

**FILED**

MAY 12 2010

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ588-10-9

Superior Court

Docket Number 10-05-00051-S

STATE OF NEW JERSEY

)

v.

)

INDICTMENT

NICOLE VICTOR

)

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

COUNT ONE

(Official Misconduct - Second Degree)

NICOLE VICTOR

between on or about June 1, 2005 and on or about May 31, 2008, at  
the Boro of Paulsboro, in the County of Gloucester, elsewhere,  
and within the jurisdiction of this Court did commit the offense  
of Official Misconduct, in that the said NICOLE VICTOR, a public  
servant, acting with the purpose to obtain a benefit for herself  
or another, or to injure or deprive another of a benefit in  
excess of \$200, did commit acts relating to her office,  
constituting unauthorized exercises of her official functions,  
knowing that such acts were unauthorized or that she was

committing them in an unauthorized manner, and the said NICOLE VICTOR then and there being a public servant, to wit: a Home Energy Assistance Aide and/or Home Energy Assistance Supervisor for Tri-County Community Action Agency, a sub-grantee of the New Jersey Department of Community Affairs, having been charged with performing official governmental functions and duties, among others, to assist applicants with completing their New Jersey Department of Community Affairs Home Energy Assistance Program applications, to ensure the documentation required for completing Home Energy Assistance Program applications is correct, to accurately enter Home Energy Assistance Program application data into the New Jersey Department of Community Affairs system, to perform her duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did knowingly submit false information in Home Energy Assistance Program applications, with the purpose to secure a benefit for herself in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2 and against the peace of this State, the government and dignity of same.

COUNT TWO

(Theft By Deception - Third Degree)

NICOLE VICTOR

between on or about June 1, 2005 and on or about July 31, 2009, at the Boro of Paulsboro, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, purposely did obtain from the New Jersey Department of Community Affairs, home energy assistance funds from the Home Energy Assistance Program having a value of approximately \$11,705, by deception, by creating or reinforcing false impressions on applications submitted to the New Jersey Department of Community Affairs, specifically, making entries in Home Energy Assistance applications that contained false information regarding the applicants' personal, financial, or domicile circumstances, contrary to the provisions of N.J.S.A. 2C:20-4 and against the peace of this State, the government and dignity of same.

COUNT THREE

(Misapplication of Entrusted Property and Property of Government

- Third Degree)

NICOLE VICTOR

and other persons whose identities are both known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about June 1, 2005 and on or about July 31, 2009, at the Boro of Paulsboro, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did apply or dispose of property, belonging to the government, to wit: \$13,361 in assistance funds from the New Jersey Department of Community Affairs Home Energy Assistance Program, in a manner which she knew was unlawful and involved substantial risk of loss or detriment to the owner of the property, thereby deriving a benefit of over \$1,000, contrary to the provisions of N.J.S.A. 2C:21-15, N.J.S.A. 2C:5-2, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Financial Facilitation of Criminal Activity - Third Degree)

NICOLE VICTOR

and other persons whose identities are both known and unknown to the Grand Jurors, who are named as coconspirators but not as defendants herein, between on or about April 1, 2006 and on or about June 30, 2009, at the Boro of Paulsboro, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did engage in one or more financial transactions involving property in the amount of less than \$75,000, which was known or which a reasonable person would believe to be derived from criminal activity to wit: Official Misconduct, Theft By Deception, or Misapplication of Entrusted Property and Property of Government or Financial Institution, with the purpose of facilitating or promoting that criminal activity, or knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, specifically, NICOLE VICTOR accepted checks issued from the New Jersey Department of Community Affairs Home Energy Assistance Program, having a value of approximately \$3,588, which were payable to her, and other fictitious individuals, and their home heating supplier, which she knew were to be used for the sole purpose of procuring home

heating fuel, and subsequently exchanged and cashed these benefit checks through third parties for personal, non-heating benefits, specifically for cash or checks payable solely to her individually, to disguise the nature, location, source, ownership, or control of said benefits, contrary to the provisions of N.J.S.A. 2C:21-25, N.J.S.A. 2C:21-27, N.J.S.A. 2C:5-2, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(Tampering With Public Records or Information - Third Degree)

NICOLE VICTOR

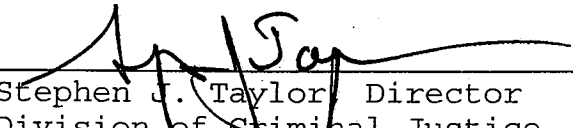
between on or about June 1, 2005 and on or about July 31, 2009, at the Boro of Paulsboro, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, with purpose to defraud or injure, did make a false entry in a record, document or thing belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, that is, the false entries in applications for financial assistance submitted to the New Jersey Department of Community Affairs Home Assistance Program, knowing the entries to be false, contrary to the provisions of N.J.S.A. 2C:28-7(a)(1), and against the peace of this State, the government and dignity of same.

COUNT SIX

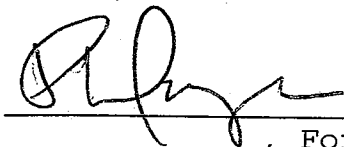
(Falsifying Records - Fourth Degree)

NICOLE VICTOR

between on or about June 1, 2005 and on or about July 31, 2009,  
at the Boro of Paulsboro, in the County of Gloucester, elsewhere,  
and within the jurisdiction of this Court, with purpose to  
deceive or injure another or to conceal a wrongdoing, knowing it  
to contain a false statement or information, did utter a writing  
or record, that is, applications for financial assistance  
submitted to the New Jersey Department of Community Affairs Home  
Energy Assistance Program, contrary to the provisions of N.J.S.A.  
2C:21-4(a), and against the peace of this State, the government  
and dignity of same.

  
\_\_\_\_\_  
Stephen J. Taylor, Director  
Division of Criminal Justice

A TRUE BILL:

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

Dated: 5/12/10



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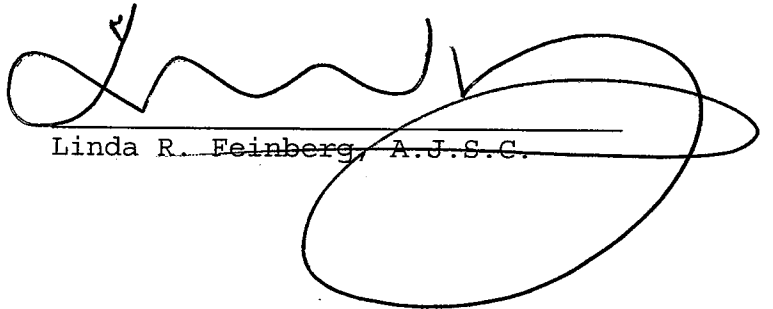
NICOLE VICTOR )

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 12<sup>th</sup> day of May, 2010, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Gloucester be and hereby is designated as the County of venue for the purpose of trial.

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



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