

Department of Law & Public Safety
Office of the Attorney General



Division of Criminal Justice

Elie Honig, Director



photo by Ray Shaffer

2014 Annual Report

Introduction

While 2013 was a year of transition for the Division of Criminal Justice, 2014 brought stability, growth and progress. As our newly-promoted supervisors and newly-hired prosecutors and detectives took on greater responsibilities, the Division not only continued to perform its core mission of public protection, but also took the lead on new, emerging areas of law enforcement and policy.

In 2014, the Division obtained more state grand jury indictments and more accusations, thereby charging more defendants, than in any year since 2009. As strong as they are, the raw statistics alone do not tell the whole story. While we made many cases, our work on the streets and in the courtroom resonated forcefully in the communities that we serve. In 2014, we prosecuted sweeping cases against violent street gangs that had terrorized the citizens of Camden, Atlantic City, Trenton, New Brunswick, Perth Amboy, Newark, Paterson and Jersey City. We seized illegal firearms from drug dealers and gang members, and we charged previously-unsolved shootings and murders. We prosecuted dozens of corrupt public officials, from state legislators to mayors to municipal officials to law enforcement officers. We took down the leadership and an entire wing of a mafia family. We recovered millions of dollars in taxpayer money that had been stolen by thieves of all stripes, including dozens who stole money intended for the victims of Superstorm Sandy. We unmasked vast, multi-million dollar fraud schemes targeted at the elderly and the poor, bringing the perpetrators to justice while recovering money for hundreds of victims. We incapacitated dozens of child predators, including those who search for victims online. We disabled an international carjacking ring that preyed violently on innocent victims. We charged and convicted human traffickers, both domestic and international. The list goes on, and the theme remains the same: our work in 2014 made New Jersey a better and safer place to live.

Beyond our litigation work, the Division continued to lead the way on statewide development of law and public policy through our Appellate Bureau; through our supervision of, and partnerships with, the 21 County Prosecutors; and through our statewide law enforcement training programs. DCJ further provided vital law enforcement services – including victim-witness support, DNA database monitoring, grant funding and medical examiner services – across the state. We also took the lead on vital statewide initiatives, including multi-faceted efforts to combat heroin and prescription pill abuse and overdose.

To highlight the outstanding work we have done, this report summarizes some of the leading cases that the Division prosecuted in 2014, and other accomplishments beyond the courtroom. Every one of our successes, at bottom, springs from the efforts of the people who work for this Division every day. As we move into 2015, we will continue to prove ourselves worthy of the great trust that the people of this State have placed in us to make New Jersey a better and safer place to live.

Elie Honig, Director
Division of Criminal Justice

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Gangs & Organized Crime Bureau

Operation North Pole. In the largest criminal takedown conducted in Camden in over a decade, the Division arrested and charged by indictment and accusation 56 defendants who operated a massive, multi-million dollar drug distribution network in North Camden. The defendants included case workers, supervisors, suppliers, and leaders of the drug network, several of whom had ties to Mexican drug trafficking cartels. The defendants face first degree racketeering charges and first and second degree narcotics distribution charges. During the arrests and related search warrants, the Division seized six illegal firearms, several ounces of cocaine and heroin, and over \$200,000 cash. To date, 21 defendants have pled guilty, with sentences ranging from four to ten years in state prison. DAsG Andy Johns, Darryl Richardson, Julia Glass, Rachel Weeks, Martin Steiner and Kristen Harberg; Lt. Rich Carlin; Dets. Peppi Pichette, Brian Woolston, James Blong, Jeffrey Lorman, Mike Gonzalez, Mike Rasar, John Collins, Jon Norcia, Terry Shaw and Richard DaSilva.

Operation Fistful. In a major organized crime takedown, the Division charged 11 defendants – including high-ranking made members and associates of the Genovese Organized Crime Family – with racketeering, conspiracy, loansharking, money laundering, illegal gambling and other charges. The defendants included Charles “Chuckie” Tuzzo, a Genovese “capo,” and Vito Alberti, a Genovese soldier. The Division charged that the defendants utilized a network of licensed and unlicensed check cashing businesses to conduct massive loansharking, gambling, forgery and money laundering schemes which generated over \$10 million in criminal proceeds for the mafia. The defendants face multiple charges, including first degree racketeering, which carries a potential sentence of ten to twenty years in state prison. DAsG Lauren Scarpa, Annmarie Taggart, Vincent Militello, Ray Mateo and Jacqueline Weyand; Deputy Chief Chris Donohue; Lt. Brian Bruton; Dets. Patrick Sole, Mario Estrada and Matthew Tully.

State v. Derek Fuqua, et al. The Division indicted 21 defendants who operated a high-volume heroin distribution enterprise out of heroin mills and stash houses in New Brunswick, Piscataway and Edison. The charged defendants include Fuqua, who is charged with leading a narcotics trafficking network, a first degree crime that carries a maximum sentence of life in state prison including 25 years without parole. The other defendants face various racketeering, narcotics and firearms offenses. To date, four defendants have pled guilty. During the arrests and searches, police recovered two kilograms of heroin (worth over \$150,000), six firearms, first degree quantities of cocaine, over \$150,000 cash and various items related to heroin production and distribution. DAG Erik Daab.

Operation Next Day Air. The Division indicted 15 defendants who ran a narcotics trafficking ring that used the U.S. mail and other parcel services to deliver dozens of kilograms of cocaine from California to New Jersey. The defendants included brothers Andrew and Kemar Davis, who were charged as leaders of the narcotics trafficking conspiracy and face potential sentences of 25 years to life in state prison upon conviction. Andrew Davis directed the ring from Jamaica. In total, the Division seized 26 kilograms of cocaine – worth over \$750,000 – plus two handguns and over \$500,000 cash. Four defendants have been convicted by guilty plea. One defendant was sentenced to 16 years in state prison, including eight years without parole. The three others are scheduled to be sentenced in January to state prison terms ranging from five to ten years with a three and one-half year period of parole ineligibility. DAG Julia Glass.

Operation China White. This investigation, conducted with New Jersey State Police and DEA, led to the arrest and indictment of six Camden-based defendants on first degree drug and money laundering charges. In connection with the case, the investigative team seized approximately nine kilograms of heroin and cocaine, approximately \$600,000 cash and multiple weapons. The defendants have substantial ties to Mexican drug cartels. DAsG Julia Glass and Jeff Barile.

Operation Billboard. The Division indicted 36 defendants – including the entire hierarchy of a Camden-based narcotics trafficking organization tied to the Netas street gang – on charges including first degree racketeering, narcotics trafficking and other crimes. The drug distribution network trafficked in tens of thousands of dollars worth of heroin and cocaine every week, and commonly used guns and committed acts of violence to control turf within Camden. To date, 33 defendants have been convicted of racketeering, firearms and narcotics offenses. All of the convicted defendants have been sentenced to lengthy state prison terms including periods of parole ineligibility. DAsG Andy Johns and Jill Mayer; Lt. Rich Carlin; Sgt. Andrea Salvatini; Dets. Peppi Pichette, Brian Woolston, James Blong, Jeffrey Lorman, John Collins, Scott Caponi, William Gonzalez, Mike Gonzalez, Richard DaSilva and Naike Kudlik.

State v. Yusuf Ibrahim, et al. Ibrahim was indicted on two counts of first degree murder and other charges after he shot two victims at point-blank range, cut off their heads and hands, and buried the remains in a remote area of Atlantic County. After a search, the headless bodies were recovered in a shallow grave, and the heads and hands were recovered in a separate grave nearby. Ibrahim was apprehended shortly thereafter. He faces a sentence of 30 years to life in state prison. In a separate case, Ibrahim pled guilty to first degree robbery and faces a sentence of up to 20 years with an 85% period of parole ineligibility. DAsG Lauren Scarpa, Vincent Militello, Phil Mogavero and Jamie Picard.

Operation Family Affair. The Division indicted seven members of a violent Trenton-based drug ring with attempted murder, racketeering and heroin distribution offenses. Two of the defendants, Mark Fletcher and Keith Journigan, were charged with attempted murder after Fletcher ordered Journigan to shoot a rival drug dealer on the streets in Trenton. Journigan did in fact shoot the intended victim, who survived. Just ten days after the shooting occurred, the Division arrested Fletcher and Journigan on the attempted murder charges. The defendants also distributed heroin and cocaine. DAG Erik Daab.

Operation Sex, Money, Murder. The Division indicted the leading members of the Sex, Money, Murder set of the Bloods street gang in Monmouth and Ocean Counties. Following a two-month trial, Carl Holdren, a leader of the gang, was convicted of first degree murder, first degree racketeering, two counts of first degree attempted murder, two counts of first degree conspiracy to commit murder and two counts of second degree possession of a weapon for an unlawful purpose. He received an aggregate sentence of life imprisonment plus 40 years in state prison, with 92½ years of parole ineligibility. Another gang leader, Valdo Thompson, pled guilty to first degree murder, first degree racketeering, two counts of first degree attempted murder and two counts of first degree conspiracy to commit murder. He received an aggregate sentence of 40 years in state prison, with 30 years of parole ineligibility. DAG Daniel Bornstein.

Operation Guns III. In a sweep targeted at illegal gun traffickers, the Division indicted 65 total defendants for trafficking and/or possessing a total of 94 illegal firearms. Several of the cases involve importation of illegal firearms from other states into New Jersey. One indictment charges 11 defendants with smuggling 18 firearms, including assault rifles, from Ohio into New Jersey to be sold in Newark and Irvington. DAsG Michael Klein, Brandy Malfitano, Phil Mogavero, Darryl Richardson, Amy Sieminski, Cassandra Serentino, Annmarie Taggart, Rachael Weeks, Jacqueline Weyand and Andrew Fried.

Operation White Silk. The Division arrested 20 defendants who operated a massive oxycodone distribution network, primarily based in Paterson. Ten defendants pled guilty before indictment, and the Division indicted the remaining ten defendants on charges including second degree narcotics distribution. The defendants include ringleader Aurelio Rodriguez and a network of brokers, dealers and runners. The defendants' network trafficked tens of thousands of oxycodone pills, which were sold for millions of dollars. DAG Ray Mateo; Dets. Kevin Weinkauff, Louis Renshaw, Travis Johnson, Toni Petreski, Miguel Rodriguez and Luis Cruz.

State v. Manuel Perez-Guerrero, et al. The Division charged seven Paterson-based defendants who operated multiple heroin mills with first degree heroin charges and firearms charges. In connection with the arrests, the Division and its law enforcement partners seized heroin, cocaine and three handguns, while dismantling two operational heroin mills. The defendants face first degree charges of maintaining a heroin production facility, first degree charges of possession of heroin with intent to distribute, second degree firearms charges and other offenses, and face ten to 20 years in state prison. DAG Jamie Picard.

State v. Louis Boggs, et al. The Division and State Police charged 19 individuals with various weapons offenses. Ringleader Boggs and 18 other defendants sold approximately 25 weapons to two cooperating witnesses. Those weapons included assault firearms and military-style launchers. Boggs faces first degree charges and a sentence of 20 years to life with an 85% period of parole ineligibility. The remaining defendants face various sentences in the first and/or second degree ranges. DAG Amy Sieminski.

State v. Otis Clyburn. The Division indicted Clyburn for first degree possession with intent to distribute narcotics related to his possession of 1150 bricks of heroin and \$137,000 cash. The Division also has two additional open cases against Clyburn. In the first of those cases, Clyburn was arrested and charged with additional first degree narcotics offenses and money laundering related to his possession of 1150 bricks of heroin and \$210,000. In the second case, Clyburn was charged with money laundering after he was found in possession of \$14,500. DAsG Philip Mogavero and Amy Sieminski.

State v. Isaac Zambrano, et al. The Division indicted six Newark men on charges that they trafficked ten illegal guns, including two stolen guns, an illegal assault weapon with a high-capacity magazine and illegal hollow-point bullets. Five of the defendants face second degree conspiracy and weapons charges and sentences of five to ten years in state prison, including three and a half years without parole. The sixth defendant faces first degree weapons charges and faces ten to 20 years in state prison. DAG Shontae Gray.

State v. Cesar Perez, et al. The Division indicted and convicted four defendants on first degree narcotics trafficking and money laundering charges for running a massive international cocaine distribution operation. During the investigation, the Division and State Police seized 40 kilograms of cocaine and \$1.1 million in cash from a warehouse controlled by the syndicate. Three defendants pled guilty and the fourth, Carlos Marroquin, was convicted at trial by a jury. Marroquin was sentenced to 32 years in state prison, including 16 years without parole. DAsG Phil Mogavero and Jacqueline Weyand.

Operation Speed Racer. The Division arrested and indicted five defendants on first degree heroin and methamphetamine charges. During the arrests and related seizures, law enforcement agents seized two kilograms of heroin and two kilograms of methamphetamine – together worth several hundred thousand dollars in street value – plus an illegal, stolen firearm. The defendants face between ten and 20 years in state prison on each of the first degree charges. DAG Julia Glass.

Operation Nine Connect. The Division charged and convicted 48 members of the Nine-Trey Gangsters, a set of the Bloods street gang, on murder conspiracy, racketeering, narcotics distribution, illegal firearms trafficking and other charges. The defendants included leaders of the gang such as Monaud Toussaint, who was convicted of murder conspiracy and sentenced to ten years in state prison, including eight and a half years without parole. DAsG Daniel Bornstein, Andrew Butchko, John Corson and Lauren Scarpa.

State v. Danni Rivera, et al. The Division indicted 30 defendants on racketeering, heroin distribution, kidnapping and other charges arising from the defendants' participation in a Perth Amboy-based gang known as the Netas. The leader of the Netas, Rivera, pled guilty to first degree racketeering, and was sentenced to 16 years in state prison with an 85% period of parole ineligibility. Several other defendants entered pleas to first and second degree crimes and were given state prison sentences with varying periods of parole ineligibility. DAsG Russell Curley and Michael Klein; Sgt. Keith Stopko; Dets. Scott Caponi, Edward Augustyn, Timothy Savage, Richard Aitken and William Gonzalez.

Operation Dismayed. The Division arrested and indicted 15 members of a Paterson-based heroin mill and distribution ring. The defendants' operation received, packaged, and distributed multiple kilograms of heroin – worth hundreds of thousands of dollars – per week. During the arrests, law enforcement officers seized four kilograms of bulk heroin and over \$250,000 cash. The defendants were indicted for first degree racketeering and second degree conspiracy to maintain a heroin production facility. Defendant Segundo Garcia, a leader of the drug trafficking network, pled guilty to first degree heroin distribution and was sentenced to 15 years in state prison, including six years without parole. All remaining defendants have pleaded guilty and have been sentenced. DAsG Annmarie Taggart and Shontae Grey; Sgt. Ho Shin; Dets. Kevin Weinkauff, Louis Renshaw, Travis Johnson, Toni Petreski, Miguel Rodriguez and Luis Cruz.

State v. Jose Correa, et al. The Division indicted four defendants who operated a heroin and cocaine mill in Elizabeth. During the arrests and related seizures, law enforcement agents seized cocaine, heroin and oxycodone pills, plus extensive narcotics packaging equipment. The defendants face first degree charges of narcotics distribution and maintaining a narcotics production facility. DAG Shontae Gray.

Operation Jumpstart. The Division charged 28 Camden-based defendants who comprised a major narcotics network with racketeering, narcotics and firearms offenses. The defendants include the hierarchy and street command of this organization, which distributed massive amounts of heroin in Camden. To date, 23 defendants have been convicted by guilty plea on first degree and second degree offenses, all of whom face state prison time, and most of whom face sentences exceeding ten years. DAG Kristen Harberg.

State v. Denise Nagrodski. The Division charged Nagrodski for attempting to hire a hit man to murder her daughter's ex-boyfriend and two other victims. Nagrodski twice met with an undercover officer whom she believed was a hitman, and provided the officer with \$1,000, photos of the intended victims and a hand-drawn map of the victims' residences. Nagrodski faces three counts of first degree attempted murder, each of which carries a sentence of ten to 20 years in state prison with an 85% period of parole ineligibility. DAsG Michael Klein and Brandy Malfitano.

State v. Beningo Gomez-Morales, et al. The Division charged Gomez-Morales and another defendant with first degree possession of cocaine with intent to distribute after detectives seized 24 kilograms of cocaine – worth over \$700,000 in street value – during a car stop on Route 287. Gomez-Morales pled guilty and was sentenced to ten years in state prison including three and a half years without parole. DAG Amy Sieminski.

State v. Andres Garcia. Garcia pled guilty to first degree drug distribution charges after detectives seized 20 kilograms of cocaine and 64 pounds of marijuana from a tractor-trailer he was driving on I-78 in New Jersey. The seized drugs had a street value of more than \$800,000. Garcia was sentenced to 12 years in state prison, including four years without parole. DAG Shontae Gray.

State v. George Spyropolous. The Division arrested and indicted Spyropolous, the manager of the Tick Tock Diner, for attempting to hire a hit man to torture and murder his uncle, who owned the diner. After being introduced to an undercover police officer posing as the hit man, Spyropolous provided the purported hit man with a revolver, \$3,000 cash, a map to the uncle's house and photographs of the uncle. Spyropolous pled guilty to first degree conspiracy to commit murder, and was sentenced to eight years in state prison, including over six years without parole. DAsG Lauren Scarpa and Annmarie Taggart.

State v. Bobby Singletary, et al. The Division tried and convicted Singletary, a corrections officer at the state's correctional facility for sex offenders, for smuggling heroin and marijuana into the facility. The State proved at trial that, over three years, Singletary smuggled narcotics into the correctional facility and received payment from inmates through a series of wire transactions. Singletary was convicted on all counts at trial, and was sentenced to seven years in state prison, including five years without parole. Five other co-conspirators were convicted before trial by guilty plea. Singletary was permanently barred from state employment and forfeited his pension. DAsG Cassandra Serentino and Erik Daab.

State v. Nikita Cardwell. Cardwell, a former senior corrections officer, was convicted at trial for conspiring to smuggle contraband to an inmate. While working as an officer at Northern State prison,

Cardwell took bribes to smuggle cellphones into the prison facility for inmates. Cardwell was convicted by the jury of second degree official misconduct and bribery offenses, and was sentenced to seven years in state prison, including five years without parole. DAsG Cassandra Serentino and Michael Klein.

State v. Eugene Braswell. Braswell, a former senior state corrections officer, was convicted by guilty plea of first degree cocaine distribution for smuggling 22 kilograms of cocaine from Texas into New Jersey. Braswell was sentenced to 15 years in state prison, including five years without parole. Braswell forfeited his job as a corrections officer, received a lifetime ban from public employment and forfeited his state pension. DAsG Mark Eliades and Brandy Malfitano.

Operation Wetlands. The Division indicted 13 defendants who operated a drug trafficking ring in Jersey City. Two of the organization's leaders, David Gilliens and Dempsey Collins, pled guilty to first degree charges of leading a narcotics trafficking network. Both were sentenced to 20 years in state prison. Another defendant, Kwadir Felton, was convicted by a jury after trial on all counts, including aggravated assault, firearms possession and conspiracy to distribute narcotics. Felton was sentenced to 16 years in state prison, including six years without parole. DAsG Ray Mateo and Brandy Malfitano.

State v. Vincent Esposito, et al. The Division indicted Esposito – a practicing doctor and former Madison borough councilman – and pharmacist Srinivasa Raju with conspiring to prescribe thousands of oxycodone pills to individuals without a medical examination and without medical need. Esposito pled guilty to a second degree narcotics distribution charge, which can be reduced to a third degree charge upon sentencing. Raju similarly faces second degree narcotics distribution charges. DAsG Betty Rodriguez and Brandy Malfitano.

State v. Jimmie Smith. The Division indicted Smith, a coach and educational aide at JFK high school in Paterson, for first degree possession with intent to distribute narcotics and second degree aggravated assault. Defendant possessed seven ounces of cocaine and then attempted to flee from his arrest, injuring a detective. DAsG Ray Mateo and Shontae Gray; Dets. Travis Johnson, Kevin Weinkauff, Louis Renshaw, Toni Petreski, Miguel Rodriguez and Luis Cruz.

State v. Belermino Amaya, et al. The Division arrested two defendants for first degree possession with intent to distribute 21 kilograms of cocaine. A third defendant was arrested for second degree money laundering as he attempted to meet with the first two defendants to drop off drug money. DAG Jamie Picard.

State v. Paul Cano, et al. The Division charged eight defendants with narcotics offenses for their roles in a narcotics distribution network. Several search warrants were executed during the investigation. Four of the defendants were charged with first degree offenses and the rest were charged with second and third degree offenses. During arrests and searches, detectives recovered a kilogram of cocaine and a handgun. DAG Erik Daab.

State v. Mario Miller, et al. After the Division obtained search warrants and seized 51 kilograms of cocaine, Miller and Jesus Rivera were indicted on first degree narcotics trafficking charges. Both defendants were convicted by guilty plea and sentenced to 10 years in state prison with three-plus years

of parole ineligibility. AAG Christopher Romanyshyn and DAG Vincent Militello; Det. Kevin Weinkauff.

State v. Jorge Avalos, et al. The Division indicted three defendants – Avalos, Luis Hernandez and Francis Bailey – on first degree narcotics trafficking charges after law enforcement officers seized 21 kilograms of cocaine from a vehicle in Jersey City. The intercepted shipment of cocaine was worth over \$600,000 in street value. All three defendants have pled guilty and are awaiting sentencing. DAG Ray Mateo.

State v. Dominic Cole, et al. The Division charged three Trenton men on charges that they illegally trafficked seven guns, including a sawed-off shotgun and a rifle with a prohibited large-capacity magazine. All defendants pled guilty. One defendant was sentenced to five years with a five year period of parole ineligibility. The second defendant was sentenced to five years with a one year period of parole ineligibility and the third will be sentenced in January to five years with a three year period of parole ineligibility. DAG Cassandra Serentino.

State v. Kareem Tillery. The Division indicted Tillery on charges that he illegally trafficked six guns, including an assault weapon with hollow-point bullets, during an undercover investigation. Tillery is charged with second degree unlawful possession of an assault firearm and other offenses, and faces a sentence of five to ten years in state prison, including three and a half years without parole. DAG Shontae Gray.

State v. Darryl Spears. The Division tried and convicted Spears – a previously-convicted felon – for unlawfully possessing and illegally selling a semi-automatic handgun. Spears faces five to ten years in state prison with a five year period of parole ineligibility, and is eligible for an extended term based on a prior conviction for aggravated assault. DASG Mary Murphy and Cassandra Serentino.

Human Trafficking

Operation No Boundaries. The Division convicted by guilty plea five defendants in an international human trafficking case, including ringleader Jose Cruz Romero-Flores. The defendants operated a human trafficking ring that used fraud and coercion to lure young women from Mexico into the United States, where they were put to work as prostitutes in a network of brothels located in Lakewood and elsewhere. DAG Cassandra Serentino; Lt. Lisa Shea; Sgt. Noelle Holl; Dets. Naike Kudlick, Eric Barnes, Terry Shaw, Christine Sullivan, Atem Ako and Brian Christensen.

State v. Percival Williams, et al. The Division convicted Williams by guilty plea on second degree human trafficking conspiracy charges. Williams pled guilty to using violence and threats to coerce numerous young women to work within a sex trafficking enterprise. After an extensive manhunt, Williams was arrested in Texas and extradited back to New Jersey for prosecution. Williams was sentenced to ten years in state prison. DAG Annmarie Taggart; Lt. Lisa Shea; Sgts. Noelle Holl and Keith Stopko; Dets. Naike Kudlick, Eric Barnes, Terry Shaw and Shawn Gorlin.

State v. Mark Branch, et al. The Division arrested and indicted Branch with first degree human trafficking and other offenses. Branch ran a male prostitution ring and used narcotics and threats to

coerce numerous young men, some of whom were minors, to act as prostitutes. Branch further attempted to tamper with witnesses against him. Branch and co-defendant Francis Forvour pled guilty to second degree conspiracy to commit human trafficking and were sentenced to five and four years in state prison, respectively. DAsG Jeff Barile and Russell Curley; Lt. Lisa Shea; Sgts. Noelle Holl and Keith Stopko; Dets. Naike Kudlick, Eric Barnes, Terry Shaw and Shawn Gorlin.

Corruption Bureau

State v. Birdsall Services Group, et al. The Division continued its prosecution of Birdsall Services Group, its CEO, and six other top executives for conspiring to subvert the state's Pay-to-Play Act by disguising illegal corporate political contributions as personal contributions of firm employees. Under the scheme, Birdsall and its executives utilized firm employees to make political contributions to candidates in amounts under the \$300 reportable threshold. The firm and its executives then illegally reimbursed the employees through purported bonus payments and other means. In total, Birdsall -- which held millions of dollars in state contracts for engineering services prior to its bankruptcy and subsequent sale -- made hundreds of thousands of dollars in illegal contributions to dozens of officials and candidates. Beyond the seven charged executives who were indicted, two former Birdsall employees have pled guilty for their participation in the scheme. Further, Birdsall, as a corporate entity, pled guilty to a first degree money laundering charge and to a second degree charge of making false representations in government contracting. Birdsall also forfeited \$3.6 million to the State in criminal and civil forfeitures and penalties and was debarred from holding public contracts for ten years. AAG Mark Ondris; DAsG Anthony Picione, Victor Salgado and Mallory Shanahan; Dets. Kiersten Pentony, Edward Augustyn, Janine Buchalski and Melissa Calkin; Auditor Catherine Lodato.

State v. Robert Schroeder. The Division continued its prosecution of former State Assemblyman Schroeder for defrauding investors and issuing bad checks in connection with various business dealings, causing a combined loss of over \$5 million. Assemblyman Schroeder was indicted on charges including misconduct by a corporate official and theft by deception. DAsG Veronica Allende, Perry Primavera, Cambridge Ryan and Jane Khodarkovsky; Analyst Kathleen Ratliff.

State v. Lawrence Durr. The Division indicted Durr -- a longtime mayor, committeeman and planning board member in Chesterfield Township -- on official misconduct charges for entering an undisclosed deal to sell transferable development rights on a large farm to a developer, and then using his official positions to advance the developer's plan to build a major residential and commercial project. Durr received hundreds of thousands of dollars in illicit benefits through the arrangement. DAsG Peter Lee, Jonathan Gilmore and Brian Uzdavinis; Civil Investigator Wayne Cummings.

State v. Anna Taliaferro. The Division tried and convicted Taliaferro, a former Paterson school district official, on official misconduct and other charges. Taliaferro, who worked as coordinator of a parent resource program for the Paterson school district, contracted on behalf of the school district with her own nonprofit corporation and then overbilled the school district by over \$180,000. As a result of her trial conviction, Taliaferro was sentenced to five years in state prison without parole, plus forfeiture of public pension and a permanent bar on public employment. DAsG Veronica Allende, Erik Daab and Jane Khodarkovsky; Sgts. James Scott, Thomas Culp and Warren Monroe; Det. Robyn Greene; Analyst Kathleen Ratliff.

State v. Anthony Ardis, et al. After a two-week jury trial, Ardis (Administrator of the Passaic Valley Sewerage Commission) and Paul Bazela (Mayor of Northvale) were convicted on all counts, including third degree official misconduct, for directing state employees to perform work, repairs and improvements on their own personal homes. After the jury's conviction, the judge vacated the verdict,

finding that defendants should have received separate trials. The Division appealed, seeking reinstatement of the jury's verdict, and the Appellate Division has agreed to review the matter. Two other defendants previously pled guilty in the case. DAsG Jeffrey Manis, Cambridge Ryan and Heather Taylor; Lts. Lisa Shea and Harry Maronpot; Sgt. James Scott; Dets. Janine Buchalski, Scott Donlan, Robyn Greene and Michael Behar; Analyst Kathleen Ratliff.

State v. Kevin Mulligan. The Division charged and convicted by guilty plea Mulligan, the former business administrator for the Knowlton Township Board of Education, for embezzling approximately \$70,000 from the school district. Mulligan stole the money by writing fraudulent checks against the school district's bank accounts that were made payable to himself or to others to whom Mulligan owed money. Mulligan pled guilty to second degree official misconduct, and was sentenced to three years in state prison, plus full restitution to the state and permanent forfeiture of pension and public employment. DAG Mallory Shanahan.

State v. Brian Brady. Brady, the former Mayor of Sparta and a former police captain with the New Jersey Human Services Police, was convicted at trial of second degree official misconduct and computer theft. Brady was convicted for misusing classified police databases for personal purposes. Brady will be sentenced on January 15, 2015. AAG Mark Ondris; DAsG Cynthia Vazquez, Victor Salgado, Analisa Holmes and Julia Zukina; Det. Lee Bailey.

State v. Michael Mattia. The Division charged and convicted by guilty plea Mattia, a former Acting Major with the New Jersey State Police. From 2011 through 2013, while he was on active duty with State Police, Mattia stole over \$55,000 from a bank account controlled by the Troop B Health & Welfare Fund. Mattia pled guilty to third degree theft by unlawful taking, and was sentenced to two years probation, full restitution and a permanent bar on public employment. DAsG Jeffrey Manis and Heather Taylor; Lts. Harry Maronpot and Michael Fallon; Det. Timothy Herron.

State v. Juan Stevens. The Division indicted and convicted Stevens, a New Jersey Department of Corrections officer, for posing as a police officer to coerce prostitutes into having sex with him for free. Stevens pled guilty to second degree official misconduct, and was sentenced to five years in state prison with two years of parole ineligibility. Stevens also forfeited his state job as a result of his plea and is permanently barred from public employment in New Jersey. Upon arrest, Stevens was required to provide a DNA sample, which provided the first DNA hit resulting from the State's new arrestee law, and led to the filing of additional sexual assault charges against him. DAsG Victor Salgado and Valerie Butler.

State v. Marie Munn, et al. After a two-week jury trial, Munn – former President of the Elizabeth School Board – was convicted of all counts against her, including third degree theft by deception and other charges. While acting as School Board President, Munn stole from the Elizabeth School District's free lunch program – which provides funds for school lunches for children who could not otherwise afford the cost – by filing false applications for her own children. Munn was sentenced to three years of probation. AAG Mark Ondris; DAsG Veronica Allende and Michael Monahan.

School Lunch Fraud Cases. The Division charged eight public officials with theft by deception for falsely reporting personal household income information so their children would qualify for free and

reduced-price school lunches. DAsG Peter Lee, Veronica Allende, Valerie Butler, Jane Khodarkovsky, Cambridge Ryan and Jon Gilmore.

State v. Logan Holt. Holt, an inspector with the Atlantic City Department of Licenses and Inspections, was charged and convicted by guilty plea for taking cash bribes and accepting sexual favors from licensee taxi cab drivers. Holt pled guilty to official misconduct and bribery charges, and was sentenced to five years in state prison, including two years without parole. DAsG Peter Lee and Jon Gilmore.

State v. Anthony Christaldi. The Division indicted Christaldi for paying a bribe to an official at the Casino Reinvestment Development Authority (CRDA) in an attempt to get a higher purchase price from the agency on his property in Atlantic City. Christaldi delivered a bribe of \$10,000 cash to the state official, and asked the official to approve the purchase of certain lots at inflated prices. Christaldi faces a charge of second degree bribery and is scheduled for trial in July 2015. DAsG Peter Lee, Valerie Butler and Brian Uzdevinis; Sgt. Robert Feriozzi; Dets. John Sheeran and Paul Marfino.

State v. Michelle Pumilia. The Division convicted by guilty plea Pumilia, a former Transportation Manager for the Piscataway and Hazlet School Districts. Pumilia admitted that she stole over \$500,000 in public funds that were under her official control, primarily by authorizing fictitious purchase orders on behalf of the school districts. Pumilia pled guilty to a second degree charge of official misconduct. She was sentenced to five years in state prison without parole, restitution of \$572,812, a permanent bar from public employment and forfeiture of state pension. DAsG Jeffrey Manis, Michael Monahan and Heather Taylor.

State v. Eugene Spiegel, et al. The Division indicted Spiegel – the former chief of the Seaville Volunteer Fire and Rescue Company – and his son, Jacob Spiegel, for embezzling over \$46,000 from the fire company. The defendants committed the theft by submitting fraudulent invoices and receipts to the fire company for reimbursement. Both defendants face charges of second degree official misconduct and third degree theft by deception. The investigation also revealed that former fire company treasurer Michael Petrella embezzled over \$19,000 from the fire company. Petrella pled guilty to third degree misapplication of entrusted property and faces a sentence of up to 364 days in county jail as a condition of probation, full restitution and a permanent ban on public employment. DAsG Peter Lee, Jon Gilmore and Brian Uzdevinis.

State v. Frank Capece, et al. The Division continued the prosecution of four defendants – including an Elizabeth School Board member, a Board attorney, and the Board’s outside counsel – with filing false applications under the free school lunch program and with covering up the same conduct. The defendants were indicted on charges including theft by deception and falsifying and tampering with public records. DAsG Veronica Allende and Jane Khodarkovsky.

State v. Angel Colon. Colon was charged with submitting fraudulent absentee ballots while working for a candidate running for a State Senate seat. Colon pled guilty to second degree election fraud and – after a successful appeal of his prior, non-incarceratory sentence – was sentenced to three years in state prison. DAsG Vincent Militello, Victor Salgado, Cynthia Vazquez and Mallory Shanahan; Lt. Lisa Shea; Sgt. James Scott; Det. Robyn Greene; Analyst Kathleen Ratliff.

State v. John Brischar. Brischar, a former teacher in the Piscataway School District, was indicted for stealing \$245,000 by fraudulently collecting a disability pension from the State under the claim that he could no longer teach while simultaneously working full time as a teacher in Virginia. Brischar is charged with second degree theft by deception, and faces a sentence of five to ten years in state prison. DAG Mallory Shanahan; Dets. Kiersten Pentony and Matthew Burd.

State v. Audrey Bey. Bey, a former clerk with the City of Newark, was sentenced to eight years in prison for defrauding a federally-funded child nutrition program in a scheme involving over \$1 million in phony vouchers. Bey, who worked for the nutrition program at the time she committed the charged crime, pled guilty to first degree money laundering and agreed to a bar on future public employment in the State. DAsG Michael Monahan and Jeffrey Manis; Sgts. David Salzamann, James Scott and Harry Maronpot; Dets. Tim Herron, Scott Donlan and Michael Behar; Analyst Kathleen Ratliff.

State v. Marcella Friedman. The Division continued the prosecution of a civilian employee of the State Police for posing as an inspector to coerce a vendor to give her a free generator following Superstorm Sandy. Friedman, who was a State Police communications systems technician, is charged with third degree theft by deception and is scheduled for trial in May 2015. DAsG Peter Lee and Valerie Butler.

State v. Glenn Mannino. The Division convicted by guilty plea Mannino, a former Sergeant for the State Police who falsified reports and audits relating to oversight of the New Jersey Criminal Justice Information System (CJIS). Mannino pled guilty to a fourth degree charge of falsifying or tampering with records, and was sentenced to one year of probation, plus forfeiture of his position with the State Police and a permanent ban on public employment. DAsG Cynthia Vazquez and Victor Salgado; Det. Melissa Calkin.

State v. Rigo Rodriguez, et al. The Division continued the prosecution of Rodriguez, a Paterson City Councilman, and two other defendants for orchestrating a complex ballot and election fraud scheme. The defendants were charged with having ballots submitted as votes for people who in fact never received or cast their ballots. Rodriguez and his wife were admitted to the Pre-Trial Intervention program, conditioned on their agreement to a lifetime ban on holding public office or employment. DAsG Cynthia Vazquez, Cambridge Ryan and Vincent Militello.

State v. Lisa Ayers. Ayers, Treasurer of the Mine Hill Fire Department, was charged with stealing over \$330,000 from the Department for her personal use. She pled guilty to second degree theft charges, and was sentenced to three years in state prison, full restitution and a lifetime ban on public employment. DAsG Perry Primavera, Jeffrey Manis, Anthony Picione and Matthew Lafargue.

State v. Timothy Grossi, et al. The Division continued its prosecution of North Bergen Department of Public Works supervisors charged with official misconduct, theft and other offenses for using public funds to pay DPW workers to perform personal and political work on township time. DAsG Cynthia Vazquez, Michael Monahan, Victor Salgado and Julia Zukina; Det. Garrett Brown; Civil Investigator Joseph Salvatore.

State v. Jeffrey Manning, et al. The Division convicted by guilty plea Manning, who ran a scheme to use fraudulent checks to steal over \$50,000 from the bank account of a not-for-profit organization, Program for Parents, which receives state and federal funding to assist low-income parents with childcare costs. Manning was convicted of third degree theft charges and was sentenced to three years in state prison. DAsG Michael Monahan, Vincent Militello and Heather Taylor.

State v. Kyle Rounsaville. The Division indicted Rounsaville, a technician for the New Jersey Department of Transportation, for stealing thousands of dollars in unearned pay by falsely listing overtime shifts on his time sheets. Rounsaville pled guilty to third degree theft by deception, and was sentenced to three years of probation, 180 days in county jail, full restitution and a permanent bar on future public employment. DAsG Matthew Lafargue and Anthony Picione.

State v. Abel Esquivel. Hudson County Workforce Development employee Esquivel accepted a cash kickback from a vendor in exchange for referring students in need of vocational training to the vendor. Esquivel pled guilty to second degree conspiracy to commit official misconduct and faces three years in state prison and a lifetime ban on public employment. DAG Cynthia Vazquez; Lt. Harry Maronpot; Dets. Robyn Greene and Scott Donlan.

Specialized Crimes Bureau

Auto and Cargo Theft

Operation Jacked. In a sweeping takedown, the Division arrested 32 defendants who ran an international carjacking and car theft ring that trafficked high-end cars from New Jersey and New York to West Africa. In the takedown, the Division arrested the entire hierarchy of the operation – from carjackers and car thieves, to wheel men and fences, to shippers and ultimate buyers. The defendants would target and steal luxury cars – at times through violent carjackings and at times through conventional thefts – and then sell those cars through an established chain, culminating in the cars being shipped from various ports to West Africa, where they commanded more than American face value. During the operation, the Division seized over 180 stolen cars, collectively worth over \$8 million. To date, five of the defendants have been convicted by guilty plea with various sentences imposed including a sentence of 12 years state prison with five years parole ineligibility. The remaining 26 defendants were indicted on charges of first degree racketeering, first degree money laundering and first degree carjacking. DAsG Anthony Torntore, Debra Conrad, Derek Miller and Susan Wolansky.

State v. Lonnie Hill, et al. The Division indicted Hill and Lamine Diallo for conspiring to sell thousands of counterfeited DVD movies and music CDs from a warehouse in Newark. During execution of a search warrant, the Division and its law enforcement partners seized over 23,000 pirated discs. The defendants faced second degree conspiracy and counterfeiting charges. Hill pled guilty to third degree pirating recordings with a sentence of probation plus 364 days in county jail. Diallo remains a fugitive. DAG Debra Conrad.

State v. Robert Rucker. Rucker, a lead operator at PSE&G in Sewaren, stole approximately \$35,000 worth of scrap metal from the facility. Rucker pled guilty to third degree receiving stolen property and was sentenced to probation and 180 days in county jail. The opportunity for this theft occurred during the aftermath of Superstorm Sandy. DAG Debra Conrad; Dets. Dawn Ryan and Sean Egan.

Casino Crimes

State v. Barbara Lieberman, et al. The Division charged four defendants, including Lieberman – an Atlantic County attorney specializing in senior law – with preying on elderly victims and stealing their life savings. Lieberman and her co-defendants, who purported to run an elder care business, obtained powers of attorney from elderly victims and then drained the victims' life savings. The defendants then used that money for their own personal expenses, including luxury autos and homes. Lieberman and her co-defendants stole over \$3 million from at least ten identified victims, many of whom died in sub-standard housing after losing their life savings. Lieberman pled guilty to first degree money laundering, and was sentenced to ten years in state prison, including three and one-half years without parole. Lieberman also forfeited \$3 million, to be used to re-pay victims or their surviving family members, and permanently forfeited her law license. DAsG Yvonne Maher and Derek Miller; Inv. Debra Maiorano.

State v. Johnny Cobb, et al. Cobb and 22 other defendants were indicted on second degree charges of racketeering and theft by deception for gaining access to legitimate JP Morgan Chase bank account information; utilizing that information to open up fictitious accounts; linking the two accounts; and withdrawing money from the fictitious accounts at various Atlantic City casinos. In total, the defendants stole nearly \$300,000 from 14 legitimate account holders. 16 of the 22 defendants have pled guilty. Cobb and co-leader Nurlin Wright, who each pled guilty to racketeering and other offenses, were sentenced to 15 years in state prison. DAG Yvonne Maher.

Caesar's Casino Robbery. The Division charged four defendants, who together orchestrated and committed an armed robbery of over \$180,000 from Caesar's Atlantic City Casino, with first degree robbery, second degree aggravated assault and second degree weapons offenses. Four other defendants were charged with third degree receiving stolen property for receiving cash from the robbery. Led by a former Caesar's employee, the defendants used a firearm to steal cash from a security officer who was changing out cash boxes at a voucher cash machine on the casino floor. DAG Yvonne Maher.

State v. Anthony White. The Division tried and convicted White for stealing over \$200,000 through fraud and extortion from a victim in Atlantic City. White convinced a victim to invest that money in a purported entertainment production company, promising the victim that he owned the company and that she would realize a 25% profit. Ultimately, White resorted to threats against the victim to obtain money. The jury found White guilty of second degree theft by deception, second degree theft by extortion, and third degree terroristic threats. White was sentenced to 12 years in state prison, including ten years without parole, and payment of full restitution. DAG Yvonne Maher; Dets. Kenneth Crane and Jessica Marcacci.

State v. Derek Bethea. The Division tried and convicted Bethea for placing bets at craps games in various Atlantic City casinos after the winning number had already been determined. The jury convicted Bethea on all counts of swindling and cheating at casino gaming. Bethea, who previously had twice been convicted for similar cheating schemes, was sentenced to 17 years in state prison, including seven years without parole. DAG Kelly Biringer; Det. Kenneth Crane.

State v. James Curtis. Curtis, a security manager for an Atlantic City casino, was charged with obstructing an investigation and with promoting prostitution. As security manager, Curtis received advance notification about the presence of undercover detectives inside the casino conducting prostitution details. Curtis forwarded the information to a woman he knew was a prostitute in an effort to obstruct the investigation. DAG Kelly Biringer.

Atlantic City Task Force

Operation Blok Buster. The Division charged 24 defendants in a case targeting the Atlantic City-based gang known as "800 Blok." The gang used violent tactics to control drug trafficking turf within the Back Maryland section of Atlantic City. As part of the investigation, the Division detected and prevented an alleged murder plot before the murder could occur. During the case, the Division seized tens of thousands of dollars worth of narcotics and four firearms from the charged gang members and

associates. 20 defendants have been charged by indictment or accusation with narcotics distribution and other narcotics offenses. Three of those defendants also were charged with weapons offenses. DAG James Ruberton; Special DAG Erik Bergman; Sgt. James Nelson; Dets. Brian Graybill, Errick Davis, Todd Watkins, Nicole Eiker and John Norcia.

State v. Donald Capriotti, et al. ACTF members executed a search warrant at the residence of Capriotti and his wife, Chinyere Gardner. Detectives recovered two loaded guns and cocaine. Gardner was on parole at the time of the arrest after having served a nine year sentence for the death of her infant child, who had been starved to death by neglect. Capriotti recently had completed parole for a first degree manslaughter conviction. Capriotti pled guilty to first degree possession of cocaine with intent to distribute and possession of an assault firearm, and was sentenced to 18 years in state prison including ten years without parole. Gardner pled guilty to first degree possession of cocaine with intent to distribute and was sentenced to seven years in state prison, including five years without parole. DAG James Ruberton and Special DAG Erik Bergman; Sgt. James Nelson; Dets. Todd Watkins and Errick Davis.

State v. Andrew Byrd. After non-fatal shootings of two victims in Pleasantville, the Division arrested Byrd and charged him with two counts of attempted murder and other offenses. Byrd faces a sentence of 20 years in state prison for each attempted murder. DAG James Ruberton.

State v. Ruben Sewell. The Division indicted Sewell for first degree cocaine distribution offenses and second degree weapons offenses. These charges were a result of a fugitive warrant being executed at Sewell's residence, which uncovered large quantities of narcotics, packaging materials, a .40 caliber handgun and over \$32,000 in cash. Sewell pled guilty to first degree possession with intent to distribute and was sentenced to seven years state prison, including three years without parole. DAG James Ruberton and Special DAG Erik Bergman; Sgt. James Nelson; Det. Brian Graybill.

State v. Eduardo Colon-Lopez. The Division arrested Colon-Lopez, who possessed one kilogram of cocaine (worth approximately \$40,000) in a suburban mall parking lot. As a result of this successful undercover operation, Colon-Lopez faces first degree cocaine possession with intent to distribute charges, and a sentence of ten to 20 years in state prison. DAG James Ruberton.

Labor Crimes

Prisoner Unemployment Insurance Fraud Cases. The Division indicted 14 defendants for stealing a total of over \$200,000 in unemployment insurance benefits from the State while they were serving time in county jails and ineligible to receive such benefits. In each case, the defendants fraudulently certified by the internet or phone every week that they were "physically able to work" and "available to go to work immediately." The defendants are charged with third degree theft by deception. To date, four defendants have pled guilty. DAG Brian Carney; Dets. Lynn Fitzgerald, Sean Egan, Glenn Stanton and John Neggia.

State v. Todd Halpern, et al. The Division indicted 15 defendants who stole over \$700,000 in state taxpayer funds from the Department of Labor through a massive unemployment fraud scheme. The lead defendant, Halpern, engineered a scheme whereby false unemployment claims were filed on

behalf of numerous accomplices who, in turn, collected tens of thousands of dollars each in unemployment benefits to which they were not entitled. Ten defendants have pled guilty, with sentences ranging from probation to three years in state prison. Halpern pled guilty to first degree money laundering and second degree theft by deception and was sentenced to 12 years in state prison, including four years without parole. DAsG Valerie Noto and Anthony Torntore; Det. Lynn Fitzgerald.

State v. Stephen Pirrone, et al. The Division indicted four men who conspired to steal more than \$180,000 from the state by filing false claims for unemployment benefits. Pursuant to the scheme, the defendants submitted fraudulent employer quarterly wage statements in the names of two defunct businesses. The defendants face charges including second degree theft by deception, money laundering and identity theft. Sanchez, Flores and Brown have pled guilty with recommended sentences of five years state prison, three years state prison and probation plus 364 days county jail, respectively. DAG Debra Conrad; Dets. Lynn Fitzgerald and Glenn Stanton.

Operation Labor Day. The Division charged 31 defendants who orchestrated a massive scheme to steal over \$2 million in unemployment benefits from the state. To date, 27 of the defendants have been convicted, including Janice Allen and her daughter Janice Dilligard, who were convicted at trial in 2014 for their roles in the scheme. Both Allen and Dilligard were sentenced to 15 years in state prison with five years of parole ineligibility. The Division also convicted by guilty plea 25 other co-defendants who participated in the scheme, with sentences ranging from probation to five years state prison. DAsG Phillip Leahy and Anthony Torntore; Dets. Kimberly Allen and Eric Ludwick.

State v. Jeanette Rodriguez. The Division indicted a former Department of Labor employee who stole over \$21,000 in unemployment benefits by using her access to the Department's computer system to redirect benefits from unemployment claims to her own bank account. Rodriguez faces charges including second degree official misconduct and third degree theft. DAG Alyssa Schwab; Det. Lynn Fitzgerald.

State v. Patricia Garcia. The Division indicted Garcia for using state computers to divert over \$18,000 in unemployment insurance benefits for her own personal use while she was an employee of the State Department of Labor. Garcia pled guilty to third degree theft by deception and was sentenced to probation and to pay full restitution to the State. DAG Anthony Torntore; Det. Lynn Fitzgerald.

State v. Michael Geiger. Geiger, a former CEO of two manufacturing companies, pled guilty to first degree money laundering for stealing more than \$2.3 million from the companies he ran. Geiger was sentenced to ten years in state prison, including three and a half years without parole. DAG Valerie Noto; Det. Lynn Fitzgerald.

Environmental Crimes

State v. Harry Mansmann and William Mowell. Two top officials with the East Orange Water Commission, Mansmann and Mowell, were indicted for official misconduct, violations of the New Jersey Safe Drinking Water Act, and other offenses for conspiring to falsify official water test results by shutting down contaminated wells prior to testing. The defendants also were charged with unlawful

discharge of contaminated water into the Passaic River. Mansmann passed away during the pendency of the case, and Mowell pled guilty to one count of conspiracy to engage in a pattern of official misconduct and violations of the New Jersey Safe Drinking Water Act and the New Jersey Water Pollution Control Act. Mowell was sentenced to three years in state prison. DAsG Phillip Leahy and Anthony Torntore; Sgt. Steve Ogulin; Dets. Matt Schneiderman, Dawn Ryan and Michael Klumpp.

State v. William Muzzio. The Division indicted and convicted Muzzio by guilty plea on charges of second degree unlawful release of a toxic pollutant and third degree violation of the Asbestos Control and Licensing Act. While performing unlicensed asbestos abatement work, Muzzio released hazardous asbestos dust and debris at a daycare center in Union Township. He was sentenced to five years in state prison. DAsG Phillip Leahy and Mary Erin McAnally; Sgt. Steve Ogulin; Dets. Kelly Howard, Cecil Boone, Christian Harden, Dawn Ryan, Matt Schneiderman and Michael Klump; Analyst Nathalie Kurzawa.

State v. Frank Rizzo and Michael Kouvaras. Rizzo and Kouvaras, co-operators of a demolition company, were indicted for unlawfully removing asbestos from a hospital in Riverside without a license and using workers who were not trained or equipped to do the work safely. Rizzo pled guilty to a second degree conspiracy charge with a recommended sentence of three years state prison. Kouvaras pled guilty to a third degree charge of violating the Asbestos Control and Licensing Act and was sentenced to 364 days in county jail and three years of probation. DAsG Phillip Leahy and Mary Erin McAnally; Sgt. Steve Ogulin.

Motor Vehicle Commission Crimes

Operation Facial Scrub. In 2013 and 2014, the Division charged a total of 140 defendants with identity theft, forgery and document fraud offenses as part of Operation Facial Scrub. Using high-tech facial recognition software, the Division, together with MVC and State Police, identified individuals who had applied for and obtained driver's licenses under false names. Numerous defendants had extensive criminal records, including sex offender and DUI convictions. Several defendants possessed valid commercial driver's licenses under the fraudulent name. AAG Louise Lester; DAsG Debra Conrad, Lilianne Daniel, Anthony Torntore, Mary Erin McAnally, Valerie Noto, Jeffrey Barile, John Paone, Michael King, Brian Carney, Alyssa Schwab and Martin Steiner; Lt. Bill Newsome; Dets. Cecil Boone, Franco Cignarella, Michael Duffield, Sean Egan, Christian Harden, Kelly Howard, Joseph McCray, Ruben Contreras and Nicholas Olenick.

State v. Jonathan Olin, et al. The Division charged and convicted four defendants with using fraudulent titles to sell cars that had been damaged by Superstorm Sandy to unsuspecting customers. The defendants obtained cars that had been flooded during the storm and then auctioned by an insurance company for salvage purposes only. Through a co-defendant who worked inside the Motor Vehicle Commission, the defendants obtained fraudulently-issued "clean" titles enabling the cars to be sold to customers who were not told of the prior flood damage. All four defendants pled guilty, including Olin, who pled to second degree theft by deception charges and was sentenced to three years in state prison and restitution to victims of over \$85,000. DAsG Paul Salvatoriello and John Paone; Lt. Bill Newsome; Sgt. Patrick Kendig; Dets. Sean Egan, Nicholas Olenick and Joseph Saiia; Inv. Ruben Contreras.

State v. Christopher Alcantara, et al. The Division arrested and indicted four defendants who operated a private auto inspection business in Paterson for fraudulently using data simulators to generate false results for motor vehicle inspections. The charged defendants took illicit payments from customers in return for using the devices to generate passing results for vehicles that had failed emissions inspections. The defendants face charges including second degree computer crimes and conspiracy and third degree tampering with public records. DAsG Debra Conrad and Michael King; Lt. Bill Newsome; Dets. Sean Egan, Nicholas Olenick and Joseph Saiia; Inv. Ruben Contreras.

Operation Tidalwave. Wesley Starr, an employee of the New Jersey Motor Vehicle Commission, was charged with official misconduct. Starr processed and issued approximately 378 fraudulent MVC titles for 29 businesses and/or individuals through “brokers” who charged a fee. This scheme resulted in nine separate indictments charging 15 individuals. All of the defendants have entered guilty pleas. Starr was sentenced to four years in state prison with two years parole ineligibility. AAG Louise Lester; DAG Jacqueline Olividati.

State v. Fannie C. Booth. This matter was referred to the Division by the Motor Vehicle Commission when it was discovered that two days of agency transactions for the Wallington Motor Vehicle Commission agency were missing and not deposited into the Motor Vehicle Commission bank account. Booth pled guilty to an accusation charging her with third degree misapplication of entrusted property and sentenced to two years probation and forfeiture of public office. DAsG Paul Salvatoriello and Anthony Torntore; Det. Franco Cignarella.

State v. Richard Llewellyn. This matter was referred to the Division by the Department of Transportation’s Inspector General’s Office. Over a period of several years Llewellyn, who was a crew supervisor at the Department of Transportation’s Jersey City yard, verbally and physically harassed a subordinate and made racially derogatory remarks to the victim, who is African-American. Llewellyn pled guilty to an accusation charging him with fourth degree bias intimidation and was sentenced to 18 months probation, mandatory counseling and sensitivity training and forfeiture of public office. DAsG Paul Salvatoriello and Anthony Torntore; Det. Brian Christensen

Financial & Cyber Crimes Bureau

Financial Fraud

State v. Daryl Turner and Robyn Bernstein. The Division indicted and convicted Turner and Bernstein for defrauding hundreds of victims of over \$3 million by offering false vacation packages and promotions. The defendants owned and operated travel club companies that collected fees from victims for non-existent promotional trips and discount vacations. Turner pled guilty to second degree theft by deception, and was sentenced to seven years in state prison, plus approximately \$2.6 million in restitution to his victims. Bernstein also pled guilty to theft by deception, and was sentenced to probation plus forfeiture of the family’s home and numerous bank accounts. DAG Mark Kurzawa; Lt. David Nolan; Det. Richard Loufik; Analyst Alison Callery.

Superstorm Sandy FEMA Fraud Cases. The Division charged 20 defendants with filing false applications to collect federal relief funds after Superstorm Sandy. The defendants fraudulently collected FEMA relief funds by submitting applications in which they either falsely claimed that storm-damaged homes were their primary homes, which is a requirement under the federal relief program, or made other false claims. In total, the defendants stole or attempted to steal over \$590,000 in Sandy relief funds. DAsG Mark Kurzawa, John Nicodemo and Derek Miller; Lt. David Nolan; Sgt. Fred Weidman; Dets. Matthew Burd, Richard Loufik, Eric Ludwick and John Neggia; Analyst Alison Callery.

State v. Germain Theodore, et al. The Division superseded Essex County on an investigation charging Theodore, who ran a debt adjustment firm called TGC Movement, and several other defendants for defrauding hundreds of customers by promising them reductions in their monthly bills in return for up-front fees, but never delivering any debt relief or other service. Theodore is charged with stealing at least \$250,000 from over 100 total victims through the fraud scheme. DAsG Frank Brady and Janet Bosi; Dets. Scott Stevens and Mark Byrnes; Analyst Kim Geis.

State v. Steven Dilk. The Division charged a former executive for a wholesale company that imports pharmaceutical ingredients with embezzling over half a million dollars from the company. Over a seven-year period, Dilk, an operations manager, fraudulently billed the company for approximately \$512,000 of “import fees” that he falsely claimed to have paid on behalf of the company. DAsG Marysol Rosero and Jacqueline Weyand; Dets. Scott Stevens and Mark Byrnes; Analyst Kim Geis.

State v. Thomas Fagan. Fagan, the CEO of Energex Systems, Inc., a large biotech firm based in Bergen County, was indicted for stealing over \$230,000 in investor funds from the business. Fagan used the stolen money to fund an extravagant personal lifestyle, and now faces second degree charges of corporate misconduct, theft and money laundering. DAsG Peter Gallagher and Derek Miller; Lts. David Nolan and Michael Fallon; Dets. Edward Augustyn and Cheryl Smith; Analyst Alison Callery.

State v. Irving Fryar, et al. The Division charged Fryar and three other defendants with theft by deception for committing mortgage fraud generating over \$900,000. Under the scheme, the defendants obtained five home equity loans over a six-day period, all using the same property as collateral and without disclosing the existence of any other liens or loans. The defendants then used loan proceeds for

their own personal use. Two of the defendants have pled guilty and one has been sentenced to state prison, while the case against Fryar and one other co-defendant is scheduled for trial in 2015. DAsG Mark Kurzawa and John Nicodemo; Det. Kimberly Allen; Paralegal Melanie Malewicz.

State v. Brian Lyles, et al. Lyles, Sasha Cortes, BKL Property Management LLC and VIP Title Agency LLC were charged in an indictment with first degree conspiracy and money laundering, and with second degree theft by deception and misconduct by a corporate official. These charges are part of a complex mortgage fraud utilizing a short sale scheme to defraud lenders. Cortes entered a guilty plea and faces five years in state prison. Another defendant, a Jersey City firefighter, has forfeited his public employment as a condition of his guilty plea. Lyles is scheduled for trial in 2015. DAsG Thomas Clark, Naju Lathia and Michael Rappa; Dets. Mark Byrnes, Roxanna Ordonez and Abraham Aquino.

State v. Stephanie Hand, et al. Five individuals including Hand, an Essex County attorney, were indicted for their roles in a mortgage fraud scheme involving over \$800,000 in fraudulently-obtained loans. The defendants used stolen identities to file fraudulent loan applications, falsified settlement statements and diverted the loan proceeds. DAsG Jillian Carpenter and Mary Erin McAnally; Det. Roxanna Ordonez; Analysts Rita Gillis and Amy Patterson.

State v. Andrys Gomez, et al. Gomez, an attorney practicing in Hudson County, and others were indicted on several charges, including money laundering, conspiracy and theft by deception, all in the second degree, for their roles in a mortgage fraud conspiracy. DAsG Jillian Carpenter and Mary Erin McAnally; Det. Anne Hayes; Analyst Alison Callery.

State v. Carl Monto, et al. The Division arrested Carl and Denise Monto on charges of second degree theft by deception and money laundering. The charges relate to the Montos' evasion of sales taxes in the purchase of dozens of high-end automobiles from new car dealerships by alleging they were a legitimate charity entitled to such tax exemption when, instead, the Montos were making the purchases on behalf of overseas buyers. DAsG Peter Gallagher and Derek Miller; Det. Richard Loufik; Analyst Alison Callery.

State v. Randy Schneider. Schneider, an investment broker, was convicted by guilty plea of second degree theft charges for stealing nearly \$1 million from two elderly clients. During a seven-year stretch, Schneider stole hundreds of thousands of dollars from his clients by taking cash, interest payments and bonds belonging to them. Schneider was sentenced to six years in state prison and full restitution to his victims. AAG John Krayniak; DAG Janet Bosi; Det. Abraham Aquino; Analyst Kim Geis.

State v. Bronthie Charles, et al. Acting on a referral from TD Bank Corporate Security, the Division indicted Charles, a TD Bank teller, and six others on charges of second degree conspiracy, theft by deception and identity theft for their roles in a ring that used account information from customers of TD Bank to steal more than \$150,000 from several bank locations. Five defendants, including Charles, have pled guilty and are pending sentencing. DAsG Peter Gallagher and John Nicodemo; Dets. Richard Loufik, Edward Augustyn and Eric Ludwick.

State v. Mark Niemczyk and Thomas Scalgione. The Division indicted and convicted by guilty plea Niemczyk and Scalgione on theft charges for operating a bogus charity that falsely purported to raise money for 9/11 victims. The defendants collected tens of thousands of dollars in charitable donations and, rather than disbursing those donations to the families of 9/11 victims, kept the money for their own use. Scalgione was sentenced to six months in county jail, and Niemczyk was sentenced to probation. Both defendants were sentenced to make full restitution plus civil penalties and costs, totaling over \$120,000. DAG Sarah Lichter; Dets. Roxanna Ordonez, Kimberly Allen and Eric Ludwick.

State v. Louis J. Macaluso. The defendant, the owner/operator of Affinity Title Agency, Inc., pled guilty to second degree charges of theft by failure to make required disposition of property received and misconduct by a corporate official for failing to pay off 34 outstanding mortgages on properties worth approximately \$5.9 million. Macaluso was sentenced to ten years in state prison and full restitution to the victims, including an initial payment of \$700,000. Macaluso further has surrendered his New Jersey insurance producer's license. DAG Frank Brady; Det. Kimberly Allen.

State v. Carrie Ann Manerchia, et al. Manerchia and Lisa Marie Matto were charged in an indictment with second degree receiving stolen property and money laundering. The defendants fraudulently obtained 36 New Jersey Gross Income Tax refund checks and 20 U.S. Treasury checks worth a total of more than \$95,000. DAG Denise Grugan; Det. Andrea Hayes.

State v. Thomas Muza. Muza, the former bookkeeper for the Triangle Club, a theater troupe at Princeton University, was indicted on second degree theft charges for embezzling over \$180,000 from the Club's bank account. Muza faces a sentence of five to ten years in state prison. DAG Mark Kurzawa; Det. Benjamin Kukis; Analyst Alison Callery.

State v. Philip Kossoy. The defendant, who owned a mold remediation business in Monmouth County, was charged with engaging in a scheme to disguise and conceal income to defraud the State out of over \$900,000 in taxes. Kossoy pled guilty to third degree charges of theft by deception, and was sentenced to 364 days in county jail and two years of probation. Kossoy also paid the State over \$900,000 in taxes due plus a \$200,000 anti-money laundering penalty. DAsG Peter Gallagher and John Nicodemo; Det. Andrea Hayes.

State v. Shahid Javed and Du Kang. After a two-week jury trial, both defendants were convicted on all counts, including second degree theft by deception. The defendants stole \$175,000 from the victim by brokering the sale of a gas station and lying to the purchaser about the sale price. Both defendants were sentenced to three years in state prison and full restitution. DAsG Thomas Clark and Sarah Lichter; Det. Benjamin Kukis.

Cyber Crime

Operation Predator Alert I and II. Working with federal law enforcement agents from the Department of Homeland Security Investigations, the Division arrested 28 total defendants on charges of distributing and possessing child pornography over internet file-sharing programs. These cases marked the first major utilization of the State's new, strengthened child pornography laws, which went

into effect in August 2013. DAsG Kenneth Sharpe, Francine Ehrenberg, Jillian Carpenter, Lilianne Daniel, Denise Grugan, Marie McGovern, Anand Shah and Naju Lathia; Sgt. Thomas Turley; Dets. Abraham Aquino, Richard Loufik, Paul Marfino, Joseph McCray, John Neggia, Thomas Page and Cheryl Smith.

Operation Watchdog. The Division arrested 27 defendants on charges including distribution of child pornography over the internet. As of December 2014, all defendants have been charged by way of indictment or accusation with 14 having entered guilty pleas in this ongoing prosecution. For example, defendant Bernard Cahill was charged by indictment with offenses including aggravated sexual assault, photographing a child in a prohibited sexual act, and distribution of child pornography, among other offenses. While investigating Cahill's sharing of child pornography images online, investigators discovered that Cahill had sexually assaulted an underage girl, and had created sexually explicit images of the assault. Cahill pled guilty to second degree sexual assault and distribution of child pornography charges, and faces up to 14 years in state prison. Another defendant, John Kondes, pled guilty to offering child pornography on the internet. During his arrest, detectives seized over 90,000 images and videos of child pornography. DAsG Kenneth Sharpe, Lilianne Daniel, Marie McGovern, Denise Grugan, Anand Shah and Naju Lathia.

Operation Ever Vigilant. As the result of a collaborative effort with State Police, the Division arrested 25 defendants on charges of distributing child pornography over the internet. In total, the case involved the distribution, copying and sharing of thousands of images of child rape and sexual abuse. Several of the charged defendants had regular access to children in their jobs or otherwise. As of December 2014, eight defendants have been indicted, and four have entered guilty pleas in this ongoing prosecution. DAsG Kenneth Sharpe, Lilianne Daniel, Marie McGovern, Denise Grugan, Anand Shah, Naju Lathia and Jillian Carpenter.

State v. Gary Cramer, et al. The Division tried and convicted Cramer on all charges, including two counts of first degree aggravated sexual assault, six counts of second degree child endangerment, and other charges. Cramer directed a woman – who was convicted by guilty plea before trial – to initiate sexual activities with two children, ages 8 and 13, and to send him photographs of the sexual acts. Cramer was sentenced to 55 years in state prison, including 38 years without possibility of parole. The co-defendant was sentenced to ten years in state prison, including eight and a half years of parole ineligibility. DAsG Sarah Lichter, Denise Grugan and Kenneth Sharpe; Analyst Rita Gillis; Paralegal Melanie Malewicz.

State v. Thomas Phillips. The Division convicted Phillips at trial on charges of attempting to endanger the welfare of a child and attempting to transmit obscene materials to a minor. Phillips – who was already a registered sex offender – was convicted on all counts by the jury, and is pending sentencing. DAsG Lilianne Daniel, Naju Lathia and Marie McGovern.

State v. Aaron DeBerardinis. DeBerardinis was indicted and pled guilty to possession and distribution of child pornography. He possessed over 12,000 images and videos on his computers, and offered a total of 1,310 videos and images to other P2P users. DeBerardinis was sentenced to three years in state prison. DAG Kenneth Sharpe; Sgt. Thomas Turley.

State v. Daniel Allen, Jr. In a joint investigation with Homeland Security Investigations, the Division arrested Allen for posting photographs of adolescent girls on a website frequented by pedophiles who transformed the images, at Allen's urging, into child pornography using graphics software. The defendant entered a guilty plea to second degree manufacturing and second degree distribution of child pornography, and was sentenced to seven years in state prison. DAG Kenneth Sharpe.

State v. Thomas Ballard. The Division arrested Ballard and charged him with second degree distribution of child pornography and other offenses. Ballard distributed over 3,000 photo and video images of sexual assaults on children, and images depicting prepubescent girls being bound, tortured and threatened with weapons. Ballard faces five to ten years in state prison. DAsG Kenneth Sharpe, Anand Shah and Marie McGovern; Sgt. Thomas Turley.

State v. Steven Beisher. Beisher blackmailed a victim who responded to a Craigslist advertisement soliciting sex. Beisher lured the victim to send a naked photo of himself, and then threatened to expose the victim to the victim's family unless the victim made cash payments. Beisher was convicted by guilty plea of second degree theft by extortion, and was sentenced to five years in state prison. DAG Naju Lathia.

State v. Michael Van Culin. In a cooperative investigation with the Department of Homeland Security, the defendant was arrested on charges of manufacturing and possessing child pornography. The investigation determined that Van Culin had hacked into the email accounts of several minors, solicited them to send sexually explicit images of themselves and later threatened to reveal the images unless the victims continued to send him more images. As a result, the defendant has been charged with first degree manufacturing of child pornography. DAG Lilianne Daniel; Sgt. Thomas Turley; Det. Richard DaSilva.

State v. Abraham Baruchov. The Division arrested Baruchov as a result of his receipt of more than 1,000 coffee makers that were originally purchased on-line from JC Penney with stolen credit cards. Baruchov pled guilty to second degree receiving stolen property. Upon sentencing, he is facing a term in state prison plus full restitution of approximately \$275,000. DAsG Janet Bosi, Naju Lathia and Anand Shah; Sgt. Thomas Turley; Dets. Abraham Aquino and Cheryl Smith.

Asset Forfeiture

In 2014, the Division seized over \$6 million in forfeited monetary assets, plus over 40 vehicles. In 2013 and 2014 combined, the Division forfeited more cash, and more total assets, than in the prior five years combined. DAsG Derek Miller and Susan Wolansky; Det. John Neggia; Analyst Deborah Maiorano; Paralegal Melanie Malewicz.

Appellate Bureau

In **State v. Witt**, 219 N.J. 624 (2014), the Supreme Court granted the State’s motion for leave to appeal. The issue is whether the Court should abandon the principles of State v. Pena-Flores, 198 N.J. 6 (2009), in favor of either the federal version of the automobile exception to the search warrant requirement or the prior test set forth in State v. Alston, 88 N.J. 211 (1981), which required “unforeseeability and spontaneity of the circumstances giving rise to probable cause.” AAG Ronald Susswein.

In **State v. Michaels**, 219 N.J. 1 (2014), the Supreme Court held that admitting an expert’s report or his testimony regarding the blood tests conducted by another did not violate defendant’s confrontation rights. The expert in Michaels was knowledgeable about the testing process, independently verified the correctness of the machine-tested processes and results, and formed an independent conclusion about those results. Defendant’s opportunity to cross-examine the expert satisfied her right to confrontation on the forensic evidence presented against her. DAsG Frank Muroski and Kenneth Burden.

In **State v. Williams**, 219 N.J. 89 (2014), the Supreme Court held that defendant’s failure to object to the admission of the testimony on confrontation grounds and his decision to cross-examine the medical examiner constituted a waiver of his right of confrontation. DAG Frank Muroski.

In **State v. Roach**, 219 N.J. 58 (2014), the Supreme Court held that defendant’s confrontation rights were not violated by the testimony of the analyst who independently matched his DNA profile to the profile left at the scene by the perpetrator. Defendant had the opportunity to confront the analyst who personally reviewed and verified the correctness of the two DNA profiles – conducted by another analyst – that resulted in a highly significant statistical match inculcating him as the perpetrator. In the context of testing for the purpose of establishing DNA profiles for use in an expert’s comparison of DNA samples, a defendant’s federal and state confrontation rights are satisfied so long as the testifying witness is qualified to perform, and did in fact perform, an independent review of testing data and processes, rather than merely read from or vouch for another analyst’s report or conclusions. DAG Frank Ducoat.

In **State v. Gamble**, 218 N.J. 412 (2014), the Supreme Court reaffirmed the applicability of the protective-search doctrine as applied to automobiles and agreed with the State that the requirements of the automobile exception do not apply under such circumstances. When the police have a reasonable and articulable suspicion during a lawful motor-vehicle stop that the vehicle contains a dangerous weapon, under the protective-search doctrine they can immediately conduct a limited sweep or frisk of the vehicle in those places where a weapon may be placed or hidden. DAG Frank Muroski.

In **State v. Ates**, 217 N.J. 53 (2014), the Supreme Court unanimously upheld the constitutionality of New Jersey’s Wiretap Act under the federal and state constitutions. The Court ruled that the Act allows law enforcement officers to intercept conversations involving people who may be located outside New Jersey, so long as the listening post is located within State boundaries. DAG Daniel Bornstein

In **State v. Lamb**, 218 N.J. 300 (2014), the Supreme Court found that an occupant's knowing and voluntary consent to search a premises was constitutionally effective against a third party and was not nullified by the prior objections of an absent co-occupant, whose absence was not the result of a police effort to avoid an objection to the search. The Court found that defendant's mother gave knowing, voluntary and valid consent to the search of a mobile home where her son (defendant) was staying, notwithstanding that her husband (defendant's stepfather) had objected to the presence of the police shortly before. DAG Frank Ducoat.

In **State v. Adkins**, the Supreme Court heard argument as to whether the exclusionary rule should apply to a warrantless blood draw that predated the U.S. Supreme Court's decision in Missouri v. McNeely, 133 S. Ct. 1552 (2013), because police were following established precedent that existed at the time. AAG Ronald Susswein.

In **State v. Pomianek**, the Supreme Court heard oral argument as to whether the bias intimidation statute, N.J.S.A. 2C:16-1a3, requires that the State prove defendant's biased intent. AAG Ronald Susswein.

In **State v. Diorio**, 216 N.J. 598 (2014), the Supreme Court ruled that money laundering is a continuous offense when evidence of successive acts that facilitate the common scheme to defraud exists, and the charge here was timely filed since the relevant transactions occurred within five years of indictment. Theft by deception also can be a continuing offense, but if the scheme involves the promise to pay at a later date the limitations period begins to run the day after payment is due. Here, the statute of limitations on the theft charge expired prior to indictment, thus barring prosecution. DAG Frank Ducoat.

In **In re State Grand Jury**, 217 N.J. 430 (2014), the Supreme Court affirmed the Appellate Division's stay of the enforcement of State Grand Jury subpoenas duces tecum served on defense attorneys requiring them to turn over client-fee records as part of a money laundering investigation. However, the Court conditioned the stay on defendants entering into an agreement tolling the statute of limitations on that investigation because the interest of justice would not be served if the stay hindered the State's investigation. DAG Frank Muroski.

In **State v. Williams**, 218 N.J. 576 (2014), the Supreme Court held that to be guilty of first-degree robbery in a simulated deadly-weapon case, the victim must have an actual and reasonable belief that defendant threatened the immediate use of such a weapon. The factfinder makes this determination by applying a totality-of-the-circumstances standard, which includes considering the nature of any verbal threat, defendant's conduct, his dress and any other relevant factors. The Court applied that standard to this case and found that defendant's words, conduct and clothing provided sufficient evidence for a reasonable jury to convict of first degree robbery. In a companion case, **State v. Dekowski**, 218 N.J. 596 (2014), the Supreme Court applied this standard and held that defendant's appearance, conduct, and written note demanding money and threatening a bomb in a bag provided sufficient evidence for a reasonable jury to convict him of first degree robbery on a finding that the bank manager had an actual and reasonable belief that defendant was armed with a deadly weapon. DAG Kenneth Burden.

In **State v. Robinson**, 217 N.J. 594 (2014), the Supreme Court held that N.J.S.A. 2C:44-5a(2) bars the imposition of a mandatory extended term and a discretionary extended term in the same sentencing proceeding. In this case, since defendant received a discretionary extended term as a persistent offender for a second degree conviction and a mandatory extended term as a repeat drug offender for a third degree conviction, his overall sentence was illegal. But in remanding for resentencing the Court explained that, at the new sentencing proceeding, the State could decide on which count the extended term should be imposed. In addition, the prosecutor could reserve the right to request the mandatory extended term on the third degree conviction if the court denied the request for a discretionary extended term on the second degree conviction. DAG Jennifer Kmiecik.

In **State v. Grate** and **State v. Cromwell**, the Court heard oral argument on whether (1) the “knowingly” mens rea for third degree unlawful possession of a weapon at an educational institution, N.J.S.A. 2C:39-5e(1), applies to both possessing the firearm and presence at an educational institution; and (2) the sentence violated Alleyne v. United States because the trial court found that defendant was involved in organized criminal activity when it imposed a mandatory parole disqualifier. DAG Jennifer Kmiecik.

Prosecutors Supervision and Training Bureau

Law Enforcement Training

In 2014, the Division, through the Prosecutors Supervision & Training Bureau, provided specialized, live in-service training to 2,104 law enforcement officers and prosecutors on topics including internal affairs, bias crimes, domestic violence, human trafficking, use of force, conducted energy devices, less lethal ammunition, radar operation and evidentiary breath testing prosecutions. In coordination with the county prosecutors' offices, the Division developed and released new training on prosecuting the drug-impaired driver; 75 prosecutors have been trained so far. The Bureau, in conjunction with the County Prosecutors Association and County Commanders Association, also ran the Top Gun Program (basic course for the interdiction and prosecution of gangs, guns and drug cases), the DELTA School for supervisor and leadership training, and the UNIT School for undercover narcotics investigation training, with a combined attendance of 378 law enforcement officers trained in 2014. Additionally, Bureau personnel, in conjunction with the New Jersey State Association of Chiefs of Police, provided statewide training for new police chiefs. And 19,589 law enforcement officers viewed and completed "NJ Learn" on-line training programs, developed in partnership with the New Jersey Office of Homeland Security & Preparedness. These courses meet law enforcement training requirements (including the Attorney General Directives and Guidelines) on topics such as Incident Command, Counter-Terrorism, Hazardous Materials, CJIS Recertification, Bloodborne Pathogens, Developmental Disabilities, Domestic Violence, Human Trafficking, Conducted Energy Devices, Less Lethal Ammunition, Law Enforcement Naloxone Program, Internal Affairs and DNA.

DCJ Academy – Basic Course for Investigators

The DCJ Academy in Sea Girt is the only training academy in the state authorized to host the Basic Course for Investigators ("BCI"), the required basic training class for detectives in DCJ and in all County Prosecutors' Offices. In 2014, the Academy graduated 112 detectives and investigators over two classes. The Academy also offered 33 in-service training sessions and trained 905 detectives and investigators. The Academy taught the Basic and Modified Basic Course for Investigators, including specialty courses not generally available at other police academies such as corruption and money laundering investigations. The Academy also developed and taught specialized training for sister agencies in report writing and courtroom testimony.

Police Training Commission

DCJ staff, on behalf of the Police Training Commission ("PTC"), oversee basic training in 16 police and corrections academies across the state. These academies graduated 3,443 police officers in 2014. PTC staff audited and entered 4,631 Trainee Record Cards, issued 395 general instructor certifications, 113 firearms instructor certifications, and initial and updated vehicle operations instructor certifications. The PTC staff conducted 153 unannounced academy inspections. In addition, the staff prepared for, hosted and processed the paperwork resulting from six PTC meetings conducted during

the year. This year, DCJ staff authored, and the PTC approved, the revised training curriculum for the Basic Course for Investigators (implemented in 2014) and the Basic Course for Police Officers (scheduled for implementation in 2015).

DCJ Litigation Academy

DCJ created and ran its own Litigation Academy, which provided newly-hired DAsG with 20 sessions of in-house legal instruction from experienced DCJ instructors on all aspects of the criminal justice process, from investigation to trial to appeal. After completing this training program, the Division created and rolled out a follow-up, 14-part program focused on teaching more advanced investigative and litigation techniques.

Law Enforcement Services

Combined DNA Index System (CODIS)

The Combined DNA Index System (“CODIS”) Compliance Unit (“CCU”) monitors and enforces compliance with the DNA Database and Databank Act of 1994. DNA samples are collected throughout the state with the assistance of the Administrative Office of the Courts, the Department of Corrections, the Department of Human Services, the county sheriff’s offices and county jails. The New Jersey database contains over 286,000 offender profiles, and 8,231 crime investigations have been aided to date, including 1,325 sexual offenses, 3,894 burglaries, 1,684 robberies or thefts, and 396 homicides.

The most recent expansion to the Act took effect on February 1, 2013, requiring the collection of DNA samples from persons arrested for certain violent crimes. The CCU implemented the new DNA arrestee law by training law enforcement agencies statewide on standardized DNA collection techniques. Since passage of the new law, the CCU has collected approximately 1,600 arrestee samples, which generated seven hits. The first hit on an arrestee sample occurred when DCJ arrested Juan Stevens for sexual assault and collected a DNA sample under the new law. That DNA sample resulted in a hit to an unsolved sexual assault from 2011.

Grants and Program Development

The Program Development Section and the State Office of Victim-Witness Advocacy (SOVWA) currently manage approximately \$107 million in open grants among eleven different programs. Specifically, Program Development manages \$62 million among seven different grant programs, while the SOVWA manages \$45 million among four different grant programs.

In 2014, the Program Development Section applied for and won two highly competitive grants from the United States Department of Justice. First, the Section won a \$500,000 grant to fund a Project Safe Neighborhoods program aimed at reducing guns and gang violence in Jersey City. Second, the Section won a \$250,000 grant to develop and implement a statewide data collection system to provide real-time access to victim services data.

Also in 2014, the Division created a new \$350,000 grant, which was awarded to a victim services provider to establish a long-term facility to care for victims of human trafficking.

Victims of Crime Compensation Office (VCCO)

The Victims of Crime Compensation Office (VCCO) provides compensation and services to crime victims for expenses incurred as a result of personal injury or death. In FY 2014, the office serviced over 2,300 walk-in clients, processed over 4,100 claims, and provided nearly \$10 million to victims.

In 2014, VCCO fully implemented a new, online, paperless claims processing system. Using the new technology, VCCO received over 900 electronic applications from victims and from victim witness coordinators across the State.

Judicial Appointments

Two DCJ attorneys were nominated and confirmed to the Superior Court in 2014. Former AAG Bruce Kaplan was confirmed as a Judge of the Superior Court for Middlesex County, and former DAG Marysol Rosero was confirmed as a Judge of the Superior Court for Essex County.

Awards and Honors

- 22 DCJ attorneys and prosecutors received Attorney General's Awards recognizing their work in criminal investigations, prosecutions and trials. The recipients included DAG Janet Flanagan, who received the Attorney General's Lifetime Service Award.

- AAG Ron Susswein received the County Prosecutors Association of New Jersey Award for Career Public Service.

- DAG Marsetta Lee received the 2014 Professional Lawyer of the Year award from the New Jersey Commission on Professionalism in the Law.

- Grants Coordinator Alyson Gush was selected to serve on the Board of Directors for the National Association of Victim Assistance Administrators.

- AAG Phillip Aronow received the 2014 Detective Albert Mallen Award for Lifetime Achievement from the New Jersey County Narcotics Commanders Association.

- Detective Miguel Rodriguez received the 2014 Vice Admiral Rufus A. Taylor Award from the United States Navy, recognizing Detective Rodriguez's military career and contributions to naval intelligence.

- DAG Denise Hollingsworth was selected as Vice President of Crossroads, a leading non-profit organization that provides treatment, support and outreach services to young people who are abandoned or at-risk.

- Sergeant Noelle Holl and Detective Kiersten Pentony received Meritorious Service Awards from the New Jersey Women in Law Enforcement Association.

- Detective Brian Graybill received a Valor Award from the 200 Club of Atlantic and Cape May Counties for his investigation of violent street gangs based in Atlantic City.

- Analyst Kathy Friess received the 2014 New Jersey Child Assault Prevention Service Award, recognizing her career accomplishments in protecting vulnerable children against violence and abuse.