

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").

County

Morris

Law Enforcement Agency

Morris Plains Police Department

Agency Statistics:

As of the date of completion of this report, the Morris Plains Police Department employs 18 full time officer and one Class III Special Law Enforcement Officer. The rank structure of the Agency includes two Lieutenants, one assigned as the Patrol Division Commander and the second assigned as the Support Services Division Commander. The Investigative Division is supervised by a Detective Sergeant with one Detective assigned to the Unit. The Patrol Division is separated into four squads, each supervised by a Sergeant and has two Patrol Officers assigned to each squad. The 18th officer is assigned to the newly created Traffic Unit.

The author of this report, Michael M. Koroski, is the Chief of Police, and has served in that capacity since April 1, 2020. Chief Koroski has been a member of the Department for 22 ½ years.

In 2023, the Morris Plains Police Department recorded:

- 36,147 events (inclusive of proactive patrol/property checks)
- 270 motor vehicle crash investigations
- 70 Adult Arrests

Based on the overall number of police involved events, Morris Plains Police Officers used force in 0.011% of law enforcement events.

To complete this analysis, the documents and data reviewed included:

2023 Use of Force Annual Trend Report *attached

2023 Pursuit Annual Trend Report * attached

2023 Agency Benchmark Analytics Report

Two Use of Force Incident Meaningful Review Reports

One Pursuit Incident Meaningful Review Report

2022 Office of Justice Data NJ Law Enforcement Officer Diversity (specific to Morris Plains)

Date of Report

3/19/2024

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 Morris Plains Police Department supervisory and administrative personnel complete random monthly audits of sworn officer BWC recordings and conduct meaningful reviews of BWC and other video footage for risk-based incidents following Attorney General Guidelines, Morris County Prosecutor's Office Directives, Department Policies, and N.J.S.A.C.O.P. Accreditation Standards. Specifically, there is a two-level review process. A sworn officer who is one rank above the officer involved in the incident completes the level one review. An officer one rank above the level one reviewer completes the level two review. In cases of rank conflict, the internal affairs unit or training coordinator may complete the level two review.

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.A. Complaints Filed	0
I.A. Complaints Filed by Civilians	0
I.A. Complaints Initiated by Agency	0
I.A. Complaints Pending	0

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 intent of the documented meaningful review process is to determine whether policy, training, equipment, or disciplinary issues need to be addressed. A supervisor, commanding officer, or internal affairs may conduct a meaningful review. The reviewing officials should be one rank above the officer using force. If a command rank officer or the agency chief of police uses force, the internal affairs function or training coordinator must conduct a meaningful review.

For the calendar year 2023, two use-of-force incidents were examined following the Agency's meaningful review procedures. Specifically, both incidents involved a sergeant and a police officer.

Incident One: The detective sergeant, assigned to the internal affairs function, completed the level one review of the patrol sergeant's actions. A lieutenant, assigned as the patrol division commander, completed the level two review. The chief of police completed an executive-level review of the incident. For the officer involved, level one review was completed by the officer's supervisor, a sergeant. A lieutenant, the patrol division commander, completed a level two review. The executive-level review was completed by the chief of police. The review concluded that the use of force was appropriate, necessary, and justified with the minimal amount of force utilized to accomplish the objective of getting medical aid for the individual after he struck a police officer.

Incident Two: The detective sergeant, assigned to the internal affairs function, completed the level one review for of the sergeant's actions. A lieutenant, assigned as the patrol division commander, completed the level two review. The chief of police completed the executive-level review of the incident. For the officer involved, level one review of the officer's actions was reviewed by his supervisor, a sergeant. A lieutenant, the patrol division commander, completed a level two review. The executive-level review was completed by the chief of police. The review concluded that the use of force was appropriate, necessary, and justified with the minimal amount of force utilized to accomplish the objective of getting medical aid/mental health treatment for the individual after he struck an emergency medical technician.

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

This review concludes that the application of force in two incidents was applied in a non-discriminatory manner. This conclusion was reached in consideration of:

- 1. Force was applied in response to the actions of the subjects involved.*
- 2. The subjects of the use of force were white males.*
- 3. The officers involved are white males.*

To support this finding further, according to the Office of Justice Data, the Borough of Morris Plains has a population of 6,153, of which, 76% of residents are white.

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

In a review of 2023 use of force incidents, there was a decrease in incidents as compared to 2022, two incidents and five incidents respectively. Both use-of-force incidents in 2023, were reviewed in accordance with the meaningful review process and revealed no need for changes to departmental structure, policy, or equipment. Additionally, the uses of force by Morris Plains Police Officers were found to comply with the Attorney General's Use of Force Policy and Morris Plains Police Department Policy.

In consideration of the desire to further reduce an already low number of use-of-force incidents, the Morris Plains Police Department has established a goal of training every sworn officer in the 40-hour Crisis Intervention Training program. A comparison of both 2022 and 2023, and anecdotal experiences indicate that mental health continues to be a factor in the use of force. As such, the Morris Plains Police Department, as part of an ARRIVE pilot program, has collaborated with the Morris County Prosecutor's Office, the Mental Health Association of Essex and Morris, and the municipal law enforcement agencies of Madison, Morristown, and Morris Township.

A three-year use-of-force review shows no trend in the total amount, nor an increase/decrease trend. One comparison that can be concluded is that officers are relying upon de-escalation tactics and resorting to compliance holds to accomplish lawful and necessary objectives, with the overall result of zero injuries sustained by officers or subject of the use of force.

Use of Force Incidents

2021	0
2022	5
2023	2

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

As noted in paragraph two of Section Five, the Morris Plains Police Department is committed to the reduction of an already low number of use-of-force incidents through training and community partnerships. There is no identifiable need to enact department-wide changes to structure, policy, or equipment. No specific or identifiable needs exist for individual members of the agency or any of its divisions.

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

The Morris Plains Police Department supervisory and administrative personnel complete random monthly audits of sworn officer BWC recordings and conduct meaningful reviews of BWC and other video footage for risk-based incidents per Attorney General Guidelines, Morris County Prosecutor's Office Directives, Department Policies, and N.J.S.A.C.O.P. Accreditation Standards. Specifically, there is a three-level review process. A sworn officer one rank above the officer involved in the incident completes the level one review, and an officer one rank above the level one reviewer completes the level two review. In cases of rank conflict, the internal affairs unit or training coordinator may complete the level two review. The chief of police completes an executive-level review.

Section Two: Internal Affairs Complaints

Your analysis must include a review of internal affairs complaints related to vehicular 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

I.A. Complaints Filed	0
I.A. Complaints Filed by Civilians	0
I.A. Complaints Initiated by Agency	0
I.A. Complaints Pending	0

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 intent of the documented meaningful review process is to determine whether policy, training, equipment, or disciplinary issues need to be addressed. The meaningful review can be conducted by a supervisor, commanding officer, the training function, or the internal affairs function. The reviewing officials should be one rank above the officer using force. If a command rank officer or the agency chief of police uses force, the internal affairs function or training coordinator must conduct a meaningful review.

For the calendar year 2023, one pursuit was examined following the Agency's meaningful review procedures. Specifically, the incident involved a police officer.

Incident One: For the officer involved, level one review of the officer's actions was reviewed by his supervisor, a patrol sergeant. A lieutenant, the patrol division commander, completed a level two review. The executive-level review was completed by the chief of police. The review concluded that all guidelines and policies were followed. The officer attempted to initiate a traffic stop of a shoplifting suspect and the suspect vehicle began to flee upon the activation of emergency lights. The shift supervisor immediately advised that the pursuit was not authorized and the pursuit was terminated.

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

The singular pursuit conducted by this agency was found to be compliant with all directives and policies.

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

The only vehicle pursuit conducted by this Agency was initiated by the violator and race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation or any other protected characteristic was not a factor in the pursuit.

The pursuit was approximately one minute in duration and was based upon the actions of the suspect fleeing. While the store loss prevention identified the shoplifting suspect as an African-American Male, other than the vehicle's operation, there was no determination or identification made on the operator's race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected class. The officer, however, did observe that an African-American Female occupied the front passenger seat of the vehicle.

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 sole pursuit engaged in by the Morris Plains Police Department followed all guidelines and policies. The pursuit commenced after a motor vehicle stop was initiated on a shoplifting suspect, reported to the agency by the loss prevention officer. Only one officer participated in the pursuit, which was immediately and appropriately terminated by the supervisor. Due to its immediate termination, no outside law enforcement agencies were involved, the pursuit duration was approximately one minute in length and covered a distance of less than one-half of a mile. The officer's top speed was approximately 70 MPH and no injuries, crashes or property damage occurred. The pursuit was terminated after not meeting the criteria or offenses for pursuit and based upon the reckless operation.

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*

Based upon a review of only one, compliant pursuit, no changes to departmental structure, policy, training, or equipment are required.