

AUGUST 10, 2021

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ759-21-5
Superior Court
Docket Number 21-8-111-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

EMANUEL RIVERA)

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

COUNT ONE

(Official Misconduct - Second Degree)

EMANUEL RIVERA

on or about May 11, 2019, in the Township of Vernon, County of Sussex, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said EMANUEL RIVERA, acting with the purpose to obtain a non-pecuniary benefit for himself or to injure or to deprive another of a benefit, did commit one or more acts relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act(s) were unauthorized or that he was committing them in an unauthorized manner, or did knowingly refrain from performing one or more duties imposed upon him by law or clearly inherent in the

nature of his office, that is, the said EMANUEL RIVERA, then and there being a public servant, that is, a Police Officer for Vernon Township, having thereby the official functions and duties, among others: to protect the weak; to aid the distressed; to consider all information coming to his knowledge by virtue of his position as a sacred trust, to be used for official purposes only; to perform the functions of his office without fear, favor, or prejudice and to not engage in unlawful or improper practices; to refrain from benefiting personally by any confidential information which has come to him by virtue of his assignment; to be respectful and courteous to all citizens; to refrain from willful misuse of police powers for the purpose of violating the rights of any person; to refrain from any acts that would constitute harassment, sexual or otherwise, as defined by department policy; to refrain from engaging in activities while on duty which are not directly related to the lawful performance of his official duties, including, sexual activity of any kind, conducting non-police related activities or business, or pursuing personal relationships with or without coercion created by an officer's official authority; to serve the public with the highest fidelity; to display good faith, honesty and integrity; and, to be impervious to corrupting influences, the said EMANUEL RIVERA knowingly did solicit Citizen #1, whose identity is known to the Grand Jury, for sexual or other social activity or did engage in sexual activity

with Citizen #1, in his official capacity as a Vernon Township Police Officer and while the said EMANUEL RIVERA was on duty as a Vernon Township Police Officer, 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 TWO

(Official Misconduct - Second Degree)

EMANUEL RIVERA

between on or about June 1, 2015 and on or about July 31, 2015, in the Township of Vernon, County of Sussex, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said EMANUEL RIVERA, acting with the purpose to obtain a non-pecuniary benefit for himself or to injure or to deprive another of a benefit, did commit one or more acts relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act(s) were unauthorized or that he was committing them in an unauthorized manner, or did knowingly refrain from performing one or more duties imposed upon him by law or clearly inherent in the nature of his office, that is, the said EMANUEL RIVERA, then and there being a public servant, that is, a Police Officer for Vernon Township, having thereby the official functions and duties, among others: to protect the weak; to aid the distressed; to consider all information coming to his knowledge by virtue of his position as a sacred trust, to be used for official purposes only; to perform the functions of his office without fear, favor, or prejudice and to not engage in unlawful or improper practices; to refrain from benefiting personally by any confidential information which has come to him by virtue of his assignment; to be respectful and

courteous to all citizens; to refrain from willful misuse of police powers for the purpose of violating the rights of any person; to refrain from any acts that would constitute harassment, sexual or otherwise, as defined by department policy; to refrain from engaging in activities while on duty which are not directly related to the lawful performance of his official duties, including, sexual activity of any kind, conducting non-police related activities or business, or pursuing personal relationships with or without coercion created by an officer's official authority; to serve the public with the highest fidelity; to display good faith, honesty and integrity; and, to be impervious to corrupting influences, the said EMANUEL RIVERA knowingly did obtain the cellular telephone number of Citizen #2, whose identity is known to the Grand Jury, by virtue of his position as a Vernon Township Police Officer and used Citizen #2's cellular telephone number for unofficial purposes, 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

(Official Misconduct - Second Degree)

EMANUEL RIVERA

between on or about October 9, 2014 and on or about December 31, 2014, in the Township of Vernon, County of Sussex, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that the said EMANUEL RIVERA, acting with the purpose to obtain a non-pecuniary benefit for himself or to injure or to deprive another of a benefit, did commit one or more acts relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act(s) were unauthorized or that he was committing them in an unauthorized manner, or did knowingly refrain from performing one or more duties imposed upon him by law or clearly inherent in the nature of his office, that is, the said EMANUEL RIVERA, then and there being a public servant, that is, a Police Officer for Vernon Township, having thereby the official functions and duties, among others: to protect the weak; to aid the distressed; to consider all information coming to his knowledge by virtue of his position as a sacred trust, to be used for official purposes only; to perform the functions of his office without fear, favor, or prejudice and to not engage in unlawful or improper practices; to refrain from benefiting personally by any confidential information which has come to him by virtue of his assignment; to be respectful and

courteous to all citizens; to refrain from willful misuse of police powers for the purpose of violating the rights of any person; to refrain from any acts that would constitute harassment, sexual or otherwise, as defined by department policy; to refrain from engaging in activities while on duty which are not directly related to the lawful performance of his official duties, including, sexual activity of any kind, conducting non-police related activities or business, or pursuing personal relationships with or without coercion created by an officer's official authority; to serve the public with the highest fidelity; to display good faith, honesty and integrity; and, to be impervious to corrupting influences, the said EMANUEL RIVERA knowingly did obtain the cellular telephone number of Citizen #3, whose identity is known to the Grand Jury, by virtue of his position as a Vernon Township Police Officer and used Citizen #3's cellular telephone number for unofficial purposes, 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 FOUR

(Pattern of Official Misconduct - Second Degree)

EMANUEL RIVERA

between on or about October 9, 2014 and on or about May 11, 2019, in the Township of Vernon, County of Sussex, elsewhere, and within the jurisdiction of this Court, did commit the offense of Pattern of Official Misconduct in that he did commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is the said EMANUEL RIVERA, then and there being a public servant, to wit: Vernon Township Police Officer, having been charged with the official functions and duties, among others: to protect the weak; to aid the distressed; to consider all information coming to his knowledge by virtue of his position as a sacred trust, to be used for official purposes only; to perform the functions of his office without fear, favor, or prejudice and to not engage in unlawful or improper practices; to refrain from benefiting personally by any confidential information which has come to him by virtue of his assignment; to be respectful and courteous to all citizens; to refrain from willful misuse of police powers for the purpose of violating the rights of any person; to refrain from any acts that would constitute harassment, sexual or otherwise, as defined by department policy; to refrain from engaging in activities while on duty which are not directly related to the

lawful performance of his official duties, including, sexual activity of any kind, conducting non-police related activities or business, or pursuing personal relationships with or without coercion created by an officer's official authority; to serve the public with the highest fidelity; to display good faith, honesty and integrity; and, to be impervious to corrupting influences, did commit two or more acts of Official Misconduct, at least one of which was a crime of the second degree, including, those acts and omissions described in Count One, Count Two, and Count Three, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7a, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Criminal Sexual Contact - Fourth Degree)

EMANUEL RIVERA

on or about May 11, 2019, in the Township of Vernon, County of Sussex, elsewhere, and within the jurisdiction of this Court, knowingly did commit an act of sexual contact with Citizen #1, whose identity is known to the Grand Jury, by using coercion or without Citizen #1's affirmative and freely-given permission, for the purpose of sexually arousing or sexually gratifying himself or to humiliate or degrade the said Citizen #1, contrary to the provisions of N.J.S.A. 2C:14-3b, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Attempted Sexual Assault - Second Degree)

EMANUEL RIVERA

on or about May 11, 2019, in the Township of Vernon, County of Sussex, elsewhere, and within the jurisdiction of this Court, did attempt to knowingly commit an act of sexual penetration upon Citizen #1, whose identity is known to the Grand Jury, using coercion or without Citizen #1's affirmative and freely-given permission, contrary to the provisions of N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2c(1), and against the peace of this State, the government and dignity of the same.



Thomas Eicher, Director
Office of Public Integrity &
Accountability

A TRUE BILL:

[REDACTED] Foreperson

Dated: 8/11/2021