

Annual Review of Use of Force & Vehicle Pursuit Incidents

This submission is made in accordance with Sections 7.6 and 7.7 of the Attorney General’s Use of Force Policy (April 2022) (“Use of Force Policy”), and Sections 12.2 and 12.3 of Addendum B to the Attorney General’s Use of Force Policy (April 2022) (“Vehicular Pursuit Policy”).

County*

Bergen

Law Enforcement Agency *

Garfield Police Department

Date of Report *

3/28/2024

Year of Data Covered in this Report*

2023

Check the box below to confirm*

Report has been reviewed by and endorsed by the agency's law enforcement executive.

Contact Information

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Use of Force Annual Review: Written Report

Section One: BWC/Video Audit

Your review must include a brief description of your agency's random and risk-based audit process (e.g., how videos are selected, who reviews the videos, etc.). If your agency did not conduct a risk-based and/or random BWC/video audit in 2023, please indicate how you plan to remedy that in 2024.

Section One: BWC/Video Audit*

In 2023 the Garfield Police Department conducted a random and risk-based audit process for BWC. The Garfield Police Department's Patrol Supervisors complete a "End of Shift Report" and send it to everyone within the department. The report consists of everything that may be of importance (i.e. Stolen Motor Vehicle, Theft, Sexual Assault, Medical Calls, etc....). All Division Commanders and Administrative Lieutenants review the report. After reviewing the report, they then review BWC for any incident that they deem serious/important in nature to ensure that everything went accordingly during the incident. They also choose random incidents from the End of Shift Report to review. However, in 2023 there was no documentation recorded on what specific incident was reviewed and who reviewed the incident. The Garfield Police Department has two BWC liaisons who ensure that everything is entered and uploaded correctly.

2024 Plan:

The following will be conducted in each division within the Garfield Police Department: Captains will review BWC for the Lieutenants, Lieutenants will review BWC for Sergeants, and Sergeants will review BWC for their subordinates. Every month each Division within the Garfield Police Department will submit their random and risk-based audit process for BWC to the BWC liaison for filing.

In 2024 the following information will be documented for every incident reviewed: Officer ID, Date, Incident Number/Type, Supervisory Review, Purpose of Review, Race/Ethnicity/Gender of the officer reviewed, Duration of WVR, Radio/Communications Protocol Followed, Officer Safety & Best Practices Observed, Officer Courteous & Respectful to Subjects, Event Documented Accordingly, Required Reports Completed, BWC Video/Audio Remain During Incident, Camera Deactivation in Accordance, Officer Conduct Free From any Indication of Racial or ethnic Bias/Discrimination.

The BWC liaison will maintain and update an Excel Spreadsheet with all of the recorded data listed above at the end of each month and at the end of each year.

Section Two: Internal Affairs Complaints

Your analysis must include a review of internal affairs complaints related to use of force incidents and must include the following: 1. number of IA complaints filed; 2. number filed by civilians; 3. number initiated by the agency; 4. numbers sustained; and 5. number still pending.

Section Two: Internal Affairs Complaints *

In 2023, the Garfield Police Department did not have any Use of Force incident rise to the level of an Internal Affairs Investigation. All Use of Force incidents resulted in a two-tier meaningful review process at which time all incidents were found to be in accordance and within the guidelines of the Attorney General's Office and Bergen County Prosecutors Office.

1. Number of IA complaints filed: 0
2. Number filed by civilians: 0
3. Number initiated by this agency: 0
4. Numbers sustained: N/A
5. Number still pending: N/A

Section Three: Meaningful Review of Individual Uses of Force

Section 7.5 of the Attorney General's Use of Force Policy requires that every use of force must undergo a meaningful command level review. Your annual review should include a brief description of your agency's meaningful review policy. If your agency was not able to conduct a meaningful review of each use of force incident, please explain why you were unable to do so and please indicate how you plan to do so going forward.

Section Three: Meaningful Review of Individual Uses of Force*

In 2023, the Garfield Police Department had a Meaningful Review Policy in place for each Use of Force incident. Every incident had a two-tier review process. A supervisor from each division conducted the initial review and forwarded their review to the Captain of the Confidential Investigations Unit. The Captain of the Confidential Investigations Unit conducted the second level of review and presented it to the Chief of Police. The Chief of Police approved the review or sent it back to the Captain of the Confidential Investigations Unit.

The Garfield Police Departments 2023 meaningful review process was outlined as the following:

- Supervisor from each division conducted the initial review.
 1. Review of involved officers Body Worn Cameras.
 2. Review of all reports completed for the incident.
- The findings of the first-tier review were then be presented to the Captain of the Confidential Investigations Unit on a cover sheet.
- The Captain of the Confidential Investigations Unit reviewed the first-tier review and completed the following:
 1. Review of involved officers Body Worn Cameras.
 2. Review of all reports completed for the incident.
 3. Review of Benchmark Analytics Report.
 4. Completed a packet containing all WVR placed on a DVD-R, Incident/Benchmark reports, and the findings of the first/second tier review.
 5. The packet was then presented to the Chief of Police for a final review.
 6. Proper filing of each incident.

Section Four: Non-Discriminatory Application of Force

Your review must include an explanation of how you concluded whether force was applied in a non-discriminatory manner based on race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic. Your analysis should include a review of your community's demographics and demographic data from the Use of Force portal. If you conclude that any use of force was applied in a discriminatory manner, please explain what steps you have taken and will take to address this conclusion.

Section Four: Non-Discriminatory Application of Force*

A review of the non-discriminatory applications/use of force did not reflect any evidence of discrimination.

As per DATAUSA census 2021, the City of Garfield's population is broken down into:

- 51.3% White population
- 40.4 White/Hispanic population
- 5.6% African American population
- 2.9% Asian population

The annual trend report reflected 22 total officers used force within 10 incidents. The majority of incidents and force used were consistent with our city demographics.

- 59% of force was used against white race
- 27% of force was used against African American race
- 54% of force was used against males
- 45% was used against females

(see trend report)

Section Five: Overall Review of Use of Force

Please utilize as much space as needed to conduct a thorough review of your agency's use of force during the preceding calendar year. Your review should evaluate whether force was used in compliance with the Attorney General's Use of Force Policy and your agency's policy. Even if the use of force itself was compliant with those policies, your review should include any recommendations for training, equipment, or room for improvement (e.g., additional de-escalation efforts could have been made).

Section Five: Overall Review of Use of Force*

The City of Garfield Police Department currently employs 66 full time officers. All force was reviewed and found to be in compliance with Attorney General's Office and the policy of this agency. In 2023:

- 32,062 total CAD Entries
- Of the 32,062 total CAD entries, 10 involved force being used.
 1. Resulting in 0.031% of CAD entries in 2023
 2. Deployment of OC: 0
 3. Deployment of ASP/Baton: 0

The Garfield Police Department is committed to improving our officer's training, knowledge and understanding of de-escalation. The Garfield Police Department in a partnership with the Lodi Police Department conducts de-escalation training in conjunction with Active Shooter training twice a year. We plan on sending officers within the department to the "Introduction to Defensive Tactics" moving forward. All officers have attended ICAT/ABLE training which was conducted at the Bergen County Police Academy.

Majority of our Officers, especially those in the Patrol Division, are equipped with tasers which can be used as a less than lethal option.

Section Six: Further Action

Please explain what further action your agency has taken, or will take, to implement any changes in departmental structure, policy, training, or equipment you have deemed appropriate. These actions can include department-wide changes, or changes applicable to specific officers or divisions.

Section Six: Further Action *

The Garfield Police Department is committed to maintaining the Use of Force standards set forth by the Attorney General's Office, as well as the Bergen County Prosecutors Office. We will continue to send officers to attend C.I.T. (Crisis Intervention Training), I.C.A.T. (Integrating Communications Assessment and Tactics), A.B.L.E. (Active Bystander for Law Enforcement), as well as sending officers to "Introduction to Defensive Tactics."

De-Escalation training will continue twice a year for the entire police department, especially for officers who, following a meaningful review, are deemed to need re-training. Every member of the Garfield Police Department will continue to receive Community Law Enforcement Affirmative Relations Continuing Education Institute (CLEAR) training.

The Law Enforcement Community is ever-changing, and the Garfield Police Department intends to adjust to the needs of the people that we serve to provide the upmost respect and professionalism. Honesty and integrity are key components to the success of the Garfield Police Department.

Vehicle Pursuit Annual Review: Written Report

Section One: BWC/Video Audit

Your review must include a brief description of your agency's random and risk-based audit process (e.g., how videos are selected, who reviews the videos, etc.). If your agency did not conduct a risk-based and/or random BWC/video audit in 2023, please indicate how you plan to remedy that in 2024.

Section One: BWC/Video Audit *

In 2023 the Garfield Police Department conducted a random and risk-based audit process for BWC. The Garfield Police Department's Patrol Supervisors complete a "End of Shift Report" and send it to everyone within the department. The report consists of everything that may be of importance (i.e. Stolen Motor Vehicle, Theft, Sexual Assault, Medical Calls, etc...). All Division Commanders and Administrative Lieutenants review the report. After reviewing the report, they then review BWC for any incident that they deem serious/important in nature to ensure that everything went accordingly during the incident. They also choose random incidents from the End of Shift Report to review. However, in 2023 there was no documentation recorded on what specific incident was reviewed and who reviewed the incident. The Garfield Police Department has two BWC liaisons who ensure that everything is entered and uploaded correctly.

2024 Plan:

The following will be conducted in each division within the Garfield Police Department: Captains will review BWC for the Lieutenants, Lieutenants will review BWC for Sergeants, and Sergeants will review BWC for their subordinates. Every month each Division within the Garfield Police Department will submit their random and risk-based audit process for BWC to the BWC liaison for filing.

In 2024 the following information will be documented for every incident reviewed: Officer ID, Date, Incident Number/Type, Supervisory Review, Purpose of Review, Race/Ethnicity/Gender of the officer reviewed, Duration of WVR, Radio/Communications Protocol Followed, Officer Safety & Best Practices Observed, Officer Courteous & Respectful to Subjects, Event Documented Accordingly, Required Reports Completed, BWC Video/Audio Remain During Incident, Camera Deactivation in Accordance, Officer Conduct Free From any Indication of Racial or ethnic Bias/Discrimination.

The BWC liaison will maintain and update an Excel Spreadsheet with all of the recorded data listed above at the end of each month and at the end of each year.

Section Two: Internal Affairs Complaints

Your analysis must include a review of internal affairs complaints related to vehicle pursuit incidents and must include the following: 1. number of IA complaints filed; 2. number filed by civilians; 3. number initiated by the agency; 4. numbers sustained; and 5. number still pending.

Section Two: Internal Affairs Complaints*

In 2023, the Garfield Police Department did not have any Vehicle Pursuit incident rise to the level of an Internal Affairs Investigation. All Vehicle Pursuit incidents resulted in a two-tier meaningful review process.

1. Number of IA complaints filed: 0
2. Number filed by civilians: 0
3. Number initiated by this agency: 0
4. Numbers sustained: N/A
5. Number still pending: N/A

Section Three: Meaningful Review of Individual Pursuits

Section 12.1 of the Attorney General's Vehicular Pursuit Policy requires that every vehicle pursuit must undergo a meaningful command level review. Your annual review should include a brief description of your agency's meaningful review policy. If your agency was not able to conduct a meaningful review of each use of force incident, please explain why you were unable to do so and please indicate how you plan to do so going forward.

Section Three: Meaningful Review of Individual Pursuits*

In 2023, the Garfield Police Department had a Meaningful Review Policy in place for each Vehicle Pursuit incident. Every incident had a two-tier review process. A supervisor from each division conducted the initial review and forwarded their review to the Captain of the Confidential Investigations Unit. The Captain of the Confidential Investigations Unit conducted the second level of review and presented it to the Chief of Police. The Chief of Police approved the review or sent it back to the Captain of the Confidential Investigations Unit.

The Garfield Police Departments 2023 meaningful review process was outlined as the following:

- Supervisor from each division conducted the initial review.
 1. Review of involved officers Body Worn Cameras.
 2. Review of all reports completed for the incident.
- The findings of the first-tier review were then be presented to the Captain of the Confidential Investigations Unit on a cover sheet.

- The Captain of the Confidential Investigations Unit reviewed the first-tier review and completed the following:
 1. Review of involved officers Body Worn Cameras.
 2. Review of all reports completed for the incident.
 3. Review of Benchmark Analytics Report.
 4. Review of GPS logs.
 5. Review of radio communications.
 6. Completed a packet containing all WVR placed on a DVD-R, Incident/Benchmark reports, and the findings of the first/second tier review.
 7. The packet was then presented to the Chief of Police for a final review.
 8. Proper filing of each incident.

Section Four: Analysis of Non-Compliant Reports

Your review must include an analysis of all pursuits determined to not be in compliance with the Attorney General's Vehicular Pursuit Policy, or agency policy, and the steps taken to address the non-compliance. Please indicate whether all non-compliant pursuits were referred to the Office of Public Integrity and Accountability or the County Prosecutor in compliance with Section 12.1(e) of the Attorney General's Vehicular Pursuit Policy.

Section Four: Analysis of Non-Compliant Reports *

The City of Garfield Police Department currently employs 66 full time officers.

In 2023:

- 32,062 total CAD entries
- Of the 32,062 total CAD entries, 2 involved vehicle pursuits, with 7 vehicle pursuit reports
 - I. Resulting in 0.009% of CAD entries in 2023

One vehicle pursuit involved two officers from the Garfield Police Department and the other vehicle pursuit involved five officers from the Garfield Police Department.

Both vehicle pursuits were not in compliance with the Attorney General's Vehicular Pursuit Policy. Therefore, both pursuits were referred to the Bergen County Prosecutor's Office for further review. The Bergen County Prosecutors Office agreed with the Garfield Police Department's recommendation of re-training all officers who were not in compliance with the Attorney General's Vehicular Pursuit Policy, as well as other policies.

The following was completed for the vehicle pursuit that involved two officers:

- Both officers were re-trained in the Attorney General's Vehicular Pursuit Policy and the BWC policy.

The following was completed for the vehicle pursuit that involved five officers, which resulted in corrective action for a total of six officers (Tour Commander included):

- Tour Command was re-trained in the Attorney General's Vehicular Pursuit Policy, as well as the Garfield Police Department's Rules and Regulations.
- One officer was re-trained in the Attorney General's Vehicular Pursuit Policy.
- One officer was re-trained in the Attorney General's Vehicular Pursuit Policy, BWC Policy, and the Garfield Police Department's Rules and Regulations.
- Three officers were re-trained in the Attorney General's Vehicular Pursuit Policy and the BWC policy.

Section Five: Non-Discriminatory Pursuits

Your review must include an explanation of how you concluded whether vehicular pursuits were conducted in a non-discriminatory manner based on race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic. Your analysis should include a review of your community's demographics and demographic data from the Use of Force portal. If you conclude that any pursuit was conducted in a discriminatory manner, please explain what steps you have taken and will take to address this conclusion.

Section Five: Non-Discriminatory Pursuits*

A review of the non-discriminatory applications/vehicle pursuits did not reflect any evidence of discrimination.

As per DATAUSA census 2021, the City of Garfield's population is broken down into

- 51.3% White population
- 40.4 White/Hispanic population
- 5.6% African American population
- 2.9% Asian population

In 2023, the City of Garfield Police Department was involved in 2 total vehicle pursuits, with 7 vehicle pursuit reports. One of the two vehicle pursuits had an unknown vehicle operator/description and the other pursuit had a white driver.

Section Six: Overall Review of Vehicle Pursuit Analysis

Please utilize as much space as needed to conduct a thorough review of your agency's vehicle pursuit incidents during the preceding calendar year. Your review should include but is not limited to: the reason the pursuit was initiated; the number of officers who engaged in pursuits; whether supervisors approved or terminated pursuits; role of any outside agencies; length of pursuits by time and distance; top speeds reached; nature of any injuries, crashes, or property damage; reason for termination (if terminated), and the outcome of pursuits. Your review should evaluate whether pursuits were compliant with the Attorney General's Vehicular Pursuit Policy and your agency's policy. Even if pursuits were compliant with those policies, your review should include any recommendations for training, equipment, or room for improvement.

Section Six: Overall Review of Vehicle Pursuit Analysis*

The Garfield Police Department was involved in 2 total vehicle pursuit incidents. A review of all vehicle pursuits consisted of the following:

23-018596

- Reason pursuit initiated: Subject vehicle fled from officers on scene and was driven by the subject that caused imminent risk to the public.
- Number of officers who engaged in pursuits: Five officers involved.
- Whether supervisors approved or terminated pursuits: Supervisor received corrective action for not communicating with officers during the pursuit.
- Role of any outside agencies: None
- Length of pursuits by time and distance: The pursuit took place for a total of 7-8 minutes depending on each officer. The distance of the pursuit was approximately 3 miles.
- Top speeds reached: Officer 1 – 94 mph, Officer 2 – 85 mph, Officer 3 – 89 mph, Officer 4 – 90 mph, Officer 5- 86 mph.
- Nature of any injuries, crashes, or property damage: None.
- Reason for termination (if terminated): Subject vehicle was driven at a high rate of speed and the pursuing officers lost sight of the vehicle.
- Outcome of pursuits: Subject was not identified or apprehended.
- Compliant with the Attorney General's Vehicular Pursuit Policy and your agency's policy: The vehicle pursuit was not compliant with the Attorney General Vehicular Pursuit Policy nor our agency's policy. The incident was forwarded to the Bergen County Prosecutors Office and corrective action was given to six officers.

23-019179

- Reason pursuit initiated: Subject was operating a stolen motor vehicle.
- Number of officers who engaged in pursuits: Two officers involved.
- Whether supervisors approved or terminated pursuits: The pursuit was very short in time, therefore when the supervisor inquired if they were engaged in a pursuit, the officers had already terminated the pursuit.
- Role of any outside agencies: None
- Length of pursuits by time and distance: The pursuit took place for approximately 1-2 minutes. The distance of the pursuit was approximately .5 miles (half of a mile).
- Top speeds reached: Officer 1 – 60 mph and Officer 2 – 64 mph.
- Nature of any injuries, crashes, or property damage: None.
- Reason for termination (if terminated): Subject vehicle was driven at a high rate of speed and the

pursuing officers lost sight of the vehicle.

- Outcome of pursuits: Subject was identified and apprehended on a later date.
- Compliant with the Attorney General's Vehicular Pursuit Policy and your agency's policy: The vehicle pursuit was not compliant with the Attorney General Vehicular Pursuit Policy nor our agency's policy. The incident was forwarded to the Bergen County Prosecutors Office and corrective action was given to two officers.

Section Seven: Further Action

Please explain what further action your agency has taken, or will take, to implement any changes in departmental structure, policy, training, or equipment you have deemed appropriate. These actions can include department-wide changes, or changes applicable to specific officers.

Section Seven: Further Action*

The Garfield Police Department is committed to maintaining the vehicle pursuit standards set forth by the Attorney General's Office, as well as the Bergen County Prosecutors Office.

Each officer within the Garfield Police Department will continue to receive vehicle pursuit training, via power DMS. We have worked in partnership with the Lodi Police Department to give officers further training in regards to "Felony Stops". A common issue involving vehicle pursuits appears to be activating BWC at the initiation of vehicle pursuits, therefore this will be emphasized to all officers within the Garfield Police Department.

In regards to equipment, the Garfield Police Department will strive to keep all police personnel vehicles in good working condition and equipped with a GPS device. Supervisors and officers are constantly reminded to secure a balance between the protection of the lives and safety of the public and police officers, and law enforcement's duty to enforce the law and apprehend violators.

The Law Enforcement Community is ever-changing, and the Garfield Police Department intends to adjust to the needs of the people that we serve to provide the upmost respect and professionalism. Honesty and integrity are key components to the success of the Garfield Police Department.