Shooting at vehicles must be prohibited.

Agencies should adopt a prohibition against shooting at or from a moving vehicle unless someone in the vehicle is using or threatening deadly force by means other than the vehicle itself.

Examples

According to the Washington Post database of fatal officer-involved shootings, in approximately 5% of the 990 incidents in 2015, the subject was using a vehicle as a weapon.  

The prohibition on shooting at moving vehicles is already in place in many agencies. It has been part of PERF’s use-of-force recommendations to individual agencies for years, and is included in the model use-of-force policy from the International Association of Chiefs of Police. Agencies with this policy currently in effect include the following:

- New York Police Department (enacted in 1972)
- Boston Police Department
- Chicago Police Department
- Cincinnati Police Department
- Denver Police Department
- Philadelphia Police Department
- Washington, DC Metropolitan Police Department

>> continued on page 48

Nassau County, NY Police Commissioner Thomas Krumpter:

Our Police Shootings Dropped Significantly After We Simply Changed the Policy

We changed the policy in Nassau County about two years ago, and since then we’ve only had one incident where a police officer shot at a moving vehicle. The number of shootings was significantly reduced by simply changing that policy. The one case will go before a review board that reviews all use of deadly force, and if appropriate, he’ll be held accountable, whether it’s retraining or discipline.

57. http://static1.squarespace.com/static/5086f199ce40a16f15598d/t/52af5f30e4b0bce9d22a80d/138724880253/Rule+303.pdf
58. http://directives.chicagopolice.org/la/2013/data/a7a57bc2-12909e62-7db12-90f0-e97967bbbca2d2.html?ownapi=1
Denver Police Chief Robert C. White:

We Adopted a New Policy and Training
To Prevent Shooting at Cars

I got a phone call from Chuck Wexler recently, and that usually does not mean good news [laughter]. We had had seven officers shooting into moving vehicles over the last decade. Chuck heard about this, and told me about NYPD’s policy that prohibits shooting at vehicles unless someone in the vehicle is using deadly force by means other than the vehicle itself.

I realized we needed to do something different, and I realized that what Chuck was telling me was accurate and it’s actually a great policy. So we changed our policy so it’s very similar to theirs.

The other necessary part of this is that we provided our officers with extra training, better tactical training, related to how to get out of the way of a moving vehicle.

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With Better Policies, Training, and Equipment,
We Can Reduce Police Shootings and Keep Officers Safe

PERF asked John F. Timoney to discuss the PERF 30 Guiding Principles in the context of his experience as First Deputy Commissioner of the New York City Police Department, Commissioner of Police in Philadelphia, and Chief of Police in Miami, FL.

By John F. Timoney

Many of the elements of the PERF 30 Guiding Principles have been tried and tested successfully in the three police departments where I have served.

Shooting at Moving Vehicles

Take PERF’s Principle #8, which calls on agencies to adopt “a prohibition against shooting at or from a moving vehicle unless someone in the vehicle is using or threatening deadly force by means other than the vehicle itself.”

The New York City Police Department, where I began my career, adopted this policy more than 40 years ago. The policy was part of a package of reforms developed within the NYPD in 1971, which also included a ban on “warning shots,” and more thorough investigations by senior officers of all police shooting incidents, regardless of whether anyone was injured or killed.

The package of reforms was not implemented immediately, because the top brass in the department were waiting for the right time to announce it. That moment came in August 1972, with the fatal shooting by an NYPD officer of an 11-year-old African-American boy who was fleeing in a stolen car.

When the new policy was announced, the controversy was intense. The police union strenuously objected, saying that the policy would endanger officers and that the department was caving to community pressure. The news media fanned the flames, taking one side or the other depending on their point of view.

What nobody expected was how quickly the policy caused police shootings to plummet. The policy took effect in August 1972. In 1972, there were 994 shooting incidents involving NYPD officers. The numbers for September-December, immediately after the policy took effect, were down about 40 percent compared to the January-August figures. The following year, total shootings numbered 665—