



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

December 20, 2010

MR. CHARLES SAVAGE
THE NEW YORK TIMES
1627 I STREET NORTHWEST
WASHINGTON, DC 20006

Subject: SHOOTING INCIDENT REVIEW TEAM REPORTS
COMPLETED JANUARY 1, 1993 TO THE PRESENT.

FOIPA No. 1139615- 000

Dear Mr. Savage:

The enclosed document was received under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a, and is being released to you in its entirety. This is in response to your FOIPA request noted above.

Please note that the search cut-off date for your original request was November 12, 2009, prior to the completion of this report. Subsequently, you made an amended request via e-mail on July 8, 2010, and at that time, the report was still in draft form. The report was not finalized until September 2010. Nevertheless, consistent with the President's Executive Memorandum "Transparency and Open Government," 74 Fed. Reg. 4685, 2009 WL 166656, and the Attorney General's Memorandum for Heads of Executive Departments and Agencies regarding FOIA (March 19, 2009), we are making a discretionary disclosure and releasing this report to you in full.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Number assigned to your request so that it may be easily identified.

Sincerely yours,

David M. Hardy
Section Chief
Record/Information Dissemination Section
Records Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

Shooting Database Review
*An Overview of FBI-Involved
Shooting Incidents From 1993-2009*



Federal Bureau of Investigation

**Inspection Division
September 2010**

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I. Introduction

The intent of this report is to inform and educate the reader concerning a 17-year history of shooting incidents impacting the Federal Bureau of Investigation (FBI). In accordance with Department of Justice (DOJ) policy, all discharges of a firearm by a DOJ employee outside of training, or the discharge of a firearm by anyone during the course of DOJ-related official business must be reported. Since 1993, the Inspection Division (INSD) has been the entity within the FBI responsible for the overall management of FBI related shooting incidents. When a shooting incident was reported, executive management of INSD, working with the executive management of the division or field office where the incident occurred, determined whether a Shooting Incident Review Team (SIRT) was deployed. Typically, the decision to deploy a SIRT was based on the impact of the results of the incident. When a SIRT did not deploy, the responsibility for conducting and documenting the shooting inquiry was delegated to the field.

The role of the SIRT was to ensure an objective, thorough, and factual inquiry was conducted and documented. In addition, the SIRT, when appropriate, made recommendations.

Once a shooting incident report was complete, and declinations of local and federal prosecution against FBI Special Agents had been issued, the facts of the shooting incident were presented to the Shooting Incident Review Group (SIRG). The SIRG was composed of representatives from INSD, the National Security Branch, the Criminal Investigative Division, the Training Division, the Critical Incident Response Group, the Office of General Counsel, the Department of Justice, and other knowledgeable persons as needed. The SIRG typically met three to four times per year to review multiple shooting incidents, assess whether the actions of the shooters complied with the FBI Deadly Force Policy, and to identify and address other areas of concern (most commonly those related to command, control and communications, planning, training, and/or equipment).

A significant amount of information from shooting incident reports was captured, but the analysis that follows was limited by the reporting. Consequently, if certain data was not originally captured, it was not included in this report.

The shooting incident database will continue to be utilized to facilitate the analysis of shooting information involving FBI personnel and operations and to assist in identifying and publishing lessons learned.

II. Methodology

The end result of each shooting inquiry, whether the inquiry was conducted by a SIRT or delegated to the division, was a shooting incident report. This report contained interviews of the people involved, results of forensic examinations, details of the use of weapons and equipment, and, often times, observations and findings of the investigative team. Shooting incident reports captured a significant amount of information regarding FBI-involved shootings. These reports were the source of all shooting incident information found in this analysis.

In 2009, INSD developed a database which was populated with historical data contained in shooting incident reports and where additional information from future shooting incidents could be captured. The shooting incident database was designed to capture data from all types of shooting incidents. All shooting incident reports from January 1993 through December 2009 were reviewed and pertinent information from each incident was entered into the database. During the review period, there were 493 separate shooting incidents for which a separate record was created in the database. The shooting incidents were reported by field offices, various FBIHQ divisions, and Legats. These incidents were categorized into three incident types: **Intentional Shootings, Animal Shootings, or Unintentional Discharges (UD)**.

A single shooting incident can involve more than one incident type. For instance, a shooting incident could involve a Special Agent discharging a firearm at a subject who poses an imminent threat, and at the subject's aggressive dog. In this shooting incident, both the intentional discharge at the subject and shots at the animal would be counted as separate shooting incident types. Four shooting incidents involved two different shooting incident types. These four shooting incidents are briefly described below:

- An Agent was attacked by an aggressive dog and then attacked by the

- owner, a subject in a series of bank robberies. The Agent discharged his firearm at both threats (animal and intentional incident types).
- During a violent confrontation with a subject involving Agents and law enforcement officers (LEOs), Agents fired at the subject and at an attacking dog (animal and intentional incident types).
 - Agents fired upon a violent subject. As the Agents moved forward to secure the fallen subject, an Agent had an unintentional discharge (intentional and unintentional incident types).
 - As Agents and LEOs on a Fugitive Task Force attempted to take a subject into custody, an Agent and a LEO each had an unintentional discharge. Another Agent fired upon the subject he believed posed a threat (unintentional and intentional incident types).

The analysis of the data must be reviewed in light of several caveats:

- The data was not always complete. The historical shooting incident reports did not always include all information to complete all relevant fields in the database.
- Some shooting incidents involving FBI personnel were not the subject of INSD review procedures, including:
 - Employee suicides by firearm
 - Incidents where Agents engaged in clearly illegal conduct that was the subject of criminal investigation by other law enforcement agencies

The analysis presented is as accurate as the data available. For this reason, although INSD is confident the information that follows presents a reasonably accurate representation of 17 years of shooting incidents, readers should be cautious in attempting to draw conclusions based solely on the analysis of data provided.

Part I

Analysis Of Shooting Incidents

Part I provides the reader with an overview of the universe of FBI shooting incidents during the 17-year review period. The reader is reminded the data presented in this section was based on the data *available* within the shooting incident reports.



IV. General Statistics

Shooting Incident Types 1993-2009

Two terms are used to refer to shootings in this report: shooting incidents and incident types. A shooting incident is any single occurrence in which firearms were discharged. Incident types are categories applied to actions within a shooting incident. Incident types are described below.

From 1993 to 2009, 493 shooting incidents occurred during which FBI Special Agents (SAs), FBI Employees, FBI Task Force Officers (TFOs), and Other Law Enforcement Officers (LEOs) working with the FBI discharged their weapons for non-training purposes. For the purpose of analysis, shooting incident types were categorized as an Intentional Shooting, an Animal Shooting, or an Unintentional Discharge. The definitions for each incident type follows:

- Intentional Shootings entailed instances where a shooter deliberately and intentionally discharged a weapon; typically these occurred during a hostile encounter or an operation involving adversarial action.
- Animal Shootings were those instances where weapons were discharged to: stop dangerous or aggressive animals; euthanize seriously injured animals that posed a continuing threat or serious hazard; or humanely end an animal's suffering, typically when law enforcement action inflicted grievous injury to that animal.
- Unintentional Discharges were inadvertent or accidental discharges of one or more rounds without the intent of the shooter.

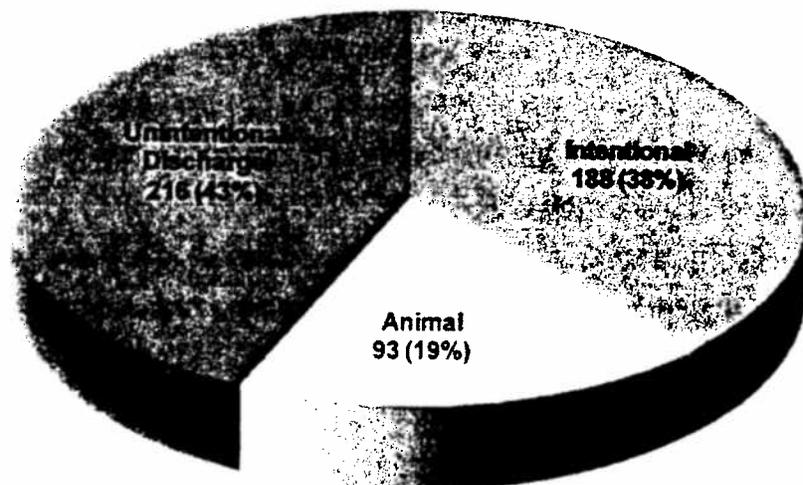
An incident type was assigned based on the type of shooting that occurred during a shooting incident. A single shooting incident could include multiple incident types. For instance, a shooting incident which involved multiple Agents firing upon a



violent subject posing an imminent threat would have been counted as one intentional shooting incident. However, if one of the Agents *also* fired at an attacking dog, the single shooting incident counted as both one intentional shooting incident type and one animal shooting incident type. During the review period, four shooting incidents occurred in which more than one shooting incident type occurred. Each shooting incident type was counted, resulting in 497 shooting incident types analyzed.

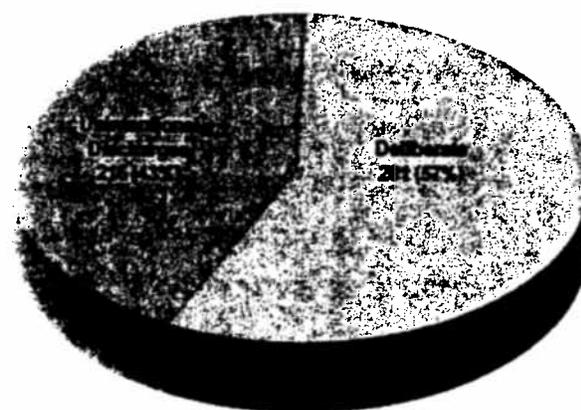
Of the 497 shooting incident types, there were 188 (38%) Intentional Shootings, 93 (19%) Animal Shootings, and 216 (43%) Unintentional Discharges. The following chart, Figure 4.1, reflects the breakdown of the incidents by type.

Figure 4.1 Breakdown of Incident Types



Unintentional Discharges accounted for the greatest proportion of the three incident types (43%). However, when Animal and Intentional incident types are combined (representing all incidents in which a weapon was *purposely* discharged), the largest proportion of shootings involved the *deliberate* discharge of a firearm (57%), Figure 4.1a.

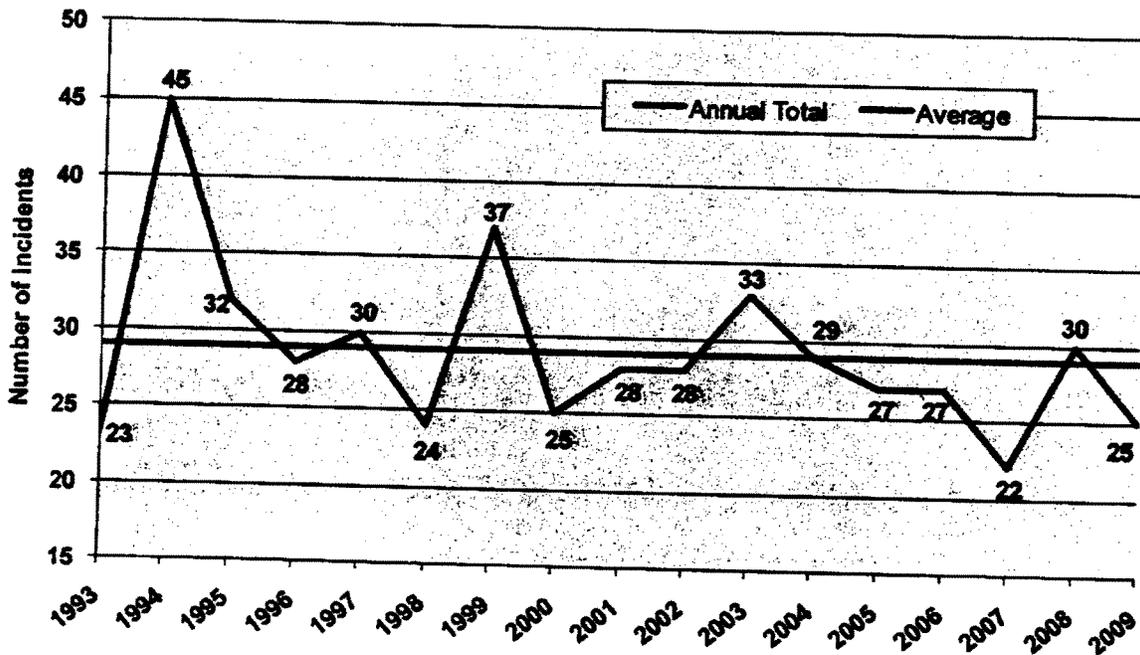
Figure 4.1a Deliberate Shootings



Shooting Incidents by Calendar Year Compared to the 17-Year Average

Figure 4.2 illustrates the total number of shooting incidents per calendar year compared to the average number of shooting incidents, 493, over the 17-year period. The average number of all shooting incidents per year was 29.0, depicted by the red line.

Figure 4.2 Shooting Incidents by Calendar Year



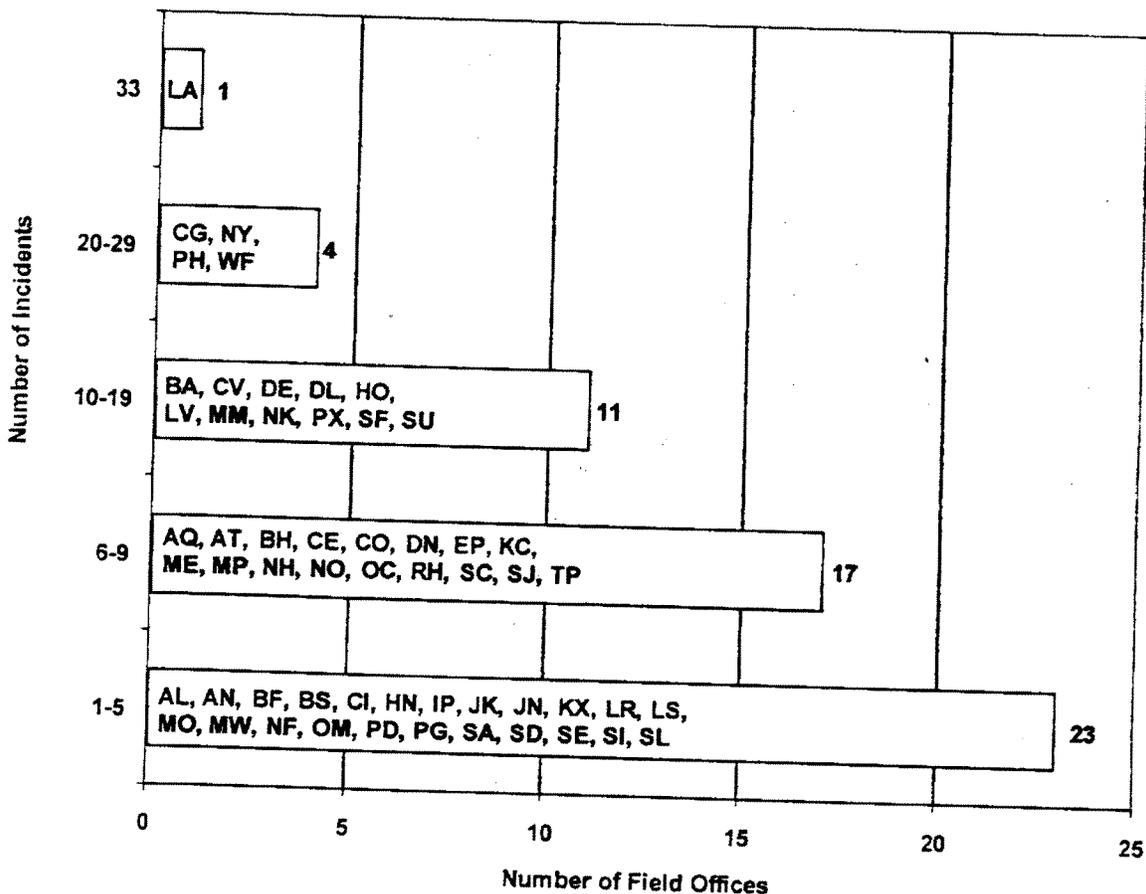
Shooting incidents with more than one incident type occurred in the following years:

- 1994 - intentional and unintentional incident types
- 1995 - intentional and animal incident types
- intentional and animal incident types
- 2000 - intentional and unintentional incident types

Shooting Incidents by Field Office

There were 493 shooting incidents during the 17-year review period. Field offices reported 451 (91.5%) shooting incidents. FBI Headquarter divisions and Legats accounted for 42 (8.5%) shooting incidents. Figure 4.3 reflects the range of shooting incidents occurring in the 56 field offices, represented by the two letter identifier of the affected field office.

Figure 4.3 Shooting Incidents by Field Office



Every field office reported at least one shooting incident between 1993-2009. Twenty-three of the 56 (41%) field offices reported five or fewer events over the 17-year review period.

Table 4.1 displays the actual number of shooting incidents for each field office during the 17-year review period.

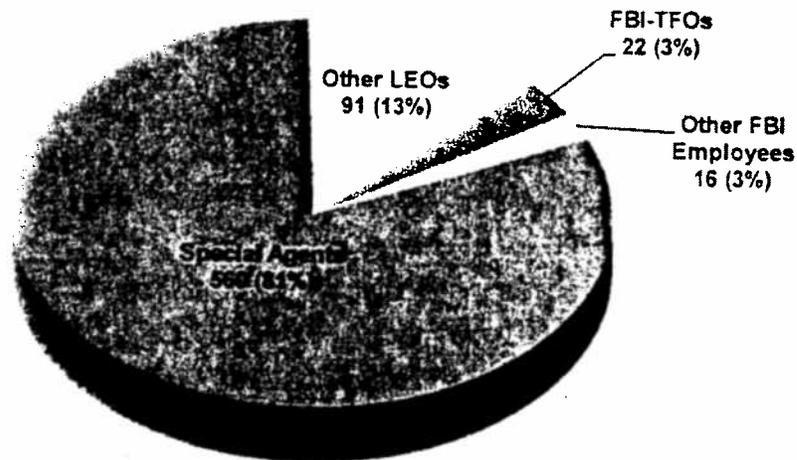
Table 4.1 Shooting Incidents by Field Office

FIELD OFFICE	NUMBER OF INCIDENTS	FIELD OFFICE	NUMBER OF INCIDENTS
Los Angeles	33	Charlotte	6
Washington Field	24	Memphis	6
Chicago	22	Minneapolis	6
New York	21	Richmond	6
Philadelphia	21	Tampa	6
Cleveland	15	Buffalo	5
Phoenix	15	Indianapolis	5
Newark	14	Omaha	5
Baltimore	13	Boston	4
Detroit	13	Jackson	4
Dallas	13	Little Rock	4
Houston	12	Milwaukee	4
Salt Lake City	12	Pittsburgh	4
Miami	11	San Diego	4
Las Vegas	10	Seattle	4
San Francisco	10	Springfield	4
Denver	9	St. Louis	4
San Juan	9	Cincinnati	3
Birmingham	8	Louisville	3
Kansas City	8	San Antonio	3
Oklahoma City	8	Anchorage	2
Atlanta	7	Honolulu	2
Columbia	7	Knoxville	2
El Paso	7	Portland	2
New Haven	7	Albany	1
New Orleans	7	Jacksonville	1
Sacramento	7	Mobile	1
Albuquerque	6	Norfolk	1

FBI/LEO Shooters Involved in All Shooting Incidents

Figure 4.4 illustrates the number of FBI Employees and LEO shooters for all Intentional Shootings, Animal Shootings, and Unintentional Discharges. There were 689 shooters in four separate categories.

Figure 4.4 FBI/LEO Shooters Involved in All Shooting Incidents

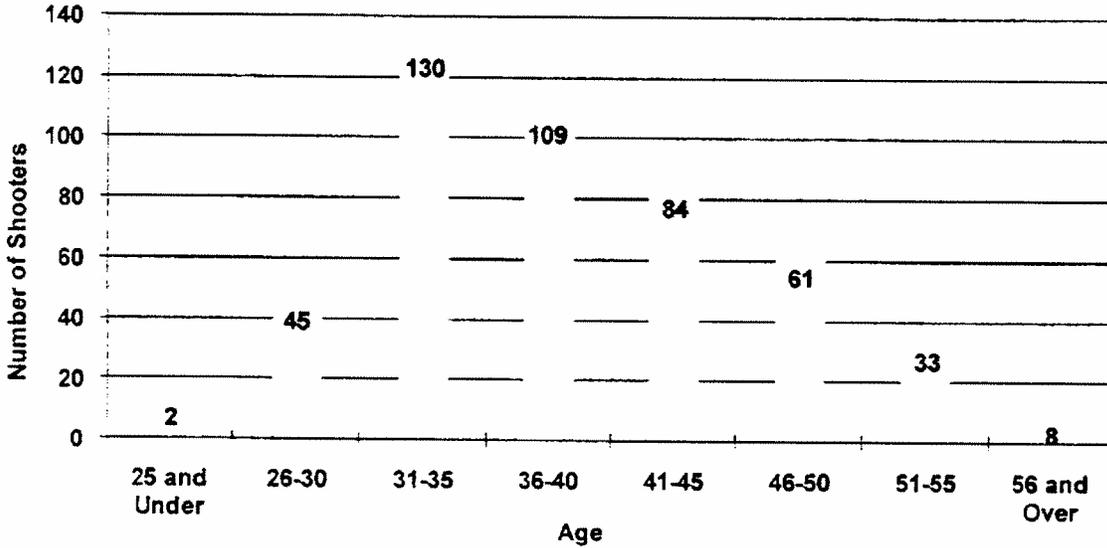


- Special Agents: FBI Special Agents, including supervisory or managerial personnel.
- Other LEOs: all other LEOs (local, county, state, and federal) not identified as TFOs.
- FBI-TFOs: all LEOs designated in the shooting incident report as an FBI TFO.
- Other FBI Employees: all non-Agent employees of the FBI (e.g., Laboratory Technicians, New Agent Trainees, and Law Enforcement Specialists/FBI Police Officers).

Age and Time in Service of Shooters in Shooting Incidents

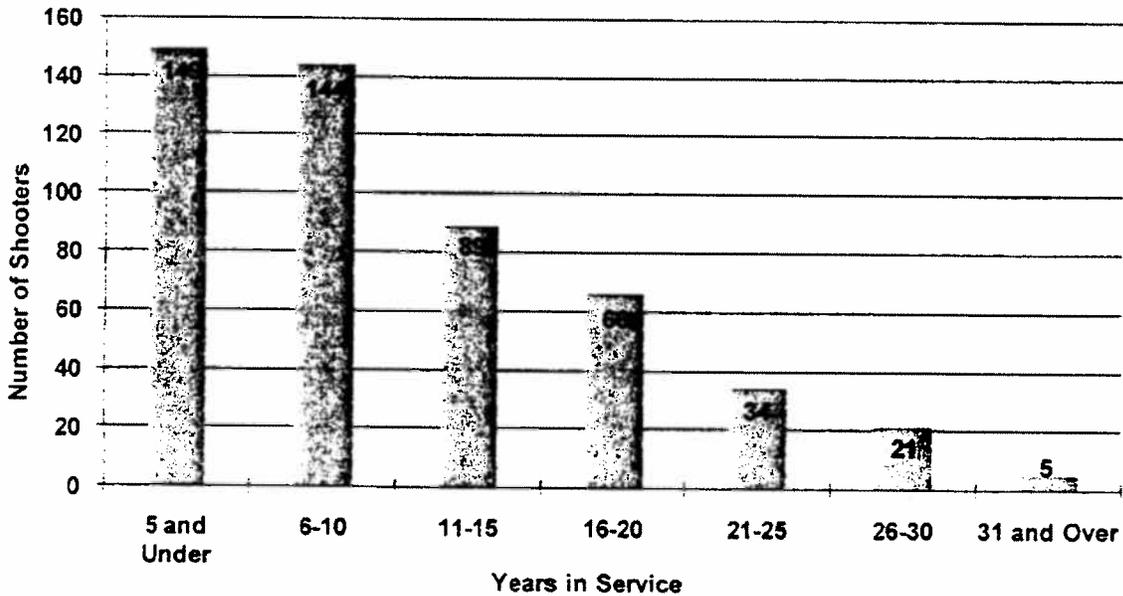
Age was available for 472 of the 689 (68.5%) FBI and LEO shooters. Figure 4.5 reflects the number of FBI/LEO shooters by age group at the time of the shooting.

Figure 4.5 Age of FBI/LEO Shooters



Time in Service was available for 508 of 689 (73.7%) FBI and LEO shooters. Figure 4.6 reflects the Time in Service of the shooters. Shooters with ten or fewer years in service accounted for 57.7% of the 508 shooters.

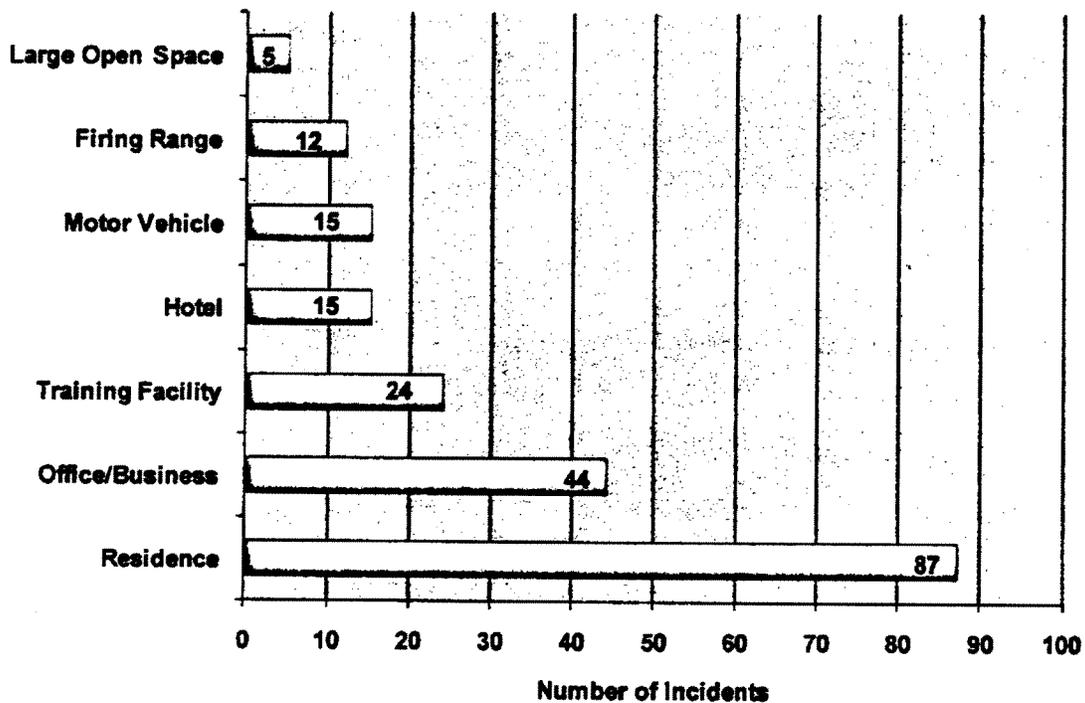
Figure 4.6 Time in Service of FBI/LEO Shooters



Environment and Location of Shooting Incidents

Shooting incidents were categorized by the type of environment in which the shooter discharged his/her weapon (i.e., inside or outside) and then by the location. Of the 493 shooting incidents, there were 5 in which shooters discharged their weapons in two different environments, resulting in 498 environments. Of those in which location data was available, 202 incidents (40.6%) occurred inside and 288 incidents (57.8%) occurred outside (data was not available for eight shooting incidents). Figure 4.7 reflects the number of shooting incidents by location occurring in an inside environment.

Figure 4.7 Inside Environment—Shooting Incidents by Location

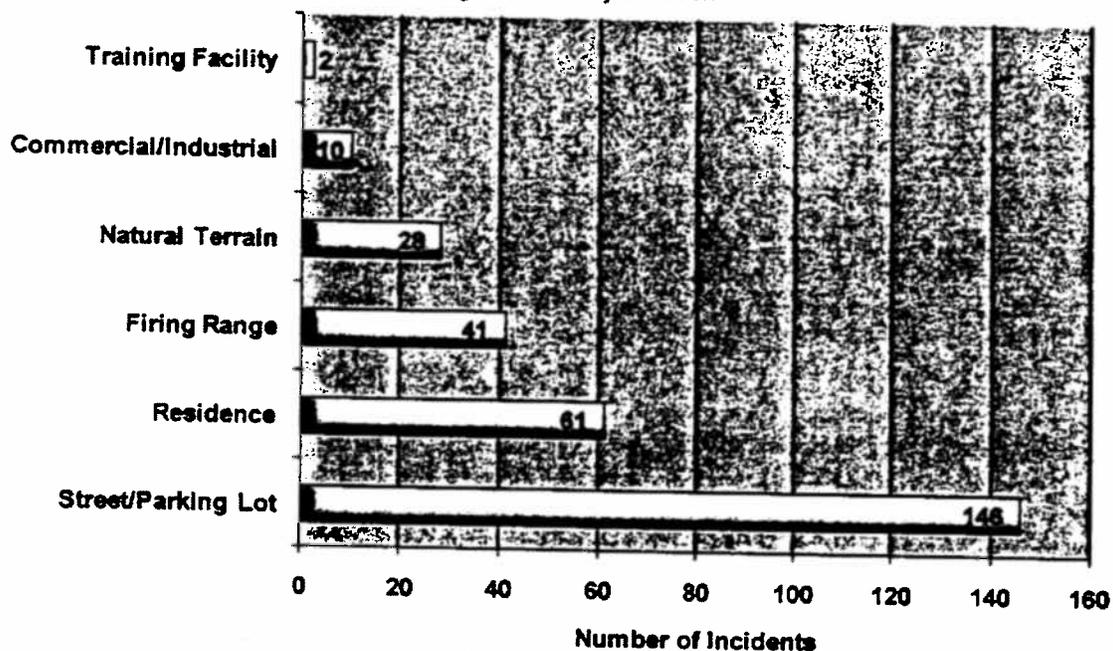


- Large Open Space: indoor parking garages, warehouses, indoor shopping malls, aircraft hangers, etc.
- Firing Range: includes law enforcement, military, and commercial ranges.
- Motor Vehicle: shooters inside a vehicle discharging a weapon either inside the vehicle or at a target outside the vehicle.
- Hotel: an establishment providing temporary lodging for a fee.
- Training Facility: any indoor law enforcement, military or commercial training facility, except indoor firing ranges.

- Office/Business: includes all commercial and government facilities where employees work or customers visit.
- Residence: single and multi-family homes, apartments, condominiums, and trailer homes.

Figure 4.8, reflects the number of incidents by location occurring in an outside environment.

Figure 4.8 Outside Environment—Shooting Incidents by Location

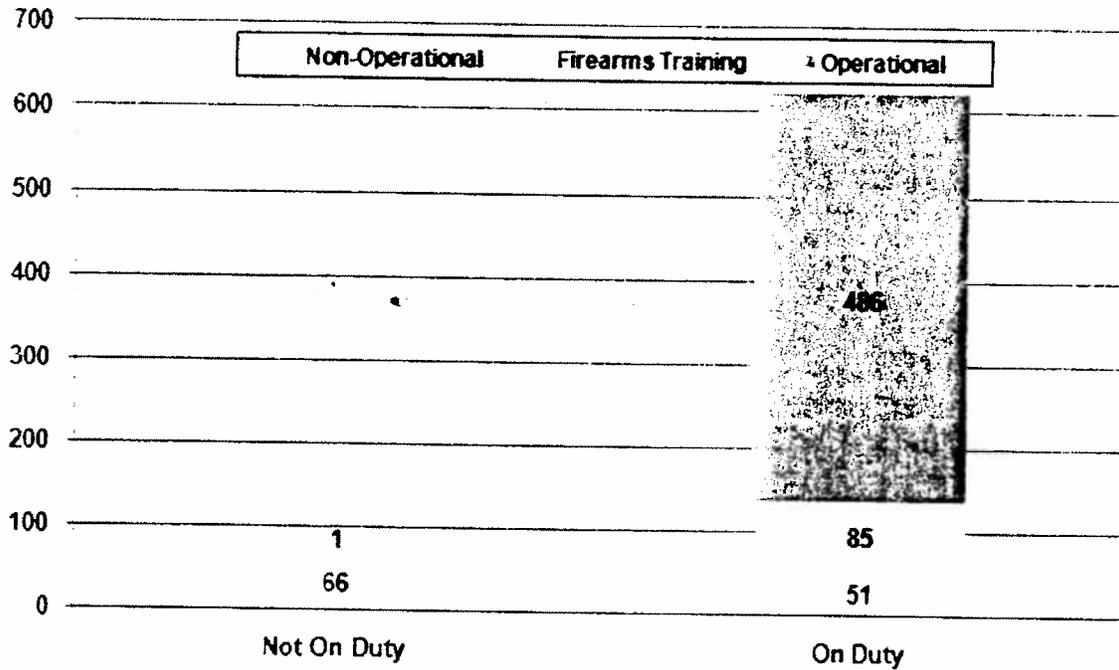


- Training Facility: any outdoor law enforcement, military or commercial training facility, but not outdoor firing ranges.
- Commercial/Industrial: most large, outdoor commercial facilities and areas such as rail yards, power stations, lumber yards.
- Natural Terrain: wooded areas, rural and farm land, and mountainous areas.
- Firing Range: includes law enforcement, military, and commercial ranges.
- Residence: the perimeter or yard immediately outside or in the vicinity of a residence.
- Street/Parking Lot: includes public space where vehicles routinely are driven or parked.

Operational Status of Shooters in Shooting Incidents

Figure 4.9 depicts the number of shooters by their operational status at the time of a shooting. Of 689 FBI and LEO shooters, 67 (9.7%) were not officially on duty when the incident occurred.

Figure 4.9 Operational Status of FBI/LEO Shooters



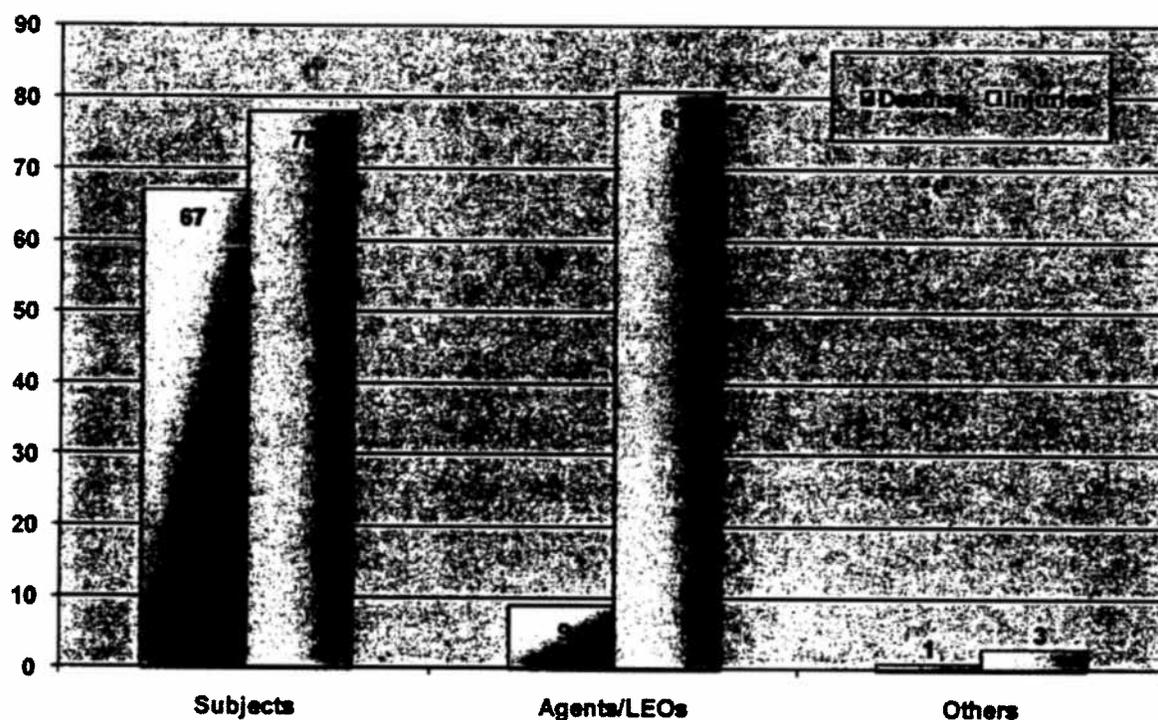
- Not On duty: time outside of planned or recorded work hours.
- On duty: planned or recorded work hours.
- Operational: any planned activity in which the shooter was acting in support of an investigation while on duty.
- Firearms Training: any qualification shoots or firearms training conducted at either an official FBI facility or any other firearms training site.
- Non-Operational: any unplanned situation in which the shooter was not acting in support of an investigation, either while on or off duty.

It should be noted law enforcement officers and TFOs are not required to report unintentional discharges when not in FBI space or on an FBI operation.

Deaths and Injuries Resulting from Shooting Incidents

Figure 4.10 depicts the number of deaths and injuries from all shooting incidents (Further information regarding the "Others" category is provided in the Intentional Incident Shootings section). Although all deaths were caused by a firearm, injuries were caused by a mix of firearms and non-gunshot related actions (e.g., animals, blunt objects, or vehicles).

Figure 4.10 Deaths and Injuries Resulting from Shooting Incidents



Part II

Analysis by Incident Types

Part II is meant to provide the reader a more precise analysis of shootings by incident type during the 17-year review period. In Part II, each section addresses only that information pertinent to the respective incident type: Intentional, Animal, or Unintentional Discharge. The emphasis throughout Part II is on FBI Special Agents. It has been noted when this is not the case. The reader is reminded the analysis presented in these sections was based on the data *available* within the shooting incident reports.



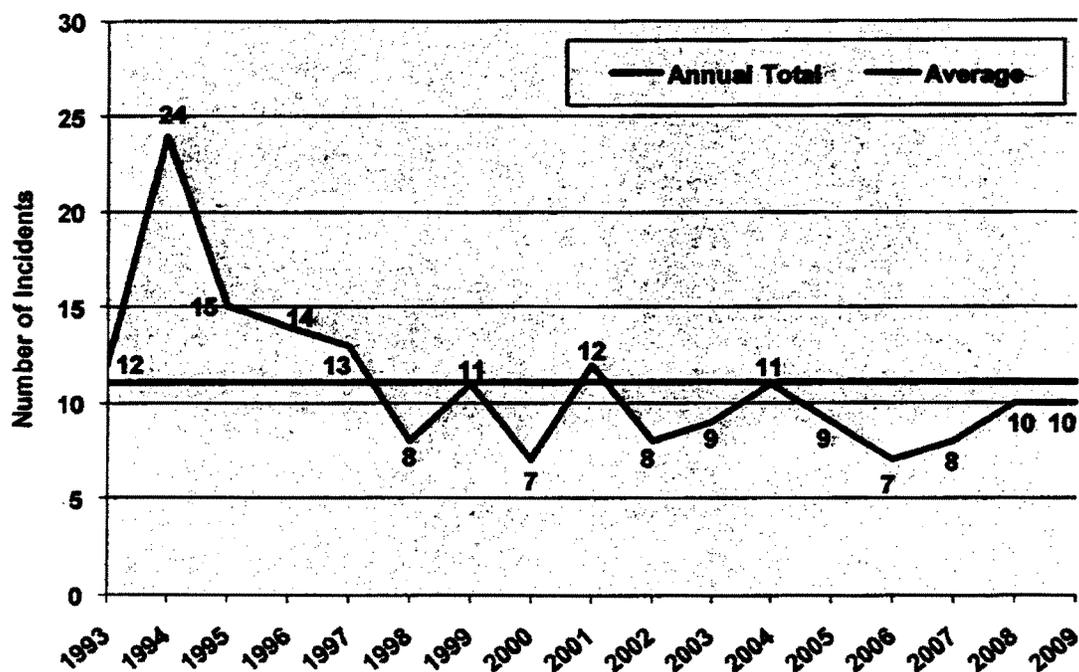
V. Intentional Shooting Incidents

Intentional Shooting Incidents by Calendar Year Compared to the 17 Year Average

Intentional Shooting Incidents were defined as instances where a shooter deliberately and “intentionally” discharged a weapon; typically these occurred during a hostile encounter or an operation involving adversarial action.

Figure 5.1 illustrates the number of Intentional Shooting Incidents per calendar year, compared to the average number of Intentional Shooting Incidents over the 17-year period. The average number of Intentional Shooting Incidents per year was 11.1, depicted by the red line in Figure 5.1.

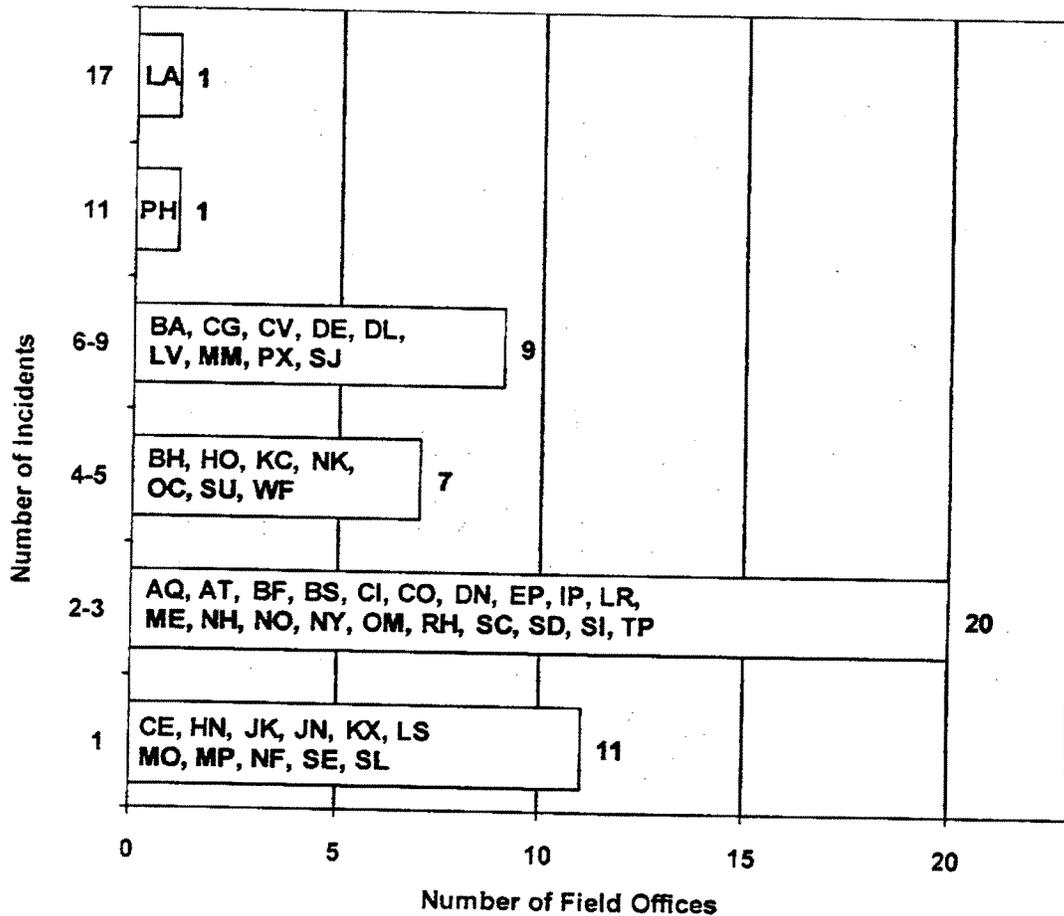
Figure 5.1 Intentional Shooting Incidents by Calendar Year



Intentional Shooting Incidents by Field Office

There were 188 Intentional Shooting Incidents during the 17-year review period. Forty-nine field offices reported 184 (97.9%) Intentional Shooting Incidents. FBI Headquarters divisions and Legats accounted for 4 of the 188 (2.1%) shooting incidents. Figure 5.2 reflects the range of Intentional Shooting Incidents by field office, represented by the two letter identifier.

Figure 5.2 Intentional Shooting Incidents by Field Office



Thirty-eight of the 56 (67.8%) field offices had five or less Intentional Shooting Incidents reported over the 17-year review period.

Table 5.1 displays the actual number of Intentional Shooting Incidents for each field office during the 17-year review period.

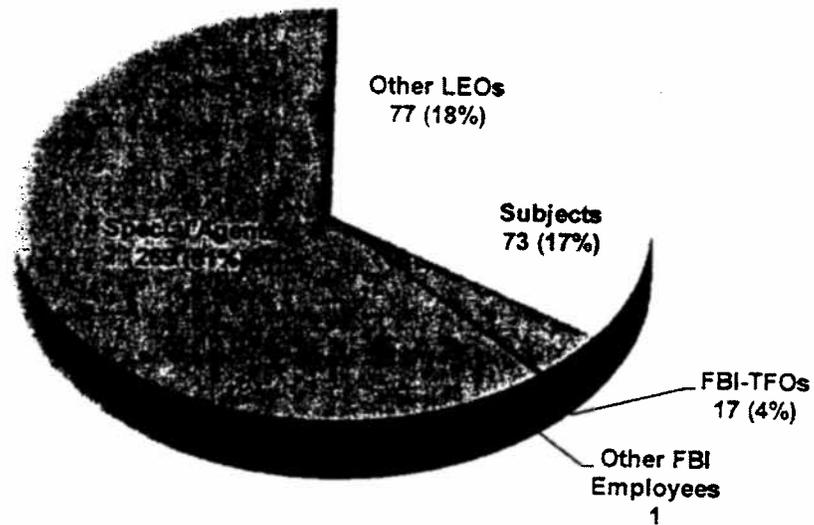
Table 5.1 Intentional Shooting Incidents by Field Office

FIELD OFFICE	NUMBER OF INCIDENTS	FIELD OFFICE	NUMBER OF INCIDENTS
Los Angeles	17	Richmond	3
Philadelphia	11	Sacramento	3
Detroit	9	Albuquerque	2
Baltimore	8	Buffalo	2
Chicago	8	Cincinnati	2
Cleveland	8	El Paso	2
Miami	8	Little Rock	2
Dallas	6	New Haven	2
Las Vegas	6	New Orleans	2
Phoenix	6	Omaha	2
San Juan	6	San Diego	2
Kansas City	5	Springfield	2
Newark	5	Tampa	2
Washington Field	5	Charlotte	1
Birmingham	4	Honolulu	1
Houston	4	Jacksonville	1
Oklahoma City	4	Jackson	1
Salt Lake City	4	Knoxville	1
Atlanta	3	Louisville	1
Boston	3	Mobile	1
Columbia	3	Minneapolis	1
Denver	3	Norfolk	1
Indianapolis	3	Seattle	1
Memphis	3	St. Louis	1
New York	3		

Shooters Involved in Intentional Shooting Incidents

Figure 5.3 depicts the titles of all shooters for all Intentional Shooting Incidents. During the 188 Intentional shootings, 269 Special Agents, 77 LEOs, 73 subjects, 17 TFOs, and 1 Other FBI Employee¹ fired a weapon.

Figure 5.3 Shooters Involved in Intentional Shooting Incidents



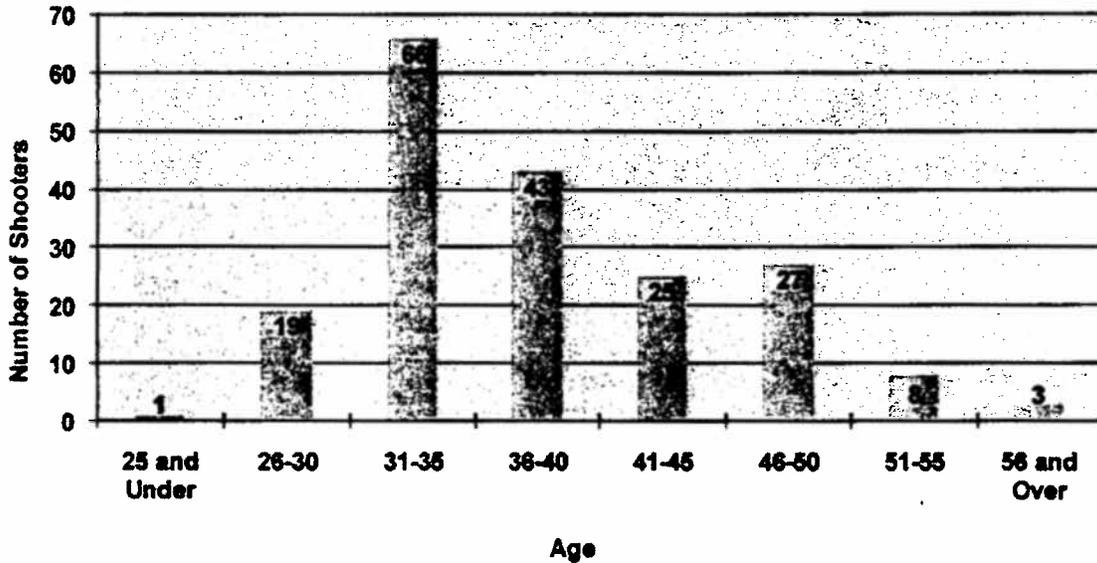
- Special Agents: FBI Special Agents, including supervisory or managerial personnel.
- Other LEOs: all other LEOs (local, county, state, and federal) not identified as TFOs.
- Subjects: subject of the investigation or subject of the intentional use of force.
- FBI-TFOs: all LEOs designated in the shooting incident report as an FBI TFO.
- Other FBI Employees: all non-Agent employees of the FBI (e.g., Laboratory Technicians, New Agent Trainees, and Law Enforcement Specialists/FBI Police Officers).

¹One FBI employee, a small arms technician, was involved in an Intentional Shooting Incident. This individual fired a handgun at a metal locker out of curiosity as to what damage would result.

Age and Time in Service of Agents Involved in Intentional Shooting Incidents

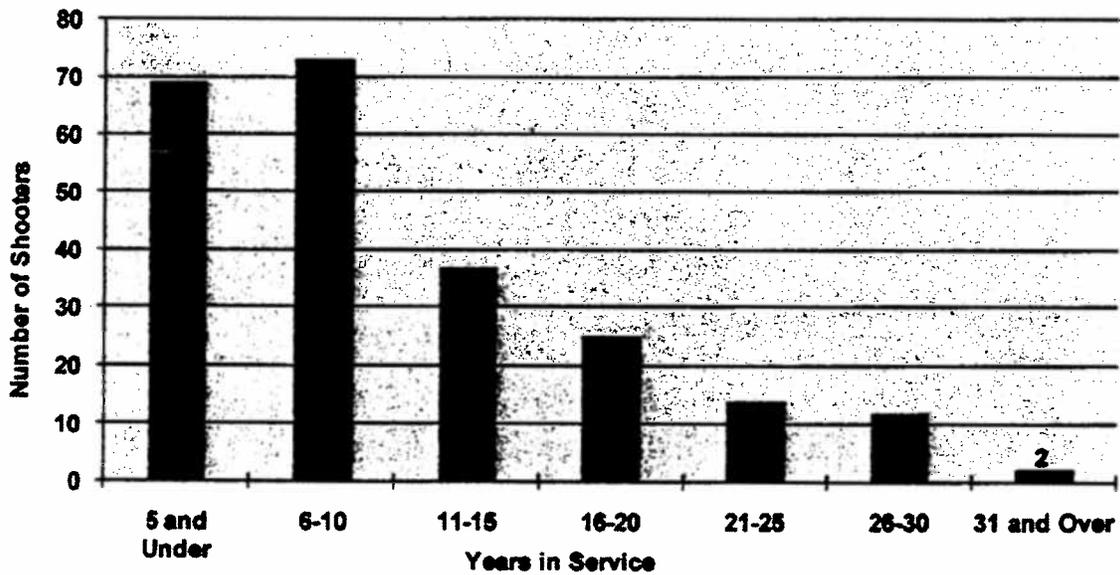
Age was available for 193 of the 269 (71.7%) Agent shooters. Figure 5.4 depicts the number of Agents by age group at the time of the shooting.

Figure 5.4 Age of FBI Agents Involved in Intentional Shooting Incidents



Time in Service was available for 233 of 269 (86.6%) Agent shooters. Figure 5.5 depicts the Agents' Time in Service at the time of the shooting.

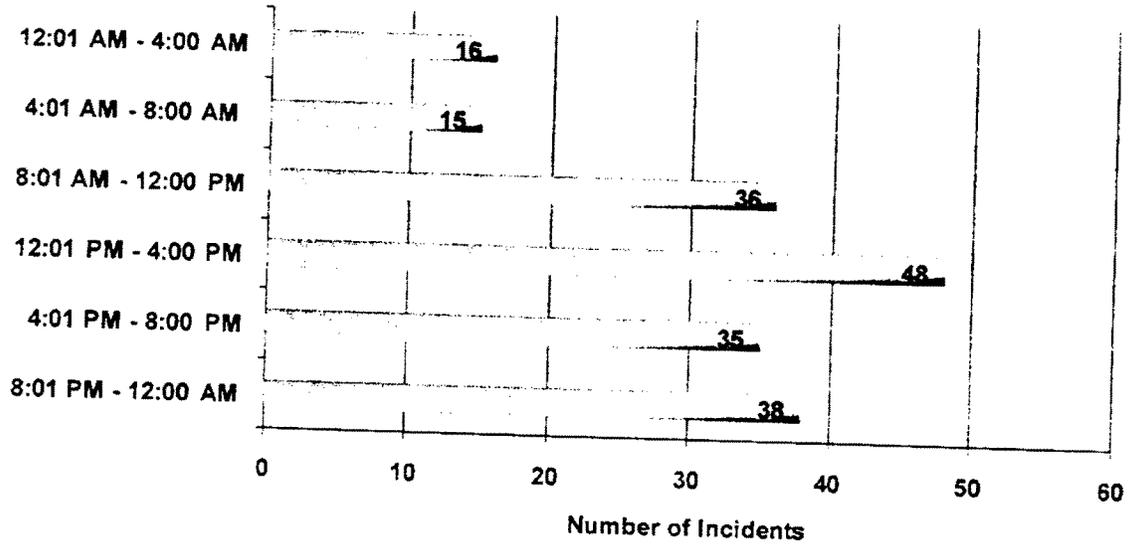
Figure 5.5 Time in Service of FBI Agents Involved in Intentional Shooting Incidents



Intentional Shooting Incidents by Time of Day

Time of day was available for all Intentional Shooting Incidents. Figure 5.6 depicts the frequency of occurrence of Intentional shootings by time of day.

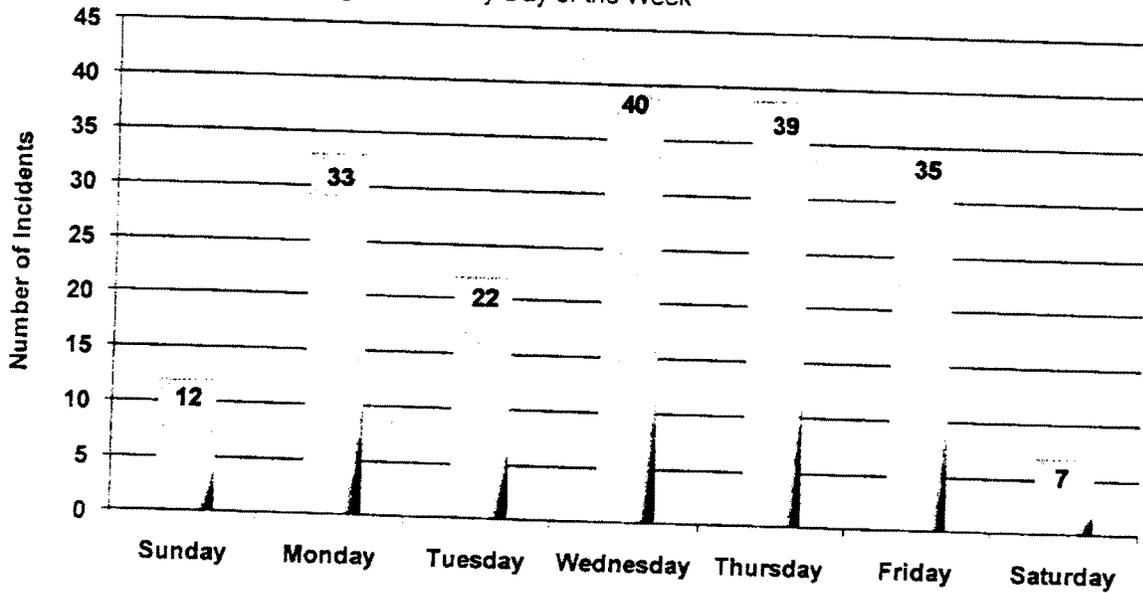
Figure 5.6 Intentional Shooting Incidents by Time of Day



Intentional Shooting Incidents by Day of the Week

Day of the week was available for all Intentional Shooting Incidents. Figure 5.7 depicts the frequency of occurrence of Intentional shootings by day of the week.

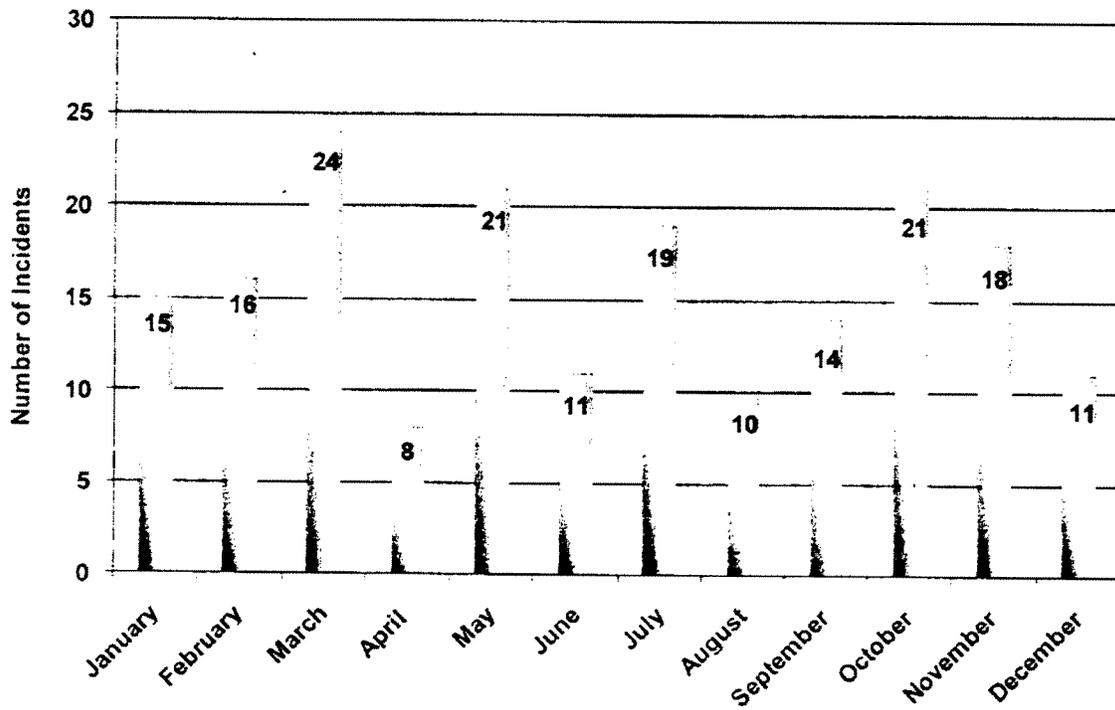
Figure 5.7 Intentional Shooting Incidents by Day of the Week



Intentional Shooting Incidents by Month of the Year

Month of the year was available for all Intentional Shooting Incidents. Figure 5.8 depicts the frequency of occurrence of Intentional Shootings by month of the year.

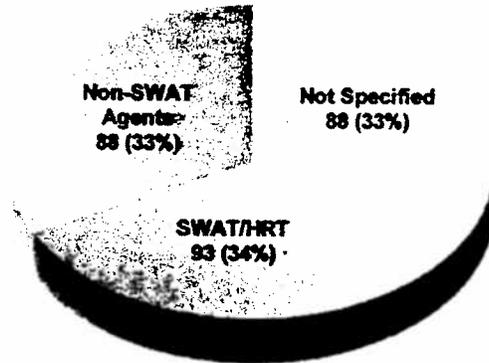
Figure 5.8 Intentional Shooting Incidents by Month of the Year



SWAT vs. Non-SWAT Agents Involved in Intentional Shooting Incidents

In Figure 5.9 Agent shooters involved in Intentional Shooting Incidents were categorized based on whether they were SWAT/HRT Operators, Non-SWAT Agents, or Not Specified at the time of the incident.

Figure 5.9 SWAT vs. Non-SWAT Agents Involved in Intentional Shooting Incidents



- SWAT/HRT: any Agent who was an active member of an FBI SWAT team or HRT, but not necessarily involved in a SWAT or HRT operation at the time of the Intentional Shooting.
- Non-SWAT Agents: any Agent not assigned to SWAT or HRT at the time of the Intentional Shooting.
- Not Specified: Agents about whom there was insufficient information in the shooting incident report to make a determination.

Number of SWAT Operations

Based on the data available in the shooting incident reports, there were at least 31 of 188 (16.5%) Intentional Shooting Incidents which occurred during SWAT operations.²

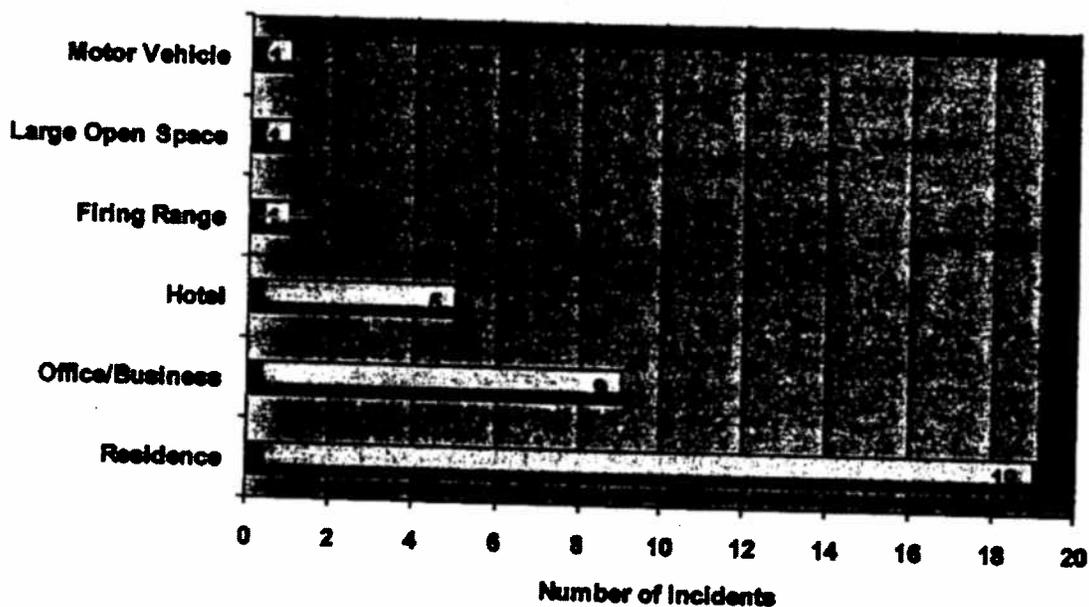
²This number should be understood to be a minimum number since it was not explicit in every shooting incident report whether the incident involved a SWAT team.

Environment and Location for Intentional Shooting Incidents

Data for six of 188 Intentional Shooting Incidents were not available. In five shooting incidents, Agents and LEOs discharged their weapons in two different environments. There were 187 known locations and environments. Three Intentional Shooting Incidents occurred on a firing range and resulted in unintentional injuries.

Figure 5.10 depicts the number of Intentional Shooting Incidents by location occurring in an inside environment.

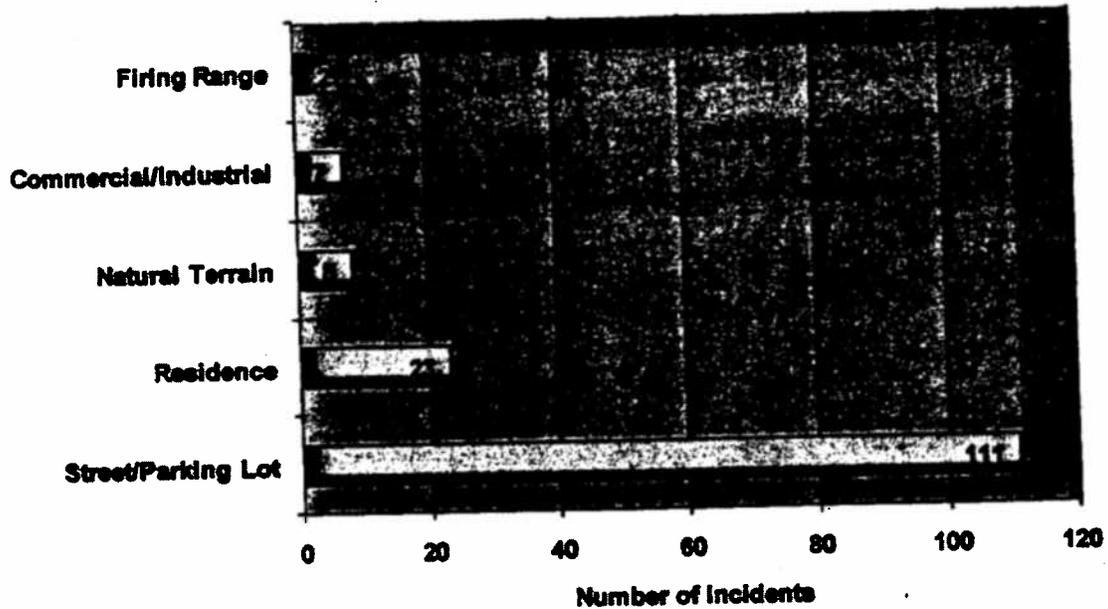
Figure 5.10 Inside Environment—Intentional Shooting Incidents by Location



- **Motor Vehicle:** shooters inside a vehicle discharging a weapon either inside the vehicle or at a target outside the vehicle.
- **Large Open Space:** indoor parking garages, warehouses, indoor shopping malls, aircraft hangers, etc.
- **Firing Range:** Includes law enforcement, military, and commercial ranges.
- **Hotel:** an establishment providing temporary lodging for a fee.
- **Office/Business:** includes all commercial and government facilities where employees work or customers visit.
- **Residence:** single and multi-family homes, apartments, condominiums, and trailer homes.

Figure 5.11 depicts the number of incidents by location occurring in an outside environment.

Figure 5.11 Outside Environment—Intentional Shooting Incidents by Location



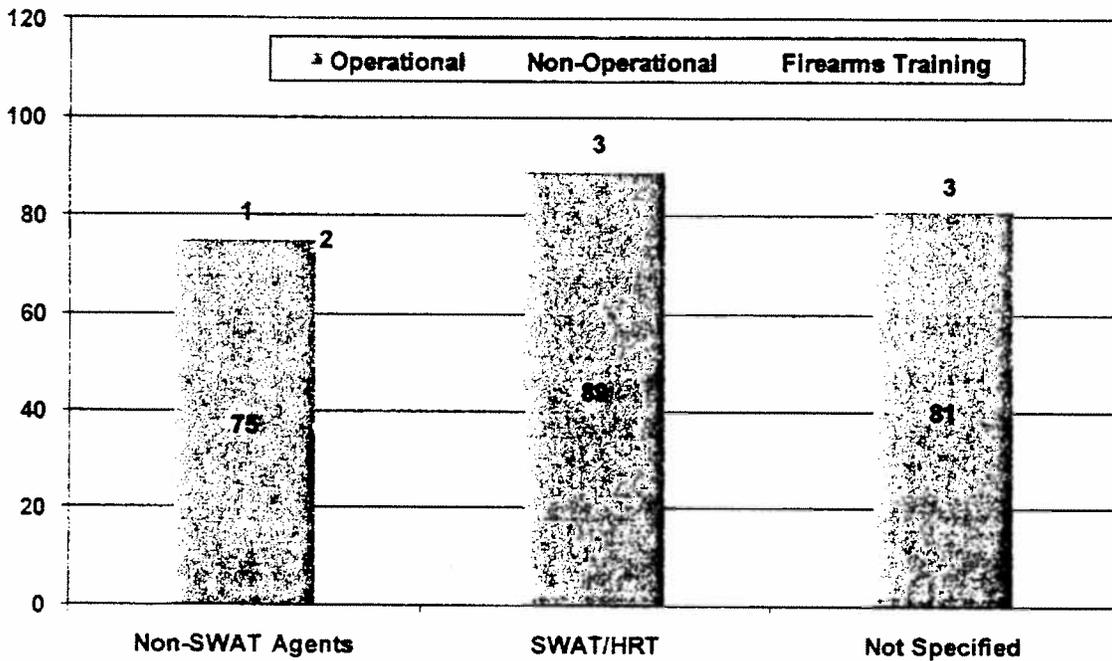
- Firing Range: includes law enforcement, military, and commercial ranges.
- Commercial/Industrial: most large, outdoor commercial facilities and areas such as rail yards, power stations, lumber yards.
- Natural Terrain: wooded areas, rural and farm land, and mountainous areas.
- Residence: the perimeter or yard immediately outside or in the vicinity of a residence.
- Street/Parking Lot: includes public space where vehicles routinely are driven or parked.



Operational Status of Agents Involved in Intentional Shooting Incidents

Of the 269 Agents involved in an Intentional Shooting Incident, 15 (5.6%) were not on duty at the time of the incident. Figure 5.12 depicts the on duty type of activity of the remaining 254 (94.4%) Agents at the time of the shooting incident.

Figure 5.12 Operational Status of On Duty Agents Involved in Intentional Shooting Incidents



- Operational: any planned activity in which the shooter was acting in support of an investigation while on duty.
- Non-Operational: any unplanned situation in which the shooter was not acting in support of an investigation, either while on or off duty.
- Firearms Training: any qualification shoots or firearms training conducted at either an official FBI facility or any other firearms training site.

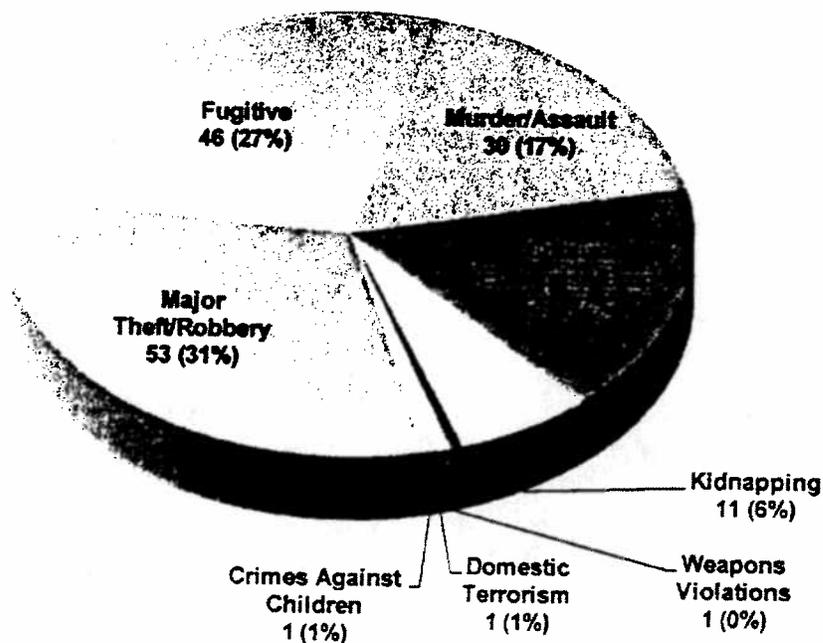
Type of Violation in Which Intentional Shooting incidents Occurred

Sufficient data was available in 172 Intentional Shooting Incidents to identify the underlying nature of the crime or FBI classification under investigation when the shooting occurred. In some instances, the subjects in the database were subjects of FBI investigations. In these situations, the FBI classification was captured. In other situations, for instance, when an Agent was assaulted or robbed, the nature of the crime (i.e., assault or robbery) was captured.

For those incidents in which there were multiple crimes or violations, only the primary crime or violation was counted. For instance, regardless of the reason why a subject had become a fugitive (drugs, bank robbery, etc.) the primary reason Agents were searching for the subject was because the subject was a fugitive from justice.

Figure 5.13 depicts the types of violations resulting in Intentional Shooting Incidents. Each incident in which an Agent or LEO discharged their weapon counted as one incident even if more than one officer fired their weapons.

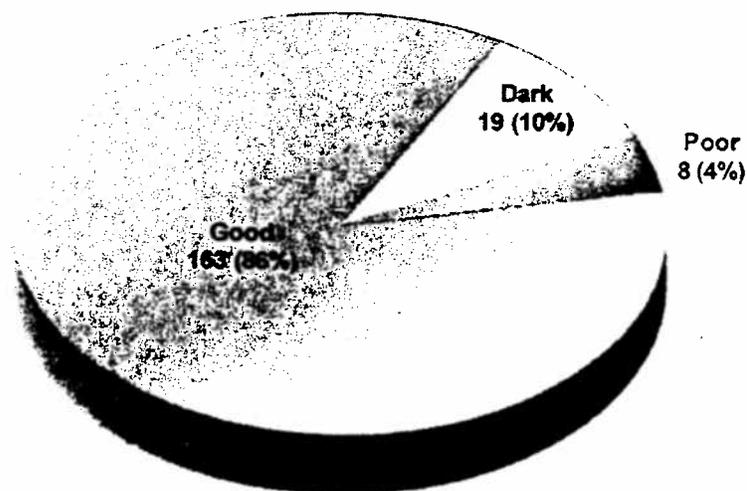
Figure 5.13 Type of Violations in Intentional Shooting Incidents



Lighting Conditions During Intentional Shooting Incidents

Lighting conditions were captured based on the recollection of 190 of 269 (70.6%) Agent shooters involved in Intentional Shooting Incidents. Figure 5.14 reflects the lighting conditions per shooter at the time Agents discharged their weapons. No Agents discharged their weapons in more than one type of lighting condition.

Figure 5.14 Lighting Conditions During Intentional Shooting Incidents



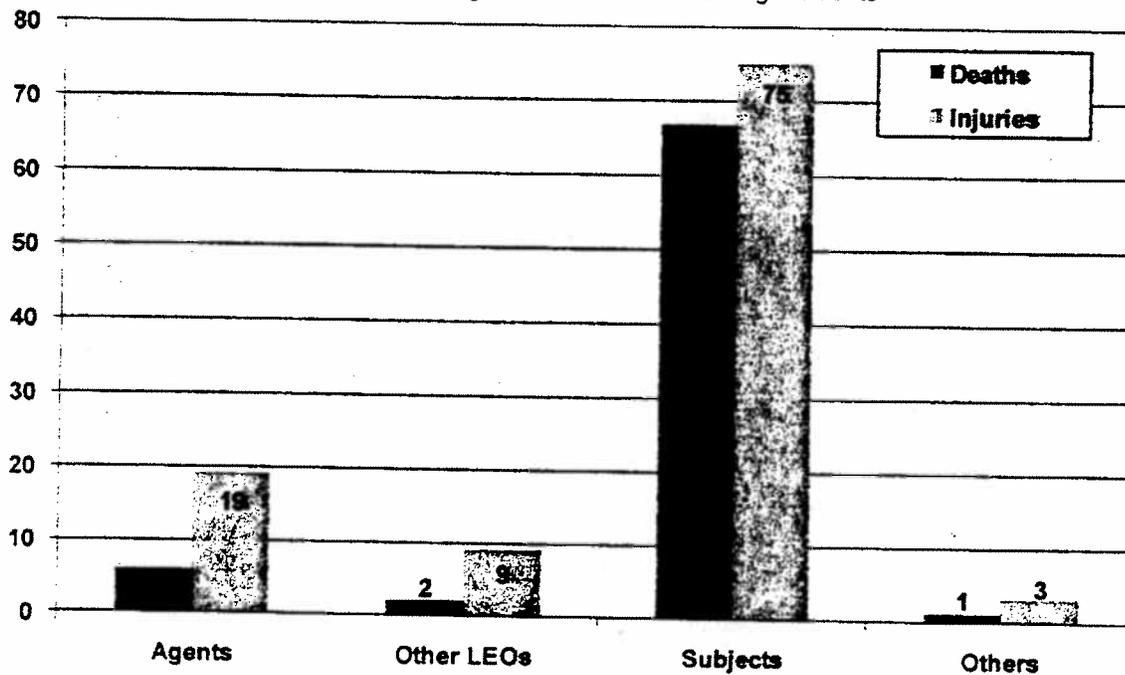
- Good: daylight, good artificial light, interior natural light, and flashlights.
- Dark: lighting at night or in a darkened room in which little or no additional light sources were available.
- Poor: backlight or silhouette, dawn/dusk, and limited or poor artificial light.

Of the 163 shooters reporting good lighting conditions, 12 (7.4%) shooters reported using a handheld flashlight or light mounted on their weapon.

Deaths and Injuries Resulting from Intentional Shooting Incidents

Figure 5.15 illustrates the deaths and injuries resulting from Intentional Shooting Incidents.

Figure 5.15 Deaths and Injuries Resulting from Intentional Shooting Incidents

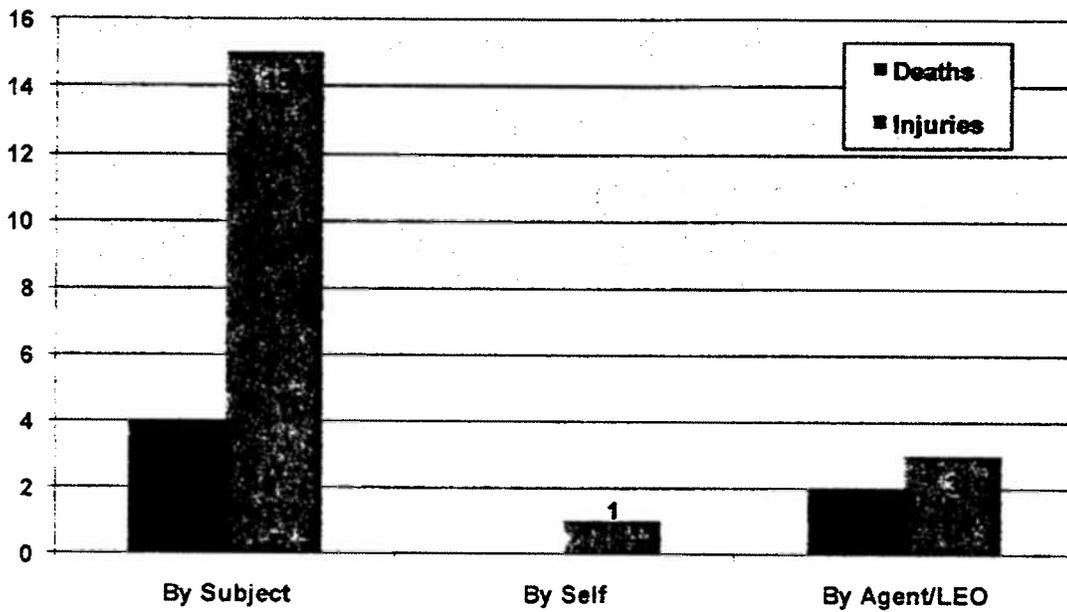


The four incidents in the "Others" category are described as follows:

- During a kidnapping investigation, an Agent fired his/her weapon into a vehicle as it was driven towards the Agent. The kidnap victim was in the vehicle and was struck and killed by the Agent's gunfire.
- A cooperator was shot and injured by a subject who attempted to rob the cooperator during a controlled drug purchase in support of an FBI investigation.
- During the surveillance of a violent subject, another individual was mistakenly identified as the subject. When Agents moved in to arrest the individual believed to be the subject, one Agent observed the individual make a furtive movement and, believing the individual was reaching for a weapon, fired, injuring the individual.
- When a violent subject attempted to use a vehicle as a weapon to evade arrest by Agents, an Agent fired at the subject, injuring another passenger in the vehicle.

Figure 5.16 reflects the *cause* of death or injury to Agents resulting from Intentional Shooting Incidents.

Figure 5.16 Causes of Agent Deaths and Injuries Resulting from Intentional Shooting Incidents



The Intentional Shooting Incidents in which 25 Agents were killed or injured are described below:

- Six Agents were killed: Two as a result of blue-on-blue incidents and four as a result of subject action.
- Ten Agents were injured by gunfire: Three as a result of blue-on-blue incidents and seven as a result of subject action.
- Eight Agents were injured by vehicles and/or blunt objects.
- One Agent accidentally caused a self-inflicted injury when the Agent failed to hold an MP5 correctly when firing the weapon during training.

Intentional Shooting Incidents Not in Accordance with FBI Deadly Force Policy

Over the 17-year period of this review, there were 269 Special Agent shooters involved in Intentional Shooting Incidents. Of the 269 Agents, five (1.9%) were found by the SIRG to have discharged their weapons not in accordance with the FBI Deadly Force Policy. The five shooting incidents are described below:

- A subject who had already fired his weapon at Agents and other law enforcement personnel was walking erratically around his front yard as Agents and law enforcement officers established a perimeter. The subject repeatedly made movements towards the weapon which was lying on the ground close to the subject. One Agent, using a shotgun, fired one slug at the weapon to increase the distance between the weapon and the subject.
- An Agent was surrounded by a mob which had become aggressive in their actions. Fearing for his safety, the Agent fired one round into the air as a warning shot. There were no injuries.
- An Agent was chasing a fleeing fugitive when he lost sight of the subject. Believing the subject was lying in wait to ambush the Agent as he approached some bushes, the Agent fired his shotgun into the bushes. The fugitive was apprehended unharmed.
- Several Agents and law enforcement officers attempted to stop a vehicle carrying two fugitives. As the vehicle came to a stop, a passenger identified as one of the fugitives exited the vehicle and ran towards a nearby wooded area. An Agent fired at the fugitive. There were no injuries.
- While intoxicated, an Agent fired his weapon at an object. No other persons were involved.

Summaries of Intentional Shooting Incidents Involving Special Agents

The following summaries involving Special Agents were taken from the 17-year period. Summaries of incidents were chosen to provide examples of the varied situations under which Intentional Shootings have occurred.

Felony Car Stop

- A Violent Crimes Task Force (VCTF) obtained a local arrest warrant for a bank robber who had brandished a pistol and threatened to shoot a teller during a robbery. A written operations plan was prepared and approved, which did not include a contingency plan for a felony car stop. The subject had a criminal history which included violence and an attempt to use a vehicle as a weapon against firemen and a police officer while fleeing a traffic stop. The plan was for two Agents and four TFOs to arrest the subject outside of one of two residences the subject was known to frequent. Surveillance teams were established on both locations. The subject was observed exiting one of the residences and entering a vehicle. The arrest team began to formulate a plan via radio to conduct a felony car stop. The subject's driving pattern indicated to the surveillance team they had been identified. When the subject pulled the car to the side of the road, the order was given for the arrest team to execute a car stop. The arrest team exited their vehicles and ordered the subject to raise his hands. Initially the subject complied but, as a TFO approached the driver's side door, the subject lowered his hands and began to drive onto the curb. Another TFO had to quickly move to avoid being hit. As the vehicle continued to drive onto the sidewalk, members of the arrest team observed the subject lower his hands to his waist area. Believing he was reaching for a gun, one Agent fired six rounds from a Glock Model 22 towards the subject, striking him several times. The vehicle hit a fence and stopped. The subject was transported to a hospital for gunshot wounds and survived. No other persons were injured.

At Home

- An FBI Agent was preparing to depart for a SWAT operation from his home in the early pre-dawn hours. The Agent carried two gear bags from the residence, one of which contained FBI credentials and a bureau-issued Springfield pistol, and placed them next to the bureau vehicle which was parked in the garage. Leaving the roll-up garage door partially open, the Agent went to retrieve a drug detection dog from the backyard. As the Agent neared the backyard he observed a pickup truck, with at least two individuals in it, make a U-turn in the cul-de-sac adjacent to the home and drive back past the home. The Agent watched the truck closely as the home of

a neighbor had been recently burglarized. As the Agent returned to the garage moments later, he encountered three males inside the garage. The Agent drew his bureau-approved, personally-owned Sig Sauer P229 pistol and confronted the subjects. Two of the subjects ran toward the truck which was waiting on the street, while the third male became involved in a brief physical altercation with the Agent. The third male then ran towards the waiting truck with the Agent in pursuit. Giving commands to the subjects to exit the truck, the Agent reached into the cab on the driver's side in an attempt to remove the keys from the ignition. The driver put the truck into gear and steered toward the Agent while accelerating. Fearing he would be killed or seriously injured, the Agent fired six rounds in rapid succession, striking the rear window once, the tailgate three times, and both driver side tires, as the truck fled the area. No one was injured by the shots. The Agent sustained minor injuries during the struggle. The subjects were apprehended several days later.

Search Warrant

- Agents and law enforcement personnel executed a federal search warrant on the residence of a subject who had been trading child pornography with an undercover law enforcement officer. No written operational plan was prepared, but a verbal brief was held at a local police station shortly before execution. The search team was advised that the subject had a criminal history and had served federal prison time for the illegal sale of stolen military weapons. As they approached the residence, the team was motioned towards the side door by an adult male believed to be the subject. Upon entering the residence, they met with the subject's wife and two children, but the subject could not be found. Upon climbing the stairs, the search team made contact with the subject, who was standing down a hallway in the master bedroom, with a pistol pointed under his chin. One of the officers removed the wife and two children from the residence as two Agents covered the subject with their weapons and began to negotiate with him to drop his weapon. During the negotiation, which lasted approximately 15-20 minutes, Agents maintained concealment as much as possible while trying to convince the subject to drop his weapon. The subject kept moving the position of the gun between his mouth and chin. He repeatedly commented that he would not go back to prison and the Agents didn't want him to commit "suicide by cop." After explaining their purpose was to execute only a search warrant for the computers, the subject's demeanor changed. He became quiet and moved closer to a window. The Agents suspected the subject was trying to position himself closer to an egress point. The subject's grip on his weapon changed and his body moved to what the Agents per-



ceived as a combat stance. The subject then moved the weapon away from his head towards the Agents. The Agents, fearing for their lives, fired on the subject. The subject quickly moved his weapon to his mouth and fired a round. The Agents, hearing this shot, believed the subject was shooting at them and fired again. The two Agents fired a total of seven rounds. The subject died as a result of the wounds he inflicted on himself and by the Agents.

Robbed at Gunpoint

- An Agent parked his/her Bucar a block away from his/her residence after work. The Agent secured the vehicle and began walking towards his/her residence carrying an MP5 in a case. Two unknown males were walking slowly towards the Agent. These males appeared to be displaying gang paraphernalia, which the Agent recognized from working gang violations in the area. The males slowed their pace as the Agent approached and physically stopped him as they passed. One of the males pointed a semi-automatic pistol at the Agent and demanded money. The Agent placed the bags on the ground and held his/her hands in front to show compliance. The Agent slowly reached for his/her wallet and handed it to the male holding the gun. The wallet did not contain any items identifying the Agent as a law enforcement officer. One male picked up the case with the MP5 while the other started checking the Agent's pockets while keeping the gun pointed at the Agent. The Agent was carrying a Glock Model 23 in a hip holster concealed under a jacket. Fearing the males would soon discover he/she was an FBI Agent and shoot him/her, the Agent drew the pistol and fired approximately six rounds at the male holding the gun, who fell backwards. The Agent turned towards the second male and fired three shots. The second male fell to the ground. The Agent then turned back towards the first male, who had the gun. The male was running down the street. The Agent moved into the street and commanded the subject to stop. The subject abruptly stopped and turned towards the Agent. The Agent, believing the subject was still armed and was turning to fire at the Agent, fired two rounds at a distance of approximately 25 yards. The subject fell to the ground. The Agent looked around for the second subject, but could not see him. The Agent sought the protection of cover by running to the opposite side of the street and crouching behind a vehicle. From behind the vehicle, the Agent continued to scan the street, but could not see either subject. The Agent reloaded his/her weapon and contacted the field office. A short time later, police officers responded and secured the scene. Both subjects were taken to the hospital for gunshot wounds.

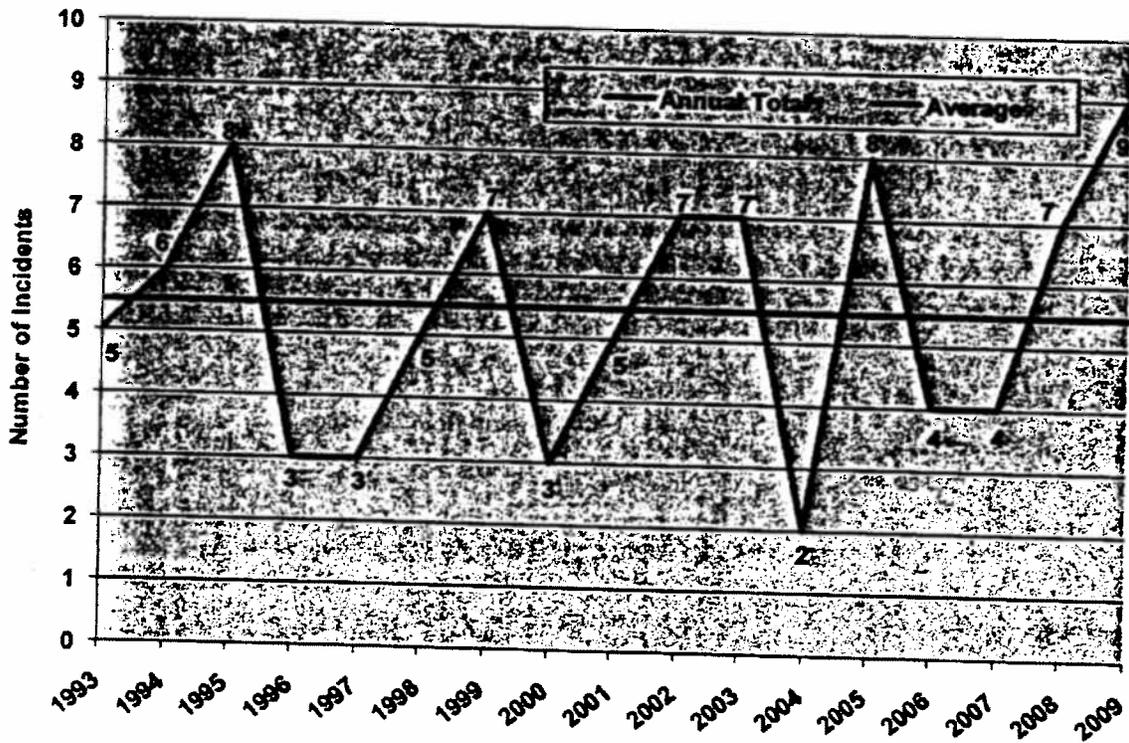
VI. Animal Shooting Incidents

Animal Shooting Incidents by Calendar Year Compared to the 17-Year Average

Animal Shooting Incidents were defined as those instances where weapons were discharged to: stop dangerous or aggressive animals; euthanize seriously injured animals that posed a continuing threat or serious hazard; or humanely end an animal's suffering, typically when law enforcement action inflicted grievous injury to that animal.

Figure 6.1 illustrates the number of Animal Shooting Incidents per calendar year compared to the average number of Animal Shooting Incidents over the 17-year period. The average number of Animal Shooting Incidents per year was 5.5, depicted by the red line.

Figure 6.1 Animal Shooting Incidents by Calendar Year



Animal Shooting Incidents by Field Office

There were 93 Animal Shooting Incidents during the 17-year review period. Thirty-five field offices reported 90 (96.8%) Animal Shooting Incidents. FBI Headquarter divisions accounted for 3 of 93 (3.2%) shooting incidents. Figure 6.2 depicts the range of Animal Shooting Incidents by field office, represented by the two letter identifier of the field office.

Figure 6.2 Animal Shooting Incidents by Field Office

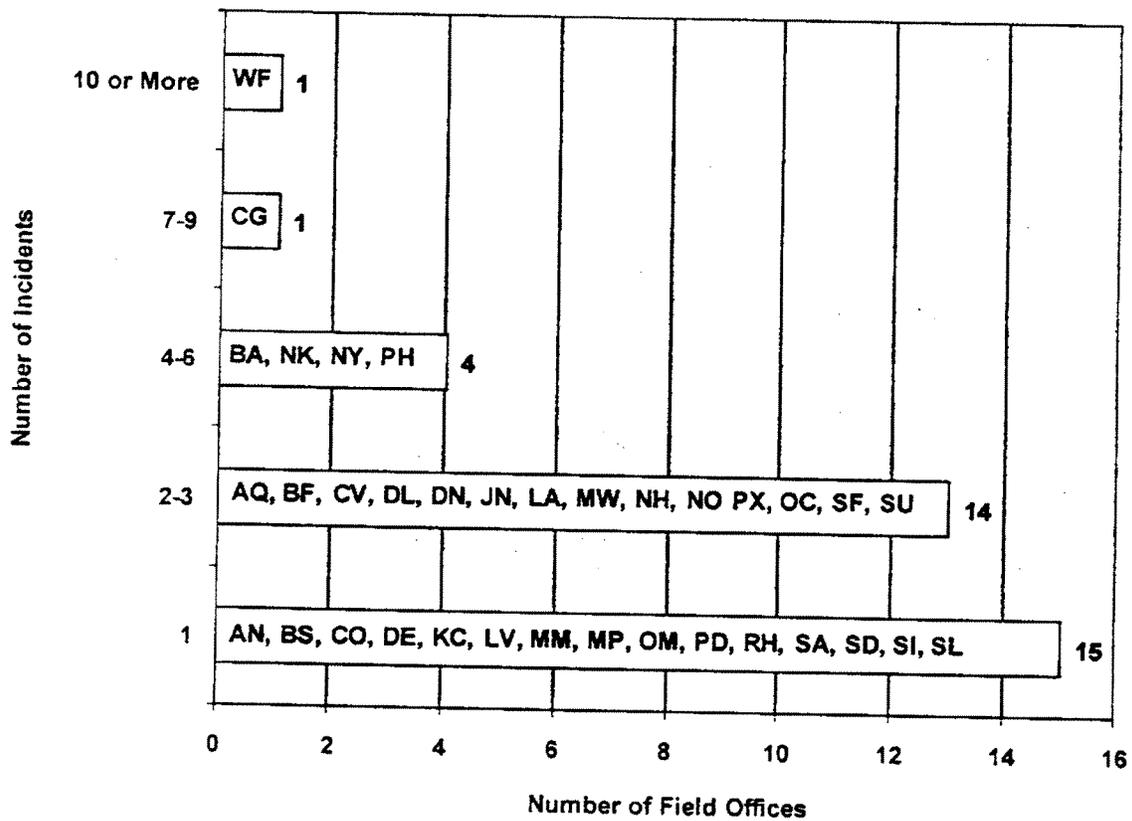


Table 6.1 displays the actual number of Animal Shooting Incidents for each field office during the 17-year review period.

Table 6.1 Animal Shooting Incidents by Field Office

FIELD OFFICE	NUMBER OF INCIDENTS	FIELD OFFICE	NUMBER OF INCIDENTS
Washington Field	12	Phoenix	2
Chicago	7	Salt Lake City	2
Baltimore	6	Anchorage	1
Newark	6	Boston	1
New York	5	Columbia	1
Philadelphia	4	Detroit	1
Buffalo	3	Kansas City	1
Cleveland	3	Las Vegas	1
Dallas	3	Miami	1
Denver	3	Minneapolis	1
Milwaukee	3	Omaha	1
Oklahoma City	3	Portland	1
San Francisco	3	Richmond	1
Albuquerque	2	San Antonio	1
Jackson	2	San Diego	1
Los Angeles	2	Springfield	1
New Haven	2	St. Louis	1
New Orleans	2		

All Animal Types

Table 6.2 depicts the types of animals encountered in Animal Shooting Incidents. The column on the left lists the types of animal fired upon by Agents and LEOs. The column on the right depicts the total number of the type of animal. The animals were not necessarily injured or killed.

Table 6.2 Animal Types

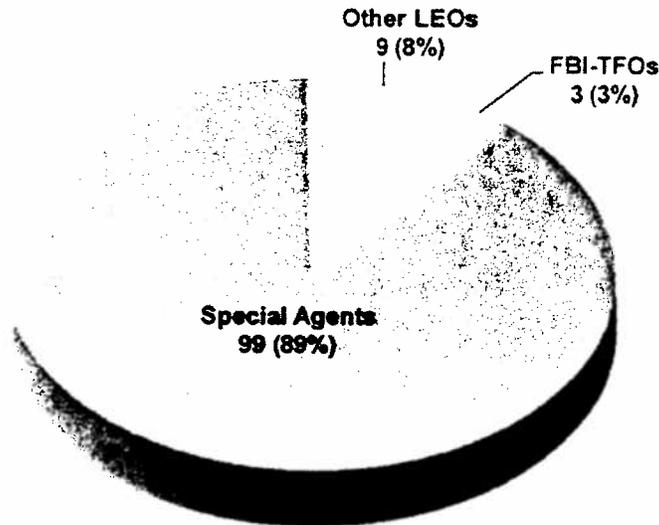
<u>Animal</u>	<u>Total</u>
Dog	85
Deer	9
Fox	1
Horse	1
Moose	1
Raccoon	1
Skunk	1
Snake	1
<u>Tiger</u>	<u>1</u>
<i>Total</i>	<i>101</i>

Aggressive dogs have been encountered in packs (two or more) in seven separate shooting incidents.

Shooters Involved in Animal Shooting Incidents

Figure 6.3 depicts the status of all shooters for all Animal Shooting Incidents. During the 93 Animal shootings, 99 Special Agents, 9 LEOs, and 3 TFOs fired a weapon.

Figure 6.3 Shooters Involved in Animal Shooting Incidents

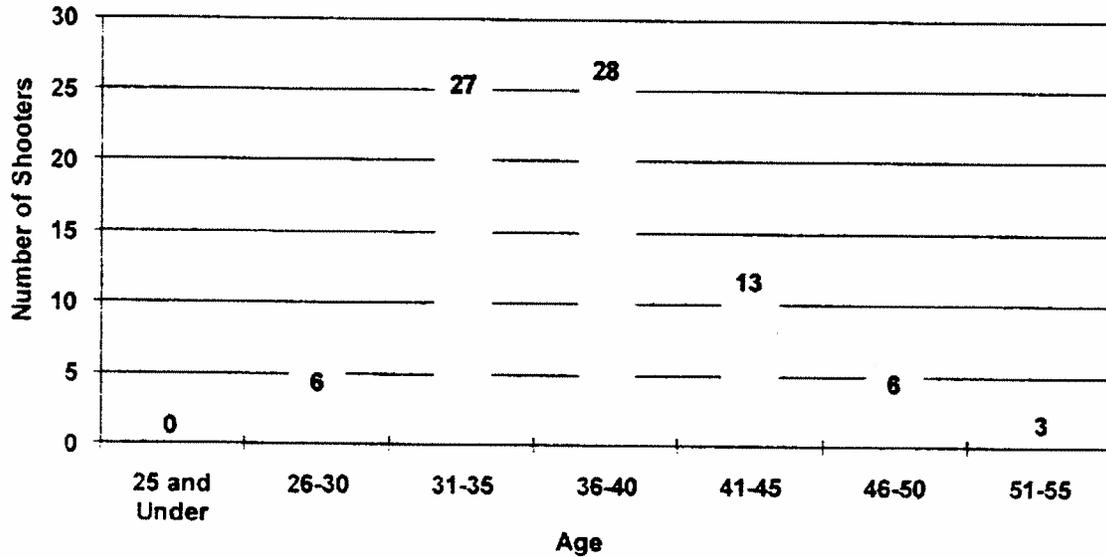


- Special Agents: FBI Special Agents, including supervisory or managerial personnel.
- Other LEOs: all other LEOs (local, county, state, and federal) not identified as TFOs.
- FBI-TFOs: all LEOs designated in the shooting incident report as an FBI TFO.

Age and Time in Service of FBI Agents Involved in Animal Shooting Incidents

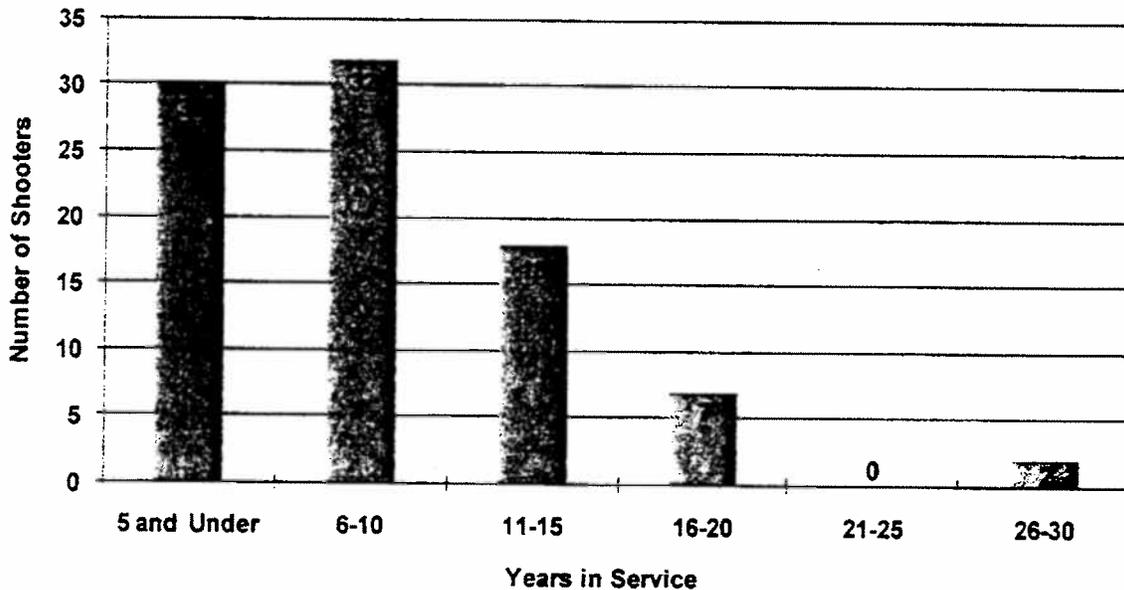
Age was available for 83 of the 99 (83.8%) Agent shooters. Figure 6.4 depicts the number of Agents by age group at the time of the shooting.

Figure 6.4 Age of FBI Agents Involved in Animal Shooting Incidents



Time in Service was available for 89 of the 99 (89.9%) Agent shooters. Figure 6.5 depicts the Agents' Time in Service at the time of the shooting.

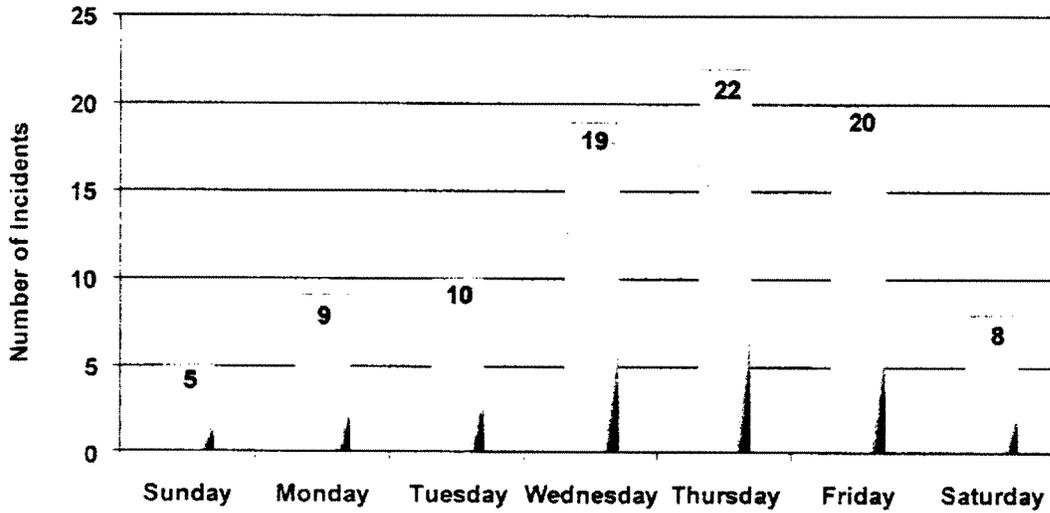
Figure 6.5 Time in Service of FBI Agents Involved in Animal Shooting Incidents



Animal Shooting Incidents by Day of the Week

Day of the week was available for all Animal Shooting Incidents. Figure 6.6 depicts the frequency of occurrence of all Animal shootings by day of the week.

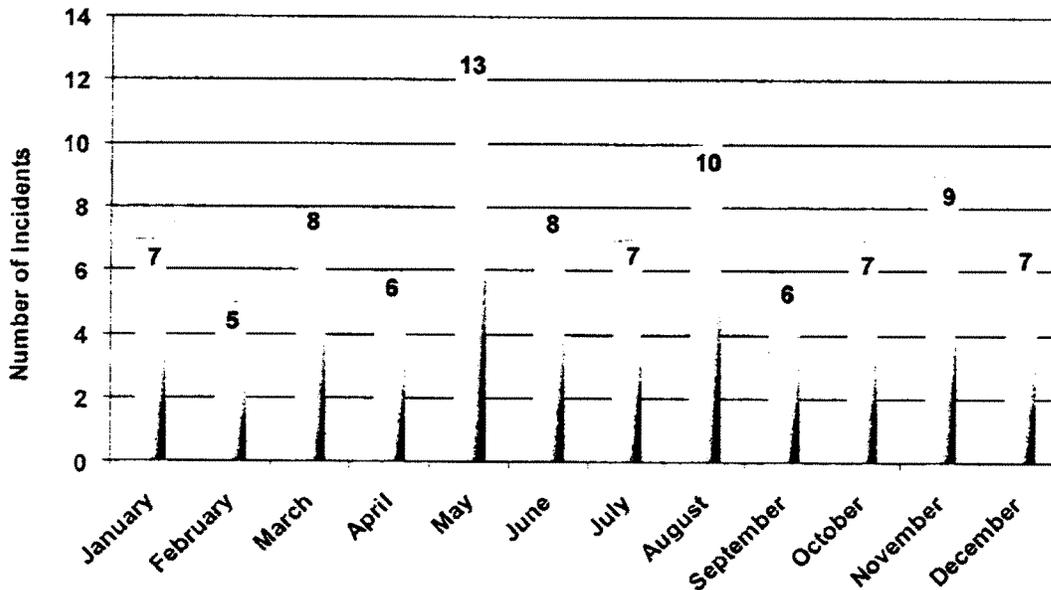
Figure 6.6 Animal Shooting Incidents by Day of the Week



Animal Shooting Incidents by Month of the Year

Month of the year was available for all Animal Shooting Incidents. Figure 6.7 depicts the frequency of occurrence of all Animal shootings by month of the year.

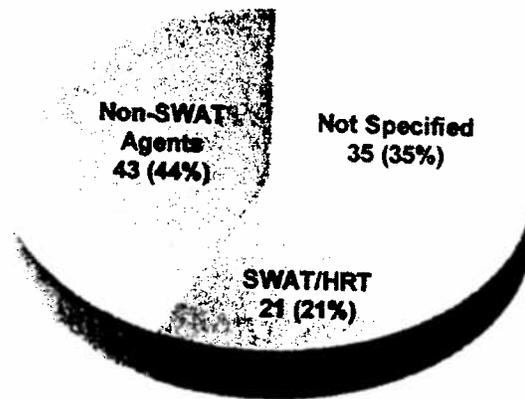
Figure 6.7 Animal Shooting Incidents by Month of the Year



SWAT vs. Non-SWAT Agents Involved in Animal Shooting Incidents

In Figure 6.8, Agent shooters involved in Animal Shooting Incidents were categorized based on whether they were SWAT/HRT Operators, Non-SWAT Agents, or Not Specified.

Figure 6.8 SWAT vs. Non-SWAT Agents Involved in Animal Shooting Incidents



- Non-SWAT Agents: any Agent not assigned to SWAT or HRT at the time of the incident.
- Not Specified: Agents about whom there was insufficient information in the shooting incident report to make a determination.
- SWAT/HRT: all Agents who were active members of an FBI SWAT team or HRT, but not necessarily involved in a SWAT or HRT operation at the time of the incident.

Number of SWAT Operations

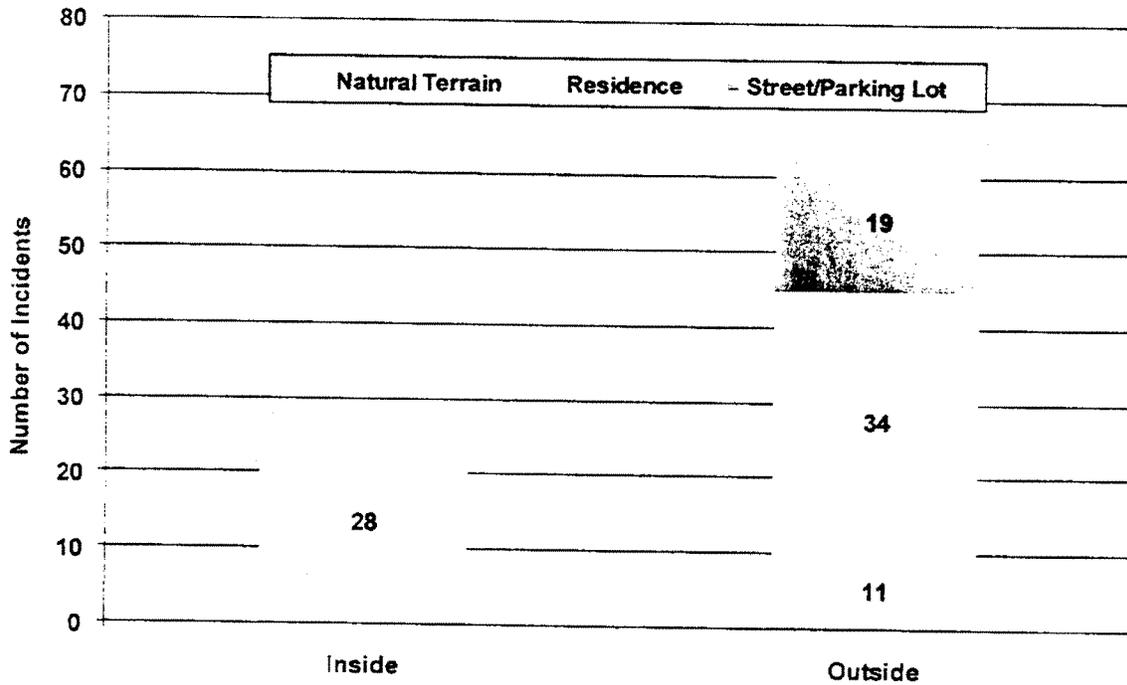
Based on the data available in the shooting incident reports, there were at least 4 of 93 (4.3%) Animal Shooting Incidents which occurred during SWAT operations.¹

¹This number should be understood to be a minimum number since it was not explicit in every shooting incident report whether the incident involved a SWAT team.

Environment and Location for Animal Shooting Incidents

Environment and location information was available for 92 of 93 (98.9%) Animal Shooting Incidents. Figure 6.9 depicts the Environment (inside and outside) and Location for Animal Shooting Incidents for all animal types.

Figure 6.9 Environment and Location of Animal Shooting Incidents



Inside Environment

- Residence: single and multi-family homes, apartments, condominiums, and trailer homes.

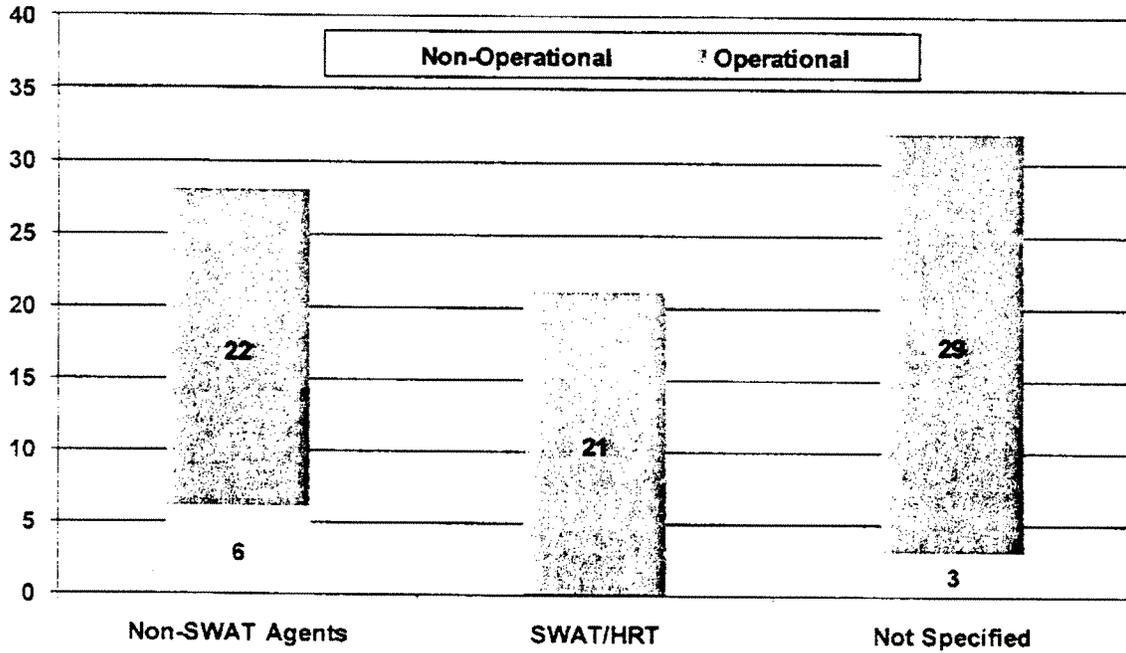
Outside Environment

- Natural Terrain: wooded areas, rural and farm land, and mountainous areas.
- Residence: the perimeter or yard immediately outside or in the vicinity of a residence.

Operational Status for Agents Involved in Animal Shooting Incidents

Of the 99 Agents involved in an Animal Shooting Incident, 18 (18.2%) were not on duty at the time of the incident. Figure 6.10 depicts the on duty type of activity of the remaining 81 (82.6%) Agents at the time of the shooting.

Figure 6.10 Operational Status of On Duty Agents Involved in Animal Shooting Incidents



- Operational: any planned activity in which the shooter was acting in support of an investigation while on duty.
- Non-Operational: any unplanned situation in which the shooter was not acting in support of an investigation, either while on or off duty.

Injuries Resulting from Animal Shooting Incidents

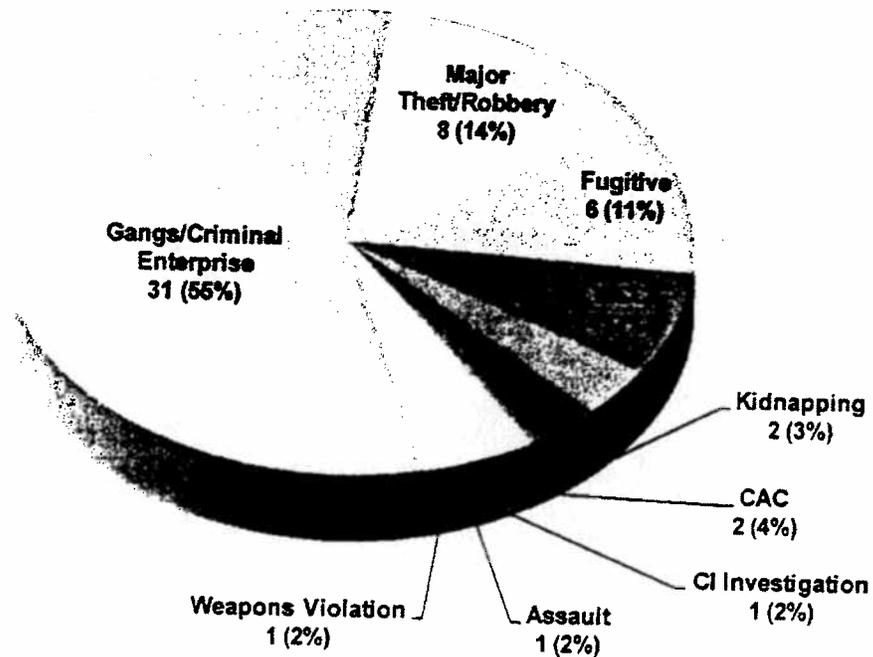
Of the 111 FBI and LEO shooters involved in Animal Shooting Incidents, seven shooters received injuries: One LEO and five Agents were injured by animal attacks and one Agent received a gunshot injury when another LEO fired at the attacking dog. There were no deaths of shooters resulting from Animal incidents.

Type of Violation in Which Animal Shooting Incidents Occurred

Sufficient data were available in 58 Animal Shooting Incidents to identify the underlying nature of the crime or FBI classification under investigation when the shooting occurred. For those incidents in which there were multiple crimes or violations, only the primary crime or violation was counted. For instance, regardless of the reason why a subject had become a fugitive (drugs, bank robbery, etc.) the primary reason Agents were searching for the subject was because the subject was a fugitive from justice.

Figure 6.11 depicts the types of violations resulting in Animal Shooting Incidents. Each incident in which an Agent or LEO discharged their weapon counted as one incident even if more than one Agent/LEO fired their weapons.

Figure 6.11 Type of Violations in Animal Shooting Incidents



Summaries of Animal Shooting Incidents Involving Special Agents

The following summaries involving FBI Agents were taken from the 17-year period. Summaries of incidents were chosen to provide examples of the varied situations under which Animal Shootings have occurred.

- While driving to work, an Agent was stopped by an individual requesting assistance. The individual advised the Agent a young girl was being attacked by two dogs. The Agent and the individual attempted to rescue the girl, but the dogs quickly turned on and attacked the Agent. The Agent drew his/her weapon and fired one round, striking one of the dogs in the chest. The two dogs retreated; the injured dog died a short distance away.
- During the execution of an arrest warrant, a SWAT team breached the door to the target location. Immediately, a large dog exited the door and rushed towards the breacher. Another SWAT Agent fired one round into the dog's back from his/her Springfield Model 1911. The dog continued to rush towards Agents in the entry stack, resulting in another Agent firing one round into the dog. The dog fell to the ground and was euthanized by animal control personnel after the completion of the mission.
- An Agent was asked to assist in the location and capture of a tiger which had escaped from a local theme park. Several attempts had been made to tranquilize the tiger, without success. Fearing the tiger would make its way to a more populated area the decision was made to kill the animal. Because it was late evening and foggy, an FBI helicopter with the capability of Forward Looking Infra-Red (FLIR) was used to guide the Agent to the tiger. The plan was for the Agent, in communication with the helicopter and others, to flush the tiger towards a location where shooters would euthanize the animal. The Agent entered a clearing and observed the tiger enter the same clearing, moving towards the Agent's location. The Agent fired three slugs from a shotgun, hitting the tiger, but the tiger ran back into the surrounding wooded area. Through the use of night vision goggles, the Agent located the tiger in the wooded area. The tiger was stationary and, for officer safety, the Agent fired another slug, killing the tiger.
- An Agent stopped to assist two motorists who were trying to assist an injured deer lying in the median of the road. The Agent contacted the local sheriff's office and a deputy was dispatched to the scene. Before the deputy arrived, the deer attempted

to move into lanes of traffic. Fearing the deer would cause an accident, the Agent, with the assistance of an off-duty police officer, stopped traffic. Ensuring the area was safe, the Agent fired two shots from a shotgun, killing the deer. A short time later, the deputy arrived and coordinated the removal of the deer.

- A Task Force assembled to execute a search warrant on a single family residence in a drug investigation. An Agent and several Task Force Officers, including two uniformed officers, entered the residence and began to conduct a protective sweep to secure the site. A TFO approached a bedroom door and after discovering the door was locked yelled, "Police." The Agent approached the door and, fearing the subject was locked in the bedroom destroying evidence or arming himself, kicked at the door. The door opened and the Agent was immediately attacked by a large dog. The Agent tried to fend off the aggressive dog as the TFO, standing several feet away, fired one round from his 9 mm pistol, striking the dog. The dog continued to attack the Agent. The TFO quickly fired three more rounds, striking the dog in the chest and back. The dog continued to attack the Agent. A second TFO moved towards the dog and fired one round from his .45 caliber pistol. The round struck the dog in the chest, killing the animal. The Agent continued into the bedroom where the subject was located and secured. The Agent then realized he/she had been shot in the foot.
- During the execution of a search and arrest warrant at a residence in a drug investigation, two Agents and a police officer were tasked with providing perimeter security. Shortly after arriving at the residence and taking their positions on the perimeter, an aggressive dog approached the group. The dog growled and moved towards the perimeter team. One Agent, fearing the dog was going to attack, fired two rounds from his/her Glock Model 23. The officer fired one round. The dog was struck, but ran off and was not located.
- An Agent was waiting in a car in front of a friend's residence. The friend exited the residence, with two other individuals, leading a small dog on a leash. The Agent observed a large dog down the street rapidly approaching the friend's small dog. The large dog began behaving aggressively towards the small dog and appeared to the Agent to become more aggravated as the friend and two other individuals attempted to fend off the larger dog. Fearing the large dog was a threat and would attack, the Agent fired two rounds from his/her Glock Model 22, striking the dog. The injured animal was removed from the scene by local animal control authorities.

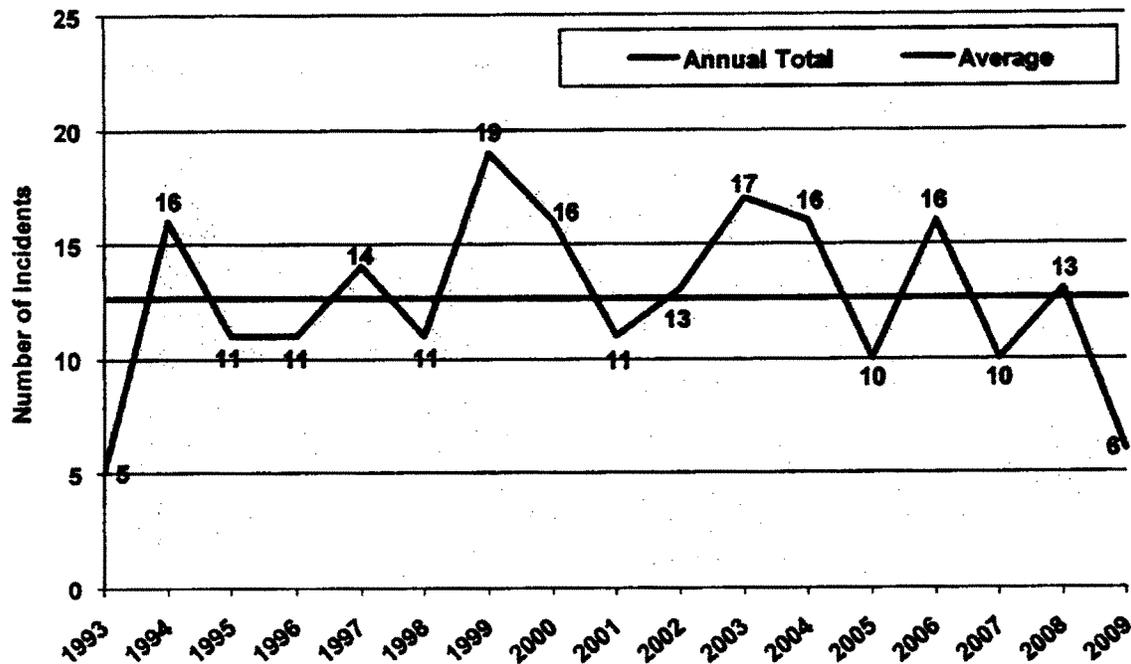
VII. Unintentional Discharges

Unintentional Discharges by Calendar Year Compared to the 17-Year Average

Unintentional Discharges were defined as inadvertent or accidental discharges of one or more rounds without the intent of the shooter.

Figure 7.1 illustrates the number of Unintentional Discharges per calendar year compared to the average number of Unintentional Discharges over the 17-year period. The average number of Unintentional Discharges per year was 12.6, depicted by the red line in Figure 7.1.

Figure 7.1 Unintentional Discharges by Calendar Year



A Note on Unintentional Discharges

Any UD is unacceptable and poses a significant risk of harm. Considering Special Agents routinely handle and unholster weapons, there exists many "opportunities" for UDs. To put the annual average of 12.6 UDs per year in perspective, the opportunity for a UD needs to be considered. Opportunity includes, but is not limited to, the number of times Agents handle an unholstered weapon. Using a quantifiable event defines the opportunities available in which a UD could occur. The Pistol Qualification Course (PQC), the authorized firearms qualification session for all Agents, provides a known example during which Agents must unholster their weapons. Agents must pass the PQC four times annually. Pistols are drawn from holsters four times per PQC. For 2009, with an approximate Agent population of 13,360, pistols alone should have been drawn a minimum of 213,760 times. This minimum number does not account for the additional times throughout any given year in which Special Agents drew pistols or carried long guns, including: enhanced SWAT and HRT training, search warrant operations, arrests, and cleaning of firearms.

No UD is acceptable, but when placed into the context of the very broad calculations above, the numbers of UDs within the FBI were relatively very few.

Unintentional Discharges by Field Office

There were 216 Unintentional Discharges during the 17-year review period. Fifty-one field offices reported 181 UD's. FBI Headquarters divisions accounted for 34 of 216 (15.6%) shooting incidents. Figure 7.2 depicts the range of UD's by field office, represented by the two letter identifier of the affected field office.

Figure 7.2 Unintentional Discharges by Field Office

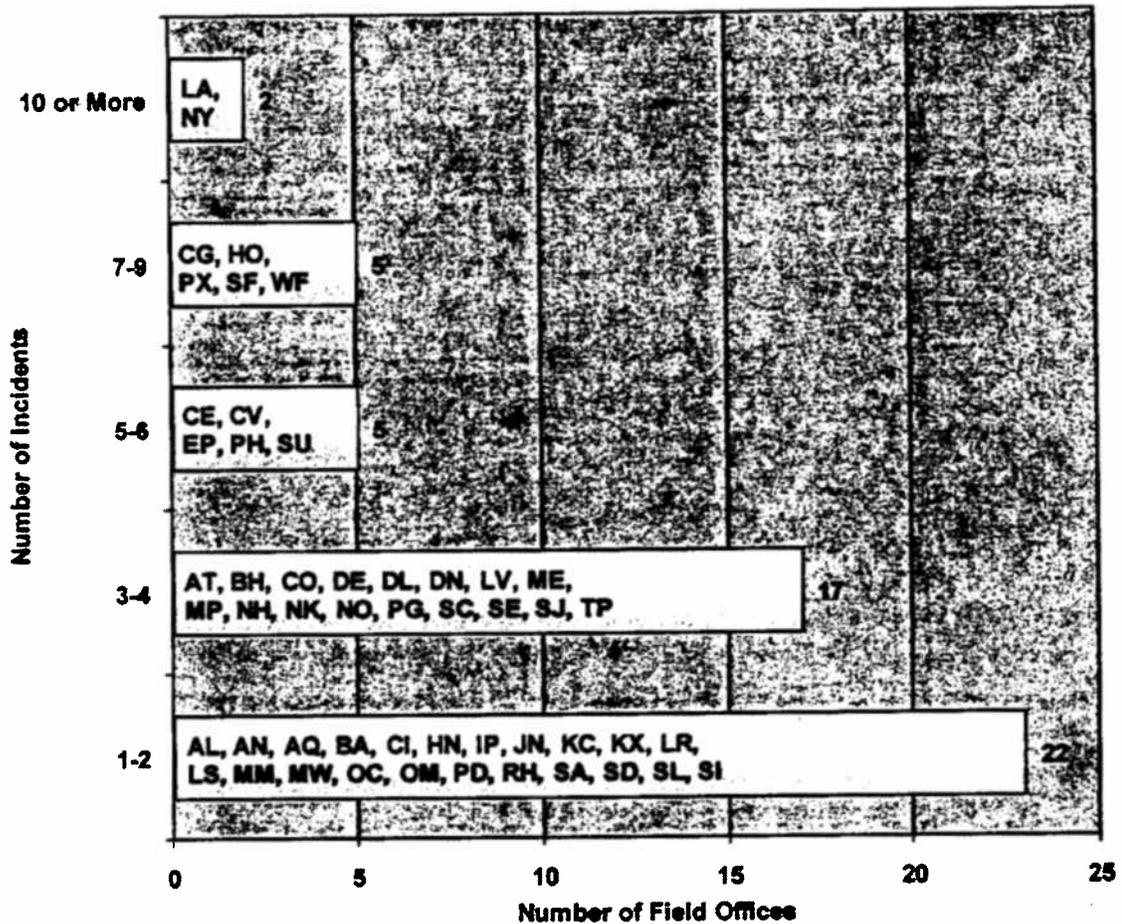


Table 7.1 displays the actual number of Unintentional Discharges for each field office during the 17-year review period.

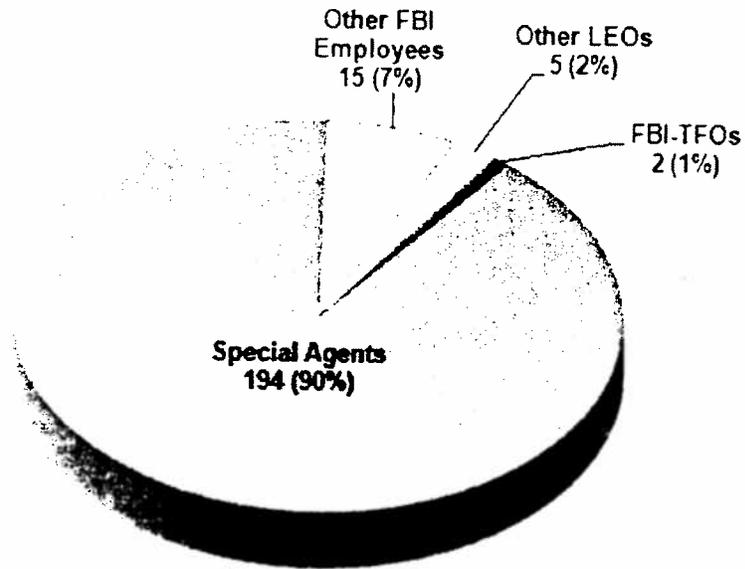
Table 7.1 Unintentional Discharges by Field Office

FIELD OFFICE	Number of Incidents	FIELD OFFICE	Number of Incidents
Los Angeles	14	New Orleans	3
New York	13	San Juan	3
Houston	8	Seattle	3
Chicago	7	Albuquerque	2
Phoenix	7	Indianapolis	2
San Francisco	7	Kansas City	2
Washington Field	7	Little Rock	2
Philadelphia	6	Louisville	2
Salt Lake City	6	Miami	2
Charlotte	5	Omaha	2
Cleveland	5	Richmond	2
El Paso	5	San Antonio	2
Atlanta	4	San Diego	2
Birmingham	4	St. Louis	2
Dallas	4	Albany	1
Minneapolis	4	Anchorage	1
Pittsburgh	4	Baltimore	1
Sacramento	4	Cincinnati	1
Tampa	4	Honolulu	1
Columbia	3	Jackson	1
Denver	3	Knoxville	1
Detroit	3	Milwaukee	1
Las Vegas	3	Oklahoma City	1
Memphis	3	Portland	1
Newark	3	Springfield	1
New Haven	3		

Shooters Involved in Unintentional Discharges

Figure 7.3 depicts the status of all shooters for all UD. During the 216 UDs, 194 Special Agents, 15 FBI Employees, 5 LEOs, and 2 TFOs fired a weapon.

Figure 7.3 Shooters Involved in Unintentional Discharges

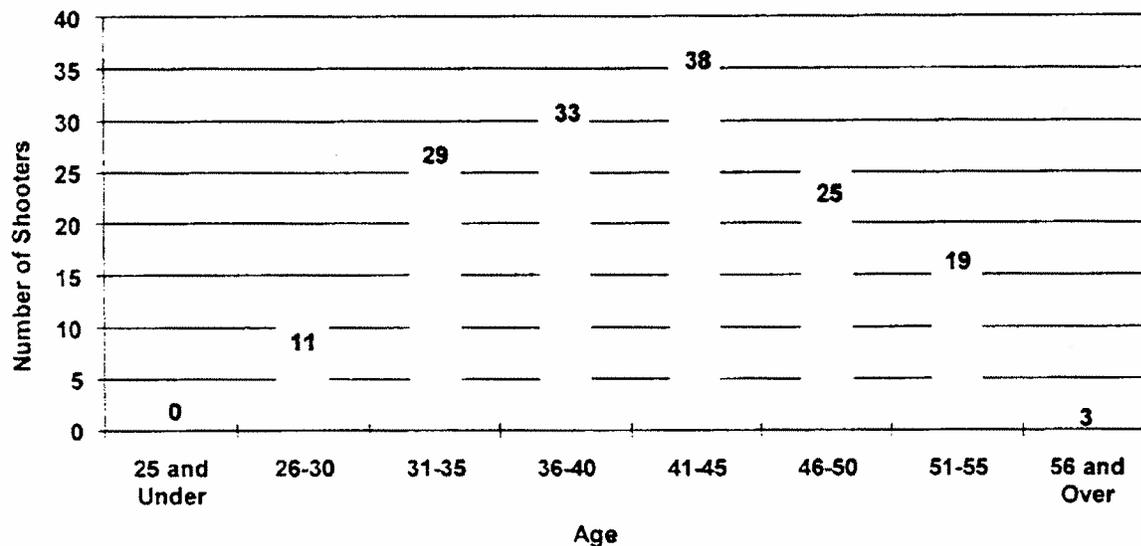


- Special Agents: FBI Special Agents, including supervisory or managerial personnel.
- Other FBI Employees: all non-Agent employees of the FBI (e.g., Technicians, New Agent Trainees, and Law Enforcement Specialists).
- Other LEOs: all other LEOs (local, county, state, and federal) not identified as TFOs.
- FBI-TFOs: all LEOs designated in the shooting incident report as an FBI TFO.

Age and Time in Service of Agents Involved in Unintentional Discharges

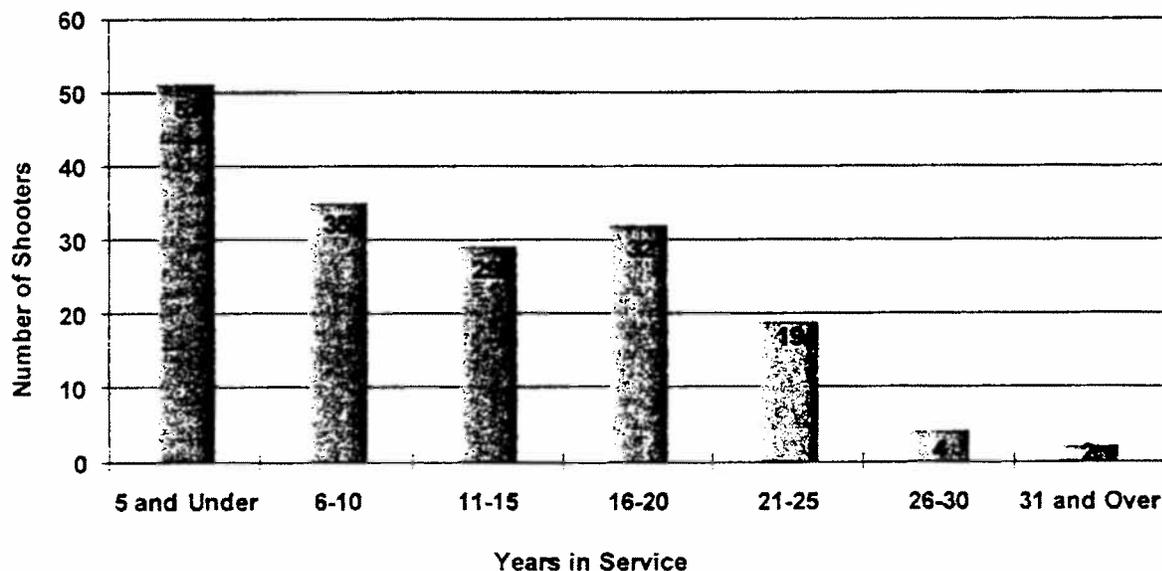
Age was available for 158 of 194 (81.4%) Agents involved in UD. Figure 7.4 depicts the number of Agents by age group at the time of the UD.

Figure 7.4 Age of Agents Involved in Unintentional Discharges



Time in Service was available for 172 of 194 (88.7%) Agents involved in UD. Figure 7.5 depicts the Agents' Time in Service.

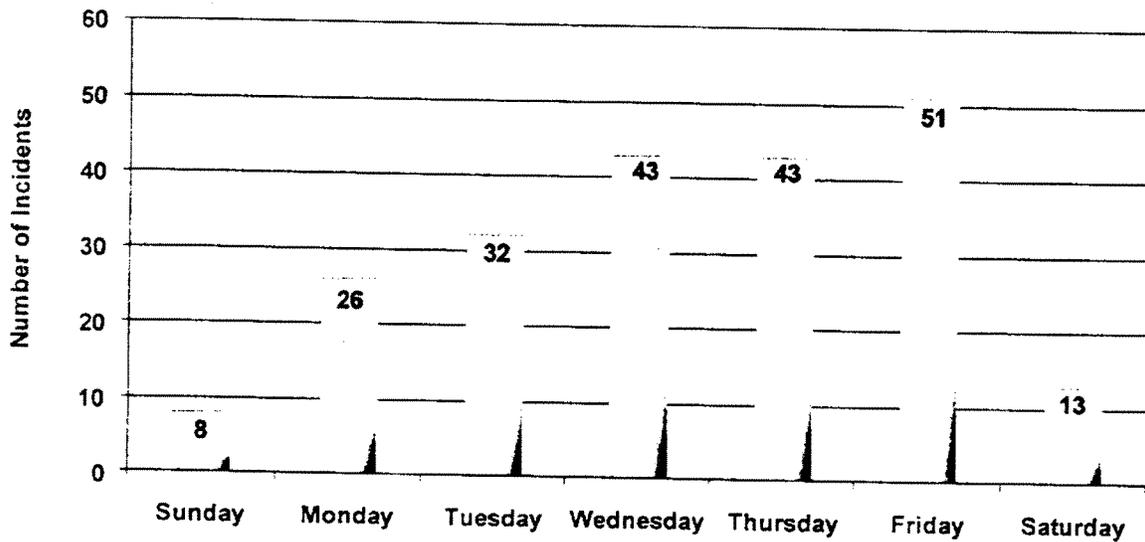
Figure 7.5 Time in Service of Agents Involved in Unintentional Discharges



Unintentional Discharges by Day of the Week

Day of the week was available for all UD. Figure 7.6 depicts the frequency of occurrence of all UD by day of the week.

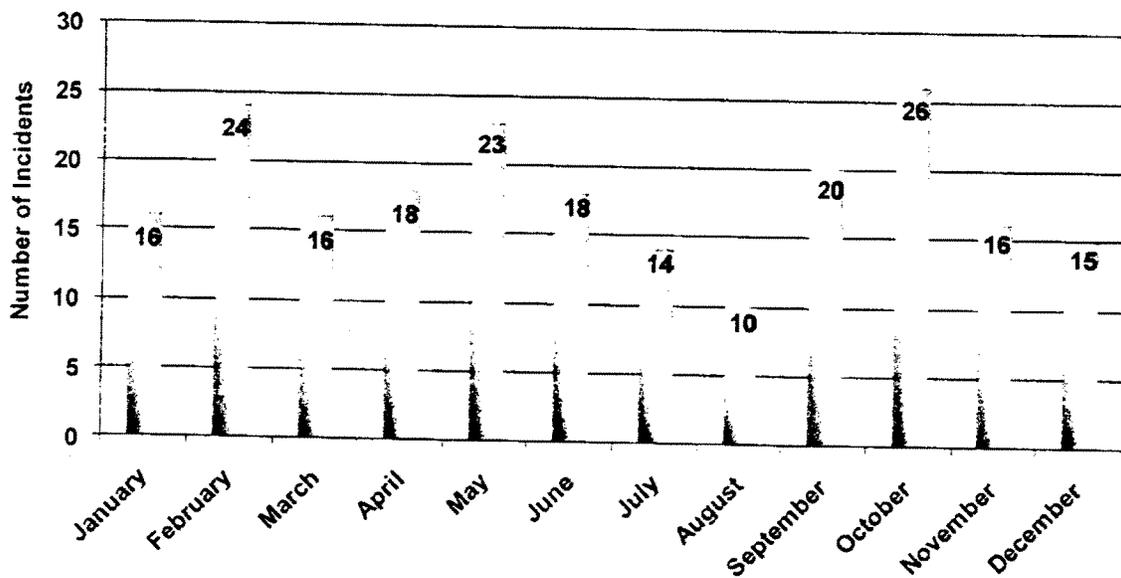
Figure 7.6 Unintentional Discharges by Day of the Week



Unintentional Discharges by Month of the Year

Month of the year was available for all UD. Figure 7.7 depicts the frequency of occurrence of all UD by month of the year.

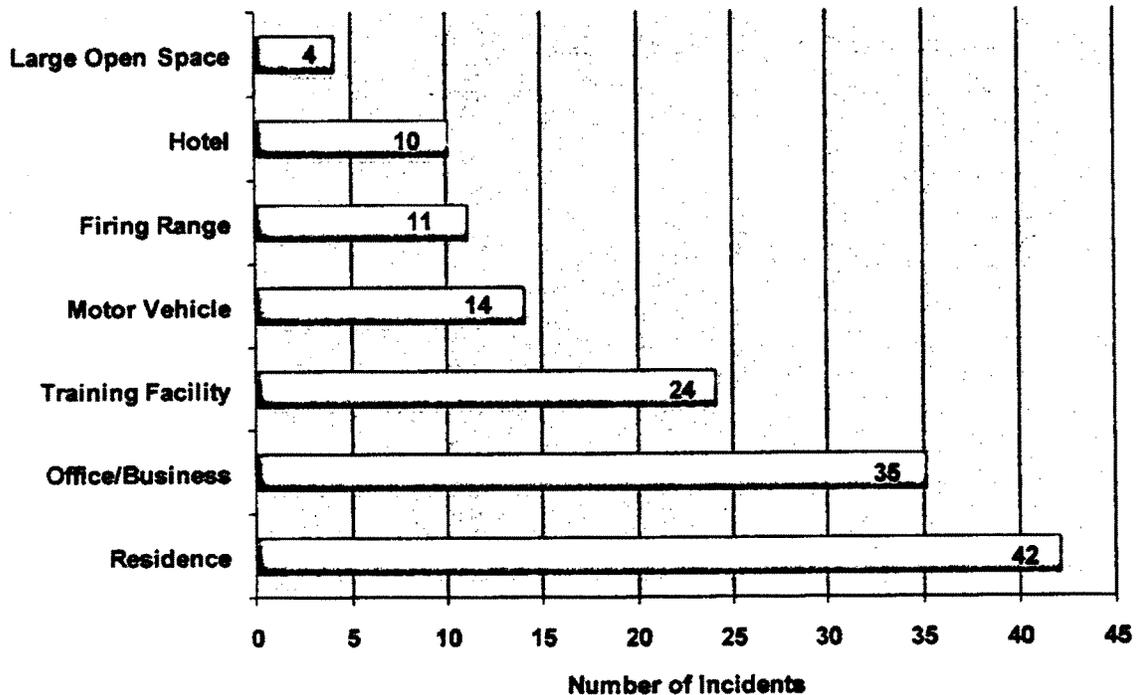
Figure 7.7 Unintentional Discharges by Month of the Year



Environment and Location for Unintentional Discharges

Environment and location information was available for all UD. Figure 7.8 depicts the number of UD by location occurring in an inside environment.

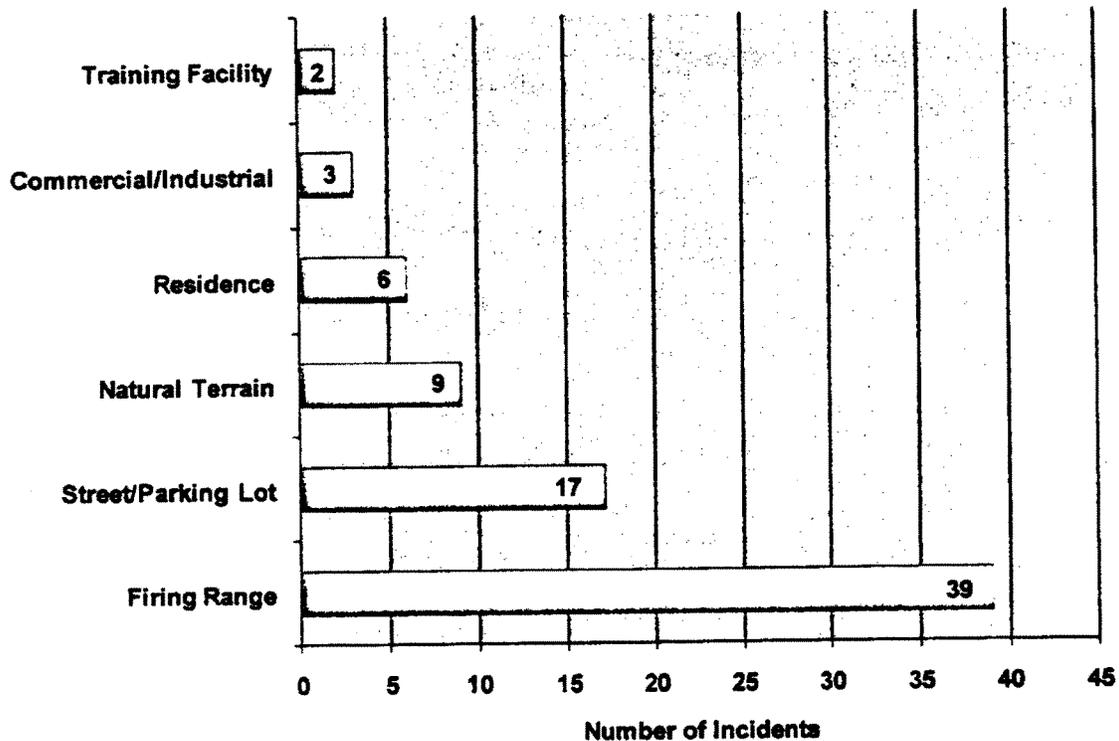
Figure 7.8 Inside Environment—Unintentional Discharges by Location



- Large Open Space: indoor parking garages, warehouses, indoor shopping malls, aircraft hangers, etc.
- Hotel: an establishment providing temporary lodging for a fee.
- Firing Range: includes law enforcement, military, and commercial ranges.
- Motor Vehicle: shooters inside a vehicle discharging a weapon either inside the vehicle or at a target outside the vehicle.
- Training Facility: any indoor law enforcement, military or commercial training facility, except indoor firing ranges.
- Office/Business: includes all commercial and government facilities where employees work or customers visit.
- Residence: single and multi-family homes, apartments, condominiums, and trailer homes.

Figure 7.9 depicts the number of UD's by location occurring in an outside environment.

Figure 7.9 Outside Environment—Unintentional Discharges by Location

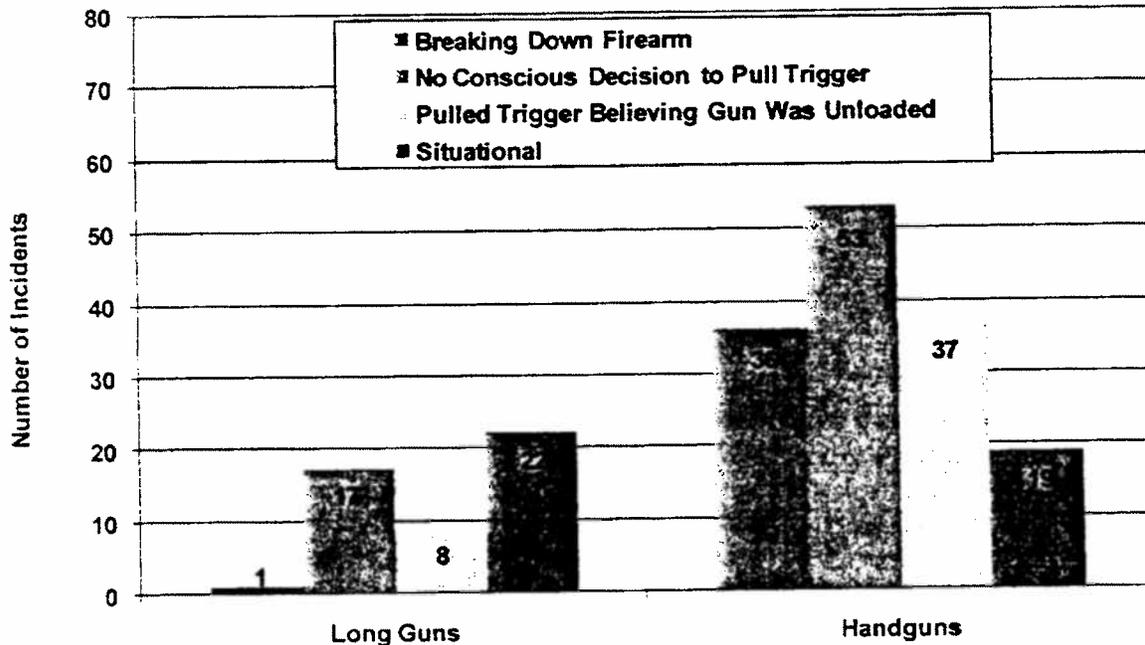


- Training Facility: any outdoor law enforcement, military or commercial training facility, but not outdoor firing ranges.
- Commercial/Industrial: most large, outdoor commercial facilities and areas such as rail yards, power stations, lumber yards.
- Residence: the perimeter or yard immediately outside or in the vicinity of a residence.
- Natural Terrain: wooded areas, rural and farm land, and mountainous areas.
- Street/Parking Lot: includes public space where vehicles routinely are driven or parked.
- Firing Range: includes law enforcement, military, and commercial ranges.

Causes of Special Agent Unintentional Discharges

For the purpose of analysis, four categories were developed to capture the underlying cause of UDs. Figure 7.10 depicts the causes of UDs for Agents only. The chart further distinguishes between long guns (rifles, carbines, and shotguns) and handguns (revolvers and pistols).

Figure 7.10 Causes of Unintentional Discharges

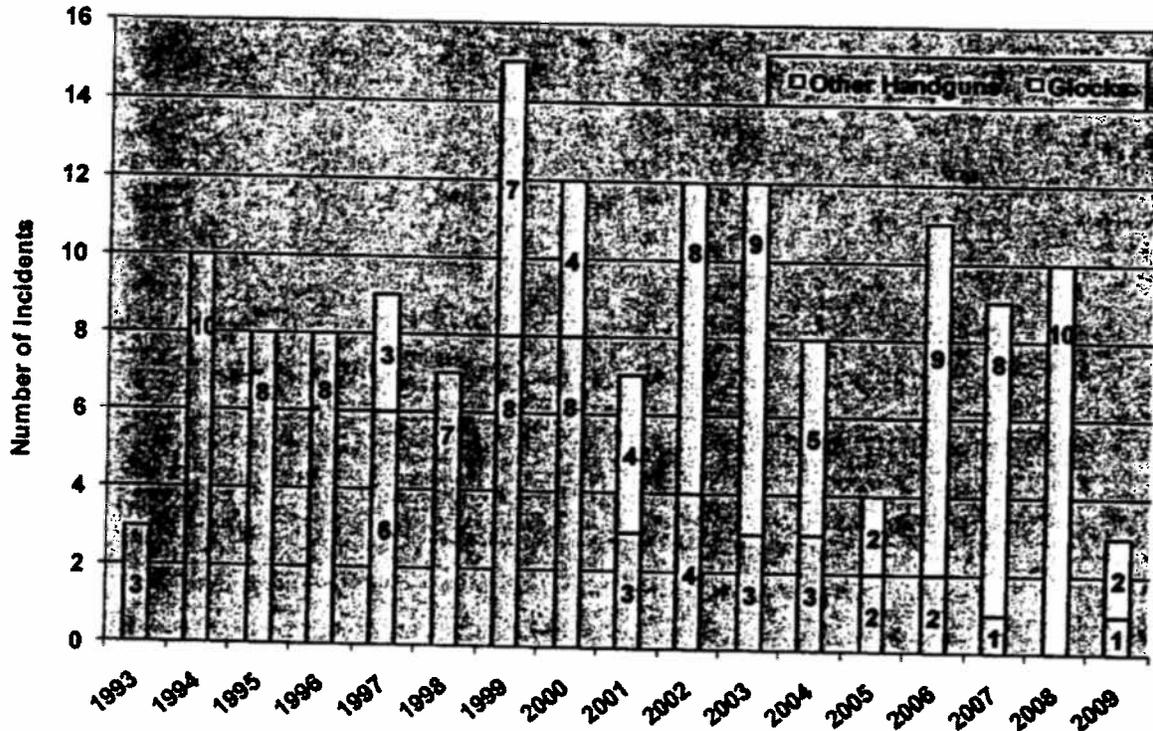


- Breaking Down Firearm: The shooter was intending to break down the firearm and did not intend to fire a live round (to include cleaning and safely storing the weapon).
- No Conscious Decision to Pull Trigger: The shooter did not recall pulling the trigger or could not explain how the weapon fired a live round.
- Pulled Trigger Believing Gun was Unloaded: Similar to Breaking Down Firearm, but for situations other than specifically doing so with the intention to disassemble the weapon (e.g., dry-firing).
- Situational: When some sort of outside stimulus caused the shooter to fire the weapon (e.g., hit by a vehicle).

Unintentional Discharges by Handgun Types

In 1997, the FBI began an enterprise-wide transition to pistols manufactured by Glock. Figure 7.11 illustrates how the proportion of UD involving Glock pistols has changed over time.

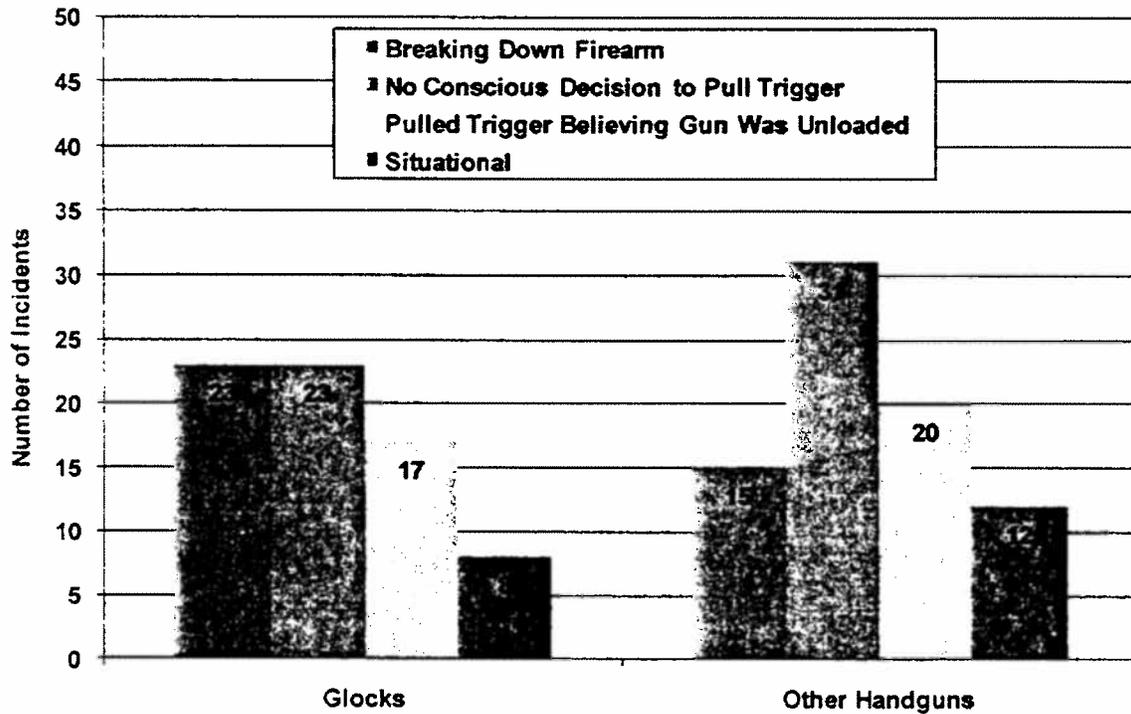
Figure 7.11 Unintentional Discharges—Glocks vs. All Other Handguns



A comparison to the Agent population helps put the above data into context. In 1994, the Agent population was approximately 9,780, the lowest number of Agents throughout the 17-year review period. There were ten UD with handguns in 1994. In 2008, the Agent population was approximately 12,850, the highest number of Agents with the exception of 2009. There were ten UD with handguns in 2008. Between 1994 and 2008, there was a population increase of approximately 31.4%. The proportion of UD to Agent population in 1994 was 0.1% compared to 0.07% in 2008. As the Agent population has increased over time, UD as a proportion of the population has decreased, despite the introduction of the Glock pistol.

Figure 7.12 illustrates the comparison of the causes of UD between Glock pistols and all other handguns.

Figure 7.12 Causes of Unintentional Discharges—Glocks vs. All Other Handguns

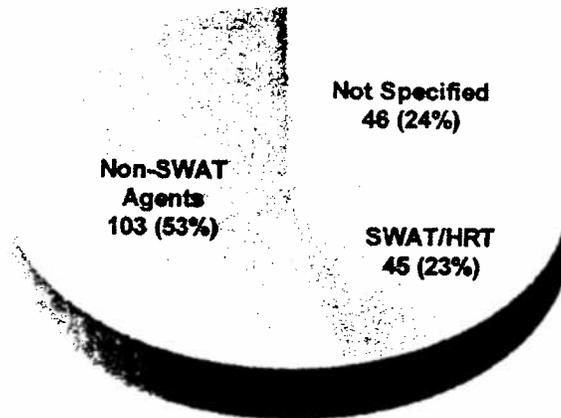


- **Breaking Down Firearm:** The shooter was intending to break down the firearm and did not intend to fire a live round (to include cleaning and safely storing the weapon).
- **No Conscious Decision to Pull Trigger:** The shooter did not recall pulling the trigger or could not explain how the weapon fired a live round.
- **Pulled Trigger Believing Gun was Unloaded:** Similar to Breaking Down Firearm, but for situations other than specifically doing so with the intention to disassemble the weapon (e.g., dry-firing).
- **Situational:** When some sort of outside stimulus caused the shooter to fire the weapon (e.g., hit by a vehicle).

SWAT vs. Non-SWAT Agents Involved in Unintentional Discharges

In Figure 7.13, Agent shooters involved in UD's were categorized based on whether they were SWAT/HRT Operators, Non-SWAT Agents, or Not Specified.

Figure 7.13 SWAT vs. Non-SWAT Agents Involved in Unintentional Discharges



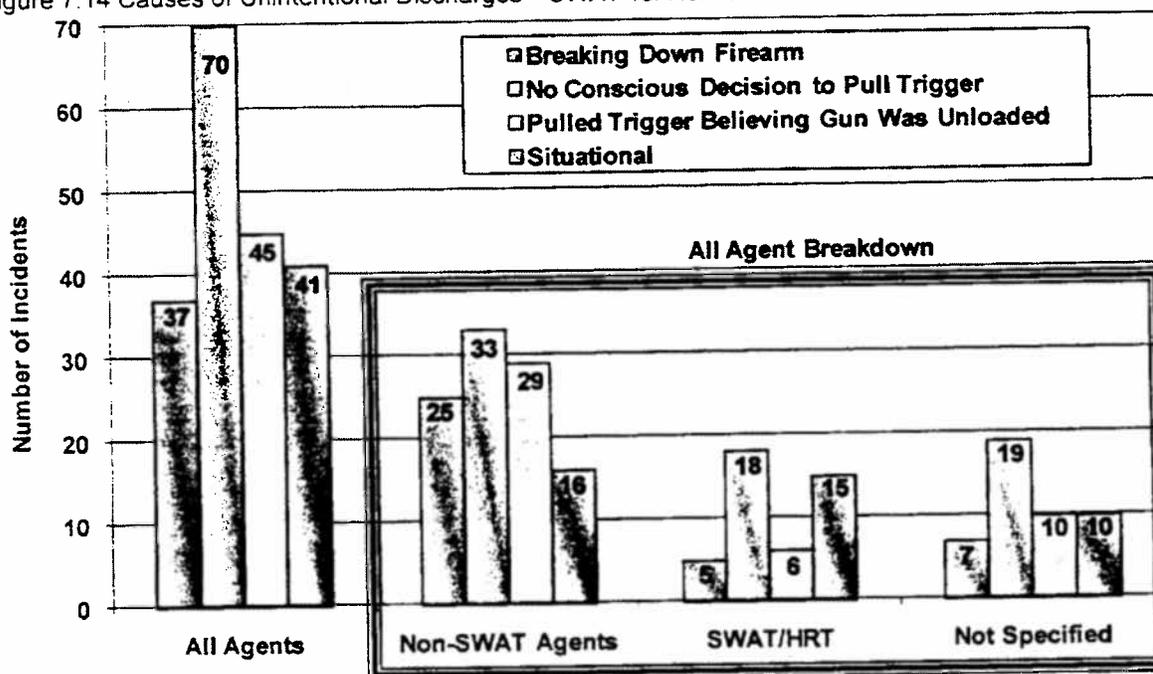
- Non-SWAT Agents: any Agent not assigned to SWAT or HRT at the time of the incident.
- Not Specified: Agents about whom there was insufficient information in the shooting incident report to make a determination.
- SWAT /HRT: all Agents who were active members of an FBI SWAT team or HRT, but not necessarily involved in a SWAT or HRT operation at the time of the incident.

In 2009, approximately nine percent of all Agents were SWAT operators, according to the SWAT Operations Unit (SOU). The demands of firearms training were much greater for SWAT and HRT operators than for Non-SWAT Agents. FBI SWAT teams conducted firearms training twice monthly until 2009, when the requirement was increased to three times per month. Additionally, SWAT teams were often deployed in field offices to handle a variety of operations, including arrests, protection details, and support for undercover operations. This increased the amount of time spent handling,

breaking down, and training with a firearm over that of a Non-SWAT Agent. Therefore, any conclusions drawn about the probability of a SWAT or HRT operator having a UD compared to a Non-SWAT Agent needs to consider these facts.

Figure 7.14 illustrates the comparison of the causes of UDs between SWAT/HRT operators, Non-SWAT Agents, and Not Specified. The left side of the chart depicts the causes of UDs for all Agents. The three groupings of bars inside the box illustrate how the data for all Agents relates to the three personnel groups.

Figure 7.14 Causes of Unintentional Discharges—SWAT vs. Non-SWAT

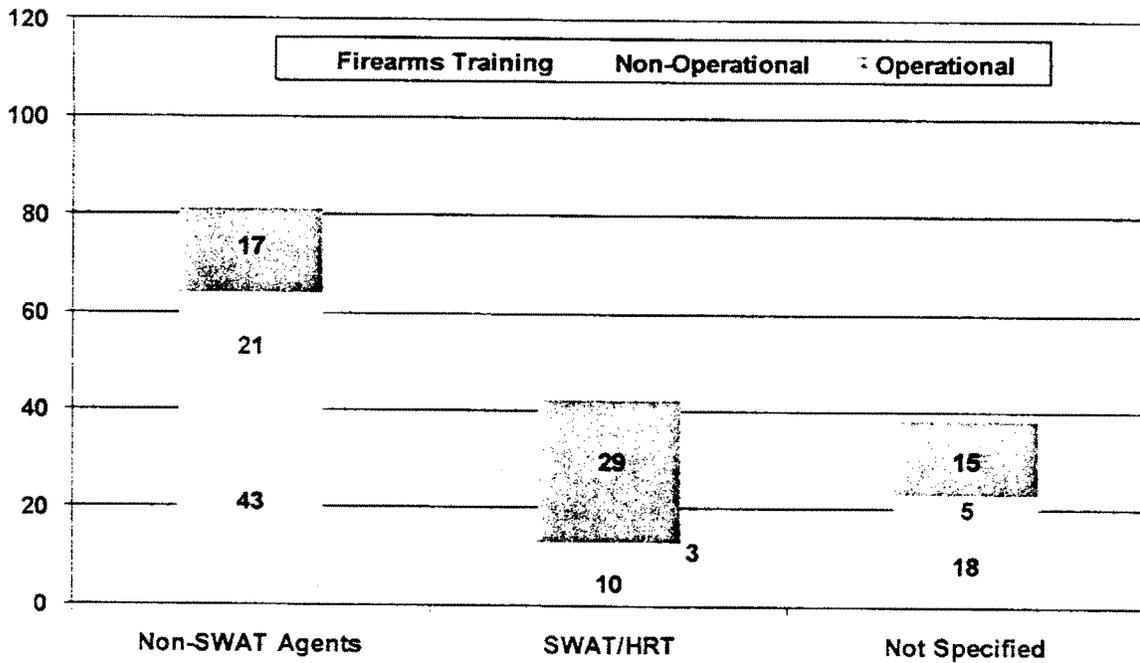


- **Breaking Down Firearm:** The shooter was intending to break down the firearm and did not intend to fire a live round (to include cleaning and safely storing the weapon).
- **No Conscious Decision to Pull Trigger:** The shooter did not recall pulling the trigger or could not explain how the weapon fired a live round.
- **Pulled Trigger Believing Gun was Unloaded:** Similar to Breaking Down Firearm, but for situations other than specifically doing so with the intention to disassemble the weapon (e.g., dry-firing).
- **Situational:** When some sort of outside stimulus caused the shooter to fire the weapon (e.g., hit by a vehicle).

Duty and Operational Status for FBI Agents Involved in Unintentional Discharges

Of the 194 Special Agents involved in a UD, 33 (17.0%) were not on duty at the time of the incident. Figure 7.15 depicts the on duty type of activity of the remaining 161 (83.0%) Agents at the time of the shooting incident.

Figure 7.15 Operational Status of On Duty Agents Involved in Unintentional Discharges

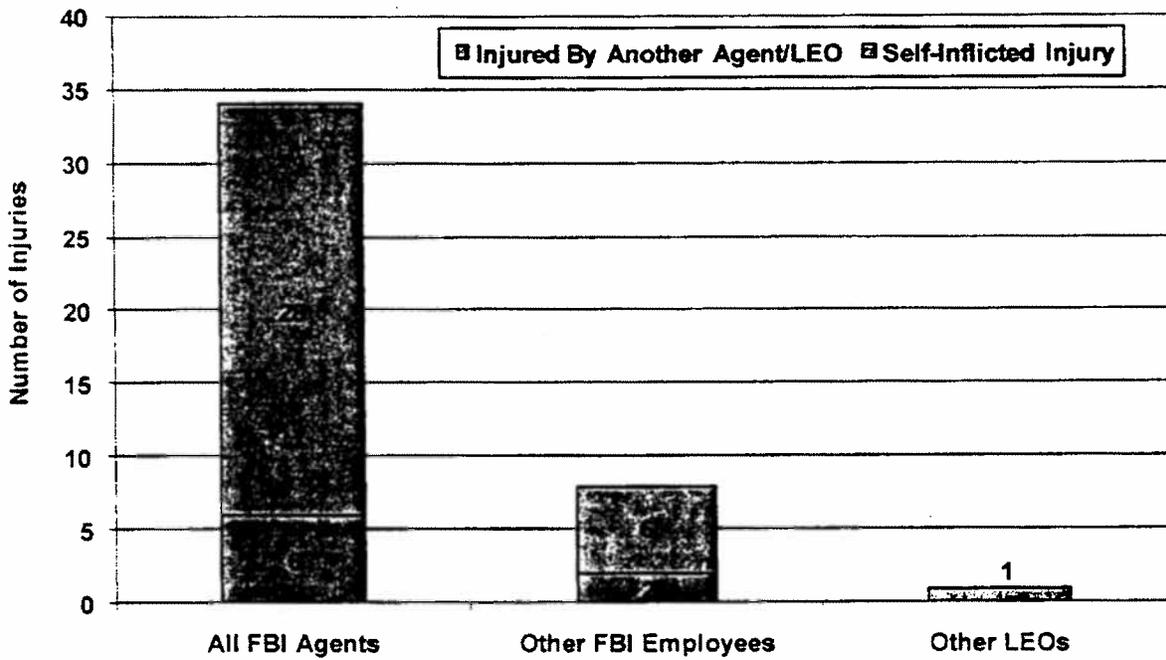


- **Firearms Training:** any qualification shoots or firearms training conducted at either an official FBI facility or any other firearms training site.
- **Operational:** any planned activity in which the shooter was acting in support of an investigation while on-duty.
- **Non-Operational:** any unplanned situation in which the shooter was not acting in support of an investigation, either while on or off duty.

Injuries Caused by All Unintentional Discharges

Of the 216 UD's, 46 (21.3%) UD's resulted in an injury. The majority of these injuries were self-inflicted. Three subjects were injured by Agent UD's, which is not shown in the chart below. Figure 7.16 illustrates the injuries to Agents, LEOs, and Other FBI Employees caused by UD's. No deaths were attributed to UD's.

Figure 7.16 Injuries Caused by Unintentional Discharges



Summaries of Unintentional Discharges Involving Special Agents

The following summaries involving Special Agents were taken from the 17-year period. Summaries of incidents were chosen to provide examples of the varied situations in which UD's have occurred.

- Following a firearms qualification, an Agent decided to clean his/her Glock pistol at home. The Agent loaded the weapon, but engaged other Agents in conversation before leaving the range. The Agent then decided to clean the weapon at the range. Forgetting the weapon had been reloaded, the Agent pointed the weapon in a gun clearing barrel and pulled the trigger, discharging one round. No injuries were reported.
- During a felony car stop, an Agent exited a Bucar and gave verbal commands to the subject driver. Ignoring commands, the subject drove the vehicle towards the Agent. The Agent quickly moved to avoid being hit by the subject vehicle, but struck his/her extended gun arm on the door causing one round to be discharged into the subject's vehicle. No injuries were reported.
- Following the completion of a pistol qualification shoot, an Agent inserted a loaded magazine into his/her Glock pistol, but did not charge the weapon. Firearms training continued with the shotgun. After training was completed, the Agent retrieved his/her pistol. Forgetting he/she had earlier inserted a loaded magazine, the Agent pulled the slide and saw an empty chamber. The Agent released the slide forward, pointed the weapon down, and pulled the trigger, discharging one round. No injuries were reported.
- During the arrest of a fleeing subject, a pursuing Agent attempted to holster his/her pistol with one hand as he/she simultaneously reached for the subject with the other. As the Agent gripped the subject with one hand, the Agent's other hand tightened on the pistol, discharging one round. No injuries were reported.
- During a SWAT operation, SWAT Agents attempted to tear down a fence to gain entry to the target location. An Agent held an MP5 in his/her right hand with the safety disengaged, while using his/her left hand to pull down the fence. The Agent's right hand contracted and one round was discharged into the foot of a nearby Agent. The Agent was not aware he had discharged a round until it was discovered one round was missing from the magazine of the weapon after the operation.

- An Agent checked into a hotel room the night before a SWAT arrest. The Agent practiced dry-firing drills and completed function checks on two long guns and two pistols. Prior to retiring for the night, the Agent reloaded his/her Sig Sauer pistol and placed it on the night stand. Before climbing into bed, the Agent picked up the Sig Sauer pistol and, forgetting the weapon was loaded, aimed at the mirror in the room to conduct more dry-firing drills. The weapon discharged one round into the mirror. No injuries were reported.
- While driving his/her Bucar to assist in the surveillance of a Domestic Terrorism investigation, an Agent realized his/her personally-owned weapon was in the briefcase on the passenger seat. While continuing to drive, the Agent opened the briefcase, removed the pistol and attempted to place the pistol in the waistband of his/her pants. As he/she maneuvered the pistol into the waistband, the weapon discharged one round into the hip area of the Agent.
- An Agent was preparing to secure his/her Glock pistol with a trigger guard for the evening. The locking bar of the trigger guard was applied to the front of the trigger. As the Agent attempted to tighten the trigger guard, the pistol discharged one round. The Agent did not unload the weapon before applying the guard because he/she believed it would take too long to make the weapon usable if an emergency arose. No injuries were reported.
- While conducting surveillance on a residence, an Agent decided to begin disassembling his/her Glock pistol. The Agent ejected the magazine, but slid the magazine back into the weapon when the subject suddenly exited then re-entered the residence. The Agent turned his/her attention back to disassembling the pistol, and, believing the magazine had already been removed, pulled the trigger to remove the slide. The weapon discharged one round through the windshield and into a concrete structure. No injuries were reported.
- An Agent was providing a presentation on the FBI to middle school students. As part of the presentation on weapons used by the FBI, the Agent held a Smith and Wesson Model 13-3 aloft with the barrel pointed towards the ceiling. In order to demonstrate the rotation of the cylinder, the Agent pulled the trigger, discharging one round into the ceiling. The Agent had emptied the weapon before the presentation, but unintentionally left one round in the cylinder. No injuries were reported.

VIII. Factoids

- Of the 188 Intentional Shooting Incidents, 73 (38.8%) incidents involved more than one Special Agent/LEO shooter. Forty-four of these 73 (60.3%) Intentional Shooting Incidents involved only multiple Special Agents firing weapons (no other LEO shooters).
- In five of the 188 (2.7%) Intentional Shooting Incidents, more than one subject discharged a weapon at law enforcement personnel.
- Of the 367 Special Agents who discharged a firearm in an Intentional or Animal Shooting Incident, 72 (19.6%) Special Agents reported making use of cover and/or concealment while firing their weapons.
- Of the 188 Intentional Shooting Incidents, there was an exchange of gunfire between Special Agent/LEO shooters and subjects in 58 (30.9%) incidents.
- Of the 367 Special Agents who discharged a firearm in an Intentional or Animal Shooting Incident, five (1.4%) were carrying a ballistic shield at the time of the incident.
- Of the 188 Intentional Shooting Incidents, ten cooperators (Confidential Human Sources) and seven Undercover Employees (UCEs) were known to have been *present at the scene* in 14 (7.4%) separate shooting incidents.
- Of the 188 Intentional Shooting Incidents, 29 (15.4%) were identified as SWAT operations and three (1.6%) were identified as HRT missions. Two of these shooting incidents involved both FBI SWAT and HRT operating on the same mission.
- The typical penalty received by Special Agents for an Unintentional Discharge: letter of censure, three days suspension, and remedial firearms training.