

**Review of Response by
Mount Laurel Police Department to Complaints
Raised against Edward C. Mathews**

October 5, 2021



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INTRODUCTION AND BACKGROUND

On the evening of July 02, 2021, the Mount Laurel Township Police Department (“MLPD”) responded to the Essex Place townhome community for a report of a person needing to be removed from the property. Upon arrival, they found Edward “Cagney” Mathews in a highly agitated state confronting multiple residents while using profane and racist language. Most of the incident was captured on video by a bystander/victim, including before the MLPD responded. The video recording also captured the arrival of a Mount Laurel Police Officer. Knowing he was being recorded, Mathews looked directly into the camera, announced his home address, and invited a response from the greater community before yelling additional racist slurs as the Officer approached the scene.

The ensuing investigation during the night of July 2 resulted in Mathews being charged that night with Bias Intimidation and Harassment.¹ MLPD requested that the charges be placed on a warrant, which would have allowed officers to take Mathews into custody and place him in jail pending a First Appearance in court on July 3, or a detention hearing. However, this request was denied by the Municipal Court judge who approved the charges, which were instead placed on a summons, which precluded Mathews being arrested.

The video of Mathews’ racist rant subsequently was published online and went viral over the Fourth of July weekend. Activists organized a protest at

¹ In New Jersey, what is commonly referred to as a “hate crime” in other jurisdictions is known as “bias intimidation.” Although certain aspects of any criminal statute can vary from state to state, “hate crimes” and “bias intimidation” are essentially the same thing. Under N.J.S. 2C:16-1, a person is guilty of a bias intimidation crime if they commit or threaten the immediate commission of an offense with the purpose to intimidate an individual or group of individuals because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity. Thus, a bias intimidation crime requires (1) a crime or offense, and (2) the purpose to intimidate . . . due to race, color religion, etc. Both elements must be present for a bias intimidation crime to be charged.

Mathews' residence on July 05, 2021, where hundreds of individuals gathered to protest his conduct.

On July 5, after a review by the police and the Burlington County Prosecutor's Office ("BCPO") of the viral video taken by a witness to Mathews' July 2 confrontation with his neighbors, MLPD brought additional charges against Mathews, for Bias Intimidation and Defiant Trespass. This time, a Superior Court Judge did approve a warrant and Mathews was arrested at his home by MLPD and brought to the Burlington County Jail ("BCJ"). The BCPO filed a motion for Mathews to be detained until his case is tried or resolved. On July 14, the Court granted the State's motion, and Mathews remains lodged in BCJ awaiting trial.

During Mathews' arrest amidst the theretofore peaceful protest on July 5, some individuals engaged in conduct that constituted assaults on Mathews and on the police escorting him from his townhouse to a waiting police vehicle, and also vandalism resulting in property damage. These actions included deploying pepper spray at the officers and Mathews, spitting at police officers, throwing a brick through a window of Mathews' townhouse, and throwing a rock in the direction of the police putting Mathews in the patrol car, striking and damaging the police vehicle. Each of these crimes/offenses were captured on video, and one was shown in a local newscast that night. Fortunately, these instances of criminal conduct did not incite a larger disturbance that evening.²

Mathews' disputes with his neighbors at Essex Place, particularly minority neighbors, had been an ongoing problem for fourteen months, with Essex Place residents having made numerous complaints to MLPD alleging harassment or

² The BCPO has filed charges against four individuals who committed crimes at the July 5 protest. Information about these charges can be found in the BCPO Press Release dated October 5, 2021, which is posted on the BCPO's web page at www.burlpros.org.

suspected vandalism by Mathews. None of these incidents resulted in Mathews being arrested prior to his July 2 verbal and physical confrontation with his neighbors, resulting in understandable frustration by Mathews' alleged victims.³

On July 6, the Prosecutor's Office announced that it would conduct a review of the complaints previously lodged with MLPD against Mathews, including MLPD's response to them. We asked the public to come forward with any information related to such complaints.

Additionally, based on a citizen's complaint filed with MLPD, the Prosecutor's Office announced that it would conduct an investigation of the police officer's response to the incident at Essex Place on the evening of July 2, through its Special Investigations Unit.

In sum, beginning July 6, 2021, the Burlington County Prosecutor's Office has conducted the following reviews/investigations:

- (1) A review of the complaints, investigative reports and evidence raised against Edward Mathews since 2016;
- (2) A review of the MLPD's response to the multitude of complaints brought against Edward Mathews since 2016;
- (3) A review of the MLPD police officer's response to the incident in Essex Place during the evening of July 2; and
- (4) An investigation of criminal activity that occurred during the protest at Essex Place on July 5.

³ Mathews has since been charged in six separate incidents directed towards his neighbors. Those cases are pending, and Mathews is presumed innocent of all of those charges as of the time of this report.

Complaints Against Edward Mathews

The Prosecutor's Office reviewed police reports from 43 complaints in which Mathews was named as a subject, including 40 between July 2016 and July 8, 2021. As noted, the BCPO reviewed these reports for two purposes: (1) to see if additional charges should be brought against Edward Mathews based upon review of the evidence previously obtained by MLPD in its initial investigations of the complaints, or through further investigation; and (2) to assess MLPD's response to this multitude of complaints, brought mostly by Mathews' neighbors in Essex Place.

In conducting its review, the BCPO interviewed the complainants (primarily neighbors of Mathews with whom he was feuding), spoke with MLPD command staff, detectives and patrol officers who had conducted prior investigations, and developed other evidence related to Mathews' neighbors' complaints about his conduct towards them.

For example, on July 6, 2021, MLPD applied for an Extreme Risk Protective Order (ERPO), based upon Mathews making an implied threat to neighbors of the use of weapons, as depicted on the viral video recorded by a bystander on July 2. An ERPO prohibits a person deemed by the court to be a threat to themselves or others from possessing firearms. Along with the ERPO, the Court approved a search warrant enabling police and BCPO detectives to search Mathews' home for prohibited firearms. The search warrant was executed at Mathews' residence on the night of July 6. This search uncovered evidence leading to charges being filed against Mathews for criminal mischief in two open cases with MLPD – for damaging two neighbors' cars with ball bearings shot from a slingshot – as well as charges for being a certain person in possession of a weapon, and possession of Controlled Dangerous Substances.

Since July 2, 2021, beginning with the charges brought by MLPD against Mathews for his two separate confrontations with neighbors that day, and based upon further investigation of open complaints previously made by neighbors with MLPD, Mathews has been charged for twenty-two (22) crimes or offenses, and for six separate incidents involving harassment, vandalism and bias crimes against his neighbors. Specifically, the following Complaints have been filed against Mathews:

Case No.	Charges	Description of Incident
S-325-2021-0443	Bias Intimidation (4 th degree) 2C:16-1A(1) Harassment (PDP) 2C:33-4A	Mathews allegedly approached African American neighbor's front door and began shouting offensive language and racial slurs at her.
S-325-2021-0444	Bias Intimidation (4 th degree) 2C:16-1A(1) Harassment (PDP) 2C:33-4A	Mathews allegedly approached African American neighbor's front door and began shouting offensive language and racial slurs at them and also at another neighbor who intervened to protect the original victims of Mathews' conduct. Mathews directed similar offensive language and racial slurs at this neighbor who intervened. (incident from 7/2/21 depicted on video that went viral)
W-325-2021-0450	Bias Intimidation (4 th degree) 2C:16-1A(1) Trespassing (DP) 2C:18-3B	Additional charges arising from incident on 7/2/21, addressed in S-325-2021-0444, alleging that during his confrontation with his neighbors, Mathews chest-

		bumps and tried to kiss and or spit at the neighbor who intervened, who is African American
W-325-2021-0458	Criminal Mischief (3 rd degree) 2C:17-3A(1) Possession of a Weapon for Unlawful Purposes (3 rd degree) 2C:39-4D Unlawful Possession of a Weapon (4 th degree) 2C:39-5D Certain Persons not to Have Weapons (4 th degree) 2C:39-7A	Mathews allegedly possessed a slingshot and metal ball bearings that he used to damage two vehicles belonging to one of his neighbors, the incidents having been previously reported to MLPD by the victim.
W-325-2021-0459	Stalking (4 th degree) 2C:12-10B	Additional charge for Mathews' alleged conduct on 7/2/21 directed at victim of Complaint S-325-2021-0443
W-325-2021-0460	Possession of CDS (3 rd degree) 2C:35-10A(1) Possession with Intent to Distribute CDS (3 rd degree) 2C:35-5B(5) Unlawful Possession of a Weapon (4 th degree) 2C:39-7A Possession of a Hypodermic Syringe (DP) 2C:36-6A	Mathews allegedly possessed 218 grams of psilocybin mushrooms and packaging material; also a slingshot after a prior conviction for burglary.
S-325-2021-0462	Criminal Mischief (3 rd degree) 2C:17-3A(1) Possession of a Weapon for Unlawful Purposes (3 rd degree) 2C:39-4D Unlawful Possession of a Weapon (4 th degree) 2C:39-5D	Mathews allegedly possessed a slingshot and metal ball bearings that he used to damage a vehicle belonging to one of his neighbors in October 2020, the incident having been previously reported to MLPD by the victim.

	Certain Persons not to Have Weapons (4 th degree) 2C:39-7A	
S-325-2021-0605	Stalking (4 th degree) 2C:12-10B	Mathews allegedly engaged in several instances of harassing conduct and making racial slurs in the course of a dispute with a former neighbor in 2016-2018
S-325-2021-0648	Bias Intimidation (4 th degree) 2C:16-1A(1) Harassment (PDP) 2C:33-4A	Mathews allegedly left a threatening note and spread feces on the car of an African American neighbor on January 27, 2021

These charges all are pending, and Mathews still benefits from the presumption of innocence on all of them. Accordingly, we will not go into further detail about the nature of these charges beyond what was stated in the Probable Cause statements in support of the criminal Complaints.

Other than the charges previously brought or announced today, we consider the outstanding complaints about vandalism or property damage, or raised specifically against Mathews, to be closed, unless the discovery of additional evidence occurs that would enable the State to responsibly charge someone for those offenses and meet its burden of proving those charges beyond a reasonable doubt.

Mount Laurel Police Department's Response to the Complaints Against Mathews

Some community activists have publicly criticized how the Mount Laurel Police Department handled the incident on July 2. Furthermore, some individuals expressed criticism of the police department's handling of the litany of issues involving Mathews in the Essex Place neighborhood, articulating an understandable frustration that Mathews had not been charged by MLPD for any of the voluminous complaints that had been brought by neighbors against Mathews over the past two years.

Because some of the publicly expressed sentiments of community members sounded in neglect of duty by MLPD – perhaps, some speculated, due to the race of the parties involved (Mathews is white, and his alleged victims are African American) – the BCPO conducted its review as an Internal Affairs investigation. However, this report, prepared in the interest of transparency, is also informed by the investigation of open complaints against Mathews that the BCPO conducted in parallel to the Internal Affairs investigation, including interviews of Mathews' alleged victims.

The BCPO concentrated our review on the period between 2016 and 2021, which covered roughly 42 reported incidents, including several calls to the police by Mathews himself. Essentially, there were four individuals or couples who formally or informally raised complaints with MLPD about Mathews or incidents they suspected Mathews of committing. One of these individuals was a neighbor at a development where Mathews lived before moving to Essex Place in 2019. The alleged incidents reported by this individual occurred between July 2016 and January 2018. The other victims were neighbors in Essex Place and board members of the Essex Place Homeowners Association (“HOA”). The complaints

made by these Essex Place neighbors were concentrated between April 2020 and July 5, 2021, when Mathews was arrested and detained.

All the victims of Mathews' alleged conduct were minorities.⁴ At present, there are charges pending against Mathews for harassment, bias intimidation, criminal mischief, etc., stemming from incidents related to all four victims.

The BCPO reviewed the police reports from each incident that was reported to MLPD (and in one instance, to Cinnaminson Township Police Department). We contacted each of the alleged victims to ascertain if they had any additional information to substantiate the complaints they had made either directly against Mathews or where Mathews was suspected, but not specifically identified as the subject, of a particular act, such as property damage that had not been witnessed by anyone.

We contacted these victims also to get their perspective on MLPD's response to their complaints, and spoke to members of MLPD for their perspective on the multitude of complaints involving Mathews and how the situation devolved without resolution despite so many complaints and palpable fear among the targets of Mathews' alleged abusive behavior. While the neighbor from Mathews' prior development has been publicly critical of MLPD's response to her complaint, none of the victims from Essex Place, while frustrated that the problem was not resolved, expressed a belief that the police had failed to perform their duty.

⁴ There were other members of the board of the Homeowners Association of Essex Place who were Caucasian and expressed concerns to the police about Mathews' conduct, but did not report verbal or written abuse by Mathews or vandalism incidents like that reported by the minority victims in Essex Place. However, there was one white female resident of Essex Place – not a board member – who reported in June 2021 that several months earlier, a Black Lives Matter sign was stolen from her lawn, and that she subsequently hung a BLM sign in her window. She reported to MLPD that her front window and fence were vandalized with black spray paint that covered the BLM sign in the window, and also depicted "WLM" on her fence. MLPD could not find any video cameras in the neighborhood that might have captured who committed these acts of vandalism.

Based upon our review of the complaints and conversations with victims, police and other witnesses as noted, we make the following observations:

- 1. There is no indication that individual MLPD officers, or the department, was dismissive of the complaints raised by Mathews' neighbors. To the contrary, MLPD took reasonable steps to investigate the incidents that were reported.**

The Mount Laurel Township Police Department responded to forty-two (42) calls for service during which no less than thirty-nine (39) officers responded and/or were officially engaged in investigative follow-up for matters concerning Edward Mathews. The high volume of complaints by residents of Essex Place, primarily the three members of the HOA board with whom Mathews was feuding, were concentrated between April 26, 2020 and July 5, 2021.

Although Mathews was never charged with a crime or offense during the period of our review before July 2, we saw no indication that MLPD officers failed to investigate the complaints that were raised.

The responding officers took information from the complainants, who in some instances asked the police not to approach Mathews so as not to antagonize him further, and simply wanted to report an incident as a "matter of record." Regarding the reported incidents of vandalism or property damage, the responding officers attempted to find residential security cameras (such as "Ring" cameras) that might have been positioned to capture the incident and in some cases conducted a canvas of nearby homeowners to see if anyone witnessed anything.

Several incidents reported to the police were of hostile written, verbal or nonverbal communications by Mathews, concerning Mathews' apparent fixation on his dispute with the HOA board and his expressed intent to get the targets of his ire voted off the board and himself voted in. These incidents were not individually

actionable; Mathews' conduct as reported in these instances was hostile, and unsettling, but not criminal.

The challenge for MLPD was that amidst Mathews' overt disputes with certain HOA board members, there were incidents of property damage aimed at these same neighbors but not witnessed or captured on home security video, to the extent property owners in Essex Place had them.

Over the 14 months that most of the incidents involving Mathews and his Essex Place neighbors occurred (April 26, 2020 – July 5, 2021), 16 incidents of property damage or vandalism were reported by Essex Place residents, mostly by neighbors with whom Mathews had been feuding. These offenses included smashed windows on vehicles, slashed or perforated tires, feces being smeared on vehicles and a rock being thrown through a townhome window during the night. One of the HOA board members endured four separate incidents of property damage and received two anonymous threatening notes between September 5 and November 23, 2020. None of these cases was charged as of July 5, 2021, due to insufficient evidence.⁵

After those victims moved from Essex Place to escape the harassment they had been enduring, two other African American HOA board members began being victimized by property damage incidents and other threatening conduct, all while Mathews was feuding with them. These 2021 incidents were similar in nature to those suffered by the victims who moved away – feces smeared on a vehicle, threatening hand-written notes, cars vandalized and damaged, a rock thrown

⁵ In one case occurring on October 23, 2020, in which a ball-bearing was used to smash the rear window of this victim's SUV, Mathews was questioned by MLPD and denied having any knowledge of the incident. The victim nevertheless filed a Citizen's Complaint against Mathews, which was dismissed for lack of probable cause. However, based upon new evidence discovered through the ERPO search warrant executed on July 6, 2021, the State has charged Mathews for criminal mischief and other crimes in connection with this incident in S-325-2021-0462.

through a house window in the middle of the night, etc. These property damage incidents were concentrated primarily in June and early July 2021, and no further incidents of vandalism were reported by these neighbor victims or anyone else since the arrest and detention of Mathews on July 5.

None of these incidents of property damage or the delivery of harassing or threatening notes was witnessed by anyone or captured on video. MLPD did undertake reasonable – in some cases, extensive – investigative steps to try to develop evidence to identify the individual who was harassing this small group of minority HOA board members in Essex Place.

For example, in May 2020, MLPD convened a Zoom call with members of the Essex Place HOA and their attorney, to discuss several recent incidents (feces smeared on a board member's automobile and some aggressive, racially-charged emails sent by Mathews). MLPD advised the HOA to install security cameras to develop evidence if Mathews was damaging any property or perhaps moderate his behavior. The HOA did not install security cameras, but the detective bureau of MLPD continued to work with the HOA to identify vacant properties in which MLPD could set up its own video cameras. Unfortunately, no suitable properties were identified.

In September 2020, as the property damage incidents directed towards one HOA board member's cars and residence began to increase, the MLPD detective bureau reached out to two outside agencies to try to obtain a video camera to install in Essex Place, but those agencies did not have equipment suitable for that neighborhood. In November 2020, an MLPD detective did install a camera on Gramercy Way as the acts of vandalism against this board member continued. The camera was deployed for three weeks. No incidents occurred during that time, and no pertinent evidence related to the prior acts was generated.

Additionally, there were two incidents in January and February 2021, where handwritten harassing and/or threatening notes were left on cars or other property owned by the HOA board members with whom Mathews had been feuding. Suspecting that Mathews was the author of these notes but without proof that he wrote or delivered them, MLPD collected and sent them to the FBI along with a sample they had of Mathews' handwriting, requesting the FBI analyze and compare the handwriting to try to determine if Mathews had written them. That analysis by the FBI was still pending at the time of Mathews' arrest on July 5.⁶

On January 27, 2021, following a report of vandalism on the car of an HOA board member, the MLPD detective bureau issued an intelligence bulletin to the MLPD patrol division, instructing them to report any matters they handled involving Edward Mathews to the Sergeant or Lieutenant who had been assigned specifically to try to address the problems in Essex Place that Mathews was allegedly causing. A follow-up bulletin was sent to the patrol division on February 22.

Following a report on June 7, 2021, that an HOA board member found feces in a bag left on her patio where there was a receipt from CVS also in the bag, an MLPD detective went to the CVS location to review video to determine if Mathews, the suspect in this incident due to him feuding with the victim at the time, made the transaction on the receipt. Mathews was not on the video, but this incident is indicative of the extensive investigative steps MLPD took to address the victims' complaints.

⁶ The handwriting analysis was returned on July 10, indicating a match between one of the threatening notes and Mathews' handwriting sample. Mathews has now been charged through S-325-2021-0648 with bias intimidation and harassment, specifically by leaving feces and a threatening handwritten letter on the victim's vehicle on January 27, 2021.

Finally, on July 2, 2021, an MLPD detective came to the house of one of the Essex Place victims whose car had been vandalized (smashed windshield) the night before, to coordinate setting up video surveillance at her home. This detective had difficulty setting up the equipment, and so an MLPD Sergeant – who was off-duty that day – responded from his home to assist. The equipment they had did not work, and the detective even tried to set up his personal camera, but that, too, did not have the functionality that they needed. Later that evening was the confrontation Mathews initiated with his neighbors that went viral.

MLPD and the victims of the multiple vandalism and property damage incidents all suspected that Mathews was the perpetrator, given that he was actively feuding with them during the same time that the incidents occurred. However, MLPD believed there was not sufficient evidence to charge Mathews with an offense or crime prior to that which was developed following Mathews' July 5 arrest. Without evidence reasonably expected to prove a charge in court beyond a reasonable doubt, MLPD was unable to charge Mathews or anyone else for these offenses, and thus they remained “open” complaints as of July 5.

2. There is no evidence that Edward Mathews had any “friendly” relationship with the Mount Laurel Police Department, or was afforded special treatment by the MLPD.

That Mathews had avoided arrest prior to July 5, 2021, despite the volume of incidents reported to MLPD, led some to express that MLPD had a friendly relationship with Mathews and afforded Mathews special treatment. This sentiment was advanced when a neighbor of Mathews from the development he lived in prior to Essex Place published on social media a cell phone video of Mathews from an encounter in February 2017, in which Mathews states, “Now I

am all friends with the cops . . .,” and “You are not going to get any help from the cops because they are my people.” Further, some interpreted the polite treatment of Mathews by the MLPD officer responding to the July 2 confrontation with neighbors that went viral as further evidence of “special treatment” of Mathews by MLPD.⁷

The comments captured on his neighbor’s cell phone video in 2017 are nothing more than self-bravado by Mathews, apparently aimed at intimidating his neighbor from reporting him to the police for whatever dispute they were involved in. When the neighbor reported that recorded encounter and a prior incident of alleged vandalism by Mathews to MLPD, the officer assured that neighbor she would be treated fairly and that she could pursue a criminal complaint against him, which she did.⁸

The BCPO has uncovered no evidence to suggest that MLPD had a “friendly” relationship with Mathews or provided him any special treatment in its handling of the complaints against him or reported incidents that neighbors suspected he was involved in. We did not identify any incidents where MLPD had sufficient evidence to charge Mathews and declined to do so, or deliberately “cut him a break” in any way.

Our review identified several instances where Mathews was uncooperative, hostile, or verbally abusive towards MLPD officers, including twice on July 2, 2021. As discussed below, there were instances when it might have been beneficial to a resolution of the overall problem in Essex Place for MLPD to have

⁷ That officer’s response was the subject of an Internal Affairs complaint raised with MLPD but investigated by the Prosecutor’s Office. That complaint will be addressed specifically, *infra*.

⁸ In early 2017, Mathews and that neighbor each filed Citizen Complaints against the other; both were dismissed without prejudice by the municipal court in January 2018. Mathews has recently been charged with Stalking for his alleged conduct directed toward that former neighbor, in S-325-2021-0605.

confronted Mathews about the property damage complaints raised by the neighbors he was feuding with, if for no other reason than to put Mathews “on notice” and perhaps constrain his behavior. The fact that MLPD rarely sought to question Mathews after property damage incidents were reported may have led to him believe, incorrectly, that he was above the law. However, to be fair to MLPD, on those occasions when its officers did try to question Mathews about a reported incident, he refused to speak to them, and moreover, there were instances when the Essex Place victims reported an incident and specifically declined to file a complaint and/or asked officers not to confront Mathews out of fear that it might fuel the rage he had exhibited towards them.

In conclusion, our review uncovered no evidence to substantiate a claim that MLPD afforded Edward Mathews any leniency or “special treatment” in their response to complaints made by Mathews’ neighbors, at Essex Place or at his previous residence.

3. A more holistic approach by MLPD to the problems Mathews was causing in Essex Place would have made more apparent the racist theme behind Mathews’ harassment of minority HOA board members, and also might have yielded alternate solutions for MLPD to consider.

Despite its reasonable efforts to investigate the individual complaints raised against Mathews, the problems that Mathews created for his Essex Place neighbors persisted until he was captured on video committing a bias crime on July 2.

It is difficult to find fault with MLPD on an incident-by-incident basis. As noted above, responding patrol officers took information and primarily followed up as appropriate, in many instances involving MLPD detectives in the investigation. There were no fewer than 28 complaints made by residents of Essex Place

involving Mathews in just 14 months between April 26, 2020, and July 4, 2021. With the benefit of hindsight, however, MLPD might have identified other opportunities to address the overall problem by looking beyond individual incidents and viewing the situation holistically.

Edward Mathews was the problem in Essex Place. Whatever grievances he may have genuinely, if misguidedly, held against the Essex Place HOA board, he was antagonizing them, not the other way around. Moreover, it was only Black board members that Mathews was targeting with verbal and email tirades, and as we have now alleged, with vandalism of their vehicles. Indeed, there was an indication that Mathews intended to drive minority members of the HOA not simply from their board positions, but out of their homes. Tragically, Mathews apparently succeeded in part when one board member moved from Essex Place reportedly to escape Mathews' harassment.

MLPD approached this matter primarily as a series of incidents, rather than focusing on Mathews, who was the subject of so many complaints from a small group of neighbors, and the suspect in multiple incidents of vandalism and property damage aimed at those same people. This is understandable to a degree – as noted, 39 different MLPD officers responded to incidents involving Mathews and one would not expect every one of them to know the backstory.

Still, MLPD rarely sought to question Mathews about the property crimes for which he was a logical suspect, or about the inflammatory racist language in some of his communications to minority members of the HOA board. This likely would not have elicited a confession from Mathews – he had refused to speak with them on those occasions when they did approach him about reported incidents – but approaching Mathews to try to discuss the incidents as they piled up would have put him “on notice” that he was a suspect in these incidents and might have

tempered his behavior. The seriousness of the problem demanded a more assertive approach towards Mathews – a decision not to engage him because it might have further enraged him seemingly had the unintended consequence of both empowering Mathews and enabling his conduct.

Moreover, although the MLPD endeavored to funnel complaints and other information developed by patrol officers responding to Essex Place to a Lieutenant and a Sergeant specifically assigned to matters involving Mathews (i.e., the January 2021 and February 2021 Intelligence Bulletins sent to the Patrol Division), there did not seem to be much communication across the department about how to address the problem.

A broader focus on the problem in Essex Place rather than on the individual incidents might have enabled MLPD to find a solution before the turmoil in the community became so damaging to Mathews' victims. For example, even though mediation between the HOA and Mathews (who held his own perceived grievances by the HOA towards him) had been tried unsuccessfully before, perhaps with MLPD involved, another attempt at mediation might have been productive. Alternatively, employing a more holistic approach to the multiple Mathews incidents might have enabled MLPD to charge Mathews sooner with harassment, stalking and/or bias intimidation, based upon the overall pattern of his conduct directed towards the minority HOA board members, even if many of the actions and hostile communications by themselves were not actionable.

Finally, had the MLPD viewed the complaints against Mathews by Essex Place residents through a broader lens, the racial motivation behind Mathews' harassment of the minority board members of the Essex Place HOA would have been more apparent – he seemed intent on driving these minority neighbors from their homes. Among the 28 Essex Place incidents reported between April 26,

2020, and July 4, 2021, were six (6) incidents that had some overt racial component to them.⁹ In one of these incidents, Mathews actually self-reported calling his neighbors the “[n-word]” and “monkeys” and telling them that “they don’t belong in this town.” In another incident reported to MLPD by Mathews, he blamed damage to his car on “the [n-words] in town.”

The six incidents reported to MLPD involving racist comments by Mathews, were not all bias crimes per se. But when viewed as a whole, these incidents put a more sinister gloss on his feud with his Essex Place neighbors, about which MLPD was being called so frequently. If MLPD had recognized the recurring racial overtones to Mathews’ dispute with his neighbors, it may have been able to mobilize other resources with civil rights expertise to help the department address the overall problem before one resident was driven from her home and other residents were forced to live in fear of further harassment due to their race.

4. The MLPD Officer who responded to the confrontation incident where Edward Mathews was confronting his neighbors in Essex Place on July 2 acted appropriately in his handling of that incident.

Two members of the public raised an internal affairs complaint against the MLPD Officer who responded to the now-viral incident of racial harassment by Mathews against Black neighbors in the Essex Place development during the evening of July 2, 2021. The essence of the complaints is that this Officer was derelict in his duties by not immediately arresting Mathews upon witnessing Mathews yell racial slurs and obscenities upon the Officer’s arrival at the scene.

⁹ MLPD previously had been provided also with video footage of Mathews in 2017 using racial slurs during an argument with his neighbor at his previous address, a video which recently was released on social media.

The BCPO conducted a thorough investigation of the circumstances of MLPD's response on July 2. We reviewed all available video footage capturing the Officer's response, including body worn camera footage and video from home surveillance cameras and a witness's personal cell phone. The BCPO interviewed the Officer and the victims of the July 2 incident, and reviewed MLPD's and the New Jersey Attorney General's relevant policies. As a result of this review, the BCPO determined that the responding Officer acted in accordance with all MLPD and Attorney General policies. Accordingly, the BCPO exonerated that the Officer of the complaint that he had acted improperly during that July 2 incident.

At approximately 7:50 p.m. on July 2, the responding MLPD Officer was dispatched to Gramercy Way for a report of a person needing to be removed from the property. As the Officer approached the residence, he recognized Mathews from a complaint about a neighbor dispute to which that Officer had responded earlier in the day – at which time a confrontational Mathews asked the Officer his name. (Contrary to expressed speculation by some, there was no pre-existing friendship between this MLPD patrolman and Mathews). As depicted on the viral video of this incident, an enraged Mathews immediately began railing at the Officer for being on “private property,” and yelled several racial slurs directed towards the residents at the scene.

At this point, unaware of the conduct by Mathews before he arrived that was recorded on a witness's cell phone and later went viral, and recognizing that (1) he was encountering an enraged individual; and (2) his backup was not immediately available, the MLPD Officer attempted to defuse the situation. He calmly, but firmly, told Mathews to leave the immediate area and go home so he could talk to the victims. This was an appropriate and effective response to the situation, consistent with the Officer's training and MLPD policies. The Officer avoided

having to go “hands-on” with a volatile and apparently emotionally-disturbed individual, stopped the harassment of the victims, and was able to gather information from the victims and witnesses to assess the situation. For the first time in 14 months, this Officer developed evidence to charge Mathews for a harassment incident involving Mathews’ neighbors.

Not seen in the viral videos, but depicted on his body worn camera footage and confirmed by the victims, the responding Officer demonstrated genuine compassion and concern for the victims as he gathered evidence to try to finally address a longstanding problem in the neighborhood that had exasperated Mathews’ victims. For example, once his investigation concluded, the Officer completed his paperwork on-site in his vehicle, specifically to provide protection and reassurance to the victims, until he had to return to the police station to file charges against Mathews.

At the conclusion of the Officer’s investigation that evening, in consultation with his supervisors and an Assistant Prosecutor, MLPD presented bias intimidation and harassment charges to a judge, requesting that the charges be placed on a warrant. The judge declined to issue a warrant, instead placing the charges on a summons, and as a result, Mathews could not be arrested on the night of July 2. This was a decision by the court, not a failing of the Officer.

In addition to the complainants, there are others who have publicly questioned the demeanor of the Officer towards Mathews, as depicted on the viral video, contending that in light of the vile language being used by Mathews in the Officer’s presence, the Officer should have arrested Mathews immediately. Further, some have posited that if the races of the people involved were different, and Mathews was a person of color, the MLPD Officer surely would have subdued the subject with force and immediately placed him under arrest.

It is impossible to refute a hypothetical scenario like this one. But the responding MLPD Officer should not be penalized for correctly handling the situation he actually confronted, because of pure speculation that he might have improperly handled a similar situation that did not present itself. There is neither an allegation nor any evidence that this Officer ever mistreated a person – of any race or background – throughout his nearly 15-year career and it is unfair to penalize him for the past sins of others. He did his job and did it well in this case.

We understand the frustration behind the claim by some members of our community that a person of color acting like Mathews might not have been treated as “gently” as Mathews was by the responding MLPD Officer upon that Officer’s arrival. We cannot deny that historically, there have been instances of mistreatment of people of color by the police, including here in Burlington County. It is a central part of the reckoning with racial injustice that we as a society are grappling with right now. That painful history, however, should not be borne solely by this patrol officer doing his job well.

CONCLUSION

The video of Edward Mathews screaming the cruelest of racial slurs at his neighbors, and chest bumping and yelling equally vile things to a gentleman who intervened to protect his neighbors was deeply disturbing, not just to the victims, and not just to people of color, but to decent people of all backgrounds who routinely treat friends, colleagues, strangers and even adversaries with kindness and respect. The only silver lining to Mathews’ rantings is that it allowed the justice system finally to intervene to hold him accountable for his conduct, not just that day, but for several other incidents and in the larger picture, for his alleged

campaign of harassment against African American members of the Essex Place HOA over a fourteen-month period.

For the victims, and for some members of the public who learned of the number of unresolved incidents reported to MLPD, the reckoning for Mathews took too long. We empathize with the victims' frustration upon being told by the police that individual hateful comments or menacing gestures directed at them by Mathews were not actionable, while at the same time, nothing could be done about the unwitnessed and unrecorded acts of property damage to their homes and vehicles, no matter how strongly they (the victims and MLPD) believed that the perpetrator was Mathews.

We have a system of justice that includes a presumption of innocence for the accused and a burden of proof beyond a reasonable doubt before someone can be convicted of a crime. Police and prosecutors have an obligation not to charge someone without a reasonable belief that they have evidence to meet that burden of proof at trial. There is no better justice system in the world, but there are circumstances where that high bar for prosecution presents an obstacle to finding relief for crime victims.

To a large extent, that is the story of Essex Place. MLPD did not fail to investigate the incidents that were reported to them, and they did not give Edward Mathews any special treatment. On a case-by-case basis, either Mathews' conduct was not criminal, or they simply did not have enough evidence to charge him with unwitnessed property crimes. However, MLPD may not have recognized the true problem – Mathews' relentless, racially-motivated campaign to harass African American HOA board members until they left the board or even their homes. A problem-oriented focus on the series of incidents in Essex Place, better communication within MLPD, and more assertive intervention with Mathews may

have led to a constructive solution and saved the victims months of fear and anguish before Mathews was removed from the community on July 5, 2021.