

# 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\***

Somerset

**Law Enforcement Agency \***

**Bridgewater Township Police Department**

**Date of Report \***

2/29/2024

**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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Chief John Mitzak

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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\***

It is the policy of the Bridgewater Township Police Department that all Body Worn Camera Video and Mobile Video Recordings of Uses of Force are reviewed by this agency. Every uniformed patrol officers BWC is randomly reviewed by a Sergeant monthly. Supervisors conducted over 700 random BWC reviews, in addition to all meaningful reviews. Every month Patrol Lieutenants' will pick random officers BWC to review. The Patrol Captain will also select and review a random officer's video every month.

## 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 \*

The Bridgewater Police Department received one (1) IA complaint related to the Use of Force that was filed by a civilian. The case number is 23-11. The case is still pending since the incident occurred in 2018 (Pre-Bench Mark). The case was recently reviewed by the Somerset County Prosecutors Office and they declined any criminal charges. The department will start our investigation to determine if any policy/procedures or rules/regulations were violated.

### 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 Bridgewater Police Department conducted Meaningful review on all 13 Use of Force Incidents that occurred in Bridgewater in 2023. Of those 13 incidents, 31 separate officers were involved. Command level Meaningful Reviews were conducted for every incident.

Our Policy states that: Every use of force must undergo the following procedures for a meaningful command level review pursuant to a written policy established by the law enforcement executive. The meaningful command level review of the incident shall be undertaken by at least two levels of supervisors. These levels shall include the lieutenant and the internal affairs commander. At least one reviewer must be two levels or more above the officer who used force. The review shall include an examination of all available sources of information about the incident, including any video of the incident, reports, officer or other witness statements, medical records and records of injuries. The review shall include an analysis of whether force was used in a non-discriminatory fashion to ensure officers are treating every person equally without discrimination based on race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic. The reviewing supervisors shall make a recommendation of what action, if any, should be undertaken, including commendation of the officer, policy changes, remedial training, administrative action, disciplinary action or, if appropriate, referral for criminal prosecution. The Chief shall review each use of force investigation and approve or reject the recommendations of the supervisors who conducted the review. The law enforcement executive's decision, or the decision of the designee, shall be memorialized and retained in the use-of-force investigative file. After the review is completed, a lieutenant or captain shall examine and analyze the use of force incident, including anybody-worn or other video evidence, with the officer as a training tool. This examination should analyze the circumstances that led to the use of force as well as the force that was used, so that the officer can gain insight into which tactics and decisions were effective and whether different tactics or decisions could have been used to improve the outcome. All meaningful reviews will be conducted and documented in Guardian Tracking.

#### 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 Bridgewater Township's demographics were comprised of the following: Caucasian- 62.7%, African American- 2.9%, Asian- 25%, Hispanic or Latino- 9.3%. In 2023, Bridgewater officers used force against 13 individuals. Of the 13 individuals, 53.85% were Caucasian (7), 30.77% were African American (4) and 15.38% were Hispanic or Latino (2).

Breaking these numbers down even further, the 13 uses of force were used against 7.7% in town Caucasian residents compared to 46.15% out of town Caucasian residents. 7.7% of African American residents compared to 23.08% out of town African Americans. There were 0 uses of force with Asian or Hispanic/Latino in town residents.

The Bridgewater Township Police Department responded to 44,474 calls for service in 2023. Force was used .029% of the time. Caucasians had the likely hood of forced used against them at a .015% per encounter. African Americans had the likely hood of forced used against them at .009% per encounter and Hispanic/Latino .004%.per encounter.

From the thirteen (13) uses of force, ten (10) incidents involved males (76.92%) and 3 incidents involved females (23.08%)

Conclusion: Force was used in a non- discriminatory manner in all 13 incidents.

## 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\*

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In 2023, 31 Bridgewater Officers used minimal force against thirteen (13) individuals. Seven (7) of the individuals were actively committing a crime. Three (3) of the seven (7) individual had a weapon (rock, knife) and were either threatening or were using the weapon against another person. Two (2) Individuals were having a mental health crisis and were restrained to prevent harming themselves. Two (2) Incidents resulted from motor vehicle stops where the driver either had warrants or were under the influence and resisted arrest. One (1) Incident was a request for assistance from an outside agency, where the suspect was actively fighting. One (1) Incident was for an unwanted person, who had warrants and resisted arrest.

Eleven (11) out of the thirteen (13) instances the Bridgewater Police were called for assistance. Two (2) Incidents were from officer initiated motor vehicle stops. Two (2) out of thirteen (13) individuals complained of pain from the force. All force was physical force, which consisted of arm bars, arm locks, kicks to hands, and takedowns. There was no significant injury to officers or suspects from the thirteen (13) uses of force incidents.

In 2022, Bridgewater Officers used force on eighteen (18) individuals, eleven (11) of the eighteen (18) individuals were considered to be Emotionally Disturbed Persons, having some type of crisis. All force was physical force, which consisted of arm bars, arm locks and takedowns. There were no injuries sustained to any of the individuals or officers

In 2021, Bridgewater Officers used force on seventeen (17) individuals. Two (2) of the seventeen (17) individuals had a complaint of pain from the use of force. One (1) Bridgewater Police officer sustained minor injury from the suspect during one of the encounters. All force was physical force, which consisted of arm bars, arm locks and takedowns.

Over the last three years Bridgewater Police averaged sixteen (16) uses of force incidents. In 2023, we used force against thirteen (13) individuals which is a decrease from the previous two years.

Bridgewater Township is a transient community. We have many shopping areas, to include the Bridgewater Commons Mall, restaurants, and a minor league baseball team that bring many people into our community. As the statistics prove we use minimal force to minimal persons to accomplish our objectives. I believe that Bridgewater Officers used less force in 2023 to other years for three reasons. (1) We have a civilian Community Police Alliance Officer that assists us with mental health incidents as well as follow ups with persons in crisis. (2) All officers have been trained in the AG Use of Force policy, where de-escalation has been emphasized. (3). We have a training program where officers are removed from their regular assignments and trained once a month regarding: active shooter response, current policy, best practices, and defensive tactics (Brazilian Jiu Jitsu). Officers are well trained and prepared to handle all types of situations.

## 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 the end of 2022, Bridgewater Police Department set a goal to thoroughly train our officers during the 2023 calendar year. The command staff of the Bridgewater Police Department recognized that in order to ensure our officers perform to the best of their ability, training must be standardized and conducted on a regular basis due to the fact that many skills are perishable. In 2023, Bridgewater Township Police Department's Professional Development Bureau planned to successfully implement numerous department-wide training sessions regarding: active shooter response, defensive tactics and pain compliance techniques. Not only did the Bridgewater Township Police Department accomplish this goal; it was exceeded. The Bridgewater Police Department's Professional Development Bureau successfully developed a training program where our entire agency conducted standardized training seven days throughout the year. These training days were focused on the following: Constitutional Law, DV strangulation awareness, stop the bleed, Brazilian Jiu Jitsu, felony motor vehicle stops, Close Quarters Battle, hostage negotiations, pistol mechanics/dry fire, team arrest tactics and building clearing. Due to the success in 2023, the Professional Development Bureau has increased the training days from 7 to 13 in 2024. The scheduling for our agency was manipulated to allow each officer to receive hands on training for an entire shift every four weeks throughout the year.

## **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 \***

It is the policy of the Bridgewater Township Police Department that all Body Worn Camera Video and Mobile Video Recordings of pursuits are reviewed by this agency. Every uniformed patrol officers BWC is randomly reviewed by a Sergeant monthly. Supervisors conducted over 700 random BWC reviews, in addition to all meaningful reviews. Every month Patrol Lieutenants' will pick random officers BWC to review. The Patrol Captain will also select and review a random officer's video every month.

## 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\*

Bridgewater Township Police Department had zero (0) internal affairs complaints filed by civilians or from within the agency with regard to vehicle pursuits in 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\***

It is the policy of the Bridgewater Police Department that every pursuit has a Command Level Meaningful Review. The meaningful review policy states, the review must be undertaken by at least two levels of supervisors where at least one reviewer must be two levels or more above the officer who engaged in the vehicular pursuit. Furthermore, the reviewer shall include an examination of all available sources of information regarding the pursuit. This information shall include, if available, all officer reports, 911 recordings, police radio transmissions, officer and or witness statements, medical records, and body and vehicle camera recordings. In 2023 all pursuits (2) underwent a Command Level Meaningful Review conducted by a Lieutenant and a Captain, who is the Internal Affairs Commander.

## 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 \*

One (1) pursuit initiated by our agency was for fleeing a motor vehicle stop.

A Meaningful Command Level Review was conducted and it was determined that the pursuing officer should not have pursued the offender. It should be noted that the pursuit was terminated by the supervisor immediately when the supervisor received the reason for the pursuit via the police radio. The pursuit took place over a distance of approximately one and one half (1.5) miles and lasted for approximately two (2) minutes. The officer received counseling and re-training as a result of the meaningful review which was documented within Guardian Tracking.

## 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\*

As there were only two (2) pursuits during 2023 there is not enough of a sample size to determine a pattern with regard to discriminatory practices by our agency; one (1) pursuit the identity of the driver was a white male and one (1) pursuit the driver's demographics and identity is unknown. Both pursuits were conducted by different officers so a pattern was not identified based on the pursuing officer. Furthermore, there is not enough statistical data based on time of day or day of week to determine a pattern. Lastly, in 2022 there was two (2) pursuits conducted by this agency which resulted in a net zero increase/decrease of pursuits conducted in 2023.

The only pattern that was determined regarding the agency's pursuits in 2023 was that both (2) were terminated by the supervisor, zero (0) arrests were made, zero (0) vehicle crashes occurred, zero (0) injuries occurred to either the officer or the offender, as a result of the pursuits.

## 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\*

Bridgewater Township Police Department was involved in two (2) vehicle pursuits in 2023 one (1) of which was initiated by our agency and one (1) was initiated by another agency. Both (2) pursuits were terminated by the supervisor.

According to all available reports, the average speed of the two (2) pursuits was sixty two and one half (62.5) miles per hours, where the highest speed obtained was seventy five (75) miles per hour. The average total distance traveled during these pursuits lasted approximately two and one half (2.5) miles, where the longest distance traveled was 3.9 miles.

For the reason for the pursuits, there were only two (2) pursuits during 2023, there is not enough of a sample size to determine a pattern, as both pursuits were initiated for different reasons. One pursuit was initiated due to fleeing from a motor vehicle stop and one (1) pursuit was initiated for aggravated assault on a Law Enforcement Officer. There again is not enough of a sample size to determine discriminatory practices by our agency; one (1) pursuit the identity of the driver was a white male and one (1) pursuit the driver's demographics and identity is unknown. Both pursuits were conducted by different officers so a pattern was not identified based on the pursuing officer. Furthermore, there is not enough statistical data based on time of day or day of week to determine a patter. Lastly, in 2022 there was two (2) pursuits conducted by this agency which resulted in a net zero increase/decrease of pursuits conducted in 2023.

The only pattern that was determined regarding the agency's pursuits in 2023 was that both (2) were terminated by the supervisor, no (0) arrests were made, no (0) vehicle crashes occurred, no (0) injuries occurred to either the officer or the offender, and there was no (0) property damage as a result of the pursuits.

It is my recommendation that pursuits in the State of New Jersey should be discontinued due to the overwhelmingly stringent nature of the Attorney General's Pursuit Policy. The policy is outrageously cumbersome, difficult to understand, and impossible to comply with should a pursuit last any longer than a few minutes or miles.

## 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 department will continue the practice of issuing agency pursuit training twice yearly as mandated by the Attorney General's Office.