GRAND JURY FINDS PATERSON POLICE OFFICER’S USE OF NON-FATAL DEADLY FORCE WAS JUSTIFIED

PATERSON, NEW JERSEY: FEBRUARY 25, 2020

Passaic County Prosecutor Camelia M. Valdes issues a public statement regarding the outcome of an investigation into the discharge of a firearm by a Paterson Police Officer.

On July 20, 2019, Paterson Police Officer One discharged his service weapon while on duty. An investigation by the Passaic County Prosecutor’s Office Shooting Response Team commenced. A comprehensive conflicts inquiry, required pursuant to Section II, C, 2 of Attorney General Directive 2019-4, was conducted and no conflicts were detected. The Passaic County Prosecutor’s Office Shooting Response Team conducted an investigation that included neighborhood canvassing, civilian and police witness statements, review of video footage, review of 911 and radio transmissions, and collection and review of physical evidence.

The results of the investigation were presented to a Grand Jury in Passaic County and the Grand Jury found Officer One’s use of force to be justified.

The police-involved shooting occurred in the area of Presidential Boulevard and West Broadway at approximately 10:00 p.m. on Saturday, July 20, 2019. The investigation revealed members of the Paterson Police Department, in a marked patrol unit, observed a 2012 Dodge Caravan driving erratically. A check of the license plate of the vehicle showed it had been reported stolen on July 16, 2019. Police attempted to pull over the Dodge Caravan by activating their overhead lights and sirens, but it did not stop. In the ensuing pursuit, the Caravan was operated at a high rate of speed and it drove through stop signs and red lights without stopping.
The Caravan stopped near the intersection of West Broadway and Presidential Boulevard. Officer One parked his police vehicle near the front passenger side of the Caravan. He got out of his vehicle and approached the front passenger window of the Caravan. The Caravan began reversing in his direction, despite his commanding the driver to stop. Officer One attempted to unlock the front passenger door by reaching in through the open window. The driver of the Caravan then drove the vehicle forward, dragging Officer One approximately ten feet toward his parked police vehicle. Officer One fired one round from his service weapon, striking the driver and sole occupant of the vehicle in the leg.

The driver of the Caravan then resumed the police pursuit for several blocks. The Caravan stopped a second time near the intersection of Straight and Van Houten Streets, where the driver surrendered himself. The driver of the stolen vehicle was a juvenile. Police officers provided aid to the juvenile until he was transported to a local hospital for treatment of a non-life-threatening gunshot wound to his right leg.

The juvenile has been charged by way of Juvenile Delinquency Complaints with conduct, which, if committed by an adult, would constitute second degree Eluding and third degree Receiving Stolen Property. The charges and allegations contained in the complaint are merely accusations and the juvenile is considered innocent unless and until proven guilty beyond a reasonable doubt.

A law enacted in January 2019 requires that the Attorney General’s Office conduct investigations of a person’s death that occurs during an encounter with a law enforcement officer acting in the officer’s official capacity or while the decedent is in custody. This deadly force investigation did not result in death, therefore the investigation was conducted by the Passaic County Prosecutor’s Office and reviewed by the Attorney General’s Office in accordance with the Directive, which establishes strict procedures for conducting such investigations.