

# OFFICE OF THE ESSEX COUNTY PROSECUTOR

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**ON JANUARY 21, 2026, THE STATE OF NEW JERSEY OFFICE OF THE ATTORNEY GENERAL CONCURRED WITH THE ESSEX COUNTY PROSECUTOR'S OFFICE THAT THE USE OF DEADLY FORCE WAS JUSTIFIED IN THE DECEMBER 28, 2023 NON-FATAL POLICE SHOOTING BY AN ESSEX COUNTY SHERIFF'S OFFICER IN NEWARK, NEW JERSEY.**

Pursuant to the New Jersey Attorney General's Law Enforcement Directive No. 2019-4 ("the Directive") the Office of the Attorney General has reviewed the completed investigation of the Essex County Prosecutor's Office ("ECPO") into the December 28, 2023 use of deadly force in a non-fatal police-involved shooting. ECPO concluded that the use of deadly force by a sheriff's officer with the Essex County Sheriff's Office ("ECSO") was legally justified and 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 uses of force. The Attorney General's Office concurred with ECPO's conclusion to forego the presentation of this matter to the Grand Jury.

On December 28, 2023, at approximately 5:50 a.m., officers with the ECSO and another law enforcement agency arrived at a Newark residence to execute an arrest warrant. After making entry into the residence, the suspect that was subject to the arrest warrant was observed standing in the living room area armed with a knife. The suspect refused to drop the knife and surrender.

Multiple efforts were made over approximately five hours to get the suspect to surrender. Such efforts consisted of members of the suspect's family talking to the suspect and an ECSO hostage negotiator speaking with the suspect. These efforts were unsuccessful.

At approximately 11:24 a.m., the ECSO Tactical Response Team entered the living room. Once inside, the officers quickly approached and surrounded the suspect. Officers attempted to disarm the suspect by using less than lethal use of force methods. During the altercation, the suspect swung the knife at an officer within extremely close range of the officer's body. In response, another officer with the ECSO shot three times at the suspect. The suspect subsequently dropped the knife and was apprehended. The suspect was transported to the hospital for non-life-threatening injuries.

Pursuant to the Directive, a comprehensive conflicts check was conducted pursuant to the Directive, and no actual or potential conflict of interest was found involving any individual

assigned to the investigation. The Attorney General's Office designated the Essex County Prosecutor's Office as the Independent Investigator pursuant to the Directive.

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 Directive.

Applying the relevant statutes and the then-applicable New Jersey Attorney General's Use of Force Policy (December 2020) ("the Policy") to the undisputed material facts detailed above, it was the ECPO's conclusion that the Sheriff's Officer used deadly force in defense of others.

N.J.S.A. 2C:3-4(a), Use of Force in Self-Protection, provides 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."

N.J.S.A. 2C:3-5, Use of Force In Protection of Other Persons, provides that "the use of force upon or toward the person of another is justifiable to protect a third person when: (1) The actor would be justified under section 2C:3-4 in using such force to protect himself against the injury he believes to be threatened to the person whom he seeks to protect; and (2) Under the circumstances as the actor reasonably believes them to be, the person whom he seeks to protect would be justified in using such protective force; and (3) The actor reasonably believes that his intervention is necessary for the protection of such other person."

The officer who used deadly force indicated a belief that another officer's life was in imminent danger when the suspect swung the knife. The officer indicated his belief that he needed to use deadly force immediately to prevent the suspect from injuring the fellow officer. The subsequent investigation and an independent analysis of the undisputed material facts led to the determination that these beliefs were reasonable. Therefore, this use of deadly force was justified pursuant to all applicable laws and the Attorney General Guidelines.

At the conclusion of this investigation, the Essex County Prosecutor's Office referred the matter to the appropriate law enforcement agency for administrative review in accordance with the Attorney General's Internal Affairs Policy & Procedures.

This statement was prepared and disseminated to the public in accordance with the Directive.

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