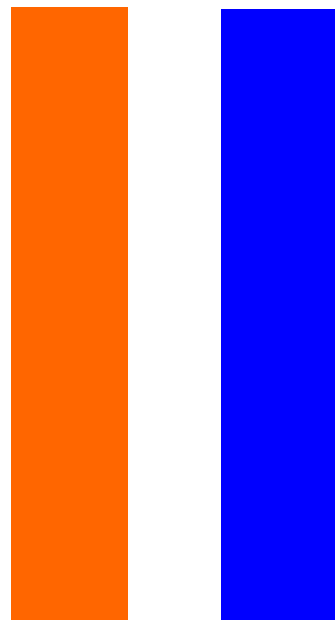
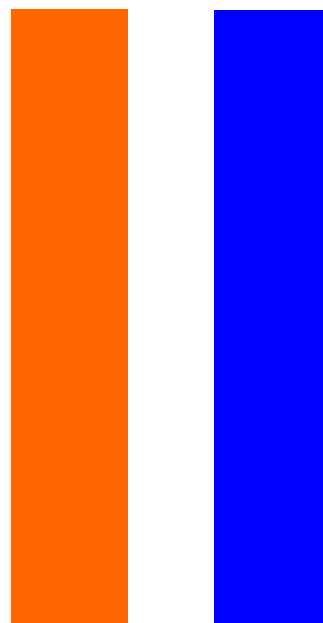


NASSAU COUNTY POLICE DEPARTMENT



Use of Force Reference Guide (Policies and Procedures)



**Patrick J. Ryder
Commissioner**



NASSAU COUNTY POLICE DEPARTMENT

USE OF FORCE

REFERENCE GUIDE

(Policies and Procedures)

The predominant responsibility of every Police Department is to provide safety for the citizens it serves. Enforcing the law, preventing and terminating the commission of crimes, conducting investigations and arresting criminal offenders are implicit duties in furtherance of this public safety objective. The use of force by police officers is necessary in certain situations while carrying out these duties. Police officers are authorized to employ reasonable levels of force in situations where the totality of the circumstances warrants such.

Recently, there has been an increase in attention and research on the use of force by police officers. Police Departments are obligated to periodically review and revise their policies and procedures to keep current with ever-changing technology, legal standards and court rulings, social issues and public perception.

This Department recognizes that training programs, policies, tactics, and recommendations for equipment are subject to change or revision when necessary. However, what has not and will not change are our core principles, namely to hold to the highest priority the safety of our officers and the public we serve, to respect the sanctity of human life and human dignity, and to enforce the law impartially. It is with this understanding that the Nassau County Police Department is publishing this Use of Force Reference Guide.

This Reference Guide is a compendium of the Department's current Use of Force policies, rules, procedures and forms, compiled into one source for ease of use and reference. All members are required to know and understand the policies and procedures set forth in this Reference Guide.

As always, the individual policies and procedures contained herein are also part of the Department Manual, which can be accessed via the Department Intranet.

The Use of Force Reference Guide is comprised of the following documents:

Department Policies:

- Policy 4200 Use of Force

Department Rules:

- Article 5 Standards of Conduct
- Article 8 Uniforms and Equipment
- Article 23 Police Operations

Department Procedures:

- ADM 1220 Unintentional Firearm Discharge
- ADM 1222 Deadly Force Review Board
- OPS 6210 Handling Diseased or Dangerous Animals
- OPS 6220 Stray and Dangerous Dogs
- OPS 6420 Body-Worn Cameras
- OPS 6460 Vehicle Pursuit
- OPS 12127 Crowd Control and Management
- OPS 12410 Use of Force
- OPS 12420 Use of Deadly Physical Force
- OPS 12430 Use of Electronic Control Device (ECD)/Taser
- OPS 12440 Use of Intermediate Weapons
- OPS 12450 Use of Oleoresin Capsicum
- OPS 12460 Deadly Force Response Team
- OPS 12470 Rifle Deployment

Department Forms:

- PDCN Form 161 Unintentional Firearm Discharge Report
- PDCN Form 258 Use of Force Report
- PDCN Form 469 Animal Destruction Form
- PDCN Form 470 DFRT Firearm Discharge Investigation Report



Department Policies

SECTION TITLE

SECTION NUMBER

REVISION

Police Operations

POL 4000

12

POL 4000 Police Operations

POL 4001 Duty

In furtherance of the Department's Mission, it is the duty of the Police Department and the Members of the Force, at all times of the day and night, to protect life and property, prevent crime, detect and arrest offenders, preserve the public peace, and enforce all laws and ordinances over which the Police Department has jurisdiction.

POL 4005 Cooperation Between Members

In order to fulfill our vision for the Department and its members, all Members of the Department need to cooperate with each other. When a Member obtains information which may be of value to a unit other than his own, he will report the facts to his Commanding Officer, who will transmit the information to the Command affected.

POL 4100 Enforcement

POL 4101 Foreign Nationals [\[See Glossary\]](#) and Undocumented Persons

Regardless of a person's legal status, all persons in Nassau County are required to abide by the local, state and federal laws currently in effect. The Nassau County Police Department will not inquire into any person's immigration status. This includes the immigration status of crime victims, witnesses, and anyone who calls the police seeking assistance.

POL 4103 Racial Profiling and/or Racial Bias

The Police Department does not condone racial profiling and/or racial bias and Members of the Department will not engage in racial profiling and/or racial bias. It is inconsistent with effective policing and equal protection of the law for all persons. Racial profiling and/or racial bias undermines the efforts of law enforcement by causing a loss of respect for the law and a loss of credibility for the Department. Even the perception of racial profiling and/or racial bias creates a distrust that discourages participation in the criminal justice system.

Racial profiling and/or racial bias occurs when a police officer relies on race or ethnicity as the primary basis for law enforcement action such as a traffic stop, pedestrian stop or request for a consent search, an arrest or use of force. However, when an officer has information which links specific criminal activity to an individual whose race, ethnicity or other identifying characteristic is known, that information may and should be appropriately used to identify and locate the individual.

Discretion is at the core of a police officer's job and it permits innovative, flexible problem solving. However, it also provides opportunities for conscious and unconscious bias and prejudice that could affect decision-making. A Fourth Amendment basis to stop does not legitimize stops which are initiated essentially because of racial profiling and/or racial bias. Such stops can cause deep cynicism about fairness and the legitimacy of law enforcement and the judicial system.

POL 4200 Use of Force

Use of Force - Mission Statement

It is the policy of the Nassau County Police Department to care for the people and communities we serve, to respect human dignity, to protect the rights of all people and to be committed to fairness and respect in our interaction with the people we serve.

The use of force by members of law enforcement is a matter of utmost concern both to the public and the law enforcement community. Therefore, when faced with a situation where the use of force is objectively reasonable under the circumstances, the guiding values of members of the Nassau County Police Department shall be those principles set forth above, as well as the paramount objective of reverence for the sanctity of human life.

Use of Force - General

Members of the Nassau County Police Department will only use force in accordance with existing law and Nassau County Police Department policy, rules and procedures.

In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. In some cases it may be necessary to use force to bring a particular incident or person under control. In those situations, force is authorized when reasonably believed to be necessary to effect a lawful arrest or detention, to prevent the escape of a person from custody, or in defense of one's self or another. A member may use only such force as is "objectively reasonable" under the circumstances. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene. Whenever feasible and consistent with personal and public safety, members should de-escalate the use of force once a particular threat and/or resistance has dissipated. The selection of appropriate force by a Member of the Department shall be based upon the totality of circumstances [\[See Glossary\]](#) present at the time such force is employed, taking into account the situational use of force training and guidelines provided by the Nassau County Police Department. A Member of the Department must be able to clearly explain his or her reason(s) for the use of force and the external circumstances that formulated his or her decision to utilize force in a given situation. To determine the objective reasonableness of force, members shall consider the following factors:

1. the severity of the crime or circumstances;
2. the level and immediacy of the threat or resistance posed by the suspect;
3. the potential for injury to citizens, officers, and suspects;
4. the risk or attempt of the suspect to escape;
5. the knowledge, training, and experience of the officer;
6. officer/suspect considerations such as age, size, relative strength, skill level, injury or exhaustion, and the number of officers and subjects;
7. other environmental conditions or exigent circumstances.

The Department recognizes the vital need for its Members to logically analyze situations, oftentimes rapidly and under tense circumstances, and to respond appropriately to the wide range of emergent incidents, threats and risks they are faced with. A Member of the Department's decision to use force in a particular situation, including the type and degree of force, should exhibit a rational, constructive thought process. The decision-making framework utilized in circumstances involving the use of force should incorporate the gathering of information, assessment of the overall situation, consideration of police powers and Department policy, identification of available options and the determination of a suitable course of action, as well as reviewing and re-assessing the situation.

It should be noted that members of law enforcement who use unreasonable force diminish the confidence of the community they serve, expose their department and fellow officers to legal and physical hazards, and violate the rights of individuals upon whom unreasonable force is used. Members of the Department who witness another Member of the Department using force that he/she believes to be clearly beyond what is objectively reasonable are obligated to intervene to prevent the use of unreasonable force if and when he/she has a realistic opportunity to prevent harm. Conversely, members of law enforcement who fail to use force when warranted may endanger themselves, the community and fellow officers. As such, in every situation, Members of the Department are expected to act with intelligence and employ sound judgment in furtherance of the spirit of this policy. Members of the Department who observe another member using force that exceeds the use of "objectively reasonable" shall promptly report these observations to his/her immediate supervisor.

Force shall not be used by a Member of the Department for the following reasons:

1. to extract an item from the anus or vagina of a subject without a warrant, except where exigent circumstances are present;
2. to coerce a confession from a subject in custody;
3. to obtain blood, saliva, urine, or other bodily fluid or cells, from an individual for the purpose of scientific tests in lieu of a court order where required;
4. against persons who are handcuffed or restrained unless used to prevent injury, escape, or otherwise overcome active or passive resistance posed by the subject.

Use of Deadly Physical Force

Deadly physical force [\[See Glossary\]](#) is only appropriate under circumstances where its use is justified and authorized by applicable federal and state law, and is in accordance with this policy and the rules and procedures set forth in the Operational Procedures Section of this Department Manual. Furthermore, a Member of the Department is only justified in using deadly physical force when it is to protect him/herself or another person from what the member reasonably believes is an imminent threat of serious physical injury or death, or to stop a fleeing suspect where:

1. the member has probable cause to believe the suspect has committed a felony involving the infliction or threat of serious physical injury, and
2. the member reasonably believes that the suspect poses an imminent threat of serious physical injury to the member or to others.

The basis for such a determination depends on the totality of circumstances known or reasonably perceived by the Member of the Department at the time. A Member of the Department must be able to clearly explain his or her reason(s) for the use of deadly physical force, the external circumstances that formulated his or her decision to utilize deadly physical force, as well as the factors that led to the conclusion that the member's life, the life of another Member of the Department, or the lives of the public, were in imminent peril and the use of deadly physical force was objectively reasonable. When feasible, Members of the Department shall provide a warning prior to the use of deadly physical force.

When faced with an individual who *only* poses a danger to himself or herself *and not* to other civilians or officers, Members of the Department are prohibited from using deadly physical force. In this case, Members of the Department should carefully consider the use of less-lethal options and exercise discretion to wait as long as necessary so the situation can be resolved peacefully.

Incidents involving the use of deadly physical force by Members of the Department are thoroughly reviewed by the Department on a case by case basis.

Use of Force – Reporting and Review

Members of the Department shall notify their immediate supervisor as soon as practicable of the involvement in the following use of force incidents:

1. incidents that result in physical injury;
2. incidents that a reasonable person would believe is likely to cause an injury;
3. incidents that result in a complaint of pain from the suspect other than complaints of minor discomfort from handcuffing;
4. incidents that result in the discharge of an Electronic Control Device (ECD) after being displayed; and
5. incidents that result in the discharge of a firearm at a subject.

Following involvement in any such incident, Members of the Department are required to complete PDCN Form 258, Use of Force Report, and submit it to their immediate supervisor.

A supervisor who is made aware of a use of force incident shall ensure the completion of PDCN Form 258 by all members engaging in reportable incidents. The completed form(s) will then be forwarded through the chain of command to the Chief of Department.

All members are required to know and understand the applicable policy, rules and procedures as set forth in this Department Manual, including the below-listed procedures and rules, with regard to the use of force:

- 1. Use of Force – OPS 12410,**
- 2. Use of Deadly Physical Force – OPS 12420,**
- 3. Use of Electronic Control Device (ECD)/Taser – OPS 12430,**
- 4. Use of Oleoresin Capsicum (OC) – OPS 12450,**
- 5. Use of Intermediate Weapons - OPS 12440,**
- 6. Deadly Force Response Team (DFRT) – OPS 12460,**
- 7. Rifle Deployment – OPS 12470,**
- 8. Crowd Control and Management – OPS 12127,**
- 9. Handling Diseased or Dangerous Animals – OPS 6210,**
- 10. Stray and Dangerous Dogs – OPS 6220,**
- 11. Body-Worn Cameras – OPS 6420,**
- 12. Vehicle Pursuit – OPS 6460,**
- 13. Unintentional Firearm Discharge – ADM 1220,**
- 14. Deadly Force Review Board – ADM 1222,**
- 15. Department Rules, Article 5 – Standards of Conduct,**
- 16. Department Rules, Article 8 – Uniforms and Equipment,**
- 17. Department Rules, Article 23 – Police Operations.**

All Members of the Department shall receive training and demonstrate their understanding of the proper application of force.

The Chief of Department, Chief of Detectives, Chief of Patrol and Commanding Officer of the Police Academy will review, on a quarterly basis, use of force incidents to examine trends in weapons used, outcomes, reasons for usage, and where and when force is being used.

POL 4300 Investigations - Objectives

POL 4301 Domestic Incidents

Domestic violence is a complex social problem affecting families and households from all cultural and economic backgrounds. Offenses committed between family or household members are serious events. This is true regardless of the relationships, social status, or living arrangements of the persons involved. The policies and procedures of the Department are intended to protect victims of domestic violence, enforce laws, and prevent future violence.

In all domestic incidents, the police objective is to protect victims of domestic abuse. Protection is accomplished by making arrests when laws are violated. Failure to make these arrests may increase physical and emotional risks to victims. Members of the Department do not attempt to mediate domestic violence cases in lieu of court proceedings. Our policy is to arrest when there is reasonable cause to believe that an offense has been committed or that an order of protection has been violated. The determination of reasonable cause is not to be influenced by the domestic relationships of the parties involved.

Victims are often unable or unwilling to make decisions to arrest offenders. Police arrests remove the burden of those decisions from victims. Therefore, when police arrests can be made, the victims will not be requested or required to make civilian arrests. If a civilian arrest is the only option available, the victim is provided with information, assistance, and encouragement to cause and facilitate the lawful arrest.

At times, in a domestic context, a subject knowingly acts in a manner likely to be injurious to the physical, mental or moral, welfare of a child less than seventeen years

old. An act that is specifically directed at a child may be in the form of abuse or neglect. In some cases, a subject perpetrates a violent act against a family member and a child witnesses the act. Such circumstances where a child is exposed to violence may involve acts such as repeatedly punching a victim, dragging, strangling, throwing someone to the ground, assault or menacing with a weapon.

When responding to reports involving children, all members give careful consideration to the totality of circumstances, as they may affect children involved. The Police Department enforces applicable laws in these situations especially the charge of endangering the welfare of a child.

POL 4315 Bias Incidents

Bias incidents are defined as offenses against persons or property, which appear to be motivated, in whole or in part, by the race, religion, ethnic background, or sexual orientation of the victims. These offenses, whether violent or non-violent in nature, have a serious effect on victims and can destroy the quality of life in communities and, therefore, have no place in our society. The Police Department will use its resources to prevent these types of incidents and will take vigorous enforcement action against perpetrators of such acts.

The primary approach is prevention through education, by promoting instruction about the effects of bias acts on the victim, and the legal consequences for committing such acts. This instruction is conducted throughout the community we serve. Some programs, such as Students and Teachers Opposed to Prejudice (STOP) and Police Anti-Vandalism Education (PAVE) specifically target young people, in order to reduce the incidence of bias related crimes.

When preventive efforts fail, the Department will deal with violations by strictly enforcing applicable laws. The Detective Division is responsible for the investigation of bias crimes, and the Bias Crime Coordinator assists investigations, conducts analysis, develops intelligence, educates members of the Department, and acts as a liaison to the community and outside agencies on issues related to hate crimes.

POL 4316 Limited English Proficiency Persons

The Department recognizes the importance of maintaining a standard where effortless and accurate communication can be achieved between Members of the Department and Limited English Proficiency (LEP) persons. To aid in the process of police encounters with the LEP public, the department utilizes Department Interpreters who are proficient in secondary languages. This is accomplished through employee skills information furnished by Members of the Department representing their levels of proficiency, certification, accreditations, training, and pertinent experience.

Retaining the true message from the target audience's language is the aim of the interpreter. Conserving cultural terms and English words used by the LEP person is just one aspect in the process. Impartiality, confidentiality and professionalism in obtaining the facts are other elements of good interpretation. [\[See OPS 3132-A\]](#)

These objectives are further reached with in-service training provided to Members of the Department reinforcing the components of various encounters with LEP persons. In addition to in-service training, identification and recruiting of new hires for uniformed and civilian positions who are proficient and fluent in speaking and writing in secondary languages, is another method of enhancing the department's goal.

To further increase communications with LEP persons, public service announcements and alerts through the Nassau County Police Department's website are made available in Spanish in the same form as the English language equivalent in formats including print, website, text message, and pre-recorded cell phone messages.

POL 4400 Community and External Relations - Objectives

Favorable relations with the various communities in Nassau County are essential in order to effectively carry out the police mission. The preservation of good community relations is dependent upon positive interaction and communication between the people and their police. The Police Department continuously strives to maintain a climate in which police officers

can perform their duties with the acceptance, understanding, and cooperation of the public they serve.

POL 4401 Openness of Operations

The Department views openness in matters of public interest as an issue of importance. The Police Department strives to disseminate accurate and factual accounts of occurrences of public interest, consistent with the protection of legal rights, the safety of persons involved, and with consideration for maintaining the confidentiality of certain Department records. In addition, the Department strives to make known its policies and objectives.

POL 4402 Role of the Individual Officer

Positive community relations are best manifested in the numerous daily encounters between individual officers and the public. These contacts present the greatest opportunity for establishing and strengthening attitudes that foster cooperation and support. The Police Department endeavors to have each officer inspire respect for police officers as professionals, and the Department as a partner in the community, through positive public contacts that encourage cooperation and approval.

POL 4403 Respect For Individual Dignity

Individual dignity is highly valued in a free society and all persons have a right to dignified and respectful treatment under the law. Respect for individual dignity is an obligation that all Department members must consider in their daily contacts with the public. The Police Department attempts to treat all persons with dignity and respect as individuals, and to exercise additional patience and understanding where language or cultural differences might be encountered.

POL 4404 Responsiveness to the Community

The Department acknowledges its obligation to be responsive to the needs and problems of the many communities within its jurisdiction. The Police Department seeks to be attentive to the concerns of the community at all levels of the organization and to demonstrate a genuine interest in problems brought to the Department's attention by concerned individuals and groups.

POL 4405 Dignity of Mental Aided Persons

The policy of the Nassau County Police Department is to assist mental aided persons who need assistance. This includes rendering necessary aid or medical care in a humane and sensitive manner to persons who appear to be suffering from mental illness or disability. The Nassau County Police Department is committed to treating people experiencing a mental health crisis with the same dignity and respect that we treat all medical emergencies. This process aligns with our ongoing commitment to problem solving, community partnerships and working collaboratively in ensuring proper mental health response and services are provided within Nassau County.

POL 4410 Liaison With Community Groups

Regular contact with the community is necessary in order to address local concerns and identify law enforcement needs. The Police Department maintains an active role in community affairs through frequent and regular contacts between commanding officers and the various civic organizations and community groups in the areas of their responsibility.

POL 4500 Emergencies and Planned Events

The primary function of the Police Department is to protect human life and provide for the safety of the Nassau County community. The Department also strives to prevent and manage its response to threats and breaches to homeland security. Our involvement in planned events and response to emergency incidents at local and national levels, often involves coordination with other agencies. To that end, it is necessary to effectively communicate and work with other agencies to accomplish those objectives.

The National Incident Management System (NIMS) and the Incident Command System are used by this department for incidents including limited area disasters, hazardous materials incidents and weapons of mass destruction incidents.

POL 4501 National Incident Management System (NIMS)

The National Incident Management System (NIMS) incorporates common terminology and organizational structures familiar to all agencies nationwide. Through a variety of systems, protocols and technologies the Department can work together with other agencies and organizations to effectively and efficiently manage emergencies and planned events.

POL 4502 Incident Management

Police work involves many functions performed at incidents of varying sizes, levels of complexity, and degrees of danger. By using the Incident Command System, a flexible management system used to coordinate operations at incident scenes, the Department strives to prepare its members to handle any incident, large or small, planned or emergency, in a manner that will lead to a successful conclusion.

POL 4503 Limited Area Disasters

Limited area disasters are defined as incidents which cannot be controlled through the ordinary deployment of personnel. Effective disaster control operations are dependent upon the coordination and cooperation of police, fire, and various other public and private agencies that may be called upon to perform duties in conjunction with the occurrence. Some limited area disasters may require extraordinary measures such as a declaration of a state of emergency, made by the County Executive, or the activation of the emergency broadcast system. These incidents usually require a unified command. In accordance with the disaster control plan and in furtherance of the Department's mission, the Department and its members are committed to coordinating and cooperating with other agencies in managing limited area disasters.

POL 4504 Hazardous Material Incidents

Hazardous material incidents potentially pose significant and serious threats to public safety. The Department's response to hazardous material incidents is designed to minimize those threats to public safety while attempting to control the incident. Early assessment of the actual and potential threats to life, health, and environment will determine the necessary response to the incident. Some hazardous material incidents, due to size and scope of the incident, may be limited area disasters.

POL 4505 Weapons of Mass Destruction Incidents

The Department's overall response to weapons of mass destruction incidents includes duties and responsibilities in each of the five phases of law enforcement's response. The five phases are prevention, notification, response, recovery, and restoration. The response of police personnel as the first responders to scenes involving weapons of mass destruction and the actions those first responders take will determine the effectiveness of an overall plan of action to limit or contain the damage these weapons are designed to inflict.

The destructive power of a weapon of mass destruction is determined by three factors, the product, the container holding the product, and the environment in which the product is used or released. Police response, in particular during the notification and response phases, is important to limiting the potential destruction.



Department Rules

ARTICLE TITLE

SECTION NUMBER

REVISION

Standards of Conduct

ART 5

12

Rule 1. Dedication to Duty

1. Members of the Department will promptly and faithfully perform all of the duties of their positions and will not engage or agree to engage in any actions that may interfere with or impair the efficiency or operation of the Nassau County Police Department or any other governmental agency.
2. Members of the Department, whether on or off duty, will not engage in conduct unbecoming an officer or Member of the Department, or in any action which may be prejudicial to the good order and efficiency of the Police Department.
3. Members of the Department will first and foremost devote their time and attention to the service of the Department and will not engage in any other business, calling or conduct which is unlawful or may create a conflict of interest or an appearance of impropriety in connection with employment in the Nassau County Police Department.
4. Members of the Department will report, immediately, to a Superior Officer in the Command having jurisdiction, any delinquency, dereliction of duty, violation of the Department Rules, conduct, disorder, and neglect to the prejudice of good order, efficiency, and discipline, which they observe or of which they have knowledge; they will immediately bring to the attention of a superior officer a case in which a Member of the Department becomes unfit for duty on account of careless, improper, vicious, or immoral conduct.
5. Supervisors will report any information reported to them by members, concerning: corruption, fraud, use of excessive force, criminal activity, conflicts of interest or abuse by another officer or employee relating to his or her office or employment, to the Internal Affairs Unit through the current Blue Team reporting system.

Rule 2. Misconduct

Members of the Department *will not*:

1. engage in unlawful conduct, whether on or off duty.
2. make or submit or cause to be submitted a false official communication, record, or statement.
3. unjustifiably interfere with nor attempt to influence the lawful business of any person.
4. indulge in games of cards or chance while on duty.
5. litter with refuse any departmental property.
6. smoke or use smoking/vaping products, such as but not limited to E-cigarettes, hookah, etc., while in uniform in public, and/or while inside department buildings or vehicles.

Rule 3. Fitness For Duty

1. Members of the Department will be fit for and subject to full duty at all times, except when on authorized leave or as otherwise directed by the Commissioner of Police.
 - a. Permanent physical or mental incapacity to perform police duties may be cause for separation from the Police Department.
2. Members of the Force must immediately notify the Department when they have a medical, psychological, or legal condition that may affect their right or ability to possess a firearm.
3. Members of the Department shall not consume any substance while off duty to an extent that renders them unfit to report for their regular tours of duty.

Rule 4. Obeying Orders

1. Members of the Department will promptly obey all lawful orders, instructions, directions, and requests of Superior Officers.
 - a. Orders from members assigned to the Office of Commissioner of Police, or the Office of a Deputy Commissioner, Chief of Department, or Division Chief, when so directed, will be deemed to be the orders of such members' superior and will be promptly obeyed as such.
 - b. Members of the Force must promptly surrender the following when ordered to do so by a Superior Officer:
 - 1) all firearms,
 - 2) Department identification,
 - 3) any other Department equipment demanded by the Superior Officer.
 - c. Members of the Department will respond to the Employee Assistance Office (EAO) when directed to do so by a Superior Officer.
2. Members of the Department will promptly obey all lawful orders, instructions, and directions of Department Police Surgeons.

Rule 5. Keeping Superiors Informed

1. Members of the Department will keep their Superiors informed of all-important matters and of any action taken pertaining to those matters.
 - a. Important matters include the following:
 - 1) a Member of the Department who appears unfit for duty,
 - 2) a serious complaint against a Member of the Department,
 - 3) corruption, fraud, use of excessive force, criminal activity, conflicts of interest or abuse by another officer or employee relating to his or her office or employment.
 - 4) important messages,
 - 5) matters that require the attention of the Superior.
 - b. Members of the Department will immediately notify a supervisor upon receipt of a civilian complaint.
2. Members of the Department will, when engaging in any official action while off duty, report such action to their Commanding Officer as soon as practical.
3. Members of the Department will immediately report to their Commanding Officer if:
 - a. they are arrested, *or*
 - b. they are a defendant, respondent or other subject of any action or proceeding commenced in any federal, state or local court, charging the commission of a felony or a misdemeanor defined under New York or federal law or the law of any other state or jurisdiction or any other offense defined in the Penal Law.

Note: Details to be reported will include court, charges, and the place, date and time of any arrest.

4. Members of the Department receiving a written communication from the public concerning Police Department activity will, without unnecessary delay, deliver same to their Commanding Officer.
 - a. The member's Commanding Officer will promptly cause receipt of such to be acknowledged and take whatever other action is appropriate.
5. Members of the Force on patrol will report, without unnecessary delay, to the Desk Officer any condition or occurrence requiring attention, such as serious crimes, casualties, or unsafe public conditions.

Rule 6. Respect

1. Members of the Department will be respectful in their contact with Superior Officers and all other persons within and without the Police Department.
2. Members will give their rank, name, shield number, and command to any person who requests same.

3. Members will give the rank, name, shield number, and command of another Member of the Department to any person who appears personally and can demonstrate a legitimate interest in obtaining same.

Rule 7. Intoxicants and Controlled Substances

1. Members of the Department will not consume any intoxicating substance while on duty, either in or out of uniform, except when necessary and authorized in the performance of duty.
2. Members of the Department will not consume any substance while on duty, either in or out of uniform, such that they are legally impaired, except when necessary and authorized in the performance of duty.
3. Members of the Department will not be unfit for duty by reason of intoxicants.
4. Members of the Department will not use or possess any controlled substance as such substances are defined under New York State and federal statutes, except according to prescription and under the supervision of a licensed medical professional. Cannabis/marihuana or cannabis derived products will not be used or possessed by Members of the Department, regardless of prescription, whether on or off duty.
5. A Member of the Department will not bring or permit to be brought any intoxicant into a departmental building, booth, boat, vehicle, or aircraft, except in the performance of police duty, or when required for prompt administration under the personal direction of a physician.
6. Unless in the immediate performance of police duty or with the permission of the Commissioner of Police, a Member of the Department in uniform will not enter any premises used for the manufacture, storage, or shipping of intoxicants or any premises where an intoxicant is sold, except for the purpose of eating a meal in a duly licensed hotel or restaurant.
7.
 - a. A Member of the Force is prohibited from being either directly or indirectly interested in the manufacture or sale of alcoholic beverages.
 - b. A Member of the Force is prohibited from being either directly or indirectly interested in the cultivation, processing, distribution, or sale of cannabis/marihuana or cannabis derived products or to offer for sale, or recommend to any registered organization or licensee any cannabis products.
8. When a Member of the Department is authorized to consume alcohol during a special assignment, prior to resuming his normal duties, the member will notify a supervisor who will determine the member's fitness for duty and will direct the member accordingly.

Rule 8. Reporting For Duty

1. Members of the Department will report for duty as directed by competent authority.
2. Members will not report late for duty.
3. Members will not absent themselves without proper authorization.
4. Members will not exceed the meal period authorized by applicable labor agreement.
5. Members of the Department will sign on and off duty with their command.

Rule 9. Post Duties

1. Members of the Department who are performing patrol duty, assigned to a post [\[See Glossary\]](#), or are otherwise involved in the emergency operations of the Department will:
 - a. remain constantly alert and observant,
 - b. not hold unnecessary conversation while performing duties,
 - c. not enter vehicles, conveyances, or structures except in the performance of duties,
 - d. familiarize themselves with the post or duty to which assigned.
2. Members assigned to posts will proceed to the designated post or relieving point without unnecessary delay and:
 - a. inspect the post immediately,

- b. note any condition requiring attention, and
 - c. take appropriate action.
- 3. Members assigned to a post with a police booth in his territory will ensure the following:
 - a. the booth is properly lighted during hours of darkness,
 - b. the national colors are properly displayed in accordance with Article 13, Rule 11.

Rule 10. Quitting Post

- 1. Members of the Department assigned to posts will not quit their posts except for official necessity, personal necessity, or meal period.
- 2. If required to quit his post for official necessity, a Member will:
 - a. enter in his memorandum book, as soon as circumstances permit,
 - 1) the time of leaving and reason,
 - 2) the time of returning to his post.
- 3. If required to quit his post for personal necessity, a Member will:
 - a. enter in his memorandum book, before quitting his post,
 - 1) the time of leaving and reason,
 - 2) the premises to be entered,
 - b. enter in his memorandum book the time of returning to his post.
- 4. Before quitting his post for meal period, a Member will request a meal period and await approval.
- 5. If assigned to a post required to be staffed, a Member will:
 - a. request relief and await the relief before quitting his post,
 - b. at the end of his tour of duty, remain on duty until relieved.
 - 1) If no relief is present at the end of the tour, the Member will not quit his post and will communicate with his Desk Officer or Superior Officer and comply with the instructions received.
- 6. If assigned to a post with Departmental radio communications, a Member will communicate by radio the following:
 - a. his intention to quit his post, prior to leaving,
 - b. his return to post.

Rule 11. Departmental Business

A Member of the Department will treat as confidential the official business of the Police Department and information obtained by him by virtue of his official capacity. He will not talk for publication, be interviewed, make public speeches, or impart information relating to the official business of the Department to anyone, except:

- 1. Under the due process of law.
- 2. As directed, or with the permission of the Commissioner of Police.
- 3. As directed, by the Department Rules or Departmental Orders.
- 4. A representative of the Press, upon establishing his identity, may be advised of the current news, if the ends of justice are not thereby defeated or laws violated, and with permission of the Commissioner of Police or the Commanding Officer, Public Information Office.
- 5. A properly identified employee of the State of New York or the County of Nassau Civil Service Commissions or United States government may be furnished with information, in compliance with current law, which, in the opinion of the Commanding Officer, may be necessary to aid them in the investigation of applicants or as otherwise directed by the Chief of Department or Division Chief.
- 6. Information concerning persons arrested may be given by authorized members to properly identified representatives of organized law enforcement agencies, a Parole Commission, or Probation Department except that arrest information recorded in records and files which have been sealed in compliance with a Court Order may only be released by the Records Bureau and then only in accordance with the provisions of current law.

7. Members of the Force are prohibited from using any person as a confidential informant with whom they have had or currently have a familial, social or business relationship.
8. Members of the Force are prohibited from using contraband as a form of compensation to a confidential informant.

Rule 12. Police Business Outside County

1. Members of the Department will not leave the Counties of Nassau, Suffolk, or Westchester or the City of New York on police business except by authority of the Chief of Department or Division Chief. In the event of an emergency, when such authority cannot be obtained, Commanding Officers may grant permission to leave the County.
2. Members will not leave the County in uniform, in any event, except in close pursuit, extreme police emergency, or as otherwise directed by the Chief of Department or Division Chief. However, members residing in the City of New York, County of Westchester, or Suffolk County, may wear the uniform in traveling to and from authorized police duties and assignments.
3. Except in the case of urgent police necessity, Members will not cause any Departmental vehicles, vessels, aircraft, equipment, or Department owned animals to be removed from the County of Nassau without the express approval of his Commanding Officer.
4. Members of the Department will only use Non-Revenue E-Z Passes for official Police Department business.

Rule 13. Gratuity

Members of the Department will not ask for or receive or consent or agree to receive any emolument, gratuity, or reward or any promise of same, or any personal advantage; nor will they solicit, contribute, cause to be solicited, contributed, or paid, directly or indirectly, any money or valuable thing to be used in connection with a matter affecting the Department. The offering, selling, or giving of any tickets, objects, advertisements, or promises, directly or indirectly, personally or through any agent, by any Nassau County Police Department affiliated group or organization or individual member of this Department is prohibited, except if authorized, in writing, by the Commissioner of Police. This does not apply to membership, dues, assessments, etc., paid to authorized department organizations or other authorized purposes. Any checks, monies, awards, gifts, etc., so received, will be immediately forwarded, through official channels, to the Office of Commissioner of Police with brief facts concerning same.

Rule 14. Financial Responsibility

1. Members of the Department will promptly pay just debts and will not incur liabilities which they are unable or unwilling to discharge.
2. Members of the Department will not incur a liability, chargeable against the County, without the approval of the Chief of Department or Division Chief.
3. No Member of the Department will sign any note or other instrument as co-maker, guarantor, or endorser, for any money borrowed by any other Member of the Department. This rule will not pertain to the member's immediate family.

Rule 15. Personal Appearance

Members of the Department will be neat and clean at all times while on duty. Unless otherwise stated and because deviations from these standards may present officer safety issues, personnel will comply with the following grooming standards. Commanding Officers, with the approval of the Division Chief, may permit non-uniformed members to exceed these guidelines if a particular job assignment requires same for the duration thereof and/or where the Police Commissioner or designee has granted an exception.

Any member requesting an accommodation from this policy for any reason, including medical or religious reasons, may refer to the Department's policies regarding reasonable accommodations (See POL 3222, Department of Equal Employment Opportunity Representative; ADM 1226, Discrimination in the Workplace). The

member will request such accommodation in writing, utilizing the Nassau County Request for Reasonable Accommodation Form, and submit to the Police Commissioner through official channels. A member who is granted an accommodation may be ineligible for certain assignments if the individual's accommodation presents a security or safety risk.

1. Uniformed Members

a. Hair

- 1) Hair will be neatly cut and trimmed at all times while on duty. Hair styles will be conservative and not excessive in length. The maximum permissible bulk of hair will be one and one-half inches in thickness on top and one inch in thickness at the back and sides of the head. However, in no event will any hair style or thickness of hair interfere with the proper wearing of uniform headgear. The hair style may cover the top portion of the ear but not beyond the midpoint thereof. Length may not extend more than one-half inch below the top of the shirt collar. In no event will ponytails or pigtails be permitted, as these may be readily grabbed by a suspect or defendant. Similarly, *any other styles or lengths of hair* which may interfere with the normal wearing of standard Department-issued headgear or any specialized equipment, or may in any way compromise member safety and effectiveness, is prohibited.
- 2) Female members may have hair longer than the above but it must be pulled back away from the face and secured so that it does not touch the collar. Necessary hair holding devices (such as but not limited to rubber bands, clips, barrettes, pins), when used, must be unadorned and plain, and be transparent or similar to the color of the hair. All such devices must be unobtrusive, and concealed as much as possible. Hair scarves, beads, bows, large and decorative fabric-colored elastic bands, large plastic clips, or other ornamental items are prohibited. Any hair-securing devices must not interfere with the proper wearing of any headgear.
- 3) Decorative articles may not be worn in hair.
- 4) Hair color must be within a naturally occurring color range. Hair colors that are considered extreme, faddish or artificial are prohibited.
- 5) Any hair designs shaved into the scalp are prohibited. Hair styled, sculpted, or carved, in what would reasonably be considered extreme, exaggerated or radical fashions, such as mohawk, dreadlocks, punk, spikes, mullet, etc., are prohibited.
- 6) Wigs and hairpieces will not be worn while on duty in uniform, except for cosmetic reasons to cover natural baldness or physical disfigurement. If under these conditions, a wig or hairpiece is worn, it will conform to Department standards for natural hair. The wearing of a wig or hairpiece to disguise normal appearance is prohibited.

b. Facial Hair

- 1) Sideburns will be neatly trimmed, may extend to the bottom of the ear lobe, trimmed level therewith, and be not more than one and one-half inches wide at the base. In no event will such be so wide as to interfere with a proper seal when wearing a tight-fitting air purifying respirator or other similar device.
- 2) Neatly trimmed moustaches may be worn, which will not extend over the top of the upper lip, but which may extend outward or downward one-half inch beyond the corners of the mouth.
- 3) Beards and goatees will not be permitted. A growth of whiskers may be permitted while on duty for medical reasons only when approved by the Chief Surgeon. *With the approval of the Chief Surgeon, beards will be no longer than 3mm (approximately 1/8th inch) in length and will be neatly*

trimmed. Members requesting such medical accommodation will submit documentation from a dermatologist to the Office of the Chief Surgeon. Upon receiving approval, members will thereafter respond to the Office of the Chief Surgeon every 30 days for continued accommodation.

c. Fingernails

- 1) Fingernails will be clean and neatly trimmed to a length that will not present a safety concern and not extend more than one-quarter (1/4) inch from the fingertip.
- 2) Fingernail polish will be limited to natural or clear tones. Faddish, exaggerated, or multicolored nail color is prohibited.
- 3) Raised, ornamented accessories that are worn or affixed to nails are prohibited (e.g., rhinestones, decals, jewelry, etc.).

d. Cosmetics

- 1) Make up, if worn while in uniform, will be subtle and natural in appearance. Lip color, eyeshadow and cheek color must be natural in color.
- 2) False eyelashes of unnatural, exaggerated length are prohibited.

e. Jewelry

- 1) No item of jewelry may be worn in such a manner that would constitute a safety hazard.
- 2) Any item of jewelry must not depict racial, sexual, discriminatory, gang-related or obscene language.
- 3) Rings may be worn on only one finger of each hand while on duty. No ring will be worn so that it interferes with the use of equipment or hinders the use of the hand or fingers. Rings may not be worn on the thumbs. Rings may be worn if they are generally smooth and not likely to catch on other objects. Rings should not have jagged edges or raised stones that might cut or pose an unreasonable safety risk to the members or others during a physical altercation.
- 4) Visible neck jewelry is prohibited. Religious or medical notification-type necklaces may be worn under the shirt.
- 5) The wearing of an earring or earrings is prohibited.
- 6) The wearing of bracelets, except medical alert bracelets, is prohibited.
- 7) Wristwatches are permitted but must be a conservative color, such as navy, black, brown, yellow metal, white metal, or similar colors.

f. Tattoos

- 1) While on duty or representing the Department in any official capacity, visible tattoos will not be offensive or obscene. At no time while on duty or representing the Department in any official capacity will any offensive tattoo or body art be visible. Examples of offensive tattoos include, but are not limited to, those that exhibit or advocate discrimination against sex, race, religion, ethnicity, national origin, sexual orientation, age, physical or mental disability, medical condition or marital status, those that exhibit gang, supremacist or extremist group affiliation, and those that depict or promote drug use, sexually explicit acts or other obscene material. The Commissioner of Police will be the arbiter as to the offensiveness and obscenity of any skin marking. Established uniform of the day protocol is superseded by these rules.
- 2) Pre-existing markings determined to be offensive or obscene will be entirely covered while on duty or representing the Department in any official capacity. The following are acceptable coverings:
 - a. Department-issued apparel,

- b. proper business attire,
 - c. cosmetics resembling the skin tone of the member,
 - d. a neutral-colored skin covering, resembling the skin tone of the member, such as a sports wrap, bandage, or sleeve.
- 3) Exposed tattoos of any kind are prohibited on the hands, fingers, face, neck and head.
- g. Body Piercing, Body-Piercing Associated Jewelry, or Body Alteration
 - 1) Body piercing, other than earlobes, body-piercing associated jewelry, or alteration to any area of the body **that is visible** while on-duty or while representing the Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:
 - a) tongue splitting or piercing,
 - b) the complete or transdermal implantation of any material other than hair replacement (e.g., foreign objects inserted under the skin to create a design or pattern),
 - c) abnormal shaping of the ears, eyes, nose or teeth (e.g., enlarged or stretched out holes in the earlobes),
 - d) branding, scarring or burning to create a design or pattern.
- h. Dental and Ornamentation
 - 1) Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Department in any official capacity. Such ornamentation includes, but is not limited to:
 - a) the unnatural shaping of teeth for nonmedical reasons,
 - b) objects that are bonded to front teeth,
 - c) gold, platinum or other veneers or caps used for decorative purposes,
 - d) orthodontic appliances that are colored for decorative purposes.
- i. Footwear
 - 1) Shoes to be worn, while in uniform, will:
 - a) be black, plain style, and low heel (not more than 2 inches),
 - b) not be platform type, open toe, or open heel,
 - c) not display a clearly visible company name or logo.
 - 2) Black socks will be worn with the uniform.
- j. Eyeglasses and Contact Lenses
 - 1) Eyeglasses and sunglasses will be of conservative style and color. No neon or brightly colored frames may be worn.
 - 2) Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Department in any official capacity.
- k. While in uniform in public view, uniformed members will not chew gum, use tobacco in any form, or hold toothpicks in the mouth.
- 2. Non-Uniformed Members
 - a. Will be neat and tidy at all times.
 - b. Extreme or exaggerated attire will not be permitted.
 - c. Hair will be neatly groomed.

Rule 16. Use of Force

- 1. Members of the Department will not use force except as provided by law.
- 2. Members of the Force will not use force except as provided by law.

3. A Member of the Department will notify a Supervisor, as soon as practical, whenever he uses deadly force.
4. Members of the Force will notify a Supervisor, as soon as practical, when they have discharged a firearm, except while lawfully hunting or target shooting.

Rule 17. Discrimination in the Workplace

1. Members of the Department will not discriminate against another person, or participate in, or encourage behavior that constitutes discrimination.
2. Members of the Department will promptly report acts of discrimination they observe, or become aware of, to a supervisor.
3. Members of the Department will not disseminate any photograph, literature or other material that may create a hostile work environment.
4. Members are required to familiarize themselves with the current Nassau County Equal Employment Opportunity Policy.

Rule 18. Notification of Off-Duty Employment

1. Members of the Department are permitted to engage in off-duty employment, but will notify their Commanding Officer within 5 working days upon beginning such employment.
2. Members of the Department will not engage in off-duty employment which is unlawful or may create a conflict of interest or an appearance of impropriety in connection with employment in the Nassau County Police Department.
3. Members of the Department, while engaging in off-duty employment and for the purposes of that employment, will not use any Police Department equipment or access any information retained by the Department.
4. Members of the Department, while performing activities related to off-duty employment, will not: conduct themselves in a manner that would give the appearance that they are acting within the scope of their Nassau County Police Department employment, wear all or part of the Nassau County Police Department uniform, identify themselves as Members of the Nassau County Police Department or as Police Officers.

Rule 19. LIRR Police Ride Program

1. Members of the Force utilizing the LIRR Police Pass will comply with all conditions of use listed on the pass.



Uniforms and Equipment

ART 8

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Rule 1. In an effort to provide uniform options for weather variances while still maintaining a uniform standard, Members of the Department will choose exclusively from the uniform options that are detailed below:

1. Uniform of the Day (All Year)

Police Officers and Sergeants:

Long-sleeve blue shirt
Mock-neck shirt or mock-neck dickey
6-pocket BDU pant

Lieutenants and above:

Long-sleeve blue shirt
4-Pocket Pant (trousers)
Blue tie, *or*
Long-sleeve white shirt with black tie and Blouse

Captains and above:

May wear the Department sweater in conjunction with the shirt and tie, except at official ceremonies, parades, funerals, or when representing the Department at meetings or functions.

**a. Summer Option (All Members from April 1 to November 1)
(Administrative Members All Year)**

Short-sleeve blue shirt
Black T-shirt

Note: Members *not* on Patrol may wear a white T-shirt.

b. Winter Option (September 1 to June 1)

Police Officers, Sergeants and Lieutenants:

May wear the waist-length duty jacket.

Sergeants and above:

May wear the regulation white shirt with black tie and the waist-length duty jacket.

Captains and above:

May wear the administrative officer's overcoat.

All members may wear black leather gloves with either the waist-length duty jacket or the administrative officer's overcoat.

c. Indoor Option

All Members:

May wear the short-sleeved summer shirt when assigned to and performing duty indoors,
If a T-shirt is visible, it must be either black or white.

Lieutenants and Sergeants assigned as Desk Officers may wear the blouse with the white shirt and black tie while performing such duty.

2. Uniform of Detail (for Ceremonies, Funerals, Parades, and Other Details)

Police Officers:

4-pocket pant
Long-sleeve blue shirt
Blue tie
Dress Blouse
Uniform Cap
White gloves

Rank Appropriate for Detectives, Sergeants and above:

4-pocket pant
White shirt
Black tie
Dress Blouse
Uniform Cap
White gloves

3. Special Duty Uniform

A Special Duty Uniform will be worn by members of those units who the Commissioner of Police has determined perform duty assignments which make the wearing of the standard uniform impractical. Commanding Officers will request approval through the Office of Chief of Department (TOC) for articles of clothing that are deemed appropriate for their respective Commands.

Winter Option (September 1 to June 1)

May wear the waist-length duty jacket.

4. Civilian members in uniform will be guided accordingly.
5. Police Medics will wear a black T-shirt when wearing an open-collared uniform shirt.

Rule 2. Wearing the Uniform

1. Members of the Department will wear, at all times while on duty, such articles of uniform and equipment as prescribed by the Commissioner of Police.
 - a. Such articles, issued by the Uniform Section for their rank or position, will be maintained in a neat, clean, and serviceable condition.
 - b. The prescribed uniform will be worn only when necessary.
2. The uniform will be securely fastened.
3. No part of the uniform will be worn in conjunction with civilian clothing or unauthorized articles of clothing or accessories, except when traveling to and from work in a private vehicle in an off-duty status.
4. If wearing the blouse, the waist-length duty jacket, or the administrative officer's overcoat over a uniform, a member while indoors may remove the outer garment and properly affix the shield to the outermost garment.
5. Black shoes, suitable for police duty, and black socks will be worn at all times with the uniform.
6. A visible T-shirt will be black; however, members who are assigned to and are, in fact, performing duty indoors may opt to wear either a white or black T-shirt.

7. The uniform cap will be worn straight on the head with the visor centered directly over the nose. The knit cap may be worn in conjunction with the waist-length duty jacket from November 1 to April 1 each year.
8. Prescribed raincoats and adequate black waterproof footwear will be worn during inclement weather.
9. Gloves:
 - a. White cotton or woolen gloves will be worn while performing traffic duty when a member is wearing the winter option uniform.
 - b. Members assigned to operate motorcycles may wear plain black leather gauntlets during the operation of same and either plain black leather or Department-issued gloves with the summer option uniform.
10. A prescribed American Flag Bar or Pin may be worn on the uniform and affixed to the left lapel of the overcoat or blouse or centered above the shield and award bars.
11. A Member of the Department, when in uniform, may only wear a tie clasp prescribed by the Commissioner of Police.

Rule 3. Uniforms and Special Circumstances

1. Members of the Department, directed to report to the Office of any Officer of this Department above the rank of Lieutenant, or at the Departmental Trial Room, or to any court or hearing within the County of Nassau, New York, with regard to any Departmental matter, will do so in uniform, except members permitted to wear civilian clothing, or as otherwise directed.
2. Members of the Force above the rank of Lieutenant may wear civilian clothing when conducting an investigation or when the wearing of a uniform would be impractical.
3. A Member of the Force designated as Aide to the Commissioner, while in uniform, will wear a prescribed gold aide cord on the left shoulder when so directed by the Commissioner of Police.
4. Members of the Force designated as Adjutants, while in uniform, will wear a prescribed blue aide cord on the left shoulder when acting as Adjutants or as otherwise directed by the Chief of Department.
5. Chaplains may, at their option, wear the prescribed uniform to include the insignia of Inspector at Departmental functions. They will be guided by a reasonable application of the provisions of Article 8 of the Department Rules.
6. Commanding Officers may direct Members of the Department to wear coveralls or other prescribed work attire while performing duties that would cause the uniform to be soiled.
7. Members of Fleet Service Bureau, to include Bureau Director, Deputy Bureau Director, Police Automotive Supervisors, Police Automotive Mechanics and Automotive Servicers, will have with them their Department issued soft body armor while working at the Fleet Service Bureau, Precinct Garage or any other Department vehicle repair facility. These members will wear such soft body armor while on duty and operating or riding as a passenger in any Department vehicle traveling a public roadway.

Rule 4. Uniform Caps

1. Uniformed Members of the Force, with the rank of Lieutenant or below, and uniformed civilian Members of the Department will not be required to wear the prescribed uniform cap while on duty, except under the following circumstances:
 - a. while directing traffic or on crossing,
 - b. at special details and events,
 - c. at Departmental ceremonies,
 - d. as otherwise directed by the Commissioner of Police.
2. The above-mentioned uniformed members will have the prescribed uniform cap available to them at all times while on duty.
3. Members of the rank of Deputy Chief and above, while in uniform, will wear the prescribed cap with visor adorned with embroidered, raised, gold-leaf clusters.
4. The knit cap will not be worn in place of the uniform cap.
5. The Mouton cap is no longer authorized headwear.

Rule 5. Emblems of Rank

Members of the Force in uniform will wear on the prescribed uniform shirt, blouse, waist-length duty jacket, sweater, raincoat or administrative officer's overcoat, the prescribed insignia designating their rank, which has been issued by the Uniform Section.

1. Chief of Department: Four (4) prescribed gold stars, evenly spaced on each shoulder, as directed.
2. Chief of Patrol, Chief of Detectives, Chief of Support and Chief of Strategic Initiatives: Three (3) prescribed gold stars, evenly spaced on each shoulder, as directed.
3. Assistant Chief: Two (2) prescribed gold stars, one (1) inch wide between points, on each shoulder, as directed.
4. Deputy Chief: One (1) prescribed gold star, centered, one on each shoulder, as directed.
5. Inspector: One (1) raised prescribed gold spread eagle, to be displayed with eagle's head toward collar facing forward, on each shoulder, as directed.
6. Deputy Inspector: One (1) raised prescribed gold maple leaf, stem facing outward, on each shoulder, as directed.
7. Captain: Two (2) raised prescribed gold bars, to be displayed on each shoulder parallel to shoulder seams, as directed.
8. Lieutenant: One (1) raised prescribed gold bar, to be displayed on each shoulder parallel to shoulder seams, on any outer garments, as directed:

- a. Lieutenants, when wearing authorized shirts with shoulder patches, and all ranks above Lieutenant, when wearing the authorized blue, short-sleeved shirt with shoulder patches, will wear the prescribed emblem of rank on the collars.
 - b. All ranks above Sergeant will wear on the prescribed uniform blouse the prescribed black braid one and one-quarter inches (1 1/4") wide, placed with its lower edge three and one-half inches (3 1/2") above the bottom of sleeve, and a black braid one and one-quarter inches (1 1/4") wide covering the outside vertical seam of the trousers.
9. Sergeant: Will wear on each sleeve, six (6) inches below the shoulder seam, a three (3) stripe chevron in the center of each sleeve, the upper point of the chevron to be in line with the lower point of the Departmental insignia, and a black braiding covering the outside vertical seam of the trousers.
 10. Police Officer: Will wear a black braiding covering the outside vertical seam of the trousers.
 11. Gold stripes to be added to riding breeches three-eighths of an inch (3/8") wide for the Mounted Unit, and one and one-quarter inches (1 1/4") wide for the Highway Patrol Bureau.

Rule 6. Uniform Patches

1. Members of the Department in uniform will wear the prescribed Departmental shoulder patch, issued by the Uniform Section, on the right and left sleeve of prescribed uniform shirts, blouse, waist-length duty jacket, sweater, or administrative officer's overcoat; the top center of such patch to be worn 1/2 inch below the shoulder seam and the lower point to be in line with center of the sleeve. No other patch will be worn except as authorized.
2. The cloth command patches listed below are the only authorized command insignia to be worn by Members of the Department. Authorized patches for specified units will be worn on the right breast of the blouse or shirt and will be displayed centered approximately one-half (1/2) of an inch above name plate. A corresponding small patch may be worn on issued work caps.
3. The following breast patches depicting the County Seal are authorized:
 - a. Police Medic
 - b. E.V.O.C.
 - c. Marine Bureau
 - d. Mounted Unit
 - e. Arson Squad
 - f. Bomb Squad
 - g. Aviation Bureau
 - h. Emergency Services
 - i. Crime Scene
 - j. Firearms Training
 - k. Canine Section
 - l. Fleet Service
 - m. Police Academy
 - n. Police Activity League
 - o. any other patches issued or approved by the Commissioner of Police
4. The shoulder emblems, issued by Uniform Section, for the following personnel will be worn directly below the Departmental shoulder patch on each sleeve on prescribed uniform shirts, sweaters, and duty jackets:

- a. Parking Enforcement Aide
- b. Police Service Aide

Rule 7. Shield

1. Members of the Force and those Members of the Department issued a shield will at all times carry said shield, unless unreasonable or impractical, and will not give or entrust their shields to any person without first being directed to do so by a Superior Officer of this Department.
2. When in uniform, members will wear the shield on the outermost garment over the left breast in the place provided. Such shield may be worn with a prescribed black leather police shield and award bar holder.
3. When in civilian clothes, members will display the shield on the outermost garment over the left breast while at the scene of a police emergency, as a prosecution witness before a Grand Jury or in court, and at any other time it is necessary for him to establish his official identity.
4. A Member of the Department will neither wear, use, display, nor have in his possession a police shield or other similar object, except as authorized by the Commissioner of Police.

Rule 8. Identification Card

1. PDCN Form 214, Personal Identification Card, is hereby authorized. These cards are issued to Members of the Department by direction of the Commissioner of Police. It will contain the name of this Department and of the member, indicating rank, serial number and expiration date. The card information and picture of the member will be on a plastic card as determined by the Commissioner of Police.
2. Members of the Department will carry their identification cards at all times, unless unreasonable or impractical.
3. Members of the Department will not allow their identification cards to be used by another person for any purpose.

Rule 9. Equipment

1. Members of the Force, on duty, will be equipped with the following regulation equipment in serviceable condition, unless otherwise directed:
 - a. Uniformed Force:
 - 1) A fully-loaded firearm authorized in Rule 10.
 - (a) Two (2) Department-issued 9mm or, if trained .40-caliber, magazines fully loaded with Department-issued cartridges to be carried in a Department-issued, double magazine pouch.
 - (b) Twelve (12) extra .38 special caliber, Department-issued cartridges if carrying revolvers.
 - 2) Holster and belt as prescribed by the Commissioner of Police
 - 3) Memorandum Book
 - 4) Ballpoint pen with black ink
 - 5) Police baton
 - 6) Handcuffs
 - 7) Traffic whistle
 - 8) Traffic Ticket Book - of type required
 - 9) Flashlight during hours of darkness
 - 10) Traffic signal box key

- 11) Oleoresin Capsicum (OC), as authorized
 - 12) Knife
 - 13) Tourniquet
 - 14) Reflective Traffic Safety Vest
 - 15) Key FOB
- b. Civilian Clothes:
- 1) A fully-loaded firearm authorized in Rule 10.
 - (a) One (1) Department-issued 9mm or, if trained .40-caliber, magazine fully loaded with Department-issued cartridges, to be carried in a Department-issued, single magazine pouch.
 - (b) If carrying a Glock 26 or Sig Sauer P239, an appropriate magazine, fully loaded, with 9mm Department-issued cartridges, and carried in an appropriate single magazine pouch.
 - (c) Six (6) extra .38 special caliber, Department-issued cartridges if carrying a revolver.
 - 2) Holster
 - 3) Police baton
 - 4) Flashlight during hours of darkness
 - 5) Oleoresin Capsicum (OC), as authorized
 - 6) Knife
 - 7) Ballpoint pen with black ink and paper for notes
 - 8) Handcuffs
 - 9) Key FOB
- c. Emergency Equipment:
- 1) Riot Helmet: Members of the Force, while on duty, will have their Departmental riot helmets readily available for use and will wear same when directed by competent authority.
 - 2) Soft Body Armor: Members of the Force and Members of the Emergency Ambulance Bureau (EAB), including Police Medics, Police Medic Supervisors, and Police Medic Coordinators, while on duty and engaged in patrol or field operations, must wear their Department-issued soft body armor. These members may be exempt from wearing soft body armor by the member's respective Division Chief, Chief of Department or Deputy Commissioner, if in the opinion of the Chief or Deputy Commissioner, the wearing of the protective vest would interfere with or be inappropriate for the member's specific duty or assignment.

All Members will have with them their Department-issued soft body armor while attending firearms training, and all Members, including firearms instructors, will wear said body armor while conducting or engaging in firearms training exercises.
 - 3) WMD/Personal Protection Equipment: Members of the Force, Police Medics, Police Medic Supervisors, and Police Medic Coordinators, while on duty, will have their Departmental WMD/Personal Protection Equipment readily available for use.
2. Police batons will be carried by Members of the Force, in uniform, whenever directed by Commanding Officers. The police baton will conform to regulation sample and will be carried in a belt-ring holder or prescribed holster.

3. Members of the Department, while in uniform, will not carry anything but designated equipment, except in an emergency, when in the performance of police duty.

Rule 10. Authorized Firearms

Members of the Force are authorized to carry firearms, as follows:

1. Uniformed Force, on duty:
 - a. for Members who *have been trained* by the Firearms Training Unit (FTU) with a Department-issued, .40-caliber semiautomatic pistol, any of the following pistols:
 - 1) Sig Sauer P226,
 - 2) Sig Sauer P229.
 - b. for Members who *have not been trained* by the FTU with a Department-issued, .40-caliber semiautomatic pistol, any of the following Department-issued, 9mm semiautomatic pistols:
 - 1) Sig Sauer P226,
 - 2) Sig Sauer P228.
 - c. for Members who *have not completed* transitional training, any of the following revolvers, with 4-inch barrel, and capable of firing .38-caliber cartridges:
 - 1) Smith and Wesson, with safety bar,
 - 2) Colt, with hammer block safety,
 - 3) Dan Wesson, with transfer bar,
 - 4) Ruger, with transfer bar.
 - d. for Officers above the rank of Lieutenant, any of the following revolvers, with not less than a 2-inch barrel, and capable of firing .38-caliber cartridges:
 - 1) Smith and Wesson, with safety bar,
 - 2) Colt, with hammer block safety,
 - 3) Dan Wesson, with transfer bar,
 - 4) Ruger, with transfer bar.
2. Civilian clothes, on duty:
 - a. for Members who *have been trained* by the FTU with a Department-issued, .40-caliber semiautomatic pistol, any of the following pistols:
 - 1) Sig Sauer P226,
 - 2) Sig Sauer P229.
 - b. for Members who *have not been trained* by the FTU with a Department-issued, .40-caliber semiautomatic pistol, any of the following Department-issued, 9mm semiautomatic pistols:
 - 1) Sig Sauer P226,
 - 2) Sig Sauer P228.
 - c. for members who *have not completed* transitional training, any of the following revolvers, with not less than a 2-inch barrel, and capable of firing .38-caliber cartridges:
 - 1) Smith and Wesson, with safety bar,
 - 2) Colt, with hammer block safety,
 - 3) Dan Wesson, with transfer bar,
 - 4) Ruger, with transfer bar.
 - d. for members who are authorized by the Commissioner of Police *and* who have been trained by the FTU, any of the following:
 - 1) 9mm semi-automatic pistols:

- a) Sig Sauer P239,
 - b) Glock 26, fitted with the New York trigger.
 - 2) .40-caliber pistols:
 - a) Sig Sauer P224
 - b) Sig Sauer P239
 - c) Glock 27
- e. Commanding Officers have the authority, when approved by their appropriate Division Chief, to direct the carrying of a firearm by members in civilian clothes, as follows:
 - 1) a pistol described in Rule 10.2.c above,
 - 2) for members appointed **prior** 10/01/90 who were trained with revolvers, a revolver described in Rule 10.2.b above,
 - 3) for members appointed **after** 10/01/90 who have attended a one-day familiarization and qualification course at the FTU, a revolver described in Rule 10.2.b above.
3. Off duty:
 - a. for members who **have been trained** by the FTU with a Department-issued semiautomatic pistol, the following:
 - 1) Sig Sauer P226, DAK or DAO trigger, chambered in 9mm or .40 S&W
 - 2) Sig Sauer P228, DAO trigger, chambered in 9mm
 - 3) Sig Sauer P229, DAK or DAO trigger, chambered in 9mm or .40 S&W
 - 4) Sig Sauer P-224, DAK trigger, chambered in 9mm or .40 S&W
 - 5) Sig Sauer P-239, DAK or DAO trigger, chambered in 9mm or .40 S&W
 - 6) Sig Sauer P-320, chambered in 9mm or .40 S&W
 - 7) Sig Sauer P-365, chambered in 9mm
 - 8) Glock, semi-auto, safe action pistols, chambered in .380 Auto, 9mm or .40 S&W upon completion of the Glock class at FTU, excluding models 34 and 35
 - 9) Ruger LCP, chambered in .380 Auto
 - 10) Smith and Wesson 3913DAO
 - 11) Smith and Wesson 3914DAO
 - 12) Smith and Wesson 3953
 - 13) Smith and Wesson 5943
 - 14) Smith and Wesson 5946
 - 15) Smith and Wesson 6946
 - 16) Smith and Wesson M&P Pistols, chambered in 9mm or .40 S&W without external safety or magazine disconnect.
 - b. for members appointed **prior** 10/01/90, who were trained with revolvers, and members appointed **after** 10/01/90, who have attended a one-day familiarization and qualification course at the FTU, any of the following revolvers, with not less than a 2-inch barrel, and capable of firing .38-caliber cartridges:
 - 1) Smith and Wesson, with safety bar,
 - 2) Colt, with hammer block safety,
 - 3) Dan Wesson, with transfer bar,
 - 4) Ruger, with transfer bar.
4. Members of the Force may carry the following weapons, while on duty, after having successfully completed the appropriate Department training course for their respective Commands **and** after receiving authorization to carry:
 - a. Rock River M-4 (R-4)
 - b. H&K UMP .40 (sub-machine gun)
 - c. Remington 870 shotgun

- d. Benelli shotguns
 - e. Sig Sauer M400
5. Nonstandard firearms:
- a. Members of the Force will only carry nonstandard firearms when authorized by the Chief of Department. [\[See ADM 6016\]](#)
 - b. Members of the Force approved to carry nonstandard firearms may carry such firearms on and off duty.
6. Carrying firearms:
- a. Members of the Force will only carry firearms they are authorized to carry. **[See Rule 10, subd. 1,2,3,4,5]**
 - b. Members of the Force will carry a firearm while *on* duty.
 - c. Members of the Force may carry a backup firearm while on duty.
 - 1) A backup firearm is any firearm authorized for the member to carry as an off-duty or nonstandard firearm. **[See Rule 10, subd. 3, 5]**
 - d. Members of the Force may carry a firearm while *off* duty. When carrying a firearm off duty, Members of the Force will utilize a holster for their firearm unless exigent circumstances render that impractical.
 - e. Members of the Force will only carry ammunition that is issued by the Department.
 - f. Members of the Force, carrying any firearm, will fully load the firearm with the appropriate Department-issued ammunition.
 - g. Members of the Force will not make, or allow to be made, any modification to his on-duty or off-duty firearm, except modifications made by the FTU.
 - 1) Trigger shoes will not be permitted.
7. Rifles **[See Glossary]**
- a. Rifle Trained Officers are authorized to carry or deploy only Department issued rifles and shotguns.
 - b. Rifle Trained Officers will deploy the rifle while wearing highly recognizable and visible police apparel, marked "POLICE".
 - c. Only authorized members of the Firearms Training Unit are authorized to modify and perform maintenance on rifles.
 - d. Rifles will only be used with ammunition and magazines approved and supplied by the Department and the rifle must be equipped with an identifying sleeve marked "POLICE".

Rule 11. Use of Equipment

- 1. Members of the Department will use Departmental vehicles, vessels, aircraft, equipment, and Department-owned animals only in the course of official business of the Police Department, County of Nassau, or when so authorized.
- 2. Members assigned to the Mounted Unit will not permit unauthorized persons to ride, handle, or otherwise have contact with a horse assigned to the Unit.
- 3. Members of the Department will use the Department-issued digital camera for Department business only.
- 4. Body-Worn Cameras (BWCs)
 - a. Members of the Force will use BWCs in accordance with Department policies and state laws.

- b. All BWC equipment and all data, images, video and metadata captured, recorded, or otherwise produced by the equipment, is for official use only and remains the sole property of the Department.
- c. Only trained, assigned, and authorized personnel will be required to use BWCs during their assignments.
- d. Members will only use BWCs approved and issued by the Department while on duty. No non-Departmental BWC equipment (i.e., personal) or other recording devices will be used.
- e. Members will only use BWCs assigned to them. Members will not use a BWC assigned to another member, or not previously assigned to them, without authorization from a supervisor.
- f. BWCs are for official use only and will not be utilized for personal reasons or non-work related activities.
- g. Members will not erase, reuse, modify, copy, publish, share or tamper with any recording. Only authorized system administrators may manage previously recorded digital recordings in accordance with Departmental policies and state laws.
- h. BWC recordings will not be disseminated, copied, or released in any manner outside of the Department without the approval of the Commissioner of Police or his/her designee.
- i. Members will not use other electronic devices or other means to intentionally interfere with the capability of the BWC equipment.
- j. Members will not use BWCs for the purpose of intimidating an individual or to discourage an individual from observing police activity, making appropriate inquiries of a member, or making a complaint.
- k. Members will not intentionally activate BWCs:
 - 1) to document any deaths for crime scene purposes, unless directed by a supervisor,
 - 2) when discussing tactical planning and strategies,
 - 3) during Departmental meetings or training,
 - 4) to record the performance of administrative duties and non-enforcement functions,
 - 5) to record routine activities within Department facilities,
 - 6) where a reasonable expectation of privacy exists, such as dressing rooms, locker rooms or restrooms, unless the member is present in an official capacity,
 - 7) to capture discussions between individuals with privilege, such as attorneys, members of the clergy, peer support counselors, and medical professionals.
- l. Unless a legitimate law enforcement interest/event has such evidentiary value that outweighs an individual's privacy, members will **not** activate BWCs:
 - 1) to record confidential informants or undercover officers,
 - 2) to record victims of sex crimes,
 - 3) during a strip or body cavity search,
 - 4) when an individual is nude or when sensitive human areas are exposed,
 - 5) during non-law enforcement encounters while inside medical and psychiatric facilities, or safe centers,

- 6) when present in a court facility, except for the immediate lodging of a prisoner,
 - 7) when a potential witness requests to speak to a member confidentially or desires anonymity,
 - 8) when a victim or witness requests that he/she not be recorded and the situation is not confrontational,
 - 9) when a victim requests that he/she not be recorded as a condition of cooperation and the interests of justice require such cooperation,
 - m. Members will not allow the public to review BWC recordings, unless permission has been obtained from the Commissioner of Police or his/her designee.
 - n. BWCs will be deactivated immediately prior to entering a police facility, except in the case of an arrest. When accompanying a prisoner into a police facility, members will continue recording until the prisoner has been lodged for arrest processing.
5. Members of the Department, while on duty, are prohibited from utilizing any small unmanned aircraft system (sUAS) equipment not authorized by the Department.

Rule 12. Maintaining Equipment and Safety Standards

1. Members of the Department will exercise the utmost care in the handling of service weapons or in handling or guarding of any other firearm, explosive, or combustible.
2. Members are personally responsible for the proper and authorized use, cleanliness, serviceability, and proper safeguarding of their uniforms and equipment and any other Department property issued for or assigned to their use.
3. Members will immediately report to their Commanding Officers the loss of, damage to, or unserviceable condition of their uniforms and equipment or any other Departmental property issued for or assigned to their use.
4. Members will not alter police equipment by changing same, in any way, except in cases of emergency or as ordered by the Commissioner of Police.
5. A Member of the Department, while performing any task for which personal protective equipment has been issued in connection with the Right to Know/Hazard Communication Program, will wear or use such equipment.
6. Members of the Department will wear their prescribed uniform caps and reflective traffic safety vests in the following instances:
 - (a) when assigned to Radio Motor Patrol vehicles, marked and unmarked, while working on **limited or controlled access highways (Route 495, Route 135, all New York State Parkways)**,
 - (b) when conducting police activities at the scene of **motor vehicle crashes**,
 - (c) when **directing traffic, covering a pedestrian crossing, handling roadway lane closures, and/or removing debris from a roadway**.
 - (d) when in close proximity to moving traffic.
7. Members will keep their reflective traffic safety vests inside their vehicles to ensure easy access to the vest.
8. A Member of the Department will operate a Departmental vehicle in a careful and prudent manner and will be responsible for its proper care and condition.

9. A Member of the Department, when a passenger in or operator of a Departmental vehicle, vessel, aircraft, or equipment will comply with all existing vehicle safety standards and will use all installed vehicle safety devices and equipment in the vehicle.
10. Smoking or the use of E-cigarettes or vaporizer devices is prohibited while fueling vehicles.

Rule 13. Insignia for Departmental Recognition

1. Members of the Department who have been awarded a Departmental Recognition may wear the prescribed bar indicating the award received at all times while in uniform, except when wearing an overcoat or raincoat. More than one award in a single category will be shown by placing the appropriate numeral in the center portion of the bar.
2. Departmental Recognition bars will be worn horizontally, one-quarter inch above the shield, and centered. Departmental Recognition Bars may be worn in the following order of precedence, with the Marksmanship bar being centered one-quarter inch above the shield, and a one-quarter inch separation being maintained between each bar:
 - a. Approved American Flag Bars or Pins (top)
 - b. Medal of Valor
 - c. Medal of Distinguished Service
 - d. Medal of Commendation
 - e. Meritorious Police Service Award
 - f. Excellent Police Duty Award (blue field to wearer's left)
 - g. Lifesaving Award
 - h. Purple Heart
 - i. Executive or Congressional Bar
 - j. Military Service Bars
 - 1) United States Air Force
 - 2) United States Army
 - 3) United States Coast Guard
 - 4) United States Marine Corps
 - 5) United States Navy
 - k. Award Bars issued prior to January 1, 1977
 - l. Field Training Officer
 - m. Physical Fitness Award Bar
 - n. Super Storm Sandy Bar
 - o. Presidential Debate Bar
 - p. Non-Departmental Award Bars (as approved by Commissioner of Police)
 - 1) A Fraternal Organization Insignia Bar is considered to be a Non-Departmental Award Bar.
 - 2) Eligible members will wear only one (1) Fraternal Organization Insignia Bar at any given time.
 - q. Marksmanship Bars
 - 1) Pistol Master
 - 2) Pistol Expert
 - 3) Pistol Sharpshooter
 - 4) Pistol Marksman

Rule 14. Personal Identification Bar

1. Members of the Department of the rank of Sergeant and above, Detectives, and civilian supervisors, when in uniform, will wear the Department-issued, gold-framed, black identification bar bearing their surname. All other Members of the Department, when in uniform, will wear the Department-issued, silver-framed, black identification bar bearing their surname.
2. The bar will be worn horizontally on the outermost garment, over the right breast, as follows:
 - a. When wearing a blouse, waist-length duty jacket, sweater or shirt, it will be placed at a position centered one-half inch above the right pocket flap.
 - b. The bar will not be worn on the uniform raincoat or overcoat.

Rule 15. Services Stripes and Stars

1. Sergeants and Police Officers who have served five (5) years in the Department will wear on the left sleeve only of the uniform duty jacket, blouse, and long-sleeved shirts a service stripe, which will consist of black felt with blue stripe outlined in white, 1 7/8 inch x 3/16 inch. Such service stripe will be centered on the left sleeve in line with the center of the County Patch, with the lower tip of the stripe four and one half (4 1/2) inches up from the cuff. A similar stripe will be added for each additional five (5) years of service and placed above the original stripe. Stripes will be 3/16 inch apart.
2. Police Medics, Police Medic Supervisors, Crossing Guards, and Parking Enforcement Aides who have served five (5) continuous years in the Department will wear a 3/4 inch gold embroidered star centered on the front of the left sleeve of all uniform coats, 1/2 inch above the cuff, sleeve tab, or button. A similar star will be added for each additional five (5) years of service.

Rule 16. Firearms and Department Equipment

1. Commanding Officers will obtain firearms and Department equipment from members of their Commands who resign, retire, have expired, have been suspended, have been dismissed, or as otherwise directed by the Chief of Department, in the following manner:
 - a. immediately obtain all concealable firearms in the member's possession and invoice them to Property Bureau,
 - b. at an appropriate time, obtain all Departmental property, *and*
 - 1) invoice firearms, shield, and cap device to Property Bureau,
 - 2) inventory all other Departmental property, including soft body armor and Department Manual, to the Uniform Section,
 - c. may release weapons owned by the member to the member who is retiring, providing the following:
 - 1) the member has obtained a valid pistol license, *and*
 - 2) a check with Records Bureau confirms that the weapons to be released are included on the member's pistol license.
2. A Member of the Department who is granted a leave of absence of less than thirty (30) days, may retain his shield, identification card, and firearms to the same extent as if said member remained on active duty. Commanding Officers will obtain these items and invoice them to Property Bureau if the member requests it.

3. A Member of the Force who is granted a military leave of absence of 30 or more days will invoice his shield and handguns to Property Bureau prior to the beginning of his leave.

Rule 17. Concealable Firearms

1. Members of the Department will promptly report all concealable firearms acquired, owned, possessed, or disposed of by them by completing the fillable electronic New York State Police Acquisition or Disposition of Firearms [Form C \(NYS PPB-1 – C-Form\)](#). Upon completion of the fillable electronic form, it will be printed, signed, scanned and then be sent electronically both to PLSCForm@pdn.org and to member's Commanding Officer. Members should also retain a copy of said C-Form for their personal file. This must be completed within ten (10) days of such acquisition or disposition.
2. All acquisitions or dispositions of handguns have to go through a LICENSED GUN DEALER UNLESS they are from immediate family members as defined in the [NYS Safe Act](#) who either maintain an active pistol license or are active law enforcement. Verification will be conducted by Pistol License Section to ascertain if the firearm is registered. In the event the firearm is not registered, the Commanding Officer of the Pistol License Section will be responsible for advising the inquiring member of the proper procedure to be followed.
3. Members of the Force will apply for a Pistol License in New York State or the State of their residence prior to their termination of services and have all concealable firearms listed on the license. Retiring members of service may also produce their [Law Enforcement Officer Safety Act](#) (LEOSA) certification (HR-218) in place of a pistol license. If the retiring member of service is unable to apply and receive a Pistol License in New York or the State where they will reside and does not have their LEOSA certification prior to their retirement date, they must bring all of their concealable firearms to the Commanding Officer of Pistol License Section to be invoiced to Property Bureau.
4. Long guns are not registered with Pistol Licensing. However, ALL transfers of long guns must be conducted through a Federal Firearms License Dealer where a NICS check will be performed prior to any sale or transfer. The only exception to a sale or transfer not requiring a NICS check is if the sale or transfer is between 'family members' as defined by [NYS Safe Act](#).

**Police Operations****ART 23****6****Rule 1. Aided Cases**

1. Members of the Department, while on duty, will render aid to a sick or injured person in accordance with their level of training and summon an ambulance if necessary.
2. Intoxicated persons, who do not require the continued service of a Department Police Medic (PM) and/or ambulance, will not be transported in Department Ambulances.
3. Members of the Department will not use any restraint technique during transport that dangerously inhibits a restrained person's breathing.
4. Only Members of the Department who are Trained Opioid Overdose Responders will administer an opioid antagonist.

Rule 2. Accidents

1. Members of the Force conducting an investigation at the scene of an auto accident will prepare MV-104A.
2. Members of the Force conducting an investigation at the scene of a boating accident will prepare NYS Form OPS-218 and the required supplemental report forms.

Rule 3. Domestic Incidents

1. Members of the Force will immediately notify their Commanding Officers when they have a temporary or permanent order of protection issued against them by any lawful authority.

Rule 4. LoJack Vehicle Recovery System

1. Only Members of the Force who have been formally trained on the LoJack System may use Department vehicles as tracking vehicles.
2. Members of the Force will not track a vehicle, using the LoJack System, outside of Nassau County without the approval of a Superior Officer.

Rule 5. Vehicle Pursuit

1. Only Members of the Force can initiate vehicle pursuits.
2. Members of the Force will not engage in a pursuit whenever non-force persons are in their vehicle.
3. Members of the Force will not engage in a pursuit while operating any of the following vehicles: an ambulance, a van, a utility or SUV-type vehicle that is *not* a pursuit vehicle. [\[See OPS 6460\]](#)
4. Members of the Force must use emergency lights and siren when engaged in a pursuit.
5. Only Members of the Force operating the Primary and Secondary Car will engage in actual pursuit.
6. Members of the Force must terminate a pursuit once the pursued vehicle drives *against* the flow of traffic on a controlled access highway.
7. Members of the Force will not use their vehicles to ram, make contact with, or otherwise force off the road, the vehicle being pursued.
8. Members of the Force will not utilize roadblocks during a pursuit.

Rule 6. Occupational Injuries and Illnesses

1. Members of the Department will not remove, alter, deface, or cover up chemical or hazard warning labels on any container.

Rule 7. Investigations

1. Members of the Department will not disturb or search the body of a fatal aided except by direction or authorization of the Medical Examiner.

Rule 8. Property and Evidence

1. Members of the Department who come into possession of illegal drugs are responsible for safeguarding them while in their possession.
2. Members of the Department will only possess illegal drugs in the lawful performance of their official duties in the following manner:
 - a. the routine Department handling, processing, or transporting of the drugs,
 - b. when given permission to do so by their Commanding Officer.
3. Members of the Department will use only the Department-issued digital camera when gathering digital image evidence or documenting a scene.

Rule 9. Records and Reporting

1. Members of the Department will not disclose information concerning criminal intelligence without a legitimate purpose.
2. Members of the Department will immediately report information concerning suspicious persons or places related to criminal enterprise, organized crime, vice, or drug activity.

Rule 10. Tactical Methods and Special Events

1. Members of the Department will not handle any bomb, suspected bomb, or suspicious package unless they are certified bomb technicians.
2. Members of the Department while off duty **will not carry** and **will secure** the Department-issued ECD except when traveling to and from work.
3. ECDs will only be used by Members of the Department who have completed training and have been authorized to use ECDs.
4. Personal Radiation Detectors will only be used by Members of the Department who have completed the Department of Homeland Security Personal Radiation Detector Course (PER 243).
5. Only Members of the Department who have completed the required training and possess a current Remote Pilot Certificate with a sUAS rating are authorized to operate a Department sUAS.

Rule 11. Inventory of Impounded Vehicles

Vehicles will be impounded when provided by law or whenever impoundment is necessary to safeguard a vehicle or its contents. It will be the duty of every member who impounds a vehicle to safeguard valuable personal property that may be contained in such vehicle. The following procedure will be employed in all cases in which a vehicle is impounded:

1. At time of impound, the member impounding the vehicle will inventory the contents of the vehicle and prepare Auto Impound Invoice, PDCN Form 94A. Any visible damage will be noted under miscellaneous on PDCN Form 94A.
2. In all cases in which an inventory is conducted, the officer performing such examination will, without unnecessary delay, make appropriate entries in his memorandum book. Whenever possible, this process will be executed in the presence of another Member of the Force or other responsible witness.
3. The scope of the inventory will extend only to those areas wherein it may reasonably be assumed that the operator or owner has left valuable personal property.
4. If personal property is discovered during an inventory and the property is of little value or the property is affixed to the vehicle or impracticable to remove, such property, unless otherwise directed, will be left in the vehicle; however, the tow car operator or garage custodian, as the case may be, will acknowledge the presence of the property in the vehicle by signing the memorandum book of the officer delivering the vehicle to him.

5. If it is necessary to remove valuable personal property from an impounded vehicle (i.e. expensive cameras or jewelry, money, doctor's equipment, etc.), the Desk Officer of the command wherein such property was removed will make appropriate entries in the Impound Book, attach PDCN Form 94A to the appropriate page of PDCN Form 94, and secure such property for release; if such property cannot be returned to the owner within a reasonable period of time, the Desk Officer, when applicable, or investigating member will invoice such property to the Property Bureau.

Rule 12. Traffic Stop Data Collection

1. All traffic stops and resultant interactions must be documented electronically.



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Unintentional Firearm Discharge

ADM 1220

1

POLICY

The policy of the Police Department is to record and investigate incidents when a member has discharged a firearm.

PURPOSE

To establish procedures for the reporting and investigating of an unintentional firearm discharge by a Member of the Force.

DEFINITIONS

Unintentional firearm discharge: the discharge of a firearm by a Member of the Force, which was not deliberate.

SCOPE

All Members of the Department.

SOURCES

[PL §265.00](#). (Firearm definition)

RULES

1. Members of the Force will notify a Supervisor, as soon as practical, when they have discharged a firearm, except while lawfully hunting or target shooting.

REPLACES

ADM 1220 Revision 0, dated 04/10/1998.

PROCEDURE

Member of the Force

1. *Notifies* the Desk Officer of the precinct of occurrence [\[See Glossary\]](#), when he has an unintentional firearm discharge. [\[See Definition\]](#)

Desk Officer

2. *Determines* if an injury resulted from the unintentional firearm discharge.
3. If an injury resulted, *initiates* the Use of Deadly Force procedure. [\[See OPS 12420\]](#) [\[End of Procedure\]](#)
4. If *no* injury resulted, *assigns* a supervisor to investigate the firearm [\[See Glossary\]](#) discharge incident.
5. *Notifies* the Commanding Officer.
6. If the Commanding Officer is unavailable, *initiates* the Administrative Duty Coverage procedure. [\[See ADM 2010\]](#)

Patrol Supervisor

7. *Responds* as directed and *investigates* the incident.
8. *Notifies* the Desk Officer and *initiates* the Use of Deadly Force procedure [\[See OPS 12420\]](#) if it is determined the incident involved the following:
 - a. intentional firearm discharge, *or*
 - b. unintentional firearm discharge and an injury resulted. [\[End of Procedure\]](#)
9. If the incident is determined to be an unintentional firearm discharge and no injury resulted:
 - a. *prepares* PDCN Form 161, Unintentional Firearm Discharge Report, *and*
 - b. *contacts* a Police Communications Operator Supervisor and *requests* the next firearm discharge incident number.

ISSUING AUTHORITY

SIGNATURE

EFFECTIVE DATE

PAGE

Acting Commissioner

Thomas C. Krumpter

07/01/2014

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**Police
Communications
Operator Supervisor**

Patrol Supervisor

Commanding Officer

Division Chief

Chief of Department

**Office of Chief of
Department**

**FTU Commanding
Officer**

10. *Records* the information in the Firearm Discharge Control Book [See **Glossary**] and *issues* the next firearm discharge incident number.

11. *Prepares* a narrative report detailing the complete investigation.

12. *Forwards* PDCN Form 161 and the narrative report to his Commanding Officer.

13. *Reviews* PDCN Form 161 and the narrative report.

14. *Determines* if there are any violations of Department Rules.

15. *Completes* PDCN Form 161, noting:

- a. any significant issues,
- b. training or disciplinary needs.

16. *Photocopies* PDCN Form 161 and the narrative report.

17. *Forwards* the original PDCN Form 161 and narrative report to the Chief of Department (TOC).

Note: These reports should be forwarded as soon as possible after the preliminary investigation is complete.

18. *Retains* copies of PDCN Form 161 and the narrative report in the command.

19. *Reviews* PDCN Form 161 and the narrative report.

20. *Completes* PDCN Form 161.

21. *Reviews* the incident and *reports* any significant issues to the Commissioner of Police.

22. *Makes* data entries from information supplied on PDCN Form 161.

23. *Photocopies* PDCN Form 161, *and*

- a. *forwards* a copy to the Commanding Officer of Firearms Training Unit (FTU),
- b. *files* the original.

24. *Evaluates* the incident and *determines* if further training is necessary.

25. If further training is necessary,

- a. *prepares* a narrative report,
- b. *forwards* the narrative report to the Chief of Department (TOC).



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Deadly Force Review Board

ADM 1222

1

POLICY

The policy of the Police Department is to review all incidents involving the use of deadly force [See Glossary] by Members of the Department. The Deadly Force Review Board [See Definition] has been established to objectively evaluate and report findings on such incidents.

PURPOSE

To establish procedures for the review by the Deadly Force Review Board when a Member of the Department uses deadly force as follows:

1. an intentional firearm discharge at a human being, *or*
2. an unintentional firearm discharge [See Glossary] causing an injury to another, *or*
3. the use of force [See Glossary], intentional or otherwise, causing serious physical injury [See Glossary] or death to another, *or*
4. any other incident involving the use of force for which the Chief of Department directs a review.

DEFINITIONS

Deadly Force Review Board (DFRB): this board will be a five person board comprised of the Chief of Department (Chairman), Chief of Detectives, Chief of Patrol, the Counsel to the Commissioner, and a fifth person to be chosen by the chairman. This Board will be responsible for reviewing, investigating, evaluating and making recommendations to the Commissioner of Police for all incidents involving the following use of deadly force by a Member of the Department:

1. an intentional firearm discharge at a human being, *or*
2. an unintentional firearm discharge causing an injury to another, *or*
3. the use of force, intentional or otherwise, causing serious physical injury or death to another, *or*
4. any other incident involving the use of force for which the Chief of Department directs a review.

SCOPE

All Members of the Department.

SOURCES

Not applicable.

RULES

No new rules within this procedure.

REPLACES

ADM 1222, Revision 0, dated 7/1/2014.

PROCEDURE

Note: Firearm discharges, determined to be a) unintentional and causing no injuries, or b) necessary to destroy a diseased, seriously injured or dangerous animal where there are no unusual circumstances, *are not* presented to the Deadly Force Review Board.

Deadly Force Review Board Chairman

1. *Convenes* a meeting of the Deadly Force Review Board when necessary to review incidents of deadly force by a Member of the Department.

Note: Other participants may be invited, on a case by case basis, to aid the Deadly Force Review Board during the review process.

Deadly Force Review Board Members

2. *Review* the following:
 - a. the criminal investigation report submitted by the Homicide Squad,
 - b. the administrative investigation report submitted by the Deadly Force Response Team,
 - c. District Attorney's review, *and*
 - d. any other pertinent informational source.

ISSUING AUTHORITY

SIGNATURE

EFFECTIVE DATE

PAGE

Acting Commissioner

Thomas C. Krumpter

07/08/2016

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**Deadly Force Review
Board Members**

3. *Evaluate* all information.
4. *Order* further investigation, as necessary, and *continue* evaluating information.
5. *Make recommendations* to the Commissioner of Police, regarding:
 - a. whether the use of deadly force complied with policies, rules, procedures and laws,
 - b. tactical considerations,
 - c. training considerations,
 - d. supervision,
 - e. post-incident investigation,
 - f. disciplinary considerations.



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Handling Diseased or Dangerous Animals**OPS 6210****2****POLICY**

The policy of the Police Department is to protect the public from the potential dangers posed by exposure to animals that are diseased or dangerous which create a serious health risk or a threat to public safety.

PURPOSE

To establish procedures for the safe handling of animals that are suspected of being diseased or dangerous.

DEFINITIONS

Dangerous animal: any vicious animal which poses a serious and imminent threat of harm to a person or other animal.

Note: If the dangerous animal is a dog, [\[See OPS 6220\]](#).

Diseased animal: any animal exhibiting abnormal behavior or other signs of disease. An example would be a potentially rabid nocturnal animal that is found to be active during the daytime or approaching people or pets.

Domestic animal: within this procedure includes only dogs and cats. Town animal shelters do not remove any other types of animals; some towns remove only dogs.

Rabies virus: a viral infection usually transmitted by the bite of an infected animal. The virus can be transmitted through a scratch or by direct contact between the animal's saliva and a victim's open wound. It can also become airborne from the infected animal's breath.

Secured animal: any animal that is contained in an area so that it can not escape.

Note: Wild animals that are found by responding officers to be secured and are not endangering someone are not the responsibility of the Police Department. Persons should be directed to contact the Nassau County Society for the Prevention of Cruelty to Animals (NCSPCA) or another private agency for removal of such animals.

SCOPE

All Members of the Department.

SOURCES

Nassau County Department of Health Rabies Protocol.
Town Animal Shelter procedures.

RULES

No new rules within this procedure.

REPLACES

OPS 6210, Revision 1, dated 07/01/2014.

PROCEDURE**A. Secured Animals****Police Officer**

1. *Determines* that the animal is secure.
2. *Secures* the surrounding area, which includes removing persons and other animals, and *continues to observe* the animal.
3. If the animal is secured [\[See Definition\]](#), *requests* Desk Personnel to notify the appropriate agency to remove the animal.

ISSUING AUTHORITY

SIGNATURE

EFFECTIVE DATE

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Acting Commissioner

Thomas C. Krumpter

07/08/2016

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Desk Personnel

4. *Notifies* the following to respond and remove the animal:

- a. the appropriate Town Animal Shelter [\[See Appendix J\]](#), *and*
- b. the Nassau County Society for the Prevention of Cruelty to Animals (NCSPCA) at 516-THE-SPCA (516-843-7722) [\[See Appendix N\]](#) and *requests* a Peace Officer.

Note: The NCSPCA has members who are trained in the handling and placement of many types of animals, including large animals and exotic species.

Note: The three Town Animal Shelters have different criteria and procedures. All towns handle only domestic animals [\[See Definition\]](#), while some towns handle only dogs.

B. Unsecured Animals

Police Officer

1. *Determines* that the animal is unsecured.
2. *Secures* the animal, if possible.
3. If the animal is unable to be secured and is a dangerous animal [\[See Definition\]](#), *destroys* the animal when necessary to protect people and animals.

Note: If a firearm is used to destroy an animal, every reasonable effort must be made to ensure no bystanders will be endangered.

Note: If the animal appears to be a diseased animal [\[See Definition\]](#) and has had contact with someone, do not shoot the animal in the head. Intact brain tissue is necessary to determine the presence of the rabies virus [\[See Definition\]](#). It is important to the future treatment of the exposed person to preserve the diseased animal's head.

Note: If the animal must be destroyed, use caution to avoid contact or contamination. It is important to remember that diseases such as the rabies virus can be transmitted through contact other than bites.

4. If the animal *is* destroyed, [\[Go to Step B10\]](#).
5. *Requests* Highway Patrol Bureau Emergency Services Unit (ESU) personnel to respond with animal control equipment to secure the animal if it is:
 - a. diseased, *and/or*
 - b. does not pose an immediate threat to the health or safety of persons or animals.

ESU Officer

6. *Responds* and *uses* the equipment necessary to control and secure the animal.

Note: If responding to assist another agency or Department and after rendering assistance, ESU personnel will be guided by the requesting agency's protocols as they pertain to the disposition of the animal.

ESU Officer

Desk Personnel

ESU Officer

ESU/Police Officer

Police Officer

Note: Many wild animals may carry viruses, bacteria, or parasites that may be harmful to humans if ingested or inhaled. Examples are marine wildlife such as stranded seals, turtles, or beached whales.

Note: ESU may request the assistance of NCSPCA personnel to control or secure an animal, if necessary.

7. *Notifies* Desk Personnel to contact the appropriate agency to remove the animal.

8. *Notifies* the following to remove the animal:

- a. the appropriate Town Animal Shelter, *and*
- b. the NCSPCA.

9. If the animal is unable to be secured and is a dangerous animal, *destroys* the animal when necessary to protect people and animals.

Note: If a firearm is used to destroy an animal, every reasonable effort must be made to ensure no bystanders will be endangered.

Note: If the animal appears to be diseased and has had contact with someone, do not shoot the animal in the head. Intact brain tissue is necessary to determine the presence of the rabies virus. It is important to the future treatment of the exposed person to preserve the diseased animal's head.

Note: If the animal must be destroyed, use caution to avoid contact or contamination. It is important to remember that diseases such as rabies can be transmitted through contact other than bites.

10. *Determines* that immediate disposal of the animal is necessary to secure safety of others and *observes* the following precautions:

- a. *wears* disposable gloves when handling a diseased animal,
- b. *avoids* body contact with the animal. Equipment such as a shovel should be used to pick up the animal,
- c. *disposes* of animals by following Dept. of Health Guidelines:
 - 1) immediately *places* dead animal in a double, heavy duty plastic bag, *and*
 - 2) *places* bag in a covered garbage can,
- d. *cleans* all equipment used with a chlorine solution of 1 part bleach to 20 parts water,
- e. *launders* clothing that contacts the animal,
- f. *washes* thoroughly, immediately after disposal of the animal.

C. Exposure to Diseased Animals

1. *Determines* that someone has been exposed to a potentially diseased animal.

2. *Treats* an exposed person as an aided case. [\[See OPS 1110\]](#)

Note: Thoroughly cleanse the area of the body that contacted the diseased animal. This can greatly reduce the risk of rabies exposure even in cases of contact by bite.

Police Officer

3. *Notifies* Desk Personnel for immediate contact to the Dept. of Health if the animal is potentially rabid.

Note: If an ESU Officer responds to the scene, notification is made by him, through the Highway Desk.

Desk Personnel

4. *Notifies* the Dept. of Health [\[See Appendix I\]](#) immediately of the contact with a potentially rabid animal.

Police Officer

5. *Initiates* Animal Bites Procedure [\[See OPS 1135\]](#) if the exposed person was bitten by the animal.

6. *Recommends* that the exposed person seek immediate medical attention if he refuses medical aid.

7. *Notifies* the Dept. of Health to institute quarantine procedures if the animal is a household pet and the owner is present and requests no destruction.

Police Officer

8. *Requests* ESU to handle the animal if the animal is a stray or wild animal.

ESU Officer

9. If the diseased animal *is not* posing a serious or imminent threat of harm,

- a. *attempts* to secure the animal, and
- b. if secured, *notifies* Desk Personnel to contact the appropriate agency for removal of the diseased animal.

Desk Personnel

10. *Notifies* the following to remove the animal:

- a. the appropriate Town Animal Shelter, *and*
- b. the NCSPCA.

ESU Officer

11. If the diseased animal *does* pose a serious or imminent threat of harm to people and other animals, *destroys* the animal when necessary to protect people and animals.

Note: If a firearm is used to destroy an animal, every reasonable effort must be made to ensure no bystanders will be endangered.

Note: If the animal must be destroyed, use caution to avoid contact or contamination. It is important to remember that diseases such as rabies can be transmitted through contact other than bites.

Note: *Do not* shoot the animal in the head if the diseased animal has had contact with someone. Intact brain tissue is necessary to determine the presence of the rabies virus. It is important to the future treatment of the exposed person to preserve the diseased animal's head.

12. *Observes* the following precautions when handling diseased animals:

- a. *wears* disposable gloves when handling a diseased animal,
- b. *avoids* body contact with the animal. Equipment such as a shovel should be used to pick up the animal,
- c. immediately *places* dead animal in double, heavy duty plastic bag,
- d. *cleans* all equipment used with a chlorine solution of 1 part bleach to 20 parts water,
- e. *launders* clothing that contacts the animal,
- f. *washes* thoroughly, immediately after handling the animal.

ESU Officer

13. *Delivers* the destroyed animal for testing to the Dept. of Health designated testing facility.

**Police Officer/
ESU Officer**

D. Reporting When Animal is Destroyed

1. *Prepares* [PDCN Form 469](#), Animal Destruction Form, when an animal is destroyed.

2. *Forwards* PDCN Form 469 to a supervisor.

Supervisor

3. *Notifies* the Desk Officer.

Desk Officer

4. *Assigns* a supervisor to investigate the incident.

5. *Notifies* the Commanding Officer.

Supervisor

6. *Reviews* PDCN Form 469 and *investigates* the incident.

7. *Contacts* a Police Communications Operator Supervisor and *requests* the next firearm discharge incident number, if a firearm was used.

**Police
Communications
Operator Supervisor**

8. *Records* the information in the Firearm Discharge Control Book [\[See Glossary\]](#) and *issues* the next firearm discharge incident number.

Supervisor

9. *Completes* PDCN Form 469.

10. *Prepares* a narrative report detailing the complete investigation.

11. *Forwards* PDCN Form 469 and narrative report to the Commanding Officer.

Commanding Officer

12. *Reviews* PDCN Form 469 and narrative report.

13. *Completes* PDCN Form 469, noting:

- a. any significant issues,
- b. training or disciplinary needs.

14. *Photocopies* PDCN Form 469 and the narrative report.

15. *Forwards* the original PDCN Form 469 and the narrative report to the Chief of Department (TOC).

Note: This report should be forwarded as soon as possible after the preliminary investigation is complete.

16. *Retains* copy of PDCN Form 469 and the narrative report in the command.

Division Chief

17. *Reviews* PDCN Form 469 and the narrative report.

18. *Completes* PDCN Form 469.

Chief of Department

19. *Reviews* the incident and *reports* any significant issues to the Commissioner of Police.

20. *Makes* data entries from information supplied on PDCN Form 469, if a firearm was discharged.

21. *Photocopies* PDCN Form 469, **and**

- a. *forwards* a copy to the Commanding Officer of Firearms Training Unit (FTU),
- b. *files* the original.

**FTU Commanding
Officer**

22. *Evaluates* the incident and *determines* if further training is necessary.
23. If further training is necessary,
 - a. *prepares* a narrative report,
 - b. *forwards* the narrative report to the Chief of Department (TOC).



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Stray and Dangerous Dogs

OPS 6220

2

POLICY

The policy of the Police Department is to protect the public from the potential dangers posed by dogs that are stray or dangerous.

PURPOSE

To establish procedures for the proper handling of stray dogs and for the reporting of dogs which are suspected of being dangerous.

DEFINITIONS

Dangerous dog: any dog which,

1. without justification attacks a person and causes physical injury or death, *or*
2. poses a serious and unjustified imminent threat of serious physical injury or death to one or more persons. (Agriculture and Markets Law)

Municipal Court: the appropriate Town or Village Court for the geographical location of the incident.

Stray dog: any unsecured dog, wandering in a public place, where there is no owner or keeper present.

SCOPE

All Members of the Department.

SOURCES

Agriculture and Markets Law, Article 7.

RULES

No new rules within this procedure.

REPLACES

OPS 6220, Revision 1, dated 07/01/2014.

PROCEDURE

A. Stray Dogs

Police Officer

1. *Determines* a dog is a stray dog. [\[See Definition\]](#)
2. If the dog appears to be sick or diseased, *initiates* the Handling Diseased or Dangerous Animals Procedure. [\[See OPS 6210\]](#)
3. *Secures* the dog or *requests* Highway Patrol Bureau Emergency Services Unit (ESU) to respond and secure the dog.

ESU Officer

4. *Responds* and *secures* the dog when requested.

Note: If responding to assist another agency or Department and after rendering assistance, ESU personnel will be guided by the requesting agency's protocols as they pertain to the disposition of the dog.

Police Officer

5. *Determines* if the dog is licensed.
6. *Considers* enforcement of local laws concerning loose dogs if the dog's owner can be located.
7. *Returns* the dog to the owner if the dog is licensed and the owner is located.
8. *Notifies* the Desk Personnel to request assistance at scene to seize the dog if
 - a. the owner is not located, *or*
 - b. the dog is not licensed.

ISSUING AUTHORITY

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Acting Commissioner

Thomas C. Krumpert

07/08/2016

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Desk Personnel

9. *Notifies* the following to respond:

- a. the Town and *requests* a Dog Control Officer [\[See Appendix J\]](#), *and*
- b. the Nassau County Society for the Prevention of Cruelty to Animals (NCSPCA) at 516-THE-SPCA (516-843-7722) [\[See Appendix N\]](#) and *requests* a Peace Officer.

Police Officer

10. *Reports* the disposition of the assignment.

B. Dangerous Dogs

Police Officer

1. *Observes* a dangerous dog [\[See Definition\]](#) attacking a person, *and*

- a. *destroys* the dog, if necessary to stop the attack,

Note: Agriculture and Markets Law authorizes the destruction of a dog, with no liability, *while* it is attacking a person who is peaceably conducting himself in a place where he is lawfully present or *while* pursuing the dog after the attack. The dog can be destroyed by the person being attacked or anyone witnessing the attack.

Note: If a firearm is used to destroy a dog, every reasonable effort must be made to ensure no bystanders will be endangered.

- b. *initiates* the Animal Bites Procedure [\[See OPS 1135\]](#), if the person attacked was bitten by the dog,
- c. *notifies* a supervisor as soon as practical,
- d. *attempts* to identify and contact the owner of the dog,
- e. *notifies* Desk Personnel to contact:
 - (1) the Town to:
 - (a) remove the dead dog, if unable to contact the owner,
 - (b) respond to the scene and take the complaint. [\[Go to Step B.9\]](#), *and*
 - (2) the NCSPCA.

2. *Determines* that a dog has previously attacked a person in a place where the person was lawfully present.

3. *Ensures* that the dog is secured.

4. *Initiates* the Animal Bites Procedure [\[See OPS 1135\]](#), if the person attacked was bitten by the dog.

5. *Determines* if the dog should be immediately seized.

Note: Agriculture and Markets Law requires a Dog Control Officer and Peace Officer, acting pursuant to his special duties, or a Police Officer to seize a dog:

1. if there is probable cause to believe the dog is a dangerous dog, *and*
 - a. it is not in the control of its owner or custodian, *or*
 - b. it is not on the premises of the dog's owner or custodian.
2. which poses an immediate threat to the public safety.

Police Officer

6. If the dog should be immediately seized, notifies the Desk personnel to request that the following personnel respond to the scene and seize the dog:
 - a. a Town Dog Control Officer, *and*
 - b. an NCSPCA Peace Officer.
7. If the dog *should not* be immediately seized, *notifies* the Desk Personnel to request that the following personnel respond to the scene and take the complaint:
 - a. a Town Dog Control Officer, *and*
 - b. an NCSPCA Peace Officer.

Desk Personnel

8. *Notifies* the following to respond:
 - a. the Town and *requests* a Dog Control Officer to respond [\[See Appendix J\]](#), *and*
 - b. the NCSPCA at 516-THE-SPCA (516-843-7722) [\[See Appendix N\]](#) and *requests* a Peace Officer.

Police Officer

9. *Refers* the complainant to the Town Dog Control Officer and/or the NCSPCA Peace Officer.

Note: The Agriculture and Markets Law authorizes any person or any Dog Control Officer to make a complaint and commence a proceeding in Municipal Court [\[See Definition\]](#) [\[See Appendix M\]](#) to declare a dog as dangerous.

10. *Assists* the Town Dog Control Officer and the NCSPCA Peace Officer.

11. *Reports* the disposition of the assignment.

C. Municipal Court Orders

Police Officer

1. *Receives* an assignment to assist a Town Dog Control Officer enforcing a Municipal Court Order.
2. *Directs* precinct personnel to notify the NCSPCA to respond to the scene where the court order is being enforced, if NCSPCA personnel are available.
3. *Responds* to the scene, *and*
 - a. *consults* with the Town Dog Control Officer,
 - b. *reads* the Municipal Court Order.

Note: When a Municipal Court determines probable cause to believe that a dog is dangerous, it can issue an order to seize the dog to any of the following persons:

1. Dog Control Officer,
2. Peace Officer acting pursuant to his special duties,
3. Police Officer.

Note: A Municipal Court, after a hearing determining a dog to be dangerous, can order any of the following:

1. owner to secure the dog permanently,
2. any of the following persons to cause the dog to be euthanized:
 - a. Dog Control Officer,
 - b. Peace Officer acting pursuant to his special duties,
 - c. Police Officer.

	<p>Note: If the owner fails to secure the dog as required by the court order, any of the above officials are mandated by law to destroy the dog on or off the premises of the owner. (Agriculture and Markets Law)</p>
Police Officer	<ol style="list-style-type: none"> Assists the Town Dog Control Officer in enforcing the Municipal Court Order. Reports the disposition of the assignment.
Police Officer/ ESU Officer	<p>D. Reporting When a Dog is Destroyed</p> <ol style="list-style-type: none"> Prepares PDCN Form 469, Animal Destruction Form when a dog is destroyed. Forwards PDCN Form 469 to a supervisor.
Supervisor	<ol style="list-style-type: none"> Notifies the Desk Officer.
Desk Officer	<ol style="list-style-type: none"> Assigns a supervisor to investigate the incident. Notifies the Commanding Officer.
Supervisor	<ol style="list-style-type: none"> Reviews PDCN Form 469 and <i>investigates</i> the incident. Contacts a Police Communications Operator Supervisor and <i>requests</i> the next firearm discharge incident number, if a firearm was used.
Police Communications Operator Supervisor	<ol style="list-style-type: none"> Records the information in the Firearm Discharge Control Book [See Glossary] and <i>issues</i> the next firearm discharge incident number.
Supervisor	<ol style="list-style-type: none"> Completes PDCN Form 469. Prepares a narrative report detailing the complete investigation. Forwards PDCN Form 469 and the narrative report to the Commanding Officer.
Commanding Officer	<ol style="list-style-type: none"> Reviews PDCN Form 469 and the narrative report. Completes PDCN Form 469, noting: <ol style="list-style-type: none"> any significant issues, training or disciplinary needs. Photocopies PDCN Form 469 and the narrative report. Forwards the original PDCN Form 469 and the narrative report to the Chief of Department (TOC). <p>Note: These reports should be forwarded as soon as possible after the preliminary investigation is complete.</p> <ol style="list-style-type: none"> Retains copies of PDCN Form 469 and the narrative report in the command.
Division Chief	<ol style="list-style-type: none"> Reviews PDCN Form 469 and the narrative report. Completes PDCN Form 469.
Chief of Department	<ol style="list-style-type: none"> Reviews the incident and <i>reports</i> any significant issues to the Commissioner of Police.

**Office of Chief of
Department**

20. *Makes* data entries from information supplied on PDCN Form 469, if a firearm was discharged.

21. *Photocopies* PDCN Form 469, *and*

- a. *forwards* a copy to the Commanding Officer of Firearms Training Unit (FTU),
- b. *files* the original.

**FTU Commanding
Officer**

22. *Evaluates* the incident and *determines* if further training is necessary.

23. If further training is necessary,

- a. *prepares* a narrative report,
- b. *forwards* the narrative report to the Chief of Department (TOC).



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Body-Worn Cameras

OPS 6420

2

POLICY

The policy of the Police Department is to recognize the need to increasingly utilize audio-video technology to further the mission of the Department. The use of a Body-Worn Camera system will improve the Department's ability to objectively document law enforcement interaction with the public by providing recorded evidence of actions, conditions, and statements.

Members of the Force will activate the body-worn cameras (BWCs) [\[See Definition\]](#) when such use is appropriate to the proper performance of their official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

PURPOSE

To establish procedures for the use, maintenance and control of the Department's BWCs.

This procedure will:

- 1) instruct Members of the Force on how and when to use BWCs so that they may reliably record their contacts with the public in accordance with the law,
- 2) enhance the Department's ability to review critical incidents and probable cause for arrest, to assist in gathering evidence, and to improve the accuracy of members' reports and testimony for investigative and prosecutorial purposes,
- 3) provide additional information for member evaluation and training,
- 4) offer the potential benefits of enhancing Department transparency, fostering accountability, encouraging lawful and respectful interactions between the public and the police, thereby increasing public trust.

DEFINITIONS

Activation: is the changing of the body-worn camera's status from standby mode [\[See Definition\]](#) to recording mode [\[See Definition\]](#). Upon activation, the BWC will respond with an audible "recording" and a red light will continuously flash.

Body-Worn Camera (BWC): a Department-authorized camera worn on the member's person which captures both audio and video to document police activities.

Body-Worn Camera Program Department Administrator (Department Administrator): oversees the Body-Worn Camera Unit (BWC Unit) and has full access to and user rights within the BWC video management system. The administrator's responsibilities include, but are not limited to:

- 1) assigning and tracking BWC equipment,
- 2) coordinating with Information Technology Unit to control passwords and access rights,
- 3) coordinating with Information Technology Unit, Legal Bureau, and the Body-Worn Camera Unit regarding system-related issues,
- 4) coordinating maintenance and overseeing repairs,
- 5) ensuring proper procedures are followed in the uploading, review, and release of BWC video,
- 6) monitoring recordings, per Department policy and applicable law,
- 7) conducting audits and periodic quality control reviews to ensure video data has not been tampered with,
- 8) managing the retention schedule and status of BWC video,

ISSUING AUTHORITY

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Commissioner

Patrick J. Ryder

07/19/2022

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- 9) continuous review of BWC policies and procedures and making recommendations for any necessary changes,
- 10) act as liaison with the BWC vendor.

Bookmark: is a timeline marker, inserted during recording, that serves to navigate to important events. When added to a recording, the bookmark notes the current date and time, and saves the still frame of that moment.

Categorize: is the act of assigning categories to define the type of recorded event or incident. Categories are searchable fields which allow for quickly finding specific BWC video footage. Categories may also have associated forms for capturing additional information specific to a given incident type.

Command Administrator: is a designated supervisor in each command responsible for:

- 1) maintaining the command's digital log,
- 2) designating a secure area within the Command for the storage of BWCs not being used,
- 3) sending BWCs for repair,
- 4) maintaining liaison with the Department Administrator.

Covert Mode: refers to the function of turning off all sound and indicator lights for the purpose of not overtly indicating that a recording is in progress. When exiting covert mode, the BWC will respond with an audible "covert off" and the status LEDS will power back on.

Deactivation: is the stopping of actively recording an incident and returning to standby mode. When deactivated, the BWC will respond with an audible "stop recording" and the flashing red light will go dark.

Incident: an encounter which requires some degree of law enforcement action or response. For the purposes of this procedure, an incident will have concluded when a member has cleared the scene and given a disposition, or has completed transport of a civilian or arrestee.

Recording Mode: upon activating the BWC and it sounding an audible "recording," the BWC will be in recording mode. A red light will continuously flash, and an audible beep will sound every 3 minutes as a reminder that a recording is in progress, except while in covert mode [\[See Definition\]](#).

Standby Mode: refers to the BWC being powered on, but not actively recording. When the BWC is powered on, an audible "hello" will sound and a green LED will light to indicate the BWC is on.

SCOPE

All Members of the Force

SOURCES

Community Oriented Policing Services, US Department of Justice, and Police Executive Research Form, Implementing a Body-Worn Camera Program – Recommendations and Lessons Learned, 2014.

Department Administrative Order 21-033. (Body-Worn Camera-Desk Personnel)

Department Notification 21-180. (Body Worn Camera Placement)

Getac Wearable Gen3 Body Camera Training Manual, July 31, 2020, Rev: V1.0

International Association of Chiefs of Police, Body-Worn Cameras, April, 2019.

RULES

Municipal Police Training Council, Body-Worn Camera Model Policy, September, 2015.

Police Department City of New York Patrol Guide, Use of Body-Worn Cameras, August, 2020.

1. Members of the Force will use BWCs in accordance with Department policies and state laws.
2. All BWC equipment and all data, images, video and metadata captured, recorded, or otherwise produced by the equipment, is for official use only and remains the sole property of the Department.
3. Only trained, assigned, and authorized personnel will be required to use BWCs during their assignments.
4. Members will only use BWCs approved and issued by the Department while on duty. No non-Departmental BWC equipment (i.e., personal) or other recording devices will be used.
5. Members will only use BWCs assigned to them. Members will not use a BWC assigned to another member, or not previously assigned to them, without authorization from a supervisor.
6. BWCs are for official use only and will not be utilized for personal reasons or non-work related activities.
7. Members will not erase, reuse, modify, copy, publish, share or tamper with any recording. Only authorized system administrators may manage previously recorded digital recordings in accordance with Departmental policies and state laws.
8. BWC recordings will not be disseminated, copied, or released in any manner outside of the Department without the approval of the Commissioner of Police or his/her designee.
9. Members will not use other electronic devices or other means to intentionally interfere with the capability of the BWC equipment.
10. Members will not intentionally activate BWCs:
 - a. to document any deaths for crime scene purposes, unless directed by a supervisor,
 - b. when discussing tactical planning and strategies,
 - c. during Departmental meetings or training,
 - d. to record the performance of administrative duties and non-enforcement functions,
 - e. to record routine activities within Department facilities,
 - f. where a reasonable expectation of privacy exists, such as dressing rooms, locker rooms or restrooms, unless the member is present in an official capacity,
 - g. to capture discussions between individuals with privilege, such as attorneys, members of the clergy, peer support counselors, and medical professionals.
11. Unless a legitimate law enforcement interest/event has such evidentiary value that outweighs an individual's privacy, members will **not** activate BWCs:

**REPLACES
PROCEDURE**

**Member of the
Force**

- a. to record confidential informants or undercover officers,
- b. to record victims of sex crimes,
- c. during a strip or body cavity search,
- d. when an individual is nude or when sensitive human areas are exposed,
- e. during non-law enforcement encounters while inside medical and psychiatric facilities, or safe centers,
- f. when present in a court facility, except for the immediate lodging of a prisoner,
- g. when a potential witness requests to speak to a member confidentially or desires anonymity,
- h. when a victim or witness requests that he/she not be recorded and the situation is not confrontational,
- i. when a victim requests that he/she not be recorded as a condition of cooperation and the interests of justice require such cooperation.

12. Members will not allow the public to review BWC recordings, unless permission has been obtained from the Commissioner of Police or his/her designee.

13. BWCs will be deactivated immediately prior to entering a police facility, except in the case of an arrest. When accompanying a prisoner into a police facility, members will continue recording until the prisoner has been lodged for arrest processing.

14. Members will wear the BWC vertically on the outermost garment and will not cover the lens with any external items i.e. sunglasses or surgical masks.

OPS 6420, revision 1, dated 9/9/2021

A. Signing On/Equipment Check

Note: Members assigned to utilize a BWC must use this equipment in accordance with Department policies and state laws. Members are responsible for and will use reasonable care to ensure proper functioning of Department-issued BWCs.

Note: While BWCs are useful for documentation purposes, these do *not* take the place of primary evidence collection, documentation procedures, and written reports.

1. At the beginning of each tour,
 - a. *inspects* the BWC to ensure the equipment is fully charged and operating properly,

Note: There are features on the BWC which enable the member to determine, before each tour, if the BWC is operating properly. When powering on the BWC, the left LED will light up green and the BWC will respond with an audible "hello".

- b. if there is any equipment malfunction or concerns related to battery life and depletion,

(1) *attaches* the BWC to the external battery, *and*

Supervisor

- (2) *re-tests* the BWC again to ensure proper function,
- c. if the BWC continues to malfunction,
 - (1) *immediately notifies* a supervisor and *specifies* the problem,
 - (2) *notes* the problem in their memo book,

Note: A supervisor will immediately arrange to replace a non-functional BWC. Members will not use a BWC assigned to another member, or BWC not previously assigned to them, without authorization from a supervisor.

- d. *securely attaches* all supplied components of the BWC to the outermost garment, either center mass or slightly off center mass, ***not horizontally***, to provide the lens a clear view to capture quality video and audio data and *ensures* the BWC is properly positioned to clearly record police activities regardless of uniform attire,
- e. *confirms* the BWC is in standby mode [\[See Definition\]](#) prior to the beginning of the tour.

Desk Supervisor/
Desk Officer

- 2. *Ensures* officers under his/her command are equipped with properly functioning BWCs and that the BWCs are utilized:
 - a. as directed by the respective manufacturer's instructions/ per training guidelines, ***and***
 - b. in accordance with Department policy and procedures.
- 3. If notified of a malfunctioning BWC and the problem could not be resolved, *notifies* the Desk Supervisor/Desk Officer.

- 4. If notified of a malfunctioning BWC,

- a. *assigns* a spare BWC to the officer,

Note: Only a desk supervisor/desk officer has the authority to assign a spare BWC.

- b. *records* the newly assigned BWC in ***both*** the command's digital log and the GETAC/EVM dashboard portal,
- c. *notifies via email both* the Command Administrator [\[See Definition\]](#) and the Body-Worn Camera Program Department Administrator (Department Administrator) [\[See Definition\]](#) of the newly assigned BWC,
- d. *forwards* BWC to be repaired to the Command Administrator.

Command
Administrator

- 5. *Arranges* for BWC repairs, notifying the Department Administrator via email of:

- a. any new equipment malfunctions,
- b. missing or damaged BWCs.

Note: The Supervisor and/or Department Administrator will initiate an investigation when notified of a missing or damaged BWC.

B. Activating and Using the BWC

Note: A member who fails to activate [\[See Definition\]](#) his/her BWC for any incident [\[See Definition\]](#) according to Department policies and rules, whether intentionally or

Member of the Force

unintentionally, will report the failure to record to his/her supervisor as soon as practical.

Note: If an on-duty member is going out on a line of duty injury/illness, a Patrol Supervisor should ensure the member's BWC is uploaded.

1. *Activates* the BWC, **prior** to making contact, in any of the following incidents, unless it is unsafe or impractical to do so:

Note: Upon activation, the BWC will be in recording mode [\[See Definition\]](#). The BWC will respond with an audible "recording" and a red light will continuously flash while recording.

- a. all calls for service,
- b. self-initiated activities, including:
 - (1) VTL stops,
 - (2) vehicle pursuits,
 - (3) field stops,
 - (4) or any other investigative or enforcement encounters,

Note: Members will activate the BWC **prior to initiating** any of the above listed self-initiated activities.

- c. requests for consent to search without a warrant, including searches of persons, buildings, or vehicles,

Note: When practical, bookmark [\[See Definition\]](#) the request for consent and the consent for the incidents specified above.

- d. seizure of evidence,
- e. advisement of Miranda rights, when required,
- f. statements made by individuals (subjects and witness) in the course of an investigation or complaint,
- g. civilian and arrestee transports,
- h. any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

Note: Desk personnel will activate BWC for any incident which requires some degree of law enforcement action or response, which includes,

1. domestic exchanges,
2. a subject's surrendering for an arrest,
3. individuals who appear to be agitated or antagonistic,
4. individuals experiencing an altered mental status.

2. *Notifies* members of the public that the interaction is being recorded as soon as reasonably practical, unless such notification could compromise safety or impede an investigation.

Note: Suggested notification: "Sir/Ma'am, I am XXXX of the Nassau County Police Department. This encounter is being recorded".

Note: During incidents involving traffic stops or field stops, members will also inform the individual of the reason for the stop as soon as practical.

Member of the Force

Note: A person's consent is not required to start or continue recording.

3. *Considers* bookmarking key or important events as necessary.
4. Once the BWC has been activated, *continues recording* until the event that prompted the activation has concluded, **except** in situations in which continued recording:
 - a. may jeopardize or otherwise compromise the safety of the member(s) or the public,

Note: For example, when at the scene of a bomb, suspected bomb, or suspicious package, members will refrain from using electronic devices, including BWCs, radios, mobile data terminals (MDTs) and cell phones, when within 300 feet of a suspected bomb location. [\[See OPS 12111, Bomb and Bomb Threats\]](#)

- b. hinders the ability to conduct a proper investigation,
- c. seriously compromises an individual's privacy and dignity and that compromise significantly outweighs any legitimate law enforcement interest. Such situations might involve recording in:
 - (1) hospitals or clinical settings when no crime has been committed,
 - (2) houses of worship,
 - (3) shelters,
 - (4) government offices.

Note: Members will continue to record or reactivate recording **regardless of the location**, whenever the evidentiary value of the recording outweighs a right to privacy and/or dignity. For example, if during the transport of a mental aided person a recording has been deactivated due to entering a hospital, member will reactivate recording if the mental aided person becomes confrontational.

Note: Members are not obligated to initiate or cease recording an incident solely at the request of the individual with whom the member is interacting. Consideration may be given to recording only audio.

Note: Members may also consider switching the BWC to covert mode [\[See Definition\]](#), which turns off all sounds and covers indicator lights for the purpose of not overtly indicating that a recording is in progress.

5. **Will not** use BWC video for confirmatory identifications (show-ups).

Note: Show-ups must be done in person, and not by a witness viewing a BWC video of the suspect.

6. *May deactivate* [\[See Definition\]](#) the BWC during an incident if:
 - a. the member is no longer actively engaged in the investigation or interacting with a member of the public,

Note: For example, holding a traffic post at an auto accident

Member of the Force

scene.

- b. the incident is a ***routine*** aided case and doing so will protect the aided person's dignity,

Note: For example, routine sick at home, high blood pressure, assist invalid.

7. *Deactivates recording* upon completion of the incident.

8. *Categorizes* [\[See Definition\]](#) the recording.

9. *Indicates* on any reports prepared, the existence of BWC footage.

Note: For example, case reports, use of force reports, arrest reports, etc.

10. If the incident will be a squad case, *notifies* the Detective Squad of the existence of BWC footage where the subject has asked for an attorney.

11. If, during the course of the tour, the BWC malfunctions or if the BWC was unintentionally activated and a prohibited recording occurred,

- a. reports to a supervisor immediately,
- b. proceeds per supervisor's instructions,
- c. makes a memo book entry.

Note: If the BWC was unintentionally activated but the recording is not prohibitive and is of no evidentiary value, the member is ***not*** required to notify a supervisor. The member must, however, make a memo book entry documenting the unintentional recording.

12. *Makes* a memo book entry regarding the BWC in the following circumstances:

- a. if assigned to a call but given a disregard by the other responding unit prior to arrival,
- b. if assigned to a call and a recording is made,
- c. if not assigned to a call but responds as backup and a recording is made.

Note: If assigned to a call but given a disregard by another unit ***and*** CB exchanges the call to that unit, no memo book entry is necessary.

13. If the BWC ***was not*** activated during a required activation law enforcement event, *notifies* a supervisor as soon as practical.

14. If notified by a member of a failure to activate the BWC as required,

- a. *reviews* the incident,
- b. *makes entry* in PDCN Form 256, Failure to Activate BWC Log,

Note: Each command will download from the department intranet, and maintain, a PDCN Form 256, Failure to Activate BWC Log Excel Spreadsheet, exclusive to their command.

- c. *notifies* Commanding Officer for review.

15. If at scene, *determines* if immediate upload of BWC footage is

Supervisor

Supervisor

necessary and *directs* the officer accordingly.

16. If at the scene of a shooting or other serious incident in which officers were involved, *ensures* an Administrative Officer from the Deadly Force Response Team [\[See OPS 12460\]](#) collects and secures all BWCs from those officers involved in the incident.

Member of the Force

17. *Responds* to station house or other designated location to upload stored recordings from previous or current tour, *at some point during each tour, whenever practical, or* as directed by a superior officer.

18. At the end of the tour,

- a. *powers off* the BWC,

Note: The BWC will respond with an audible “goodbye”.

- b. *charges* the BWC.

C. Data Storage, Security and Retention

Note: BWC recordings are considered official investigative materials and, as such, will be handled in accordance with existing Department policy and applicable laws.

1. *Follows* instructions for data storage and preservation methods in accordance with specific manufacturer’s guidelines and recommendations.

2. *Ensures* all BWC recordings will be accessed only:

- a. by Department-approved system users,
- b. on Department-approved equipment, *and*
- c. for viewing and copying for official purposes only.

3. *Logs into* BWC video management system and identifies BWC video recordings that have not been categorized properly.

Note: Each video will be categorized (by the uploading member) to allow for efficient management storage and retrieval of files.

4. If a recording has not been properly categorized, *contacts* the Command Administrator and *requests* that he/she directs the uploading member to properly categorize the BWC recording.

5. *Complies* with retention schedules as dictated by applicable law.

Note: If a BWC recording has evidentiary value in an ongoing investigation, court proceeding or appeals process, the recording will be retained through the pendency of the case or in accordance with applicable law, whichever is greater. Supervisors and investigators may request, through channels, that a BWC recording be retained beyond the prescribed retention period, if necessary.

Note: Non-evidentiary data will be retained for a minimum of six (6) months.

6. If no extension of video data retention is required, manages the recording(s) in accordance with Department retention procedures and with the approval of the Department Administrator.

7. If a recording is deemed to be useful as a training tool, *retains*

Department Administrator/
BWC Unit

**Arresting
Officer/
Assigned Officer**

the recording for as long as practical.

D. Arrest Processing and Sharing of BWC Videos

1. *Assures* all BWC recordings are properly categorized.
2. If the case involves an arrest, *identifies* all BWC videos associated with the arrest and if known, any other pertinent BWC video from previous incidents that can enhance the arrest case.

Note: When the arresting/assigned officer and/or BWC Unit become aware of any pertinent BWC video that is associated with their arrest case (e.g., BWC video containing suspect information, complainant/victim/witness statements, or are of any investigative value in regard to the establishment of probable cause, etc.), regardless of when the video was recorded, will ensure that those BWC video files are properly identified.

BWC Unit

3. *Shares* BWC video as follows:
 - a. with Legal Bureau when a member of the Department becomes aware of potential or actual civil litigation involving a matter captured by a BWC, *and/or*
 - b. with assigned detective/investigator when any portion of an incident under investigation is captured by a BWC.

**Police Officer/
Detective**

E. Accessing and Viewing Footage

1. *May review* his/her own BWC recording, or the BWC recordings made by other (uniformed) members of the Department for a given incident, for official purposes, including:
 - a. conducting a criminal investigation,
 - b. preparing for courtroom testimony or courtroom presentation,
 - c. providing testimony pursuant to an administrative inquiry,
 - d. reviewing an incident prior to writing a routine report,
 - e. training and professional development,
 - f. preparing for civil litigation.

Note: In routine cases, the viewing will be utilized as a tool when completing written reports to ensure the accuracy and consistency of events. In officer-involved shootings, use of force cases, or when a (uniformed) member of the Department is the subject of an official Department investigation or is a witness in an official Department investigation, access to recordings may be delayed. However, officers will be permitted to review recordings at a time allowed by the supervisor in charge of the investigation prior to making a statement or report.

Supervisor

2. In addition to the permitted access listed in Step 1 (above), *may review* BWC recordings of members of his/her command for the purpose of ensuring compliance with the BWC policy and procedure, including:
 - a. administrative inquiries,
 - b. civil claims,

BWC Unit

- c. reports of misconduct,
- d. meritorious conduct, *and*
- e. if it is deemed valuable as a training tool.

3. For requests to view BWC recordings originating from *outside the Department*, *releases* of BWC recordings in accordance with the Department's established procedures. As such, BWC recordings will:

- a. be subject to the same security restrictions and chain of evidence safeguards as detailed in the Department's evidence control and records confidentiality policies,
- b. not be released to anyone other than bona fide criminal justice agencies or prosecutor's office without prior approval of the Commissioner of Police or his/her designee,
- c. be otherwise subject to the procedures required by the Freedom of Information Act and subject to the same statutory exemptions from disclosure as any other Departmental records.

4. For requests to view BWC recordings originating from outside the Department that have been denied for any reason, *specifies and documents* reasons for the denial.

F. BWC Recordings Used For Training and Administrative Purposes

1. *Periodically review* BWC video as appropriate to:

- a. provide feedback,
- b. assess overall officer performance and compliance with procedures,
- c. take necessary remedial action to address and correct any performance or tactical deficiencies observed,
- d. determine if BWC video may be useful for training purposes.

Note: Commanding Officer, Police Academy or his/her designee will notify member when member is a participant in a video to be used for training purposes.

2. When made aware that an officer made a prohibited recording, *or* if an officer failed to record or interrupted the recording of a legitimate law enforcement interest,

- a. *reviews* all necessary documentation,
- b. *makes a determination* regarding the circumstances surrounding the infraction,
- c. *documents* findings,
- d. *forwards* findings (TOC) and recommends remedial action, if necessary.

**Patrol
Supervisor/
Supervisor, BWC
Unit/
Training
Sergeant**

**Vehicle Pursuit****OPS 6460****3****POLICY**

The Department recognizes that the vehicular pursuit of fleeing suspects poses a danger to the lives of the public, police officers and the suspects involved in the pursuit. The Department also recognizes that in certain circumstances, the proper law enforcement response requires a pursuit. The policy of the Police Department is to minimize the risks of pursuit by limiting vehicle pursuits to only those situations where the escape of the suspect poses a greater risk of harm to the general public than does the pursuit itself.

PURPOSE

To establish procedures for vehicle pursuit and follow up reporting and review.

DEFINITIONS

Auto Vehicle Locate (AVL): a system which utilizes global positioning satellite technology to plot department members' vehicle location on a map.

Pursuit: a police vehicle engaged in an attempt to stop a motorist with 3 conditions present:

1. the motorist knows a Police Officer wants him to stop, *and*
2. the motorist takes deliberate action to evade the Police Officer, *and*
3. the Police Officer engages in an active attempt to overtake and stop the motorist.

Pursuit alternatives: any course of action which can be used to effectively stop a vehicle or apprehend a subject without engaging in a pursuit. Among these are:

1. notifying CB and other units while following at a safe speed and observing the subject's actions,
2. obtaining an arrest warrant if the subject is known to the Police Officer or it is likely the subject can be identified.

Pursuit conditions: conditions that a Police Officer must evaluate prior to and during a pursuit because they increase the risk to the public and the Police Officers involved. Among these are:

1. the pursued vehicle has too much lead time over the police vehicle,
2. the road conditions are poor,
3. excessive vehicular or pedestrian traffic,
4. the police vehicle is unmarked,
5. the pursued vehicle is two-wheeled.

Pursuit requirements: a Police Officer *must* have one of the following requirements present to justify a pursuit:

1. reasonable suspicion that the subject has committed a violent felony which caused or threatened death or serious bodily harm, *or*
2. the subject's driving is reckless and is an immediate danger to human life, *or*

DEFINITIONS

3. the subject's actions are endangering human life and are likely to continue whether or not a pursuit is initiated.

Note: Vehicle pursuits should be limited to only those situations where the escape of the suspect poses a greater risk of harm to the general public than does the pursuit itself.

Pursuit vehicles: Police vehicles equipped with emergency warning devices. Flashing or rotating lights (either portable or fixed) and an audible siren are minimum requirements.

1. **Primary Car:** the first police vehicle immediately following the pursued vehicle.
2. **Secondary Car:** the police vehicle following the Primary Car and generally responsible for radio control.

Note: The Ford Police Interceptor Utility *is* a designated pursuit vehicle.

Note: The following vehicles are *not* considered pursuit vehicles and are prohibited from engaging in vehicle pursuits:

- a. ambulances,
- b. vans,
- c. Chevy Tahoes in the fleet prior to 2014,
- d. other non-pursuit rated utility vehicles or SUVs.

Roadblock: the use of barriers including vehicles to slow or to stop the pursued vehicle.

SCOPE

All Members of the Department.

SOURCES

PL Article 35. (Defense of Justification)
 Rules and Regulations, Article 5, Rule 16. (Use of Force)
 Article 8, Rule 12, sub 6, 7.
 (Safety Equipment and Safety Standards)
 Teletype Order 245-87 (MRD Radio Channel Operation)
 VTL §109. (Controlled access highway)
 § 1104. (Authorized emergency vehicles)
 § 1146. (Drivers to exercise due care)

RULES

1. Only Members of the Force can initiate vehicle pursuits.
2. Members of the Force will not engage in a pursuit whenever non-force persons are in their vehicle.
3. Members of the Force will not engage in a pursuit while operating any of the following vehicles: an ambulance, a van, a utility or SUV-type vehicle that is *not* a pursuit vehicle. [See Definition]
4. Members of the Force must use emergency lights and siren when engaged in a pursuit.
5. Only Members of the Force operating the Primary and Secondary Cars will engage in actual pursuit.
6. Members of the Force must terminate a pursuit once the pursued vehicle drives *against* the flow of traffic on a controlled access highway.

RULES

7. Members of the Force will not use their vehicles to ram, make contact with, or otherwise force off the road, the vehicle being pursued.

8. Members of the Force will not utilize roadblocks during a pursuit.

REPLACES

OPS 6460, Revision 2, dated 08/07/2009.

PROCEDURE

Police Officer

A. Justification

1. *Signals* the motorist to stop.
2. *Evaluates* the alternative to pursuit if the vehicle does not stop.
3. *Initiates* an alternative to pursuit whenever an alternative might be effective.
4. *Ensures* that at least one of the pursuit requirements has been met if there is no effective alternative to pursuit.
5. *Considers* the pursuit conditions.
6. *Determines* that the pursuit is justified and stopping the vehicle outweighs the risk to the safety of the public and the Police Officers involved.
7. *Discontinues* the attempt to stop the vehicle if the pursuit is *not* justified. **[End of Procedure]**

B. Pursuit

Police Officer

1. *Initiates* the pursuit, if justified, and *requests* a clear radio channel.
2. *Notifies* CB of the following:
 - a. the location and direction of travel,
 - b. a description of the vehicle,
 - c. number of occupants,
 - d. justification for pursuit,
 - e. if any of the following vehicles are involved:
 - (1) unmarked car,
 - (2) low profile vehicle,
 - (3) motorcycle,
 - f. speed of pursuit,

Note: If the pursuing vehicle is on a different channel than the precinct of occurrence, switch to the radio frequency of the precinct of occurrence, and repeat the location and description.

Note: Unmarked vehicles, low profile marked vehicles and motorcycles may initiate pursuits, but they must immediately request marked units to assist, and must discontinue their pursuit once the marked units are in position to assume the Primary or Secondary Car positions. These units will then proceed safely to the location where the pursuit ends and assist the marked units.

Note: Chevy Tahoes in the fleet prior to 2014 are *not* pursuit-rated and are prohibited from engaging in vehicle pursuits.

**Police
Communications
Operator**

**Police
Communications
Shift Supervisor**

Patrol Supervisor

**Police
Communications
Operator Supervisor**

Desk Officer

Police Officer

Assisting Vehicle

**Police
Communications
Operator**

Secondary Car

3. *Assigns* assistance to respond.
 4. *Notifies* the following:
 - a. Police Communications Operator Supervisor (PCOS),
 - b. Police Communications Shift Supervisor (PCSS),
 - c. Precinct Patrol Supervisor,
 - d. Aviation Unit for helicopter response.
 5. *Notifies* the Desk Officer in the precinct of occurrence of the pursuit in progress.
 6. *Acknowledges* the transmission and *assumes* coordination of the pursuit and responding units.
- Note:** A PCOS, in consultation with the Desk Officer in the command of occurrence, has the authority to terminate pursuits until a Patrol Supervisor has acknowledged the Police Communications Operator's notification.
7. *Continually evaluates* the pursuit and *terminates* it when there is an effective alternative to pursuit or the pursuit loses justification.
 8. *Notifies* the Desk Officer in the precinct of occurrence of the pursuit in progress, if not already notified.
 9. *Monitors* the development of the pursuit by radio and the AVL [\[See Definition\]](#) display screen to ensure that the pursuit is in accordance with these written procedures.
 10. *Terminates* pursuit when there is an effective alternative to pursuit or the pursuit loses justification.
 11. *Continually justifies* the need to continue the pursuit by evaluating any changing facts or circumstances.
- Note:** When in pursuit Police Officers should constantly evaluate pursuit alternatives, pursuit requirements and pursuit conditions. As these change, the Police Officer must justify continuing the pursuit or decide to terminate it.
- Note:** A Police Officer may decide to terminate a pursuit at any time with or without a Supervisor's consent.
12. *Notifies* CB of response and location.
 13. *Notifies* CB when visual contact with the pursuit is made.
 14. *Identifies* the Secondary Car and *notifies* all units.
 15. *Assumes* radio control when in position behind the Primary Car.
- Note:** This is unnecessary if the Primary Car is manned with two Police Officers.

Primary Car

16. *Stops* radio notifications after acknowledging the Secondary Car.

17. *Discontinues* pursuit when:

- the subject is apprehended, **or**
- justification for the pursuit is lost, **or**
- an effective pursuit alternative is available, **or**
- an order to terminate is received.

Helicopter

1. *Notifies* all vehicles when it has visual contact with the pursued vehicle and *assumes* radio control from the Primary/Secondary Car.

Primary/Secondary Car

2. *Acknowledges* the transfer of radio control to the helicopter and *discontinues* radio notification.

Helicopter

3. *Maintains* visual contact with the pursuit and *advises* the Primary/Secondary Cars of the location and direction of travel of the pursued vehicle.

Primary/Secondary Car

4. *Considers* discontinuing active pursuit and following the pursued vehicle at a safe speed.

D. Crossing Jurisdictional Boundaries

Secondary Car

1. *Notifies* CB when there is a change of jurisdiction.

Police Communications Operator

2. *Notifies* the PCOS.

Police Communications Operator Supervisor

3. *Notifies* the other jurisdiction of the pursuit.

4. *Initiates* a radio patch to an interoperability channel [\[See Glossary\]](#), if appropriate.

Patrol Supervisor

5. *Continues* coordination of the pursuit and *authorizes* the assisting vehicles to cross county lines as necessary.

Assisting Vehicles

6. *Respond* to assist when authorized by the Patrol Supervisor.

E. Pursuits from Other Jurisdictions

Note: In all vehicle pursuits, NCPD assistance or participation must be in accordance with these written procedures.

Police Officer

1. *Observes* an apparent pursuit involving vehicles from an outside agency.

2. *Notifies* CB of all pertinent information.

Police Communications Operator

3. *Notifies* the PCOS and *broadcasts* all pertinent information.

Police Communications Operator Supervisor

4. *Notifies* the Patrol Supervisor and the Desk Officer of the pursuit.

5. *Establishes* contact with (or has received notification from) the pursuing agency and *obtains*:

- the reason for the pursuit, **and**
- the pursuing agency's need for assistance.

Police
Communications
Operator Supervisor

Desk Officer

Patrol Supervisor

Assisting Vehicles

Police
Communications
Operator Supervisor

Apprehending
Officer(s)

Primary/Secondary
Car

Patrol Supervisor

Patrol Supervisor

6. *Notifies* the Patrol Supervisor and the Desk Officer of the reason for the pursuit and the need for assistance.
7. *Determines* if the pursuit is justified and in accordance with Department procedures.
8. If the pursuit *is not* justified, *directs* CB to:
 - a. *direct* vehicles *not* to join in or assist the pursuit,
 - b. *notify* the pursuing agency that the pursuit does not meet our pursuit requirements.
9. If the pursuit *is* justified, *directs* CB to direct vehicles to join in or assist the pursuit.
10. *Coordinates* the Department's response.
11. *Respond* as directed by the Patrol Supervisor.
12. *Coordinates* communications between the Department and the outside agency and *initiates* an interoperability channel link, if appropriate.

F. End of Pursuit

1. *Stops* the vehicle, *and*
 - a. *notifies* CB of current location,
 - b. *apprehends* the occupant(s),
 - c. *initiates* Arrest Procedure [\[See OPS 2115\]](#) or other appropriate procedures.
2. *Notifies* CB, if the vehicle has eluded the pursuit, and *provides* details that will assist in future apprehension.
3. *Notifies* the Patrol Supervisor.
4. *Directs* the actions of all vehicles if the pursuit is terminated or the vehicle eludes the pursuit.
5. *Responds* to the location where the pursuit ended when:
 - a. Police Officers stop the vehicle and apprehend the subject, *or*
 - b. the subject abandons the vehicle.

G. Review

1. *Reviews* the pursuit and any relevant archived data and *prepares* the Vehicle Pursuit Summary in Blue Team.

Note: The Vehicle Pursuit Summary can be accessed through the Blue Team link on the intranet homepage. Choose "Add New Incident" and under Incident Type, choose "Vehicle Pursuit".

2. *Transmits* electronically the Vehicle Pursuit Summary to the Desk Officer as follows:
 - a. *clicks* on "Add Recipient",
 - b. *selects* "Last Name" under Search Type,
 - c. *enters* the precinct # in the Search box,
 - d. *selects* the appropriate precinct Desk Officer,
 - e. *clicks* on "Forward".

Patrol Supervisor

3. *Notifies* the Desk Officer that the Vehicle Pursuit Summary has been sent via e-mail.
4. *Prepares* a separate narrative report when it is necessary to detail:
 - a. any exceptional police performance or improper response by Police Officers who participated in the pursuit,
 - b. exceptional or improper performance by CB or other involved command.
5. *Forwards* any narrative reports prepared to the Commanding Officer.

Note: When practical, narrative reports and relevant digital records should be attached electronically to the Pursuit Summary.

Desk Officer

6. *Reviews* the Vehicle Pursuit Summary, **and**
 - a. *records* comments,
 - b. *includes* the Desk Officer's name and serial number in the comments box,
 - c. *transmits* electronically to the Commanding Officer as follows;
 - (1) *clicks* on "Forward Up Chain",
 - (2) *clicks* on "Add Recipient",
 - (3) *selects* "Last Name" under Search Type,
 - (4) *enters* the precinct # in the Search box,
 - (5) *selects* the appropriate precinct Commanding Officer,
 - (6) *clicks* on "Forward".

Commanding Officer

7. *Reviews* the Vehicle Pursuit Summary and narrative reports if prepared, to determine if Department procedures were followed and if there are any training needs to be considered.
8. *Endorses* the Vehicle Pursuit Summary by indicating that either:
 - a. no further review is necessary, **or**
 - b. further review is pending.
9. *Includes* the Commanding Officer's name and serial number in the comments box.
10. *Transmits* electronically the Vehicle Pursuit Summary to the Office of Chief of Patrol by the end of the first business day after the date of occurrence, as follows:
 - a. *clicks* on "Forward Up Chain",
 - b. *clicks* on "Add Recipient",
 - c. *selects* "Last Name" under Search Type,
 - d. *enters* "Chief" in the Search box,
 - e. *selects* "Chief of Patrol",
 - f. *clicks* on "Forward".
11. *Prints* a copy of the Vehicle Pursuit Summary.
12. *Forwards* the following to the EVOC Supervisor:
 - a. a hard copy of the Vehicle Pursuit Summary,
 - b. any narrative reports prepared by the Patrol Supervisor.

Commanding Officer

13. If further review is pending,
 - a. *reviews* the Patrol Supervisor's narrative report,
 - b. *completes* the pending review,
 - c. *prepares* a report detailing his findings and all actions taken.
14. *Forwards* the following to the Chief of Patrol:
 - a. any narrative reports prepared by the Commanding Officer,.
 - b. any narrative reports prepared by the Patrol Supervisor.

Chief of Patrol

15. *Reviews* the Vehicle Pursuit Summary and any narrative reports prepared, ***and:***
 - a. *records* comments,
 - b. *includes* the Chief of Patrol's name and serial number in the comments box,
 - c. *transmits* electronically to the Chief of Department as follows;
 - (1) *clicks* on "Forward Up Chain",
 - (2) *clicks* on "Add Recipient",
 - (3) *selects* "Last Name" under Search Type,
 - (4) *enters* "Chief" in the Search box,
 - (5) *selects* "Chief of Department",
 - (6) *clicks* on "Forward".

EVOC Supervisor

16. *Reviews* all Vehicle Pursuit Summaries and narrative reports.
17. *Identifies* any improper or exceptional performance and *addresses* any training issues in EVOC training.
18. *Maintains* statistical data on vehicle pursuits.



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Crowd Control and Management

OPS 12127

0

POLICY

The policy of the Police Department is to protect individual rights related to assembly and free speech; effectively manage crowds to prevent loss of life, injury, or property damage; and minimize disruption to persons who are not involved. Government may impose reasonable restrictions on the time, place, and manner in which persons assemble and engage in free speech activity. The Department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the degree possible, facilitate uninhibited speech, commerce, and freedom of movement.

PURPOSE

To establish procedures for managing crowds, protecting individual rights, and preserving the peace during demonstrations and civil disturbances.

DEFINITIONS

Civil Disturbance: a gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.

Crowd Control: techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and preparations for multiple arrests.

Crowd Management: techniques used to manage lawful assemblies, based on the situation, before, during, and after the event for the purpose of maintaining lawful status through event planning, pre-event contact with event organizers, issuance of permits when applicable, information analysis, personnel training, and other means.

Demonstration: a lawful assembly of persons organized primarily to engage in free speech activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action.

Large-Scale Event: an event which attracts a large number of people and requires pre-event planning to effectively manage crowds and ensure public safety and order.

SCOPE

All Members of the Department.

SOURCES

International Association of Chiefs of Police (IACP) Model Policy - Crowd Management, April 2019

RULES

No applicable rules within this procedure.

REPLACES

Not applicable.

PROCEDURE

A. Preparation for Planned Events**Member of the Department**

1. *Receives* information or notice that a large-scale event [**See Definition**] is planned.
2. *Notifies* a supervisor and *provides* event information received.

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Supervisor

3. *Contacts* event organizer(s) in advance, if possible, for preliminary information, including but not limited to:
 - a. type of event involved,
 - b. date, time and place,
 - c. number of participants expected,
 - d. assembly areas and movement routes,
 - e. any critical infrastructures in the proximity of the event,
 - f. if the event will coincide with other routine, large-scale events (e.g., sporting events),
 - g. if any permits have been issued,
 - h. any actions, activities, or tactics anticipated, including use of demonstrator devices designed to thwart arrest,
 - i. any expected opposition to the event,
 - j. any potential counter-protest groups,
 - k. if there is a history of violence between the group demonstrating and potential counter-protest groups,
 - l. prior history of conduct at such events,
 - m. if event organizers are cooperative,
 - n. other agencies notified, such as fire departments or Emergency Ambulance Bureau (EAB),
 - o. any need to request mutual aid,
 - p. social media sites/websites.

Asset Forfeiture/LDC Member

4. *Prepares* PDCN Form 319, Large Scale Event Worksheet, including all information gathered.
5. *Forwards* PDCN Form 319 to aflidc@pdcn.org.
6. *Evaluates* information contained in PDCN Form 319.
7. Utilizing provided information, *investigates* event and *documents* any pertinent information.
8. *Determines* scale and scope of event and *records* information on PDCN Form 319.
9. *Forwards* PDCN Form 319 to the appropriate level of command (i.e. precinct level, Department Executive level) with recommendations.

Note: County-wide events are to be directed to the Chief of Patrol's office.

Commanding Officer, Event Location

10. *Reviews* PDCN Form 319 and *determines* response level necessary.
11. *Assigns* Incident Commander [See Glossary] to prepare an action plan to respond to the event.

Incident Commander

12. *Reviews* National Incident Management System (NIMS). [See OPS 12110A].

Note: NIMS will be used in crowd management [See Definition] and civil disturbances [See Definition] to ensure control and unified command.

13. *Prepares* a written plan and *prepares* the appropriate NIMS ICS form(s), addressing as necessary the following:
 - a. command assignments and responsibilities,

Incident Commander

- b. personnel, unit structure, and deployment considerations to include the need for special response teams (i.e., Bureau of Special Operations (BSO), EAB, Mounted Unit, etc.),
- c. regular communication with legal advisors,
- d. liaison with event planners, to include their legal advisors, where applicable,
- e. liaison with outside agencies,
- f. communications plan, to include release of information to the media, if necessary,
- g. pre-event intelligence analysis,
- h. weather and terrain at the event location,
- i. transportation, support, and relief of personnel,
- j. mobilization location, if necessary,
- k. staging points for additional resources and equipment,
- l. traffic management, including perimeter security,
- m. possible use of:
 - i. demonstrator dispersal devices, (i.e. LRAD, MK-46)
 - ii. extrication teams,
- n. audio and video recording of department crowd response for evidentiary purposes,
- o. transportation of prisoners,
- p. arrestee processing areas,
- q. any laws, ordinances, or administrative rules specific to the event.

B. Day of Event

Note: The event should be continually monitored and if an increase in sufficient manpower is necessary to maintain a successful operation, the Mobilization Plan [See OPS 12110-D] should be initiated.

1. *Implements* the written plan, if prepared.
2. *Ensures* the following objectives are met at the scene of the event:
 - a. protection of all persons, regardless of their participation in the event, which may include:
 - i. *dispersing* disorderly or threatening crowds, utilizing de-escalation principles, in order to eliminate the immediate risks of continued escalation and further violence,
 - ii. *arresting* of law violators, including those responsible for property damage, and *removing* or *isolating* persons inciting violent behavior,

Note: Mass arrests shall be avoided, unless necessary.

- b. *briefing* officers on what to expect and appropriate responses,
- c. *advising* officers that the Incident Commander, or their designee(s), shall be responsible for ordering any response deemed appropriate,

Officers at Scene

- d. *assesses* the level of deployed officers necessary to monitor crowd activity,

Note: Sufficient resources to handle multiple unruly persons should be available, depending on the fluidity of the situation and degree of actual or likely disruption.

- e. *designates* a supervisor to establish and maintain communication with event organizers and *relays* information on crowd dynamics to the IC.

- 3. *Maintain* constant observation of the areas assigned to them, assessing any change in the dynamic or behavior of the crowd that could lead to increased volatility.

Note: Members should be mindful that a means of egress must be present at all times.

Note: All uniformed personnel will wear their uniform hats, shields, and nameplates. Traffic safety vests are permitted to be worn over the uniform for enhanced safety.

Note: Officers may engage in conversations with attendees related to the demonstration [See Definition], but must refrain from reacting in response to comments from demonstrators intended to illicit an emotional response, and must maintain a courteous and neutral demeanor.

Supervisor

- 4. *Maintains* close contact with their assigned officers to ensure compliance with orders, *monitors* crowd behavior and disposition, and *ensures* that assigned officers are aware of any changes in crowd behavior or intent.

- 5. *Reports* any significant changes in crowd behavior or actions to the IC.

First Officer at Scene

C. Response to Spontaneous Civil Disturbances

- 1. *Observes* the situation from a safe distance to determine if the gathering is currently or potentially violent.

- 2. *Advises* Communication Bureau (CB) of:

- a. the location and estimated number of participants,
- b. the nature and seriousness of the disturbance,
- c. current activities (e.g., blocking traffic),
- d. direction of movement,
- e. ingress and egress routes for emergency vehicles,
- f. the presence of improvised or deadly weapons.

- 3. *Requests* a supervisor and necessary assistance.

- 4. *Attempts* to identify crowd leaders and agitators engaged in criminal acts.

Note: The first officer at scene is the Incident Commander until relieved by a superior officer.

Incident Commander

- 5. *Assesses* the situation to determine if additional sworn officers are needed to be mobilized. [See OPS 12110-D].

- 6. *Considers* the following actions to maintain order at the scene:

- a. *deploying* officers at vantage points to report on crowd actions,

Incident Commander

- b. *establishing* a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area,
- c. *ensuring* that, to the degree possible, uninvolved individuals are evacuated from the immediate area of the disturbance,
- d. *establishing* a temporary command post,
- e. *providing* ongoing assessment to CB as needed,
- f. *moving* and *rerouting* pedestrian and vehicular traffic around the disturbance as needed,

Note: Bicycles may be used to control and move persons as appropriate.

- g. *controlling* unauthorized ingress and egress by participants,

Note: Motor vehicles may be used to contain, control, and direct persons as appropriate, but shall not be intentionally brought into contact with participants.

Note: Every effort should be made to ensure that police vehicles are not surrounded and/or blocked in.

- h. *preventing* outside attempts to assist or reinforce participants.

7. *Establishes* the following, as necessary:

- a. adequate security to fire department and EAB personnel in the performance of emergency tasks,
- b. available support and relief for personnel,
- c. a secure staging area for emergency responders and equipment,
- d. liaison and staging points for media representatives,
- e. the IC event log [NIMS/ICS 214] to document activities and actions taken during the course of the incident.

8. *Ensures* that:

- a. photographic or video evidence is preserved, in accordance with applicable law and Departmental policy, of crowd actions and officer response,
- b. photographs or videos are taken of any injuries sustained by law enforcement officers or the public.

D. Use of Force

Incident Commander

Note: All members are reminded that they are to be guided by the Use of Force policies [See POL 4200/ OPS 12410].

Note: Unless exigent circumstances justify immediate action, officers will not independently make arrests or employ force without command authorization.

1. The following restrictions and limitations on the use of force should be observed during demonstrations and civil disturbances:

- a. in all cases, weapons should be carried and deployed only by trained and authorized officers,
- b. canine teams respond as assistance when appropriate

but should not be deployed for crowd control [**See Definition**] (i.e., containment or dispersal),

- i. canines remain in patrol vehicles or other secure locations and, whenever reasonably possible, out of the view of the crowd.
 - ii. canines are only deployed in appropriate circumstances related to bomb detection, pursuit of suspects in buildings, and related situations,
- c. horses may be used to contain, control, and direct groups in nonviolent demonstrations as appropriate.
Horses should not be used:
 - i. against passively resistant demonstrators, including those who are sitting or lying down,
 - ii. unless exigent circumstances exist, horses should not be utilized when the use of chemical agents is anticipated or deployed, **or**
 - iii. in icy or snowy conditions or when similar lack of footing may jeopardize the animal, rider, or others,
- d. electronic control devices (ECDs) are used only for purposes of restraint or arrest of actively resistant individuals when alternative, less forceful means of control are not available or are unsuitable and only when the individual can be accurately targeted and shall not be fired indiscriminately into crowds [**See OPS 12430/12440**],
- e. oleoresin capicum (OC), is only used against specific individuals engaged in unlawful conduct or actively resisting arrest, or as necessary in a defensive capacity when appropriate [**See OPS 12440/12450**],
 - i. OC spray should not be used indiscriminately against groups of people where bystanders would be unreasonably affected, or against passively resistant individuals,
 - ii. high-volume OC delivery systems (such as MK-9 and MK-46) are utilized only for civil disturbances against groups of people engaged in unlawful acts or endangering public safety and security, when approved by the Incident Commander,
 - iii. whenever reasonably possible, a verbal warning is issued prior to the use of these systems,
- f. police baton can be used:
 - i. as defensive equipment,
 - ii. as a means of overcoming resistance (e.g., used in the two-hand horizontal thrust on a police line),
 - iii. to stop, control, or neutralize perceived threatening resistance,
 - iv. as a show of force, or

Incident Commander

v. as a means to contain or disperse a crowd
[See OPS 12440].

2. *Ensures* all use of force should be reported and investigated
[See OPS 12410].

E. Crowd Dispersal

Incident Commander

1. *Assesses* the need for dispersal of the crowd.
2. If it is decided that crowd dispersal is necessary, *determines* if the dispersal can be accomplished voluntarily.

Note: Incident Commanders should consider voluntary dispersal as preferable to involuntary dispersal and employ all reasonable avenues of communication to accomplish this before involuntary dispersal is employed.

3. *Establishes contact* with event organizers or crowd leaders to assess their intentions and motivations and develop a mutually acceptable plan for de-escalation and dispersal.
4. Prior to issuing dispersal orders, *ensures*
 - a. all potentially necessary police and emergency personnel and equipment are available, **and**
 - b. logistical needs for making mass arrests are in place.
5. *Communicates* to the participants that their assembly is in violation of the law and that the agency wishes to resolve the incident peacefully, but that acts of violence or property destruction will be dealt with appropriately and in accordance with law.
6. *Identifies* specific violent or disruptive individuals for arrest.
7. If a voluntary dispersal is arranged, *assists* as necessary to accomplish a safe and orderly exit for all participants.
8. If it is determined that dispersal is necessary, *directs* supervisors at scene, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd as follows:
 - a. the warning may consist of an announcement citing the offenses or violations being committed, an order to disperse, and designated dispersal routes,
 - b. a second and third warning should be issued at reasonable time intervals before designated actions are taken to disperse the crowd.

Note: Where possible, the warnings should be audio or video recorded and the time and the names of the issuing officers recorded. The dispersal orders will be broadcast in multiple languages, as necessary.

9. If crowd does not heed warnings to disperse, *orders* dispersal tactics be utilized, including but not limited to:
 - a. display of forceful presence to include police lines combined with departmental vehicles, mounted units, bicycle units, and mobile field forces,

	<ul style="list-style-type: none"> b. multiple simultaneous arrests, c. use of OC, d. police formations and the use of batons for directing crowd movement.
Incident Commander	<p>F. Mass Arrests</p> <ul style="list-style-type: none"> 1. If arrests of numerous individuals are necessary, <i>ensures</i> the following: <ul style="list-style-type: none"> a. mass arrests should be conducted by designated personnel, b. an adequate secure area should be designated for arrest processing, c. arrest teams should be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges, d. arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing. Two or more officers should carry those who refuse to walk, e. anyone who is injured, to include arrestees, shall be provided medical attention. [See Aided Cases, OPS 1110]. Photographs should be taken of all known injuries.
Arresting Officers	<ul style="list-style-type: none"> 2. <i>Completes</i> PDCN Form 323, Mass Arrest Worksheet, for each arrestee.
Transporting Officers	<ul style="list-style-type: none"> 3. <i>Ensures</i> the following: <ul style="list-style-type: none"> a. each arrestee is accepted with a prepared PDCN Form 323 and photographs, if necessary, <i>and</i> b. all property is properly processed.
Incident Commander	<p>G. Deactivation</p> <ul style="list-style-type: none"> 1. At the conclusion of the event, <i>ensures</i> the following: <ul style="list-style-type: none"> a. all personnel engaged in the incident are accounted for and an assessment and documentation made of personal injuries, b. witnesses, arrestees, and others should be interviewed or questioned as necessary, c. all necessary personnel should be debriefed as necessary, d. all written reports, including PDCN Form 319A, Large Scale Event Debriefing Worksheet, shall be completed as soon as possible after the incident.



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Use of Force

OPS 12410

3

POLICY

The policy of the Police Department is to prevent crime and arrest offenders while protecting human life. In situations where it is necessary to engage in the lawful use of force [\[See Definition\]](#), Members of the Force will use force based upon the totality of circumstances [\[See Definition\]](#) using an objectively reasonable [\[See Definition\]](#), standard to effectively bring an incident or person under control. [\[See Policy 4200\]](#)

PURPOSE

To establish procedures for the use of force in situations where it is objectively reasonable and the documentation of such force.

DEFINITIONS

Actively Resistant Person/Self-Destructive Behavior: an actively resistant person is one who takes an offensive or a physically resistant action. These actions can take the form of the person standing at the ready and menacing with an object, device, or material capable of inflicting serious physical injury; the person using bodily force such as punching, striking, scratching, grabbing/holding; the person using active physical resistance to custody or presenting an imminent biohazard threat such as spitting or throwing a biohazard at the member or attempt of same. Also in this category: evading custody (escape), destroying evidence, or attempting to harm self (ingesting narcotics, suicide attempt), making explicit verbal threats to cause injury to the member or others present and which the member reasonably believes the person will carry out that threat. The member objectively and reasonably perceives an actual or imminent threat to self, others or evidence. In the interest of officer safety, members shall be particularly vigilant of persons presenting physical cues of an imminent attack (yawning with outstretched arms, glancing around assessing the environment, staring at the officer's duty belt, balling fists, shifting their body into a fighting stance, etc.).

Deadly Active Person: a deadly active person is one who is presenting a deadly threat with a firearm, edged weapon, deadly ordnance, electronic control device (ECD), motor vehicle, or any other instrument or substance capable of causing death or serious physical injury. Also included is an attempt to disarm the member, incapacitate the member or a life-threatening weaponless assault. The member objectively and reasonably perceives an imminent threat of death or serious physical injury to self or innocent others.

Deadly Physical Force: means physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury. (NYS Penal Law § 10.00(11)) It may involve firearms, but also includes any force or instrument of force (e.g., vehicle, edged weapon) capable of causing death or serious physical injury. Deadly physical force includes the firing at or in the direction of a person, and head strikes with a police baton or any hard object.

Force: means the following actions by a member: any physical strike or instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to, the displaying/brandishing, use or discharge of firearms; displaying/brandishing, use or deployment of electronic control devices (ECDs); display, use or deployment of chemical spray; display and/or

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DEFINITIONS

use of baton; empty hands; the taking of a person to the ground; physical force such as kicks, punches, or martial arts techniques; compliance and control holds such as twist locks, wrist locks, pressure point; or the deployment of a canine. **The term does not include escorting or handcuffing a person, with no or minimal resistance.**

Imminent: *does not* mean immediate or instantaneous, but rather that an action is pending. Thus, a subject may pose an imminent danger even if he is not at that very moment pointing a weapon at a Police Officer. For example, imminent danger may exist if Police Officers have probable cause to believe any of the following:

1. a subject possesses a weapon or is attempting to gain access to a weapon under circumstances indicating an intention to use it against the police officer or others, *or*
2. a subject is armed and running to gain a tactical advantage of cover, *or*
3. a subject with the capability of inflicting death or serious physical injury or otherwise incapacitating a police officer and is demonstrating an intention to do so, *or*
4. a subject is attempting to escape from the vicinity of a violent confrontation where the subject inflicted or attempted to inflict death or serious physical injury.

Intermediate Weapons: compliance devices authorized, approved, and issued by the Department and used to stop and control individuals when the use of force is objectively reasonable. These instruments or devices include, but are not limited to, the following: OC pepper-spray, the police baton, the electronic control device (ECD), a propelled beanbag round, and the deployment of a canine.

Objectively Reasonable: an objective standard used to judge a police officer's actions. Under an objectively reasonable standard, a particular application of force must be judged through the perspective of a reasonable police officer possessing the same information and faced with the same circumstances as the officer who actually used force. The use of objectively reasonable force is not analyzed with hindsight, but will consider, where appropriate, the fact that officers must make rapid decisions regarding the amount of force to use in tense, uncertain, and rapidly evolving situations. (Graham, 490 U.S. 396)

Passively Resistant Person: a passively resistant person is one who fails to follow voice commands. A passively resistant person may be verbally abusive using non-threatening language. A passively resistant person is also any person who resists arrest simply by passively refusing to comply as directed (dead weight). The police member does not objectively and reasonably perceive an imminent physical threat.

Physical Injury: impairment of physical condition or substantial pain. (NYS Penal Law §10.00 (9))

Serious Physical Injury: means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. (NYS Penal Law §10.00(10))

Totality of circumstances: the facts and circumstances of a particular case, including the severity of the crime, whether an individual poses an immediate threat to the safety of a police officer or others, and whether an individual is actively resisting arrest or attempting to evade flight, judged from the perspective of a reasonable police officer at the scene of an incident.

SCOPE	All Members of the Department
SOURCES	<p>DAO #20-015, Carotid Restraint</p> <p>Graham v. Connor, 490 U.S. 386 (1989)</p> <p>NYS PL §10. (Definitions)</p> <p>§35. (Defense of Justification)</p> <p>§121.13-a (Aggravated Strangulation)</p> <p>§205.30. (Resisting Arrest)</p> <p>Tennessee v. Garner, 471 U.S. 1 (1985)</p> <p>Use of Force Model Policy, NYS DCJS Municipal Police Training Council, September 2020</p>
RULES	<ol style="list-style-type: none"> Members of the Force will not use force except as provided by law. Members of the Department, while on duty, will render aid to a sick or injured person in accordance with their level of training and summon an ambulance if necessary.
REPLACES	OPS 12410, Revision 2, dated 01/05/2023
PROCEDURE	A. Use of Force
Police Officer	<ol style="list-style-type: none"> <i>Encounters</i> a situation where the totality of circumstances suggests the use of force may be necessary. <p>Note: The totality of circumstances should be considered when deciding the force necessary to overcome resistance when trying to maintain control of a violent person or to effect an arrest.</p> <p>Note: Force is authorized to be used when reasonably believed to be necessary to effect a lawful arrest or detention, prevent the escape of a person from custody, or in defense of one's self or another.</p> <p>Note: Under the 4th Amendment, a police officer may use only such force as is "objectively reasonable" [See Definition] under the circumstances. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene.</p> <i>Requests</i> assistance, as necessary. <i>Initiates</i> Mental Aided Persons procedure [See OPS 1155] if the subject appears to be suffering from mental illness or experiencing emotional distress. <i>Considers</i> if the behavior displayed by the subject is viewed as: <ol style="list-style-type: none"> a passively resistant person [See Definition], an actively resistant person/self-destructive behavior [See Definition], a deadly active person. [See Definition] <i>Considers</i> additional factors that may be used in determining the reasonableness of force, including: <ol style="list-style-type: none"> the severity of the crime or circumstance, whether the subject poses an immediate threat to the safety of the officers, himself, or others, whether the subject is attempting to evade arrest by flight, knowledge, training, and experience of the police officer, the subject's age, size and relative strength,

Police Officer

- f. number of subjects at scene,
 - g. number of police officers at scene,
 - h. other environmental conditions or exigent circumstances.
6. If the use of force *is not* objectively reasonable, *continues* with the incident as appropriate.
- Note:** Force *shall not* be used by a Member for the following reasons:
- a. to coerce a confession from a subject in custody,
 - b. to extract an item from the anus or vagina of a subject without a warrant, except where exigent circumstances are present,
 - c. to obtain blood, saliva, urine, or other bodily fluid or cells, from an individual for the purposes of scientific testing in lieu of a court order where required,
 - d. against persons who are handcuffed or restrained unless it is used to prevent injury, escape, or otherwise overcome active or passive resistance posed by the subject,
 - e. whenever use of force is not legally justified.
7. If the use of force *is* objectively reasonable, *initiates* use of force techniques if appropriate, such as:
- a. empty hand,
 - b. take down,
 - c. kick,
 - d. punch,
 - e. Martial arts technique,
 - f. twist lock,
 - g. wrist lock,
 - h. pressure point.
8. *Intercedes to prevent* the use of unreasonable force by another officer.
- Note:** Any officer present and observing another officer using force that he/she reasonably believes to be clearly beyond that which is objectively reasonable under the circumstances shall intercede to prevent the use of unreasonable force, if and when the officer has a realistic opportunity to prevent harm.
9. *Promptly* reports incident to a supervisor, if an officer observes another officer use force that exceeds the degree of force as described in Step 8.
10. *Continually* assesses the circumstances and, as appropriate, *escalates* or *de-escalates* the use of force.
11. If an intermediate weapon [\[See Definition\]](#) is necessary, *initiates* procedures including:
- a. Use of Intermediate Weapons, [\[Go to OPS 12440\]](#),
 - b. Use of Oleoresin Capsicum (OC), [\[Go to OPS 12450\]](#), or
 - c. Use of Electronic Control Device (ECD)/Taser, [\[Go to OPS 12430\]](#). **[End of Procedure]**

Police Officer

12. If the use of deadly physical force [\[See Definition\]](#) is necessary, [\[Go to OPS 12420\]](#). [\[End of Procedure\]](#)
13. *Restrains* the subject once compliance is met.
14. *Checks* subject's condition and *renders* aid, if necessary.
15. *Initiates* Aided Cases procedure [\[See OPS 1110\]](#), if any of the following conditions exist:
 - a. the suspect has visible injuries,
 - b. the suspect complains of injury,
 - c. the use of force is likely to result in an injury.
16. *Notifies* a supervisor if involved in a use of force incident that results in any of the following:
 - a. the suspect complains of pain, except complaints of minor discomfort from compliant handcuffing,
 - b. a reasonable person believes the use of force is likely to cause an injury,
 - c. physical injury,
 - d. serious physical injury [\[See Glossary\]](#),
 - e. death,
 - f. an ECD was intentionally or accidentally discharged after being displayed,
 - g. a firearm was discharged at a subject.
17. *Initiates* Arrest Processing procedure [\[See OPS 2115\]](#), if necessary.

Supervisor

18. If notified that a Member was involved in a use of force incident,
 - a. *notifies* the Desk Officer,
 - b. *responds to the scene*,
 - c. *maintains* the scene,
 - d. *conducts* an investigation,
 - e. *obtains* Body-Worn Camera (BWC) from members at scene for uploading of footage,
 - f. *secures* the scene in its present state for evidentiary recording and collection, if detectives are responding,
 - g. *conducts* an investigation if detectives are not responding,
 - h. *directs and ensures* any police officer(s) who used force prepare PDCN Form 258, Use of Force Report,
 - i. *takes* photos of injuries or lack thereof to officers or suspects.

Desk Officer

19. If serious physical injury or death resulted,
 - a. *notifies* the Police Communications Operator Supervisor (PCOS) to contact the Deadly Force Response Team (DFRT) Coordinator,
 - b. *notifies* the Commanding Officer (CO) or if the CO is unavailable, *initiates* the Administrative Duty Coverage procedure [\[See ADM 2010\]](#),
 - c. *directs* the supervisor to secure the scene and safeguard evidence for the responding detectives,
 - d. *ensures* BWCs are obtained for footage upload,
 - e. *notifies* the detective squad in the precinct of occurrence [\[See Glossary\]](#) for response.

B. Documentation and Review of the Use of Force Report	
Police Officer	<ol style="list-style-type: none"> 1. <i>Prepares</i> Case Report. [See OPS 8110] 2. <i>Prepares</i> PDCN Form 258, Use of Force Report, when force is used. 3. <i>Forwards</i> PDCN Form 258, before the end of his tour of duty, to his immediate supervisor.
Supervisor	<ol style="list-style-type: none"> 4. <i>Reviews</i> BWC footage. 5. <i>Reviews</i> PDCN Form 258 and prepares a narrative report to his Commanding Officer when further investigation is necessary. 6. <i>Completes</i> the “Supervisor Review” section of PDCN Form 258. 7. <i>Forwards</i> PDCN Form 258 and the narrative report, if required, before the end of his tour of duty to his Commanding Officer.
Commanding Officer	<ol style="list-style-type: none"> 8. <i>Reviews</i> PDCN Form 258 and the narrative report, if prepared. 9. <i>Reviews</i> BWC footage. 10. <i>Completes</i> the “Commanding Officer Review” section of PDCN Form 258. 11. <i>Directs</i> supervisor to further investigate, if necessary. 12. <i>Forwards</i> the original PDCN Form 258 and the narrative report to the Division Chief. 13. <i>Forwards</i> copies of PDCN Form 258 and the narrative report to the Commanding Officer of the Police Academy. 14. <i>Maintains</i> copies of PDCN Form 258 and the narrative report in command.
PA Commanding Officer	<ol style="list-style-type: none"> 15. <i>Reviews</i> all use of force reports to determine the effectiveness of training. 16. <i>Reviews</i> BWC footage. 17. <i>Determines</i> if further training is necessary. 18. If further training is necessary, <ol style="list-style-type: none"> a. <i>prepares</i> a narrative report, and b. <i>forwards</i> the narrative report to the Chief of Department (TOC).
Division Chief	<ol style="list-style-type: none"> 19. <i>Reviews</i> PDCN Form 258 and narrative report(s). 20. <i>Reviews</i> BWC footage. 21. <i>Completes</i> the “Division Chief Review” section of PDCN Form 258. 22. <i>Forwards</i> PDCN Form 258 and narrative report(s) to the Chief of Department.
Chief of Department	<ol style="list-style-type: none"> 23. <i>Reviews</i> all use of force reports. 24. <i>Reviews</i> BWC footage. 25. <i>Completes</i> the “Chief of Department Review” section of PDCN Form 258.



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Use of Deadly Physical Force

OPS 12420

5

POLICY

The policy of the Police Department is to prevent crime and arrest offenders while protecting human life. In situations where it is necessary to engage in the lawful use of force [See Glossary], Members of the Force will use force based upon the totality of circumstances [See Definition] using an objectively reasonable [See Definition] standard to effectively bring an incident or person under control. [See Policy 4200]

PURPOSE

To establish procedures for the use of deadly physical force [See Definition] by Members of the Force and the subsequent notifications for such incidents.

DEFINITIONS

Deadly Physical Force: means physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury. (NYS Penal Law § 10 (11)). It may involve firearms, but also includes any force or instrument of force (e.g. vehicle, edged weapon) capable of causing death or serious physical injury. Deadly physical force includes the firing at or in the direction of a person and head strikes with a police baton or any hard object.

Imminent: *does not* mean immediate or instantaneous, but rather that an action is pending. Thus, a subject may pose an imminent danger even if he is not at that very moment pointing a weapon at a Police Officer. For example, imminent danger may exist if Police Officers have probable cause to believe any of the following:

1. a subject possesses a weapon or is attempting to gain access to a weapon under circumstances indicating an intention to use it against the police officer or others, *or*
2. a subject is armed and running to gain a tactical advantage of cover, *or*
3. a subject with the capability of inflicting death or serious physical injury or otherwise incapacitating a police officer and is demonstrating an intention to do so, *or*
4. a subject is attempting to escape from the vicinity of a violent confrontation where the subject inflicted or attempted to inflict death or serious physical injury.

Objectively Reasonable: an objective standard used to judge a police officer's actions. Under an objectively reasonable standard, a particular application of force must be judged through the perspective of a reasonable police officer possessing the same information and faced with the same circumstances as the officer who actually used force. The use of objectively reasonable force is not analyzed with hindsight, but will consider, where appropriate, the fact that officers must make rapid decisions regarding the amount of force to use in tense, uncertain, and rapidly evolving situations. (Graham, 490 U.S. 396)

Physical Injury: impairment of physical condition or substantial pain. (NYS Penal Law §10(9))

Serious Physical Injury: means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. (NYS Penal Law §10.00(10))

Totality of Circumstances: the facts and circumstances of a particular case, including the severity of the crime, whether an individual poses an immediate threat to the safety of a police officer or others, and whether an individual is actively resisting arrest or attempting to evade flight, judged from the perspective of a reasonable police officer at the scene of an incident.

ISSUING AUTHORITY

SIGNATURE

EFFECTIVE DATE

PAGE

Commissioner

Patrick J. Ryder

11/20/2020

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SCOPE

All Members of the Department

SOURCES

DAO #20-015, Carotid Restraint
[Graham v. Connor, 490 U.S. 386 \(1989\)](#)
[NYS CPL § 690. \(Search Warrants\)](#)
[NYS PL §10. \(Definitions\)](#)
[§35. \(Defense of Justification\)](#)
[§121.13-a \(Aggravated Strangulation\)](#)
[Tennessee v. Garner, 471 U.S. 1 \(1985\)](#)
 Use of Force Model Policy, NY DCJS Municipal Police Training Council, September 2020

RULES

1. ***Members of the Force*** will not use force except as provided by law.
2. A Member of the Department will notify a supervisor, as soon as practicable, whenever he uses deadly physical force.
3. Members of the Force will notify a supervisor, as soon as practicable, when they have discharged a firearm, except while lawfully hunting or target shooting.
4. Members of the Department, while on duty, will render aid to a sick or injured person in accordance with their level of training and summon an ambulance if necessary.

REPLACES

OPS 12420, Revision 4, dated 11/16/2020

PROCEDURE

Police Officer

1. *Encounters* a situation where the totality of circumstances suggests use of deadly physical force [\[See Definition\]](#) may be objectively reasonable.
 2. *Requests* assistance as necessary and if practical.
 3. *Continually* assesses the circumstances and, as appropriate, *escalates* or *de-escalates* the use of force.
 4. *Considers* factors such as the following, when determining the totality of circumstances:
 - a. cover,
 - b. concealment,
 - c. risk of crossfire,
 - d. occupied buildings or dwellings nearby,
 - e. highly populated area,
 - f. possibility of ricochets,
 - g. whether the officer reasonably believes that the suspect poses an imminent [\[See Definition\]](#) threat of serious physical injury or death to the officer or to others,
 - h. other force methods available, if practical.
 5. *Determines* the use of force is objectively reasonable, based on changing circumstances.
- Note:** The determination of what is or is not objectively reasonable force is based on each individual situation and is a judgment decision for the individual police officer to make based on the totality of circumstances.
6. *Will not:*
 - a. use deadly force on the basis of mere suspicion,
 - b. fire warning shots,
 - c. fire ***at*** or ***from*** a moving vehicle unless deadly force is being used against the police officer or another by means

	<p>other than a moving vehicle,</p> <p>Note: Members should be fully aware that shots fired at a moving vehicle may create a greater danger to the public, or other responding officers, than is posed by the moving vehicle itself.</p> <p>d. use deadly physical force in circumstances that present a grave risk of death or serious physical injury [See Definition] to innocent persons.</p> <p>Note: In every situation Members of the Department are expected to act with intelligence and employ sound judgment, in compliance with department policy. Involved Members of the Force must be able to clearly explain their reasons for the use of deadly physical force. All cases will be thoroughly investigated.</p> <p>Note: Force Members are reminded of Penal Law Article 121, Strangulation and Related Offenses, and in particular recently enacted Penal Law Section 121.13-a, Aggravated Strangulation, and that the carotid restraint, or “chokehold” is not an authorized use of force technique.</p>
Police Officer	<p>7. If use of deadly physical force <i>is not</i> authorized by law, <i>and/or is not</i> justified by the totality of circumstances, <i>considers</i> alternative use of force methods such as:</p> <ul style="list-style-type: none"> a. Use of Electronic Control Devices (ECD)/Taser [See OPS 12430], b. Use of Oleoresin Capsicum (OC) [See OPS 12450], c. Use of Intermediate Weapons [See OPS 12440], d. Use of Force [See OPS 12410] [End of Procedure]. <p>8. <i>When practical</i>, prior to using deadly physical force, <i>identifies</i> himself as a Police Officer and <i>issues</i> a verbal warning “POLICE DON’T MOVE”.</p> <p>9. <i>Uses</i> deadly physical force to:</p> <ul style="list-style-type: none"> a. protect the Member or another person from what the Member reasonably believes is an imminent threat of serious physical injury or death, b. to stop a fleeing suspect where: <ul style="list-style-type: none"> (1) the Member has probable cause to believe the suspect has committed a felony involving the infliction or threat of serious physical injury or death, <i>and</i> (2) the member reasonably believes that the suspect poses an imminent threat of serious physical injury to the Member or to others.
Police Officer/ Assisting Officer	<p>10. <i>Apprehend</i> and <i>handcuff</i> the subject, if practical.</p> <p>11. <i>Checks</i> subject’s condition and <i>renders</i> aid, if necessary.</p> <p>12. <i>Initiates</i> the Aided Cases procedure [See OPS 1110] if any of the following conditions exist:</p> <ul style="list-style-type: none"> a. the subject has visible injuries, b. the subject complains of injury, c. the use of force is likely to result in an injury.
Police Officer	<p>13. If he is <i>on duty</i> in Nassau County or within New York City, Suffolk County or Westchester County, <i>requests</i> the following</p>

Police Officer

from Communications Bureau:

- a. an ambulance,
- b. a supervisor,
- c. additional assistance, as needed.

Police Communications Operator**Police Communications Operator Supervisor****Desk Officer/Tour Supervisor****Precinct Squad Detective**

14. If he is *off duty* in Nassau County, *notifies* Communications Bureau (CB).
15. If he is *off duty* and *outside* Nassau County, *notifies*:
 - a. regional 911 from his location, *and*
 - b. a Nassau County Police Communications Operator Supervisor (PCOS).
16. *Assigns* assistance as requested.
17. *Notifies* the involved officer's Desk Officer or tour supervisor.
18. *Responds* to the scene, *and*
 - a. *assumes* command, if in Nassau County,
 - b. *acts as liaison* to local law enforcement, if outside Nassau county,
 - c. *secures* the scene, if in Nassau County,
 - d. *gathers* information necessary for the proper response to the incident,
 - e. *ensures* medical assistance is at scene,
 - f. *ensures* evidence is protected, if in Nassau County,
 - g. *ensures* any potential witnesses are identified and secured,
 - h. *notifies* the Desk Officer with available details.
19. If a firearm was *unintentionally* discharged and *no one* was injured, *initiates* Unintentional Firearm Discharge Report Procedure. [\[See ADM 1220\]](#) **[End of Procedure]**
20. *Initiates* the Crime Scene Duties procedure. [\[See OPS 8115\]](#)
21. *Notifies* a PCOS to contact the Deadly Force Response Team (DFRT) Coordinator for an incident involving the use of deadly force.
22. *Notifies* the Commanding Officer.
23. If the Commanding Officer is unavailable, *initiates* the Administrative Duty Coverage procedure. [\[See ADM 2010\]](#)
24. *Notifies* the detective squad in the precinct of occurrence [\[See Glossary\]](#) to respond and conduct a preliminary investigation.
25. *Responds* to scene and *conducts* a preliminary investigation.
26. *Confers* with the Homicide Squad Detective Supervisor, if at scene.
- Note:** If the Homicide Squad will be required, they will be assigned to the Deadly Force Response Team. [\[See OPS 12460\]](#)
27. *Assigns* a Care Taker supervisor to respond and assume responsibility of primary care for the member(s) involved.
- Note:** The Care Taker supervisor should be a supervisor from the member's Command, if one is available.

**Care Taker
Supervisor**

28. *Responds* to the scene and *assumes* the responsibility of primary care for the member(s) involved, including any of the following:
- a. medical treatment
 - b. peer support,
 - c. critical incident stress management. [\[See ADM 2402\]](#)

29. *Stays* with the member(s) involved and *explains* the procedures to be conducted.

30. *Secures* all firearm(s) possessed by any Member of the Department who was in the immediate proximity at the time of the firearm discharge.

Note: It is important to safely secure the firearm in its present condition leaving rounds/magazine in the firearm for evidentiary recording and collection.

**Police
Communications
Operator Supervisor**

31. If notified to contact the DFRT Coordinator, *initiates* the Deadly Force Response Team procedure. [\[See OPS 12460\]](#)

**Use of Electronic Control Device
(ECD)/Taser**

OPS 12430

4

POLICY

The policy of the Police Department is to prevent crime and arrest offenders while protecting human life. In situations where it is necessary to engage in the lawful use of force [See Glossary], Members of the Force will use force based upon the totality of circumstances [See Glossary] using a reasonable and necessary [See Glossary] standard to effectively bring an incident or person under control. [See Policy 4200] As per accepted national guidelines, a Department-issued electronic control device (ECD) [See Definition] may be an effective tool when the use of force is reasonable and necessary.

PURPOSE

To establish procedures for the use of electronic control devices for situations where equipment is necessary to control persons involved.

DEFINITIONS

ECD Authorized Member: a Member of the Force who has successfully completed the NCPD training course in the use of the NCPD Electronic Control Device.

Automatic Performance Power Magazine (APPM): a lithium energy cell power supply system with an onboard memory chip that maintains a record of vital operational status information, such as remaining power level, energy cell performance, and life expectancy for the energy cell pack under varying temperatures and loads, which is graphically displayed on the device. This APPM automatically shuts off 5 seconds after pulling the trigger.

Cartridge: a replaceable cartridge which discharges two probes on connecting wires sending a high voltage/low current signal into a subject.

Discharge: the actual use of the ECD with probe discharge or Drive Stun [See Definition] against a subject.

Display: drawing and exhibiting the ECD as part of a warning tactic, typically accompanied by appropriate verbalization.

Drive Stun: discharging the ECD whereby the device makes direct contact with the intended subject's body without a cartridge in place or after the cartridge has been discharged. This mode should not be the primary method of use due to the risk presented as a result of the close proximity to the subject.

ECD Logbook: a logbook for tracking the intake and distribution of ECD devices and cartridges. It will document the following:

1. issuing member, if applicable,
2. date and time ECD device and/or cartridge issued or received,
3. date and time ECD device returned, if applicable,
4. receiving/returning member's name and serial number,
5. ECD device serial number,
6. used cartridge serial number,
7. new cartridge serial number, *and*
8. whether the used cartridge will be destroyed or invoiced.

Electronic Control Device (ECD): an electro-muscular disruptor designed to disrupt a subject's motor and sensory functions of the nervous system by deploying battery-powered electrical energy sufficient to cause motor skill dysfunction and override voluntary motor responses. The ECD utilized by NCPD is the Taser International X26P

Use of Electronic Control Device (ECD)/Taser

OPS 12430 4

SCOPE

yellow, model no. 11003 with an APPM battery pack auto shut off, model no. 22011.

Laser Painting: the act of removing the ECD from its holster and pointing the ECD at a subject and activating the ECD's laser dot to show that the device is aimed and targeted on the appropriate location on the subject.

Successful Application: the result of discharging an ECD where the probes make contact with the subject's body, or the unit itself makes direct contact with the subject's body, to conduct energy that affects both the sensory and motor functions of the nervous system.

All Members of the Department.

SOURCES

[Graham v. Connor, 490 U.S. 386 \(1989\)](#)

IACP Model Policy, Electronic Control Weapons. August, 2009.

[PL Article 35](#). (Defense of Justification)

[PL Article 205.30](#) (Resisting Arrest)

Police Use of Force, Tasers, and Other Less-Lethal Weapons. U.S.

Department of Justice/Office of Justice Programs/National Institute Justice. May 2011.

RULES

1. Members of the Department will not use force except as provided by law.
2. Members of the Department while off duty **will not carry** and **will secure** the Department-issued ECD except when traveling to and from work.
3. ECDs will only be used by Members of the Department who have completed training and have been authorized to use ECDs.
4. Members of the Department, while on duty, will render aid to a sick or injured person in accordance with their level of training and summon an ambulance if necessary.

REPLACES

OPS 12430, Revision 3, dated 08/18/2016.

PROCEDURE

A. Issuance and Maintenance

ECD Authorized Member

1. If the ECD Authorized Member is a non-uniformed officer, *equips* himself/herself with an ECD when on duty,
 - a. **except if** it is impractical because of the nature of the **current** assignment,
 - b. **except if** carrying an ECD discloses the member's identity as a Police Officer or otherwise compromises officer safety (i.e., BSO, Narcotics),

Note: When part of a non-uniformed arrest team, at least one member of that team will be an ECD Authorized Member and will carry an ECD when possible.

 - c. *retrieves* an ECD from his/her command, **and**
 - d. *makes* appropriate entries into the ECD Logbook. [See **Definition**]
2. *Carries* the ECD in accordance with training.

Note: Non-uniformed officers will be guided by training protocols specific to their assignment.

Use of Electronic Control Device (ECD)/Taser

OPS 12430 4

ECD Authorized Member

3. *Inspects* the ECD at the beginning of his tour of duty to ensure operability by:
 - a. *removing* the cartridge [\[See Definition\]](#) and *pointing* the ECD in a safe direction,
 - b. *releasing* the safety and *ensuring* the laser is visible and the battery status light indicates the device is energized,
 - c. *conducting* a five second spark test by depressing the trigger to see an arc and hear a sound.

Note: The ECD cartridge must be removed prior to conducting the spark test.
4. *Replaces* the Automatic Performance Power Magazine (APPM) [\[See Definition\]](#) if:
 - a. the laser is not visible,

Note: The member should ensure that laser function is turned on.

 - d. the battery status light does not operate,
 - e. a weak battery is indicated.

Note: The APPM should read above 20 percent capacity. Environmental conditions, such as extreme heat or cold, can cause variations in battery life.
5. *Responds* to the Command for replacement when a spark test fails or an APPM is needed.
6. If the ECD Authorized Member is a non-uniformed officer,
 - a. *returns* the ECD at the end of his/her tour if the ECD was **not** deployed, **and**
 - b. *makes* appropriate entries into the ECD Logbook.

B. Use of Electronic Control Device

ECD Authorized Member

1. *Determines* the use of force is reasonable and necessary to control a person and *evaluates* the use of an ECD.
- Note:** The totality of circumstances should be considered when deciding the force necessary to overcome resistance when trying to maintain control of a violent person or to effect an arrest.
- Note:** Factors to consider may include:
1. whether the person poses an immediate threat to the safety of the officers, himself or others,
 2. whether the person is actively resisting arrest,
 3. if a crime was committed, the severity of the crime,
 4. whether the person is attempting to evade arrest by flight,
 5. surrounding hazards.
2. *Requests* assistance, as necessary.
 3. *Initiates* Mentally Disabled Persons procedure [\[See OPS 1155\]](#) if necessary.
 4. *Determines* the ECD will be utilized.
- Note:** Except in exigent circumstances, the ECD generally **should not** be used to control a person in situations such as:

Use of Electronic Control Device (ECD)/Taser

OPS 12430 4

ECD Authorized
Member

1. the person is at risk of falling from a dangerous height,
2. the person is handcuffed,
3. the person is exhibiting passive resistance,
4. the person has a known heart condition,
5. after an alcohol based chemical spray has been sprayed as the fumes could ignite,
6. when combustible or flammable liquids are present,
7. the person is known to be or apparently under the age of 16, or over the age of 65,
8. the person is known to be pregnant,
9. the person is operating or riding on any moving device or vehicle such as a motor vehicle, a bicycle or skateboard.

5. *Advises* the subject, when practical, that the ECD will be utilized if the subject resists arrest or fails to comply with a lawful command.

6. *Announces* aloud to assisting officers, when practical, that the ECD is being displayed. [\[See Definition\]](#)

Note: It is important to communicate the imminent use of the ECD to each other so that Members of the Force *will not* simultaneously discharge the ECD on a single subject.

7. *Uses* the ECD in accordance with training received as follows:

- a. when possible, display of the ECD accompanied by appropriate verbal commands,
- b. when possible, laser painting [\[See Definition\]](#),
- c. discharging of the ECD either by probe or drive stun. [\[See Definition\]](#)

Note: The ECD will automatically shut off after discharging electrical energy for 5 seconds. Members of the Force will discharge *no more than* 3 successful applications [\[See Definition\]](#) of the ECD on a single subject.

8. *Restrains* the subject once compliance is met.

9. *Requests* a Patrol Supervisor, if there is none at scene.

Note: If the authorized member [\[See Definition\]](#) is a supervisor, requests an additional supervisor for the investigation.

10. *Assigns* additional units to the scene as requested.

11. *Refrain* from removing the ECD probes from the subject's body.

12. *Checks* the subject's condition and *renders* aid if necessary.

13. *Initiate* the Aided Cases procedure [\[See OPS 1110\]](#) if any of the following conditions exist:

- a. the subject has visible injuries,
- b. the subject complains of injury,
- c. the use of force is likely to result in an injury.

14. *Initiate* Arrest Processing procedure [\[See OPS 2115\]](#) if necessary.

15. *Treats* the restrained person. [\[See OPS 1110\]](#)

Police
Communications
Operator

Members at the
Scene

Police Medic

Use of Electronic Control Device (ECD)/Taser

OPS 12430 4

	<p>Note: The ECD probes should only be removed by medical personnel at the hospital. However, when necessary to treat a person, a Police Medic (PM) can remove the probes.</p>
PM/Police Officer Supervisor	<p>16. <i>Transports</i> the aided person to the hospital.</p> <p>17. <i>Retrieves</i> the ECD and discharged cartridge from the authorized member.</p> <p>18. <i>Retrieves</i> and <i>properly disposes</i> of any probes that did not make contact with the subject.</p> <p>19. <i>Conducts</i> an investigation of the incident.</p> <p>20. <i>Notifies</i> the Desk Officer.</p> <p>21. If serious physical injury [See Glossary] or death resulted,</p> <ol style="list-style-type: none"><i>maintains</i> the scene,<i>secures</i> the ECD in its present state for evidentiary recording and collection.
Desk Officer	<p>22. If serious physical injury or death resulted,</p> <ol style="list-style-type: none"><i>notifies</i> the Police Communications Operator Supervisor (PCOS) to contact the Deadly Force Response Team (DFRT) Coordinator,<i>notifies</i> the Commanding Officer (CO) or if the CO is unavailable, <i>initiates</i> the Administrative Duty Coverage procedure [See ADM 2010],<i>directs</i> the supervisor to secure the scene and safeguard the ECD for the responding detectives,<i>notifies</i> the detective squad in the precinct of occurrence [See Glossary] for response.
Detective Squad	<p>23. If serious physical injury or death resulted,</p> <ol style="list-style-type: none"><i>responds</i> to the scene,<i>investigates</i> the incident, and<i>downloads</i> the ECD.
	<p>B. Reporting and Follow-up After Discharge</p>
Police Officer	<p>1. <i>Prepares</i> Case Report. [See OPS 8110]</p> <p>2. <i>Prepares</i> PDCN Form 258, Use of Force Report.</p> <p>3. <i>Forwards</i> PDCN Form 258, before the end of his tour of duty, to the investigating supervisor.</p>
Supervisor	<p>4. <i>Properly disposes</i> of the ECD cartridge, if further investigation is not needed.</p> <p>5. <i>Reviews</i> and <i>completes</i> PDCN Form 258.</p> <p>6. <i>Prepares</i> a narrative report to his CO.</p> <p>7. <i>Forwards</i> PDCN Form 258 and the narrative report, before the end of his tour of duty, to the Commanding Officer.</p>
Commanding Officer	<p>8. <i>Reviews</i> PDCN Form 258 and all reports.</p> <p>9. <i>Completes</i> PDCN Form 258.</p> <p>10. <i>Forwards</i> the original PDCN Form 258 and all reports to the Division Chief.</p>

Use of Electronic Control Device (ECD)/Taser

OPS 12430 4

FTU Commanding Officer	<ol style="list-style-type: none">11. <i>Forwards</i> a copy of PDCN Form 258 and all reports to the Commanding Officer, Firearms Training Unit.12. <i>Maintains</i> a copy of PDCN Form 258 and all reports in command.13. <i>Reviews</i> all use of force reports to determine the effectiveness of the ECD.14. <i>Determines</i> if further training is necessary.15. If further training is necessary,<ol style="list-style-type: none">a. <i>prepares</i> a narrative report,a. <i>forwards</i> the narrative report to the Chief of Department (TOC).
Division Chief	<ol style="list-style-type: none">16. <i>Reviews</i> PDCN Form 258 and all reports.17. <i>Completes</i> PDCN Form 258.18. <i>Forwards</i> PDCN Form 258 and all reports to the Chief of Department.
Chief of Department	<ol style="list-style-type: none">19. <i>Reviews</i> all use of force reports.
ECD Authorized Member Desk Officer/ Supervisor	<p>D. Replacement of ECD</p> <ol style="list-style-type: none">1. <i>Responds</i> to the Command as soon as practical to obtain a new ECD cartridge, when necessary.2. <i>Issues</i> a cartridge to the authorized member.3. <i>Enters</i> the information into the ECD logbook. [See Definition]



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Use of Intermediate Weapons

OPS 12440

4

POLICY

The policy of the Police Department is to prevent crime and arrest offenders while protecting human life. In situations where it is necessary to engage in the lawful use of force [\[See Glossary\]](#), Members of the Force will use force based upon the totality of circumstances [\[See Glossary\]](#) using an objectively reasonable [\[See Glossary\]](#) standard to effectively bring an incident or person under control. [\[See Policy 4200\]](#) The use of Department-authorized intermediate weapons [\[See Definition\]](#) may be effective tools when the use of force is objectively reasonable.

PURPOSE

To establish procedures for the use of intermediate weapons for situations where equipment is necessary to control persons involved.

DEFINITIONS

Displays an intermediate weapon: to point an intermediate weapon at a person or persons.

Intermediate weapons: compliance devices authorized, approved, and issued by the Department and used to stop and control individuals when the use of force is objectively reasonable. These instruments or devices include, but are not limited to, the following: Oleoresin Capsicum (OC) spray [\[Go to OPS 12450\]](#), the police baton, the electronic control device (ECD) [\[Go to OPS 12430\]](#), a propelled beanbag, a 40MM projectile [\[Go to Emergency Services Unit \(ESU\) Command Procedure\]](#), and the deployment of a canine.

SCOPE

All Members of the Force

SOURCES

[Graham v. Connor, 490 U.S. 386 \(1989\)](#)

RULES

1. Members of the Department will not use force except as provided by law.
2. Members of the Department, while on duty, will render aid to a sick or injured person in accordance with their level of training and summon an ambulance if necessary.

REPLACES

OPS 12440, Revision 3, dated 02/05/2021

PROCEDURE

A. Use of Intermediate Weapon

Police Officer

1. *Determines* the use of force is objectively reasonable to control a person and *evaluates* the use of an intermediate weapon.

Note: The totality of circumstances should be considered when deciding the force necessary to overcome resistance when trying to maintain control of a person or to effect an arrest.

Note: While OC spray, electronic control devices, propelled beanbags, and 40MM projectiles are classified as intermediate weapons, use of these weapons is addressed in OPS 12450, Use of Oleoresin Capsicum (OC), OPS 12430, Use of Electronic Control Device (ECD)/Taser, and ESU Command Procedure, respectively.

2. *Requests* assistance, as necessary.

ISSUING AUTHORITY

SIGNATURE

EFFECTIVE DATE

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Patrick J. Ryder

05/17/2022

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Police Officer

3. *Initiates* Mental Aided Persons procedure [\[See OPS 1155\]](#), if necessary.
4. *Uses* a Department-authorized intermediate weapon in accordance with training.
5. *Restrains* the subject once compliance is met.
6. *Checks* subject's condition and *renders* aid if necessary.
7. *Initiates* Aided Cases procedure [\[See OPS 1110\]](#) if any of the following conditions exist:
 - a. the subject has visible injuries,
 - b. the subject complains of injury,
 - c. the use of force is likely to result in an injury.
8. If serious physical injury [\[See Glossary\]](#) or death results, *notifies* a supervisor.

Note: If the injury is the result of a canine, a Highway Patrol Bureau Supervisor will be notified.

9. *Initiates* Arrest Processing procedure [\[See OPS 2115\]](#), if necessary.

Supervisor

10. If notified that serious physical injury or death resulted,
 - a. *notifies* the Desk Officer,
 - b. *maintains* the scene,
 - c. *secures* the intermediate weapon in its present state for evidentiary recording and collection.

Desk Officer

11. If serious physical injury or death resulted,
 - a. *notifies* the Police Communications Operator Supervisor (PCOS) to contact the Deadly Force Response Team (DFRT) Coordinator,
 - b. *notifies* the Commanding Officer (CO) or if the CO is unavailable, *initiates* the Administrative Duty Coverage procedure [\[See ADM 2010\]](#),
 - c. *directs* the supervisor to secure the scene and safeguard the intermediate weapon for the responding detectives,
 - d. *notifies* the detective squad in the precinct of occurrence [\[See Glossary\]](#) for response.

Supervisor

12. *Directs* the Police Officer to respond to the Police Academy as soon as practical to obtain a new police baton, if it was invoiced.

B. Reporting Use of Intermediate Weapon

Police Officer

1. *Prepares* Case Report. [\[See OPS 8110\]](#)
2. *Prepares* [PDCN Form 258](#), Use of Force Report, when the member uses *or* displays an intermediate weapon [\[See Definition\]](#).
3. *Forwards* PDCN Form 258 before the end of his tour of duty, to his immediate supervisor.

Supervisor

4. *Inspects* the police baton and *directs* the Police Officer to respond to the Police Academy as soon as practical, if the baton appears to be damaged or malfunctioning.

Supervisor	<p>5. <i>Reviews and completes</i> PDCN Form 258, and</p> <p>a. <i>prepares</i> a narrative report to his Commanding Officer when:</p> <p>(1) the intermediate weapon was not used properly, or</p> <p>(2) further investigation is necessary,</p> <p>b. <i>forwards</i> PDCN Form 258 and the narrative report, if required, before the end of his tour of duty, to his Commanding Officer.</p>
Commanding Officer	<p>6. <i>Reviews</i> PDCN Form 258 and the narrative report, if prepared.</p> <p>7. <i>Completes</i> PDCN Form 258.</p> <p>8. <i>Forwards</i> the original PDCN Form 258 and the narrative report to the Division Chief.</p> <p>9. <i>Forwards</i> copies of PDCN Form 258 and the narrative report to the Commanding Office of the Police Academy.</p> <p>Note: A PDCN Form 258 and narrative report involving only a canine will not be forwarded to the Police Academy.</p> <p>10. <i>Maintains</i> copies of PDCN Form 258 and the narrative report in command.</p>
PA Commanding Officer	<p>11. <i>Reviews</i> the use of force reports to determine the effectiveness of the intermediate weapon.</p> <p>12. <i>Determines</i> if further training is necessary.</p> <p>13. If further training is necessary,</p> <p>a. <i>prepares</i> a narrative report, and</p> <p>b. <i>forwards</i> the narrative report to the Chief of Department (TOC).</p>
Division Chief	<p>14. <i>Reviews</i> PDCN Form 258 and narrative report(s).</p> <p>15. <i>Completes</i> PDCN Form 258.</p> <p>16. <i>Forwards</i> PDCN Form 258 and narrative report(s) to the Chief of Department.</p>
Chief of Department	<p>17. <i>Reviews</i> all use of force reports.</p>
Police Officer	<p>C. Replacement of Police Batons</p> <p>1. <i>Responds</i> to the Police Academy as soon as practical when a replacement or inspection of a police baton is necessary.</p>
PA Personnel	<p>2. <i>Inspects</i> the member's baton for damage, if it was used.</p> <p>3. <i>Issues</i> a new baton to the member if the baton</p> <p>a. is damaged or unserviceable, or</p> <p>b. was invoiced.</p> <p>4. <i>Maintains</i> records of issuance of police batons, including:</p> <p>a. names of members issued police batons,</p> <p>b. serial numbers of batons issued.</p>



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Use of Oleoresin Capsicum (OC)

OPS 12450

4

POLICY

The policy of the Police Department is to prevent crime and arrest offenders while protecting human life. In situations where it is necessary to engage in the lawful use of force [\[See Glossary\]](#), Members of the Force and Police Medics (PMs) will use force based upon the totality of circumstances [\[See Glossary\]](#) using an objectively reasonable [\[See Glossary\]](#) standard to effectively bring an incident or person under control. [\[See Policy 4200\]](#) Department-issued Oleoresin Capsicum (OC) [\[See Definition\]](#) may be an effective tool when the use of force is objectively reasonable.

PURPOSE

To establish procedures for the use of OC for situations where equipment is necessary to control persons involved.

DEFINITIONS

Displays Oleoresin Capsicum: to point an OC canister at a person or persons.

Hydraulic needle effect: at distances less than 3 feet, liquid leaving a canister under pressure can damage a person's eye.

Oleoresin Capsicum: an inflammatory agent derived from the oils and waxes of crushed cayenne peppers. The physical effects on a person caused by OC will usually lessen his ability to resist or retaliate.

Note: OC has no vapor rate. Therefore, it will not evaporate.

OC effects: may include physiological and psychological effects, such as:

1. acute burning sensation and redness of exposed skin,
2. involuntary closing of eyes,
3. inflammation in the mucous membranes of the nose and throat, triggering a cough reflex,
4. temporary loss of muscle coordination,
5. extreme panic attack,
6. inability to respond to commands.

Note: OC may also be effective against animals.

SCOPE

All Members of the Force and AMTs

SOURCES

[Graham v. Connor, 490 U.S. 386 \(1989\)](#)

Training Bulletin 97-001 (Oleoresin Capsicum)

RULES

1. Members of the Department will not use force except as provided by law.
2. Members of the Department, while on duty, will render aid to a sick or injured person in accordance with their level of training and summon an ambulance if necessary.

REPLACES

OPS 12450, Revision 3, dated 07/08/2016

PROCEDURE

A. Use of OC

Note: This procedure addresses the use of OC on people only and *not* on animals.

Police Officer/PM

1. *Determines* the use of force is objectively reasonable to control a person and *evaluates* the use of OC.

ISSUING AUTHORITY

SIGNATURE

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Commissioner

Patrick J. Ryder

02/05/2021

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Police Officer/ PM

Note: OC *should not* be used in the following situations:

1. after a person is under control,
2. a person is apparently under 12 years of age,
3. a person appears to be elderly and frail,
4. a person is known to have any of the following medical conditions:
 - a. chronic emphysema,
 - b. heart disease,
 - c. asthma.

Note: The intent to use OC should not be announced; doing so may defeat the effects of OC on a person.

2. *Requests* assistance, as necessary.
3. *Initiates* Mental Aided Persons procedure [See OPS 1155], if necessary.
4. *Uses* OC in accordance with training and *discharges* the OC into the person's face to produce the proper OC effects [See Definition].

Note: The effective range of discharge is 3-12 feet.

5. *Restrains* the subject, if possible, while he is still affected by the OC.
6. *Discontinues* use of OC if the subject shows no effects from OC effectively placed in the face area.
7. *Inquires* if the exposed subject is wearing contact lenses.
8. *Checks* subject's condition and *renders* aid, if necessary.
9. *Initiates* the Aided Cases procedure [See OPS 1110] if any of the following conditions are suspected:
 - a. the hydraulic needle effect [See Definition],
 - b. severe breathing difficulties,
 - c. contamination of contact lenses,
 - d. the subject has visible injuries,
 - e. the subject complains of injury,
 - f. the use of force is likely to result in an injury,
 - g. any other need for medical attention.
10. *De-contaminates* an exposed person, when possible to do so without risk to Members of the Department, by irrigating the exposed area with water.

Note: If a person must be transported for de-contamination, he should be placed in a vehicle in a position that would not contribute to difficulties in breathing.

11. *Initiates* the Aided Cases procedure [See OPS 1110] if, after de-contamination, a person experiences the following:
 - a. unusual discomfort,
 - b. his level of pain increases,
 - c. any other need for medical attention.

Police Officer

12. *Initiates* the Arrest Processing procedure [See OPS 2115] if an arrest is warranted.

Police Officer/PM

13. *Constantly observe*, for a minimum period of 30 minutes, any person who has been exposed to OC.

14. *Assesses* the need to decontaminate an area after the use of OC and either:

- a. *decontaminates* Department property, **or**
- b. *advises* owners of private property of appropriate decontamination steps.

Note: Decontamination can be accomplished by cleaning affected areas, as follows:

- 1. wiping down, with a cloth and water, items such as walls, chairs and car seats, and airing out the area for a minimum of 15 minutes,
- 2. washing all exposed clothing. Washing with soap and water is preferred; dry cleaning may not be effective.

15. If serious physical injury [\[See Glossary\]](#) or death results, *notifies* a supervisor.

Supervisor

16. If notified that serious physical injury or death resulted,

- a. *notifies* the Desk Officer,
- b. *maintains* the scene,
- c. *secures* the OC canister in its present state for evidentiary recording and collection.

Desk Officer

17. If serious physical injury or death resulted,

- a. *notifies* the Police Communications Operator Supervisor (PCOS) to contact the Deadly Force Response Team (DFRT) Coordinator,
- b. *notifies* the Commanding Officer (CO), or if the CO is unavailable, *initiates* the Administrative Duty Coverage procedure [\[See ADM 2010\]](#),
- c. *directs* the supervisor to secure the scene and safeguard the OC canister for the responding detectives,
- d. *notifies* the detective squad in the precinct of occurrence [\[See Glossary\]](#) for response.

Supervisor

18. *Invoices* the member's OC canister, if serious physical injury or death resulted.

19. *Directs* the Police Officer or PM to respond to the Firearms Training Unit (FTU) to obtain a new OC canister, if it was invoiced.

B. Reporting Use of OC

Police Officer

1. *Prepares* Case Report. [\[See OPS 8110\]](#)

Police Officer/PM

2. *Prepares* [PDCN Form 258](#), Use of Force Report, when the member uses **or** displays OC [\[See Definition\]](#).

3. *Forwards* PDCN Form 258, before the end of his tour of duty, to his immediate supervisor.

Supervisor

4. *Reviews and completes* PDCN Form 258, **and**

- a. *prepares* a narrative report to his CO when:
 - (1) OC was not used properly, **or**
 - (2) further investigation is necessary,

Commanding Officer

- b. *forwards* PDCN Form 258 and the narrative report, if required, before the end of his tour of duty, to his CO.
5. *Reviews* PDCN Form 258 and narrative report, if prepared.
6. *Completes* PDCN Form 258.
7. *Forwards* the original PDCN Form 258 and the narrative report to the Division Chief.
8. *Forwards* copies of PDCN Form 258 and the narrative report to the CO of FTU.
9. *Maintains* copies of PDCN Form 258 and the narrative report in command.

FTU Commanding Officer

10. *Reviews* all use of force reports to determine the effectiveness of the OC.
11. *Determines* if further training is necessary.
12. If further training is necessary,
 - a. *prepares* a narrative report, *and*
 - b. *forwards* the narrative report to the Chief of Department (TOC).

Division Chief

13. *Reviews* PDCN Form 258 and narrative report(s).
14. *Completes* PDCN Form 258.
15. *Forwards* PDCN Form 258 and narrative report(s) to the Chief of Department.

Chief of Department

16. *Reviews* all use of force reports.

C. Replacement of OC

Police Officer/PM

1. *Responds* to FTU as soon as practical and *obtains* a new OC canister, if
 - a. returned to FTU due to a malfunction or leak,
 - b. his OC canister was invoiced.

FTU Personnel

2. *Issues* a new OC canister to the Police Officer or PM.
3. *Maintains* records of issuance of OC canisters, including:
 - a. names of members issued OC canisters,
 - b. serial numbers of OC canisters issued.



Department Procedure

PROCEDURE TITLE

PROCEDURE NUMBER

REVISION

Deadly Force Response Team (DFRT)

OPS 12460

3

POLICY

The policy of the Police Department is to conduct criminal and administrative investigations of incidents involving the use of force [\[See Glossary\]](#) by Members of the Department. The Deadly Force Response Team [\[See Definition\]](#) has been established as part of the investigative response.

PURPOSE

To establish procedures for the administrative and criminal response to incidents in which a Member of the Department uses deadly force [\[See Glossary\]](#) as follows:

1. an intentional firearm discharge at a human being, *or*
2. an unintentional firearm discharge [\[See Glossary\]](#) causing an injury to another, *or*
3. the use of force, intentional or otherwise, causing serious physical injury [\[See Glossary\]](#) or death to another, *or*
4. any other incident involving the use of force for which the Chief of Department directs a review.

DEFINITIONS

Deadly Force Response Team (DFRT): a team established to respond to incidents involving Members of the Department who have intentionally discharged a firearm at a human being, have unintentionally discharged a firearm causing an injury to another, or have used force, intentional or otherwise, causing serious physical injury or death to another, or any other incident involving the use of force for which the Chief of Department directs a review. The purpose of the DFRT is to investigate these incidents and prepare an administrative report for the Commissioner of Police and the Deadly Force Review Board. The Duty Chief [\[See Glossary\]](#) will be designated as the Team Coordinator and will coordinate the response and activities of the following members:

1. Duty Chief, [\[See Glossary\]](#),
2. Duty Inspector, [\[See Glossary\]](#),
3. Administrative Officer [\[See Glossary\]](#) of the member's command,
4. Commanding Officer, Police Academy, *or* his designee,
5. Supervisor, Homicide Squad, to conduct the criminal investigation,
6. Internal Affairs Unit (IAU), in cases where there appears to be significant deviation from Departmental policies and procedures,
7. Medical Administration Office (MAO), in cases where involved officers appear unfit for duty.

SCOPE

All Members of the Department.

SOURCES

Not applicable.

RULES

No new rules within this procedure.

REPLACES

OPS 12460, Revision 2, dated 07/08/2016.

ISSUING AUTHORITY

SIGNATURE

EFFECTIVE DATE

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Commissioner

Patrick J. Ryder

08/26/2021

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PROCEDURE

Police
Communications
Operator Supervisor

Police
Communications
Operator Supervisor

DFRT Coordinator

Police
Communications
Operator Supervisor

DFRT Coordinator

DFRT Members

DFRT Coordinator

DFRT
Administrative
Officer

DFRT Coordinator

A. Incidents Occurring Within Nassau County, New York City, Suffolk County and Westchester County

1. *Receives* notification from a Desk Officer, a tour supervisor, or a Police Officer to notify the Deadly Force Response Team (DFRT) [See Definition] Coordinator.
2. *Notifies* the DFRT Coordinator of an incident involving deadly force.
3. *Initiates* the Administrative Duty Coverage procedure [See ADM 2010], if necessary.
4. *Evaluates* the situation and *confers* with the Chief of Department to determine which DFRT members will be utilized.
5. *Advises* a Police Communications Operator Supervisor of the DFRT members to be notified for response.
6. *Contacts* DFRT members as directed by the DFRT Coordinator.
7. *Makes entry* in the Firearm Discharge Control Book [See Glossary] whenever a firearm is discharged and *issues* a firearm discharge incident number to the DFRT Coordinator.
8. *Obtains* the firearm discharge incident number.
9. *Responds* to the scene.
10. *Respond* to the scene and *report* to the DFRT Coordinator.
11. *Assigns* members of the DFRT to coordinate the administrative investigation and *assigns* a Homicide Squad Supervisor to coordinate the criminal investigation, if necessary.
12. *Directs*:
 - a. the Care Taker Supervisor in the proper disposition of the secured firearm(s),
 - b. the DFRT Administrative Officer to collect and secure all body-worn cameras of officer(s) involved in the incident.
13. *Responds* to nearest docking station and *uploads* involved member's body-worn camera data.
14. *Contacts* the Body Worn Camera Unit to verify all data has been successfully uploaded.
15. Once data upload has been confirmed, *returns* body-worn camera(s) to respective member(s) as soon as practical.
16. *Directs* the Police Academy to provide for the replacement of a member's service firearm, if taken.
17. *Coordinates* an administrative investigation, *and*
 - a. *ensures* PDCN Form 470, Deadly Force Response Team Firearm Discharge Investigation Report, is completed for incidents involving a firearm discharge,
 - b. *ensures* PDCN Form 258, Use of Force Report, is completed for all other uses of force causing serious physical injury or death,
 - c. *reports* findings to the Chief of Department as soon as possible, *and*

Homicide Squad
Detective
Supervisor

Chief of Department

- d. *delivers* a written administrative investigation report to the Chief of Department within 72 hours, which will include PDCN Form 470 or PDCN Form 258.
18. *Conducts* a criminal investigation and *reports* findings to the Chief of Department as soon as possible.
19. *Reviews* the administrative and criminal investigation findings, *and*
 - a. *advises* the Commissioner of Police of the findings as soon as possible, *and*
 - b. *reviews* the administrative investigation report when received and *submits* the report to the Commissioner of Police and the Deadly Force Review Board as soon as possible.

B. Incidents Occurring Outside of Nassau County, New York City, Suffolk County and Westchester County

Police
Communications
Operator Supervisor

Duty Inspector

Duty Chief

Chief of Department

1. *Makes* an immediate notification to the Duty Inspector when informed of a deadly force incident which occurred outside the resident counties.
2. *Makes* an immediate notification to the Duty Chief.
3. *Makes* an immediate notification to the Chief of Department.
4. *Directs* the appropriate response as necessary.
5. *Verbally reports* to the Commissioner as soon as practical.

**Rifle Deployment****OPS 12470****0****POLICY**

The policy of the Police Department is to respect and protect human life during violent critical incidents [\[See Definition\]](#) and provide for the safety of the community. Use of rifles [\[See Definition\]](#) enhances the Department's ability to protect lives during critical incidents. Rifle deployments are reserved for only the most violent critical incidents.

PURPOSE

To establish procedures for the distribution, storage and deployment of rifles.

DEFINITIONS

Criteria for Rifle Deployment: criteria necessary to warrant a rifle deployment by a Rifle Trained Officer, which includes the following:

1. BSO or ESU are **not** currently at scene, (unless deployment is directed by a Superior Officer designated as an Incident Commander) **and**
 - a. there is a credible report of an in-progress active shooter [\[See Glossary\]](#), **or**
 - b. an immediate, life threatening tactical situation involving suspect(s) armed with a rifle and/or deadly weapon exists, against which Department-authorized handguns would reasonably be considered ineffective, **or**
 - c. when facts and circumstances reasonably indicate that the suspect(s) is armed or concealed in a superior tactical position that offers protection from small arms firepower and officers or civilians are in imminent danger, **or**
 - d. when facts and circumstances reasonably indicate that the suspect(s) is utilizing body armor or other ballistic protection that would make small arms firepower ineffective and officers or civilians are in imminent danger, **or**
 - e. when facts and circumstances reasonably indicate that an armed suspect(s) is an imminent danger to officers or civilians and the suspect(s) is beyond the effective range of small arms firepower under conditions where closing the distance is impractical due to the threat posed by the suspect(s), **or**
 - f. when facts and circumstances reasonably indicate that in the officer's judgment the deployment of the rifle will provide a significant tactical advantage and officers or civilians are in imminent danger.

Rifle: a department issued long barreled rifle caliber weapon, authorized for use by Rifle Trained Officers only.

Rifle Coordinator: Assigned supervisor from each command responsible for distributing rifles, safekeeping of rifles stored in command, scheduling training for Rifle Trained Officers, performing a quarterly review of the status of trained personnel in the command, maintaining a master list of Rifle Trained Officers in the command and reviewing the rifle logbook to ensure compliance.

	<p>Rifle Logbook: logbook maintained in each command, used to record the following information:</p> <ol style="list-style-type: none"> 1. Rifle serial number, 2. Department vehicle assigned a rifle, 3. Date and time of rifle removal and return, 4. Rifle transfer to another department vehicle, 5. Name of member transferring/receiving rifle, 6. Transport of rifle to FTU, 7. Inspection of rifle by a Rifle Coordinator when member is assigned a rifle on a daily basis, noting condition of rifle, 8. Supervisor/Rifle Coordinator recording entry. <p>Rifle Trained Officer (RTO): a Member of the Force, <i>excluding</i> members of BSO and ESU, who has successfully completed training in the use and deployment of a rifle by the Firearms Training Unit (FTU).</p> <p>Violent Critical Incident: incidents which include threats or acts of violence against civilian populations, mass demonstrations, active shooters, terrorist threats and/or actions, and coordinated terrorist attacks.</p>
SCOPE	All Members of the Department, <i>excluding BSO and ESU</i> . (Members of BSO and ESU are Tactical Rifle Trained Officers and will be guided by command procedures regarding rifle deployment.)
SOURCES	International Association of Chiefs of Police (IACP) Concepts and Issues Paper. (The Patrol Rifle: Considerations for Adoption and Use)
RULES	<ol style="list-style-type: none"> 1. Rifle Trained Officers are authorized to carry or deploy only Department issued rifles and shotguns. 2. Rifle Trained Officers will deploy the rifle while wearing highly recognizable and visible police apparel, marked "POLICE". 3. Only authorized members of the Firearms Training Unit are authorized to modify and perform maintenance on rifles. 4. Rifles will only be used with ammunition and magazines approved and supplied by the Department and the rifle must be equipped with an identifying sleeve marked "POLICE".
REPLACES	Not applicable.
PROCEDURE	<p>A. Distribution of Rifles</p> <ol style="list-style-type: none"> 1. <i>Maintains</i> a list of rifles and Rifle Trained Officers (RTO) [See Definition] currently assigned to the command and <i>distributes</i> this list to all supervisors in the command when the list is updated. 2. <i>Ensures</i> all rifles stored at the command are kept secure in an authorized rifle site. 3. <i>Assigns</i> rifles to marked RMPs equipped with a weapons drawer. (Patrol Division Only) <p>Note: Designated unmarked vehicles will be equipped with universal rifle mounts or weapons drawer.</p> <p>Note: Non-uniformed Rifle Trained Officers may be permitted to secure rifles in the trunk of an approved Department vehicle.</p>
Rifle Coordinator	

Non-Uniformed Rifle Trained Officer

Non-Uniformed Rifle Trained Officer/ Patrol Supervisor

Non-Uniformed Rifle Trained Officer

Rifle Trained Officer

FTU Personnel

Rifle Trained Officer

4. In commands where individuals are *not* permanently issued a rifle, a member will *request* and *receive* permission on a *daily* basis from a Supervisor, prior to carrying a rifle.
5. *Makes* entry into Rifle Logbook [\[See Definition\]](#) whenever a rifle is:
 - a. assigned to a non-uniformed member and returned by a non-uniformed member,
 - b. inspected by a non-uniformed Supervisor,
 - c. assigned to a marked RMP,
 - d. transferred from one department vehicle to another department vehicle,
 - e. transported to command,
 - f. transported to/received from FTU.
6. If a member who has been issued a rifle is transferred to a new command,
 - a. *returns* the rifle to FTU, *and*
 - b. *notifies* his/her new Commanding Officer.

B. Routine Inspection

1. *Inspects* rifle and ammunition at the start and end of each shift to ensure it is operational and prepared for immediate deployment.
2. *Makes* entry in memo book, noting the condition of the rifle, if the member is required to maintain a memo book.
3. *Reports* any rifles that are damaged, non-functional, or in need of maintenance, to a Supervisor.
4. *Transports* the rifle to FTU for repair or maintenance as soon as practical.
5. *Notifies* a Supervisor for an entry into the Rifle Logbook if the rifle is transported to FTU.
6. *Issues* a replacement rifle to a RTO when a rifle is returned for maintenance or repair.
7. *Records* receipt of the rifle and issuance of a replacement rifle in the FTU Rifle Logbook.
8. *Notifies* a Supervisor from member's command of the serial number of the replacement rifle for entry into the Rifle Logbook.

C. Deployment of Rifle

1. *Receives/hears* a call from CB or *becomes aware* of a situation involving:
 - a. a violent critical incident [\[See Definition\]](#), *or*
 - b. a situation which may likely evolve into a violent critical incident.
2. *Determines* if the threat meets the criteria for rifle deployment [\[See Definition\]](#).
3. If the situation *does not* meet the criteria, *continues* to monitor the radio for any updates that may change the status of response.

Rifle Trained Officer

Police
Communications
Operator

Rifle Trained Officer

4. If the situation *does* meet the criteria,
 - a. *notifies* CB that he is responding,
 - b. *identifies* unit utilizing the phrase “Rifle Trained Officer” along with car number so assisting units are aware a rifle is being deployed.
5. *Notifies* responding units that a “Rifle Trained Officer” is responding to the scene.
6. *Responds* to the scene and *assesses* the situation.
7. If BSO or ESU units are currently at scene, *refrains* from deploying the rifle, *unless otherwise directed* by a Superior Officer designated as an Incident Commander.
8. If the rifle deployment criteria is no longer met, *refrains* from deploying the rifle from the vehicle. **[End of Procedure]**
9. *Ensures* he is wearing highly recognizable and visible police apparel marked “POLICE”, which includes tactical helmet and heavy body armor, when available.
10. *Retrieves* the rifle from the vehicle.
11. If BSO or ESU arrive at scene, *confers* with Superior Officer designated as Incident Commander to determine if he should continue to carry the rifle, *and*
 - a. *continues* to carry the rifle if directed to do so, *or*
 - b. *returns* the rifle to department vehicle if directed *not* to carry the rifle. **[End of Procedure]**
12. *Initiates* emergency procedures, such as:
 - a. Use of Deadly Force, [\[See OPS 12420\]](#)
 - b. Rapid Deployment for Active Shooter. [\[See OPS 12106\]](#)
13. *Uses* the rifle, if reasonable and necessary [\[See Glossary\]](#), in accordance with training received. [\[See OPS 12420\]](#)

D. Storage of Rifle

Rifle Trained Officer

Rifle Trained Officer

1. If the Department vehicle *will not* be manned for the next tour *or* if a RTO is relieved by another officer who is *not* a RTO,
 - a. *unloads* the rifle, *and*
 - b. *secures* the rifle and ammunition into the weapons drawer/universal rifle mount *and*
 - c. *notifies* a Supervisor for entry into the Rifle Logbook.
2. If the Department vehicle becomes mechanically disabled,
 - a. *transfers* and *secures* the rifle and ammunition to another Department vehicle equipped with a weapons drawer or universal rifle mount, *or*
 - b. *transfers* and *secures* the rifle to an authorized rifle site within the command,
 - c. *notifies* a Supervisor for entry into the Rifle Logbook.
3. If the RTO is a non-uniformed member and was assigned the rifle for just one tour,
 - a. *inspects* the rifle, *and*
 - b. *unloads* the rifle, *and*
 - c. *transports* the rifle to the command, *and*

Rifle Coordinator

- d. *secures* the rifle and ammunition in an authorized rifle site, *and*
- e. *makes* entry into the Rifle Logbook.

E. Rifle Coordinator Review

Commanding Officer

- 1. *Ensures* that RTOs:
 - a. are scheduled for quarterly rifle training sessions, *and*
 - b. successfully complete required training sessions.
- 2. If a RTO fails to successfully complete a required training session, *removes* the officer from the list of RTOs and *distributes* the list to Supervisors in the command.
- 3. *Maintains* contact with FTU to ensure the list of RTOs is accurate.
- 4. *Updates* the master list to reflect any changes in RTO personnel.
- 5. *Performs* quarterly reviews to ensure all RTOs assigned to the command are included on the master list of RTOs.
- 6. *Ensures* any and all Rifle Trained Officers under his/her command fully understand and comply with all guidelines in this procedure.

PDCN Form 161 - 7/14

DATE OF INCIDENT		TIME OF INCIDENT		FIREARM DISCHARGE INCIDENT NO.		FIREARM SERIAL NO.		TYPE OF WEAPON	
RANK	LAST NAME			FIRST		SERIAL NO.	COMMAND		SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
NASSAU COUNTY PRECINCT OF OCCURRENCE	ADDRESS / PLACE OF OCCURRENCE (Include County and State if Outside Nassau)			LOCATION TYPE <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> OPEN LAND <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> OTHER _____				<input type="checkbox"/> INDOOR <input type="checkbox"/> IN VEHICLE <input type="checkbox"/> OUTDOOR	
WEATHER CONDITIONS <input type="checkbox"/> SUN <input type="checkbox"/> CLOUDS <input type="checkbox"/> WIND <input type="checkbox"/> FOG <input type="checkbox"/> RAIN <input type="checkbox"/> SNOW <input type="checkbox"/> OTHER (specify) _____				LIGHTING CONDITIONS INSIDE <input type="checkbox"/> UNLIGHTED <input type="checkbox"/> GOOD <input type="checkbox"/> POOR <input type="checkbox"/> FLASHLIGHT USED		LIGHTING CONDITIONS OUTSIDE <input type="checkbox"/> DAYLIGHT <input type="checkbox"/> DUSK / DAWN <input type="checkbox"/> DARK			
DUTY STATUS <input type="checkbox"/> ON <input type="checkbox"/> OFF		OFFICER'S ATTIRE <input type="checkbox"/> UNIFORM <input type="checkbox"/> UNDERCOVER <input type="checkbox"/> PLAINCLOTHES		WAS OFFICER WEARING BODY ARMOUR <input type="checkbox"/> YES <input type="checkbox"/> NO		ASSIGNMENT TYPE <input type="checkbox"/> FOOT <input type="checkbox"/> TRAFFIC <input type="checkbox"/> RMP <input type="checkbox"/> OTHER (Specify) _____			
POSITION OF OFFICER'S WEAPON ON BODY <input type="checkbox"/> HOLSTER <input type="checkbox"/> BELT <input type="checkbox"/> ANKLE <input type="checkbox"/> OTHER _____		IF CONCEALED, POSITION OF WEAPON ON BODY		AT THE TIME OF DISCHARGE, HAD WEAPON <input type="checkbox"/> FALLEN <input type="checkbox"/> BEEN DROPPED <input type="checkbox"/> N/A <input type="checkbox"/> OTHER (Specify) _____		DID OFFICER FIRE <input type="checkbox"/> RIGHT - HANDED <input type="checkbox"/> BOTH HANDS <input type="checkbox"/> LEFT - HANDED <input type="checkbox"/> N/A			
WEAPON DISCHARGED FROM WHAT POSITION <input type="checkbox"/> STANDING <input type="checkbox"/> KNEELING <input type="checkbox"/> CROUCH <input type="checkbox"/> PRONE <input type="checkbox"/> SITTING <input type="checkbox"/> OTHER (Specify) _____				WAS OFFICER RUNNING BEFORE WEAPON DISCHARGED <input type="checkbox"/> YES <input type="checkbox"/> NO		WAS FIREARM DRAWN BEFOREHAND <input type="checkbox"/> YES <input type="checkbox"/> NO			

ADDITIONAL COMMENTS / NARRATIVE

RECOMMENDATIONS / COMMENTS	

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COMMANDING OFFICER - NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE
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RECOMMENDATIONS / COMMENTS

DIVISION CHIEF - NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE

RECOMMENDATIONS / COMMENTS	

CHIEF OF DEPARTMENT - NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE

RECOMMENDATIONS / COMMENTS	

POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK
USE OF FORCE REPORT

PDCN Form 258 - Rev. 01/23
Page 1 of 2

INSTRUCTIONS: THIS FORM WILL BE PREPARED BY THE MEMBER USING FORCE. IF NOT POSSIBLE, A SUPERVISOR WILL PREPARE THIS FORM ON BEHALF OF THE MEMBER.

IF AN INCIDENT INVOLVES THE USE OF A FIREARM, SUPERVISORS WILL COMPLETE PDCN FORM 470, DEADLY FORCE RESPONSE TEAM, FIREARM DISCHARGE INVESTIGATION REPORT.

TYPE OF FORCE / WEAPON USED (Check all that apply): <input type="checkbox"/> PHYSICAL FORCE <input type="checkbox"/> OC SPRAY <input type="checkbox"/> ECD <input type="checkbox"/> BATON <input type="checkbox"/> CANINE <input type="checkbox"/> PROPELLED BEANBAG ROUND <input type="checkbox"/> 40 MM PROJECTILE <input type="checkbox"/> DISPLAYED A FIREARM <input type="checkbox"/> OTHER											
DID USE OF FORCE RESULT IN: <input type="checkbox"/> NO VISIBLE INJURY <input type="checkbox"/> PHYSICAL PAIN <input type="checkbox"/> PHYSICAL INJURY <input type="checkbox"/> SERIOUS PHYSICAL INJURY <input type="checkbox"/> DEATH											
DATE OF INCIDENT		TIME OF INCIDENT		CASE REPORT NO.		ARREST NO.		PRECINCT OF OCCURRENCE			
ADDRESS / PLACE OF OCCURRENCE		CITY / TOWN / VILLAGE				COUNTY		POST			
								LIGHTING OUTSIDE <input type="checkbox"/> DARK <input type="checkbox"/> DAYLIGHT <input type="checkbox"/> DUSK / DAWN			
								LIGHTING INSIDE <input type="checkbox"/> UNLIGHTED <input type="checkbox"/> GOOD <input type="checkbox"/> POOR <input type="checkbox"/> FLASHLIGHT USED			
SUBJECT INFO.	UNDER WHAT CIRCUMSTANCES WAS THE SUBJECT CONFRONTED? <input type="checkbox"/> TRAFFIC STOP <input type="checkbox"/> ROUTINE PATROL OTHER THAN TRAFFIC <input type="checkbox"/> EXECUTING ARREST <input type="checkbox"/> TRANSPORTING / HOLDING ARRESTEES										
	<input type="checkbox"/> RESPONSE TO UNLAWFUL OR SUSPICIOUS ACTIVITY <input type="checkbox"/> SERVICE OF WARRANT <input type="checkbox"/> SERVICE OF COURT ORDER <input type="checkbox"/> DEMONSTRATION <input type="checkbox"/> FOLLOW-UP INVESTIGATION										
	<input type="checkbox"/> MEDICAL, MENTAL HEALTH, OR WELFARE ASSISTANCE <input type="checkbox"/> UNKNOWN / UNLIKELY TO EVER BE KNOWN <input type="checkbox"/> OTHER (explain) _____										
	LAST NAME		FIRST		M.I.	DATE OF BIRTH		AGE	SEX <input type="checkbox"/> MALE <input type="checkbox"/> UNK <input type="checkbox"/> FEMALE		
	RACE <input type="checkbox"/> WHITE <input type="checkbox"/> BLACK / AFRICAN AMERICAN <input type="checkbox"/> ASIAN <input type="checkbox"/> AMERICAN INDIAN / ALASKAN NATIVE <input type="checkbox"/> NATIVE HAWAIIAN / PACIFIC ISLANDER <input type="checkbox"/> OTHER (specify) _____						ETHNICITY <input type="checkbox"/> HISPANIC <input type="checkbox"/> UNK <input type="checkbox"/> NON-HISPANIC		SUBJECT ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO		
MEMBER USING FORCE	RANK		LAST NAME		FIRST		SERIAL NO.		COMMAND		
	AGE	SEX <input type="checkbox"/> MALE <input type="checkbox"/> UNK <input type="checkbox"/> FEMALE	RACE <input type="checkbox"/> WHITE <input type="checkbox"/> BLACK / AFRICAN AMERICAN <input type="checkbox"/> ASIAN <input type="checkbox"/> AMERICAN INDIAN / ALASKAN NATIVE <input type="checkbox"/> NATIVE HAWAIIAN / PACIFIC ISLANDER <input type="checkbox"/> OTHER (specify) _____								
	ETHNICITY <input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC <input type="checkbox"/> UNK		ON DUTY <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> UNIFORM <input type="checkbox"/> PLAINCLOTHES		BWC FOOTAGE AVAILABLE <input type="checkbox"/> YES <input type="checkbox"/> NO <i>If no, explain in comments / narrative on page 2</i>				
PHYSICAL FORCE TECHNIQUE / OTHER WEAPON USED <input type="checkbox"/> YES (check all that apply) <input type="checkbox"/> NO											
PHYSICAL FORCE: <input type="checkbox"/> EMPTY HAND <input type="checkbox"/> MARTIAL ARTS TECHNIQUE <input type="checkbox"/> KICK <input type="checkbox"/> OTHER (specify) _____ <input type="checkbox"/> PUNCH _____				COMPLIANCE / CONTROL HOLD: <input type="checkbox"/> TWIST LOCK <input type="checkbox"/> TAKE DOWN <input type="checkbox"/> WRIST LOCK <input type="checkbox"/> OTHER (specify) _____ <input type="checkbox"/> PRESSURE POINT _____				<input type="checkbox"/> OTHER (specify) _____			
OLEORESIN CAPSICUM (OC) USED <input type="checkbox"/> OC DISPLAYED BUT NOT USED											
OC SERIAL NO.		DISTANCE FROM SUBJECT WHEN SPRAYED (Feet) <input type="checkbox"/> 3 - 5 <input type="checkbox"/> 6 - 8 <input type="checkbox"/> 9 - 11 <input type="checkbox"/> 12 - 15		WHERE WAS SUBJECT SPRAYED <input type="checkbox"/> EYES <input type="checkbox"/> NOSE <input type="checkbox"/> MOUTH <input type="checkbox"/> FOREHEAD		WAS OC EFFECTIVE <input type="checkbox"/> YES <input type="checkbox"/> NO (Explain) _____					
STEPS TAKEN TO DECONTAMINATE SUBJECT		<input type="checkbox"/> COLD WATER <input type="checkbox"/> FRESH AIR <input type="checkbox"/> DEPT. AMBULANCE <input type="checkbox"/> HOSPITAL		<input type="checkbox"/> OTHER _____							
ELECTRONIC CONTROL DEVICE (ECD) USED <input type="checkbox"/> ECD DISPLAYED BUT NOT USED											
ECD SERIAL NO.		NUMBER OF PROBES DISCHARGED		DISTANCE FROM SUBJECT WHEN ECD WAS DEPLOYED (Feet)		APPLICATION <input type="checkbox"/> DISPLAY <input type="checkbox"/> LASER PAINTING <input type="checkbox"/> DRIVE STUN <input type="checkbox"/> PROBE DISCHARGE					
INTERMEDIATE WEAPON(S) USED <input type="checkbox"/> INTERMEDIATE WEAPON(S) DISPLAYED BUT NOT USED											
<input type="checkbox"/> Baton <input type="checkbox"/> Canine * <input type="checkbox"/> Propelled Beanbag Round <input type="checkbox"/> 40 MM Projectile <input type="checkbox"/> Other _____ * If canine used, indicate dog's name and shield number: _____											
FIREARM - DISPLAYED ONLY (IF DISCHARGED PREPARE PDCN 470) <input type="checkbox"/> FIREARM DISPLAYED BUT NOT USED											
MEDICAL INTERVENTION											
DID SUBJECT REQUEST MEDICAL TREATMENT <input type="checkbox"/> YES <input type="checkbox"/> NO				DID SUBJECT REQUEST MENTAL HEALTH TREATMENT <input type="checkbox"/> YES <input type="checkbox"/> NO				ASSESSED BY PM <input type="checkbox"/> YES <input type="checkbox"/> NO			
TAKEN TO HOSPITAL <input type="checkbox"/> YES <input type="checkbox"/> NO				IF TRANSPORTED, WHERE							
AMBULANCE ASSIGNED		AMB. NO.	RANK	LAST NAME		FIRST		SERIAL NO.			
								COMMAND			

POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK

USE OF FORCE REPORT

PDCN Form 258 - Rev. 01/23
Page 2 of 2

CASE REPORT NO:

MEMBER USING FORCE:

WERE ANY MEMBERS INJURED AT SCENE (include members who were exposed to OC) ☐ YES ☐ NO ☐ check if additional pages attached

RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND	INJURY NO.	HOW INJURED
------	-----------	-------	------------	---------	------------	-------------

1.

2.

ADDITIONAL MEMBERS AT SCENE ☐ YES ☐ NO ☐ check if additional pages attached

RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND
------	-----------	-------	------------	---------

1.

2.

3.

4.

ADDITIONAL COMMENTS / NARRATIVE (Explain in the narrative the reason use of force was necessary, i.e., to control the subject, defend self/ defend another, make an arrest, prevent escape, etc. Include subject's actions, if subject appeared to be under the influence or have a mental illness, if there was knowledge of the subject's having a history with law enforcement, if a warning given prior to use of force. Explain if BWC footage is not available.)

☐ check if additional pages attached

PREPARED BY	RANK	LAST NAME	FIRST	SIGNATURE	SERIAL NO.	COMMAND	SQUAD
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SUPERVISOR REVIEW	RANK / NAME	SIGNATURE	SERIAL NO.	DATE
	BWC(S) REVIEWED? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, explain: _____			
	SERIAL NUMBER(S) OF MEMBER(S) WHOSE BWC FOOTAGE HAS BEEN REVIEWED			
RECOMMENDATIONS / COMMENTS				

CO REVIEW	RANK / NAME	SIGNATURE	SERIAL NO.	DATE
	BWC(S) REVIEWED? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, explain: _____			
	SERIAL NUMBER(S) OF MEMBER(S) WHOSE BWC FOOTAGE HAS BEEN REVIEWED			
RECOMMENDATIONS / COMMENTS				

DIVISION CHIEF REVIEW	NAME	SIGNATURE	SERIAL NO.	DATE
	BWC(S) REVIEWED? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, explain: _____			
	SERIAL NUMBER(S) OF MEMBER(S) WHOSE BWC FOOTAGE HAS BEEN REVIEWED			
RECOMMENDATIONS / COMMENTS				

COD REVIEW	NAME	SIGNATURE	SERIAL NO.	DATE
	BWC(S) REVIEWED? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, explain: _____			
	SERIAL NUMBER(S) OF MEMBER(S) WHOSE BWC FOOTAGE HAS BEEN REVIEWED			
RECOMMENDATIONS / COMMENTS				

POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK

ANIMAL DESTRUCTION FORM

PDCN Form 469 - 7/14

REFERENCE DOCUMENT: OPS 6210
OPS 6220

DATE OF INCIDENT	TIME OF INCIDENT	PRECINCT OF OCCURRENCE	POST	FIREARM DISCHARGE INCIDENT NO:	
LOCATION OF OCCURRENCE			LOCATION TYPE		<input type="checkbox"/> INDOOR <input type="checkbox"/> OUTDOOR
MEMBER INFORMATION					
RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND	ON DUTY <input type="checkbox"/> YES <input type="checkbox"/> NO SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
ANIMAL TYPE					
<input type="checkbox"/> DOG <input type="checkbox"/> CAT <input type="checkbox"/> RACCOON <input type="checkbox"/> SQUIRREL <input type="checkbox"/> DEER <input type="checkbox"/> OTHER (Specify) _____					
WAS ANIMAL SECURED		DID ANIMAL APPEAR DISEASED		WAS ANIMAL AGGRESSIVE	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
WEAPON USED				WAS ANIMAL DESTROYED AT SCENE	
<input type="checkbox"/> FIREARM (# OF ROUNDS USED: _____) <input type="checkbox"/> OTHER (specify) _____ <input type="checkbox"/> TRANQUILIZER GUN (# OF HITS ON TARGET: _____) <input type="checkbox"/> N/A				<input type="checkbox"/> YES <input type="checkbox"/> NO	
OWNER KNOWN	OWNER AT SCENE	ANIMAL DISPOSITION / DELIVERED TO			
<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> TOWN FACILITY <input type="checkbox"/> DEPT. OF HEALTH <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER _____			
COMMENTS					
PREPARED BY RANK	NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE
INVESTIGATING SUPERVISOR	NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE
RECOMMENDATIONS / COMMENTS					
COMMANDING OFFICER	NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE
RECOMMENDATIONS / COMMENTS					
DIVISION CHIEF	NAME	SIGNATURE	SERIAL NO.	COMMAND	DATE
RECOMMENDATIONS / COMMENTS					

DEADLY FORCE RESPONSE TEAM FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

COVER PAGE AND INSTRUCTIONS

FIREARM DISCHARGE INCIDENT NO: _____

THIS FORM WILL BE USED TO FACILITATE AN ADMINISTRATIVE INVESTIGATION WHEN MEMBERS OF THE FORCE ARE INVOLVED IN A FIREARM DISCHARGE INCIDENT. IT WILL BE THE RESPONSIBILITY OF THE DESIGNATED DEADLY FORCE RESPONSE TEAM COORDINATOR TO SEE THAT ALL PORTIONS OF THIS REPORT ARE COMPLETED.

SECTION A (Page 2)	INCIDENT INFORMATION: TO BE PREPARED BY THE DFRT COORDINATOR FOR EACH INCIDENT.
SECTION B (Pages 3-6)	MEMBER INFORMATION AND MEMBER INTERVIEW: TO BE PREPARED BY DFRT MEMBER FOR <u>EACH</u> MEMBER WHO DISCHARGED A FIREARM. PREPARED BY: _____
SECTION C (Pages 7-10)	MEMBER INFORMATION AND MEMBER INTERVIEW: TO BE PREPARED BY DFRT MEMBER FOR <u>EACH</u> INVOLVED MEMBER WHO <u>DID NOT</u> DISCHARGE A FIREARM. PREPARED BY: _____
SECTION D (Page 11)	MEMBER FIREARM: TO BE PREPARED BY CARETAKER SUPERVISOR FOR <u>EACH</u> MEMBER WHO DISCHARGED A FIREARM AND ANY MEMBER IN THE PROXIMITY. PREPARED BY: _____
SECTION E (Page 12)	SUBJECT INFORMATION: TO BE PREPARED BY DFRT MEMBER OR DESIGNEE. PREPARED BY: _____
SECTION F (Pages 13-14)	GENERAL SCENE INFORMATION: TO BE PREPARED BY DFRT MEMBER. PREPARED BY: _____
SECTION G (Page 15)	FIREARM/FTU REVIEW: TO BE PREPARED BY POLICE ACADEMY COMMANDING OFFICER OR HIS DESIGNEE FOR <u>EACH</u> MEMBER WHO DISCHARGED A FIREARM. PREPARED BY: _____
SECTION H (Page 16)	REVIEW: TO BE PREPARED BY THE DUTY INSPECTOR, THE DUTY CHIEF/DFRT COORDINATOR, AND THE CHIEF OF DEPARTMENT.
NOTE:	IF MULTIPLE MEMBERS DISCHARGED FIREARMS, SECTIONS E AND F WILL ONLY BE PREPARED ONCE.

POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK
DEADLY FORCE RESPONSE TEAM
FIREARM DISCHARGE INVESTIGATION REPORT
(This form in its entirety is to be used for NCPD administrative purposes only.)

PDCN Form 470 - 12/18
Page 2 of 16

A

REFERENCE DOCUMENTS: OPS 12420
OPS 12460

FIREARM DISCHARGE INCIDENT NO:

INCIDENT INFORMATION									
DATE OF INCIDENT		TIME OF INCIDENT		CASE REPORT NO.		ARREST NO.		SINGLE MEMBER INVOLVED <input type="checkbox"/>	
								MULTIPLE MEMBERS INVOLVED <input type="checkbox"/>	
EXACT ADDRESS / PLACE OF OCCURRENCE OF PRIMARY LOCATION								ZIP CODE	
LOCATION TYPE (PRIMARY LOCATION) <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> RESIDENTIAL				<input type="checkbox"/> INDOOR <input type="checkbox"/> IN VEHICLE		PCT OF OCCURRENCE		POST NO.	
<input type="checkbox"/> OPEN LAND <input type="checkbox"/> OTHER (Explain) _____				<input type="checkbox"/> OUTDOOR					
EXACT ADDRESS / PLACE OF OCCURRENCE OF SECONDARY LOCATION								ZIP CODE	
LOCATION TYPE (SECONDARY LOCATION) <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> RESIDENTIAL				<input type="checkbox"/> INDOOR <input type="checkbox"/> IN VEHICLE		PCT OF OCCURRENCE		POST NO.	
<input type="checkbox"/> OPEN LAND <input type="checkbox"/> OTHER (Explain) _____				<input type="checkbox"/> OUTDOOR					
MEMBER(S) INVOLVED									
NAME MEMBER 1			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 2			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 3			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 4			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 5			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 6			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 7			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
NAME MEMBER 8			SHIELD NO.	SERIAL NO.	COMMAND	ASSIGNED POST	<input type="checkbox"/> DISCHARGED FIREARM	<input type="checkbox"/> WITNESSED DISCHARGE	<input type="checkbox"/> ARRIVED AT SCENE SHORTLY AFTER DISCHARGE
INTERVIEWED BY ADMINISTRATIVE INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO			IF YES, NAME OF INVESTIGATOR _____		INTERVIEWED BY CRIMINAL INVESTIGATOR <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, NAME OF INVESTIGATOR _____		
ADDITIONAL COMMENTS									

THIS PAGE TO BE COMPLETED BY DFRT COORDINATOR

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

BINCLUDES
PAGES 3-6

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

MEMBER INFORMATION (MEMBER WHO DISCHARGED FIREARM)

RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND	SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
ON DUTY <input type="checkbox"/> NO <input type="checkbox"/> YES (Tour) _____	TOTAL YEARS PD EXPERIENCE (Include ALL Law Enforcement Experience) _____	MEMBER'S ATTIRE <input type="checkbox"/> UNIFORM <input type="checkbox"/> PLAINCLOTHES <input type="checkbox"/> UNDERCOVER	DID MEMBER WEAR BODY ARMOR <input type="checkbox"/> YES <input type="checkbox"/> NO	IF MEMBER WORE BODY ARMOR, WAS THIS <input type="checkbox"/> STANDARD ISSUE <input type="checkbox"/> SPECIAL ISSUE	
ASSIGNMENT TYPE <input type="checkbox"/> FOOT <input type="checkbox"/> TRAFFIC <input type="checkbox"/> RMP <input type="checkbox"/> OTHER (Specify) _____	ASSIGNED VEHICLE VEHICLE# _____ <input type="checkbox"/> MARKED <input type="checkbox"/> UNMARKED	ASSIGNED VEHICLE <input type="checkbox"/> 1 - MAN <input type="checkbox"/> 2 - MAN NAME: _____	EMERGENCY LIGHTS USED <input type="checkbox"/> YES <input type="checkbox"/> NO		
MEMBER'S 10-80 TIME: <input type="checkbox"/> N/A	MEMBER'S 10-81 TIME:	DATE OF LAST TOUR WORKED	TIME OF LAST TOUR WORKED	PURSUIT <input type="checkbox"/> NO <input type="checkbox"/> YES (Provide Blue Team Report No.) _____	
WAS MEMBER TREATED MEDICALLY <input type="checkbox"/> YES <input type="checkbox"/> NO	IF MEDICALLY TREATED, WHERE _____				
WAS MEMBER INVOLVED IN PRIOR INCIDENTS OF USE OF DEADLY FORCE <input type="checkbox"/> NO <input type="checkbox"/> YES (Specify all prior dates and types of use) _____					
DISCIPLINE PENDING (Check with Member's Command and IAU - DO NOT ASK MEMBER) <input type="checkbox"/> NO <input type="checkbox"/> YES (Specify) _____				LITIGATION PENDING (Check with Legal Bureau) <input type="checkbox"/> YES <input type="checkbox"/> NO	
DID MEMBER APPEAR FIT FOR DUTY <input type="checkbox"/> YES <input type="checkbox"/> NO	IF NO, ACTION TAKEN: _____				
ADDITIONAL COMMENTS					

MEMBER INTERVIEW (MEMBER WHO DISCHARGED FIREARM)

1. How did you arrive at the scene? <input type="checkbox"/> CB DISPATCHED <input type="checkbox"/> IF CB DISPATCHED, SPECIFY ASSIGNMENT TYPE OR CALL TYPE _____					
<input type="checkbox"/> CAME UPON SCENE <input type="checkbox"/> DURING INVESTIGATION <input type="checkbox"/> RESPONDED TO REQUEST FOR ASSISTANCE					
<input type="checkbox"/> NOTIFIED BY OTHER (Explain) _____					
2. Did you receive additional information (via radio) from <input type="checkbox"/> CB DISPATCH <input type="checkbox"/> OTHER UNITS AT SCENE <input type="checkbox"/> OTHER RESPONDING UNITS					
3. Under what circumstances was the subject confronted? <input type="checkbox"/> ASSAULT ON CITIZEN <input type="checkbox"/> ASSAULT ON OFFICER <input type="checkbox"/> BUSINESS DISPUTE					
<input type="checkbox"/> BURGLARY <input type="checkbox"/> DRUG SALE <input type="checkbox"/> DWI <input type="checkbox"/> FAMILY DISTURBANCE <input type="checkbox"/> MENTAL AIDED					
<input type="checkbox"/> NEIGHBOR DISPUTE <input type="checkbox"/> PRISONER <input type="checkbox"/> PROWLER <input type="checkbox"/> ROBBERY <input type="checkbox"/> SUSPICIOUS PERSON <input type="checkbox"/> VTL STOP					
<input type="checkbox"/> ARREST (Describe) _____ <input type="checkbox"/> OTHER (Explain) _____					
4. Describe the lighting conditions outside <input type="checkbox"/> DAYLIGHT <input type="checkbox"/> DUSK / DAWN <input type="checkbox"/> DARK					
5. If inside, describe lighting conditions <input type="checkbox"/> GOOD <input type="checkbox"/> POOR <input type="checkbox"/> UNLIGHTED <input type="checkbox"/> FLASHLIGHT USED <input type="checkbox"/> N/A					
6. Describe the weather conditions <input type="checkbox"/> CLEAR <input type="checkbox"/> SUN <input type="checkbox"/> CLOUDS <input type="checkbox"/> WIND <input type="checkbox"/> FOG					
<input type="checkbox"/> RAIN <input type="checkbox"/> SNOW <input type="checkbox"/> OTHER (Specify) _____					
7. How many subjects were involved?					
8. Did you have knowledge of the subject(s) prior to this incident? <input type="checkbox"/> YES <input type="checkbox"/> NO					

THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

BINCLUDES
PAGES 3-6

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

Subject 1 Name (Per Interviewer):		LAST NAME _____		FIRST NAME _____	
9. From where did you have knowledge of Subject 1?					
CB	<input type="checkbox"/> YES <input type="checkbox"/> NO	WITNESS(ES)	<input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR CONTACT	<input type="checkbox"/> YES <input type="checkbox"/> NO
				OTHER MEMBER(S)	<input type="checkbox"/> YES <input type="checkbox"/> NO
OTHER <input type="checkbox"/> YES <input type="checkbox"/> NO					
Explain:					
10. What did you know about Subject 1? (Include nickname, street name, alias, etc.)		FIRST NAME _____	MALE <input type="checkbox"/>	HEIGHT _____	AGE _____
		LAST NAME _____	FEMALE <input type="checkbox"/>	WEIGHT _____	ETHNICITY _____
Additional Info:					
Subject 2 Name (Per Interviewer):		LAST NAME _____		FIRST NAME _____	
11. From where did you have knowledge of Subject 2?					
CB	<input type="checkbox"/> YES <input type="checkbox"/> NO	WITNESS(ES)	<input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR CONTACT	<input type="checkbox"/> YES <input type="checkbox"/> NO
				OTHER MEMBER(S)	<input type="checkbox"/> YES <input type="checkbox"/> NO
OTHER <input type="checkbox"/> YES <input type="checkbox"/> NO					
Explain:					
12. What did you know about Subject 2? (Include nickname, street name, alias, etc.)		FIRST NAME _____	MALE <input type="checkbox"/>	HEIGHT _____	AGE _____
		LAST NAME _____	FEMALE <input type="checkbox"/>	WEIGHT _____	ETHNICITY _____
Additional Info:					
Subject 3 Name (Per Interviewer):		LAST NAME _____		FIRST NAME _____	
13. From where did you have knowledge of Subject 3?					
CB	<input type="checkbox"/> YES <input type="checkbox"/> NO	WITNESS(ES)	<input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR CONTACT	<input type="checkbox"/> YES <input type="checkbox"/> NO
				OTHER MEMBER(S)	<input type="checkbox"/> YES <input type="checkbox"/> NO
OTHER <input type="checkbox"/> YES <input type="checkbox"/> NO					
Explain:					
14. What did you know about Subject 3? (Include nickname, street name, alias, etc.)		FIRST NAME _____	MALE <input type="checkbox"/>	HEIGHT _____	AGE _____
		LAST NAME _____	FEMALE <input type="checkbox"/>	WEIGHT _____	ETHNICITY _____
Additional Info:					
		SUBJECT 1		SUBJECT 2	
		SUBJECT 3			
15. Did you have knowledge of the subject having a prior criminal history?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:					
16. Did you have knowledge of the subject having a history of violence?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:					
17. Was a weapon reported to be involved?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, specify weapon type:					
18. Did you observe the subject with a weapon?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
19. Did the subject offer verbal resistance?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
20. Did the subject offer passive resistance?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
21. Did the subject physically resist?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
22. Did the subject have a weapon?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, specify weapon type:					
23. Did the subject use or discharge a firearm?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
24. Did the subject appear to be under the influence of drugs?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:					
25. Did the subject appear to be under the influence of alcohol?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:					
26. Did the subject appear to have a mental illness?		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:					

MEMBER INTERVIEW - THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

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CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

MEMBER INTERVIEW - THIS PAGE TO BE COMPLETED BY DFRT MEMBER

27. Why was the use of force necessary?	<input type="checkbox"/> TO CONTROL SUBJECT	<input type="checkbox"/> TO DEFEND SELF	<input type="checkbox"/> TO DEFEND ANOTHER	<input type="checkbox"/> TO MAKE AN ARREST
	<input type="checkbox"/> TO PREVENT ESCAPE	<input type="checkbox"/> OTHER (Specify)		
28. Was a warning given prior to use of force?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
If yes, was the warning	<input type="checkbox"/> VERBAL	<input type="checkbox"/> A WARNING SHOT		
Who issued the warning?				
29. Did you have a tactical plan beforehand?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
30. Did you communicate with another Department member immediately prior to discharge?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
Explain:				
31. Did you observe cover?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
32. Were you able to use cover?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
33. Did you observe concealment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
34. Were you able to use concealment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
35. Was the encounter confrontational?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
36. If confrontational, was there a physical struggle prior to discharge?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
Explain:				
37. If there was a struggle, did you maintain control of your firearm?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
38. Where was the firearm on your body prior to discharge?	<input type="checkbox"/> IN HOLSTER	<input type="checkbox"/> ON BELT	<input type="checkbox"/> AT ANKLE	<input type="checkbox"/> OTHER
If other, explain:				
39. Was your firearm discharge intentional?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
40. At the time of discharge, where was your firearm?	<input type="checkbox"/> IN HAND	<input type="checkbox"/> KNOCKED FROM YOUR HAND	<input type="checkbox"/> HAD FALLEN/ BEEN DROPPED	<input type="checkbox"/> OTHER
If other, explain:				
41. If in hand, when did you draw your firearm?	<input type="checkbox"/> BEFORE ENCOUNTER	<input type="checkbox"/> DURING ENCOUNTER	<input type="checkbox"/> IMMEDIATELY BEFORE FIRING	
Explain:				
42. Was the firearm discharged at	<input type="checkbox"/> A PERSON	<input type="checkbox"/> AN ANIMAL	<input type="checkbox"/> A VEHICLE	<input type="checkbox"/> OTHER
If other, explain:				
43. Were you running before your firearm discharged?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
44. What position were you in when your firearm discharged?	<input type="checkbox"/> STANDING	<input type="checkbox"/> KNEELING	<input type="checkbox"/> SITTING	<input type="checkbox"/> CROUCHING
	<input type="checkbox"/> MOVING / RUNNING	<input type="checkbox"/> PRONE	<input type="checkbox"/> OTHER	
If other, explain:				
45. Did you have time to aim?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
46. Did you use sights?	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
47. Did you fire	<input type="checkbox"/> RIGHT-HANDED	<input type="checkbox"/> LEFT-HANDED	<input type="checkbox"/> WITH BOTH HANDS	<input type="checkbox"/> N/A
48. Approximately how far were you (in feet) from the subject / target when the first shot was fired ?				

**POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK
DEADLY FORCE RESPONSE TEAM**

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**FIREARM DISCHARGE INVESTIGATION REPORT
(This form in its entirety is to be used for NCPD administrative purposes only.)**

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

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MEMBER INTERVIEW - THIS SECTION TO BE COMPLETED BY DFRT MEMBER

CASE REPORT NO:	FIREARM DISCHARGE INCIDENT NO:	MEMBER INVOLVED:
49. Was your firearm fully loaded at the time of discharge?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN	
50. Was your firearm "topped off" at the time of discharge?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN	
51. Did you reload?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
52. If you reloaded, did you discharge your firearm again?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
53. Did you have difficulty reloading?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
54. How many shots do you think you fired?		
55. How many shots do you think hit the target?		
56. How many shots do you think were fired single-action?		
57. How many shots do you think were fired double-action?		
58. Were you carrying a second firearm?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
59. If you were carrying a second firearm, did you use it?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
60. When you arrived at the scene, did you observe other persons? <input type="checkbox"/> OTHER FORCE MEMBERS <input type="checkbox"/> CIVILIAN MEMBERS <input type="checkbox"/> BYSTANDERS <input type="checkbox"/> NO OTHER PERSONS		
Provide names, if possible:		
61. If yes, were you aware of other persons' positions at the scene upon your arrival?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:		
62. Did you consider crossfire potential?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
63. Did you consider using an alternative method of force?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Describe:		
64. Was an alternative method of force available and feasible?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Explain:		
65. Were there obstacles between you and the threat?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Describe:		
66. Did any other person discharge a firearm?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN	
Provide names/descriptions/agency affiliation, if possible:		
67. If yes, do you know where the other persons were at the time they discharged their firearms?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Describe their position(s):		
68. Where were you when others discharged their firearms?		
PREPARED BY		
RANK / NAME	SIGNATURE	SERIAL NO.
LOCATION OF INTERVIEW	DATE OF INTERVIEW	TIME OF INTERVIEW
ADDITIONAL COMMENTS		

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

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PAGES 7-10

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

MEMBER INFORMATION (MEMBER WHO DID NOT DISCHARGE FIREARM)

RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND	SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
ON DUTY <input type="checkbox"/> NO <input type="checkbox"/> YES (Tour) _____	TOTAL YEARS PD EXPERIENCE (Include ALL Law Enforcement Experience) _____	MEMBER'S ATTIRE <input type="checkbox"/> UNIFORM <input type="checkbox"/> PLAINCLOTHES <input type="checkbox"/> UNDERCOVER	DID MEMBER WEAR BODY ARMOR <input type="checkbox"/> YES <input type="checkbox"/> NO	IF MEMBER WORE BODY ARMOR, WAS THIS <input type="checkbox"/> STANDARD ISSUE <input type="checkbox"/> SPECIAL ISSUE	
ASSIGNMENT TYPE <input type="checkbox"/> FOOT <input type="checkbox"/> TRAFFIC <input type="checkbox"/> RMP <input type="checkbox"/> OTHER (Specify) _____	ASSIGNED VEHICLE # _____ <input type="checkbox"/> MARKED <input type="checkbox"/> UNMARKED	ASSIGNED VEHICLE <input type="checkbox"/> 1 - MAN <input type="checkbox"/> 2 - MAN NAME: _____	EMERGENCY LIGHTS USED <input type="checkbox"/> YES <input type="checkbox"/> NO		
MEMBER'S 10-80 TIME: <input type="checkbox"/> N/A	MEMBER'S 10-81 TIME: _____	DATE OF LAST TOUR WORKED _____	TIME OF LAST TOUR WORKED _____	PURSUIT <input type="checkbox"/> NO <input type="checkbox"/> YES (Provide Blue Team Report No.) _____	
WAS MEMBER TREATED MEDICALLY <input type="checkbox"/> YES <input type="checkbox"/> NO	IF MEDICALLY TREATED, WHERE _____				
WAS MEMBER INVOLVED IN PRIOR INCIDENTS OF USE OF DEADLY FORCE <input type="checkbox"/> NO <input type="checkbox"/> YES (Specify all prior dates and types of use) _____					
DISCIPLINE PENDING (Check with Member's Command and IAU - DO NOT ASK MEMBER) <input type="checkbox"/> NO <input type="checkbox"/> YES (Specify) _____				LITIGATION PENDING (Check with Legal Bureau) <input type="checkbox"/> YES <input type="checkbox"/> NO	
DID MEMBER APPEAR FIT FOR DUTY? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF NO, ACTION TAKEN: _____				
ADDITIONAL COMMENTS					

MEMBER INTERVIEW (MEMBER WHO DID NOT DISCHARGE FIREARM)

1. How did you arrive at the scene? <input type="checkbox"/> CB DISPATCHED <input type="checkbox"/> IF CB DISPATCHED, SPECIFY ASSIGNMENT TYPE OR CALL TYPE _____					
<input type="checkbox"/> CAME UPON SCENE <input type="checkbox"/> DURING INVESTIGATION <input type="checkbox"/> RESPONDED TO REQUEST FOR ASSISTANCE					
<input type="checkbox"/> NOTIFIED BY OTHER (Explain) _____					
2. Did you receive additional information (via radio) from <input type="checkbox"/> CB DISPATCH <input type="checkbox"/> OTHER UNITS AT SCENE <input type="checkbox"/> OTHER RESPONDING UNITS					
3. Under what circumstances was the subject confronted? <input type="checkbox"/> ASSAULT ON CITIZEN <input type="checkbox"/> ASSAULT ON OFFICER <input type="checkbox"/> BUSINESS DISPUTE					
<input type="checkbox"/> BURGLARY <input type="checkbox"/> DRUG SALE <input type="checkbox"/> DWI <input type="checkbox"/> FAMILY DISTURBANCE <input type="checkbox"/> MENTAL AIDED					
<input type="checkbox"/> NEIGHBOR DISPUTE <input type="checkbox"/> PRISONER <input type="checkbox"/> PROWLER <input type="checkbox"/> ROBBERY <input type="checkbox"/> SUSPICIOUS PERSON <input type="checkbox"/> VTL STOP					
<input type="checkbox"/> ARREST (Describe) _____ <input type="checkbox"/> OTHER (Explain) _____					
4. Describe the lighting conditions outside <input type="checkbox"/> DAYLIGHT <input type="checkbox"/> DUSK / DAWN <input type="checkbox"/> DARK					
5. If inside, describe lighting conditions <input type="checkbox"/> GOOD <input type="checkbox"/> POOR <input type="checkbox"/> UNLIGHTED <input type="checkbox"/> FLASHLIGHT USED <input type="checkbox"/> N/A					
6. Describe the weather conditions <input type="checkbox"/> CLEAR <input type="checkbox"/> SUN <input type="checkbox"/> CLOUDS <input type="checkbox"/> WIND <input type="checkbox"/> FOG					
<input type="checkbox"/> RAIN <input type="checkbox"/> SNOW <input type="checkbox"/> OTHER (Specify) _____					
7. How many subjects were involved? _____					
8. Did you have knowledge of the subject(s) prior to this incident? <input type="checkbox"/> YES <input type="checkbox"/> NO					

THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

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CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

Subject 1 Name (Per Interviewer):		LAST NAME _____		FIRST NAME _____	
9. From where did you have knowledge of Subject 1?	CB <input type="checkbox"/> YES <input type="checkbox"/> NO	WITNESS(ES) <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR CONTACT <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER MEMBER(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER <input type="checkbox"/> YES <input type="checkbox"/> NO
Explain:					
10. What did you know about Subject 1? (Include nickname, street name, alias, etc.)	FIRST NAME _____	MALE <input type="checkbox"/>	HEIGHT _____	AGE _____	
	LAST NAME _____	FEMALE <input type="checkbox"/>	WEIGHT _____	ETHNICITY _____	
Additional Info:					
Subject 2 Name (Per Interviewer):		LAST NAME _____		FIRST NAME _____	
11. From where did you have knowledge of Subject 2?	CB <input type="checkbox"/> YES <input type="checkbox"/> NO	WITNESS(ES) <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR CONTACT <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER MEMBER(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER <input type="checkbox"/> YES <input type="checkbox"/> NO
Explain:					
12. What did you know about Subject 2? (Include nickname, street name, alias, etc.)	FIRST NAME _____	MALE <input type="checkbox"/>	HEIGHT _____	AGE _____	
	LAST NAME _____	FEMALE <input type="checkbox"/>	WEIGHT _____	ETHNICITY _____	
Additional Info:					
Subject 3 Name (Per Interviewer):		LAST NAME _____		FIRST NAME _____	
13. From where did you have knowledge of Subject 3?	CB <input type="checkbox"/> YES <input type="checkbox"/> NO	WITNESS(ES) <input type="checkbox"/> YES <input type="checkbox"/> NO	PRIOR CONTACT <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER MEMBER(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER <input type="checkbox"/> YES <input type="checkbox"/> NO
Explain:					
14. What did you know about Subject 3? (Include nickname, street name, alias, etc.)	FIRST NAME _____	MALE <input type="checkbox"/>	HEIGHT _____	AGE _____	
	LAST NAME _____	FEMALE <input type="checkbox"/>	WEIGHT _____	ETHNICITY _____	
Additional Info:					
MEMBER ARRIVED AT SCENE <input type="checkbox"/> PRIOR TO FIREARM DISCHARGE <input type="checkbox"/> AT TIME OF FIREARM DISCHARGE <input type="checkbox"/> AFTER FIREARM DISCHARGE					
IN ALL CASES, THE MEMBER SHOULD DISTINGUISH BETWEEN THAT INFORMATION WHICH HE ACQUIRED FIRST-HAND AS OPPOSED TO THAT WHICH HE RECEIVED FROM A SECONDARY SOURCE.					
CHECK <input type="checkbox"/> N/A IF THE MEMBER WAS AT SCENE BUT DID NOT ACTUALLY WITNESS, OR IF HE ARRIVED AT SCENE AFTER, THE FIREARM DISCHARGE.					
	SUBJECT 1		SUBJECT 2		SUBJECT 3
15. Did you have knowledge of the subject having a prior criminal history?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Explain:					
16. Did you have knowledge of the subject having a history of violence?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Explain:					
17. Was a weapon reported to be involved?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
If yes, specify weapon type:					
18. Did you observe the subject with a weapon?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
19. Did the subject offer verbal resistance?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
20. Did the subject offer passive resistance?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
21. Did the subject physically resist?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
22. Did the subject have a weapon?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
If yes, specify weapon type:					
23. Did the subject use or discharge a firearm?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
24. Did the subject appear to be under the influence of drugs?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Explain:					
25. Did the subject appear to be under the influence of alcohol?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Explain:					
26. Did the subject appear to have a mental illness?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Explain:					

MEMBER INTERVIEW - THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

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Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

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CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

MEMBER INTERVIEW - THIS PAGE TO BE COMPLETED BY DFRT MEMBER

27. Why was the use of force necessary?	<input type="checkbox"/> TO CONTROL SUBJECT	<input type="checkbox"/> TO DEFEND ANOTHER	<input type="checkbox"/> TO MAKE AN ARREST
	<input type="checkbox"/> TO PREVENT ESCAPE	<input type="checkbox"/> OTHER (Specify)	<input type="checkbox"/> N/A
28. Was a warning given prior to use of force?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
If yes, was the warning	<input type="checkbox"/> VERBAL	<input type="checkbox"/> A WARNING SHOT	
Who issued the warning?			
29. Was there any other communication between officers and the subject(s)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
If yes, what was said?			
30. Did you have a tactical plan beforehand?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
31. Did you communicate with another Department member immediately prior to discharge?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Explain:			
32. Did you observe cover for yourself or for other officers?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
33. Were you or other officers able to use cover?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
34. Did you observe concealment for yourself or for other officers?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
35. Were you or other officers able to use concealment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
36. Was the encounter confrontational?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
37. If confrontational, was there a physical struggle prior to discharge?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Explain:			
38. If there was a struggle, who was involved? Provide names/descriptions/agency affiliation, if possible.			
39. If there was a struggle, did the member maintain control of his firearm?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40. Did you witness the member discharge his firearm?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
What did you observe?			
41. Where were you when the member discharged his firearm? Describe your position and approximate distance			
(in feet) from the subject/target when the first shot was fired.			
42. What did you do when the firearm was discharged?			
43. How many shots did you hear?			
44. Did any other person discharge a firearm?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Provide names/descriptions/agency affiliation, if possible:			
Describe that person's position in relation to the entire scene.			
45. When you arrived at the scene, did you observe other persons?	<input type="checkbox"/> OTHER FORCE MEMBERS	<input type="checkbox"/> CIVILIAN MEMBERS	<input type="checkbox"/> BYSTANDERS
Provide names, if possible:	<input type="checkbox"/> NO OTHER PERSONS		
46. If yes, were you aware of other persons' positions at the scene upon your arrival?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Explain:			

POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK
DEADLY FORCE RESPONSE TEAM

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FIREARM DISCHARGE INVESTIGATION REPORT
(This form in its entirety is to be used for NCPD administrative purposes only.)

C
INCLUDES
PAGES 7-10

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

CASE REPORT NO:	FIREARM DISCHARGE INCIDENT NO:	MEMBER INVOLVED:
47. Did you consider discharging your firearm?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
48. Why didn't you fire?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
49. Did you consider crossfire potential?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
50. Were there obstacles between you and the threat?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
Describe:		
51. Did you consider using an alternative method of force?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
Describe:		
52. Was an alternative method of force available to you or other officers?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
Explain:		
53. Was the use of an alternative method of force feasible?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	
Explain:		
PREPARED BY		
RANK / NAME	SIGNATURE	SERIAL NO.
LOCATION OF INTERVIEW	DATE OF INTERVIEW	TIME OF INTERVIEW
ADDITIONAL COMMENTS		

MEMBER INTERVIEW - THIS SECTION TO BE COMPLETED BY DFRT MEMBER

D

CASE REPORT NO:		FIREARM DISCHARGE INCIDENT NO:		MEMBER INVOLVED:	
TYPE OF FIREARM (MEMBER)					
MEMBER'S NAME				SERIAL NO.	
FIREARM MAKE		MODEL	CALIBER	SERIAL NO.	MAGAZINE / FIREARM CAPACITY
DID MEMBER CARRY SECOND FIREARM	<input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, MAKE: _____ CALIBER: _____ MAGAZINE/FA CAPACITY: _____			WAS SECOND FIREARM USED
		MODEL: _____ SERIAL NO: _____			<input type="checkbox"/> YES <input type="checkbox"/> NO
HOW WAS FIREARM RETRIEVED					WAS FIREARM SECURED
<input type="checkbox"/> FROM MEMBER <input type="checkbox"/> FROM GROUND <input type="checkbox"/> OTHER (Explain) _____					<input type="checkbox"/> YES <input type="checkbox"/> NO
DISPOSITION OF FIREARM					
<input type="checkbox"/> INVOICED TO PROPERTY BUREAU <input type="checkbox"/> RELEASED TO CRIMINAL INVESTIGATOR (Name of Investigator) _____					
<input type="checkbox"/> RELEASED TO POLICE ACADEMY (Name of PASupervisor) _____ <input type="checkbox"/> REMAINED WITH MEMBER					
DESCRIBE EMOTIONAL STATUS OF MEMBER, AS OBSERVED					
INCIDENTS INVOLVING THE USE OF DEADLY FORCE REQUIRE A MANDATORY RESPONSE TO EAO (Contact via CB)					
WAS EAO CONTACTED <input type="checkbox"/> YES <input type="checkbox"/> NO					
PREPARED BY					
RANK / NAME		SIGNATURE			SERIAL NO.
PREPARED AT / LOCATION				DATE	TIME
ADDITIONAL COMMENTS					

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

E

CASE REPORT NO:

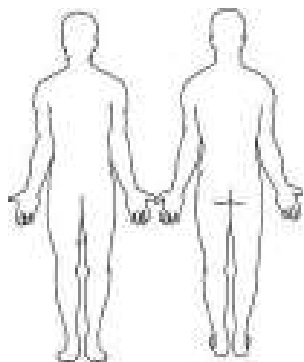
FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

SUBJECT INFORMATION <input type="checkbox"/> SINGLE <input type="checkbox"/> MULTIPLE							
SUBJECT 1 LAST NAME	FIRST	ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, ARREST NO.	CHARGE	SUBJECT'S CONDITION <input type="checkbox"/> NO VISIBLE INJURY <input type="checkbox"/> WOUNDED <input type="checkbox"/> ESCAPED <input type="checkbox"/> DECEASED <input type="checkbox"/> UNKNOWN		
IF WEAPON USED, TYPE OF WEAPON <input type="checkbox"/> NONE USED <input type="checkbox"/> HANDGUN <input type="checkbox"/> KNIFE <input type="checkbox"/> LONG GUN <input type="checkbox"/> EXPLOSIVE <input type="checkbox"/> OTHER _____			IF FIREARM, MAKE: _____ CALIBER: _____ MODEL: _____ SERIAL NO: _____		DID SUBJECT USE/ DISCHARGE HIS FIREARM <input type="checkbox"/> YES <input type="checkbox"/> NO		
SUBJECT 2 LAST NAME	FIRST	ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, ARREST NO.	CHARGE	SUBJECT'S CONDITION <input type="checkbox"/> NO VISIBLE INJURY <input type="checkbox"/> WOUNDED <input type="checkbox"/> ESCAPED <input type="checkbox"/> DECEASED <input type="checkbox"/> UNKNOWN		
IF WEAPON USED, TYPE OF WEAPON <input type="checkbox"/> NONE USED <input type="checkbox"/> HANDGUN <input type="checkbox"/> KNIFE <input type="checkbox"/> LONG GUN <input type="checkbox"/> EXPLOSIVE <input type="checkbox"/> OTHER _____			IF FIREARM, MAKE: _____ CALIBER: _____ MODEL: _____ SERIAL NO: _____		DID SUBJECT USE/ DISCHARGE HIS FIREARM <input type="checkbox"/> YES <input type="checkbox"/> NO		
SUBJECT 3 LAST NAME	FIRST	ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, ARREST NO.	CHARGE	SUBJECT'S CONDITION <input type="checkbox"/> NO VISIBLE INJURY <input type="checkbox"/> WOUNDED <input type="checkbox"/> ESCAPED <input type="checkbox"/> DECEASED <input type="checkbox"/> UNKNOWN		
IF WEAPON USED, TYPE OF WEAPON <input type="checkbox"/> NONE USED <input type="checkbox"/> HANDGUN <input type="checkbox"/> KNIFE <input type="checkbox"/> LONG GUN <input type="checkbox"/> EXPLOSIVE <input type="checkbox"/> OTHER _____			IF FIREARM, MAKE: _____ CALIBER: _____ MODEL: _____ SERIAL NO: _____		DID SUBJECT USE/ DISCHARGE HIS FIREARM <input type="checkbox"/> YES <input type="checkbox"/> NO		

SUBJECT'S CONDITION (indicate corresponding letter on schematic if applicable)

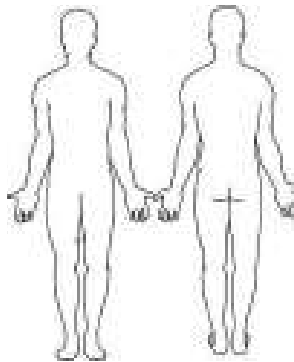
Subject 1



Check All That Apply:

- A. NONE VISIBLE ☐
 B. BRUISES ☐
 C. ABRASIONS ☐
 D. LACERATIONS ☐
 E. BROKEN BONES ☐
 F. GUN SHOT ☐
 G. OTHER (Specify) ☐

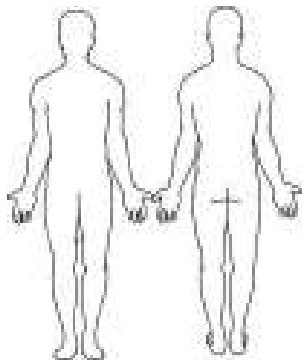
Subject 2



Check All That Apply:

- A. NONE VISIBLE ☐
 B. BRUISES ☐
 C. ABRASIONS ☐
 D. LACERATIONS ☐
 E. BROKEN BONES ☐
 F. GUN SHOT ☐
 G. OTHER (Specify) ☐

Subject 3



Check All That Apply:

- A. NONE VISIBLE ☐
 B. BRUISES ☐
 C. ABRASIONS ☐
 D. LACERATIONS ☐
 E. BROKEN BONES ☐
 F. GUN SHOT ☐
 G. OTHER (Specify) ☐

Additional Details, If Necessary: _____

SUBJECT 1 <input type="checkbox"/> YES ASSESSED BY AMT <input type="checkbox"/> NO	SUBJECT 1 <input type="checkbox"/> YES TAKEN TO HOSPITAL <input type="checkbox"/> NO	IF TRANSPORTED, TO WHERE	AMB. NO.	RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND
SUBJECT 2 <input type="checkbox"/> YES ASSESSED BY AMT <input type="checkbox"/> NO	SUBJECT 2 <input type="checkbox"/> YES TAKEN TO HOSPITAL <input type="checkbox"/> NO	IF TRANSPORTED, TO WHERE	AMB. NO.	RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND
SUBJECT 3 <input type="checkbox"/> YES ASSESSED BY AMT <input type="checkbox"/> NO	SUBJECT 3 <input type="checkbox"/> YES TAKEN TO HOSPITAL <input type="checkbox"/> NO	IF TRANSPORTED, TO WHERE	AMB. NO.	RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND

PREPARED BY

RANK / NAME	SIGNATURE	SERIAL NO.
PREPARED AT / LOCATION	DATE	TIME
ADDITIONAL COMMENTS		

THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

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INCLUDES
PAGES 13-14

CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

GENERAL SCENE INFORMATION - WERE ANY MEMBERS INJURED AT SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO							
RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND	INJURY NO.	HOW / WHERE INJURED	MEDICATION ADMINISTERED/ TREATMENT RENDERED
1.							
2.							
3.							
4.							
WERE THERE KNOWN WITNESSES AT SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO (Provide brief details)							
WITNESS NAME	ADDRESS	PHONE #	CELL #	EMAIL ADDRESS	STATEMENT TAKEN YES	STATEMENT TAKEN NO	STATEMENT TAKEN BY NAME
1.					<input type="checkbox"/>	<input type="checkbox"/>	
2.					<input type="checkbox"/>	<input type="checkbox"/>	
3.					<input type="checkbox"/>	<input type="checkbox"/>	
4.					<input type="checkbox"/>	<input type="checkbox"/>	
5.					<input type="checkbox"/>	<input type="checkbox"/>	
WERE ANY BYSTANDERS / WITNESSES INJURED <input type="checkbox"/> YES <input type="checkbox"/> NO (Provide brief details)							
1.							
2.							
3.							
4.							
5.							
WAS THERE ANY DAMAGE TO PROPERTY <input type="checkbox"/> YES <input type="checkbox"/> NO (Describe below)							
OTHER FIRST RESPONDERS AT SCENE (Include outside law enforcement agencies, Fire Dept., EAB, etc.) <input type="checkbox"/> YES <input type="checkbox"/> NO							
RANK	LAST NAME	FIRST	SERIAL NO.	COMMAND/AGENCY	FIREARM DISCHARGED YES NO		
1.					<input type="checkbox"/>	<input type="checkbox"/>	
2.					<input type="checkbox"/>	<input type="checkbox"/>	
3.					<input type="checkbox"/>	<input type="checkbox"/>	
4.					<input type="checkbox"/>	<input type="checkbox"/>	
5.					<input type="checkbox"/>	<input type="checkbox"/>	
6.					<input type="checkbox"/>	<input type="checkbox"/>	
7.					<input type="checkbox"/>	<input type="checkbox"/>	
8.					<input type="checkbox"/>	<input type="checkbox"/>	
9.					<input type="checkbox"/>	<input type="checkbox"/>	
10.					<input type="checkbox"/>	<input type="checkbox"/>	

THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

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Note: Check all that apply and provide details as needed. Attach additional pages if necessary, noting Case Report Number, Firearm Discharge Incident Number, and Member's name on each additional page.

CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

WAS MEDIA PRESENT AT SCENE☐ YES ☐ NO

DEPARTMENT MEMBER

ASSIGNED TO MEDIA

RANK

LAST NAME

FIRST

SERIAL NO.

COMMAND

COMMUNITY NOTIFICATIONS ISSUED☐ YES ☐ NO

NAME

AFFILIATION

PHONE

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

ADDENDUMS PREPARED☐ YES ☐ NO

CAD PRINTOUT

☐ YES☐ NO

CRIME SCENE

SKETCHES/PHOTOS

☐ YES☐ NOPHONE CAMERA
IMAGES AVAILABLE☐ YES☐ NO☐ N/AVIDEO IMAGES
AVAILABLE☐ YES☐ NO☐ N/ABLUE TEAM HISTORY
FOR EACH MEMBER☐

YES

☐

NO

E-JUSTICE OF
ALL SUBJECTS☐

YES

☐

NO

CRIMINAL HISTORY
OF ALL SUBJECTS☐

YES

☐

NO

PREPARED BY

RANK / NAME

SIGNATURE

SERIAL NO.

PREPARED AT / LOCATION

DATE

TIME

ADDITIONAL COMMENTS

THIS PAGE TO BE COMPLETED BY DFRT MEMBER

DEADLY FORCE RESPONSE TEAM

FIREARM DISCHARGE INVESTIGATION REPORT

(This form in its entirety is to be used for NCPD administrative purposes only.)

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CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

THIS SECTION TO BE COMPLETED BY POLICE ACADEMY CO OR HIS DESIGNEE	TYPE OF FIREARM (MEMBER)										
	MEMBER'S NAME							MEMBER'S SERIAL NO.			
	FIREARM MAKE		MODEL		CALIBER		FIREARM SERIAL NO.		MAGAZINE / FIREARM CAPACITY		
	HOW MANY ROUNDS IN FIREARM _____		HAD FIREARM BEEN "TOPPED OFF" <input type="checkbox"/> YES <input type="checkbox"/> NO		WAS FIREARM SECURED <input type="checkbox"/> YES <input type="checkbox"/> NO		IF NOT SECURED, EXPLAIN:				
	WAS A REPLACEMENT FIREARM ISSUED <input type="checkbox"/> YES <input type="checkbox"/> NO		IF A REPLACEMENT FIREARM WAS ISSUED, FIREARM TYPE: _____ SERIAL NO. _____ LOCATION ISSUED: _____								
	DID MEMBER CARRY SECOND FIREARM <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, MAKE: _____		CALIBER: _____		MAGAZINE / FA CAPACITY: _____		WAS SECOND FIREARM USED <input type="checkbox"/> YES <input type="checkbox"/> NO		
			MODEL: _____		SERIAL NO: _____						
	MEMBER'S RANGE TRAINING RECORD _____ _____ _____										
	POLICE ACADEMY SUPV. INSPECTING FIREARM		RANK		LAST NAME			FIRST		SERIAL NO.	
	PREPARED BY										
RANK / NAME							SIGNATURE		SERIAL NO.		
PREPARED AT / LOCATION							DATE		TIME		
ADDITIONAL COMMENTS											
THIS SECTION TO BE COMPLETED BY FTU	FTU INCIDENT REVIEW (TO BE COMPLETED AFTER REVIEW OF INCIDENT)										
	DID FTU RESPOND TO SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, WHAT TIME DID FTU ARRIVE _____			RESPONDING FTU MEMBER RANK / NAME _____ SERIAL NO. _____					
	WERE TACTICS USED CONSISTENT WITH TRAINING <input type="checkbox"/> YES <input type="checkbox"/> NO		IF NOT CONSISTENT WITH TRAINING, WERE TACTICS <input type="checkbox"/> APPROPRIATE FOR SITUATION <input type="checkbox"/> EFFECTIVE <input type="checkbox"/> IMPROPER				TRAINING RECOMMENDATIONS <input type="checkbox"/> RETRAIN MEMBER(S) INVOLVED <input type="checkbox"/> REVIEW / MODIFY CURRENT TRAINING AND / OR POLICY				
	INCIDENT REVIEWED BY FTU: RANK / NAME							SIGNATURE		SERIAL NO.	
	PREPARED AT / LOCATION							DATE		TIME	
THIS SECTION TO BE COMPLETED BY POLICE ACADEMY CO	REVIEWED BY POLICE ACADEMY COMMANDING OFFICER										
	RANK / NAME							SIGNATURE		SERIAL NO.	
	PREPARED AT / LOCATION							DATE		TIME	
	ADDITIONAL COMMENTS										

POLICE DEPARTMENT, COUNTY OF NASSAU, NEW YORK
DEADLY FORCE RESPONSE TEAM
FIREARM DISCHARGE INVESTIGATION REPORT
(This form in its entirety is to be used for NCPD administrative purposes only.)

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H

CASE REPORT NO:

FIREARM DISCHARGE INCIDENT NO:

MEMBER INVOLVED:

REVIEW/SIGNATURES

DUTY INSPECTOR	RANK / NAME	SIGNATURE	SERIAL NO.	DATE
	COMMENTS			
DUTY CHIEF / DFRT COORDINATOR	NAME	SIGNATURE	SERIAL NO.	DATE
	COMMENTS			
CHIEF OF DEPARTMENT	NAME	SIGNATURE	SERIAL NO.	DATE
	COMMENTS			