

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").

* Indicates required field

County*

Sussex

Law Enforcement Agency *

Vernon Township Police Department

Date of Report *

2/26/2024

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.

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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 Vernon Township Police Department used the following process for random and risk-based audits of BWC and Video for Use of Force incidents:

The Vernon Township Police Lieutenant or Captain (when two levels removed is required) who directly oversee Vernon Township Police Officers, review BWC and videos for all Use of Force incidents as part of the meaningful review process.

For random and risk-based audits of BWC and videos of non-Use of Force incidents, Sergeants in charge of officers under their command will review from time-to-time random BWC's and video of their officers to ensure they are working in compliance with department policies and procedures and A.G. directives. In addition, they will also review risk-based incidents to ensure the officers under their command are working in compliance with department policies and procedures and A.G. directives. The Sergeant reports to the Patrol Lieutenant any issues found when reviewing random or risk-based audits of BWC or video for guidance on how to proceed.

In 2024, to better quantify and document the random and risk-based audit process of BWC and videos, each Sergeant will be required to submit a quarterly notification to the Patrol Lieutenant confirming the completion of the random and risk-based audit of BWC and videos. A report will be generated to document what random or risk-based selected videos were reviewed, the officer involved, and any outcome or action taken (if any).

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, there were zero (0) internal affairs complaints related to use of force incidents in the Vernon Township Police Department. Zero (0) IA complaints were filed by civilians and zero (0) incidents were initiated by our agency. All of the incidents where some level of force was utilized were reviewed at the operational level and administratively for compliance with policies and procedures. Additionally, each incident was reviewed for training and/or equipment deficiencies. Zero (0) incidents were deemed to be out of compliance, zero (0) of which were referred to internal affairs, and zero (0) of which were addressed as a performance deficiency. Any incidents where minor training issues were discovered were addressed via non-punitive measures.

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*

The Vernon Township Police Department conducts meaningful reviews of all use of force incidents. The Patrol Lieutenant who is also the Internal Affairs officer for our agency conducts the meaningful reviews. Unless the use of force incident involves a sergeant, in those instances two levels above the sergeant, the Police Captain, conducts the meaningful review. All use of force incidents in 2023 underwent a meaningful review by the Patrol Lieutenant or Police Captain. Pursuant to the meaningful review, the Patrol Lieutenant or Police Captain reports directly to the Chief of Police with his findings. After review and recommendation from the Chief of Police, the Patrol Lieutenant or Police Captain will move forward as appropriate:

1. Initiate an internal affairs complaint and handle the matter accordingly; or
2. Meet with the involved officers and their immediate supervisor (Sergeant), collectively review the use of force incident and discuss any possible alternatives in future similar encounters. The Captain or Lieutenant will also during this meeting address any minor training issues that were discovered.

A completed package for the use of force meaningful review is given to the Chief of Police. The Chief signs off on the meaningful review indicating he approves it along with the final action taken.

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*

In 2023, there was seven (7) use of force incidents by the Vernon Township Police Department in which 16 use of force reports were generated by officers. Zero (0) incidents resulted in injury of the involved subject. One hundred percent (100%) of the use of force incidents involved subjects who were Caucasian. This is within the acceptable range of race demographics as it closely reflects our service population. Of the seven (7) use of force incidents, one involved a female and six involved males.

In my review I found that all of the use of force incidents in 2023 were applied in a non-discriminatory manner. To support this, I specifically point to the condition of the subjects in which force was required; nine (9) of the use of force reports filed by officers involved the subject having a mental health incident and nine (9) of the use of force reports filed by officers involved the subject being under the influence of alcohol/drugs/or both. Some of the seven (7) use of force incidents involved the subject being both a mental health incident and under the influence of alcohol/drugs/or both. However, I found that there were no incidents in which either mental health or alcohol/drugs/or both were not a factor.

2023 VTPD Demographics	Service Population		Current Sworn Officers		Current Female Sworn Officers	
	#	%	#	%	#	%
Caucasian	20,718	92.3%	31	93.9%	1	3.3%
African- American	628	2.8%	0	0%	0	0%
Hispanic	2,244	10.4%	2	6.1%	0	0%
Other	461	2.1%	0	0%	0	0%
Total	22,446	100%	33	100%	1	3.3%

Data from US census bureau 2021 data

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 overall use of force 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*

A complete review of all use of force incidents and their meaningful reviews for 2023 was conducted and are in compliance with the Attorney General's Use of Force Policy and our agency's policy.

The reasons for physical force techniques are that officers are attempting to use the minimum amount of force necessary to control and de-escalate situations, especially those involving subjects that are experiencing psychological emergencies or are combative/resisting while under the influence of alcohol/drugs/or both. Also, the interactions occur quickly, which require immediate action to maintain control over the scene. Minimal physical force is required during some psychological emergencies to limit the harm a subject may do to themselves or the involved officers.

I reviewed the sixteen (16) Use of Force Reports submitted by the officers who were involved in the seven (7) use of force incidents for 2023. The incidents involved the officers deploying minimal physical force to gain control of suspects. In one incident, an officer used mechanical force, OC Spray. All of the supervisory and administrative meaningful reviews of the officers Use of Force Reports revealed that the officers did in fact use force; however, the use of force was justified in controlling the situations. My collective review of all the incidents also did not find any concerning trends or patterns of concern in the involved officers' behavior and actions. In 2023, there were zero (0) subjects who reported minor injuries as a result of the use of force used on them. This is compared to four (4) subjects in 2022 and three (3) in 2021. All of those subjects were provided prompt medical attention, and their injuries were very minor. There were no complaints of excessive force made against any officers in 2023, nor did our agency initiate any IA complaints after a meaningful review of each incident. In conclusion, I also found that while Use of Force incidents are low overall for the past three years, minor injuries to subjects were about the same in 2021 and 2022, however there was a decrease to *no* subject injuries in 2023.

The Vernon Township Police Department handled 21,971 calls for service in 2023. Of which there were seven (7) Use of Force incidents. Only 0.03% of calls for service resulted in a Use of Force situation; and of those seven incidents, six (6) of them officers utilized minimum physical force and only once (1) an officer needed to utilize mechanic force.

My recommendation is for our officers continue to use the tools and training provided to them; including ICAT/ABLE, peer support, verbal commands, and any other de-escalation technique at their disposal to reduce Use of Force incidents.

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 Use of Force Reports showed that the officers of the Vernon Township Police Department in the vast majority of the incidents utilized physical force with suspects/persons instead of mechanical force. This weaponless pattern has been consistent over the past 3 years. The reasons members may be choosing to utilize physical force, in lieu of mechanical force when justified, include time/distance variables encountered during their interactions, and the ability for the members to resolve the situation utilizing de-escalation techniques and minimal physical force.

The approach to de-escalation techniques to help minimize the requirement of Use of Force is fostered through all ranks of the police department as our best approach. This has helped to create a more modern-day culture of how to deal with incidents by our police officers. If there is no urgency to quickly resolve an incident due to safety concerns of the suspect and/or officers, officers are trained and encouraged to take as much time as needed to work to resolve the incident in a non-confrontational manner with minimal force. While not all situations can be resolved without requiring an officer to use force, it has helped to make officers more aware of their options and to utilize the lowest means of force possible to effectively and safely handle the situation they are dealing with.

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 Vernon Township Police Department used the following process for random and risk-based audits of BWC and Video for Vehicle Pursuit incidents:

The Vernon Township Police Lieutenant or Captain (when two levels removed is required) who directly oversee Vernon Township Police Officers, review BWC and videos for all Vehicle Pursuits as part of the meaningful review process.

For random and risk-based audits of BWC and videos of non-Vehicle Pursuit incidents, Sergeants in charge of officers under their command will review from time-to-time random BWC's and video of their officers to ensure they are working in compliance with department policies and procedures and A.G. directives. In addition, they will also review risk-based incidents to ensure the officers under their command are working in compliance with department policies and procedures and A.G. directives. The Sergeant reports to the Patrol Lieutenant any issues found when reviewing random or risk-based audits of BWC or video for guidance on how to proceed.

In 2024, to better quantify and document the random and risk-based audit process of BWC and videos, each Sergeant will be required to submit a quarterly notification to the Patrol Lieutenant confirming the completion of the random and risk-based audit of BWC and videos. A report will be generated to document what random or risk-based selected videos were reviewed, the officer involved, and any outcome or action taken (if any).

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, there were zero (0) internal affairs complaints related to vehicle pursuit incidents in the Vernon Township Police Department. Zero (0) IA complaints were filed by civilians and zero (0) incidents were initiated by our agency. There was one incident which generated the creation of a vehicle pursuit report and it was reviewed at the operational level and administratively for compliance with policies and procedures. Additionally, the incident was reviewed for training and/or equipment deficiencies. Zero (0) incidents were deemed to be out of compliance, zero (0) of which were referred to internal affairs, and zero (0) of which were addressed as a performance deficiency. Any incidents where minor training issues were discovered were addressed via non-punitive measures.

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*

The Vernon Township Police Department conducts meaningful reviews of all vehicle pursuit incidents. The Patrol Lieutenant who is also the Internal Affairs officer for our agency conducts the meaningful reviews. Unless the vehicle pursuit incident involves a sergeant; in those instances, two levels above the sergeant, the Police Captain, conducts the meaningful review. We had one vehicle pursuit report generated in 2023 that underwent a meaningful review by the Patrol Lieutenant.

Pursuant to a meaningful review, the Patrol Lieutenant or Police Captain report directly to the Chief of Police with their findings. After review and recommendation from the Chief of Police, the Patrol Lieutenant or Police Captain will move forward as appropriate:

1. Initiate an internal affairs complaint and handle the matter accordingly; or
2. Meet with the involved officers and their immediate supervisor (Sergeant), collectively review the vehicle pursuit incident and discuss any possible alternatives in future similar encounters. The Captain or Lieutenant will also address any minor training issues that were discovered during this meeting.

A completed package for the vehicle pursuit meaningful review is given to the Chief of Police. The Chief signs off on the meaningful review indicating he approves it along with the final action taken.

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 Use of Force 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 *

There were no vehicle pursuits by the Vernon Township Police Department that were determined to not be in compliance with the Attorney General's Vehicle Pursuit directive.

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*

In 2023, there was one (1) vehicle pursuit incident in the Vernon Township Police Department in which one (1) vehicle pursuit report was generated by an officer. Zero (0) incidents resulted in injury of the involved subject. The only vehicle pursuit incident involved a subject who was Caucasian. This is within the acceptable range of race demographics as it reflects our service population. The only vehicle pursuit incident took place at night and involved a male who was later identified.

In my review I found that the vehicle pursuit incident in 2023 was applied in a non-discriminatory manner. To support this, I reviewed the incident and what led up to and including the pursuit.

2023 VTPD Demographics	Service Population		Current Sworn Officers		Current Female Sworn Officers	
	#	%	#	%	#	%
Caucasian	20,718	92.3%	31	93.9%	1	3.3%
African- American	628	2.8%	0	0%	0	0%
Hispanic	2,244	10.4%	2	6.1%	0	0%
Other	461	2.1%	0	0%	0	0%
Total	22,446	100%	33	100%	1	3.3%

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 overall 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 Vernon Township Police Department had one officer-initiated vehicle pursuit in 2023. The pursuit was initiated after the officer observed a possible criminal act (Robbery) at a local convenience store and the suspect vehicle fled the scene at a high rate of speed without its headlights on; the officer determined the vehicle was being operated in a manner that was an imminent threat to public safety. Only one officer was involved in the pursuit. The officer self-terminated his pursuit after he was unable to close the gap with the suspect vehicle. There were no outside agencies involved in the pursuit. Total length of the pursuit was approximately four (4) minutes including the officers initial attempt to catch the suspect vehicle. The distance was approximately three (3) miles. The suspect vehicle turned onto a closed road and struck the "Closed Road" sign; a police motor vehicle crash report was generated and property damage was sustained to the road sign. The officer was unable to determine any damage to the suspect vehicle as it did not stop. Top speed was on the County Highway at 90 mph. The officer terminated the pursuit as he was unable to close the gap and recognized the relatively low likelihood of being able to get the suspect to pull over.

After the pursuit, the officer conducted a welfare check at the local convenience store and learned that the suspect in his haste had left behind his wallet during the encounter with the clerk. Separately, the suspect was apprehended and incarcerated the following day in South Carolina following an incident there with police which included criminal charges.

A meaningful review was conducted by the Patrol Lieutenant, and it was determined that the pursuit was compliant with the Attorney General's Vehicular Pursuit Policy and our agency's policy. The Patrol Lieutenant met with the involved officer and Sergeant. They reviewed the pursuit and all of the appropriate information to be relayed over the radio during a pursuit. Although some information was relayed by the officer, a more thorough account of roadway conditions could have been reported even if there is low traffic and no pedestrian foot traffic due to the location and time of the incident.

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*

There is no specific departmental action or changes that we needed to address with vehicle pursuits. We continue to conduct annual vehicle pursuit training in compliance with the Attorney General's policy and our agency's policy.