

**FILED**

**AUG 04 2009**

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ577-09-1(2)

Superior Court

Docket Number 09-08-162-9

STATE OF NEW JERSEY )

v. )

GIANINE NARVAEZ )

INDICTMENT

)

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

COUNT ONE

(Official Misconduct - Second Degree)

GIANINE NARVAEZ

between on or about May 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said GIANINE NARVAEZ, acting with purpose to obtain a benefit for herself or another or to injure or to deprive another of a benefit, did commit one or more acts relating to her office, but constituting an unauthorized exercise of her official functions, knowing that such acts were unauthorized or that she was committing them in an unauthorized manner, or did knowingly refrain from performing a duty imposed

upon her by law or clearly inherent in the nature of her office, that is, the said GIANINE NARVAEZ, then and there being a public servant, to wit: a data processing technician at the office of the Essex County Commissioner of Registration and Superintendent of Elections, having thereby the official functions and duties, among others, to supervise clerks, to oversee election and computer operations, to perform her duties in a legal and proper manner, to display good faith, honesty, and integrity, to be impervious to corrupting influences, to ensure compliance with election laws, and to maintain the integrity of the electoral process; did, with purpose to secure a benefit for herself or another or to injure or to deprive another of a benefit, (1) knowingly procure, cast or tabulate with Essex County election officials absentee voter registration applications or ballots purporting to be the voter registration applications or ballots of certain residents of this State for the 2007 General Election for State Senate, for the 29th Legislative District, when, in fact, as she well knew, the named residents were not aware of, nor did otherwise authorize, the casting or tabulation of those ballots, or (2) did manipulate election data by creating or submitting false absentee voter registration applications naming fictitious residents, or did refrain from rejecting said applications naming fictitious residents, and then cast or tabulated the ballots for the named fictitious residents with

Essex County election officials for the 2007 General Election for State Senate, for the 29th Legislative District, or (3) falsely certified or submitted documents related to the procurement, casting or tabulation of absentee ballots for the 2007 General Election for State Senate, for the 29th Legislative District, 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 same.

COUNT TWO

(Election Fraud - Second Degree)

GIANINE NARVAEZ

between on or about May 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, knowingly and willfully deprived, defrauded or attempted to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement, casting or tabulation of voter registration applications or ballots that were known by the said GIANINE NARVAEZ to be materially false, fictitious or fraudulent, that is the said GIANINE NARVAEZ, knowingly procured, cast or tabulated with Essex County election officials absentee voter registration applications or ballots purporting to be the voter registration applications or ballots of certain residents of this State for the 2007 General Election for State Senate, for the 29th Legislative District, when, in fact, as she well knew, the named residents were not aware of, nor did otherwise authorize, the casting or tabulation of those ballots, contrary to the provisions of N.J.S.A. 19:34-1.1(a)(2), 2C:2-6 and 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Election Fraud - Second Degree)

GIANINE NARVAEZ

between on or about May 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, knowingly and willfully deprived, defrauded or attempted to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement, casting or tabulation of voter registration applications or ballots that were known by the said GIANINE NARVAEZ to be materially false, fictitious or fraudulent, that is the said GIANINE NARVAEZ created false absentee voter registration applications naming fictitious residents and then cast or tabulated the ballots for the named fictitious residents with Essex County election officials for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 19:34-1.1(a)(2), 2C:2-6 and 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Absentee Ballot Fraud - Third Degree)

GIANINE NARVAEZ

between on or about May 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, knowingly certified falsely in a paper required under the Absentee Voting Law, N.J.S.A. 19:57-1 et seq., or tampered with one or more absentee ballots or documents used in an election, that is the said GIANINE NARVAEZ falsely certified or submitted documents related to the procurement, casting, or tabulation of absentee ballots for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 19:57-37 and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Tampering with Public Records or Information - Third Degree)

GIANINE NARVAEZ

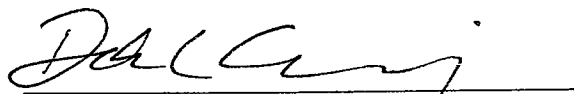
between on or about May 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with purpose to defraud or injure, did make, present, offer for filing or use, or caused to be made, presented, offered for filing or used, any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, to wit: the said GIANINE NARVAEZ falsely certified or submitted documents related to the procurement, casting, or tabulation of absentee ballots for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 2C:28-7(a)(2) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Forgery - Fourth Degree)

GIANINE NARVAEZ

between on or about May 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with the purpose to defraud or injure another, did utter to Essex County election officials, one or more writings, that is, documents related to the procurement, casting, or tabulation of absentee ballots, knowing the same to made, completed, executed, authenticated, issued or transferred, so that it purported to be the act of residents of this State for the 2007 General Election for the 29th Legislative District, who did not authorize that act, contrary to the provisions of N.J.S.A. 2C:21-1(a)(3) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

  
Deborah L. Gramiccioni, Director,  
Division of Criminal Justice

A TRUE BILL:

  
\_\_\_\_\_  
Foreperson

Dated: 8/4/07



**FILED**

**AUG 04 2009**

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury  
Number SGJ577-09-1(2)  
Superior Court  
Docket Number 09-08-00152-S

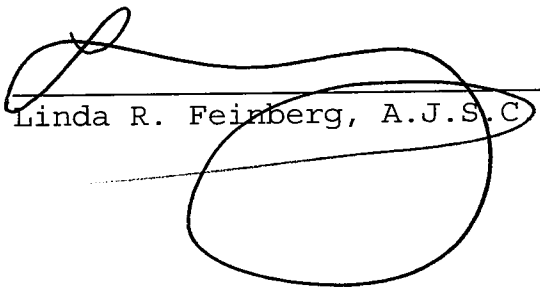
STATE OF NEW JERSEY )  
  
v. )  
  
GIANINE NARVAEZ )

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 4th day of August, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Mercer 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 Mercer for filing.

  
\_\_\_\_\_  
Linda R. Feinberg, A.J.S.C.