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**PRESS RELEASE**

**CUMBERLAND COUNTY PROSECUTOR'S OFFICE  
CONCLUDES USE OF FORCE WAS LEGALLY  
JUSTIFIED IN JULY 14, 2018 FATAL POLICE  
SHOOTING IN VINELAND**

The Cumberland County Prosecutor's Office ("CCPO") has completed its investigation into the July 14, 2018 use of force by "Officer No. 1" of the Vineland Police Department ("VPD"), and has concluded that the use of force was legally justified. The CCPO determined that it is not necessary to present this matter to the Grand Jury because there were no material facts in dispute regarding the lawfulness of the use of force. The investigation was conducted in accordance with the Attorney General's Independent Prosecutor Directive (July 28, 2015, Supplemental Law Enforcement Directive Regarding Uniform Statewide Procedures and Best Practices for Conducting Police Use of Force Investigations) ("Directive"). Pursuant to the

Directive, the Attorney General's Office conducted an independent review of the use of force and agreed with the CCPO's determination that there were no material facts in dispute and that the use of force by Officer No. 1 in this case was justified. The Attorney General's Office concurred with the CCPO's conclusion to forego presentation of this matter to the Grand Jury.

The incident occurred on July 14, 2018 at 436 West Wood Street, Vineland, New Jersey. On that date, Officer No. 1 discharged his police-issued rifle and caused the death of Rashaun Washington.

The undisputed material facts are as follows. At approximately 11:22 a.m. the VPD received a call from a resident of 436 West Wood Street, Vineland, New Jersey. The caller stated that there was an unknown male, wearing no shirt and refusing to leave the property. VPD "Officers No. 4 and No. 5" responded and arrived at the scene at 11:26 a.m. When police arrived, the individual, later identified as Rashaun Washington ("Washington"), was standing in the middle of a driveway, directly adjacent to the residence. The driveway was the width of two vehicles, and there was an empty lot on the other side of the driveway.

Officers No. 4 and No. 5 asked the individual his name and asked him "what was going on." Washington refused to identify himself. Officers saw a white t-shirt wrapped around an unknown object in Washington's hands. Officer No. 5 called for additional units. Officer No. 4 directed Washington to put down the object and Washington refused. Officer No. 4 asked Washington what was in his hand, and Washington responded "you're going to have to kill me." Officer No. 4 replied "nobody wants to kill you." Officer No. 5 asked Washington to put down the object and said "we don't have a problem with you."

At approximately 11:28 a.m., Officer No. 1 arrived with his police-issued rifle. Officer No. 1 took up a position a few feet from the end of the driveway, and approximately 20 feet from

Washington, with his rifle pointed in the direction of Washington. At 11:29 a.m., “Officer No. 2” parked his police vehicle at the entrance of the driveway, and removed his K-9 from the car. Within five minutes of the call for backup, a total of eight VPD officers arrived on scene. After Officer No. 1 and Officer No. 2 arrived, Washington began pacing back and forth in the driveway. Washington continued to refuse to put down the unknown object. At approximately 11:30 a.m., Washington said that the officers would have to shoot him in the head, otherwise he would pull the pin from the object in his hand (implying it was a grenade) and they would “all die.” Officers continued to calmly and firmly ask Washington to put down the unknown object in his hand, and Washington continued to refuse. Officer No. 1 lowered his weapon, asked Washington why he was upset and asked him to just talk with the police. At 11:32 a.m., Officer No. 2 placed his K-9 back in his vehicle in an attempt to calm Washington, as the K-9 was barking loudly. At this time there were four officers standing around Washington at distances of ten to twenty feet away from him. Officers continued to try to calm Washington and get him to discuss what was upsetting him.

At 11:35 a.m., Washington said “I’m going to die right here, right now.” At 11:37 a.m., Washington stated that if he “pulled the tip off. . .a couple of us are going to get blown the \_\_\_\_\_ up.” At 11:38 a.m., officers observed that there were passengers in a vehicle at the end of the driveway. Officer No. 4 went around the rear of the empty lot and directed the passengers out of the car, and away from the residence. At 11:39 a.m., Washington told police he escaped from a hospital, stole a car, and “let his kids go” earlier in the day. Officer No. 1 told Washington that his children needed him to be alive for them. At 11:41 a.m., Officer No. 1 radioed to other officers that he could see something yellow sticking out of the t-shirt, but that he

could not tell what it was. At 11:42 a.m., Officer No. 2 told Officer No. 1 that he thought Washington had a knife in the t-shirt.

At 11:44 a.m., Washington began to get more agitated and began pacing faster. He said he was going to run at an officer. Officer No. 1 raised his rifle, pointed it at Washington and told him to stay back. Washington continued to say that he was going to make the object in his hand explode. Officer No. 1 ordered the other officers to take several steps away from Washington. At 11:47 a.m., Officer No. 2 removed his K-9 from the vehicle again. Washington and the officers remained at an impasse for the next seven minutes, with officers calmly asking Washington to put down the weapon. At 11:54 a.m., Officer No. 1 asked "Officer No. 3" to speak with Washington because he thought Washington would be more open to speaking with an officer that did not have a weapon. At this time, a crowd of more than a dozen bystanders formed on the opposite side of the street, behind the officers who were speaking with Washington. Officer No. 1 directed officers to have the crowd moved to a safer distance.

At 11:55 a.m., Washington began pacing, walking from the middle toward the front of the driveway and back. The pacing placed him between fifteen and twenty feet of Officer No. 1, who was directly in front of him. Officer No. 1 shouted to Washington to step back several times. He shouted "don't make me shoot you." At 11:56 a.m., Washington charged toward Officer No. 1, getting to within approximately eight feet of him. Officer No. 1 discharged his rifle three times in immediate succession. Officer No. 1's shots hit Washington in the shoulder, abdomen and forearm. Officer No. 2 released his K-9 at the same moment Officer No. 1 discharged his weapon. The dog clamped down on Washington's thigh with its mouth. Washington fell forward toward Officer No. 1 after he was hit and continued to crawl toward

him, still holding the unknown weapon. Officer No. 3 discharged his pepper spray at Washington as he struggled to avoid police restraint.

After a few seconds, police were able to remove Officer No. 2's K-9 from Washington and handcuff him. Officers then began to try to provide medical assistance to Washington by applying pressure to his gunshot wounds. Officers found a pair of garden sheers inside the rolled t-shirt Washington had been holding.

The entire incident as described above was fully documented through the body worn camera footage of nine responding VPD officers, all of which was preserved. EMS arrived and Washington was placed in an ambulance at approximately 11:58 a.m. Washington was transported to Inspira Hospital in Vineland, New Jersey. He arrived at the emergency room at 12:10 p.m. without cardiac activity and was pronounced dead at 12:30 p.m.

Personnel from the Professional Standards and Major Crimes Units of the CCPO responded to the scene and investigated the incident. Members of the CCPO interviewed the six officers who witnessed the shooting and two other officers who did not witness the shooting but responded during the incident. The six officers who witnessed the shooting confirmed that Officer No. 1 discharged his weapon only when Washington charged him. All of the officers believed Washington had a knife or possibly a small explosive device in his hands. The officers' statements were consistent with each other and corroborated by the body worn camera footage. Further, the body worn camera footage of the incident was released to the public shortly after the shooting.

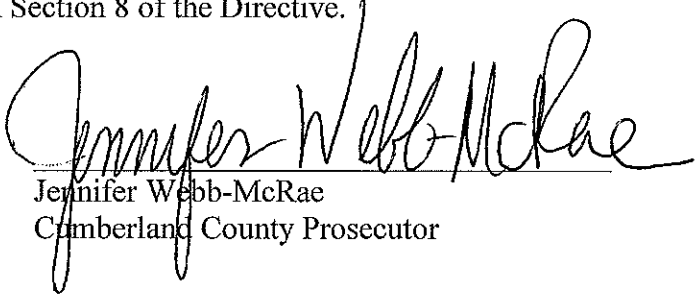
The State Medical Examiner performed an autopsy on Washington's body. The autopsy showed bullet wounds to Washington's shoulder, abdomen and forearm. The examination also revealed tooth marks on his thigh from the K-9. A toxicology report showed that Washington

was under the influence of controlled dangerous substances (THC and PCP) at the time of his death. The ballistics report indicated that the three shots fired by Officer No. 1 matched the three casings found at the scene. Two projectiles removed from Washington's body matched Officer No. 1's rifle. The ballistics report indicated that the casings and projectiles were all discharged from Officer No. 1's rifle.

Applying the Directive to the undisputed material facts outlined above, the use of force by Officer No. 1 was justified pursuant to N.J.S.A. 2C:3-4, Use of Force in Self-Protection. The statute states that "the use of force upon or toward another person is justifiable when the actor reasonably believes that such force is immediately necessary for the purpose of protecting himself against the use of unlawful force by such other person on the present occasion." The law defines "reasonable belief" as one which would be held by a person of ordinary prudence and intelligence situated as the actor was. Further, N.J.S.A. 2C:3-5 permits protection of others under the same circumstances "when the person he seeks to protect would be justified in using such protective force" and the person "reasonably believes that his intervention is necessary for the protection of such other person."

An independent analysis of the undisputed material facts led to the determination that Officer No. 1 had a reasonable belief that discharging his rifle was necessary to protect himself, other officers and bystanders. Officer No. 1's use of force in this matter was justified pursuant to applicable statutes, laws and the Attorney General Guidelines.

A law enacted in January 2019 requires that the Attorney General's Office conduct investigations of a person's death that occurs during an encounter with a law enforcement officer acting in the officer's official capacity or while the decedent is in custody. This deadly force investigation preceded enactment of that law, therefore the investigation was conducted by the CCPO and reviewed by the Attorney General's Office in accordance with the Directive, which established strict procedures for conducting such investigations. This statement was prepared and disseminated to the public in accordance with Section 8 of the Directive.



Jennifer Webb-McRae  
Cumberland County Prosecutor

**FOR IMMEDIATE RELEASE**

*\*If this press release involves the charging, accusation or indictment of a criminal defendant, same is merely an accusation. The defendant is presumed innocent until and unless proven guilty.*