



ESSEX COUNTY PROSECUTOR'S OFFICE
2018 Annual Report

Theodore N. Stephens II
Acting Essex County Prosecutor



Essex County Prosecutor's Office

**Veterans Courthouse
50 West Market Street
Newark, NJ 07102
www.njecpo.org
973.621.4700**



Chief Executives



From Left to Right: Acting Chief of County Detectives Mitchell G. McGuire III; Acting Essex County Prosecutor Theodore N. Stephens II; and Acting First Assistant Prosecutor Romesh C. Sukhdeo.

**Essex County Prosecutor's Office
Veterans Courthouse
50 West Market Street
Newark, NJ 07102
www.njecpo.org**

During 2018, the total number of adult defendant case files reviewed by the Essex County Prosecutor's Office (ECPO) was 10,361, versus 10,866 in 2017. Also, 5,658 defendants were indicted or charged by accusation in 2018, versus 5,259 in 2017. A total of 48.3 percent of the ECPO's total adult defendant resolutions within 2018 following an indictment or accusation involved first or second-degree criminal charges. Further, in 2018, the total number of juveniles referred in delinquency case filings in Essex County was 1,574, versus 1,812 in 2017.

(Statistics from N.J. Division of Criminal Justice, Analysis of Prosecutors' Data, and from the Promis Gavel Database of the Administrative Office of the Courts, N.J. Superior Court).

TABLE OF CONTENTS

I. INTRODUCTION

Message from Acting Prosecutor Theodore N. Stephens II.....	1
A Brief History of the Essex County Prosecutor's Office	5

II. LEGAL UNITS

Adult Trial Section.....	10
Appellate Section	14
Central Judicial Processing Unit.....	17
Drug Court Program.....	18
Forfeiture Unit.....	19
Grand Jury Unit	20
Initial Screening Unit.....	21
Juvenile Trial Unit.....	23
Mental Health Unit	25
Pre-Trial Intervention & Expungement Unit	26
Remand Court Section.....	28

III. INVESTIGATIVE SQUADS

Crash and Fire Investigation Unit	29
Domestic Violence Unit.....	31
Extradition Unit.....	34
Forensic Analysis & Cyber Technical Services	35
Financial Crimes Unit.....	36
Homicide Unit	38
Narcotics Task Force	40

Professional Standards Bureau	42
Special Prosecutions Unit	44
Special Victims Unit	46
Child Abuse Unit.....	46
Sexual Assault & Rape Analysis Unit	49
Sexual Assault Nurse Examiner Program	51
Human Trafficking Team.....	52
Elder Abuse Team	52
Bias Crimes Unit.....	53
Megan's Law Unit	53

IV. SUPPORT UNITS

Business Administration Unit	57
Community Justice Unit.....	59
Information Technology Unit.....	61
Media Relations Office	63
Victim-Witness Advocacy Office.....	67

Photographs by Lloyd Holmes.
 Copyright ©2019 Essex County Prosecutor's Office. All Rights Reserved.

Message from Acting Essex County Prosecutor Theodore N. Stephens II

Since September 2018, when Governor Phil Murphy tapped me to be the Acting Essex County Prosecutor my primary focus has always been on the mission of the Office which is to “seek justice, serve justice and to do justice.” As prosecutors, we are ardent advocates for the community, and this means more than convictions. In some cases, our advocacy requires that we seek stiff and lengthy prison sentences for those we believe pose a clear and present danger to the community; let’s be abundantly clear that the Prosecutor’s prime directive is to keep the community safe. In other cases, however, a different result may be required. The pursuit of justice may demand either Drug Court or Mental Health programs where treatment is the best option.

Prosecutors wield immense power but echoing the words in Luke 12:48 “To whom much is given, much is required.” The power to initiate investigations, charge cases and recommend sentences to courts must be exercised judiciously. Each case must be judged on its merits based on facts and evidence. To accomplish that, each man and woman of the ECPO must recognize the broad discretionary power inherent with their position.

Perhaps more than any other member of the judicial system, our decisions affect whether someone will suffer a loss of liberty. For that reason, in addition to the ethical constraints, every member of this Office is expected to perform in a manner that fosters trust, confidence and transparency. We must never lose sight of the fact that we are public servants. We are accountable to the public.

As I take the reins of this Office, I am redoubling our commitment to work in partnership with our federal, state, county, and local law enforcement partners. It is vitally important that the ECPO regularly collaborates with these other agencies to develop and maintain the most robust and effective communication network anywhere in the United States. While these partnerships begin with government entities, I hope to extend that same level of collaboration and coordination to the faith community, medical community and mental health community. I have been ably aided in that task by a new Acting First Assistant Prosecutor Romesh Sukhdeo, who I named shortly after my arrival, and a new Acting Chief of Detectives, Mitchell G. McGuire III, who took over in February 2018. Together, we hope to build on the great work of the Office.

Fighting crime successfully requires the work of the entire community. It cannot be left to police and prosecutors alone. As Acting Essex County Prosecutor my

commitment has been to engage all with a vested interest in making our neighborhoods safer. The goal is to make Essex County the safest urban county in the nation. Doing that is an all-hands-on-deck undertaking.

Finally, I would be remiss not to acknowledge the legacy of outstanding Prosecutors who have preceded me in this office. Beginning with the legendary career of the late, great Governor Brendan Byrne to the immediate past Acting Prosecutor Robert D. Laurino and the Honorable Carolyn Murray. The tireless efforts of these dedicated professionals have shaped the tenor and direction of the ECPO. Even today, this office benefits from the leadership of former Acting Prosecutors Murray and Laurino who guided the ECPO through the initial sweeping changes, otherwise known as New Jersey Criminal Justice Reform Act, which took effect on January 1, 2017 and essentially eliminated money bail in the state

While there is no Prosecutor's office in New Jersey more affected by this constitutionally mandated change, the "good news" is that the talented, committed members of the ECPO are more than capable of meeting such needs.

This 2018 Annual Report, published in conjunction with the statistical summary required by the Attorney General, provides an overview of the work done by the ECPO last year and a roadmap of where we expect to go in 2019.

A Brief History of the Essex County Prosecutor's Office

In 1776, the State of New Jersey ratified its first Constitution (superseded by later Constitutions in 1844 and 1947). Under this Constitution, the elected Governor appointed an Attorney General to enforce the laws of the State. The Attorney General in turn appointed deputies for the various counties, including Essex, to enforce the criminal laws on behalf of the local populace. In 1822, the New Jersey General Assembly passed an act authorizing a more independent Prosecutor of Pleas for each county, to be appointed by the Court of Quarter Session once every five years. A few years later, the Governor was given the authority to appoint each county's Prosecutor of Pleas.

On Feb. 20, 1829, Amzi Dodd became the first governor-appointed Prosecutor of Pleas for Essex County. The earliest record of a prosecution by Prosecutor Dodd involves "a nuisance in suffering the water to stagnate and become offensive in the old burying ground" in Newark. The first Prosecutor of Pleas worked alone, but by 1877 the Prosecutor required the help of a First Assistant.

As Essex County grew and matters became more complex, the Office grew in size. By 1922, Prosecutor John O. Bigelow employed 28 men, including three Assistant Prosecutors, two Detective Captains, two Lieutenants, and various Detectives and clerks.

In the 1920s and 30's, cases involving gambling, organized crime and official corruption were growing in number. In October of 1935, the nationally-known organized crime figure Dutch Schultz was shot at the Palace Chop House in Newark. Although the prime suspect was found hanged soon after the incident, the Office continued its investigation and identified Schultz's real shooter who pled guilty to the murder in 1940.

By 1945, the Office still had only three Assistant Prosecutors, despite a growing number of murder and gambling cases. In 1951, Prosecutor Edward Gaulkin gained attention by successfully prosecuting four men charged with conspiracy, extortion and bribery in the Newark milk scandal case.

In 1959, Governor Robert Meyner nominated Brendan T. Byrne of West Orange as the 25th Prosecutor of Essex County. Prosecutor (and later Governor) Byrne served the Office until 1967. By 1962, there were 16 Assistant Prosecutors, most of whom were part-time employees. Shortly thereafter, the first female Assistant Prosecutor, June Strelecki, was appointed. Also during Byrne's tenure, the "Charlie Squad" was

formed, a name coined after members of the public were urged to report illegal gambling by calling a dedicated phone number and asking for “Charlie.”

In 1967, the City of Newark experienced a week-long civil disturbance, which heralded long-term social and economic change in Essex County. These transformations challenged future Prosecutors to respond to changing patterns and volumes of crime with increased professionalism and dedication.

By 1973, the legal staff numbered 63 lawyers, all full-time. County Investigators replaced the former Detectives and were increasingly selected from the ranks of experienced local police officers. Under Prosecutor George Schneider (Prosecutor from 1981 to 1986), the number of Assistant Prosecutors exceeded 100. Increasing resources were dedicated to special squads. The Homicide Squad was expanded and a Narcotics Section, which at first was a joint task force with the Sheriff’s Office, was created. Eventually specialized units were established in Child Abuse, Sex Assault, Arson, Domestic Violence, Megan’s Law and Gangs.

In 1986, Governor Thomas Kean appointed the first African-American Prosecutor in Essex County (and only the second in the State), Herbert H. Tate, Jr. Computerization of the Office was begun and continued in stages throughout the terms of Prosecutor Tate and his successor, Prosecutor Clifford J. Minor.

Also, during their terms, a sexual assault case was brought against a group of high school athletes from Glen Ridge, who in 1993 was convicted of victimizing a 17-year-old mentally handicapped woman. This case, which was handled by Robert D. Laurino, who would later be named Acting Essex County Prosecutor in 2010, was the subject of a popular book, a TV movie, and an episode on the TV show “Law & Order.” Most importantly, the case brought national attention to the issues related to the prosecution of defendants who abuse the developmentally disabled.

In 1998, the first female Prosecutor, Patricia Hurt, was appointed by Governor Christie Whitman. Prosecutor Hurt was followed by Acting Prosecutor Donald Campolo and Acting Prosecutor Paula T. Dow. In the opening years of the 21st Century, the Office responded aggressively to increased auto theft and expanded youth gang activity. By 2003, it completed a second generation of computerization complete with e-mail and Internet access and increased its outreach to the public through its web site (www.njecpo.org), its Victim-Witness Advocacy Office, and its Community Justice Program.

In 2005, Governor Richard Codey swore Acting Prosecutor Dow to the Office of Essex County Prosecutor. During Prosecutor Dow’s years of leadership, the Essex

County Prosecutor's Office instituted vertical prosecution, increased its resources and outreach to victims and witnesses, opened a state-of-the-art crime scene facility, and participated in a wide variety of cross-agency/cross-jurisdiction collaborations including a state-federal anti-gang and narcotics task force, gun buyback programs, and a successful fugitive safe surrender program held in Newark in November 2009. Prosecutor Dow also emphasized technology development, with the Office updating its computer server infrastructure in 2009 and planning for the implementation of an office-wide, fully integrated electronic case and record management system.

In January 2010, New Jersey Governor Chris Christie appointed Prosecutor Dow as Acting Attorney General of the State of New Jersey. In her place, Chief Assistant Prosecutor Robert D. Laurino, then a 29-year ECPO veteran, who gained public recognition in the trial and conviction of the high school athletes in Glen Ridge, was appointed Acting Essex County Prosecutor.

In February 2011, Gov. Christie appointed Carolyn A. Murray as Acting Essex County Prosecutor. As Acting Prosecutor, she has made victims' rights a high priority. In addition, the Mental Health Unit was created during her tenure, providing new options to prosecutors and defense attorneys when dealing with offenders who have a history of mental illness. During Acting Prosecutor Murray's term, the Office prepared for the challenge of implementing the legislative bail reform mandate which went into effect on January 1, 2017. Called the New Jersey Criminal Justice Reform Act, this law effectively eliminated cash bail. In preparation, Murray oversaw the implementation of an integrated, office-wide case database system for case management and investigation management.

In July, 2017, Gov. Christie appointed Acting Prosecutor Murray to a judgeship on the Superior Court bench. Once again, Chief Assistant Prosecutor Robert D. Laurino stepped in as Acting Prosecutor, guiding the Office through a time of continuing transition and adaptation to changing criminal justice policies and technology. In September of 2018, Governor Phil Murphy named Theodore N. Stephens II, then serving as the Essex County Surrogate, as Acting Essex County Prosecutor.

The lawyers, detectives and support staff who report to Acting Prosecutor Stephens will continue the work of Amzi Dodd into the 21st Century and are honored to be part of the Essex County Prosecutor's Office.

With thanks to Francis D. Falivena, Jr., Assistant Prosecutor, Retired, an ECPO history



Acting Essex County Prosecutor Theodore N. Stephens II



2018 Annual Report

UNIT DESCRIPTIONS

LEGAL UNITS

➔ Adult Trial Section

The Adult Trial Section (ATS) is the largest unit in the Essex County Prosecutor's Office and thus responsible for handling the largest caseload in the Office. Essex County continues to lead the State in the number of criminal filings and handles a higher-than-average proportion of first and second-degree offenses, the majority of which are prosecuted by the ATS. The ATS is comprised of 39 Assistant Prosecutors who represent the State in criminal proceedings upon the arrest of a defendant until final disposition of the case. The ATS is headed by a Chief Assistant Prosecutor as well as a Director and four Supervisors. The remaining Assistant Prosecutors are assigned to a Superior Court Criminal Judge and are responsible for all litigation functions that are critical to the operation of an effective criminal justice system. Central to this role of the ATS Assistant Prosecutor is the preparation and prosecution of jury and non-jury trials.

ATS Assistant Prosecutors also represent the State in a variety of other court proceedings including detention hearings, motions to revoke release, arraignment/status conferences, all pre-trial and post-trial motions, sentence hearings, hearings on violations of probation, appeals from the decisions of municipal courts, retraxit pleas of guilty to indictments and accusations and petitions for post-conviction relief. On occasion, they are responsible for presenting cases to a Grand Jury. Additionally, ATS Assistant Prosecutors handle Krol hearings, the periodic review of the status of persons committed to State psychiatric institutions incident to criminal proceedings, as well as determining the geographic scope of extradition efforts to be undertaken in the event a defendant absconds.

With the implementation of Criminal Justice Reform in January 2017, the burden of speedy trials has made the job of an ATS Assistant Prosecutor even more challenging due to the high volume of cases. Since many crimes require mandatory periods of parole ineligibility, rapid and effective disposition of these offenses has become more difficult. Hesitancy on the part of victims and witnesses to cooperate stemming from intimidation and threats of violence for testifying coupled with an increase in the distrust of law enforcement are additional hurdles that must be overcome. With the advancements in technology and social media, juries are demanding forensic evidence, video evidence, other forms of corroboration as well as eyewitness testimony to convict a defendant.

The ATS continues to place a strong emphasis on mentorship and training for the ATS Assistant Prosecutors and the importance of instilling a sense of justice to see that fairness and equity is achieved in Essex County.

To assist ATS Assistant Prosecutors with their voluminous duties and responsibilities are twelve Detectives and four Investigative Aids who are overseen by a Captain, Lieutenant and a Sergeant. Together, all parties work closely to prepare cases for final disposition. Detectives perform a wide array of investigative tasks to support

and supplement the prosecution of criminal cases. ATS Detectives locate and interview witnesses, prepare reports, take statements, schedule witness interviews, visit crime scenes, take photographs, locate evidence and reports from municipal police departments, serve subpoenas, and take any other additional investigative steps necessary to ensure a successful prosecution. Furthermore, the Detectives also receive training and mentorship from their superiors.

2018 Accomplishments

In 2018, the Essex County Prosecutor's Office successfully indicted or charged by accusations 5,658 defendants and resolved 5,542 cases. The percentage of those cases that involved first or second-degree crimes was 48 percent. In conjunction with the specialized units, the ATS Assistant Prosecutors obtained 117 defendant dispositions by trial with an overall post-indictment / accusation conviction rate including pleas and trial of 75 percent.

In sum, the ATS Assistant Prosecutors and Detectives work closely to ensure that all criminal matters are brought to justice, strive to serve victims, witnesses and the community at large, and include victims and witnesses in all aspects of the criminal justice process.

The following cases highlight some of the significant cases handled by the ATS Assistant Prosecutors:

On January 29, 2018, four defendants pleaded guilty to a home invasion in West Orange. Defendants Edward Bentura, Yodelin Diaz, Lidio Martinezmiese and Jesus Quinones entered a residence and tied up the male and female homeowner, held them at gunpoint and threatened the minor child. The defendants took cash and all of the home's security equipment. They were all captured shortly thereafter. On April 6, 2018, all four defendants were sentenced to first-degree robbery and second-degree burglary. Each received 15 years pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

On March 5, 2018, defendant Devon Maxwell was sentenced to 16 years after a jury convicted him of numerous counts of gun and drug possession as well as witness tampering. The defendant was distributing heroin in the city of Newark while in possession of a .38 caliber handgun, a .45 caliber handgun and a rifle.

On April 6, 2018, a jury found defendant Eddie Gonzalez, a former Newark Police Officer, guilty of four counts of fourth-degree making false reports and one count of impersonating a police officer. Despite his termination, defendant Gonzalez lied about being an active member of the police department. On August 10, 2018, another jury convicted Gonzalez of two counts of third-degree certain persons not to possess weapons for having handguns in his home in violation of a Final Restraining Order. The defendant was sentenced to an aggregate sentence of 6 years pursuant to the Graves Act.

LEGAL UNITS

On April 20, 2018, a jury convicted defendant Gregory Bentley of first-degree attempted murder and robbery. The defendant robbed a store in East Orange and shot the clerk over ten times. On July 18, 2018, the defendant was sentenced to twenty-six years pursuant to the No Early Release Act.

On May 3, 2018, defendant Doubinson Norzil was convicted of a crime of domestic violence. More specifically, he pleaded guilty to burglarizing the home of the mother of his child in East Orange. On September 17, 2018, defendant Norzil was sentenced to 10 years pursuant to the No Early Release Act.

On May 4, 2018, defendant Tariq Thompson was found guilty by a jury of second-degree Robbery. On Easter Sunday 2017, in the township of Irvington, the defendant robbed a victim at gun-point, taking his wallet. On June 11, 2018, the defendant was sentenced to 10 years pursuant to the No Early Release Act.

On May 17, 2018, defendant Jimmy Baptiste pleaded guilty to firing a weapon outside Marlo's Bar in Irvington, striking the victim numerous times. On June 29, 2018 the defendant was sentenced to 5 years pursuant to the Graves Act and 4 years pursuant to the No Early Release Act.

On September 6, 2018, a jury convicted defendant Nahshuan White of first-degree robbery, second-degree unlawful possession of a weapon and second-degree possession of a weapon for an unlawful purpose. The defendant pointed a gun at the victim and took his Beats headphones, his Apple watch and cash. The defendant was caught fleeing the scene and was observed tossing the handgun. On November 13, 2018, defendant was sentenced to 10 years pursuant to the Early Release Act.

On September 27, 2018, defendant Orlando Arnold pleaded guilty to four counts of first-degree robbery for a robbery spree at bodegas in the city of Newark. On November 5, 2018, the defendant was sentenced to 20 years pursuant to the No Early Release Act.

On October 26, 2018, defendants Tyrese Harris and Abdullah Stewart were found guilty by a jury of three counts of first-degree robbery, second-degree unlawful possession of a weapon and possession of that weapon for an unlawful purpose for conspiring and executing a string of armed robberies in the Ironbound section of Newark. Defendant Stewart was sentenced to 15 years and defendant Harris received 13 years. Both sentences are subject to No Early Release Act.

On November 26, 2018, defendant Jimmy Thaggard pleaded guilty to illegally possessing AK-47 assault firearms and significant amounts of heroin and cocaine that were seized during the execution of a search warrant in Irvington. On February 1, 2019, he was sentenced to 7 years pursuant to the Graves Act.

On December 14, 2018, a jury convicted defendants Deshawn Ward and Glenford Findlay of first-degree robbery and carjacking. The defendants carjacked a female at gunpoint and the next day robbed a male at gunpoint. Defendant Ward was sentenced to 25 years pursuant to the No Early Release Act and defendant Findlay was sentenced to 12 years pursuant to the No Early Release Act.



LEGAL UNITS

➔ Appellate Section

The Appellate Section of the Essex County Prosecutor's Office is the largest appellate practice of any County Prosecutor's office in New Jersey. It is comprised of career appellate lawyers, all of whom enjoy considerable experience in the state and federal appellate courts. In total, the Section's attorneys have argued dozens of cases in the state Supreme Court, hundreds more in the Appellate Division, and also have oral argument experience in both the United States District Court for the District of New Jersey and the United States Court of Appeals for the Third Circuit.

The Section handles all litigation on behalf of the ECPO in the Appellate Division and the Supreme Court of New Jersey, whether it be pre-trial, during trial, or post-sentencing. It also initiates its own appeals from adverse pre-trial and post-trial rulings, often resulting in the successful re-instatement of prosecutions that were effectively terminated. The Section also handles all petitions for habeas corpus in federal court, and oversees all municipal appeals, gun permit applications and appeals, name change applications, reciprocal witness applications, and petitions for post-conviction relief.

The Section also takes great pride in being an always-ready resource for ECPO's trial prosecutors. Providing legal advice, second-chairing trials or motions, drafting jury instructions, handling some of the more difficult trial motions, providing legal updates, teaching CLE courses, and maintaining a comprehensive brief bank are just a few of the ways the Section is integral to the ECPO's mission of seeking justice, serving justice, and doing justice, both on appeal and throughout the investigative and trial processes.

Significant 2018 Cases:

Supreme Court of New Jersey

State v. Rasul McNeil-Thomas -- After the Appellate Division reversed defendant's conviction for the aggravated manslaughter of an off-duty Newark police officer, the Supreme Court granted the Appellate Section's petition for certification. The Court heard oral argument in January 2019, and a decision is pending.

State v. Allen Alexander -- After the Appellate Division reversed defendant's conviction for first-degree robbery because it believed the jury should have been charged with aggravated assault as a lesser-included offense, the Supreme Court unanimously reversed the Appellate Division and reinstated defendant's convictions, finding no error in the jury instructions.

State v. Hassan Travis -- Here, the Supreme Court unanimously ruled that judges cannot make detention determinations based only the crime committed, except in cases involving murder and other crimes that carry a penalty of life imprisonment.

The decision also overruled the computations that prosecutors and judges had been using when deciding whether to detain a suspect.

State v. Carlos Green -- In this case, the Supreme Court addressed whether the State could introduce defendant's prior DWI convictions in a prosecution for vehicular homicide. While not ultimately successful, the Appellate Section's petition compelled the Court to hear the case and provide the bench and bar with much-needed guidance in this important area.

State v. Kwesi Green -- The Appellate Section convinced the Supreme Court to review this case where a divided Appellate Division affirmed an order suppressing a photo ID. Oral argument took place in January 2019, and a decision is pending.

Appellate Division

State v. Shawn Custis -- In this case, the Appellate Division affirmed the conviction and life sentence for defendant, a career criminal. Known in the media as the "nanny-cam" case because defendant's home-invasion robbery was captured on video by the family's living room surveillance camera, defendant raised multiple challenges to both the pretrial and trial decisions by the trial court. The Appellate Division rejected each and affirmed defendant's convictions and his life sentence.

State v. Nicole Dufault -- Defendant remains charged with various sexual offenses against her students. Throughout the pretrial process, the Appellate Section has successfully defended several interlocutory appeals by the defense, and successfully initiated its own interlocutory appeal.

In the Matter of Registrant H.D. -- Here, the Appellate Section handled an issue of first impression under New Jersey's Megan's Law, N.J.S.A. 2C:7-2 et seq., namely whether a registrant who reoffends during the first 15 years of his registration is entitled to benefit from the "good behavior" provision of the law, N.J.S.A. 2C:7-2f. While the Appellate Division disagreed in a published opinion, ECPO is hopeful the Supreme Court will grant ultimately reverse the Appellate Division's decision.

State v. Nadir Roberts -- In this case, the Appellate Section successfully defended an appeal where a jury convicted defendant of first-degree operating a narcotics production facility. The charge is not common, and defendant raised some important issues about the reach of the statute. In affirming the conviction, the Appellate Division found the ECPO properly charged, and the jury properly convicted, defendant of this offense.

State v. Robert Andrews -- In this case of first impression, the Appellate Division agreed with the State that obtaining a defendant's cell phone password does not violate his federal or state constitutional rights to remain silent. This published opinion is one of the few opinions in the United States to address this novel issue.

State v. Calvin Bass -- In a case of first impression, the Appellate Division held in a published opinion that the 2016 amendments to the juvenile waiver statute, N.J.S.A.

LEGAL UNITS

2A:42-26.1, do not apply to cases that were final at the time the enactment took place. The court also found that defendant was not entitled to a resentencing under recent Eighth Amendment jurisprudence because his sentence (life with a 35-year period of parole ineligibility) was not the functional equivalent of life without parole.

State v. Armando Noguiera -- In this State's appeal, the Appellate Division reversed an order suppressing defendant's statement. Defendant was a county sheriff's officer who, according to the Grand Jury, perjured himself at the trial of another defendant. Succeeding in this appeal allowed the State to prosecute the defendant with his own words, powerful evidence tending to establish that he did commit perjury.

State v. Tyrone Ellison -- In this published opinion, the Appellate Division affirmed the order denying defendant's petition for post-conviction relief. Defendant had claimed his petition was timely, and that he received ineffective assistance of counsel because his previous attorney never advised him that he was pleading guilty to a predicate offense for purposes of the Sexually Violent Predator Act. Agreeing with the Appellate Section, the Appellate Division found no merit in these arguments and affirmed.

State v. Allaquan Jackson -- In this published opinion, the Appellate Division affirmed the denial of defendant's second petition for post-conviction relief and did so on timeliness grounds. This case is now an important tool in defending cases long believed to be final by giving teeth to the rules governing the timing of such petitions.

United States Supreme Court

David Minor v. Hastings, et al. -- In this case, the Third Circuit, following oral argument, affirmed the order denying habeas corpus. After that decision, defendant, represented by private counsel, filed a petition for a writ of certiorari with the United States Supreme Court. That Court, in a somewhat unusual move, asked for a full brief in response to the petition, which the Section filed. The Supreme Court later denied the petition, keeping in place, once and for all, defendant's convictions.



➔ Central Judicial Processing Unit

Under New Jersey Court Rule 3:4-2, and until the advent of the Criminal Justice Reform on January 1, 2017, all defendants charged with an indictable complaint (as opposed to disorderly-persons offenses) must appear before a judge to be informed of the charges against them and to arrange bail, if appropriate. In 1987, a Central Judicial Processing (“CJP”) Court was established in Essex County to handle this responsibility for all municipalities in the County. Other counties with a CJP Court include Union, Hudson and Camden. Essex County’s CJP Unit handles all arraignment and bail hearings. CJP also performs an important case-screening function for custody and non-custody cases.

All criminal complaints in Essex County charging an indictable crime are “screened” to separate indictable cases (those subject to prosecution in Superior Court) from cases that can be more quickly and appropriately resolved at another level. Cases can also be diverted to the Municipal Courts, Family Court, Remand Court, and Drug Court.

Indictable cases are referred to any one of 15 Vertical Prosecution Courts or to a specialized prosecution squad. The nature of the offense, surrounding circumstances, quality of evidence, and character and arrest/conviction history of the defendant are all considered when making the screening decision. By performing this type of early case screening, cases can be diverted before they enter the grand jury and trial stages, thereby conserving valuable judicial and prosecutorial resources.

2018 Accomplishments

During the 2018, calendar year, Central Judicial Processing handled 6,864 cases. Of those, 4,265 were referred to the Grand Jury and another 2,059 defendants were referred to the Special Remand Court. The remaining cases were sent back to the Municipal Court.



LEGAL UNITS

➔ Drug Court Program

The Drug Court Program began in Essex County in 1999. It was the original pilot program for the State of New Jersey. Judges, prosecutors, public defenders, court professionals, substance abuse evaluators, treatment facilitators and probation officers work together to assist participants in the program to conquer their addiction. The program links the criminal justice system with drug treatment and rehabilitative services promoting life skills. The purpose is to break the cycle of addiction and recidivism among these non-violent offenders.

Participants receive intensive probation supervision and swift graduated sanctions for non-compliance as they undergo treatment and counseling for their drug and alcohol addictions. Public safety concerns are addressed through the close monitoring of each defendant by probation officers and the Drug Court Team. The program involves a team approach on the part of judges, court staff, attorneys, probation officers, substance abuse evaluators and treatment facilitators who support and monitor every participant's recovery. The Drug Court Team discusses each participant weekly.

In 2015, Essex County began preparing to become a Mandatory Drug Court County. On July 1, 2016, Essex County joined the following counties that already are Mandatory Drug Court Counties – Atlantic, Cape May, Bergen, Burlington, Hudson, Mercer, Monmouth, Passaic, Somerset, Hunterdon, Warren and Ocean. Being a Mandatory Drug Court County means that every eligible defendant must participate in Drug Court. The change significantly increased the number of defendants who enter the program and the resources needed to manage them.

2018 Accomplishments

There were 71 admissions to Drug Court for the court year 2017-2018 which ended on June 30, 2018.

➔ Forfeiture Unit

The Forfeiture Unit of the of the Essex County Prosecutor's Office prosecutes all asset forfeiture actions brought pursuant to N.J.S.A. 2C:64-1 et. seq., the State's forfeiture statute. The primary mission of the Unit is to fairly and efficiently forfeit all property seized from defendants within Essex County that can be linked to criminal activity, either as proceeds of such activity or as property used to facilitate the commission of said activity. This is done primarily through the filing of civil "in rem" complaints against the seized property with notice to the defendants. The forfeiture complaints must be filed within 90 days of the seizure.

The use of forfeiture funds obtained by the Prosecutor's Office is strictly regulated by law. Forfeited monies may only be used for law enforcement purposes as defined by Attorney General Guidelines. The funds cannot be used to defray normal operating expenses such as salaries, leases and other regularly-incurred expenses. Training expenses, special equipment purchases, and forensic witness fees are examples of permitted forfeiture expenditures.

2018 Accomplishments

In 2018, the Forfeiture Unit, through appropriate civil and criminal process, forfeited \$2,161,301.37 which was determined to be either proceeds or instrumentalities of crime. Of that amount, \$1,806,007.37 was in cash, \$289,970 was the value of motor vehicles, and \$55,324 was other property, including various items of electronics equipment.

LEGAL UNITS

➔ Grand Jury Unit

The Grand Jurors make an independent determination to indict, or formally charge, persons accused of crimes based on their assessment of the evidence presented to them by an Assistant Prosecutor. After listening to witness testimony, viewing physical evidence, if any, and discussing the case, the Grand Jury can vote to either True Bill a matter, which formally charges the accused; to No Bill a matter, which dismisses the charges; or Amend and Remand the matter which refers the case back to the Municipal Court on lesser charges.

The Grand Jury is an independent body consisting of 23 members of the community, with 12 affirmative votes needed to return an indictment. The actual proceedings are secret, but a transcript is made available for use by the Court, the Prosecutor's Office and the Defendant after the vote is taken. The defendant may or may not elect to testify before the Grand Jury.

Grand Jurors in Essex County sit one day per week from 15 to 18 weeks, hearing approximately 20 to 25 cases per day. To facilitate case scheduling, while respecting the wishes of most Grand Jurors to be released at closing time, the Essex County Prosecutor's Office has developed a weighting system. Under this system, Grand Jury Clerks receive advance notification of the complexity of a given presentation, allowing more efficient and realistic scheduling of cases.

Under the present system there are four Assistant Prosecutors assigned to the Grand Jury Unit who present cases assigned to the Adult Trial Section. Those matters are then returned to the Trial Assistant Prosecutor for resolution via plea or trial. Various specialized units have their own Assistant Prosecutors present their cases in a vertical prosecution system. They remain assigned to their cases from charging decision through indictment, to the final resolution of the matter.

2018 Accomplishments

In 2018, Grand Jury presentations were made in 5,224 cases. Of that number, 4,108 resulted in indictments; 380 were no billed and 95 were referred to municipal court. The remaining cases were either held over, withdrawn, pled out or consolidated with other cases.



➡ Initial Screening Unit

All criminal complaints in Essex County charging indictable crimes are screened by the Essex County Prosecutor's Office. It is the primary function of the Essex County Prosecutor's Office's Screening Unit to review all criminal complaints and when necessary diverting those complaints not warranting prosecution on the Superior Court level to Municipal Court.

The first level of screening for most cases reviewed by the Essex County Prosecutor's Office is at the municipal level. Thus, the Screening Unit reviews criminal complaints involving anticipated indictable offenses originating from all 22 of Essex County's municipalities. This was accomplished in 2018 by both in person and telephonically reviewing all anticipated indictable offenses for all municipalities, including Newark. The Screening Unit is staffed by nine screening attorneys who work 24 hours a day, 365 days a year including holidays and weekends.

Since approximately 60 percent of the Screening Unit reviews originate from the City of Newark, the Screening Unit was headquartered at the Newark Police Department 5th Precinct. Case screening was facilitated through a close working relationship with Newark Police personnel and the Newark Municipal Court.

The Screening Unit also pre-screens cases with detectives of the Newark Police Department prior to the filing of criminal complaints. Complaints are also generated from the diverse law enforcement agencies operating throughout Essex County, including the Port Authority of NY/NJ, State Police, New Jersey Transit Police, the Essex County Sheriff's Department, and the Departments of Public Safety for Rutgers University, the New Jersey Institute of Technology, University of Medicine and Dentistry of New Jersey, and Essex County College. Each of these agencies files their criminal complaints with the Newark Municipal Court. However, prior to said filings, these cases are first screened and approved by the Screening Unit.

The Screening Unit is also assigned the task of reviewing matters referred by the New Jersey Department of Corrections and the New Jersey Division of Parole, entities within the jurisdiction of Essex County. These cases involve escapes from correctional institutions (including halfway houses), violations occurring within these institutions, and parole absconder cases.

The Screening Unit also identifies and recommends certain cases for prosecution in the Special Remand Court when circumstances indicate prosecution for disorderly person offenses, but the nature of the offense or the defendant's record warrants prosecution at the county level.

2018 Accomplishments

In 2018, the Screening Unit reviewed a total of 11,906 custodial and non-custodial matters. This number does not include the number of matters screened by the

LEGAL UNITS

various specialized units such as Homicide, Special Victims Unit, Special Prosecutions, Financial Crimes, at which time the number increases to 12,478. Of all these, 5,791 were ultimately downgraded to Special Remand Court or the municipality were the complaints originated. The remaining cases were then sent to Central Judicial Processing for the defendant's first appearance and then on to vertical prosecution.

➔ Juvenile Trial Unit

The primary legal function of the Essex County Prosecutor's Office Juvenile Trial Unit is to prosecute all complaints charging acts of juvenile delinquency as defined by the New Jersey Code of Juvenile Justice and our Court Rules. Juvenile matters are heard in Family Court by judges specifically assigned to preside over such matters. Juvenile cases are sealed proceedings due to the age of the juvenile and, except for limited circumstances are closed to the public. The goal of the juvenile justice system in New Jersey is to seek rehabilitation of the juvenile whenever possible with available resources. The Prosecutor's Office does so while also protecting the community from juveniles who pose a danger to themselves or others.

Juvenile cases, and the available dispositions, run the gamut of first-time offenders to violent crimes. There is no municipal court available in juvenile cases, so all matters are referred to the Prosecutor's Office for disposition. ECPO works hand in hand with the municipal police departments juvenile units, where officers are specifically assigned to investigate and process juvenile offenders. For some of the less serious matters typical dispositions are: station house adjustment, a program where the local police departments work with the juvenile in some type of community service, in lieu of charging; and Juvenile Justice Commission, where a group of trained, court appointed volunteers from the community work with the charged juvenile also in some type of community service, apology, restitution or other remedy. In addition, the Essex County Youth House conducts a program called Consequences of Crime where first-time offenders spend a day at the Youth House as directed by the Court. Successful completion of these various programs will generally result in a dismissal of the charges.

For more serious matters, available dispositions are probation, various residential placements, and training school. Pre-disposition, a juvenile will be on various types of release such as house arrest, electronic monitoring, or in the Youth House if the Court deems him a threat to himself or others. The type of release he is subject to depends upon the serious nature of his offense, his prior exposure to the criminal justice system, his own family situation, and the potential danger to the community if released.

In Essex County, the Juvenile Trial Unit consists of a Director and six assistant prosecutors, four detectives and various support staff.

2018 Accomplishments

In 2018, the Unit handled 1,574 referred cases ranging in severity from disorderly persons offenses to homicides. Two judges handle the caseload in Essex County, one on a full-time basis and one who handles juvenile and other matters. The Assistant Prosecutors handle all necessary investigative and legal issues associated with the case including plea negotiations, motions, trials, and sentencing.

LEGAL UNITS

The Juvenile Trial Unit has made significant changes starting in 2015. First, there has been an increased use of technology when communicating with local police departments and the Youth House, reducing the time for obtaining investigative reports and other documents.

Second, community involvement has increased for the disposition of non-serious matters involving first-time offenders, including the use community-based programs such as the Juvenile Conference Committees (JCCs), a six- to nine-member citizen volunteer panel appointed by the Family Division Judge that hears and decides matters involving juveniles.

Another successful program is the Newark Youth Court, a program run from the Newark Municipal Court. Juveniles who are first-time offenders are referred there to participate and, hopefully, be deterred from future involvement in the criminal justice system.

Third, Assistant Prosecutors and detectives have developed a closer partnership with local police departments, especially with serious matters such as carjacking, armed robbery, shootings, burglary, weapons and assaults.

The Juvenile staff also worked closely with the Special Prosecution Unit, which among its other duties, investigates social media evidence. This area of investigation has grown significantly and is especially relevant in juvenile matters.



➡ Mental Health Unit

The Essex County Prosecutor's Office Mental Health Unit manages a diversion program focusing on defendants living with serious and persistent mental illnesses, such as Bipolar Disorder or Schizophrenia. The purpose of the program is to combine community-based therapeutic treatment plans with traditional punishment-only oriented criminal case dispositions. The program has been greatly enhanced over the past year as the Unit continued to develop. ECPO was one of only two county Prosecutor's Offices in New Jersey (the other is Ocean County) to obtain a two-year \$150,000 grant from the New Jersey Attorney General's Office, Division of Law and Public Safety, for County Prosecutor-led Mental Health and Co-Occurring Substance Abuse diversion programs.

Funded by the OAG grant, Essex County Hospital Center has hired a full-time case manager to work exclusively with the ECPO's Program participants. The case manager is responsible for linking participants to a treatment plan developed by a mental health professional, and will also assist participants with applying for housing, education, vocation, and other benefits that contribute toward greater functioning in the community.

The Unit works with a clinician hired by the County Hospital Center. The clinician screens and assess applicants for acceptance into the Program. The clinician, a Licensed Specialist Clinical Social Worker, or LCSW, has developed a comprehensive community-based therapeutic treatment plan for acceptable Program candidates. Also funded by the OAG grant, ECPO has partnered with Rutgers School of Psychiatric Rehabilitation and Counseling Professions. Rutgers is responsible for analyzing data collected from Program participants by making formative and summative evaluations as to the efficacy of the Program's goal of reducing recidivism and reintegrating the target population into society.

2018 Accomplishments

In 2018 some 55 cases were referred to the Mental Health Unit. Of that number, 16 were accepted into the program, another 39 were denied admission. Of the denials, 23 were denied admission for legal reasons, eight were denied based on clinical factors and another eight withdrew their application, pled at trial or were accepted into Pretrial Intervention.

In 2018, six individuals successfully completed the program. Seven others were discharged. Of that seven, four were terminated and three withdrew.

➔ Pre-Trial Intervention & Expungement Unit

The Pre-Trial Intervention (PTI) & Expungement Unit is responsible for the complete review and processing of all applications for the PTI Program. This program is like probation but allows participants to avoid criminal conviction. Appropriate candidates are accepted into the program and required to fulfill certain conditions. At the end of the PTI term, an Assistant Prosecutor from the Unit reviews and signs a dismissal order. If an applicant is deemed inappropriate for PTI, a letter outlining the grounds for rejection is prepared, reviewed and disseminated by Unit personnel. Requests for reconsideration and appeals receive appropriate responses.

The Unit also reviews Expungement applications aimed at clearing an offender's criminal record. In 2010, the State Legislature eased many of the time limits and criteria for Expungements. The new statute also allows for "Early Pathway" or "Discretionary" applications. These are applications in which a petitioner can apply for Expungement prior to the time that he or she would ordinarily be eligible by citing special circumstances.

In recent years there have been many changes to the Expungement law. In 2016, the State Legislature again amended the Expungement statute to allow successful Drug Court graduates the opportunity to expunge their entire criminal record. The expungement statute was also amended to permit those found not guilty of a criminal offense to expunge their record immediately.

In December of 2017 Gov. Phil Murphy signed (S3307) into law. The new law, which took effect on Oct. 1, 2018, further amended the expungement process. Under the new changes it reduced the waiting time to seek an expungement of a criminal conviction from 10 years to six years. The changes in the law also allow someone involved in a "crime spree," meaning multiple criminal acts, to seek expungement if the offenses are listed on a single judgment of conviction.

The amendment also increases the number of disorderly person and/or petty disorderly person offenses and indictable offenses (also known as felonies) eligible for expungement from two to three.

All these changes have resulted in significantly more preparation, court time, and appeals. Expungement applications are typically prompted by employment concerns and require the Unit to extensively examine the applicant's full criminal history to determine eligibility (as provided for by statute). If eligible, Unit personnel prepare, review and submit appropriate orders for the Court's signature; if the applicant is deemed ineligible, orders for dismissal are prepared and forwarded to the Court.



2018 Accomplishments

Some 375 defendants applied for PTI in 2018. Of that number 222, were accepted into the program. The remaining 153 were rejected. In 2018, there were 593 expungement applications. Final orders of expungement were granted in 542 cases. Some of these cases involve applications from the prior year. There were 154 dismissals of expungement applications.

➞ Remand Court Section

The Remand Court Section of the Essex County Prosecutor's Office handles cases that have been referred from Central Judicial Processing, Vertical Courts and Special Squads. The Essex County Remand Court was established in June 1990 to address a significant backlog in the processing and prosecution of indictable offenses. The Remand Court acts as a municipal court, handling disorderly persons cases, while retaining countywide jurisdiction. The expanded jurisdiction of the Remand Court gives the Prosecutor's Office the option of downgrading an indictable offense to a disorderly person charge while retaining prosecutorial responsibility.

Before the Remand Court was established, all disorderly person offenses had to be referred to the municipal level. Given the high volume of cases handled in Essex County, this represents an important option, as it combines the professional resources of the County Prosecutor with the procedural speed of a municipal court. The Assistant Prosecutors assigned to the Remand Court craft plea bargains and address victim/witness concerns, including restitution and counseling, in addition to preparing cases for trial in a speedy manner. Dispositions include probation, offense-specific treatment and counseling, fees and fines and/or jail time. Remand Court is not appropriate for more serious indictable cases or for typical municipal court cases, but for low- to mid-level criminal offenses. The court allows greater flexibility in the exercise of prosecutorial discretion, improves efficiency, maintains the protection of victims' rights as well as defendants' rights and imposes appropriate sentences in accordance with the offenses committed.

The Remand Court is a high-volume court and designed to dispose of 200 or more cases per month, compared to the 50 cases per month in each of the post-indictment trial courts. Most of the cases calendared in Remand Court are scheduled directly from Central Judicial Processing, where all defendants are initially arraigned. The swift and certain punishment meted out in the Remand Court is reflected in a custodial sentencing rate continually in excess of 70 percent.

2018 Accomplishments

In 2018 the Remand Court handled 2,059 cases reflecting 4,827 separate charges. Of that number 1,604 resulted in guilty pleas, 1 resulted in conditional discharge, 13 went to trial and the remaining cases were resolved by dismissal.

➔ **Crash and Fire Investigation Unit**

In 2018, Crash and Fire Investigation Unit continued investigating all fatal crashes and fires, and all serious bodily injury motor vehicle crashes with a criminal element (i.e. all hit and runs, driving under the influence and unlicensed drivers where serious injury resulted). The Assistant Prosecutors then prosecuted all vehicular homicides and related offenses, as well as fatal and non-fatal arson cases. Non-fatal arson cases are investigated by local departments, with assistance from prosecutor's office personnel, and where appropriate, prosecution by the Assistant Prosecutors of the CFIU. CFIU continues to be staffed by three Assistant Prosecutors including one Assistant Prosecutor-Supervisor who carries a case load as well.

New in 2018, the trained crash and arson investigators of the Crash and Fire Investigation Unit were merged with the Crime Scene Unit to form the Crime Scene Investigation Bureau. In CSIB, all detectives are responsible for traditional crime scene processing of homicide and search warrant scenes and the expert analysis associated with that work, plus investigations of all fatal and serious bodily injury crashes and fatal fires. In 2018 and 2019, the investigators of CSIB are obtaining training with the goal of having more trained personnel to conduct these highly specialized investigations.

At all times, there is at least one Detective and one Assistant Prosecutor on-call with investigative and prosecutorial supervisors always available as well. In addition to the investigations described above, the on-call Assistant Prosecutors are additionally responsible to assist local police and the New Jersey State Police 24 hours a day seven days a week with obtaining telephonic warrants for the taking of bodily fluids in DUI cases.

2018 Accomplishments

In 2018 CFIU/CSIB investigators investigated 39 fatal crashes, 23 serious injury crashes, and 11 arson cases. This does not include dozens of non-fatal crash and fire investigations and prosecutions aided and conducted by the Assistant Prosecutors of CFIU in conjunction with local agencies and the New Jersey State Police.

The Assistant Prosecutors and Investigators of CFIU also share the weighty responsibility of meeting with surviving family members of criminal and non-criminal fatal crashes and fires to explain the investigations and charging decisions of each investigation. Once the criminal prosecution concludes, or the decision to not prosecute an incident is made, the Assistant Prosecutors and Investigators also have roles in the subsequent and inevitable civil litigation that results from the incidents we are responsible for investigating.

In addition to the investigative and local support work in these specialized investigative areas, CFIU personnel successfully tried several cases obtaining convictions and lengthy prison sentences and obtained convictions by plea agreement in which heavy custodial consequences were imposed.

INVESTIGATION UNITS

In 2018 these included a trial of a driver of a carjacked vehicle that crashed and killed a passenger, cases in which drunk drivers killed or maimed other road users, and a case in which a suspect fleeing police killed a three-year-old boy walking with a family member. These trial victories and significant pleas are a testament to the thorough investigations, preparations and skilled prosecutions by the attorneys and investigators of the Crash and Fire Investigation Unit.



➔ Domestic Violence Unit

The Domestic Violence Unit, which was established in 1992, addresses domestic abuse between intimate partners and adults who reside in the same household. The Unit is comprised of seven attorneys, one director, one captain, one lieutenant, one sergeant, four detectives, two support staff and a victim/witness advocate. The Unit reviews cases with the goals of protecting the interests of the victims as well as prosecuting domestic violence incidents.

Domestic abuse is a self-perpetuating and escalating social phenomenon. It affects all people regardless of their race, culture, religion, economic strata and/or sexual orientation. Criminal sanctions are a key component of society's response to curtailing this abuse. When appropriate, the Domestic Violence Unit will seek to incarcerate violent and persistent offenders. In many cases, batterers are given the opportunity to rehabilitate themselves, with the hopes that this will end the cycle of violence. Additionally, the psychological impact of domestic abuse on the victims and their families is a major factor in our case analysis.



The Domestic Violence Unit, in collaboration with the Victim-Witness Advocacy Unit, offers support to victims with the goal of helping them regain a sense of personal safety and security. Referrals to shelters may also be a viable option when appropriate. This multifaceted approach in victim assistance is necessary because domestic violence victims are often unwilling to testify against their abusers because of safety and financial concerns, the impact on children and other family members, as well as the victim's own relationship dynamics with the abuser.

INVESTIGATION UNITS

It is the job of the Assistant Prosecutor to balance the need for deterrence, the level of cooperation of the victim as well as being a strong advocate for justice. The Domestic Violence Unit serves a pivotal function in the community in its zealous efforts to prosecute abusers and attend to the needs of the victims of abuse.

2018 Accomplishments

During 2018, the members of the Domestic Violence Unit processed 2,704 Domestic Violence cases. The Assistant Prosecutors assigned to the Unit presented 1,077 cases to the Grand Jury during this period. The following are examples of the spectrum of cases handled by the Domestic Violence Unit in 2018.

State v. Haneef Taylor -- Defendant Taylor pled guilty to 2nd degree aggravated assault. The defendant was dating the victim's mother. The victim was getting into her car when she saw the defendant on the street. He reached into his waistband and shot approximately 15 bullets towards her. She was not hit but her car, someone else's car, and a house were hit. Two bullets were found in the bedroom and bathroom of the home. He was sentenced to seven years in state prison. He must serve 85 percent of that sentence before he is eligible for five years of parole supervision.

State v. Jocelyn Dhata -- Defendant Dhata pled guilty to aggravated manslaughter for physically assaulting her boyfriend with her fists causing injury to his neck which resulted in his death. She was sentenced to twelve years in state prison. She will have to serve 85 percent of that sentence before she is eligible for five years of parole supervision.

Furthermore, the Domestic Violence Unit handles cases when defendants are charged with violating civil restraining orders issued to protect victims of domestic abuse. These violations or contempt charges are typically handled in the Family Part. The Assistant Prosecutors assigned to Family Court handled 211 cases in 2018.

Members of the Essex County Prosecutor's Office, including personnel in the Domestic Violence Unit, continue to play a significant role in the Essex County Domestic Violence Working Group. These members also play an active role in the Law Enforcement Subcommittee which is comprised of law enforcement, the judiciary, victim service providers, probation officers and Family Part employees. The Domestic Violence Working Group addresses systemic problems in the domestic violence field and endeavors to coordinate the efforts of the various member organizations. The Group is instrumental in implementing the dictates of the New Jersey's Domestic Violence Procedures Manual as well as making strides in improving the service of Temporary Restraining Orders.

The Essex County Prosecutor's Office is one of the lead partners in the Essex County Family Justice Center, located at 60 Nelson Place, Newark. The Family Justice Center is recognized as a "best practice" in the field of domestic violence intervention and prevention by the U.S. Department of Justice on Violence Against Women. The Family

INVESTIGATION UNITS

Justice Center brings together, under one roof, domestic violence advocates, civil legal service providers and other community-based organizations to provide crisis intervention, safety planning, counseling, self-sufficiency services, as well as access to the criminal justice system through a liaison to the Essex County Prosecutor's Office.

INVESTIGATION UNITS

➔ Extradition Unit

The ECPO Extradition Unit facilitates the return of fugitives who have been accused or convicted of a crime. The Unit is responsible for providing the legal paperwork needed to return an offender to New Jersey. The Unit also arranges the return of fugitives to other jurisdictions where an offender is wanted by law enforcement for a crime committed in that location.

Those working in the Unit must have a familiarity and knowledge of the various legal mechanisms found in both state and federal statutes to compel the return of a fugitive wanted for a crime committed in New Jersey as well as an understanding of the proper procedures for returning a fugitive to another jurisdiction.

Among other things, it may involve securing a Governor's warrant if the accused fights extradition. It also involves working closely with local, state, and federal law enforcement agencies.

2018 Accomplishments

In 2018 the extradition unit received 319 requests for extradition. Essex County coordinated the legal paperwork to extradite 245 fugitives to other jurisdictions and to return 107 fugitives back to Essex County.



➔ **Forensic Analysis and Cyber Technical Services**

The Forensic Analysis Cyber Technical Services Unit (FACTS Unit) is comprised of specially trained sworn law enforcement personnel who handle criminal investigations involving the internet and technology. Additionally, detectives in the FACTS Unit assist multiple agencies in criminal investigations that involve the use of mobile and computer devices. The FACTS Unit also has dedicated on-site mobile/computer forensic laboratory. The FACTS Unit also conducts complex CCTV video recovery to assist in criminal investigations.

2018 Accomplishments

In 2018 the Forensic Analysis Cyber Tech Services Unit (FACTS Unit) continued to provide support for the ECPO and local police departments by performing searches and forensic examinations of cellular telephones and other digital media obtained during criminal investigations. In 2018, the FACTS Unit conducted over 1,000 cell phone extractions and analysis, 102 computer or external media extractions and 300 video downloads. Increasingly, this kind of technical assistance is essential to the investigation and prosecution of cases. It can provide call history, text messages, photos and other information that is crucial to the successful prosecution of a case.

Additionally, the Unit continues to provide legal and investigative assistance to municipal police departments on cyber and technology-facilitated crimes. Members of the Unit also provide training and engage in community outreach, including presenting information on internet safety and cyber bullying to students and teachers throughout the County.

In 2018, the Unit had 940 case assignments. The Unit did 672 cell phone extractions, 122 cell phone analysis, 106 computer external media extraction and 305 video downloads.

INVESTIGATION UNITS

➔ Financial Crimes Unit

The Financial Crimes Unit is dedicated to the detection and prosecution of cases involving the unlawful conversion of funds or property. Most of these cases involve fraudulent activities using checks, credit cards, bank accounts and mortgages. Victims of financial crimes are varied and include some of the most vulnerable victims, such as the elderly or infirm and some of the more affluent, such as private and professional corporations.

The Assistant Prosecutors in the Unit are supervised by a Deputy Chief Assistant Prosecutor; assigned detectives conduct the investigations, supervised by a Captain of Detectives. Presently, this Unit is staffed by a Deputy Chief Assistant Prosecutor, four Assistant Prosecutors, a Detective-Sergeant, four detectives, one legal assistant, and one clerical assistant.

The Financial Crimes Unit is a vertical prosecution unit, meaning it handles the cases from inception to prosecution. When the Financial Crimes Unit receives an allegation of criminal conduct, it must determine whether a criminal prosecution is warranted. If it is, a criminal charge and/or a presentation to a Grand Jury is conducted after a thorough investigation. If an indictment is returned, the Financial Crimes Unit is responsible for the case through a trial or plea agreement.

The Financial Crimes Unit fulfills the need to investigate serious financial crime cases at the county rather than municipal level. Municipal police departments are often not able to thoroughly investigate complicated economic crimes. Indeed, in many cases, governmental, bank, and financial records can only be obtained by grand jury subpoena, court order or search warrant, and therefore are beyond the reach of a municipal police department. Many “white collar” crimes are multi-jurisdictional in nature. Beyond this, such cases are far more complex than the “average” case. They usually require review of voluminous records by an experienced detective.

Because of the complexity of the allegations and investigations, close interaction between the Assistant Prosecutor and Detective is necessary throughout the investigation; especially since these investigations often involve assembling and reviewing complex financial and business records, preparing and obtaining court orders for in- and out-of-state records (such as bank records, handwriting, toll records).

In 2012, the Financial Crimes Unit expanded to include an Insurance Fraud Division. The Insurance Fraud Division is partially funded through a grant from the New Jersey Attorney General’s Office of the Insurance Fraud Prosecutor, and works closely with that Office in identifying, investigating and prosecuting appropriate cases.

In 2015, the Financial Crimes Unit expanded even further to include an Intellectual Property (Counterfeiting) Division. The Division is partially funded through a grant from the Bureau of Justice Assistance and its goal is to investigate and prosecute this ever-growing crime.

2018 Accomplishments

In 2018, the Financial Crimes Unit concluded several notable cases, including the following:

State v. Raymond Brock Murray -- Defendant was a licensed marriage counselor, however, his license expired in 2013. It was alleged that he was overbilling insurance companies and billing for services not rendered. After a lengthy investigation, where the Financial Crimes Unit partnered with the New Jersey Transit Police Department, it was determined that the defendant received over \$500,000 in money from insurance companies as payment for fraudulent claims. The defendant was indicted for first degree money laundering, second degree health care fraud, second degree insurance fraud, third degree failure to pay tax, third degree failure to file tax. The defendant ultimately pled guilty to second degree health care claims fraud in exchange for a recommendation for a five-year prison sentence with court ordered restitution. The defendant also forfeited properties that he purchased with the stolen funds and money that was recovered that was product of the fraud.

State v. Patricia Piccinno -- Defendant is the wife of a municipal police detective who stole large sums of money from her mother-in-law and husband. She stole, hid and stopped mail so her husband would not discover the fraud. The defendant also redirected her mother-in-law's mail to facilitate the theft. She withdrew her mother-in-law's savings and money in checking accounts, as well as from her insurance and investment accounts. She created fake emails to cover her crimes. The defendant was indicted for 12 crimes, including first degree money laundering, second degree theft, second degree impersonation, second degree identity theft, third degree impersonation, second degree impersonation, third degree forgery, third degree forgery, third degree theft by deception, third degree credit card theft, fourth degree tampering with records, second degree theft, second degree theft, and fourth degree falsifying/tampering with records.

The defendant pled guilty to 10 out of 12 counts of the indictment in exchange for a recommendation of a four-year state prison sentence. She is also required to pay court ordered restitution of more than \$350,000 to both victims.

INVESTIGATION UNITS

➔ Homicide Unit

The Homicide Unit of the Essex County Prosecutor's Office functions as both an investigative and prosecutorial unit. The Unit is staffed full-time by Assistant Prosecutors and Detectives. Unit personnel respond to all homicides, suspicious deaths, certain non-fatal shootings, and motor vehicle fatalities in the county.

Assistant Prosecutors assigned to the Homicide Unit assist Detectives in obtaining search warrants and communications data warrants. Homicide Assistant Prosecutors are on-call 24 hours a day and can prepare warrant requests at any hour of the day or night. The ability to obtain warrants and other legal documents on an emergent basis is often crucial to ensuring that all relevant evidence is collected in a manner that will withstand legal challenges and will be admissible in subsequent legal proceedings.

As an investigation proceeds, case detectives in the Unit meet with an Assistant Prosecutor to determine if probable cause exists to bring criminal charges. Moving forward, the Assistant Prosecutor and case Detective then present an affidavit of probable cause to a magistrate. If the probable cause is accepted by the magistrate, an arrest warrant is issued for the suspect. The Assistant Prosecutor and case Detective then prepare the case for presentation to a Grand Jury. In most instances, the assigned Assistant Prosecutor will continue with the case through final disposition. Vertical prosecution of homicide cases provides continuity throughout the process. Having the same team involved with the case throughout the proceedings is also beneficial for the surviving family members.

In matters in which a juvenile is charged with a homicide offense, the Homicide Assistant Prosecutor will prosecute the matter in Family Court or, in appropriate cases, seek the juvenile prosecuted as an adult.

In matters involving motor vehicle fatalities, Homicide and Crime Scene Detectives specially trained in crash investigations and accident reconstruction, will investigate the incident and work with an Assistant Prosecutor to determine if the collision was the result of criminal conduct.

2018 Accomplishments

In 2018, the Essex County Prosecutor's Office continued with the Homicide/Major Crimes Task Force. Detectives from the Newark, East Orange, Irvington and Orange police departments; the Essex County Sheriff, and the New Jersey State Police are assigned to the Homicide Unit pursuant to a Memorandum of Understanding (MOU), and conduct investigations in the county. All homicides, death investigations and police shootings throughout the county are investigated by the Homicide Major Crimes Task Force. Having municipal detectives co-located in the Homicide Unit allows for continuity of investigations and eliminates duplicative efforts by county and local officers

During 2018, the Essex County Prosecutor's Office Homicide Unit investigated 104

homicides. Additionally, there were forty-seven special investigations that the Task Force oversaw.

The 104 homicides in 2018 represent a decrease from the 112 homicides that occurred in 2017. Assistant Prosecutors and Detectives assigned to the Homicide Unit prepared, reviewed and executed over 400 search warrants and 350 communications data warrants.

Notable Cases

While many cases have been handled by the Assistant Prosecutors assigned to the Unit in 2018, below is a description of a few of the more notable cases in 2018.

Members of the Homicide Unit continued to work on the case of **Ali Muhammad Brown**, who was charged with killing a college student in West Orange in 2014. The suspect was also implicated in three homicides in Washington State. In addition to homicide charges, this office charged Brown with committing an act of terrorism based on statements he made regarding the West Orange homicide. As the trial was set to begin, defendant pleaded guilty to all counts in the indictment and was sentenced to life in prison without possibility of parole.

In **State v. Naim Jones, Hakeem Maloney and Rashan Jackson**, the three defendants were convicted of murder. All three are documented members of the Bloods street gang, with Jones and Maloney having high ranking status. The defendants received sentences ranging from 80 years to life.

In **State v. Jeffrey Holland**, defendant was charged with killing three people over a two-day period in 2016. In 2018, he was convicted of three counts of murder and sentenced to 190 years in prison.

In **State v. Akeem Thompson**, defendant was convicted of murder after a jury trial. He was sentenced to 60 years in prison.

In **State v. Jimmy Mays and Lavelle Davis**, defendants were charged with murdering three individuals in an apartment in Maplewood. Both defendants were convicted after a jury trial. Mays was sentenced to 153 years in prison and Davis was sentenced to 138 years in prison.

INVESTIGATION UNITS

➔ **Narcotics Task Force**

The Narcotics Task Force is comprised of a Captain, a Lieutenant, a Sergeant and 20 detectives; which include Task Force detectives from Newark PD, NJIT and Rutgers PD. The Narcotics Task Force is the major narcotics and gang investigation unit of the Essex County Prosecutor's Office. Its mission is to investigate and prosecute crimes involving gangs, guns and violence. The Narcotics Task Force actively targets mid-to upper-level narcotics distributors (those generally dealing in quantities of second-degree weight or higher) operating in Essex County. In addition to initiating investigations and prosecuting those cases, the Narcotics Task Force assists federal, state, county and municipal law enforcement agencies with their investigations.

Also, the Narcotics Task Force is staffed full-time with one Chief Assistant Prosecutor, two Assistant Prosecutor Supervisors and five Assistant Prosecutors who vertically prosecute all cases initiated by the Narcotics Task Force. One Supervisor is responsible for prosecuting all cases involving gangs, guns and narcotics. The second Supervisor is responsible for prosecuting cases utilizing social media and social network analysis to enhance investigations and prosecutions into gun violence and organized criminal enterprises, specifically through online investigations. In addition, the Narcotics Task Force Assistant Prosecutors also review all narcotics and gang-related search warrants generated by all the Municipalities within the County. The Assistant Prosecutors also provide legal advice to outside law enforcement agencies on narcotics and gang related issues.

Intelligence Unit

The Intelligence section of the Narcotics Task Force is comprised of a Captain, a Sergeant, two Detectives, three Investigative Aides, a Legal Assistant and an Analyst who is on loan from the National Guard. This section serves as an independent unit. The function of the Intelligence Unit is to gather data, analyze that data and disseminate the information derived from the data. Data is received from various law enforcement agencies (Municipal, County, State and Federal), other Intelligence units and open sources. The Intelligence Unit provides support to all investigative and legal personnel within the Essex County Prosecutor's Office. The Intelligence Unit also provides support to outside agencies that seek our help and assistance.

One detective, from the Intelligence Unit, is currently assigned to the New Jersey State Police Regional Operations Intelligence Center (ROIC) and one detective is assigned to the Newark Real Time Crime Center (RTCC). The ROIC is New Jersey's fusion center and the RTCC is one of the three mini fusion centers throughout New Jersey (which is a subsidiary of the ROIC), that have partnerships with federal, state and local law enforcement agencies throughout the country. Both detectives are working in conjunction with the New Jersey State Police, local, state and federal agencies, to provide support and real time intelligence for events as they occur.

The Intelligence Unit also provides support by offering information and support for the following: round-up of suspects, debriefing of suspects, comparative analyses, license plate checks, gang identification and classification, full and modified profile reports on persons, places and businesses. The Intel Unit tracks and maintains a database for heroin seizures, Naloxone Deployments and overdoses within Essex County. The Intelligence Unit also disseminates a bi-monthly newsletter that encompasses, a crime overview, gun recoveries, homicides, aggravated assaults, robberies, carjackings, burglaries, thefts, vehicular incidents, arrests, Megan's Law Offenders, sensitive crimes, wanted persons, police safety & awareness and training.

2018 Accomplishments

The following cases of interest were pursued in 2018:

State v. AlTariq Wager -- a successful confidential source narcotics operation that resulted in the recovery of 33 grams of cocaine, 43 grams of heroin, and \$115,706 in cash.

State v. Darrel Dancy -- a successful narcotics operation where 13 firearms were recovered (five assault weapons, eight handguns, including two s were handmade guns with no serial numbers, three silencers, two bump stocks) 380 grams of heroin was also recovered along with \$22,000 in cash.

State v. Andre Mims -- a successful narcotics investigation operation in the City of Newark, Irvington, and East Orange where 54 grams of Cocaine, 63 grams of heroin, 512 grams of marijuana, three firearms and \$9,595 in cash were recovered. Andre Mims and his co-conspirators were charged federally.

State v. Lavander Wade -- a successful confidential source narcotics operation that resulted in the recovery of 40 grams of cocaine, 212 grams of heroin, and \$10,020 in cash.

State v. Orville Powell -- a search warrant investigation where the ECNTF recovered 2700 grams of heroin, 1900 grams of cocaine, 7.5 grams of marijuana, and five firearms (1AK 47, 1Tec 9, 3 Handguns) and \$8,000 in cash.

State v. Mark Mells -- a successful confidential source narcotics operation that resulted in the recovery of 5 Firearms (1 AK47, 1 Shotgun, 1 AR15, 1 Tech 9, and 1 handgun) 16.288 grams of heroin, and \$195.00 in cash.

State v. Leonard Barron -- a search warrant investigation where the ECNTF recovered 150 grams of heroin, 15.5 grams of cocaine, 115 grams of Marijuana, and one firearm and \$1,444.00 in cash.

INVESTIGATION UNITS

➔ Professional Standards Bureau

The Professional Standards Bureau (PSB) consists of two branches. The prosecution branch is led by a Director, along with two additional Assistant Prosecutors. The investigative branch is led by the Captain of Prosecutor's Detectives, who has overall command of the Bureau and reports directly to the Chief of Detectives. The investigative branch is presently staffed by one lieutenant, one sergeant and one detective.

The PSB is primarily responsible for the investigation and prosecution of all criminal misconduct involving police in Essex County and all Prosecutor's Office employees. It also conducts activities to improve the administration and delivery of Police Internal Affairs services on a countywide basis, including Internal Affairs training. Two clericals oversee all office operations and manage the records system and paralegal functions of the PSB. One of those employees also manages the clerical needs of the separate Corruption Unit.

When the PSB receives an allegation of criminal conduct committed by a sworn law enforcement officer, a decision is made about whether a criminal prosecution is warranted. When a criminal prosecution is required, the case is charged and resolved pre-indictment or presented to a Grand Jury. If an indictment is returned, the PSB is responsible for the case through the plea agreement or trial. In addition, PSB personnel investigate all police shootings and pursuits to determine whether they comply with the guidelines and directives set forth by the New Jersey Attorney General. If there is a material, factual issue regarding a police shooting, it is presented to a Grand Jury. Internal responsibilities for the PSB include, but are not limited to, random drug screening, investigation of violations of rules and regulations, risk analysis management and integrity testing.

2018 Accomplishments

In 2018, the PSB received 392 new cases. An additional 73 cases were still pending from the prior calendar year. The PSB completed 391 investigations. Of the open cases, four resulted in criminal charges. The PSB also investigated eleven officer-involved shootings.

There were also several noteworthy criminal cases in 2018. A veteran Newark police detective was charged with multiple crimes including narcotics distribution after a lengthy investigation. This officer is currently being prosecuted. Another veteran Newark officer pleaded guilty in a sexual contact case and forfeited present and future public employment as part of the plea agreement. A Northern State Correctional Officer pleaded guilty to assaulting an inmate and forfeited present and future public employment. Finally, another Northern State Correctional Officer was charged with sexual assault and is currently being prosecuted.

The Critical Incident Response Team (CIRT), consisting of an Assistant Prosecutor and numerous PSB and ECPO investigative personnel, responded to the scene of every

INVESTIGATION UNITS

officer-involved shooting. The CIRT also responded to all police pursuits resulting in serious injury. In addition, the PSB conducted a two-day county-wide training regarding all Attorney General Policies and Directives applicable to internal affairs investigators.

INVESTIGATION UNITS

➔ Special Prosecutions Unit

The Special Prosecution Unit consists of a Sergeant, a Captain and five detectives. The Special Prosecutions section of the Narcotics Task Force serves as an independent unit. The unit is tasked with a wide-range of investigatory and prosecutorial responsibilities. The Assistant Prosecutors handle all county-wide carjacking investigations and prosecutions, cybercrimes, animal cruelty investigations, as well as all non-fatal Newark shootings. In addition, they provide police legal advice to agencies county-wide on a 24-7 basis, including guidance on investigative steps, assistance with subpoenas, search warrants, communications data warrants, and other First, Fourth and Fifth Amendment issues. On a case-by-case basis, the Unit also aids local agencies in need of specialized guidance on complex, sensitive, and high-profile cases, as well as county and state-wide auto theft investigations. The Social Media branch also assists local agencies with false public alarm cases which typically involve threats to schools, public facilities and infrastructure.

2018 Accomplishments

In June 2018, the Special Prosecution Detectives received information that an inmate, Qadir Cross at the Essex County Correctional Facility was communicating with an unknown male (later identified as Cleveland Bostwick) regarding a drug distribution network. During the investigation, detectives learned Bostwick was involved in establishing a heroin distribution location in Belleville, NJ, and arranging the murder of Anthony Davis AKA "Tone." As a result, during the month of October 2018 detectives executed search warrants at the following location(s) and vehicle(s):

1. 120 Rutgers Street, Apt E3, Belleville
2. 172 S. 10th Street, 2nd Fl, Newark
3. 73 Girard Ave, 2nd Fl, East Orange
4. 73 Girard Ave, 3rd Fl, East Orange
5. 2018 Gray Chrysler 300, bearing Massachusetts registration: 6BJ276
6. 2003 silver Infiniti G35, bearing New Jersey registration: B57JZU
7. 2014 black Infiniti Q50, bearing New Jersey registration: P35JSJ
8. 2013 white Hyundai Sonata, bearing New Jersey registration: P83GME
9. 2017 gray Jeep Grand Cherokee, bearing New Jersey registration: U74JZV

At the conclusion of the execution of the search warrants, the following was seized:

- Approximately \$18,000.00 in US currency
- One Smith and Wesson .38 revolver bearing S/N-BKR9276
- One master Piece arms 9MM bearing serial # F12427 loaded with a total of 25 rounds with an extended magazine
- One .45 Caliber Springfield XPS automatic pistol bearing serial # XS565867 loaded with 6 rounds

INVESTIGATION UNITS

- One box of ammunition with sixteen .38 Caliber rounds, twenty 9MM hollow points, one spent 9mm shell casing
- Approximately 900g of cocaine
- Approximately 276g of heroin
- Approximately 20g of marijuana
- Approximately 40g of mushrooms
- Approximately 43g of bath salts, 32 Xanax tablets, large amounts of drug paraphernalia
- Several cellular devices
- The 2017 gray Jeep Grand Cherokee, bearing New Jersey registration: U74JZV was seized.
- The individuals arrested during the operation were as follow(s): Cleveland Bostwick, Yahnay North, Qaadir Cross, Shameekah Hines, Kadeem Reddick, and Khimarri Simpson

INVESTIGATION UNITS

➔ **Special Victims Unit**

The Essex County Prosecutor's Office's Special Victims Unit investigates and prosecutes cases involving crimes against the most vulnerable members of our community. The Unit is comprised of the Child Abuse Unit (CAU), the Sexual Assault Rape Analysis Unit, the Sexual Assault Nurse Examiner (SANE) Program, Megan's Law Unit, Bias Crimes Unit, an Elder Abuse Team, an Internet Crimes Against Children Team and a Human Trafficking Team.

The above units and teams were merged into the Special Victims Unit in order to better serve the victims through the most comprehensive investigations possible. All but the Megan's Law Unit are-located at the Wynona M. Lipman Child Advocacy Center at 185 Washington Street in Newark. This allows for sharing of resources, information and experience between the units. The functions within the Special Victims Unit now operate under the command of a Deputy Chief Assistant Prosecutor who is assisted by a Supervising Assistant Prosecutor and a Captain of Detectives. The units and teams are overseen by a Chief Assistant Prosecutor and Deputy Chief of Detectives. Also available to the victims are on-site Victim Witness Counselors who work closely with the staff to ensure that the needs of the victim are met during the investigative and legal process. The goal of this holistic approach is to ensure that victims, witnesses and their families are provided with services and guidance and that their questions and concerns are addressed.

The SVU staff receives specialized training in the most advanced best practice standards to ensure that the victims' legal rights and emotional well-being are the primary consideration. SVU Assistant Prosecutors and Detectives are assisted by allied professionals such as forensic interviewers, forensic pediatricians, therapists and others in specialized fields. SVU also works with advocates representing child abuse, sex crimes, elder abuse and intellectually-impaired victims. By working with allied professionals, prosecutions are enhanced and further trauma to victims is minimized.

CHILD ABUSE UNIT

The Child Abuse Unit (CAU) was established by the Essex County Prosecutor's Office (ECPO) in 1983 in recognition of an urgent need to protect abused children and prosecute those who harm them. ECPO placed specialized law enforcement personnel with the desire, training and experience to serve abused children. Unlike most child abuse units throughout the country, the ECPO CAU serves all children up to the age of 18. The CAU is also staffed by various SVU Assistant Prosecutors, detectives and support staff. The CAU maintains a 24-hour on-call service for all county municipal detectives and New Jersey Department of Children and Families (NJDCF) caseworkers (Division of Child Protection and Permanency).

The children of Essex County are our greatest resource, and the CAU is committed to their protection. To accomplish this mission, the CAU uses the most advanced methods to successfully identify, apprehend and prosecute those who commit crimes against

INVESTIGATION UNITS

children. When crimes against children occur, the CAU diligently pursues the arrest, indictment and conviction of those responsible. At the same time, the Constitutional rights of the accused are respected.

By their very nature, child abuse investigations and prosecutions are extremely difficult. The CAU uses a multi-disciplinary team approach to investigations and victim services. In conjunction with Wynona's House, a non-profit organization, and the NJDCF, the CAU is an integral part of the Wynona M. Lipman Child Advocacy Center in Newark. The Lipman Center is only one of a few child advocacy centers in the country to have a full-time Prosecutor's Office unit, child protective service caseworkers, juvenile trauma therapists, forensic pediatricians and multi-disciplinary coordinators all under one roof.

The philosophy of the Center is the "Child Comes First," and a multi-disciplinary approach is used to protect child victims from unnecessary trauma during the investigative stages of a case. Under this approach, a single interview of all victims of sexual abuse under the age of 12 years old is conducted by a highly-skilled primary interviewer, while professionals from other agencies view the recorded interview. The technique prevents multiple interviews by law enforcement officials and reduces trauma suffered by the victim. In addition, victim family members receive a wide range of services.

The Forensic Video Interview (FVI) of all children under the age of 12 who have been sexually abused was established in 2000. A specially-trained forensic interviewer conducts the interviews, while members from NJDCF and the Child Advocacy Center manager (Wynona's House) sit in a monitoring room nearby. In 2018 there were 197 forensic interviews conducted by ECPO and CAC personnel.

Cases are investigated either solely by the CAU or through joint investigations with municipal Detectives or staff of NJDCF. The Assistant Prosecutors assigned to the Unit handle a significant number of cases from the inception of the investigation to the case's ultimate disposition. The Unit is responsible for investigating or co-investigating cases involving children under the age of 18 who were victims of crimes which include sexual abuse, child endangerment (abuse, neglect, cruelty, and abandonment), child pornography, interference with custody/kidnapping, and luring.

Depending upon the results of the initial interview with the child, he or she may require a medical examination and assessment by medical staff located at the Lipman Center. The Lipman Center collaborates with Metropolitan Regional Diagnostic and Treatment Center (RDTC) of Newark Beth Israel Medical Center, whose physicians have extensive training in both pediatrics and issues related to child abuse. Through the compilation of the child's medical history and the examination, evidence may be obtained and stored for the potential prosecution of the alleged perpetrator. The physicians also provide basic, preventative healthcare services to ensure the complete recovery of victims of child abuse.

INVESTIGATION UNITS

The Lipman Center has implemented a 24-hour, 7-day a week on-call schedule for its investigative staff, thereby ensuring that all child abuse victims will be treated with the best care and concern, regardless of when they are victimized or choose to disclose.

2018 Accomplishments

In 2018, the Child Abuse Unit received 1,128 referrals for investigation of which 114 resulted in adult criminal charges and 8 juveniles were charged in 2018.

Notable Cases:

State v. Desiree Joyner -- The defendant was charged with performing a botched circumcision of her infant son inside an abandoned home. Following the circumcision in Irvington, the defendant abandoned the child outside of the Newark Police Department's Fifth Precinct. The defendant alleged that her religious convictions compelled her to perform the circumcision. The defendant was charged with second degree aggravated assault; second degree endangering the welfare of a child; third degree unlawful practice of medicine and surgery as well as additional charges, including the fourth degree unlawful possession of a weapon, a scalpel; and third degree possession of a weapon for unlawful purpose. Assistant Prosecutor Jeffrey Conrad is handling the case and the case is pending trial.

State v. Francis Nicole Williams -- The defendant was braiding her 6-year-old cousin's hair and while doing so, spilled scalding water onto the child's back causing serious burns covering 16% of the child's body. The child was hospitalized for 12 days. The defendant was charged with fourth degree abuse and neglect of a child.

State v. Manuel Paredes -- The juvenile victim J.P., age eight, disclosed that the family's landlord, Manuel Paredes, had called the victim into his apartment and sexually assaulted her while J.P.'s mother was outside of the building. Accordingly, the defendant was charged with second degree sexual assault by contact and 3rd degree endangering the welfare of a child. The case is pending trial.

State v. Diego Ayala -- The grandmother of an 8-year-old child was looking through the pictures in her phone which are stored in the phone's cloud memory and saw a video she did not recognize. She played the video and the video showed her granddaughter being sexually assaulted by the defendant. There were multiple videos which showed multiple acts of sexual penetration upon the child. The defendant was charged with multiple counts of first degree aggravated sexual assault and one count of second degree endangering the welfare of a child.

State v. Jose Portillo -- An 8-year-old girl reported that the defendant had sexually assaulted her over a period of time by penetrating her vagina with his penis on multiple occasions. The defendant was charged with multiple counts of first-degree sexual assault and second degree endangering the welfare of the child. The defendant is awaiting trial. The defendant has first degree charges pending in California wherein he

is charged with sexually assaulting and impregnating a child. The matter is being handled by Assistant Prosecutor Michael Morris and it is scheduled for trial.

State v. Domingo Azcona -- The defendant sexually assaulted a child relative of his over a period of time causing her to become pregnant with his child. Once the child was born, DNA testing confirmed that the defendant was the child's father. The defendant pled guilty and is awaiting sentencing. His sentence will include Parole Supervision for Life and Megan's Law. The case was handled by Supervising Assistant Prosecutor Kate Lyons-Boswick.

State v. Gerry Destra -- The six-year-old victim was at her babysitter's home. While there, she was permitted to visit the home of another child in a downstairs apartment. The defendant lived downstairs in her friend's home. While alone with the victim, the defendant sexually assaulted the child who later disclosed to her mother. The child was discovered to have a sexually transmitted disease. At trial, the defendant was convicted of 1st degree aggravated sexual assault and endangering the welfare of a child. He was sentenced New Jersey State Prison for 27 years with 25 years parole ineligibility.

SEXUAL ASSAULT RAPE ANALYSIS UNIT

The Sexual Assault and Rape Analysis (SARA) Unit is one of the oldest investigative units in the Essex County Prosecutor's Office. It originated in the 1970s after the Newark Police Department became one of the first police departments in the nation to establish a sex crimes unit. The SARA Unit was developed to provide legal guidance and investigative support for all municipal police departments in Essex Country.

The SARA Unit originally prosecuted all cases of sexual abuse in the Essex County Prosecutor's Office. As the field of sex crime investigation became more specialized in the early 1980's, a separate Child Abuse Unit was developed. By 2001, after the opening of the Wynona M. Lipman Child Advocacy Center, all cases involving juvenile victims of abuse (under the age of 18) were solely prosecuted by the Child Abuse Unit.

Today, the SARA Unit exclusively handles cases involving adult victims of sex crime. Unit staff consists of experienced Assistant Prosecutors, Detectives, and clerical support employees. The SARA Unit cooperates closely with members of the onsite registered nursing staff who manage the Sexual Assault Nurse Examiner program (SANE).

Members of the legal and investigative staff are available 24 hours a day to assist local law enforcement with their investigations. The SARA Unit has also adopted a vertical prosecution approach, whereby prosecutors assigned to a case will handle it from start through trial. This allows for a more victim-centered approach. A victim will be given the stability of having to deal with a single investigative and prosecution team, thereby sparing the victim the need to endlessly repeat the details of the sexually abusive act to countless people. This approach protects the victim from the need to continually relive the abusive act.

INVESTIGATION UNITS

The SARA Unit was involved in many cutting-edge legal issues, including the use of DNA evidence and Internet-related crimes. With the establishment of a national DNA data bank by the FBI, Essex County was the first county prosecutor's office in New Jersey to have a positive match on a previously unidentified offender, as well as the first county prosecutor's office in the state to have a positive match on multiple cases committed by a serial sex offender.

2018 Accomplishments

In 2018, the SARA Unit received 380 referrals for investigation. Of the 380 cases investigated in 2018, twenty-five cases resulted in criminal charges.

Notable cases from 2018 include:

State v. Oscar Lamont Bryant -- The victim, a 50-year-old woman reported to the East Orange Police Department that she and the suspect, together with other members of her family had gone to a club in Newark and were drinking. According to her, she was served several drinks and believed that she had been drugged because she could not recall relevant parts of the night. She indicated that she believed that she had been sexually assaulted by the suspect because he took her home entered her bedroom, and she was thereafter found by her daughter, naked and behaving erratically. EMS was contacted, and she was transported to the hospital where a SANE kit was performed. The victim provided a statement to police. A statement was also taken of the suspect, who adamantly denied having had any sexual contact with the victim at any time. A buccal sample was taken of the suspect. The DNA lab report revealed that the suspect was the major source of DNA found on the victim's body. The defendant is an active duty East Orange Fireman. The defendant was charged with second degree sexual Assault. The case is pending trial and is being handled by Assistant Prosecutor Jenna Gouck.

State v. Brian McPherson -- The victim was walking through a park in Maplewood when the defendant grabbed her from behind and dragged her into nearby bushes where he sexually assaulted her. During the investigation, surveillance video was discovered showing the defendant following the victim through the park. Simultaneously, another investigation into the sexual assault of a young girl was ongoing with the Maplewood Police Department. The minor child identified the defendant as her assailant. Additional investigation led to the identification of the defendant as the adult victim's assailant. The defendant pled guilty to 1st degree aggravated sexual assault during a kidnapping and was sentenced to 20 years NJSP with 85% parole ineligibility as well as Parole Supervision for Life and Megan's Law. The case was handled by Supervising Assistant Prosecutor Kate Lyons-Boswick.

State v. Keenan Granger -- The defendant met a woman on social media (BackPage) and on the pretext of exchanging sex for money, he invited her into his home. Once there, the defendant beat the woman, strangled her and sexually assaulted her. The

woman was able to escape and reported the incident to authorities. The defendant was charged in an additional case wherein the victim alleged that she met the defendant online as well, and he lured her to his apartment under the pretext that he would pay her for sex. Once there, he also beat and strangled her and sexually assaulted her. The cases are pending trial and are being handled by Deputy Chief Assistant Prosecutor Celeste M. Montesino.

SEXUAL ASSAULT NURSE EXAMINER PROGRAM

On May 4, 2001, Assembly Bill 2083 was signed into law, providing for the establishment of a statewide Sexual Assault Nurse Examiner (SANE) program. By doing so, New Jersey became one of the first states in the nation to develop a comprehensive statewide program to address the needs of sexual assault victims. The law required each County Prosecutor to appoint or designate a certified sexual assault nurse examiner to serve as program coordinator for that county. The legislation also established a Sexual Assault Response Team (SART) program, which provides a team approach to assisting assault victims. The SART members include specially-trained local police officers, nurse and/or physician examiners and victim advocates. These programs are now being implemented in Essex County. Their overall goals are:

- To ensure timely and accurate collection of forensic evidence, thereby allowing for just determinations in sexual assault cases.
- To enhance the assessment and documentation of any medical trauma sustained by the sexual assault victim.
- To create compassionate and sensitive ways to address the physical, emotional and psychological needs of sexual assault victims.
- To coordinate the efforts of local police, hospitals, prosecutors, rape crisis centers and service providers to improve the quality of care and services offered to sexual assault victims in Essex County.

The SANE/SART Program utilizes a victim-centered approach to sexual assault cases. The overall program, which dramatically improves community response to sexual assault, offers immediate and effective attention to rape victims by nurses and /or physicians who have been specially trained to provide a compassionate, culturally sensitive, and comprehensive forensic evaluation and medical treatment. A SANE examiner will perform a forensic examination following standardized procedures to collect and preserve relevant evidence once the victim's immediate medical needs have been addressed. Additional support is provided by the SART members to address the legal, medical, psychological and emotional needs of the victim. Similar programs in the State have been proven to provide highly-reliable evidence to maintain aggressive prosecution of sexual assault cases.

Currently, the Essex County SANE/SART program services six county hospital sites,

INVESTIGATION UNITS

and forensic examiners are available 24 hours a day, 7 days a week to respond to the medical/forensic needs of sexual assault survivors. Essex County hospitals that have agreed to participate in the SART program are: Newark Beth Israel Medical Center (Newark), Mountainside Hospital (Montclair/Glen Ridge), Saint Barnabas Medical Center (Livingston) and University Hospital, Rutgers (Newark); Clara Maas Hospital and St. Michael's Medical Center which also affiliates with the program to provide HIV/AIDS testing and counseling without cost to victims upon request.

The Essex County Prosecutor's Office has received grants from the New Jersey State Office of Victim Witness Advocacy to help develop the program and to assume certain operating costs. The SANE/SART Coordinator is responsible for the operation and management of the countywide program. Anyone who would like more information should contact the program Coordinator at 973-753-1130.

2018 Accomplishments

The success of the program is evidenced by the frequency with which the program was used. In 2018, in Essex County there were a total of 305 SANE/SART activations at participating hospitals in response to the needs of sexual assault victims. Of that number 52 were pediatric cases.

HUMAN TRAFFICKING TEAM

Human trafficking is modern day slavery that controls and exploits vulnerable members of our community. Victims are often lured into forced labor, sex trafficking and other forms of servitude using force, coercion, abduction, fraud and other methods. The victims range from juvenile runaways to undocumented immigrants. The New Jersey Human Trafficking statute, N.J.S.A. 2C:13-8, is one of the most comprehensive statutes in the country aimed at eradicating this criminal behavior.

The Human Trafficking Team is led by a senior Assistant Prosecutor and senior detective. Investigations use the full resources of the Special Victims Unit as well as the Narcotics Task Force. The team shares intelligence and conducts joint investigations with multi-county, statewide and national human trafficking entities. It is common for an operation to include the New Jersey State Police, the FBI, the Department of Homeland Security, NJDCF and allied professionals in the field such as Polaris. By having the Human Trafficking Team as part of the Special Victims Unit, the victims receive the best therapeutic services possible. The social services/therapeutic component of the unit is the primary component of the unit.

ELDER ABUSE TEAM

The Elder Abuse Team is led by a senior Assistant Prosecutor, who is also a registered nurse, and a senior SVU detective, and staffed by SVU detectives and victim advocates. The team uses the services of experts in fields involving the unique medical and emotional needs of the elderly. The team investigates and prosecutes cases

involving physical abuse, neglect, fraud and other crimes against those who are over 62-years old. The team also works with the Financial Crimes Unit and other units within the ECPO to enhance investigations.

2018 Accomplishments

In 2018, the Elder Abuse Team investigated six cases involving alleged physical abuse, sexual abuse and fraud.

BIAS CRIMES UNIT

The Essex County Prosecutor's Office recognizes the distinctive fear that is generated, and unique trauma suffered by victims of bias crimes. The ECPO considers bias crimes (also known as hate crimes) to be serious crimes that can affect an entire community. Bias crimes are aggressively prosecuted through vertical prosecution by the Bias Crimes Unit. In 2013, the Unit was placed within the Special Victims Unit to better serve the victims through the most comprehensive investigations possible and provide the best therapeutic support for the victims.

By law, a bias crime occurs when a person, group or their property is targeted for intimidation based upon race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity. N.J.S.A. 2C:16-1. A person convicted of a bias motivated crime is subject to enhanced punishment.

The Bias Crimes Unit is led by a designated Assistant Prosecutor and detective. Bias crimes are investigated by detectives trained to conduct interviews in a sensitive manner. Victims are also referred to counseling and other assistance programs.

2018 Accomplishments

In 2018, the Bias Crimes Unit opened 36 cases.

MEGAN'S LAW UNIT

The ECPO established its Megan's Law Unit in January of 1995 in response to state legislation designed to protect potential victims from convicted sex offenders. The law is named after Megan Kanka, a seven-year-old girl who was sexually assaulted and murdered by a neighbor who was a convicted sex offender. Simply put, the promise of Megan's Law is that if people know about a sex offender's presence in their community, they are better able to safeguard against potential victimization.

The Unit is responsible for evaluating how likely a convicted sex offender is to commit a new sex offense. These evaluations are made in accordance with guidelines established by the Attorney General's Office and are triggered when a sex offender is released from prison or sentenced to probation or parole supervision for life. The

INVESTIGATION UNITS

seriousness of the offender's Megan's Law triggering conviction(s), their offense history, their personal characteristics, and their community support are all analyzed. Additionally, these reviews may include an evaluation of the offender's prison records, school and employment records, and conduct while under parole or probation. Upon completion of this process, a report is compiled establishing a risk level. After notice of a hearing is given to the offender, a hearing is held (on Tier 2 and Tier 3 cases, i.e., the more serious cases) before a Superior Court judge who makes the final determination of the offender's tier classification. Depending upon the designated tier level, school and/or community notification may be initiated. Effective January 1, 2002, notification of some offenders is posted on the Internet.

There are three types of Tier classifications. Tier 1 offenders are deemed low-risk and notification is limited to the police departments where the offender lives and/or works and the State Police. Tier 2 offenders are considered moderate-risk and notification is sent to all schools, day-care centers, women's shelters and registered community organizations within an area where the offender is "likely to encounter" potential victims. Tier 3 offenders are considered high-risk and all residences, businesses, schools, day care centers, women's shelters and registered community organizations within the offender's "likely to encounter" zone are given notice. The court determines the geographic scope of notification and the types of institutions to be notified in Tier 2 and Tier 3 cases. Local law enforcement agencies and the State Police also receive notice in these cases.

With respect to sex offender publication on the Internet, all Tier 3 offenders and certain Tier 2 offenders are eligible for publication on the New Jersey Sex Offender Internet Registry. As previously mentioned, all Tier 2 and Tier 3 offenders are entitled to a judicial hearing and it is the judge who makes the final determination whether an offender will be listed on the Internet and what type of community notification will be made. If the court rules that a case is Internet eligible, the offender's name, county of residence, date of birth, physical attributes, type of conviction, modus operandi and photograph will be published. His street address and the municipality in which he lives will also be included. In addition to Internet publication, community notification will also be ordered according to the "likely to encounter" standard. If the court rules that an offender is not eligible for the Internet but still finds that they are a Tier 2 or Tier 3 offender, then notification will proceed as outlined above.

The ECPO's Megan's Law Unit is the busiest Megan's Law Unit in New Jersey. Essex County has more registered sex offenders residing within it than any other County. At any given time, there can be over 1,500 sex offenders.

Due to the transient nature of a significant portion of the sex offender population in Essex County, the number of court hearings required and conducted can be voluminous. This is because even after the tiering process is completed by the issuance of a court order, a sex offender is entitled by law to a new court hearing every time he or she moves to a new address within Essex County, or moves into Essex County from elsewhere. The Megan's Law Unit must then conduct a new notification

INVESTIGATION UNITS

regarding the offender, encompassing his or her new area of residence. Transient sex offenders also consume time, resources and manpower spent on locating, tracking and verifying their whereabouts on a continuing basis. Additionally, a Megan's Law file can only be closed if a registered sex offender dies or is relieved by way of a court order of all Megan's Law obligations. Thus, the overall number of Megan's Law cases or files being handled by the Unit increases on an annual basis.



In July 2009, the Megan's Law Unit launched the Megan's Law Fugitive Initiative. This program is a collaborative and systematic effort by ECPO, along with federal, state, county and local law enforcement agencies, to make our communities safer from sex offenders. The Initiative is a team effort focused on the apprehension of Megan's Law offenders from Essex County with outstanding warrants, and those who are in violation of the statutes governing mandatory registration with the appropriate law enforcement agencies, as well as sex offenders who are non-compliant with the conditions of Community Supervision for Life where applicable. The initiative is modeled after the U.S. Marshals' Operation Falcon Fugitive Program, which is based on the collaboration of various law enforcement agencies to achieve a common goal.

The Megan's Law Unit also focuses on the training of law enforcement personnel and the education of the public through Megan's Law seminars. The unit has hosted a day-long training seminar for all municipal, county and state law enforcement personnel working in Essex County. The unit also provided public education seminars to eight different community groups including the Essex County Community and Clergy Coalition and the Mayor and Council of the Township of Nutley.

2018 Accomplishments

INVESTIGATION UNITS

In 2018, there were approximately 1,668 offenders registered in Essex County. The Megan's Law Unit also indicted 77 sex offenders. This number represents a steady volume in the number of violations sex offenders in Essex County have committed pertaining to Megan's Law, Parole Supervision for Life, Community Supervision for Life and the New Jersey Sex Offender Monitoring Act.

➡ Business Administration Unit

The staff of the Business Administration Unit oversee a \$38.8 million operating budget, along with Essex County Prosecutor's Office's criminal forfeiture accounts. Additionally, the Unit oversees the Office's 12 major grant-funded programs totaling more than \$1.5 million per year. The Unit provides crucial infrastructure support services at the ECPO's six office sites, including facility management, supply distribution, inventory, purchasing, budgeting, personnel records, time keeping, payroll, and criminal case file storage and retrieval. Capital equipment—copiers, telephones, fax machines, desk units and file storage cabinets—is continually monitored to identify and prioritize replacement needs.

The Unit assists the Prosecutor and the executive management team with long-term planning and strategic-decision support, including staffing plans, compensation policies, and capital spending/infrastructure decisions.

The Business Administration Unit's support functions also include:

- Cooperation with program and financial auditors
- Workers' Compensation reporting
- Office renovation and safety improvements
- Purchase request processing and shipping receipt
- Supply storage, inventory, and distribution
- Liaison to County, State, and Federal government offices

2018 Accomplishments

In support of the Prosecutor's efforts to secure additional space for the Office to relieve overcrowding and to promote efficiency, the Business Administration Unit continued its on-going coordination with the County of Essex in improving facilities for our staff. In 2017 and 2018, the Office moved several operational groups out of a rented office facility in East Orange and relocated some of these units to the LeRoy Smith Building in the County Justice Complex in Newark. However, certain operations that deal with sensitive confidential matters were determined by management to best operate within their own segregated location, apart from the overall central office. These offices were thus relocated to newly rented modernized office space in West Orange, with the Administration Unit coordinating the relocation of files and furniture, along with the layout and set up of necessary office infrastructure.

The Unit also continued its efforts to efficiently manage the Office's overall file storage space, which is distributed over several sites and is in short supply. The Unit coordinates the disposal of paper files that are no longer needed, and ensures their

SUPPORT UNITS

proper disposal considering the potentially sensitive nature of certain material. Certain older paper files that were determined necessary to retain continue to be moved from overcrowded locations in the Veterans Courthouse to a more accessible location in Belleville, where better environmental conditions for long-term file storage are available. The Unit also continues to support a variety of digital scanning options for files where original document retention is not strictly mandated by law.

Administration staff provided the ECPO managers with planning and financial execution for the staffing and assignment changes that were necessitated by the New Jersey Criminal Justice Reform Initiative, which went into effect on January 1, 2017. This Initiative radically restructured the post-arrest process for defendants, largely eliminating bail and setting strict time limits for charge issuance, first appearance and grand jury scheduling. Experienced retired legal staff had been retained to work part-time during the evenings and on weekends so as to help meet the State's mandate for expedited post-arrest processing. Also, existing staff required rescheduling and overtime assignments, which the Administration Unit continually monitors so as to ensure efficiency.

Another key resource that supported the Reform Initiative was the procurement and roll-out of the CSI Infoshare enterprise-level database system, for unified data management of the ECPO's investigation and case prosecutions. The Business Administration Unit actively collaborated with the Information Technology Unit in the procurement and implementation of this new system, arranging for over \$500,000 in new computer software procurements, and for their continuing upgrade and maintenance contracts. In 2017 and 2018, the Business Administration Unit also helped to coordinate the procurement and implementation of a new suite of Infoshare applications for the Juvenile, Domestic Violence and Victim Witness Offices.

The Business Administration Unit continued in 2017 and 2018 to work closely with the Prosecutor and other high-level ECPO managers in responding to the continuing fiscal challenges presented by reduced County revenues and a State-mandated 2% budget increase cap. Through careful planning and monitoring of expenditures, staff turnover positions were filled when necessary and critical to the continued functioning of the justice system in Essex County.

Business Administration Unit personnel continues to provide support in maintaining and updating the Office's web site, www.njecpo.org. The Unit also continues to assist in the maintenance of the web site's WordPress content management platform and is participating in discussions regarding future improvements to our site. In 2017 and 2018, the Unit also continued to provide the ECPO management with detailed statistical data look-up on-demand, along with monthly reports of key indicators that measure overall production volume and outcome performance.

➔ Community Justice Unit

The Community Justice Unit promotes awareness of the role and function of the Essex County Prosecutor's Office. By attending community meetings to address issues related to crime, substance abuse and crime prevention, the Unit serves as a liaison between law enforcement and the residents of Essex County. The Unit is dedicated to creating and executing programs that offer children and teens positive alternatives and interventional strategies aimed at preventing delinquency.

2018 Accomplishments

In 2018, the Community Justice Unit provided workshops to over 5,000 Essex County residents in 2018. The workshops topics included: bullying, careers in the Essex County Prosecutor's Office, the criminal justice system, expungements, gang awareness, internet safety and a general overview of the Essex County Prosecutor's Office.



For 17 consecutive years, the ECPO held a 5-week summer internship program to expose high school students to careers in law, law enforcement and government. Thirty high school juniors from Essex County participated in this unique program where they toured local and federal law enforcement agencies, participated in a mock trial, learned about local and state government, attended Trooper Youth Week with the New Jersey State Police and participated in cultural trips.

SUPPORT UNITS

In August 2018, the Community Justice Unit help organize a community meeting to address the opioid crisis at the Glen Ridge Congregational Church, located at 195 Ridgewood Avenue in Glen Ridge. Representatives from the County of Essex, RWJ Barnabas Health, the Alcohol & Drug Abuse Prevention Team of Essex, the Governor's Council on Alcoholism & Drug Abuse, and Integrity House participated in the meeting.

In October 2018 the Community Justice Unit partnered with ADAPT (Alcohol & Drug Abuse Prevention Team of Essex County) and Essex County's Department of Health Services to provide a half day information session on substance abuse resources to members of the clergy. The half-day session was held at Life Christian Church in West Orange. Over 100 clergy and community members attended the event.

In December 2018 the Community Justice Unit held a youth conference entitled: "What's it All About?" World Against Violence (W.A.V.) Over 600 middle school students from Essex County attended the full day event at Caldwell University. Students participated in workshops on making positive choices, substance abuse prevention, teen dating, and Cyber-Safety. Over thirty representatives from various social service and youth agencies provided students with information on educational and recreational resources. This event was co-sponsored by Essex County's Department of Community Health and ADAPT (Alcohol & Drug Abuse Prevention Team of Essex County).

➔ Information Technology Unit

The Information Technology Unit's role is to advance the mission, vision and goals of the Essex County Prosecutor's Office (ECPO) by providing technical solutions for law enforcement and trial court needs. The ITU is responsible for overseeing the design and implementation of all the technological needs of the office.

Starting in 2017, the Information Technology Unit has been responsible for training and implementing a new Criminal Case Management system, new Office Productivity Software, expanding the use of a Mobile Workforce and providing support 24/7 to in-house personnel and police departments in the county.

This was in part the result of what occurred in November of 2014 when New Jersey voters approved the Bail Reform/Speedy Trial Act, a ballot question, amending the state constitution to allow judges to release low-risk offenders without bail and deny bail to high-risk offenders. Previously, the state constitution guaranteed bail to all offenders, except those charged with capital crimes. Throughout 2015, the ITU had been working to prepare for the changes that took effect on January 1, 2017. Under the new law, a hearing must be held within 48 hours of arrest, including weekends, to determine whether a defendant is deemed high risk or not.

This change has provided an opportunity for all agencies to review and improve casework flow processing, policies and the use of technology to ensure the agency is prepared to meet the new standards.

The ITU consist of four sections: Network Administration/Helpdesk, Office Automation/Training, Software Engineering and Media Services/Litigation Support.

Network Administration/Help Desk – This section's main objective is to focus on strategic areas that sustain critical infrastructure through day-to-day operations, modifications, augmentations, replacement and routine maintenance of desktop computer, communication equipment, server equipment, proper infrastructure security, software and database software. The section also provides end user hardware, software, computer support, as well as dependable remote, mobile services with appropriate security mechanisms.

Office Automation/Training – Advances in the training and support of individual computer users are met through "ECPO University," a training program designed to support ECPO staff. Courses are offered to enhance the staff's knowledge base, and mandatory courses, such as "Introduction to ECPO Technology" and "Introduction to Promis/Gavel" are included in the "New Hire" course.

Software Engineering – In the effort to meet the increasing need for statistical and technical data, the ongoing development of office-wide databases and maintenance of existing databases has allowed Assistant Prosecutors and detectives to track their cases, log evidence and print detailed reports.

SUPPORT UNITS

Media Services/Litigation Support – Media services are provided to all units of the ECPO to assist Assistant Prosecutors and detectives in preparing, organizing and presenting information at all stages of litigation. Media is conveyed through the creation of large-scale graphic displays, including maps, charts, graphs, timelines and automated presentations utilizing various video and computer equipment. Additionally, mass production of media discovery materials is generated from the ITU, among other services.

2018 Accomplishments

In 2018, the IT Unit continued working to provide 24/7 service to the lawyers and support staff who work in the Essex County Prosecutor's Office. The Unit updated the network of office desktop computers with Windows 10 operating systems and Office 365 productivity applications; supported the installation of additional Infoshare data modules in the Victim Witness Office and Juvenile Trial Unit and expanded the use of portable mini-laptop computers especially in our CJP initial case screening unit.

➔ Media Relations Office

The Office of Media Relations in the Essex County Prosecutor's Office manages external communications for the largest and busiest Prosecutor's Office in the State of New Jersey in the largest media market in the country.

The responsibilities of the Media Relations Unit include:

- Serving as lead spokesperson for the Essex County Prosecutor and office staff.
- Maintaining daily contact with print and broadcast media regarding homicides, arrests, trials, indictments, convictions and other newsworthy developments.
- Remaining on-call twenty-four hours a day, seven days a week for breaking news stories.
- Planning and managing press conferences.
- Developing and implementing a strategic communications plan with the Prosecutor.
- Assisting local police departments with media relations.
- Working cooperatively with law enforcement partners at the municipal, state and federal levels.
- Working closely with the Open Public Records custodian for the ECPO.
- Providing current information to public officials and government agencies on relevant investigatory and prosecutorial activities.
- Educating Assistant Prosecutors and other staff regarding dealing with the press.
- Overseeing the production of the ECPO Annual Report.
- Assisting with community outreach efforts.



SUPPORT UNITS

2018 Accomplishments

In 2018, the Media Relations Office continued to deal with the digital age of news in which reporters are looking for timely and accurate information at a rapid pace and are eager to update significant breaking news stories around the clock.

While understanding that news never sleeps, the Media Relations Office works to strike a balance between three competing interests: protecting the rights of victims along with the integrity of investigations while recognizing and respecting the public's right to know. Transparency is critical to maintaining public confidence in the Office. Yet, confidentiality is often crucial to the successful investigation and prosecution of cases. Consequently, the Media Relations Office attempts to keep the public informed regarding the status of cases while also protecting victims and the ongoing investigative process. It is a delicate balance.

Some of the cases that garnered significant press coverage during 2018 included the following:

State v. Jimmy Mays and Lavelle Davis -- Jimmy Mays, 35, of Egg Harbor and Lavelle Davis, 38, of Galloway were sentenced to lengthy sentences by the Honorable Richard T. Sules, Judge of the Superior Court, for a triple murder in Maplewood. Mays received a 153-year sentence and Davis was sentenced to 138 years for killing and torturing Lance Frasier, 44, of Newark and murdering Roshana Kelson, 30, of Paterson and Michael Davis, 45, of Maplewood. All three were killed in Michael Davis' Maplewood home in January of 2017. The defendants, who knew the victims, came to Michael Davis' home at 38 Van Ness Court looking for drugs and cash. They killed Michael Davis and Kelson, who were sleeping, and tortured Frasier before also killing him. All three were fatally shot. Under the No Early Release Act, they must serve 85 percent of their respective sentences before being eligible for parole.

State v. Taquan Harris and Nafee Cotman - On Oct. 11, 2018 Taquan Harris and Nafee Cotman enter guilty pleas in connection with the May 2, 2016 robbery murder of New Jersey Institute of Technology (NJIT) student Joseph Micalizzi, 23, of Freehold. On the day scheduled for opening arguments, Harris admitted to fatally shooting Micalizzi. Cotman admitted to participating in the robbery.

Under the terms of the plea agreement, Harris of Newark received 26 years in New Jersey State Prison. Cotman, an Irvington resident, was sentenced to 12 years in prison by the Honorable Ronald D. Wigler, the Presiding Criminal Division Judge. In both cases, the men will have to serve 85 percent of their respective sentences before they are eligible for parole.

Harris and Cotman admitted entering the Tau Kappa Epsilon fraternity house on Martin Luther King Jr. Boulevard and climbing the steps to the third-floor bedroom with a plan to rob the occupants. Harris shot Micalizzi three times. One of the shots was fatal.

State v. Jeffrey Holland -- Jeffrey Holland, 30, of East Orange was convicted of triple murder for the killing of Tiniquah Rouse, 21, Ashley Jones, 23, and Jarrell Marshall, 28, following a trial before the Honorable Ronald D. Wigler, the presiding Essex County Criminal Division Judge.

In addition to being convicted of the three murders, the jury also found Holland guilty of desecration of human remains, hindering, felony murder, burglary, theft, unlawful possession of a weapon, possession of a weapon for an unlawful purpose and multiple counts of endangering the welfare of a child.

On Jan. 29, 2016, Holland went to 29 Stratford Place, Newark, the residence of Rouse, with whom he had a romantic relationship, and strangled and drowned her. Holland subsequently put Rouse's five-month old baby boy in a closet in the apartment before leaving the apartment. Law enforcement later found Rouse in her apartment bathroom deceased and mutilated. The baby boy was discovered alive without any physical injuries.

The next day, Holland went to 336 Clinton Place, Jones' apartment. Holland kicked in the apartment door and shot Jones and Marshall. Jones and Marshall had recently started dating. Jones and Holland previously dated but had broken up. Three children were located inside the apartment when the police arrived. The children included two children that Jones and Holland had together as well as a child of Marshall's. They were not physically harmed.

State v. Arthur Lange -- On June 1, 2018 comedian Artie Lange, 50, was sentenced to probation for possession of heroin by the Honorable Nancy Sivilli, Judge of the Superior Court, after pleading guilty to possession of heroin.

Back in December 2017, Lange pled guilty to possession of 81 decks of heroin. The plea agreement called for a probationary term but was also supposed to include drug treatment. Judge Sivilli placed Lange on probation for four years, ordered him into outpatient drug treatment, mandatory drug screening, imposed fines and required him to perform 50 hours of community service. Lange would later be incarcerated for failing to obey the Judge's order.

State v. James R. Ray, III -- New York lawyer James Ray, III, 55, was accused of fatally shooting Angela Bledsoe, the 44-year-old mother his daughter, at the home they shared on North Mountain Avenue in Montclair on Oct. 23, 2018. Before he was apprehended, he fled to Cuba.

The Essex County Prosecutor's Office working with the FBI, the Montclair Police Department, Allentown, PA Police Department, the New Jersey State Police, Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), U.S. Coast Guard, U.S. Embassy in Havana, and Enforcement and Removal

SUPPORT UNITS

Operations Customs were able to bring Ray back to the United States where he is awaiting trial.

He is charged with murder and weapons offenses. Ray practiced at The Law Firm of Ray and Associates on Fulton Street in Manhattan.

➔ Victim-Witness Advocacy Office

The Essex County Office of Victim-Witness Advocacy was started by the Essex County Prosecutor's Office in 1982 pursuant to New Jersey law, which requires the county Victim-Witness Coordinator to implement and provide services to crime victims. The Office's primary mandate is to fulfill the provisions of the New Jersey Constitution and New Jersey statutes which require:

- That crime victims be treated with dignity, compassion and respect.
- That victims be informed and consulted in matters such as plea bargaining.
- That victims be given the right to be heard at all stages of the criminal justice process.

The Essex County Office of Victim-Witness Advocacy helps victims and witnesses deal with immediate life needs, especially those who live within Essex County's lower-income neighborhoods, who are most at-risk of experiencing violent crime and whose lives are most vulnerable to economic and personal disruption. The Office helps them to find the resources needed to maintain basic needs such as food, clothing, shelter, health care, employment, transportation, daycare for pre-school children, etc. It also assists victims and witnesses in dealing with the psychological trauma of crime (which cuts across all economic and social strata) and helps them obtain professional assistance as needed. The Office then helps victims and witnesses to understand and fulfill their rights and responsibilities within the criminal justice system, providing continual communication and coordination regarding case progress and participation in legal proceedings.

As appropriate, the Office accompanies victims to court. Office personnel also assist victims in gaining economic compensation for their losses through insurance, restitution and the Victims of Crime Compensation Board. The Office assures victims and witnesses that it is equally concerned with their overall well-being as with obtaining the conviction of the offender.

The Office of Victim-Witness Advocacy has a qualified staff with significant training and professional counseling experience in emergency assistance, crisis management and interpersonal violence. The staff includes a Victim-Witness Coordinator, Victim-Witness Counselors, and Clerical Assistants. The Coordinator meets bi-weekly with the Counselors to review and evaluate cases, discuss progress and develop service plans to ensure procedural and programmatic compliance with state and federal regulations. The Office is supported in part by state and federal government grants.

2018 Accomplishments:

In 2018, the Victim-Witness Advocacy Office assisted 14,469 victims and witnesses, initiating approximately 151,000 items of correspondence on their behalf.

SUPPORT UNITS

Office staff continued its 80-hour intimate partner violence training program in 2018. The program, entitled "*Sanctuary*," is designed to provide residents who fall victim to domestic violence-related assault, sexual assault, and child abuse with supportive, culturally sensitive, crisis intervention services. Survivors of domestic violence-related homicide victims are also assisted through this program. *Sanctuary* volunteers meet three times a week over a seven-month period. Interactive exercises, which included role plays, case studies, scenarios, simulations, individual and group activities, video presentations, field trips, and court-watch activities, afford program participants the opportunity to develop and practice the skills covered during the training sessions.

Since its inception in 2010, *Sanctuary* has graduated over 350 volunteers who are now equipped to provide immediate outreach, advocacy, and support services to those intimate partner victims and their children within a 48- to 72-hour period.

The Unit continued to expand its formal relocation program in 2018, through which approximately 170 program clients and their families were assisted. This program provides security and protection to victims and witnesses who have been threatened, intimidated or harassed because they have provided information to law enforcement regarding organized crime, gang-related, and domestic violence cases. Trained advocates provide survivors of crime with referrals to social service agencies that offer emergency shelter placement, transitional and permanent housing, food and clothing. The advocates also work closely with local housing authorities, welfare agencies, Social Security offices and school districts to ensure that the victim/witness is fully and successfully integrated into the new living environment.

Unit staff continued to enhance the Victim-Witness Advocacy Unit's portal on the Office's general website during the calendar year. The Victim-Witness portal is colorful, interactive, user-friendly, visually-appealing, and easily understood by those who access the pages. The website content includes: information on the amendments to the Crime Victims' Bill of Rights, notification process, the crisis reaction, the criminal justice process, information on how to obtain a temporary/final restraining domestic violence order, tips for witness testimony and V.I.N.E. (Victim Information Notification Everyday).

In the revised structure and format of the website section, the information is arranged alphabetically by victim's crime type. Unit staff also developed a digital application that delivers information about local support services available to Essex County crime victims via a desktop, smart phone, and/or tablet. Crime victims will be able to enter the service needed and a zip code and receive agency information in their area. The app is equipped with agency locations, hours of operation, services provided and fees (if applicable), maps of walking and driving routes, parking areas near the agency where the crime victim is seeking services, and links to New Jersey Transit bus and train schedules for public transportation information. The app is scheduled to launch in February 2019.

Further, the Victim Witness Unit conducted 29 community outreach forums throughout 2018. Approximately 200 community residents, including high school and college

students, received information on the services provided through the Victim-Witness Advocacy Office.

Finally, Unit staff also organized the Office's annual "Christmas Holiday Toy Drive" to assist needy families, many of which were assisted by the Victim-Witness Advocacy Unit, in December 2018. Approximately 650 toys, board and video games, dolls, electronics, balls, and clothing items were collected and distributed to fourteen social services agencies who, in turn, distributed toys to those in need residing in Essex County.





ECPO Record Room

Adult Trial Investigation Staff



Reception Desk





ECPO Legal Staff



ECPO Investigations Staff



ECPO Support Staff

