



PUBLIC STATEMENT

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

PATERSON, NEW JERSEY:

March 5, 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 March 29, 2017, Paterson Police Officer David Silva 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 complied with all relevant provisions of the Supplemental Law Enforcement Directive.

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 Silva's use of force. His use of force was found to be justified.

The police-involved shooting occurred during an incident involving Ammir Ramos and multiple civilian and police victims. The investigation revealed that

shortly after midnight on March 29, 2017, Mr. Ramos encountered Victim #1 in the area of Carroll Street in the City of Paterson. Mr. Ramos produced what appeared to be a handgun and demanded Victim #1's money and phone. Mr. Ramos also verbally threatened Victim #1, who surrendered belongings to Mr. Ramos. The weapon Mr. Ramos produced was later determined to be a black revolver-style, blank firing gun. The particular weapon does not fire bullets or projectiles but does fire blanks that produce a flash and sound. This particular weapon does not meet the legal definition of a "firearm" in the State of New Jersey. Mr. Ramos then encountered a family consisting of an adult couple (Victims #2 and #3) with their two-year-old child (Victim #4). Mr. Ramos again produced the revolver-style weapon and pointed it at them while demanding the adults' money. Victim #3 turned over money to Mr. Ramos who also took Victim #3's phone. In the area of Park Avenue and Carroll Street, Mr. Ramos again demanded money from Victim #2 who physically struggled with Mr. Ramos. Mr. Ramos again produced the revolver-style weapon and fired it towards Victim #2. At that time, Paterson Police Officers who had arrived on scene observed the struggle with Victim #2. Mr. Ramos then pointed the revolver-style weapon towards Paterson Police Officers (including Victims #5 and #6) and again fired the weapon towards them. During this time, on-duty Paterson Police Officer David Silva discharged his duty weapon; no civilian or police officer was injured by the officer's gunfire. Mr. Ramos fled the area and was arrested by Paterson Police Officers in Roberto Clemente Park. Mr. Ramos was later found to be in possession of heroin, cocaine, and marijuana within 1,000 feet of Paterson Public School #11. Mr. Ramos sustained non-life threatening injuries during the course of arrest.

Mr. Ramos was initially charged as juvenile by the Passaic County Prosecutor's Office on March 29, 2017, with delinquency for committing acts, which if committed by an adult, would constitute robbery, weapons offenses, and drug offenses. The juvenile's charges were referred to the Passaic County Family Part. Mr. Ramos was later waived as an adult to the Passaic County Criminal Division and he was ordered detained at a juvenile facility under the Criminal Justice Reform rules. On June 29, 2017, Mr. Ramos pleaded guilty to Accusation No. 17-06-00778-A before the Hon. Justine A. Niccollai, J.S.C. The accusation contained the following counts: three counts of first degree Robbery in violation of N.J.S.A. 2C:15-1a against three civilians (Victims #1, #2, and #3); two counts of third degree Possession of a Weapon for an Unlawful Purpose in violation of N.J.S.A. 2C:39-4d against two Paterson Police Officers (Victims #5 and #6); and three counts of Possession of a Controlled Dangerous Substance with Intent to Distribute within 1,000 feet of School Property in violation of N.J.S.A. 2C:35-7. Mr. Ramos pleaded guilty to all eight (8) counts of the accusation. On August 15, 2017, Mr. Ramos was sentenced by Judge Niccollai to a global custodial term of ten (10) years with 85% to be served before parole eligibility.

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.