

**FILED**

FEB 08 2011

SUPERIOR COURT  
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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ597-10-3

Superior Court

Docket Number 11-02-00009-S

STATE OF NEW JERSEY )

v. )

INDICTMENT

NUNZIO LAGRASSO )

ROCCO FERRANDINO )

and )

ALAN MARFIA )

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

COUNT ONE

(Conspiracy - Second Degree)

NUNZIO LAGRASSO

and

ROCCO FERRANDINO

and other persons whose identities are both known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between in or about November 2004, and in or about April

2010, at the City of Newark, in the County of Essex, at the City of Jersey City, in the County of Hudson, at the Township of Florham Park, in the County of Morris, at the Township of Lakewood, in the County of Ocean, at the Borough of Kenilworth, in the County of Union, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of theft by extortion, commercial bribery, and money laundering, did agree that:

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

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

1. Theft by Extortion, in that one or more of them would purposely and unlawfully obtain the property of another by threatening to inflict harm which would not substantially benefit them but which was calculated to materially harm another person, or by threatening to take or withhold action as an official, specifically by as a union official of the International Longshoreman's Association [ILA] obtaining directly and indirectly through others, monetary payments from ILA members for the taking or withholding of official action related to the union employment or association of those members, contrary to the provisions of N.J.S.A.

2C:20-5 and N.J.S.A. 2C:2-6.

2. Commercial Bribery, in that one or more of them would knowingly solicit, accept or agree to accept, or confer, or offer or agree to confer, a benefit in excess of \$1,000 as consideration for violating or agreeing to violate a duty of fidelity to which they were subject as labor officials, agents of another, managers or other participants in the direction of the affairs of an incorporated association, contrary to the provisions of N.J.S.A. 2C:21-10 and N.J.S.A. 2C:2-6

3. Money Laundering, in that one or more of them knowingly would transport or possess property known or which a reasonable person would believe to be derived from criminal activity; or would engage in transactions involving property known 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; or direct, organize, finance, plan, manage, supervise, or control the transportation of or transactions in property known or which a reasonable person would believe to be derived from criminal activity, 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

(Theft by Extortion - Second Degree)

NUNZIO LAGRASSO

and

ROCCO FERRANDINO

between in or about November 2004, and in or about April 2010, at the City of Newark, in the County of Essex, at the City of Jersey City, in the County of Hudson, at the Township of Florham Park, in the County of Morris, at the Township of Lakewood, in the County of Ocean, at the Borough of Kenilworth, in the County of Union, elsewhere, and within the jurisdiction of this Court, did purposely and unlawfully obtain the property of another by extortion, that is, the said NUNZIO LAGRASSO and ROCCO FERRANDINO, did purposely threaten to inflict harm which would not substantially benefit them but which was calculated to materially harm another, to wit, the granting or withholding of employment assignments for International Longshoreman Association [ILA] union workers at New Jersey waterfront terminals unless monies were paid to the said defendants, or by threatening to take or withhold action as an official, specifically by as a union official of the ILA obtaining directly and indirectly through others, monetary payments from ILA members for the taking or withholding of official action related to the

union employment or association of those members, contrary to the provisions of N.J.S.A. 2C:20-5 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Commercial Bribery - Second Degree)

NUNZIO LAGRASSO

and

ROCCO FERRANDINO

between in or about November 2004, and in or about April 2010, at the City of Newark, in the County of Essex, at the City of Jersey City, in the County of Hudson, at the Township of Florham Park, in the County of Morris, at the Township of Lakewood, in the County of Ocean, at the Borough of Kenilworth, in the County of Union, elsewhere, and within the jurisdiction of this Court, did solicit, accept or agree to accept, or confer, or offer or agree to confer, a benefit in excess of \$1,000 as consideration for knowingly violating or agreeing to violate a duty of fidelity to which the said NUNZIO LAGRASSO and ROCCO FERRANDINO, were subject as labor officials, agents of another, managers or other participants in the direction of the affairs of an incorporated association, that is, the said NUNZIO LAGRASSO and ROCCO FERRANDINO, then and there being labor officials, agents, managers or other participants in the direction of the affairs of the International Longshoreman's Association [ILA], did solicit, accept or agree to accept, or confer, or offer or agree to confer, a benefit in excess of \$1,000 as consideration

from ILA union employees for employment assignments, contrary to the provisions of N.J.S.A. 2C:21-10 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



COUNT FOUR

(Money Laundering - Third Degree)

NUNZIO LAGRASSO

and

ROCCO FERRANDINO

between in or about November 2004, and in or about April 2010, at the City of Newark, in the County of Essex, at the City of Jersey City, in the County of Hudson, at the Township of Florham Park, in the County of Morris, at the Township of Lakewood, in the County of Ocean, at the Borough of Kenilworth, in the County of Union, elsewhere, and within the jurisdiction of this Court, did commit the offense of Money Laundering, in that the said NUNZIO LAGRASSO and ROCCO FERRANDINO knowingly did transport or possess property, did engage in transactions involving property, or did direct, organize, finance, plan, manage, supervise, or control the transportation of or transactions in property known or which a reasonable person would believe to be derived from criminal activity, contrary to N.J.S.A. 2C:21-25, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Conspiracy - Second Degree)

NUNZIO LAGRASSO

and

ALAN MARFIA

and other persons whose identities are both known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between in or about August 2009 and in or about January 2010, at the City Newark, in the County of Essex, at the Township of Kenilworth, in the County of Union, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting and facilitating the crimes of Official Misconduct and Obstruction of Law or Governmental Function, did agree that:

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

B. One or more of them would aid in the planning, solicitation or commission of the aforesaid 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 is clearly inherent in the nature of

said public office, that is, the said ALAN MARFIA, a public servant in his capacity as a sworn law enforcement officer within the City of Newark 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 acting with a purpose to obtain a benefit for himself or another, would use his position as a Newark Police Officer to fraudulently and in an unauthorized manner, gain access to official government databases to determine the identity/nature of undercover law enforcement vehicles that were actively engaged in an official investigation for the purpose of sharing that information with the said NUNZIO LAGRASSO and others who were the subjects of that undercover investigation and who were likewise not authorized to receive that information, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6; and

2. Obstruction of Law or Governmental Function, in that one or more of them would obstruct, impair, or pervert the administration of law or other governmental function thereby obstructing the investigation or detection of a crime or the prosecution of a person for a crime, or would prevent detectives, public servants, from lawfully performing an official function by means of an independent unlawful act, thereby obstructing the

detection or investigation of a crime or the prosecution of persons for a crime, contrary to the provisions of N.J.S.A. 2C:29-1 and N.J.S.A. 2C:2-6.

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

COUNT SIX

(Official Misconduct - Second Degree)

ALAN MARFIA

and

NUNZIO LAGRASSO

between in or about August 2009 and in or about January 2010, at the City Newark, in the County of Essex, at the Township of Kenilworth, in the County of Union, 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 Newark 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 acting with a purpose to obtain a benefit for himself and others, 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 ALAN MARFIA did use his position as a Newark Police Officer to fraudulently and in an unauthorized manner, gain access to official government databases to determine the identity/nature of undercover law enforcement vehicles that were actively engaged in an official investigation for the purpose of sharing that information with the said NUNZIO LAGRASSO and others who were the subjects of that undercover investigation and who were likewise not authorized to receive that information, 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.

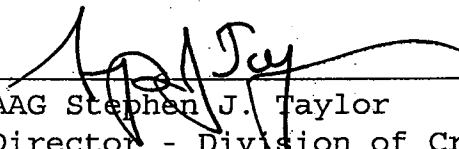
COUNT SEVEN

(Obstruction of Law or Governmental Function - Fourth Degree)

ALAN MARFIA

between in or about August 2009, and in or about January 2010, at the City Newark, in the County of Essex, at the Township of Kenilworth, in the County of Union, elsewhere, and within the jurisdiction of this Court, purposely did obstruct, impair, or pervert the administration of law or other governmental function thereby obstructing the investigation or detection of a crime or the prosecution of a person for a crime, or did prevent detectives of the New Jersey Attorney General's Office and the Waterfront Commission of New Jersey/New York Harbor, public servants, from lawfully performing an official function by means of an independent unlawful act, that is, the said ALAN MARFIA did use his position as a Newark Police Officer to fraudulently and in an unauthorized manner, gain access to official government databases to determine the identity/nature of undercover law enforcement vehicles that were actively engaged in undercover physical surveillance within an official investigation for the purpose of sharing that information with Nunzio LaGrasso and others who were the subjects of that undercover investigation, thereby obstructing the detection or investigation of a crime or the prosecution of persons for a crime,

contrary to the provisions of N.J.S.A. 2C:29-1 and N.J.S.A. 2C:2-6,  
and against the peace of this State, the government and dignity of  
the same.

  
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AAG Stephen J. Taylor  
Director - Division of Criminal Justice

A TRUE BILL:

  
\_\_\_\_\_  
, Foreperson

Dated: 2/8/11



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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury  
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Docket Number 11-02-00009-S

STATE OF NEW JERSEY )

v. )

ORDER OF VENUE

NUNZIO LAGRASSO )

ROCCO FERRANDINO )

and )

ALAN MARFIA )

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

IT IS ORDERED on this *8<sup>th</sup>* day of *February*, 2011, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Morris 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 Morris for filing.



PEDRO J. JIMENEZ, JR. J.S.C.