

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
1025	S	2021	000021
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
UNION TWP MUNICIPAL COURT 1370 RTE 31 NORTH ANNANDALE NJ 08801-0000 908-735-3730 COUNTY OF: HUNTERDON			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 2021-00926	
COMPLAINANT NAME: BRIAN POWERS 25 MARKET ST P O BOX 085 TRENTON NJ 08625	DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: [REDACTED] 1982 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: xxx-xx-xxxx SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: [REDACTED]		

THE STATE OF NEW JERSEY

VS.

ANTHONY J VALVANO

ADDRESS: [REDACTED] NJ [REDACTED]

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 01/11/2021 in **UNION TWP**, **HUNTERDON County, NJ** did: BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021 IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AS A SERGEANT, DID COMMIT ONE OR MORE ACTS CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THEM TO BE UNAUTHORIZED, OR DID KNOWINGLY REFRAIN FROM PERFORMING ONE OR MORE DUTIES IMPOSED BY LAW OR CLEARLY INHERENT IN THE NATURE OF HIS OFFICE, WITH PURPOSE TO BENEFIT HIMSELF OR ANOTHER, OR TO INJURE ANOTHER OR TO DEPRIVE ANOTHER OF A BENEFIT, TO WIT: FILING AN INCIDENT REPORT KNOWING THAT IT CONTAINED FALSE INFORMATION; VIOLATING THE DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES FOR FORCED CELL EXTRACTIONS; REFRAINING FROM PREVENTING AND FAILING TO REPORT ASSAULTIVE CONDUCT BY OTHER OFFICERS COMMITTED IN HIS PRESENCE, IN VIOLATION OF N.J.S.A. 2C:30-2 (A 2ND DEGREE CRIME).

BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021 IN THE
in violation of:

Original Charge	1) 2C:30-2B	2) 2C:28-7A(2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: BRIAN POWERS Date: 02/04/2021

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: HUNTERDON at the following address: HUNTERDON COUNTY COURT
HUNTERDON COUNTY JUSTICE CENTER 65 PARK AVENUE FLEMINGTON NJ 08822-0000
If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.
Date of Arrest: 02/04/2021 Appearance Date: 03/18/2021 Time: 09:00AM Phone: 908-824-9750
Signature of Person Issuing Summons: BRIAN POWERS Date: 02/04/2021

- Domestic Violence – Confidential Related Traffic Tickets or Other Complaints Serious Personal Injury/ Death Involved

Special conditions of release:

- No phone, mail or other personal contact w/victim
 No possession firearms/weapons
 Other (specify):

ORIGINAL

COMPLAINT - SUMMONS

COMPLAINT NUMBER

1025

S

2021

000021

STATE V.

ANTHONY J VALVANO

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY MAKE, PRESENT, OFFER FOR FILING, OR USE A RECORD, DOCUMENT OR THING KNOWING IT TO BE FALSE, AND WITH PURPOSE THAT IT BE TAKEN AS A GENUINE PART OF INFORMATION OR RECORDS BELONGING TO, OR RECEIVED OR KEPT BY, THE GOVERNMENT FOR INFORMATION OR RECORD, OR REQUIRED BY LAW TO BE KEPT BY OTHERS FOR INFORMATION OF THE GOVERNMENT WITH THE PURPOSE TO DEFRAUD OR INJURE ANYONE, THAT IS, THE SAID ANTHONY VALVANO, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, KNOWINGLY MADE, PRESENTED, OR OFFERED FOR FILING AN INCIDENT REPORT, KNOWING IT TO BE FALSE, TO THE DEPARTMENT OF CORRECTIONS IN VIOLATION OF N.J.S.A. 2C:28-7 (A 3RD DEGREE CRIME).

THIS CASE IS BEING PROSECUTED BY DAG JONATHAN GILMORE AND SPECIAL DAG MICHAEL MCDONALD OF THE OFFICE OF PUBLIC INTEGRITY AND ACCOUNTABILITY.

Original Charge

Amended Charge

COMPLAINT - SUMMONS

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER				STATE V.
1025 <small>COURT CODE</small>	S <small>PREFIX</small>	2021 <small>YEAR</small>	000021 <small>SEQUENCE NO.</small>	
				ANTHONY J VALVANO

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
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Released on Bail	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____	Date Referred to County Prosecutor: _____
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Date of First Appearance: 03/18/2021	<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:30-2B	2) 2C:28-7A(2)	3)
Amended Charge			
Waiver Indt/Jury			
Plea/Date of Plea	Plea: _____ Date: _____	Plea: _____ Date: _____	Plea: _____ Date: _____
Adjudication (* see code)	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____
Jail Term	Jail time credit Susp. Imp	Jail time credit Susp. Imp	Jail time credit Susp. Imp
Probation Term	Susp. Imp	Susp. Imp	Susp. Imp
Cond. Discharge Term			
Community Service			
D/L Suspension Term			
Fines/Costs	Fines: _____ Costs: _____	Fines: _____ Costs: _____	Fines: _____ Costs: _____
VCCB/SNSF	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____
DEDR/Lab Fee	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____
CD Fee/Drug Ed Fnd	CD: _____ DAEF: _____	CD: _____ DAEF: _____	CD: _____ DAEF: _____
DV Surch/Other Fees	DV: _____ Other: _____	DV: _____ Other: _____	DV: _____ Other: _____
Restitution Beneficiary: _____			

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes: Related Traffic Tickets and Complaints:	<p style="text-align: center;">* Finding Codes</p> 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P - Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID
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COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER				STATE V. ANTHONY J VALVANO
1025	S	2021	000021	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
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Released on Bail	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____	Date Referred to County Prosecutor: _____
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Date of First Appearance: 03/18/2021	<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge									
Amended Charge									
Waiver Indt/Jury									
Plea/Date of Plea	Plea:	Date:		Plea:	Date:		Plea:	Date:	
Adjudication (* see code)	Finding Code:	Date:		Finding Code:	Date:		Finding Code:	Date:	
Jail Term		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp
Probation Term									
Cond. Discharge Term									
Community Service									
D/L Suspension Term									
Fines/Costs	Fines:	Costs:		Fines:	Costs:		Fines:	Costs:	
VCCB/SNSF	VCCB:	SNSF:		VCCB:	SNSF:		VCCB:	SNSF:	
DEDR/Lab Fee	DEDR:	LAB:		DEDR:	LAB:		DEDR:	LAB:	
CD Fee/Drug Ed Fnd	CD:	DAEF:		CD:	DAEF:		CD:	DAEF:	
DV Surch/Other Fees	DV:	Other:		DV:	Other:		DV:	Other:	
Restitution Beneficiary: _____									

<p>Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:</p> <p>Related Traffic Tickets and Complaints:</p>	<p style="text-align: center;">* Finding Codes</p> <ul style="list-style-type: none"> 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID
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COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER

1025 S 2021 000021

COURT CODE PREFIX YEAR SEQUENCE NO.

UNION TWP MUNICIPAL COURT
1370 RTE 31 NORTH
ANNANDALE NJ 08801-0000
908-735-3730 COUNTY OF: **HUNTERDON**

ADDRESS:

THE STATE OF NEW JERSEY

VS.

ANTHONY J VALVANO

NJ

of CHARGES: **2** CO-DEFTS: POLICE CASE #: **2021-00926**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: **/1982**

DRIVER'S LIC. #. DL STATE: **NJ**

SOCIAL SECURITY #: **xxx-xx-** SBI #:

TELEPHONE #: ()

LIVESCAN PCN #:

COMPLAINANT NAME: **BRIAN POWERS**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **01/11/2021** in **UNION TWP**, **HUNTERDON County, NJ** did: BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021 IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AS A SERGEANT, DID COMMIT ONE OR MORE ACTS CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THEM TO BE UNAUTHORIZED, OR DID KNOWINGLY REFRAIN FROM PERFORMING ONE OR MORE DUTIES IMPOSED BY LAW OR CLEARLY INHERENT IN THE NATURE OF HIS OFFICE, WITH PURPOSE TO BENEFIT HIMSELF OR ANOTHER, OR TO INJURE ANOTHER OR TO DEPRIVE ANOTHER OF A BENEFIT, TO WIT: FILING AN INCIDENT REPORT KNOWING THAT IT CONTAINED FALSE INFORMATION; VIOLATING THE DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES FOR FORCED CELL EXTRACTIONS; REFRAINING FROM PREVENTING AND FAILING TO REPORT ASSAULTIVE CONDUCT BY OTHER OFFICERS COMMITTED IN HIS PRESENCE, IN VIOLATION OF N.J.S.A. 2C:30-2 (A 2ND DEGREE CRIME).

BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021 IN THE
in violation of:

Original Charge	1) 2C:30-2B	2) 2C:28-7A(2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Signed: **BRIAN POWERS** Date: **02/04/2021**

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **HUNTERDON**

at the following address: **HUNTERDON COUNTY COURT**

HUNTERDON COUNTY JUSTICE CENTER 65 PARK AVENUE FLEMINGTON NJ 08822-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: **02/04/2021** Appearance Date: **03/18/2021** Time: **09:00AM** Phone: **908-824-9750**

Signature of Person Issuing Summons: **BRIAN POWERS** Date: **02/04/2021**

- Domestic Violence – Confidential Related Traffic Tickets or Other Complaints Serious Personal Injury/ Death Involved

Special conditions of release:

- No phone, mail or other personal contact w/victim
 No possession firearms/weapons
 Other (specify):

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER

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STATE V.

ANTHONY J VALVANO

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TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY MAKE, PRESENT, OFFER FOR FILING, OR USE A RECORD, DOCUMENT OR THING KNOWING IT TO BE FALSE, AND WITH PURPOSE THAT IT BE TAKEN AS A GENUINE PART OF INFORMATION OR RECORDS BELONGING TO, OR RECEIVED OR KEPT BY, THE GOVERNMENT FOR INFORMATION OR RECORD, OR REQUIRED BY LAW TO BE KEPT BY OTHERS FOR INFORMATION OF THE GOVERNMENT WITH THE PURPOSE TO DEFRAUD OR INJURE ANYONE, THAT IS, THE SAID ANTHONY VALVANO, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, KNOWINGLY MADE, PRESENTED, OR OFFERED FOR FILING AN INCIDENT REPORT, KNOWING IT TO BE FALSE, TO THE DEPARTMENT OF CORRECTIONS IN VIOLATION OF N.J.S.A. 2C:28-7 (A 3RD DEGREE CRIME).

THIS CASE IS BEING PROSECUTED BY DAG JONATHAN GILMORE AND SPECIAL DAG MICHAEL MCDONALD OF THE OFFICE OF PUBLIC INTEGRITY AND ACCOUNTABILITY.

Original Charge

Amended Charge

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

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NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

1025 S 2021 000021

COURT CODE PREFIX YEAR SEQUENCE NO.

UNION TWP MUNICIPAL COURT
1370 RTE 31 NORTH
ANNANDALE NJ 08801-0000
908-735-3730 COUNTY OF: HUNTERDON

ADDRESS: [REDACTED] NJ [REDACTED]

THE STATE OF NEW JERSEY
VS.
ANTHONY J VALVANO

of CHARGES: **2** CO-DEFTS: POLICE CASE #: **2021-00926**

DEFENDANT INFORMATION
 SEX: **M** EYE COLOR: **BROWN** DOB: [REDACTED] / **1982**
 DRIVER'S LIC. #: [REDACTED] DL STATE: **NJ**
 SOCIAL SECURITY # **xxx-xx-[REDACTED]** SBI #:)
 TELEPHONE #:)
 LIVSCAN PCN #:

COMPLAINANT **BRIAN POWERS**
 NAME: **25 MARKET ST**
P O BOX 085
TRENTON NJ 08625

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **01/11/2021** in **UNION TWP**, **HUNTERDON** County, NJ did: BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021 IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AS A SERGEANT, DID COMMIT ONE OR MORE ACTS CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THEM TO BE UNAUTHORIZED, OR DID KNOWINGLY REFRAIN FROM PERFORMING ONE OR MORE DUTIES IMPOSED BY LAW OR CLEARLY INHERENT IN THE NATURE OF HIS OFFICE, WITH PURPOSE TO BENEFIT HIMSELF OR ANOTHER, OR TO INJURE ANOTHER OR TO DEPRIVE ANOTHER OF A BENEFIT, TO WIT: FILING AN INCIDENT REPORT KNOWING THAT IT CONTAINED FALSE INFORMATION; VIOLATING THE DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES FOR FORCED CELL EXTRACTIONS; REFRAINING FROM PREVENTING AND FAILING TO REPORT ASSAULTIVE CONDUCT BY OTHER OFFICERS COMMITTED IN HIS PRESENCE, IN VIOLATION OF N.J.S.A. 2C:30-2 (A 2ND DEGREE CRIME).

BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021 IN THE **in violation of:**

Original Charge	1) 2C:30-2B	2) 2C:28-7A(2)	3)
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Check √	Certification by Police Regarding Complaint-Summons
✓	I certify that I served the complaint-summons by delivering a copy to the defendant personally.
	I certify that I personally served the complaint-summons by leaving a copy at the defendant's usual place of abode with a competent member of the household of the age 14 or over _____ Name of family member over 14 years of age
	I certify that I mailed a copy of the complaint-summons by ordinary mail to the defendant at his or her last known address. _____ Defendant's last known address
	I certify that I served the complaint-summons by delivering a copy to a person authorized to receive service of process on the defendant's behalf. _____ Name and title of authorized person
	Other manner of service: I certify that I served the complaint-summons in the following manner: _____
	I certify that I was unable to serve the complaint-summons.

Signed: **BRIAN POWERS NJ DIVISION OF CRIM JUSTICE** Date of Action: **02/04/2021**
 Name, Title and Department of Officer

RETURN OF SERVICE INFORMATION

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

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STATE V.

ANTHONY J VALVANO

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SEQUENCE NO.

TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY MAKE, PRESENT, OFFER FOR FILING, OR USE A RECORD, DOCUMENT OR THING KNOWING IT TO BE FALSE, AND WITH PURPOSE THAT IT BE TAKEN AS A GENUINE PART OF INFORMATION OR RECORDS BELONGING TO, OR RECEIVED OR KEPT BY, THE GOVERNMENT FOR INFORMATION OR RECORD, OR REQUIRED BY LAW TO BE KEPT BY OTHERS FOR INFORMATION OF THE GOVERNMENT WITH THE PURPOSE TO DEFRAUD OR INJURE ANYONE, THAT IS, THE SAID ANTHONY VALVANO, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, KNOWINGLY MADE, PRESENTED, OR OFFERED FOR FILING AN INCIDENT REPORT, KNOWING IT TO BE FALSE, TO THE DEPARTMENT OF CORRECTIONS IN VIOLATION OF N.J.S.A. 2C:28-7 (A 3RD DEGREE CRIME).

THIS CASE IS BEING PROSECUTED BY DAG JONATHAN GILMORE AND SPECIAL DAG MICHAEL MCDONALD OF THE OFFICE OF PUBLIC INTEGRITY AND ACCOUNTABILITY.

Original Charge

Amended Charge

RETURN OF SERVICE INFORMATION

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NJ/CDR1 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER				<p style="text-align: center;"><i>THE STATE OF NEW JERSEY</i></p> <p style="text-align: center;">VS.</p> <p style="text-align: center;">ANTHONY J VALVANO</p>	
1025	S	2021	000021	ADDRESS: [REDACTED] NJ [REDACTED]	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
UNION TWP MUNICIPAL COURT 1370 RTE 31 NORTH ANNANDALE NJ 08801-0000 908-735-3730 COUNTY OF: HUNTERDON					
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 2021-00926		DEFENDANT INFORMATION	
COMPLAINANT NAME: BRIAN POWERS 25 MARKET ST P O BOX 085 TRENTON NJ 08625			SEX: M EYE COLOR: BROWN DOB: [REDACTED]/1982		DL STATE: NJ
			DRIVER'S LIC. #: [REDACTED]		
			SOCIAL SECURITY #: xxx-xx-[REDACTED]		SBI #: [REDACTED]
			TELEPHONE #: ()		
			LIVESCAN PCN #:		

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

BETWEEN ON OR ABOUT 1/11 AT 10:30 P.M. AND ON OR ABOUT 1/12, 2021 AT 1:15 A.M., NEW JERSEY DEPARTMENT OF CORRECTIONS (DOC) OFFICERS & SUPERVISORS ASSIGNED TO THE EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN (EMCFW) IN CLINTON TOWNSHIP CONDUCTED CELL EXTRACTIONS OF INMATES LOCATED IN THE RHU (RESTORATIVE HOUSING UNIT) COMPLEX, WHERE 21 INMATES WERE HOUSED. ONE OF THE SUPERVISORS INVOLVED IN THE EXTRACTIONS WAS SERGEANT ANTHONY VALVANO. WHILE ON DUTY & WORKING IN HIS OFFICIAL CAPACITY AS A SGT WITH THE NJ DEPARTMENT OF CORRECTIONS, VALVANO WAS INVOLVED IN & SUPERVISED CELL EXTRACTIONS WHICH OCCURRED LATE ON 1/11 AND INTO 1/12, 2021. ONE OF THE CELL EXTRACTIONS VALVANO SUPERVISED INVOLVED VICTIM 1 (V1).

AT APPROXIMATELY 1:13 AM, VIDEO SHOWS V1 IN HER CELL IN THE RHU COMPLEX. WHILE IN HER CELL, V1 APPEARS TO THROW AN UNKNOWN WHITE LIQUID SUBSTANCE OUT OF HER CELL INTO THE HALLWAY OF THE RHU COMPLEX. A SHORT TIME LATER, VIDEO SURVEILLANCE SHOWS THAT VALVANO AND SGT AMIR BETHEA SUPERVISED A TEAM OF DOC OFFICERS WHO APPEARED OUTSIDE V1'S CELL. V1 IMMEDIATELY COMPLIED WITH A REQUEST TO OFFER HER HANDS TO BE HANDCUFFED. ACCORDING TO INMATES, V1 WAS BEGGING OFFICERS NOT TO HARM HER PRIOR TO THEIR ENTRY INTO V1'S CELL. DESPITE THIS, A CELL EXTRACTION WAS UNDERTAKEN, & 5 CORRECTIONS OFCS & VALVANO ENTERED V1'S CELL AFTER SHE WAS HANDCUFFED & PROCEEDED TO FORCIBLY REMOVE HER FROM HER CELL. V1 WAS GIVEN NO OPPORTUNITY TO COMPLY DESPITE HER SUBMITTING VOLUNTARILY TO BEING HANDCUFFED AND RESTRAINED. DURING THE EXTRACTION, ONE OR MORE CORRECTIONS OFCS REPEATEDLY STRUCK V1 WITH THEIR FISTS, ALTHOUGH V1 WAS HANDCUFFED. VALVANO DID NOT INTERVENE TO STOP THE OFCS' IMPROPER USE OF FORCE, WHICH VIOLATED DOC POLICIES THAT ONLY ALLOW FOR THE OBJECTIVELY REASONABLE AND NECESSARY USE OF FORCE. V1 SUSTAINED INJURIES DURING THE CELL EXTRACTION, INCLUDING VISIBLE INJURIES TO HER RIGHT EYE, WHICH WAS LATER DETERMINED TO BE AN ORBITAL WALL FRACTURE OF HER RIGHT EYE. DESPITE HIS SUPERVISION OF THE EXTRACTION TEAM, HIS PRESENCE IN V1'S CELL, & HIS OBSERVATION OF THE EXTRACTION, VALVANO FAILED TO REPORT THE UNAUTHORIZED USE OF FORCE AGAINST A RESTRAINED INMATE, WHO WAS NOT RESISTING, & INSTEAD FILED A FALSE REPORT THAT V1 WAS BANGING HER HEAD INTO THE CELL DOOR & THAT HER CELL DOOR HAD TO BE BREACHED TO PREVENT FURTHER INJURIES AFTER SHE WAS HANDCUFFED. BY FILING A FALSE REPORT, VALVANO INTENDED TO DECEIVE OTHERS WITHIN THE DOC INTO BELIEVING THAT THE USE OF FORCE ON V1 WAS JUSTIFIED.

Affidavit of Probable Cause

COMPLAINT NUMBER

THE STATE OF NEW JERSEY

1025

S

2021

000021

VS.

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

ANTHONY J VALVANO

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

VIDEO EVIDENCE REVIEWED, OFFICIAL DOCUMENTS REVIEWED, STATEMENTS FROM WITNESSES TAKEN

3. If victim was injured, provide the extent of the injury:

ACCORDING TO REPORTS, ON 1/12, 2021 AT APPROXIMATELY 12:07 A.M., A FIVE (5) PERSON SUITED TEAM COMPRISED OF CORRECTION OFFICERS FROM EMCFW PERFORMED A CELL EXTRACTION FOR INMATE 2, WHO IS HOUSED IN THE RHU. DURING THE CELL EXTRACTION, INMATE 2 WAS PEPPER SPRAYED SECONDS BEFORE THE EXTRACTION TEAM ENTERED THE CELL AND INMATE 2 IS SEEN STANDING TOWARDS THE LEFT SIDE OF HER CELL ON VIDEO SURVEILLANCE. IMMEDIATELY UPON ENTERING THE CELL OF INMATE 2, A CO PUNCHES AND STRIKES INMATE 2 WITH A CLOSED FIST APPROXIMATELY 28 TIMES IN THE FACE AREA, ALTHOUGH INMATE 2 HAS HER ARMS UP, ATTEMPTING TO COVER HER FACE, AND WHILE STANDING PRESSED UP AGAINST A WALL WITH HER BACK FACING THE OFFICERS, OR ATTEMPTING TO PROTECT HERSELF. DOC POLICY ONLY PERMITS USE OF FORCE THAT IS OBJECTIVELY NECESSARY AND REASONABLE. EXCESSIVE OR UNREASONABLE FORCE VIOLATES DOC CUS.001.UOF.002, IIIA. CO'S USE OF FORCE AGAINST INMATE 2 RESULTED IN SERIOUS BODILY INJURIES, INCLUDING CONCUSSION AND FACIAL INJURIES.

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: BRIAN POWERS LAW ENFORCEMENT OFFICER

Date: 02/04/2021

Affidavit of Probable Cause

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER

1025**S****2021****000021**

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SEQUENCE NO.

UNION TWP MUNICIPAL COURT
1370 RTE 31 NORTH
ANNANDALE NJ 08801-0000
908-735-3730 COUNTY OF: **HUNTERDON**

ADDRESS:

*THE STATE OF NEW JERSEY**VS.***ANTHONY J VALVANO**

NJ

of CHARGES: **2**
CO-DEFTS: **0**
POLICE CASE #: **2021-00926**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: **02/04/1982**
DRIVER'S LIC. #: **[REDACTED]** DL STATE: **NJ**
SOCIAL SECURITY #: **xxx-xx-xxxx** SBI #: **[REDACTED]**
TELEPHONE #: **[REDACTED]**
LIVESCAN PCN #: **[REDACTED]**

COMPLAINANT **BRIAN POWERS**
NAME: **25 MARKET ST**
P O BOX 085
TRENTON NJ 08625

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

-The charge was based on the observations/statements made by an eyewitness(es).

- The witness statement(s) were recorded via:
 - *Other/Explain audio/video recording

-The offense/incident was recorded using electronic/surveillance via:

- Surveillance Camera
- Other/Explain **HANDHELD RECORDER**

-The defendant was known to the victim as:

- Other/Explain **SUPERVISOR**

-The victim was injured and:

- Victim transported to medical facility
- Victim treated at the scene

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: **BRIAN POWERS LAW ENFORCEMENT OFFICER**Date: **02/04/2021**

Preliminary Law Enforcement Incident Report

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