

Department of Law & Public Safety
Office of the Attorney General

Division of Criminal Justice



2016 Annual Report

Introduction

In 2016, the Division of Criminal Justice continued its work as New Jersey's leading law enforcement agency. Our work on the streets and in the courtroom resonated forcefully in the communities that we serve, while our groundbreaking policy work placed New Jersey at the national forefront on crucial issues of accountability, transparency, and community relations.

The Division charged more cases and more defendants in 2016 than in any year since 2009. For the fourth year in a row, we charged more cases and more defendants than in the prior year. Of course, our success lies not merely in the statistics, but in the impact of the cases themselves. In 2016, we prosecuted sweeping cases against violent street gangs that had terrorized the citizens of Camden, Atlantic City, Trenton, New Brunswick, Newark, Paterson, and Jersey City. We seized illegal firearms from drug dealers and gang members, and we tried previously-unsolved murders. We prosecuted and convicted dozens of corrupt public officials, from state legislators to mayors to municipal officials to law enforcement officers. We incapacitated dozens of child predators, including those who search for and victimize children online. We took down and prosecuted the leadership of two mafia families. We disabled two international carjacking rings that preyed violently on innocent victims. We recovered millions of dollars in taxpayer money that had been stolen by thieves of all types, 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 re-shaped the legal landscape in New Jersey through our precedent-making advocacy in the appellate courts. The list goes on, and the theme remains the same: our work in 2016 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 policy through our work in the appellate courts; through our supervision of, and partnerships with, the 21 County Prosecutors; and through our cutting-edge 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 bail reform, development of enhanced investigatory procedures in police-involved shooting cases, a multi-faceted body-worn camera program, new mandatory police training protocols, and unprecedented development of partnerships with community leaders across the State.

To highlight the outstanding work we have done, this report summarizes the leading cases that the Division prosecuted in 2016, 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 2017, 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

Office of the Attorney General ♦ Division of Criminal Justice

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GANGS AND ORGANIZED CRIME BUREAU

Operation Inferno. After a seven-month investigation, the Division charged 16 members of a major drug ring, including its alleged leader, Fernando Diaz-Rivera, who for years has been one of the biggest heroin and cocaine suppliers in Camden and North Philadelphia. The defendants — ringleaders, wholesalers, and street-level dealers — were arrested on first-degree racketeering and/or narcotics charges. They distributed approximately 20 to 30 kilos of heroin and cocaine per month and had ties to Mexican drug suppliers. Several defendants have prior weapons convictions, and the ring allegedly used firearms and threats of violence to conduct business. The Division seized more than 6 kilograms of heroin and approximately 9 kilograms of cocaine, which would have had a street value of \$2 million once cut and packaged for sale. Bureau Chief Lauren Scarpa Yfantis; Deputy Bureau Chief Erik Daab; DAG Rachel Weeks; Deputy Chief of Detectives Christopher Donohue; Lt. Robert Feriozzi; Sgts. Peppi Pichette and Brian Woolston.

State v. Yusuf Ibrahim. 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. A Hudson County jury found Ibrahim guilty of two counts of first-degree murder, second-degree desecration of human remains, and other related crimes. He was sentenced to two consecutive life terms in state prison, and an additional 48 years on charges including desecration of human remains, theft, unlawful possession of a weapon, and hindering apprehension. The sentence includes 127½ years of parole ineligibility. Ibrahim was already serving a state prison sentence for two other crimes prior to his murder trial. He previously pled guilty to robbery stemming from a 2011 carjacking incident in Jersey City, and to armed robbery stemming from a 2012 incident in which he pistol-whipped and shot the victim in the foot while robbing him. For these two crimes, Ibrahim was sentenced to 18 years in state prison, including more than 15 years without parole. Bureau Chief Lauren Scarpa Yfantis; DAsG Claudia Demitro, Philip Mogavero, Jamie Picard, and Sara Quigley; former DAsG Vincent Militello and Frank Morano; Analyst Nathalie Kurzawa.

Operation North Pole. In the largest criminal takedown in Camden in over a decade, the Division arrested and charged 56 defendants and 3 juveniles who operated a massive, multi-million dollar drug distribution network. Defendants include case workers, supervisors, suppliers, and leaders of the drug network, several of whom had ties to Mexican drug-trafficking cartels. The network relied on violence to control open-air drug markets in North Camden for 20 years. They face first-degree racketeering charges and first- and second- degree narcotics distribution charges. During the arrests and related search warrant executions, the Division seized six illegal firearms, several ounces of cocaine and heroin, and over \$200,000 cash. All of the defendants who have been captured have pled guilty, with sentences ranging from 4 to 14 years in state prison. Bureau Chief Lauren Scarpa Yfantis; Specialized Crimes Deputy Bureau Chief Andrew Johns; Financial and Computer Crimes Deputy Bureau Chief Julia Glass; Gangs and Organized Crime Deputy Bureau Chief Erik Daab; DAsG Darryl Richardson, Martin Steiner, and Rachel Weeks; Lt. Rich Carlin; Sgts. Peppi Pichette, Mike Rasar, and Brian Woolston; Dets. James Blong, John Collins, Richard DaSilva, Mike Gonzalez, Jeffrey Lorman, Jon Norcia, and Terry Shaw.

Operation Next Day Air. After a two-year joint investigation with the Drug Enforcement Administration (DEA), the Division indicted 11 identified defendants who ran an international narcotics trafficking ring that used the U.S. mail and other parcel services to ship dozens of kilograms of cocaine

from California to New Jersey. To date, all defendants have been convicted, including Jamaican recording artist Andrew Davis, who was convicted at trial of distribution, money laundering, and conspiracy. He was sentenced to 25 years in state prison, including 12 years of parole ineligibility, and was ordered to pay a \$250,000 anti-money laundering profiteering penalty. The jury could not reach a verdict on the first-degree charge of leading a narcotics network, and a new trial is pending. Davis's co-defendant at trial, Marsha Bernard, was convicted of similar charges, and was sentenced to 21 years in state prison, including 6 years without parole. Andrew Davis's brother, Roger Davis, pled guilty to first-degree distribution and was sentenced to 10 years in state prison, with 3 years of parole ineligibility. A third brother, Kemar Davis, pled guilty to first-degree charges of leading a narcotics trafficking network, and was sentenced to 20 years in state prison, with 12 years of parole ineligibility. The Appellate Division remanded for resentencing, but the Division petitioned the Supreme Court for certification. The petition is pending. Another defendant was sentenced to probation and the remaining defendants received state prison sentences ranging from 3 to 16 years. In total, the Division seized 26 kilograms of cocaine — worth nearly \$1 million — over \$500,000 cash, and two handguns. Gangs and Organized Crime Deputy Bureau Chief Erik Daab; Financial and Computer Crimes Deputy Bureau Chief Julia Glass; Technical Assistant Maureen Hitchens; Analyst Nathalie Kurzawa; Services Coordinator Joseph Sine.

State v. Charles Walls and Anthony Ervin. The Division obtained a 34-count indictment against Camden residents Walls and Ervin for committing eight armed robberies of 7-Eleven stores in Camden, Burlington, and Mercer Counties during the first six months of 2014. The robberies included one in Pennsauken in which the store clerk was shot four times and left paralyzed. Both men are charged with first-degree attempted murder in connection with the Pennsauken incident. They also face eight counts of first-degree robbery among other charges. Bureau Chief Lauren Scarpa Yfantis; Deputy Bureau Chief Erik Daab; DAG Lisa Rastelli.

Operation Fistful. In a major organized crime takedown, the Division indicted 14 defendants — including high-ranking “made” members and associates of the Genovese Organized Crime Family — with racketeering, conspiracy, money laundering, loansharking, illegal gambling, tax evasion, and other charges. The defendants include Charles “Chuckie” Tuzzo, a Genovese “capo,” and Vito Alberti, a Genovese “soldier.” The defendants utilized a network of licensed and unlicensed check-cashing businesses to conduct massive loansharking, gambling, forgery, and money laundering schemes that generated over \$10 million in criminal proceeds for the mafia. Ten of the indicted defendants face first-degree racketeering charges, which carry potential sentences of 10 to 20 years in state prison. Most of the defendants also face charges of tax fraud and tax evasion for concealing their income and/or failing to file tax returns. Former Deputy Director Christopher Romanyshyn; Bureau Chief Lauren Scarpa Yfantis; Deputy Bureau Chief Annmarie Taggart; DAG Jamie Picard; former DAG Vincent Militello; Chief of Detectives Paul Morris; Deputy Chief of Detectives Christopher Donohue; Lt. Brian Bruton; Sgts. Mario Estrada and Patrick Sole; Det. Matthew Tully.

Operation Heat. In a case involving the indictment of 34 leaders, members, and associates of the Lucchese Organized Crime Family, the Division convicted by guilty plea several high-ranking mafia figures, including: (1) Matthew Madonna, a ruling member of the Lucchese Family, who pled guilty to second-degree racketeering and was sentenced to five years in state prison; (2) Ralph Perna, the top NJ captain of the Lucchese Family, who pled guilty to first-degree racketeering and was sentenced to eight years in state prison; (3) Martin Taccetta, the former NJ underboss of the Lucchese Family, who pled guilty to first-degree racketeering and was sentenced to eight years in state prison, concurrent to the life sentence he is currently serving; (4) Joseph DiNapoli, a member of the Family's ruling panel, who pled guilty to second-degree racketeering and was sentenced to three years in state prison; and (5) John

Mangrella, a senior member of the Lucchese Family, who pled guilty to first-degree racketeering and was sentenced to eight years in state prison. John and Joseph Perna, Ralph Perna's sons, each pled guilty to first-degree racketeering and each was sentenced to ten years in state prison. The defendants, through the Lucchese Family, operated an international criminal gambling enterprise that transacted billions of dollars in wagers and used violence and extortion to collect debts. The case also involved a scheme in which Lucchese Family members conspired with members of the Nine Trey Gangsters set of the Bloods street gang to smuggle drugs and pre-paid cell phones into East Jersey State Prison. Former Deputy Director Christopher Romanyshyn; former AAG Mark Eliades; Deputy Chief of Detectives Christopher Donohue; Lt. Brian Bruton; Sgts. Mario Estrada, Noelle Holl, Ho Chul Shin, and Audrey Young; Dets. Richard DaSilva, John Delesio, and Patrick Sole.

State v. Shameik Byrd, et al. The Division arrested and charged three individuals with strict liability for drug-induced death for selling the heroin that killed a man in Warwick, New York. The arrests stem from a joint investigation conducted with the New York Attorney General's Organized Crime Task Force, the Warwick (NY) Police Department, and the Passaic County (NJ) Sheriff's Office. The New York Attorney General's Office enlisted the aid of the Division as a result of the existing partnership on the Northeast and Mid-Atlantic Heroin Task Force (NEMA-HTF), a task force of state attorneys general that promotes collaboration to fight heroin trafficking. In addition to the first-degree charge of strict liability for drug-induced death, the defendants face third-degree charges of heroin distribution and conspiracy to distribute heroin. DAG Norma Garcia.

State v. Shawn Flemmings. The Division arrested Flemmings for first-degree strict liability drug-induced death and second- and third-degree narcotics distribution charges. Flemmings sold heroin laced with the deadly "cutting" agent fentanyl to a New York victim who died of a drug overdose. Flemmings faces a term of 10 to 20 years with 85% parole ineligibility on the strict liability charge alone. Bureau Chief Lauren Scarpa Yfantis; DAG Shontae Gray.

State v. Louis Boggs, et al. In a 132-count indictment, the Division charged 18 individuals who operated a major weapons-trafficking ring based in Newark. The members of the ring illegally sold dozens of guns, including assault firearms and military-style launchers. Several of the guns were stolen, and one was linked to a prior murder. Ringleader Boggs pled guilty to first-degree firearms trafficking charges and faces a sentence of 18 years in state prison with a 9-year period of parole ineligibility. Seventeen additional defendants pled guilty to first- and/or second-degree charges and received sentences ranging from probation to ten years in prison. Two defendants are awaiting sentencing. DAG Amy Sieminski.

State v. Derek Fuqua, et al. The Division indicted 22 defendants who operated a high-volume heroin distribution enterprise out of heroin mills and stash houses in New Brunswick, Piscataway, and Edison. To date, 17 defendants have pled guilty, including Fuqua, who pled to first-degree charges of leader of a narcotics trafficking network. He and several co-defendants are scheduled for sentencing in early 2017. Other defendants pled to various narcotics charges and received sentences ranging from time-served to ten years in state prison. The remaining defendants face racketeering and narcotics charges. During the arrests, police recovered 2 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. Deputy Bureau Chief Erik Daab.

State v. Oscar Franco. The Division indicted the California truck driver for transporting 36 kilos of heroin in his tractor-trailer. A State Trooper and member of the State Police Mobile Safe Freight Unit stopped Franco's truck on Interstate 78 in Greenwich Township to conduct a routine

commercial inspection. After the alert Trooper noticed significant irregularities in the driver's bill of lading and logbook and unexplained detours in the itinerary, the Trooper searched the interior of the trailer and discovered two duffel bags filled with heroin. Franco faces charges of first-degree heroin possession with intent to distribute and third-degree possession. DAG Norma Garcia.

State v. Juan Lorenzo. The Division indicted Lorenzo, a Bronx, NY resident, on first-degree narcotics charges for possessing approximately 17 kilograms of heroin and 17 kilograms of cocaine. The drugs were seized by the New Jersey State Police (NJSP) during a vehicle stop in Carteret on the NJ Turnpike. The first-degree charges carry a sentence of 10 to 20 years in state prison and a fine of up to \$500,000. DAG Michael Klein.

Operation Family Affair. Seven members of a violent Trenton-based drug ring were indicted on charges of attempted murder, racketeering, and heroin distribution. 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. Fletcher, Journigan, and their co-defendants also distributed heroin and cocaine. Three defendants pled guilty to narcotics offenses and received sentences ranging from three to six years in state prison, and one defendant was accepted into the Pretrial Intervention Program (PTI). Fletcher, Journigan, and another co-defendant are awaiting trial. Deputy Bureau Chief Erik Daab; DAG Ronald Minsky.

State v. Marino Pimentel-Tejada, et al. The Division indicted six individuals for conspiring to operate a heroin mill in Paterson, charging them with first-degree maintaining a heroin production facility, first-degree possession of heroin with intent to distribute, second-degree conspiracy, and other related offenses. A seventh defendant was indicted for second-degree possession of heroin with intent to distribute and possession of methamphetamine. Upon executing a search warrant, State Police seized more than 300 grams of heroin, a handgun, a shotgun, and more than \$55,000 in cash. DAG Brandy Malfitano.

Operation Lab Scam. The Division indicted four defendants who perpetrated two separate schemes to defraud investors of over \$350,000 that they claimed to invest in medical ventures. Defendants stole over \$250,000 from one victim by convincing him the money was an investment in a surgical center. Defendants convinced other victims to invest \$100,000 in a blood-testing laboratory by falsely claiming to be joint owners of the lab. The investigation stems from co-defendant Heidi Francavilla's involvement in Operation Crossroads (see below) in which she and six other defendants defrauded victims of approximately \$3 million through the sale of bogus investments. The defendants are charged with conspiracy, theft, and money laundering, all in the second degree, and face five to ten years in state prison. DAsG Brandy Malfitano and Amy Sieminski; Lt. Brian Bruton; Det. Matthew Tully.

Operation Speed Racer. Five defendants were indicted for distributing heroin and methamphetamine in Burlington and Ocean Counties. During the arrests and related searches, law enforcement agents seized 2 kilograms of heroin and 2 kilograms of methamphetamine — together worth several hundred thousand dollars in street value — plus an illegal, stolen firearm. All five defendants pled guilty and received sentences ranging from three to ten years in state prison. Financial and Computer Crimes Deputy Bureau Chief Julia Glass; former DAG Brian Carney.

Operation Run DMC. After a seven-month investigation, the Division indicted two defendants with distribution of crack cocaine. Lenwood Bettis and Tanisha Eli face charges of second-degree narcotics distribution and fourth-degree endangering the welfare of a child. Approximately one

and one-half ounces of crack cocaine and two vehicles were recovered through the course of this investigation. Financial and Computer Crimes Deputy Bureau Chief Julia Glass; DAG Lisa Rastelli; former DAG Nicholas Kamau.

Operation Smiles. After a ten-month investigation, the Division arrested Kevin Lipka, the owner of a Roxbury go-go bar, and five of his associates on charges of first-degree racketeering and money laundering. Lipka's wife was also charged. The group engaged in an elaborate scheme in which they used stolen credit cards and gift cards to steal more than \$9 million, conspiring to defraud retailers, banks, credit card processing companies, and credit card holders. DAG Shontae Gray; Lt. Brian Bruton; Dets. Chris Schell and Patrick Sole.

Operation White Silk. The Division arrested 20 defendants who operated a massive oxycodone distribution network, primarily based in Paterson. The defendants' network trafficked tens of thousands of oxycodone pills — more than 1,000 pills per week — which were sold for millions of dollars. The defendants include ringleader Aurelio Gutierrez and a network of brokers, dealers, and runners. Ten defendants pled guilty before indictment, and the Division indicted the remaining defendants on charges including second-degree narcotics distribution. The remaining additional defendants pled guilty post-indictment. Gutierrez pled guilty to first-degree promotion of organized street crime and was sentenced to ten years in state prison. DAG Matthew Lafargue; former DAG Ray Mateo; Lt. Louis Renshaw; Sgt. Kevin Weinkauff; Dets. Luis Cruz, Travis Johnson, Toni Petreski, and Miguel Rodriguez.

Operation China White. This investigation, conducted with the NJSP and the DEA, led to the arrest and indictment of six Camden-based defendants on first-degree narcotics and money laundering charges. In connection with the case, the investigative team seized approximately 9 kilograms of heroin and cocaine, multiple weapons, and approximately \$600,000 cash. The defendants have substantial ties to Mexican drug cartels. Defendant Wilson Fortuna pled guilty to first-degree heroin distribution (as well as second-degree conspiracy stemming from his involvement in Operation 3Ni) and was sentenced to 11 years in state prison, including more than 3 years of parole ineligibility. Defendant Jose Fortuna, Wilson Fortuna's uncle, pled guilty to first-degree maintaining a heroin production facility (as well as first-degree heroin distribution stemming from his involvement in Operation 3Ni) and was sentenced to 14½ years in state prison, including 5 years of parole ineligibility. Defendant Andrew Lopez pled guilty to first-degree heroin distribution and was sentenced to ten years in state prison, including five years of parole ineligibility. Financial and Computer Crimes Deputy Bureau Chief Julia Glass; DAsG Jeff Barile and Rachael Weeks.

Operation 3Ni. This investigation, conducted with the NJSP and the DEA, led to the arrest of 13 Camden-based defendants for narcotics and firearms charges. As a result of this investigation, two kilograms of cocaine, over one kilogram of heroin, and multiple weapons were seized. Defendant Wilson Fortuna pled guilty to second-degree conspiracy (as well as first-degree heroin distribution stemming from his involvement in Operation China White) and was sentenced to 11 years in state prison, including more than 3 years of parole ineligibility. Defendant Jose Fortuna, Wilson Fortuna's uncle, pled guilty to first-degree heroin distribution (as well as first-degree maintaining a heroin production facility stemming from his involvement in Operation China White) and was sentenced to 14½ years in state prison, including 5 years of parole ineligibility. DAG Rachael Weeks.

State v. Juan Perez-Nunez, et al. The Division indicted three defendants for first-degree possession with intent to distribute methamphetamine in Hudson County. Perez-Nunez pled guilty to second-degree conspiracy to distribute and was sentenced to seven years in state prison. His two co-

defendants were tried and convicted of possession with intent to distribute, conspiracy, and distribution, and each was sentenced to ten years in state prison. DAG Shontae Gray; former DAG Frank Morano.

State v. Manuel Perez-Guerrero, et al. Seven Paterson-based defendants, who operated multiple heroin mills, were indicted on charges of maintaining a heroin production facility, possession of heroin with intent to distribute, firearms possession, and other offenses. In connection with the arrests, the Division and its law enforcement partners seized heroin, cocaine, and three handguns, while dismantling two operational heroin mills. Ringleader Perez-Guerrero pled guilty to first-degree narcotics distribution and was sentenced to 10 years in state prison, including 39 months of parole ineligibility. Two of his co-defendants pled guilty to second-degree charges and received sentences ranging from three to five years in state prison. DAG Jamie Picard.

State v. Belarmino Amaya. The Division obtained a conviction against Amaya, a narcotics supplier who used tractor-trailers to transport large quantities of cocaine and cash across the U.S. After two separate arrests, one by federal agents and one by the NJSP, Amaya, a California resident, pled guilty to first-degree cocaine possession with intent to distribute and money laundering. He was sentenced to 12 years in state prison, including 4 years without parole on the narcotics charge, and to a concurrent 10 years in state prison, including 39 months without parole, on the money laundering charge. DAsG Philip Mogavero and Jamie Picard.

Operation Tidal Wave. This investigation, conducted with the NJSP and the DEA, led to the arrest of 32 individuals — including a police officer and a public works employee — who were part of two drug-trafficking organizations operating out of Monmouth and Ocean Counties. Five defendants face first-degree narcotics charges, which carry a maximum sentence of 20 years in state prison, including 10 years without parole. One defendant pled guilty to an accusation, and charges against four defendants have been downgraded or dismissed. The remaining defendants face numerous narcotics and weapons offenses. During the investigation, police recovered more than 4 kilograms of cocaine; over 3 ounces of heroin; 16 pounds of marijuana; 1,000 Xanax, OxyContin, and ecstasy pills; one handgun; more than \$125,000 cash; and various items related to drug distribution. DAG Michael Klein.

Operation Kokomo. The Division charged six defendants with running a heroin distribution enterprise out of Paterson. Over 600 grams of heroin were seized in the investigation. The defendants face various first- and second-degree narcotics charges. Four defendants resolved their case pre-indictment by pleading guilty and face sentences from probation to three years in state prison. Two defendants are currently pending trial. DAG Shontae Gray.

State v. Francisco Surriel. The Division and State Police charged Surriel with distribution of 11 kilograms of cocaine and unlawful possession of two handguns. The charges stem from an investigation conducted by the NJSP and the DEA out of Paterson. Surriel faces a sentence of 10 to 20 years in state prison. Trial is scheduled for September 2017. DAG Heather Hausleben.

Operation Smokescreen. The Division charged five defendants with drug offenses for their roles in a narcotics distribution network. During the arrests and searches, detectives recovered a kilogram of cocaine and a handgun. All defendants have pled guilty, including lead defendant Paul Cano, who faces ten years in state prison with a five-year period of parole ineligibility. Deputy Bureau Chief Erik Daab; DAG Michael Klein.

State v. Jose Correa, et al. The Division indicted four defendants who operated a heroin and cocaine mill in Elizabeth. During the investigation, law enforcement agents seized cocaine, heroin, and oxycodone pills, \$24,000 cash, and extensive narcotics packaging equipment. The defendants face first-degree charges of narcotics distribution and maintaining a narcotics production facility. DAG Shontae Gray.

State v. Jeffrey Groth. The Division indicted Groth for possession with intent to distribute approximately 20 kilograms of cocaine, 3 kilograms of heroin, and over 1 pound of marijuana. He is also charged with third-degree money laundering after the recovery of almost \$40,000 of illegal proceeds. Groth faces a sentence in the first-degree range of 10 to 20 years in state prison. DAG Shontae Gray.

State v. Bienvenido Cuevas Ruiz, et al. Five individuals were charged with maintaining a heroin and cocaine production facility and first-degree possession with intent to distribute. The charges resulted from a State Police investigation into two heroin mills which were run by the same Newark organization. All but one defendant's case has been resolved. Ruiz pled guilty and faces ten years in state prison. He will testify against co-defendant Jason Bacchus in a trial scheduled for March 2017. DAG Heather Hausleben.

Operation Crossroads. The Division charged seven individuals with money laundering and securities fraud for fraudulently obtaining over \$3 million from investors for businesses with no legitimate purpose. The defendants diverted money from one shell company to another, and used it to purchase luxury cars and homes for themselves. Lead defendant George Bussanich, Sr., his son, his wife, Heidi Francavilla (see Operation Lab Scam, above), and three other defendants face charges related to this complex money laundering scheme. DAsG Brandy Malfitano and Amy Sieminski; Lt. Brian Bruton; Sgt. Patrick Sole; Det. Matthew Tully.

State v. Jeison Camilo-Nolasco. The West New York resident was indicted after a two-month investigation conducted by the NJSP Trafficking North Unit. During the execution of a consent search and search warrant, State Police seized over \$100,000 in cash, approximately 6 kilos of cocaine, and a firearm. Nolasco faces charges of first-degree possession of controlled dangerous substances with the intent to distribute, second-degree money laundering, and second-degree gun possession. DAG Amy Sieminski.

State v. Michael Herbert. The Division indicted Herbert for possession with the intent to distribute marijuana. After receiving a tip from a confidential source, NJSP and DEA agents observed Herbert retrieve a large box from a shipping facility in Elizabeth. The box was addressed to Herbert's alleged employer. The box contained approximately 375 pounds of marijuana. He faces 10 to 20 years in state prison. DAG Norma Garcia.

State v. Jose Colon-Lora, et al. After investigating a drug-trafficking organization operating in New Jersey and New York, NJSP executed a search warrant for the Edgewater residence of defendant Colon-Lora. The search resulted in the discovery of more than \$730,000 in cash, cocaine, heroin, narcotics-packaging paraphernalia, and equipment used to count and package bulk currency. Three vehicles were also seized as property used to facilitate the drug distribution operation and/or as proceeds of the operation. One of the vehicles was equipped with an after-market concealed compartment. *Asset Forfeiture.* In addition to the ongoing criminal prosecution, the State is pursuing a civil forfeiture action against the defendants. DAsG Jamie Picard and Susan Wolansky.

Human Trafficking

The Human Trafficking Task Force coordinates statewide efforts in the identification and provision of services to victims of human trafficking, while increasing the successful interdiction and prosecution of trafficking of people.

State v. Glen Bowman, Sr., et al. The Division indicted five defendants who operated a human trafficking ring out of Bergen and Passaic Counties. The defendants trafficked underage victims as part of a prostitution ring they advertised on Backpage.com. Underage girls were lured into lives of prostitution and forced to have sex with customers at motels and elsewhere. Glen Bowman, Sr. and defendant Jessica Copeland are currently incarcerated on Riker's Island in New York for separate charges related to promoting prostitution. Glen Bowman, Jr., his mother Ernestine Bowman, and defendant Tokina Williams pled guilty to second-degree charges and will be sentenced in early 2017. Bowman, Sr. and Copeland will face trial in New Jersey after their New York trial ends. DAsG Brandy Malfitano and Jamie Picard; Lt. Lisa Cawley; Sgt. Noelle Holl; Det. Timothy Savage.

State v. Michael McLeod, et al. Four defendants were indicted on first-degree human trafficking charges for trafficking a 14-year-old girl and another young woman in a prostitution ring operated in and around Hudson County. The defendants used violence and threats of violence to control their victims, including holding a gun to the head of one woman and forcing her to work as a prostitute. The investigation began after the National Center for Exploited and Missing Children conveyed a tip that the 14-year-old girl, a runaway from South Jersey, was being used in ads for a "female escort" on Backpage.com. All four defendants were convicted by guilty plea, including ringleader McLeod, who was sentenced to 18 years in state prison with a 4-year term of parole ineligibility. Deputy Bureau Chief Annmarie Taggart; Sgt. Noelle Holl.

State v. Barbara Cantz. The Westville resident was indicted for first-degree human trafficking and conspiracy, and second-degree endangering the welfare of a child, among other offenses. Cantz recruited a 16-year-old runaway to engage in prostitution with her in South Jersey by soliciting clients on Backpage.com. She faces 20 years without parole to life in state prison for the human trafficking charge alone. DAG Cassandra Montalto; Dets. Atem Ako, Brian Christensen, and Timothy Savage.

Operation Grand Marquis. Jomell Braithwaite was indicted on charges of conspiracy, promoting prostitution, and promoting organized street crime for running a prostitution ring in Monmouth County. He recruited drug-addicted women and posted advertisements on Backpage.com offering their services. Once dates were set up with customers, Braithwaite would pay for hotel rooms and wait in a second room until payment was made from the customer. The women were required to give Braithwaite all of the money. If the women refused to give over the money or to prostitute, Braithwaite would withhold food and drugs, and assault them. DAG Cassandra Montalto; Lt. Lisa Shea; Sgt. Noelle Holl; Dets. Atem Ako, Brian Christensen, and Timothy Savage.

Prescription Fraud Investigative Strike Team (PFIST)

PFIST is a newly-formed team of detectives and attorneys in the Gangs and Organized Crime Bureau that targets corrupt healthcare professionals and "pill mills."

State v. Dr. George Beecher, et al., a/k/a Operation Busted Script. The Division arrested eight defendants, including Beecher, who operated a drug ring that distributed tens of thousands of high-dosage pills of the addictive painkiller oxycodone with a street value of over \$1 million. Beecher

accepted payments to write fraudulent oxycodone prescriptions for people he had neither met nor examined, and the other ring members then acquired and sold the painkillers in bulk to street-level dealers. Beecher was indicted for first-degree strict liability for drug-induced death in connection with the overdose death of the adult son of one of the other ring members. He was also indicted for second-degree distribution and conspiracy to distribute. Beecher faces a term of 10 to 20 years with 85% parole ineligibility on the first-degree strict liability charge. In a separate indictment, the other seven defendants were charged with second-degree distribution and conspiracy to distribute. DAG Michael King; Lt. Lisa Cawley; Sgt. Michael Rasar; Det. Kevin Gannon.

State v. Dr. Eugene Evans, et al. The Division arrested and convicted Evans, a medical doctor, for conspiring with David Roth, a drug dealer, to illegally distribute thousands of high-dose pills of the highly addictive painkiller oxycodone by writing fraudulent prescriptions for individuals the doctor had neither treated nor examined. Eight other individuals were also charged by accusation for their roles in the distribution scheme. All cases have been resolved. Evans pled guilty to illegally distributing oxycodone, was sentenced to five years in state prison, and surrendered his medical license. Roth pled guilty to second-degree charges of conspiracy and was sentenced to seven years in state prison. Five defendants pled guilty and received sentences ranging from probation to four years in state prison. DAG Anthony Torntore.

State v. Dr. Vincent Esposito and Srinivasa Raju. Esposito — a practicing doctor and former Madison Borough councilman — and pharmacist Raju were indicted for conspiring to prescribe thousands of oxycodone pills to individuals without conducting a medical examination and without medical need. Esposito pled guilty to second-degree conspiracy to distribute and was sentenced to one day in jail, two years of probation, and community service. He surrendered his medical license and cooperated in Raju's trial, where Raju was convicted of third-degree conspiracy and distribution. He was sentenced to one day in jail, three years of probation, and community service. Raju previously agreed to voluntary suspension of his pharmacy license. DAsG Brandy Malfitano and Jamie Picard; former DAG Betty Rodriguez; Sgt. Kevin Weinkauff; Det. Maria Duran; Analyst Rita Gillis.

State v. Dr. Thomas Duffield and Christopher Parson. Duffield and Parson were indicted on charges including distribution of a controlled dangerous substance for illegally writing or obtaining OxyContin prescriptions. Duffield wrote the prescriptions — often to individuals who were not his patients — and exchanged them for gift cards. On several occasions during the investigation, Duffield exchanged gift cards for prescriptions written for an undercover police officer whom the doctor had never met. DAG Ronald Minsky; Det. Scott Caponi.

State v. Dr. Byung Kang. Following a joint investigation between the DEA Prescription Fraud Strike Force and the Division, Kang was charged with distribution of controlled dangerous substances, specifically Xanax and oxycodone. Kang wrote prescriptions for these highly addictive drugs without medical necessity. During the investigation, it was also revealed that Kang prescribed oxycodone to a patient he knew was abusing the drug. That patient later overdosed on pills prescribed by Kang. *Asset Forfeiture.* As a result of this investigation, the Division seized approximately \$1.4 million in assets, as well as two high-end vehicles. DAsG Heather Hausleben and Susan Wolansky.

CORRUPTION BUREAU

State v. Birdsall Services Group, et al. The Division continued its prosecution of Birdsall Services Group, its CEO, and its top executives for conspiring to subvert New Jersey's Pay-to-Play Act by disguising illegal corporate political contributions as personal contributions of firm employees. Under the scheme, Birdsall, a Monmouth County-based engineering firm, 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 more than \$1 million in illegal contributions to dozens of officials and candidates.

- Six former Birdsall executives have pled guilty for their participation in the scheme, including:
 - (1) CEO Howard Birdsall, who pled guilty to second-degree misconduct by a corporate official and was sentenced to four years in state prison. He paid nearly \$50,000 to the State representing forfeiture of the illegal political contributions and is prohibited from bidding on public contracts in New Jersey for ten years or holding an interest of 5% or more in any company that bids for such contracts.
 - (2) Senior Vice President William Birdsall, who pled guilty to third-degree misconduct by a corporate official and was sentenced to 270 days in county jail as a condition of a 2-year term of probation. He paid nearly \$130,000 to the State in forfeiture of the political contributions, and paid a \$75,000 public corruption profiteering penalty. He is also prohibited from bidding on public contracts in New Jersey for ten years or holding an interest of 5% or more in any company that bids for such contracts.
 - (3) Executive Vice President Thomas Rospos, who pled guilty to third-degree tampering with public records or information and was sentenced to three years in state prison. He paid \$150,000 to the State in forfeiture and is also prohibited from bidding on public contracts for ten years or holding an interest of 5% or more in any company that bids for such contracts.
- The remaining defendants charged in the indictment face first-degree conspiracy and money laundering charges, among others, and are awaiting trial.
- Finally, as a corporate entity, Birdsall Services Group pled guilty to first-degree money laundering and second-degree making false representations in government contracting. The company forfeited \$3.6 million to the State in criminal and civil forfeitures and penalties.

Bureau Chief Anthony Picione; former AAG Mark Ondris; DAsG Emily Anderson, Claudia Demitro, Brian Faulk, Mallory Shanahan, and Charles Wright; former DAG Victor Salgado; Lt. Edward Augustyn; Sgt. Kiersten Pentony; Dets. Matthew Burd, Melissa Calkin, and Sonya Sullivan; former Det. Janine Buchalski; former Det. Trainee Jessica Chace; Auditor Catherine Lodato; Analyst Nathalie Kurzawa.

State v. Robert Schroeder. The Division continued its prosecution of former New Jersey Assemblyman Schroeder (R-Bergen) for defrauding investors and issuing bad checks in connection with various business dealings, causing a combined loss of over \$5 million. Schroeder pled guilty to second-degree misconduct and faces a recommended sentence of eight years in state prison. Under the plea agreement, he must pay full restitution of \$5.3 million to his victims and is permanently barred from public office and public employment in New Jersey. Four companies operated by Schroeder also pled guilty, and each company is jointly and severally liable with Schroeder for paying full restitution. Deputy Bureau Chief Jeffrey Manis; former Deputy Bureau Chief Veronica Allende; DAsG Peter Baker, Joseph Glyn, and Alexander Sakin; former DAsG Jane Khodarkovsky, Perry Primavera, and Cambridge Ryan; Analyst Kathleen Ratliff.

State v. Timothy Grossi, et al. The Division tried and convicted two North Bergen Department of Public Works (DPW) supervisors, Troy Bunero and Francis Longo, of official misconduct, theft, and other offenses for having DPW workers perform personal and political work on Township time. Between 2006 and 2012, Bunero and Longo assigned subordinate municipal employees to work on election campaigns and to complete personal chores or projects for them or their boss, Superintendent James Wiley, who previously pled guilty to similar charges and is scheduled for sentencing in early 2017. Wiley faces five to ten years in state prison and must repay the Township. Bunero and Longo were convicted on all counts by a Hudson County jury, and each was sentenced to five years in state prison without eligibility for parole. Grossi, the Deputy Director of the DPW, is awaiting trial. Deputy Director Christine Hoffman; Appellate Bureau Chief Daniel Bornstein; Appellate Deputy Bureau Chief Carol Henderson; DAsG Joseph Glyn, Sara Quigley, Sarah Ross, Cynthia Vazquez, and Julia Zukina; former DAsG David Fritch, Jeffrey Mongiello, and Victor Salgado; Lt. Robert Stemmer; Det. Garrett Brown; Civil Investigator Joseph Salvatore; Analyst Kathleen Ratliff.

State v. Anthony Ardis, et al. After a two-month jury trial, former supervisors at the Passaic Valley Sewerage Commission (PVSC) Ardis and Paul Bazela (who was also Mayor of Northvale) were convicted on all counts, including official misconduct, for directing PVSC employees to perform work, repairs, and improvements on private residences belonging to Ardis's mother and girlfriend. The PVSC is a state agency responsible for managing and regulating collection and disposal of wastewater in the four-county area along the Passaic Valley River. After the jury's conviction, the trial judge vacated the verdict, finding that Ardis and Bazela should have received separate trials. The Division appealed, and the Appellate Division reinstated Bazela's conviction. Bazela subsequently pled guilty to additional charges and was sentenced to three years in state prison. Ardis pled guilty to third-degree conspiracy to commit official misconduct and was sentenced to 90 days in county jail and probation. Defendant Kevin Keogh, former superintendent for special services at PVSC, pled guilty to second-degree conspiracy and official misconduct. He was sentenced to five years in state prison. Defendant Chester Mazza, another PVSC administrator, pled guilty to fourth-degree theft and was sentenced to one year of probation. Deputy Bureau Chief Jeffrey Manis; AAG Heather Taylor; DAG Peter Baker; former DAG Ian Kennedy; Lt. Lisa Shea; former Lt. Harry Maronpot; Sgt. James Scott; Dets. Michael Behar, Scott Donlan, and Robyn Greene; former Det. Janine Buchalski; Analyst Kathleen Ratliff.

State v. Lawrence Durr. The Division obtained a conviction against Durr, a longtime mayor, committeeman, and planning board member in Chesterfield Township, Burlington County. He pled guilty to third-degree conspiracy for tampering with public records by filing fraudulent ethics disclosure forms which omitted his financial relationship with a developer. Durr's scheme involved the sale of transferable development rights on a large farm to the developer, using Durr's 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. He was sentenced to 4 years of probation conditioned on 364 days in county jail. Durr also forfeited \$250,000 to the State. DAsG Jonathan Gilmore and Brian Uzdavinis; Civil Investigator Wayne Cummings.

State v. Elias Chalet. The Bloomfield Township Councilman was indicted for soliciting and accepting a \$15,000 bribe from a business owner in exchange for promising to use his position on the Council to ensure that the Township proceeded with its planned purchase of the business owner's commercial property. The five-count indictment included second-degree charges of official misconduct and bribery in official and political matters, among others. DAsG Brian Faulk and Julia Zukina; former DAG Jane Khodarkovsky.

State v. Lamont King. The Division indicted King, a family services worker with the Division of Child Protection and Permanency (DCP&P, formerly DYFS), with official misconduct, bribery, and sexual assault for using his position to have sex with two young mothers whom he was responsible for transporting and supervising in connection with court-ordered visits with their children. The children of both mothers had been placed in foster homes and both mothers were trying to regain custody. King's role included observing and writing reports about parent-child interactions during the visits, information that could be considered by a judge to assess if/when the mothers should regain custody. King told the first victim that if she trusted him, he would recommend that the visits occur at a park rather than a state office. The first victim did not resist King's sexual advances because she feared that King could have impacted her ability to regain custody of her son. The sexual assault charge stems from King's interactions with the second victim. King told the second victim that he would allow visits with her children to be unsupervised if she complied with his sexual requests to manually stimulate him. After engaging in such conduct during several visits, King later instructed the second victim to perform oral sex on him, threatening that if she did not comply he would negatively affect her visits with and chance to regain custody of her children. She complied. DAsG Valerie Butler and Brian Uzdavinis.

State v. Abraham Garcia and Walter Somick. The Division indicted Garcia and Somick, both municipal employees of North Bergen, for holding "no-show" jobs in which they falsely submitted time sheets to collect pay for hours when they were not actually working. In separate indictments, each was charged with second-degree official misconduct, third-degree theft by deception, and related charges. Both were accused of stealing tens of thousands of taxpayer dollars through their patronage positions. DAsG Cynthia Vazquez and Julia Zukina; former DAG Victor Salgado; Lt. Robert Stemmer; Sgts. Patrick Kendig and Kiersten Pentony; Dets. Garrett Brown, Matthew Burd, Thomas Page, and Joseph Saia; former Det. Lee Bailey; Civil Investigator Joseph Salvatore; Analyst Kathleen Ratliff.

State v. Suzanne Eyman. A former head bookkeeper with the NJ Division of Developmental Disabilities (DDD), Eyman pled guilty to second-degree theft by deception for a scheme in which she used her state position to steal nearly \$300,000. Eyman submitted fake bills to the State for services purportedly provided to DDD clients and sent payment for the services to herself and her husband. Charges against Eyman's husband were dismissed. Eyman faces a recommended sentence of five years in state prison. The plea agreement calls for Eyman to pay full restitution, forfeit her job, and receive a permanent bar on public employment in New Jersey. DAG Mallory Shanahan.

State v. Shane Streater. A jury convicted Streater, a former Camden firefighter, of second-degree theft by deception for stealing over \$82,000 by fraudulently collecting disability pension payments from the New Jersey Police and Firemen's Retirement System (PFRS) while simultaneously working as a martial arts instructor and participating in competitive mixed martial arts. Streater had received an ordinary disability pension from the PFRS for an alleged disability caused by two work-

related accidents. He was sentenced to seven years in state prison, was ordered to pay full restitution to the PFRS, and is permanently barred from public employment in New Jersey. Deputy Bureau Chief Peter Lee; DAsG Jonathan Gilmore and Pearl Minato; Lt. Robert Feriozzi; Sgt. Paul Marfino; former Det. John Sheeran; Analyst Nathalie Kurzawa.

State v. John Marion. A former Waldick Borough police officer, Marion pled guilty to stealing over \$320,000 in disability payments from the PFRS. Marion obtained the money by falsely representing that he was disabled, when in fact he had continued to work full time as a police officer in another state. Marion pled guilty to third-degree theft by deception and was sentenced to 364 days in county jail as a condition of 4 years of probation. He was ordered to pay full restitution, and received a permanent bar on public employment. DAG Julia Zukina.

State v. Harold Stephens, et al. The Division indicted three defendants on first-degree conspiracy and money laundering charges and second-degree theft charges for stealing nearly \$600,000 from banks through a counterfeit check scheme. The defendants deposited counterfeit checks — including ones stolen from public entities including boards of education — into numerous third-party banks at branch offices in New Jersey and three other states. Targeting banks that allow funds from deposited checks to be withdrawn by customers the following day, the defendants withdrew funds before the banks could detect the fraud. All three defendants pled guilty and received state prison sentences ranging from 6 to 11 years. The defendants are jointly and severally liable for paying full restitution. Deputy Bureau Chief Jeffrey Manis; DAG Mallory Shanahan; former DAG Cambridge Ryan; Det. Katelyn Sake Prata.

State v. Joseph Lorenzo. A Bergen County business owner and brother-in-law of North Bergen Department of Public Works (DPW) Commissioner Frank Gargiulo, Lorenzo was indicted for conspiring to have on-duty DPW employees perform construction jobs at his privately-owned business. Lorenzo pled guilty to theft, was sentenced to one year of probation, and was ordered to pay fines and restitution. DAsG Cynthia Vazquez and Julia Zukina; former DAG Victor Salgado; Lt. Robert Stemmer; Det. Garrett Brown; Civil Investigator Joseph Salvatore; Analyst Kathy Ratliff.

State v. Mitchell Perkins. A former Lakewood Township electrical code inspector, Perkins was indicted for accepting bribes from contractors in exchange for preferential scheduling and conducting inspections more quickly. In at least one instance, Perkins approved work that was not actually inspected. He pled guilty to second-degree conspiracy to commit bribery, faces a recommended sentence of three years in state prison, and is permanently barred from public employment in New Jersey. DAG Pearl Minato.

State v. Christopher McKenna. The Division convicted McKenna, a Mercer County Sheriff's officer, for unlawfully accessing and then disclosing to a newspaper confidential arrest photographs of a juvenile. The newspaper published the photos and named the juvenile. McKenna pled guilty to third-degree wrongful access and disclosure of information, and was sentenced to 364 days in the county jail as a condition of 2 years of probation. He forfeited his job as a Sheriff's officer and is permanently barred from public employment in New Jersey. Former Deputy Bureau Chief Veronica Allende; DAG Mallory Shanahan; Dets. Matthew Burd and Richard DaSilva.

State v. Richard Yanuzzi. The Division indicted Yanuzzi, who owns Sparroween, LLC, which operated two cigar shops in Lyndhurst and West Caldwell, for failing to report income and to pay approximately \$442,000 in sales and tobacco products taxes for his businesses from 2012 to 2016. He neither filed state income tax returns nor paid state income taxes for himself during the same

period. Additionally, Yanuzzi and Sparroween filed no tobacco products tax returns from June 2015 to March 2016, and filed false tobacco products tax returns from February 2012 to May 2015, resulting in a failure to pay approximately \$327,000 in taxes owed to the State. Yanuzzi never registered the West Caldwell cigar shop with the Division of Taxation, as required by law. He faces second-degree charges of theft and misconduct, among others. DAG Anthony Robinson.

State v. Michael DiFlorio. A former treasurer for the South Jersey Elite Invitational Youth Football League, DiFlorio was indicted on third-degree theft charges for stealing more than \$56,000 from the league. Between July 2014 and June 2016, DiFlorio withdrew thousands in cash and wrote checks to himself to use for his personal benefit. He also stole more than \$14,000 in cash generated by the league's 2015 championship game. He faces up to five years in state prison. DAG Jonathan Gilmore.

State v. Michael Smart. The former head track and field coach at Essex County College, Smart pled guilty to second-degree theft for stealing \$150,000 by fraudulently taking advances for travel and event expenses and depositing them into his personal bank account. Smart inflated the costs of events, requested entry fees for events that charged no fee, and requested money for events that the team did not attend. The plea agreement calls for Smart to receive a sentence of three years in state prison and to pay full restitution. He is permanently barred from public employment. DAG Anthony Robinson.

State v. Marquice Prather. Defendant, a New Jersey State Trooper, was arrested and suspended from duty for covering up his improper stops of female drivers for the purpose of propositioning them to meet him socially. Prather was charged with third-degree tampering of public records and fourth-degree falsifying or tampering with records. Suggesting a pattern of improper behavior, the investigation revealed that Prather had committed a number of violations, including deactivating his microphone during the traffic stops and later claiming it malfunctioned, and falsely reporting the gender of the drivers he pulled over to disguise the high frequency of female drivers stopped. DAsG Brian Faulk and Charles Wright.

State v. Darryl Green. The Division charged Green, a forensic morgue technician with the Office of the State Medical Examiner, with third-degree theft for stealing more than \$1000 in cash from the body of a man who was killed in a car crash in Newark. Law enforcement documented at the crash site that the victim had approximately \$1120 in cash in his pocket. When the body was removed from the body bag the following day for an autopsy, the cash was gone. Green was terminated from his state position in connection with the charge. DAG Cynthia Vazquez; Lt. Michael Fallon; Dets. Thomas Gallagher and Robyn Green.

State v. Laquanda Tate. A former senior payroll clerk for the New Jersey Department of Human Services, Tate was indicted for using a state-issued work computer to generate false insurance cards for herself and three others. She also stole public assistance benefits by creating false documents to claim childcare expenses. Tate pled guilty to theft by deception and simulating a motor vehicle identification card, and was sentenced to 364 days in county jail as a condition of 3 years of probation. She was ordered to pay full restitution of \$5,000 and is permanently barred from public employment. Deputy Bureau Chief Peter Lee; DAG Jonathan Gilmore; Det. Thomas Page.

State v. Tierra Slade. A former case worker with the Rutgers University Southern Regional Child Resource and Referral Agency, Slade pled guilty by accusation to third-degree theft by unlawful taking. Slade's position gave her access to confidential information of agency clients, and she used the

personal identifying information of a client to apply for several credit cards. She successfully opened a credit card account in the client's name, which she then used to purchase over \$3,500 worth of furniture. As part of her plea agreement, Slade will serve a term of probation conditioned on a term in county jail, forfeit her employment, and be barred from public employment in New Jersey. She is scheduled for sentencing in 2017. DAG Valerie Butler; Dets. Alison Akke and Stacy Scott.

State v. William Ortiz and Joseph DeBonis. The Division charged Ortiz and DeBonis, employees of the City of New Brunswick Water Authority, with second-degree official misconduct and bribery, and third-degree tampering with public records for their roles in a scheme to defraud the City out of thousands of dollars in water and sewer revenue. Both are charged with accepting bribes in exchange for manipulating and reducing the utility bills of property owners. DAG Anthony Robinson; Dets. Rick Lane and Kristin Meier.

State v. Joseph M. Longo. Defendant, the president and owner of Wharton-based contractor Longo Electrical-Mechanical, Inc., pled guilty to multiple charges of third-degree tampering with public records, after admitting that he submitted nearly 90 false certified payroll records in connection with several public works projects his company performed for the Middlesex County Utilities Authority and the Montclair Water Bureau. Longo falsely certified that his company had paid the minimum hourly wages mandated by New Jersey's Prevailing Wage Act when it had not done so, effectively depriving dozens of employees of over \$95,000 in earned wages. Longo was sentenced to two years of probation, and ordered to pay a criminal penalty of \$300,000. His company separately entered into an agreement with the Division in which it agreed to submit to direct oversight by an outside independent monitoring firm and a vigorous four-year monitoring and compliance program. The company was also required to pay full restitution of over \$95,000 in back wages to the victim-employees. Deputy Bureau Chief Jeffrey Manis; DAG Pearl Minato; Det. Timothy Herron; former Det. Janine Buchalski; Analyst Kathy Ratliff.

State v. Marc Dennis. The Division indicted New Jersey State Police (NJSP) Sergeant Dennis, a former coordinator with the NJSP's Alcohol Drug Testing Unit, for allegedly falsifying certifications related to the re-calibration of Alcotest units. He is accused of signing several false re-calibration certifications to cover up his failure to perform a specific aspect of the calibration procedure mandated by NJSP's Chief Forensic Scientist and approved by the New Jersey Supreme Court. The charges against Dennis include second-degree official misconduct, third-degree tampering with public records, and fourth-degree falsifying or tampering with records. DAG Cynthia Vazquez; Det. Matthew Burd; Civil Investigator Joseph Salvatore.

SPECIALIZED CRIMES BUREAU

Interstate Theft Unit

This Unit provides investigative and prosecutorial support to the New Jersey State Police Cargo Theft Unit.

Operation Jacked. After a joint investigation with New Jersey State Police (NJSP), Port Authority Police, ICE Homeland Security Investigations, and 12 other law enforcement agencies, the Division indicted 26 defendants who ran an international carjacking and car theft ring, trafficking high-end cars from New Jersey and New York to West Africa. In the takedown, the Division arrested the entire hierarchy of the operation, including leaders, shippers, fences, car thieves, carjackers, wheel men, and ultimate buyers. The ring targeted and stole luxury cars — through violent carjackings or conventional thefts — and then sold the cars through an established chain, culminating in the cars being shipped to West Africa, where they command more than American face value. To date, 11 defendants have pled guilty and received sentences ranging from 5 to 18 years in state prison. The remaining 15 defendants face charges of racketeering, conspiracy, carjacking, and theft. Asset Forfeiture: During the operation, the Division seized over 180 stolen cars, collectively worth over \$8 million. DAsG Anthony Tortore, Debra Conrad, Derek Miller, and Susan Wolansky.

Operation 17 Corridor. Working with the NJSP, the Port Authority Police, and ICE Homeland Security Investigations, the Division took down a massive, international carjacking and car theft ring that stole luxury cars from New Jersey and New York to ship and sell overseas. The defendants worked together in teams to identify and then steal high-end luxury vehicles. Some cars were obtained through carjackings, while others were taken in “soft steals” from locations such as airports, carwashes, stores, and valets, where the thieves were able to steal the cars with the electronic keys or key fobs. They also stole cars from dealerships and rental agencies, which involved renting a car with a fraudulent credit card and never returning the vehicle. The defendants then shipped the cars from ports in New Jersey and New York to countries in Western Africa, where the cars command premium prices. In total, the Division seized over 90 stolen cars, collectively worth over \$4 million. The stolen cars were located in five different states in addition to New Jersey. The Division indicted 22 defendants, including leaders of the organization, shippers, fences, carjackers, car thieves, and wheel men. Prior to indictment, four additional defendants pled guilty to racketeering (bringing the total number of defendants to 26), and they face recommended sentences of 6 to 11 years in state prison. Fourteen of those indicted have pled guilty, and the five who have been sentenced received sentences ranging from probation to 12 years in state prison. The remaining nine indicted defendants face first-degree charges of racketeering, conspiracy, and money laundering. DAsG Debra Conrad and Danielle Scarduzio.

Operation Midnight Run. The Division indicted 12 defendants who committed a series of thefts of tractor-trailers loaded with cargo worth over \$1.5 million. The multi-state theft ring stole cargo which included clothing, auto parts, bedding, perfume, beverages, and other items which they fenced for a profit. Eight defendants pled guilty to second- or third-degree charges of conspiracy, theft, or receiving stolen property. A ninth defendant pled guilty to fourth-degree receiving stolen property. Defendants received sentences ranging from 180 days in county jail to 9 years in state prison. One defendant was admitted into the Pretrial Intervention Program (PTI). The two remaining defendants face charges including first-degree conspiracy and money laundering and second-degree theft and receiving stolen property. One of these defendants was deported after his arrest in 2013. The

other defendant has been captured in Florida and is in the process of being extradited back to New Jersey. DAsG Debra Conrad and Danielle Scarduzio.

Operation Pandora. Six identified defendants were indicted for running an organized multi-state retail theft ring that stole over \$800,000 in jewelry. The defendants were linked to more than 20 thefts in New Jersey and 5 other states. The defendants committed the thefts by various means, which included following a jewelry dealer and breaking into her car at a rest stop, and by distracting retail clerks and reaching over counters to steal jewelry. Four defendants pled guilty to second-degree charges of either racketeering or shoplifting, and received sentences ranging from three to eight years in state prison. Racketeering, conspiracy, and shoplifting charges remain pending against two other defendants. Deputy Bureau Chief Andrew Johns; former DAG Brian Carney.

State v. Alicia Blackburne, et al. The Division indicted 13 members of a retail theft ring who stole over \$100,000 worth of clothing from large retail stores in eight counties across the State. The defendants stole designer clothes by removing the security tags, returning the items without a receipt for store credit in the form of gift cards, and then selling the gift cards at pawn shops for a fraction of the face value. Three defendants were admitted into PTI, and the ten remaining defendants have pled guilty. The ringleaders, Alicia Blackburne and Robert Campbell, pled guilty to second-degree leading an organized retail theft enterprise. Blackburne was sentenced to six years in state prison, and Campbell was sentenced to five years of probation, though both have been accepted into Drug Court. The other defendants pled guilty to second- or third-degree shoplifting and received sentences ranging from probation to five years in state prison. All 13 defendants were ordered to pay restitution. DAsG Jeffrey Barile, Sarah Mielke, and Martin Steiner; former DAG Brian Carney.

Bias Crimes

The mission of the Bias Crimes Unit is the statewide coordination of efforts to eliminate crimes motivated by prejudice against others based on race, color, religion, sexual orientation, gender, disability, or ethnicity.

Operation Skin Deep. This Division-led investigation initially targeted racist skinhead activity in the Atlantic City area, but it soon uncovered a sophisticated narcotics distribution ring. Working their way from the street-level up, detectives were able to identify a two-pronged distribution scheme. The first prong involved distributing wholesale quantities of narcotics to various street-level dealers out of a Union City bar. The second prong involved an Internet-based mail-order scheme, where members of the enterprise took drug orders on the “dark web.” Narcotics were then mailed to customers throughout the United States. The defendants filled specific roles, including a computer specialist, drug packagers, and hired muscle. The enterprise even planned the murder of a former partner who had fallen out of favor with the group. At the end of the case, detectives executed search warrants that resulted in the seizure of over 2 kilograms of cocaine, a handgun silencer, illegal steroids, and approximately \$1.5 million cash. The Division indicted 15 defendants as a result of this investigation, with 10 being charged with first-degree racketeering. Thus far, three defendants have pled guilty for sentences ranging from five to seven years in state prison. DAsG Jeffrey Barile and Derek Miller; former DAG Alyssa Schwab; Lt. Lisa Cawley; Sgts. Noelle Holl and Michael Rasar; Dets. Scott Caponi, Brian Christensen, Tim Savage, Atem Ako, Naike Kudlik, Christine Sullivan, Eric Barnes, and Jessica Marcacci; Investigator Debra Maiorano; Analyst Bethany Schussler.

Casino Prosecutions Unit

This Unit is responsible for prosecuting all indictable criminal offenses occurring on the casino floor or otherwise relating to the gaming activities of Atlantic City’s licensed casinos.

State v. Barbara Lieberman, et al. The Division indicted six defendants, including Lieberman — an Atlantic County attorney specializing in senior law — for money laundering and theft for running a scheme that preyed on elderly victims and stole 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 their bank and retirement accounts. The defendants then used that money for their own personal use, purchasing luxury cars and homes. Defendants include: two Atlantic County services caseworkers, Jan Van Holt and William Price, who used their positions to identify and refer potential victims to the conspirators; and Dr. Maria Daclan, who made false statements to police in the investigation. Together, Lieberman and her co-defendants stole over \$3 million from at least 12 identified victims, many of whom died in sub-standard housing after losing their life savings. All defendants have pled guilty: (1) Lieberman pled guilty to first-degree money laundering and was sentenced to 10 years in state prison, including 3½ years without parole. She also forfeited \$3 million, to be used to repay victims or their surviving family members, and permanently forfeited her law license; (2) Dr. Daclan was accepted into and successfully completed PTI; (3) Price pled guilty to second-degree theft by deception and was sentenced to five years in state prison; (4) Van Holt pled guilty to first-degree money laundering and was sentenced to 12 years in state prison, including 5½ years without parole; (5) Van Holt’s sister, co-defendant Sondra Steen, pled guilty to first-degree money laundering and was sentenced to 10 years in state prison, including 4½ years without parole; and (6) defendant Susan Hamlett pled guilty on the eve of trial to second-degree conspiracy, and was sentenced to three years in state prison. DAsG Yvonne Maher and Derek Miller; Investigator Debra Maiorano.

State v. Johnny Cobb, et al. Forty-eight individuals were indicted on racketeering, conspiracy, and theft charges in connection with an elaborate bank fraud scheme in which numerous defendants impersonated holders of legitimate bank accounts in order to steal more than half a million dollars from the accounts, withdrawing most of the funds at Atlantic City casinos. The defendants targeted business accounts at JP Morgan Chase, and stole approximately \$570,000 from 27 different accounts in two schemes. The investigation led to an indictment in 2012 charging 23 defendants in connection with the first scheme. Two ringleaders, Johnny Cobb and Nurlin Wright, each pled guilty to conspiracy and racketeering charges contained in the first indictment, and each was sentenced to 15 years in state prison. Thirteen additional defendants who were charged in a separate but related 2013 indictment have pled guilty and received sentences ranging from probation to nine years in state prison. DAG Yvonne Maher.

State v. Izyiah Plummer, et al. Following a joint investigation with the State Police Casino Gaming Bureau, the Division indicted five defendants on charges of first-degree robbery, second-degree aggravated assault, and second-degree weapons offenses for orchestrating and committing an armed robbery of over \$180,000 from Caesar's Atlantic City Casino. Led by Plummer, a former Caesar's security guard, the defendants stole cash at gunpoint from a security officer who was changing out cash boxes at a voucher cash machine on the casino floor. One of the defendants was accepted into PTI. Plummer pled guilty to all charges, including first-degree armed robbery, conspiracy, aggravated assault, and weapons charges. He was sentenced to 11 years in state prison, with 9 years and 4 months of parole ineligibility under the No Early Release Act. The remaining three co-defendants pled guilty to second-degree theft and will be sentenced in early 2017. DAG Kerry DiJoseph.

State v. Lena Guralnik, et al. The Division indicted 12 defendants on charges of second-degree theft, identity theft, money laundering, and conspiracy for using 52 stolen credit cards in five Atlantic City casinos to conduct a cash-advance scheme through which they stole over \$290,000 from banks that guaranteed the transactions. The scheme operators entered various casinos and made cash withdrawals using legitimate identification but fraudulent credit cards that contained magnetic strips taken from stolen credit cards. Nine of 12 defendants pled guilty to charges of conspiracy or theft with sentences ranging from probation to three years in state prison. Guralnik was ordered to pay \$293,000 in restitution. DAG Yvonne Maher; Det. Jessica Marcacci.

Atlantic City Task Force (ACTF)

The ACTF is responsible for investigating and prosecuting crimes occurring in and around Atlantic City which have a negative impact on the tourism industry. This collaborative effort includes the Division of Criminal Justice, New Jersey State Police, State Parole Board, Atlantic County Prosecutor's Office, Atlantic County Sheriff's Office, Atlantic City Police Department, Ocean County Prosecutor's Office, Little Egg Harbor Township Police Department, Brigantine Police Department, and Pleasantville Police Department.

State v. Andre Graves-Byrd. After shooting two victims in Pleasantville, Byrd was indicted on two counts of attempted murder and other offenses. Byrd shot at close range — and hit but did not kill — two victims, both of whom recovered. Byrd allegedly had an ongoing feud with one of the victims. Byrd pled guilty to two counts of first-degree attempted murder and one count of second-degree unlawful possession of a weapon, and was sentenced to 15 years in state prison, including 12 years and 9 months of parole ineligibility under the No Early Release Act. DAG James Ruberton; former Special DAG Erik Bergman; Det. Brian Graybill.

State v. Saleem Hamilton, et al. The Division indicted seven defendants who ran a major narcotics network that trafficked heroin from Paterson into Atlantic and Ocean Counties. The defendants together distributed approximately 30,000 doses of heroin per month, many of which contained the deadly “cutting” agent fentanyl. The ring members employed at least one juvenile to sell heroin, made heroin deals in front of young children, and took public assistance subsidies as payment for heroin. During the arrests, investigators seized over 16,000 bags of heroin and over \$50,000 cash. Three defendants have pled guilty to narcotics charges; two are awaiting sentencing and the third was sentenced to seven years in state prison, including five years of parole ineligibility. The remaining defendants face charges of first-degree possession with intent to distribute, second-degree conspiracy, and other narcotics offenses. DAG James Ruberton and Martin Steiner; former Special DAG Erik Bergman; Sgt. James Nelson; Dets. David Catona, Brian Graybill, and Todd Watkins.

State v. Deshon DeWitt and Kameron Watts. The Division obtained convictions against DeWitt and Watts for first-degree carjacking, first-degree armed robbery, and other offenses after they robbed a pizza deliveryman. Watts pled guilty to first-degree armed robbery and was sentenced to 10 years in state prison, including 8½ years without parole under the No Early Release Act. He will be placed on parole for five years upon his release from prison. DeWitt pled guilty to second-degree strong-arm robbery. He failed to appear for sentencing earlier this year and is being sought as a fugitive. DAG James Ruberton; former Special DAG Erik Bergman.

State v. Esquio Salgado and Crisanto Ramirez. As a result of a Division and federal law enforcement investigation into cocaine trafficking in South Jersey, the defendants, both from Texas, were arrested on charges of first-degree distribution of cocaine, first-degree possession of cocaine with intent to distribute, and other related charges. The Division seized 5 kilograms of cocaine, which has a street value of approximately \$230,000. DAG James Ruberton; Sgt. James Nelson; Dets. Brian Graybill, David Catona, and James Blong.

State v. Anthony Martin et al. Martin and two co-defendants were indicted for second-degree conspiracy, first-degree distribution of CDS, third-degree financial facilitation, and various weapons and narcotics offenses. The defendants distributed both heroin and cocaine in the Atlantic City area and frequently used hotel rooms in Atlantic City casinos to distribute narcotics. All charges are still pending. DAG James Ruberton; former special DAG Erik Bergman; Sgt. James Nelson; Dets. Brian Graybill, David Catona, and Todd Watkins.

Labor Crimes Unit

This Unit investigates and prosecutes individuals involved in committing frauds against the New Jersey Department of Labor, such as unemployment insurance and disability insurance fraud.

Since 2011, the Department of Labor has been cracking down on unemployment insurance fraud, saving the New Jersey Unemployment Insurance Trust Fund more than \$750 million to date.

State v. Ivory Downey, et al. Nine current and former U.S. Postal Service employees were indicted for stealing a total of nearly \$50,000 by fraudulently collecting unemployment benefits while working for the Postal Service. The defendants purposely misrepresented their employment status to the New Jersey Department of Labor to obtain unemployment insurance benefits. One defendant pled guilty to third-degree theft by deception and was sentenced to three years of probation. The remaining eight defendants were accepted into the Pretrial Intervention Program (PTI). DAG Christopher Keating.

State v. Erica Rivera. The Division obtained a conviction against Rivera after she pled guilty to defrauding the State of nearly \$350,000 by filing false claims for unemployment benefits in the names of purported former employees of her defunct tax preparation business. She pled guilty to an accusation charging her with second-degree theft by deception, and was sentenced to seven years in state prison. The plea agreement calls for her to pay full restitution to the New Jersey Department of Labor and Workforce Development. DAG Christopher Keating; former DAG John Paone; Dets. Glenn Stanton and Christine Sullivan; former Det. Lynn Fitzgerald; Analyst Bethany Schussler.

State v. Jose Crespo, et al. Delaware couple Jose and Marilyn Crespo were indicted on second-degree charges for stealing more than \$315,000 from the State of New Jersey by filing false claims for unemployment and temporary disability benefits. Delaware resident Craig Mallone was also charged in the indictment for his role in the scheme. The defendants were charged with conspiracy, theft by deception, and other related crimes. DAG Danielle Scarduzio; Dets. Christine Sullivan and Glenn Stanton; Analyst Bethany Schussler.

Environmental Crimes Unit (ECU)

The ECU investigates and prosecutes violations of the State's water pollution, air pollution, hazardous waste, and solid waste laws, as well as traditional crimes that have an impact on public health and safety and the environment.

State v. Edward O'Rourke. The Division charged and convicted O'Rourke, a former licensed operator of the New Brunswick and Milltown public drinking water systems. O'Rourke failed to conduct required testing of drinking water and then repeatedly submitted falsified testing data to the Department of Environmental Protection. He pled guilty to second-degree corruption of public resources and third-degree violations of the Safe Drinking Water Act and was sentenced to three years in state prison. DAG Michael King; Sgt. Steven Ogulin.

Motor Vehicle Commission Unit (MVCU)

The MVCU is responsible for investigating and prosecuting criminal conduct affecting the operation of the Motor Vehicle Commission. These investigations typically focus upon identity theft, computer fraud, and document fraud.

State v. Anthony Ferrer, et al. The Division charged Ferrer in a 43-count state grand jury indictment with conspiracy, official misconduct, computer theft, theft by deception, bribery, and use of personal identifying information of another, all in the second degree, as well as numerous third-degree

counts of motor vehicle title offenses, tampering with public records or information, and forgery. Ferrer used stolen identities to obtain official identification documents from the New Jersey Motor Vehicle Commission (MVC). He used the stolen identities and official documents in a fraudulent scheme to obtain new titles for vehicles in New Jersey and conceal liens totaling more than \$239,000 held by lenders that financed the cars. Former MVC employee Yukeam Cousins conspired to process two of the fraudulent titles for Ferrer. Cousins pled guilty to third-degree tampering with public records or information, and will be sentenced in early 2017. Ferrer's indictment resulted from a referral from the investigators involved with Operation Facial Scrub (see below), a 2013 to 2016 investigation in which the Division charged a total of 228 defendants with identity theft, forgery, and document fraud. DAG Michael King; Lt. William Newsome; Det. Nicholas Olenick; Investigator Ruben Contreras.

State v. Lenny Roman, et al. Five people were indicted on charges that they fraudulently used a data simulator to generate false results for motor vehicle emissions inspections, which rely on data from onboard diagnostic systems. Defendants include Roman, who until recently was licensed to operate a private inspection facility in Paterson, and two current motor vehicle inspectors employed by Parsons Environment & Infrastructure Group, Inc., the contractor that operates central inspection facilities for the MVC. The scheme involved using the data simulator in place of the actual data from vehicles that had failed emissions inspections, enabling the cars to pass inspection. Clients whose cars failed inspection at the central inspection facilities were referred to Roman by his co-defendants. Between October and December 2015, Roman falsified data for 131 emissions inspections involving 127 vehicles. Defendants face charges of second-degree official misconduct, tampering with public records, and violations of the federal Air Pollution Control Act. DAsG Phillip Leahy and Michael King; Lt. William Newsome; Det. Nicholas Olenick; Investigator Ruben Contreras.

Operation Facial Scrub. From 2013 to 2016, the Division charged a total of 228 defendants with identity theft, forgery, and document fraud offenses. Using high-tech facial recognition software, the Division, together with the 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 names. AAG Louise Lester; DAsG Jeffrey Barile, Debra Conrad, Lilianne Daniel, Michael King, Valerie Noto, Danielle Scarduzio, Anthony Torntore, Martin Steiner, Christopher Keating, and Phillip Leahy; former DAsG Brian Carney, Mary Erin McAnally, John Paone, and Alyssa Schwab; Lt. William Newsome; Sgt. Andrea Salvatini; Dets. Cecil Boone, Laura Catizone, Franco Cignarella, Ruben Contreras, Lamonica Cross, Michael Duffield, Sean Egan, Christian Harden, Kelly Howard, Joseph McCray, and Nicholas Olenick.

State v. Maria Frank, et al. This investigation began as an inquiry into a New Jersey identification card issued to Maria Frank under the name Shirley L. Frank. Through intensive efforts, state and federal detectives uncovered hundreds of thousands of dollars in Social Security fraud by both Maria Frank and her sister-in-law, co-defendant Shirley Frank. The investigation revealed an ongoing scheme by other members of the Frank family to evade hundreds of thousands of dollars in taxes related to their businesses, located in Berlin and Pine Hill. Maria Frank and Shirley Frank were charged with second-degree theft by deception, second-degree use of personal identifying information of another, and third-degree tampering with public records or information. Six other members of the Frank family were charged with failure to file tax returns and failure to pay state income taxes. *Asset Forfeiture.* The State conducted a parallel civil investigation and seized more than \$3 million in assets, including vehicles purchased and registered under fraudulent identities. The investigation was conducted in concert with agents from the Social Security Administration and the New Jersey Division of Taxation. DAsG Jeffrey Barile and Derek Miller; former DAG Brian Carney; Lt. William Newsome;

Sgt. Andrea Salvatini; Det. Michael Duffield; Civil Investigator Debra Maiorano.

FINANCIAL AND COMPUTER CRIMES BUREAU

Financial Fraud

Superstorm Sandy Fraud Cases. Since 2014, the Division has filed criminal charges against 76 defendants for filing fraudulent applications to collect relief funds after Superstorm Sandy. The defendants applied for federal relief funds offered by FEMA or HUD by submitting applications in which they either falsely claimed that storm-damaged homes were their primary homes, which is a requirement under the Sandy relief programs, or made other false claims. The defendants collectively stole and attempted to steal over \$3.25 million in Sandy relief funds.

- Defendant James Russo of Toms River was sentenced to three years in state prison after he pled guilty to third-degree theft by deception for fraudulently claiming he was displaced by the storm and receiving more than \$13,000 in relief funds.
- Motel owner Sandipkumar Patel pled guilty to fraudulently collecting more than \$80,000 in funds from a FEMA program that paid hotels for housing residents displaced by the storm. He was sentenced to three years in state prison and was ordered to pay full restitution.
- Several defendants fraudulently obtained more than \$100,000 each in relief funds for properties that were not primary residences.

Bureau Chief Michael Monahan; Deputy Bureau Chief Mark Kurzawa; DAsG Valerie Butler, Thomas Clark, William Conlow, Norma Evans, Peter Gallagher, Jonathan Gilmore, Denise Grugan, Derek Miller, John Nicodemo, Valerie Noto, and Anthony Torntore; former DAsG T.J. Harker, Naju Lathia, and Mary Erin McAnally; Lt. David Nolan; Sgt. Fred Weidman; Dets. Michael Arduini, Terrence Buie, Matthew Burd, Mark Byrnes, Richard Loufik, Eric Ludwick, John Neggia, Roxanna Ordonez-Fresse, Thomas Page, and Sonya Sullivan; Special Civil Investigators Rita Binn, Jeff Gross, James Parolski, and Vicki Vreeland; Analyst Alison Callery.

State v. Jeffrey Colmyer and Tiffany Cimino. The Division arrested the couple, who live together in Little Egg Harbor, for stealing hundreds of thousands of dollars from more than 20 victims who hired the couple's home improvement companies after Superstorm Sandy. The victims, mostly using Sandy relief funds, paid the couple to repair, elevate, or rebuild their homes, but the couple either abandoned jobs or never even started the work, leaving many victims with uninhabitable homes. The couple diverted much of the money to gamble and buy luxury items, including cars and jewelry. They face a range of charges, including theft, money laundering, and misconduct by a corporate official, all in the second degree, and failure to pay taxes and tax fraud, both third-degree offenses. The Division of Consumer Affairs filed a civil action against the defendants, alleging numerous violations of the Consumer Fraud Act and seeking consumer restitution and civil penalties. DAsG Derek Miller and John Nicodemo; Dets. Michael Arduini and Jordan Thompson; Investigator Debra Maiorano; Analyst Alison Callery.

State v. Robert Novy. A prominent Ocean County attorney who hosted a radio show and taught seminars on elder law, Novy was arrested on charges for stealing more than \$1.2 million from four elderly clients. He faces charges of first-degree money laundering, second-degree theft, and second-degree misapplication of entrusted property. Novy stole funds from elderly and deceased clients who, in some cases, did not have a close relative to claim their estate or challenge Novy's actions, or in other cases, suffered from cognitive deficits such as dementia. Novy gained control through wills, powers of attorney, and trust documents, making himself the sole financial decision-

maker for these clients. He excessively billed several clients without any supporting invoices, withdrew funds from trust accounts, and deposited funds into his personal bank account or his law firm's operating account. The investigation revealed that he stole more than \$500,000 from one elderly woman, at one point writing himself a check for \$250,000 from the woman's personal bank account and depositing it into his own personal account. *Asset Forfeiture*: As a result of this investigation, the Division seized approximately \$4.5 million in assets from the defendant. DAsG Peter Gallagher, William Conlow, and Derek Miller; Sgt. Anne Hayes; Det. Jordan Thompson; Investigators Wayne Cummings and Debra Maiorano; Analyst Terri Drumm.

State v. Joseph Talafous. The Division obtained a 19-count indictment against Talafous, an attorney, for stealing over \$1.5 million from five clients over the course of ten years. Talafous used a power of attorney to make numerous unauthorized withdrawals from clients' investment accounts, trust accounts, and estates. In one case, he stole more than \$400,000 from a trust set up for a young boy with funds from a wrongful death suit stemming from the workplace death of the child's father. Talafous faces charges of first-degree money laundering and second-degree theft, among others. DAsG Janet Bosi and Joseph Glyn; former DAG Naju Lathia; Det. Scott Stevens.

State v. Thomas Fagan. The Division tried Fagan, the CEO of Energex Systems, Inc., a biotech firm based in Bergen County, for stealing over \$230,000 in investor funds from the business. Fagan used the stolen money to fund an extravagant personal lifestyle, and was charged with second-degree corporate misconduct, theft, and money laundering. Fagan was convicted at trial of multiple counts of tax evasion, but the Mercer County jury deadlocked on the more serious second-degree charges. DAsG Peter Gallagher and Derek Miller; Lts. Edward Augustyn, Michael Fallon, and David Nolan; Sgt. Cheryl Smith; Det. Eric Ludwick; Analyst Alison Callery.

State v. Richard Bernardi. The Division indicted Bernardi and the company he owned and operated, Strategic Environmental Partners (SEP), on first-degree money laundering, second-degree theft by deception, and other charges. SEP operated the Fenimore Landfill in Roxbury. To secure the contract to operate the landfill, Bernardi lied to the New Jersey Department of Environmental Protection and the former landowner about SEP's capabilities and plans to close the Fenimore Landfill and develop the site into a solar farm. He also diverted \$5 million in tipping fees — fees paid to SEP to deposit materials at the landfill — for personal and unauthorized use. DAG Thomas Clark; Lt. Lisa Shea; Det. Benjamin Kukis.

State v. Naim Tahir, et al., a/k/a Operation Poison Oak. In a joint investigation with U.S. Postal Inspectors, the New Jersey Office of Homeland Security and Preparedness, U.S. Department of Homeland Security, Social Security Office of the Inspector General, and the New Jersey Division of Taxation, the Division charged Tahir and 11 others with first-degree money laundering and second-degree theft for their roles in an elaborate credit card "bust out" scheme involving approximately 100 fraudulent checking accounts or credit cards created through the use of "synthetic" identities. (A synthetic identity is created by pairing valid Social Security numbers, usually belonging to juveniles, with fictitious names and birthdates.) During the scheme, defendants opened fraudulent credit card accounts with "synthetic" identities and had collusive merchants initiate charges against the credit cards, usually up to their limits. The merchants then received payments from the victim credit card companies for those fraudulent charges, and the defendants ultimately failed to make payments on the cards (the "bust out"). One defendant, who opened a Jersey City business with the sole purpose of defrauding financial institutions, conducted approximately \$1.6 million in fraudulent credit card transactions. Four defendants pled guilty to money laundering charges and are pending sentence. *Asset Forfeiture*: As a result of the Division's investigation, \$1.9 million in assets were seized. DAG Anthony

Torntore; former Lt. Harry Maronpot; Dets. James Gallo, Roxanna Ordonez-Fresse, and Katelyn Sake Prata.

State v. Steven Dilk. A former executive for a wholesale importer of pharmaceutical ingredients, Dilk was convicted of embezzling over half a million dollars from the importing company. Over a seven-year period, Dilk, an operations manager, fraudulently billed the company for approximately \$512,000 in import fees that he falsely claimed to have paid to airlines on behalf of the company. Dilk pled guilty to second-degree theft by deception and was sentenced to five years in state prison. DAG Janet Bosi; former DAsG Mary Erin McAnally, Marysol Rosero, and Jacqueline Weyand; Dets. Mark Byrnes and Scott Stevens; former Analyst Kim Geis.

State v. Michael Palmer, et al. Defendant, a Passaic County attorney, was sentenced to four years in state prison for conspiring to steal over \$800,000 from lenders by using stolen or fictitious identities to file fraudulent mortgage loan applications for two real estate transactions. Palmer, acting as the closing attorney and settlement agent in both transactions, conspired with the actual property sellers and provided stolen identity information and documentation with the loan applications. The loan proceeds were diverted for the benefit of the defendants, though they filed paperwork claiming that the borrowers made required payments and that the loan funds were properly disbursed. Palmer's co-conspirators pled guilty; one was sentenced to three years in state prison and one is awaiting sentencing. Palmer pled guilty to second-degree conspiracy to commit theft by deception and money laundering. He must pay full restitution to the victim lenders and forfeit his license to practice law in New Jersey. DAsG Jillian Carpenter and Anthony Torntore; former DAsG Mary Erin McAnally and Marysol Rosero; former Lt. James MacInnes; Det. Roxanna Ordonez-Fresse; Analysts Rita Gillis and Amy Patterson.

State v. Carrie Ann Manerchia and Lisa Matto. Manerchia and Matto were indicted for second-degree receiving stolen property and money laundering for fraudulently obtaining 36 New Jersey Gross Income Tax refund checks and 20 U.S. Treasury checks worth a total of more than \$95,000. Both defendants pled guilty to second-degree receiving stolen property. Manerchia was sentenced to 3 years in state prison, and Matto was sentenced to 364 days in county jail and 5 years of probation. Both were ordered to pay restitution. DAG Denise Grugan; Sgt. Anne Hayes.

State v. Evan Kochav. Kochav pled guilty to second-degree money laundering and theft by deception for stealing over \$560,000 from clients of his investment firm. He promised to invest the funds in various business interests and investment vehicles. Instead, he laundered the money through a phony consulting firm and several shell bank accounts and used it for his own personal expenses, which included gambling at casinos. Kochav was sentenced to eight years in state prison and ordered to pay restitution to the victims. DAG Thomas Clark; Dets. Roxanna Ordonez-Fresse and Katelyn Sake Prata; Investigator Isaac Reyes (of the Bureau of Securities, on assignment to the Division).

State v. Nicholas Severino. The Division indicted Severino for stealing over \$240,000 in Social Security benefits payable to his father, who had been dead for 29 years. Severino's father had worked a second job using a false name and second Social Security number, and Severino collected benefits paid in connection with that false identity, for which no death was ever reported. Severino pled guilty to second-degree theft and was sentenced to three years in state prison. He was ordered to pay full restitution to the Social Security Administration. DAsG Peter Gallagher and John Nicodemo; Det. Kimberly Allen.

State v. Cody Tyson and Edina Padilla. The Division arrested the couple during their attempt to purchase an \$86,000 Mercedes Benz using the identity of a Nevada woman. After LifeLock alerted the victim that someone using her identity was trying to purchase a car in New Jersey, the victim notified Rahway Police, who responded to the dealership and arrested the couple while they were completing the paperwork to secure a car loan. Police seized a Maryland driver's license from Padilla, which bore the name of the Nevada woman but contained a photograph of Padilla. A private tow company towed the seized Mercedes. The tow truck operator searched the vehicle to inventory its contents, in accordance with a local ordinance, and found a loaded 9mm handgun in the vehicle's center console. DAsG Janet Bosi and Thomas Clark; Det. Katelyn Sake Prata.

State v. Germain Theodore. The Division indicted Theodore, who ran the Maplewood debt adjustment firm TGC Movement, for defrauding hundreds of customers by promising them reductions in monthly bills in return for up-front fees, but never delivering any debt relief or other service. He is charged with stealing at least \$250,000 from over 200 victims through the fraud scheme. The Division obtained a second indictment against Theodore for stealing an additional \$48,000 from clients of a separate business based in Jersey City. He is awaiting trial in both Essex and Hudson Counties. DAsG Janet Bosi and Anthony Torntore; former DAG Frank Brady; Dets. Mark Byrnes and Scott Stevens; former Analyst Kim Geis.

State v. Artis Hunter, et al. The Division arrested Hunter and co-defendant Melissa Phillip on charges of first-degree money laundering, first-degree conspiracy, second-degree identity theft, and second-degree theft by deception. A warrant for the arrest of a third defendant, Laquan Jones, was issued on the same charges, and additional unidentified co-conspirators are being investigated. The defendants carried out an elaborate identity theft and mortgage fraud scheme in which they stole nearly \$1 million from various lenders, including Fannie Mae. The arrests resulted from a joint investigation by the OAG, ICE Homeland Security Investigations, U.S. Postal Inspection Service, and the Federal Housing Financing Agency Office of Inspector General, assisted by the U.S. Customs and Border Protection. DAG Anthony Torntore; former DAG T.J. Harker; Sgt. James Scott; Det. James Gallo; Senior Special Agent Robert Manchak (from the Federal Housing Finance Agency Office of Inspector General (FHFA-OIG) on assignment to the Division).

State v. Caroline Britt and Breanna Britt. Caroline Britt and her daughter Breanna, both of Irvington, were indicted on charges that they operated an organized retail theft ring that shoplifted expensive cosmetics from Ulta stores and returned them to JCPenney stores, ultimately converting the goods to cash. Between 2011 and 2013, they fraudulently obtained more than \$100,000 from JCPenney stores throughout New Jersey and five other states. They face second-degree charges of conspiracy, shoplifting, identity theft, and leading an organized retail theft enterprise. DAsG Janet Bosi and Jacalyn Estrada; Sgt. Cheryl Smith; Det. Roxanna Ordonez-Fresse.

State v. Tara Stokes and Lawrence Humphrey. Defendants, both New York residents, were indicted for using bad checks to purchase two homes in Gloucester County and one in Camden County. The couple wrote checks totaling over \$1 million for the three homes, drawing on fictitious bank accounts or accounts without sufficient funds. Each fraud was detected before the deeds to the homes could be recorded. They face charges of second-degree conspiracy, and multiple counts of theft by deception and passing bad checks. DAG William Conlow; Det. Richard Loufik.

State v. Stephanie Hand, et al. The Division continued its prosecution of five individuals, including Hand, an Essex County attorney, 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. One defendant pled guilty to first-degree money laundering and another pled guilty to second-degree theft by deception. Both are pending sentence. The remaining three defendants are scheduled for trial in February 2017. DAsG Jillian Carpenter and Anthony Torntore; former DAG Mary Erin McAnally; Det. Roxanna Ordonez-Fresse; Analyst Rita Gillis.

State v. Andrys Gomez, et al. Gomez, a Hudson County attorney, and 11 co-defendants were indicted on charges including first-degree money laundering and conspiracy, and second-degree theft by deception for their roles in a mortgage fraud conspiracy. Gomez used her position as an attorney to file fraudulent mortgage applications and HUD settlement forms to obtain mortgage proceeds, which she then funneled through her attorney trust account. In total, Gomez and her co-defendants stole over \$1 million through the scheme. Six defendants were accepted into the Pretrial Intervention Program (PTI). Five defendants pled guilty to money laundering or theft, and all are scheduled for sentencing in 2017. Asset Forfeiture: As a result of this investigation, the Division seized approximately \$800,000 in assets and a brand new Corvette. DAsG Jillian Carpenter and Anthony Torntore; former DAG Mary Erin McAnally; Sgt. Anne Hayes; Analyst Alison Callery.

State v. Bronthie Charles, et al. Acting on a referral from TD Bank Corporate Security, the Division indicted Charles, a TD Bank teller, and seven others on charges of second-degree conspiracy, theft by deception, and identity theft for their roles in a ring that used account information from TD Bank customers to steal more than \$150,000 from several bank locations. All defendants pled guilty and received sentences ranging from probation to three years in state prison. DAsG Peter Gallagher and John Nicodemo; Lt. Edward Augustyn; Dets. Richard Loufik and Eric Ludwick.

Cyber Crime – Child Pornography

In 2013, New Jersey strengthened its child pornography laws, bringing them closer in line with federal laws. The new laws included enhanced penalties based upon the number of items of child pornography (images or videos) possessed or distributed, a presumption of imprisonment for defendants convicted of possessing 100 or more items of child pornography, and a requisite five-year mandatory minimum prison sentence without possibility of parole for defendants convicted of distributing 25 or more items of child pornography.

Operation Statewide. Forty men – including at least one from every county in New Jersey – were charged with possession of child pornography after a six-month joint investigation by the Division, New Jersey State Police (NJSP), ICE Homeland Security Investigations, and the NJ Internet Crimes Against Children (ICAC) Task Force. Defendants range in age from 20 to 72, and include a former teacher, construction workers, computer professionals, and a custodian in the Long Branch School District. Of the 40 arrested, 37 were charged with distribution. Those convicted of distributing more than 25 items of child pornography face a five-year mandatory minimum prison sentence without the possibility of parole. Nine of those arrested have thus far been charged with distributing 25 or more images. During the arrest of one Monmouth County man, who had more than 5,000 child pornography images on his computer, Troopers discovered two assault weapons in his home. DAsG Jillian Carpenter, Lilianne Daniel, Denise Grugan, Layli Khelafa, Marie McGovern, John Nicodemo, and Joseph Remy; Lts. Lisa Shea and Jon Powers; Dets. Abraham Aquino, Richard DaSilva, Laura Hurley, Carlos Hernandez, Kimberly Allen, Michael Arduini, Keith Franco, John Neggia, and Kahlil McGrady; former Det. Tiffany Lenart; Executive Assistant Francine Venceller.

Operation Ever Vigilant. Following a three-month investigation conducted by the Division, the State Police Digital Technology Investigations Unit (DTIU), the U.S. Postal Service, and other members of the ICAC Task Force, the Division arrested 25 defendants on charges of distributing child pornography over the Internet through peer-to-peer file-sharing software. Several defendants had regular access to children in their jobs or otherwise. To date, 15 defendants have entered guilty pleas in this ongoing prosecution. Those who have been sentenced have received sentences ranging from probation to five years in state prison, and each must register as a sex offender under Megan’s Law. DAsG Jillian Carpenter, Lilianne Daniel, Denise Grugan, Marie McGovern, and Joseph Remy; former DAsG Naju Lathia, Anand Shah, and Kenneth Sharpe.

Operation Predator Alert I and II. Working with federal law enforcement agents from ICE Homeland Security Investigations, the Division arrested 28 defendants on charges of distributing and possessing child pornography over Internet file-sharing programs. These cases marked the first major utilization of New Jersey’s tougher child pornography laws, which went into effect in August 2013. Using advanced technology, the agents searched for telltale digital “fingerprints” of known child pornography files, as well as search terms used by those who download and share child pornography. Through these and other methods, investigators identified users who were downloading and making child pornography available to others in “shared folders” on their computers. As of December 2016, 16 defendants have entered guilty pleas in this ongoing prosecution. Defendants include two school bus drivers from Mays Landing and a Merchantville church volunteer who sought to become a youth minister. Those who have been sentenced have received terms ranging from probation to 10 years in state prison with 8½ years without parole. The remaining defendants face charges of possession of child pornography, and most also face charges of distribution. Bureau Chief Michael Monahan; DAsG Jillian Carpenter, Lilianne Daniel, Denise Grugan, Marie McGovern, and Joseph Remy; former DAsG

Naju Lathia, Anand Shah, and Kenneth Sharpe; Deputy Chief of Detectives William Frederick; Lt. Lisa Shea; Sgts. Paul Marfino and Cheryl Smith; former Sgt. Thomas Turley; Dets. Abraham Aquino, Richard Loufik, Joseph McCray, John Neggia, and Thomas Page; former Det. Tiffany Lenart.

- **State v. Jeffrey Mander.** After his 2013 arrest in Operation Predator Alert, Mander pled guilty to second-degree distribution of child pornography and was sentenced to six years in state prison, including three years without parole. Mander admitted that he used file-sharing software to make files containing child pornography readily available for other users to download from a “shared folder” on his laptop. A search of his computer revealed 289 files of child pornography, which included rape and sexual abuse of children of both genders, ranging in age from young teens to toddlers. Mander must register as a sex offender under Megan’s Law and will be subject to parole supervision for life. DAG Lilianne Daniel; former Det. Tiffany Lenart.
- **State v. Armando Nortez.** A former school bus driver in Mays Landing, Nortez pled guilty to second-degree distribution of child pornography and was sentenced to three years in state prison. He must register as a sex offender under Megan’s Law. A search of Nortez’s home revealed 87 child pornography videos, some depicting the rape of prepubescent children. DAG Denise Grugan; former Sgt. Thomas Turley; former Det. Tiffany Lenart.
- **State v. Michael Van Culin.** As part of Operation Predator Alert II, the Division indicted Van Culin for first-degree manufacturing child pornography, second-degree extortion, second-degree distribution of child pornography, and third-degree computer hacking. Posing as a teenage boy, Van Culin befriended underage girls in chatrooms or on social media sites, and used information about their lives to hack into their online accounts, where some of the girls had stored explicit photographs of themselves. He also obtained explicit images by coercing the girls into sending them or secretly recording them on a webcam feed. Van Culin then threatened to reveal the images unless the victims sent him more. He pled guilty and was sentenced to 10 years in state prison, including 8½ years without parole under the No Early Release Act. He must register as a sex offender under Megan’s Law and will be subject to parole supervision for life. DAG Lilianne Daniel; Lt. Lisa Shea; former Sgt. Thomas Turley; Det. Richard DaSilva.

State v. Joshua Kane. Kane was arrested during Operation Watchdog (see below), in which 27 defendants — including one woman and one juvenile — were arrested for possession and distribution of child pornography. The Wayne resident pled guilty to second-degree distribution of child pornography, and was sentenced to five years in state prison. He received another five-year state prison sentence for additional charges of distribution of child pornography. The sentences will run concurrently. Kane must register as a sex offender under Megan’s Law. DAG Anthony Torntore; former DAG Naju Lathia.

State v. Thomas Ballard. The Division indicted Ballard for distributing over 3,000 files showing the sexual assault of children and files depicting preteen girls being bound, tortured, and threatened with weapons. He shared the videos and images with other offenders he met on a foreign-based website, where he wrote explicit posts regarding the sexual exploitation and torture of children. The investigation revealed that between 2012 and 2014, Ballard sent nearly 12,000 images and videos of child pornography to other users. He pled guilty to second-degree distribution of child pornography and was sentenced to 7 years in state prison, including 3½ years of parole ineligibility. He must register as a sex offender under Megan’s Law and will be subject to parole supervision for life. DAG Marie McGovern; former DAsG Anand Shah and Kenneth Sharpe; former Sgt. Thomas Turley; former Det. Tiffany Lenart.

State v. Gerald Laphan. The Division tried and convicted Laphan for using a file-sharing network to share videos and images of child pornography over the Internet. A Camden County jury

found Laphan guilty of second-degree offering and distribution of child pornography and fourth-degree possession. Laphan was sentenced to eight years in state prison and must register as a sex offender under Megan's Law. Former Deputy Bureau Chief Veronica Allende; DAG Sarah Lichter; former DAsG Garima Joshi and Anand Shah; Analyst Nathalie Kurzawa.

State v. Andrew Derrickson. Following an investigation by the Division, ICE Homeland Security Investigations, and the Camden County Prosecutor's Office, Derrickson was convicted of second-degree distribution of child pornography. He engaged in an online chat with a special agent from Homeland Security who posed as a mother with an 11-year-old daughter. During the chats, Derrickson agreed to send videos and images of child pornography in exchange for the "mother" arranging a webcam show of her daughter performing oral sex on her father. On four occasions, he sent child pornography to the "mother," ultimately sending approximately 75 files, including numerous images of prepubescent girls being sexually assaulted. A forensic examination of his computer revealed the majority of child pornography images – nearly 1,000 of them – were in a designated "shared folder" so that they were readily available to other users to download through file-sharing software. Derrickson was sentenced to 7 years in state prison, including 3½ years without parole. He must register as a sex offender under Megan's Law and will be subject to parole supervision for life. DAG Denise Grugan; former Sgt. Thomas Turley; Dets. Abraham Aquino and Richard DaSilva.

State v. Ronald Scott. The former Elizabeth School District music teacher pled guilty to second-degree distribution of child pornography. Scott was indicted after an investigation by the DTIU and the New Jersey ICAC Task Force revealed more than 60 videos of child pornography in his possession. He was sentenced to five years in state prison and will be required to register as a sex offender under Megan's Law. DAsG Lilianne Daniel and Marie McGovern.

Operation Safeguard. The Division and ICE Homeland Security Investigations arrested 16 defendants who used online file-sharing networks to download and distribute child pornography, including videos of young children being raped. The defendants include an elementary school teacher from Vineland and a school bus driver from Sparta. All 16 defendants were charged with both possession and distribution of child pornography, and all face five to ten years in state prison under New Jersey's strengthened child pornography laws. DAsG Jillian Carpenter, Lilianne Daniel, Denise Grugan, Marie McGovern, John Nicodemo, Joseph Remy, and Layli Khelafa; former DAG Anand Shah; Dets. Kimberly Allen, Abraham Aquino, Michael Arduini, Richard DaSilva, Carlos Hernandez, Laura Hurley, and John Neggia; former Det. Tiffany Lenart; Executive Assistant Francine Venceller.

State v. Thomas Pirretti. A grand jury returned a ten-count indictment against Pirretti for using the Internet to solicit underage girls, including an autistic girl, to send him sexually explicit photos of themselves. Charges included first-degree manufacturing of child pornography and second-degree distribution of child pornography. Pirretti met the victims through the Nintendo Network. At the time of these solicitations, he was facing charges of possession and distribution of child pornography stemming from his arrest in Operation Predator Alert (see above). DAG Joseph Remy; former DAG Anand Shah; former Sgt. Thomas Turley; Dets. Abraham Aquino and Richard DaSilva.

State v. Rafael Andreu. Defendant pled guilty to second-degree distribution of child pornography for using Internet file-sharing software to make files containing child pornography readily available for other users to download from his computer. Andreu was sentenced to 4 years in state prison, including 20 months of parole ineligibility. He will be required to register as a sex offender under Megan's Law, and will be subject to parole supervision for life. DAG Lilianne Daniel; former DAG Naju Lathia; former Det. Tiffany Lenart.

State v. Charles Diggs. The Division indicted Roselle resident Diggs with second-degree distribution of child pornography and third-degree possession of child pornography. Investigating a tip from the National Center for Exploited and Missing Children, officers connected Diggs to a Twitter account that had uploaded and distributed images of child pornography. A search warrant of his home computer equipment revealed the largest collection of child pornography that has been seized by the State — more than 325,000 files of child pornography, including more than 14,000 videos, many of which depicted the rape of very young children. DAG Lilianne Daniel.

State v. Phillip Heiney. The president of the Dunellen Board of Education, Heiney was charged with second-degree distribution and possession of child pornography following an investigation by the ICAC Task Force. DAG Marie McGovern; Det. Laura Hurley.

State v. Michael Jimenez. The New York attorney was arrested for distributing and receiving child pornography through anonymous Twitter accounts which he created and accessed from his Milburn law firm office (he is not licensed to practice law in New Jersey). Search warrants revealed Jimenez had more than 100 files of child pornography on devices from his home, and he was charged with second-degree distribution and third-degree possession of more than 100 images of child pornography. The investigation began after ICAC received a tip from the National Center for Exploited and Missing Children about three Twitter accounts that were used to distribute images of child pornography. Jimenez had more than 800 followers on Twitter who had received the images. DAG John Nicodemo.

State v. Daniel Caplan. The Mt. Laurel defendant was sentenced to six years in state prison, including two years of parole ineligibility, for manipulating underage girls into engaging in sexual conduct on a webcam while he recorded them via the Internet. Caplan convinced the young girls, whom he met through an anonymous chat service, to play a game he devised called “The Countdown,” which started as a question-and-answer game, but progressed to explicit commands for sexual conduct. Caplan pled to second-degree manufacturing and distribution of child pornography, admitting that he created at least 20 videos of child pornography by manipulating girls under age 16 to engage in sexual conduct on a webcam. He made these videos available for others to download using file-sharing software. Caplan must register as a sex offender under Megan’s Law and is subject to parole supervision for life. After pleading guilty earlier this year, Caplan was arrested in May by the Burlington County Prosecutor’s Office on charges of possession and distribution of child pornography for engaging in the same type of conduct for which he previously was charged. Those charges are pending. DAG Joseph Remy; former DAG Anand Shah.

State v. Ethan Chandler. The Belleville resident was charged with second-degree luring of a child, second-degree sexual assault, and other charges after a joint investigation with the DTIU. Chandler placed an ad on Craig’s List soliciting oral sex with a young man, and a State Trooper responded to the ad and communicated with Chandler via the mobile chat app Kik, posing as a 13-year-old boy. After Chandler engaged in sexually explicit chats with the “teen” and asked to meet him in person, State Police executed a search warrant at his home. They found evidence that Chandler had engaged in sex with a 14-year-old boy whom he met on a social media site, resulting in the sexual assault charge. The Division and the NJSP continue to investigate whether Chandler had sexual contact with any other minors. He faces up to ten years in state prison on each of the second-degree charges. DAG Layli Khelafa.

State v. Kevin Smith. The Division arrested Smith, a former executive assistant with the New Jersey Division of Income Security, on charges that he used his state computer to search for and view

child pornography. He had more than 100 files of child pornography stored on optical disks and a thumb drive found in his cubicle at work. Smith was suspended from his position in June — and subsequently retired — after supervisors at the Department of Labor and Workforce Development received a tip that he was viewing inappropriate materials on his work computer. Smith was charged with third-degree possession of 100 or more files of child pornography, a charge that carries the presumption of incarceration, even for first-time offenders. DAG Layli Khelafa.

State v. Peifeng Meng. The Pennington resident was arrested for using file-sharing software to share videos and images of child pornography over the Internet. During execution of the search warrant on his home, Meng attempted to grab the handgun of one of the officers, but he was subdued before he could take the gun. Two officers suffered minor injuries in the scuffle. Meng faces charges of second-degree distribution of 25 or more child pornography files, third-degree possession of child pornography, second-degree attempt to disarm a law enforcement officer, and third-degree aggravated assault on an officer. DAG Jillian Carpenter; Det. Laura Hurley.

State v. Craig Wyatt. The Division indicted Wyatt for stalking a 13-year-old girl on the Internet and threatening to kidnap her in order to coerce her into sending him sexually explicit photos of herself. Wyatt was previously convicted and served jail time for stalking young girls on the Internet and sending them threatening messages. He faces extortion charges and ten counts of first-degree manufacturing of child pornography, each of which carries a sentence of 10 to 20 years in state prison. A trial was held in August 2016, but ended in a mistrial. Wyatt is pending retrial. DAsG Jillian Carpenter, Denise Grugan, and Sarah Lichter.

Operation Watchdog. The Division arrested 27 defendants on charges including distribution of child pornography over the Internet. All defendants have been charged by way of indictment or accusation. In 2016, the remaining two defendants were sentenced. DAsG Lilianne Daniel, Marie McGovern, and Denise Grugan; former DAsG Naju Lathia, Anand Shah, and Kenneth Sharpe.

Other Cyber Crime

State v. John Large. Large, an electrical technician for a company that offers data storage, protection, and management services, was convicted for stealing over \$628,000 in computer equipment from the data security center where he worked in Piscataway. Large admitted that he stole computer equipment from his employer and his employer's clients, and sold the equipment on eBay. He pled guilty to second-degree theft and was sentenced to five years in state prison. Large must pay full restitution for the stolen equipment. DAsG Denise Grugan and John Nicodemo.

State v. Maurice “JR” Johnson. Johnson, from Georgia, pled guilty to second-degree theft by deception for a scheme in which he defrauded an Edgewater man out of \$100,000 by representing it was an investment in Johnson's gold-importing business. He accomplished this through the use of forged invoices and customs documents. Johnson was sentenced to three years in state prison and executed a consent judgment requiring him to pay full restitution to the victim. Johnson was also arrested in Georgia in April 2015 for stealing \$20,000 from a Georgia resident through the fraudulent gold-importing scheme. There, he pled guilty to theft charges and was sentenced to 180 days in jail and 10 years of probation. DAG William Conlow; Det. Richard Loufik; Analyst Alison Callery.

Commercial Bribery Task Force (CBTF)

The new Task Force was formed in January 2016 to target commercial bribery in the healthcare industry. The Task Force includes deputy attorneys general and investigators from DCJ's Financial and Computer Crimes Bureau and the Office of the Insurance Fraud Prosecutor.

State v. Manoj Patharkar, et al. The Division indicted Patharkar, a medical doctor, and co-conspirator Mohammed Shamshair on first-degree money laundering and other charges for facilitating a sophisticated scheme to hide over \$3.6 million in income from Patharkar's medical practice, resulting in underpayment of over \$320,000 in taxes owed to New Jersey. Patharkar initiated the scheme by fabricating employee payroll and wage expenses totaling over \$2.1 million and by diverting checks worth over \$1.4 million into his personal rather than business accounts. Defendants then conspired to use the laundered money for kickbacks to other doctors (including Dr. Alexander Dimeo, see below) in return for providing patient referrals worth millions of dollars. Shamshair pled guilty to first-degree money laundering and conspiracy, as well as second-degree conspiracy to commit commercial bribery, and admitted that he paid cash kickbacks totaling \$1.5 million on behalf of Patharkar in return for referrals to Patharkar's pain management clinics, located in Edison and Passaic. Shamshair faces a recommended sentence of eight years in state prison. Patharkar, both individually and on behalf of his pain management company, pled guilty to first-degree money laundering and conspiracy, as well as filing fraudulent tax returns and failure to pay taxes. He also pled guilty to an accusation charging him with conspiracy and commercial bribery. Patharkar faces a recommended sentence of ten years in prison with five years of parole ineligibility. Under the plea agreement, Patharkar is required to pay an anti-money laundering penalty of \$500,000. Additionally, the State Board of Medical Examiners permanently revoked his medical license for indiscriminately prescribing a powerful oral spray painkiller approved only for use by certain cancer patients. DAsG Jillian Carpenter and Lilianne Daniel; former DAsG T.J. Harker and Bradford Mueller; Lt. Lisa Shea; Dets. Kimberly Allen, Natalie Brotherston, John Campanella, Anthony Correll, Cortney Lawrence, and Taryn Seidner; Analysts Rita Gillis and Bethany Schussler; former Analyst Kim Geis.

State v. Dr. Alexander Dimeo. Defendant, a Morris County chiropractor, admitted to taking more than \$250,000 in illegal kickbacks from doctors and others in return for referring patients to their practices, clinics, and medical imaging centers. He admitted that he accepted approximately \$56,000 from Manoj Patharkar (see above). Dimeo pled guilty to an accusation charging him with conspiracy, money laundering, commercial bribery, and related offenses. He also pled guilty to an accusation filed by the Office of the Insurance Fraud Prosecutor charging him with a single count of third-degree conspiracy. The State recommended a sentence of up to seven years in state prison on the first accusation, and up to four years on the accusation filed by the Office of the Insurance Fraud Prosecutor. Dimeo must pay an anti-money laundering penalty of up to \$250,000 and restitution to the State for any taxes he owes for kickbacks not reported on his tax returns. He is scheduled for sentencing in early 2017. DAsG Crystal Callahan, Jillian Carpenter, and Colin Keiffer; former DAG T.J. Harker; Lts. Anthony Butler and Lisa Shea; Dets. Kimberly Allen, Wendy Berg, John Campanella, Anthony Correll, John Neggia, and Grace Rocca; Analysts Rita Gillis and Bethany Schussler; former Analyst Kim Geis.

State v. Dr. Kesnold Baptiste, et al. The Division arrested Baptiste, a North Jersey chiropractor, for accepting tens of thousands of dollars in illegal kickbacks from medical imaging centers in return for referring patients. Baptiste is accused of accepting bribes from Ata "Danny" Chaudry and Tariz Din, both medical imaging facility owners who were involved in a statewide

healthcare-related bribery conspiracy involving dozens of doctors, lawyers, and medical facility operators. Both Chaudry and Tariz pled guilty to second-degree conspiracy, money laundering, commercial bribery, and corporate misconduct for paying more than \$850,000 combined to over 15 physicians and other professionals in exchange for referrals to their imaging facilities. Dr. Ronald Hayek, a Totowa chiropractor, also pled guilty to charges stemming from his acceptance of kickbacks from imaging facility owners. DAsG Jillian Carpenter and Colin Keiffer; Lts. Anthony Butler and Lisa Shea; Dets. Kimberly Allen, Wendy Berg, John Campanella, Anthony Correll, John Neggia, Grace Rocca, and Jason Volpe; Analysts Kelley Celenza, Rita Gillis, and Bethany Schussler.

APPELLATE BUREAU

In **State v. Lunsford**, 226 N.J. 129 (2016), the New Jersey Supreme Court held that police may obtain a suspect's telephone toll-billing records by a court order based on showing that such records are merely relevant to an ongoing criminal investigation, pursuant to N.J.S.A. 2A:156A-29(e), and need not obtain a communications data warrant based on the higher standard of probable cause. The Court compared the level of privacy intrusion inherent in obtaining various forms of third-party records and concluded that telephone billing records reveal no more detail concerning a person's private affairs than bank account records, credit card statements, utility records, and Internet subscriber information. Accordingly, the Court concluded that all of these types of records should receive the same level of constitutional protection and be obtainable upon the same showing of relevancy to an ongoing criminal investigation. Former AAG Ronald Susswein.

In **State v. Gonzales**, Docket No. 075911, the New Jersey Supreme Court unanimously eliminated the inadvertence prong from our State's plain-view exception to the search-warrant requirement. The Court found that the inadvertence prong, which requires courts to examine an investigating officer's subjective thoughts and motivations, conflicts with the Court's long-standing commitment to the objective-reasonableness test, which eschews any probing of an officer's subjective thoughts and focuses solely on the objective reasonableness of the officer's conduct. Deputy Bureau Chief Frank Muroski.

In **State v. Feliciano**, 224 N.J. 351 (2016), the New Jersey Supreme Court upheld the constitutionality of New Jersey's roving wiretap statute. The Court held that when a target purposely changes telephone facilities to avoid detection, law enforcement officers may switch over and begin to monitor a new facility under the State's wiretap law, N.J.S.A. 2A:156A-9(g)(2), provided they have otherwise complied with the statute, notified a wiretap judge within 48 hours of the switch, and obtained authorization to continue monitoring the new facility. DAG Steven Yomtov.

In **State v. Hernandez and Sanchez**, 225 N.J. 451 (2016), the New Jersey Supreme Court held that while the State must disclose a cooperating witness' involvement in other investigations and cases, defendant is not entitled to discovery materials from those other investigations and cases. Deputy Bureau Chief Carol Henderson.

In **State v. Bivins**, 226 N.J. 1 (2016), the New Jersey Supreme Court held that if the police have a warrant to search a premises and "all persons present," but a suspect flees the premises during the execution of the warrant, the police may apprehend the suspect and search him or her pursuant to the warrant. The Court rejected the Appellate Division's ruling that such a search would be constitutionally impermissible under Bailey v. United States, 133 S. Ct. 1031 (2013). DAG Jane Schuster.

In **State v. Scharf**, 225 N.J. 547 (2016), the New Jersey Supreme Court reinstated defendant's conviction for murdering his wife by pushing her off a cliff. The Court held that the trial judge properly permitted the State to introduce testimony concerning the victim's statements that she feared her husband and was afraid of heights. The evidence helped prove the wife's state of mind under N.J.R.E. 803(c)(3), and rebutted defendant's claim that the victim accidentally fell from the cliff. Former DAG Ian Kennedy (representing the Attorney General as amicus curiae).

In **Cagno v. Administrator, et al.**, Docket Nos. 14-4606/14-4609, the Third Circuit Court of Appeals reversed the District Court's grant of habeas relief and reinstated petitioner's murder and racketeering convictions. The Court held that the New Jersey Supreme Court's evidentiary rulings were not clearly contrary to or an unreasonable application of United States Supreme Court precedent. The Court also found sufficient evidence that the racketeering conspiracy continued into the applicable statute-of-limitations period. DAG Steven Yomtov, with substantial assistance from Attorney Assistant Deborah Crivelli and Senior Management Assistant Tina Stanley.

In **State v. Harper**, 226 N.J. 205 (2016), the New Jersey Supreme Court granted the State's motion for leave to appeal to consider the meaning of the so-called gun "amnesty" law, P.L. 2013, c. 117, which defendants across the State are invoking to try to dismiss pending charges and vacate convictions that fall within the six-month period covered by the law. The specific issue is whether the law conferred blanket immunity for six months to all unlawful weapons possessors, or whether the law required unlawful possessors to take affirmative steps to dispose of their weapons to benefit from the law's protections. DAG Jennifer Kmiecik.

In **State v. Denselbeck**, 225 N.J. 103 (2016), the New Jersey Supreme Court reaffirmed that a defendant who faces a third or subsequent driving-while-intoxicated charge is not entitled to a jury trial, notwithstanding the legislative increases in penalties since the Court last addressed the issue in State v. Hamm, 121 N.J. 109 (1990), cert. denied, 499 U.S. 947 (1991). DAG Sarah Lichter.

In **State v. Cope**, 224 N.J. 530 (2016), the New Jersey Supreme Court held that the police conducted a constitutional protective sweep of a porch adjoining the living room where defendant was arrested pursuant to an arrest warrant. The Court ruled that the police had an automatic right to search the porch under Maryland v. Buie, 494 U.S. 325 (1990), because the porch was "immediately adjoining" the place where defendant was arrested. The Court did not need to consider the alternate justification for the sweep — that the police had reasonable and articulable suspicion that someone else was present who could launch an attack. DAG Jane Schuster.

In **State v. J.M.**, 225 N.J. 146 (2016), the New Jersey Supreme Court rejected the Appellate Division's bright-line rule that evidence of a prior crime for which a defendant was acquitted can never be admissible under N.J.R.E. 404(b). The Court also rejected the Appellate Division's ruling that if 404(b) evidence is "pivotal" to the prosecution's case, jurors must be instructed that they cannot consider such evidence unless they are convinced that defendant committed the prior offense beyond a reasonable doubt. DAG Joseph Glyn.

In **State v. Baum**, 224 N.J. 147 (2016), the New Jersey Supreme Court affirmed defendant's convictions for aggravated manslaughter and death-by-auto, holding that the jury instructions on mental disease or defect and self-induced intoxication were neither ambiguous nor misleading. The Court held that the sequence of the instructions the trial court gave, addressing the diminished capacity defense followed by the self-induced intoxication instruction, did not negate the diminished capacity defense. DAG Jennifer Kmiecik.

In **State v. Thompson**, 224 N.J. 324 (2016), the New Jersey Supreme Court reinstated defendant's convictions for murder and other crimes after finding that the record supported the prosecutor's race-neutral reasons for striking jurors and that the trial judge conducted an adequate analysis of those reasons under State v. Gilmore, 103 N.J. 508 (1986). DAG Jenny Hsu (representing the Attorney General as amicus curiae).

In **State v. Daniels**, 224 N.J. 168 (2016), the New Jersey Supreme Court held that when a trial record contains evidence of an incomplete affirmative defense and the potential for jury confusion exists, a trial court may issue a modified jury charge on the affirmative defense to elucidate legal principles pertinent to the evidence, even over defendant's objection, after balancing the need to educate the jury and the need to protect defendant's rights. Former DAG Ian Kennedy (representing the Attorney General as *amicus curiae*).

In **State v. Funderburg**, 225 N.J. 66 (2016), the New Jersey Supreme Court affirmed defendant's attempted murder conviction, holding that defendant was not entitled to a jury instruction on attempted passion-provocation manslaughter because the facts before the trial court did not clearly indicate that the elements of attempted passion-provocation manslaughter were present. In particular, the Court found insufficient evidence from which a jury could conclude that a reasonable person in defendant's position would have been adequately provoked by the victim's behavior. DAG Jennifer Kmiecik (representing the Attorney General as *amicus curiae*).

In **State v. Bueso**, 225 N.J. 193 (2016), the New Jersey Supreme Court reinstated defendant's aggravated sexual assault, sexual assault, and endangering the welfare of a child convictions. The Court found that a seven-year-old child was competent to testify at trial because she evidenced her understanding of the difference between the truth and a lie, i.e., that the truth is "right" and that she would be punished for telling a lie in court. The Court also rejected the Appellate Division's holding that a trial judge must personally question child witnesses to determine their competency and cannot use leading questions. DAG Sara Quigley.

In **State v. Perry**, 225 N.J. 222 (2016), the New Jersey Supreme Court reinstated defendant's sexual assault and aggravated assault convictions, holding that the trial judge properly precluded the defense from introducing semen from an unidentified third party found on shorts the victim was wearing on the night of the crime. The Court noted that no proof existed as to when the semen was deposited and by whom; thus the evidence did not support defendant's claim of third-party guilt and was irrelevant to the defense of consent. DAG Sara Quigley.

In **State v. Mohammed**, 226 N.J. 71 (2016), the New Jersey Supreme Court issued guidelines for trial judges to follow when there are allegations of sleeping or inattentive jurors. Applying those standards, the Court affirmed defendant's convictions after noting that the trial judge rejected defense counsel's allegation that a juror was sleeping during the court's charge and found (based on the judge's personal observations) that the juror was awake and attentive. DAG Claudia Demitro (representing the Attorney General as *amicus curiae*).

In **State v. Nance**, **State v. Willis-Bolton**, and **State v. Williams**, Docket No. 076626, the New Jersey Supreme Court heard oral argument as to whether a judge is authorized to sentence a Graves Act offender to probation under the Graves Act escape valve if a prosecutor has only offered a custodial sentence with a one-year parole disqualifier. Bureau Chief Daniel Bornstein.

In **State v. Benjamin**, Docket No. 076612, the New Jersey Supreme Court heard oral argument on the issue of whether a defendant seeking a waiver of the Graves Act mandatory minimum term under the Graves Act escape valve is entitled to discovery from unrelated cases where the State agreed to such a waiver. Deputy Bureau Chief Carol Henderson.

In **State v. Wilson**, Docket No. 076609, the New Jersey Supreme Court heard oral argument as to whether admission into evidence of a county-adopted 500-foot map, without requiring testimony

from the map's preparer, violated defendant's right to confrontation under Crawford v. Washington, 541 U.S. 36 (2004). DAG Sara Quigley.

In **State v. C.H.**, Docket No. 076535, the New Jersey Supreme Court heard oral argument on the issue of whether double jail credit is required under State v. Hernandez, 208 N.J. 24 (2011), when defendant is convicted for multiple crimes based on multiple indictments and receives consecutive sentences. Bureau Chief Daniel Bornstein.

In **State v. Joe**, Docket No. 077034, the New Jersey Supreme Court heard oral argument on the issue of whether a defendant is entitled to jail credit in New Jersey for pre-sentence time served on charges from another jurisdiction. Deputy Bureau Chief Carol Henderson.

In **State v. Comer**, Docket No. 077318, the New Jersey Supreme Court heard oral argument on the issue of whether defendant's aggregate sentence, imposed for a homicide offense, among other convictions, violates the limitations in Miller v. Alabama, 132 S. Ct. 2455 (2012), for the sentencing of juvenile offenders. DAG Joseph Glyn (representing the Attorney General as amicus curiae).

In **State v. Zuber**, Docket No. 076806, the New Jersey Supreme Court heard oral argument on the issue of whether defendant's aggregate sentence, imposed for non-homicide offenses against different victims committed in 1981, violates the proscriptions of Graham v. Florida, 560 U.S. 48 (2010), for the sentencing of juvenile offenders. DAG Joseph Glyn (representing the Attorney General as amicus curiae).

In **State v. Garrison**, Docket No. 076537, the New Jersey Supreme Court granted the State's petition for certification and heard oral argument as to whether evidence of a strip poker game defendant played with children was properly admitted at his trial for sexually assaulting and endangering the welfare of those same children, either because it was intrinsic to the crimes charged or because it was permissible under N.J.R.E. 404(b). DAG Sarah Ross.

In **State v. Kucinski**, Docket No. 076798, the New Jersey Supreme Court heard oral argument on the issue of whether the prosecutor's cross-examination of defendant regarding the lack of detail in his statement to police violated defendant's right to remain silent. DAG Sarah Ross (representing the Attorney General as amicus curiae).

In **State v. J.R.**, Docket No. 076694, the New Jersey Supreme Court heard oral argument on the issue of whether testimony from an expert on Child Sexual Abuse Accommodation Syndrome (CSAAS) exceeded the permissible scope of such evidence. DAG Sarah Ross (representing the Attorney General as amicus curiae).

PROSECUTORS SUPERVISION & TRAINING BUREAU (PSTB)

Prosecutors Supervision

The Prosecutors Supervision & Training Bureau (PSTB) serves multiple roles for the oversight, counseling, and training of the 21 County Prosecutor's Offices, County Prosecutors Association of New Jersey (CPANJ), New Jersey Police Training Commission (PTC), State Parole Board/Division of Parole, County Narcotics Commanders Association (CNCA), and other law enforcement agencies.

In 2016, PSTB assisted in the statewide implementation of the new OAG Initiatives and Directives involving Criminal Justice Reform, mental health and developmental disabilities, cultural diversity, use of force, officer-involved shootings, active shooter, conducted energy devices, and body-worn cameras (BWC). PSTB managed the \$2.5 million Attorney General BWC Assistance Program and helped to implement the federally funded BWC Assistance Program. The Bureau assisted in drafting the Attorney General Law Enforcement Directives on Suspicious Activity Reporting and for Uniform Guidelines on the Pretrial Intervention Program (PTI). There were a number of leadership changes at several County Prosecutor's Offices, and PSTB coordinated the transition of power for five County Prosecutors.

This year, PSTB expanded its training component by establishing and managing the Community-Law Enforcement Affirmative Relations (CLEAR) Continuing Education Institute. Created pursuant to a new OAG directive, the CLEAR Institute will provide law enforcement officers with enhanced training in critical areas such as cultural awareness, community policing, and de-escalating encounters before deadly force is needed. The Institute, which will promote the development of new training courses and expand access to the best existing courses, is the latest step in ongoing efforts by the OAG to promote trust between police and the community.

Two of the Bureau's Deputy Attorneys General are assigned as National Traffic Safety Resource Prosecutors (TSRP) for New Jersey. These DAsG provide education, training, technical assistance, and litigation support to prosecutors and law enforcement on drug- and alcohol-impaired driving. PSTB holds regular meetings with liaisons representing the County Prosecutor's Offices who specialize in municipal prosecutions, juvenile matters, Drug Court, expungement law, and Domestic Violence, Sex Assault and Megan's Law crimes. Bureau DAsG also filed briefs on these issues in the Appellate Division and the State Supreme Court. Additionally, PSTB has begun efforts to consolidate training and coordination of the various state law enforcement agencies and state agencies vested with limited law enforcement authority.

In concert with the OAG, the Bureau developed, coordinated, and presented workshops at the annual New Jersey Chaplains Conference, which was attended by 350 participants. PSTB hosted the Second Annual Domestic Violence and Sexual Assault Symposium. The Bureau also coordinated the New Jersey Top Gun Program, a law enforcement training for gangs, guns, and drug cases that was nationally recognized for graduating its 50th Class this year.

As part of Bureau operations this year, PSTB resolved 131 citizen complaints, initiated files for 66 domestic violence incidents involving state law enforcement officers, completed 65 authorization requests for on-duty or full-duty firearms use, and monitored 65 referrals from the New Jersey Department of Human Services for potential Tara's Law violations. (Tara's Law, which went into effect in 2013, established a system of closer oversight of foster homes for adults with developmental disabilities.) PSTB reviewed 188 supersession requests for matters involving a potential conflict of

interest among the County Prosecutor's Offices, administered 154 Oaths of Office to assistant prosecutors for cross-county authority to prosecute matters, processed 25 requests to approve forfeiture fund disbursements and five bid waivers, and reviewed nine requests for Petitions for Immunity from the County Prosecutor's Offices.

PSTB actively participated in and assisted the County Prosecutors' Offices with organizing faith-based and community outreach meetings with their clergy, government officials, and citizens in support of the Attorney General's Use of Force Policy and Community Programming and Outreach efforts. PSTB works collaboratively with the Attorney General's Office of Community Justice on notable topics such as police interaction with individuals with mental health concerns and de-escalation, and coordinating programs (such as the One-Voice Program, Crisis Response Program, and the Chaplaincy Program) to better prepare law enforcement and clergy in their roles of assisting communities in crisis. The Bureau's Outreach Liaison also brought Beat the Streets, a mentoring/tutoring program, to middle school-aged children in Trenton, Asbury Park, and Atlantic City, and established a State Board of Trustees to perpetuate and oversee the program statewide.

Community Policing and Outreach

PSTB met regularly with County Prosecutor's Offices' Community Outreach Liaisons to exchange information, share concepts on community outreach initiatives, and participate in many of the community coalition meetings throughout the State. Bureau members provided training to Community Outreach Liaisons and Municipal Youth Planning Boards, and participated in over 100 outreach events. PSTB sponsored events for faith-based organizations across the State to discuss security measures and to conduct active shooter response exercises. For efforts in Ocean County, particularly the Township of Lakewood, the Bureau's Outreach Liaison was nationally recognized by the White House for continuing outreach and crisis preparedness efforts with the Federal Emergency Management Agency (FEMA) and the White House Center for Faith-Based and Neighborhood Partnerships.

To compliment community outreach efforts, PSTB established a Bias Crimes/Incidents Liaison Working Group, comprised of members from every County Prosecutor's Office, in an effort to provide law enforcement training on how to respond, recognize, and report a bias crime or incident. PSTB is also working to streamline the reporting process for bias crimes/incidents through a centralized database and communication and notification system.

In partnership with the New Jersey State Association of Chiefs of Police (NJSACOP), PSTB implemented a virtual firearms simulation model program, pursuant to the OAG Law Enforcement Directive addressing officer-involved shootings and establishing the CLEAR Institute. A number of demonstrations using the VirTra Firearms Simulator were conducted for faith-based leaders, community leaders, and national and local leaders of the NAACP and the Latino Leadership Alliance.

Law Enforcement Training

This year the Division, through PSTB, provided specialized, live, in-service training to more than 6,200 law enforcement officers and prosecutors throughout the state. The Bureau covered topics such as domestic violence, sexual assault and Megan's Law, use of force, conducted energy devices, less-lethal ammunition, and drug, firearms, and gangs prosecutions. Highlights from 2016 included:

Office of the Attorney General ♦ Division of Criminal Justice

- 4,365 law enforcement officers completed NJ Learn on-line training programs developed in partnership with the Office of Homeland Security and Preparedness (OHSP). These courses meet law enforcement training requirements (including Attorney General Law Enforcement Directives and Guidelines) for domestic violence, human trafficking investigation and prosecution, use of force, conducted energy devices, less-lethal ammunition, Internal Affairs policy and procedure, DNA arrestee buccal swab training, body-worn cameras, heroin-opiate investigation and prosecution, suspicious activity reporting, and Criminal Justice Reform/Bail Reform.
- The Bureau instructed 450 law enforcement and mental health professionals to be trainers for the Law Enforcement Response: De-escalation Techniques for Individuals with Special Needs/Mental Health Issues. This training resulted from coordinating with the Department of Human Services, the Division of Mental Health and Addiction Services, Crisis Intervention Training, NJSP, OHSP, PTC, CPANJ, NJSACOP, the National Alliance on Mental Illness, The Arc, and other mental health care professionals and service providers.
- In cooperation with the CPANJ and CNCA, 347 law enforcement officers and prosecutors graduated from the Top Gun Program (basic course for the interdiction and prosecution of gangs, guns, and drug cases), DELTA (supervisor and leadership training), and UNIT (undercover narcotics investigation training) Schools.
- TSRP trained 439 officers and prosecutors on drug-impaired driving prosecution, evidentiary breath testing, and radar operation.
- The Bureau hosted the Second Annual Domestic Violence and Sexual Assault Symposium and provided training for the 197 prosecutors and law enforcement officers who attended.
- In conjunction with NJSACOP, PSTB provided Orientation Training for all new chiefs of police throughout the State.
- The Bureau provided in-service training for all Division detectives.

Police Training Commission (PTC)

The Division of Criminal Justice is statutorily charged with all administrative functions on behalf of the PTC, which is conducted by PTC staff as part of PSTB. These functions broadly include the regulation and oversight of basic training in the 15 police and corrections academies across the State. These academies graduated 5,810 law enforcement officers in 2016. PTC staff audited and entered 5,068 record cards for trainees, and issued 697 general instructor certifications, 128 firearms instructor certifications, 354 radar instructor certifications, and 30 initial and updated vehicle operations instructor certifications. Staff also conducted 286 unannounced academy inspections. Over 2,500 Notice of New Appointment Forms were processed and 482 requests for waiver of training requirements were received. PTC staff prepared for, hosted, and processed the paperwork resulting from six Commission Meetings conducted during the year. This year, PSTB members authored – and the PTC approved – the training curriculum for the Basic Course for Juvenile Detention Officers, Basic Course for School Resource Officers, Basic Course for Prosecutors Firearms Course, and the Body Imaging Scanning Course.

As counsel to the PTC, Bureau DAsG received 62 notices of appeal from dismissed academy recruits. After legal review and consultation with the PTC, 54 appeals were referred to the Office of Administrative Law for contested hearings, and another 11 initial judicial determinations were reviewed and presented to the PTC for final conclusions and orders. Bureau DAsG also reviewed 25 appeals of

DCJ trainees receive firearms training at the Joint Base MDL range.

recruit dismissals that were subsequently dismissed or withdrawn. As part of PSTB, the DCJ Administrative Practice Officer drafted and ushered seven administrative rules through the readoption process in compliance with the Administrative Procedures Act.

Division of Criminal Justice Academy

The DCJ Academy twice conducted the Basic Course for Investigators, which graduated 82 detectives/criminal investigators. Each 21-week course provided basic law enforcement training for state investigators, including DCJ and OHSP, investigators and detectives from the County Prosecutor's Offices, Division of Parole officers, and special agents from the New Jersey Department of the Treasury and Department of Corrections (Special Investigations Division). Additionally, the Academy conducted 43 in-service and PTC-approved courses, such as Patrol Rifle Instructor, Firearms Instructor, Basic Course for Humane Law Enforcement Officers, Money Laundering, White-Collar Corruption Investigation and Prosecution, Basic Course for Arson Investigators, Trial Testimony, and Criminal Procedure Updates. The Academy is also responsible for compliance auditing of all firearms programs conducted at each of the 15 PTC-approved law enforcement academies throughout New Jersey.

LAW ENFORCEMENT SERVICES

CODIS Compliance Unit (CCU)

CODIS (Combined DNA Index System) is the program by which New Jersey collects, categorizes, and stores DNA taken from criminal offenders. The CODIS Compliance Unit (CCU) oversees the collection and information-processing side of the program and ensures that New Jersey is compliant with all state and federal laws surrounding CODIS.

To date, New Jersey has collected and analyzed more than 323,000 DNA samples. In 2016 alone, the CCU data-entered, reviewed, and verified more than 13,750 DNA submissions. As a result, in calendar-year 2016 the CODIS program is averaging more than 60 DNA hits per month. Since the inception of the program, CODIS has aided more than 11,000 investigations and has become an invaluable resource for our statewide criminal investigation and law enforcement efforts.

The most recent expansion of the DNA law went into effect on February 1, 2013, and required the collection of DNA samples from persons arrested for certain violent crimes. To date, our database has grown to include more than 8,200 arrestee profiles from which we have had 246 DNA hits. Some of the most serious criminal investigations aided or solved include sexual offenses, burglaries, robberies, and homicides.

Throughout the year, the CCU also provided continuous training sessions on standardized DNA collection techniques to law enforcement and correctional agencies throughout the State. The unit proudly held their 8th Annual CODIS Conference over two dates in the fall and now issues a quarterly newsletter informing law enforcement on new and updated information pertaining to the CODIS program.

In 2016, the eCDR program, an initiative designed by the CCU, was adopted and implemented statewide. It is expected to result in a substantial improvement in both the law enforcement booking process and subsequent criminal history record keeping system.

The Fingerprint Compliance Committee and Subcommittee, both established by CODIS, continue to meet regularly and have proven to be invaluable in bringing professionals together from all corners of law enforcement to remedy various challenges large and small. Many of their findings and recommendations have been instrumental in advancing the efforts of statewide criminal justice reform.

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 FY2016, the VCCO awarded \$8.236 million to victims of crime. During this period, the Office received 3,675 applications and processed 4,513 claims. The Office averages 300 new applications per month. The leading areas of compensation to victims include relocation, medical/dental, economic support, loss of earnings, and burials.

The Office dedicated a significant amount of time in expediting emergency requests. Many of the victims are extremely vulnerable and have been victimized in incidents of domestic violence, sexual assault, and child abuse. In 2016, the VCCO paid over \$1.037 million to victims for relocation assistance. More than 76% of emergency claims assigned are processed within 30 days.

The VCCO focused on a major outreach initiative in 2016. Outreach events increased 70% from the prior year. The Office conducted trainings in Bergen, Hudson, Middlesex, Somerset, Ocean, Passaic, and Union Counties in addition to the home-based counties of Essex and Mercer. Many of the trainings were geared toward domestic violence shelters and other affiliated organizations in order to further educate victims of the services available to them through the Office. The former VCCO Director, AAG Marsetta Lee, served on various panels focusing on diversity and serving victims of crime in the minority communities.

On December 21, 2015, the VCCO was pleased to host dignitaries and staff from the South African Consular Office to discuss victims' assistance and compensation. Director Lee, AAG John Holl, and VCCO managers presented information on how New Jersey assists victims. In January 2016, AAsG Lee and Holl traveled to Kosovo to provide a victims' assistance training to local advocates and law enforcement officials.

AAsG Lee and Holl continued to provide accredited CLE training by presenting to various groups including legislative staff, legal services, and prosecutors.

The National Crime Victims' Rights Week ceremony, held at the Richard J. Hughes Justice Complex, brought together advocates and victims of crime to commemorate their combined efforts from the past year to continue the healing process in the wake of tragedy. As part of the celebration, the Division honored crime victim advocates who embodied the national theme of "Serving Victims. Building Trust. Restoring Hope."

Victim-Witness Advocacy and Program Development / Grants

The Grants Unit experienced a year of change in 2016, particularly due to the pursuit of exciting new initiatives and the creation of new programs, which will undoubtedly have a lasting impact on the State and its communities.

One of the biggest catalysts for change was the massive increase of funding in the federal Victims of Crime Act (VOCA) Grant Program, which allowed the State to expand victim services in an unprecedented way. The VOCA Grant Program, designed for the State's non-profit victim services providers, funded nearly 100 organizations and facilitated their expansion of services by raising award amounts from \$55,000 per year to \$150,000 per year. The rise in VOCA funding also enabled the 21 County Prosecutors' Offices of Victim-Witness Advocacy to hire more advocates and to procure much-needed technological upgrades to improve communications with victims. The Grants Unit created the New Jersey Enhanced Statewide Human Trafficking Victim Services Program under the VOCA grant program to addresses all forms of human trafficking, including forced labor and sex trafficking.

As a result in the surge of VOCA funding, the federal Office for Victims of Crime offered a funding opportunity for a VOCA Training Grant Program designed to help train new entrants to the

field of victim services. The Grants Unit applied for this grant program and won, and used the funding to resuscitate the State Victim Assistance Academy, through Rutgers University, which is an eight-week course designed to train advocates from both the non-profit and governmental sectors. Funding from the Training Grant Program was also used to support other educational programs in the State to train providers on the nuances of working with underserved victim populations.

The Grants Unit is also engaged in policy drafting and resources planning. A working group, comprised of stakeholders and experts from the advocacy, law enforcement, and forensic nursing fields, was formed to update the *Attorney General's Standards for Providing Services to Victims of Sexual Assault*. The Working Group is currently reviewing the effectiveness of the *AG Standards'* policies, practices, and procedures and will conclude its work with recommendations to the Attorney General for modifications, updates, and/or standardizations in the provision of victim services.

The Violence Against Women (VAWA) Advisory Committee has been reconvened to create the State's new three-year VAWA Implementation Plan. The Implementation Plan outlines the State's funding decisions with respect to services for victims of sexual assault, domestic violence, dating violence, and stalking. The Committee is comprised of representatives from the courts, prosecutors' offices, law enforcement agencies, victim services providers, and the two statewide coalitions for sexual assault and domestic violence services, and will have a complete plan by spring 2017.

Finally, the Grants Unit added two law enforcement grant programs to administer: (1) the Body-Worn Camera (BWC) Assistance Program to help counties and municipalities purchase BWC equipment; and (2) the Law Enforcement Officers Equipment and Training Fund (LEOTEF) program to support Police Training Commission-approved schools to develop and provide basic and in-service training courses, and the equipment needed for those courses.

OFFICE OF THE STATE MEDICAL EXAMINER (OSME)

Andrew L. Falzon, M.D., State Medical Examiner

The past year was another busy year for the Medical Examiner's Offices. Drug-related fatalities continue to be a major concern nationwide, and the Office of the State Medical Examiner (OSME) has been instrumental in providing accurate and timely data to interested agencies and organizations. The OSME provided guidance regarding certification and reporting of drug-related fatalities at the quarterly meetings of the County Medical Examiners, and also played a key role in the Opioid Core Working Group. To emphasize the importance of consistency of drug-related death certification across the State, the OSME, in conjunction with the Department of Health, is planning a one-day seminar on the subject to be held in 2017.

As part of a new continuing education effort, the OSME organized a one-day seminar on Deaths in Custody, another topic that attracts significant media attention. This meeting, which was open to Medical Examiners, Medico-legal death investigators, and Prosecutor's Office personnel, was well attended.

In 2016, our Regional Medical Examiner's Offices welcomed four new Medical Examiners, including Dr. Carolyn Revercomb, who was hired as the Assistant State Medical Examiner in charge of the Southern Regional Office in Woodbine. The number of cases handled by the regional offices continued to increase in 2016 with 6,750 reported deaths, 2,716 accepted cases, and 1,830 autopsies performed to date, compared to 6,691, 2,510, and 1,618 respectively for the previous year.

The average turnaround time for completion of reports at the Northern Regional Medical Examiner's Office was reduced from 4.7 months to 3.7 months. This is closer to the National Association of Medical Examiners' recommendation of 90% case completion within 90 days. Studies have been conducted with regard to upgrading the infrastructure of the office. Funding for this project has been secured; the work is scheduled to start in early 2017.

This year the Law Enforcement Drug Testing (LEDT) Section of our Toxicology Lab achieved full accreditation by the College of American Pathologists following a very positive inspection. The Toxicology Lab handled over 15,000 LEDT cases and approximately 2,000 post-mortem cases. The Toxicology Lab also welcomed three new staff members in 2016. We are currently looking at various options for much-needed instrumentation upgrades that would further our goal of achieving full accreditation of the Lab's Postmortem Toxicology section.