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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 APRIL 15, 2024 NON-FATAL POLICE SHOOTING BY A MONTCLAIR POLICE OFFICER IN MONTCLAIR, 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 April 15, 2024 use of deadly force in a non-fatal police-involved shooting. ECPO concluded that the use of deadly force by an officer of the Montclair Police Department (MPD) 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 April 15, 2024, at approximately 1:00 p.m., a 9-1-1 caller reported observing an individual who lives in the same apartment building holding a rifle outside the building and yelling "This is my territory, This is my territory." The caller stated that the individual went back into his/her apartment. The caller did not know if the rifle was real or a toy.

Eight Montclair Police officers responded to the scene in marked police units. All the officers were wearing police uniforms that included badges, their names, police radios, and body-worn cameras.

Five officers formed a stack and walked up a narrow stairway to the apartment door which was at the top of the stairs. Officer-1 knocked on the door eight times and stated, "Montclair Police." After waiting approximately ten seconds, Officer-1 again knocked on the door eight times and stated, "Montclair Police." After waiting approximately ten more seconds, Officer-2 whispered for Officer-1 to test to see if the door was locked. Officer-1 tested the knob, indicated it was unlocked, and began to open the door.

As the door opened Officer-1 stated, "Somebody is moving" and "Let me see your hands." Officer-1 raised his department-issued handgun. Immediately the individual inside the apartment fired a 12-gauge shotgun toward Officer-1 from close range. Officer-1 the fell down the stairs on top of the other officers. As the individual walked out of the apartment with the shotgun pointed

toward Officer-1 and the other officers, Officer-2 fired two rounds from his department-issued handgun.

The individual was wounded on the right hand. After a short negotiation with the officers, the individual surrendered to the officers and was treated by EMS. Officer-1 was wounded in the shoulder by wood or fiberboard fragmentation that was caused by the shotgun discharge hitting the apartment door.

Pursuant to the Directive, a comprehensive conflicts check was conducted, 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 (April 2022) ("the Policy") to the undisputed material facts detailed above, it was the ECPO's conclusion that Officer-2 justifiably used deadly force in defense of others.

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 person's life was in imminent danger when the individual exited the apartment with the shotgun pointed toward Officer-1 and the other officers. The officer indicated that he believed he needed to use deadly force immediately to prevent the individual from again firing at the other officers. The subsequent investigation and an independent analysis of the undisputed material facts led to the determination that this belief was 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.