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## **GRAND JURY RETURNS “NO CAUSE OF ACTION” IN NEWARK NON-FATAL POLICE SHOOTING INCIDENT – AUGUST 31, 2017**

On April 19, 2017, an Essex County Grand Jury voted “no cause of action” regarding a Newark Officer who was involved in the non-fatal shooting of R.B. on August 31, 2017. The investigative findings of the Prosecutor’s Office made prior to the Grand Jury Presentation are as follows:

At approximately 3:40 PM, an individual reported that she had just been carjacked at gunpoint in the area of Sherman Avenue and Stanton Street in Newark. A description of the actor and vehicle was dispatched over the radio. Within minutes, Newark Officer 1 observed the carjacked vehicle being driven erratically by an individual matching the description provided by the carjacking victim. Newark Officer 2 was listening to the radio transmissions and realized that the vehicle was rapidly approaching his location. Newark Officer 2 then observed the carjacked vehicle collide with another vehicle.

Officer 2 exited his vehicle and approached on foot. As he stood alongside the car with his weapon drawn, the officer announced his presence as a police officer and ordered R.B. to stop the vehicle. Instead, the suspect accelerated the vehicle and reached between the center console and driver’s seat. Fearing that the suspect was about to strike him or another civilian with the vehicle, and that suspect may have been reaching for the gun used in the carjacking, Officer 2 fired one round. R.B. was struck by the round and crashed the carjacked vehicle into a parked car on the side of the street.

The Essex County Prosecutor’s Office investigated this incident and obtained all relevant evidence. This case was then presented to an Essex County Grand Jury. The Grand Jury was instructed in accordance with the Model Grand Jury Instructions on Police Use-of-Force issued by the Office of the New Jersey Attorney General. After hearing all of the evidence, the Grand Jury declined to indict the officer.

This entire matter has been reviewed by The Essex County Prosecutor. The investigation was conducted in full compliance with the provisions of Law Enforcement Directive Number 2006-5 and the Supplement issued by the Office of the New Jersey Attorney General on December 13, 2006 and July 28, 2015, regarding uniform statewide procedures and best practices for conducting police use of force investigations and presentation to a Grand Jury.

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