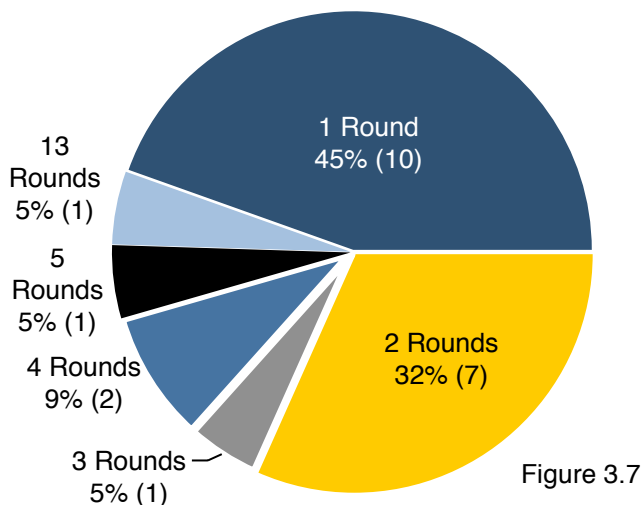


Figure 3.7

OFFICER RESTRAINT

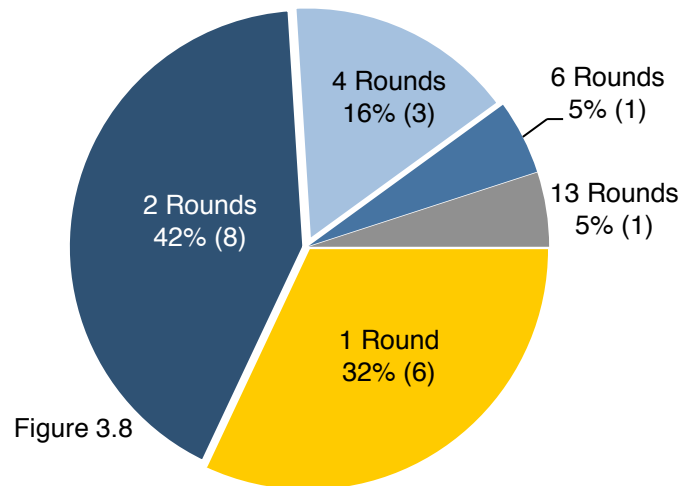
A total of 53 rounds were fired by officers during ID-AA incidents in 2013, a decrease of 32 percent from 2012, when 78 rounds were fired. The majority of officers fired either one or two rounds (77 percent). The most common number of rounds fired was one (45 percent). No officer fired more than 13 times, or was required to reload their firearm during an incident. See Figure 3.7.

Restraint is also apparent when analyzing the number of shots fired per ID-AA incident. In 74 percent of incidents, only one or two total rounds were fired. The most common number of rounds fired per incident was two (49 percent). The most rounds fired during any incident was 13. See Figure 3.8.

OBJECTIVE COMPLETION RATE

In 2013, officers hit at least one animal during 15 ID-AA incidents, for an objective completion rate of 79 percent. This is higher than the objective completion rate during ID-AC incidents (63 percent) and higher than for officers under fire (60 percent). One likely explanation is that all 22 officers involved in ID-AA incidents were 7 yards or less from the animal when they fired.

ROUNDS FIRED PER ID-AA INCIDENT



OFFICER FIREARMS

All 22 officers who fired during ID-AA incidents in 2013 utilized their service 9mms – 12 were Glockes, five were Smith & Wessons and five were Sig Sauers. No officer reported a firearm malfunction.

SHOOTING TECHNIQUE

Utilizing a two-handed grip, standing, and lining up a target using the firearm's sights is the preferred method of discharging a firearm, but the fast-paced nature of dog attacks often makes this impossible. Thirty-six percent of officers reported that they held their firearm with one hand during ID-AA incidents, 50 percent reported that they held their firearm with two hands, and 14 percent did not report how they held their firearm. Thirty-six percent of officers reported that they had been able to use their sights, 50 percent were unable to use their sights, and 14 percent did not report sight usage. Fifteen officers reported their stance; 11 were standing, three were moving, and one was kneeling.

All 22 officers fired when the dog was between 0-7 yards of the officer; 64 percent fired when the dog was within one yard of the officer. Only one officer was able to take cover during the attack, behind a bunker shield.

Twenty-one officers reported lighting conditions; five reported poor or dark lighting, and two reported that they used their flashlights.

OFFICER PEDIGREE

Of the 22 officers who intentionally discharged their firearms during ID-AA incidents in 2013, three were female (14 percent) and 19 were male (86 percent); 17 percent of the Department's uniformed personnel are female and 83 percent are male.

Considering current data and data from prior years, no discernable pattern emerges with regard to the likelihood that an officer of any particular race will become involved in an ID-AA incident. 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 calls for animal attacks, to conduct vertical patrols, to effect arrests, and to conduct other assignments that are the most likely to precipitate ID-AA incidents. See Figures 3.9, 3.10 and 3.11.

RACE, ID-AA OFFICERS v. DEPARTMENT STAFFING

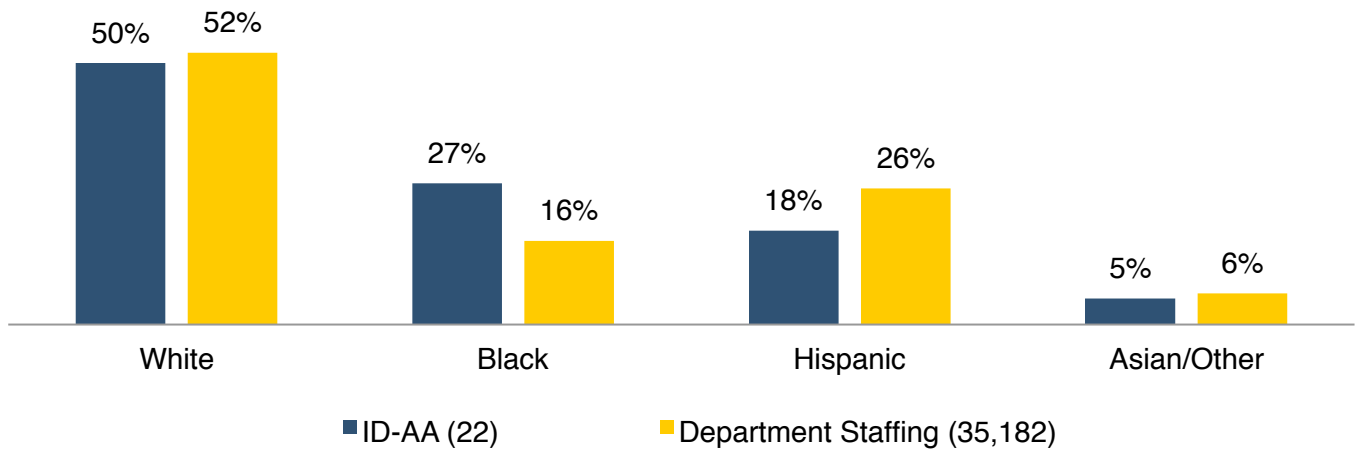


Figure 3.9

YEARS OF SERVICE, ID-AA OFFICERS v. DEPARTMENT STAFFING

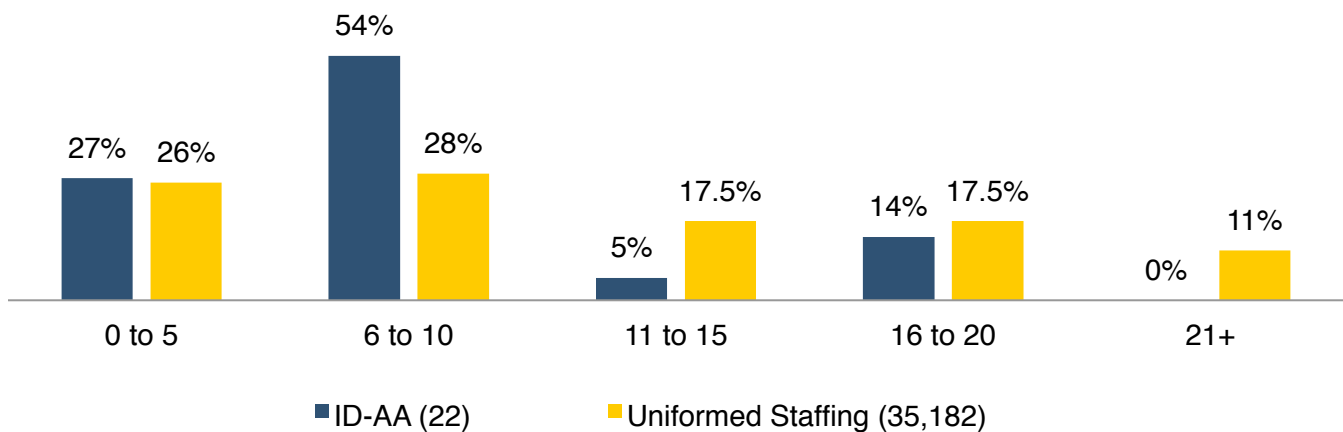


Figure 3.10

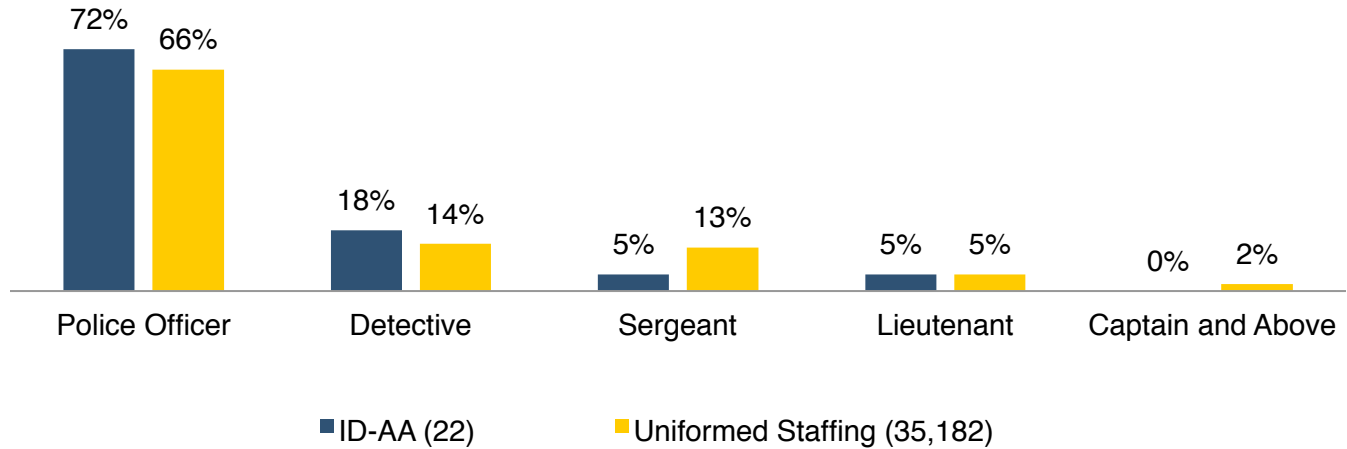
RANK, ID-AA OFFICERS v. DEPARTMENT STAFFING

Figure 3.11

INCIDENT OUTCOMES

As of June 2014, the Firearms Discharge Review Board has issued findings in 15 ID-AA incidents, and found no violation of Department firearms guidelines in 14 cases. No corrective action was recommended in 12 of these cases, tactics retraining was recommended in two cases, and a Command Discipline unrelated to firearms guidelines was issued in one of the cases where tactics retraining was recommended. In the 15th case, an officer was found to be in violation of Department firearms guidelines (she was found to have fired when there was no immediate threat to a person at the time of the discharge) and was issued Charges and Specifications. Seven cases are pending.

PART IV: UNINTENTIONAL DISCHARGE

OVERVIEW

There were 12 incidents of unintentional firearms discharges in 2013, a 43 percent decrease from 2012, when there were 21. Each incident involved a single officer who fired one round.

These incidents resulted in injuries to two officers, one who shot himself in the hand and one who shot himself in the leg. A subject was injured during one incident, when an officer attempting to extract a barricaded suspect was struck in the hand by a door resulting in an unintentional discharge that struck the suspect in the wrist.

Four unintentional discharges occurred while the officer was off duty, and eight occurred on duty. Four occurred outside (two on the street, one on a roof, and one in the parking lot of a Department facility), and eight occurred inside (three inside residences during radio runs or search warrants, one in a commercial establishment, and four inside Department facilities).

NON-ADVERSARIAL UNINTENTIONAL DISCHARGES

Non-adversarial unintentional discharges occur when an officer is loading or unloading, cleaning, or otherwise handling a firearm. In 2013, six of the 12 total unintentional firearm discharges were purely unintentional.

LOADING/UNLOADING

Two of the incidents occurred while officers were unloading a firearm; both occurred on duty, in the stationhouse, and both officers were attempting to unload Glock 9mms. Although firearms safety stations are installed at all Department facilities where firearms may be present, neither officer was using one at the time the incidents occurred. In order to incentivize the use of firearms safety stations, the Department does not define discharges that occur at safety stations as Department firearms discharges.

HANDLING

Four officers were handling firearms for reasons other than loading or unloading while the remaining incidents occurred. One officer was attempting to move a firearm from one holster to another, one officer was attempting to holster a firearm, one officer was attempting to assist a lieutenant in securing another officer's firearm from a locker, and one officer had a firearm inside his pocket without a holster.

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. In 2013, six of the 12 total unintentional discharges occurred during an adversarial conflict or animal attack. As detailed above, one civilian was injured and none were killed.

The reasons for unintentional discharge during adversarial conflict vary. Three were caused when an object struck the officer's shooting hand, two of which were doors and one of which was a hammer with which the officer was being attacked. Two officers fired rounds during the execution of search warrants (one of whom was one of the two officers who were struck by doors), one was attempting to holster his firearm at the scene of a domestic dispute and shot himself in the leg, and another fired a round into the dashboard of a Department vehicle during a car stop.

FIREARMS

Of the 12 firearms that were unintentionally discharged in 2013, eight were the officers' service weapons, three were authorized off-duty firearms, and one was a firearm that was legally possessed but not authorized for off-duty carry. Revolvers accounted for two of the firearms, and semi-automatics accounted for ten. Of the eight service weapons involved, five were Glocks and three were Sig Sauers. Both revolvers were Smith & Wessons. One Glock duty 9mm had a phase three ("stovepipe") malfunction after the officer shot himself in the leg.

OFFICER PEDIGREE

All 12 of the officers who unintentionally discharged firearms in 2013 were male; 17 percent of the Department's uniformed personnel are female and 83 percent are male.

Although the percentage of white and Hispanic officers involved in unintentional firearms discharges is less than their representation within the Department, the sample size of officers involved in unintentional firearms discharges is 12, or 0.03 percent of the Department's 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 4.1.

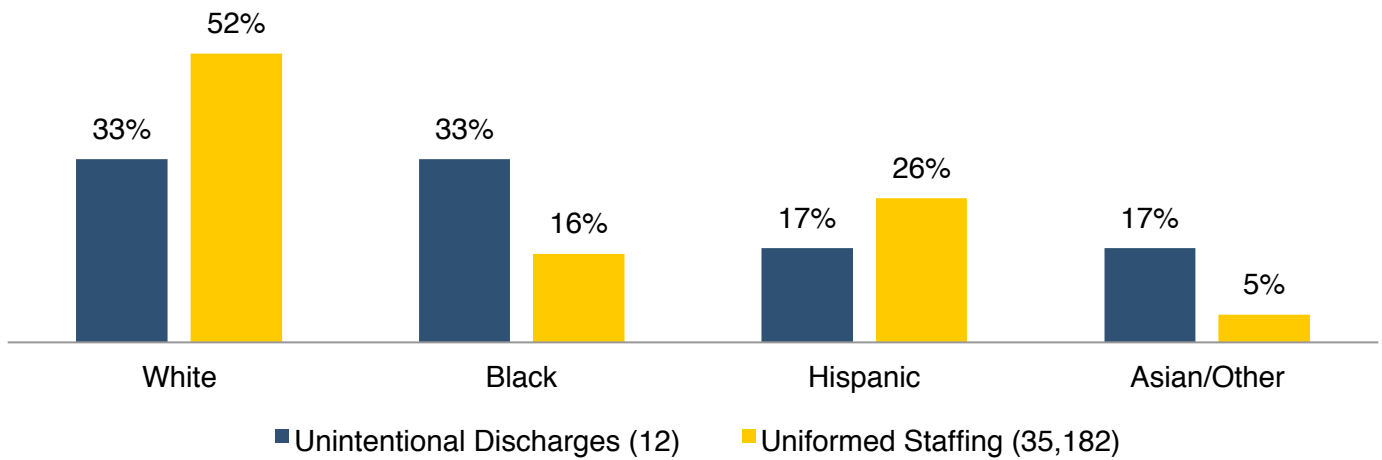
RACE, UNINTENTIONAL DISCHARGES v. DEPARTMENT STAFFING

Figure 4.1

Officers with five years of service or less were most likely to be involved in unintentional firearms discharges. Three of these officers had graduated from the Police Academy less than a year before the discharge occurred. See Figure 4.2.

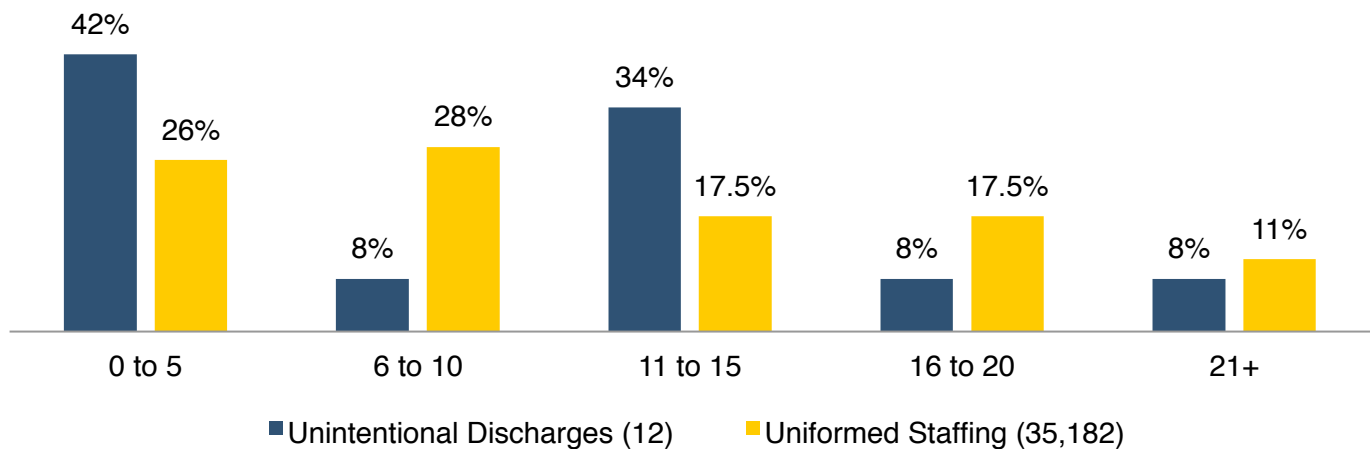
YEARS OF SERVICE, UNINTENTIONAL DISCHARGES v. DEPT STAFFING

Figure 4.2

All of the officers involved in unintentional firearms discharges were either police officers or detectives. See Figure 4.3.

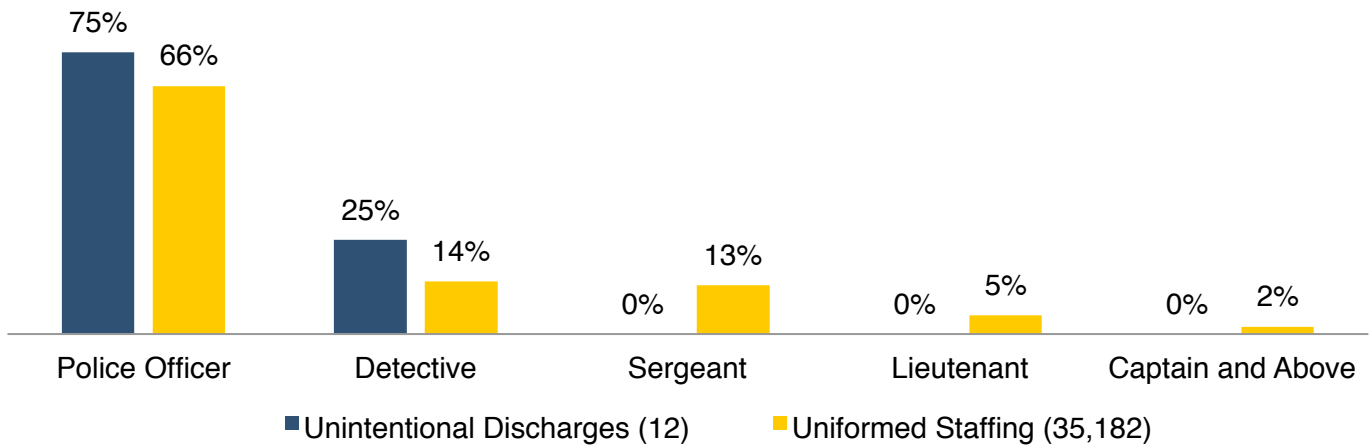
RANK, UNINTENTIONAL DISCHARGES v. DEPARTMENT STAFFING

Figure 4.3

INCIDENT OUTCOMES

The Department investigates all unintentional firearms discharges thoroughly. Of the investigations that have been completed at the time of this report (June 2014), the Firearms Discharge Review Board found that officers were in violation of Department guidelines in five cases. The recommended discipline for involved officers ranged from none (e.g. an officer who discharged a round when a door slammed on his hand) to Charges and Specifications. Retraining on relevant tactics was recommended in four cases. Seven cases are pending.

PART V: UNAUTHORIZED USE OF A FIREARM

OVERVIEW

There were ten firearms discharges in 2013 that were determined to be unauthorized, a decrease of 33 percent from 2012, when there were 15 unauthorized use of a firearm incidents. Six were officer suicides, two were attempted suicides, and one was an incident of an officer firing an unauthorized round into the air. One incident was a discharge by a criminal who gained control of an officer's firearm during a struggle.

OFFICER PEDIGREE

Of the nine officers who were involved in unauthorized firearms discharges in 2013, one was female and eight were male; three were white, three were black and three were Hispanic. Three had between zero and five years of service, two had between six and ten years of service, two had between 11 and 15 years of service, one had between 16 and 20 years of service, and one had more than 20 years of service. Eight officers were police officers and one was a lieutenant.

Because the sample size of officers involved in unauthorized firearms discharges is only nine, or 0.03% of the Department's uniformed personnel, these statistics are not useful in determining the likelihood that an officer of any particular pedigree will become involved in an unauthorized firearms discharge.

SUICIDE

Six police officers committed suicide in 2013, including two murder/suicides and one attempted murder/suicide, and two officers attempted suicide. One suicide was committed on duty, by an officer assigned to a detective squad in his personal vehicle parked outside the stationhouse, and one attempted suicide was committed on duty by an officer in the locker room of the stationhouse. Five suicides and one attempted suicide were committed off-duty. Of the three murder or attempted murder/suicides, the victims were all members of the officers' families.

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 Early Intervention 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 members of the service.

Figure 5.1 depicts successful suicides by firearm only, not suicides by other method and not attempts.

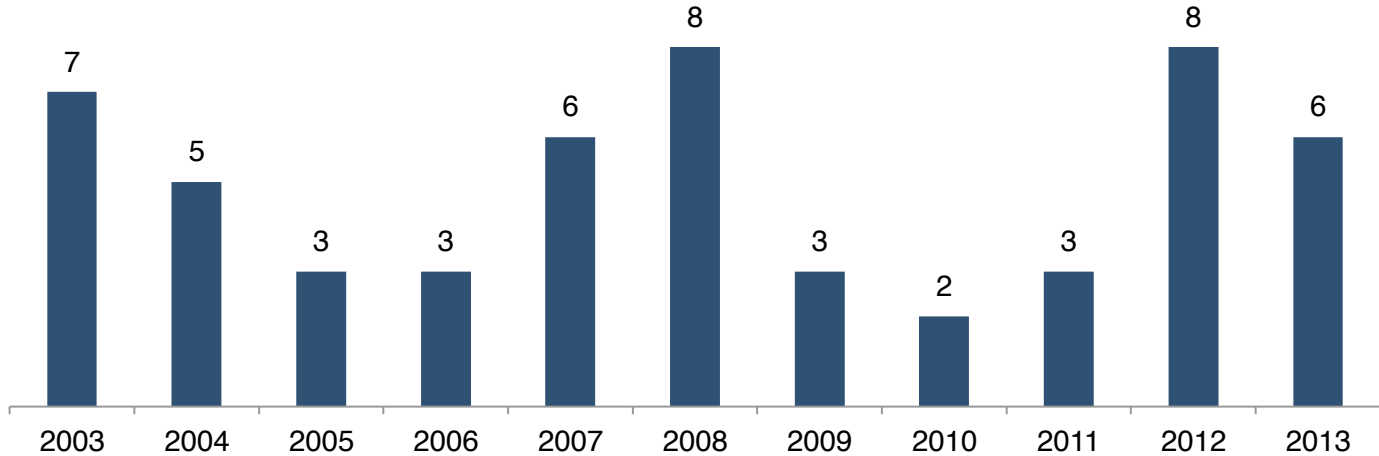
POLICE OFFICER SUICIDES BY FIREARM, 2003-2013

Figure 5.1

DISCHARGES BY OTHER THAN AN OFFICER

There was one incident of unauthorized use of a firearm in 2013 in which someone other than an officer discharged an officer's gun. The incident occurred when an emotionally disturbed person who was being transported to a hospital for a psychiatric evaluation gained control of an officer's firearm during a struggle and fired two rounds, striking the officer's partner in the foot. No bystanders were injured.

INCIDENT OUTCOMES

The Department investigates all unauthorized use of a firearm incidents 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.

As of June 2014, the Firearms Discharge Review Board has found that three officers violated Department guidelines during unauthorized use of a firearm incidents in 2013. Two cases were suicides, and one was the incident in which an unauthorized person gained control of the officer's firearm. The remaining seven cases are under investigation.

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. Unauthorized discharges, in which an officer injures or kills another officer in a criminal manner (e.g., domestic incidents), are also excluded. This definition comports with the 2010 New York State Task Force on Police-on-Police Shootings' definition of "Police-on-Police Confrontations."

2013 INCIDENTS

In 2013 there were no incidents of mistaken identity.

APPENDICES

APPENDIX A: HISTORICAL DATA

OFFICERS SHOT AND INJURED BY SUBJECTS, 1971-2013

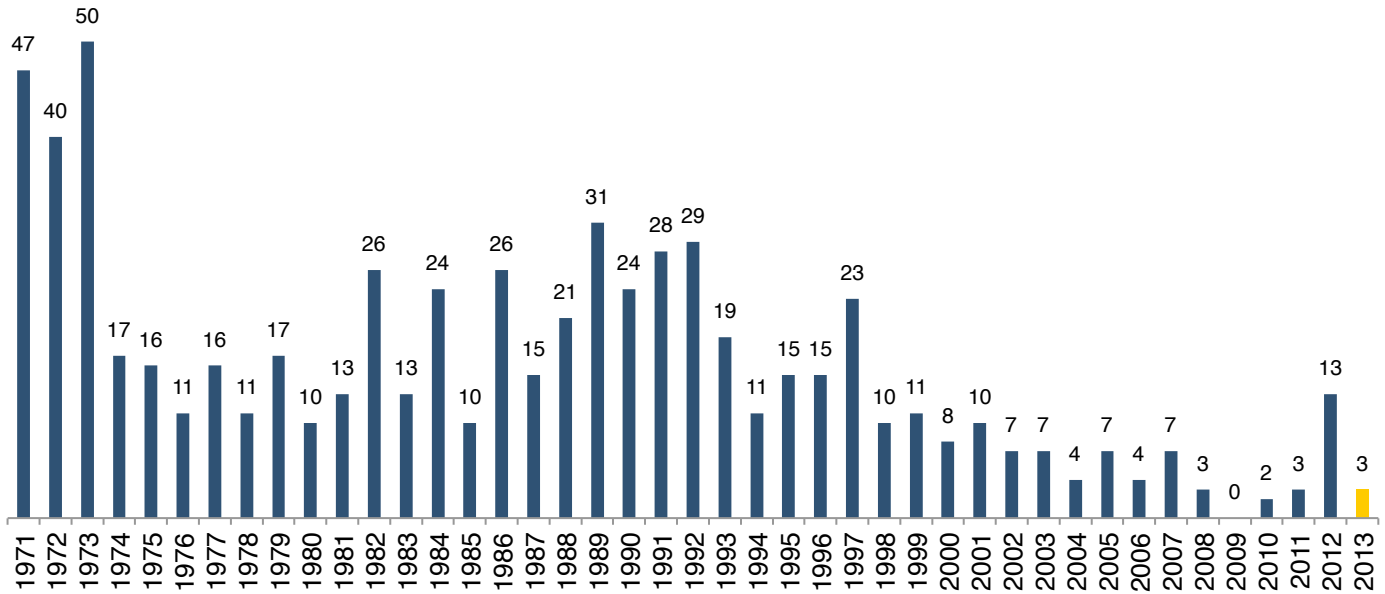


Figure A.1

OFFICERS SHOT AND KILLED BY SUBJECTS 1971-2013

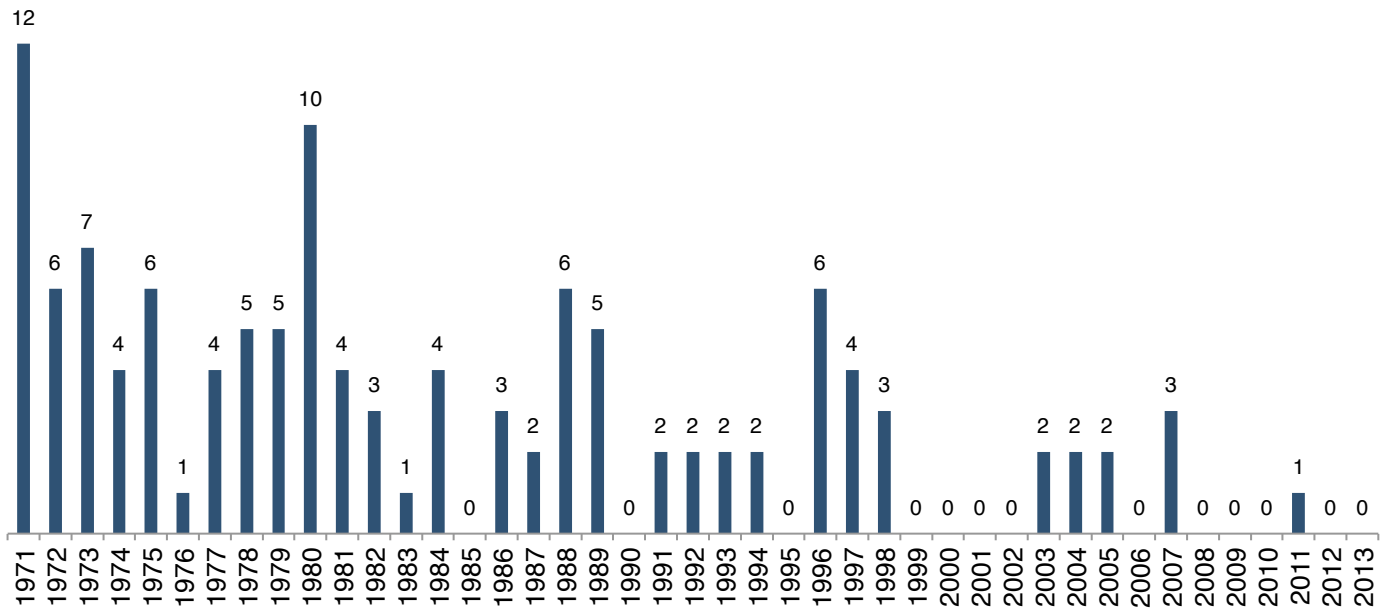


Figure A.2

SUBJECTS SHOT AND INJURED BY OFFICERS, 1971-2013

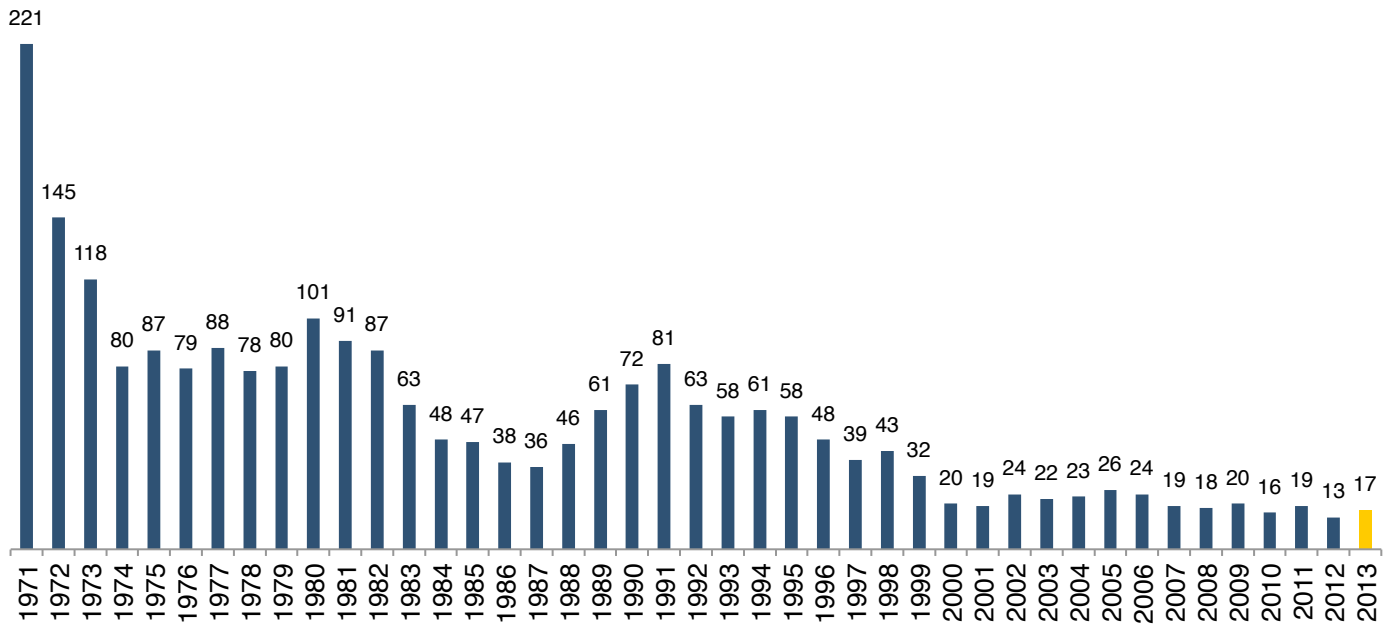


Figure A.3

SUBJECTS SHOT AND KILLED BY OFFICERS, 1971-2013

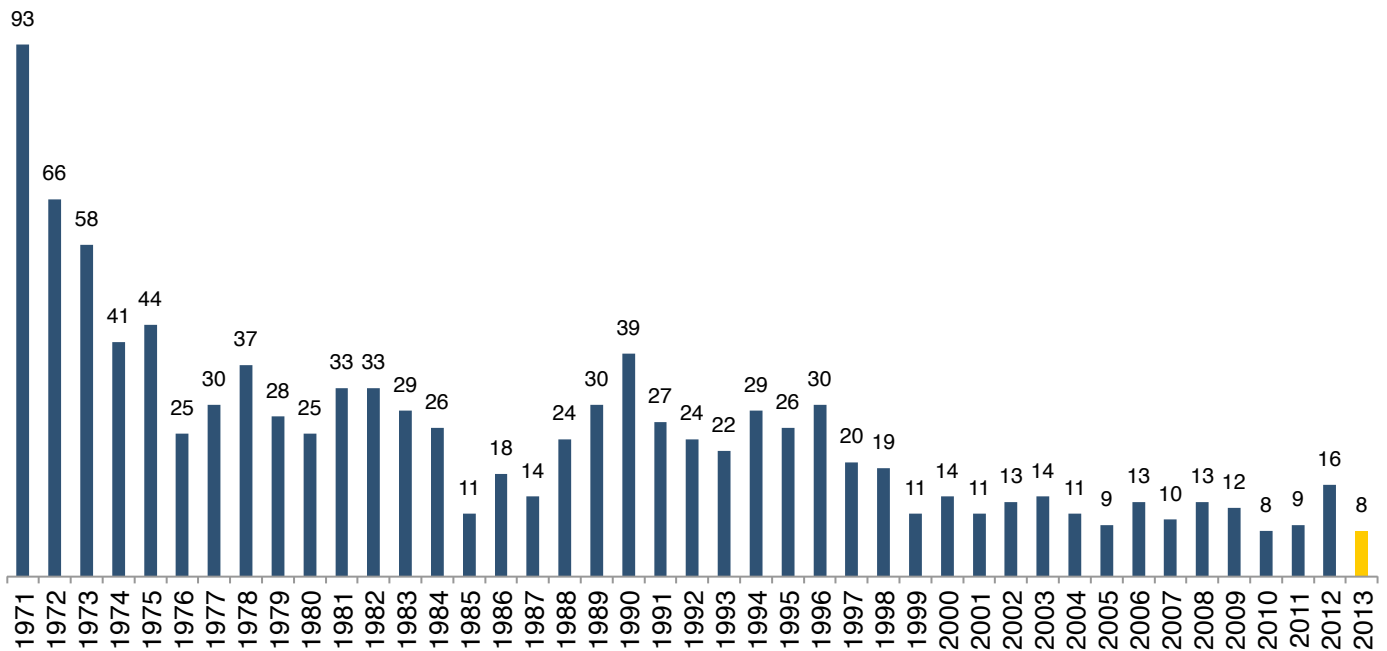


Figure A.4

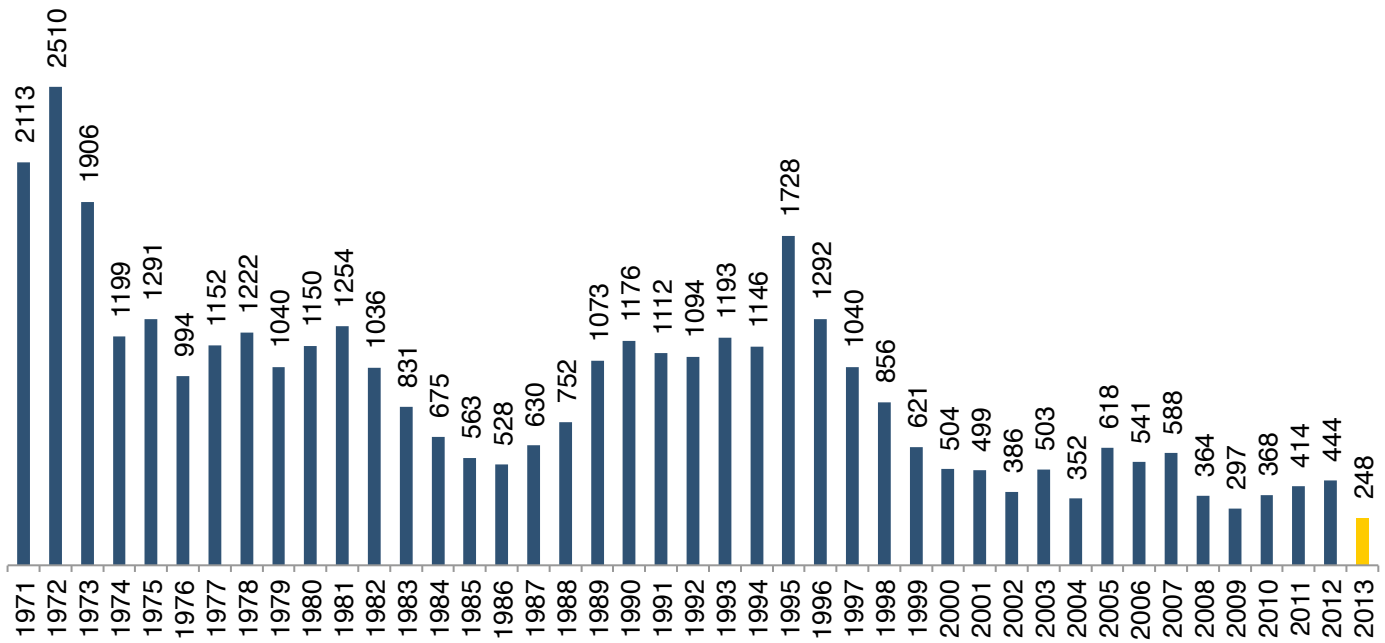
TOTAL SHOTS FIRED, 1971-2013

Figure A.5

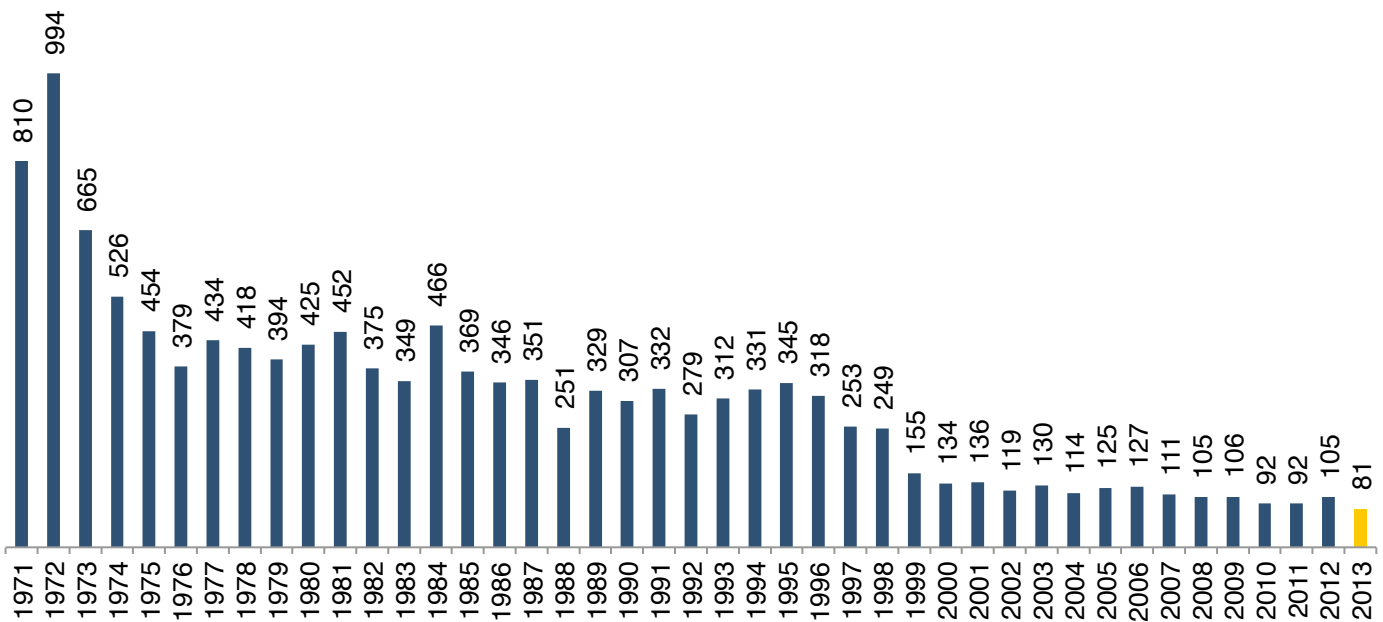
TOTAL SHOOTING INCIDENTS, 1971-2013

Figure A.6

APPENDIX B: 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 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.

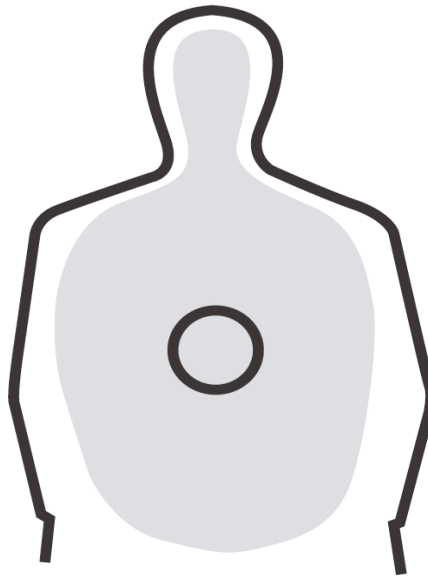
WEAPONS CONTROL

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. Unfortunately, in a combat situation, concentration and fine motor skills are sometimes among the first casualties. Training can mitigate this, but officers must be taught to rely on mechanical actions that employ gross motor skills and have as few components as possible.

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 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, 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.

CENTER MASS



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 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 the center mass. A leg wound, for example, does little to prevent a subject from continuing to use a knife or gun.

APPENDIX C: SUBJECTS KILLED DURING ID-AC INCIDENTS

In 2013, eight subjects were shot and killed by officers who intentionally discharged their weapons during adversarial conflict. The taking of a life in order to protect another life is a terrible contradiction and no officer relishes the prospect of encounters such as these. When facing armed, violent suspects, however, these events are a possibility for which officers must be prepared. The tactics used in these confrontations are analyzed and assessed in order to develop training that can provide officers with more use-of-force options or conflict-resolution opportunities so that similar events in the future may have different outcomes. A short narrative of each incident is found below.

On Thursday, January 3, 2013, at approximately 1932 hours, on a Manhattan bound N train at the Fort Hamilton Parkway subway station in Brooklyn, two plain-clothes police officers observed the subject enter a subway car through the emergency exit door, in violation of Transit Authority rules. The officers identified themselves to the subject and requested that he step off of the train with them. The subject walked towards the door of the train, and when he reached it, he turned towards the officers, removed a firearm from his waistband, and fired six rounds at the officers, striking them both as well as a bystander on the train. One of the officers returned fire, striking the subject and causing his demise. One officer sustained gunshot wounds to his leg and scrotum, the other officer was struck in his bullet-resistant vest, and the bystander who was shot by the subject sustained a graze wound to the leg. The subject had been arrested 13 times prior to the incident in both New York and Los Angeles, for crimes including Assault in the 1st Degree, Criminal Possession of a Weapon, Assault with a Deadly Weapon, Attempted Robbery, and Possession of a Firearm in Court.

On Sunday, March 9, 2013, at approximately 2324 hours, on 52nd Street and Church Avenue in Brooklyn, in the vicinity of a party that was attended by a large number of youths, a plain-clothes sergeant and a plain-clothes police officer observed the subject adjusting the waistband of his clothing in a manner that caused them to believe he may have had a firearm. The officers approached the subject and identified themselves. The subject drew a revolver and pointed it first at the police officer, then at the sergeant, and then back at the police officer. Both officers fired at the subject, striking him and causing his demise. The subject had been arrested four times prior to the incident, for crimes including Grand Larceny and Riot in the 2nd Degree. The subject's toxicology report indicated positive for the presence of alcohol and marijuana.

On Friday, March 22, 2013, at approximately 2001 hours, in front of 543 Court Street in Brooklyn, two uniformed officers responded to a radio run of a person stabbed. When the officers arrived on the scene, they encountered the stabbing victim, who gave them a description of the perpetrator. As they were interviewing the victim, the victim noticed the subject walking towards the officers with his hands in his pockets, and identified him as the man who had stabbed him. The officers approached the subject and repeatedly requested that he remove his hands from his pockets. When he was approximately five feet from the officers, the subject removed his hands from his pockets and lunged at them with a knife in his right hand. One officer fired one round at the subject, and the other officer fired eight rounds. The subject was struck nine times, causing his demise. The subject had been arrested three times prior to the incident, for crimes including Criminal Possession of a Weapon and Reckless Endangerment. His toxicology report indicated positive for the presence of marijuana.

On Wednesday, June 19, 2013, at approximately 0108 hours, in front of 367 Hinsdale Street in Brooklyn, two officers on patrol were flagged down by a cab driver who told them that a shooting was happening down the block. The officers observed the subject and a civilian victim struggling over a firearm, and heard several shots go off. The officers took cover behind parked cars on both sides of the street, and ordered the subject to drop the weapon. The subject pointed his gun at one of the officers, who shot one time, striking the subject. The subject ran away from the officers and hid under a parked car, where he was found along with his firearm. The victim informed the officers that the subject had pointed the gun at him and attempted to rob him. The subject, who later succumbed to his injuries, had been arrested nine times prior to the incident, eight times for Robbery and one time for Attempted Rape. He had spent more than 25 years in prison.

On Sunday, August 4, 2013, at approximately 0255 hours, at East 151st Street and Courtlandt Avenue in the Bronx, two officers on foot heard several shots being fired and observed the subject holding a firearm. The officers took cover behind a parked minivan and ordered the subject to drop his weapon. The subject pointed his firearm at one of the officers and fired another round. The officer fired one shot at the subject, causing his demise. The subject, a juvenile, had three prior arrests, for possession of a firearm, robbery, and murder, and was observed by a civilian witness firing at a group of young men and chasing them shortly before the confrontation with officers.

On Thursday, October 31, 2013, at approximately 2300 hours, at Seward Avenue and Castle Hill Avenue in the Bronx, two Housing Bureau Impact foot post officers responded to a radio run of shots fired. As they approached the subject, who matched the description of the suspect, the subject drew a firearm and pointed it at the officers. The officers fired eight rounds at the subject, who fled on foot. The officers called for assistance over the radio and followed the subject. At the intersection of Randall Avenue and Olmstead Avenue, two marked cars, a Housing Bureau sector and a Patrol Sector, stopped the subject. The subject pointed his firearm at two of the officers, who fired four rounds, and then at the other two officers, who fired five rounds. The subject was struck by seven rounds, which caused his demise. The subject had been arrested seven times prior to the incident, for crimes including Grand Larceny and Criminal Possession of a Weapon.

On Monday, November 18, 2013, at approximately 1454 hours, in front of 902 Heart Street in Brooklyn, officers responded to a radio run of phone threats. As they approached the building, the subject ran up to their marked car and struck the car with a knife. The officers drove down the block to a location where it was safe for them to get out of the car, and, as they were parking, the subject threw a glass at the car. The officers moved the car further down the block, got out, and drew their firearms at the subject, who advanced on the officers while menacing them with the knife. The subject ignored the officers' repeated orders to drop the knife. When the subject was approximately three feet from the officers, one of the officers fired five rounds at the subject, causing his demise. The officers later learned that the subject had a long history of violent psychiatric problems, including an incident in which he was arrested for breaking the window of an ambulance with a baseball bat, and an incident in which he threw a hammer inside a classroom.

On Thursday, December 26, 2013, at approximately 0415 hours, in front of 5 West Burnside Avenue in the Bronx, officers were flagged down by a complainant who told them he had been robbed at gunpoint in the ATM vestibule of a nearby Chase bank. The officers canvassed the area with the victim, who spotted the subject and pointed him out to the officers as the man who had robbed him. The officers attempted to stop the subject, who pointed a firearm at them before a foot pursuit ensued. The officers were soon joined by other officers, who responded to their radio call for assistance. The foot pursuit continued into the vestibule of 1985 Davidson Avenue, where the officers caught up with the subject, who was holding the firearm in his right hand. Officers knocked the subject to the ground and attempted to wrestle the firearm out of his grip, but he managed to point the firearm at one of their heads. Another officer fired three shots at the subject at close range, resulting in his demise. The subject had been arrested 33 times prior to the incident, for crimes including Criminal Possession of a Weapon, Robbery, and Criminal Sale of a Controlled Substance. His toxicology report indicated positive for the presence of alcohol and cocaine.

APPENDIX D: SUBJECT RACE, 2009-2013

GUNFIRE IN NEW YORK CITY, 2013

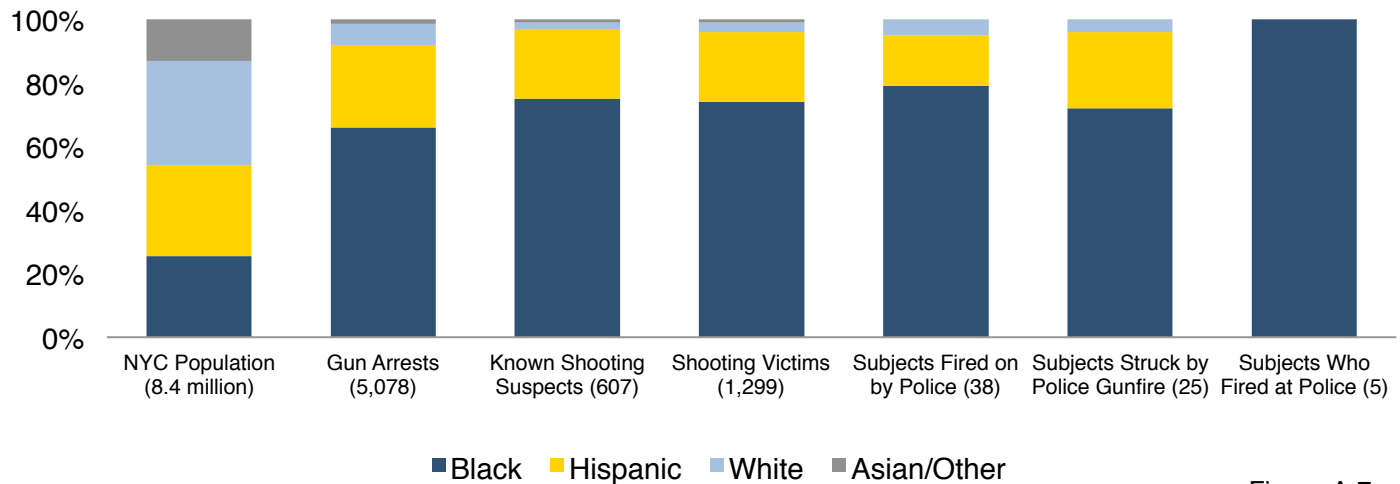


Figure A.7

SUBJECTS WOUNDED BY OFFICERS, 2009-2013

	White	Black	Hispanic	Asian	Total
2009	0	14	6	0	20
2010	3	9	3	1	16
2011	2	10	7	0	19
2012	1	9	3	0	13
2013	1	12	4	0	17

Figure A.8

SUBJECTS KILLED BY OFFICERS, 2009-2013

	White	Black	Hispanic	Asian	Total
2009	0	8	4	0	12
2010	2	1	4	1	8
2011	4	2	3	0	9
2012	2	11	2	1	16
2013	0	6	2	0	8

Figure A.9

APPENDIX E: 2013 SUPPLEMENTAL DATA

FIREARMS DISCHARGE INCIDENTS BY DAY, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Sunday	2	2	0	1	5
Monday	2	3	1	5	11
Tuesday	6	4	0	0	10
Wednesday	3	2	2	1	8
Thursday	7	2	5	1	15
Friday	7	3	1	1	12
Saturday	13	3	3	1	20
Total	40	19	12	10	81

Figure A.10

FIREARMS DISCHARGE INCIDENTS BY TOUR, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
2331-0730 Hours	11	4	3	2	20
0731-1530 Hours	7	5	6	4	22
1531-2230 Hours	22	10	3	4	39
Total	40	19	12	10	81

Figure A.11

FIREARMS DISCHARGE INCIDENTS BY MONTH, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
January	5	4	1	0	10
February	3	0	0	0	3
March	5	1	0	2	8
April	1	5	1	1	8
May	2	1	1	0	4
June	3	1	1	2	7
July	0	0	0	0	0
August	6	1	5	0	12
September	3	2	0	0	5
October	2	3	2	2	9
November	6	0	1	1	8
December	4	1	0	2	7
Total	40	19	12	10	81

Figure A.12

FIREARMS DISCHARGE INCIDENTS BY BOROUGH, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Manhattan	3	1	4	1	9
Bronx	10	6	5	0	21
Brooklyn	19	6	1	5	31
Queens	5	5	1	1	12
Staten Island	2	1	0	0	3
Outside City	1	0	1	3	5
Total	40	19	12	10	81

Figure A.13

FIREARMS DISCHARGE INCIDENTS BY PRECINCT, MANHATTAN, 2013					
	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	0	0	0
7th Precinct	0	0	0	0	0
9th Precinct	0	0	1	0	1
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	0	0	0	0	0
26th Precinct	0	0	0	0	0
28th Precinct	1	0	0	0	1
30th Precinct	0	0	1	0	1
32nd Precinct	0	0	1	1	2
33rd Precinct	0	1	0	0	1
34th Precinct	0	0	1	0	1
Total	3	1	4	1	9

Figure A.14

FIREARMS DISCHARGE INCIDENTS BY PRECINCT, BRONX, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
40th Precinct	3	2	0	0	5
41st Precinct	0	0	0	0	0
42nd Precinct	1	0	0	0	1
43rd Precinct	1	0	0	0	1
44th Precinct	0	2	2	0	4
45th Precinct	1	0	2	0	3
46th Precinct	2	0	1	0	3
47th Precinct	1	1	0	0	2
48th Precinct	0	0	0	0	0
49th Precinct	0	1	0	0	1
50th Precinct	0	0	0	0	0
52nd Precinct	1	0	0	0	1
Total	10	6	5	0	21

Figure A.15

FIREARMS DISCHARGE INCIDENTS BY PRECINCT, BROOKLYN, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
60th Precinct	0	1	0	0	1
61st Precinct	0	0	0	0	0
62nd Precinct	0	0	0	0	0
63rd Precinct	0	1	0	1	2
66th Precinct	0	0	0	1	1
67th Precinct	1	1	0	0	2
68th Precinct	1	0	0	2	3
69th Precinct	0	0	0	0	0
70th Precinct	0	0	0	0	0
71st Precinct	1	0	0	0	1
72nd Precinct	0	0	0	0	0
73rd Precinct	5	0	0	1	6
75th Precinct	4	0	0	0	4
76th Precinct	1	0	0	0	1
77th Precinct	1	0	0	0	1
78th Precinct	0	0	0	0	0
79th Precinct	2	1	0	0	3
81st Precinct	1	0	1	0	2
83rd Precinct	1	1	0	0	2
84th Precinct	0	0	0	0	0
88th Precinct	1	1	0	0	2
90th Precinct	0	0	0	0	0
94th Precinct	0	0	0	0	0
Total	19	6	1	5	31

Figure A.16

FIREARMS DISCHARGE INCIDENTS BY PRECINCT, QUEENS, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
100 th Precinct	0	0	0	0	0
101 st Precinct	2	1	0	0	3
102 nd Precinct	0	0	1	0	1
103 rd Precinct	1	1	0	1	3
104 th Precinct	0	0	0	0	0
105 th Precinct	0	1	0	0	1
106 th Precinct	0	0	0	0	0
107 th Precinct	0	0	0	0	0
108 th Precinct	0	0	0	0	0
109 th Precinct	0	0	0	0	0
110 th Precinct	0	0	0	0	0
111 th Precinct	0	0	0	0	0
112 th Precinct	0	0	0	0	0
113 th Precinct	0	2	0	0	2
114 th Precinct	2	0	0	0	2
115 th Precinct	0	0	0	0	0
Total	5	5	1	1	12

Figure A.17

FIREARMS DISCHARGE INCIDENTS BY PRECINCT, STATEN ISLAND, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
120 th Precinct	1	0	0	0	1
121 st Precinct	0	0	0	0	0
122 nd Precinct	1	1	0	0	2
123 rd Precinct	0	0	0	0	0
Total	2	1	0	0	3

Figure A.18

FIREARMS DISCHARGE INCIDENTS BY LOCATION, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
Within City	39	19	11	7	76
Outside City	1	0	1	3	5
Total	40	19	12	10	81

Figure A.19

FIREARMS DISCHARGES BY OFFICER DUTY STATUS, 2013					
	ID-AC	ID-AA	Unintentional	Unauthorized	Total
On Duty	37	18	8	2	65
Off Duty	3	1	4	7	15
Unauthorized Person	0	0	0	1	1
Total	40	19	12	10	81

Figure A.20

ID-AC INCIDENTS, 2013

#	Subject Weapon	Officers Involved	Rounds Fired	Subjects	Subject Injury	Subject Gender	Subject Race	Subject Age
1	Hand Gun	1	1	1	None	Male	Black	20
2	Vehicle	1	1	1	Gunshot	Male	Hispanic	31
3	Cutting Instrument	1	2	1	Gunshot	Male	Black	40
4	Hand Gun	1	7	1	Killed	Male	Black	37
5	Hand Gun	1	1	1	Gunshot	Male	Black	18
6	Hand Gun	2	2	1	Gunshot	Male	Black	28
7	Hand Gun	2	3	1	Gunshot	Male	Black	16
8	Hand Gun	1	1	1	Gunshot	Male	Black	31
9	Vehicle	1	1	1	None	Male	Black	26
10	Hand Gun	1	3	1	Gunshot	Male	Black	33
11	Hand Gun	2	11	1	Killed	Male	Black	16
12	Hand Gun	2	3	1	Gunshot	Male	Black	20
13	Cutting Instrument	2	9	1	Killed	Male	Black	29
14	Vehicle	1	1	1	None	Male	Black	Unk.
15	Imitation Firearm	1	1	1	None	Male	White	24
16	Hand Gun	1	1	1	None	Male	Black	28
17	Blunt Instrument	1	1	1	Gunshot	Male	Hispanic	32
18	Physical Force	1	3	1	Gunshot	Male	Hispanic	40
19	Hand Gun	1	1	1	Killed	Male	Black	50
20	Hand Gun	1	1	1	Killed	Male	Black	14
21	Physical Force	1	1	1	None	Male	Black	28
22	Vehicle	2	2	1	None	Male	Unk.	Unk.
23	Hand Gun	2	9	1	None	Male	Black	27
24	Hand Gun	1	4	1	Gunshot	Male	Black	17
25	Cutting Instrument	1	1	1	Gunshot	Male	Hispanic	32

#	Subject Weapon	Officers Involved	Rounds Fired	Subjects	Subject Injury	Subject Gender	Subject Race	Subject Age
26	Cutting Instrument	1	2	1	Gunshot	Male	Black	49
27	Imitation Firearm	2	3	1	None	Male	Black	35
28	Hand Gun	1	4	1	None	Male	Black	Unk.
29	Imitation Firearm	1	1	1	None	Male	Black	19
30	Hand Gun	6	17	1	Killed	Male	Black	26
31	Perceived Threat	1	7	Unk.	None	Unk.	Unk.	Unk.
32	Hand Gun	1	4	1	Gunshot	Male	Black	25
33	Hand Gun	1	8	1	None	Male	Black	20
34	Hand Gun	1	4	1	Gunshot	Male	Black	25
35	Cutting Instrument	1	5	1	Killed	Male	Hispanic	22
36	Physical Force	1	1	1	None	Male	Black	23
37	Blunt Instrument	1	1	1	Gunshot	Male	White	27
38	Imitation Firearm	1	16	1	Gunshot	Male	Black	15
39	Hand Gun	1	3	1	Killed	Male	Hispanic	44
40	Hand Gun	3	15	1	None	Male	Black	19

Figure A.21