



PUBLIC STATEMENT

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GRAND JURY FINDS PATERSON OFFICER'S USE OF FATAL DEADLY FORCE TO BE JUSTIFIED

PATERSON, NEW JERSEY:

January 10, 2018

Passaic County Prosecutor Camelia M. Valdes issues a public statement regarding the outcome of an investigation into a police use-of-force incident that occurred in Paterson. This statement is issued in accordance with the July 28, 2015, Supplemental Law Enforcement Directive Amending Attorney General Law Enforcement Directive 2006-5.

On Thursday, March 2, 2017, Paterson Police Officer Frank Toledo 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 3 of the Supplemental Law Enforcement Directive was conducted and no conflicts were detected. The matter was reviewed by the County Prosecutor and all relevant provisions of the Supplemental Law Enforcement Directive have been complied with.

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, submission of ballistic evidence, examination of physical evidence, and review of medical records.

The results of the investigation were presented to a Grand Jury in Passaic County and the Grand Jury declined to issue an indictment regarding Officer Toledo's use of force. His use of force was found to be justified.

On March 2, 2017, at approximately 9:30 a.m., Officer Toledo discharged a firearm in the area of Levine Street at Main Street. The Passaic County Prosecutor's Office Shooting Response Team was activated and investigated the use-of-force incident. Information developed during the investigation indicates that Ramon Andrade, age 37, of Paterson, was observed acting erratically while holding a knife on Levine Street. Two on-duty officers, including Officer Toledo, responded to the area and encountered Mr. Andrade. The investigation revealed that Mr. Andrade refused to comply with police commands to show them his hands. While the officers attempted to engage Mr. Andrade, he removed a knife from his pocket and lunged at Officer Toledo's partner. Officer Toledo then fired three rounds from his service weapon striking Mr. Andrade twice. A knife was recovered at the scene. Mr. Andrade was transported to St. Joseph's Regional Medical Center in Paterson where he received medical care until his death on March 16, 2017.

Further information on the July 28, 2015, Supplemental Law Enforcement Directive Amending Attorney General Law Enforcement Directive 2006-5 may be found at: http://www.state.nj.us/lps/dcj/agguide/directives/2006-5_SRT_OIS.pdf.