

In the initial investigation, we reviewed all of the DPD's shootings at people between January 1998 and September 2001, a total of 259 incidents and found that 81 (31%) of the shootings were not legally justified under the standards of *Graham v. Conner*, 490 U.S. 386, 394 (1989), and *Tennessee v. Garner*, 471 U.S. 1 (1985). These incidents included shootings when no imminent threat of harm existed to officers or the public, shooting at fleeing vehicles, and even shooting at persons suspected only of committing misdemeanors. In addition, we found 53 (21%) other shootings that, although justified at the time of the discharge, might have been avoided had officers made better tactical situations. These included incidents where officers unnecessarily placed themselves in harm's way, fired shots without first establishing a clear target, or separated from their partners to pursue subjects alone. There were also several accidental or unnecessary shootings by officers inappropriately running, climbing fences, or engaging in physical struggles while holding their service weapons. Nearly a quarter of the shootings occurred while officers were off duty, many of which could have been avoided if the involved officers had contacted the DPD and waited for on-duty officers to respond. Finally, 19 (7%) of the shootings were investigated so poorly by the DPD that no conclusion could be reached as to the reasonableness of the use of force.