	NEW PALTZ POLICE DEPARTMENT Policy and Procedures	
	<i>Subject</i> 21.1 Review of Firearms Use	
	ISSUE: January 24, 2010	EFFECTIVE: January 24, 2010
	AMEND: June 15, 2020	RESCIND:
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Review of Firearms Use

PURPOSE

In order to evaluate the need for further training, to evaluate the adequacy of the firearms and ammunition for the incident, as well as maintain a written policy regarding the discharge of warning shots by members, the New Paltz Police Department shall review all members' discharge of firearms.

POLICY

It shall be the policy of the New Paltz Police Department that other than in training or lawful recreational purposes, all members' firearm discharges, whether on or off duty, will be documented, reviewed and properly disposed of.

Warning shots are added dangers of errant shots striking innocent bystanders. In addition, warning shots can and have been mistaken for a shooting exchange that precipitates the use of gunfire by other officers or the suspect(s). Once the first shot is fired in a hostile confrontation, it is often difficult to control other shooting reactions. Because of this the New Paltz Police Department prohibits the discharge of warning shots by its officers.


PROCEDURES

- a. This program requires the review and evaluation of *all* incidents other than training and lawful recreational purposes when a member discharges a firearm.
- b. These incidents are reviewed and evaluated to validate the continued effectiveness of our training program, equipment, policies and procedures.
- c. Other than the exception already listed, *anytime* a member discharges their weapon, they will complete the department's "Discharge of Firearm" report. In the event a member discharges their weapon at an individual, they will ALSO complete the department's "Officer Defensive Action Report" as outlined in policy and procedure 20.1.

ADMINISTRATIVE INVESTIGATION

Investigating Member

- a. All completed Discharge of Firearm Forms will be collected and reviewed by the on-duty supervisor who will complete the initial investigation. The on-duty supervisor is tasked with reviewing the report for accuracy, completeness and compliance. The on-duty supervisor will then forward the report to the Lieutenant with recommendations if any.

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- b. All completed Officer Defensive Action Reports will be collected and reviewed the on-duty supervisor in compliance with department policy and procedure 20.1, Officer Defensive Action. Upon completing their review, the on-duty supervisor will forward the report to the Lieutenant. The Lieutenant will review the report and then forward to the Chief of Police with recommendations, if any.
- c. The Lieutenant will conduct a thorough review into the incident to;
 1. Ensure that the firearm was used in compliance with department policy and procedure.
 2. To evaluate, and if necessary, recommend the need for further training and/or remediation.
 3. To evaluate the adequacy of the firearms and ammunition used in the incident and recommend, if necessary, improvements to existing equipment.
 4. Evaluate the circumstances and results of the incident to assure compliance with department policy and procedure.

Management Review

- a. The Chief of Police or his designee shall:
 1. Initiate disciplinary action, if indicated, as per the existing labor/management agreement.