



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Present

Sentencing for Public Corruption Prosecutors

**September 22, 2022
10:00 a.m. – 12:15 p.m.**

**Richard J. Hughes Justice Complex
4th Floor Conference Center Room A
25 Market Street, Trenton, New Jersey***

***Note: This program will also be simulcast as a webinar.**

Program Summary

This program will focus on sentencing, with particular emphasis on sentencing in cases of corruption or other misconduct by public servants. The presenters will first address the “normal” rules governing sentencing, including probation, county jail as a condition of probation, the ordinary state prison terms for each degree of crime, the presumptions for and against imprisonment, balancing the aggravating and mitigating factors to arrive at a sentence within the statutory range, sentencing one degree lower, concurrent vs. consecutive terms, discretionary minimum terms, “real” time for the various sentences, and programs such as the Intensive Supervision Program. Then, they will focus on sentencing as it applies to corruption cases or other cases of misconduct by public officials, including the enhanced corruption penalties found at N.J.S.A. 2C:43-6.5 – both when they apply and what they entail, downgrading or reducing the minimum terms required under N.J.S.A. 2C:44-6.5 for cooperation and for “extraordinary circumstances, the aggravating factors often applicable to public corruption/misconduct crimes, and the effect of a public corruption conviction on eligibility for the Intensive Supervision Program. The presenters will also explore the Attorney General Guidelines for the prosecution of public officials, the Pretrial Intervention Program for public officials, forfeiture of public office and ban on future public employment under N.J.S.A. 2C:51-2, debarment for contractors under N.J.S.A. 2C:51-2, mandatory pension forfeiture under N.J.S.A. 43-1-3 and the imposition of the Corruption Profiteering Penalty under N.J.S.A. 2C:30-8.

Eligibility

This program will be of particular interest to attorneys prosecuting cases involving public corruption or misconduct by public servants. However, newer prosecutors may also find it a helpful primer on the basics of sentencing in all types of criminal matters. The program is open to attorneys in the Department of Law and Public Safety's Division of Criminal Justice and County Prosecutors and Assistant Prosecutors.

Faculty

AAG Anthony A. Picione is the Deputy Director of the New Jersey Department of Law & Public Safety's Office of Public Integrity and Accountability. Previously, AAG Picione was the Deputy Chief and then the Chief of the Division of Criminal Justice's Corruption and Government Fraud Bureau for over a decade. AAG Picione's practice concentrates on white-collar crime, particularly offenses involving public officials. During his career, AAG Picione has prosecuted numerous high profile cases involving public corruption and the theft of public funds. AAG Picione is also an instructor for the New Jersey Attorney General's Advocacy Institute, the National Attorneys General Research and Training Institute, and the New Jersey Police Training Commission, as well as an Adjunct Professor of Trial Advocacy for Rutgers Law School. AAG Picione received a J.D. *cum laude* from the University of Pennsylvania Law School and a B.A. *magna cum laude* from Drew University.

AAG Carol M. Henderson is Chief of the Appellate Bureau of the Department of Law & Public Safety's Division of Criminal Justice. She has briefed and argued over 60 cases before the New Jersey Supreme Court in addition to litigating cases before the Appellate Division, the United States District Court, and the Third Circuit Court of Appeals. AAG Henderson is an instructor for the Attorney General's Advocacy Institute, the NJSBA and ICLE and has published articles on appellate practice, habeas litigation, interlocutory appeals, sentencing, legal writing, and prosecutor ethics and conduct. In 2008, she was the recipient of the New Jersey County Prosecutors' Association award for "Outstanding Advocacy over a Career." AAG Henderson graduated with honors from Ramapo College of New Jersey and received her law degree from Seton Hall Law School.

CLE Credit

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.4 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

PA CLE Credit: 2.0 Substantive Credits (\$3.00 mandatory registration fee required).

Registration

Attorneys eligible to attend this program will receive registration instructions from the AGAI.