

Township of Maple Shade In the County of Burlington

Christopher J. Fletcher Chief of Police



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USE OF FORCE/VEHICLE PURSUIT ANNUAL REVIEW: Background

The township of Maple Shade is the southernmost town in the western section of Burlington County with approximately 20,000 residents. The town itself is 3.6 square miles and contains over 20 apartment and condo complexes mostly positioned on the outskirts of the township along major roadways. The demographics for the town can be broken down in the following ways (see attached 2020 US Census Data). The main body of the township is comprised of mostly Caucasians and does contain a small population of minority residents sprinkled throughout. The demographics for the apartment and condo complexes is very diverse and is also where the bulk of the minority population for the township resides. The largest of these complexes is the Fox Meadow Apartment Complex which consists of over 1490 units and 5,000 residents and is also where 2 of our 4 murder investigations took place in 2022. Its neighboring complex of Woods Edge also contains a large minority population and had one murder/shooting in 2019. The Township of Maple Shade does have a Main Street business district and several residential neighborhoods that surround it. There are 4 schools within Maple Shade including a combined junior/senior high school. Our school resource officer supervises a SLEO officer at each of the 4 schools. We will be completing our Active Shooter Training within the district during the month of March and it will be a combined a presentation on ALICE/ALERRT principles and a series of active roleplaying scenarios which involve the entire district (@500 staff members). Maple Shade also has 3 major roadways that slice through it including Route 73, Route 38 and Route 41 and the town is in close proximity to Interstate Route 295 and the New Jersey Turnpike. With that said, there also exists a motel district off of Route 73 and Route 38 in which 1 of our 4 murders occurred in 2022. Lastly, Maple Shade has 2 medical facilities in town which currently house patients that include drug rehabilitation and mental health consumers and are a frequent source for calls for service. Both are located in close proximity to our grade schools and this has been an issue over the years due to the nature of these calls.

Our agency, under my leadership, has significantly increased our presence in the community starting with the fact that I attend 12 public council meetings a year to interface with our elected officials and the citizens of Maple Shade. In addition, our agency conducts foot and bike patrols throughout the community including Main Street, our township neighborhoods and the apartment/condo complexes. We have added SLEO I officers who also conduct directed patrols of our



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Main Street in the evenings as well as our parks and recreational areas interacting with and building positive relationships with the juvenile population within our town. Further, the Volunteers of America have 2 full-time IMPACT Specialists embedded within our agency as well as our agency hosting a PILOT Program with Legacy Treatment Services to place a part-time mental health screener alongside the VOA Team within our record's department. In addition, and as you are aware, this agency recently signed an MOU to participate in the ARRIVE Program along side Burlington Township Police, Legacy Treatment Services, Oaks Integrated Care and your office for a much more robust mental health partnership as a more effective means of addressing concerns surrounding mental health consumers located within our community.

At your request, our agency has also added the Straight to Treatment program on Monday evenings as well as participating in the GAP Initiative under the umbrella of Operation Helping Hand in the transient areas in town to address addiction, human trafficking and mental health issues for the vulnerable populations located there. In addition, our agency also has a robust Police Chaplain Program consisting of 4 Chaplains who often assist and provide support to families during death investigations, family crisis issues, fire scenes, death notifications and during our active shooter training which we conduct within the school and business community. The Chaplains also exclusively handle all stationhouse adjustments as well, diverting youth from the Juvenile Justice System. Alongside the Chaplain Corp is a non-profit that I started called the Maple Shade Police Chaplain Association – A NJ Non-Profit 501c(3) Corporation which funds the activities of the Chaplains and has a board comprised of police, Chaplains and local political and business leaders. Lastly, our agency working with the Maple Shade Food Bank, has set up a Grab and Go food box in our police lobby to fill the immediate need of anyone struggling with hunger. All one needs to do is simply stop into the lobby and grab a large FREE bag of groceries. Inside each bag is also a VOA outreach card to contact them for program navigator assistance as well as a VOA personal grooming kit for their hygiene needs. This program has been a tremendous success and is known throughout our community.

Currently, our agency employs 36 full time officers, 2 SLEO II officers, 3 SLEO III officers and 2 SLEO I officers. I serve as the Chief of Police and have done so since January of 2020. Our additional command staff consists of a Captain and 2 Lieutenants. There are 5 Sergeants, 4 in the patrol division and 1 in the investigative division and 7 Corporals with 4 in the patrol division, 1 in the investigative division, our SRO and Community Affairs Officer are also both Corporals. We currently have 3 detectives with one focused on the Juvenile function and one focused on narcotics as well as 15 patrol officers. We have a dedicated Administrative Traffic Officer who focuses on traffic related issues within the township to include fatal crashes and last year I created a new position with the support of our Township Manager and Town Council called the Community Affairs Officer (CAO). This officer is stationed on the township side of the building allowing the public access to the officer in a less formal environment. This



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specialized officer also coordinates many of our community engagement activities such as VOA Pop Up events, the National Night Out, Senior Citizen Police Academy, Coffee and Custard with a Cop, food and financial drives to support the Maple Shade Food Bank, school engagement, presentation requests from the community and building up our youth initiatives as we move towards the summer of 2024 by developing a SLEO II team coordinating directly with the CAO.

Lastly, Maple Shade PD has attained Accreditation status through the New Jersey State Association of Chiefs of Police in October 2023 and did so with no "wet ink" policy changes or noted deficiencies during our on-site evaluation and commission appearance. This process has consistently helped our department develop and meet industry wide best practices and standards for the operation of our agency and we contracted with Lexipol to continue to assist us in these efforts. Further, we also contracted with Lexipol to provide our mandatory and voluntary training blocks throughout the year to make certain our officers remain fully aware of our policies and procedures at all times.

On the training front, this agency globally participated in the ICAT and ABLE training as required by the Attorney General as well as completing all annual CLEAR training. It is important to note that Captain Brian Weiss is one of six county wide ABLE instructors in Burlington County and has done an excellent job imparting these principles here at our agency. Beyond that and over the last several years, this agency has also completed multiple trainings on De-Escalation to include Verbal Judo (our current system), the Management of Aggressive Behaviors (MOAB), Dealing with the Developmentally Disabled and Autism and the First Responder. On an individual and instructor level, our agency has also participated in training on CIT (all supervisors and now expanding to line officers), Force Science Force Certification Course, Force Science Realistic De-Escalation Course, and the Force Science Body Worn Camera Course. It is important to note that this agency was also the sole PILOT program for Resiliency Training for officers in New Jersey. We are currently preparing for a third run through of the program and in a partnership with our Chaplain Corp and PBA Local #267, expanded the program to include our spouses and significant others. This piece has been observed by several at the Attorney General's Office as well as outside mental health professionals who have admired the efforts our team had undertaken with a focus on wellness.

Tactically, our agency currently carries and issues the following less lethal technology: Axon Taser 7's to now include most of the uniform patrol division, Sabre Red Oleoresin Capsicum (water based), Remington less lethal launchers with a bean bag drag stabilizer ammunition, expandable batons (SLEO I only) and I am currently exploring pepper ball technology having already certified 2 senior officers as instructors as well as the Bola Wrap once that comes on line from the Less Lethal Statewide Committee. Lastly, Detective Corporal Jeff Engel is a Master Level Taser trainer with both Axon and the Attorney General's Office and he is currently developing a training program for our agency based around our purchase of Taser's Virtual Reality Trainer.



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Analysis – Use of Force

The Maple Shade Police Department ended the 2023 calendar year with almost 25,000 calls for service. Many of these 25,000 calls for service centered on domestic disputes, disturbances, custody issues, assaults, mental health responses, overdoses, thefts, sex offenses, burglaries, robberies, traffic collisions and disorderly persons offenses. When comparing our calls for service to our use of force numbers, the Maple Shade Police Department uses force .001 of 1% which is outstanding and without a doubt proves that officers are in fact doing their level best to de-escalate situations unilaterally across the board. In addition, the transient nature of the highway area as well as the transient nature of the apartment complexes draws individuals from all walks of life, backgrounds, races, and experiences. Many of the challenges we face daily take place in these very diverse locations where the minority population has a significant presence when compared to the central hub of the township and that in turn translates into representing a larger portion of our use of force statistics even though they may physically represent a smaller portion of the overall population.

In analyzing our 2023 Use of Force data taken from both the Benchmark Analytics and our own internal documentation, here is the breakdown. There was a total of 30 officers involved in using force while responding to total of 15 incidents (Benchmark shows 19 incidents due to a difference in case entry numbers even though they are part of these reported 15 incidents and not new entries and their analysis is based on these 19 incidents). The incidents in question are further divided into the following top 5 categories labeled "initial reason for incident" and they are potential mental health (16), disturbance (9), domestic (6), medical emergency (6), and welfare check (5). Expanding on this further and focusing on the "subject conditions", the top categories were listed as mental health calls (12), under the influence (9), no unusual conditions present (4), and other unusual conditions present (2). Lastly, the top 5 categories labeled "subject actions leading to force" included resisting arrest and police control (19), attempt at self-harm (12), verbal/fighting stance (12), strike with an open hand, fist, elbow (11), and attempt to commit a crime (7). A total of 5 officers were injured during these incidents with injuries ranging from complaint of pain, contusion or bruise, abrasion/laceration, and fracture/dislocation. Benchmark's analysis lists 19 incidents which accounts for 10 total subjects injured during the force incidents. Their injuries ranged from abrasion/laceration to complaint of pain to contusion/bruise. There were no significant injuries noted and EMS was called when requested and appropriate. We were also called to the scene in almost every use of force incident this year.

When it comes to incident-based arrests, 10 subjects were arrested and 9 were not. The main reason subjects were not arrested was listed as being due to a mental health condition. The "force used by officers' included and ranked in order were a take down to the ground (16), used hands/arms (10), used an arm bar (6), used pressure points (2) and used a CED (1). Alcohol/drugs were a confirmed factor in almost 50% of the incidents and unknown in another 20%, a factor which poses a unique challenge to



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officers when attempting to de-escalate situations. In 100% of all the incidents the subjects involved ignored repeated police commands and more than the majority of these incidents the police were called to the scene. When examining the days of the week with respect to force being used, Saturdays was the highest with 9, followed by Thursdays with 7, Wednesdays with 5, Sundays with 3, Tuesdays with 3, Mondays with 2 and Friday with 1. Lastly and when it comes to time, 12pm was the most frequent time force was used with 6, followed by 4pm with 5, 5am with 5, 7pm with 4, 10pm with 3, 1am with 3, 3pm with 2, 1pm with 1 and 8am with 1.

Racial and Gender Comparisons

In analyzing the race of the actors to whom force was used, here is the breakdown: 19 were white, 8 were black and 3 were listed as 2 races or more. For ethnicity purposes, 23 were listed as non-Hispanic and 7 were listed as Hispanic. Of the incidents involving whites, 6 took place in town, 13 took place on the highway area including the apartment complexes. Of the incidents involving blacks, 2 took place in town with one taking place in one of our two medical facilities which have a diverse population and 4 took place in the highway area including the apartment complexes. One incident #23-11-28 reports the subject as black Hispanic, while the other 3 reports associated with this incident list the subject as having 2 or more races. Further, 6 of the incidents mentioned above required our officers to respond to a mutual aid request from Mooretown PD (4 officers) and Cinnaminson PD (2 officers). In comparison to our US Census Data for Maple Shade, 65.8% of the population is white, 10.7% is black, 6.8% is Asian, 7.8% is two or more races and 12.8% is Hispanic or Latino. From a gender perspective, force was used against 24 males and 6 females who are all listed as white. Of the females, 4 incidents took place in Moorestown assisting the above described mutual aid call and 2 involved a call along the highway area adjacent to a large apartment complex. In comparison to our US Census Data for Maple Shade, 52% of the population is male and 48% of the population is female. It is important to note that no racial animus or discriminatory practices were detected in any of our reviews of our officer's use of force.

Continuing with our internal review process, we have found officers spending anywhere between under 1 minute to 36 minutes on average PRIOR to using force, a statistic we will continue to monitor in 2024. As noted above, many of these instances required officers to take immediate action in close proximity to arrival due to the nature of the call and the actions of the subject upon whom force was used. It is important to note as stipulated above that our level of response to mental health crisis calls and disturbances alone where alcohol and drugs are on board for the subject at the center of these calls, often dictates the time and investment an officer can make in de-escalating a situation before they are required to use force to contain, control, secure or arrest a subject.



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Conclusions

Maple Shade PD has been conducting Use of Force reviews for years. This requirement is not anything new to us. As the Acting Chief since early 2019 and the permanent Chief since early 2020, I have reviewed every Use of Force to ensure compliance and best practices exist. Under the new directive and policy, I have continued that practice and included myself formally in the chain of command reviews. We conduct the same model of reviews for Show of Force and Vehicle pursuits. All of the force reviews were deemed justified after a meaningful command level review and 5 were listed as Justified with Counseling. The counseling provided focused on avoiding banter with subjects, maintaining a professional demeanor, using profanity and tactical considerations with respect to weapons handling.

Before wrapping up this analysis on force, I did want to address the most serious use of force incident which involved a CED deployment. During this incident, the subject involved encountered our officers on foot entering our town from a neighboring town. He was clearly agitated, aggressive and threatening. Numerous officers attempted to de-escalate this subject without success. He repeatedly, well over 10 times, called on officers to shoot him. They refused. This large framed individual then made a quick and intentional move towards an officer attempting to strip his firearm from his holster as the incident spilled into a street with active traffic. This forced two officers to physically resist this subject in an attempt to defend the firearm from being removed. It was in close proximity to this struggle in which he was tasered. The officer who deployed the Taser 7 had a great spread across the belt line, but one of the two probes dislodged shortly after the arc distribution began. As a result, the subject was already starting to recover as officers quickly moved in to secure him under the power of the Taser 7. By the time he hit the ground, he was already fighting officers attempting to shrug them off and now requiring a drive stun to his body which seemed to have little effect. A second and final drive stun was deployed and when this subject showed this stun was working effectively, the officer compassionately removed the taser from his body allowing the arc cycle to continue in the air and not on this subject. When he was finally in custody, the subject told our officers that the Taser 7 didn't hurt that much and that concerned our whole team. I am very much interested in additional less lethal options in order to provide our team members with a variety of less-lethal options and have expressed my concerns about this to the Special Investigations Unit of the Prosecutor's Office during our CED review. I have been told a Pepperball class will be scheduled up in 2024 by the Prosecutor's Office and this is one of several lesslethal technologies I will continue explore.



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Analysis – Show of Force

Of the 9 Show of Force incidents involving 13 officers, we were called to the scene 77% of the time and conducted self-initiated activity 23% time. The calls involved in the Show of Force included Robbery, Terroristic Threats, Stolen Vehicle, Carjacking, Domestic/Aggravated Assault and Weapons Possession. In approximately 70% of the incidents, the subject in question ignored verbal commands. An arrest was made in 85% of the incidents. 36% of the incidents took place in the highway area and apartment complexes with 64% taking place in main part of town, which included a mutual aid request to assist both Cinnaminson and Mount Laurel police in separate incidents. Examining the issue of race, 46% of the Show of Force reports involved whites and 54% involved blacks. All of the subjects listed were male except for one unknown who was not in police custody. The level of subject's resistance encountered by the officer upon contact included weapons offenses, flight from police, ramming a police vehicle, and aggressive behavior. The officer's in turn displayed a handgun along with verbal commands 85% of the time and conducted a Taser arc display with verbal commands 15% of the time. As far as the location of the show of force, 4 took place along the highway and in the apartment complexes, 2 took place in other towns whom we assisted with a mutual aid response and 7 took place in our town. Lastly, all of the Show of Force incidents were deemed justified after a meaningful command level review. Much like with the Use of Force, Officers are spending considerable time attempting to de-escalate situations in an attempt to lower the temperature on scene and gain compliance of the subjects involved. Our agency puts as much effort into our Show of Force reviews as we do our Use of Force reviews always looking to improve on tactics, techniques and procedures.

Year to Year Comparison

In comparison to 2022, our overall force reports and incidents are down as demonstrated in the trend analysis report. In 2022, our agency had 18 incidents involving force with 41 officers filing reports and 27,000 calls for service as compared to 2023 where we had 15 incidents involving force with 30 officers filing reports and 25,000 calls for service. There were 278 arrests made in 2023 with 39% being on view, 39% being with a warrant and the remainder being placed on a summons. Through the reviews that we conduct daily of our calls for service, our officers are spending considerable time de-escalating situations to avoid force as a last resort. No doubt our officers deal with a high number of mental health and addicted individuals and our outreach work with the Volunteers of America (VOA) gives our officers a softer first contact in many of these encounters and I believe that strategy has helped as well. We have also utilized our pilot program with Legacy Treatment Services for mental health and addiction interventions under SCIP screenings to direct needed services where warranted as well as accepting a second pilot program with the Prosecutor's Office for the Arrive program where our response protocol is listed as a "close follow up" and "follow up" model. Arrive is just getting under way in Burlington County and myself and my Operations Lieutenant have been asked to sit on the newly formed County Mental Health Working Group as part of their new team.



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For 2023, our "trends in force" showed an uptick in tackling or taking the subject down to the ground. This is usually very effective in avoiding more serious encounters and allows multiple officers to secure a subject. For this category, we went from 8 in 2022 to 16 in 2023. Further and with this said, we dropped considerably in the use of arms/hands from 24 in 2022 to 10 in 2023. Lastly, arm bars were also down slightly from 9 in 2022 to 6 in 2023. In examining officer injuries over the last 3 years, the numbers have consistently hovered around 5 and thankfully none were too serious to our officers. When talking about subject injuries, there were 10 that were reported. Most were minor in nature amounting to abrasions or lacerations. It was an increase from 2022, but many of the subjects our officers dealt with were aggressive, violent and threatening and the ground is often the safest place to secure these subjects to either take them into custody or secure them for transport to the hospital for a mental health screening. With that said, contacting the ground can cause abrasions and lacerations depending on the surface, surroundings and atmosphere upon which this takes place. To prepare for this, our officers are training annually in defensive tactics including a combination of Krav Maga and Gracie Brazilian Jiu-Jitsu for law enforcement, which is our latest edition to the program. We have several Level I Gracie instructors and plan to continue their development in this system by sending them for Level II certification later this year.

In comparing "subject conditions" from 2022 to 2023, the numbers dropped slightly but the percentages remained relatively the same. Two categories that stand out are potential mental health incidents (43% in 2023 versus 51% in 2022) and under the influence of alcohol/drugs/both (38% in 2023 versus 28% in 2022). Combined, both categories account for approximately 80% of subject conditions in the last 2 years. Expanding on this, "reasons for force" is the next category I will compare year to year. Potential mental health incidents ranked 1st and dropped slightly in 2023 accounting for 16 contacts in comparison to 17 in 2022. Disturbances (drinking, fighting and disorderly) listed 2nd in the ranking increased in 2023 to 9 from 3 in 2022. Domestics and medical emergencies remained the same. The last category I am going to address is the one which showed a significant decrease in 2023 with just 5 contacts is welfare check. In 2022, we had 15 welfare check contacts tied to force and again, I attribute the outreach work we have been doing in the community interjecting assistance before it reaches a point where a person may be spiraling downward into a crisis mode combined with our de-escalation training in convincing folks to seek assistance without the need for force.

The last category I will conduct a year to year analysis on is the "subject actions leading to force over-time". The top contact displayed was resisted arrest and officer control with 19 listed for 2023 in comparison to 30 in 2022. This is followed by and a tie for second with attempted self-harm at 12 for 2023 and 6 in 2022 and verbal/fighting stance/threat with 12 in 2022 and 13 in 2023. The next contact



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listed is strike with an open hand, fist or elbow with 11 listed in 2023 in comparison to 4 for 2022 followed by attempt to commit a crime with 7 listed for 2023 and 2 listed for 2022. Lastly and rounding out the top 5, push or shove is listed with 6 in 2023 compared to 12 in 2022. As you can see, many of these contacts surround mental health issues layered in with violent or threatening behavior often directed at or towards law enforcement or another and which requires action on the part of the officer. De-escalation techniques will only work if a person is open to talking or conversing versus someone determined to physically act or harm themselves or another. The action taken by our officers is the least amount necessary to make certain the subject is appropriately controlled and secured based upon the situation at hand.

Recommendations:

Our officers overall have done an excellent job considering we handled almost 25,000 calls for service and had only 15 incidents involving 30 officers using force. Statistically, this is tremendous. As I noted earlier in my report, the challenges we face in the apartment complexes, motel and highway districts are many due to the transient nature of the population that resides there. Forming lasting, meaningful and significant relationships can be difficult when most residents move in and move out on a regular basis. As was highlighted in the 21st Century Policing model, by knowing the community well that we engage with stands to reason that police will be less likely to engage in behaviors that could be considered abusive, excessive or unethical. With this in mind, we plan to continue our engagement either way by utilizing our Community Affairs Officer and building out a SLEO team to support our engagement efforts. A recent example of this is the Fox Meadow apartment complex which has a population of 5,000 people and has built a new community center. We are already in discussions with their management group to talk about how we can work together for a successful partnership to benefit their rental community and build relationships moving forward.

We also plan to continue our de-escalation training in Verbal Judo for our officers which continues to show its benefits to our team, as well as investing in our officer's future by engaging in continuing education and training through the various police academies and reputable private training groups. By investing in our officers, by having clear policy statements through Accreditation and by showing the community our commitment to them through many of our charitable works and engagement efforts, I am hopeful that the times that we have to use force remain minimal and that the force we must use also remains minimal.



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Vehicle Pursuit Review:

In 2023, there was one vehicle pursuit conducted in Maple Shade Township by our agency in the area of Rt. 38 and Lenola Road at 9:30am on a Wednesday. The officer, who was the supervisor on duty, observed a violation and attempted to stop the vehicle in question when it took off rapidly and erratically from the scene entering the next township (Moorestown). The officer involved believed the vehicle may be a fresh stolen due to the actions of the operator which included driving up and over the curb/grass area of private property near an intersection to avoid traffic and the police. The pursuit was of short duration, reached a speed of between 80 to 89mph, lasted for .5 miles and for approximately 1 minute, before it was self-terminated by this officer. Through the on-going investigation conducted by the officer, the operator of the vehicle was later identified and charged with Eluding and Obstruction as well as several Title 39 violations.

Recommendations:

Since we had only one pursuit in 2023, there is really no analysis to be completed. As an agency, we will continue to discourage pursuits by our officers unless the situation is so extreme that it requires one to be permitted. The one caution I would note is the continuing challenge of officers following a vehicle that is refusing to stop or feigns stopping and then speeds off again. This behavior by suspects creates issues for officers attempting to find a bright line of "am I in pursuit or not". We had several eluding incidents where officers did not pursue, but were very concerned about being called out by our administration or outside entities trying to say they were pursuing. Our administrative team has done our best to continue to drill down on these points so we remain compliant with our policy while understanding suspects are doing their best to create unwinnable situations for law enforcement, knowing full well how restrictive the policy continues to be in New Jersey.

Internal Affairs Overview:

Our agency had a total of 8 Internal Affairs complaints filed against 8 officers for 2023 in conjunction with handling almost 25,000 calls for service. 6 complaints were filed by citizens and 2 were opened by the agency to take a deeper look at an incident or encounter. As far as dispositions go, 6 officers were Exonerated following proper policy/procedures. 1 complaint was Sustained against an officer stemming from an agency investigation and 1 complaint was listed as Not Sustained as we were unable to prove or disprove the allegation from the citizen complainant. No complaints remained open into 2024. None of the complaints involved Excessive Use of Force or Vehicle Pursuit Violations and there was no major discipline listed for 2023.



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Body Worn Camera (BWC)/Video Audit:

In accordance with our BWC policy, our supervisors conduct a meaningful BWC review for any use of force, motor vehicle or foot pursuit, officer involved collision or officer involved injuries. In addition, these reviews are forwarded up through the chain of command to the Chief of Police as well to make certain all policies and procedures are being followed. Crashes involving officers will also go before the Crash Review Board which is run by a Lieutenant with a disposition recommendation made to the Chief of Police through the chain of command. Lastly, whenever an officer is injured on the job, there is a risk-based assessment completed in order to determine what if anything could have been done differently to prevent the injury to the officer or to change the outcome of the event in question.

With Maple Shade PD having been recently Accredited for the first time by the New Jersey State Association of Chiefs of Police in the fall of 2023, we are currently discussing adding in random reviews of officer BWC footage in an effort to conduct additional checks for compliance with agency policies and procedures. This concludes my 2023 Use of Force and Vehicle Pursuit analysis.

Respectfully submitted, **Christopher J. Fletcher** Chief Christopher J. Fletcher