

SUPERIOR COURT OF N.J.
7-50

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

MAR 22 2007



State Grand Jury
Number SGJ 539-07-3
Superior Court
Docket Number 07-03-00024-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

MICHAEL A. HEARNE)

and)

ANNIE L. HEARNE)

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

MICHAEL A. HEARNE

between in or about October 2006, and on or about November 10, 2006, at the City of Camden, and at the Borough of Bellmawr, both in the County of Camden, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Official Misconduct, Armed Robbery, Possession of a Weapon for an Unlawful Purpose, Unlawful Disposition of a Weapon, and Money Laundering, did agree with an individual whose identity is known to the Grand Jurors, who at

all times relevant to this indictment was acting as an agent of the New Jersey State Police, that:

A. One or both of them would engage in conduct which would constitute the aforesaid crimes, or

B. One or both of them would aid in the planning, solicitation or commission of the said crimes, that is:

1. Official Misconduct, in that one or more of them, acting in the capacity of a public servant, purposely would commit an unauthorized act relating to said public office for the benefit of themselves or another, or purposely would refrain from performing a duty imposed by law or which clearly inherent in the nature of said public office, that is, the said MICHAEL A. HEARNE, a public servant in his capacity as a sworn law enforcement officer within the City of Camden Police Department, having thereby the official functions and duties among others to display good faith, honesty and integrity, to be impervious to corrupting influences and to refrain from soliciting or accepting from any person anything of value for the performance of or for refraining from the performance of his duties or for violation thereof, and acting with a purpose to obtain a benefit for himself, did commit unauthorized acts relating to his public office and did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said MICHAEL A. HEARNE did provide a loaded firearm to an

individual for the purpose it be used in a robbery from which the said MICHAEL A. HEARNE would share in the proceeds, and further engage in financial transactions designed to conceal the nature, source ownership or control of the property (U.S. currency) derived from robbery, and in so doing, the said MICHAEL A. HEARNE, would refrain from taking any law enforcement action designed to prevent those crimes from occurring, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6; and

2. Armed Robbery, in that one or more of them, in the course of committing a theft, knowingly would use force upon another, or would purposely threaten another with, or purposely put another in fear of immediate bodily injury, while armed with, using, or threatening the immediate use of a deadly weapon, that is, the said MICHAEL A. HEARNE, did agree to and in fact did provide a loaded firearm to an individual whose identity is known to the Grand Jurors, for the purpose of being used or threatened to be immediately used in the commission of a theft, contrary to the provisions of N.J.S.A. 2C:15-1 and N.J.S.A. 2C:2-6; and

3. Possession of a Weapon for an Unlawful Purpose, in that one or more of them knowingly would possess a firearm, namely a .38 caliber Smith & Wesson Model 649 handgun, serial number AHT3991, with the purpose that it be used unlawfully against the person of another, that is, the said MICHAEL A. HEARNE, did possess the aforementioned firearm and did transfer

same to an individual whose identity is known to the Grand Jurors, for the purpose that said firearm would be used to commit an armed robbery against the person of another, contrary to the provisions of N.J.S.A. 2C:39-4; and N.J.S.A. 2C:2-6; and

4. Unlawful Disposition of a Weapon, in that one or more of them knowingly or purposely did dispose of a .38 caliber Smith & Wesson Model 649, serial number AHT3991, without having first been licensed or registered to do so as provided by N.J.S.A. 2C:58-1 et seq., contrary to the provisions of N.J.S.A. 2C:39-9d and N.J.S.A. 2C:2-6; and

5. Money Laundering, in that one or more of them knowingly would transport or possess property known to be derived from criminal activity, or would engage in transactions involving property known to be derived from criminal activity, knowing the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of said property, said property having a value of at least \$75,000, contrary to the provisions of N.J.S.A. 2C:21-25 and N.J.S.A. 2C:2-6.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Official Misconduct - Second Degree)

MICHAEL A. HEARNE

between in or about October 2006, and on or about November 10, 2006, at the Borough of Bellmawr, and at the City of Camden, both in the County of Camden, at the Township of Deptford, and at the City of Woodbury, both in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, being a public servant in his capacity as a sworn law enforcement officer within the City of Camden Police Department, and having thereby the official functions and duties among others to display good faith, honesty and integrity, to be impervious to corrupting influences and to refrain from soliciting or accepting from any person anything of value for the performance of or for refraining from the performance of his duties or for violation thereof, and acting with a purpose to obtain a benefit for himself or another, did commit unauthorized acts relating to his public office and did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said MICHAEL A. HEARNE did provide a loaded firearm to an individual for the purpose that it be used in a robbery from which the said MICHAEL A. HEARNE would share in the proceeds and, did and would engage in financial transactions designed to conceal the nature, source ownership or control of the property (U.S. currency) derived from

the robbery, in an amount in excess of \$200 and in so doing, the said MICHAEL A. HEARNE, would refrain from taking any law enforcement action designed to prevent those crimes from occurring, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Attempted Robbery - Second Degree)

MICHAEL A. HEARNE

between in or about October 2006, and on or about November 10, 2006, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, while in the course of committing a theft, purposely did attempt to threaten another with or purposely put another in fear of immediate bodily injury while armed with or threatening the immediate use of a deadly weapon, that is, the said MICHAEL A. HEARNE, did provide a loaded firearm to an individual whose identity is known to the Grand Jurors, for the purpose that the said weapon be used or threatened to be immediately used in the commission of a robbery against another, contrary to the provisions of N.J.S.A. 2C:5-1, N.J.S.A. 2C:15-1, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Possession of a Weapon for an Unlawful Purpose - Second Degree)

MICHAEL A. HEARNE

on or about November 7, 2006, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, knowingly did possess a certain firearm, that is, a .38 caliber Smith & Wesson Model 649 handgun, serial number AHT3991, with purpose to use it unlawfully against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Unlawful Sale or Disposition
of a Weapon - Fourth Degree)

MICHAEL A. HEARNE

on or about November 7, 2006, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, knowingly did dispose of a firearm, that is, a loaded .38 caliber Smith & Wesson Model 649 handgun, serial number AHT3991, without having first been licensed or registered to do so as provided by N.J.S.A. 2C:58-1 et seq., contrary to the provisions of N.J.S.A. 2C:39-9d, and against the peace of this State, the government and dignity of same.

COUNT SIX

(Attempted Money Laundering - Second Degree)

MICHAEL A. HEARNE

between in or about October 2006, and on or about November 10, 2006, at the City of Camden, and at the Borough of Bellmawr, both in the County of Camden, elsewhere, and within the jurisdiction of this Court, purposely did attempt to commit the offense of money laundering, in that the said MICHAEL A. HEARNE purposely did attempt to transport or possess property known to be, or which a reasonable person would believe to be, derived from criminal activity, having a value of at least \$75,000.00, that is, the said MICHAEL A. HEARNE, purposely did attempt to possess or transport U.S. currency known to be, or which a reasonable person would believe to be, derived from a robbery, contrary to the provisions of N.J.S.A. 2C:5-1, N.J.S.A. 2C:21-25a&b, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Conspiracy - Third Degree)

MICHAEL A. HEARNE

and

ANNIE L. HEARNE

between on or about November 7, 2006, and on or about November 10, 2006, at the City of Camden, in the County of Camden, at the Township of Deptford, and at the City of Woodbury, both in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crime of Money Laundering, did agree together and with an individual whose identity is known to the Grand Jurors, who at all times relevant to this indictment was acting as an agent of the New Jersey State Police, that:

A. One or both of them would engage in conduct which would constitute the aforesaid crime, or

B. One or both of them would aid in the planning, solicitation or commission of the said crime, that is:

1. Money Laundering, in that one or more of them would knowingly transport or possess property known to be, or which a reasonable person would believe to be, derived from criminal activity, or would engage in transactions involving property known to be, or which a reasonable person would believe to be, derived from criminal activity knowing the transactions were

designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of said property, said property having a value of less than \$75,000.00, contrary to the provisions of N.J.S.A. 2C:21-25 and N.J.S.A. 2C:2-6.

OVERT ACT

The Grand Jurors aforesaid, upon their oaths, do further present that in pursuance of the said conspiracy, the following Overt Act, among others, was committed:

1. On or about November 7, 2006, at the Township of Deptford, in the County of Gloucester, ANNIE L. HEARNE, did deposit \$2,060 in U.S. currency into Commerce Bank account number 7862414849.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Money Laundering - Third Degree)

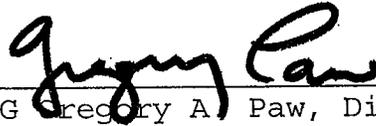
MICHAEL A. HEARNE

and

ANNIE L. HEARNE

between on or about November 7, 2006, and on or about November 10, 2006, at the City of Camden, in the County of Camden, at the Township of Deptford, and at the City of Woodbury, both in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, did commit the offense of money laundering, in that the said MICHAEL A. HEARNE and ANNIE L. HEARNE, did transport or possess property or did engage in transactions involving property known to be, or which a reasonable person would believe to be, derived from criminal activity, having a value less than \$75,000.00, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from the said criminal activity, that is, the said MICHAEL A. HEARNE and ANNIE L. HEARNE, did possess and transport U.S currency knowing, or which a reasonable person would believe to be, was derived from criminal activity, and did engage in financial or banking institution transactions with the said U.S. currency, the said transactions involving said property were designed in whole or in part to conceal or disguise the nature, location, source,

ownership or control of the said property derived through criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25a&b and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



AAG Gregory A. Paw, Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: _____

3/22/07

SUPERIOR COURT OF N.J.
FILED

MAR 22 2007



SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ539-07-3
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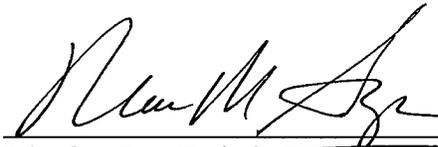
STATE OF NEW JERSEY)
v.)
MICHAEL A. HEARNE)
and)
ANNIE L. HEARNE)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 22nd day of March, 2007, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Camden be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Camden or filing.



Linda R. Feinberg, A.J.S.C.
MARIA M. SYRELL, P.J.C.