

ESSEX COUNTY PROSECUTOR'S OFFICE 2022 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 First Assistant Prosecutor Romesh C. Sukhdeo; Acting Essex County Prosecutor Theodore N. Stephens, II; Executive Assistant Prosecutor Gwen Williams; and Acting Chief of County Detectives Mitchell G. McGuire III.



Acting Prosecutor Stephens frequently speaks with community members, who he views as vital partners in law enforcement. Above, he talks to Newark high school students about the importance of education, making good decisions, and working towards goals.

"You have more opportunities than all generations before you," Acting Prosecutor Stephens told the students. "You are the most technically savvy generation ever, and if you do the best you can in every situation, you'll exceed expectations. You will surely be noticed, which will help you along your path in life."

Iverson Molasco, a senior, said, "my family left central America to escape the gangs, who had taken control of our country. I'd like one day to work in law enforcement, so it was great to hear Prosecutor Stephens."



New Jersey Attorney General Matthew J. Platkin speaking at a press conference in Newark where city officials announced a decrease in homicides for 2022. ECPO Acting Chief of Detectives Mitchell G. McGuire is far right.



The ECPO held its 2022 Black History Month Celebration, honoring six people who've demonstrated extraordinary commitment to the cause of justice. Amadu Musa, above left, an 8th grader in Newark who is an award-winning orator, spoke during the celebration about the legacy of Martin Luther King Jr.



Leighton Cohen (center) was one of five assistant prosecutors sworn in (2022) during a courtroom ceremony presided over by Judge Mark Ali and Acting Prosecutor Stephens.

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During 2022, the total number of new adult defendant case files reviewed by the Essex County Prosecutor's Office (ECPO) declined from 12,387 in 2021 to 10,703 in 2022. The higher number in 2021 was due to the pandemic slowdown in the previous year. In addition, the total defendants indicted increased from 3,860 in 2021 to 4,444 in 2022, again due to a pandemic effect. A total of 53.9 percent of the ECPO's adult defendant resolutions following an indictment or accusation involved first or second-degree criminal charges. Further, the total number of juveniles referred in delinquency case filings in Essex County increased from 1,234 in 2021 to 1,428 in 2022.

(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

The Essex County Prosecutor's Office is the largest and busiest prosecutor's office in New Jersey. We handle more than a quarter of all in-state felonies, and every unit handles demanding and challenging caseloads. The units nonetheless met that challenge in 2022 with unwavering dedication to our mission: "To seek justice, serve justice and to do justice."

The following are a few examples of exactly how busy and effective we were in 2022. Our **Adult Trial Section** indicted or charged 4,444 defendants and resolved 3,389 cases. The percentage of those cases that involved first or second-degree crimes was 53.9 percent. The Assistant Prosecutors obtained 33 defendant dispositions by trial, with an overall post-indictment/accusation conviction rate, which includes pleas and trial, of 75.6 percent.

Our **Central Judicial Processing Unit** (CJP) processed 11,149 defendants for first appearances in court. CJP met the rigorous demands of criminal justice reform by dutifully preserving a defendant's rights to be seen within 48 hours of being placed into custody.

Our Grand Jury Unit calendared an enormous number of matters. In the wake of Covid-19 interruptions and resumption of Superior Court activity, in 2022 the Unit presented 1,000 more matters than it did in 2021. There were 4,120 matters calendared for 2022, with 3,595 resulting in indictments.

The **Juvenile Justice Unit**, moreover, handled nearly 1,500 referred cases, ranging in severity from disorderly persons offenses to homicides. The Unit has statewide jurisdiction, handling delinquency matters charged against Essex juveniles wherever they occur in the state. The overwhelming majority of cases where juveniles commit offences outside their county of residence are returned to the Essex County Juvenile Justice Unit for prosecution and adjudication. Less than one percent (1%) of the cases occurring outside of the county result in the retention of jurisdiction in

those counties. While the percentage of delinquent youth remains low, there was a noticeable uptick in the severity of offenses committed by youthful offenders.

Additionally, our **Domestic Violence Unit** processed 2,765 domestic violence cases. Assistant Prosecutors presented 794 cases to the Grand Jury. The Unit handles the Contempt of Restraining Order Docket, where 454 cases were handled in 2022. The Unit also processed 1,499 disorderly persons domestic violence matters.

As always, homicides receive the greatest attention from the public and law enforcement communities. During 2022, the Essex County Prosecutor's Office Homicide Unit investigated 81 homicides. Of these matters, 64 were charged or cleared, resulting in an impressive clearance rate of 79 percent, when compared to the national average of 52.3 percent.

As the above shows, we are indeed the biggest and busiest county prosecutor's office in New Jersey; but that story cannot end there. We recognize that ECPO cannot prosecute our way out of every criminal matter and a multi-disciplinary approach is required to be an effective law enforcement agency. We, therefore, sponsor various diversionary programs and support the use of special courts. For us, that means going wherever the facts and the evidence leads. Sometimes it means pressing for a lengthy prison sentence for a defendant, while at other times it means getting him or her into diversionary programs such as Recovery Court, Mental Health, or Veterans programs.

We also continued Operation Helping Hand (OHH), a diversion program in which ECPO staff connects persons suffering from opioid addiction with substance abuse services. The goal of the program, sponsored by the New Jersey Attorney General's Office, is to interrupt the cycle of addiction that often leads addicts to spiral down the path of incarceration. Throughout 2022, OHH sponsored many outreach events throughout the county, partnering with social service agencies and community groups, to offer addicts information on recovery services. This "non-arrest" model of helping addicts find services was expanded in 2022, which you'll read about in this report.

ECPO also accepted the challenge to vigorously engage with our community. From food-insecurity drives to community health events, to jazz festivals and speaking at schools, we remained committed to our goal of interacting with our citizens in civic environments and not just in the courtroom.

Our community outreach included mentoring hundreds of students through our internship programs. We invite high school students, undergraduates, and law students to intern in our offices, where they learn what it's like to work as a prosecutor, detective, or legal assistant. Several interns end up working in law enforcement, and some have even joined our office as assistant prosecutors, fighting for justice for crime victims.

In short, what ECPO does, every day, is to fight for justice. While we believe we do exceptional work, the best confirmation of that is to speak to those we serve. When victims and their family members express gratitude to our prosecutors, detectives, and victim advocates, I feel immensely proud. One such family member, a man whose sister was murdered in Newark, had this to say this about our work:

"I don't have my sister back, but me and my family know that the team at the Essex County Prosecutor's Office did everything they could to give us some sense of justice. And for that we are forever grateful to them. The detectives, prosecutors, and staff treated us like family. I'll never forget what they did for me and my family."

Another victim, a mother who lost a son to murder, described the assistant prosecutor who tried the case in terms of divine intervention.

"I have no words to describe what he did other than to say that he was heaven sent," she said. "He went above and beyond, and still stays in touch with our family. Also, our victim advocate helped us with funeral arrangements, with grief counseling, and with safely attending the trial. They were both a great comfort to me and my family during our time of need."

We also received heartfelt thanks from a grandmother who had custody of her 8-year-old grandson but ran into systemic obstacles over a custody violation. The father of the child took the boy out of state, from New Jersey to Pennsylvania, without legal consent. The grandmother contacted authorities in Pennsylvania, who told her that since it was a civil matter, they could not intervene. This stonewalling went on for several months, until she contacted ECPO's Special Victims Unit, whose prosecutors and detectives did everything in their powers to see that the boy was returned home.

"Before I reached out to the ECPO, I was hitting bricks walls," the grandmother said. "I was so worried about my grandson I couldn't get out of bed. I could not function. Kudos to ECPO, who stayed with the case and never gave up till my grandson was safely returned to me and my daughter. I'm eternally grateful to them."

When I hear testimonials like this from victims and family members, I know ECPO is blessed to have such an outstanding staff. In a post-pandemic environment, they are to be commended for truly "doing more with less."

The prosecutors, detectives and staff have risen to the myriad challenges of 2022, and most everyone has exceeded expectations. I'm eternally grateful to them for their hard work, which many here describe not as a job, but as a "calling."

This Annual Report, published in conjunction with the statistical summary required by the Attorney General, cannot possibly detail the entirety of this office's successes in 2022. It does, however, provide an overview of the essential work done by the Essex County Prosecutor's Office. In the end, we thank the citizens of Essex County. It is a privilege to serve them.

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.

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.

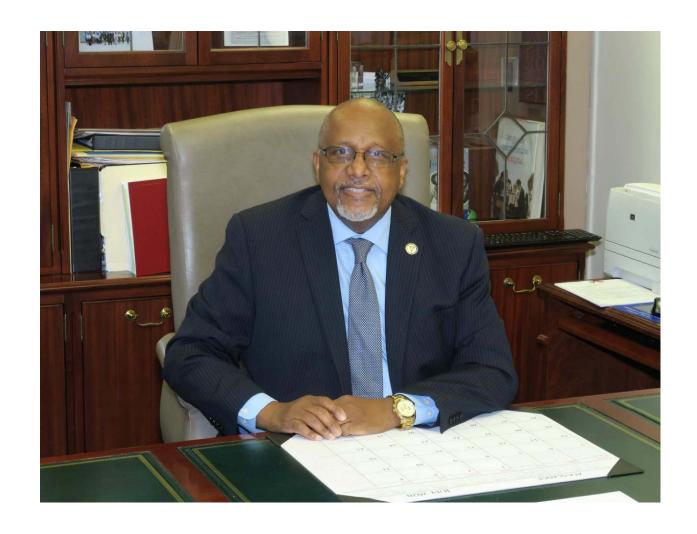
In July 2017, Gov. Christie appointed Acting Prosecutor Murray to a judgeship on the Superior Court bench. Once again, Chief Assistant Prosecutor Robert D. Laurino stepped in as Acting Prosecutor, guiding the Office through a time of continuing transition and adaptation to changing criminal justice policies 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. In 2020, as the COVID pandemic swept the nation, Acting Prosecutor Stephens

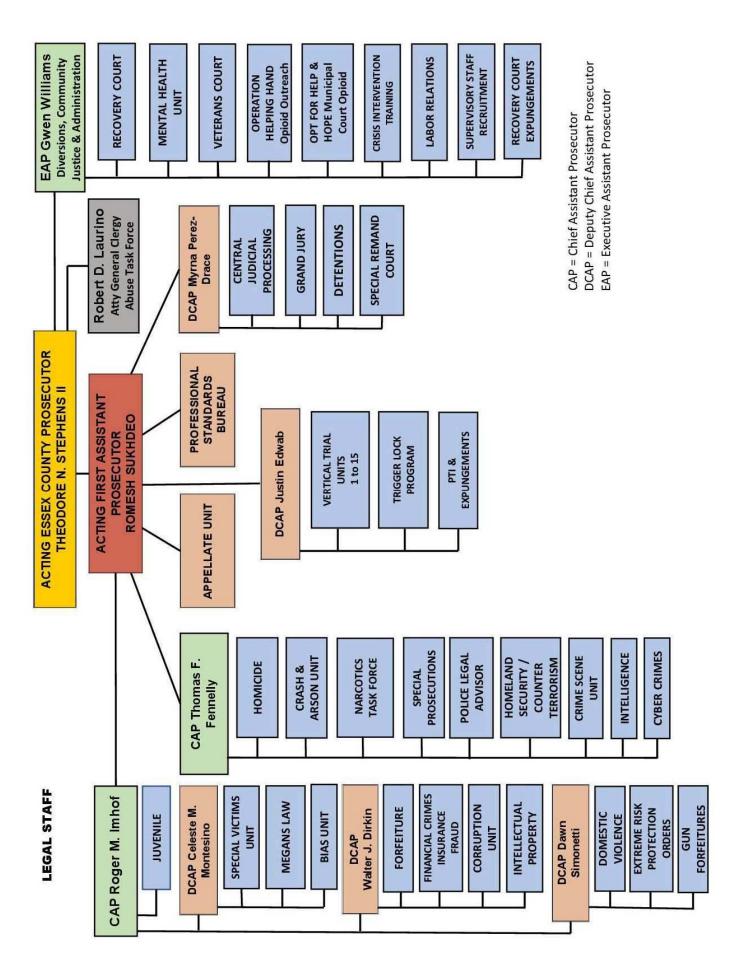
led ECPO through a time of crisis and challenge. Prosecutor Stephens directed the ECPO management team as it worked to protect the health and safety of all ECPO employees and all others who come into contact with ECPO. This required the heretofore unimaginable "work from home" protocols; these permitted assistant prosecutors and certain other staff to use technology to log into work from their residences, while maintaining essential criminal justice functions and public safety.

In 2022, Acting Prosecutor Stephens navigated the office through the post COVID new normal, meaning COVID remained a factor, but remote work ended for most employees, who returned to work in-person. 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.

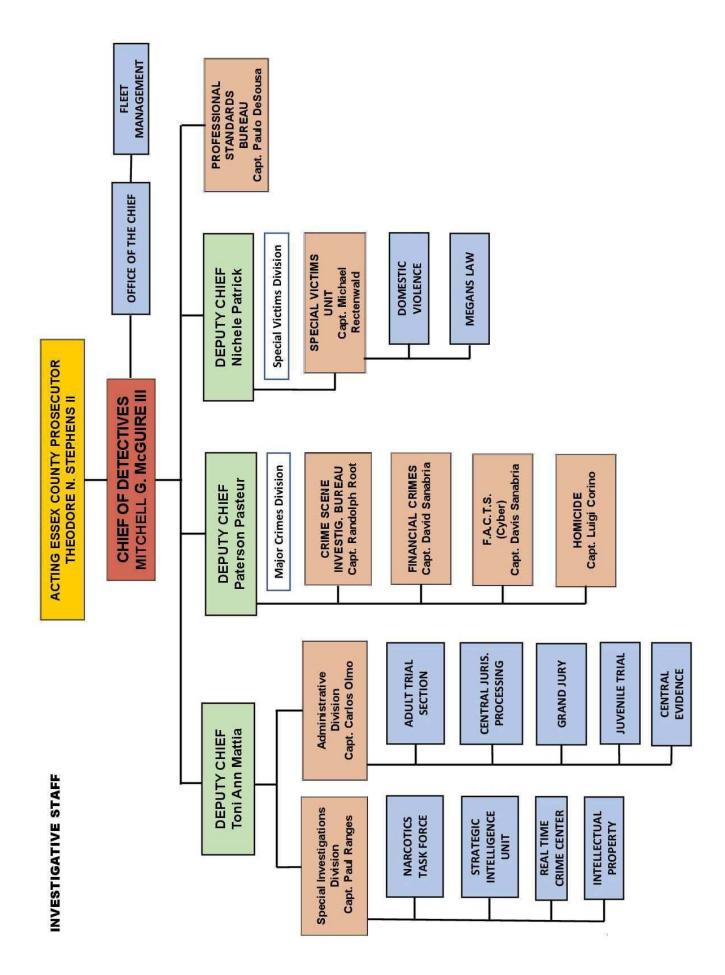
With thanks to Francis D. Falivena, Jr., Assistant Prosecutor, Retired



Acting Essex County Prosecutor Theodore N. Stephens, II



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2022 Annual Report

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 section is comprised of 38 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 Deputy Chief Assistant Prosecutor as well as a Director and four Supervisors. The remaining Assistant Prosecutors are assigned to a Superior Court Criminal Judge and are responsible for all litigation functions that are critical to the operation of an effective criminal justice system.

Central to this role of the ATS Assistant Prosecutor is the preparation and prosecution of jury and non-jury trials. ATS Assistant Prosecutors also represent the State in a variety of other court proceedings including detention hearings, motions to revoke release, arraignment/status conferences, all pre-trial and post-trial motions, sentence hearings, hearings on violations of probation, appeals from the decisions of municipal courts, retraxit pleas of guilty to indictments and accusations and petitions for post-conviction relief. The Assistant Prosecutors are also responsible for presenting their 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 three 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,



Trial Team Director Portia Downing

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.

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

2022 Accomplishments

In 2022, the Essex County Prosecutor's Office successfully indicted or charged by accusations 4,444 defendants and resolved 3,389 cases. The percentage of those cases that involved first or second-degree crimes was 53.9%. The ATS Assistant

Prosecutors obtained 33 defendant dispositions by trial, with an overall post-indictment/accusation conviction rate including pleas and trial of 75.6%.

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

On March 4, 2022, after a trial by jury, defendant Jeremy Arrington was convicted of twenty-eights counts, including murdering three individuals. The defendant was subsequently sentenced to 375 years in New Jersey State Prison subject to the No Early Release Act.

On July 8, 2022, after a trial by jury, defendant Jose Rivera was convicted of seconddegree robbery. The defendant was subsequently sentenced to seven years in New Jersey State Prison subject to the No Early Release Act.

On September 12, 2022, Hassan Williams pled guilty to first-degree robbery and second-degree unlawful possession of a weapon. The defendant was subsequently sentenced to 15 years in New Jersey State Prison subject to the No Early Release Act.

On September 27, 2022, Samad Davis pled guilty to first-degree attempted murder and fourth-degree unlawful possession of a weapon. The defendant was subsequently sentenced to 10 years in New Jersey State Prison subject to the No Early Release Act.

On December 14, 2022, after a trial by jury, defendant Delvin Wilson was convicted of second-degree Attempted Aggravated Arson and third-degree Terroristic Threats. The defendant was subsequently sentenced to 10 years in New Jersey State Prison pursuant to the No Early Release Act.

TA 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 Supreme Court of New Jersey, hundreds more in the Appellate Division, and have extensive oral argument and briefing experience in the United States District Court for the District of New Jersey, the United States Court of Appeals for the Third Circuit, and the Supreme Court of the United States.

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 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, civil discovery requests, and all requests made under the Open Public Records Act and the common law right of access.

The Section also takes great pride in being an always-ready resource for ECPO's trial and specialized-unit prosecutors. Providing legal advice, second-chairing trials, or motions, drafting jury instructions, handling some of the more difficult trial motions, providing legal updates, and teaching CLE courses 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 2022 Cases:

Supreme Court of New Jersey

State v. F.E.D. - 251 N.J. 505 (2022) - The Section successfully represented the State in the first case to address New Jersey's "Compassionate Release" statute, enacted in 2021. The Appellate Division had agreed with the State that this defendant, convicted of three murders, including one of a police officer, was not entitled to release under the statute. 469 N.J. Super. 45. After hearing argument, the Supreme Court affirmed that decision.

State v. Lane - 251 N.J. 84 (2022) – The Section prevailed in persuading the Supreme Court that new mitigating sentencing factor (14), that defendant was 26 or under at the time of the offense, N.J.S.A. 2C:44-1b (14), was not retroactive to cases where defendants had been sentenced before the amendment's effective date.

State v. Comer (II) - 249 N.J. 359 (2022) – Here the Section successfully defended the sentencing provision of the murder statute, N.J.S.A. 2C:11-3, against constitutional attack. The Court held the statutory sentencing scheme was constitutional as applied to juveniles, but created a new 20-year lookback provision for those juveniles who have served two decades or more on their sentence.

Appellate Division

State v. Francisco - 471 N.J. Super. 386 (App. Div. 2022) - In this important case addressing several significant legal issues of first impression—including whether officers are required to advise undocumented noncitizen suspects of the potential immigration consequences of giving a statement relating to possible criminal charges not filed, and what is the appropriate test to be used by trial courts when deciding whether to admit or suppress a statement following inaccurate immigration advice by an interrogating law enforcement officer—the Section convinced the Appellate Division to uphold defendant's convictions and sentence for multiple weapons offenses.

State v. S.J.C. - 471 N.J. Super. 608 (App. Div. 2022) - In this interlocutory appeal in an aggravated sexual assault case, the Section successfully defended the indictment against defendant's arguments that he was prejudiced by the timing of the indictment, that the indictment was unclear, and that the indictment did not provide adequate notice of the location of the alleged assault.

State v. Cotto - 471 N.J. Super. 489 (App. Div. 2022) - In an appeal from a conviction for aggravated arson, the Section convinced the Appellate Division to affirm defendant's conviction and sentence against several arguments, including ones related to Miranda, expert testimony in the field of arson investigation, and the playing of video evidence in court.

State v. Holland - 2022 WL 433230 (App. Div. 2022) – Here the Appellate Division affirmed defendant's convictions after a jury trial for three first-degree murders and related charges. The Section convinced the court to reject each of defendant's arguments related to severance of the charges, lay witness testimony, and expert testimony related to cell phone records.

State v. Carter - 2022 WL 17086320 (App. Div. 2022) – The Section here successfully defended a jury's vehicular homicide verdict against challenges that the court erred by excluding the victim's toxicology report and in its jury instruction related to duties of pedestrians.

LEGAL UNITS



Director/AP Frank Ducoat and Members of the Appellate Section

The 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 offense (as opposed to disorderly-persons offenses) had to 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.

Essex County's CJP Unit handles all first appearances. CJP also performs an important 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, Special Remand Court, and Drug Court. Indictable cases are referred to any one of 13 Vertical Prosecution Courts or to a specialized prosecution squad. The nature of the offense, the surrounding circumstances, quality of evidence, and conviction history of the defendant are considered when making the screening decision. By performing early case screening, cases can be diverted before they enter the Grand Jury and trial stages, thereby conserving valuable judicial and prosecutorial resources.

2022 Accomplishments

Despite the pandemic continuing, the Central Judicial Processing Courts never shut down. Detained defendants were produced for their First Appearance as dictated by the Criminal Justice Reform Act of 2017. CJP continued to be split into two virtual courts in 2022, with separate staff manning both courts. One court handled Custody defendants exclusively, wherein the defendants were produced at the Essex County Correctional Facility via Zoom for First Appearances.

The second First Appearance Court was continued for Non-Custody defendants who appeared in Court via Zoom from their homes by way of electronic devices. During the 2022 calendar year, CJP Custody Court handled defendants in their First Appearances and resulted in the filing of 2,463 detention motions. To maintain the safety of Court staff and the public, the Administrative Office of the Courts determined that Non-Custody matters would be heard virtually in 2022.

In total, between In Custody and Out of Custody defendants, CJP saw 11,149 defendants for First Appearance in 2022. The work of the Central Judicial Processing Court never faltered despite the pandemic's grip on our State, preserving all defendant's rights to be seen within 48 hours of being placed into custody.

The Forfeiture Unit

The Forfeiture Unit 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 crimes. 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. The forfeiture process is designed to afford claimants due process before monies are forfeited. 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.

2022 Accomplishments

In 2022, the Forfeiture Unit, through appropriate civil and criminal process, forfeited \$1,618,753.15, which was determined to be either proceeds or instrumentalities of crime. Of that amount, \$980,412.15 was in cash, \$388,529.00 was the value of motor vehicles, and \$249,812.00 was other property, including various electronic equipment.

T Grand Jury Unit

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, 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 against the accused; or to 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 on a typical 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.

2022 Accomplishments

In 2022, despite the continued struggles with the Covid pandemic, the work of the Essex County Grand Jury continued to move forward. All Grand Jurors were chosen virtually via Zoom, but then were ordered to appear in person for all Grand Jury proceedings.

In 2022 the Grand Jury panels returned to sitting five days a week with three Assistant Prosecutors, as it did prior to the pandemic.

After the start of virtual Grand Jury, Essex County Prosecutor's Office has calendared an enormous number of matters despite the lingering pandemic, which affected the ECPO office. In 2022, we presented more than 1,000 additional matters than the previous year. There were 4,120 matters calendared for the year 2022, and of that number 3,595 resulted in indictments; 221 were no billed; 14 resulted in No Cause of Action, and 28 were referred to municipal court. The remaining cases were either held over, withdrawn, pled out or were consolidated with other cases.



Grand Jury Unit Support Staff

T Juvenile Trial Unit



The Juvenile Justice Unit of the Essex County Prosecutor's Office prosecutes juveniles for acts of delinquency ranging from small offenses such as petty theft up to juveniles accused of murder. The goals of the Unit are to ensure public safety through swift and certain adjudication of violent and repetitive delinquents. The main goal of the unit is to reduce recidivism through accountability and recommendations for structured supervision; diversion of those accused of the most minor offenses away from delinquency, thereby reducing the need for further court action. These actions are taken to achieve the goal of ending recidivism and breaking the escalating and intensifying cycle of delinquency.

The Code of Juvenile Justice (N.J.S.A. 2A:4A-23) defines delinquency to include the commission of an act by an individual under age 18 which if committed by an adult would constitute a crime; a disorderly person's offense or petty disorderly persons offense; or the violation of any other penal statute, ordinance or regulation, excluding motor vehicle, curfew, and smoking in public. (These latter cases are heard in municipal court.)

The Juvenile Justice Unit is responsible for the prosecution or other disposition of all formal complaints charging acts of juvenile delinquency by juvenile residents of Essex

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County. As a result, the Unit handles matters from all counties across the state. The Unit has statewide jurisdiction, handling delinquency matters charged against Essex juveniles wherever they occur in the state. The overwhelming majority of cases occurring outside of Essex are returned to the Juvenile Justice Unit for prosecution and adjudication. Less than one percent (1%) of the cases occurring outside of the county result in the retention of jurisdiction in those counties.

The assistant prosecutors assigned to the juvenile courts handle individual court calendars at various stages of the adjudication process – from the detention stage through weekly calendar call (plea conferences), waiver applications, hearings, trial, and ultimate disposition. The Juvenile Justice Unit uses a "vertical prosecution" model. Simply put, an assistant prosecutor is responsible for a case from start to finish. The Juvenile Justice Unit prepares, investigates, screens, and litigates all delinquency cases that are heard before the court. A vertical prosecution approach helps to move juvenile cases through the court very rapidly. The Juvenile Justice Unit also performs all of the screening functions performed for adult cases by the Initial Screening Unit. It argues the State's detention hearing recommendations, comparable to adult proceedings in CJP Court; and also performs trial preparation and all litigation functions.

In addition to prosecuting cases in court, the Unit provides daily legal advice to the twenty-two Juvenile Bureaus within Essex County as well as additional departments that have patrol authority within the county. The unit also works closely with the local schools that require legal or investigative assistance. Members of the Unit also volunteer to conduct training sessions within the community regarding the consequences of delinquency and criminal involvement. Director of the Juvenile Justice Section provides training for law enforcement, educators, parents, and community organizations not only in the county, but a seminars and trainings across the state.

2022 Accomplishments

In 2022, the Juvenile Justice Unit of the Essex County Prosecutor's Office handled nearly 1,500 referred cases, ranging in severity from disorderly persons offenses to homicides. It should be noted that the unit has state-wide jurisdiction; it handles delinquency matters charged against Essex juveniles wherever they occur within the state. By mid-year there were two full-time judges assigned to handle the increasing caseload in Essex County.

Mental Health Unit

The Essex County Prosecutor's Office Mental Health Unit manages a diversion program focusing on defendants living with serious and persistent mental illnesses, such as Bipolar Disorder or Schizophrenia. The purpose of the Program is to combine community-based therapeutic treatment plans with traditional punishment-only oriented criminal case dispositions. The Program has been greatly enhanced over the past five years as the Unit continued to develop.

In 2015, ECPO was one of two county Prosecutor's Offices in New Jersey (the other is Ocean County) to obtain a grant from the New Jersey Attorney General's Office, Division of Law and Public Safety. The \$150,000 grant is be distributed equally over a two-year period, and aides County Prosecutor-led Mental Health and Co-Occurring Substance Abuse diversion programs.

Funded by the OAG grant, the 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 treatment plans developed by a mental health professional; it will also assist participants with applying for social entitlements, housing, education, vocation, and other benefits that contribute toward greater functioning in the community.

The Unit also 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.

In 2017, when grant funding expired with the State, the ECPO was able to maintain a relationship with the Essex County Hospital Center (ECHC) to retain this program. The ECHC absorbed the cost of the LCSW and the Case Worker, which increased the lifeline of this program.

2022 Accomplishments

During 2022, the Mental Health Unit reviewed 43 defendant applications for the program. A total of 25 were legally accepted into the program. There were 18 rejections. Of that number, 18 were legally rejected and six were determined not to be clinically acceptable to this program. Three defendants successfully graduated (moved on), five applications were pending acceptance in 2023, and five applications were pending clinical determinations. Two defendants withdrew their applications to pursue their cases through traditional prosecution.

Pre-Trial Intervention & Expungement Unit

PRE-TRIAL INTERVENTION UNIT

The Pre-Trial Intervention (PTI) Unit is responsible for the complete review and processing of all applications for the PTI Program. This program is similar to probation but allows participants to avoid criminal conviction. Applicants charged with 1st or 2nd degree charges are otherwise ineligible for Pretrial Intervention without Prosecutor Consent to Consideration of the Application. In those cases, the State must submit in writing their consent or refusal. A refusal of consent must show reasons behind the refusal, including consideration of the compelling reasons submitted by defendant. These refusals are appealable. If consented to, the application proceeds as usual.

Prosecutor consent is not required for applications on 3rd or 4th degree charges. If an applicant is deemed inappropriate for PTI, a letter outlining the grounds for rejection is prepared, reviewed, and disseminated by Unit personnel. Appropriate candidates are accepted into the program and required to fulfill certain conditions. At the end of the PTI term, the Supervising Assistant Prosecutor from the Unit reviews and signs a dismissal order.

Marijuana decriminalization has resulted in an issue affecting eligibility for PTI. Statutorily, applicants who have received a Conditional Discharge (CD) are barred from PTI, since a CD is a diversionary program, similar to PTI but in Municipal Court. The Supreme Court of New Jersey found this year that defendants who received a CD for marijuana charges are eligible for PTI. This has resulted in an increase of PTI eligible defendants.

2022 Accomplishments

During 2022, pursuant to R. 3:28-1d, approximately 74 defendants applied for PTI that required the State's consent to further consideration of the application. Of those, 33 were refused, and 8 were consented to.

Also, 258 defendants applied for PTI (including those who did not need consent). During the year, 139 defendants were accepted into the program and 103 were rejected (this includes defendants who filed prior to 2022). At the end of the year, approximately 27 applications were still pending and 14 were withdrawn. The unit also litigated over 24 appeals to PTI rejections.

EXPUNGEMENT UNIT

The Expungement Unit 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 recent years, there have been significant changes to the Expungement law. Most recently, in December of 2019, Governor Murphy signed (A5981/S454) into law. The new law took effect on June 15, 2020, but due to the pandemic most changes became effective on February 15, 2021.

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; that means there is no limit as to the number of convictions. In addition, the law also allows Municipal Court 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 the need for a Superior Court Judge to sign that order. These types of expungements are called Expungements. All expungement petitions are now filed via eCourts.

Marijuana decriminalization also resulted in a dramatic increase in both Expedited Expungements and filed petitions for Regular Expungements. In addition, a number of marijuana cases were automatically expunged (removed from the system without an order) by the State. Those cases required review by each county for accuracy.

All these changes have resulted and will continue to result in significant increase in the number of filed petitions, more preparation, hearings, 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 approval of orders for the Court's signature; if the applicant is deemed ineligible, rejection letters or orders for dismissal are prepared and forwarded to the Court or filed via eCourts.

2022 Accomplishments

Several challenges presented themselves in the Expungement Unit. The eCourts system itself was still not compliant with the statute; meaning the electronic process resulted in petitions being filed that were automatically deficient. The State of New Jersey has continued its attempts at resolving those issues by updating the system. In 2022, there were 12 new Traditional Expungement applications (non-drug court) manually filed, 27 petitions were resolved either via final order or dismissal, some of which had been filed in prior years. In 2022, 725 Regular Expungement petitions were filed electronically, 278 of which were either granted, dismissed, or withdrawn. For Clean Slate petitions, 312 were filed electronically, 84 of which have been resolved. Marijuana had 19 petitions filed, 90 orders were processed. Under Marijuana

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Decriminalization, 25 petitions were filed. The Attorney General's Office forwarded an additional 112 cases that our office processed. For 2022, 3,809 expedited (these are expungements for cases that have been dismissed either in Municipal Courts or Superior) orders were reviewed and expunged.

T Recovery Court Program

The Drug Court Program began in Essex County in 1999. The Essex County Drug Court Program was the original pilot program for 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 addictions. The program links the criminal justice system with drug treatment and rehabilitative services that promote life skills. Our purpose is to break the cycle of addiction and recidivism among these non-violent offenders. In January 2022, the Drug Court was re-named the Recovery Court by the New Jersey Judiciary.

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. Our 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. Our Drug Court Team discusses each participant weekly.

2022 Accomplishments

In 2022, COVID 19 still had a residual negative impact on Recovery Court in Essex County, which now operates on a hybrid model, where most reporting is virtual; however, some court events are held in person. Many of the services (such as counseling, meeting with probation officers, etc.) are now done on a person-to-person basis instead of via cellphone or through the internet, as they were in 2021. Judicial hearings such as pleas, sentences, sanctions, violations are also mostly done in person.

The Court calendar's reporting year is from July 1 to June 30. However, for our purposes, the numbers provided are extracted from two court calendar years (2022 and 2023) and combined for this office's report for 2022.

In the January 1, 2022, to December 1, 2022, calendar year, there were 50 Essex County Recovery Court admissions. For the 2022/2023 fiscal year extending from July 1, 2022, through April 30, 2023, there were 35 admissions into the program. Currently, there is an approximate total of 393 active participants in the program.

TA 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 that have been downgraded. The Remand Court acts as a municipal court, handling disorderly and petty 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 traffic 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.

2022 Accomplishments

Going into 2022, the COVID pandemic continued to wreak havoc on the State and brought the slowdown of virtually every court in New Jersey, including the Special Remand Court. During 2022, the Special Remand Court continued to conduct appearances mostly virtually, with all defendants appearing via Zoom from the safety of their homes. But SRC did commence scheduling defendants for in person appearance for certain matters and for all trials. Despite the issues bought on by the pandemic, the Special Remand Court had 1,834 new matters referred to its Court in 2022. During this year, the Special Remand Court was able to resolve 801 matters as guilty pleas, and 11 trials resulting in guilty verdicts. A total of 854 matters were ultimately dismissed upon further investigation by way of Motion of the Prosecutor.

Tash and Fire Investigation Unit

In 2022, the Crash and Fire Investigation Unit (CFIU) continued investigating all fatal crashes and fires, and select 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 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.

CFIU, a subset of the Homicide Unit, continues to be staffed by three Assistant Prosecutors, including one Assistant Prosecutor-Supervisor, who also carries a case load. The criminal investigators of the Crime Scene Investigation Bureau conduct the investigations of fatal crashes and fires throughout the county. In CSIB, all detectives are responsible for the crime-scene processing of homicide and search-warrant scenes as well as the expert analysis associated with that work. They also investigate all fatal and serious-bodily-injury vehicle crashes and fatal fires.

At all times, there is at least one Detective and one Assistant Prosecutor on-call with investigative and prosecutorial supervisors also available. In addition to the investigations described above, the on-call Assistant Prosecutors are 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 Essex County's interstate highways, moreover, are investigated by the New Jersey State Police in conjunction with the Assistant Prosecutors of CFIU.

2022 Accomplishments

In 2022, CFIU Assistant Prosecutors and the Crime Scene Investigations Bureau (CSIB) investigated 38 fatal crashes, 10 serious-injury crashes, and seven arson cases, all of which were fatal. This does not include dozens of non-fatal crash and fire investigations and prosecutions that were aided or conducted by the Assistant Prosecutors of CFIU, who worked in conjunction with local agencies and the New Jersey State Police.

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 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 incidents under investigation.

Domestic Violence Unit

The Domestic Violence Unit, established in 1992, addresses domestic abuse between intimate partners and adults who reside in the same household. The Unit is comprised of six 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 goal of protecting the interests of the victims while prosecuting domestic violence incidents.

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

Additionally, the psychological impact of domestic abuse on the victims and their families 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. Victims are reluctant to testify because they worry about their safety and finances, as well as the impact on children and other family members. The victim's relationship dynamics with the abuser also plays a role.

It is the job of the Assistant Prosecutor to consider and evaluate DV deterrence, the level of cooperation of the victim, with being a strong advocate for justice. Overall, the Domestic Violence Unit serves a pivotal function in the community by its zealous effort to prosecute abusers while attending to the needs of the victims.

2022 Accomplishments

During 2022, the members of the Domestic Violence Unit processed 2,765 Domestic Violence cases. The Assistant Prosecutors assigned to the Unit presented 794 cases to the Grand Jury. The Domestic Violence Unit also handles the Contempt of Restraining Order Docket, where 454 cases were handled in 2022. The Unit also handled 1,499 disorderly persons domestic violence matters. For these matters, prosecutors review each case individually, and decide if it should be sent back to municipal court, or if the charges need to be elevated and handled in Superior Court.

Members of the Essex County Prosecutor's Office, including personnel in the Domestic Violence Unit, continue to play a significant role in the Essex County Domestic Violence Working Group. These members also play an active role in the Law Enforcement Subcommittee, which is comprised of law enforcement, the judiciary,

victim service providers, probation officers and Family Part court employees. The Domestic Violence Working Group addresses systemic problems in the domestic violence field and coordinates the efforts of the various member organizations.

The Group is instrumental in implementing the dictates of New Jersey's Domestic Violence Procedures Manual. It's worth noting that the Procedures Manual, considered the seminal test in domestic violence law enforcement, was updated, and reissued in 2022. The New Jersey Supreme Court and the Attorney General of New Jersey jointly issued the revised manual to serve as a policy and procedure reference guide for law enforcement and the courts in addressing domestic violence. The manual is a compilation of efforts of New Jersey's highest court and its highest law enforcement agency, and as such should have particular force in the interpretation of the Prevention of Domestic Violence Act.

The Essex County Prosecutor's Office is also 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. Together, they provide crisis intervention, safety planning, counseling, and self-sufficiency services, as well as access to the criminal justice system through a liaison to the Essex County Prosecutor's Office.

TEXT 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.

2022 Accomplishments

In 2022, the Extradition Unit received 300 requests for extradition. Despite the challenges presented by COVID-19, Essex County coordinated the legal paperwork to extradite and return 218 fugitives to other jurisdictions and returned 105 fugitives back to Essex County.



Detective Narvin Singh

The 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 multijurisdictional 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 evergrowing crime.

2022 Accomplishments

In 2022, the Financial Crimes Unit concluded several notable prosecutions:

Theft

State v. Jonathan Arredondo -- Nutley Volunteer Emergency & Rescue Squad (NVERS) reported to the Essex County Prosecutor's Office that a financial audit revealed that the organization's President, Johnathan Arredondo, was using the organization's debit card for personal expenses. Through further investigation of the organizations' financial records, it was discovered that Arredondo was also making cash withdrawals from the NVERS bank accounts and depositing the money into his own personal checking account. The total theft was in excess of \$100,000.

Johnathan Arredondo pled guilty to the theft and full restitution was recovered for the rescue squad.

Romance Fraud

State v. Greg Jefia – This investigation involved a victim from Ontario, Canada, who was a victim of a romance scheme. The victim indicated she met a man named "Brekke Hagen" on an online dating service and he instructed her to send money to a third-party victim in Charleston, South Carolina. That third party victim then withdrew the money from the victim and deposited same into a bank business account for "Dream Ocean LLC." Investigation revealed that the company, "Dream Ocean LLC," had a Newark, N.J. address. Investigation revealed that "Dream Ocean LLC" was a shell company being used by the defendant to receive and disguise the source of funds. In total, the defendant defrauded the victim out of \$119,310.00.

Greg Jefia ultimately pled guilty to the theft and full restitution of \$119,310.00 was recovered from the defendant and returned to the victim.

The 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 to a judge. If the probable cause is accepted by the reviewing judge, 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, when appropriate, seek to prosecute the juvenile as an adult.

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

2022 Accomplishments

In 2022, the Essex County Prosecutor's Office continued with the Homicide/Major Crimes Task Force. Detectives from Newark, East Orange, Irvington, and Bloomfield police departments, as well as detectives from the Essex County Sheriff's Office and the New Jersey State Police, are assigned to the Homicide Unit. Pursuant to a Memorandum of Understanding, they conduct investigations in the county. All homicides and certain other death investigations in 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 2022, the Essex County Prosecutor's Office Homicide Unit investigated 81

homicides. Of these homicides, 64 have been charged or otherwise cleared, resulting in an overall clearance rate of 79%. Additionally, there were 34 special investigations conducted by the Task Force. The 81 homicides in 2022 represent a decrease of approximately 14% from the 94 homicides in 2021. Assistant Prosecutors and Detectives assigned to the Homicide Unit prepared, reviewed, and executed more than 500 search warrants and over 500 Communication Data Warrants.



Notable Cases

State v. Roberto Ubeira - Defendant stabbed and slashed the throat of a handcuffed victim, who he attacked in an East Orange bodega in 2018. Detectives from the Homicide Task Force, along with the assigned Assistant Prosecutor, worked doggedly to bring the killer to justice. At the conclusion of a trial in 2022, the defendant was convicted on all counts and sentenced to life without parole.

State v. Gualberto Lebron and Gilberto Lebron - Defendant Gualberto Lebron was charged with murder and the desecration of human remains. After killing the victim, defendant attempted to disintegrate her remains. Defendant Gilberto Lebron was charged with conspiring to cover up the murder and assist his brother in attempting to desecrate the remains of the victim. A jury convicted both defendants on all counts. Gualberto Lebron was sentenced to life without parole, plus an additional 32 years. Defendant Gilberto Lebron was sentenced to eight years with four years of parole ineligibility.

Although trials were slow to resume after the pandemic, the Assistant Prosecutors were able to resolve a number of open homicides by securing guilty pleas. Defendant Tyronn Felder pleaded guilty to a 2018 homicide and received a sentence of 30 years, which must be served with parole ineligibility. Defendant Jashon Allen pleaded guilty to a 2020 homicide and was sentenced to 28 years, of which he must serve 85 percent of the sentence before being eligible for parole. Defendant Chantal Mitchell also received a 28-year sentence for a 2020 homicide.

The 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 one lieutenant, two sergeants 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 police vehicle pursuits with serious bodily injury to determine whether the officers 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 and risk analysis management.

2022 Accomplishments

In 2022, the PSB received and investigated 348 new cases, and there were several noteworthy criminal cases.

Two Newark officers were charged and prosecuted for theft. A Northern State Prison Corrections officer was charged with bribery. An Essex County Corrections Officer was charged with smuggling contraband into the facility and with false Swearing, and another Essex County Corrections Officer was charged and convicted for smuggling contraband into the facility.

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 focused

on Attorney General Policies and Directives that are applicable to internal-affairs investigators.

The principal mission of the Essex County Prosecutor's Office Special Prosecutions Unit / Narcotics Task Force is to investigate and prosecute offenders who engage in organized and violent crimes. The Unit and the Task Force are staffed by investigators and assistant prosecutors who work together to identify, apprehend, and prosecute those offenders. In addition to the Narcotics Task Force and the Special Prosecutions Unit, the Intelligence Unit works in close cooperation with both functions. The investigators are supervised by a deputy chief and a captain. The assistant prosecutors are supervised by a chief assistant prosecutor and two supervisory assistant prosecutors.

The Narcotics Task Force is staffed full-time by one lieutenant, three sergeants, and eighteen detectives. Additionally, there is one detective on loan to the Drug Enforcement Agency. The objective of the Narcotics Task Force is to conduct mid to upper-level investigations that lead to the arrest and conviction of individuals and/or organized groups or street gangs, involved in the possession, distribution, manufacturing, and trafficking of controlled dangerous substances. The Narcotics Task Force is also responsible for investigating citizen complaints concerning drug violations along with assisting other agencies with investigations.

The Intelligence Unit is staffed full-time by one sergeant, one detective, and four investigative aids. The function of the Intelligence Unit is to gather data, analyze that data, and disseminate the information derived from the data. The section receives data 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 and outside agencies that seek our help and assistance. 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. Additionally, one detective, from the Intelligence Unit is currently assigned to the State Police Regional Operations Intelligence Center (ROIC).

Special Prosecutions is staffed full-time by one chief assistant prosecutor, two supervisory assistant prosecutors, and five assistant prosecutors. The Special Prosecutions Unit handles county-wide carjacking investigations, non-fatal shootings, and cybercrimes, as well as animal cruelty investigations. The attorneys also assist 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 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 assistant prosecutors provide law enforcement officers with legal advice on everything from charging decisions to procedural issues.

2022 Accomplishments

In 2022, the Special Prosecutions Unit/Narcotics Task Force continued to coordinate with our federal, state, and local partners to reduce violent and organized activities in Essex County. The investigative side of the unit conducted over 150 investigations. The Task Force seized 76 weapons, and about 11.5 kilograms of cocaine, 9.3 kilograms of heroin, 30 kilograms of marijuana as well as \$312,000 of U.S. currency.

The assistant prosecutors submitted over 1500 search warrants and communication data warrants in 2022. Assistant prosecutors from the Special Prosecutions Unit also convicted several violent offenders of homicides including:

- State v. Watson (sentenced to 70 years following a jury trial)
- State v. Zeigler (sentenced to 45 years following a jury trial)
- State v. Green (sentenced to 30 years following a jury trial)
- State v. Branch (sentenced to 22 years following a plea)
- State v. Boone (sentenced to 16 years following a jury trial)

The attorneys convicted several other violent offenders, but an additional noteworthy trial was **State v. Pilotti**. Mr. Pilotti was found guilty at trial on nine counts, including 1st degree kidnapping and 2nd degree aggravated assault. He was sentenced to 40 years in prison.

Additionally, the detectives of the Narcotics Task Force had several successful investigations including the following:

- On March 31, 2022, detectives recovered 368 grams of CDS-cocaine, (55) bricks of CDS-heroin, (76) .45cal. rounds, and \$3,592.00 in U.S. currency, resulting in charges against Timothy Brooks and Kecia Robinson.
- On February 23, 2022, detectives recovered 3,326 pre-packages bricks of heroin, 310 grams of raw cocaine, \$27,086.00 of U.S. currency, and a total of 13 firearms, resulting in charges against Terry Hinton and James Marrow.
- On August 11, 2022, detectives recovered 719 grams of cocaine, 199 bricks of heroin, \$46, 713.00 in U.S. currency, and one Glock 23 handgun, resulting in

first-degree charges against Rahmon Batemon, Najala Taylor, Luis Rivera, Basir Richardson, and Liz Mary Hernandez.

- On December 19, 2022, detectives recovered 100 grams of fentanyl, 3,723 grams of cocaine, (145) alprazolam pills, (2,199) glassine envelopes of heroin, one 9mm handgun, CDS manufacturing equipment, unfired 9mm ammunition, (584) 30 mg oxycodone tablets, (39) grams of heroin, \$140,710.00 in U.S. currency, one Taurus 9mm handgun, one Smith & Wesson 40 cal., and one Polymer 80 9mm handgun, resulting in charges against Hector Martinez, Carlos Gonzalez, Jennifer Song, and Jose Vega.
- On November 16, 2022, detectives recovered 103.7 grams of cocaine, a large amount of THC edibles, one Glock 17, 9mm, \$10,423.00 US currency, 58 tablets of oxycodone, 8.5 lbs. of unregulated marijuana, one G2C 9mm handgun, one Global Machine & Tool LLC, one Interdynamic Model KG9, one Chiappa Firearms M-Four, .22cal., Ewbank Mfg., one Glock 27, and one Rail Mounted Laser, resulting in charges against Tyree Blount and Arthur Blount.

T 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. Also, under the SVU umbrella is a dedicated Megan's Law Unit, responsible for evaluating how likely convicted offenders are to reoffend. 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 Deputy Chief Assistant Prosecutor, Celeste M. Montesino who is assisted by a Supervising Assistant Prosecutor, Kathleen Lyons-Boswick and two Captain of Detectives, Michael Recktenwald and Carlos Olmo, Lieutenant of Detectives, Jerod Glover and Sergeant of Detectives, David Posada.

The units and teams are overseen by Chief Assistant Prosecutor Roger Imhof and Deputy Chief of Detectives Nichele Patrick. 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.



Assistant Prosecutor Logan Teisch

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. The SVU and Megan's Law units work tirelessly to ensure that the needs of the victims are met. The Assistant Prosecutors work tirelessly to meet their court and administrative obligations by attending virtual hearings, trying cases, and handling in person court obligations.

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 to put the "Child First," and a multidisciplinary 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 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. SVU has two civilian highly trained forensic interviewers, as well as specifically trained detectives who also conduct forensic interviews. The assistant prosecutors all undergo training in forensic interviews as well. During the FVIs members from NJDCF, the Metro RDTC, law enforcement and assistant prosecutor's sit in a monitoring room nearby.

In 2022 there were 198 forensic interviews conducted by ECPO 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 hundreds of cases from the inception of the investigation to the case's ultimate disposition. The Unit is responsible for investigating or coinvestigating 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 sexual abuse material, 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. 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.



Assistant Prosecutor Dolores Bujnowski

Since 2018 the Forensic Nurse Examiner (FNE) Program added pediatric patients and began doing pediatric forensic exams. SVU 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. In 2022, there were 228 activations of the FNE program.

2022 Accomplishments

In 2022, the Child Abuse Unit received 1,005 referrals for investigation.

Notable Cases

State v. Thomas Crandell

Thomas Crandell was accused by his stepdaughters of having begun sexually assaulting one of them when she was 14 years old. He continued sexually assaulting her until she was 17 years old, when the crimes were reported. He was also accused of having sexually assaulted that victim's younger sister twice in the summer of 2018, when she was 14 years old.

The defendant was indicted on 26 counts of sexual assault, after two teenage girls came forward and alleged that the defendant had been sexually assaulting them over a period of years. After extensive litigation, the matter was tried before the Honorable Verna G. Leath, and on October 31, 2022, the jury found the defendant guilty of all 26 counts, including five counts of First degree Aggravated Sexual Assault, 14 counts of Second-degree Sexual Assault, four counts of Second degree Endangering the Welfare of a Child, two counts of Third degree Aggravated Criminal Sexual Contact, and one count of Fourth degree Sexual Contact.

On October 31, 2022, Judge Leath sentenced him to 106 years in state prison for sexually assaulting the two teenage girls. He must serve 85 percent of his sentence before being eligible for parole, and if released he will be subject to parole supervision for life and also register as a sex offender under Megan's Law. The case was tried by Assistant Prosecutors Nicole Buermann and Dana Kutzleb.

State v. Frederick Ferguson - On August 28, 2017, Newark police responded to South 11th Street on a report of a sexual assault. There they encountered Antoinette Ferguson, who reported that the defendant had sexually abused three children and that the abuse had been ongoing for years. The victims subsequently provided statements to the Newark Police, and ECPO outlining years of pervasive sexual abuse by the defendant. The case was subsequently presented to a grand jury, which returned a 27 count Indictment against him.

The case was heavily litigated and eventually the defendant was tried before the Honorable Carolyn A. Wright. On December 15, 2022, the jury returned a guilty verdict on all 27 counts of the Indictment. Included in the guilty verdict were 13 counts of Aggravated Sexual Assault: six counts of Second-degree Sexual Assault and eight counts of Second-Degree Endangering the Welfare of a Child. The case was tried by

Supervising Assistant Prosecutor Deborah Freier and Assistant Prosecutor Daniel Nicholas.

State v. Dahwu Dudley - On January 23, 2022, Newark Police responded to Clara Maas Hospital on a report of a sexual assault of an 11-year-old child. The child disclosed that the defendant had sexually assaulted her and strangled her. Another child in the home was alleged to have witnessed the sexual assault. A second victim subsequently came forward and alleged that the defendant had also sexually assaulted her in the presence of the first victim.

The defendant was subsequently charged with three counts of First Degree Aggravated Sexual Assault, two counts of Second-Degree Sexual Assault and three counts of Second-Degree Endangering the Welfare of a Child. The case is currently pending trial.

State v. Richard Haffner - On March 30, 2021, Richard Haffner, a Roseland Police Officer, 43, of West Caldwell, was arrested and charged with 2nd Degree Sexual Assault and Endangering the Welfare of a Child. He is alleged to have committed the assaults against a single juvenile victim between April 2019 and February 2021, while off-duty. The joint investigation by the Essex County Prosecutor's Office and the West Caldwell Police Department resulted in an unrelated charge against Haffner for engaging in prostitution as a patron.

State v. Diego Ayala - On April 13, 2021, Diego Ayala, of Newark, was sentenced on April 13, 2021, to 25 years in New Jersey State Prison with a 25-year period of parole ineligibility by the Honorable Christopher S. Romanyshyn. Ayala previously pled guilty to two counts of first-degree aggravated sexual assault of a victim under the age of 13 and one count of first-degree endangering the welfare of a child. In Ayala's allocution, he admitted to sexually assaulting an 8-year-old victim and filming the sexual assaults. The Essex County Prosecutor's Office Special Victim's Unit, with assistance of the Newark Police Department, handled the investigation. Ayala must serve the entire 25-year sentence before he is eligible for parole pursuant to the Jessica Lunsford Act. He was also sentenced to Parole Supervision for Life and will be required to register under Megan's Law.

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 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. The SARA Unit staff consists of experienced Assistant Prosecutors, Detectives, and clerical support employees, and cooperates closely with the Director of the onsite Forensic Nurse Examiners, who manages 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 is 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.

2022 Accomplishments

In 2022, the SARA Unit received 408 referrals for investigation.

Notable Cases

State v. Carlos Sosa - On May 2, 2021, officers from the Irvington Police Department were dispatched to Newark Beth Israel Medical Center on a report of an alleged sexual assault. The adult victim reported that her roommate, Carlos Sosa, invited her out for drinks. The victim recalls having a few drinks but does not recall or have memory of any of the events that occurred later that evening.

When the victim woke up the next morning, she found her pants and underwear removed; the Defendant was awake lying next to her in bed. The defendant also had no pants or underwear on. The victim had not given consent to engage in sexual activity with the defendant. Shortly thereafter, the victim was transported to Beth Israel Medical Center and underwent a SANE Exam; evidence was collected and was sent to the New Jersey State Police Lab for analysis. As a part of this matter's investigation, the victim provided a statement to the Irvington Police Department. The defendant was charged with First Degree Aggravated Sexual Assault, and Second Degree Sexual Assault.

State v. Felix Rodolfo Pluas Suasti - On June 28, 2022, the adult victim reported to law enforcement that she had video of herself being sexually assaulted. The victim explained that on June 24, she had invited the defendant, later identified as Felix Rodolfo Pluas Suasti, and other individuals to her home for a get-together and had ultimately become intoxicated and fallen asleep in her bed.

The victim explained that she keeps a surveillance camera in her bedroom, and that on June 28 she reviewed recent footage. The video shows that on June 25, the defendant entered the bedroom, where the victim was asleep in bed. The video then depicts the defendant committing multiple acts of sexual assault upon the victim, and utilizing his cell phone to take photos of the naked and unconscious victim. The defendant is then seen removing a quantity of U.S. currency from her purse. The defendant was subsequently charged with two counts of First Degree Aggravated Sexual Assault; two counts of Second Degree Sexual Assault; one count of Third Degree Invasion of Privacy; First Degree Robbery; and one count of Third Degree Theft.

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 to develop a comprehensive program to address the needs of sexual assault victims. The law required that 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.

The 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.

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, seven days a week to respond to the medical/forensic needs of sexual assault survivors. 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.

2022 Accomplishments

In October 2021, Nancy Cox, took over the reins of the FNE Program for Essex

County. She has worked tirelessly to recruit nurses for the Program and to maintain optimum staffing levels. Currently the FNE Program has ten nurses that are on-call 24-7 to meet the needs of victims. The success of the program is evidenced by the frequency with which the program was used. In 2022, in Essex County there were a total of 223 FNE/SART activations at participating hospitals in response to the needs of sexual assault victims. Included in that number were 34 pediatric cases. The remainder were 189 female patients and 29 male patients.

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.

2022 Accomplishments

In 2022, the Human Trafficking Team investigated 16 cases.

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.

2022 Accomplishments

In 2022, the Elder Abuse Team investigated six cases involving alleged physical abuse, sexual abuse, and fraud on elderly individuals.

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 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. 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.

2022 Accomplishments

In 2022, the Bias Crimes Unit investigated 58 cases.

Notable Case

State v. Richard Blasko - On December 18, 2021, the West Orange Police Department was contacted about three swastikas observed on the sidewalk outside of the B'nai Shalom Synagogue in West Orange. A passerby noticed the drawings and attempted to scrub them away or cover them up with dirt and leaves. When police arrived on scene, they observed a faint depiction of a swastika written in chalk on the sidewalk at the side of the synagogue.

Surveillance video from the synagogue showed the suspect going to each of the three locations identified by the passerby as where he had seen the swastikas. At two of those locations, the suspect could be seen bending over toward the ground and was seen moving his arm in a drawing motion at one of those locations. The video also showed the suspect operating a red 2017-2021 Honda motorcycle. West Orange Police was able to identity three red Honda CBR 300 motorcycles registered within Essex County. One of those was registered to the defendant, Richard Blasko.

A photograph taken by the Vigilant License Plate Reader system of that motorcycle on December 10, 2021, showed the rider of that vehicle wearing the same jacket as the suspect was seen wearing in the video from B'nai Shalom. The defendant had also posted a video on YouTube in which a motorcycle could be seen—matching the motorcycle in the B'nai Shalom video—and the defendant said in the video that the motorcycle was his. Further surveillance video obtained from the date of the incident showed the defendant entering the parking garage where his motorcycle was kept, exiting the garage on that vehicle, and driving toward the B'nai Shalom Synagogue. The defendant was charged with Bias Intimidation and Harassment.

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 Registration and Community Notification Laws, commonly known as "Megan's Law," are named after Megan Kanka, a seven-year-old girl who was sexually assaulted and murdered by her 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 Megan's Law Unit is responsible for evaluating how likely a convicted sex offender is to commit a new sex offense and determining the "scope of notification" for the offender. These evaluations are made in accordance with guidelines established by the Attorney General's Office and are triggered when a defendant, who was convicted of a Megan's Law predicate sex offense, is released from prison, or sentenced to probation or parole supervision for life. The seriousness of the offender's predicate sex offense, offense history – including non-sexual offenses, personal characteristics, and community support are all analyzed. This review may also include an evaluation of the offender's prison records, school and employment records, psychological evaluations, and conduct while supervised by parole or probation.

Upon completion of this process, the Prosecutor's Office submits a report with a risk level to the court. For Tier 2 and 3 cases, notice of the scheduled hearing date is given to the offender, and the hearing is held before a Superior Court judge who makes the final determination of the offender's tier classification and level of community notification. Notice of Tier 1 sex offenders is only provided to law enforcement. Tier 1 sex offenders who are subject to Megan's Law because of an out of state conviction also receive notice of a scheduled hearing date and may challenge the applicability of the statute before a Superior Court judge. Offenders with convictions for sexual offenses in other states who move to New Jersey may also be required to register, even if there was no such requirement in the state of the conviction or prior residence. In this circumstance, the offender will also get notice of their obligation to register and the right to a judicial hearing. The Prosecutor's Office reviews the offender's conviction, and if it is deemed to be like an offense for which registration would be required in New Jersey, that offender must register here. There are three Tier classifications.

Tier 1 sex 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 sex 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, which is set forth in the court order. Some, but not all, Tier 2 offenders also appear on the New Jersey Sex Offender Internet Registry. 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, and the offender's profile is published to the Internet Registry. 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. As of July 1, 2014, all offenders who are deemed "repetitive and compulsive" appear on the Internet regardless of tier classification.

The ECPO's Megan's Law Unit is the busiest Megan's Law Unit in New Jersey, with over 1,600 sex offenders residing within the county at any given time. Essex County has more registered sex offenders residing within it than any other county in the State. 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. The process does not end after tiering is completed by the issuance of a court order. A sex offender is entitled by law to a new court hearing every time they move to a new address within Essex County or moves into Essex County from elsewhere. The Megan's Law Unit must submit a new risk assessment to the court and obtain a new court order dictating the level of notification based on their 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. A Megan's Law file will only be closed if a registered sex offender dies, is relieved by way of a court order of all Megan's Law obligations or moves to another state in which they register pursuant to the laws of that state. 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 the ECPO, along with federal, state, county, and local law enforcement agencies, to make our communities safer from sex offenders. 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. The unit also holds annual training for law enforcement officers responsible for completing sex offender registrations in Essex County.

2022 Accomplishments

In 2022, there were more than 1,600 sex offenders in Essex County. Despite the restrictions imposed by COVID-19 and the suspension of Grand Jury hearings, the Megan's Law Unit continued to tier offenders and file and argue motions through virtual court sessions. In 2022, the Unit handled hundreds of hearings and obtained more than 100 court orders. The unit also executed 20 door-to-door community notifications.

SUPPORT UNITS

The Business Administration Unit

The staff of the Business Administration Unit oversee a \$41.1 million operating budget, along with Essex County Prosecutor's Office's criminal forfeiture accounts. Additionally, the Unit oversees the Office's 8 major on-going grant-funded programs and several special grants totaling almost \$2 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, employee assistance, and criminal case file storage and retrieval. Our capital equipment inventory — including copiers, telephones, fax machines, desk units, printers, 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, budgeting decisions, 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
- Personnel policy oversight, monitoring, and assistance
- Purchase request processing and shipping receipt
- Supply storage, inventory, and distribution
- Liaison to County, State, and Federal offices

2022 Accomplishments

The outbreak of the COVID pandemic in March of 2020 provided special challenges to the ECPO Administration Unit's function. As the pandemic evolved, changed, and continued throughout 2021 and into 2022, the Administration Unit's response continued to respond and adapt. In addition to planning for office space that relieves crowding and promotes efficiency, the Business Administration Unit had to coordinate with the County of Essex to accommodate the changing federal and state guidelines and County policy regarding social distancing and facility sanitizing, employee testing, and the enforcement of policies regarding employees who have contracted or have been exposed to COVID. The Unit continued to coordinate protective facility measures as the office transitioned away from work from home. It made sure that adequate supplies of facemasks, hand cleanser and air purifiers were maintained. A spike in

new cases in late 2021 required a temporary return to partial working at home, but by March 2022 the office was fully returned. This flexible return to the office and quick response to changing conditions was successful thanks in part to Administration's support.

Administration Unit staff maintains its key role in budget planning, procurement oversight, hiring processing, personnel management, facilities repair and improvements, and grant funding oversight. Staff helped to minimize and overcome the pandemic-related disruptions without serious effects upon our key investigative and prosecutorial functions, and allowed ECPO personnel to remain productive whether working in-office or remote from home. The staff of the Administration Unit will continue to help our Office respond and adapt to the health and safety challenges that could emerge in the future.



Financial Management Agent Eapen Mathen

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 also refers community members suffering from substance use disorders to substance abuse treatment through our Operation Helping Hand program.

The Community Justice Unit provides workshop on various topics to community members that include:

- Careers in the Essex County Prosecutor's Office
- Criminal Justice System
- Use of Force
- Gang Awareness
- Internet Safety
- Operation Helping Hand
- Overview of the Essex County Prosecutor's Office
- Sexual Assault Prevention

2022 Accomplishments

During 2022, Community Justice was active in engaging the community and carrying out its various programs, including an expansion of activity in its Operation Helping Hand program. The following list highlights some the Unit's ongoing achievements.

On February 9, 2022, the Community Justice Unit coordinated a virtual town hall meeting for Acting Essex County Prosecutor Theodore Stephens to address issues regarding members of the Jewish faith-based community. During the town hall meeting, individuals learned about threat and risk assessments for houses of worship, received intelligence briefing by representatives from the New Jersey Office of Homeland Security and Preparedness along with the Essex County Prosecutor's Office.

Also, this was the 21st consecutive year in which ECPO held a summer internship program to expose high school students to careers in law, law enforcement, and government. The 2022 Summer Youth Internship Program was held in person from July 5 through August 12. Forty-two high school juniors from Essex County participated in this informative program, where they participated in college and career readiness workshops. Interns learned about the role and functions of the Essex County Prosecutor's Office. Interns also participated in workshops that focused on

making positive choices, substance abuse prevention, gang awareness and teen dating violence prevention.

The Community Justice Unit partnered with ADAPT (Alcohol & Drug Abuse Prevention Team of Essex County) and Essex County's Department of Community Health Services to hold the 9th annual Interfaith Symposium. The Interfaith Symposium was titled, "Prevention Today for a Drug Free Tomorrow." The symposium was held at the Fairfield Recreation Center on October 20 to provide information sessions on substance abuse resources to clergy and community members. Attendees learned about current drug trends along with prevention tips and strategies that faith-based communities can implement to reduce at risk behaviors and addictions.



Executive Assistant Prosecutor Gwendolyn J. Williams

The Community Justice Unit, along with representatives from Integrity House, a treatment facility for individuals with substance use disorders, went to various locations in Essex County to provide individuals with information on substance treatment services under the Operation Helping Hand program.

SUPPORT UNITS

On March 18, 2022, ECPO held a community information session at Irvington Neighborhood Improvement Corporation to inform community members about Operation Helping Hand, a diversion program where representatives from ECPO connect individuals suffering from opioid addiction with substance abuse services. ECPO interacted with 50 individuals at Irvington Neighborhood Improvement Corporation, a social service agency that also serves as a soup kitchen. Twelve individuals expressed interest in obtaining substance abuse treatment services.

Non-Arrest Model Expanded in 2022

ECPO held a non-arrest Operation on March 24 at Saint Francis Park, near Newark Penn Station. ECPO and the recovery specialists interacted with approximately 20 individuals. Eight expressed interest in obtaining substance abuse treatment.

On March 25, ECPO participated in Essex County's Homeless Connect Community Day. The Community Day was held at Branch Brook Park. ECPO met with approximately 40 individuals at the Homeless Connect Day.

On April 28, ECPO held a community day at Lincoln Park. Ten non-profit agencies had information tables to interact with the public. Representatives from NJ Department of Motor Vehicle brought their mobile unit to assist individuals with obtaining identification cards and other transactions. ECPO interacted with over 125 individuals.

ECPO held a Helping Hand operation using a non-arrest model on May 17 outside of ShopRite in East Orange. ECPO and the recovery specialist interacted with 39 individuals, three of whom expressed interest in obtaining substance abuse treatment.

An arrest model operation was held on June 7 at Newark Penn Station. ECPO interacted with 36 individuals, eight of whom expressed interest in obtaining treatment; four arrests were also made that day.

ECPO participated in Essex County's Veterans Recovery Walk and Resource Fair on June 4 at Cedar Grove Park. During the recovery walk and resource fair, ECPO provided community members with information on Operation Helping Hand.

A non-arrest model of Operation Helping Hand was held on June 28, from 10:00 a.m. through 1:00 p.m., at Hawthorne Avenue in Newark.

A non-arrest Operation Helping Hand program was held on July 19th between Chelsea Street and Stanley Terrace, which is the border of East Orange and Newark. ECPO interacted with 18 individuals.

On August 2, 2022, ECPO participated in National Night Out and provided community members with information on Operation Helping Hand. On August 15 ECPO held a community day at Lincoln Park. Ten non-profit agencies had information tables at the event. ECPO interacted with approximately 200 individuals.

A Helping Hand operation was held September 23 using the non-arrest model. The operation was held in front of Brick City Liquor Store in Newark. ECPO interacted with 30 individuals and seven requested services.

The Community Justice Unit participated in Essex County's Senior Wellness Day on October 18. The program was held inside the Codey Arena in South Orange. During the program, the Community Justice Coordinator provided seniors with information on the Essex County Prosecutor's Office.

The Community Justice Unit, along with the New Jersey Police Community Affairs Officer Association, held a 4-week career development course for college students in autumn. Sixty college students from local colleges attended the evening course to learn about various careers in law enforcement and interact with professionals in the field

The Community Justice Unit held a youth conference entitled: "What's it All About?" World Against Violence to address issues affecting middle school students on December 16. This was the first in person youth conference held since 2019, due to the Covid-19 pandemic. The youth conference was held at New Jersey Institute of Technology. Three hundred middle school students from schools in Essex County attended the youth conference. Students participated in workshops that focused making positive choices, substance abuse prevention, goal setting, career exploration and cyber safety. Various agency representatives had information tables at the youth conference to interact with students.

SUPPORT UNITS

Media Relations Office

The Media Relations Office manages internal and external communications for the Essex County Prosecutor's Office (ECPO), the largest prosecutor's office in the state. About one fourth of all felonies in New Jersey are prosecuted through ECPO, and prosecutors, detectives, and staff have heavy caseloads. The Office is located in the busiest media market in the nation, so the ECPO generates a lot of news.

The responsibilities of the Media Relations Office are:

- Serving as lead spokesperson for the Essex County Prosecutor
- Maintaining daily contact with print and broadcast journalists
- Remaining on-call twenty-four hours, seven days a week
- Planning press conferences and writing press releases
- Managing ECPO's social media channels and news site
- Developing strategic communications plans for the office
- Working with ECPO's law enforcement partners at the municipal, state, and federal levels
- Helping assistant prosecutors communicate with journalists
- Writing the ECPO Annual Report

2022 Accomplishments

Robert Florida started as Public Information Officer at ECPO in July 2022, replacing long-time officer Katherine Carter. Robert garnered national publicity from broadcast and print journalists for the ECPO. The publicity informs residents about homicides, arrests, trials, indictments, and convictions in Essex County. He also helps journalists, and in turn the public, understand the work of ECPO's prosecutors, detectives, and staff – work that is essential to keeping the county safe.

Robert also managed several press conferences for the prosecutor, which were attended by major broadcast news stations such as CBS, ABC, NBC, as well major print publications such as the New York Times and the Star Ledger. One press conference announced the results of a county-wide warrant sweep that captured 41 fugitives wanted for felonies ranging from homicide and aggravated assault to weapons possession and sexual assault.



ECPO Public Information Officer Robert Florida

Another press conference announced the apprehension of Kendall Howard, who was arrested and charged with the attempted murder of two Newark police officers. Howard allegedly shot the two officers as they questioned him outside a housing complex in Newark. Both officers were rushed to University Hospital in Newark, where they were treated and released.

In addition, here are two examples of ECPO trials that received national media attention:

State v. Gualberto Lebron and Gilberto Lebron -- A jury convicted Gualberto Lebron for murdering Julia Vega, his ex-girlfriend, and for placing her body in garbage bags filled with chemicals. The jury also convicted Gualberto's brother, Gilberto Lebron, of Desecrating Human Remains and Hindering Prosecution and Conspiracy.

On May 9, 2018, Vega went home for lunch, and Gualberto Lebron broke into her apartment and murdered her. He enlisted the help of his brother, and they stored her body inside trash bags filled with chemicals. When her remains were found, the stem

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of a rose was recovered tucked under her arm inside the bag, and a rubber bracelet from the Domestic Violence Response Team was still on her arm. Gualberto Lebron was sentenced to life without parole, plus 32 years, and Gilberto Lebron was sentenced to eight years.

State v. Thomas Crandell -- Thomas Crandell was accused by his stepdaughters of having begun sexually assaulting one of them when she was 14. He continued sexually assaulting her until she was 17, when the crimes were reported. He was also accused of having sexually assaulted that victim's younger sister twice in the summer of 2018, when she was 14.

The defendant was indicted on 26 counts of sexual assault. The matter was tried before Judge Verna Leath, and on October 31, 2022, the jury found the defendant guilty of all 26 counts, including five counts of Aggravated Sexual Assault, 14 counts of Sexual Assault, four counts of Endangering the Welfare of a Child, two counts of Aggravated Criminal Sexual Contact, and one count of Sexual Contact. Judge Leath sentenced him to 106 years in state prison.

Social Media Enhancement

By writing and posting fresh content weekly, Robert also brought new followers to ECPO's social media channels and website. Under his direction, the last two quarters of 2022 saw significant increase in viewership and traffic: Facebook was up 37 percent in viewers; Twitter increased 28 percent, and Instagram increased to nearly two thousand followers, a 32 percent increase over the first half of 2022. Views of ECPO's website also increased 36 percent.

The Record Room is a key part of the critical infrastructure that forms the backbone of ECPO, responsible to manage all of the criminal files opened by ECPO.

All 21 towns in Essex County send indictable offenses electronically to the Record Room. The complaints are processed by Central Judicial Processing (CJP), and AP supervisors then assign the cases to various Assistant Prosecutors.

Together, the Records Room and CJP have 14 employees, and total cases processed for 2022 were 10,504. The caseload is so extensive that the office maintains files in three locations: the basement of Veteran's Courthouse, the third floor of the Leroy Smith Building, and a warehouse in Belleville, N.J.



The ECPO Record Room is responsible to maintain, track, store and archive the many thousand criminal case files generated each year within the County. It plays a critical role in helping ECPO carry out its responsibilities within the criminal justice system.

SUPPORT UNITS

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 primary mandate of the office 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. The office then helps victims and witnesses 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 Office. 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 Advocates and Clerical Assistants. The coordinator meets bi-weekly with the advocates to review and evaluate cases, discuss progress, and develop service plans to ensure compliance with state and federal regulations. The office is supported in part by state and federal government grants.

2022 Accomplishments:

In 2022, the Victim-Witness Advocacy Office assisted 8,967 new victims and witnesses, initiating approximately 71,000 items of correspondence on their behalf, despite the demands of the global pandemic. Unit staff remained accessible to county residents seeking vital criminal justice-related services while working in-office and remotely.

The unit continued to expand its formal relocation program in 2022, through which approximately 1,632 program clients and their families were assisted. This program advocates on behalf of 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, security, and protection. 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

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who access the pages. The website includes information on the amendments to the Crime Victims' Bill of Rights, the notification process, the crisis reaction as well as the criminal justice process. It also contains information on how to obtain a temporary/final restraining domestic violence order, tips for witness testimony and V.I.N.E. (Victim Information Notification Every day). In the revised structure and format of the website section, the information is arranged alphabetically by a victim's crime type.



Unit staff is also in the final stages of development of a digital application that delivers information about local support services available to Essex County crime victims via a desktop, smart phone, 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), and maps of walking and driving routes. It also has details on parking areas near the agency where the crime victim is seeking services, and links to New Jersey Transit bus and train schedules.

Further, the Victim Witness Unit conducted or participated in two community outreach forums. Approximately 300 community partners representing the business, educational, law enforcement, emergency/social service, mental health, and social justice sectors, 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. Through the generosity of office staff, six local social services agencies benefited from our collective efforts and received toys, gift cards, and monetary support that helped each agency to expand its holiday outreach efforts to assist needy families residing in Essex County.



ECPO Victim-Witness Coordinator Pamela McCauley (left) and Acting Prosecutor Theodore Stephens (right) with ECPO Victim-Witness Office staff members at information table during Montclair Jazz Fest, September 2022.

OUTREACH TO THE COMMUNITY: OPERATION HELPING HAND



Operation Helping Hand is an initiative sponsored and funded by the New Jersey Attorney General's Office. The goal is to fight the opioid crisis by disrupting the cycle that causes those addicts to commit crimes to support their drug habits. Working with local law enforcement, the Essex County Prosecutor's Office has identified drug "hot spots" – places known for drug activity – and targets those areas for arrests or intervention. When drug users are arrested, they are immediately offered the opportunity to enter drug treatment. Such opportunities are also afforded to users who are not arrested but seek treatment. Arrangements are made for them to get transportation and other services. Participants are tracked as they go through the treatment process. The program also includes law enforcement training, community outreach, and public awareness measures in Essex County.



Operation Helping Hand spent the day in Lincoln Park, telling local residents about Operation Helping Hand, a diversion program where law enforcement officers connect those suffering from drug addiction with recovery services.



Nicole Graves-Watson, Community Justice Coordinator, participated in an annual event at Essex Community College that puts homeless people in touch with service providers. She engaged with the residents and gave them information on Operation Helping Hand.

REACHING OUT TO ESSEX COUNTY YOUTH



Acting Prosecutor Stephens is a lifelong believer in mentoring young people, especially in helping them get good educations and build careers paths. In that regard, the Essex County Prosecutor's Office sponsors an internship program for high school students, who learn what it's like to work in law enforcement. Here, a group of 2022 interns gather on the steps of the Hall of Records with Acting Prosecutor Stephens, front row center, who implored them to "do your best in every situation - give 100 percent. If you do that, you will make a positive impression."



ECPO, along with the NJ Police Community Affairs Officers Associations, also sponsored by a law enforcement class for local college students.

During the four-week session, students learned what it's like to work in law enforcement. They also learned about bias and hate crimes and refined their interviewing and communications skills.

"I want to thank you for putting this program together," said Ana Pimentel, a criminal justice major at Kean University. "The course was an amazing experience."



Additionally, more than 300 students from Essex County participated in an ECPO youth conference at NJIT, where ECPO experts discussed internet safety, college and career goals, and the dangers of gun violence and gang life. Acting Prosecutor Stephens, pictured above, talked to the students about the importance of education and the array of careers available to them in law enforcement.

"A few years ago, I felt I wanted to experience street life but decided to focus instead on school and sports," said Jeremi Pujols, a 9th grader at West Caldwell Technical High School. "Listening to the prosecutor and other speakers today made me realize I made the right decision."





NEW ASSISTANT PROSECUTORS SWORN IN



Mentoring young lawyers and shaping them into effective assistant prosecutors and public servants is also of utmost importance to prosecutor Stephens. Pictured above, Melanie Laprade was one of five assistant prosecutors sworn in (2022) during a courtroom ceremony presided over by Judge Mark Ali and Acting Prosecutor Stephens. The other five new assistant prosecutors are Leighton Cohen, Marco Collemi, Sean Bradley, Christian Marin and Braden Couch.



Sean Bradley, one of the six assistant prosecutors sworn in for 2022, takes the oath of office with his parents to his right. Sean's father, James Bradley, is a retired narcotics detective for the Essex County Sheriff's Office.



The newly sworn in APs pictured with Acting Prosecutor Stephens (center).

PRESS CONFERENCES: Informing the Public



Press conferences are essential to keeping the public informed about safety and law enforcement. Here, Acting Prosecutor Stephens attended a press conference in Newark hosted by U.S. Attorney for the District of New Jersey Philip Selinger (third from left). N.J. Attorney General Matthew Platkin is at the microphone.



Acting Prosecutor Stephens held a press conference to discuss the apprehension of Kendall Howard, who was charged with the attempted murder of two Newark Police officers.



Acting Prosecutor Stephens speaking at a press conference in Newark in which city officials released statistics showing a decrease in homicides for 2022.



Operation Essex – 41 Fugitives Arrested in Essex County Warrant Sweep

Acting Prosecutor Stephens announced the capture of 41 fugitives wanted in Essex County. The fugitives were arrested on felonies ranging from homicide and aggravated assault to weapons possession; four were wanted for homicide.

NEWARK PEACE MARCH: Engaging and Partnering With the Community



Acting Prosecutor Stephens participating in a march for peace in Newark.



ECPO staff pictured in the wake of the peace march.

