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**County of**  
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**PRESS RELEASE**

**WARREN COUNTY PROSECUTOR'S OFFICE CONCLUDES THAT USE OF FORCE  
WAS JUSTIFIED IN JULY 25, 2019, NON-FATAL POLICE SHOOTING IN  
WASHINGTON TOWNSHIP**

The Warren County Prosecutor's Office ("WCPO") has completed its investigation into the July 25, 2019, use of force by a Patrolman ("the Officer") of the Washington Township Police Department, and has concluded that the use of force was legally justified. WCPO determined that it is not necessary to present this matter to the Grand Jury because there were no material facts in dispute regarding the lawfulness of the use of force. The investigation was conducted in accordance with the applicable Attorney General's Independent Prosecutor Directives (July 28, 2015 Attorney General Supplemental Law Enforcement Directive Regarding Uniform Statewide Procedures and Best Practices for Conducting Police Use of Force Investigations and the Independent Prosecutor Directive 2019-4) ("Directives"). Pursuant to the Directives, the Attorney General's Office conducted an independent review of the use of force and agreed with WCPO's determination that there were no material facts in dispute and that the use of force by the Officer was justified. The Attorney General's Office concurred with WCPO's conclusion to forego presentation of this matter to the Grand Jury. Because this was a non-fatal shooting, presentation to the grand jury was not required under Senate Bill 1036, which modified N.J. Statutes 52:17B-107, and requires the Attorney General to conduct investigations of fatal police encounters and present the them to the Grand Jury.

The incident occurred on July 25, 2019, at a residence located in the Township of Washington. On that date, officers responded to the above residence in response to a 911 call of a man physically assaulting a female. When the officers arrived, they observed a female fitting the description of the woman being assaulted fleeing the scene in a vehicle. While officers attempted to follow the fleeing vehicle, one officer remained at the scene in an attempt to locate the male suspect. The officer encountered the male suspect inside the residence, attempted to place the subject under arrest, and in that attempt the male subject assaulted the officer. While assaulting the officer, the subject disarmed the officer. The officer was able later to gain control of their weapon and fired one shot at the suspect, striking him in the abdomen. The subject was taken to a nearby hospital with non-fatal injuries.

Personnel from the WCPO's Major Crime Unit responded and investigated. They were assisted by the New Jersey State Police Crime Scene North Unit. Additionally, statements were taken from the officer involved as well as a civilian witness. The statements were consistent with each other and with the physical evidence recovered at the scene.

Applying the Directive to the undisputed material facts outlined above, the use of force by the Officer was justified pursuant to N.J.S.A. 2C:3-4, Use of Force in Self-Protection. The statute states that “the use of force upon or toward another person is justifiable when the actor reasonably believes that such force is immediately necessary for the purpose of protecting himself against the use of unlawful force by such other person on the present occasion.” The law defines a “reasonable belief” as one which would be held by a person of ordinary prudence and intelligence situated as the actor was.

The Officer was in fear for their life when the subject was able to disarm the Officer of their weapon. Once the Officer regained control of their weapon, the Officer reasonably believed under the circumstances that discharging their weapon was necessary for the protection of their life. An independent analysis of the undisputed material facts led to the determination that the Officer’s beliefs were in fact reasonable, and the use of force in this matter was justified pursuant to all applicable laws and the Attorney General Guidelines.

Approved by:



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JAMES L. FEIFFER  
Acting Warren County Prosecutor

Date: April 14, 2020