



ESSEX COUNTY PROSECUTOR'S OFFICE

2023 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 Gwendolyn Williams; and Acting Chief of County Detectives Mitchell G. McGuire III.



The ECPO held its 12th Annual Black History Month Celebration in 2023. Six extraordinary individuals were honored for their commitment to community service. Above, one of the recipients ECPO Personnel Liaison Pamela Kearney, Acting Essex County Prosecutor Theodore N. Stephens II, Acting First Assistant Prosecutor Romesh C. Sukhdeo, and Executive Assistant Prosecutor Gwendolyn Williams.



Meredith Mona was one of nine assistant prosecutors sworn in during a 2023 courtroom ceremony presided over by Judge Mark Ali and Acting Prosecutor Stephens.

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

During 2023, the total number of new adult defendant cases received and filed with the Essex County Prosecutor's Office (ECPO) increased from 11,919 in 2022 to 12,204 in 2023. This partly reflects a rebound from the slowdown in charge filings caused by the COVID pandemic in 2020-21, but is also driven by a long-term trend of increasing annual case loads. Total ECPO adult case dispositions also increased from 12,297 in 2022 to 12,398 for 2023. In addition, the total defendants indicted decreased from 4,444 in 2022 to 3,025 in 2023, reflecting a return to a more normal level following the post-COVID "catch-up" effort of 2021-22. In 2023, 61.9 percent of the ECPO's adult defendant resolutions following an indictment or accusation involved first or second-degree criminal charges. Finally, the total number of juveniles involved in new delinquency case filings in Essex County increased from 735 in 2022 to 861 in 2023.

(Statistics from the Promis Gavel Database of the Administrative Office of the Courts, N.J. Superior Court).

TABLE OF CONTENTS

I. INTRODUCTION

Message from Acting Prosecutor Theodore N. Stephens II.....	3
A Brief History of the Essex County Prosecutor's Office	7
Organization Charts	12

II. LEGAL UNITS

Adult Trial Section.....	15
Appellate Section	19
Central Judicial Processing Unit.....	21
Forfeiture Unit.....	22
Grand Jury Unit	23
Juvenile Trial Unit.....	25
Mental Health Unit	27
Pre-Trial Intervention & Expungement Unit	28
Pre-Trial Intervention Unit.....	28
Expungement Unit.....	29
Recovery Court Program	31

III. INVESTIGATIVE SQUADS

Crash and Fire Investigation Unit	32
Domestic Violence Unit.....	34
Extradition Unit.....	36
Financial Crimes Unit.....	37
Homicide Unit	39

Professional Standards Bureau	42
Special Prosecutions Unit / Narcotics Task Force	44
Special Victims Unit	47
Child Abuse Unit.....	48
Sexual Assault & Rape Analysis Unit.....	52
Sexual Assault Nurse Examiner Program	54
Human Trafficking Team	56
Elder Abuse Team	56
Bias Crimes Unit.....	57
Megan’s Law Unit	58
IV. SUPPORT UNITS	
Business Administration Unit	60
Community Justice Unit.....	62
Media Relations Office	66
Record Room	69
Victim-Witness Advocacy Office.....	70
V. COMMUNITY OUTREACH	
Operation Helping Hand.....	74
Reaching Out to Essex County Youth	77
New Assistant Prosecutors Sworn In	81
Press Conferences	84
Newark Peace March.....	88

Photographs by Lloyd Holmes.
 Copyright ©2023 Essex County Prosecutor’s Office. All Rights Reserved.

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. Nonetheless our units met those challenges in 2023 with unwavering dedication to our mission: "To seek justice, serve justice and to do justice."

Being another year removed from the aberrant circumstances that accompanied the COVID pandemic, 2023 represented a significant step closer to normalcy of life; this includes the activities associated with the Essex County Prosecutor's Office.

ECPO is organized to provide services to the community through a variety of traditional prosecution units:

- **Adult Trial Section**
- **Appellate**
- **Central Judicial Processing | Grand Jury**
- **Domestic Violence**
- **Financial Crimes | Corruption**
- **Homicide | Crash & Arson**
- **Special Prosecutions**
- **Juvenile**

We are also committing significant resources to promote numerous non-traditional units which are increasingly important to our community. Most notably, these are:

- **Community Justice**
- **Mental Health**
- **Pre-trial intervention | Expungements**
- **Recovery Veterans Courts**

The success of these non-traditional units may offer the best opportunity to promote the Essex County Prosecutor's Office's dedication to be accepted as a vital member of the community.

Similarly, we also continue **Operation Help 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 2023 OHH sponsored many outreach events throughout the country, 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 2023, which you'll read about in this report.

The ECPO investigators, support staff, and assistant prosecutors all performed in an exemplary manner during the pandemic. Some of the lessons learned and tools utilized during that time have helped bolster the professionalism and effectiveness of those groups.

Overall, the staff of ECPO has never been busier. The number of case-defendants filings increased from 11,919 in 2022 to 12,204 in 2023. The number of dispositions similarly increased from 12,297 in 2022 to 12,398 in 2023. It is significant that total trial verdicts increased from 30 in 2022 to 57 in 2023. Perhaps more significantly, the skill and determination of this office delivered an increase in the percentage of guilty verdicts from 56.67% in 2022 to 68.42% in 2023.

ECPO has the dubious distinction of often being judged based on our homicide statistics. While it is regrettable to have to focus on those statistics it is gratifying to report that this office, once again, is effectively meeting that challenge. In 2023 the total number of reported homicides was 68, compared to 81 in 2022. ECPO investigators followed up on the excellent work from last year by posting a homicide clearance rate of 85% in 2023, which was nearly identical in 2022. This contrasts to the 2023 national homicide clearance rate of 57.8%.

In short, the staff of ECPO not only worked harder and smarter, but also more effectively. Also important is the collaboration we have worked

diligently to maintain with our local, state, and federal law enforcement partners. Those partnerships are essential to the overall success of ECPO.

As usual, this Annual Report, published in conjunction with the statistical summary required by the Attorney General, cannot possibly detail the entirety of this office's efforts in 2023. 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 for their cooperation and confidence. 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.

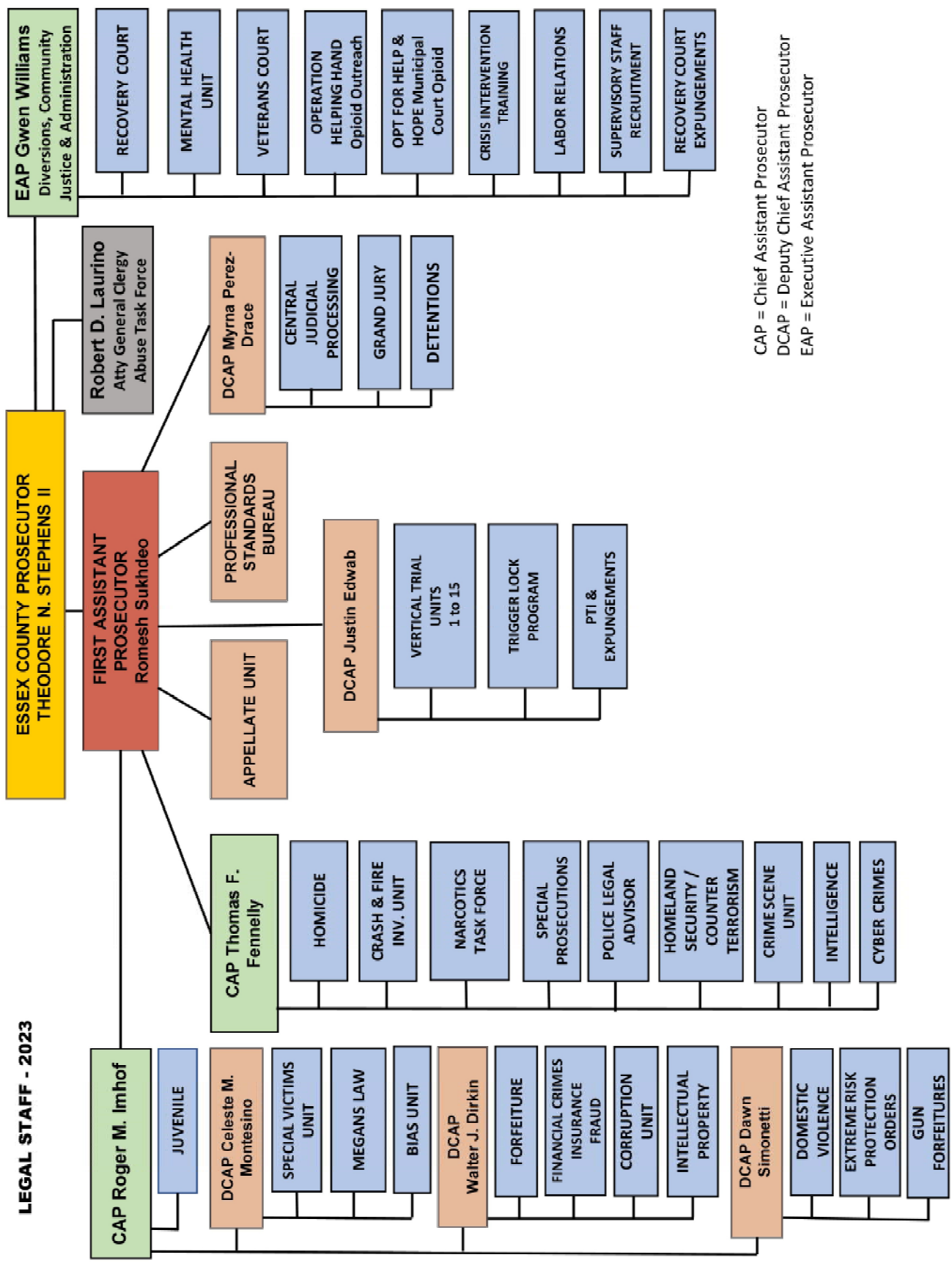
In 2023, Acting Prosecutor Stephens navigated the office through the continuing post COVID adjustments to the overall law enforcement system in both Essex County and the State of New Jersey. COVID remained a significant factor, but most employees were returned to work in-person and strict precautions were starting to ease. 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

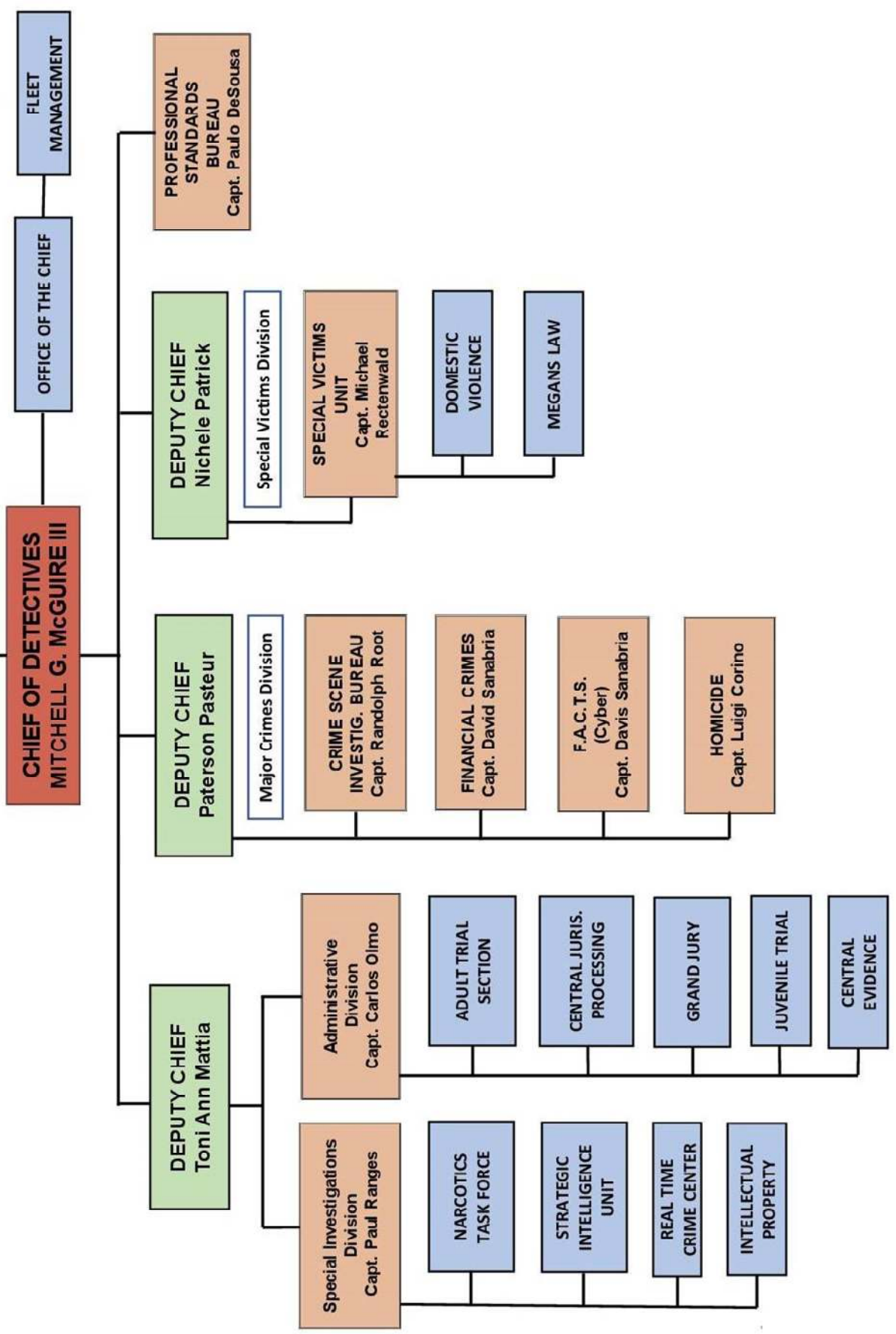
LEGAL STAFF - 2023



CAP = Chief Assistant Prosecutor
 DCAP = Deputy Chief Assistant Prosecutor
 EAP = Executive Assistant Prosecutor

INVESTIGATIVE STAFF - 2023

**ACTING ESSEX COUNTY PROSECUTOR
THEODORE N. STEPHENS II**





2023 Annual Report

UNIT DESCRIPTIONS

LEGAL UNITS

Adult Trial Section

The Adult Trial Section (ATS) is the largest unit in the Essex County Prosecutor's Office and thus responsible for handling the largest caseload in the office. Essex County continues to lead the state in the number of criminal filings and handles a higher-than-average proportion of first and second-degree offenses, the majority of which are prosecuted by the ATS. The ATS is comprised of 37 assistant prosecutors who represent the state in criminal proceedings upon the arrest of a defendant until final disposition of the case. The ATS is headed by a chief assistant prosecutor as well as a director and five 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 aides who are overseen by a captain, lieutenant and a sergeant. Together, all parties work closely to prepare cases for final disposition. Detectives perform a wide array of investigative tasks to support and supplement the prosecution of criminal cases. ATS detectives locate and interview witnesses, prepare reports, take statements, schedule witness interviews, visit crime scenes, take photographs, locate evidence and reports from municipal police departments, serve subpoenas, and take any other additional investigative steps

necessary to ensure a successful prosecution. Furthermore, the detectives also receive training and mentorship from their superiors.



Trial Team Director Portia Downing

The ATS assistant prosecutors obtained 26 defendant dispositions by trial with an overall post-indictment/accusation conviction rate including pleas and trial of 71.4%.

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

2023 Accomplishments

The following cases highlight some of the significant cases handled by the ATS assistant prosecutors:

LEGAL UNITS

Deputy Chief Justin Edwab and second chair Assistant Prosecutor William Chalmers received a guilty conviction after trial for the defendants in **State v. Byad Lockett, Darryl Watson and Isaac Jackson**. Lockett received a sentence of 20 years New Jersey State Prison with eighty five percent parole ineligibility for first degree attempted murder. Watson received a sentence of 20 years New Jersey State Prison with eighty five percent parole ineligibility for first degree attempted murder. Isaac Jackson was found guilty of third- and fourth-degree crimes. Jackson has not yet been sentenced.

Assistant Prosecutor Supervisor Jacqueline Bilinkas and second chair Assistant Prosecutor Jenna Ventola received a guilty verdict in the matter of **State v. Leo Germain**. The jury returned guilty verdicts for first degree murder, conspiracy, unlawful possession of a weapon (firearm) and possession of a weapon (firearm) for an unlawful purpose. Germain was sentenced to 30 years New Jersey State Prison with 30 years of parole ineligibility.

Assistant Prosecutor Ruddy Adames and second chair Director /Assistant Prosecutor Portia Downing tried the matter of **State v. Daniel Holett**. A jury returned a verdict of second-degree eluding. Holett was sentenced to seven years in New Jersey State Prison with eight-five percent parole ineligibility.

Assistant Prosecutor Adamas also tried **State v. Esau Grant**. Grant was found guilty of second-degree robbery and sentenced to eight years in New Jersey State Prison with eighty-five percent parole ineligibility.

Assistant Prosecutor Joseph Dellera tried **State v. Ricotson Dolisca and Gary Rhymes**. A jury returned a guilty verdict of first-degree robbery for both defendants. Dolisca was sentenced to 14 years in New Jersey State Prison with eighty-five percent parole ineligibility. Rhymes was sentenced to 12 years New Jersey State Prison with eighty-five percent parole ineligibility.

Assistant Prosecutor Orlando Hurtado tried **State v. Alberto Pena**. The jury found Pena guilty of third-degree aggravated assault, second-degree unlawful possession of a handgun and second-degree possession of a handgun for an unlawful purpose. Pena was sentenced to six years in New Jersey State Prison with forty-two months parole ineligibility.

Assistant Prosecutor Monica Calderon second chaired Supervisor/Assistant Prosecutor Adam Wells in the matter of **State v. Gualberto Lebron**. Lebron was found guilty after a jury trial of murder and received life in prison without parole. Additionally, Lebron received seven years New Jersey State Prison with forty-two months parole ineligibility for unlawful possession of a weapon and five years New Jersey State Prison with forty-two months parole ineligibility for hindering, desecration of a body. These sentences will run concurrent to the life sentence.

Assistant Prosecutor Brianne Cunningham tried the matter of **State v. Yinka Olosoji**. Olosoji was found guilty of third-degree aggravated assault of a cab driver and simple assault on the arresting police officer. Olosoji was deported prior to sentencing.

Assistant Prosecutor Eliot Skolnick tried **State v. Anthony Torres**. The jury returned a guilty verdict for: robbery, conspiracy, receiving stolen property. Torres was sentenced to seven years in New Jersey State Prison with eighty-five percent parole ineligibility concurrent to five years with eighty-five percent parole ineligibility concurrent to five years New Jersey State Prison.

Assistant Prosecutor Steven Paskowitz and second chair Supervisor/ Assistant Prosecutor Brian Pollock tried the matter of **State v. Ronald Henry**. The jury returned a verdict of two counts of shoplifting and one count of fourth degree unlawful possession of a weapon. Henry was sentenced to eighteen months in New Jersey State Prison.

Assistant Prosecutor Romil Amin tried **State v. Branden Rowell, Jaykil Rodwell and Jasper Spivey** before a Superior Court Judge. The Court found all defendants guilty of the disorderly persons offense of obstruction.

State v. Joaquim Costa, was tried by Assistant Prosecutor Matthew Funk. The Court convicted Costa of simple assault.

Assistant Prosecutor Daniel Nicholas was assigned **State v. Ronnie Epps**. Epps plead guilty to aggravated manslaughter and was sentenced to twenty years New Jersey State Prison with eighty-five percent parole ineligibility.

Assistant Prosecutor Daniel Nicholas was also assigned **State v. Anthony Gibbs**. Gibbs pled guilty to first degree robbery and was sentenced to twelve years New Jersey State Prison with eighty-five percent parole ineligibility.

Assistant Prosecutor Christopher Byrnes was assigned **State v. Kotrell Battle**. Battle pled guilty during trial to first-degree robbery. Battle was sentenced to 10 years in New Jersey State Prison with an eighty-five percent parole disqualifier.

LEGAL UNITS

Appellate Section

The Appellate Section of the Essex County Prosecutor's Office is the largest appellate practice of any County Prosecutor's office in New Jersey. It is comprised of career appellate lawyers, all of whom enjoy considerable experience in the state and federal appellate courts. In total, the Section's attorneys have argued dozens of cases in the 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 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 2023 Cases:

Supreme Court of New Jersey

State v. Oliver - 252 N.J. 432 (2023) - The Section successfully represented the State before the Supreme Court in this appeal stemming from the defendant's 1993 murder of a detective in the county courthouse to prevent him from testifying in a criminal case. Defendant also shot and wounded two other officers, attempted to kill a third official, and planned to kill the trial judge. Despite defendant meeting some of the elements of New Jersey's "Compassionate Release" statute and arguing he was entitled to early release, the Supreme Court adopted the Section's argument and held that this case involved the kind of extraordinary aggravating circumstances that justify denying early release.

State v. Chambers - 252 N.J. 561 (2023) – The Section appealed an order from the trial court requiring the State to turn over a sexual assault victim's mental health records. After facing setbacks both at the trial and Appellate Division levels, the

Section convinced a unanimous Supreme Court to reverse the order. In doing so, the Court adopted a heightened discovery standard for such motions, including notice to the victim, for pre-incident mental health records from a sexual assault victim. Defendant seeking such records now have to show a substantial need for access.

State v. Higgs - 253 N.J. 333 (2023) – Here the Supreme Court prescribed a framework for trial courts to assess requests for access to internal affairs records and provided guidance for the application of that framework in this and future cases. The Court also provided guidance as to other evidentiary issues. While unsuccessful in this particular case, the Section’s participation at the Court helped guide it in decreeing important guidelines for cases raising these issues going forward.

State v. Berry - 254 N.J. 129 (2023) – In one of the few cases addressing New Jersey’s drug “kingpin” statute, N.J.S.A. 2C:35-3, the Court better clarified how trial judges are to respond to questions from the jury about the elements of an offense. The Court also held that the trial court was under no obligation either to mold the charge *sua sponte* by factually addressing the varying levels of authority that each defendant played in the conspiracy or to modify the existing model charge, thereby giving the Section a win in terms of being able to retry one of the defendants who the Appellate Division had ruled could not be retried.

State v. Burney - 255 N.J. 1 (2023) – The Section appeared before the Supreme Court in this murder case to litigate important issues related to cell phone evidence and first-time in-court identifications.

Appellate Division

State v. Jones - 475 N.J. Super. 520 (App. Div. 2023) – Here the Section represented the State on issues of first impression related to a recent statute governing the preservation of law enforcement officers’ body-worn camera footage, N.J.S.A. 40A:14-118.5(q)(2). After the Appellate Division remanded the matter for further proceedings, the trial court ultimately upheld the search at issue and the Appellate Division denied further review.

State v. Johnson - 476 N.J. Super. 1 (App. Div. 2023) – The Section participated in this appeal, which presented a novel question concerning the vehicle registration search exception to the warrant requirement. The Court also addressed the significant recent revisions to N.J.S.A. 39:3-29—the statute that prescribes a motorist’s duty to possess and exhibit a registration certificate to police during a motor vehicle stop.

State in the Interest of M.P. - 476 N.J. Super. 242 (App. Div. 2023) – In this published opinion, the Section successfully staved off an argument by the defense for a bright-line rule that no juvenile may speak to police without presence of counsel. The Court rightly concluded that select scientific studies and research findings were insufficient to substantially rework New Jersey’s juvenile interrogation jurisprudence.

LEGAL UNITS

State v. Knight - 477 N.J. Super. 400 (App. Div. 2023) – The Section secured the affirmance of armed robbery and other convictions for a pair of brothers who argued that it was reversible error for the jury to see, at its own request, video evidence in slow motion. The Court held that—subject to any offsetting concerns of undue prejudice—surveillance video footage may be presented to jurors in slow motion or at other varying speeds, or with intermittent pauses, if the trial court in its discretion reasonably finds those modes of presentation would assist the jurors' understanding of the pertinent events and help them resolve disputed factual issues. Additionally, it held that—again subject to any offsetting concerns of undue prejudice—that trial courts in their discretion may grant a jury's requests during deliberations to replay the videos in such modes one or more times, provided that the playbacks occur in open court under the judge's supervision and in the presence of counsel. The Supreme Court later granted review, and the case will likely be argued in late 2024.

State v. Reeves - No. A-0921-20 (App. Div. 2023) – The Section was able to secure the affirmance of the jury's verdict convicting defendant of unlawful possession of a weapon and impersonating a police officer. The case raised significant issues under the Second Amendment regarding defendants' right to carry a handgun. The Section was also successful in getting both the Supreme Court of New Jersey and the U.S. Supreme Court to deny review and leave the jury's verdict in place.



Director/AP Frank Ducoat and Members of the Appellate Section

Central Judicial Processing Unit

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

Essex County’s CJP Unit handles all First Appearances. CJP also performs an important case screening function for custody and non-custody cases. All criminal complaints in Essex County charging an indictable crime are "screened" to separate indictable cases (those subject to prosecution in Superior Court) from cases that can be more quickly and appropriately resolved at another level. Cases can also be diverted to the Municipal Courts, Family Court, Special Remand Court, and Drug Court. Indictable cases are referred to any one of Vertical Prosecution Courts or to a specialized prosecution squad. The nature of the offense, surrounding circumstances, quality of evidence, and character and arrest/conviction history of the defendant are all considered when making the screening decision. By performing this type of early case screening, cases can be diverted before they enter the Grand Jury and trial stages, thereby conserving valuable judicial and prosecutorial resources.

2023 Accomplishments

Detained defendants continued to be 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 2023 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 their First Appearance. The second First Appearance Court was continued for sole use of Non-Custody defendants who appeared in Court via Zoom from their homes via the use of electronic devices. During the 2023 calendar year, CJP Custody Court handled detained defendants in their First Appearances and resulted in the filing of 2,224 detention motions on those matters. In order to maintain the safety of Court staff and the general public the Administrative Office of the Courts determined that Non-Custody matters would be continued to be heard virtually in 2023. In total between In-Custody and Out of Custody defendants, CJP saw 10,198 defendants for their First Appearance in 2023. The work of the Central Judicial Processing Court has never faltered despite the pandemic’s grip on our state, preserving all defendants’ rights to be seen within 48 hours of being placed into custody.

LEGAL UNITS

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.

2023 Accomplishments

In 2023, the Forfeiture Unit, through appropriate civil and criminal process, forfeited \$1,873,908.02, which was determined to be either proceeds or instrumentalities of crime. Of that amount, \$1,683,056.02 was in cash, \$ 190,784.00 was the value of motor vehicles, and \$68.00 was other property, including collectable coins.

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 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.

2023 Accomplishments

In 2023, All Grand Jurors were chosen to appear in person for all Grand Jury proceedings.

In 2023, the Grand Jury panels returned to sitting five (5) days a week with Trial Assistant Prosecutors presenting all cases using the vertical prosecution model. A senior assistant prosecutor oriented the Grand Jurors on general charges.

In 2023, we presented less than 700 matters than the previous year. There were 3180 matters calendared for the year 2023, 2663 resulted in indictments; 157 were No Billed; 11 resulted in No Cause of Action and 23 were referred to municipal court. The remaining cases were either held over, withdrawn, pled out or consolidated with other cases.

LEGAL UNITS



Grand Jury Unit Support Staff

Juvenile Trial Unit



The Juvenile Justice Unit of the Essex County Prosecutor's Office reviews and prosecutes cases involving juveniles accused of delinquency, ranging from minor offenses such as petty theft to serious crimes, including homicide. The Unit prioritizes public safety by ensuring the swift and fair adjudication of violent and repeat offenders. Its primary goal is to reduce recidivism through accountability, structured supervision, and the diversion of minor offenders from the justice system, thereby minimizing future court involvement and breaking cycles of delinquency.

The Code of Juvenile Justice (N.J.S.A. 2A:4A-23) defines delinquency as an act committed by an individual under the age of 18 that, if committed by an adult, would constitute a crime, a disorderly persons offense, or a petty disorderly persons offense. This definition excludes motor vehicle traffic offenses, curfew violations, and truancy concerns, which are instead handled in municipal court.

The Juvenile Justice Unit is responsible for resolving and adjudicating all formal complaints of juvenile delinquency involving Essex County residents. Consequently, the Unit handles cases from across the state, with nearly 18% originating outside Essex County. Assistant prosecutors assigned to the juvenile courts manage individual case calendars throughout all stages of adjudication, including initial

LEGAL UNITS

detention, weekly status appearances, plea negotiations, waiver applications, evidentiary hearings, trials, and final disposition. The Unit employs a “vertical prosecution” model, ensuring that each assistant prosecutor handles a case from inception to resolution.

The Juvenile Justice Unit reviews, screens, prepares, and litigates all cases heard before the court. The vertical prosecution approach facilitates the efficient progression of juvenile cases through the family court system, which operates on a more accelerated schedule than the adult criminal courts.

Beyond court appearances, the Unit provides daily legal counsel to the 23 Juvenile Bureaus within Essex County and other law enforcement agencies with patrol authority in the area. The Unit also collaborates with local schools requiring legal or investigative support. Additionally, its members volunteer to conduct community training sessions on the consequences of delinquency and criminal behavior.

The Deputy Chief of the Unit plays a pivotal role in state-wide juvenile justice initiatives. Tasked by the Office of the Attorney General, the Deputy Chief provides training to assistant prosecutors and law enforcement officers across the state. As a founding member of the Juvenile Prosecutor’s Leadership Network, the Deputy Chief liaises with key stakeholders, including the Administrative Office of the Courts and the Juvenile Justice Commission, to promote fairness in the juvenile justice system for both juveniles and victims. Furthermore, the Deputy Chief conducts educational seminars for educators, parents, and community organizations at both county and state levels.

2023 Accomplishments

In 2023, the Juvenile Justice Unit of the Essex County Prosecutor’s Office managed approximately 1,700 referred cases, spanning from disorderly persons offenses to homicides. The Unit’s state-wide jurisdiction necessitates handling delinquency matters involving Essex juveniles regardless of where the offenses occur within New Jersey. Due to the increasing caseload, the Essex County Family Court has assigned two full-time judges to oversee juvenile matters. Despite evolving procedural and substantive due process requirements, the Juvenile Justice Unit has consistently implemented the best practices and has been recognized statewide for its effective and efficient case management.

 **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 successful as one of only two county prosecutor's offices in New Jersey (the other is Ocean County) in obtaining a \$150,000 grant from the New Jersey Attorney General's Office, Division of Law and Public Safety, to be distributed equally over a two-year period. This aids county prosecutor-led mental health and co-occurring substance abuse diversion programs. Funded by the OAG grant, Essex County Hospital Center has hired a full-time case manager to work exclusively with the ECPO's program participants. The Case Manager is responsible for connecting participants with a treatment plan developed by a mental health professional. The Case Manager also assists participants with applying for social entitlements, housing, education, vocation, and other benefits that contribute toward greater functioning in the community. The Unit works with a clinician hired by the County Hospital Center. The clinician screens and assess applicants for acceptance into the program. The clinician, a Licensed Specialist Clinical Social Worker, or LCSW, has developed a comprehensive community-based therapeutic treatment plan for acceptable program candidates.

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

2023 Accomplishments

In 2023, the Mental Health Unit reviewed 27 defendant applications for the program. A total of seven were legally accepted into the program in 2023. There were a total of 24 rejections. Of those applicants, eight were legally rejected and 16 were determined not to be clinically acceptable for this program. Five defendants successfully graduated (Moved On) and two defendants withdrew their applications to pursue their case through traditional prosecution. Additionally, two applicants who pleaded into the program but were awaiting sentence withdrew from the program. They accepted their alternative sentence or another alternative resolution because of non-compliance with the terms of the plea agreement including new charges and absconding.

LEGAL UNITS

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. Pursuant to R. 3:28-1d. Applicants who are charged with first or second-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 third or fourth-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. Requests for reconsideration and appeals receive appropriate responses.

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.

2023 Accomplishments

During 2023, pursuant to NJ Court Rule 3:28-1d, approximately 143 defendants applied for PTI that required the State's consent to further consideration of the application. Of those, 66 were refused, 42 were consented.

183 defendants applied for PTI (including those who did not need consent). During the year, 105 defendants were accepted into the program and 70 were rejected (this includes defendants who filed prior to 2023). The unit also litigated over 30 appeals of 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.

In recent years, there have been significant changes to the Expungement Law. In December of 2019, Governor Murphy signed (A5981/S454) into law. The new law took effect on June 15, 2020. However, 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, meaning there is no limit as to the number of convictions. In addition, the law also provides for 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 the order. These types of expungements are called Expedited 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, several marijuana cases were automatically expunged (removed from the system without an order) by the State of New Jersey. Those cases required review by each county for accuracy.

All these changes have resulted in and will continue to result in significant increase in the number of petitions filed, 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.

2023 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 2023, there were 13 new Traditional Expungement applications (non-drug court) manually filed, 25 petitions were resolved either via final order or dismissal, some of which had been filed in prior years. In 2023, 603 Regular Expungement petitions were filed electronically, 348 petitions were either granted, dismissed, or withdrawn. For Clean Slate petitions, 401 were filed electronically, 136 of which have been resolved. Marijuana had three petitions filed and two orders were processed. Under Marijuana Decriminalization, 33 petitions were filed. For 2023, 8,990 Expedited Orders (these are expungements for cases that have been dismissed either in Municipal Courts or Superior) were reviewed. This number of Expedited Orders is more than double than in 2022.

LEGAL UNITS

Recovery Court Program

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

Participants receive intensive probation supervision and swift graduated sanctions for non-compliance as they undergo treatment and counseling for their drug and alcohol addictions. Public safety concerns are addressed through the close monitoring of each defendant by probation officers and the Recovery 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 Recovery Court Team discusses participants weekly, bi-weekly, monthly, and quarterly based on their phases and tracks in the program.

2023 Accomplishments

In 2023, COVID 19 continued to have a residual negative impact on Recovery Court. Recovery Court in Essex County still uses a hybrid model, where most court reporting is virtual; however, some court events are held in person. However, services such as substance abuse treatment/counseling, and probation reporting are back to being in person instead of being handled via cellphone and/or through the internet as they were prior to the COVID 19 shutdown. Judicial hearings such as pleas, sentences, sanctions, and probation violations are handled in person for the most part.

The Court calendar's fiscal reporting year is from July 1 to June 30. However, for our purposes the numbers provided are extracted from two Court calendar years (2023 & 2024) and are combined for this office's annual report for the year 2023.

From January 1, 2023, to December 31, 2023, calendar year there have been forty-five Essex County Recovery Court admissions. For the 2023/2024 fiscal year July 1, 2023, through June 30, 2024, there was a total of thirty-nine admissions into this program. Currently, there are approximately 311 participants in the program.



Crash and Fire Investigation Unit

In 2023, the Crash and Fire Investigation Unit continued investigating all fatal crashes and fires and select serious bodily injury motor vehicle crashes with a criminal element (i.e. 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 of the CFIU.

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

There is always at least one detective, and one assistant prosecutor on-call along with investigative and prosecutorial supervisors. The on-call assistant prosecutors are also responsible for assisting local police and the New Jersey State Police 24 hours a day, seven days a week with obtaining telephonic warrants for obtaining bodily fluids in DUI cases. Fatal crashes on any of Essex County's interstate highways are investigated by the New Jersey State Police in conjunction with the assistant prosecutors of CFIU.

The assistant prosecutors and investigators of CFIU and CSIB also have 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 case. Once the criminal prosecution concludes, or a decision is made to not prosecute an incident, the assistant prosecutors and investigators also play a role in the subsequent and inevitable civil litigation related to these cases.

2023 Accomplishments

In 2023, CFIU APs and CSIB investigators investigated forty-three fatal crashes, six serious injury crashes, and six fires, including six fire related fatalities. This does not include dozens of non-fatal crash and fire investigations and prosecutions aided and/or conducted by the assistant prosecutors of CFIU in conjunction with local agencies and the New Jersey State Police.

Notably in 2023, CFIU took part in a massive multi-jurisdictional investigation into the line of duty deaths of Newark Fire Department Captain Augusto Acabou and Captain Wayne Brooks, Jr., aboard the Grande Costa D'Avorio cargo ship at Port Newark on July 5, 2023. This investigation was conducted in cooperation with the United States Coast Guard, the United States Bureau of Alcohol, Tobacco, Firearms and Explosives National Response Team, the National Institute for Occupational Safety and Health

LEGAL UNITS

Fire Fighter Fatality Investigation and Prevention Program, the New Jersey State Fire Marshals' Office, New Jersey Public Employees Occupational Safety and Health Agency, and the Port Authority of New York and New Jersey Police Department.

Domestic Violence Unit

The Domestic Violence Unit, which was established in 1992, addresses domestic abuse between intimate partners and adults who reside in the same household. The Unit is comprised of six assistant prosecutors, which include four line assistant prosecutors, one supervisor and one deputy chief assistant prosecutor. Additionally, a captain, lieutenant, sergeant, and three detectives are assigned to the unit along with two support staff and a victim/witness advocate. The unit examines cases with the dual aims of safeguarding the victims' interests and effectively prosecuting incidents of domestic violence.

Domestic abuse is a deeply ingrained and escalating social issue that affects individuals across all demographics—irrespective of race, culture, religion, economic status, or sexual orientation. A crucial aspect of our societal response to this pervasive problem involves criminal sanctions. The Domestic Violence Unit is committed to seeking the incarceration of violent and repeat offenders when warranted. However, in many instances, we also provide batterers opportunities for rehabilitation, aiming to break the cycle of violence.

The psychological impact of domestic abuse on victims and their families is a significant consideration in our case assessments. The Domestic Violence Unit collaborates closely with the Victim-Witness Advocacy Unit to offer comprehensive support, helping victims regain a sense of safety and security. When appropriate, we also facilitate referrals to shelters, recognizing that this multifaceted approach is essential. Many victims hesitate to testify against their abusers due to concerns for their safety, financial stability, the welfare of children, and the complexities of their relationships with the abuser.

Assistant prosecutors play a critical role in balancing the need for deterrence with the level of cooperation from victims, all while advocating passionately for justice. The Domestic Violence Unit is vital to our community, working diligently to prosecute offenders and address the needs of abuse victims.

2023 Accomplishments

In 2023, the members of the Essex County Domestic Violence Unit processed 2,977 new domestic violence matters comprised of 3,012 defendants. The assistant prosecutors assigned to the Unit also presented 676 cases to the Grand Jury during this period. Additionally, members of the Domestic Violence Unit handled and processed 1,092 disorderly domestic violence matters. In these matters, the assistant prosecutor conducted a thorough review of each case determining whether it should be returned to municipal court or if the charges warranted elevation to Superior Court for further handling. Moreover, the Domestic Violence Unit also handled the Contempt of Restraining Order Docket. There were 196 cases handled in 2023.

LEGAL UNITS

Members of the Essex County Prosecutor's Office, including personnel from the Domestic Violence Unit, have been integral to the Domestic Violence Working Group. This collaborative effort includes law enforcement, judiciary representatives, victim service providers, probation officers, and Family Part employees. Together, the Working Group tackles systemic issues within the domestic violence sector and strives to harmonize the efforts of its diverse members. Notably, we are making significant progress in implementing New Jersey's Domestic Violence Procedures Manual and enhancing the process for Temporary Restraining Orders.

The Essex County Prosecutor's Office is one of the lead partners in the Essex County Family Justice Center, located in the Leroy F. Smith Jr. Public Safety Building, 60 Nelson Place, Newark, NJ. The Family Justice Center is recognized by the U.S. Department of Justice on Violence Against Women as a "best practice" in domestic violence intervention and prevention. This center unites domestic violence advocates, civil legal service providers, and other community organizations under one roof, offering crisis intervention, safety planning, counseling, self-sufficiency services, and access to the criminal justice system through a liaison with the Essex County Prosecutor's Office.

Extradition Unit

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

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

Among other things, it may involve securing a Governor's warrant if a fugitive refuses extradition and extraditing both state and federal inmates via the Inter State Agreement on Detainers. It also involves working closely with local, state, and federal law enforcement agencies.

2023 Accomplishments

In 2023 the extradition unit received 388 requests for extradition. Essex County coordinated the legal paperwork to extradite and return 300 fugitives to other jurisdictions and returned 173 fugitives back to Essex County NJ for Prosecution.



Detective Narvin Singh

LEGAL UNITS

Financial Crimes Unit

The Financial Crimes Unit is dedicated to the detection and prosecution of cases involving the unlawful conversion of funds or property. Most of these cases involve fraudulent activities using checks, credit cards, bank accounts and mortgages. Victims of financial crimes are varied and include some of the most vulnerable victims, such as the elderly or infirm and some of the more affluent, such as private and professional corporations. The assistant prosecutors in the Unit are supervised by a Deputy Chief Assistant Prosecutor. Assigned detectives conduct the investigations, supervised by a Captain of Detectives. Presently, this Unit is staffed by a Deputy Chief Assistant Prosecutor, 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 ever-growing crime.

2023 Accomplishments

In 2023, the Financial Crimes Unit conducted investigations into 406 cases, including 146 assists to local police departments seeking assistance from subject matter experts. In addition, there were several notable prosecutions:

Fraud by Impersonation

State v. Todd L. Thompson - On July 7, 2020, Todd L. Thompson was in Raymond Plaza area near Penn Station, when a taxi driver went around Thompsons vehicle to make the left-hand turn from Market Street to Ferry Street. Thompson, a Constable, appointed by the City of East Orange, proceeded to activate police lights that he installed into his personal vehicle and conducted an unlawful traffic stop. During the stop, Thompson identified himself as a police officer and brandished a firearm that he was wearing on his waist. The victim responded by calling the Newark Police Department, who ultimately arrested Thompson for unlawfully possessing a firearm and impersonating a police officer. The principle legal issue in this case was whether Thompson, as a “constable,” had the authority to carry a weapon and conduct motor vehicle stops. Thompson was convicted at trial for second-degree unlawful possession of a weapon and fourth- degree impersonation of a police officer.

The case of Todd L. Thompson was one of the precipitating factors which led to the New Jersey legislature to pass a law eliminating the position of “constable.” The Law was signed by Governor Murphy in January 2024.

Mortgage and Housing Fraud

State v. Darnell Alford et al. - Darnell Alford, Travis Glover, Albert Johnson, and Christina Barnett, along with six others, are alleged to have engaged in racketeering, theft, tampering with records, and money laundering in a mortgage fraud scheme that occurred county-wide. Between 2016 and 2019, these individuals are alleged to have recruited unsuspecting buyers to purchase seven “investment” properties in Newark, East Orange, and Irvington. They are alleged to have manipulated applications and temporarily gifted monies to the unsuspecting buyers to obtain the loans. They acquired over \$1.8 million by deceiving mortgage lenders. The buyers were not aware that a significant portion of the money they were borrowing was being paid to Alford, Glover, and Johnson. The buyers were promised that their homes would be filled with tenants, that the properties would be managed by Alford and his associate, Barnett, and that the buyers would receive monthly income from the property.

However, all seven homes fell into foreclosure. Also, undisclosed to the buyers was the fact that the tenants in these buildings were part of a controversial New York City Program to re-house homeless persons from New York City into Essex County. The one-year leases were paid in full by the City of New York. As a result, there was no active income from the properties.

LEGAL UNITS

There have been several guilty pleas in this case, but Darnell Alford and Christina Barnett remain on the active trial calendar.

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 determining whether there is probable cause for search warrants and communications data warrants. Homicide assistant prosecutors are on-call 24 hours a day and are available to discuss emergent legal issues and to submit search warrants and communications data warrants. The ability to obtain warrants and other legal documents on an emergent basis is often crucial to ensuring that all relevant evidence is collected in a manner that will withstand legal challenges and will be admissible in subsequent legal proceedings.

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

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

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.

2023 Accomplishments

In 2023, the Essex County Prosecutor's Office continued with the Homicide/Major Crimes Task Force. Detectives from Newark, East Orange, Irvington, Bloomfield, and the New Jersey State Police are assigned to the Homicide Unit pursuant to a Memorandum of Understanding (MOU), and conduct investigations in the county. All homicides, death investigations and police shootings throughout the county are investigated by the Homicide Major Crimes Task Force. Having municipal detectives located in the Homicide Unit allows for continuity of investigations and eliminates duplicative efforts by county and local officers.

LEGAL UNITS

During 2023, the Essex County Prosecutor's Office Homicide Unit investigated 68 homicides. Of these homicides, 52 have been charged. Additionally, there were 38 special investigations that the Task Force oversaw. The 68 homicides in 2023 represent a decrease from the 81 homicides that occurred in 2022. Assistant prosecutors and detectives assigned to the Homicide Unit prepared, reviewed, and executed over 500 search warrants and over 500 Communication Data Warrants.



Notable Cases

In **State v. Leo Germain**, the defendant murdered a 16-year-old child. A conviction was obtained with the help of video surveillance. The defendant did not have a criminal record and was sentenced to 30 years NERA.

In **State v. James Ray**, the defendant killed his live-in girlfriend, left a letter and then absconded to Cuba. After he was extradited to the United States, the state secured a verdict of guilty, even though the proofs were circumstantial. The defendant died while pending sentence.

In **State v. Nasean Torres**, the decedent was strangled and stabbed to death by her boyfriend. Her daughter testified at trial. A guilty verdict was secured on murder. The defendant was sentenced to 40 years NERA.

In **State v. Gualberto and Gilberto Lebron**, this was a missing persons turned DV

INVESTIGATION UNITS

Murder. Gualberto Lebron sexually assaulted and killed his girlfriend who was also the mother of his children. He and his brother Gilberto conspired to cover up the murder by hiding and then desecrating her body. Both were convicted. Gualberto Lebron was sentenced to life without the possibility of parole. Gilberto Lebron was convicted of desecrating human remains, hindering prosecution, and weapons offenses. He was sentenced to eight years in prison with the first four years serving as a period of parole ineligibility.

LEGAL UNITS



Professional Standards Bureau

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

2023 Accomplishments

In 2023, the PSB received and investigated 280 new cases. There were several noteworthy criminal cases in 2023. A Newark police officer was convicted of aggravated manslaughter, aggravated assault, weapons offenses and official misconduct, following a lengthy jury trial on a police-involved shooting. Another Newark police officer was convicted on multiple cases, after trial and by way of guilty pleas, theft related offenses, CDS related offenses, and official misconduct.

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

Special Prosecutions Unit/Narcotics Task Force

The principal mission of the Essex County Prosecutor's Office Special Prosecutions Unit is to investigate and prosecute offenders who engage in organized and violent crimes. The Special Prosecutions Unit is staffed by investigators and assistant prosecutors who work together to identify, apprehend and prosecute those offenders. The Special Prosecutions Unit is comprised of three sections: the Narcotics Task Force, the Intelligence Unit, and the attorneys assigned to Special Prosecutions. The investigators are supervised by a deputy chief and a captain. The assistant prosecutors are supervised by a chief assistant prosecutor, a deputy chief assistant prosecutor and two supervisory assistant prosecutors.

The Narcotics Task Force Section is staffed full-time by one captain, one lieutenant, three sergeants, and fifteen detectives. Additionally, there is one detective on loan to the Drug Enforcement Agency. The objective of the Narcotics Task Force (NTF) 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 Strategic Intelligence Section is staffed full-time by one sergeant, one detective, and four investigative aides. 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 and awareness and training. Additionally, one detective, from the Intelligence Unit, is currently assigned to the State Police Regional Operations Intelligence Center (ROIC).

Special Prosecutions Unit is staffed full-time by one chief assistant prosecutor, one deputy chief assistant prosecutor, two supervisory assistant prosecutors, and six 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 Unit provide police with legal advice to agencies county-wide on a 24-7 basis, including guidance on investigative steps, assistance with subpoenas, search warrants, communications data warrants, and other First, Fourth, and Fifth Amendment issues. The Unit also aids local agencies in need of specialized guidance on complex,

LEGAL UNITS

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.

2023 Accomplishments

In 2023, the Essex County Prosecutor's Office Narcotics Task Force was recognized by the New Jersey Narcotic Enforcement Officers Association for outstanding investigative work. The Narcotics Task Force unit conducted 66 investigations in 2023. Some of the more significant investigations include:

State v. Juliam Rodriguez, Jason Torres, & Eric Valentin - NTF 2022-080. Detectives executed multiple search warrants on March 7, 2023 and discovered a 'pill mill' at 394 North 12th Street. Detectives located two pill mixers, pill press, digital scales, and other paraphernalia. Also, inside were 1,800 Oxycodone pills, 750 Roxicodone pills, and 437 grams of suspected fentanyl, large quantity of cutting agent (Suspected Cellulose), multiple USPS & UPS packages addressed to the defendants and \$8,447 in cash.

State v. Leroy Peters - NTF 2022-067. Detectives execute multiple search warrants in Essex and Hudson County. Drugs and paraphernalia were recovered in Essex. A Hudson search warrant yielded first-degree drugs and a handgun. Hudson County charges have been transferred to Essex for prosecution.

State v. William Jackson, Jamal Jackson, & Donnell Watson - NTF #22-001 Georgia King Village four handguns Approximately 1,565 grams CDS-Cocaine, Approximately 196 bricks CDS-Heroin, Approximately. 3.5 lbs CDS-Marijuana and \$4,544.75 in cash.

State v. Dekeitric Leaks and Richard Griffen – On May 17, search warrants were executed on the defendants houses and vehicles in Maplewood and Newark. In the Leaks vehicle we recovered 3 envelopes of heroin, 6 vials of cocaine 35 oof cocaine, 1245 oxy pills and a 9mm handgun. In the Griffen's vehicle we recovered 147 grams of crack cocaine, 115 vials of cocaine, 1245 folds of heroin, a 9mm handgun and hollow point bullets.

State v. Baker, Shockley and Long – An NTF search warrant was executed at various locations. Baker and Shockley were arrested coming out of a heroin mill, where detectives recovered first- degree weight and a handgun. Baker was on parole for carjacking in 2013 (10 years NERA) and Shockley was on parole for conspiracy to commit murder in 2013 (13 years NERA).

INVESTIGATION UNITS

State v. Andre Armstrong – The NTF recovered 1 RF-15 223/5.56 AR Rifle, 1 Grey Ghost Precision AR-15 Rifle; 1 SAR 109T 9mm, 99 bricks CDS-Heroin, two bundles, and five envelopes, totaling 4,975 glassine envelopes of heroin (159g) and \$450.00 in US currency.

State v. George Lopez - NTF #23-039 – The NTF recovered two digital scales, two plastic heat sealers, money counter, large quantity of CDS packaging and processing paraphernalia, large quantity of suspected CDS cutting agents and \$23,888 in US currency in a residence. In a storage container, NTF recovered one black Glock 23 .40 caliber semi-automatic handgun. One black 9mm Masterpiece Arms MPA Defender machine gun with an extended 30 round magazine, one silencer, three kilos of suspected cocaine, 369 grams of suspected raw cocaine, and 15,000 suspected ecstasy tablets.

In 2023, the Special Prosecutions Unit continued to coordinate with our federal, state, and local partners to reduce the violent and organized activities in Essex County. In 2023, the county of Essex investigated over 180 shooting hit incidents which impacted over 220 victims. Furthermore, there were over 86 carjackings in 2023. To help assist in these and other serious investigations the assistant prosecutors assigned to the Special Prosecutions Unit submitted over 1200 search warrants and communication data warrants.

In addition to facilitating several investigations on the local, state, and federal level, the attorneys in Special Prosecutions Unit were very active in the courtroom. During 2023, our attorneys handled many violent crimes including homicides and gang related prosecutions. Some of the more notable convictions are:

State v. Howard Parks - Defendant was charged with multiple counts of carjacking, as well as theft and robbery. The defendant went on a crime spree during March and April of 2022, which started in Essex County and continued into Morris County. Defendant was sentenced on May 8, 2023, to 18 years in New Jersey State Prison with 85% parole ineligibility pursuant to the “No Early Release Act.”

State v. Jonathan Nisbett - Defendant broke into the home of the victim, tied her up and robbed her. He was found guilty of robbery and kidnapping and sentenced to 20 years in New Jersey State Prison with 85% parole ineligibility pursuant to the “No Early Release Act.”

State v. Adia Gilyard - Defendant was convicted of second-degree aggravated assault following a trial.

State v. Jose Mercado - Defendant convicted of carjacking, first-degree robbery, second-degree UPW following a trial. The defendant received 15 years in New Jersey State Prison with 85% parole ineligibility pursuant to the “No Early Release Act”.

LEGAL UNITS

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.

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 re-offend. The Megan's Law Unit is also responsible for prosecuting individuals convicted of sexual offenses who violate the conditions imposed at sentencing, including failure to register under Megan's Law, violations of parole supervision for life and community supervision for life.

The above units and teams were merged into the Special Victims Unit to better serve the victims through the most comprehensive investigations possible. All but the Megan's Law Unit are located at the Wynona M. Lipman Child Advocacy Center, better known as Wynona's House Child Advocacy Center, at 185 Washington Street in Newark. This allows for sharing of resources, information, and experience between the units. The functions within the Special Victims Unit now operate under the command of Deputy Chief Assistant Prosecutor, Celeste M. Montesino who is assisted by a Supervising Assistant Prosecutor, Kathleen Lyons-Boswick and one Captain of Detectives, Carlos Olmo, Lieutenant Anneesha Ford and Sergeant Krista Tracey.

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

INVESTIGATION UNITS

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 training seminars for all municipal, county and state law enforcement personnel working in Essex County. DCAP Montesino and SAP Lyons-Boswick are also certified instructors for the Essex County Police Academy and the Newark Police Academy. 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. The assistant prosecutors in the Special Victims Unit serve as on-call legal liaisons to all the municipal police departments, including the police departments for the colleges and universities. In 2023, the SVU executed over 65 search warrants.

In 2023, the Special Victims Unit processed a total of 1,631 cases.



Assistant Prosecutor Logan Teisch

LEGAL UNITS

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 the 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.

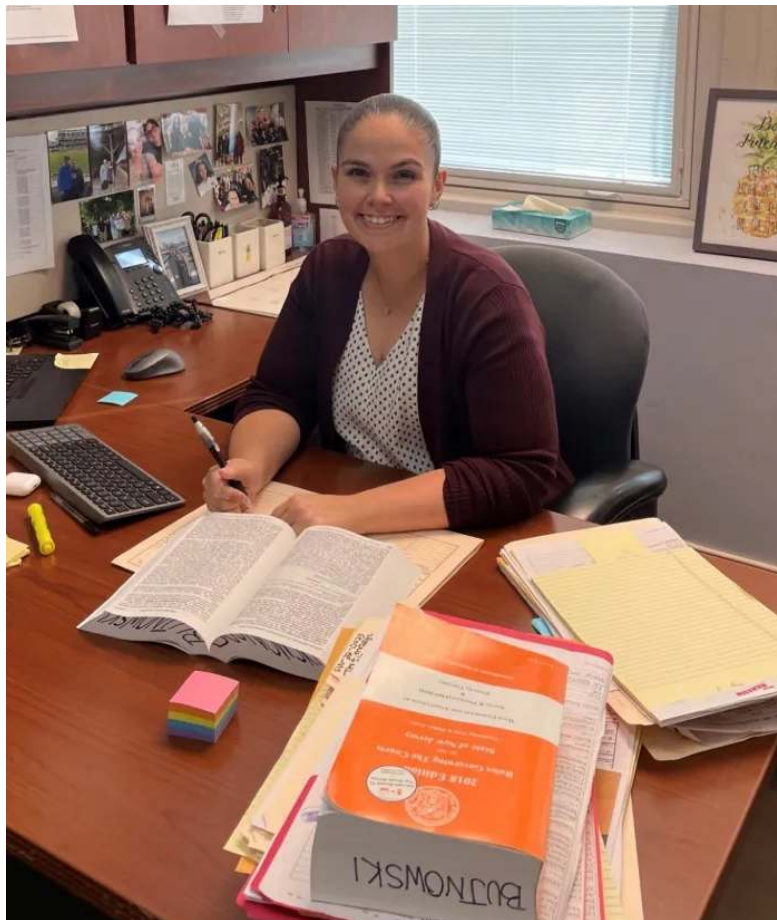
The philosophy of the Lipman Center is to put the "Child First," and a multidisciplinary approach is used to protect child victims from unnecessary trauma during the investigative stages of a case. Under this approach, a single interview of all victims of sexual abuse under the age of 12 years old is 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 one civilian highly trained forensic interviewer, 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 2023 there were 128 forensic interviews conducted by ECPO personnel. Cases are investigated either solely by the CAU or through joint investigations with municipal

INVESTIGATION UNITS

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 co-investigating cases involving children under the age of 18 who were victims of crimes which include sexual abuse, child endangerment (abuse, neglect, cruelty, and abandonment), child 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. Physicians also provide basic, preventative healthcare services to ensure the complete recovery of victims of child abuse.

Since 2018 the Forensic Nurse Examiner (FNE) Program added pediatric patients and began doing pediatric forensic exams. 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 2023, there were 334 activations of the FNE Program..



Assistant Prosecutor Dolores Bujnowski

LEGAL UNITS

2023 Accomplishments

In 2023, the Child Abuse Unit received 995 referrals for investigation.

Notable Cases

State v. Luis Ferino – Found guilty by jury trial—sentenced to 37 years NJSP with 85%, pursuant to NERA. Subject to Megan’s Law and PSL.

State v. Philip Kyle – Found guilty by jury trial—sentenced to 25 years NJSP, with 16 years of parole ineligibility. Subject to Megan’s Law and PSL.

State v. Steven Woodruff – Defendant pled guilty, sentenced to eight years NJ State Prison, Megan’s and PSL registration.

State v. Phedell Harris – Defendant pled guilty, sentenced to eight years NJ State Prison, NERA, Megan’s and PSL registration.

State v. Nasir Herbert - Defendant pled guilty to third-degree aggravated assault, second-degree endangering the welfare of a child and sentenced to five years NJSP

State v. Wilson Cardonas - Defendant pled guilty to second-degree endangering the welfare of a child and will be receiving eight years NJSP subject to Megan’s Law and Parole Supervision for Life

State v. Adam Tounkara - Defendant pled guilty to second-degree aggravated assault and second-degree endangering the welfare of a child and sentenced to seven years NJSP.

ADULT SEX CRIMES

Adult sexual abuse cases are investigated under the auspices of the SVU 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 SVU provides guidance and investigative support for all municipal police departments 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.

The assistant prosecutors provide legal and investigative guidance and are on-call 24 hours a day to assist local law enforcement with their investigations. SVU has 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

INVESTIGATION UNITS

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. SVU 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.



2023 Accomplishments

In 2023, the SVU Adult Sex Crimes Unit received 441 referrals for investigation.

Notable Cases

State v. Mohamad Sakar - Defendant pled guilty to first-degree kidnapping and aggravated sexual assault and sentenced to 12 years NJSP subject to Megan's Law and Parole Supervision for Life.

State v. Yenger Medina-Gomez - guilty plea—sentenced to 10 years NJSP with 85%, pursuant to NERA. Subject to Megan's Law and PSL.

LEGAL UNITS

State v. Esteban Barrett - guilty by jury trial—sentenced to 10 years NJSP with 85%, pursuant to NERA.

State v. Todd Anderson - guilty plea—will be sentenced on January 31, 2025 to 20 years NJSP with 85%, pursuant to NERA. Subject to Megan’s Law and PSL.

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 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 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.

The FNE Program is run by Nancy Cox, RN, FN-CSA, CFN. She has been the program director since 2021 and since then has taken the Program to new heights by working tirelessly to recruit new nurses and to ensure that they maintain the high level of accreditation needed to perform their functions.

Currently the FNE Program has thirteen 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.

2023 Accomplishments

In 2023 in Essex County there were a total of 334 FNE/SART activations at participating hospitals in response to the needs of sexual assault victims. Included in that number were 48 pediatric cases. There were 256 female patients and 55 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 a 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.

LEGAL UNITS

2023 Accomplishments

In 2023, the Human Trafficking Team investigated 31 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.

2023 Accomplishments

In 2023, the Elder Abuse Team investigated eight 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.

2023 Accomplishments

In 2023 the Bias Crimes Unit investigated 108 cases

MEGAN'S LAW UNIT

The ECPO Megan's Law Unit is the busiest Megan's Law Unit in New Jersey, with approximately 1,600 sex offenders residing within the county at any given time, more

than in any other county in the state. The ECPO established its Megan's Law Unit in January 1995 in response to New Jersey legislation designed to protect the public from convicted sex offenders. The Registration and Community Notification Laws, collectively known as "Megan's Law," established a system of registration, notification, and supervision of sex offenders. The law was named after Megan Kanka, a seven-year-old girl who was sexually assaulted and murdered by her neighbor, Jesse Timmendequas. Unbeknownst to her parents, Timmendequas, who lived across the street from their family, was a twice-convicted sex offender who had prior convictions for sexually assaulting a five-year-old girl and a seven-year-old girl. The Kanka family was also unaware that Timmendequas's two roommates had also been previously convicted of sexually assaulting young children. On the date of her murder, Megan encountered Timmendequas while riding her bicycle on her block, with her parents' permission. Timmendequas lured Megan into his home on the promise of showing her a puppy, and, once inside, sexually assaulted and murdered her. Simply put, the promise of Megan's Law was to create a system of registration to know where sex offenders live and work, and a framework to notify the public of the presence of certain sex offenders in their communities.

The Essex County Prosecutor's Office's Megan's Law Unit is responsible for executing the Megan's Law statute. One of the unit's responsibilities is conducting individual evaluations of each sex offender who resides in Essex County, to determine the state's position on the appropriate level of community notification. The system of community notification as determined by the Megan's Law statutes and ensuing guidelines, classify offenders as Tier 1, Tier 2, or Tier 3, and the Tier determines (solely) the level of notification to the community. (An offender's tier does not correlate to any additional conditions or restrictions upon the offender, which are imposed by parole or probation, if the offender is supervised.)

For Tier 1 (low risk) sex offenders, community notification is limited to the police departments where the offender lives and works and the New Jersey State Police - no notice is provided to the community (see below for an exception to this limitation). Tier 2 sex offenders are considered moderate risk, and notification is provided to law enforcement, schools, day-care centers, women's shelters and registered community organizations within the designated geographical area. Tier 3 offenders are considered high-risk, and notification is provided to entities that would have received notification of a Tier 2 offender, plus door-to-door notification to residences, businesses, schools, day care centers, women's shelters and registered community organizations within the offender's "likely to encounter" zone. Some, but not all, Tier 2 offenders also appear on the New Jersey Sex Offender Internet Registry, which is maintained by the New Jersey State Police. All offenders subject to Tier 3 notification are also published to the Internet Registry. As of July 1, 2014, offenders convicted of certain sex offenses whose criminal conduct was deemed "repetitive and compulsive" in their pre-sentence evaluation, appear on the Internet regardless of tier classification, including Tier 1 offenders.

Following a review of the relevant discovery for the offender's sex offense(s), which

LEGAL UNITS

can include an evaluation of the offender's prison records, school and employment records, psychiatric/psychological evaluations, and conduct while supervised by parole or probation, the assistant prosecutors in the unit complete what is known as the "Registrant Risk Assessment Scale" or "RRAS." The RRAS was established by the New Jersey Office of the Attorney General and is used statewide. It is a weighted scale with 13 categories, each of which correlates to several points, and there are different total possible points in each category. The categories include those that relate to the crime itself, such as the degree of force used (e.g. whether a weapon or physical force was used), the degree of sexual contact (e.g. sexual penetration or contact) and the age of the victim (e.g. younger than 13, 13-18, and over 18 years of age) which account for the highest proportion of the total points. Also assessed are the relationship between the offender and the victim (e.g. family member, stranger, acquaintance, etc.), the number of victims, the duration of the offensive behavior, length of time since their last offense, and history of antisocial acts. Other categories relate to the offender themselves, including their participation and response to sex offender treatment, substance abuse history, therapeutic and residential support, employment, and educational status.

In completing the RRAS, the Assistant Prosecutor proposes a score of low, moderate or high risk, for each of the 13 categories. Once the RRAS is completed, the subtotals in each category are added together and the resulting number corresponds with a tier: 0-36 points is Tier 1; 37 to 73 points is Tier 2; and 74 – 111 points is Tier 3. The Assistant Prosecutor is not, however, restricted to the total score as calculated by the RRAS, but can also consider any additional relevant information not captured by any of the categories. Once the RRAS is complete, the assistant prosecutor files a motion in Superior Court with the State's proposed tier designation for Tier 2 and 3 offenders, and certain Tier 1 offenders. Tier 1 offenders with New Jersey sex offense convictions do not generally require a court hearing because there is no notification to the community. However, Tier 1 offenders with out-of-state sex offense convictions are entitled to a hearing and a judicial ruling on whether they are required to register in New Jersey. Tier 1 sex offenders convicted after July 1, 2014, who were found to be repetitive, and compulsive are published on the Internet Registry and are also entitled to a hearing and a judicial ruling. Once the hearing is scheduled, the offenders, who are entitled to be represented by counsel, are hand-served with notice of the court date along with the discovery, RRAS, and the level of community notification sought by the state, including whether the state is seeking to post the offender on the Internet Registry.

During the tier hearing, the court considers the moving papers and oral arguments (and testimony in limited circumstances). The assistant prosecutor presents the state's proposed tier and the offender's counsel can contest the state's submission and findings as to the appropriate level of community notification. Both the state and offender can argue for a higher or lower Tier than is reflected by the RRAS if they believe that the score does not appropriately represent the level of community notification needed to ensure public safety. Following the hearing, the judge makes the final determination and issues an order setting forth the offender's tier and the

authorized level of community notification, if any, including whether the offender will be posted on the New Jersey Sex Offender Internet Registry. If the court rules that an offender's profile should be posted to the Internet Registry, the offender's name, address, county of residence, date of birth, physical attributes, type of conviction, modus operandi and photograph will be published. This information is updated when the offender re-registers, either annually or every 90 days.

Despite an offender's tier classification, there are several exceptions that may prohibit the state from publishing an offender to the Sex Offender Internet Registry. These exceptions include juvenile offenders who only have one adjudication for a sex offense listed in the Megan's Law statute. Additionally, on a more limited basis, offenders who were convicted of aggravated sexual assault, sexual assault, aggravated criminal sexual contact or criminal sexual contact (if the victim was a minor) are excluded from publication to the registry if the offender was related to the victim or stood in the place of a parent within the household. Pursuant to current law and case law, offenders who resided in the same household as the victim may still be excluded from publication to the registry even if they sexually assaulted the same victim on more than one occasion. Offenders who were convicted of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, and criminal sexual contact (if the victim was a minor), where the offender's actions were illegal solely because the victim could not legally consent due to the victim's age may also be excluded from Internet publication.

The registration requirement begins when an offender is released from a correctional facility or on the date that they are sentenced if they receive a non-custodial sentence (e.g. probation, suspended sentence, Parole Supervision for Life). That is, the process begins when the offender is out in the community, not while they are in custody. Offenders who were convicted of sexual offenses in other states and 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 their prior residence. In these circumstances, the Prosecutor's Office reviews the offender's conviction and determines whether the elements of the crime are like the elements of an offense for which registration would be required in New Jersey. These offenders receive notice of their obligation to register and have the right to a judicial hearing to challenge the Prosecutor's Office's determination. The evaluations and tiering process are triggered whenever an offender who was convicted of a Megan's Law sex offense registers with their local police department the first time, when they register at a new address, or when there are other relevant changes.

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 tiering process does not end after the initial tiering of an offender is completed by the issuance of a court order. By law, the prosecutor's office must move for a new court hearing each time an offender for whom community notification was ordered moves to a new address within Essex County. When offenders move, the Megan's Law Unit must submit a new risk assessment to the court and obtain a new Court Order designating the level of notification based on the offender's new area of

LEGAL UNITS

residence and/or new place of employment. Transient sex offenders consume time, resources and manpower spent on locating, tracking and verifying their whereabouts on a continuing basis. Because it can be a lifetime obligation, Megan's Law files are only closed when 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.

The Megan's Law Unit is also responsible for handling registrants' motions to terminate their Megan's Law obligations, and to terminate their supervision pursuant to Community Supervision for Life or Parole Supervision for Life. In New Jersey, registrants who meet the statutory requirements can apply for termination of their Megan's Law obligations after 15 years "offense free." Being offense free, however, does not ensure that the court will grant the motion as the offender must also show that he does not pose a risk to public safety. A disorderly persons or petty disorderly persons conviction during this 15-year period will disqualify an offender from termination of their Megan's Law registration obligations. Unlike the requirements to terminate Megan's Law obligations, offenders seeking to terminate their supervision under Community or Parole Supervision for Life are permitted to apply for termination if the offender can demonstrate that they were not convicted of a new felony crime during any 15-year period following their conviction or release from incarceration. Those offenders must also establish that they do not pose a risk to public safety, but disorderly persons and petty disorderly persons offenses do not prevent them from filing for termination.

In addition to handling Megan's Law tier hearings and termination motions in civil court, the unit also handles criminal cases through indictment for offenders charged with Failure to Register pursuant to Megan's Law and those charged with Violations of Community Supervision for Life (parole). The unit regularly moves for pre-trial detention of sex offenders who have violated parole, are missing from parole, and who are in violation of their registration obligations. The unit also fulfills an advisory role to New Jersey State Parole Board officers and local municipal police departments on the above charges. Members of the unit, in conjunction with the New Jersey State Police, also host a daylong training seminar for all municipal, county and state law enforcement personnel who are responsible for sex offender registrations in Essex County.

2023 Accomplishments

In 2023, tiering hearings were held before the designated Megan's Law Judge approximately twice each month with an average of 25 cases scheduled on each date. During that time, the court issued approximately 150 court orders designating each offender's tier. Based on the tier, the unit must then prepare and execute notification to the community for each offender, where applicable, including posting to the Sex Offender Internet Registry if ordered by the court. The process must be repeated if the offender changes their residence at any time after their tier designation, and the state

INVESTIGATION UNITS

must file a new motion seeking the court's authorization to notify a different geographical area based upon the new address. The unit also handled more than 50 termination motions filed by the offenders seeking to terminate their Megan's Law obligations and/or Community or Parole Supervision for Life. Once scheduled, tiering hearings and termination motions can be adjourned or withdrawn by the filing party, whether the State or offender's counsel, for several reasons including recent changes in the offender's custodial status or place of residence. In those cases, motions may be refiled depending on the circumstances.

SUPPORT UNITS

Business Administration Unit

The staff of the Business Administration Unit oversees a \$42.5 million operating budget, along with Essex County Prosecutor's Office's criminal forfeiture accounts. Additionally, the Unit oversees ECPO's eight major on-going grant-funded programs and several special grants totaling more than \$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 government offices

2023 Accomplishments

The Business Administration Unit played a key role in orchestrating the Office's response to the COVID pandemic in 2020 and 2021, including the many changes that were needed to allow most employees to work-from-home for many months. All employees are now back in the office, and the Administration Unit has generally returned to a more normal role. However, the Unit benefited in many ways in terms of bolstering its crisis-response abilities and seeks to use this experience to improve ECPO's ability to handle future major disruptions.

In sum, Administration Unit staff have maintained their key role in budget planning, procurement oversight, hiring processing, personnel management, facilities repair and improvements, and grant funding oversight. Our staff helped to minimize and

SUPPORT UNITS

overcome the pandemic-related disruptions without serious effects upon ECPO's key investigative and prosecutorial functions and allowed its personnel to remain productive whether working in-office or remote from home. The staff of the Administration Unit will continue to help our ECPO 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 as well as 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 workshops on various topics to community members which 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

In 2023 ECPO held its annual Summer Youth Internship program for the 22nd consecutive year, providing high school students with valuable exposure to careers in public service. The 2023 Summer Youth Internship Program took place from July 5th through August 4th. Thirty-two high school juniors from Essex County participated in this informative program that provides hands-on experience at the Essex County Prosecutor's Office. The program included workshops on making positive choices, substance abuse prevention, gang awareness and teen dating violence prevention. Interns took part in an art and poetry contest aimed at bringing awareness to the opioid epidemic. The interns also attended college and career readiness workshops and interacted with professionals from federal, state and local law enforcement. The program included college tours and field trips to New York and Philadelphia. At the conclusion of the program, interns took part in a mock trial.

2023 Accomplishments

The ECPO Community Relations Unit, along with "Morris Prevention is Key" recovery support specialists, held numerous informational and outreach events. These "operations" were aimed at providing individuals with information on substance treatment services under the **Operation Helping Hand** program (OHH).

January 25, 2023: The Unit participated in Essex County's Homeless Connect Day at the Codey Arena in West Orange. Homeless Connect Day is a community outreach

SUPPORT UNITS

initiative that provides homeless individuals with information on resources available to them. Operation Helping Hand provided information to over 100 individuals.

March 16, 2023: The Unit sponsored a non-arrest OHH operation outside the Irvington Neighborhood Corporation on 16th Avenue in Irvington. The unit interacted with 30 individuals and two of them expressed interest in obtaining drug treatment.

March 17, 2023: The Unit sponsored a non-arrest OHH operation at the Irvington Neighborhood Corp. on 16th Ave. in Irvington. The Unit interacted with 48 individuals, six individuals of those individuals requested services.

June 15, 2023: The Unit held a non-arrest OHH operation outside of the Irvington Neighborhood Corporation on 16th Avenue in Irvington. ECPO staff and recovery specialists from CARES interacted with 23 individuals, five of those individuals expressed interest in treatment.

June 22, 2023: The Unit held a non-arrest OHH operation outside of the Irvington Bus Terminal. The Unit interacted with approximately 28 individuals and four of them expressed interest in treatment.

July 20, 2023: The Unit held a non-arrest OHH operation at 543 Central Avenue in East Orange. The Unit interacted with approximately 20 individuals and three individuals requested treatment services.

July 27, 2023: The Unit held a non-arrest OHH operation on 16th Avenue in Newark. The Unit interacted with 14 individuals; however, no one expressed interest in treatment.

August 1, 2023: The Unit participated in National Night Out at Westside Park in Newark. Information on Operation helping Hand was provided to 100 individuals.

August 17, 2023: The Unit held a non-arrest OHH operation outside the Irvington Neighborhood Improvement Corporation, at 346, 16th Avenue in Irvington. ECPO staff and recovery specialists from CARES interacted with 35 individuals and eight individuals expressed interest in treatment.

September 7, 2023: The Unit held two non-arrest OHH operations at Park Avenue, Orange and on Main Street in Orange. ECPO staff and recovery specialists from CARES interacted with 30 individuals. Two individuals expressed interest in treatment and were given both the OHH hotline number and the number for CARES Morris Prevention is Key.

September 22, 2023: The Unit held a non-arrest OHH operation outside of the Irvington Neighborhood Center on 16th Ave. in Irvington; there were 48 interactions and five were interested in treatment.

SUPPORT UNITS

October 3, 2023: The Unit participated in Essex County's Senior Wellness Day, at the Codey Arena in West Orange. This community outreach event provided information on Operation Helping Hand to nearly 200 attendees.



Executive Assistant Prosecutor Gwendolyn J. Williams

October 19, 2023: The Unit held a non-arrest OHH operation at 147 Main Street in Orange. The Unit interacted with nearly 60 individuals. One individual requested treatment for alcohol dependency.

October 25, 2023: The Unit participated in Red Ribbon Week sponsored by Newark Public Schools. The event was held inside Newark Vocational School. Information on Operation Helping Hand was provided to parents and staff members.

December 19, 2023: The Community Justice Unit held its annual youth conference entitled: **“What’s it All About?” World Against Violence (W.A.V.)**. The youth conference addresses issues impacting middle school students. The youth conference was held at the Student Center of New Jersey Institute of Technology. 460 students from middle schools throughout Essex County attended the conference. Students took part in workshops focused on making positive choices, substance abuse prevention, goal setting, career exploration, pedestrian safety and cyber safety. Representatives

SUPPORT UNITS

from various agencies set up information tables at the conference to engage with the students. A highlight of the conference was a panel discussion on law and public safety facilitated by representatives from the New Jersey Office of the Attorney General.

SUPPORT UNITS

Media Relations Office

The Public Information officer oversees media communications for the Essex County Prosecutor's Office (ECPO), the largest prosecutor's office in the state. The responsibilities of the Public Information Officer are:

- Serving as lead spokesperson for the Essex County Prosecutor's Office
- Maintaining daily contact with print and broadcast media
- Coordinating press conferences and drafting press releases
- Planning press conferences and writing press releases
- Managing ECPO's social media channels and website
- Developing strategic communications plans for the office
- Drafting the ECPO Annual Report

2023 Accomplishments

The Public Information Officer secured national coverage from broadcast and print media for the ECPO. The coverage informs residents about homicides, arrests, trials, indictments, and convictions across Essex County. The Public Information Officer also managed several press conferences for the ECPO which were attended by television networks such as ABC, CBS, NBC, News12, FOX as well as major print publications such as the New York Times and the Star Ledger.

Record Room

The Record Room is a key part of the critical infrastructure that forms the backbone of ECPO, responsible for managing all 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 2023 were 11,057. 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 for storing, tracking, and archiving thousands of criminal case files generated each year in Essex County. The Record Room 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 Office's primary mandate is to fulfill the provisions of the New Jersey Constitution and New Jersey statutes which require:

- Crime victims be treated with dignity, compassion and respect.
- Victims be informed and consulted in matters such as plea bargaining.
- 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 financial and personal disruption. The Office helps them to find the resources needed to maintain basic needs such as food, clothing, shelter, health care, employment, transportation, daycare for pre-school children, etc. It also assists victims and witnesses in dealing with the psychological trauma of crime (which cuts across all economic and social strata) and helps them obtain professional assistance as needed. The Office then helps victims and witnesses to understand and fulfill their rights and responsibilities within the criminal justice system, providing continual communication and coordination regarding case progress and participation in legal proceedings.

As appropriate, the Office accompanies victims to court. Office personnel also assist victims in obtaining financial compensation for their losses through insurance, restitution and the Victims of Crime Compensation Office. The Office assures victims and witnesses that it is as 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 procedural and programmatic compliance with state and federal regulations. The Office is supported in part by state and federal government grants.



2023 Accomplishments:

In 2023, the Victim-Witness Advocacy Office assisted 8,732 new victims and witnesses, initiating approximately 75,000 items of correspondence on their behalf.

The Unit continued to expand its formal relocation program in 2023, through which approximately 1,600 program clients and their families were assisted. This program directly supports 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 provided over 2,500 units of services to those seeking relocation assistance through the program during the calendar year. Essex County victim-survivors received referrals to social service agencies that offer emergency shelter placement, transitional and permanent housing, food and clothing, security, and protection. The advocates also worked 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 their new living environment.

Unit staff continued to enhance the Victim-Witness Advocacy Unit's portal on the Office's general website during the calendar year. The Victim-Witness portal is colorful, interactive, user-friendly, visually appealing, and easily understood by those who access the pages. The website content includes information on the amendments

SUPPORT UNITS

to the Crime Victims' Bill of Rights, notification process, the crisis reaction, the criminal justice process, information on how to obtain a temporary/final restraining domestic violence order, tips for witness testimony and V.I.N.E. (Victim Information Notification Everyday).

Further, the Victim Witness Unit conducted and/or participated in nineteen community outreach forums throughout 2023. Approximately 500 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.



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 in Montclair, New Jersey.

The Sanctuary Program, a free intimate partner violence training initiative, is an intensive, interactive 100-hour program designed to empower community residents to provide crisis intervention and outreach services to victims of domestic violence, sexual assault, child abuse, stalking, property crime, as well as families of domestic violence-related homicide victims. The course is presented in two combined formats:

SUPPORT UNITS

basic and advanced. Volunteers are members of local churches, mosques, synagogues, local police departments and their response teams, social service and emergency agencies, fraternal organizations, and other allied organizations. Upon completion of the course, graduates will be able to provide culturally sensitive outreach to domestic violence victims-survivors and their families within a 24–72-hour period. 28 participants graduated from the six-month program in 2023.

Finally, Unit staff also organized the Office’s annual “Christmas Holiday Toy Drive” to assist needy families, many of which were assisted by the Victim-Witness Advocacy Unit, in December 2023. Through the generosity of office staff, four local social services agencies benefited from our collective efforts and received toys, gift cards, and monetary support that helped each agency to expand their holiday outreach efforts to assist needy families residing in Essex County.

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 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 offered to drug 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, speaking with 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 connects those who are homeless with service providers.

REACHING OUT TO ESSEX COUNTY YOUTH



***replace this picture with photo "ECPO Summer Youth Program"

Acting Prosecutor Stephens is a lifelong advocate for mentoring young people, particularly when it comes to helping them pursue a quality education and build successful career paths. The Essex County Prosecutor's Office sponsors an internship program for high school students, offering them the opportunity to experience firsthand what it's like to work in law enforcement. The photo above is taken at the steps of the Veterans Courthouse. Prosecutor encouraged the 2023 interns to "do your best in every situation – give 100 percent. If you do that, you will make a positive impression."



The ECPO also offers a summer camp for children aged 8-13. The Public Safety Youth Academy is a free three-week program designed to teach students from East Orange and Newark the importance of public safety. The camp features sessions led by members of the Newark Police and Fire Departments, the Essex County Prosecutor’s Office, the Essex County Sheriff’s Department and the East Orange Police and Fire Departments.



Acting Prosecutor Stephens enjoys engaging with students throughout Essex County. The photos above show the Prosecutor speaking before students during a visit to Newark's West Side High School.



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.

PRESS CONFERENCES: Informing the Public



Press conferences are essential to keeping the public informed about safety and law enforcement efforts throughout Essex County. ECPO holds press conferences as needed to notify the public about major investigations, arrests and convictions.

