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### **Mercer County Grand Jury Takes No Action in Fatal Shooting Involving Trenton Police Officers**

**TRENTON** – A Mercer County grand jury voted this week not to file any criminal charges at the conclusion of its deliberations regarding the death of Darnell D. Stafford, 31, of Ewing, who was fatally shot by two Trenton Police Department officers immediately following a home invasion in which Stafford was armed with a handgun.

The shooting was investigated by the Mercer County Homicide Task Force. After considering testimony regarding the factual circumstances of the event and the physical evidence discovered during the investigation, the Mercer County grand jury found no cause for action, meaning it declined to indict either of the Trenton police officers.

#### **Summary:**

An independent investigation revealed 31-year-old Darnell D. Stafford had entered a residence on Wilson Street on the morning of November 13, 2014, while armed with a handgun, and threatened the residents with the handgun while demanding money. The female adult victim fled the residence with her 3-month old baby and 9- and 16-year-old sons as Stafford confronted the male adult victim. Stafford took personal belongings from the male victim while pointing the handgun at him. The male victim struggled with Stafford then fled the residence. As the police officers responded in their marked Trenton Police vehicle to Wilson Street, they observed Stafford, armed with a long-barrel handgun, chasing the victims into the street. In an effort to protect the victims from death or serious bodily injury, the officers sped up to place their vehicle between Stafford and the victims.

Stafford then pointed his weapon at the police vehicle and fired at the officers inside. Several witnesses confirmed that Stafford had his arm raised and pointed the weapon at the police vehicle as they heard gunshots. One officer returned fire from inside the vehicle while the other exited the vehicle and fired at Stafford from the rear of the police vehicle. Officers ordered Stafford to drop his weapon, but he turned away from police. After he ignored orders to show his hands, both officers fired again at Stafford. He was struck multiples times and fell to the ground. A Smith & Wesson .22 caliber long-barrel revolver was located on the sidewalk between the police vehicle and where Stafford fell.

### **Factual findings of the investigation:**

On November 13, 2014, at approximately 7:02 a.m., Trenton Police Department officers were dispatched to Wilson Street as a result of a 911 call for a man with a gun who had just entered the residence. The caller was the 16-year-old victim, who described the armed man as approximately five feet, eight inches tall, brown-skinned, wearing glasses and skinny. The armed man had approached the 16-year-old and his 9-year-old brother as they took the trash outside that morning. The man pointed the handgun at the older brother and followed him back inside the house. The 9-year-old brother ran to a neighbor's house to call for help. When the armed man got inside, he pointed the handgun at their mother and ordered her upstairs. He then confronted the adult male victim in an upstairs bedroom and demanded money. It was during this time that the 16-year-old called 911. The adult female grabbed her 3-month-old baby from the upstairs bedroom and fled to a neighbor's house. The armed man ordered the adult male downstairs at gunpoint and demanded money, while forcibly taking jewelry from the victim. Once they reached the living room, the adult male victim struggled with the armed man. The 16-year-old ran from the residence, followed by the adult male victim.

Officers #1 and #2, who were both in police uniform and operating a marked Trenton Police vehicle, were near the area and responded to the 911 dispatch. As the officers proceeded to the scene, a Trenton Communications police dispatcher received another 911 call from a neighbor that the armed man was a black male wearing green pants, clear glasses, a green shirt and a black jacket.

When they neared the caller's address on Wilson Street, Officers #1 and #2 observed two children and an adult male running into the street ahead of them, westbound on the street. They also observed a black male, who fit the description of the suspect, chasing the adult male. The adult male who was being chased was wearing only a t-shirt and boxer shorts. The suspect, who was later identified as Darnell D. Stafford, was wearing a black jacket, green pants, and glasses, and was armed with a long-barrel handgun. Officers #1 and #2 noticed that Stafford was armed with the handgun and he continued to chase the adult male as the adult male ran across the street. Officer #1, the driver of the police vehicle, attempted to stop Stafford's pursuit of the victim by pulling the marked police vehicle between them. As Officer #1 separated the two with the vehicle, the adult male who was

being chased by Stafford yelled to Officer #2, "This guy is trying to shoot me!" After the police cut him off from the victim, Stafford bumped into the front driver's side of the marked police vehicle then raised his gun and pointed it directly at Officer #1. Stafford then fired his weapon directly into the windshield of the police vehicle from approximately one foot away.

Immediately upon seeing Stafford pointing the handgun at him, Officer #1 ducked to avoid being fatally shot, drew his duty weapon and fired at Stafford from inside the police vehicle. Officer #2 exited the police vehicle on the passenger's side and returned fire from rear of the vehicle. Both officers fired multiple times at Stafford. Stafford then ran toward a driveway between two houses on Wilson Street as officers commanded him to drop the weapon. While moving toward the driveway, Stafford turned in the direction of the officers with his right arm raised. Officers again fired at Stafford. Stafford fell to the ground in the driveway and continued moving around as Officers #1 and #2 were ordering him to drop his weapon and show his hands. Stafford did not comply with the commands of the officers and attempted to push himself off the ground. Officers again fired at Stafford. In total, Stafford was struck 24 times. Officer #2 was finally able to secure and handcuff Stafford after Stafford ceased all movement. Property belonging to the adult male victim – wallet, identification, jewelry – was later found in Stafford's possession.

Several area residents, including the victims, observed the encounter between Stafford and the police. They reported that the police vehicle came up the street and pulled between Stafford and the victim. They then saw Stafford raise the firearm towards the police vehicle and heard multiple shots as he pointed the gun directly at the police vehicle. They then heard additional gunshots from what sounded like different guns. Some residents saw the police exit their vehicle and return fire at Stafford as the residents ran behind parked vehicles or inside their homes.

After considering testimony regarding the factual circumstances of the event and the physical evidence discovered during the investigation by the Mercer County Homicide Task Force, the Mercer County grand jury found no cause for action, meaning it declined to indict either of the Trenton police officers. In New Jersey, an officer may use deadly force when the officer reasonably believes it is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily injury.

During the course of this investigation, the Mercer County Prosecutor's Office complied with all portions of the Attorney General's Law Enforcement Directive regarding uniform statewide procedures and best practices for conducting police use-of-force investigations.

The Mercer County Prosecutor's Office is releasing this statement in accordance with the Supplemental Law Enforcement Directive Amending Attorney General Law Enforcement Directive No. 2006-5.

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