



# *City of Middletown Police Department*



## **Memorandum**

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Date: 1/1/2021  
To: Chief John Ewanciw  
From: Lieutenant Jeffry Thoelen  
Subject: 2020 Firearms Discharge Report

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Chief Ewanciw:

In accordance with the provisions contained within AGO-023-05, Reporting and Reviewing the Discharge of Firearms, I have compiled a year-end report documenting the number and types of incidents involving the discharge of department owned firearms. My review has revealed that officers from this agency discharged their department issued firearms in 10 separate incidents. In only one of these incidents was a firearm discharged against an individual, which occurred on August 29, 2020. In that incident, Officer Evan Barone was fired upon by a male subject as he was attempting to investigate a domestic dispute on Myrtle Avenue. Officer Barone returned fire, striking the assailant several times. That incident remains under investigation by our agency and the New York State Police, but Officer Barone's actions were determined to have been justified through an investigation conducted by the Orange County District Attorney's Office. A final report on the incident will be released after the conclusion of the department's investigation.

The remaining 9 incidents of firearms discharge were all for the purpose of animal destruction. In 7 of these incidents, department issued Sig Sauer 229R DAK handguns were utilized, and in 2 incidents, a department issued .22 Long Rifle was utilized. These firearms discharges occurred in various areas throughout our jurisdiction, and primarily involved the destruction of injured or sick deer. One incident did involve the destruction of a privately-owned canine at 62 Academy Avenue, after the dog attempted to attack Officer Jonathan McHugh. It appears that that incident, as well as the others were justified, and all of the animals were euthanized humanely, in accordance with department policy.

Aside from the discharge of firearms for the aforementioned purposes, all of the active members of the department participated in quarterly firearms training during the months of March, June, and September. The December range session was canceled due to COVID-19 related concerns. During each training session, department issued handguns, as well as shotguns and patrol rifles were utilized. To my knowledge, there were no other incidences of firearms discharges that occurred during 2020.

Respectfully submitted,

Lieutenant Jeffry R. Thoelen  
Bureau Commander of Operations