

Delaware Criminal Justice Council

11 Del. C. §9210 Authorized Disclosures

Agency Information

Law Enforcement Agency: NEW CASTLE COUNTY POLICE

Date of Incident: August 24, 2024

Incident Details

Law Enforcement Officer has discharged a firearm at a person. Yes | No

Law Enforcement Officer's use of force that results in serious physical injury. Yes | No

An investigation that results in a sustained finding that a Law Enforcement Officer engaged in a sexual assault or sexual harassment. For purposes of this paragraph, "sexual assault" means the commission or attempted initiation of a sexual act by means of force, threat, coercion, extortion, or offer or implication of leniency or official favor, under the color of authority. Propositioning sex or commission of a sexual act while an officer is on duty is deemed a "sexual assault." Yes | No

An investigation that results in a sustained finding that a Law Enforcement Officer engaged in dishonest conduct. This includes, but is not limited to sustained findings of perjury, false statements, filing false reports, witness tampering, and destruction, falsification, or concealment of evidence. Yes | No

A sustained finding of domestic violence by a Law Enforcement Officer. Yes | No

Detailed Narrative

Please include a detailed narrative of the incident. A "detailed narrative" means a complete description of the facts, steps taken to further an investigation, evidence collected, conclusions reached, the names of officers involved for whom misconduct was substantiated, any discipline assigned in connection with the event, and the employment status of disciplined officers. 11 Del. C. § 9200(b)(1).

The detailed narrative may not reveal the name or any personal identifying information of a victim or witness. In a domestic violence case where revealing the name of the officer would also allow identification of the victim, the officer's name may be redacted.

The Criminal Justice Council shall post the narratives they receive under this paragraph on their website within 30 calendar days of receipt.

I. Complete Description of the Facts:

On August 24, 2024, at approximately 2350 hours NCCPD officers responded to the area of Augustine Place, Bear, DE 19701 for a possible domestic altercation. When arriving on scene, the suspect fled the scene in a vehicle. While fleeing in his vehicle, the suspect struck NCCPD vehicles belonging to OFF Jupiter and OFC Simonetti while they were standing by their vehicles in the path of the suspect. As the suspect's vehicle struck OFF Jupiter's vehicle, in addition to OFC Simonetti's, both officers fired their handguns at the suspect. The suspect fled the area and was eventually taken into custody. The suspect was not struck by any rounds.

II. Investigatory Steps:

NCCPD's Criminal Investigations Unit and Professional Standards Unit conducted separate investigations into the actions of OFF Jupiter and OFC Simonetti. A thorough review of the evidence on scene, as well interviews of witness officers, the suspect, along with OFF Jupiter and OFC Simonetti, were conducted to determine if any established laws or policies were violated.

III. Evidence Collected:

- Firearm cartridge casings on scene
- OFF Jupiter and OFC Simonetti's firearms
- Firearm Examiner Report
- Ballistic evidence
- Suspect's medical records
- Suspect's interview
- OFF Jupiter and OFC Simonetti's interview
- OFF Jupiter and OFC Simonetti's body-worn camera footage, all witness officer's body-worn camera footage, and fleet footage

IV. Conclusions Reached:

NCCPD's Criminal Investigations Unit and Professional Standards Unit conducted separate investigations into the actions of OFF Jupiter and OFC Simonetti. A thorough review of the evidence revealed that the officers did not violate any established laws or internal policies.

OFF Jupiter and OFC Simonetti were cleared for full duty on September 17, 2024.

V. The names of officers involved for whom misconduct was substantiated:

N/A

VI. Any Discipline Assigned in Connection with the Incident:

N/A

VII. The Employment Status of Disciplined Officers:

N/A