



ESSEX COUNTY PROSECUTOR'S OFFICE

2019 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.

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During 2019, the total number of adult defendant case files reviewed by the Essex County Prosecutor's Office (ECPO) was 10,859, versus 11,141 in 2018. Also, 4,975 defendants were indicted or charged by accusation in 2019, versus 5,658 in 2018. A total of 46 percent of the ECPO's total adult defendant resolutions within 2019 following an indictment or accusation involved first or second-degree criminal charges. Further, in 2019, the total number of juveniles referred in delinquency case filings in Essex County was 1,798, versus 1,574 in 2018.

(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).

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Message from Acting Essex County Prosecutor Theodore N. Stephens II

Over the last 12 months the Essex County Prosecutor's Office has been faithful to its mission to "seek justice, serve justice and to do justice." For me, that means delivering justice whether it comes in the form of a conviction or the release of someone who has been wrongly accused.

A prosecutor's job is not simply to seek convictions, it is to follow the facts and the law. At all times, it means keeping victims in the forefront of our decision-making while never forgetting that we also have a duty to the accused. Our commitment to both is to deliver justice fairly, effectively and expeditiously.

We credit our success to the hard work of the men and women of the Essex County Prosecutor's Office – assistant prosecutors, detectives and support staff – who are expected to prosecute cases without fear, favor or prejudice.

We also credit our success to the fact that we work closely with the communities we serve, including clergy, mental health and medical professionals, seniors, youth and many more. We have forged and continue to maintain a robust alliance with our partners in law enforcement at the local, state and federal levels. Policing and prosecuting are not solo endeavors. They require cooperation from everyone.

I invite you to take some time to go through the pages of the 2019 Annual Report to learn more about the work carried out in 2019. There is a lot of good news to report. The Essex County Prosecutor's Office continues to handle nearly a third of the felonies statewide.

Together we have built a 21st Century law enforcement agency committed to transparency, integrity and service. We have not lost sight of the tremendous power prosecutors wield. Prosecutors have the power to initiate investigations, charge cases and recommend sentences to courts. Perhaps more than any other member of the judicial system, our decisions affect whether someone will suffer a loss of liberty. It is with that recognition that I continue to challenge my staff to look at implicit bias that may influence their decisions and work consciously to apply the rule of law fairly and equally in every case.

Aided by Acting First Assistant Prosecutor Romesh C. Sukhdeo and Acting Chief of Detectives, Mitchell G. McGuire III, we are meeting that challenge as we work to

make Essex County the safest urban county in the nation. We have made progress in 2019 but the work continues.

This 2019 Annual Report, published in conjunction with the statistical summary required by the Attorney General, provides an overview of the important work done by the Essex County Prosecutor's Office last year.

To all the people of Essex County, on behalf of myself and my staff, thank you for the privilege to serve.

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



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UNIT DESCRIPTIONS

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, 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 eye-witness testimony to convict a defendant. The ATS continues to place a strong

emphasis on mentorship and training for the ATS Assistant Prosecutors and to instill 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 fifteen Detectives and seven 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.

2019 Accomplishments

In 2019, the Essex County Prosecutor's Office indicted or charged by accusations 4,975 defendants and resolved 5,368 cases. The percentage of those cases that involved first or second-degree crimes was 44.5%. In conjunction with the specialized units, the ATS Assistant Prosecutors obtained 113 defendant dispositions by trial. Of that number 93 were jury trials and 20 were non-jury trials. Of the 5,368 dispositions, 71% were pleas or guilty at trial.

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 22, 2019, a jury convicted defendant **Tyshawn Feaster** of second degree Unlawful Possession of a Weapon, Burglary, Possession of a Weapon for Unlawful Purpose, four counts of third degree Witness Tampering, two counts of second degree Endangering the Welfare of a Child, third degree Terroristic Threats, fourth degree Assault and Defaced Firearm. After breaking into his girlfriend's home, defendant Feaster held her, her sister and two minor children at gunpoint. Despite his exhaustive efforts to prevent his girlfriend from testifying against him at

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his trial he was still found guilty. On March 29, 2019, defendant Feaster was sentenced to twenty-nine years in New Jersey State prison.

On January 30, 2019, an Essex County jury returned a guilty verdict on fourth degree Animal Cruelty against defendant **Lateef Dennis**. Dennis beat an eight-year-old dog using her doghouse as a weapon and punched and kicked her. On March 18, 2019, defendant Dannis was sentenced to eighteen months in state prison. Just six months later, defendant Dennis was convicted by a different jury of third-degree aggravated assault of his uncle. He was also convicted of assaulting the officer who arrested him. Defendant Dennis was sentenced to five years state prison with two and one-half years parole ineligibility. This sentence is to run consecutive to his animal cruelty sentence.

An Essex County jury found defendant **Marvin Basker** guilty of three counts of third degree terroristic threats. Defendant Basker threatened the owners of a Newark convenience store. On February 11, 2019, he was sentenced to ten years state prison with five years parole ineligibility.



On February 1, 2019, a jury convicted defendant **Steve Cotto** of second degree Aggravated Arson. Defendant Cotto attempted to burn down the Paradizio Gentleman's Club in Irvington after he was robbed by an employee. On April 12, 2019, he was sentenced to seven years state prison.

On March 5, 2019, a jury convicted defendant **Frank Womack** of four counts of violating Community Supervision for Life after having been convicted of third degree Endangering the Welfare of a Child. On April 29, 2019, defendant Womack was sentenced to eighteen months in state prison.

On April 11, 2019, a jury convicted defendant **Antwan Dawes** of Possession with the Intent to Distribute a sizeable quantity of heroin. Dawes was subject to mandatory extended term because of his prior record for trafficking narcotics. On May 13, 2019, Dawes was sentenced to fifteen years state prison.

On April 25, 2019, a jury convicted defendant **Fardad Sabetpour** of thirteen offenses for possessing illegal drugs and possessing them with the intent to distribute within 1,000 feet of a school zone. Defendant Sabetpour represented himself at trial. He was sentenced to time served after having been in jail for three years prior to the trial.

On May 16, 2019, an Essex County jury returned a guilty verdict against defendant **Jamar Sampson** of second-degree Aggravated Assault for punching his aunt in the eye. On June 17, 2019, he was sentenced to three years state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

On May 21, 2019, defendant **Yousef Ijbara** pleaded guilty to second degree robbery of a liquor store in Newark. The incident was captured on surveillance video which quickly led to his arrest and prosecution. On June 21, 2019, he was sentenced to seven years state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

On June 24, 2019, defendant **Douglas Williams** pleaded guilty to second-degree robbery. The robbery occurred in July 2016 and remained unsolved until there was a DNA match to the swabs taken from beneath the victim's fingernails. On August 2, 2019, he was sentenced to ten years state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

After a jury trial, defendant **Jovan Phillips** was convicted of Possession with Intent to Distribute a Controlled Dangerous Substance. The State filed a motion for extended term because of the defendant's prior record. On August 2, 2019, Phillips was sentenced to ten years in state prison with five years of parole ineligibility.

On August 2, 2019, a jury convicted defendant **Jahmil Jasper** of third-degree Aggravated Assault in a road rage incident with the passenger of another vehicle. Defendant Jasper chased the passenger, hit her car from behind, dragged her into a busy street and then hit and kicked her about her body. This incident was captured on video. Defendant Jasper was sentenced to 364 days as a condition of probation in the county jail.

On September 11, 2019, defendant **Corey Crockett** pleaded guilty to Aggravated Manslaughter and Unlawful Possession of a Weapon. Defendant Crockett opened fire on his intended target, missed and struck the target's friend who stood nearby. On November 4, 2019, he was sentenced to fifteen years state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

In September 2019, defendant **Willie Moore** was found guilty by a jury of four counts each of third-degree Possession and Possession with the Intent to Distribute a



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Controlled Dangerous Substance. Defendant Moore is still awaiting sentence as he is pending retrial on gun charges and witness tampering stemming from the same incident.

On October 22, 2019, defendant **Stevenson Valentin** pleaded guilty to two counts of Aggravated Manslaughter and Unlawful Possession of a Weapon. Defendant Valentin shot and killed a toddler and a young man with an assault rifle in the city of East Orange. On January 21, 2020, he was sentenced to fifteen years state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

On November 15, 2019, a jury convicted defendant **Jose Santana** of three counts of first degree aggravated sexual assault, two counts of second-degree sexual assault, one count of Endangering the Welfare of a Child and one count of third-degree possession of child pornography. Defendant Santana sexually assaulted a young child. The police also found child pornography on his laptop. He is scheduled to be sentenced September 4, 2020.

On November 15, 2019, a jury convicted defendant **Eduardo Lesmes** of two counts of second-degree Possession of a Weapon for an Unlawful Purpose, two counts of fourth degree aggravated assault and two counts of terroristic threats. Defendant Lesmes threatened two victims in his bar and pointed a handgun at them. The defendant is scheduled to be sentenced on September 15, 2020.

After a jury trial, defendant **Brian Alston** was convicted of second-degree robbery. Alston robbed a bodega in Newark while using brandishing a fake gun. The robbery was captured on video. On November 21, 2019, defendant Alston was sentenced to sixteen years in state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

On December 6, 2019, a jury found defendant **Shawn Reeves** guilty of second-degree unlawful possession of a weapon and fourth degree impersonating a law enforcement officer. Defendant Reeves is scheduled to be sentenced on August 28, 2020.

On December 6, 2019, a jury convicted defendant **Fritz Belony** of second-degree Aggravated Assault for the stabbing of his best friend's son. The injuries to the victim as well as his original statement were captured in real time via video. On February 24, 2020, defendant Belony was sentenced to seven years state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

On December 6, 2019, a jury convicted brothers **Fuquan and Shaquan Knight** of first-degree Robbery and second-degree conspiracy to commit Robbery. Defendant Fuquan Knight was also found guilty of second-degree Unlawful Possession of a Weapon and second-degree Possession of a Weapon for an Unlawful Purpose, that weapon being a handgun. The defendants robbed a Fed-Ex employee who was on his way into work after he stopped at a bodega. On February 18, 2020, defendant Fuquan Knight was sentenced to sixteen years in state prison pursuant to the No

Early Release Act which requires a defendant to serve 85% of his sentence before being released. Defendant Shaquan Knight was sentenced to eleven years in state prison pursuant to the No Early Release Act which requires a defendant to serve 85% of his sentence before being released.

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 have extensive oral argument and briefing 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, appeals of orders granting or denying pretrial detention, petitions for post-conviction relief, and all requests made under the Open Public Records Act.



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 2019 Cases:

Supreme Court of New Jersey

State v. Rasul McNeil-Thomas – After the Appellate Division (unpublished 2018) reversed defendant's conviction for the aggravated manslaughter of an off-duty Newark police officer, the Supreme Court granted the Section's petition for certification and reversed that court's judgment, reinstating defendant's homicide conviction and concluding that the defendant was convicted following a fair trial. 238 N.J. 256 (2019).

State v. Earnst Williams – After granting the Section's petition for certification, the Supreme Court reversed the Appellate Division ruling and reinstated Williams' conviction. The Court held evidence of the victim's prior, unrelated drug deal with another individual was not relevant to establish that the victim brought the handgun to the drug transaction that led to his shooting death. Even if the evidence of the victim's prior, unrelated drug deal was relevant to establish that he brought the gun to the fatal transaction, the probative value of such evidence was outweighed by its potential for undue prejudice. 240 N.J. 225 (2019).

State v. Azmar Carter – After the Appellate Division upheld the search of defendant (unpublished 2018), the Supreme Court granted defendant's petition for certification to consider the seizure of a gun found on defendant's person during a field inquiry. After hearing oral argument, the Court remanded the matter for an additional hearing. The Section successfully negotiated with the defendant, who agreed to plead guilty to weapons possession and withdraw his case in the Supreme Court. 240 N.J. 218 (2019).

State v. Jose Medina – The Supreme Court of New Jersey granted the Section's petition for certification following the Appellate Division's reversal of defendant's aggravated assault conviction, which arose from a bar fight in which he slashed the victim's face with a sharp object (unpublished 2018). 237 N.J. 419 (2019). (The Supreme Court later reinstated defendant's conviction, agreeing with the Section that the trial prosecutor did not engage in any misconduct or elicited any improper hearsay from the primary detective. ___ N.J. ___, 2020 WL 3053129 (2020)).

In the Matter of Registrant H.D. – The Supreme Court of New Jersey granted the Section's petition for certification after the Appellate Division (457 N.J. Super. 205) ruled that this sex offender could escape his Megan's Law registration obligations despite having been convicted of failing to register following his State Prison sentence. 237 N.J. 582 (2019). (The Supreme Court later agreed with the Section's position and reversed the Appellate Division, holding that H.D.'s most recent offense disqualified him from being relieved of his registration obligations. ___ N.J. ___, 2020 WL 1264027 (2020)).

State v. Ibnmauric Anthony – The Supreme Court of New Jersey held that defendant was not required to make a showing of suggestiveness in the identification procedure in

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order to obtain a pretrial hearing on the admissibility of victim's out-of-court photo identification because the detective did not comply with the recording requirements of Rule 3:11. Rather than reverse defendant's convictions, the Court remanded the matter for a hearing on the photo array procedure. The Court requested the Rules Committee amend Rule 3:11 to require electronic recording, whenever feasible; if not feasible, officers must document the reasons for not doing so. 237 N.J. 213 (2019).

State v. Kwesi Green – After accepting the Section's motion to hear this important identification case, the Supreme Court of New Jersey held that the victim's out-of-court identification of defendant's photograph from a digital mugshot book was unreliable and inadmissible because: (a) the detective failed to preserve the photos, other than the one chosen by the victim; (b) the victim was allowed to view the photos via the investigative mode, rather than suspect mode; and (c) the system may have contained multiple photos of defendant due to his prior arrests, which raised concerns about mugshot exposure. 239 N.J. 88 (2019).

State v. Robert Andrews – In this case of first impression, the Appellate Division (457 N.J. Super. 14 (2018)) agreed with the Section 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. In 2019, the Supreme Court of New Jersey agreed to hear the case and accepted briefs, with arguments scheduled for early 2020.

Appellate Division

State v. Bilal Bellamy – Defendant committed a homicide when he was on parole for an unrelated robbery. The Appellate Division agreed with the Section's arguments and held that the defendant receives jail credit on his aggravated manslaughter sentence from the date he completed his parole violation sentence to the day of sentencing on his homicide conviction. The parole revocation action sentence is a continuation of his robbery sentence. (The Section later successfully convinced the Supreme Court to leave undisturbed this important jail credit case). 462 N.J. Super. 107 (App. Div. 2019), certif. denied, 240 N.J. 561 (2020).

In the Matter of Registrant A.A. – The Appellate Division held that this sex offender was afforded procedural due process protections during his "similar to" summary hearing under Megan's Law, and that the sex offender's conviction under a New York statute prohibiting "disseminating indecent material to minors in the second degree" was "similar to" New Jersey's endangering the welfare of a child statute to require him to register as a sex offender in New Jersey. (The Section later successfully convinced the Supreme Court to leave undisturbed this important decision that will protect Essex County's children). 461 N.J. Super. 385 (App. Div. 2019), certif. denied, ___ N.J. ___, 2020 WL 1286381 (2020).

State v Sandro Vargas - In this case, briefed in 2019, the Appellate Division addressed whether the motion court erred in refusing to admit a statement by the murder victim's daughter pursuant to N.J.R.E. 404(b). The Court found that based on the record it was

an abuse of discretion for the trial court to not admit the statement and also found that the trial court's invocation of N.J.R.E. 803(b) to allow the statement's admission was error. According to its later opinion, the admission of the statement alleging a prior bad act must satisfy the balancing test of N.J.R.E. 404(b), and in this case it did. The panel therefore affirmed defendant's murder conviction. ___ N.J. Super. ___, 2020 WL 2968446 (App. Div. 2020).

State v. Deandre Parker – The Appellate Division granted the Section's motion for leave to appeal and reversed an order suppressing evidence after the trial court did so without an evidentiary hearing or oral argument. 459 N.J. Super. 26 (App. Div. 2019).

State v. Krisla Rezireksyon & State v. Myriam Janvier – In a pair of opinions (unpublished 2019), the Appellate Division affirmed the convictions of these defendants who were charged with and convicted of numerous charges involving the abuse of three children and eventual death of one child, for whom they were caregivers. The Court also affirmed the sentence of defendant Rezireksyon, but remanded defendant Janvier's case for resentencing due to an erroneous mitigating factor found by the sentencing court.

State v. Olajuwan Herbert – The Appellate Division held that trial court's curative or limiting instructions did not cure the prejudicial impact of the detective's inadmissible statements that defendant was a gang member and that the homicide occurred in a gang area. Though unsuccessful in its result, this opinion serves as an important case in the area of curative instructions and gang evidence. 457 N.J. Super. 490 (App. Div. 2019).

State v. Zakariyya Ahmad - The Appellate Division (unpublished 2019) agreed with the Section and held that the motion court properly admitted the juvenile defendant's statement after finding that the police did not improperly conduct a custodial interrogation based on the record. This decision will be reviewed by the Supreme Court of New Jersey in 2020.

State v. Anthony S. Clark – The Appellate Division (unpublished 2019) revisited the prohibition against asking drug expert witnesses hypothetical questions that opine on a defendant's state of mind. The prosecutor asked the drug expert witness direct, non-hypothetical questions regarding the evidence in the case, which the defendant alleged violated the Supreme Court's holdings in *State v. Simms* and *State v. Cain*. The Appellate Division found that because the expert witness's answers were limited to explaining the significance of the "sums of money and denominations found in defendant's possession as they relate to the CDS distribution[,] the witness had not improperly opined on the defendant's state of mind.

State v. Gregory Bentley – After briefing in 2019, the Appellate Division (unpublished 2020) held that "attempt" was defined elsewhere in the jury instructions even though the trial judge read an error in the indictment containing the language "purposely or

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knowingly" to the jury numerous times. The Court therefore affirmed defendant's convictions for attempted murder and robbery.

U.S. District Court & Third Circuit Court of Appeals

Cordero v. Warren, et. al. – Defendant, convicted of murder, claimed that his lawyers prejudicially represented him during plea negotiations. After defendant exhausted all avenues of state review, the U.S. District Court (unpublished 2019) on habeas review held that defendant's lawyers gave him wrong or no advice about how gap-time would apply to his sentence and how the statute of limitations barred his prosecution on some non-homicide charges, but, defendant could not establish that he was prejudiced by this shortcomings because there was no evidence that the State had extended a formal plea offer to defendant. In 2020, the U.S. Court of Appeals for the Third Circuit agreed to hear the case

Murphy v. Administrator, East Jersey State Prison, et al. – The U.S. District Court (unpublished 2018) denied defendant's petition for a writ of habeas corpus, rejecting among other issues his claim that a co-defendant gave law enforcement a statement exculpating defendant in the 1995 murder of Corey Davis. In 2019, the U.S. Court of Appeals for the Third Circuit agreed to hear the case, limited to that issue.

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.

2019 Accomplishments

During the 2019, calendar year, Central Judicial Processing handled 7,968 cases. Of those, 5,312 were referred to the Grand Jury and another 2,656 defendants were referred to the Special Remand Court. The remaining cases were sent back to the Municipal Court.



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.

2019 Accomplishments

At any given time, there are anywhere from 500 to 600 individuals in drug court in Essex County. In 2019, there were approximately 123 new admissions. Most were voluntary. Approximately, 31 were mandated by the court.



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.

2019 Accomplishments

In 2019, the Forfeiture Unit, through appropriate civil and criminal process, forfeited \$1,869,246.25 which was determined to be either proceeds or instrumentalities of crime. Of that amount, \$1,489,497.17 was in cash, \$335,875.70 was the value of motor vehicles, and \$43,873.38 was other property, including various items of electronics equipment.

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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 three 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.

2019 Accomplishments

In 2019, Grand Jury proceedings were calendared for 4,247 matters. Of that number, 3,325 resulted in indictments; 516 were no billed; 4 resulted in No Cause of Action and 103 were referred to municipal court. The remaining cases were either held over, withdrawn, pled out or consolidated with other cases.

Juvenile Trial Unit

The primary legal function of the Essex County Prosecutor's Office Juvenile Trial Unit is to seek justice in the prosecution all complaints charging acts of juvenile delinquency (as defined by the New Jersey Code of Juvenile Justice and our Court Rules). The unit has state-wide jurisdiction of all complaints charging county juvenile residents with an act of delinquency. Juvenile matters are heard in Family Court by specifically assigned judges selected to preside over such matters. New Jersey law requires that juvenile cases are sealed due to the age of the juvenile and, except for limited circumstances are also 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.

The cases handled by the unit run the gamut from first-time minor offenses to serious and violent crimes. Municipal courts do not have jurisdiction over juvenile delinquency cases, so all matters must be referred to the Prosecutor's Office for disposition. ECPO works hand in hand with the municipal police departments juvenile units, where specifically assigned officers investigate and process juvenile offenders.

For minor or less serious matters, a range of dispositions are available, these include: Station House Adjustment (a program where the local police departments work with the juvenile in some type of community service, in lieu of charging); Juvenile Justice Commission (a programs where a group of trained, court appointed volunteers from the community work with the charged juvenile to provide some type of community service, apology, restitution or other remedy; and Consequences of Crime (a program conduction in the Essex County Youth House 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 (i.e. Pre-Trial), a juvenile can be places on a variety of release conditions: such as house arrest, electronic (GPS) monitoring, or housed in the Youth House (if the Court deems that the juvenile poses a threat to themselves or others). The type of release a juvenile is subject to depends upon the seriousness of the offense, whether there has been a prior exposure to the criminal justice system, their family situation, and the potential danger to the community if released.

2019 Accomplishments

In 2019, the Unit handled 1,788 referred cases ranging in severity from disorderly persons offenses to homicides. Two judges handle the caseload in Essex County, a lead, on a full-time basis and another who handles juvenile matters, among their other

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duties. The Assistant Prosecutors handle all necessary investigative and legal issues associated with the case including plea negotiations, motions, trials, and sentencing.

The Juvenile Trial Unit has made significant changes starting in 2019. There has been an increased use of technology when working with local police departments and other agencies. The unit has begun its goal of moving to an all-electronic environment. The unit's Assistant Prosecutors and detectives have developed a closer partnership with local police departments, especially when faced with serious matters such as carjacking, armed robbery, shootings, burglary, weapons and assaults. The unit has also worked to increase community involvement 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. The Juvenile Unit also works closely with the other units within ECPO, including, but not limited to, the Homicide Unit, the SVU Unit, the Narcotic/Gang Unit and the Special Prosecution Unit, which among its other duties, investigates social media crimes. 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 continues grow.

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.

2019 Accomplishments

In 2019, 48 individuals were referred to the Mental Health Unit. Of that number, 15 were accepted into the program. Two individuals were terminated for failure to comply with the rules of the program and three withdrew and pled guilty or were accepted into Pretrial Intervention.

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 traditional expungement applications aimed at clearing an offender's criminal record and is responsible for physically expunging those records and disseminating copies of the Orders to all involved agencies.

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 of up to two indictable convictions, meeting certain criteria. 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.

In December of 2019, Governor Murphy signed (A5981/S454) into law. The new law took effect on June 15, 2020. Of the many changes, the main one is the "clean slate" provision, where a petitioner's entire record of arrest and eligible convictions can be expunged after 10 years from the most recent conviction, meaning there is no limit as to the number of convictions. In addition, the law also provides for municipal judges to sign orders of expungements immediately upon the dismissal of municipal cases, removing the requirement for the petitioner to file for the expungement and to need for a Superior Court Judge to sign the order. The State was to implement a means for petitioners to electronically file petitions for expungement that would generate orders and create responses from the County Prosecutors Office and the

State Police. That system is not yet fully functional and is only online now for Drug Court expungements.

All these changes have resulted and will continue to result 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.

2019 Accomplishments

Some 316 defendants applied for PTI in 2019. Of that number 210, were accepted into the program. The remaining 106 were rejected. In 2019, there 581 new traditional expungement applications (non drug court). Final orders of traditional expungement were granted in 586 cases. Some of these cases involve applications from the prior year.

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.

2019 Accomplishments

In 2019 the Remand Court handled 2,732 matters. Of that number 1,557 resulted in guilty pleas, 6 matters went to trial, 6 resulted in conditional discharge and the remaining cases were resolved by dismissal.



Crash and Fire Investigation Unit

In 2019, the 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, a subset of the Homicide Unit, continues to be staffed by three Assistant Prosecutors including one Assistant Prosecutor-Supervisor who carries a case load as well. The criminal investigators of the Crime Scene Investigation Bureau conducted the investigations of fatal crashes and fires throughout the county. 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.

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 for assisting 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. Fatal crashes on any of Essex County's interstate highways are investigated by the New Jersey State Police in conjunction with the Assistant Prosecutors of CFIU.

2019 Accomplishments

In 2019 CFIU/CSIB investigators investigated 34 fatal crashes, 17 serious injury crashes, and 15 arson cases including 8 with fatalities. 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.

In 2019 the Assistant Prosecutors of CFIU initiated an investigation into an area school bus company that allegedly engaged in dangerous and fraudulent activity after one bus driven by an unlicensed driver high on CDS crashed a school bus with a special needs student on board resulting in injuries. That investigation expanded into a Task Force with the New Jersey Attorney General's Office - Office of Public Integrity and Accountability, and the Passaic County Prosecutor's Office that has resulted in charges against the management and ownership of the company and the corporate entity itself.

The Assistant Prosecutors and Investigators of CFIU and CSIB also share the 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

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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 in 2019, obtaining convictions and lengthy prison sentences for cases where intoxicated drivers caused fatal crashes in school zones. Numerous other convictions by plea agreement were also obtained in which custodial consequences were imposed where appropriate. At the same time guilty pleas were also obtained in non-injury arson cases where justice was done in the form of treatment focused rehabilitative pleas where appropriate for mentally ill defendants who had created dangerous situations, but had fortunately not injured anyone.

These trial victories and significant pleas are a testament to the thorough investigations, preparations and skilled prosecutions by the attorneys the Crash and Fire Investigation Unit and investigators of and Crime Scene Investigations.



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 victims and families are 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. 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.

2019 Accomplishments

During 2019, the members of the Domestic Violence Unit processed 2,847 Domestic Violence cases. The Assistant Prosecutors assigned to the Unit presented 734 cases to the Grand Jury during this period. The following are examples of the spectrum of cases handled by the Domestic Violence Unit in 2019.

State v. Pedro Vaca -- Defendant Vaca pled guilty to first degree attempted murder. The defendant cut the throat of his children's mother. He was sentenced to 13 years in state prison. He also strangled her and set the apartment on fire. He must serve 85 percent of that sentence before he is eligible for five years of parole supervision.

State v. Ahmad Daniels -- Defendant Daniels pled guilty to a second-degree Robbery. The defendant kicked and hit his girlfriend in the head and face while he stole her purse

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that contained her wallet and other personal items. He also threw her onto a metal dog cage.

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 Court. The Assistant Prosecutors assigned to Family Court handled 226 of these cases in 2019.

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 Court 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 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.



Extradition Unit

The Essex County Prosecutor's Office 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 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.

2019 Accomplishments

In 2019 the extradition unit received 346 requests for extradition. Essex County coordinated the legal paperwork to extradite 265 fugitives to other jurisdictions and to return 124 fugitives back to Essex County.



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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, three Assistant Prosecutors, a Detective-Sergeant, three detectives, one legal assistant, and one clerical supervisor. 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.

2019 Accomplishments

In 2019, the Financial Crimes Unit concluded several notable cases, including the following:

State v. Christopher Brandt -- The defendant, a former employee of a dairy located in Newark, NJ, still had access to their facility and had stolen palettes of bulk items destined for major coffee chain retailers. The estimated loss from the theft that occurred was over \$100,000 in wholesale value. It was determined that the suspect was selling the stolen products on eBay.

In the early morning hours of June 3, 2018 Newark Police officers responded to the dairy for a burglary in progress. Officers arrested Christopher Brandt, who was wearing a very distinct outfit that matched the outfit worn by the suspect in the first theft. Records obtained from eBay indicated that the defendant had been selling stolen bulk coffee products since 2014. The case was presented to the Grand Jury and true billed.

In April of 2019, the Defendant pled to 2nd degree theft by deception and 2nd degree money laundering. The Defendant was sentenced to a term of imprisonment and ordered to provide \$111,498.60 in restitution to the victim.

State v. Sukhjinder S. Jaswal and Gurjinder Jaswal -- This case was the result of a joint investigation by the Essex County Prosecutor's Office Financial Crimes/Intellectual Property Unit and the New Jersey Division of Taxation Office of Criminal Investigation. The investigation involved locations in Newark, East Orange, and Montville, NJ that were involved in distributing large quantities of contraband cigarettes that contained counterfeit New Jersey Cigarette Tax stamps. The counterfeit tax stamps allowed the suspects to avoid paying the applicable taxes.

After a lengthy investigation, search warrants were executed at the various locations on May 13, 2019, which resulted in the seizure of a large quantity of cigarettes containing contraband counterfeit stamps as well as unlawful cash proceeds derived from the criminal activity. The Defendants, Sukhjinder Jaswal and Gurjinder Jaswal, both pleaded guilty to the charges of Trademark Counterfeiting, Misconduct by a Corporate Official, and Unlawful Sale of Cigarettes without the required stamp.

The defendants, Sukhjinder Jaswal and Gurjinder Jaswal, both were sentenced and required to forfeit a large amount of U.S. currency which was derived from the criminal activity.

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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 and certain non-fatal shootings.

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 a complaint containing a statement of probable cause. If the probable cause is accepted by the magistrate, the complaint is signed and an arrest warrant is issued. 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 to prosecute the juvenile as an adult.

2019 Accomplishments

In 2019, the Essex County Prosecutor's Office continued with the Homicide/Major Crimes Task Force. Detectives from the Newark, East Orange, Irvington, Bloomfield, and Orange police departments, 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 2019, the Essex County Prosecutor's Office Homicide Unit investigated 82 homicides. Additionally, there were forty-seven special investigations that the Task Force oversaw. The 82 homicides in 2019 represent a decrease from the 104 homicides that occurred in 2018. 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 2019, below is a description of a few of the more notable cases in 2019.

In **State v. Khalil Wheeler-Weaver**, the defendant was a serial killer convicted at trial of killing Sarah Butler, Robin West and Joann Brown, desecrating their remains, and attempting to murder, kidnapping and aggravated sexual assault of a fourth woman who survived. He has not been sentenced yet, but is facing multiple life sentences.

In **State v. Hassan Todd**, the defendant fired multiple times at the victim, Elijah Roberts, in broad daylight. Witnesses from the community came forward and testified that the defendant shot and killed the victim. The jury convicted the defendant on all charges. The defendant is now serving a 65 year sentence in prison.

In **State v. Shaheed Blamahsah**, the defendant was charged with multiple counts including murder, robbery, felony murder, conspiracy and witness tampering. A jury convicted the defendant of all counts except murder – where the jury hung. The defendant was sentenced to a life sentence in prison plus an additional 5 years for witness tampering for the murder of Bruce Turner.

In **State v. Tamodd Young**, the defendant was charged with the murder of Jerome Brown and weapons possession counts. The jury convicted the defendant of all counts of the indictment including murder. The defendant is currently serving a 55 year sentence in prison.



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Professional Standards Bureau

The Professional Standards Bureau (PSB) consists of two branches. The prosecution branch is led by a Deputy Chief Assistant Prosecutor along with three 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 two lieutenants, 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 non-fatal police shootings and pursuits with serious bodily injury 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. All fatal police shootings are investigated by the Attorney General's Office. 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.

2019 Accomplishments

In 2019, the PSB received 400 new cases. An additional 74 cases were still pending from the prior calendar year. The PSB completed 395 investigations. Of the open cases, seven resulted in criminal charges. The PSB also investigated multiple officer-involved shootings.

There were several noteworthy criminal cases in 2019. A Newark police officer was charged with aggravated manslaughter, aggravated assault, possession of a weapon for an unlawful purpose and official misconduct. This case is pending trial.

Two Essex County correctional officers were charged with falsifying official records at the Essex County Jail.

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A Newark police officer was charged and prosecuted for filing a false police report.

A Montclair Police Department lieutenant was charged with possession of illegal assault firearms.

An officer with the New Jersey Institute of Technology was charged and prosecuted for falsifying official records.

An Irvington police officer was prosecuted for filing a fraudulent claim for unemployment benefits.

The Critical Incident Response Team (CIRT), consisting of an Assistant Prosecutor and numerous PSB and ECPO investigative personnel, investigated all non-fatal officer-involved shootings. The CIRT also responded to all police pursuits resulting in serious injury and numerous in-custody deaths at the Essex County Jail and Northern State Prison. In addition, the PSB conducted a two-day county-wide training regarding all Attorney General Policies and Directives applicable to internal affairs investigators.



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Special Prosecutions Unit

The principal mission of the Essex County Prosecutor's Office Special Prosecutions Unit is to investigate and prosecute offenders who engage in organized criminal activity. Due to the connection between drugs and violence, the Special Prosecutions Unit of the Essex County Prosecutor's Office is comprised of three sections: Narcotics/Gang Task Force, Violent Crimes, and the Intelligence Unit. Special Prosecutions is staffed full-time by one chief assistant prosecutor, two supervisory assistant prosecutors, and four assistant prosecutors. The Narcotics/Gang Task Force section is staffed full-time by one captain, one lieutenant, two sergeants, and seventeen detectives. The Intelligence Unit is comprised of one captain, one sergeant, two detectives, three investigative aides, one legal assistant, and one analyst who is on loan from the National Guard. The attorneys and investigators work closely with and assist local, state, and federal law enforcement agencies.

The Narcotics/Gang Task Force Section of the Special Prosecutions Unit operates both daytime and evening shifts. The Unit targets and prioritizes the most violent offender zones; gathers intelligence of confiscated firearms and enters ballistics into the National Integrated Ballistics Identification Network (NIBIN System); coordinates intelligence led policing strategies in cease fire grid areas with Newark and Irvington law enforcement officials; and conducts warrant roundups of wanted targets of gang violence, narcotics, and firearm offenses. 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.

The Violent Crimes Section of the Special Prosecutions Unit handles county-wide carjacking investigations, non-fatal shootings, and cybercrimes, as well as animal cruelty investigations. The Violent Crime Section also assists local agencies with cases involving public alarms or public threats which typically involve threats to schools, public facilities, and infrastructure. Additionally, the attorneys assigned to Special Prosecutions provide police with 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. The Unit also aids local agencies in need of specialized guidance on complex, sensitive, and high-profile cases, as well as county-wide and state-wide violent crime sprees and auto-theft investigations. The attorneys assigned to the unit handle all aspects of the case including investigation, search and seizure, arrest, grand jury proceedings, pretrial motions, and trials.

The Intelligence 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, 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, and full and modified profile reports on persons, places and businesses. The Intelligence 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, and police safety & awareness and training.

2019 Accomplishments

State v Helder Goncalves et al. Dubbed "Operation Short Storm," detectives conducted an extensive two-year investigation into gambling and narcotics distribution in the City of Newark. This investigation conducted in connection with a similar narcotics investigation being handled by The Essex Sheriff's Office culminated in the execution of search warrants across the State on August 22, 2019 and August 23, 2019. Detectives seized the following:

- 51 pounds of marijuana
- 4 kilos of cocaine
- 7 weapons (including a .223 assault rifle)
- \$305,372.00 cash
- 12 vehicles (including two Mercedes Benz 550 sedans)
- Several pieces of jewelry (including Rolex, Brietling, and Gucci watches)
- 50 people were charged and arrested for conspiracy to distribute CDS, gambling, and weapon charges.

State v. Duval, et al. Detectives investigated a firearm that was found to be involved in numerous additional shootings through the National Integrated Ballistics Identification Network (NIBIN System). The investigation resulted in seven defendants being charged with an organized financial fraud scheme involving 2nd degree theft. Detectives found large amounts of incriminating documents, checks, and credit cards. Additionally, the

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investigation resulted in one of the defendants being charged with a shooting, one of the defendants being charged with second degree eluding and another defendant being charged with second degree escape.

State v. Karlin Grant & Dennis Anderson. Detectives engaged in a long-term investigation into Dennis Anderson and Karlin Grant for narcotics distribution which led to search warrant executions. Detectives executed a search warrant at the residence of Karlin Grant-240 South Harrison Street, Apt. 1401, East Orange, New Jersey. While conducting the search of the location detectives recovered the following:

- 971 grams of suspected MDMA/Methamphetamines
- Jewelry
- Financial documents

They further executed a search warrant at 23-25 Stecher Street, Newark, New Jersey, a property owned by Dennis Anderson. This location was identified as a stash/Manufacturing house. While conducting the search of the location detectives recovered the following:

- 3 Firearms (fully loaded)
- 8 Kilograms of grams of CDS Cocaine and Heroin

Detectives also executed a search warrant at the residence of Dennis Anderson 28 Laurel Avenue, Livingston, New Jersey. While conducting the search of the location detectives recovered the following:

- 50 grams of Marijuana
- A large amount of assorted Edible Marijuana
- Jewelry
- Financial documents
- \$19,108.00 in US currency

Their “business” paperwork showed incorporating false LLCs and purchasing the stash house and other houses. Tax records showed little to no income or income from a false LLC.

State v. Fanslau. The victim was found unresponsive in Cedar Gove from an apparent overdose of heroin. The medical examiner report confirmed that the cause of death was acute intoxication due to narcotics. Several months of investigation revealed that the defendant was the person who supplied narcotics to the defendant.

State v. Leonard Barron, Ernest Barron. Detectives investigated narcotics distribution in Newark and executed search warrants at Leonard Barron age 50, and his father Ernest’s residences. Leonard Barron pled guilty to distribution of heroin and possession of the handgun and was sentenced to 8 years in prison.

State v. Shells, et al. Detectives investigated a string of violent crimes that occurred in September of 2019. The investigation resulted in charging four defendants with multiple violent crimes including three defendants charged with a robbery that occurred on September 5, 2019; two defendants being charged with a carjacking that occurred on September 20, 2019; one defendant charged with a carjacking that occurred on September 22, 2019; two defendants charged with a robbery that occurred on September 28, 2019; and three defendants charged with a robbery that occurred on September 28, 2019.

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Special Victims Unit

The Essex County Prosecutor's Office Special Victims Unit (SVU) investigates and prosecutes cases involving crimes against the most vulnerable members of the community. The Unit has a dedicated Child Abuse Unit (CAU) that investigates all cases of sexual abuse and maltreatment of children. SVU also investigates and prosecutes all cases involving the sexual assault and abuse of adults, including those with cognitive, developmental or physical disabilities. The cases are investigated under the auspices of the Sexual Assault Rape Analysis (SARA) Unit. An integral part of the SVU is the Forensic Nurse Examiner's Program that is tasked with performing sexual assault examinations on children and adults. The SVU also has a Bias Crimes Unit that includes teams of Assistant Prosecutors and Detectives dedicated to investigating and prosecuting bias crimes.

Additionally, SVU also investigates and prosecutes allegations of Elder Abuse, Human Trafficking, and Internet Crimes Against Children Unit. Also, under the SVU umbrella is a dedicated Megan's Law Unit, responsible for evaluating how likely an offender is to re-offend. The Megan's Law Unit is also responsible for prosecuting individuals convicted of sexual offenses who violate the conditions imposed at sentencing, including failure to register under Megan's Law, violations of parole supervision for life and community supervision for life.

The above units and teams were merged into the Special Victims Unit 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, better known as Wynona's House 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 assisted by a Lieutenant of Detectives and Sergeant 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 Advocates 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. The SVU Assistant Prosecutors and Detectives are assisted by allied professionals such as forensic interviewers, forensic pediatricians, trauma focused therapists and others in specialized fields. The 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.

The SVU also focuses on the training of law enforcement personnel and the education of the public through SVU seminars presented by SVU staff. The unit has presented a training seminar for all municipal, county and state law enforcement personnel working in Essex County, as well as Police Academy training. The unit also provided public education seminars to different community groups including religious organizations, multiple college groups, high school students and interns.

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 and Institutional Abuse Investigative Unit).

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 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, NJDCF, and the Metro Regional Diagnostic and Treatment Center, at Children's Hospital of New Jersey at Newark Beth Israel Medical Center, the CAU is an integral part of the Wynona M. Lipman Child Advocacy Center in Newark. Wynona's House 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 focused therapists, forensic pediatricians and multi-disciplinary coordinators all under one roof.

The philosophy of the Lipman 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 in an adjacent room. The technique prevents multiple interviews by law enforcement officials

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and reduces trauma suffered by the victim. In addition, the family members of victims receive a wide range of services.

The Forensic Video Interview (FVI) of all children under the age of 12 who have been sexually and/or physically abused, neglected, or have been witnesses to violence was established in 2000. A specially trained forensic interviewer conducts the interviews, while members from NJDCF, the Metro RDTC, law enforcement and assistant prosecutor's sit in a monitoring room nearby. In 2019 there were 181 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 Wynona's House. Wynona's House collaborates with the Metro RDTC 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. Since 2018 the Forensic Nurse Examiner (FNE) Program added pediatric patients and began doing pediatric forensic exams.

Wynona's House 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..

2019 Accomplishments

In 2019, the Child Abuse Unit received 1,177 referrals for investigation.

Notable cases from 2019 include:

State of New Jersey v. Kevin L. Jimenez -- On February 21, 2019, the defendant, a coach for a youth basketball team pled guilty to second degree sexual assault. The defendant admitted that while working as coach for a youth basketball team, he touched the then 12-year-old victim's intimate body parts for sexual gratification. At the time of the sexual assault, the victim was one of the players on the basketball team. The defendant was a coach for the Amateur Athletics Union (AAU), a youth basketball league which held practices at the Abundant Life Academy in Nutley and Our Lady of Sorrows in South Orange. The defendant will have to serve a sentence of eight years in

New Jersey State Prison and will not be eligible for parole until he has completed 85% of the sentence under the No Early Release Act. The defendant was also sentenced to Megan's Law registration and Parole Supervision for Life. The case was handled by former SVU Assistant Prosecutor Amani Abdellah.

State of New Jersey v. Kenneth Palmer -- On May 7, 2019, the defendant, a paraprofessional at Jefferson Elementary School in Maplewood, was sentenced to 10 years in New Jersey State Prison subject to the No Early Release Act, for masturbating in the hallways of the school and taking an inappropriate photograph of a student. The defendant, who was from Randolph was arrested on Sept. 28, 2017 at a Shop Rite in Succasunna in a different case. During that investigation by the Morris County Prosecutor's Office, authorities discovered on his phone videos of Palmer masturbating in front of children. It was later determined the conduct took place in the hallways of Jefferson school, where he was employed. He was charged in Essex County with multiple acts of sexual assault for engaging in an act of criminal sexual contact with himself in view of children younger than 13. Supervising Assistant Prosecutor Deborah Freier handled the case.

State v. Domingo Azcona -- On June 21, 2019, the defendant was sentenced to a 12-year New Jersey State Prison sentence subject to the No Early Release Act. The defendant plead guilty to one count of 1st degree aggravated sexual assault of a 14-year-old child. The defendant must serve 85% of his sentence before he is eligible for parole. Upon his release, he will be subject to Megan's Law and Parole Supervision for Life. The defendant had sexually abused the child who later disclosed. The case was handled by Supervising Assistant Prosecutor Kathleen Lyons-Boswick.

State v. Luis Ramos -- On November 15, 2019 the defendant was sentenced to a 10-year New Jersey State Prison sentence subject to the No Early Release Act. The defendant plead guilty to one count of 2nd degree sexual assault by sexual contact of a child between 13 and 15 years old. The defendant must serve 85% of his sentence before he is eligible for parole. Upon his release, he will be subject to Megan's Law and Parole Supervision for Life. The case was handled by Assistant Prosecutor Jeffrey Conrad.

State v Jaymie Soto -- On October 4, 2019, the defendant pled guilty to 2nd Degree Aggravated Assault of a child and was sentenced to six years subject to the No Early Release Act. The defendant assaulted an infant causing serious bodily injury. The case was handled by Supervising Assistant Prosecutor Kathleen Lyons-Boswick.

SEXUAL ASSAULT RAPE ANALYSIS UNIT

Adult sexual abuse cases are investigated under the auspices of the Sexual Assault and Rape Analysis (SARA) Unit, which is one of the oldest investigative units in the Essex County Prosecutor's Office. It originated in the 1970's after the Newark Police Department became one of the first police departments in the nation to establish a sex

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crimes unit. The SARA Unit was developed to provide legal guidance and investigative support for all municipal police departments in Essex County.

The SARA Unit originally prosecuted all cases of sexual abuse in Essex County. As the field of sex crime investigations 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. SARA Unit staff consists of experienced Assistant Prosecutors, Detectives, and clerical support employees, and cooperates closely with members of the onsite Forensic Nurse Examiners who manage the FNE Program.

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. 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.

2019 Accomplishments

In 2019, the SARA Unit received 379 referrals for investigation.

Notable cases from 2019 include:

State v. Paulo Barros -- The victim, a 24-year-old woman reported to the Newark Police Department that she and the suspect, were in a dating relationship around January 2019. By the end of February, she broke off the relationship. They both agreed to continue to live together, but not as boyfriend and girlfriend. Victim placed a "Go-Pro" camera in her bedroom and noticed that the suspect would enter her room and sexually assault her during her sleep. Victim suffers from insomnia, which requires her to take medication to sleep. When taking this medication, victim can sleep up to 12 hours and may be very difficult to awaken. Suspect was charged with 1st degree aggravated sexual. This case is being handled by Assistant Prosecutor Jenna Gouck.

SEXUAL ASSAULT NURSE EXAMINER PROGRAM

On May 4, 2001, Assembly Bill 2083 was signed into law, providing for the establishment of a statewide FORENSIC NURSE Examiner (FNE) 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 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 FNE/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 FNE 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 FNE/SART program services six county hospital sites, 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 FNE/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.

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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 FNE/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.

2019 Accomplishments

The success of the program is evidenced by the frequency with which the program was used. In 2019, in Essex County there were a total of 283 FNE/SART activations at participating hospitals in response to the needs of sexual assault victims. Included in that number were 54 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 Witness 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.

2019 Accomplishments

In 2019, the Elder Abuse Team investigated eight 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.

2019 Accomplishments

In 2019, the Bias Crimes Unit opened 29 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 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

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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 per 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. With over 1,500 sex offenders residing in within the county at any given time, Essex County has more registered sex offenders residing within it than any other County.

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 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 daylong 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.

2019 Accomplishments

In 2019, there were approximately 1,750 sex offenders in Essex County. The Megan's Law Unit also indicted approximately 100 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.

SUPPORT UNITS

Business Administration Unit

The staff of the Business Administration Unit oversee a \$38.2 million operating budget, along with Essex County Prosecutor's Office's criminal forfeiture accounts. Additionally, the Unit oversees the Office's seven major grant-funded programs totaling more than \$1 million per year. The Unit provides crucial infrastructure support services at 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

2019 Accomplishments

In support of the Prosecutor's efforts to secure additional space for the Office to relieve crowding and to promote efficiency, the Business Administration Unit continued its on-going coordination with the County of Essex in improving facilities for our staff. Following several major unit relocations in 2017 and 2018, the Office continued in 2019 to coordinate smaller personnel relocations and office facility upgrades.

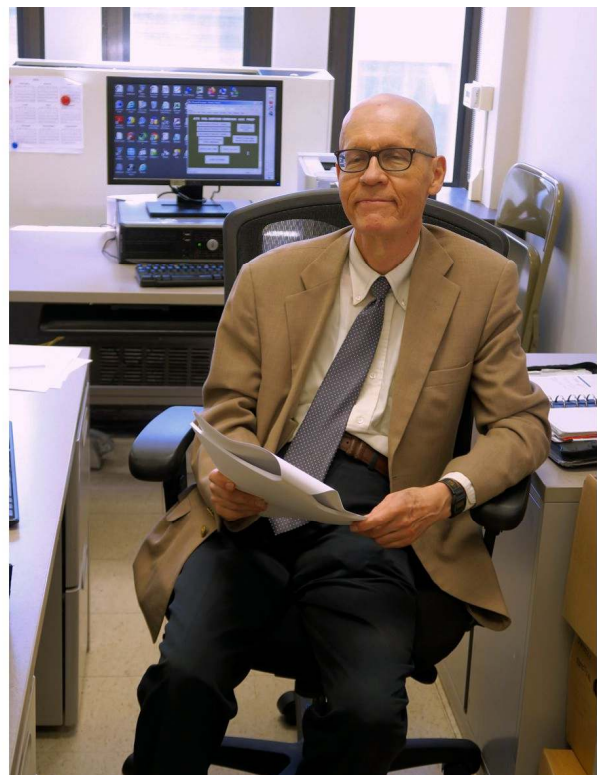
The Unit also continued its efforts to efficiently manage the Office's overall file storage space, which is distributed over several sites and is in short supply. The Unit coordinates the disposal of paper files that are no longer needed, and ensures their proper disposal considering the potentially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

In 2019, the Business Administration Unit actively collaborated with information technology staff from both ECPO and the County of Essex in order to help the County implement new digital information systems for its personnel, payroll and purchasing management functions. Administration staff were trained in the use of these new systems and the implementation and change-over to these systems was successful.

The Business Administration Unit continued in 2019 working 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 continued 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. In 2019, the Unit also continued to provide ECPO management with detailed statistical data on-demand, along with monthly reports of key indicators that measure overall production volume and outcome performance.



SUPPORT UNITS

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 aimed at offering children and teens positive alternatives and interventional strategies aimed at preventing delinquency. The Community Justice Unit provided workshops to over 5,000 Essex County residents in 2019. Workshop topics included:

- Bullying
- Careers in the Essex County Prosecutor's Office
- Criminal Justice System
- Expungements
- Gang Awareness
- Internet Safety
- Overview of the Essex County Prosecutor's Office
- Sexual Assault Prevention

2019 Accomplishments

In 2019, the Community Justice Unit partnered with the Irvington Neighborhood Improvement Association on June 18th to provide a forum on substance abuse treatment services in Essex County. Acting Essex County Prosecutor Theodore Stephens, II, discussed Operation Helping Hand, a diversionary program for drug addicts. Representatives from Saint Barnabas Medical Center, Essex County's Department of Community Health Services and the Alcohol, Drug Abuse Prevention Team of Essex County discussed substance abuse services.

This was the 18th consecutive year in which ECPO held a 5-week summer internship program to expose high school students to careers in law, law enforcement and government. The 2019 Summer Youth The internship Program ran from July 8 through August 9. Thirty high school juniors from Essex County participated in this 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.

The Community Justice Unit worked with ADAPT (Alcohol & Drug Abuse Prevention Team of Essex County) and Essex County's Department of Health Services on October 17th to provide a half day information session on substance abuse resources to clergy and community members. Acting Essex County Prosecutor Stephens provided attendees with an overview of Operation Helping Hand. Over one hundred clergy and community members attended the half-day session held at Bella Italia Restaurant in Orange.

Some 600 middle school students from Essex County attended the ECPO youth conference entitled: “What’s it All About?” World Against Violence (W.A.V.) at Caldwell University on December 19. Students participated in workshops on making positive choices, substance abuse prevention, teen dating, and cyber safety. Over 30 representatives from various social service and youth agencies provided students with information on educational and recreational resources.



SUPPORT UNITS

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 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

2019 Accomplishments

In 2019, 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. Increasingly they are attempted to accomplish their goals with smaller staffs and less of an ability to do first-hand reporting.

The Media Relations Office works to strike a balance between competing interests. On one side of the equation is the right of victims and the need to protect the integrity of investigations. On the other side, is 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 2019 included the following:

State v. James R. Ray, III – This is an ongoing case that started in 2018. New York lawyer James Ray, III, 55, is 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. He was apprehended in Cuba on Oct. 31, 2018 and subsequently returned to New Jersey to face trial.

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 Operations Customs were able to bring Ray back to the United States where he is still awaiting trial because of pretrial motions and other legal proceedings.

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

State v. Khalil Wheeler Weaver – In this case serial killer Khalil Wheeler Weaver was found guilty in December 2019 of killing 20-year-old college student Sarah Butler of Montclair, Robin West, 19, of Philadelphia and Joann Brown, 33, of Newark.

He was also found guilty of the sexual assault and attempted murder of a third woman. At the time of the murder, Wheeler Weaver was working as a security guard for Sterling Securities and had dreams of becoming a police officer. At trial, the state argued successfully that the murders began on Aug. 31, 2016 with the murder of West and continued until the murder of Butler.

It was after Butler's murder that the investigation revealed that all the victims had been in contact with Wheeler Weaver prior to their deaths. DNA evidence matching Wheeler Weaver was found under Butler's fingernails. Much of the case was based on geolocation data that placed Wheeler-Weaver's phone at or near the scene of the crimes.

Sentencing is pending.

State v. Joseph Porter -- In this case, Porter, 27, of Elizabeth is charged with a Maplewood double murder. He is accused of killing David Kimowitz, a 40-year-old comedy club owner and comedian, along with the family's nanny 26-year-old, Karen L. Bermudez-Rodriguez, in the Kimowitz's Maplewood home. Porter, who dated the au pair, is accused of fatally stabbing the two. The wife and two preschool children were at the Jersey Shore at the time of the fatal attack.

The case is awaiting trial.

State v. Lamont Stephens – In March of 2019 Stephens, who was on the FBI's most wanted list, was returned to New Jersey to face trial for the Oct. 17, 2014 murder of his

SUPPORT UNITS

then fiancée Olga DeJesus, a Newark mother of two. He also killed the family dog, a chihuahua.

Stephens was arrested in Prince George County Maryland, where he was also charged with the murder of Natina Kiah, 40. He killed her and her cat. He had been living with the woman who he befriended while living at a homeless shelter. She worked at the shelter as a security guard.

State v. Jovanny Crespo – A Newark police officer, Crespo was charged with aggravated manslaughter for the Jan. 2018 killing of Gregory Griffin, 46, who was shot by Crespo as he fled from police following a traffic stop. A second man in the car was also shot but survived his injuries. The case garnered national attention because Crespo is the first New Jersey police officer to be charged with a homicide for actions taken during the course of employment.





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.

2019 Accomplishments

In 2019, the Victim-Witness Advocacy Office assisted 10,035 victims and witnesses, initiating approximately 110,000 items of correspondence on their behalf. Office staff continued its 80-hour intimate partner violence training program in 2019. The program,

SUPPORT UNITS

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 include 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 380 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 2019, through which approximately 89 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 are also developing 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 the fall of 2020.

Further, the Victim Witness Unit conducted 21 community outreach forums throughout 2019. 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 2019. Approximately 650 toys, board and video games, dolls, electronics, balls, and clothing items were collected and distributed to twelve social services agencies who, in turn, distributed toys to those in need residing in Essex County.

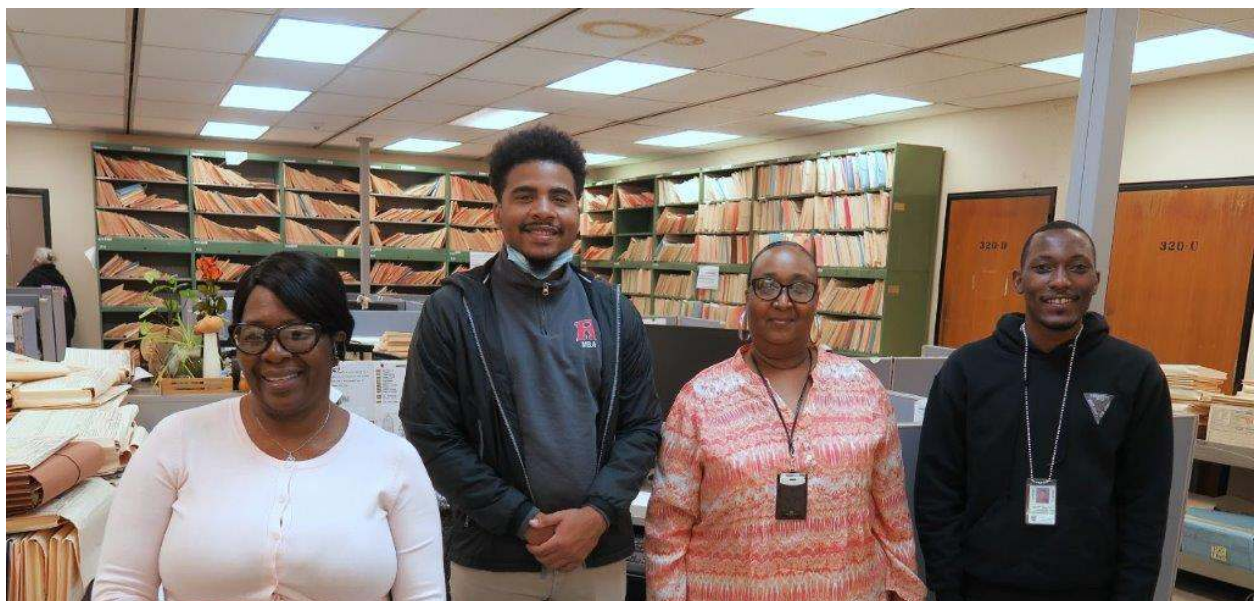


Adult Trial Investigation Staff



Reception Desk





ECPO Record Room



ECPO Legal Staff



ECPO Investigations Staff



ECPO Support Staff

