

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*

Camden

Law Enforcement Agency *

Somerdale Police Department

Date of Report *

3/1/2024

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*

The Somerdale Police Department ended the year of 2023 with over 17,000 calls for service. Of those calls for service, the Somerdale Police Department used force during 8 individual incidents which resulted in 12 use of force reports completed by officers. This equates to officers using force on .047% police citizen encounters. When an officer is involved in a Use of Force incident and later completes a Use of Force Report, that officer's immediate supervisor reviews the BWC footage and all police reports of officers involved. For example, a patrolman's UOF is reviewed by their Sergeant. A Sergeants UOF is reviewed by the Lieutenant etc. There is a second level of command review for all Use of Force Reports. (Lieutenant and/or Chief).

Within our department, Supervisors (including myself) must complete 2 random BWC audits of each officer on their squad per week. The videos are randomly selected by either a Call for Service or Traffic Stop (supervisors' discretion). If a minor department policy violation is found, that officer is counseled by their supervisor in private and educated on what they did wrong how they can improve their actions. Subsequent minor violations of the same policy are dealt with by progressive discipline.

Major Violations (Violation of a person's civil rights, excessive or inappropriate use of force etc.) by an officer are forwarded to me an Internal Affairs investigation will be opened. Camden County Pros. Officer will also be notified immediately.

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 *

Of the 8 Use of Force Incidents and 12 Use of Force Reports completed, the Somerdale Police Department received 0 Internal Affairs Complaints regarding Use of Force. A review of all Use of Force Incidents and body worn camera reviews triggered no internal investigations or training requirements. There are no Internal Affairs Complaints pending from prior years.

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 Somerdale Police Department conducted a meaningful review per the AG Guidelines and our Department Policy.

I have reviewed the following information sources for the use of force for calendar year 2023:

1. -Benchmark Analytics Information Systems online portal
2. -NJ OAG Use of Force Dashboard
3. -Somerdale Police Department Internal Affairs Records
4. -Somerdale Police Department Command Level Review Case Files, including Investigation Reports, Body Worn Camera footage, Use of Force Reports and associated case information.

When a Use of Force occurs within our department, that officer's immediate supervisor reviews the UOF in the Benchmark website, as well as all officers involved BWC's and police reports filed. There is a second level of command review that occurs, such as myself (Lt. Usher) or Chief Walsh if necessary. If any issues are found in violation of department policy, I will open an Internal Affairs investigation to interview and investigate further. Once that is complete, discipline is handed down if the officer is found to be in violation. We also stressed within our department counseling our officers and educating them on how they could have handled the situation better.

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*

I reviewed all Use of Force Reports within the Somerdale Police Department. I carefully reviewed each report and concluded our officers did not discriminate based on race, ethnicity, nationality, religion, gender or sexual orientation. All officers were found to have used the correct amount of force for that situation. No excessive force was found and officers acted appropriately.

I did review on the Benchmark website our community demographics and demographic data of officer's use of force reports.

1. 100% were arrested
2. 62% were male & 38% were female
3. 17% were White
4. 75% were African American
5. 8% were other

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). Your review must address trends in the number of total force incidents, number and severity of injuries, and levels of force increasing or decreasing over the past three (3) years.

Section Five: Overall Review of Use of Force*

After a thorough review of our departments use of force incidents in the 2023 calendar year, I confirmed all uses of force were made in compliance with the AG UOF Policy and our department policy.

Training: I believe we could always have room for improvement. Our departments supervisors and administration will continue to supervise, take corrective action and educate our officers. We will continue to stress the importance of de-escalation, patience and using the correct amount of force, if necessary, as a last resort.

Myself, including the sergeants speak once each quarter to our department after firearms training and address any issues that need to be addressed, as well as discuss which training is needed to further better our department.

Use of Force trends: 2021: 10 Use of Force reports
2022: 6 Use of Force reports
2023: 12 Use of Force reports

The data shows from 2021-2022 we had a significant drop in UOF reports. From 2022-2023 the data shows an increase. It should be noted that in 2023 one incident where the suspect continued to resist officers on scene and at headquarters resulted in 4 Use of Force reports being generated for one person.

Upon further review, 8 UOF subjects (12 reports) not one suspect reported injuries from those events that took place. We did have one officer in 2023 that was bit in the face and sustained an injury during a Use of Force incident.

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 *

At this time, I do not see the need for changes to our department structure, policy, training or equipment. We will continue to monitor our officers conduct and assure they are in compliance with AG and Department policy.

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 *

When an officer is involved in a Vehicle Pursuit and later completes a report in the Benchmark website, that officer's immediate supervisor reviews the BWC footage and all police reports of officers involved. For example, a patrolman's Pursuit Report is reviewed by their Sergeant. A Sergeants Pursuit Report is reviewed by the Lieutenant etc. There is a second level of command review for all Pursuits that occur by our officers. (Lieutenant and/or Chief)

100% of all BWC videos, radio transmission and police reports are reviewed for pursuit policy compliance. They are educated twice a year during our classroom training. During that time, review all pursuit policies and answer officers' questions. We believe continued education is the key to keeping our officers and the motoring public knowledgeable and safe.

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*

I (Lt. Brian Usher) am personally responsible for investigating any and all Internal Affairs complaints for the Somerdale Police Department. Our agency had one Internal Affairs complaint in 2023. This complaint was made by a civilian against a Sergeant #2023-01.

We had zero Internal Affairs complaints initiated by our agency.

The complaint made against the Sergeant was investigated to the fullest extent, by interview of the complainant, interview of all witnesses, review of the officers BWC. I also reviewed all reports he submitted. The final disposition was found to be “Not Sustained.”

We have zero Internal Affairs complaints still pending from 2023.

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 Somerdale Police Department conducted a meaningful review per the AG Guidelines and our Department Policy.

The Somerdale Police Department had 3 police pursuit incidents. Our motor vehicle pursuit meaningful review policy includes the following:

1. Policy report review
2. Body Worn Camera review
3. Transmission tape review
4. Policy review compliance
5. Referral for training if required

When a Pursuit occurs within our jurisdiction by our officers, that officer's immediate supervisor reviews the Pursuit Report in the Benchmark website, as well as all officers involved BWC's and police reports filed. There is a second level of command review that occurs, such as myself (Lt. Usher) or Chief Walsh if necessary. If any issues are found in violation of department policy, I will open an Internal Affairs investigation to interview and investigate further. Once that is complete, discipline is handed down if the officer is found to be in violation. We also stressed within our department counseling our officers and educating them on how they could have handled the situation better.

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 *

After a review of all three 2023 Pursuit reports by the Somerdale Police Department, I determined the officers were compliance with the AG Pursuit & Use of Force Policy. Two of the three were confirmed stolen vehicles. The third pursuit was a shoplifting suspect but after attempting to stop the vehicle the officer quickly terminated the pursuit after 0.2 miles.

Officers pursued and were able to arrest two of the three suspects in each case. Officers notified their supervisors of the pursuit and appeared to follow all guidelines.

During one of our pursuits, we did have a crash occur that injured a civilian. The injury was minor and caused by the fleeing suspect, who a short time later was arrested and charged accordingly.

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*

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I reviewed all Vehicle Pursuit Reports within the Somerdale Police Department. I carefully reviewed each report and concluded our officers did not discriminate based on race, ethnicity, nationality, religion, gender or sexual orientation. All officers were found to have followed AG and Department policies. used the correct amount of force for that situation. It appears our officers acted appropriately in order to uphold the laws of the State of NJ.

I did review on the Benchmark website our community demographics and demographic data of officer's Pursuit Reports.

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*

I did complete a detailed review of our agencies Pursuits in 2023.

Pursuit #1: Case #16316-23 Reason was a shoplifting suspect that fled the scene. Officers observed this vehicle, attempted to stop the vehicle but the suspect refused. After a brief pursuit of .02 miles at a top speed of 30 MPH the officer terminated the pursuit. Two officers in two separate patrol cars were involved. The other officer was from an outside agency. In this case a supervisor did approve the pursuit, since the officer involved, was the Sergeant on duty with no one of higher rank on duty at the time. Suspect never found or identified. No accidents or injuries reported.

I (Lt. Usher) would not categorize this event as a "pursuit" since the Sergeant advised he activated his emergency lights and siren in an attempt to pull over the fleeing vehicle during a crime. Once the fleeing vehicle did not stop/pull over, the Sergeant turned off his siren and emergency lights. This was more of an attempt to pull over a vehicle, more than a "pursuit" but the Officer already completed the pursuit paperwork.

Pursuit #2: Case #15377-23 Reason was a stolen motor vehicle that fled from officers. The suspect bailed outside the vehicle on foot and into a wooded area. Suspect was a 15 yr old juvenile who was found, arrested and charged accordingly. This pursuit only lasted .02 miles at a top speed of 25 MPH and was approved by a supervisor. Two officers in two separate patrol cars were involved in this pursuit. The other officer was from an outside agency. No accidents or injuries during this pursuit

Pursuit #3: Case #13844-23 Reason was a stolen motor vehicle that fled from officers. This pursuit was heard over the radio and terminated by a supervisor. Prior to the termination, the pursuit lasted 0.9 miles at a top speed of 65 MPH and involved one patrol vehicle. While in pursuit, the fleeing vehicle struck another civilian vehicle causing minor damage and minor injury to the driver. This suspect was found by another jurisdiction as short time later, arrested and charged accordingly.

After a thorough review of our departments pursuits, I believe officers were in compliance of the AG and Department policy. Even though **Pursuit #1:** we cannot pursue for shoplifting, I spoke with the Sergeant afterwards and he advised he activated his lights and siren in an attempt to pull over the vehicle. Once the vehicle fled at a high speed, he quickly

realized the vehicle was not going to pull over and terminated any further pursuit of the vehicle. Again, I feel the Sergeant completed pursuit form out of caution and this would not be categorized as a “pursuit” but more of attempting to pull over a vehicle that just committed a theft.

There is always room for more training and improvements. They are educated twice a year during our classroom training. During that time, review all pursuit policies and answer officers’ questions. We believe continued education is the key to keeping our officers and the motoring public knowledgeable and safe.

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*

At this time, I do not see the need for changes to our department structure, policy, training or equipment. We will continue to monitor our officers conduct and assure they are in compliance with AG and Department policy.