



2017 Annual Report

Michael H. Robertson
Prosecutor

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MESSAGE FROM PROSECUTOR, Michael H. Robertson



This 2017 Annual Report of the Somerset County Prosecutor's Office has been prepared in accordance with the requirements of N.J.S.A. 52:17B-111. As Prosecutor for Somerset County, it is my honor to submit this Report to the Honorable Gurbir Grewal, Attorney General for the State of New Jersey. It is further my honor to share the information contained herein with the citizens of Somerset County in order for them to better understand the functions of the law enforcement community as well as the level of professionalism and pride with which the members of this Office, the Sheriff's Office and our local police departments perform their duties.

Since the last annual report this Office has continued its commitment to providing outstanding service to our community. As part of that commitment we had several promotions within the detective bureau. Captain Francisco Roman was promoted to Deputy Chief; Lieutenant Christopher Shearer was promoted to Captain; Sergeants David Whipple and Michael Schutta were both promoted to Lieutenant; Detective Judith Polhill was promoted to Sergeant as was Detective Michael Guerra. All of the above promotions were hard-earned and well-deserved. Congratulations to these detectives, they are all great leaders and will continue to push this organization in the right direction and to provide outstanding service to Somerset County.

In addition to the promotions within the detective bureau we hired five additional detectives, all of whom come with great experience, a strong work ethic and a desire to serve their community. Detective Joseph Grasso joined our office in September 2017 and is assigned to our Organized Crime and Narcotics Task Force; he was previously a police officer with the Warren Township Police Department here in Somerset County. Joe is also one of our DARE officers for the County. Detective Michael Eaton joined our office in July 2017 and is currently assigned to our sex crimes unit. Michael was previously a police officer with the Branchburg Township Police Department here in Somerset County for several years prior to joining the office. Detective Matthew Murphy joined our office in November 2017; he was previously an officer with the Clinton Township Police Department and also served as a Task Force Officer with the Drug Enforcement Agency. Matthew is currently assigned to our Organized Crime and Narcotics Task Force. William Perez was hired in April 2018; he was previously a New Jersey State Trooper and on loan to our office, assigned to assist our Organized Crime and Narcotics Task Force. William will continue as a detective assigned to our Organized Crime and Narcotics Task Force. Lastly, William Seiple was hired in April 2018, and is assigned to our Organized Crime and Narcotics Task Force. Bill was previously a detective with the Bernards Township Police Department here in Somerset County and like all of our recent detective hires, comes with a wealth of experience,

LAW ENFORCEMENT OF SOMERSET COUNTY

LEGAL DIVISION

Trial Section
Appellate Section
Intake Screening
Domestic Violence
Juvenile Unit
Victim-Witness

CRIMINAL INVESTIGATION DIVISION

Criminal Investigation Section
Major Crimes Unit
Sex Crimes & Child Abuse Unit
Special Investigations Unit
Insurance Fraud Unit
Internal Affairs Unit
Organized Crime & Narcotics Task Force
Polygraph & Computerized Voice Stress Analysis (CVSA) Unit
Somerset County Emergency Response Teams
Operations Section
Fugitive Unit
Crime Scene Investigation Unit (CSIU) & Ballistics Laboratory
Criminal Intelligence Unit
Burglary Task Force
Crime Stoppers
Computer Crimes / Technical Services Unit
Vehicular Homicide Task Force & Collision Analysis Reconstruction Team (C.A.R.T.)
Fire Investigation Unit
Counter-Terrorism Unit

ADMINISTRATIVE DIVISION

Administrative Division Summary
D.A.R.E., G.R.E.A.T. (Gang Resistance Education Training)
Bring Your Child to Work Day & Community Events

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knowledge and hard work ethic. Congratulations to our recent detective hires.

We also hired two new assistant prosecutors who have proven to be outstanding additions to the office. Natacha Despinos Peavey joined the office in July 2017. She is a 2004 graduate of New York Law School and upon graduation clerked for the Honorable Patricia Medina Talbert, J.S.C. Thereafter she was a municipal prosecutor in the City of Newark from 2005 to 2017, where she ultimately achieved the rank of Assistant Chief Municipal Prosecutor and also served as the Acting Chief Municipal Prosecutor before joining our office. Natacha resides in Hillsborough with her husband and two daughters. We also hired Thomas Walsh, who prior to becoming an attorney had a long and distinguished career in law enforcement. Tom proudly served as a police officer for the Bloomfield Police Department from 1988 to 2015. During his tenure there, he held the ranks of Sergeant, Lieutenant and ultimately Captain before he retired. Tom obtained his law degree while a police officer and graduated from Seton Hall in 2001. After retiring in 2015, Tom had his own boutique firm before joining our office in July 2017. Tom resides in Peapack-Gladstone with his wife and two daughters.

Criminal Justice Reform took effect over one year ago and I am proud to say that due to the efforts of this Office, along with our law enforcement partners, the Judiciary, Pre-Trial Services, the Public Defender's office and the Defense Bar, Somerset County continues to be one of the top performing counties in the implementation and execution of Criminal Justice Reform. My focus will always be on how we can best serve the citizens of this County and I am committed to achieve that goal.

As I have stated previously, one of my top priorities has been and will continue to be combating the drug problem and in particular the opioid/heroin epidemic that exists in every corner of this County. This year I, along with other members of the County Prosecutor's Association of New Jersey, met with the U.S. Attorney for the State of New Jersey who indicated that one of the top priorities of his office will be combating the importation and distribution of illegal narcotics into this State as well as combating the distribution and illegal use of prescription drugs. To that end, the U.S. Attorney's office along with federal law enforcement is devoting resources to help local law enforcement and communities like Somerset County. It is a welcome partnership and one that I plan on taking full advantage of in order to protect our children and loved ones from this epidemic. Although law enforcement will continue its efforts to enforce the narcotic laws of this State, there is not a one dimensional solution to this problem, in fact it requires multiple people with multiple backgrounds and expertise, which is why on a regular monthly basis I meet with the folks from the Somerset County Department of Human Services Division, Robert Wood Johnson Hospital – Somerset, Safe Communities Coalition of Somerset County and Empower Somerset, the staff at Safe and Sound of Somerset County, the School Superintendents, the Somerset County YMCA, and grass root initiatives like Community In Crisis, as well as a whole host of other individuals and groups who are all looking to help and provide assistance in any way they can, and I can tell you it is greatly appreciated and I thank all of them for their efforts.

As a community, there are a host of issues that we need to address, which in part I outlined in this message; however, one resounding issue that I and others believe to be of central concern for children, teenagers and adults is mental wellness. Whether it is drug/alcohol abuse, bullying in schools, suicides, or school violence, many experts in this County and I agree that there needs to be a focus on addressing mental wellness. It is no secret that our world, and in particular our children's world, has changed with the increased use of technology and the social, academic and other pressures that seem to be ever increasing upon our youth. These pressures have unfortunately led to increased drug/alcohol abuse, teen suicides and violence in our schools. Here in Somerset County we are extremely fortunate to have a host of resources and facilities available to help those in need. My mission over the course of the next several years will be to work with educators, parents, experts, social workers, our County professionals, County Freeholders and others to provide assistance and the resources for those in need and to remove any stigma that is associated with someone

PROSECUTOR'S MESSAGE

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CRIMINAL INVESTIGATION DIVISION

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struggling with mental wellness issues. Again, there are many within the County that have the knowledge, background and passion to help those in need, no matter what they may be facing and I am happy and grateful to be partners with all of them to help our community.

This year the Somerset County Prosecutor's Office is proud to announce that we will be hosting quarterly community meetings addressing various topics affecting our community. In May we hosted a community meeting on police use of force and officer-involved shooting investigations. In July we are hosting a community meeting to discuss opioids and what we are doing here in Somerset County to address the epidemic of opioid and heroin abuse. Information about these community meetings and other upcoming events can be found on our Facebook page <https://www.facebook.com/Somerset-County-Prosecutors-Office> as well as our Instagram page at <https://www.instagram.com/somersetctyprosecutorsoffice> and our website at www.scpo.net

In the pages that follow, there are highlights of notable investigations and prosecutions of various cases which were originated or culminated in the past year. It is a testament to the relationship between this office and our local police agencies as well as our state and federal partners. It also highlights the hard work and efforts of the various components that comprise the Legal, Criminal and Administrative Divisions of the Somerset County Prosecutor's Office. Many thanks and appreciation are also to be extended to Attorney General Gurbir Grewal; Somerset County Freeholder Director Patrick Scaglione, who serves as liaison to this Office, and the Board of Chosen Freeholders; The Honorable Yolanda Ciccone, Superior Court Assignment Judge of Vicinage 13, and the Judiciary of Somerset County; Michael J. Amorosa, Somerset County Administrator; Chief William Parenti, President of the Somerset County Association of Chiefs of Police, and all of the Chiefs from our municipal police departments; Somerset County Sheriff Frank J. Provenzano; Colonel Patrick Callahan, Superintendent of the New Jersey State Police; the FBI R/A Branchburg field office; and those federal law enforcement agencies with which we have undertaken investigations.

Respectfully submitted,

Michael H. Robertson

Somerset County Prosecutor





Prosecutor Michael H. Robertson, Chief of Detectives John W. Fodor, along with First Assistant Prosecutor Thomas J. Chirichella, Jr., Chief Assistant Prosecutors, Litigation Advisor, Paralegal Supervisor, Victim-Witness Coordinator, Members of the Investigation Division Command Staff, and the Office Administrator and Office Manager.

Law Enforcement of Somerset County

Michael H. Robertson - Prosecutor
 Thomas J. Chirichella, Jr. - First Assistant Prosecutor
 John W. Fodor - Chief of County Detectives

Chief Karl Rock	-	Bedminster Township
Chief Michael Shimsky	-	Bernards Township
Chief Kevin Valentine	-	Bernardsville Borough
Chief Vito Bet	-	Bound Brook Borough
Chief David Young	-	Branchburg Township
Chief Al Nicaretta	-	Bridgewater Township
Chief Michael DeCarolis	-	Far Hills Borough
Chief Richard Grammar	-	Franklin Township
Chief Chirstopher Kurz	-	Green Brook Township
Chief Darren Powell	-	Hillsborough Township
Chief Mark Peltack	-	Manville Borough
Capt. Thomas L. Wain	-	Montgomery Township
Chief William Parenti	-	North Plainfield Borough
OIC Steven Ferrante	-	Peapack-Gladstone Borough
Chief Ray Nolte	-	Raritan Borough
Chief Dennis Manning	-	Somerville Borough
Chief Jeffrey Titus	-	South Bound Brook Borough
Chief William Keane	-	Warren Township
Chief Joseph R. Cina	-	Watchung Borough

Frank J. Provenzano - Sheriff
 Supervisory Senior Agent Jason Bevan - Federal Bureau of Investigation
 Lt. Anthony Coleman - New Jersey State Police - Somerville Station Commander
 Lt. Richard Knochel - New Jersey State Police - Hamilton Station Commander

Municipal Prosecutors

Carl A. Taylor	Bedminster Township, Bernardsville Borough & Peapack Gladstone Borough, Raritan Borough
Brian Glicos	Bernards Township
John E. Bruder	Bound Brook Borough
Christopher S. Bateman	Branchburg Township & Bridgewater Township
Richard Guss	Far Hills Borough, Greenbrook Township, Watchung Borough
Ericka Inocencio	Franklin Township
Frank A. Blandino	Hillsborough Township, Montgomery Township, Manville Borough
Charly Gayden	Millstone Borough
David L. Minchello	North Plainfield Borough
Raymond J. Stine	Rocky Hill Borough
Aravind Aithal	Somerville Borough
Dominic P. DiYanni	South Bound Brook Borough
Brent A. Bramnick	Warren Township

PROSECUTOR'S MESSAGE

LAW ENFORCEMENT OF SOMERSET COUNTY

LEGAL DIVISION
Trial Section
Appellate Section
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CRIMINAL INVESTIGATION DIVISION
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POLICE ACADEMY

ROLL CALL

In 2017, Maryann Tracchio, Office Manager, Senior Advisor to the Administrative Secretarial Staff, retired after 40 years of dedicated service to Somerset County. Lieutenant Joseph Walsh retired after 18 years of service as did Sergeant Lewis DeMeo after 18 years of service. Detective Kevin Sicola retired after 11 years of service. Melissa Underwood, Victim-Witness Advocate left the Somerset County Prosecutor’s Office after 4 years of service and now works for the Somerset County Court in the Pretrial Services Unit. Assistant Prosecutor Nathan Howe served approximately 5 years before entering the private practice of law.

Joining the office in 2017 were: Assistant Prosecutor Natacha Despinos Peavey and Assistant Prosecutor Thomas G. Walsh, Paralegal Maria Ducca, Detective Michael Eaton, Detective Matthew Murphy, Detective Michael Grosso and Detective Joseph Grasso; Amanda Montuori joined the Administrative Unit as did Suzanne Musto. Kenneth Prior became the Evidence Unit Supervisor in 2017.

Somerset County Prosecutors

William Thompson 1830 – 1840 1852 – 1857	J.D. Bartine 1883 – 1884	Frederick A. Pope 1911 – 1916	John H. Beekman 1941 – 1946	Stephen R. Champi 1972 – 1977
John M. Mann 1840 – 1852	W.V. Steel 1884 – 1896	Azariah Beekman 1916 – 1926	T. Girard Wharton 1946 – 1953	David Linett 1977 – 1982
Hugh H. Gaston 1857 – 1872	Nelson Y. Dungan 1896 – 1901	James I. Bowers 1926 – 1927	Leon Gerofsky 1953 – 1959	Nicholas L. Bissell, Jr. 1982 – 1996
John V. Voorhees 1872 – 1877	James L. Griggs 1901 – 1906	Frances L. Bergen 1927 – 1931	Arthur S. Meredith 1959 – 1965	Wayne J. Forrest 1997 - 2010
James Bergen 1877 – 1883	John F. Reger 1906 – 1911	Clarkson A. Cranmer 1931 – 1941	Michael R. Imbriani 1965 – 1972	Geoffrey D. Soriano 2010 – 2016
				Michael H. Robertson 2016 – 2018

LEGAL DIVISION

I. Purpose:

The Legal Division is responsible for the prosecution of indictable matters from the 21 municipalities of Somerset County and for providing legal advice during investigations through disposition of the matter. It also handles de novo appeals from 20 municipal courts.

Twenty-three (23) Assistant Prosecutors are available to provide legal advice for the County Prosecutor's Office Detective Division and local police departments 24 hours a day. This includes screening cases for legal sufficiency and suggesting further investigation where warranted. Legal services provided include obtaining court orders for evidence. Typical orders are investigative detention orders, search warrants and communication data warrants. Other typical orders are for wiretaps or other electronic surveillance. Assistant Prosecutors obtain many grand jury subpoenas each year to aid in investigations.

Assistant Prosecutors instruct in-service classes at the Police Academy in criminal law and procedures. Assistant Prosecutors also serve on various committees and commissions in the county to address law enforcement issues. Classes and lectures on criminal law are given to various schools, civic groups and religious organizations.

In 2017, Somerset County continued to process cases through centralized screening while incorporating the requirements of Criminal Justice Reform. This process requires a review of every criminal investigation by an Assistant Prosecutor before a complaint charging an indictable offense is filed.

II. The number of personnel assigned to the section or unit:

- | | |
|--------------------------|---|
| A. Legal Staff: | 23 Assistant Prosecutors |
| B. Support Staff: | 6 Paralegals
8 Secretaries
Investigative support as required |

III. Duties and responsibilities of section or unit personnel:

This division is responsible for prosecuting criminal matters in the Superior Court through indictments or accusations. A vertical prosecution system is used. After a case is screened by an attorney, it is assigned to one attorney whose responsibility it is to handle the case through disposition. This includes grand jury presentation, arraignment/status conference, pretrial conference, motions, and trial. Post-conviction and appellate matters are generally handled by the Appellate Section.

PROSECUTOR'S MESSAGE

LAW ENFORCEMENT OF SOMERSET COUNTY

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Appellate Section

Intake Screening

Domestic Violence

Juvenile Unit

Victim-Witness

CRIMINAL INVESTIGATION DIVISION

Criminal Investigation Section

Major Crimes Unit

Sex Crimes & Child Abuse Unit

Special Investigations Unit

Insurance Fraud Unit

Internal Affairs Unit

Organized Crime & Narcotics Task Force

Polygraph & Computerized

Voice Stress Analysis (CVSA) Unit

Somerset County Emergency Response Teams

Operations Section

Fugitive Unit

Crime Scene Investigation Unit (CSIU)

& Ballistics Laboratory

Criminal Intelligence Unit

Burglary Task Force

Crime Stoppers

Computer Crimes / Technical Services Unit

Vehicular Homicide Task Force & Collision

Analysis Reconstruction Team (C.A.R.T.)

Fire Investigation Unit

Counter-Terrorism Unit

ADMINISTRATIVE DIVISION

Administrative Division Summary

D.A.R.E., G.R.E.A.T.

(Gang Resistance Education Training)

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- IV. The Assistant Prosecutor has two primary functions: to provide legal advice, counsel and support to law enforcement during the course of investigations and to prosecute criminal complaints filed through the Prosecutor's Office. The former function involves giving legal guidance during an investigation and providing support in the form of obtaining court orders, wiretaps, search warrants and the like. In addition, legal training for in-service officers is provided. The latter function includes screening complaints, grand jury presentations, and prosecuting indictments through guilty plea or trial.
- V. The Paralegal Unit consists of six paralegals, all of whom hold college degrees. The paralegals work with Assistant Prosecutors to prepare cases for grand jury and trial. Their duties include: follow-up investigation, criminal history and DMV checks, victim/witness contact, name changes and expungements, preparing speedy trial reports and tracking statistics, coordinating trials with the court, and assisting during trial.

Deputy First Assistant Prosecutor W. Brian Stack

State v. Saeed Cousar – Indictment No. 14-02-0111-I

On June 23, 2017, defendant Saeed Cousar was sentenced to an extended-term period of incarceration of 10 years with a 5 year period of parole ineligibility for his conviction on Third Degree Theft by Deception and Third Degree Identity Theft, following a 6 day jury trial. Defendant Cousar's arrest and conviction stem from an investigation conducted by the Bedminster Township Police Department and the Somerset County Prosecutor's Office Special Investigations Unit after a Mendham resident reported his identity and money stolen in July 2013. The victim contacted his bank (located in Bedminster) and the police after receiving his savings account statement and discovering that more than \$74,000.00 was missing from his account. Thereafter, detectives investigated, identified defendant Cousar, and connected him to the theft based on a variety of records, including internet service provider, cellular telephone, bank, and utility records. The investigation revealed that defendant Cousar used the victim's stolen identifying information to open fraudulent online banking and fraudulent checking accounts in the victim's name, and thereafter transfer money from the victim's legitimate savings account to the fraudulent accounts controlled by the defendant. In November, 2013, police executed a search warrant on defendant's Jersey City residence and found papers containing the personal identifying information of dozens of individuals.

State v. Wanda Anthony – Indictment No. 14-06-00412-I

On October 12, 2017, defendant and former New York City police officer Wanda Anthony was convicted of Second Degree Possession of a Firearm for an Unlawful Purpose and Disorderly Persons Criminal Mischief following a 3 week jury trial in Somerville, New Jersey. Defendant Anthony's conviction stemmed from an incident that occurred at 3:30 a.m. on April 30, 2014 in Watchung. At that time, defendant Anthony was off-duty in Watchung on a date with a High Tor Drive resident. Shortly after she arrived at a High Tor Drive residence, defendant Anthony was involved in a physical altercation with the girlfriend of the resident. Following the altercation, defendant Anthony brandished her NYPD-issued 9mm handgun and fired 1 round into the High Tor Drive resident's vehicle located in the driveway of the residence. The round shattered the rear driver's side door window and lodged in the vehicle's right front A-pillar. Defendant Anthony fled the scene after firing the shot, and was located nearby and arrested by Watchung Police Officer Brian McLaughlin. Watchung Police detectives investigated the incident, which included an interview of defendant Anthony, who denied firing her weapon. A forensic technician employed by the Somerset County Prosecutor's Office later recovered 2 projectile fragments from the resident's vehicle, and a Somerset County Prosecutor's Office ballistics expert matched the projectile fragments to defendant Anthony's handgun. Defendant Anthony is scheduled to be sentenced in 2018 at which time she faces 10 years in prison with a mandatory minimum 42 month period of parole ineligibility.

Assistant Prosecutor Paul Heinzl, Chief Appellate Section**State v. Habeeb Robinson, 229 N.J. 44 (2017)**

This case concerned New Jersey's Criminal Justice Reform Act and the meaning of Rule 3:4-2(c)(1) (B), regarding the scope of a prosecutor's discovery obligations when it seeks an order of pretrial detention. This office appeared as *amicus curiae* on behalf of the County Prosecutors Association of New Jersey. The CPANJ asked the Supreme Court to give a more narrow interpretation of the Rule than the Appellate Division had in its published decision, which required, as a bright-line rule, that whenever the State seeks pretrial detention, it must always turn over every piece of evidence referenced in the Affidavit for Probable Cause or related evidence listed in the Preliminary Law Enforcement Incident Report (PLEIR), including materials not even in the possession of law enforcement or not constituting "statements or reports" (the language used in the Rule) such as video surveillance footage or body cam videos.

In its decision, the Court clarified the State's discovery obligation. It held the Rule required production of all statements and reports relating to the affidavit of probable cause, as well as statements or reports relating to additional evidence the State relies on to establish either probable cause or that defendant poses a risk of flight, a danger to the community or a danger to the criminal justice process. It held that the State is not obligated to produce all evidence referred to in the PLEIR, nor must it produce video or audio files (except witness statements that would otherwise be relevant to the State's application, but have not yet been reduced to writing). All exculpatory evidence must also be disclosed.

Avram Gottlieb v. Steven Johnson, et al. – Indictment No. 95-06-0267-I

This is a pending habeas petition for a criminal defendant who was convicted as the mastermind of a 1995 botched armed robbery of a jewelry store, where the wife of this husband-wife business was shot to death as the robbery scheme went awry. Gottlieb has aggressively litigated this matter ever since, resulting in a lengthy trial, protracted PCR proceedings, and now federal *habeas corpus*, where he has filed a 96-page single-space petition, raising scores of claims. This office filed a motion to dismiss the entire petition with prejudice as untimely under the AEDPA's one-year statute of limitations. That motion is pending, and Gottlieb has raised a number of grounds to oppose it, such as "equitable tolling," his being "actually innocent" of the crimes for which he was convicted, or that he could not have discovered the predicates of his claims earlier through the exercise of due diligence.

State v. Leonard Sabatino – Indictment No. 17-03-00151-I

This was the State's emergent appeal from an order denying its application for pretrial detention for a defendant charged with First Degree Aggravated Sexual Assault (with a statutory presumption of detention, given his exposure to a potential life sentence) concerning allegations he digitally penetrated a girl less than 13 years old. The State presented evidence that the defendant was suicidal, especially when he stopped taking his medication and that his ideations worsened under the growing stressors of his upcoming trial. Over the State's objection, the trial court released the defendant to the custody of his 76 year old mother (who lived alone, had no training in psychology and who regularly visited her husband in a nursing home), and placed him on electronic monitoring. The Appellate Division granted the State's emergent motion for a stay and thereafter reversed, holding that the trial judge abused his discretion and that the defense had not overcome the presumption of detention. Chief Assistant Prosecutor W. Brian Stack

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Chief Assistant Prosecutor Kathleen P. Holly**State v. B.A.D. – Indictment No. 17–05–00228–I and Indictment No. 17–08–00469–I**

In reference to Indictment No. 17–05–00228–I defendant was charged with Second Degree Endangering the Welfare of a Child in violation of N.J.S.A. 2C:24-4a(1), First Degree Aggravated Sexual Assault in violation of N.J.S.A. 2C:14-2a(2)(a), First Degree Aggravated Sexual Assault in violation of N.J.S.A. 2C:14-2a(1), Second Degree Sexual Assault in violation of N.J.S.A. 2C:14-2b and Third Degree Aggravated Criminal Sexual Contact in violation of N.J.S.A. 2C:14-3a. The victim in this case is defendant’s natural daughter. Her date of birth is January 7, 2002. Defendant had a responsibility for her care. The overall time frames of the crimes are from January 1, 2009 to January 7, 2017. Between that time period, while defendant had a responsibility to care for the victim, he committed various acts of sexual contact with her and sexual penetration. The penetration was by way of sexual intercourse and oral penetration. Between the times when the victim was at least 13 years–of–age but less than 16 years–of–age defendant B.A.D., who was her natural father, had sexual intercourse with her, and she became pregnant and gave birth to a child. Between the time frame of January 1, 2009 and January 6, 2015 defendant committed sexual penetration with his daughter when she was less than 13 years–of–age by way of intercourse and oral sex. At the time of defendant’s guilty plea he admitted that he had sexual contact and that the penetration was by oral sex. Between January 1, 2009 and January 6, 2015 defendant had sexual contact with this child when she was less than 13 years–of–age by touching her genital area. Regarding the Aggravated Criminal Sexual Contact that time frame was between January 1, 2015 and January 7, 2017. Defendant had acknowledged that he touched her genitals during that time period for sexual gratification. The location of the various crimes was either in Franklin Township, Somerset County, N.J. or City of New Brunswick, Middlesex County, N.J.

In reference to Indictment No. 17–08–00469–I defendant was charged with Second Degree, Sexual Assault in violation of N.J.S.A. 2C:14-2b. He was also charged with Second Degree, Endangering the Welfare of a Child in violation of N.J.S.A. 2C:24-4a. Pursuant to the plea agreement the State amended that Second Degree, Endangering the Welfare of a Child to Third Degree, Endangering the Welfare of a Child. The victim in this case was not related to the defendant. Her date of birth is March 28, 2005 and she was the daughter of the sister of the woman with whom defendant was living. Between June 1, 2015 and September 30, 2015 defendant touched this victim’s vaginal area when she would stay at his house for sleepovers. Defendant acknowledged that he did this for his own sexual gratification. The child reported that she, on occasion, would stay at defendant’s residence and during that time period, on occasion, she would wake up in the middle of the night while defendant had a flashlight shining in her vaginal area and that he was touching her in the vaginal area. Defendant pled guilty to both indictments accepting the initial Jessica Lunsford Act plea offer. The aggregate sentence is 15 years incarceration with 15 years mandatory parole ineligibility on Indictment No. 17–05–00228–I. On Indictment No. 17–08–00469–I the plea offer is 8 years incarceration with 85% to be served without parole on the first count. All counts are to run concurrently with each other. Defendant is pending sentencing.

Chief Assistant Prosecutor Merrill Mezzacappa**State v. Arthur Wildgoose – Indictment No. 16-03-148-I**

On May 26, 2017 after approximately 2 weeks of trial, a Somerset County petit jury convicted 34 year- old Arthur Wildgoose, a Bridgewater resident, on a two count indictment charging First Degree Aggravated Sexual Assault and Third Degree Endangering the Welfare of a Child. Investigation commenced when the 12- year- old victim’s mother reported to police that she saw that the defendant had sent a suspicious text to her daughter. The defendant was a friend of the victim’s family, although the victim’s mother was hoping to have a dating relationship with the defendant. The victim’s mother reported that the victim’s cell phone had gone missing after she discovered the defendant’s text. When questioned by police and her mother, the victim initially denied having a sexual or otherwise inappropriate relationship with the defendant.

Law enforcement authorities applied for and received communications data warrants directing Verizon Wireless to provide historical precision location information on the victim’s cellular phone and records of text messages exchanged between the victim and the defendant. As a result of the CDW, more than 2,000 text messages were recovered by police, wherein defendant had been secretly communicating with the victim for more than 1 month. The messages demonstrated that the defendant was grooming the child to become sexually involved with him and that he was conditioning her to assist him in hiding their relationship from others. The records also intimated that the defendant had committed sexual penetration upon the child. The historical precision location information received through the communications data warrant suggested

that after the victim's mother discovered the defendant's suspicious text, the defendant traveled with the victim's phone to Northern New Jersey, near his place of employment. The victim's cell phone was never recovered.

Although the 12-year-old victim initially denied any inappropriate relationship with the defendant, she eventually disclosed to her mother and police that she was secretly texting with the defendant and that defendant had sexually assaulted her in the basement of her home. When questioned by police, defendant denied having a romantic relationship with the child.

The trial of this matter resulted in the jury finding the defendant guilty of First Degree Aggravated Sexual Assault and Third Degree Endangering the Welfare of a Child. Defendant was sentenced to 30 years incarceration with 25 years to be served without parole by Judge Borkowski.

State v. Amie Marroccoli – Indictment No. 11-06-00380-I

On October 17, 2017, a petit jury convicted defendant, Amie Marroccoli, age 44, of committing the crime of Vehicular Homicide on October 10, 2010. This represents the second time a jury has convicted the defendant of this crime, as defendant previously was tried and convicted for this offense on March 17, 2014. After defendant's conviction in 2014, the trial judge sentenced defendant to 7 years in New Jersey State Prison with 85% to be served without parole. However in 2014 the trial judge granted defendant bail pending appeal. In a published opinion, the Appellate Division subsequently reversed defendant's 2014 conviction and remanded the case for a new trial, citing the trial court's failure to permit defendant the opportunity to introduce a note at trial, wherein the note, purportedly written by her husband, claimed that defendant was not driving the car at the time of the vehicular crash and that her husband was the driver.

The vehicular homicide was the result of a motor vehicle crash that occurred on October 10, 2010 at approximately 7:56 p.m. on Interstate 78 in Warren Township, New Jersey. During the investigation, it was discovered that defendant was driving eastbound in the left lane on Interstate 78. Twenty-two year old Steven Wall of Annandale, New Jersey was also traveling eastbound on Interstate 78. He was in the center lane. Defendant struck Steven Wall's vehicle in the center lane when she abruptly changed lanes from the left to the center. As a result of the impact, Steven Wall's vehicle was forced off the highway to the right, where it collided with trees. Steven Wall died as a result of injuries he sustained in the crash.

Defendant was drunk driving during the time of the crash. A laboratory analysis revealed that defendant's blood alcohol content was .087% approximately 3 hours after the collision; this blood alcohol level alone creates the *per se* offense of Driving while Intoxicated. An expert for the State testified that at the time of the crash, the presence of ethyl alcohol in defendant's blood would have been 0.14%. At the time of her re-trial in 2017, defendant introduced a note wherein her husband purportedly claimed responsibility for driving. On October 17, 2017, after several weeks of trial, a jury found defendant guilty of committing Vehicular Homicide on October 10, 2010. The trial court revoked defendant's bail and remanded defendant to the Somerset County Jail pending sentencing. Defendant was sentenced on December 15, 2017 to 7 years incarceration with 85% without parole.

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State v. Anthony Agduma – Indictment No. 17-07-00388-I

Defendant was indicted for First Degree Aggravated Sexual Assault, Second Degree Sexual Assault, and Third Degree Endangering the Welfare of a Child. Defendant is the 12-year-old victim's cousin. He had been residing in the victim's home in 2016, prior to leaving the State of New Jersey to attend college. Defendant is 24 years of age. In 2017, when the victim feared defendant would be returning to her home for a college break, the victim disclosed to a friend that defendant had committed an act of sexual contact upon her in 2016. Police interviewed the victim, and they also interviewed defendant. Defendant denied any sexual encounter. Police subsequently secured records of electronic communications between defendant and the victim. The records revealed the defendant had discussed with the victim the various acts of sexual activity he committed against her. The defendant was subject to the trial court's pre-trial detention order, which he appealed. The Appellate Division affirmed the trial court's order of pre-trial detention of defendant. Defendant subsequently pled guilty to Second Degree Sexual Assault and Third Degree Endangering the Welfare of a Child in exchange for the State's recommendation that he receive 10 years in New Jersey State Prison with an 85% parole disqualifier. Defendant was sentenced on 3/16/2018 by Judge Tober to 10 years in New Jersey State Prison with 85% without parole. Defendant faces potential deportation after his prison sentence is served.

State v. Efren Merino Hernandez – Indictment No. 16-09-00684-I

Defendant was indicted for First Degree Aggravated Sexual Assault and Third Degree Endangering the Welfare of a Child for committing an act of sexual penetration upon a victim who was less than 13 years of age. The defendant was the child's brother-in-law. The case was resolved by way of a plea bargain to Second Degree Sexual Assault and Third Degree Endangering the Welfare of a Child. Defendant was sentenced pursuant to the plea bargain to 8 years in New Jersey State Prison with 85% to be served without parole. Defendant is also subject to deportation after service of his sentence. As of the date of sentence, an ICE detainer was lodged against defendant.

Assistant Prosecutor John Ascione**State in the Interest of D.R.-J.**

Juvenile D.R.-J. was charged along with several adults with First Degree Robbery, Second Degree Conspiracy to Commit Robbery, Second Degree Unlawful Possession of a Handgun, Second Degree Possession of a Handgun for an Unlawful Purpose, and Third Degree Criminal Restraint as a result of his participation in an armed robbery that occurred in New Brunswick in January 2017. The victim had made arrangements through a friend to meet Juvenile and sell his video game system. The victim drove to the meeting place and found Juvenile standing alone in a parking lot. Once the victim's car stopped, several individuals approached. One of the actors had a handgun and another had a stun gun. The actors, including Juvenile, ordered the victim out of the car at gunpoint and onto his knees. The actors took several items from the victim, including his backpack. The victim reported the robbery to the police, and provided them with the Facebook page and photograph of Juvenile. Using several photographs from Juvenile's Facebook page, the victim identified other actors. Officers who knew Juvenile and the other actors identified them and obtained a search warrant for one of their residences near the site of the robbery. The search yielded the victim's backpack, a stun gun, and several ski masks. Juvenile was arrested nearby with a small amount of marijuana. While these charges were pending, Juvenile was caught on video participating in a group attack on several individuals at a housing development in New Brunswick. As a result, he was charged with Fourth Degree Riot. Juvenile's cases were transferred to Somerset County for prosecution because Juvenile was a Somerset County resident. A trial was held before the Honorable Anthony F. Picheca, Jr., J.S.C. The victim and officers from the New Brunswick Police Department testified. After trial, Judge Picheca found Juvenile guilty of all charges. The Court agreed with the State's recommended sentence of 2 years in the Jamesburg juvenile correctional center.

State v. Gary Vanlew – Indictment Nos. 15-11-616-I and 15-12-666-I

On January 9, 2014, Defendant Gary Vanlew entered the GameStop store in Bernards Township. With only one employee working at the time, defendant returned an item for cash. He then used that cash to purchase a specific game. Store employees kept that game in the back storage room. While the employee was gone for less than 1 minute, defendant went behind the counter, took a number of games, worth approximately \$1,000.00 off the shelves and hid them near the store entrance. When the employee returned, defendant paid for his game and got a large

shopping bag. He then walked where he had hidden the other merchandise, put the items into his bag, and walked out. This was all captured on surveillance video. However, defendant was not identified until September 2, 2015, when he shoplifted from the GameStop store at the Bridgewater Mall. There, he entered and exited the busy store several times without making any purchases. Store surveillance video confirmed that each time defendant entered the store, he filled a bag with merchandise and left without paying. This caught the attention of an employee who alerted mall security. Security attempted to speak with him, but he refused, got into his car and left. Mall security got the license plate number of the car, which turned out to be leased to defendant. Using that information, Bernards police identified defendant as the shoplifter in their case. Defendant rejected a plea offer of probation with no jail time, and defendant elected to go to trial. A jury found defendant guilty of Third Degree Shoplifting for the Bernards incident and Fourth Degree Shoplifting for the Bridgewater incident. Citing defendant's extensive municipal court record, the Honorable Edward M. Coleman, J.S.C., on recall, sentenced defendant to a term of 364 days in the Somerset County Jail as a condition of probation.

Assistant Prosecutor Jamin Cooper

State v. Kai Peter – Indictment No. 16-06-00359-I

Detectives from the Somerset County Organized Crime and Narcotics Task Force received information that on March 16, 2016, defendant Kai Peter would be leaving his Warren Township home and that he would be in possession of a large quantity of marijuana. Detectives conducted a motor vehicle stop and ultimately applied for and were granted a Superior Court Search Warrant to search defendant's vehicle and residence. Detectives located 8 pounds of marijuana in defendant's vehicle. A search of the residence resulted in the seizure of 98 pounds of marijuana, 4.5 pounds of hashish, and \$20,637.00. A packaging area for the marijuana was located in the basement. From there, detectives seized heat sealers, scales, artificial lighting, grow pots, hygrometer, fans, gloves, mason jars, and a Mossberg .22 long rifle. Defendant was arrested and charged with Possession of Marijuana with Intent to Distribute, First Degree, Possession of Hashish with Intent to Distribute, First Degree, Maintaining a CDS Production Facility, First Degree, Possession of a Firearm while Committing a CDS Offense, Second Degree, Possession of Psilocybin Mushrooms, Third Degree, and disorderly persons Paraphernalia. On January 20, 2017, defendant pled guilty to Possession with Intent to Distribute CDS, First Degree, Maintaining a CDS Production Facility, First Degree and Possession with Intent to Distribute CDS, Second Degree. On March 27, 2017, the Honorable Robert A. Ballard, J.S.C., sentenced defendant to 10 years in New Jersey State Prison with a 36 month parole disqualifier.

State v. Rodolfo Romero Rosa – Indictment No. 17-04-00204-I

On March 17, 2017, the Somerset County Prosecutor's Office Organized Crime and Narcotics Task Force was conducting an investigation into the distribution of cocaine in the area of Manville, New Jersey. They received information that defendant would be in the area of Retro Fitness and that he would be in possession of a large quantity of cocaine. When defendant arrived, detectives obtained consent to search the vehicle in which he was riding. That search yielded 85 grams of cocaine. Defendant was arrested and charged with Possession with Intent to Distribute, Second Degree. Defendant pled guilty to that charge on September 6, 2017. On November 9, 2017, the Honorable Kevin M. Shanahan, J.S.C., sentenced defendant to 5 years in New Jersey State Prison with a 1 year parole disqualifier.

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Assistant Prosecutor Rory Eaton**State v. Stephen Moore – Indictment No. 15-08-00433-I**

On April 8, 2015, defendant Stephen Moore submitted an application to the Bridgewater Township Police Department seeking a Firearms Purchaser Identification Card. Despite multiple prior convictions in 1981 stemming from an auto theft in New York, the defendant represented on his application that he had never been “convicted of a crime in New Jersey or of a criminal offense in another jurisdiction where [he] could have been sentenced to more than six months in jail that ha[d] not been expunged or sealed[.]” Upon processing the defendant’s application, the Bridgewater Township Police Department confirmed defendant’s prior convictions and a criminal investigation commenced. In a subsequent formal post-*Miranda* interview, defendant admitted to completing the application, confirmed his awareness of his prior convictions, and claimed that he must have misunderstood or misread the question despite the fact that he read it several times. Defendant was ultimately indicted for Third Degree False Representation in a Firearms Application, N.J.S.A. 2C:39-10c.

The defense investigator interviewed defendant’s wife who stated that her husband was often “careless” in completing applications of all kinds. Anticipating the defense strategy to call her for this purpose, the State filed a motion *in limine* seeking to bar the wife’s testimony. Principally the State argued that the wife’s testimony about defendant’s carelessness was improper character evidence barred by N.J.R.E. 404. Further, because she had no personal knowledge or direct observations of defendant’s completion of the specific application at issue her testimony was generally irrelevant. The trial court agreed with the State and barred the wife’s testimony at trial. This resulted in defendant testifying at trial as was necessary to advance the defense theory that he was careless and lacked the *mens rea* necessary to commit the crime. This, however, exposed him to cross-examination and impeachment using his formal statement. Ultimately, the jury hung, a mistrial resulted, and defendant thereafter pled guilty to a lesser charge of Disorderly Persons Unsworn Falsification to Authorities, N.J.S.A. 2C:28-3 and the Court imposed a substantial fine.

State in the Interest of G.S. and T.B.

In this juvenile case, the victim met the defendants on a chat application and thereafter engaged in consensual sexual relations with them twice. On the latter occasion, one of the defendants, T.B., surreptitiously recorded the sex act using his smartphone without the victim’s permission. In the video, which was later retrieved in an extraction from T.B.’s device, T.B. and G.S. can be seen “high-fiving” one another while sexually penetrating the victim. T.B. sent the video file to G.S., who then sent it to many members of their hockey team. Several incriminating text conversations between the 2 defendants ensued. The victim, who was ostracized at school after the video disseminated, ultimately reported the matter to the New Jersey State Police, Kingwood Station, and an investigation commenced. During the investigation, the State Police conducted formal interviews of the victim and the hockey team members, secured several devices and performed forensic extractions seeking digital evidence. When confronted with the evidence obtained, T.B. admitted to the defendants’ conduct in a post-*Miranda* interview.

As a result of the investigation, both juvenile defendants were charged with First Degree Endangering the Welfare of Children, in violation of N.J.S.A. 2C:24-4b(3), for their manufacture of child pornography. Following multiple meetings with the traumatized victim, comprehensive review of digital forensic evidence, and extensive negotiation with defense counsel, the matter ultimately resolved. T.B. pled guilty to Third Degree Invasion of Privacy, in violation of N.J.S.A. 2C:14-9b(1), for making the recording, and G.S. pled guilty to Third Degree Invasion of Privacy, in violation of N.J.S.A. 2C:14-9c, for disseminating the recording. Both were placed on probation for 2 years and were ordered to undergo psycho-sexual evaluations and follow any recommended treatment.

Assistant Prosecutor Perry Farhat**State v. Gildardo Acevedo – Indictment No. 14-01-00060-I (Direct Appeal)**

On January 29, 2014, a Somerset County Grand Jury returned Indictment No. 14-01-00060-I charging defendant Gildardo Acevedo with First Degree Aggravated Sexual Assault, contrary to N.J.S.A. 2C:14-2a(1), and Third Degree Endangering the Welfare of a Child, contrary to N.J.S.A. 2C:24-4a. Defendant pled guilty to Third Degree Endangering. On appeal, defendant claims that in setting forth the elements of the Third Degree Endangering Charge, the court was obliged to add additional elements that are not found in Third-Degree Endangering at all, but are instead, elements of an uncharged Second-Degree crime of Sexual Contact with a minor victim who is under the age of 13 when the actor is at least 4 years older than the victim, under N.J.S.A. 2C:14-2b. To substantiate his position, defendant cites exclusively to a footnote to the model charge,

which is not part of the model charge itself, but which offers the suggestion with respect to the term “sexual conduct,” that “[i]f the sexual conduct has been charged in the indictment, remind the jury of the specific conduct to which the indictment refers”. To return a guilty verdict for Third Degree Endangering, a jury is required to find beyond a reasonable doubt all elements of that crime. It is not required to also find all elements of an uncharged more serious second degree crime as well – elements different from those set forth in the endangering statute. N.J.S.A. 2C:24-4a(1) provides that any person “who engages in sexual conduct which would impair or debauch the morals of the child is guilty of a crime of the third degree.” Pursuant to the “gap filler” provision of N.J.S.A. 2C:2-2b(2), a jury must also find that the defendant “knowingly” engaged in the sexual conduct. Thus, the State was obligated to prove (1) that the victim was a child, and (2) that defendant knowingly engaged in sexual conduct with the victim, which would impair or debauch the morals of a child. Here, the trial judge adequately gave the model charge of the Third Degree Endangering. In sum, the Appellate Court found that the trial judge’s providing the model charge for endangering did not constitute plain error. Defendant’s conviction was affirmed.

State v. Dajuan Copper – Indictment No. 14-12-00779-I (Direct Appeal)

On December 3, 2014, the Somerset County Grand Jury returned Indictment No. 14-12-00779-I, charging defendant, Dajuan Copper, with Third Degree Uttering a Fraudulent Instrument, in violation of N.J.S.A. 2C:21-1a(3) and Fourth Degree Attempted Theft by Deception; in violation of N.J.S.A. 2C:20-4 and 2C:5-1. On December 23, 2014, defendant applied for the Pre-Trial Intervention program (“PTI”). On January 16, 2015, the PTI Director issued a decision rejecting defendant from PTI. On April 30, 2015, the State issued its letter of rejection of defendant from the PTI program. The State cited a number of factors including defendant’s pattern of anti-social behavior and defendant’s prior juvenile record. On appeal, defendant contends that the State provided an “unverified and unsubstantiated parade of horrible[s]” to the trial court, including unverified juvenile records and an unverified rejection letter from the PTI Director, which erroneously led to the rejection of defendant’s PTI application, and thus constituted a patent and gross abuse of prosecutorial discretion. Defendant essentially argued that the State did not adequately enter the Juvenile’s records nor the PTI director’s rejection letter into evidence, and thus the information within those documents should not be used as a basis for defendant’s rejection from PTI. The Appellate Court affirmed the lower court’s determination, finding that the juvenile’s records and the PTI Director’s rejection letter were both documents that were available to the Court as “Court Documents” and where not required to be formally placed into evidence by the State. The Appellate Division made clear that the PTI Director’s Office is an arm of the Court. Thus, any rejection letter is a Court Document that the Court may rely on. Furthermore, the Appellate Division made clear that the State did not need to formally place those documents into evidence, especially since defendant received both documents as part of his discovery package.

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Assistant Prosecutor Kimberly Savino French**State v. Nancy Rodriguez – Indictment 16-08-00646-I**

Between March 1, 2015 and March 1, 2016, Nancy Rodriguez engaged in sexual relations with her first cousin, Jane Doe (DOB 12-14-99), beginning when Jane Doe was 14 years. Defendant is 20 years older than Jane Doe. Jane Doe was living in Gastonia, North Carolina at the time. She would fly to New Jersey to visit the defendant every few months beginning the summer of 2014. During those visits, the defendant and Jane Doe would engage in sexual relations. The conduct included digital penetration and cunnilingus. A Cellebrite extraction of Jane Doe's phone revealed over 12,000 text messages between the defendant and her over the previous 6 months. Numerous photographs of Jane Doe and defendant were also located. The pictures included naked images of the victim and defendant. Defendant provided a post-Miranda statement admitting to engaging in "sexual activity" with Jane Doe beginning the summer of 2014.

Defendant was indicted on August 18, 2016 by a Somerset County Grand Jury for Second Degree Sexual Assault in violation of N.J.S.A. 2C:14-2c(4) and Third Degree Endangering the Welfare of a Child in violation of N.J.S.A. 2C:24-4a(1). The case was tried before a Somerset County Petit Jury. The trial commenced on September 11, 2017. The Honorable H. Matthew Curry, J.S.C. presided over the trial. On September 20, 2017, the Petit Jury found defendant guilty of Second Degree Sexual Assault and Third Degree Endangering the Welfare of a Child.

The Defendant was sentenced to 5 years in the New Jersey State Prison, Megan's Law and Parole Supervision for Life by the Hon. Kevin M. Shanahan, J.S.C.

State v. Anthony Wright Bloedoorn – Indictment 17-06-00285-I

On April 8, 2017, defendant engaged in fellatio with his friend's 14-year-old step-daughter, Jane Doe (DOB 7-27-02). The assault occurred at the victim's house while her step-father was in the other room sleeping. The defendant is more than 20 years older than the victim.

Defendant was indicted on June 7, 2017 by a Somerset County Grand Jury for Second Degree Sexual Assault in violation of N.J.S.A. 2C:14-2c(4). The defendant pled guilty to Second Degree Sexual Assault on June 19, 2017. He was sentenced on October 6, 2017 by the Honorable Kevin M. Shanahan, J.S.C. Judge Shanahan sentenced him to 5 years New Jersey State Prison, Megan's Law, and Parole Supervision for Life.

Assistant Prosecutor William Guhl**State v. Devin Alexander – Indictment No. 15-09-463-I**

On February 24, 2017 a Somerset County Jury returned 3 guilty verdicts against Devin Alexander, 22, of Somerset, in connection with a drive-by shooting in Franklin Township on August 1, 2015.

Devin Alexander, had been charged in 2015 with First Degree Attempted Murder, Second Degree Unlawful Possession of a Handgun, and Second Degree Possession of a Firearm for an Unlawful Purpose. Following a trial that commenced on February 15th of this year, the jury returned a verdict of guilty on a lesser included offense to the Attempted Murder charge, specifically Second Degree Aggravated Assault with the intent to cause serious bodily injury, as well as guilty verdicts on both weapons charges. The Honorable Bradford M. Bury, J.S.C. presided.

On August 1, 2015 at 7:09 p.m., Franklin Township Police received reports of shots being fired in the vicinity of Ambrose Street as well as reports of a gunshot and an individual fleeing a car with a gun on Eugene Avenue. Officers responded to various locations including to Churchill Avenue where responding officers located a male victim who stated that he was shot at while he was sitting in his vehicle on Ambrose Street. The male victim had fled the scene of the shooting to seek safety at the residence of a friend on Churchill Avenue. Police located the shattered glass from his car window in front of 62 Ambrose where he had been waiting to meet a friend.

The 21-year old victim had not been struck by bullets, but suffered lacerations to his face from the glass in his car windows shattering when they were struck by bullets. Police found his car to contain numerous bullet holes and with his driver and passenger side windows broken out. Investigators also recovered bullet fragments from the car.

The investigation conducted by detectives of the Franklin Township Police Department revealed that a blue Honda Accord with tinted windows had turned off of Pearl Place and onto Ambrose and that the individual in the passenger seat began firing at the victim in his parked vehicle. The front right passenger of the suspect vehicle pointed a black handgun out the window and discharged the weapon towards the victim, shattering the glass in the victim's vehicle but missing him.

The victim, who had known Devin Alexander for several years dating back to elementary school and who had been the victim of an aggravated assault committed by Alexander in October 2014, identified him as the shooter to the police. Subsequent investigation also confirmed the driver of the vehicle was co-defendant Avery Gorman.

On August 2, 2015 at approximately 6:41 p.m. Franklin Township Patrols observed co-defendant Gorman operating his 2014 Honda Accord, and he was arrested without incident. Police searched for Alexander for several weeks before locating and arresting him on September 19, 2015.

Gorman later pled guilty to Third Degree Hindering Apprehension for driving the defendant away from the scene of the shooting and not notifying police of defendant's whereabouts or his involvement in the shooting. Gorman agreed to testify at trial and did so identifying Devin Alexander as the shooter who was seated in the passenger seat and the individual who the witness on Eugene Avenue had seen jumping out of his blue Honda Accord holding a gun. Additionally, the physical description provided by the resident of Eugene Avenue of the man fleeing the car with a gun in front of her house was consistent with Devin Alexander. The victim testified at trial and again identified Alexander as the person he saw pointing the gun at him and firing that night.

Ballistics testing confirmed that the .38 caliber Smith and Wesson revolver found the next morning at the intersection of Ray and Eugene by a local resident was the same gun that fired the bullet fragments found in the victim's car. The gun had 4 spent casings and 2 live rounds. Analysis of the bullet damage to the car indicated it had likely been hit by 4 bullets. The investigation in this case was handled by the Franklin Township Police Department with assistance from the Somerset County Prosecutor's Office Forensic Laboratory.

Alexander was sentenced by Judge Bury to serve 13 years in New Jersey State Prison with at least 85 percent of his sentence to be served without eligibility for parole, consecutive to a 5 year sentence Alexander was serving for his prior Aggravated Assault conviction.

State v. Terrance Barker – Indictment Nos. 14-12-793-I and 14-12-794-I

On April 11, 2017 a Somerset County Jury returned a guilty verdict against Terrance Barker of North Plainfield, convicting Barker of Fourth Degree Possession of a Defaced Firearm following the first part of a bifurcated trial. The jury then returned guilty verdicts to 2 counts of Second Degree Certain Persons not to Possess Firearms on April 12, 2017 following the second stage of the bifurcated trial.

During the summer of 2014 police had received information from a confidential informant that Barker was dealing drugs out of an apartment where he was living in North Plainfield. Officers had conducted surveillance of the apartment and seen Barker at the residence meeting with an informant and conducting drug transactions on multiple dates. On October 22, 2014 members of the Somerset

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County Prosecutor's Office Organized Crime and Narcotics Task Force obtained a search warrant for the residence of defendant Terrance Barker on Maple Avenue in North Plainfield.

Upon executing the warrant police located a plant grow box, digital scale, baggies, wax folds, fertilizer, and numerous books on growing marijuana. They also located, in Barker's bedroom, a High-Point JCP .40 caliber handgun with a defaced serial number, a Smith & Wesson revolver, and 94 .25 caliber bullets. The 2 guns and the bullets were found in a hidden compartment under the top of the dresser next to Barker's passport, citizenship certificate and a large sum of cash.

Barker was advised of his Miranda Rights and provided a statement at the scene admitting the guns belonged to him and only to him. He said the person with whom he was sharing the apartment had nothing to do with the guns. Barker was previously convicted of Distribution of a Controlled Dangerous Substance and Possession with Intent to Distribute a Controlled Dangerous Substance in a School Zone. This by statute made him a "certain person" prohibited from having weapons.

Prior to trial Barker attempted to suppress his statement, but following a Miranda hearing, his motion was denied. At trial Barker took the stand and claimed that he had lied in his statement to the police and that the guns did not belong to him. He said he did not know who they belonged to or how they got into the dresser in his bedroom. On cross-examination he acknowledged that the dresser was his, the passport and citizenship certificate were his, the cash in the compartment was his, and that the person he was sharing the apartment with likely did not know how to open the hidden compartment.

The Honorable Robert A. Ballard, Jr., J.S.C., presided over the trial. Barker was sentenced by Judge Ballard on May 26, 2017 to serve 7 years in New Jersey State Prison, with 5 years to be served without eligibility for parole as required under the Certain Persons statute.

Assistant Prosecutor Frank P. Kolodzieski, II

State v. Glenn Long – Indictment No. 17–03–00116–I

On October 20, 2017 defendant appeared before the Honorable Anthony Picheca, J.S.C. and entered a guilty plea to Third Degree Theft by Failure to Make Required Disposition of Property Received (Count One) and Third Degree Misapplication of Entrusted Property (Count Two). Counts One and Two of the indictment were second degree offenses. The charges were amended to third degree offenses for purposes of the plea agreement because the defendant made full restitution to the victims before he entered his guilty plea. The victims were his 3 sisters. Defendant was the executor of his deceased mother's estate. He and his 3 sisters were the heirs to the estate. On numerous and divers dates between the 3rd day of June, 2014 and the 13th day of November, 2015, in the Township of Hillsborough, defendant misappropriated his sisters' shares of the estate, spending the funds on a car and making mortgage payments on his residence. The total amount misappropriated was \$153,123.81. Prior to entering a guilty plea, defendant sold his residence. Restitution was made out of the sale proceeds. After restitution was made, the State entered into the aforesaid plea agreement recommending non-custodial probation. Each victim received a check from defendant's real estate attorney after the closing in the amount of \$51,041.27. This prosecution is the exceptional case because restitution of a considerable amount of funds was made prior to the guilty plea and sentencing. The plea agreement was structured to compel payment of restitution prior to the entry of the guilty plea. If restitution had not been made, defendant would have been prosecuted on the second degree charges in the indictment which exposed defendant to a presumption of incarceration in state prison. On December 8, 2017, defendant was sentenced by Judge Picheca to 1 year of non-custodial probation, along with payment of related fines and penalties.

State v. Wilhelmina Gangi – Indictment No. 15–02–00103–I

This prosecution arose out of a real estate partnership in which the victim, an elderly widow, was defrauded of her life savings and assets by an unscrupulous defendant. On March 31, 2017, defendant pled guilty to Second Degree Theft by Failure to Make Required Disposition of Property Received before the Honorable Robert B. Reed, J.S.C. Defendant admitted to stealing over \$50,000.00 and, while doing so, breaching a fiduciary duty she owed to the victim. In exchange for her guilty plea, defendant was admitted into the Pre-Trial Intervention Program and ordered to

make restitution to the victim in the amount of \$75,000.00 within 30 days and perform 50 hours of community service. The plea agreement required defendant to serve a 5 year alternative state prison sentence if she was terminated from the Pre–Trial Intervention Program. Under New Jersey Statutes, a person must enter a non–waivable guilty plea if they are admitted into the Pre–Trial Intervention Program on a second degree charge. Defendant failed to make any restitution and was terminated from the Pre–Trial Intervention Program on June 26, 2017 after a Pre–Trial Intervention Termination Hearing conducted before Judge Reed. After being terminated, the State’s motion to revoke defendant’s bail was granted and she was remanded to the county jail to await sentencing. On August 11, 2017, Judge Reed sentenced defendant to a 5 year term in state prison which defendant is currently serving. In this case, the victim partnered with defendant and her husband to purchase a home in Matawan, New Jersey to renovate and sell for a profit. Defendant persuaded victim to purchase the home with her own funds for \$135,000.00 and to finance the renovation of the home by taking out a reverse mortgage on the victim’s Bradenton, Florida property in the amount of \$95,000.00. Defendant used the reverse mortgage proceeds to pay for personal expenses unrelated to the renovation, such as food, pet care, clothing, pool care, her husband’s health insurance and NRA membership, to name a few. Having depleted the reverse mortgage proceeds, defendant persuaded the victim to apply for a home equity loan on the investment property in the amount of \$60,000.00. The home equity loan proceeds were in part also used to pay for unrelated personal expenses. The home equity loan funds were depleted. The defendant, fearing that the victim’s financial problems stemming from this venture would jeopardize the investment property with creditors, coaxed the victim to deed her interest in the property solely to the defendant. Thereafter, defendant and her husband applied for home equity loans totaling approximately \$90,000.00 secured by the Matawan property. The defendants used home equity loans secured by the investment property to finish the project and pay their personal expenses. Defendant’s husband was a co-defendant in this prosecution but died during the pendency of this case. Defendants sold the home without telling the victim. Prior to selling the home, defendants assured the victim on numerous occasions that she would be paid. The house sold for \$343,000.00 and the defendant and her husband used the proceeds for personal use. Defendant bought a used Mercedes Benz and a fur jacket with the sale proceeds, as well as other personal expenses. The victim suffered a foreclosure of her family home and was forced to live in an apartment because of the fraud. The plea agreement in this case was formed with the goal of securing some restitution to the victim, and leaving her with the ability to sue defendant civilly for the remainder of what she was owed. The victim invested approximately \$230,000.00 in this venture and received nothing in return. Defendants invested no funds in this transaction. Defendants paid no restitution to the victim after being admitted into the Pre–Trial Intervention Program. She was terminated from PTI, and later sentenced to State Prison for 5 years in accordance with the plea agreement.

Assistant Prosecutor James C. Lankford

State v. Rahsjahn Courtney – Indictment No. 15-06-00324-I

On May 9, 2015, the Somerset County Prosecutor’s Office Organized Crime and Narcotics Task Force conducted a narcotics investigation into the distribution of heroin in the area of Bound Brook, N.J. Information was received that an individual would be arriving in the area of West High Street in Bound Brook with a quantity of heroin. The information received described both the individual, as

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well as the vehicle that he would be driving. Task Force members, while conducting surveillance, observed an individual matching the description provided and driving in a vehicle also matching the information provided. Based on the information, Task Force members approached defendant and advised him of the investigation. Defendant consented to a search of his vehicle, which resulted in the seizure of 7,507 folds of heroin.

Defendant was indicted by a Somerset County Grand Jury on June 18, 2015 for First Degree Possession with Intent to Distribute a Controlled Dangerous Substance in violation of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 35-5b(1). On May 11, 2017, defendant pled guilty to First Degree Possession with Intent to Distribute a Controlled Dangerous Substance in violation of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 35-5b(1). On September 8, 2017, the Honorable Anthony F. Picheca, J.S.C. sentenced defendant to 14 years in the New Jersey State Prison, with 63 months to be served without parole.

Assistant Prosecutor Lauren Martinez

State v. Joseph Meszaros, III, Appellate Docket No. A-00334-15T2

This matter was first brought to the Somerset County Prosecutor's Office by Defendant's Municipal Appeal in 2016. Defendant was convicted in Bound Brook Municipal Court for his third Driving while Intoxicated offense and also for Driving while Suspended. Defendant argued that a failure to hold an N.J.R.E. 104 evidentiary hearing and the denial of a Motion to Suppress warranted a reversal of his conviction. On March 28, 2016, Defendant's Municipal Appeal was denied and the sentence was affirmed by the Honorable Bruce A. Jones, J.S.C. Defendant then filed a Direct Appeal with the Appellate Division.

Oral Argument occurred on October 24, 2017 before the Honorable Susan Reisner, J.S.C. and the Honorable Richard Hoffman, J.S.C.. On November 21, 2017, the Appellate Division decided in favor of the State and affirmed Defendant's conviction. Specifically, the Appellate Division found that the motor vehicle stop of defendant was lawful, and that all evidentiary proceedings were properly conducted. The Appellate Division also found that the State produced sufficient credible evidence to convict defendant beyond a reasonable doubt. Defendant then filed a Motion to Reconsider before the Appellate Division, arguing that the Appellate Division did not consider defendant's arguments and that the matter should be remanded to consider if Trooper Dennis was involved in the Alcotest calibrations, as stated in *State v. Cassidy*. In January, 2018, the Appellate Division again affirmed defendant's conviction, imposed immediate sentence, and decided in favor of the State.

State v. Tony Hullum, Appellate Docket No. A-0865-15T4

A jury convicted defendant Tony Hullum of Third Degree Possession of a Controlled Dangerous Substance (CDS), cocaine, and sentenced him to a term in New Jersey State Prison. Defendant was stopped by police for a motor vehicle violation. Because he could not produce a license and failed to properly identify himself, he was arrested, initially placed in a police headquarters lock-up, and then transferred to the county jail. Defendant's clothes were inventoried in the jail. Thirteen hours after his arrest, and while he was in the jail, an officer received an anonymous call informing him that defendant had CDS secreted in his pants, in a hidden compartment. A further inspection of the pants revealed CDS. At trial, the prosecutor referred to there being no evidence that the pants belonged to someone else or that anyone tampered with the clothing.

On Appeal, defendant argued that the cocaine found during the warrantless search of defendant's clothes in the county jail should be suppressed, and also that the Prosecutor's comments during summation were prosecutorial misconduct, warranting a reversal of conviction.

The Appellate Division concluded that there was nothing pretextual about the search of defendant's clothing or that it was done at the behest of a prosecutor seeking to gather evidence. Rather, the Sheriff's Office, having already searched and properly taken custody of defendant's clothing and having then received information that the clothes might contain CDS, did not violate defendant's constitutional right of privacy while he was incarcerated. The removal of CDS from the jail, wherever it was located, justified the search.

Lastly, the Appellate Division ruled there was no error related to the prosecutor's comments. The Appellate Division held that the prosecutor fairly commented upon what the evidence in the case demonstrated, without attributing the lack of evidence either directly or indirectly to an obligation on defendant to produce the evidence. The conviction and sentence were affirmed and the matter was decided in favor of the State.

Assistant Prosecutor Nicole McGrath**State v. Kareem Archer – Indictment No. 14-06-00338-I**

On June 4, 2014, a Somerset County Grand Jury returned Indictment No. 14-06-00338 against defendant, Kareem Archer, charging him with Third Degree Burglary. The trial on Indictment took place between March 6, 2017 and March 9, 2017. The evidence presented at trial established that on April 7, 2014, Officers Sean Kiernan and William Finn of the Somerville Borough Police Department were dispatched to an unoccupied warehouse located at 50 Kirby Avenue in Somerville on a report of an unsecured door. The responding officers located an exterior door that had been knocked down and entered the warehouse through same. Inside the warehouse, in a second floor office space, the officers located defendant and his nephew, co-defendant Kaizer Thigpen. The officers observed a ladder inside the room in which defendant had utilized to remove copper wiring and other materials from the drop-ceiling of the building. The officers further observed numerous duffle bags and back packs filled with wiring, tubing and other items that had been removed from the walls and ceiling of the building. Defendant was questioned as to what he was doing inside the building, to which he responded that he was there to “scrap” materials. As a result, defendant was arrested and transported to the Somerville Borough Police Department where he provided a post-Miranda statement admitting to same.

On March 9, 2017, a Somerset County petit jury found defendant guilty of Third Degree Burglary. Subsequent to the return of the guilty verdict, the Honorable Edward M. Coleman, J.S.C. (on recall) found defendant guilty of 2 disorderly persons offenses, namely Theft and Possession of Burglary Tools. On May 2, 2017, Judge Coleman sentenced defendant to serve 5 years of probation in the New Jersey Drug Court Program, with an alternate sentence of 5 years New Jersey State Prison, with 2 ½ years to be served without parole.

State v. Luis Lora – Indictment No. 14-07-00465-I

On June 26, 2013 at about 1:54 a.m., the monitoring station that watches the surveillance cameras for Open Road Mercedes notified the Bridgewater Township Police Department that 2 individuals appeared to be attempting to steal cars from the dealership lot. Bridgewater Township Police Department was then advised that 2 vehicles had been driven off the lot onto Route 22 East. As a result, several officers from the Bridgewater Township Police Department responded to the area of Open Road Mercedes in an attempt to locate the vehicles, including Sergeant Michael Maxwell and Officer Brian Schubert. While en route to the Mercedes dealership, Sergeant Maxwell observed a dark blue Mercedes on Route 22 East near Route 287 and thereafter conducted a motor vehicle stop of same.

Soon after the Mercedes came to a stop on the shoulder of Route 287, it took off at a high rate of speed, thus eluding Sergeant Maxwell. Consequently, Sergeant Maxwell alerted Officer Schubert, whose vehicle was traveling further South on Route 287 in an attempt to locate the second stolen Mercedes. In order to assist Sergeant Maxwell, Officer Schubert slowed his vehicle. Soon thereafter the blue Mercedes came from behind Officer Schubert’s patrol car and struck the back of it. As a result, Officer Schubert’s patrol car spun out of control and his vehicle was disabled on the grassy medium area of Route 287. The driver fled the scene of the crash and escaped from the area. Notably, the driver’s airbag of the Mercedes deployed during the crash.

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During the course of the investigation, the airbag from the dark blue Mercedes was submitted to the New Jersey State Police Laboratory for DNA analysis. After swabbing the outside of the airbag and conducting DNA testing, the New Jersey State Police concluded that Luis Lora was the sole source of the DNA profile obtained from the airbag.

Defendant filed a motion to have the airbag transported to Guardian Forensic Sciences for independent testing. As a result, the airbag was examined by Arthur W. Young of Guardian Forensic Sciences who concluded that the airbag contained a mixed STR DNA profile consistent with Luis Lora and an “unknown individual.” Importantly, the Guardian Forensic Sciences examination worksheet revealed that the DNA extraction method utilized was a vacuum-swab of the front surface of the airbag.

Prior to commencement of the trial the State filed a Motion for a Frye Hearing pursuant to N.J.R.E. 104. The State argued that the vacuum swabbing method utilized by defendant’s expert has not been proven scientifically reliable in the relevant scientific community and therefore did not satisfy the criteria for admissibility as outlined in Frye. During a testimonial hearing conducted pursuant to N.J.R.E. 104, Arthur Young conceded on cross-examination that not a single court in the United States has accepted the vacuum-swabbing method of evidence collection as scientifically reliable. Further, Mr. Young admitted that an Appellate Court in Texas upheld the decision of a Texas Trial Judge prohibiting Mr. Young from testifying to the vacuum-swabbing method after having ruled the method scientifically unreliable. Moreover, Mr. Young conceded that there are no published scholarly articles that have found the method to be generally accepted within the scientific community.

At the conclusion of the hearing the Honorable Anthony F. Picheca, J.S.C., ruled that defendant did not meet his burden of proof that the vacuum-swabbing method was scientifically reliable. As a result, Judge Picheca prohibited defendant’s expert from testifying to same.

*** All facts stated above were obtained from Public Records

Assistant Prosecutor Alexander Mech

State v. Rodrigo Viceconte – Family Part Docket No. FO-18-181-17, Contempt Trial

On the evening of December 10, 2016, defendant Rodrigo Viceconte went to the North Plainfield residence of the victim, who had an active final restraining order prohibiting defendant from having contact with the victim and several named members of the victim’s family. Defendant then began shouting while standing at the front door of the victim’s residence, banging on the front door and window, and smashing the mailboxes on the front porch. Defendant then fled the scene. North Plainfield police arrived shortly thereafter, observed damage to the mailboxes, and took statements from the victim and family members. Defendant was thereafter charged with the disorderly persons offense of Contempt of a domestic violence final restraining order.

The matter was tried before the Honorable Anthony F. Picheca, J.S.C., on May 25, 2017. The State adduced the testimony of the victim and North Plainfield Police Officer Jordan Rogers, and introduced the final restraining order into evidence. At the conclusion of the trial, Judge Picheca found defendant guilty as charged, and defendant was thereafter sentenced to a term of probation with anger management as a condition.

State v Wesley Clay – Municipal Appeal 26-15-C, Direct Appeal from Law Division Trial De Novo

Wesley Clay was charged with Driving while Intoxicated and several other motor vehicle offenses. Following several unsuccessful pre-trial discovery motions, Clay pleaded guilty before the Honorable Michael Fedun, J.M.C., to Driving while Intoxicated. He was subjected to aggravated penalties for being a third or subsequent offender. Defendant thereafter appealed and was once again found guilty at a trial de novo before the Honorable Bruce A. Jones, J.S.C.

On appeal to the Superior Court Appellate Division, Clay argued that he was entitled to New Jersey State Police materials regarding the administration of standardized field sobriety tests, and that he did not provide a factual basis for his guilty plea. In an unpublished opinion dated August 14, 2017, the court rejected Clay’s arguments. The court agreed with the State that New Jersey State Police training materials were not relevant, and that the guilty plea provided an adequate factual basis establishing Clay’s guilt.

Assistant Prosecutor Annemarie L. Mueller**State v. Eriverto Hernandez-Salas – Indictment No. 15-11-00630-I**

An investigation was conducted by the Franklin Township Police Department and the Somerset County Prosecutor's Office in reference to a sexual assault on a child. The investigation revealed that the defendant, Eriverto Hernandez-Salas, provided child care for the victim, a 6-year-old child, and her siblings before and after school while the victim's parents were at work. The victim advised that the defendant touched her vagina with his hand and touched the inside of her vagina. The victim further advised that the defendant would rub clothes on his penis in her presence. The defendant made the victim "pinky promise" not to tell anyone. During a post-Miranda statement, the defendant admitted to rubbing the outside of the victim's vagina with his thumb while he was helping her get dressed approximately 3 to 4 times. The defendant further admitted to putting the tip of one of his fingers into the victim's vagina on one occasion.

The defendant entered a guilty plea on April 21, 2017, before the Honorable Bradford M. Bury, J.S.C., to count 2 of Indictment No. 15-11-630-I, which charged Endangering the Welfare of a Child, Second Degree, in violation of N.J.S.A. 2C:24-4a(1). The first count of the indictment, Aggravated Sexual Assault, first degree, in violation of N.J.S.A. 2C:14-2a(1), was dismissed as part of the plea agreement. On July 14, 2017, the defendant was sentenced by Judge Bury to 7 years in New Jersey State Prison. Upon the defendant's release from prison, he will be subject to Parole Supervision for Life, Megan's Law, and a Sex Offender Restraining Order prohibiting contact with the victim and her immediate family. The defendant is subject to deportation.

State v. Rickey Nichols – Indictment No. 16-12-00819-I

On October 10, 2016, a Somerville Police Office conducted a motor vehicle stop on a car with non-functioning license plate lamps that failed to signal a lane change. The car was stopped in Raritan. A strong odor of marijuana emanated from the vehicle and the driver and the passenger were asked to exit. The car was searched and a Smith and Wesson Bodyguard .380 handgun with a loaded magazine and a laser pointer was found in the glove box. The serial number on the gun was partially defaced. Hollow point bullets were also found in the center console of the vehicle. The front seat passenger, the defendant Rickey Nichols, admitted that the gun belonged to him in a post-Miranda statement.

The defendant entered a guilty plea on November 17, 2017, before the Honorable Kevin M. Shanahan, J.S.C., to the Indictment No. 16-12-00819-I charging the defendant with Unlawful Possession of a Weapon, Second Degree, in violation of N.J.S.A. 2C:39-5b(1); Possession of a Defaced Firearm, Fourth Degree, in violation of N.J.S.A. 2C:39-3d; and Unlawful Possession of Hollow-Nose Bullets, Fourth Degree, in violation of N.J.S.A. 2C:39-3f(1). The defendant was sentenced to 5 years in New Jersey State Prison, with 1 year to be served without eligibility for parole pursuant to a Graves Act Waiver.

Assistant Prosecutor Anthony J. Parenti, Jr.**State v. Josue Carrasco – Indictment No. 16-07-00472-I**

On May 12, 2016, members of the Somerset County Organized Crime and Narcotics Task Force ("OCNTF") were conducting an investigation into the distribution of Controlled Dangerous Substances in Franklin Township. As a result of the investigation an undercover police officer met with Josue

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Carrasco (“defendant”). During the encounter defendant sold approximately 10 grams of cocaine to the undercover officer.

On May 19, 2016, defendant once again met with the undercover officer in Franklin Township and this time sold him approximately 20 grams of cocaine. Finally, on May 19, 2016, defendant met with the undercover officer in Franklin Township and sold him approximately 120 grams of cocaine. Immediately after the sale was completed, members of the OCNTF moved in and arrested defendant. The total weight of the cocaine from all three sales was approximately 5.2 ounces.

On July 14, 2016, a Somerset County Grand Jury returned an indictment charging defendant with Distribution of a Controlled Dangerous Substance, First Degree, in violation of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(1). On September 18, 2017, defendant appeared at his Pre-trial Conference with his attorney and was advised by the court that his trial would commence on December, 11, 2017. The court further advised the defendant that the trial would go forward with or without him being present.

Defendant’s attorney requested the court to schedule the matter for December 6, 2017, to allow the defendant to plead guilty in exchange for the first Brimage offer tendered by the State. Defendant failed to appear on December 6th, and the matter was carried to December 11th. On December 11, 2017, the defendant did not appear for trial so the court issued a bench warrant for the defendant and conducted a voir dire conference. On December 12, 2017, defendant’s trial began before the Honorable Robert B. Reed, P.J.Cr., and a jury. On December 14, 2017, the jury returned a verdict of guilty on the charge of Distribution of a Controlled Dangerous Substance, First Degree in violation of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(1).

APPELLATE

In 2017, the Assistant Prosecutors in the Appellate Section wrote 16 responses to petitions for certification. Thirty-six appellate briefs were filed in the Appellate Division of the Superior Court of New Jersey, and 1 amicus brief was filed in the Supreme Court of New Jersey on behalf of the County Prosecutors Association of New Jersey. Four briefs were filed in the United States District Court. Additionally, the Assistant Prosecutors in the Appellate Section handled fourteen excessive sentencing appeals in the Appellate Division.

In the Superior Court, Law Division, nineteen municipal appeals letter briefs were filed. In fourteen of those matters the municipal court convictions were upheld; two convictions were reversed, two were remanded for further proceedings, one appeal was dismissed and five matters were pending at the end of the year.

INTAKE SCREENING

I. Purpose:

Somerset County continued in 2017 to use central filing and screening of criminal complaints as a method to expedite prosecutions. The Intake Screening Section is responsible for operating the central complaint filing system. This section consists of Assistant Prosecutors and secretaries. (All Assistant Prosecutors assist in screening cases as the need arises). The attorneys screen cases prior to filing a criminal complaint and provide police officers with supervision, legal advice, and direction as to necessary additional investigation. The Assistant Prosecutors decide what charges will be filed. A primary mission of the section is to have all cases in proper order for assignment to the Legal Division for grand jury presentation as soon as possible. This section handles the file until complaints are filed and first appearance. The file is then reviewed by the Chief Assistant Prosecutor and assigned to a trial attorney.

II. The number of personnel assigned to the section or unit:

- A. Legal Staff:** **1 Supervisory Assistant Prosecutor**
6 Assistant Prosecutors; others as needed
- B. Support Staff:** **3 Secretaries**

III. Duties and responsibilities of section or unit personnel:

- A. Legal Staff:**
Review and authorize any potential indictable complaints with the investigating officer. Supervise investigative procedures to insure that complaints are signed for proper offenses and that sufficient evidence exists to support such charges. Direct investigations that may be necessary. All Assistant Prosecutors assigned to Intake Screening arrange for the setting of bail, if applicable.
- B. Support Staff:**
Three secretaries with assistance generate all necessary complaints, reports, forms, and make screening appointments. Screening secretaries also type all juvenile complaints and prepare juvenile files.

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Special Investigations Unit

Insurance Fraud Unit

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IV. Description of unit functions:

A. In general:

Whenever a suspect is arrested on an indictable offense, the police officer will bring the defendant to police headquarters for processing. The defendant will be photographed and fingerprinted as per procedures. The arresting officer will then call the Prosecutor's Office (or after hours, the "on call" Assistant Prosecutor) to discuss the case. The Assistant Prosecutor will either direct that the defendant be released to await screening of the case with a summons or determine that a judge should be called to set bail, or release on own recognizance (ROR) or authorize charges on a warrant and the defendant will be held in the jail pending a First Appearance. The defendant will be photographed and fingerprinted as per procedures. There are rare instances where a judge should be called to set bail, for example in fugitive cases. The Assistant Prosecutor, if the facts clearly indicate, may suggest that a disorderly persons or petty disorderly persons complaint be filed by the officer directly in the appropriate municipal court.

If the defendant is in jail, it is the duty of the arresting officer to send all investigative reports and the affidavit of probable cause via email to the Prosecutor's Office by 7:30 a.m. the day after the arrest or by the next business day if the arrest occurs on a weekend or a holiday. If the defendant is released, either with or without bail, the arresting officer will still email all materials by 7:30 a.m.

During the screening process it is the duty of the Assistant Prosecutor to insure that a complaint is signed for an offense supported by the evidence. Additionally, the screening Prosecutor provides legal advice and investigative direction to the officers. A detective from the Somerset County Prosecutor's Office will sign complaints on behalf of the complaining officer.

B. Screening Policies:

The following are the general policies of the Intake Screening Section regarding screening potential indictable complaints:

1. Authorize criminal (indictable) complaints only when investigation, including required reports, is complete, or almost complete, and the facts and circumstances mandate an indictable charge.
2. Decline cases where further investigation is required until that investigation is completed, or when no charge is appropriate. Declined cases are filed and recorded in screening.
3. Authorize downgrade charges in cases where the Assistant Prosecutor decides that municipal court action will provide the most appropriate results. Cases that are initially downgraded are filed and recorded in screening.

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C. Citizen Complaints:

Citizen complaints are made either by telephone or a personal visit to the office. The following are general types of citizen complaints that have often been addressed:

1. Non-criminal matters often relating to governmental agencies;
2. Complaints against police officers;
3. Complaints by emotionally disturbed persons;
4. Complaints regarding personal or business disputes;
5. Disorderly persons complaints where the citizen disagrees with local law enforcement action.

It is the policy of this office that citizen complaints should first be referred to the local police department. An officer should make a preliminary report prior to contacting this office. In no case should a citizen simply be referred to our office by the local department without any initial investigation by the department.

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D. File Flow through the Screening Process:

1. A screening memo is completed by a screening attorney indicating what is required to complete the file.
2. A letter is sent by mail or fax to the specific local department Chief describing follow-up investigation needed which is to be completed within a 10-day period.
3. Complaint is docketed by screening secretary and referred to computer supervisor for input into the Promis/Gavel System. All future events are scheduled through the Promis/Gavel System.
4. File is returned to screening room for opening and first appearance.
5. The file is forwarded to the Chief Assistant Prosecutor for attorney assignment and a Grand Jury date.
6. Additional reports received are presented to the computer operator for Promis/Gavel log-in. Reports are then returned and included in the file, if in screening. If the file is not in screening, the reports are given to the paralegal assisting the assigned attorney.
7. Files will remain in the Intake Screening Section until first appearance.
8. All out-of-state fugitive files are given to the Assistant Prosecutor who authorized the charge(s). The Fugitive Unit notifies the Assistant Prosecutor when the fugitive leaves the Somerset County Jail. The file is returned to screening for administrative dismissal when the defendant is picked up by the requesting authority.
9. The Fugitive Unit is notified when bench warrants are requested by the screening attorney and issued by a Superior Court Judge. The Fugitive Unit is given a copy of the complaint and necessary information to open a fugitive file.

**Somerset County Prosecutor's Office Intake Screening Review
2017**

Month	Cases Screened	Cases Accepted	Cases Not Accepted	Defendants Accepted	Complaints Accepted
JANUARY	100	43	57	57	126
FEBUARY	83	38	45	40	109
MARCH	81	41	40	45	82
APRIL	71	43	28	52	75
MAY	102	57	45	78	118
JUNE	83	49	34	55	92
JULY	88	46	42	47	105
AUGUST	134	57	77	68	117
SEPTEMBER	97	35	62	36	75
OCTOBER	92	43	49	51	103
NOVEMBER*	71	30	41	48	107
DECEMBER*	63	18	45	20	100
Total:	1,065	500	565	597	1209

Due to the 2016 Bail Reform 2017 numbers are different in comparison

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B. Support Staff:

The Paralegal is available to assist the Assistant Prosecutor, regarding collection of discovery, trial preparation and trial where necessary.

The Victim-Witness Advocate contacts the victims prior to arraignment to explain the case process. Any additional information learned during those conversations is relayed to the Assistant Prosecutor handling the case. The Victim-Witness Advocate addresses any concerns the victims may have and refers them to special programs, when necessary. The Victim-Witness Advocate also attends court proceedings and keeps the victims updated as the cases proceed.

The Secretaries open contempt and weapon forfeiture files, obtain criminal histories and send discovery when necessary. They keep track of the court's calendar regarding scheduled domestic violence matters. The secretaries also send subpoenas to the witnesses.

IV. Description of the functions of the unit:

This unit is responsible for the prosecution of all disorderly persons domestic violence contempt complaints and weapon forfeiture applications and hearings. Upon receiving a contempt file, an Assistant Prosecutor reviews the facts and charges, and makes a determination as to what additional investigation is required, if the complaint is sufficient, and what the plea offer will be. Once counsel has been assigned, the Assistant Prosecutor will contact that attorney and engage in plea negotiations. If the plea offer is not accepted, the Assistant Prosecutor will prepare for trial and try the matter.

Upon receiving a weapon forfeiture file, an Assistant Prosecutor reviews the facts and determines whether an application to forfeit the weapon is appropriate. If such application is made, the Assistant Prosecutor will prepare the appropriate pleadings. The Assistant Prosecutor will then prepare for the weapon forfeiture hearing.

This unit also provides legal advice and guidance to local police departments concerning all domestic violence related issues.

V. Operations and activities, including highlights are as follows:**General Overview of the Domestic Violence Contempt Process:**

Domestic violence cases originate in the local police departments. The local police department is responsible for charging and filing contempt complaints. The complaints and accompanying police reports are then forwarded to the S.C.P.O. for prosecution. Once the case is received at the S.C.P.O., a file is opened and an Assistant Prosecutor is assigned the case. The Family Court assigns court dates where the case proceeds to court. There it is either dismissed, resolved by way of a plea or tried.

The Honorable Anthony Picheca, J.S.C. and the Honorable Kathy Qasim, J.S.C. both preside over the disorderly persons domestic violence contempt calendar. All matters are scheduled weekly on Thursdays beginning at 1:30 p.m. The first appearance is similar to a criminal arraignment. At this time, the charges are read, the defendant enters a "not guilty" or "guilty" plea, the plea offer is put on the record, and in cases where a "not guilty" plea was entered, the case is assigned a trial date. On the day of trial, the defendant may enter a guilty plea or proceed to trial. Immediately after entry of a "guilty plea" or a finding of guilt after trial, the judge will sentence the defendant.

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Goals for the Domestic Violence Unit, 2017:

One of the goals of the Domestic Violence Unit is to maintain the current status of moving cases through the Family Court in an efficient and expeditious manner. Additionally, it is also this unit's goal to continue in our efforts of training the local police in the area of domestic violence.

General Highlights:

The Supervisor of the Domestic Violence Unit attends important meetings of various professionals, both on the County and the State level, concerning issues of domestic violence and communicates those issues to others within the unit and within the municipal police departments.

The Somerset County Prosecutor's Office is also represented at the quarterly Somerset County Working Group meetings and at the quarterly Attorney General Domestic Violence Unit Chiefs meeting by the Supervisor of the unit.

This unit provides in-service training to police officers in the area of Domestic Violence.

JUVENILE UNIT

I. Purpose:

The Assistant Prosecutors assigned to this section are responsible for the prosecution of all juvenile complaints. They provide legal advice to the police regarding juvenile matters, including applications for fingerprinting and photographing juveniles, investigative detention applications, and search warrants. The attorneys prosecute the cases to completion. They are responsible for making recommendations for disposition of cases, including transfer to another jurisdiction, stationhouse adjustment, deferral, plea, trial or waiver.

II. The number of personnel assigned to the section or unit:

- | | |
|--------------------------|--|
| A. Legal Staff: | 1 Supervisor (Chief Assistant Prosecutor)
3 Assistant Prosecutors |
| B. Support Staff: | 1 Paralegal
1 Secretary
1 Victim-Witness Advocate |

III. Duties and responsibilities of section or unit personnel:

A. Legal Staff:

The Assistant Prosecutors screen cases with various police departments, authorize appropriate charges as well as determine potential pre-trial disposition of cases. The Assistant Prosecutors represent the State at weekly plea hearings, preliminary hearings, trial conferences, detention hearings, disposition hearings and waiver hearings that involve transfer of jurisdiction to the Law Division. The Assistant Prosecutors also prosecute those cases that proceed to trial.

B. Support Staff:

The Paralegal assists the Assistant Prosecutor in handling a given case by making sure the case is complete and contains all necessary police reports and related information. The Paralegal will also accompany the Assistant Prosecutor at trial.

The Secretaries open files and track their progression, inputting information into the juvenile module of the Infoshare Computer Case Management System as well as copying and forwarding discovery to Family Case Management and defense attorneys. They subpoena any witnesses where necessary.

The Victim-Witness Advocate contacts the victims prior to court proceedings to explain the case process. Any additional information learned during those conversations is relayed to the Assistant Prosecutor handling the case. The Victim-Witness Advocate addresses any concerns the victims may have and refers them to special programs when necessary. The Victim-Witness Advocate also attends all court proceedings and keeps the victims updated as the cases proceed.

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IV. Description of the functions of the unit:

This unit is responsible for the disposition of all juvenile complaints. Upon receiving a file concerning a juvenile, an Assistant Prosecutor reviews the facts along with the arresting agency and makes a determination of the appropriate charges. The Assistant Prosecutor also assists the agency in determining whether to contact Family Case Management for detention. If charges are filed, the case is then prepared for appropriate disposition, such as transfer, deferral, plea, trial or waiver. This unit also provides legal advice and guidance to local police departments concerning all juvenile related issues.

V. Operations and activities of the Juvenile Unit for 2017:**General Overview of the Juvenile Process**

Juvenile cases primarily originate in the local police departments. Generally, after law enforcement's contact with a juvenile, the police reports are sent to the S.C.P.O. for formal screening of charges. The S.C.P.O. policy requires the police to send copies of their reports to this office within three days. Some complex cases, however, may take more time. Once the reports are received at the S.C.P.O., a file is opened and an Assistant Prosecutor reviews the file for appropriate disposition. S.C.P.O. policy requires that most cases be screened by an Assistant Prosecutor within five (5) days of receipt by that attorney. After the case is screened, if charges are authorized, a complaint is signed and discovery is sent to the Family Court. The Family Court assigns a date and the case is scheduled for the first appearance. Approximately one week later, the case proceeds to a preliminary hearing and if the juvenile does not enter a guilty plea, the matter is scheduled for trial. Although there are several other paths a juvenile case can take, this is the most common.

The Honorable Anthony F. Picheca, Jr., J.S.C. and the Honorable Kathy Qasim, J.S.C. hear most juvenile cases. Weekly, the attorney for the State and the juvenile's attorney appear for the juvenile's first appearance, preliminary hearing or disposition. The first appearance is similar to adult arraignment. At this time, the charges are read, the juvenile enters a "not guilty" plea, the plea offer is put on the record, and the case is assigned a preliminary hearing and trial date. At the preliminary hearing, if the juvenile does not change his or her plea to guilty, discovery and motion issues are discussed and an order is entered concerning the disposition of any pre-trial issues. Generally, all juvenile motions are heard on the day of trial. At the conclusion of the trial, if the juvenile is adjudicated delinquent, he or she proceeds to disposition. At disposition, the equivalent of adult sentencing, the Judge sentences the juvenile.

Juvenile trials are scheduled for Wednesdays each week. On average, 5-10 juvenile cases are listed for trial each week. Of these listed trials, only one may actually proceed to trial. Approximately three-quarters of all trial cases result in a finding of delinquency. Generally, the Judge tries to resolve juvenile cases in a way that avoids sending the juvenile to a detention center. In the Juvenile Justice system, the focus is on the non-custodial methods of rehabilitation where appropriate.

General Highlights

The Supervisor of the Juvenile Unit attends important meetings of various professionals, both on the County and the State level, concerning issues pertaining to Juvenile Justice.

This unit also provides in-service training to police officers to update personnel on the relevant case law in the area of Juvenile Justice.

VICTIM-WITNESS

I. Purpose:

County Offices of Victim-Witness Advocacy were established in 1985 to ensure the rights of crime victims as stated in the Crime Victims' Bill of Rights (N.J.S.A. 52:4B-36 amended 10/6/2012) with the primary focus to inform crime victims and witnesses of the criminal justice process, advise victims and witnesses of case progress and final disposition and ensure that victims are treated with dignity and compassion by the criminal justice system.

II. Personnel assigned to the unit:

Deborah McGowan

Bobbi Mowery

Melissa Underwood

Victoria Sferra

Ileana Cosme

Coordinator

Victim Advocate (part-time)

Victim Advocate (resigned 12/8/2017)

Victim Advocate

Secretary

Student Interns

4 student interns volunteered 605.5 hours to Victim Witness Unit activities

III. Data Collection for Victims Services and the Number of Victims by Crime Type

In the Fall of 2017 Victim Witness staff began entering victim services data in the Victim Services tab in the Info Share computer program. Prior to this timeframe (2017) victim services data was entered in New Jersey VATS2 (Victim Assistance Tracking System) data base. The data collected from both sources is reported on a quarterly basis to the Department of Justice via the Office for Victims of Crime Performance Measurement Tool (PMT). The data below is a combination of data from VATS2 and the Info Share Victim Services tab:

- Number of unduplicated victims provided direct services: 730
- Number of direct services provided to victims: 3495

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IV. Services Provided:

In accordance with the Crime Victims' Bill of Rights as well as the Attorney General's Standards to Ensure the Rights of Crime Victims, staff in the Office of Victim Witness Advocacy is required to provide the following specific services to crime victims/victim survivors and witnesses:

- Crisis intervention and emotional support
- Criminal justice advocacy/support i.e.:
 - Criminal justice orientation and information
 - Inform victims of their rights within the criminal justice system
 - Case status information
 - Assistance completing victim impact statements
 - Referrals for counseling and support services
 - Information concerning transportation, parking and courthouse location
 - Child care
 - Information and assistance in filing claims with the Victims of Crime Compensation Office
 - Assistance in applying for restitution
 - Employer/creditor/school intercession
 - Court accompaniment
 - A secure, but not necessarily separate waiting area in the courthouse
 - Assistance with the return of property
 - Information and assistance regarding the NJ VINE system
 - In sexual assault cases, assistance in obtaining HIV/AIDS testing results of the defendant
 - Assistance with the Parole Board victim input process

V. Case Status - Letter Notification

The Victim Witness Unit secretary Ileana Cosme sends (via email and mail) victim and witness case status letters generated from Promis Gavel. Ms. Cosme also hand-generates the following letters to victims and witnesses: pre-grand jury remand/decline, inmate parole eligibility/release, parole denial notification, release at maximum time served, fugitive arrest, change in Krol status, consideration of inmate community release application, release to ISP, Collision Analysis Reconstruction Team charge decisions, condolence letters and VINE letters. During 2017, 19,990 case status letters, both Promis Gavel and hand-generated were mailed/emailed to crime victims and witnesses.

In January of 2014 Juvenile case status letters, case specific Victim Impact Statements and Plea Negotiation Forms were generated via the Info Share juvenile module in the Info Share computer program. In 2017 229 case status letters were mailed to victims.

VI. Victim-Advocate Accompaniment

In addition to providing court accompaniment at criminal and juvenile court trials, status conferences, sentencing hearings, Krol hearings and motions in the criminal court, advocates also accompany victims at trial-prep meetings with the assistant prosecutors, during conference calls with assistant prosecutors, juvenile court hearings, with domestic violence victims in municipal courts as well as in family court at weapon forfeiture and contempt hearings.

In 2017 Victim Advocate Victoria Sferra provided accompaniment for victims of domestic violence in Hillsborough (Montgomery and Manville cases held), Watchung (North Plainfield cases held), Raritan, Franklin, Bound Brook, Bedminster, Bridgewater (Somerville cases held) and Bernards Township municipal courts. In 2017 Victim Advocate Victoria Sferra assisted 108 victims of domestic violence through accompaniment and advocacy services at municipal court hearings.

VII. Training Conducted by Advocate Staff:

February	Melissa Underwood provided an overview of victim services/rights information at an introduction to criminal justice class at Rutgers University
February	Deborah McGowan provided an overview of victim services/rights information at a criminal justice internship class at Rutgers University
February	Deborah McGowan provided an overview of victim services for County Probation staff
March	Melissa Underwood and Deborah McGowan provided an overview of victim services to Somerset County DCP&P staff
March	As a member of the County Elder Abuse Awareness Project, Deborah McGowan provided information of victim services to the Somerset County Caregivers Coalition
April	Deborah McGowan provided information about victim services/rights for County Board of Social Services staff
April	Deborah McGowan and Victoria Sferra provided information about victim services/rights to staff at Safe+Sound Somerset
April	Deborah McGowan and Victoria Sferra provided information about victim services/rights to County Family Court staff
May	Deborah McGowan provided information about victim services/rights to staff at Family & Community Services in Bound Brook
June	Victoria Sferra and Deborah McGowan conducted training for municipal court prosecutors on the domestic violence victim advocate program
June	Deborah McGowan provided information about victim services/rights as part of an Elder Abuse Awareness Project presentation for county EMTs
July	Deborah McGowan provided information about victim services/rights for clinical staff at the Richard Hall Community Mental Health Center
July	Deborah McGowan provided an overview of victim services/rights information at a criminal justice internship class at Rutgers University

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August	Deborah McGowan provided information about victim services/rights as part of an Elder Abuse Awareness Project presentation for staff/residents at Centerbridge Senior Housing
August	Melissa Underwood provided an overview of victim services/rights information at an introduction to criminal justice class at Rutgers University
September	Deborah McGowan provided information about victim services/rights as part of an Elder Abuse Awareness Project presentation for the Retired Nurses Association
October	Victoria Sferra provided an overview of the domestic violence municipal court advocate program for office assistant prosecutors (CLE presentation)
October	Deborah McGowan and Victoria Sferra presented to the Municipal Court Administrators quarterly vicinage meeting on the municipal court domestic violence advocate program
October	Melissa Underwood provided an overview of victim services/rights information at an introduction to criminal justice class at Rutgers University
October	Deborah McGowan provided an overview of victim services/rights information at a criminal justice internship class at Rutgers University
October	Deborah McGowan provided an overview of victim services/rights information at a victimology and domestic violence class at Rutgers University
November	Deborah McGowan provided an overview of victim services/rights information at a Centenary College criminal justice class
December	Bobbi Mowery provided training on victim advocacy to Sexual Assault Support Services (Zufall Health Center) volunteers

VIII. Crime Victims' Rights Week Program

The commemoration of Crime Victims' Rights Week was expanded in 2017 from a week observance to a community awareness project held March through July involving victim advocacy staff presentations at 7 state and county agencies. The presentations highlighted crime victims' rights and the direct services provided by Office of Victim Witness Advocacy staff.

A total of 135 county/state employees attended the presentations.

IX. Other Victim Related Programs

In 2017 the domestic violence palm card program initiated in 2015 was continued with the distribution of a total of 350 palm cards (English and Spanish) to the Somerset County Library System, 350 (English and Spanish) to the Somerville Episcopal Church and 200 to the Bound Brook municipal court. The palm cards are placed in the men's and women's bathrooms of the church and libraries.

The Elder Abuse Awareness Project continued in 2017 with presentations for the Somerset County Caregivers Coalition, for staff/residents at Centerbridge Senior Housing, for members of the Somerset County Retired Nurses Association and for county EMTs. The EAAP membership is represented by staff from the Somerset County Board of Social Services-Adult Protective Services, Office on Aging and Disability Services, Safe+Sound Somerset and Deborah McGowan.

CRIMINAL INVESTIGATION DIVISION

The Somerset County Prosecutor's Office Criminal Investigation Division is headed by the Chief of Detectives and the Deputy Chief of Detectives who oversee the following:

CRIMINAL INVESTIGATION SECTION:

- Major Crimes Unit
- Sex Crimes & Child Abuse Unit
- Special Investigations Unit
- Insurance Fraud Unit
- Internal Affairs Unit
- Organized Crime & Narcotics Task Force
- Polygraph & Computerized Voice Stress Analysis (CVSA) Unit
- Somerset County Emergency Response Teams

OPERATIONS SECTION:

- Fugitive Task Force
- Crime Scene Investigation Unit (CSIU) & Ballistics Laboratory
- Criminal Intelligence Section (CIS)
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MAJOR CRIMES UNIT

I. Purpose:

The Major Crimes Unit (1 Sergeant and 2 Detectives) investigates crimes such as homicides, aggravated assaults and armed robberies. The Unit works with and assists the state, local and other county agencies throughout Somerset County with a wide array of criminal investigations. The Major Crimes Unit opened 69 criminal investigations resulting in 21 arrests. Three homicides occurred in Somerset County during 2017. The Unit also investigated aggravated assaults and armed robberies. The Unit investigates all unsolved homicides throughout Somerset County as well as any suspicious deaths and suicides.

II. The number of personnel assigned to the section or unit:

- | | |
|--------------------------------|---|
| A. Investigative Staff: | 1 Captain (Commander of CID)
1 Lieutenant (Deputy Commander of CID)
1 Sergeant (Commander of Major Crimes Unit)
2 Detectives |
| B. Legal Staff: | 1 Assistant Prosecutor – Primary
1 Assistant Prosecutor – Secondary |
| C. Support Staff: | 2 Clerical (shared) |

III. Duties and responsibilities of section or unit personnel:

- | | |
|--------------------------------|---|
| A. Legal Staff: | Provides legal supervision of investigations in preparation for prosecution and provides legal advice as needed. |
| B. Investigative Staff: | The Sergeant commands the unit members who are on-call 24 hours a day, seven (7) days a week to respond to investigative Major Crime incidents throughout the County. |
| C. Support Staff: | Shares clerical and data entry responsibilities. |

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Voice Stress Analysis (CVSA) Unit*

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IV. Investigations, activities and accomplishments for 2017:

In 2017, the Major Crimes Unit opened 62 criminal investigations, which resulted in 20 arrests. Included among those cases were:

- 3 Homicide investigations
- 10 Death investigations
- 2 Infant Death investigations
- 33 Drug Induced Death investigations
- 2 Aggravated Assault investigations
- 1 Armed Robbery investigation
- 4 Robbery investigations
- 1 Bank Robbery investigation
- 2 Arson investigations
- 8 Miscellaneous
- 3 Prohibited Devices or Weapons

The Major Crimes Unit tracked 15 suicides, 33 drug related overdose deaths, 395 unattended deaths, and is actively investigating 10 cold case homicides within Somerset County.

V. Case Highlights for 2017:**Case #1 – Murder**

On October 16, 2017 at approximately 6:30 p.m. the Bound Brook Police Department responded to the area of Church Street, Bound Brook, N.J. for a reported shooting. Upon the arrival of patrol officers from the Bound Brook Police Department and members of the Somerset County Prosecutor's Office it was learned that William Roberts, age 27, of Somerville, N.J. had been shot. William Roberts was subsequently transported to Robert Wood Johnson University Hospital New Brunswick where he succumbed to the gunshot wound and died.

During the course of the investigation Michael Washington, age 26, of Paterson, N.J. was identified as the person who had shot William Roberts. On October 31, 2017 Michael Washington was taken into custody while attempting to flee a residence in Bound Brook. Michael Washington was subsequently charged with Murder, Possession of a Firearm for Unlawful Purpose, and Possession a Firearm without a Permit. Michael Washington was lodged in the Somerset County Jail and the matter is pending in Somerset County Superior Court.

Case #2 – Murder

On August 9, 2017 at approximately 7:54 a.m. the Franklin Township Police Department responded to the area of 73 Battle Place, Franklin Township, N.J. for a homicide. Upon the arrival of patrol officers and detectives from the Somerset County Major Crimes Unit it was learned that Chamari Webb, age 19, of Franklin Township, N.J. had been shot and killed.

During the course of the investigation Tamar Reaves age 19, of Franklin Township, N.J. was identified as the person who shot and killed Chamari Webb. Investigating detectives located Tamar Reaves and placed him under arrest for the murder of Chamari Webb.

Tamar Reaves was charged with Murder, Possession of a Firearm for an Unlawful Purpose, and Possession of a Firearm without a Permit. Tamar Reaves was lodged in the Somerset County Jail and the matter is pending in Somerset County Superior Court.

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SEX CRIMES & CHILD ABUSE UNIT

I. Purpose:

The Sex Crimes and Child Abuse Unit of the Somerset County Prosecutor's Office is responsible for investigating and preparing for prosecution investigations involving the physical or sexual abuse of children and sexual assault cases involving adult victims throughout the County. In addition to the primary role of investigating and prosecuting these offenses, the Unit takes an active role in providing education and training to local law enforcement agencies, parent groups and various civic organizations.

II. Number of personnel assigned to the section or unit:

- | | |
|--------------------------------|--|
| A. Legal Staff: | 1 Assistant Prosecutor assigned as Supervisor of the Sex Crimes and Child Abuse Unit.
Other Assistant Prosecutors assigned to advise and prosecute as needed. |
| B. Investigative Staff: | 1 Captain (Commander of CID)
1 Lieutenant (Deputy Commander of CID)
1 Sergeant
3 Detectives |
| C. Support Staff: | 1 SANE Coordinator
Victim-Witness Unit
Shared Secretary
Shared Data Entry |

III. Duties and responsibilities of section or unit personnel:

- A. Assistant Prosecutors:**
The unit legal supervisor reviews all cases and provides supervision and legal support on a daily basis.
- B. Investigative Staff:**
The Sex Crimes/Child Abuse Unit has a Captain and a Lieutenant who oversee the Criminal Investigation Division and a Sergeant who commands the unit of three detectives. The staff is on-call 24 hours a day, 365 days a year, and provides direction and assistance to the local police, the Division of Child Protection and Permanency (DCP&P), and any member of the public reporting a sexual assault and/or a child abuse allegation. They conduct complete investigations, including the interview of victims, witnesses and suspects.
- C. Support Staff:**
The Victim-Witness Unit provides support and referral services. Shared secretarial and data entry responsibilities.

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IV. Description of the functions of the unit:

The Sex Crimes and Child Abuse Unit is a reactive, investigative unit. Upon receiving a complaint from the Division of Child Protection and Permanency (DCP&P), a police agency, or any other source, the unit reviews the data received, and takes the appropriate action.

This action could include immediate response by investigative unit personnel, or the matter may be referred to a municipal police department or other law enforcement agency for investigation. In cases where the victim is a child and the alleged suspect is a parent or caretaker the matter is also referred to DCP&P, or one of their subdivisions (e.g., the Institutional Abuse Unit). Upon completion of the investigation, the facts are screened with an Assistant Prosecutor and a determination is made regarding prosecution of the case.

In physical or sexual abuse investigations dealing with children, DCP&P or the local police usually refer cases. Additionally, but to a lesser degree, our office receives cases reported to us directly. A case file is opened as warranted and the victim is then interviewed as soon as possible. In cases when the victim is very young or has developmental disabilities, the interview is usually recorded on videotape. In all cases, if a complaint is substantiated through investigation, the case is processed and forwarded to the legal staff for prosecution.

V. Investigations, activities, and accomplishments for 2017:**Investigations:**

- 91 referrals were processed in the unit and assistance given to local police, DCP&P and the Institutional Abuse Unit;
- There were also 47 additional referrals that resulted in an investigation conducted by the Prosecutor's Office;
- 22 of the 47 cases resulted in arrests;
- 2 bilingual detectives remain in the unit out of a total of 3 investigators; and
- There have been 37 adult/adolescent Sexual Assault Response Team (SART) activations plus 8 pediatric cases for the year.

Megan's Law:

- Sex offenders were served with Megan's Law Tier Notification as well as schools, daycare centers and community agencies being given Megan's Law Notification.

Education and Training:

- The unit continues to provide countywide training for police, dispatchers, rape care advocates, DCP&P, Institutional Abuse and Robert Wood Johnson Hospital at Somerset medical staff on procedures for investigating sex crimes and child abuse;
- The unit continues to provide in-service training to police officers within the County and State on the process of investigating sex crimes and child abuse.

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Milestones Met in 2017:

- The Somerset County Prosecutor's Office maintains a seat as Chair on the executive board of the New Jersey Sex Crimes Officers Association (NJSCOA);
- The unit is a member of the Somerset County Multi-Disciplinary Team (MDT) and meets once a month to discuss and resolve cases.

87 new cases were reviewed by the County MDT in 2017.

- The unit meets quarterly on the Sexual Response Team Advisory Board to discuss countywide Sexual Assault Response Team (SART) activations and discuss ways to improve the program.
- 6 Forensic Nurses – Certified in Sexual Assault (FN-CSA) are on staff/on-call to respond to Sexual Assault Response Team (SART) activations.
- 6 SANE nurses have completed certification to conduct pediatric examinations.

2017 Case Summaries:

- In February of 2017, Police received a report that a 12 year old female was sexually assaulted by Hector Suarez. The Somerset County Prosecutor's Office Sex Crimes/Child Abuse Unit interviewed the victim. Suarez was subsequently apprehended in Pennsylvania and was arrested and charged with first degree Aggravated Sexual Assault and third degree Endangering the Welfare of a Child.
- In August 2017, detectives from the Somerville Police Department received a report of a 9 year old, a 5 year old and a 4 year old that were sexually assaulted by Craig Lewis. The Somerset County Prosecutor's Office Sex Crimes/Child Abuse Unit conducted interviews with all three children. Craig Lewis was interviewed and admitted to sexually assaulting all three children. Craig Lewis was arrested and charged with three counts of first degree Aggravated Sexual Assault and three counts of third degree Endangering the Welfare of a Child.
- In November of 2017, the Department of Child Protection & Permanency reported to the Somerset County Prosecutor's Office Sex Crimes and Child Abuse unit concerns for a 9 month old who was brought to the hospital with multiple leg fractures that were suspicious in nature. The Somerset County Prosecutor's Office Sex Crimes/Child Abuse detectives interviewed all parties involved. Laura Gonzalez admitted to physically abusing the 9 month old child while he was in her care. Laura Gonzalez was charged with second degree Aggravated Assault, second degree Endangering the Welfare of a Child and fourth degree Child Abuse.

SPECIAL INVESTIGATIONS UNIT

I. Purpose:

The Special Investigations Unit (SIU) handles all cases involving official corruption, government integrity, high profile white-collar crimes (over \$75,000.00 loss), insurance fraud, environmental crimes, illegal documents, bias and hate crimes, computer crimes, technical services and background investigations.

In 2017, the Special Investigations Unit handled a total of 164 cases.

Investigations conducted by the Special Investigations Unit during 2017:

Criminal Investigations:	164
Background Investigations:	21
Search Warrants:	8
Arrests:	17

II. Number of personnel assigned to the section or unit:

- A. Legal Staff:** **6 Assistant Prosecutors**
- B. Investigative Staff:** **1 Captain (Commander, Criminal Investigative Division)**
1 Lieutenant (Deputy Commander, CID)
1 Sergeant
6 Detectives
1 Criminal Analyst
- C. Clerical Staff:** **1 Secretary**

III. Duties and responsibilities of section or unit personnel:

A. Investigative Staff:

8 investigative personnel staffed the SIU in 2017: a Captain and Lieutenant who oversaw the Criminal Investigations Division and a Sergeant who commanded the unit of 6 Detectives and a Criminal Analyst.

B. Legal Staff:

Legal guidance was provided on a case-by-case basis by 6 Assistant Prosecutors assigned as legal advisors: one for bias and hate crimes, one for insurance fraud matters, one for general investigations, and three for computer related crimes.

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IV. Highlighted Cases:

The Special Investigations Unit charged the following individuals in 2017:

State vs. Nolivos

The Special Investigations Unit investigated an unlicensed dentist working out of his North Plainfield apartment. The dental work that was done on the initial victim became infected. He was subsequently hospitalized for approximately 1 week at JFK Hospital, racking up medical bills surpassing \$15,000.00.

Detectives applied for a search warrant and coordinated efforts between multiple law enforcement agencies including the Attorney General's Office Consumer Affairs Division and the North Plainfield Police Department. Surveillance was conducted along with the utilization of an undercover detective. Detectives prepared an operation plan and investigative reports in a timely manner as we were aware Nolivos was not a licensed dentist in New Jersey. Detectives obtained a full confession from the defendant. Nolivos was charged with Distribution of Prescription Legend Drugs, Engaging in the Practice of Dentistry (2 counts), and the Possession with the intent to use Hypodermic Needles.

Nolivos plead guilty to all charges and was sentenced on November 17, 2017. He will be incarcerated 180 days at the county jail, pay a \$200.00 fine, perform 100 hours of community service and be on probation for 3 years.

State vs. Didario-Smith

The Special Investigation Unit began investigating Didario-Smith in April of 2017. Branch operations manager Dina Didario-Smith had been employed by Sweat & Walters Associate LLC for over 18 years. Smith's responsibly was to handle all of their client contacts and also would handle payroll by preparing business checks. Smith was accused of forging several hundred checks stealing in excel of \$150,000.00. Smith also fraudulently utilized a PayPal credit account that she did not have authorization to utilize. Detectives were able to ascertain an ample supply of banking records and tediously rifled through them in order to find the fraudulent charges. Detectives developed a success orientated approach to this lengthy investigation. Smith was charged with Theft by Unlawful Taking and Forgery. Defendant was indicted on third degree Theft and Uttering charges and is pending trial.

INSURANCE FRAUD UNIT

I. Purpose:

The Insurance Fraud Unit (IFU) handles all cases involving insurance fraud related matters in Somerset County. In 2017, the Insurance Fraud Unit handled a total of 13 new and several holdover cases from 2016.

Investigations conducted by the Insurance Fraud Unit during 2017:

Criminal Investigations:	13
Search Warrants:	3
Arrests:	9

II. Number of personnel assigned to section or unit:

A. Legal Staff:	1 Assistant Prosecutor
B. Investigative Staff:	1 Captain (Commander, Criminal Investigative Division) 1 Lieutenant (Deputy Commander, CID) 1 Sergeant 2 Detectives 1 Criminal Analyst
C. Clerical Staff:	1 Secretary

III. Duties and responsibilities of section or unit personnel:

A. Investigative Staff:

6 investigative personnel staffed the IFU in 2017: a Captain and Lieutenant who oversaw the Criminal Investigations Division, and a Sergeant who commanded the unit of 2 Detectives and 1 Criminal Analyst.

B. Legal Staff:

Legal guidance was provided on a case-by-case basis by an Assistant Prosecutor assigned as legal advisor: 1 for insurance fraud matters.

IV. Highlighted Cases:

The Insurance Fraud Unit charged the following individuals in 2017:

Stewart Kaufman

The Kaufman investigation involved an acupuncturist (Stewart Kaufman) that was billing several individuals for services that were never rendered. In addition to Kaufman, 5 additional suspects were developed; with an estimated \$1,000,000 in fraudulent billing. The case involved a great deal of data mining the Horizon Ins. Co. records, collecting both GPS and cellular phone data from suspects, interviewing several suspects/witnesses and presenting the evidence in a concise format to

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be presented to the First Assistant Prosecutor. Ultimately, Kaufman and 4 additional suspects were arrested on various Insurance Fraud charges with 1 additional charge pending. **Case agent: Herrling/Oldenburg**

Candace Joseph

The Joseph investigation involved a Good2go Ins. Company policy holder (Candace Joseph) that had been involved in a Motor Vehicle Collision in Franklin Township. Joseph created a false insurance document and contacted Good2go Ins. Company. She falsely reported that the accident had occurred on a different date and time. Joseph confessed to the crime during a telephonic interview. Joseph was ultimately charged with third degree Insurance Fraud. **Case agent: Oldenburg**

Donald Allen

An OIFP referral, reported that Donald Allen forged his father's signature on a NJ State beneficiary document, making him a beneficiary of his life insurance policy. Several interviews were conducted with witnesses, as well as a telephonic interview with Allen, who admitted his role in the crime. Allen was charged with third degree Insurance Fraud and related theft charges. The case was tried in May 2018. **Case agent: Oldenburg**

Kathy Tobias

An OIFP referral indicated that Kathy Tobias was collecting disability insurance due to a back injury; however she was reported to be working as a cook at a local business in Franklin Township. An investigation was conducted and confirmed that Tobias was in fact working and exceeding the allowable salary limit set by the Social Security Administration. Tobias was charged with third degree Theft by Deception. **Case agent: Oldenburg**

Nicole Pierre

OIFP referral indicated Nicole Pierre had made a claim to Progressive Insurance Company that her 2005 Mazda Tribute was rear-ended by an unknown vehicle on Route 287 South. Progressive Insurance Company inspected the vehicle and found that the damages were identical to damages that the 2005 Mazda Tribute received while parked in subject's driveway in November of 2015, to which she had been paid out by insurance company. Pierre was interviewed and admitted that she did use the insurance money that had been paid out in 2015 to repair her vehicle. When she was involved in new accident, although there was no damage, she reported the old damage as new. Pierre was charged with third degree Insurance Fraud. **Case agent: Conway**

INTERNAL AFFAIRS UNIT

I. Purpose:

The Internal Affairs Unit of the Somerset County Prosecutor's Office is responsible for conducting internal affairs investigations of police officers from 19 municipal police departments, in addition to the Somerset County Sheriff's Office and Somerset County Prosecutor's Office. The unit also investigates discharge of weapons by police officers and police pursuits which result in accidents with injuries to the operators of the vehicles. Additionally, the unit handles police procedure reviews for all 19 municipal police agencies.

II. Number of personnel assigned to section or unit:

- | | |
|--------------------------------|--|
| A. Legal Staff: | 1 Assistant Prosecutor |
| B. Investigative Staff: | 1 Lieutenant
1 Sergeant
1 Detective |
| C. Clerical Staff: | 1 Secretary |

III. Duties and responsibilities of section or unit personnel:

- A. Legal Staff:**
Provides legal supervision of investigations in preparation for prosecution and provides legal guidance on a day-to-day basis.
- B. Investigative Staff:**
Conducts investigations concerning complaints made against police officers and police operations within Somerset County.

IV. Description of the functions of the unit:

The unit not only conducts all internal investigations within the Prosecutor's Office but it also works cooperatively with local internal affairs officers in cases where serious allegations of improper conduct are alleged against county and municipal officers. It is also the responsibility of this unit to review policy and procedures for municipal police departments upon request. The unit supervisor reports directly to the Chief of Detectives.

- V.** For the year 2017 there were 333 investigations of police misconduct in Somerset County. Of those, 52 cases were exclusively investigated by the Prosecutor's Office Internal Affairs Unit, 4 of which were pending from 2016.

- VI.** Of the 52 investigations, none resulted in a criminal charges or conviction. However, there was 1 sustained case that resulted in departmental disciplinary action. Of the remaining 51 dispositions; 1 was classified as exonerated, 4 were unfounded and 41 were administratively closed. The remaining 2 cases were pending into the new year.

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ORGANIZED CRIME & NARCOTICS TASK FORCE

I. Purpose:

The Organized Crime and Narcotics Task Force of the Somerset County Prosecutor's Office is responsible for the detection, investigation, apprehension and prosecution of those individuals who violate the drug laws of the State of New Jersey. It is further responsible for the investigation of other forms of organized criminal activity, gangs, gambling and prostitution.

II. The number of personnel assigned to the section or unit:

Personnel during January 2017 to December 2017

- | | |
|--------------------------------|--|
| A. Legal Staff: | 2 Assistant Prosecutors |
| B. Investigative Staff: | 1 Captain
1 Lieutenant
2 Sergeants
11 Detectives
6 Task Force Investigators from local police departments |
| C. Support Staff: | 1 Clerical |

III. Duties and responsibilities of section or unit personnel:

- | | |
|--------------------------------|--|
| A. Legal Staff: | Provides legal supervision of investigations in preparation for prosecution and gives legal guidance on a daily basis. |
| B. Investigative Staff: | Conducts narcotic and organized crime investigations throughout Somerset County. Detectives work in an undercover capacity and are responsible for all organized crime and narcotics related electronic surveillances. |
| C. Clerical Staff: | Prepares reports and completes paperwork to place into case files. |

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IV. Description of the functions of the unit:

This Task Force uses a wide variety of investigative techniques to combat the use and sale of drugs as well as to pursue other forms of organized criminal activity. These techniques include undercover or plainclothes operations, physical surveillance, electronic surveillance, intelligence gathering and the investigative follow-up of referrals from other law enforcement agencies.

Case preparation is developed by members of the Organized Crime & Narcotics Task Force with the supervision and guidance of the legal staff of the Office of the Prosecutor.

V. Investigation, activities, and accomplishments for 2016:

Arrests	126
Weapons Seized	25
Vehicles Seized	20 automobiles
Currency Seized	\$190,878.00
Narcotics Seized:	
Cocaine (hard / powder)	3,499 grams
Cannabis	35 pounds
Heroin	6,318 decs
Raw Heroin	370 grams
Methamphetamine	1,563 grams
Misc. Prescription Pills	916 doses (variety)
Molly	15 grams
Value of Narcotics Seized	\$514,773.00

VI. Highlighted Cases for 2017:

A. May 24, 2017

On May 24, 2017, members of the Somerset County Prosecutor's Office Organized Crime and Narcotics Task Force along with help from the Drug Enforcement Administration (DEA) broke up a heroin ring seizing \$79,000 worth of drugs, \$71,000 in cash and drug-making equipment. Four people were charged following a seven month narcotics investigation into the distribution of heroin, cocaine and other drugs in Somerset and Middlesex counties. A further 14 from Somerset, Hunterdon, Middlesex, Mercer and Essex counties were charged with conspiracy and attempted drug possession. Frank Quezada, also known as "Smoke", 38, Lori Jinotti, 36 and Nancy Heriquez-Leon, 27, all of Piscataway; and Ricky Van Ness, 40, of Bridgewater. They were arrested between May 23 and May 26 after obtaining 3 search warrants on the residences of Quezada and Van Ness. Drugs seized included 370 grams of raw heroin and 1,300 bags of heroin with a total street value of \$70,000; 44 grams of cocaine and 20 individually-wrapped bags of crack cocaine with a street value of \$3,000; and 2 pounds of marijuana with a value of \$6,000. Also seized were a hydraulic kilo-press and a loaded 9mm. Van Ness was charged with operating a drug manufacturing facility and possession of heroin with the intent to distribute, both first degree offenses; and second degree possession of a firearm while committing a drug offense and certain persons not to have weapons and endangering. Quezada and Jinotti were charged with distribution of drugs and conspiracy to distribute drugs, both second degree offenses. Heriquez-Leon was charged with second degree distribution.

Those assisting in the investigation included police from Bound Brook, Branchburg, Hillsborough and Manville in Somerset County, Piscataway in Middlesex County, the Middlesex County Prosecutor's Office, the DEA's New York Strike Force and its New Jersey HIDTA Group 3. The following 14 were charged with third degree conspiracy and attempt to possess drugs: Grant Buchanan, 30 of Bridgewater, Michael Faligiano, 40, Franklin, Jennifer Gallo, 29, Franklin, Torin Houlihan, 25, of Hillsborough, Evan Stockwell, 36, of Hillsborough, Paul Mason, 29, Raritan Borough, Autumn Benning, 28, of North Brunswick, Justin Nowicki, 24, of Sayreville, Franklin Perez-Guerra, 21, of Perth Amboy, John Verden, 46, of Piscataway, Kelsey Frost, 35, of Flemington, Brad Mullen, 36, of Whitehouse Station, Nicole Parah, 29, of Hamilton and Ryan Murphy, 26, of Belleville.

B. November 19, 2017

On November 19, 2017 a 5 month investigation into a Central Jersey drug and gun distribution ring resulted in criminal charges filed against 20 people. The arrests across Somerset, Middlesex and Bergen counties helped bring down a group distributing cocaine, heroin, methamphetamine, oxycodone pills and firearms in Somerset and Middlesex counties. Called, "Operation Bird Cage", the investigation involved police and the prosecutor's offices in Somerset, Middlesex and Bergen Counties, the New Jersey State Police and the U.S. Postal Inspector. During the investigation, police seized over 1 kilogram of cocaine, methamphetamine, 1 pound of marijuana, 2,010 bags of heroin, 298 Oxycodone pills, 6 Roxicodone pills, 48 morphine pills, 15 ecstasy pills, 247 Suboxone films, 294 unidentified pills, a hydraulic kilo-press and various other drug manufacturing equipment. The drugs have a combined estimated street value of \$370,745.

A total of 19 weapons ranging from handguns to rifles, shotguns and assault weapons were also seized, along with \$98,159 and 9 vehicles.

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Among those arrested were Robert Cardinal, 40, and his mother, Georgian Cardinal, 69, both of Dunellen; Timothy “TJ” Jenkins, 47, of Hillsborough, Leon Blue, Jr., 52, of Dumont and Michael “Low Rider Mike” Wayne, 42, of South Bound Brook. Assistance from police in Hillsborough, South Bound Brook, Dunellen and Middlesex, SWAT teams in Somerset, Middlesex and Bergen counties also took part in the operation, as did the U.S. Drug Enforcement Administration’s New Jersey HIDTA Group 3, K-9 units from Bound Brook police and the prosecutor’s offices of Somerset and Bergen counties, and police in Houston, Texas, and Greenville, South Carolina.

Robert Cardinal was charged with first degree leader of a narcotics trafficking network, promoting organized crime street crime, maintaining or operating a controlled dangerous substance production facility.

Georgian Cardinal was charged with second degree promoting organized street crime and conspiracy, and third degree possession with the intent to distribute a controlled dangerous substance, possession of a controlled dangerous substance and financial facilitation of criminal activity. Timothy Jenkins was charged with first degree leader of a narcotics trafficking network and promoting organized street crime, and second degree conspiracy to possess a controlled dangerous substance with the intent to distribute and conspiracy, and third degree possession with the intent to distribute a controlled dangerous substance and financial facilitation of criminal activity.

Leon Blue was charged with 2 counts of second degree unlawful possession of an assault firearm and conspiracy, and third degree unlawful manufacture, transfer or sale of an assault firearm, and fourth degree transfer or sale of a large capacity magazine.

Additional arrests included the following: Anthony Alston, 38, of Elizabeth was charged with second degree promoting organized street crime and conspiracy, third degree possession with intent to distribute a controlled dangerous substance, possession of a controlled dangerous substance and financial facilitation of criminal activity.

Eric Ward, 48, of South River was charged with third degree manufacturing a controlled dangerous substance and third degree conspiracy. Anthony Mastroserio, 31, of South Bound Brook was charged with third degree unlawful transfer or sale of an assault firearm, 2 counts of conspiracy and fourth degree transfer or sale of a large capacity magazine.

Kelly Smith, 52, of Hillsborough was charged with third degree receiving stolen property.

Shawn Page, 46, New York City was charged with third degree possession with the intent to distribute a controlled dangerous substance and conspiracy.

Andres Nazario, 49, Piscataway was charged with third degree possession of a controlled dangerous substance and conspiracy.

William Keithley, 47, of Orlando, Florida was charged with third degree unlawful transfer or sale of an assault firearm and conspiracy.

During the investigation 8 other people were arrested and charged with third degree conspiracy to attempt to possess drugs: Alan Lisezewski, 35, of Piscataway, Daniel O’Brien, 53, of Piscataway, George Walling, Jr., 27, of Union Beach, Antonio Esposito, 55, of South Plainfield, Arthur Kamenetsky, 33, of Parlin, Mark Hall, 33, of Middlesex, Maria Saltsides, 37, of Rahway and Gerald Sullivan, 59 of Hillsborough.

POLYGRAPH & COMPUTERIZED VOICE STRESS ANALYSIS UNIT

I. Purpose:

The Polygraph Unit and CVSA Unit are responsible for conducting examinations to test the veracity of statements given to investigative units and local departments when needed.

II. Number of personnel assigned to the section or unit:

A. Legal Staff:	Assistant Prosecutors as needed	
B. Certified Examiners:	<u>Polygraph</u>	<u>CVSA</u>
	1 Chief	1 Captain
	1 Detective	1 Sergeant
		3 Detectives

III. Duties and responsibilities of section/unit personnel:

A. Legal Staff:

Assistant Prosecutors provide legal guidance as needed on a case-by-case basis. All agreements and stipulations are reviewed and approved by the Assistant Prosecutors.

B. Certified Examiners:

Polygraphists and CVSA Examiners conduct examinations as needed. Polygraph and CVSA examinations are a collateral responsibility of the members of this unit based on their specialized training in this area.

IV. Description of the functions of the unit:

The requests for in-county Polygraph and CVSA examinations must be reviewed and approved by the unit commander. Any request for an examination for an out-of-county agency must be approved by the Chief of Detectives.

During 2017, the total number of Polygraph/CVSA examinations was 2, resulting in 2 deceptive findings.

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SOMERSET COUNTY EMERGENCY RESPONSE TEAMS (SCERT)

I. Purpose:

The Somerset County Emergency Response Teams (SCERT) are responsible for responding immediately to incidents of a critical nature where specially trained personnel are required to assist in disturbances or other life-threatening situations, such as hostage incidents, barricaded persons, high risk warrant service, civil disturbances, suicidal subjects, search/rescue, dignitary protection, crowd control, evidence/area searches, and water related rescue/recovery operations. The SCERT are comprised of the SWAT Team, Crisis Negotiations Team (CNT), Dive-Rescue Team and Tactical Emergency Medical Services Team (TEMS).

II. Number of personnel assigned to the section or unit:

A. Legal Staff: Deputy First Assistant Prosecutor W. Brian Stack

B. Sworn Personnel: Chief John Fodor SCPO
SCERT Commander
Lieutenant Edward Ciempola North Plainfield P.D.
SWAT Commander
Detective Herbert Foster SCPO
CNT Commander
Detective Mark Matthews SCPO
Dive – Rescue Team Commander

90 law enforcement officers and medics are trained and assigned to various teams.

C. Civilian Personnel: A contingent of 18 paramedics from Robert Wood Johnson University Hospital-Somerset, and Robert Wood Johnson University Hospital-New Brunswick, 2 civilian divers, and a Mental Health Specialist are team members.

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III. Duties and responsibilities of section/unit personnel:

A. Legal Staff:

Provides legal assistance as the need and situation indicates.

B. Sworn Personnel:

Assigned to the teams from the Office of the County Prosecutor, Sheriff and municipal law enforcement agencies within Somerset County.

C. Civilian Personnel:

Assigned as team members based on their particular expertise in the medical or mental health field.

IV. Description of the functions of the teams:

A. SCERT is comprised of 4 essential components. The first is the Special Weapons and Tactics (SWAT) component, the second is the Crisis Negotiations Team (CNT), the third is the Dive-Rescue Team and the fourth is the Tactical Emergency Medical Services Team (TEMS). When an incident occurs that requires mobilization of any of the SCERT components, notification is made activating all members of the required component(s) to respond. Team members have specific responsibilities within each component.

B. The SWAT team consists of 43 full-time officers from 17 different law enforcement agencies within Somerset County. This team is a specially trained group of police officers who are equipped to handle extraordinary situations necessitating a specialized police response anywhere within Somerset County.

C. The Crisis Negotiations Team (CNT) is comprised of 13 full-time officers from 9 different law enforcement agencies within Somerset County. Each of these specially trained officers is required to minimally attend the FBI's 40 hour "Crisis Negotiations Training" course. Since 1987, the team has the added support and resources of a Mental Health Specialist, Mr. Paul Mahaffey, M.S., M.A.

D. The Dive-Rescue Team is comprised of 16 full-time law enforcement officers and 1 retired law enforcement officer from 13 different law enforcement agencies within Somerset County. The members are trained in various aspects of water rescue, underwater search and rescue, crime scene processing, ice-dive rescue, flood water rescue and surface swift water rescue operations.

E. The Tactical Emergency Medical Services Team (TEMS) consists of 18 paramedics from Robert Wood Johnson University Hospital-Somerset, and Robert Wood Johnson University Hospital-New Brunswick Mobile Intensive Care Unit. The members of TEMS provide tactical medical services to both Somerset County SWAT and Middlesex County SWAT. The members of TEMS are required to attend Tactical Medic training and actively train with other SCERT components.

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V. 2017 Training Summary:

- A.** The SWAT team conducted 12 regularly scheduled session monthly drills throughout 2017, including 2 joint training sessions with the Crisis Negotiations Team.

During the training year, the team trained in the following functional areas: operational planning, building clearing, tactical movement, use of distraction devices, building approach, perimeter control, self-defense techniques, civil disturbance, firearms training, (including qualifications in assault rifles, sniper rifles, and sub-machine gun), and breaching and response to active shooters. Members were also given instruction on field treatment of traumatic injuries, downed officer extraction, deployment of chemical agents, crowd control, and physical training.

- B.** The members of the CNT participate in monthly drills. During each of these drills all the crisis team equipment is checked for accountability, serviceability, and is charged as required. Additionally the drills include classroom presentations from assigned members or guest presenters on the various themes associated with the science and art of negotiations. Drills also include scenario and role play trainings in order to keep the negotiators skilled in their trade. Tactical trainings are also included, so that negotiators can continue to develop their associated tactical skill sets to better serve the team, and ultimately the citizens serviced by the team.

During the month of February, CNT members attended 2 days of case study and classroom training which was held in Baltimore County, Maryland. Baltimore County has conducted this training for over 35 years, and it is recognized as the largest and most comprehensive crisis negotiations training on the East Coast, with attendance often exceeding 700 officers from around the world.

In October 2013 the CNT developed a 1 day training called "The Best of the Best". This training placed crisis negotiations teams from across N.J. in competition against other teams to refine each team's crisis response performance. The training was repeated in 2017 with an overall attendance of 75 negotiators participating.

In May 2017, the CNT hosts an annual CNT conference at the Raritan Valley Community College. This event is sponsored through a partnership consisting of the Somerset County Prosecutor's Office (CNT), the Hunterdon County Prosecutor's Office (CNT) and the Newark Office of the FBI (Crisis Negotiations Unit (CNU)). This event has attendance of approximately 225 negotiators and police officers. It involves classroom blocks on the science of negotiations as well as Negotiation/SWAT case studies. This annual training was attended by officers/negotiators from throughout New Jersey, Pennsylvania, New York and Washington, D.C.

The CNT participated in 2 combined drills with SWAT and TEMS personnel in 2017. The purpose of the combined drills is to ensure inter-discipline cooperation, coordination and overall enhanced effectiveness when the multi- team SCERT is activated.

- C. The SCERT Dive-Rescue Team conducted 12 regularly scheduled monthly drills throughout 2017. During the training year, the team trained in the following functional areas: operational planning, ice rescue operations, rappelling, hoisting and lowering systems, rescue boat operations, swift water operations, diving in deep water, black water diving, night diving, underwater search patterns, underwater crime scene searches, and underwater crime scene processing. Members of the team also perform in-house VIP inspection of all SCUBA bottles.
- D. The TEMS Team actively trains every month with SWAT and on all joint drills.

VI. Joint Training

Part of the training included 2 joint, SWAT and CNT, training sessions. The 2 teams held large scale rehearsals for hostage situations including crisis negotiation. In addition, SWAT and CNT conducted an active shooter response drill at Robert Wood Johnson University Hospital -Somerset.

- A. On April 28, 2017, the Somerset County SWAT team and Crisis Negotiations team conducted a joint training operation at the Hillsborough Cinemas. This was an active shooter training session that turned into a hostage situation. It also included a body worn IED. The drill was very challenging and all members of the team including the command staff learned the challenges of dealing with a suspect wearing a body worn explosive.
- B. The SWAT team also trained for possible civil disturbances in expectation of large events occurring in Somerset County. Several members were sent to field force training and members of the breaching team were sent to explosive breaching school to prepare to implement the team's explosive breaching program.

VII. Brief synopsis of SCERT 2017 call-outs:

January 22, 2017 – Dive/Rescue Team activated and responded to South Bound Brook for possible victims in the canal after a motor vehicle collision.

January 31, 2017 –SWAT/CNT activation for a barricaded suspect in Bridgewater Township.

February 10, 2017 – Dive/Rescue Team performed dives in the D&R canal into the Raritan River.

October 31, 2017 – Somerset County SWAT executed eight Superior Court ordered search warrants simultaneously along with Middlesex County SWAT and Bergen County SWAT teams following a large scale narcotics operation.

August 19, 2017 – SWAT/CNT activation for a barricaded suspect in Franklin Township.

VIII. Training provided by SCERT

Response to Active Shooter Instructor Course

In the Spring of 2017 the SWAT Team, CNT Team and the Somerset County Police Academy joined to offer a 40 hour block of in-service training entitled "Patrol Response to an Active Shooter Instructor Course".

The course allowed the SWAT, CNT and TEMS teams to share their expertise on this topic with police instructors from around the county and adjoining counties. The school was a great success and will appear annually in the Somerset County Police Academy Catalog.

IX. Community Outreach

SWAT team members participated in the following special events:

- Somerville Police Department Youth Week
- National Night Out in North Plainfield and Somerville
- Bring Your Child to Work Day – Somerset County
- Somerset County Association of Chiefs of Police Annual Police Youth Week Program
- Somerville Flag Day

CNT members participated in the following special events:

During 2017 the CNT provided demonstrations of equipment and personnel as requested by community groups and events, allowing the citizens of Somerset County to recognize the professionalism of their law enforcement community, as well as the many specialty resources available here in Somerset County.

The CNT assists Centenary College each semester, as requested with role players who have expertise relative to an undergraduate Criminal Justice course offering titled: “Crisis Negotiations in Police and Corrections”.

DIVE – RESCUE team members participated in the following special events:

- Bring Your Child to Work Day – Somerset County

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FUGITIVE UNIT

I. Purpose:

The Somerset County Prosecutor's Office Fugitive Unit is comprised of county detectives whose primary responsibilities are to locate and apprehend wanted fugitives.

II. Number of personnel assigned to section or unit:

- A. **Legal Staff:** 1 Assistant Prosecutor
- B. **Investigative Staff:** 1 Lieutenant
1 Sergeant
2 Detectives
- C. **Clerical Staff:** 1 Secretary

III. Duties and responsibilities of section or unit personnel:

- A. **Legal Staff:**
Provides legal supervision and guidance to investigative staff relating to legal issues concerning fugitive cases and other matters as needed.
- B. **Investigative Staff:**
This unit is on-call 24 hours a day, 7 days a week. The Fugitive Unit travels throughout various jurisdictions within New Jersey and outside state boundaries to pursue persons wanted for various criminal offenses, violations of parole, and failure to comply with bail tracking. These efforts require extensive cooperation between the Fugitive Unit and law enforcement agencies from local, state and federal sectors.
- C. **Support Staff:**
Secretary provides data entry and updates files.

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IV. Description of the functions of the unit:

Since 1997, this unit averages approximately 300-400 arrests per year. An additional function includes the arrest and incarceration of the individuals located within Somerset County who are wanted as fugitives from out-of-state authorities. All wanted fugitives arrested outside of New Jersey must be extradited to New Jersey. It is the responsibility of the Fugitive Unit to apply for a Governor's Warrant within 90 days to bring the wanted individuals back to New Jersey.

In 2017, the Fugitive Unit extradited several fugitives from numerous states including: New York, Pennsylvania, Maryland, South Carolina, Florida, Massachusetts, and Arizona.

In addition to the out-of-state extraditions and in-state transports the Fugitive Unit was able to proactively work with local law enforcement agencies to attempt service on outstanding active warrants on numerous occasions.

V. Investigative activities for 2017 are as follows:

- **635 New warrants were received**
- **565 Warrants were satisfied by arrest, vacated or dismissed.**
- **416 Active warrants at start of 2017**
- **5 Governor's Warrants**
- **3 Interstate Agreement on Detainers (IAD)**

VI. Fugitive Unit - 2017

	Arrests	Vacates	Dismissed	Totals
January	36	13	0	49
February	20	7	0	27
March	31	14	0	45
April	35	10	0	45
May	37	13	15	65
June	36	7	0	43
July	35	10	0	45
August	42	7	0	49
September	32	1	0	33
October	44	4	0	48
November	38	4	39	81
December	31	4	0	35
Totals	417	94	54	565

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CRIME SCENE INVESTIGATION UNIT (CSIU) & BALLISTICS LABORATORY

I. Purpose:

The Crime Scene Investigation Unit and Ballistics Laboratory of the Somerset County Prosecutor's Office utilizes the most current technology and equipment to obtain and analyze physical evidence for use in criminal investigations.

II. Crime Scene Investigation Unit:

Staffed by 1 Lieutenant, 1 Sergeant, 3 detectives, 1 civilian, 1 Ballistics Examiner from the Somerset County Prosecutor's Office, and 1 Ballistic Examiner from the Middlesex County Prosecutor's Office.

During the course of 2017 the Crime Scene Investigation Unit opened 292 cases that were either submitted by local Police Departments, County Prosecutor's Offices, Federal Agencies or generated as a result of the Crime Scene Unit processing a scene.

Among the items the Crime Scene Investigation Unit may be requested to collect, analyze, process or compare include, but are not limited to:

1. Biological or serological evidence (blood, semen, saliva, etc.). These items are collected and submitted to other laboratories for analysis. The Somerset County Prosecutor's Office Forensics Laboratory does not conduct biological or trace evidence analysis;
2. Latent finger and palm print development and comparisons;
3. Impression evidence such as tire impressions, footwear impressions, glove and fabric impressions and bite mark evidence;
4. Hairs, fibers and other trace evidence;
5. Firearms, ammunition, projectiles and shell casings;
6. Gunshot residue;
7. Tool marks;
8. Accelerants from fire scenes.

The Crime Scene Investigation Unit responds to the scene of various crimes and is responsible for processing the scene for potential physical evidence. The most common types of scenes processed include homicides, death investigations, aggravated assaults, robberies, burglaries and sexual assaults. During the course of 2017, the Crime Scene Investigation Unit was called on to process 27 crime scenes within Somerset County; not including vehicles that were transported to the CSIU building.

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In addition to scene processing, the Crime Scene Investigation Unit assists all other units of the SCPO as well as local, county, state and federal law enforcement agencies as needed. The Crime Scene Investigation Unit is a participating member of a statewide Major Crimes Task Force that is able to respond anywhere in the state to assist with processing major crime or disaster scenes.

The Crime Scene Investigation Unit also provides the following services for the Somerset County Prosecutor's Office:

1. Attends autopsies in cases of homicide or suspicious deaths;
2. Prepares crime scene diagrams and other documents for court presentation;
3. Utilizes various photography techniques to document crime scenes, evidence and public relations events;
4. Collects and submits DNA and other trace evidence specimens for laboratory analysis;
5. Provides training classes on various crime scene and evidence related topics to in-service police.
6. Conducts presentations to a wide variety of public groups including high school and college classes on general crime scene and laboratory processing techniques;
7. Conducts blood stain pattern analysis at scenes and on clothing.

The Crime Scene Investigation Unit is responsible for processing all items of evidence submitted to the laboratory for latent finger prints. The unit is also responsible for the collection, preservation and submission of biological evidence, hairs, fibers or other trace evidence to other laboratories for analysis. During 2017, the Forensics Unit processed 1,515 individual items of evidence.

The Crime Scene Investigation Unit has the responsibility of operating the Automated Fingerprint Identification System or AFIS Terminal, which directly accesses the NJSP AFIS fingerprint database. Latent prints developed at crime scenes, in the laboratory or submitted by local agencies are input into the SCPO terminal and searched through the state database in an attempt to find a match or "hit". In 2017, 68 cases were entered into AFIS resulting in 52 "hits" identifying suspects.

III. Firearms and Ballistics Unit:

The Firearms and Ballistics Unit is responsible for the following examinations:

1. Operability to determine if a weapon is readily capable of firing;
2. Serial number restoration utilizing mechanical and chemical processes to restore defaced serial numbers;
3. Microscopic comparisons of projectiles and casings in an attempt to identify weapons used in a specific crime and to determine if there is any correlation between the weapon, projectiles or casings with any other crimes;
4. Gunshot distancing: used to determine the distance between the muzzle of the firearm and the point of impact of the projectile;
5. Trajectory analysis to determine the path that a projectile takes after it exits the barrel to where it comes to rest. This is most commonly used to determine from where the weapon was fired.

The Somerset County Prosecutor's Office in partnership with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives and the Middlesex County Prosecutor's Office operate the Integrated Ballistics Identification System, (IBIS). IBIS is a computerized imaging system where projectiles and casings are received in the laboratory, analyzed for forensic value, weighed, measured and entered into the IBIS database. The items are searched against the database and potential matches or "hits" are reported. The "hits" are then microscopically compared for verification. In 2017, a total of 195 items were entered by the Firearms and Ballistics Unit resulting in 16 cold case "hits".

CRIMINAL INTELLIGENCE UNIT

I. Purpose:

The Criminal Intelligence Unit (CIU) provides the Somerset County Prosecutor's Office with the knowledge and recommendations to allow for effective management of its resources. Criminal Intelligence is a process involving planning and direction, collection, evaluation, collation, analysis, dissemination, and re-evaluation of information on suspected or known criminals and/or organizations operating within our jurisdiction.

The focus of the CIU resources consist of but are not limited to the following criminal activities: violations of New Jersey Statutes pertaining to controlled dangerous substances, gambling, traditional and non-traditional organized crime, burglary/theft, street gangs, strategic threat groups and violent crimes.

Information received is maintained and secured in a computerized database. This information or data that is maintained in the database is restricted to criminal intelligence and related information from public records, media sources, and substantiated information received from citizens and law enforcement agents which adheres to the Criminal Intelligence Systems Operating Policies (28 C.F.R. § 23 (2017)).

II. Number of personnel assigned to unit:

A. Investigative Staff: 1 Detective

III. Duties and responsibilities of unit personnel:

The CIU investigative staff is composed of a career law enforcement professional, who is also a Certified Criminal Analyst with 18 years experience in the Intelligence field. The CIU is responsible for the collection, collation, evaluation, analytic review, dissemination, and re-evaluation of the data maintained in the Infoshare Intelligence database. It is the duty of the CIU to educate, train, and monitor users of the Infoshare Intelligence database, making sure its users comply with the federal intelligence standards of 28 C.F.R. § 23 (2017). In 2016, the CIU maintained the Intelligence database entries as well as vetting its users within Somerset County. All users of the Intelligence Database are required to complete 28 C.F.R. § 23 (2017) training to gain access to the system.

Data collected by the CIU is entered into the Infoshare Intelligence database and maintained by the CIU. Data collected consists of, but is not limited to the following items: information received from confidential informants, probation and parole updates for Somerset County residents, Narcan deployments and heroin overdoses in Somerset County, as well as intelligence gleaned by members of Somerset County Local municipalities.

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The CIU receives and evaluates hundreds of intelligence emails on a daily basis to include monitoring the Critical Reach / TRAK system. Information collected from various sources is then disseminated to intelligence liaisons throughout Somerset County, various law enforcement contacts in the State of New Jersey, surrounding states, and federal agencies.

Any and all intelligence products and emails generated and disseminated by the CIU to law enforcement contain a confidentiality statement. The statement is as follows:

This is a confidential intelligence report and is the property of the Intelligence Unit of the Somerset County Prosecutor's Office. This agency is a "participating agency" within the meaning of [28 C.F.R. § 23 (2017)]. As such, this publication is regarded as a government record exempt from public access or review under O.P.R.A. N.J.S.47:1A-1 et seq. This office further asserts that this publication is exempt on the basis that it constitutes "inter-agency advisory consultative or deliberative material." Further dissemination of this report without the expressed authorization of the Somerset County Prosecutor's Office is strictly forbidden. Unauthorized use or dissemination of this report may result in civil/criminal liability. No enforcement action should take place based solely on the contents of this report. Do not make this report or any portion thereof part of any discovery package. Do not post in a publicly visible area.

In March 2012, the Somerset County Prosecutor's Office Criminal Intelligence Unit began sharing intelligence information with 13 outside law enforcement agencies on the INFOSHARE Network. In 2015, the INFOSHARE Network was connected statewide with 95% compliancy by state law enforcement agencies as well as the majority of County Prosecutors' Offices.

The CIU lends support to all units of the Somerset County Prosecutor's Office as well as for local municipalities and for other SCPO detective staff as requested. On a daily basis the CIU provides timely intelligence to the Narcotics and Organized Crime Unit, Fugitives, and the Burglary / Major Crimes Unit. The CIU continues to lend support by the dissemination of information, case analysis, as well as producing analytical products. Analytical products include mapping, GPS mapping, telephone toll analysis, timelines, and organizational charts, and case-by-case intelligence lookups.

The CIU is responsible for maintaining and compiling a database comprised of confidential informants who are contracted by SCPO detective staff. The CI files are maintained and updated as requested by the CIU unit.

Lastly, the CIU holds a bi-monthly Roundtable Intelligence meeting which is attended by multiple agencies both in Somerset County, as well as surrounding agencies. It should be noted that the meeting is attended by Municipal, County, State, and Federal agencies in the State of New Jersey.

Other duties:

1. CJIS

- TAC Officer for Somerset County
- Train / Test / Certify Users
- NJSP Audits (every 2 years) Completed 2016

2. Deconfliction

- Lead POC for HIDTA Case Explorer
- Organize / Maintain HIDTA User list

3. FBI VICAP

- Lead POC for Somerset County
- Input / Maintain records
- Update Users / Maintain

4. Confidential Informant database

- Maintenance of database as well as hard copy of CI files
- Track CDS prices from narcotic vouchers
- Maintain narcotic vouchers in CI files

5. Intelligence Officer / Analyst

- Collect, correlate information received
- Analyze data
- Produce tactical and strategic intelligence products
- Publish immediate Intelligence Bulletins, and Monthly Intelligence Briefs
- Disseminate intelligence to Local, County, State and Federal agencies
- Evaluate the intelligence

6. Crime Stopper Law Enforcement Liaison

- Disseminate tips received

7. Infoshare Intelligence database supervisor

- Input (Narcans deployments, parole notifications, CI intelligence received, gang identifications, Crime Stopper tips)
- Review (all records added by SCPO and local police departments)
- Purge (deletion of outdated records)

8. Email Distribution / Dissemination

- Field approximately 100 + emails daily to proper units / supervisors (i.e. APB, NJSP, Pennsylvania Attorney General Intelligence Unit)

9. IALEIA

- International Association of Law Enforcement Intelligence Analysts
- President of the Mid-Atlantic Chapter
- Duties to train, educate, host meetings

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10. Statewide Intelligence Commanders meeting

- Lead as of January 2016
- Organize / schedule
- Held quarterly (March, June, September, December)
- Hosted throughout the State of New Jersey
- May 2016 – hosted by the Somerset County Prosecutor’s Office.
- Maintain email distribution list
- Provide training
- Approximately 120 members

11. Somerset County Intelligence Meeting

- Organize / Schedule
- Every 2 months
- Outlet for active law enforcement officers to share open case data and network
- Provide training
- Open to SCPO detective staff, Somerset County local police departments, and surrounding counties / agencies

12. Attend Intelligence Meetings / Networking opportunities

BURGLARY TASK FORCE

I. Purpose:

The Somerset County Prosecutor's Office Burglary Task Force is an investigative unit created to assist municipal, county and state law enforcement agencies in investigating burglaries. The function of the Burglary Task Force is to collect data, analyze crime patterns, and disseminate pertinent information to police agencies affected by common burglary types.

II. The number of personnel assigned to the unit:

- A. Legal Staff:** **1 Assistant Prosecutor**
- B. Investigative Staff:** **1 Detective Lieutenant**
1 Detective Sergeant
2 Detectives

III. Duties and responsibilities of section or unit personnel:

- A. Legal Staff:**
Provides legal supervision in preparation for prosecution and gives legal advice and opinions on a day-to-day basis as needed.
- B. Investigative Staff:**
Collects data from local police agencies, analyzes crime patterns, disseminates pertinent information to police agencies affected by common burglary types, and conducts pro-active investigations into burglary suspects.

IV. Descriptions of the functions of the unit:

In 2017, the Somerset County Prosecutor's Office Burglary Task Force continued to review the past methods of investigation and constantly improve upon how the Burglary Task Force would carry out its mission. In previous years the Burglary Task Force operated as more of a reactive unit. Starting in 2011 the Burglary Task Force established itself as a pro-active intelligence led investigative unit and that concept continued into 2017. The Burglary Task Force was further expanded in 2013 and is now comprised of 1 Detective Lieutenant, 1 Detective Sergeant, and 2 Detectives. The assistance provided by the Burglary Task Force to Somerset County municipalities varies on a case-by-case basis. The Burglary Task Force disseminates the names of burglary suspects obtained from confidential informants and other police agencies to the municipalities within Somerset County. As serial residential burglars often cross county lines and begin working in larger regions, the Somerset County Burglary Task Force saw the need to forge strong relationships with other intelligence and burglary units in our surrounding counties to foster information sharing. The Burglary Task Force also assists by providing physical surveillance of suspects believed to be actively committing burglaries. The Burglary Task Force works closely with the Division of Weights and Measures to insure local precious metal buyers are properly documenting purchases and filling our purchase receipts.

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In 2017 the Somerset County Burglary Task Force continues to monitor the buying and selling of precious metals throughout Somerset County. As the price of gold remains high, residential burglars targeting gold continue to be on the rise. There are 36 precious metal buyers in Somerset County. To insure uniformity and compliance the Burglary Task Force, along with the Division of Weights and Measures, constructed a uniform receipt to be utilized by each buyer within Somerset County at the time of the purchase. The Burglary Task Force requires that the receipt be forwarded to both the Burglary Task Force and the police department in the town where the buyer resides. The Burglary Task Force provides the information gathered from the precious metal buyers to all sworn law enforcement personnel through a searchable online database. This database allows a detective to search jewelry sold to all buyers across Somerset County from their desktop computer. To date the program dubbed "Operation Gold Rush" assisted the Burglary Task Force and other municipalities that use the system in solving over 422 residential burglaries based solely on the precious metal reporting forms.

In 2017 the Somerset County Burglary Task Force continued to maintain and review a uniform reporting form requiring each municipality to notify the Task Force when a residential or commercial burglary occurs within their jurisdiction. By collecting this information the Burglary Task Force is able to study the methods of entry, times of day, and methods the burglars used to search the house. This information has been useful in spotting patterns and identifying burglary suspects.

In 2017 The Somerset County Burglary Task force began to make the transition in a more advanced precious metal reporting system called Regional Automated Information Database (RAPID). Currently 7 municipalities have passed ordinances to enforce the requirement to use the new precious metal reporting system.

V. 2017 Significant Cases:

The Somerset County Prosecutor's Office Burglary Task Force has continued to assist municipal, county and state law enforcement agencies in investigating residential and commercial burglaries. The Somerset County Prosecutor's Office Burglary Task Force made 19 arrests for burglaries and solved 13 residential burglaries. Listed below are highlighted cases for 2016:

- On January 5, 2017 at approximately 5:00 p.m. the Watchung Police Department responded to a residence on Hillcrest Road, Watchung N.J. for a reported burglary. Upon the arrival of responding patrol officers it was learned that the suspect(s) gained entry to the residence by prying open an interior door leading from the garage to the residence. The master bedroom located inside of the residence had been ransacked.

Detectives from the Watchung Police Department contacted the Somerset County Prosecutor's Office Burglary Unit who identified Dawud Ward, age 24, of Plainfield N.J. had been a suspect in several burglaries in the area based upon the unique method which he used to gain entry to the residences.

After a month long investigation detectives from the Burglary Unit charges Dawud Ward with Burglary, Theft, and Criminal Mischief for the burglary at the residence on Hillcrest Road.

- On July of 2017 the Somerset County Prosecutor's Office Burglary Unit began investigating residential burglaries which occurred in Branchburg, Bridgewater, and Hillsborough, all in Somerset County and Readington Township located in Hunterdon County.

During the course of the investigation detectives identified Brian Cromen, age 39, of Branchburg N.J. After approximately 1 month of surveillance by detectives from the Somerset County Prosecutor's Office Burglary Unit, Brian Cromen was arrested on July 31, 2017 Brian Cromen was taken into custody after he was observed burglarizing a residence . Brian Cromen was charged with committing burglary and theft. The matter is pending in Somerset County Superior Court.

VI. Future

The Somerset County Burglary Task Force will continue to expand investigative techniques and continue to network throughout our bordering counties sharing available intelligence. The Task Force is transitioning to using RAPID for reporting precious metals transactions. The RAPID system is in full use in Maryland and Delaware and is beginning to be used more in New Jersey. The RAPID system records and photographs the purchase of all precious metals at the point of sale which would alleviate the data entry currently being done by police detectives giving them more time to conduct pro-active burglary investigations.

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CRIME STOPPERS OF SOMERSET COUNTY

The Crime Stoppers program was initiated in Somerset County in February of 2004 and it remains a highly successful program in assisting the Somerset County law enforcement community in solving crimes.

I. Purpose:

Crime Stoppers of Somerset County, Inc. is a New Jersey 501(c)(3) non-profit corporation and it is funded entirely by tax-deductible donations from the private and corporate sectors. As a community-based program, it brings the public, the media and the police together in a cooperative effort to help prevent and solve crimes, as well as helping law enforcement apprehend fugitives from justice. This is accomplished by offering cash rewards and anonymity to persons who furnish information leading to the arrest and conviction of a criminal offender. The program encourages individuals with knowledge of a crime or whereabouts of a fugitive to call a toll-free hotline 1-888-577-TIPS. Tipsters may also email information via the internet by logging onto www.577tips.org. Crime Stoppers has proven to be an effective weapon against crime. There are over 1,000 Crime Stopper programs in the United States, Canada and Europe.

II. Number of personnel assigned to Crime Stoppers of Somerset County:

A. Investigative Staff: 1 Detective

B. Support Staff: 1 Civilian/Coordinator

III. Duties and responsibilities of personnel:

The Coordinator oversees the day-to-day operations of the program and is the liaison between the board of directors, the media and all law enforcement agencies throughout the County.

The Detective is responsible for receiving, analyzing and forwarding tip information to the appropriate law enforcement agency.

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COMPUTER CRIMES / TECHNICAL SERVICES UNIT

I. Purpose:

The Computer Crimes Unit of the Somerset County Prosecutor's Office is comprised of a Lieutenant, a Sergeant, 2 Detectives, and a Task Force Member. The Unit supports all of the units in the Prosecutor's Office as well as the County's municipal police departments with computer related investigations. The Computer Crimes Unit is responsible for forensically analyzing/previewing computers, which are suspected of being used in the commission of a crime. The Unit is also affiliated with the Internet Crimes Against Children (I.C.A.C.) Task Force. As a member of the I.C.A.C. Task Force, the Unit handles referrals from I.C.A.C. Task Forces across the country in addition to actively investigating online child predators. The Unit also provides local schools and community organizations with internet safety presentations.

II. The number of personnel assigned to the Unit during 2017:

A. Investigative Staff:	1 Captain
	1 Lieutenant
	1 Sergeant
	2 Detectives

III. Investigations, activities and accomplishments for 2017:

Computer Forensic Examinations/Previews	2
I.C.A.C. Referrals/Investigations	17
Investigations of distribution of child pornography	11
Investigations of possession of child pornography	10
Investigations of enticing/obscenity to a minor	4
Celebrite cell phone examinations	68
Arrest for above offenses	5

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IV. Accomplishments Made by this Unit during 2017:

- A.** In August of 2017 defendant Justin England of Manville New Jersey, was arrested and charged with Possession of Child Pornography, Distribution of Child Pornography, and Endangering the Welfare of a Child.

In June of 2017 detectives were assigned to investigate a matter involving the sharing of child pornography. Detectives acquired the IP Address of the target and were able to positively identify him as Justin England. Subpoenas were generated that later confirmed the IP Address associated used returned to England's employer and it was confirmed that he was working during the specific dates and times when the child pornography was downloaded. Detectives prepared a search warrant / Communications Data Warrant pertaining to the case, which was signed by Judge Yolanda Ciccone.

Detectives then coordinated the efforts of multiple law enforcement agencies involved in the investigation including the Manville Police Department, Federal Bureau of Investigation conducting a search of the residence and the arrest of Justin England.

- B.** On October 19, 2017 Eric Yourish of North Plainfield New Jersey was arrested and charged with Possession of Child Pornography, in connection with a referral received from the Federal Bureau of Investigation.

On February 14, 2017 detectives met with agents from the Federal Bureau of Investigation and it was learned that Eric Yourish was identified as being a person in possession of child pornography.

During the investigation detectives interviewed Eric Yourish and during the interview he admitted to viewing and possessing images of child pornography. Detectives seized a laptop computer, thumb drive and cellular phone which were found to be in Eric Yourish's possession at his residence. The matter is pending in Somerset County Superior Court.

VEHICULAR HOMICIDE TASK FORCE & COLLISION ANALYSIS RECONSTRUCTION TEAM (C.A.R.T.)

I. Purpose:

The Collision Analysis Reconstruction Team (C.A.R.T.) was established in 1999 to enhance the capacity of Somerset County Law Enforcement agencies to swiftly, efficiently, systematically and professionally investigate motor vehicle crashes resulting in fatal or serious bodily injuries; to determine whether criminal or other related charges are warranted.

The C.A.R. Team makes available to the 21 municipalities of Somerset County and to the New Jersey State Police, a highly trained team of experienced collision investigators from throughout the county who can properly investigate and reconstruct fatal and serious bodily injury motor vehicle collisions and pursue the prosecution of same.

The C.A.R. Team also makes available to all municipalities a response vehicle equipped with state-of-the-art reconstruction equipment maintained and utilized by the Team.

The C.A.R. Team's multi-jurisdictional approach increases dramatically the experience level of its members. It also affords investigative parity to all jurisdictions throughout the County. The Team also assists the New Jersey State Police in investigating certain criteria cases on interstate highways in Somerset County.

II. Number of personnel assigned to the unit:

The Collision Analysis Reconstruction Team is comprised of 6 Investigators from the Prosecutor's Office and 24 municipal task force officers.

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III. Duties and responsibilities of personnel:

The C.A.R. Team is managed by the Somerset County Prosecutor's Office. However, it is still the responsibility of the local police department for the jurisdiction in which the crash occurred to complete all required reports in a joint investigation with the C.A.R. Team.

Team Commander:

The duties and responsibilities of the Team Commander include, but are not limited to:

- Determining when the Team should be activated based upon information received about a serious or fatal crash.
- Determining the scope and degree to which the investigation progresses. Identify circumstances which require immediate criminal charges and then screen those charges.
- Assigning personnel duties and responsibilities during on-scene investigations.
- Making proper notifications to all support services (i.e., Medical Examiner's Office, hospitals, local police departments, emergency services, tow companies, etc.).
- Making notification to superiors advising of Team activations.
- Consulting with the Team's assigned Assistant Prosecutors regarding all legal concerns.
- Serving as liaison between the Team, the SCPO, local police and fire departments, County Chief's Police Association, and the N.J. State Police Fatal Accident Investigation Unit.
- Tracking progress of all open cases and reporting to the Team's assigned Assistant Prosecutor.
- Provide expert reports and testimony in criminal and quasi-criminal proceedings.

Total Station Operators:

All C.A.R. Team Total Station Operators must have completed a training course specific to each Total Station and show competency in mapping scenes with that Total Station. All Total Station Operators will be responsible for forensically mapping crash scenes and all relevant evidence. Operators shall be responsible for producing both after-situation and dynamic scale diagrams of the scene and an operator's report in a timely manner.

Task Force Members:

The duties of all members of the C.A.R. Team shall include, but are not limited to:

- Crash scene evaluations to identify contributing causes for the crash.
- Interviewing witnesses and participants.
- Photographing scenes and evidence.
- Vehicle inspections.
- Assisting in forensic documentation of roadways, vehicles, and evidence.
- Attending autopsies when necessary.
- Identification, collection, preservation, and analysis of all scene evidence.
- Hand-drawn field sketches of scenes.
- Supplemental investigations (i.e., vehicle inspections, interviews, diagrams, additional photography).
- Timely response to scenes.

IV. Highlights of 2017 for C.A.R.T.**A. 6 SCPO and 24 municipal members are on the task force****B. Responded to 39 callout requests****C. Generated 39 cases**

- 26 fatalities in 25 fatal crashes
- 14 serious bodily injury crashes
- 5 cases reviewed for criminal charges as requested by Municipal Courts
- Assisted State Police with 7 fatal and/or serious injury crashes
- Assisted/consulted on 3 out-of-county fatalities
- 2 investigations resulted in indictable charges (1 in Hunterdon County)
- 10 crashes involved alcohol/drugs

V. Significant Cases of 2017**State v. Antoinette Papariello****Aggravated Assault - Cause Serious Bodily Injury while Fleeing Police Second Degree**

North Plainfield – 02/27/17 at 1:13 p.m.

Status – Guilty Plea, 3.5 years incarceration, 3 years parole supervision

Defendant was charged with fleeing from a North Plainfield officer after being told to stop. Defendant disregarded a stop sign and struck an approaching vehicle on a cross street. Defendant caused serious bodily injuries to the other driver.

State v. Justin Johnson**Aggravated Assault - Cause Serious Bodily Injury while Fleeing Police Second Degree**

Status – Trial pending

State v. Raekwon Billups**Raekwon Billups****Fourth Degree**

North Plainfield – 08/25/17 at 2:52 p.m.

Status – Guilty Plea, non-custodial probation

Defendants took vehicle without permission, fled from police when attempting to be stopped. Defendant Johnson lost control of the vehicle and struck pedestrian on sidewalk. Struck several other vehicles. Both defendants fled on foot and were subsequently located.

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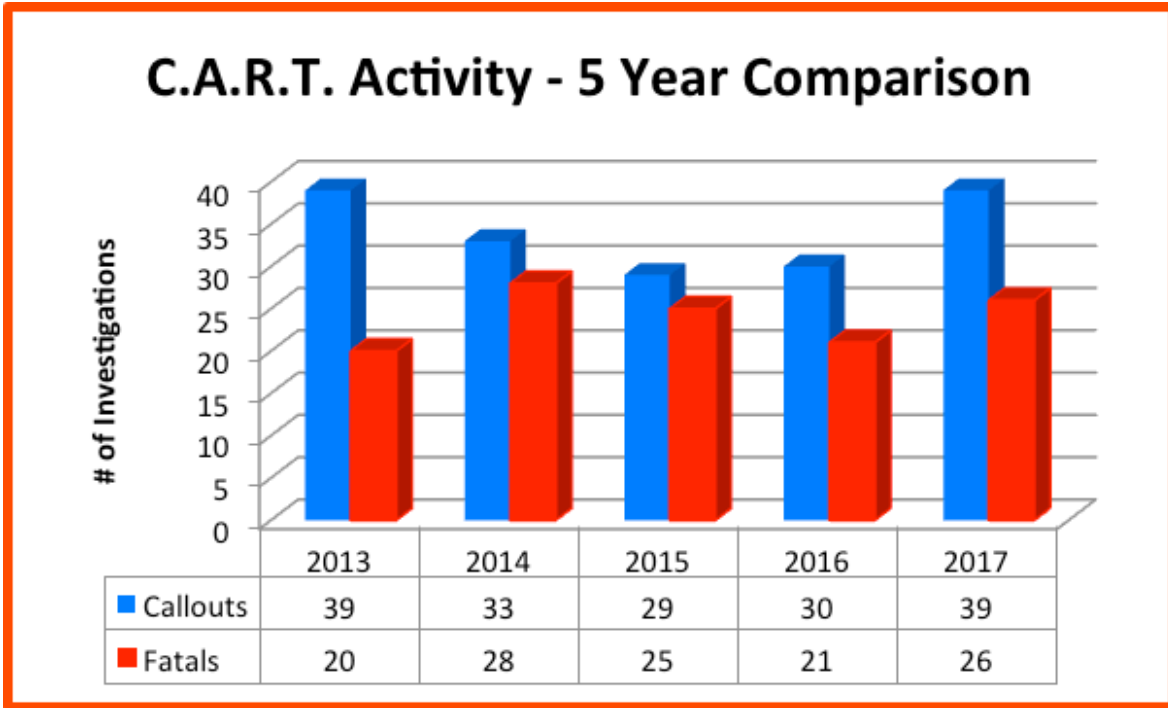
Administrative Division Summary

D.A.R.E., G.R.E.A.T.
(Gang Resistance Education Training)Bring Your Child to Work Day
& Community Events

POLICE ACADEMY

VI. Totals since the inception of the Collision Analysis Reconstruction Team in 1999:

- 686 cases investigated
- 382 fatalities
- 84 crashes that warranted criminal charges
- 80 cases involving assists to other out-of-county agencies.



NOTE – C.A.R.T. response to call-outs increased 30% in 2017 and the total number of fatalities increased by 23% from 2016.

Notwithstanding the year-to-year fluctuation in the number of crashes investigated, an attempt was made to maintain fiscal prudence by keeping to a minimum the number of task force investigators (both county and municipal) that responded to each of the call-outs.

PROSECUTOR'S MESSAGE

LAW ENFORCEMENT OF SOMERSET COUNTY

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Trial Section
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 Domestic Violence
 Juvenile Unit
 Victim-Witness

CRIMINAL INVESTIGATION DIVISION

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Major Crimes Unit
Sex Crimes & Child Abuse Unit
Special Investigations Unit
Insurance Fraud Unit
Internal Affairs Unit
Organized Crime & Narcotics Task Force
Polygraph & Computerized Voice Stress Analysis (CVSA) Unit
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Vehicular Homicide Task Force & Collision Analysis Reconstruction Team (C.A.R.T.)
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Training:

Twenty-nine members of the unit attended a total 43 weeks of formal training classes during 2017. One of the primary goals for 2017 was to continue to train and advance the investigative talents of current and future Team members.

The breakdown is as follows:

Class	# of Attendees	Total training hours
Crash Reconstruction (80 hrs)	2	160 hrs
Motorcycle Crash Invest (40 hrs)	3	120 hrs
Pedestrian/Bike Crash Invest (40 hrs)	10	400 hrs
Basic Crash Investigation (80 hrs)	3	240 hrs
Advanced Crash Invest (80 hrs)	3	240 hrs
PA State Police Crash Conf. (24 hrs)	1	24 hrs
LifeSavers Conference	1	32 hrs
IPTM Special Problems Symposium	1	40 hrs
ARC-CSI Crash Conference (40 hrs)	1	40 hrs
Misc. Crash Investigation	9	440 hrs
Totals	34	1,736 hours

The total cost for the 1,736 hours of highly specialized courses was \$936.59 to the County. The majority of the training received this year was either grant-funded or self-instructed. In addition to the classroom training, only 1 Team meeting/practical training day was held due to the investigative and training workload.

Members also attended conference/training events hosted by NATARI and NJAARS.

The C.A.R.T. Coordinator is an Adjunct Faculty of Northwestern University, Center for Public Safety in Evanston, Ill. and Kean University in N.J. The C.A.R.T. Coordinator is also co-chair of a curriculum development committee for the State of New Jersey which is actively rewriting all training curricula for the Basic and Advanced Crash Investigation classes, and Collision Reconstruction programs offered in the State. This endeavor is being supported and peer-reviewed by the Criminal Justice and Mathematics & Science departments of Kean University. To date, the Basic and Advanced curricula have been finalized and are being taught. N.J. Collision Reconstruction will be the next endeavor.

Equipment:

In addition to annual licensing and computer software updates, several outdated technologies and pieces of equipment were replaced. The FARO 3D scanner was introduced to C.A.R.T. this year. There is a substantial learning curve involved in this technology, more so with the software that the actual use of the scanner.

The total cost for the entire year to support the Team for equipment, repairs, recertifications, licensing fees, training, and computer software updates was \$16,644.40. See details below.

Vendor	Expenditure	Cost
FARO	Computer software for 3D scanner – multiple copies	\$11,829.00
Crash Data Group	Bosch CDR Annual license fee	\$1,050.00
Dirigo Software	Computer software update and licensing	\$237.40
4N6XPRT Systems	Computer software update and licensing	\$245.00
CDW-G	Replacement laptop for CART	\$3,283.00
	Total	\$16,644.40

Summary:

There were 39 motor vehicle collisions this year which required either on-scene or supplemental investigations. There were 25 crashes resulting in 26 fatalities. Each of those fatal crashes received extensive and thorough investigations commensurate with the loss of a human life.

There was again, an overrepresentation of pedestrian, bicycle, and motorcycle crashes this year. Of the 39 CART cases, 17 involved pedestrians, bicycles, and/or motorcycles. This represents a 112% increase from 2015. There were 3 purposeful pedestrian suicides in the past 3 years.

The presence of alcohol and/or drugs was found to be a factor in 10 of the 39 crashes, equating to approximately 25%. Some toxicological reports are still outstanding from 2017.

FIRE INVESTIGATION UNIT (FIU)

I. Purpose:

The Somerset County Fire Investigation Unit was formed to provide the 21 municipalities of Somerset County with a professionally staffed team trained and equipped to conduct all phases of fire investigations. The Task Force is comprised of law enforcement officers, municipal fire officials, career and volunteer fire personnel.

II. Number of personnel assigned to section or unit:

A. Personnel Assigned to Unit:	1 Task Force Commander
	2 Assistant Prosecutors/Legal Division
	Team Members comprised of:
	7 Prosecutor's Office personnel
	8 Municipal Police Officers
	14 Municipal Fire Officials
	3 State Fire Marshals
	1 ATF Special Agent
	1 Fire Service Personnel
	2 Arson K-9

III. Duties and responsibilities of section or unit personnel:

The Fire Investigation Unit team members are all trained in origin and cause determination. The team is staffed with personnel from the law enforcement community to handle any and all criminal investigations and fire officials who are familiar and responsible for the enforcement of the Uniform Fire Safety Act and the Uniform Fire Safety Code.

IV. Fire Investigations:

Fire Investigations conducted: 6

Types of structures involved:

Multi-Family	1
Single family	1
Abandoned convalescing home	2
Motor vehicle	2

Fire Causes for the 6 fire investigations:

Intentional use of incendiary	1 (1 arrest)
Combustibles too close to heat source	1 (1 fatality)
Undetermined	4

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COUNTER-TERRORISM UNIT

I. Purpose:

The Somerset County Prosecutor's Office Counter-Terrorism Unit is an investigative unit created to assist the New Jersey Office of Homeland Security and Preparedness (OHSP) and Federal Bureau of Investigations Joint Terrorism Task Force (JTTF) in investigating possible terrorism suspects and activities. The Somerset County Prosecutor's Office Counter-Terrorism Unit provides manpower and resources to assist OHSP and JTTF in terrorism related cases that originate or fall within the boundaries of Somerset County. The Counter-Terrorism Unit also interacts with businesses and corporations deemed "critical and non-critical infrastructures and facilities" to deter terrorist activity, protect their property, and promote better lines of communication.

II. The number of personnel assigned to the unit:

A. Legal Staff: 1 Assistant Prosecutor

B. Investigative Staff: 2 Detectives

C. Support Staff: 1 Clerical

III. Duties and responsibilities of unit personnel:

A. Legal Staff:

Provides legal supervision in preparation for prosecution and legal advice and opinions on a day-to-day basis as needed.

B. Investigative Staff:

Conducts thorough investigations concerning terrorism with the assistance of local and federal agencies; maintains open lines of communication between local businesses and corporations.

C. Support Staff:

Shares clerical and data entry responsibilities.

IV. Description of the functions of the unit:

In 2017, the Somerset County Prosecutor's Office Counter-Terrorism Unit participated in 17 incidents where suspicious activities were reported. The Counter-Terrorism Unit participated in numerous interviews of suspicious individuals, performed surveillance of residences and vehicles, and spoke to several citizens who observed peculiar activity. All information gleaned as a result of these investigations was forwarded to OHSP and JTTF for review. The Somerset County Prosecutor's Office, working jointly with municipal police departments, OHSP, and JTTF, subsequently confirmed or dispelled all suspicious activities.

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V. The Counter-Terrorism Unit investigated the following types of cases in 2017:

- 1 incident pertaining to a bomb threat called into a commercial business.
- 1 incident pertaining to a male who had engaged in an argument over terrorist attacks.
- 1 incident pertaining to threats of violence made against members of a law enforcement agency.
- 1 incident pertaining to a suspicious male inquiring about the water systems of a commercial business.
- 1 incident pertaining to a suspicious male exhibiting self-radicalizing behavior.
- 1 incident pertaining to religious member receiving threatening phone calls.
- 1 incident pertaining to a religious institution receiving threatening phone calls.
- 1 incident pertaining to threatening messages via social media aimed at government.
- 1 investigation pertaining to a suspicious male attempting to gain access to a private high profile event.
- 1 incident pertaining to a suspicious male attempting to gain access to a federally protected location.
- 1 incident pertaining to a suspicious male attempting to purchase night vision equipment.
- 1 incident pertaining to 3 suspicious males taking pictures of an airport.
- 1 incident pertaining to an identified female who sent a threatening email in regards to a private high profile event.
- 1 incident pertaining to a suspicious male who offered security services as a member of law enforcement.
- 1 incident pertaining to an identified female who left a threatening voice message in regards to a private high profile event.
- 1 incident pertaining to a bomb threat a middle school.
- 1 investigation pertaining to a male with a Middle Eastern accent who made threats of violence towards a high profile event.

The Somerset County Prosecutor's Office Counter-Terrorism Unit is responsible for updating all municipal police on intelligence relating to terrorism. All information sent to the Somerset County Counter-Terrorism Coordinator from OHSP and JTTF is disseminated via e-mail to all local police counter-terrorism coordinators. Local coordinators, in turn, are required to provide the intelligence to the patrolmen in their respective jurisdictions.

The Somerset County Prosecutor's Office Counter-Terrorism Unit is also responsible for maintaining a working relationship with businesses in Somerset County considered to be "Critical and Non-Critical Infrastructures." "Critical Infrastructures" are defined as businesses or structures that, if targeted by terrorists, could severely damage the national or state economy or cause mass civilian casualties. Businesses such as chemical facilities, water treatment plants, malls, insurance corporations, and airports are considered "Critical Infrastructures." "Non-Critical Infrastructures" are businesses such as hotels, storage facilities, car rental agencies, and garden supply stores that are capable of supplying terrorists with supplies, tools, or concealment from which to prepare or launch a terrorist attack.

ADMINISTRATIVE DIVISION

I. The number of personnel assigned to the section or unit:

- A. Division Head:** 1 Administrator
1 Office Manager
- B. Support Staff:** 38 Clerical & Support Staff

II. Description of the functions of the unit/Mission Statement:

The mission of the Administrative Division of the Somerset County Prosecutor’s Office is one of support, assistance and the facilitation of logistical, material and personnel services to the Legal and Investigative Divisions so that they may ensure the effective, efficient and uniform enforcement of the criminal laws and the administration of criminal justice throughout Somerset County.

The Division’s responsibilities include:

- Management of the clerical, secretarial and support staff in addition to computer systems management. In 2017, 2,481 criminal charges were issued and over 3,125 criminal, civil and juvenile discovery requests were processed. Additionally, our secretarial and paralegal staff generated over 7,250 reports, statements, letters and various types of legal documents;
- Policies and directives development;
- Data entry;
- Purchasing, 1,176 purchase orders were processed for the year;
- Budgeting, development and administration of a \$12.5 million + budget;
- Grant management;
- Management of the seized, forfeited, petty cash, confidential fund accounts, and Municipal law enforcement trust accounts;
- Assist in the pre-employment screening and background investigations, and fleet vehicle purchases;
- Liaison to the County Police Chiefs/Director and educational community;
- Logistical support for the Legal and Investigative Divisions;
- Coordination of Community Justice Programs; and
- Administering the Open Public Records Act requests for records and response notifications.

First and foremost, the Administrative Division prides itself on the prompt response to inquiries and timely resolution of office problems and issues.

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The Administrative Division had numerous accomplishments in 2017. Our Bring Your Child to Work Day in 2017 had the largest turnout of children since the inception of the program. The children were treated to a NJSP North Star helicopter landing and tour, K-9 demonstrations, our Crime Scene, SCERT and Dive vehicles and apparatus, Mock Trial and a pizza and juice lunch. We continued the process of purchasing additional InfoShare modules such as the Victim Witness Adult Letter Generator and the Victim Witness Portal to improve on the efficiencies of our Victim Witness Unit. We created a new position to assist with the Evidence Unit. This position will be responsible for field testing of all suspected opiate powders in a controlled and safe environment and for supervising the Evidence Unit. Additionally, we sought and received permission to increase our legal secretarial staff by 2 secretaries to cover the additional responsibilities associated with Bail Reform. As we do each year, we continued a program of upgrading our office computers, cell phones, office furniture, office equipment, photocopiers, and fax machines. All nineteen police agencies in Somerset County continue to be connected to our Evidence, Lab and Intelligence modules through a secured VPN. Government Emergency Telecommunications (GETS) and Wireless Priority Service (WPS) continues to be installed on the cell phones of key SCPO personnel that will provide priority cell phone service during major incidents such as terrorist attacks and natural disasters.

The Administrative Division also serves as the liaison to other County agencies, such as the Facilities & Services Department, Purchasing, Human Resources, Finance, Vehicle Maintenance, MIS Department and Printing & Graphics Departments.

III. School Based and Community Programs:

A. Project D.A.R.E./ G.R.E.A.T. School Resource Officers

In order to ensure continuity and purity of the D.A.R.E. (Drug Abuse Resistance Education) and G.R.E.A.T. (Gang Resistance Education) the Prosecutor's Office:

1. Monitors D.A.R.E./G.R.E.A.T. and School Resource Officer Programs within the County of Somerset as needed;
2. Serves as a liaison between the County Superintendent, district superintendents, educators, upper management law enforcement officials, D.A.R.E./ G.R.E.A.T. and School Resource Officers.

B. Bring Your Child to Work Day 2017

The 20th Annual Bring Your Child to Work Day was held on the fourth Thursday in April 2017. This nationwide event is designed to create a day that not only helps educate the children about the world of the workplace but also showcases various career opportunities in Law Enforcement and Judiciary. These career opportunities are correlated to the relevancy of school to work.

Eighty-two children between the ages of 9 and 14 participated in this year's various activities and demonstration, which kicked off at the Emergency Services Training Academy in Hillsborough. The Fire Academy provided an action packed morning where children participated in a fire maze, smoke maze, assisted in extinguishing a car fire and were given rides in the fire truck bucket. A drone demo was given by the Somerset County Sheriff's Office along with a K-9 Fire Dog demonstration.

The New Jersey State Police North Star Helicopter made a spectacular landing and the children were shown the workings of the helicopter. The State Police answered questions about their job and responsibilities.

During the lunch portion of the day, Vicinage 13 Law Clerks performed a skit about cyber bullying. Tweets were posted around the room and the law clerks interacted with the children. This cyber bullying skit was carried over as the topic for the Mock Trial.

Afternoon activities were held outdoors with demonstrations and tours of the Medic Truck, the SWAT truck, the Dive-Rescue vehicle, and Arson truck. The Sheriff's Office provided the ever popular K-9 demonstrations, and the CNT Robot demonstrated its strength and abilities once again.

D. Community Events

The Somerset County Prosecutor’s Office and the Somerset County Traffic Safety Alliance brought the message of traffic safety to the 4-H Fair in 2017. A booth staffed by the County Comprehensive Traffic Safety Program Coordinator(CTSP) and municipal police officers and Prosecutor’s staff provided the public with information and assistance with traffic safety related issues. Highlighted was the County’s Distracted Driving Initiative, “Put It Down”, and Child Passenger Safety. The municipal officers present were all certified Child Safety Seat Technicians.

The CTSP Coordinator and other Prosecutor’s staff continued to work with Ridewise and other groups to provide educational presentations throughout Somerset County. During the 2017 calendar year 25 presentations were given by staff. Talks consisted of Distracted Driving Awareness, Avoiding Roadway Hazards and Safe Winter Driving.

In 2017 the Somerset County Traffic Safety Alliance continued to operate a Child Passenger Safety Seat Fitting Station in Somerset County. Added was a Fitting Station in Hunterdon County. The Fitting Stations are free of charge to parents and caregivers. Twice a month on the first Saturday and third Wednesday of each month in Somerset County and on the second and fourth Tuesday in Hunterdon County, Certified Child Safety Seat Technicians are on hand to inspect and teach how to properly install and use child safety seats. During the 2017 calendar year 463 seats were inspected and 75% were found to have some form of misuse or improper installation.

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POLICE ACADEMY

POLICE ACADEMY

I. Purpose:

The mission of the Somerset County Police Academy is to offer a comprehensive continuing education calendar each year including both required and elective courses for law enforcement personnel. Included in the continuing education component is the scheduling, maintenance and supervision of the Somerset County Firearms Range, a facility utilized by both County and municipal agencies serviced through the Academy. The Academy provides outreach to the community through its participation in various events and specialty classes.

II. The number of personnel assigned to the section or unit:

- | | |
|---------------------------|---|
| A. Legal Staff: | 1 Assistant Prosecutor (On-Call)
Others as needed |
| B. Assigned Staff: | 1 Academy Director (Civilian)
1 Detective Sergeant (Commanding Officer)
1 Sheriff's Officer (Range Operations)SCSO*
1 Detective (Training Coordinator/Webmaster)
<i>*Range Operations officer is a full-time temporary assignment to the Academy.</i> |
| C. Support Staff: | 1 Office Manager |

III. Duties and responsibilities of section or unit:

- | | |
|--|---|
| A. Legal Staff: | Requested as needed to instruct and provide legal guidance on a variety of topical issues. |
| B. Academy Director (Civilian): | The Academy Director provides oversight to the operations of the Somerset County Police Academy. |
| C. Sworn Personnel: | The cadre of sworn personnel delivers the day-to-day coordination, facilitation, and supervision consistent with the purpose of the Academy and its identified mission. |
| D. Support Staff (Civilian): | The Office Manager provides administrative activity and support services to all areas of the Academy. |

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POLICE ACADEMY

V. Accomplishments:

In 2017, we conducted 141 courses, an increase from the 139 courses we conducted in 2016. Attendance for 2017 courses was 2,572 officers, an increase of 186 officers as compared to the 2016 attendance total. This increase in both training programs and associated officer attendance can reasonably be attributed to the new direction of the Academy, and the offering of more Continuing Education Courses. One additional course in particular was one that was offered by The Center for Domestic Preparedness (CDP) Field Force Operations (FFO) (PER-200). This specialized training course for police officers provides valuable hands on training in the topic of civil unrest. Over 140 officers from all over Somerset County received this much needed training.

In 2017 the Academy designed and presented the Mandatory Agency Training Series (MATS), 14th year curriculum, which continues to make available a standardized training system throughout Somerset, Hunterdon and Warren Counties, for all attending officers relative to the use of force, pursuit, and domestic violence. This program remains very well received and has allowed comprehensive and uniform training in the Attorney General's mandated training within Somerset, Hunterdon and Warren Counties.

New for 2017 was the State mandated Law Enforcement Response De-escalation Techniques for the Individual with Special Needs/Mental Health Issues. 595 officers from both Somerset and Hunterdon Counties were trained.

In 2017 the Academy continued to make available for all law enforcement agencies located within Somerset and Hunterdon Counties, the Force Analysis System of Training (FAST). This computer-based force simulation trainer provides an additional training step to attending officer's use of force decision-making skills. Additionally, the system includes the software to aid officers with identified shooting deficiencies (marksmanship skills), allowing for a cost effective marksmanship training remedial program. The Academy has established protocols that allow for this training resource to be used by requesting Somerset County agencies on a 24-hour, 7-day-per-week basis.

In June 2017 the Academy conducted its fifth year of TASER training courses. Four additional departments; Somerset County Prosecutors Office Detectives Manville, Raritan and Far Hills joined officers from the Somerset County Emergency Response Team (SCERT) as well as Hillsborough in utilizing this less lethal device.

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Community Outreach

In 2017, the Academy provided 45 educational/positive Law Enforcement-Community programs to over 950 participants. Some of those programs are highlighted below:

In July 2017, 55 youths attended the Academy's annual Police Youth Week program, a 5-day summer camp sponsored by the Somerset County Chiefs of Police Association, and coordinated by Academy staff. The objective of this program is to introduce high school students to a career in law enforcement and to develop positive interaction between students and members of the law enforcement community.

Working with the high schools in Somerset County, the Academy provided 2 "Personal Safety for High School Seniors" programs attended by more than 35 high school seniors. This was a program that promoted situational awareness for those students that were potentially advancing to college or others that would be living on their own after high school graduation.

The Academy provided civilian Active Shooter training classes for over 800 county and municipal employees and interested citizens. This is an increase from 2016's total of 723.

The Academy also:

- Provided instructors to Raritan Valley Community College, Branchburg, N.J. supporting their Associate in Arts Criminal Justice Program.
- Provided support to the Raritan Valley Community College, Criminal Justice Club.
- Provided instructors to Centenary College, Hackettstown, N.J. supporting their Undergraduate Criminal Justice Program.
- Provided instruction, interaction and support to the Centenary College, Criminal Justice Club.
- Participated in the Somerset County "Bring Your Child to Work Day" program.
- Worked with various colleges and universities to assist their students interested in a career in Criminal Justice through their specific internship or student learning programs.

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The Somerset County Firearms Range (SCFR):

The Academy provides oversight, scheduling and maintenance of the Somerset County Firearms Range (SCFR), located on Roycefield Road in Hillsborough, N.J. The Range is used almost daily throughout the year by the Academy for firearms related Continuing Education courses, and by most law enforcement agencies from throughout Somerset County for their New Jersey Attorney General mandated semi-annual firearms qualifications and other agency specific tactical firearms training programs.

The SCFR is a New Jersey Police Training Commission approved firearms training range. The Range is a 50-yard, 16-lane outdoor shooting facility. In addition it has a 100-yard line shooting platform for lanes 1 through 5. This allows agencies to conduct true 100-yard rifle qualifications. It has 2 overhead protected “classroom” or “weapon cleaning” areas, a range tower, 2 storage sheds and portable toilet facilities. The Range is approved for the firing of agency-authorized on- and off-duty handguns, agency-authorized shotguns, and agency-authorized police rifles.

In 2017, with the support of the Somerset County Association of Chiefs of Police, the Academy continued to supervise the Somerset County Firearms Pistol League. This league, providing inter-agency networking opportunities and firearms skills development was well attended by officers from Somerset County. The Pistol League will continue into 2017.

PROSECUTORIAL SCREENING OF DEFENDANTS

SCREENING OUTCOMES	STAGE OF THE CRIMINAL JUSTICE PROCESS WHEN DECISION OCCURS	
	PRE-COMPLAINT DECISIONS	POST-COMPLAINT DECISIONS
a. Defendants administratively dismissed	0	61
b. Defendants with charges downgraded to disorderly persons offenses	27	13
c. Defendants accepted for pre-trial diversion	0	61
d. Defendants otherwise screened out	531	19
e. Defendants with change of venue	0	6
f. Accusations filed	0	168
g. Defendants with either indictable complaints authorized or charges approved for grand jury	0	231
h. AOC Correction: Defendants who completed grand jury	0	481
TOTAL SCREENING DECISIONS FOR YEAR (add a - h)	558	1,040

DEFENDANT APPLICATIONS FOR DIVERSION PROGRAM, ACTION TAKEN AND OUTCOME

Pre-trial Intervention Diversion Program

	Number of DEFENDANT APPLICATIONS FOR PRE- TRIAL INTERVENTION	
	PRE-INDICTMENT	POST-INDICTMENT
1. Applications reviewed	69	79
2. Recommended for acceptance	62	70
3. Recommended for rejection	14	20
4. Accepted into program	61	81

**DEFENDANTS PENDING GRAND JURY PROCESS
(Pre-Indictment Defendant Cases)
BY AGE OF COMPLAINT**

AGES OF PRE-INDICTMENT DEFENDANT CASES FROM DATE OF COMPLAINT	NUMBER OF DEFENDANTS	
	ACTIVE	INACTIVE/FUGITIVE
1. 0 to 1 month	57	0/0
2. 1+ to 2 months	67	0/1
3. 2+ to 3 months	52	0/1
4. 3+ to 4 months	15	0/3
5. Over 4 months	32	0/3
6. TOTAL defendant cases pending grand jury	223	0/8

DEFENDANTS COMPLETING THE GRAND JURY PROCESS AND ACTION TAKEN

ACTION TAKEN	NUMBER OF DEFENDANTS
1. Defendants presented to the grand jury	642
2. Defendants indicted	636
3. Defendants no billed and remanded to municipal court	1
4. Defendants no billed/no action	5
5. TOTAL defendants completing the grand jury process	642

DEFENDANTS CHARGED BY ACCUSATION

	NUMBER OF DEFENDANTS
TOTAL Defendants charged through Accusation	168

DEFENDANTS PENDING DISPOSITION OF CHARGES BY AGE OF INDICTMENT OR ACCUSATION

AGES OF POST-INDICTMENT DEFENDANT CASES FROM DATE OF INDICTMENT OF ACCUSATION	NUMBER OF DEFENDANTS	
	ACTIVE	INACTIVE/FUGITIVE
1. 0 to 3 months	94	0/24
2. 3+ to 6 months	55	0/24
3. 6+ to 9 months	30	0/24
4. 9+ to 12 months	14	0/18
5. 12+ to 24 months	38	0/57
6. 24+ months	34	1/276
7. TOTAL post-indictment/accusation defendant cases pending	265	1/423

DEFENDANTS WITH INDICTMENTS/ACCUSATIONS DISPOSED BY OFFENSE CATEGORY AND MANNER OF DISPOSITION

MANNER OF DISPOSITION	OFFENSE CATEGORIES										
	Homicide	Kidnap- ping	Sexual Assault	Robbery	Arson	Assault	Burglary	Bribery	Narcotics	Official Miscon- duct	Perjury/ Falsifi- cation
1. Guilty plea to most serious offense	6	2	19	15	8	27	40	0	214	1	2
2. Guilty plea to lesser indictable offense	0	0	3	6	4	5	0	0	18	0	0
3. Ind. dism., plea to dis. persons offense	0	0	0	1	1	7	5	0	24	0	0
4. Guilty at trial, most serious offense											
a. Jury	2	0	2	0	2	2	1	0	1	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
5. Guilty at trial, lesser indictable offense											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
6. Guilty at trial, dis. persons offense											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
7. Not guilty at trial											
a. Jury	0	0	2	1	0	0	0	0	1	0	0
b. Non-jury	0	0	0	1	0	1	0	0	0	0	0
8. Acceptance into diversion program	0	0	2	1	7	7	6	1	56	0	3
9. Dismissed over objection of pros.	0	0	0	0	0	0	0	0	0	0	0
10. Dismissed pros. motion or consent	0	0	2	2	0	5	2	0	44	0	1
11. TOTAL dispositions	8	2	30	27	22	54	54	1	358	1	6

DEFENDANTS WITH INDICTMENTS/ACCUSATIONS DISPOSED BY OFFENSE CATEGORY AND MANNER OF DISPOSITION

MANNER OF DISPOSITION										
	Theft	Forgery/ Fraud	Weapons	Child Abuse/ Endanger	Gambling	Wiretap	Obstr. Gov't Oper.	Fail to Register	Other	TOTAL
1. Guilty plea to most serious offense	136	32	20	6	0	0	19	1	30	578
2. Guilty plea to lesser indictable offense	13	1	1	0	0	0	4	0	1	56
3. Ind. dism., plea to dis. persons offense	9	0	1	2	0	0	2	0	3	55
4. Guilty at trial, most serious offense										
a. Jury	3	0	2	0	0	0	0	0	0	15
b. Non-jury	0	0	0	0	0	0	0	0	0	0
5. Guilty at trial, lesser indictable offense										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0
6. Guilty at trial, dis. persons offense										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0
7. Not guilty at trial										
a. Jury	0	0	1	0	0	0	0	0	3	8
b. Non-jury	0	0	3	0	0	0	0	0	0	5
8. Acceptance into diversion program	31	7	6	4	0	0	2	0	3	136
9. Dismissed over objection of pros.	0	0	0	0	0	0	0	0	0	0
10. Dismissed pros. motion or consent	18	6	11	0	0	0	2	0	2	95
11. TOTAL dispositions	210	46	45	12	0	0	29	1	42	948

POST-CONVICTION ACTIVITIES AND MISCELLANEOUS COURT ACTIVITIES BY TYPE AND OUTCOME

POST CONVICTION ACTIVITY AND OUTCOME	NUMBER
1. Krol hearings involving the prosecutor's office	33
2. TOTAL post-conviction relief applications/briefs filed involving the prosecutor's office	19
a. Defendants granted relief	1
b. Defendants denied relief	13
c. Defendants granted relief in part/Denied relief in part	1
d. Defendants dismissed/Withdrawn	4
3. TOTAL habeas corpus petitions/briefs filed involving the prosecutor's office	5
a. Defendants granted relief	0
b. Defendants denied relief	2
c. Defendants granted relief in part/Denied relief in part	0
d. Defendants dismissed/Withdrawn	0

CAREER CRIMINAL WORKLOAD AND GRAND JURY ACTION

CAREER CRIMINAL WORKLOAD AND GRAND JURY ACTION	NUMBER OF DEFENDANTS
1. Defendants reviewed for acceptance into career criminal prosecution program	0
2. Defendants accepted for prosecution as career criminals	0
3. TOTAL career criminal defendants completing grand jury process	0
a. Defendants indicted	0
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0
4. TOTAL career criminal defendants charged through accusation	0

**CAREER CRIMINAL
DEFENDANTS PENDING GRAND JURY PROCESS
(Pre-Indictment Defendant Cases)
BY AGE OF COMPLAINT**

AGES OF PRE-INDICTMENT DEFENDANT CASES FROM DATE OF COMPLAINT	NUMBER
1. 0 to 1 month	0
2. 1+ to 2 months	0
3. 2+ to 3 months	0
4. 3+ to 4 months	0
5. Over 4 months	0
6. TOTAL defendant cases pending grand jury	0

**CAREER CRIMINAL
DEFENDANTS PENDING DISPOSITION OF CHARGES
BY AGE OF INDICTMENT OR ACCUSATION**

AGES OF POST-INDICTMENT DEFENDANT CASES FROM DATE OF INDICTMENT OR ACCUSATION	NUMBER
1. 0 to 3 months	0
2. 3+ to 6 months	0
3. 6+ to 9 months	0
4. 9+ to 12 months	0
5. 12+ to 24 months	0
6. 24+ months	0
7. TOTAL post-indictment/accusation defendant cases pending	0

**CAREER CRIMINAL
 DEFENDANTS WITH INDICTMENTS/ACCUSATION DISPOSED
 BY MANNER OF DISPOSITION**

MANNER OF DISPOSITION	NUMBER OF DEFENDANTS
1. Guilty plea to most serious offense	0
2. Guilty plea to lesser indictable offense	0
3. Ind. dism., plea to disorderly persons offense	0
4. Guilty at trial, most serious offense	0
a. Jury trial	0
b. Non-jury trial	0
5. Guilty at trial, lesser indictable offense	0
a. Jury trial	0
b. Non-jury trial	0
6. Guilty at trial, disorderly persons offense	0
a. Jury trial	0
b. Non-jury trial	0
7. Not guilty at trial	0
a. Jury trial	0
b. Non-jury trial	0
8. Acceptance into diversion program	0
9. Dismissed over objection of prosecutor	0
10. Dismissed on motion of prosecutor	0
11. TOTAL dispositions	0

Section/Unit

ALL

County Somerset, New Jersey

Completing report

Year 2017

Section IV. 7.a

From: 1/1/2017

To: 12/31/2017

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

	INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE-Original and Post-complaint Investigations									
		Original Investigations Conducted Jointly With					Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations		
		Local Police	State Agency	Other County Prosecutor	Other Agency						
1.	Investigations pending or inactive at the beginning of the year	267	24	7	12	190	500	3			
2.	Investigations opened during the year	634	118	4	53	238	1047	18			
3.	TOTAL Investigative workload for the year (add nos. 1-2)	901	142	11	65	428	1547	21			
4.	TOTAL Investigations completed during this year	601	117	8	50	246	1022	17			
a.	Resulting in criminal charges	24	8	0	7	34	73	0			
b.	Referred to other agency for criminal prosecution	35	6	2	18	14	75	0			
c.	Referred to other agency for civil or administrative action	7	1	0	0	8	16	0			
d.	Closed - No further action	535	102	6	25	190	858	0			
5.	Investigations pending or inactive at the end of the year	300	25	3	15	182	525	4			

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	160
a. Defendants with complaints administratively dismissed	2
b. Defendants with complaints downgraded to disorderly persons offenses	1
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	57
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	10
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	57
a. Defendants indicted	57
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

d. Withdrawn or dismissed	2	0	0	0	0	0	0	0	0	0	0	0	2
e. Affirmed in part/Reversed and or remanded in part	4	0	0	0	0	0	0	0	0	0	0	0	4
7. Appeals pending at the end of the year	29	1	2	2	0	0	0	0	5	1	0	40	

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APPELLATE WORKLOAD AND DISPOSITIONS Law Division

APPELLATE WORKLOAD AND DISPOSITIONS/OUTCOMES	MUNICIPAL COURT APPEALS -- BY TYPE OF VIOLATION						TOTAL
	Criminal	Disorderly Persons	Motor Vehicle	Municipal Ordinances	Other		
1. Appeals pending at beginning of year	0	1	4	0	0	0	5
2. Notices of appeal received/filed	0	2	20	0	0	0	22
3. Appellate motions, motion responses filed	0	0	0	0	0	0	0
4. Appellate briefs filed	0	2	17	0	0	0	19
5. TOTAL APPEALS DISPOSED	0	3	19	0	0	0	22
a. Conviction or order affirmed	0	3	14	0	0	0	17
b. Conviction or order reversed	0	0	2	0	0	0	2
c. Remanded or judgment modified	0	0	2	0	0	0	2
d. Withdrawn or dismissed	0	0	1	0	0	0	1
6. Appeals pending at the end of the year	0	0	5	0	0	0	5

Section/Unit _____

County: Somerset

(completing report)

Section IV. 9.a.

Year...: 2017

JUVENILE DELINQUENCY INTAKE

Filings/New Cases	Number of Juveniles	Number of Cases	Number of Offenses
1. Total New Filings During the Calendar Year	244	302	599
VOP Filings			
2. Total Violations of Probation During the Calendar Year	9	9	9
Returned to Court			
3a. Cases Reactivated	20	27	47
3b. Cases Reopened	24	26	49
3c. Cases Successfully Appealed	0	0	0
3. Total Cases Returned to Court	44	53	96
Transfers			
4a. Entering this county	76	84	161
4b. Leaving this county	67	80	125
4. (Net Change)	9	4	36

5. County Screening Procedures.....: Check the box that most accurately describes the procedure in your county. Do not check more than one box.

- a. Prosecutor's office reviews all new delinquency complaints either before of after diversion. X
- b. Prosecutor's office reviews selected delinquency complaints either before or after diversion based on offense charged or other criteria
- c. Prosecutor's office does not screen new delinquency complaints.

6. Violations of Probation Procedures: Check the box that most accurately describes the procedure in your county. Do not check more than one box.

- a. An Assistant Prosecutor appears at all V.O.P. hearings. X
- b. An Assistant Prosecutor appears at selected V.O.P. hearings based on offense charged or other criteria.
- c. Assistant Prosecutor's do not at V.O.P. hearings.

Section/Unit _____
 (completing report)

County: Somerset

Section IV. 9.b.

Year.: 2017

JUVENILE DELINQUENCY DISPOSED CASES

	Number of Juveniles	Number of Cases	Number of Offenses
Dismissed/Consolidated/Withdrawn			
1. Total Dismissed/Consolidated/Withdrawn during Calendar Year	9	11	20
Diverted Cases			
2. Total Diversions during Calendar Year	111	115	216
Inactivated Cases			
3a. VOP Cases Inactivated	9	9	9
3b. Non-VOP Cases Inactivated	22	27	56
3. Total Inactivations during Calendar Year	31	36	65
Non-VOP Decisions (Mandatory Calendar)			
4a. Adjudicated Delinquent	49	74	180
4b. Adjudicated Not Delinquent	0	0	0
4c. Not Adjudicated Dismissed	0	0	0
4d. Case Returned/Post Adjudication Decision	0	0	0
4. Total Non-VOP Decisions (Mandatory Calendar)	49	74	180
Non-VOP Decisions (Non-Mandatory Calendar)			
5a. Adjudicated Delinquent	0	0	0
5b. Adjudicated Not Delinquent	0	0	0
5c. Not Adjudicated Dismissed	0	0	0
5d. Case Returned/Post Adjudication Decision	0	0	0
5. Total Non-VOP Decisions (Non-Mandatory Calendar)	0	0	0
Non-VOP Decisions (Juvenile Referee)			
6a. Adjudicated Delinquent	25	31	80
6b. Adjudicated Not Delinquent	0	0	0
6c. Not Adjudicated Dismissed	0	0	0
6d. Case Returned/Post Adjudication Decision	7	9	19
6. Total Non-VOP Decisions (Juvenile Referee)	32	40	99
VOP Decisions (1:1)			
	Mandatory Calendar	Non-Mandatory Calendar	Juvenile Referee
7a. Adjudicated Delinquent	4	0	1
7b. Adjudicated Not Delinquent	0	0	0
7c. Not Adjudicated Dismissed	0	0	0
7d. Case Returned/Post Adjudication Decision	0	0	0
7. Total VOP Decisions	4	0	1
Trials			
8a. Total Number of Trials Where the Assistant Prosecutor Appeared.			<u>1</u>
8b. Total Number of Juveniles Adjudicated Delinquent on One or More Charges at Trial.			<u>1</u>
8c. Total Number of Juveniles Adjudicated Not Delinquent at Trial.			<u>0</u>

JUVENILE WAIVER DECISIONS

1. Voluntary Waivers at Juvenile's Request	0
2. Juvenile Waiver Motions by Prosecutor	
a. Pending at Beginning of Year	0
b. Motions Filed by Prosecutor this Year	0
3. Juvenile Waiver Decisions (Prosecutor's Motions)	
a. Waived on Prosecutor's Motion with Juvenile's Consent	1
b. Waived on Prosecutor's Motion without Juvenile Consent and after a Hearing	0
c. Motion Voluntarily Withdrawn by Prosecutor	0
d. Waivers Denied	0
e. Total Decisions (sum of 3a through 3d)	0
4. Juvenile Waiver Motions filed by Prosecutor Pending at Year's End (2.a. + 2.b. - 3.e.)	0

VICTIM/WITNESS NOTIFICATION SERVICES

LETTER NOTIFICATION		NOTIFICATION PROVIDED TO					
		VICTIMS		Lay WITNESSES		Law Enforcement Complainant	
		YES	NO	YES	NO	YES	NO
Initial contact	497	X					
Administrative dismissal	100	X		X		X	
GJ Remand to municipal court	9	X		X		X	
Indictment returned	1511	X		X		X	
No bill	8	X		X		X	
Applied to PTI	146	X		X		X	
Acceptance to PTI	224	X		X		X	
Completed PTI	224	X		X		X	
Terminated from PTI	48	X		X		X	
Pre-Grand Jury Decline/Remand Letters	124	X					
Pre-Trial Proceeding	8172	X		X		X	
Release on Bail	111	X		X		X	
Fugitive Status	1198	X		X		X	
Court Dismissal	217	X		X		X	

VICTIM/WITNESS NOTIFICATION SERVICES

LETTER NOTIFICATION		NOTIFICATION PROVIDED TO					
		VICTIMS		Lay WITNESSES		Law Enforcement Complainant	
		YES	NO	YES	NO	YES	NO
Disposed of Charges Not Guilty	33	X		X		X	
Dispose of Charges Guilty To Be Sentenced	38	X		X		X	
Sentence Date	1935	X		X		X	
Sentence Imposed- Parole Input	59	X					
Sentence Imposed-witness	1740	X		X		X	
Sentence Imposed-non-custodial	1087	X		X		X	
Mistrial/Dismissal	0	X				X	
Mistrial	0	X		X		X	
Plea to Charges/To Be Sentenced	1466	X		X		X	
Plea and sentenced	0	X		X		X	
Community Release	11	X					
Parole Denial	70	X					
Parole Eligibility	104	X					
Max Release (Sentence Expiration)	97	X					

VICTIM/WITNESS NOTIFICATION SERVICES

Rev. 1995

LETTER NOTIFICATION	NOTIFICATION PROVIDED TO					
	VICTIMS		Lay WITNESSES		Law Enforcement Complainant	
	YES	NO	YES	NO	YES	NO
Release on Parole	44	X				
Return to Custody						
Juvenile Release	0	X				
Juvenile- Initial Contact	134	X				
Juvenile- Disposition of Case	70	X				
Juvenile Transfer Out	13	X				
Juvenile Dismiss by Motion	12	X				
Fugitive Arrest (BWW/acated)	80	X				
Condolence Letters	3	X				
VINE	345	X				
Administrative Hold		X				
Release to ISP	6	X				
Applied to Drug Court	40	X				
CAR Team	14	X				
Total Notifications for 2017	19,990					

VICTIM/WITNESS ASSISTANCE SERVICES PROVIDED

VICTIM/WITNESS ASSISTANCE SERVICES	SERVICE PROVIDED TO			
	VICTIMS		WITNESSES	
	Juvenile Cases	Adult Cases	Juvenile Cases	Adult Cases
INFORMATION AND REFERRAL SERVICES				
Introductory brochure	X	X		
Criminal Justice system orientation	X	X		
Case information	X	X		
VCCO referral	X	X		
Social service information/referral	X	X		
Crime prevention information/refer				
Property return information	X	X		
Witness fee information				
Public education, community awareness				
LOGISTIC SERVICES				
Stand-by subpoena and call				
Witness waiting area		X		
Response to witness intimidation, harassment	X	X	X	X
Restitution to recommendation at sentencing	X	X		
VCCO Claim Assistance	X	X		
Social service intervention				
Employer/student intervention	X	X		
Travel, lodging assistance				
Transportation assistance	X	X		
Child care assistance		X		
Property return assistance		X		
Witness fee assistance				
Victim impact statement assistance	X	X		
Counseling				
Other (specify)				
Court accompaniment				
Bilingual Spanish Assistance				

MISCELLANEOUS ACTIVITIES

ACTIVITY	NUMBER	VALUE
1. Notice of intention to solicit funds received	3	
2. Expungement applications received	304	
3. TOTAL number of forfeiture actions	37	
4. Number of motor vehicles obtained through forfeiture actions	5	
5. TOTAL value of property forfeited (add a. - c.)		261,247.31
a. Cash forfeited		228,801.31
b. Value of forfeited motor vehicles		32,446.00
c. Value of other forfeited property		0
(Specify property)		

ADULT DEFENDANTS WITH BIAS CRIME RELATED CHARGES DISPOSED

	TOTAL	NUMBER CONVICTED		ACQUITTED	DISMISSED	DOWNGRADE/ REMAND
		PLEA	TRIAL			
Number of defendants disposed	0	0	0	0	0	0
Number of defendants for whom application for extended term of imprisonment made	0					
Number of defendants for whom application was granted	0					
Number of defendants for whom application was denied	0					
Number of defendants for whom simple assault was upgraded to 4th degree crime	0	0	0	0	0	0
Number of defendants for whom harassment was upgraded to 4th degree crime	0	0	0	0	0	0
Number of defendants who had both an upgrade to a 4th degree crime and an application for extended terms	0					

JUVENILE DEFENDANTS WITH BIAS CRIME RELATED CHARGES DISPOSED

	TOTAL	NUMBER CONVICTED		ACQUITTED	DISMISSED	DOWNGRADE/ REMAND
		PLEA	TRIAL			
Number of juveniles disposed *	1	1				
Number of juveniles waived for adult prosecution	0	0	0	0	0	0
Number of juveniles for whom application for extended term of imprisonment made	0					
Number of juveniles for whom application was granted	0					
Number of juveniles for whom application was denied	0					
Number of juveniles for whom simple assault was upgraded to 4th degree crime	0	0	0	0	0	0
Number of juveniles for whom harassment was upgraded to 4th degree crime	0	0	0	0	0	0
Number of juveniles who had both an upgrade to a 4th degree crime and an application for extended terms	0					

* Note the plea was to Bias Intimidation (40)2C:16-1a(1)

Section/Unit Internal Affairs Unit
 completing report
 Section IV 14a.

County: Somerset
 Year: 2017

POLICE PURSUIT SUMMARY REPORT

Agency: All Somerset County	County: Somerset
Reporting Period: 01/01/2017 - 12/31/2017	
Person completing report: Lt. Roxanna Catterson	Date completed: 01/30/18
Phone number: 908-541-5082	

1. Number of pursuits	38
2. Number of pursuits resulting in accidents	3
3. Number of pursuits resulting in injuries (NO DEATHS)	0
4. Number of pursuits resulting in death	0
5. Number of pursuits resulting in arrests	19
6. Number of vehicles in accidents	3
a) Pursued vehicles	3
b) Police vehicles	0
c) Third party vehicles	0
7. Number of people injured	0
a) Pursued vehicles	0
b) Police vehicles	0
c) Third party vehicles	0
d) Pedestrians	0
8. Number of people killed	0
a) Pursued vehicles	0
b) Police vehicles	0
c) Third party vehicles	0
d) Pedestrians	0
9. Number of people arrested	27
10. Number of pursuits in which a tire deflation device was used	0

SCPO - ANNUAL INTERNAL AFFAIRS SUMMARY REPORT

Agency: COUNTY OF SOMERSET

Year: 2017

Person Completing Report: Lt. Roxanna Catterson (SCPO)

TABLE 1 - COMPLAINTS FILED

Type of Complaint	Anonymous Complaints	Citizen Complaints	Agency Complaints	Total Complaints
Excessive Force		16	1	17
Improper Arrest		2	3	5
Improper Entry		4		4
Improper Search		5	4	9
Other Criminal Violation		14	10	24
Differential Treatment	2	30	2	34
Demeanor	1	75	6	82
Domestic Violence		1	3	4
Other Rule Violation	5	49	100	154
TOTAL	8	196	129	333

Table 3 - Court Dispositions

Court	Cases Dismissed	Cases Diverted	Acquittals	Convictions
Municipal				
Superior				
Total	0	0	0	0

TABLE 2 - AGENCY DISPOSITIONS

Type of Complaint	Number and Type of Disposition											
	Pending Last Year	Received This Year	Total	Sustained			Exonerated	Not Sustained	Unfounded	Admin. Closed	Closed This Year	Pending End of Year
				Criminal Charge	Internal Disciplinary							
Excessive Force	2	17	19	2		6	3	2	4	17	2	
Improper Arrest	2	5	7		2	1	2			5	2	
Improper Entry		4	4			2	1			3	1	
Improper Search		9	9		1	1	2	1		5	4	
Other Criminal Violation	3	24	27	2	1	3	1	1	21	29	-2	
Differential Treatment	3	34	37			13	7	6	5	31	6	
Demeanor	3	82	85		8	17	29	12	13	79	6	
Domestic Violence		4	4		0				4	4	0	
Other Rule Violation	7	154	161		70	19	16	16	25	146	15	
TOTAL	20	333	353	4	82	62	61	38	72	319	34	

Signature of Person Completing Report: _____

Name of Person Completing Report: _____

Lt. Roxanna Catterson (SCPO)

Date Report Completed: _____

January 30, 2018

Department: _____
Year _____

ALL SOMERSET COUNTY LAW ENFORCEMENT AGENCIES
2017

2017 PROFESSIONAL STANDARDS EXECUTIVE SUMMARY

SOMERSET COUNTY

The following report contains the statistical summary of reports of police misconduct in Somerset County in 2017. In addition, the report provides statistics for the dispositions of those complaints. A review of the report and a comparison of this report with the report prepared the previous year reveals the following:

Somerset County law enforcement agencies investigated 333 new cases in 2017 with 20 additional complaints pending from the previous year. Compared to the previous year (2016 – 280 total cases investigated), there was an approximate 18.92% increase in the number of complaints investigated.

Of the 333 complaints investigated in 2017, there were 84 sustained allegations (Refer to Table 2). Four (4) of those sustained allegations resulted in Criminal Charges; the remaining 80 represented Internal Disciplinary Action. Of the remaining 249 complaints, there were 233 disposed allegations, which included: Exonerated – 62, Not Sustained – 61, Unfounded – 38, and Administratively Closed – 72. Thirty-four (34) complaints remained open and were pending into 2018.

The following chart compares the number of complaints between 2016 and 2017

Type of Complaint	2016 Total Complaints	2017 Total Complaints	Percentage Increase/Decrease
Excessive Force	12	17	+ 41.66%
Improper Arrest	2	5	+150%
Improper Entry	1	4	+300%%
Improper Search	4	9	+125%
Other Criminal Violation	21	24	+14.28%
Differential Treatment	18	34	+88.88%
Demeanor	85	82	-3.5%
Domestic Violence	3	4	+33.33%
Other Rule Violation	134	154	+14.92%
Total	280	333	+18.92%

As you can see, there was an increase in the overall number of complaints received in 2017 (333) when compared to the number of complaints received in 2016 (280). This represents an increase of approximately 18.92% in the number of received complaints. Year 2017 also saw an increase in the number of Excessive Force Complaints (+41.66%), Improper Arrest Complaints (+150%), Improper Entry Complaints (+300%), Improper Search Complaints (+125%), Other Criminal Violations (+14.28%), Differential Treatment Complaints (+88.88%), Domestic Violence Complaints (+33.33%), and Other Rule Violation Complaints (+14.92%).

However, based upon the above statistics there appears to be a decrease in the number of received Demeanor Complaints (-3.5%). Which based on the number of complaints received for the entire year is a significant decrease.

As in the past, the goal is to continue to investigate and dispose of cases in a timely manner. As well as to thoroughly and fairly investigate all complaints brought to the Internal Affairs Unit and pursue all sustainable charges.

BUDGETS AND EXPENDITURES

ACTIVITY	YEAR	Total Operating Budget (excluding Grants)	Total Grants Funding
1. TOTAL actual expenditures, prior report year (include all County, State and Federal funding)	2016	11,789,805.	754,796.
a. Salaries and Wages		10,937,336.	489,356.
b. Other Expenses		852,470.	265,440.
2. TOTAL Budgeted Appropriations, current report year (include all County, State and Federal funding)	2017	12,371,778	808,801.
a. Salaries and Wages		11,310,903	496,840.
b. Other Expenses		1,060,875.	311,961.