

OCTOBER 4, 2021

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury  
Number SGJ760-21-10  
Superior Court  
Docket Number 21-10-140-S

STATE OF NEW JERSEY            )  
  
v.                                        )                        INDICTMENT  
  
JAMES TODD                         )  
  
and                                     )  
  
HASSANAH TODD                    )

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

COUNT ONE

(Conspiracy - Second Degree)

JAMES TODD

and

HASSANAH TODD

together and with one or more other persons, whose identities are both known and unknown to the grand jurors who are named as coconspirators but who are not named as defendants herein, between on or about December 19, 2019 and on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, with the

purpose of promoting or facilitating the commission of the crimes of official misconduct; bribery in official and political matters; acceptance or receipt of unlawful benefit by public servant for official behavior, possession with intent to distribute synthetic cannabinoid; selling, transferring, assigning, providing, or otherwise giving an electronic communication device to a person who is confined in a state correctional facility; and distributing, dispensing or possessing with intent to distribute a controlled dangerous substance within 1,000 feet of a school, did agree that:

- A. One or more of them would knowingly engage in conduct which would constitute the aforesaid crimes, or
- B. One or more of them knowingly would aid in the planning, solicitation, or commission of said crimes, that is:

- 1. Official misconduct, in that one or more of them, being a public servant and with the purpose to obtain a benefit for himself or another in excess of \$200, or to injure or deprive another of a benefit, would commit an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such an act was unauthorized or would commit such an act in an unauthorized manner, or would knowingly

refrain from performing a duty which is imposed upon him by law or clearly inherent in the nature of his office, contrary to the provisions of N.J.S.A. 2C:30-2;

2. Bribery in official and political matters, in that one or more of them knowingly would directly or indirectly offer, confer, agree to confer upon another, or would solicit, accept or agree to accept from another a benefit having a value in excess of \$200 as consideration for a violation of an official duty of a public servant, contrary to the provisions of N.J.S.A. 2C:27-2c;
3. Offer of unlawful benefit to public servant for official behavior, in that one or more of them, would, directly or indirectly offer, confer or agree to confer a benefit, inuring to a public servant or another person, to influence a public servant in the performance of an official duty or to commit the violation of an official duty, contrary to the provisions of N.J.S.A. 2C:27-11a;
4. Possess with intent to distribute a controlled dangerous substance, in that one or more of them would knowingly or purposely possess with

intent to distribute MDMB-4en-PINACA, a synthetic cannabinoid analogue, or Fluoro EMB-PICA, a synthetic cannabinoid, in a quantity of one once or more, contrary to the provisions of N.J.S.A. 2C:35-5.b (a) (c).

5. Sell, transfer, assign, provide, or other otherwise give an electronic communication device to a person who is confined in a state correctional facility, in that one or more of them would, as an employee of the Department of Corrections, sell, transfer, assign, provide, or other otherwise give one or more cellular telephone devices to a person who is confined in Northern State Correctional Facility, in violation of N.J.S.A. 2C:29-10d.

6. Distribute, dispense or possess with intent to distribute a controlled dangerous substance within 1,000 feet of a school, in that one or more of them would possess with intent to distribute synthetic cannabinoid within 1,000 feet of Newark Boys Chorus School, an independent school which is owned by or leased to a board of trustees and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7a.

All contrary to the provisions of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Official Misconduct - Second Degree)

JAMES TODD

and

HASSANAH TODD

together and with one or more other persons, whose identities are both known and unknown to the grand jurors who are named as coconspirators but who are not named as defendants herein,, between on or about December 19, 2019 and on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of official misconduct, in that one or more of them, being a public servant and with the purpose to obtain a benefit for himself or another in an amount in excess of \$200, did commit an act relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or that he was committing it in an unauthorized manner, or did knowingly refrain from performing a duty which is imposed upon him by law or is clearly inherent in the nature of his office, that is the said JAMES TODD and HASSANAH TODD, did aid and abet another person, whose identity is known to the grand jurors but who is not named as a defendant herein, in receiving funds in excess of \$200 in exchange for smuggling contraband into Northern State Prison, who, being a public servant, to wit: a corrections officer employed by

the New Jersey Department of Corrections, having thereby the official functions and duties, among others, to refrain from possessing or selling any controlled dangerous substance whether on or off duty; to refrain from bringing any non-evidentiary intoxicant, drug or controlled dangerous substance into any premises, building or vehicle used officially by the Department of Corrections; to refrain from accepting any gift, favor, service or other thing of value under circumstances from which it might reasonably be inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him in the discharge of his official duties; to refrain from establishing a personal relationship with inmates, probationers, or parolees unless they are related to the inmate by family; to refrain from contacting or corresponding with inmates or inmate families or friends unless as part of the employee's duties or when permission is granted in writing by the Office of the Commissioner or designee; and to display good faith, honesty and integrity and to be impervious to corrupting influences, did agree to accept a benefit in excess of \$200 from the said JAMES TODD and HASSNAH TODD for smuggling contraband into Northern State Prison, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

COUNT THREE

(Bribery in Official and Political Matters - Second Degree)

JAMES TODD

and

HASSANAH TODD

between on or about December 19, 2019 and on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did directly or indirectly offer, confer or agree to confer on a public servant, whose identity is known to the grand jurors but who is not named as a defendant herein, a benefit that is, funds in excess of \$200, as consideration for the performance of one or more official duties or the violation of one or more official duties, that is, the said JAMES TODD and HASSANAH TODD did offer, confer or agree to confer funds in excess of \$200 to a public servant, whose identity is known to the Grand Jurors but who is not named as a defendant herein, as consideration for agreeing to use his official position to smuggle contraband into Northern State Prison, contrary to the provisions of N.J.S.A. 2C:27-2 N.J.S.A. 2C:2-6, and against the peace of this state, the government, and dignity of the same.



COUNT FOUR

(Offer of Unlawful Benefit to Public Servant for Official  
Behavior - Second Degree)

JAMES TODD

and

HASSANAH TODD

between on or about December 19, 2019 and on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did commit the offense of Offer of Unlawful Benefit to Public Servant for Official Behavior, in that the said JAMES TODD and HASSANAH TODD, did directly or indirectly, offer, confer or agree to confer a benefit in excess of \$200 to a public servant, whose identity is known to the Grand Jurors but who is not named as a defendant herein, to influence the performance of an official duty or to commit a violation of an official duty, to wit: to use his official position to smuggle contraband into Northern State Prison, contrary to the provisions of N.J.S.A. 2C:27-11(a) and N.J.S.A. 2C:2-6, and against the peace of this state, the government, and dignity of the same.

COUNT FIVE

(Possession with Intent to Distribute Synthetic Cannabinoid -  
Second Degree)

JAMES TODD

and

HASSANAH TODD

on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, MDMB-4en-PINACA, a synthetic cannabinoid analogue, or Fluoro EMB-PICA, a synthetic cannabinoid, in a quantity of one ounce or more, contrary to the provisions of N.J.S.A. 2C:35-5.3b(a)(b) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Certain Electronic Devices in Correctional Facilities - Second Degree)

JAMES TODD

and

HASSANAH TODD

on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did knowingly provide an employee of the Department of Corrections, whose identity is known to the grand jurors but who is not named as a defendant herein,, with one or more cellular telephone devices to sell, transfer, assign, provide, or otherwise give to a person who is confined in in a state correctional facility, to wit: Northern State Prison, contrary to the provisions of N.J.S.A. 2C:29-10(d) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Controlled Dangerous Substance Near or On a School Property -  
Third Degree)

JAMES TODD

and

HASSANAH TODD

on or about September 14, 2020, at the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this Court, did distribute, dispense or possess with intent to distribute a controlled dangerous substance while within 1,000 feet of a school property, that is the said JAMES TODD and HASSANAH TODD did distribute, dispense or possess with intent to distribute synthetic cannabinoid in a quantity of one ounce or more within 1,000 feet of Newark Boys Chorus School, an independent school which is owned by or leased to a board of trustees and used for school purposes, contrary to the provisions of N.J.S.A. 2C:35-7a and N.J.S.A. 2C:2-6, 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:

\_\_\_\_\_ Deputy Foreperson

Dated: 10/4/2021