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Attorney General

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Office of The Attorney General

- Gurbir S. Grewal, *Attorney General*

For Further Information:

Media Inquiries-

Peter Aseltine
or Lee Moore
609-292-4791

Citizen Inquiries-

609-984-5828

AG Grewal Outlines Process for Revising New Jersey's Use of Force Policy

Initiative to Include Statewide Listening Sessions, Online Public Comment Website

TRENTON – Attorney General Gurbir S. Grewal today outlined plans for revising New Jersey's "Use of Force Policy," which governs when the state's 36,000 law enforcement officers may—and may not—use force against civilians. As part of that process, Attorney General Grewal announced that his office has launched an online portal for public comments and will be organizing community listening sessions in all 21 counties.

On June 2, 2020, Attorney General Grewal first announced his intention to revise the Use of Force Policy, the first update in two decades. The initiative is part of the Attorney General's [Excellence in Policing](#) initiative, a sweeping set of policing reforms launched in December 2019 to promote the culture of professionalism, accountability, and transparency that is the hallmark of New Jersey's best law enforcement agencies.

"The Use of Force Policy affects everyone, and so everyone should have the opportunity to weigh in on its revisions," said Attorney General Grewal. "We want to hear from a broad cross-section of our state: police officers, civil rights advocates, religious leaders, victims' rights organizations, and community members. We especially want to hear from those that have had negative experiences with law enforcement officers because we are committed to getting this right. By engaging residents across New Jersey, we will ensure that the updated policy reflects New Jersey's values."

The public comment portal, available at [nj.gov/oag/force](https://www.nj.gov/oag/force), will accept submissions through August 1, 2020. The portal allows residents to submit comments about any aspect of the Use of Force Policy, but specifically requests input on topics that will be discussed as part of the revision process, including:

- Specific tactics designed to subdue a subject (e.g., chokeholds, neck restraints, strikes to the head and face, use of police dogs);
- Engaging subjects with serious mental illness or substance abuse issues;
- Exhausting all other reasonable means (e.g., verbal warnings) and pursuing de-escalation before resorting to deadly force;
- Applying force proportionate to the subject's alleged conduct (e.g., limiting the use of force when the subject has committed a non-violent offense);
- Less-than-lethal uses of force (e.g., bean bag shots, rubber bullets, disabling netting);

- Duty to intervene when another officer engages in excessive use of force;
- Firing a weapon at a moving vehicle;
- High-speed car pursuits;
- Reporting and training requirements; and
- Any other proposals that reduce the risk of injury and death to civilians while maintaining the safety of police officers.

In addition to the online portal, the revision process will include community listening sessions in all 21 counties. Each of New Jersey's County Prosecutors will host an in-person or virtual event to obtain the public's view on police use of force, and these views will be shared with the Attorney General as part of the revision process.

To kick off these statewide listening sessions, Attorney General Grewal will host an online forum on June 24, 2020 to discuss New Jersey's current Use of Force Policy and describe some of the revisions under consideration. The Attorney General will be joined by Jonathan Parham, who previously served as the Chief of the Linden Police Department and now serves as the Director of Countywide Police Policy, Planning, and Training at the Union County Prosecutor's Office. Attendees can register for the online event [here](#).

Unlike in other states, where policing reform often occurs in a patchwork fashion at the local level, in New Jersey, the Attorney General has broad authority to issue statewide policy documents known as "law enforcement directives," which are binding on all law enforcement agencies and all 36,000 state, county, and local law enforcement officers. In recent years, Attorney General Grewal has used this authority to issue a number of significant directives, including the:

- [Independent Prosecutor Directive](#) (AG Directive 2019-4), which established a ten-step process for conducting independent investigations of officer-involved shootings and other serious use-of-force incidents;
- [Officer Resiliency Directive](#) (AG Directive 2019-1), which created a first-in-the-nation statewide program to promote the psychological and mental resiliency of law enforcement officers; and
- [Internal Affairs Directive](#) (AG Directive 2019-5), which overhauled the internal disciplinary process for police departments;
- [Immigrant Trust Directive](#) (AG Directive 2018-6), which limited the types of voluntary assistance that state, county, and local law enforcement officers may provide to federal civil immigration authorities.
- [LGBTQ Equality Directive](#) (AG Directive 2019-3), which established rules for law enforcement interactions with transgender, non-binary, and gender non-conforming individuals;

Each of these directives were drafted in consultation with a broad range of stakeholders.

Attorney General Grewal has stated that he intends to issue a law enforcement directive revising the Use of Force Policy before the end of 2020.

Web links:

Comment portal: <https://www.nj.gov/oag/force/>

June 24 event: <https://register.gotowebinar.com/register/2061728745537443599>

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