

Section 21 – Agency Review

New York State Law Enforcement Accreditation Program

21.1 Review of Firearms Use

ADMINISTRATION

STANDARD 21.1 The agency has a written directive which requires a process for documenting, reviewing and disposing of any incident wherein an officer discharges a firearm other than in training or for lawful recreational purposes. The written directive must include:

- A. How the process is carried out and the responsible position;
- B. The procedures used to document the incidents;
- C. The procedure and criteria used to review the incident;
- D. The procedures and criteria used to resolve the incident, and;
- E. Whether the agency permits the use of warning shots.

Commentary: The intent of this standard is to ensure that firearms are used correctly and to evaluate the need for further training or changes to policy. The process is intended to evaluate the circumstances behind all incidences of firearm discharge and the results of the review of such incidents.

Compliance Verification Strategies

Assessors may seek to verify compliance with this standard by using one or more of the strategies listed below. There may be other strategies identified by the agency which could also be acceptable.

1. A copy of the written directive is available for review.
2. Agency files (including completed disposition reports) are checked for records of any such incidents. If no such incidents have been documented during the period being assessed, examples of the forms, reports, etc. that will be used in the future should be available for review.
3. Interview(s) with personnel responsible for the function to verify their knowledge of and compliance with the directive and process.