

SUPERIOR COURT OF N.J.
FILED

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Acting Clerk

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ550-07-3

Superior Court

Docket Number 07-11-00156-S

STATE OF NEW JERSEY)

v.)

NORMAN F. WINTERS)

INDICTMENT

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

COUNT ONE

(Pattern of Official Misconduct - Second Degree)

NORMAN F. WINTERS

between on or about June 4, 2002 and on or about April 24, 2007,
at the City of Vineland, in the County of Cumberland, at the
Borough of Clayton, at the Borough of Newfield, at the Township of
Franklin, in the County of Gloucester, elsewhere and within the
jurisdiction of this Court, did commit two or more acts of
Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that
is, the said NORMAN F. WINTERS, then and there being a public
servant, to wit: Chief of Police, Clayton Borough Police
Department, having thereby the official functions and duties,
among others, to perform his duties in a legal and proper manner,
to display good faith, honesty and integrity, and to be impervious
to corrupting influences, did commit two or more acts of official

misconduct by knowingly: (a) using his position as Chief of Police of the Borough of Clayton to cause the Borough to purchase supplies or promotional items from Holiday House Distributors, a business in which he and his wife had ownership interest for the purpose of securing financial gain for himself or a member of his immediate family, or a business organization with which he is associated, that is, Holiday House Distributors, in violation of N.J.S.A. 40A:9-22.5(g); (b) committing theft by unlawful taking by unlawfully taking or exercising unlawful control a Digital Camcorder owned by the Borough of Clayton Police Department, with purpose to deprive the Clayton Police Department thereof, in violation of N.J.S.A. 2C:20-3; (c) committing theft by deception by purposely creating or reinforcing the false impression to the Borough of Clayton that Child Crisis Bears and DUI High Intensity Flashlights were being purchased for the Clayton Borough Police Department from Holiday House Distributors, a company in which the said NORMAN F. WINTERS had an ownership interest, but which products were never purchased, in violation of N.J.S.A. 2C:20-4; and (d) committing theft by unlawful taking by unlawfully taking or exercising unlawful control over a Digital Camera owned by the Borough of Clayton Police Department, with purpose to deprive the Clayton Police Department thereof, in violation of N.J.S.A. 2C:20-3; all with purpose to obtain a benefit for himself or another in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-7,

and against the peace of this State, the government and dignity of
the same.

COUNT TWO

(Official Misconduct - Second Degree)

NORMAN F. WINTERS

between on or about June 4, 2002 and on or about April 24, 2007;
at the City of Vineland, in the County of Cumberland, at the
Borough of Clayton, at the Borough of Newfield, at the Township of
Franklin, in the County of Gloucester, elsewhere and within the
jurisdiction of this Court, acting with the purpose to obtain a
benefit for himself or another in excess of \$200 or to injure or
deprive another of a benefit, being a public servant, that is,
Chief of Police of the Borough of Clayton Police Department, and
having thereby the official functions and duties, among others, to
perform his duties in a legal and proper manner, to display good
faith, honesty and integrity, and to be impervious to corrupting
influences, did commit acts relating to his office but
constituting unauthorized exercises of his official functions,
knowing such acts were unauthorized or that he was committing them
in an unauthorized manner or knowingly did refrain from performing
a duty imposed upon him by law or clearly inherent in the nature
of his office did: (a) using his position as Chief of Police of
the Borough of Clayton to cause the Borough to purchase supplies
or promotional items from Holiday House Distributors, a business
in which he and his wife had ownership interest for the purpose of
securing financial gain for himself or a member of his immediate

family, or a business organization with which he is associated, that is, Holiday House Distributors, in violation of N.J.S.A. 40A:9-22.5(g); or (b) committing theft by unlawful taking by unlawfully taking or exercising unlawful control a Digital Camcorder owned by the Borough of Clayton Police Department, with purpose to deprive the Clayton Police Department thereof, in violation of N.J.S.A. 2C:20-3; or (c) committing theft by deception by purposely creating or reinforcing the false impression to the Borough of Clayton that Child Crisis Bears and DUI High Intensity Flashlights were being purchased for the Clayton Borough Police Department from Holiday House Distributors, a company in which the said NORMAN F. WINTERS had an ownership interest, but which products were never purchased, in violation of N.J.S.A. 2C:20-4; or (d) committing theft by unlawful taking by unlawfully taking or exercising unlawful control over a Digital Camera owned by the Borough of Clayton Police Department, with purpose to deprive the Clayton Police Department thereof, in violation of N.J.S.A. 2C:20-3; contrary to the provisions of N.J.S.A. 2C:30-2, and against the peace of this State the government and dignity of the same.

COUNT THREE

(Theft by Unlawful Taking - Third Degree)

NORMAN F. WINTERS

between on or about November 1, 2004 and on or about April 24, 2007, at the City of Vineland, in the County of Cumberland, at the Borough of Newfield, at the Borough of Clayton, at the Township of Franklin, in the County of Gloucester, elsewhere and within the jurisdiction of this Court, knowingly and unlawfully did take or exercise unlawful control over the movable property of the Borough of Clayton Police Department, that is, a Digital Camcorder and Camera and equipment, valued in excess of \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, and N.J.S.A. 2C:20-2b(4), and against the peace of this State, the government and dignity of the same.

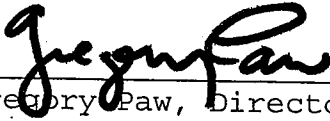
COUNT FOUR

(Theft by Deception - Third Degree)

NORMAN F. WINTERS

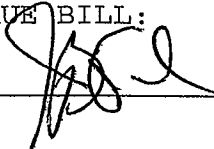
on or about December 6, 2004, at the Borough of Newfield, at the Borough of Clayton, at the Township of Franklin, in the County of Gloucester, elsewhere and within the jurisdiction of this Court, did purposely obtain property of the Borough of Clayton having a value in excess of \$500, by deception, that is, the said NORMAN F. WINTERS did obtain in excess of \$500 from the Borough of Clayton by creating or reinforcing the false impression that he had ordered Child Crisis Bears and DUI High Intensity Flashlights on a purchase order to the Clayton Borough Police Department,

WHEREAS IN TRUTH AND IN FACT, as the said NORMAN F. WINTERS well knew, he had not ordered Child Crisis Bears or DUI High Intensity Flashlights for the Clayton Borough Police Department as claimed on the said purchase order, contrary to the provisions of N.J.S.A. 2C:20-4, and against the peace of this State, the government, and dignity of the same.



Gregory Paw, Director
Division of Criminal Justice

A TRUE BILL:



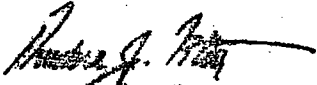
Foreperson

DATE: 4/9/07

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STATE OF NEW JERSEY)

v.)

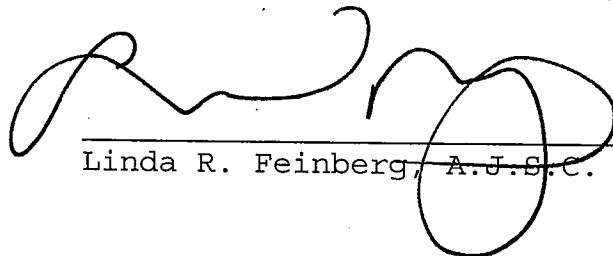
NORMAN F. WINTERS)

ORDER OF VENUE

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

IT IS ORDERED on this 9th day of November, 2007,
pursuant to paragraph 8 of the State Grand Jury Act, that the
County of Gloucester and hereby is designated as the County of
venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court
shall transmit forthwith the Indictment in this matter and a
certified copy of this Order to the Criminal Division Manager of
the County of Gloucester for filing.


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