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GRAND JURY RETURNS “NO CAUSE OF ACTION” IN NEWARK POLICE OFFICER FIREARM DISCHARGE – FEBRUARY 18, 2018

On May 11, 2018, an Essex County Grand Jury voted “no cause of action” regarding a Newark Police Officer involved in a firearm discharge on February 18, 2018. The investigative findings of the Prosecutor’s Office made prior to the Grand Jury Presentation are as follows:

At approximately 8:30 PM, Newark Police Officers were investigating information regarding an individual believed to be distributing narcotics in the area of 44 Broadway. A male matching the description of the suspect was observed entering the driver side of a vehicle matching the description of the target vehicle. Multiple officers responded to the scene in two (2) marked Newark Police SUVs.

Officer 1 exited the driver’s door of the first police vehicle, and Officer 2 exited the front passenger door. Officer 1 immediately approached the target vehicle on foot. The suspect reversed the target vehicle onto the sidewalk and then quickly accelerated forward toward Officer 1. Officer 1 fired one (1) round from his duty issued weapon. The target vehicle continued to accelerate at a high rate of speed between the two police vehicles, striking the second police vehicle that was occupied with two additional officers. Officer 1 fired a second round, but the target vehicle continued to flee at a high rate of speed around the passenger side of the first police vehicle and South on Broadway. Officers gave chase in their vehicles but lost sight of the target vehicle. The target vehicle was later recovered and observed with front-end damage consistent with the crash, as well as two (2) ballistic strike marks consistent with the shooting. The suspect was arrested shortly thereafter and was not injured during this encounter.

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 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 Directives 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. PSB# 2018-056