

OFFICE OF THE ESSEX COUNTY PROSECUTOR

THEODORE N. STEPHENS, II
ACTING ESSEX COUNTY PROSECUTOR

ESSEX COUNTY VETERANS COURTHOUSE, NEWARK, NEW JERSEY 07102

Tel: (973) 621-4700

Fax: (973) 621-5697



ROMESH C. SUKHDEO
ACTING FIRST ASSISTANT PROSECUTOR

MITCHELL G. McGUIRE III
ACTING CHIEF OF DETECTIVES

GRAND JURY RETURNS “NO CAUSE FOR ACTION” IN TWO (2) BLOOMFIELD POLICE OFFICER FIREARM DISCHARGES ON NOVEMBER 9, 2020

On October 22, 2021 an Essex County Grand Jury voted “no cause for action” regarding two (2) Bloomfield Police officer-involved firearm discharges on November 9, 2020. The Prosecutor’s Office made the following investigative findings prior to the Grand Jury presentation:

At approximately 1:40 pm, Bloomfield Police Officers were alerted over dispatch that a felony vehicle drove past an Automated License Plate Reader on Bloomfield Avenue. Officers 1, 2, and 3 responded to the direction of the suspect vehicle’s travel and observed the suspect vehicle in the area of 401 Bloomfield Avenue. Officer 1 activated his vehicle’s emergency lights and initiated a Motor Vehicle Stop. Officers 1, 2, and 3 exited the vehicle and approached the suspect vehicle. Officers gave verbal commands for the driver to stop and exit the vehicle, and Officers 1 and 2 had their duty firearms pointed at the vehicle as they approached.

The driver reversed the suspect vehicle into oncoming vehicular traffic and a passenger swiftly exited the front passenger door. The driver, and now sole occupant of the vehicle, continued to reverse the vehicle into traffic and across the four-lane roadway. Despite the officers surrounding the vehicle, giving verbal commands, and banging on the driver’s front window, the driver refused to exit the vehicle. Instead, the driver continued attempting to flee from the police by accelerating his vehicle forward and backward in various directions. During his attempts to flee in the suspect vehicle, the driver struck both a civilian vehicle and a police vehicle.

At one point, the driver accelerated the vehicle forward and to his right, traveling toward Officer 1 who became positioned in-between the suspect vehicle accelerating toward him and a parked vehicle behind him. Officer 1 discharged three (3) rounds from his duty-issued weapon at the driver. Officer 4, who had since responded to the scene and was positioned on the passenger side of the suspect vehicle, also discharged three rounds from his duty-issued weapon at the driver.

The driver continued to flee Eastbound on Bloomfield Avenue. Bloomfield Police Officers followed his direction of travel but lost sight of the vehicle. The vehicle was later located, unoccupied, in Orange. The driver was later apprehended after he self-reported to University Hospital, in Newark, with a gunshot wound to the left arm.

The Essex County Prosecutor's Office Professional Standards Bureau investigated this incident and obtained all relevant evidence. The investigation was conducted in accordance with the Attorney General's Independent Prosecutor Directive, issued in 2006, strengthened in 2015, and expanded in 2019.

This case was 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 found that the officers' actions were justified. An officer may use deadly force in New Jersey when the officer reasonably believes it is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily harm.

A conflicts check was conducted pursuant to the Independent Prosecutor Directive and no actual or potential conflict of interest was found involving any individual assigned to the investigation. At the conclusion of these investigations the Essex County Prosecutor's Office refers the matter to the appropriate law enforcement agency for administrative review in accordance with the Attorney General's Internal Affairs Policy & Procedures.

This entire matter has been reviewed by the Essex County Prosecutor.