

# Defensive Strategies



**By Lyn Bates,  
Contributing Editor**

Why should you care how police in New York City use their firearms? There are many reasons. Here are a few: many police-involved situations are similar to those encountered by private citizens, large police agencies keep detailed information about every time a gun is discharged, and lessons from those situations can provide valuable insight into how we can be better prepared to deal with potential situations involving the use of lethal force.

New York City has one of the largest departments in the country, and produces an annual in-depth Firearms Discharge Report (FDR) that is available to the public on the Internet. The main purpose of this meticulous record-keeping is to ensure that the NYPD's training is the best it can be, and to ensure the safety of officers in the future. You can search for similar reports from your city or state police, but here are a few interesting and useful tidbits from the New York 2007 report.

## New York City Police Firearms Discharge Report

Police guidelines for use of lethal force in NYC are very similar to the guidelines I have long advocated for everyone: lethal force is justified only to protect oneself or others from imminent death or serious physical injury, without unnecessarily endangering innocent people; it is not for protection of property, there should be no cocked firearms and no warning shots. Unless exceptional circumstances apply, guns should not be fired to summon assistance, fired from a moving vehicle, or fired at a fleeing felon.

The FDR distinguishes five categories of gun use: Intentional discharge in an adversarial conflict, intentional discharge in an animal attack, unintentional (accidental) discharge, and unauthorized use of a firearm (for example, if someone unauthorized gets the officer's gun and shoots it), and suicide (attempted or completed). Shootings involving death, injury, or neither are included. Shootings off-duty, perhaps involving the officer's privately owned firearm, are included.

Pistols, revolvers, shotguns and rifles are all included.

Here are the numbers. There were a total of 111 incidents in 2007. This continues the almost continuous downward trend each year since a high of 253 firearms discharged in 1997.

New York City has a population of over 8 million, with nearly 36,000 police officers. They responded to about 1,800,000 "increased risk radio assignments," and completed about 35,000 arrests for guns and other kinds of weapons. To have only 45 incidents of firearms discharge by police against all those human adversaries shows how effective lower levels of force usually are. The lesson for us: Are we as prepared to use those less-lethal methods, or would we be too eager to reach for that gun?

Out of those 45 incidents, 19 criminals were shot and injured, 10 were shot and killed; 7 officers were shot and injured, and, sadly, 3 were shot and killed.

What kinds of armed adversaries

Category	Incidents	Percentage
<b>Adversarial Conflict</b>	<b>45</b>	<b>40.5%</b>
<b>Animal Attack</b>	<b>39</b>	<b>35.1%</b>
<b>Unintentional</b>	<b>15</b>	<b>13.5%</b>
<b>Unauthorized Use</b>	<b>6</b>	<b>5.4%</b>
<b>Suicide</b>	<b>6</b>	<b>5.4%</b>
<b>Total</b>	<b>111</b>	<b>100%</b>

did NYPD face when they had to use their guns? Overwhelmingly (75%), their antagonists had guns; the others were evenly divided between cutting weapons and blunt objects. All of the animal attacks involved dogs.

Adversarial attacks were highest (over 100 incidents) in the late 1990s, then stabilized between 50 and 60 a year until 2007, when they dipped to 45. Animal attacks also hit highs of about 80 in the late 1990s, then averaged in the 30s for the next few years, and rose to 39 in 2007. So police are finding less lethal ways of dealing with people, but animal attacks requiring the use of guns seem to be rising. That's a lesson for us. You have probably thought a lot about how to use (or avoid the use of) your gun against a human miscreant, but are you really prepared to determine whether an animal needs to be shot, and then actually do it

if necessary? What if you call police animal control to take care of a situation, but they cannot respond in time?

Unintentional discharges, which averaged in the high 20s for most of the previous decade, hit a big new low of 15 in 2007. Clearly, better firearms training (perhaps together with safety equipment) has had a good effect here, but there is still room for improvement, as only 1/3 of those accidental discharges occurred during an adversarial conflict; 2/3 of them happened while the officer was simply handling a gun administratively. That's a lesson for us, too. Are you safer with your guns than you used to be, or are you thinking more about other aspects of gun use when you handle them? Don't become complaisant.

Unauthorized persons discharging an officer's gun has bounced around from no incidents to 9 in the last 10 years, so 2007's 6 inci-

dents is about average. Without a lot more information about these situations, it is hard to determine whether there are safety lessons for the rest of us, but you should think about whether anyone else could possibly get one of your guns and fire it.

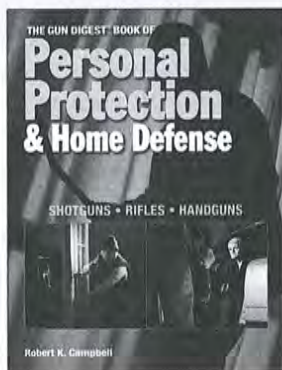
Suicides and attempts form a small but stable category that doesn't vary much year to year. Perhaps this indicates that the percentage of gunowners who are intent on self-destruction just can't be easily reduced. Those truly intent on ending their lives will always find the means.

The annual FDR from New York City shows us some of the ways that the police are improving their use of lethal force year by year. As always, private citizens should do all they can to adopt and adapt the best practices of our best law enforcement agencies.

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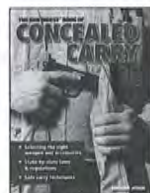
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