

2014 ANNUAL REPORT



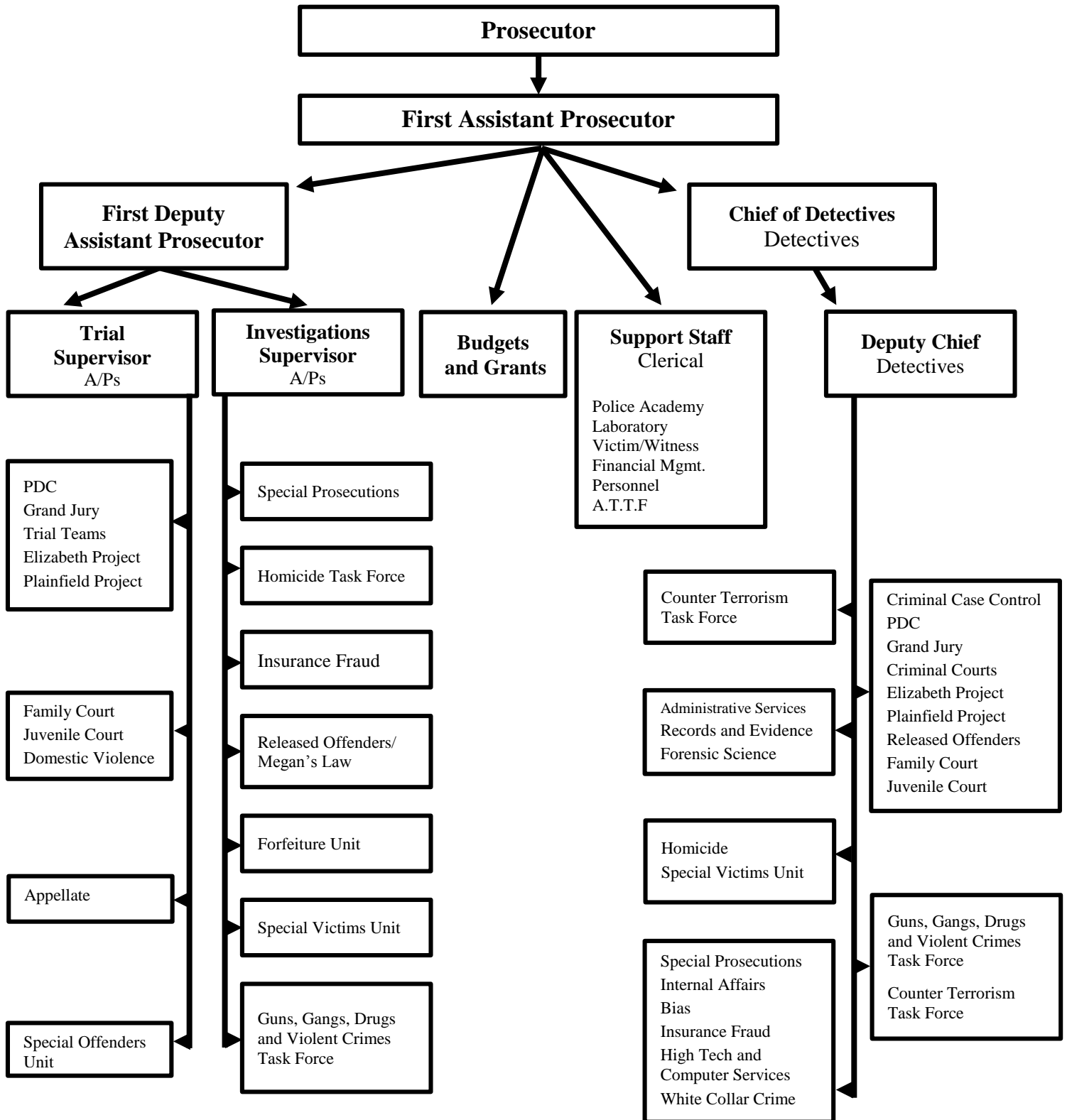
UNION COUNTY PROSECUTOR'S OFFICE

32 RAHWAY AVENUE, ELIZABETH, NEW JERSEY 07202
(908) 527-4500 | WWW.UCNJ.ORG/PROSECUTOR

ORGANIZATIONAL CHART

UNION COUNTY PROSECUTOR'S OFFICE

2014



MISSION

The mission of the Union County Prosecutor's Office is to investigate and prosecute major crimes occurring within the County; to proactively coordinate community outreach initiatives that improve quality of life for the County's citizens; and to work cooperatively with each of the County's various law enforcement agencies to protect the public's fundamental right to safety, security, and liberty.

LETTER FROM THE ACTING UNION COUNTY PROSECUTOR GRACE H. PARK



On June 17, 2013, I had the honor of being sworn in as acting Union County Prosecutor. The 2014 calendar year marked my first full year in office, and I am proud to report that it was a time in which the dedicated men and women of the Union County Prosecutor's Office (UCPO) excelled in launching new initiatives, executing complex investigative operations, and successfully prosecuting criminal defendants.

The UCPO staff collectively obtained guilty pleas on nearly 1,650 criminal charges in 2014, including 10 kidnapping charges, 34 sexual assault charges, 75 weapons offenses, 92 robberies, and more than 650 drug offenses.

The Office's Homicide Task Force also solved 12 of the 18 homicides that occurred in the County last year, marking a clearance rate of nearly 70 percent. And the Guns, Gangs, Drugs, and Violent Crimes Task Force successfully coordinated two large-scale narcotics investigations that together resulted in the arrests of 28 people and the recovery of more than \$100,000 in cash, tens of thousands of prescription pills, and more than five kilograms of heroin with a street value of more than \$3 million – which ranked among the largest single seizures of heroin in the last decade in Union County.

In addition, in 2014 the Guns, Gangs, Drugs, and Violent Crimes Task Force continued its implementation of a comprehensive nonlethal shooting initiative, through which a UCPO assistant prosecutor now becomes involved earlier, and to a greater degree, in investigations of such shootings than in the past.

The UCPO also made community outreach and engagement a top priority in 2014, when I and other members of the Office traveled to speak to civic, religious, business, and youth groups on more than 25 occasions. In April, the UCPO teamed up with YWCA Union County and other co-sponsors to host a first-of-its kind event: the Union County C.A.R.E.S. (Community, Action, Response, Education, Safety) Domestic Violence Symposium, which offered an in-depth analysis of an often overlooked area of major public health and safety concern.

Finally, in 2014 the UCPO also coordinated an expanded version of a vital program – Autism and Law Enforcement: Recognition, Response and Risk Management – that last year benefitted more than 450 New Jersey law-enforcement officers from approximately 150 different departments. Sponsored by the County Prosecutors Association of New Jersey, daylong sessions held at two locations outlined numerous scenarios that people diagnosed across the autism spectrum could become involved with and went over the various ways in which law enforcement and first responders can best react.

It is my sincere hope that you will take the time to read this report to learn about our Office and to better understand the many efforts being made to protect and serve the citizens of Union County.

Regards,

A handwritten signature in black ink that reads "Grace H. Park" with a long horizontal flourish extending to the right.

Grace H. Park
Acting Union County Prosecutor

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APPELLATE UNIT

Attorneys in the Appellate Unit represent the State of New Jersey in various proceedings in the Superior Court Law Division and Appellate Division, the New Jersey Supreme Court, and Federal Court. These proceedings include direct appeals, post-conviction relief proceedings, (including *habeas* petitions), and appeals of municipal court convictions, including convictions for driving while intoxicated. Unit members also conduct legal research and handle interlocutory appeals.

The Appellate Unit also serves as the primary training ground for new attorneys embarking on prosecutorial careers. The Unit additionally employs law students, many of whom return to the Office as assistant prosecutors after completing their legal studies. These employees concentrate on handling direct appeals referred back to this Office by the New Jersey Office of the Attorney General, thus becoming familiar with all aspects of New Jersey criminal law and procedures. Handling these appeals also enables new attorneys to hone their skills in crafting persuasive legal arguments. Additionally, appearing in both the Law Division and Appellate Division provides firsthand knowledge as to how the courts function, and provides further training for their future work as trial attorneys.

Interlocutory motions for leave to appeal, particularly those granting motions to suppress evidence, have increased steadily during recent years. In 2014, several such motions resulted in the reversal of trial court decisions suppressing evidence. Given the constantly evolving state of search and seizure law, this trend likely will continue.

The number of *habeas* petitions that the Appellate Unit handles in Federal Court and the United States Court of Appeals for the Third Circuit also has increased in the last few years. All answers to these petitions filed in the past year resulted in denial of relief to the convicted

defendants. In addition, during 2014, the Appellate Unit successfully argued *Hairston v. Hendricks* before the Third Circuit. In a split decision, the court applied the deferential standard of review established in the Antiterrorism and Effective Death Penalty Act of 1996, and held that Hairston failed to show that the state court's decision was contrary to, or involved an unreasonable application of, case law established in *Batson*.

The Unit also prevailed in a petition to the New Jersey Supreme Court in *State v. Christopher Dekowski*. In reversing the Appellate Division's decision, the Court held that under the totality-of-the-circumstances standard, defendant's appearance, conduct, and written note demanding money and issuing a bomb threat provided sufficient evidence for a reasonable jury to convict the defendant of first-degree robbery based on a finding that the bank manager had an actual and reasonable belief that defendant was armed with a deadly weapon.

In addition, a number of cases that the Appellate Unit handled in the Appellate Division now are pending before the New Jersey Supreme Court, and should be decided in the coming year. Namely, these cases include *State v. Antoine Watts*, involving a search-and-seizure warrant issue; *State v. David Bueso*, considering whether the trial court sufficiently inquired into a juvenile witness's competency to testify; and *State v. Duqene Pierre*, addressing whether defense counsel was ineffective for failing to fully investigate the defendant's alibi.

DOMESTIC VIOLENCE UNIT

In 2014, the Domestic Violence Unit underwent a radical transformation, transitioning from a Unit exclusively handling violations of restraining orders and weapons forfeitures in Family Court to a vertically integrated investigative unit prosecuting a high volume of indictable offenses. The Domestic Violence Unit is now responsible for the charging, indictment, and trial of indictable crimes stemming from domestic violence, including first-degree crimes such as kidnapping and attempted murder, as well as investigation-intensive crimes such as interference with custody, stalking, cyber-harassment, and invasion of privacy. The Domestic Violence Unit now handles roughly 30 new indictable cases each month, in addition to the approximately 250 yearly prosecutions of non-indictable restraining order violations and 80 weapons forfeiture actions previously handled by the Unit.

To manage this increased workload, the Domestic Violence Unit added two additional assistant prosecutors and one investigator, and the Unit now consists of four attorneys, two investigators, one victim/witness advocate, and one clerical. The Domestic Violence unit also maintains a 24-hour hotline whereby police departments can contact an on-call assistant prosecutor for domestic violence-related legal advice or for the approval of indictable charges.

The Domestic Violence Unit experienced several successes in 2014 as it transitioned into its expanded role. In Family Court, Domestic Violence Unit attorneys conducted 23 trials, handled 27 weapons forfeiture matters, and prosecuted 247 total cases involving non-indictable violations of restraining orders. In the first seven months following the Domestic Violence Unit's expansion to criminal prosecutions, Unit prosecutors obtained 25 indictments before the Grand Jury, sentenced numerous defendants for indictable crimes after guilty pleas filed in PDC, and conducted several noteworthy investigations. For instance, a significant attempted murder, currently scheduled for trial, was charged, investigated, and indicted by members of the

Domestic Violence Unit in 2014. The Domestic Violence Unit also was instrumental in the recovery of a developmentally disabled child whose father had absconded with her to Turkey in violation of a Union County Family Court order; after learning from the FBI that the defendant was in an airplane bound for New York City without the child, Domestic Violence Unit prosecutors, working on a tight deadline, filed criminal charges that allowed for the defendant's arrest and extradition to New Jersey. Weeks after the defendant was arrested, a family member escorted the minor back to New Jersey and the defendant pleaded guilty to an indictable offense. The Domestic Violence Unit also secured a guilty plea and sentencing in a case receiving national media attention that involved a National Football League player with the New York Jets.

Domestic violence cases present several challenges that distinguish them from other matters typically handled by the Prosecutor's Office. Victims of domestic violence are often emotionally, financially, and legally bound to the perpetrator of the violence, attachments that can significantly impact a criminal prosecution. The Domestic Violence Unit therefore takes the time to learn details about the victim's personal circumstances, to guide the victim through the criminal justice process, and to connect the victim to community-based resources designed to help him or her break the cycle of violence. By understanding the dynamics of the victim's relationship with the defendant and by empowering the victim to improve his or her personal circumstances as soon as an incident of domestic violence occurs, the Domestic Violence Unit improves its chances for a successful prosecution.

Members of the Domestic Violence Unit also instruct at the John H. Stamler Police Academy on domestic violence law and specialized domestic violence evidence gathering and investigative skills. The Domestic Violence Unit additionally provides training for domestic violence response teams, schools, community organizations, and civic groups.

DRUG COURT

In 2014, the Union County Drug Court Unit was staffed by one full-time assistant prosecutor who was responsible for the legal review of all applications and handled all court appearances.

The Drug Court Program, now in its 16th year, offers non-violent offenders who are prone to substance abuse a community-based treatment alternative to prison. In 2014, a total of 323 individuals participated in Drug Court and were required to report to court on a weekly, bi-monthly, or monthly basis, dependent upon the length of time and success within the Program. Participants are required to submit to random drug testing, to submit to unannounced home visits, to report to probation on a weekly basis, to obtain employment or education, and to participate in either inpatient or outpatient treatment, as clinically determined. Forty Drug Court participants successfully completed their five-year term in 2014 and graduated from the Program.

One hundred eighty-two applications were filed and reviewed for legal acceptance into the Program in 2014. Of that number, 86 applicants were determined to be legally suitable for the Program, and letters of acceptance were submitted in each case. After clinical assessments were conducted, 68 defendants entered pleas of guilty and were sentenced into Drug Court. Detailed letters of legal ineligibility were submitted in 98 cases.

ELIZABETH PROJECT

Since 1994, the Union County Prosecutor's Office has assigned an assistant prosecutor to work full-time at the Elizabeth Police Department. Referred to as the "Elizabeth Project," the program aims to improve the relationship between the Elizabeth Police Department and the Prosecutor's Office by providing the Department with legal advice and investigative support.

The assistant prosecutor reviews police reports and statements for complaint approval and determines when there is sufficient evidence for indictable charges to be filed, or whether the case should be heard in Elizabeth Municipal Court. In 2014, the assistant prosecutor determined that no charges should be filed in over 50 cases because there was insufficient evidence of any criminal offenses having been committed, and in 188 cases the assistant prosecutor determined that only disorderly persons offenses should be charged. Additionally, 610 cases were downgraded to the Elizabeth Municipal Court and/or administratively dismissed. This meant that nearly 850 cases were not referred to the Grand Jury. The assistant prosecutor also reviewed over 2,800 complaints filed in Elizabeth Municipal Court for accuracy and completeness.

The assistant prosecutor's referral of appropriate cases to Elizabeth Municipal Court, rather than to the Prosecutor's Office, allowed the detectives of the Elizabeth Police Department to spend more time on cases involving serious indictable charges. The referral of cases to the Municipal Court also eased the burden of the clerical, investigative, and legal staffs of both the Elizabeth Police Department and the Prosecutor's Office. Numerous armed robberies were solved thanks to these actions, many of which involved multiple jurisdictions (with the Elizabeth Police Department acting as the lead agency).

In February 2014, an Elizabeth resident, Karla Villagra Garzon, was reported missing. After a relentless investigation by Elizabeth Police Department detectives and members of the

Union County Prosecutor's Office, Ms. Villagra Garzon was found dead in an abandoned house in Morris County. Ms. Villagra Garzon's husband, Abayuba Rivas, was charged with her murder on March 19, 2014. Throughout the course of this successful investigation, the Elizabeth Project's assistant prosecutor worked with the assigned detectives. Rivas is currently being prosecuted in Superior Court.

The assistant prosecutor screens all criminal investigations for accuracy, completeness, and disposition before they are forwarded to the Prosecutor's Office for Grand Jury presentation. In 2014, the assistant prosecutor screened over 750 completed investigations prior to their submission to the Prosecutor's Office.

Additionally, the assistant prosecutor authorized approximately 260 complaints for indictable crimes in 2014, reviewed 50 affidavits for search warrants and/or court orders, and assisted the Elizabeth Police Department's Detective Bureau and Narcotics Unit in obtaining search warrants and/or court orders. In addition, the assistant prosecutor assisted the Elizabeth Police Department's Narcotics Unit and Detective, Traffic, and Juvenile bureaus in obtaining and preparing 160 Grand Jury subpoenas for bank records and other essential documents, and was responsible for preparing affidavits and orders for investigative detention. The assistant prosecutor also obtained authorization from Superior Court judges for higher bail for recidivist defendants who committed serious offenses.

GRAND JURY UNIT

The Grand Jury Unit is responsible for preparing, investigating, and presenting matters involving indictable offenses that cannot be resolved through a pre-disposition conference to a Grand Jury panel. This Unit consists of three assistant prosecutors, one detective, and three clericals.

Union County empanels two separate Grand Juries. One panel hears investigative matters such as homicides, sexual assaults, complex narcotic investigations, and child abuse cases, which generally are investigated by the Union County Prosecutor's Office's vertical prosecution units. This panel sits on Wednesdays and Fridays. The second panel hears the vast majority of felony offenses, including but not limited to attempted murders, burglaries, robberies, aggravated assaults, carjackings, narcotics offenses, and weapons offenses. These cases are investigated by our local municipal police departments with the assistance of the assistant prosecutors from the Elizabeth, Suburban, and Plainfield projects. This Grand Jury panel sits every Tuesday and Thursday.

Both the investigative and regular panels sit year-round, and each Grand Jury is empanelled for nine weeks, or a total of 18 sessions. In 2014, cases involving 1,552 defendants were presented to the Grand Jury, resulting in 1,433 defendants being indicted.

The Grand Jury Unit receives files on a weekly basis from the Pre-Disposition Conference Unit or directly from municipal police departments. Immediately upon receipt, an assistant prosecutor and detective review each file's screening sheets, preliminary reports, and handwritten and sworn statements. The detective and assistant prosecutor also look for information such as supplemental municipal police reports, ballistics reports, New Jersey State Police weapon affidavits, operability reports, evidence inventory reports, search warrants, 911

tapes, CAD records, photo arrays, medical records, DNA request forms, fingerprint submittal forms, DVD/CD copies of statements taken, photos of victim injuries, and any other documents required to complete the case file. During this time, the Grand Jury staff continues to work on case files by locating witnesses, serving subpoenas, and taking statements not acquired by the municipal police departments.

Assistant Prosecutors in the Unit review the matters assigned to them to confirm that each defendant was charged properly by the municipal department via reviewing police reports, witness statements, and other evidence collected during the investigation. After this review, the assistant prosecutor drafts a form of indictment to be presented to the Grand Jury. Finally, the assistant prosecutor presents the matter to the Grand Jury by showing evidence and eliciting testimony from one or more witnesses. During this presentation, the assistant prosecutor is also required to charge the Grand Jurors on relevant law, including statutes and elements of the charges.

In 2014, the three assistant prosecutors assigned to this Unit presented several significant cases to the Grand Jury. Notably, a 57-count indictment was returned against four defendants in November 2014, charging them with a host of crimes, including kidnapping, carjacking, armed robbery, and the attempted murder of two police officers. This Unit also indicted several members of the U.S. Armed Forces who were responsible for an armed robbery in a suburban town. In addition, the Grand Jury unit indicted two individuals for carjacking a man in Westfield, then driving at police officers in an attempt to flee the scene.

GRANTS MANAGEMENT

During 2014, Grants Management oversaw all federal and state grants awarded to the Union County Prosecutor's Office, as well as all donation funds maintained by this Office, totaling over \$3 million.

In the past year, with the assistance of the director of the Union County Prosecutor's Office Forensic Laboratory, we were able to secure funding from the National Institute of Justice's DNA Backlog Reduction Program for the 2014 fiscal year. With these funds added to the 2012 and the 2013 DNA funding, it is expected that the Laboratory will considerably reduce its DNA analysis time as well as obtain better DNA profiles to assist in criminal investigations.

The multi-jurisdictional Prosecutor's Office's Guns, Gangs, Drugs, and Violent Crimes Task Force Grant also continues to be funded. Through funds received by the State of New Jersey from the Justice Assistance Grant Program, we are able to offset overtime costs and purchase equipment for the Task Force.

The Jail Diversion Program also is continuing through an agreement between the Department of Behavioral Health at Trinitas Regional Medical Center and the Union County Prosecutor's Office.

The Insurance Fraud Grant continues to fund three salaries in the Insurance Fraud Unit.

In 2014, the Sexual Assault Response Team/Sexual Assault Nurse Examiners (SART/SANE) Program continued to fund the training costs and pay all on-call and examination fees of nurse examiners who are a part of the Union County Sexual Assault Response Team. Four hospitals in Union County continue to participate in this Program. Since the Program's inception in June 2001, SANE nurses have provided over 1,300 forensic examinations to victims of sexual assault. During the 2014 funding period, additional SANE nurses were trained to

perform pediatric forensic examinations in Union County. The Union County SART/SANE coordinator is now part of the Special Victims Unit of the Union County Prosecutor's Office.

The Victim Assistance Project continues to fund the salaries of victim advocates and victim notification clerks to improve and enhance programs and services provided to victims of crime in Union County.

We continue to participate in the State of New Jersey Violence Against Women Act Program, which funds the salary of a domestic violence advocate.

The Law Enforcement Officers Training and Equipment Grant, awarded by the New Jersey Police Training Commission to the John H. Stamler Police Academy, provided new equipment to be used by the recruits during training as well as funding for in-service training for Union County law enforcement personnel.

The Union County Prosecutor's Office additionally maintains a Child Advocacy Donation Fund fiscally managed by Grants Management. These funds continue to provide for the special needs of child abuse victims and their families, such as, food, clothing, and shelter.

Union County continues to receive funds from the Body Armor Replacement Program, and from these funds, we are able to upgrade the body armor for our investigative staff as well as purchase body armor for new investigative staff.

GUNS, GANGS, DRUGS, AND VIOLENT CRIMES TASK FORCE

The Guns, Gangs, Drugs, and Violent Crimes Task Force works with local, state, and federal law enforcement agencies to investigate illegal drug trafficking and gang activity in Union County. The Task Force is the successor to the Narcotic Strike Force, which was established in 1971, and it is the oldest countywide, multi-jurisdictional narcotics task force in New Jersey. It is comprised of four assistant prosecutors and thirteen detectives from the Prosecutor's Office.

The Task Force's daily activities include narcotics interdiction, search warrant preparation, speaking engagements for civil groups, and presentation of training courses at the John H. Stamler Police Academy regarding narcotics, gang enforcement, and search and seizure issues. The Task Force's responsibilities also include providing technical and surveillance assistance to local, state, and federal law enforcement agencies and the maintenance of an extensive inventory of sophisticated surveillance equipment.

Detectives assigned to the Task Force also contribute by reviewing cases in which a defendant is charged with possession with the intent to distribute controlled dangerous substances. These detectives are responsible for testifying as expert witnesses in Superior Court.

The narcotics interdiction efforts of the Task Force are two-pronged in that the main priority is to identify and arrest mid- and upper-level drug dealers and gang members while also assisting municipal police departments with disrupting open-air, street-level drug distribution and gang activities. These efforts are accomplished by employing the full spectrum of investigative techniques, including on-the-ground surveillance, undercover operations, search warrant execution, and electronic surveillance.

Assistant prosecutors assigned to the Task Force, in addition to providing legal supervision in all areas of narcotics interdiction, are also responsible for providing legal guidance

on all nonfatal shooting investigations that occur in Union County. This includes responding to crime scenes, applying for search warrants and communications data warrants, monitoring statements, presenting the cases to the Grand Jury, and prosecuting the cases from start to finish.

In 2014, with the cooperation of the Union County Police Chiefs Association, the Guns, Gangs, Drugs, and Violent Crimes Task Force continued a program in which municipal detectives are detailed to the Task Force from six months to a year, during which they are trained in all aspects of narcotics and gang investigations. The benefit of this initiative is threefold: departments are given a cash stipend for each detective assigned; the Task Force receives additional staffing; and the detectives return to their departments better equipped to handle narcotics and gang investigations.

In 2014, the Task Force initiated 86 investigations and executed 63 search warrants, which resulted in 99 arrests and substantial seizures of cocaine (3,326 grams), heroin (7,330 grams), marijuana (88,614 grams), synthetic marijuana (1,174 grams), oxycodone (643 grams), and prescription legend drugs (752 grams), as well as nine handguns, one shotgun, two rifles (one assault rifle), \$263,034 in United States currency, and 12 vehicles. Additionally, 16 court-ordered wiretaps and 22 court-ordered pen registers were conducted.

In April 2014, detectives dismantled a significant drug distribution network operating in the Union and Essex county areas. Using both physical and electronic surveillance, detectives developed probable cause to execute nine search warrants. Those search warrants resulted in the arrest of 20 individuals and seizure of 125 grams of heroin, 202 grams of cocaine, 30 pounds of marijuana, 400 oxycodone pills, thousands of other prescription medications, two handguns, and \$116,514 in United States currency.

In November 2014, detectives concluded an extensive electronic surveillance investigation that ultimately uncovered a significant heroin mill operating in Linden. This

investigation resulted in the execution of four search warrants, the arrest of 14 individuals, and the seizure of over four kilograms of heroin and a handgun.

HOMICIDE TASK FORCE

The Homicide Task Force is responsible for the investigation of all homicide cases, including vehicular homicides, occurring within Union County. The Unit is also responsible for the investigation of fatal police shootings, suspicious deaths, in-custody deaths, baby deaths, and murder-suicides. The Homicide Task Force works in conjunction with detectives and police officers employed by the municipality in which each death occurs in conducting these investigations.

The Homicide Task Force maintains a 24-hour-a-day legal and investigative on-call service to all law enforcement agencies in Union County. Five assistant prosecutors, four investigative supervisors, seven detectives, four municipal detectives, one prosecutor's agent, and two clerical personnel staff the Unit. Some of the Unit personnel are assigned to particular areas, such as cold cases, electronic surveillance, and evidence collection.

On October 19, 2012, the Elizabeth Police Department assumed the responsibility of investigating all homicides, baby deaths, suspicious deaths, and motor vehicle fatalities occurring within the City of Elizabeth. On February 18, 2014, working in conjunction with the members of the Elizabeth Police Department, the Union County Prosecutor's Office Homicide Task Force re-assumed the primary investigative responsibilities for all such cases occurring within the City of Elizabeth. The investigation of motor vehicle fatalities occurring within the City of Elizabeth remained the responsibility of the Elizabeth Police Department.

In 2014, there were 18 homicides in Union County. In total, 12 homicides have been solved. Of the 18 homicides, there were 14 shootings and four cases of blunt-force trauma. In addition, there were 31 motor vehicle deaths, one police shooting death, eight baby deaths, 11 drug-related deaths, and eight unattended/suspicious deaths. The police shooting death was

presented to a Union County Grand Jury and no indictment was returned. Additionally, two complaints were signed for separate motor vehicle accidents, both for leaving the scene of a motor vehicle fatality. The Homicide Task Force also investigated one in-custody death.

In total, 25 homicide complaints were signed in 2014, with a total of 25 defendants charged. During the course of the year, there were 12 trials prosecuted by members of the Homicide Task Force.

One investigation of note concerned the murder of Jonathan Landaverde. On May 19, 2014, at approximately 4:30 p.m., Mr. Landaverde, an 18th Street gang member, was shot and killed in the back yard of a home on South Park Street in Elizabeth.

The investigation revealed that suspect German Lisandro Benites Moreno, aka "Raro," a leader of the MS-13 gang set Ghettos Locotes Salvratucha (GLS), travelled to Elizabeth for the purpose of solidifying the Elizabeth GLS. Moreno was informed of an altercation Mr. Landaverde had with members of MS-13 in Elizabeth.

The five defendants, including Moreno, Luis Alfaro, aka "Perverso," Carlos Amaya, aka "Padrino," and two defendants who were juveniles at the time of the shooting, gathered in Elizabeth. They spoke about the altercation that Mr. Landaverde had with members of the MS-13 and later located the victim in Elizabeth. The defendants proceeded to follow the victim throughout Elizabeth and eventually to the back of the home on South Park Street, where the victim was subsequently killed.

Through the investigation, it was determined that all five defendants were involved in a conspiracy to murder, and did, in fact, murder Mr. Landaverde. Moreno, Amaya, and the two juvenile defendants fled to Texas, where they were arrested. Alfaro was arrested in New Jersey.

In another incident, on September 16, 2014 at approximately 11:00 p.m., Mamuka Chamiashvili was found shot and killed, and his son, Levan Chamiashvili, was found suffering from a head injury due to what was later determined to be an attempted robbery gone wrong.

The investigation revealed that Levan Chamiashvili had attempted to purchase a 2006 Mercedes ML350 vehicle from a seller on the website craigslist for \$12,500. In doing so, he corresponded with suspect Keon Lewis online. Mr. Levan Chamiashvili, his father, Mamuka Chamiashvili, and his cousin drove to a home on the 100 block of Jacques Street in Elizabeth, where they met another individual, Travis Picou. Travis Picou accompanied Mr. Levan Chamiashvili and his cousin as they took the vehicle on a short test drive. Mr. Mamuka Chamiashvili stayed behind with his vehicle. Upon returning from the test drive, they all exited the Mercedes and Picou advised them that he had to retrieve the title for the vehicle from his wife and that he would return. As the three victims were examining the vehicle, they were approached by Keon Lewis and another man, Ali Garner. Lewis and Garner demanded money, and when the victims refused, they began shooting at Mr. Mamuka Chamiashvili, killing him.

All three suspects were later identified and charged with Mr. Mamuka Chamiashvili's murder.

INTELLIGENCE UNIT

In December 2002, the Union County Prosecutor's Office Intelligence Unit was established. The mission of this Unit is to gather information from all available sources in a manner consistent with the law in order to provide tactical and strategic assessments on the existence, identities, and capabilities of local criminal suspects and criminal enterprises, and to further the crime prevention and law enforcement objects/priorities identified by the Prosecutor's Office.

The Intelligence Unit is responsible for collecting all intelligence information at the local, county, state, and federal levels on any and all individuals or enterprises involved in criminal activity in Union County, as well as the more organized and traditional (and less organized) regional gang enterprises.

The Intelligence Unit is further responsible for collating, analyzing, and disseminating intelligence information into one of two centralized databases: the unclassified crime intelligence database or the verified gang intelligence database, both of which are retained at the Union County Prosecutor's Office and are accessible to every municipal police department in Union County.

Law enforcement agencies throughout Union County and the state continue to utilize the CrimeNtel information sharing database system, which is available on all smartphones.

The Intelligence Unit also is tasked with mapping criminal activity throughout the state; identifying crimes that have similar methods of operation; and offering focus and assistance to specialized units such as the Prosecutor's Office's Guns, Gangs, Drugs, and Violent Crimes and Homicide task forces, while also lending support to municipal police departments' intelligence, patrol, detective, narcotics, and street units.

In 2014, the Intelligence Unit rendered assistance in the form of intelligence to more than 162 different municipal, county, state, and federal law enforcement agencies, as well as to law enforcement officers and legal personnel encompassing every unit within the Union County Prosecutor's Office.

The year 2014 also saw a tremendous amount of growth and outreach for the Unit.

In 2012, this Unit, with the approval of the Union County Crime Stoppers Board, began to implement a web-based version of the already successful 24-hour Crime Stoppers tip hotline. The website itself is monitored by one investigator and one intelligence analyst, 24 hours a day, seven days a week. Once a tip is received, it is reviewed and forwarded to the appropriate agency. The website and the Prosecutor's Office have the capability to publicize any crime deemed noteworthy. In 2014, a total of 88 tips were received and there were 297,782 web hits on the website.

The Intelligence Unit also is responsible for the collection and reporting of office-wide monthly statistics for all relative units to the New Jersey State Police for the year-end Uniform Crime Report. In addition, the Intelligence Unit maintains the countywide carjacking statistics.

Since October 2013, the Intelligence Unit has received, reviewed, and disseminated all notifications of nonlethal shooting incidents as well. The Intelligence Unit collects all relative police reports in order to keep factual statistics regarding such incidents. In 2014, there were approximately 80 nonlethal shootings for which the Intelligence Unit maintained statistics.

Monthly Intelligence Unit meetings have become one of the cornerstones of this Unit. These monthly meetings have grown into sessions hosting close to 50 attendees a month. Members of federal and state agencies, along with local police, have actively participated in

these meetings, during which reports and intelligence are discussed, with pertinent information passed on to specific agencies and units, both in the county and statewide.

Lastly, the bi-weekly Intelligence Unit briefing continues to be well-received by the law enforcement community. It is now disseminated to the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Secret Service, U.S. Immigration and Customs Enforcement (ICE), New Jersey State Police (NJSP), all county prosecutor's office's intelligence units, the New Jersey Regional Operations Intelligence Center (NJ ROIC), and the New Jersey Office of the Attorney General. In total, the briefing is now distributed to 303 law enforcement professionals.

INTERNAL AFFAIRS

The Union County Prosecutor's Office is responsible for conducting investigations of police misconduct and criminal and administrative violations committed by its law enforcement personnel. It is also charged with the responsibility of overseeing internal affairs-based criminal investigations for all police jurisdictions within Union County. Under certain conditions, the Prosecutor's Office may conduct investigations of police personnel at the executive level of law enforcement and may conduct independent or joint investigations of a criminal or administrative incident involving municipal and county law enforcement.

The Prosecutor's Office also provides legal and investigative support to municipal and county law enforcement for internal affairs investigations. All law enforcement agencies operating in Union County are required to report statistical information on a quarterly basis summarizing each department's internal affairs unit's activity for that period, and the Prosecutor's Office's Internal Affairs Professional Standards Summary Reports provide a summarized yearly analysis for the entire county.

During 2014, the Prosecutor's Office also provided training to all local law enforcement agencies regarding internal affairs investigations.

In order to better understand the Internal Affairs Professional Standards Summary Reports, a "complaint" is defined as a single incident involving one officer. If an officer commits more than one act under the complaint types, only the most serious complaint type is reported. If there are multiple officers involved in an incident, each officer who had a complaint filed against him or her is considered a separate case.

The following report contains statistical summaries for all law enforcement departments in Union County for 2014. A review of these reports, and a comparison with the statistics from 2013, reveal the following:

<u>Complaints Filed</u>	<u>2013</u>	<u>2014</u>
Anonymous Complaint	17	9
Citizen Complaint	488	381
Agency Complaint	334	260
Total Complaints	<u>839</u>	<u>650</u>
<u>Agency Dispositions</u>		
Sustained	241	284
Exonerated	178	156
Not Sustained	150	155
Unfounded	78	82
Administratively Closed	74	55
Total Agency Dispositions	<u>721</u>	<u>732</u>
<u>Court Dispositions</u>		
Cases Dismissed	0	1
Cases Diverted	0	0
Acquittals	1	0
Convictions	2	4
Total Court Dispositions	<u>3</u>	<u>5</u>

JUVENILE UNIT

The Juvenile Unit is responsible for prosecuting juveniles for acts of delinquency ranging from violations of township ordinances to murder. The Unit is comprised of a supervising assistant prosecutor, three or four full-time assistant prosecutors, a detective, a victim/witness advocate, and two secretaries. The goals of the Unit are to promote swift and certain punishment for repeat violent offenders and to divert minor offenders away from delinquency and further court action.

During 2014, the Unit handled approximately 911 cases and 131 violations of probation. Staff members from the Unit handled 17 juvenile delinquency hearings, consistent with the heavy trial schedule of 2013.

Fifteen motions pertaining to 14 individuals were filed to have the juveniles treated as adults for purposes of criminal prosecution. Of those motions, two of the juveniles were charged with attempted murder, two of the juveniles were charged with murder and gang criminality, and one of the juveniles was charged with conspiracy to commit a carjacking. The remaining motions were filed for juveniles charged with various crimes including robbery, aggravated assault, and weapons offenses.

Statistics show a slight increase in the number of complaints filed, with 1,183 cases filed in 2014 compared with 1,167 in 2013. The number of juveniles charged with acts of delinquency has increased to 938, up from 921 the year before, and 450 cases were diverted from the formal calendar. There was a decrease in the number of juvenile cases that were handled in the formal calendar, which requires prosecutor involvement. In 2013, there were 584 cases sent to the formal calendar, and in 2014, there were 503 cases. In 2014, a total of 131 violations of probation were also filed.

The number of serious and complex cases being handled by the Unit remains high. Specifically, in 2014 the Unit charged 13 juveniles with sexual assaults. There is a great deal of time and preparation required in prosecuting these types of cases. The assistant prosecutor must review extensive discovery and meet with the victim and the victim's family regarding the plea offer. The assistant prosecutor must answer numerous defense motions and prepare the State's motions and briefs for the admission of certain evidence unique to these cases. The State must retain experts and prepare witnesses for testimony. Most importantly, the assistant prosecutor spends weeks preparing victims for their testimony.

The past year also has seen the frequent reporting of gang-related crimes and violent offenses. Approximately 70 robbery cases were handled by the Juvenile Unit in 2014. In addition, we handled four murder/attempted murder cases, 66 weapons-related offenses, and 127 assault cases.

The Unit provides daily legal advice to the 22 juvenile bureaus within Union County. The supervising assistant prosecutor is a member and officer of numerous county organizations including but not limited to the Juvenile Officers Association, the Juvenile Detention Alternative Initiative, the Youth Services Commission, and the subcommittee on Disparate Minority Contacts.

FORENSIC LABORATORY

The Union County Prosecutor's Office Forensic Laboratory was established in 1972 to analyze physical evidence submitted by law enforcement agencies in Union County, and it was New Jersey's first county laboratory. The Forensic Laboratory today occasionally extends services to the Middlesex County Prosecutor's Office, the Newark Police Department, the Drug Enforcement Administration (DEA), U.S. Customs and Border Protection, and the Port Authority Police Department.

The Forensic Laboratory is comprised of two analytical sections, Forensic Biology and Controlled Dangerous Substances, which offer forensic science service delivery for criminal investigations within Union County. The Forensic Laboratory currently employs 15 technical and support staff, including a laboratory director, DNA technical leader, senior forensic chemist supervisors, and other staff members.

The Forensic Laboratory recently achieved accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board-International. A commitment to the accreditation standards ensures continual improvement for delivery of forensic services. Accreditation is also a requirement for participation in the National DNA Index System.

Union County's shared-services agreement with the Middlesex County Prosecutor's Office (MCPO) for the analysis of biological evidence and DNA entered its second year in 2014. One full-time DNA analyst hired by MCPO actively tests evidence for criminal investigations under the supervision of Forensic Laboratory staff. The shared-services agreement provides MCPO investigators with the flexibility to determine case priorities and work more efficiently with a neighboring laboratory.

In 2014, the Forensic Biology Section received 237 case submissions. Requests were received in the following types of cases: 38 homicides, 64 sexual assaults, 57 burglaries/robberies, 28 assaults, 23 unidentified persons, and 27 others. The Forensic Biology Section currently offers an average turnaround time of less than three months and operates with a minimal backlog. To date, the Forensic Laboratory has linked crime-scene DNA profiles to convicted offenders in 130 Union County cases. Another 30 case requests linked DNA profiles with other Union County investigations or cases in other jurisdictions.

The Controlled Substances Section saw an overall decrease in case submissions as compared with the previous year. Requests to analyze suspected controlled substances comprised the following: marijuana (42 percent), heroin (20 percent), and cocaine (16 percent), accounting for 78 percent of all submitted evidence items. In November 2014, a large volume of heroin was submitted as a result of a joint investigation involving the Union County Prosecutor's Office's Guns, Gangs, Drugs, and Violent Crimes Task Force. This case submission consisted of approximately 85,000 glassine envelopes containing heroin and numerous plastic bags of powder totaling roughly 3.8 kilograms of heroin.

Submission of prescription legend drugs increased significantly, going from 11,265 tablets/capsules in 2013 to 18,019 tablets/capsules in 2014. Increases in alprazolam (Xanax), clonazepam (Klonopin), phencyclidine (PCP), and oxycodone were also observed for the calendar year. The most significant decrease was synthetic cathinones ("bath salts"). Synthetics dropped from 161 submissions in 2013 to 44 in 2014.

Shared-services testing with the Essex County Prosecutor's Office and Newark Police Department also continues to bring narcotics submissions to the Forensic Laboratory. In 2014, evidence in 190 such cases was submitted for routine processing.

PLAINFIELD PROJECT

The Plainfield Project is a fully staffed satellite office established in the City of Plainfield. Its mission is to work closely with the Plainfield Police Division to advance the shared goal of reducing crime. It serves as the presence of the Prosecutor's Office in Plainfield in order to work with the community and the Police Division on crime reduction initiatives.

The assistant prosecutor assigned to the Plainfield Project provides legal advice and investigative support to the Plainfield Police Division on a daily basis. This consists of preparation and review of affidavits for search warrants, obtaining court orders and communication data warrants, and obtaining other legal documents required to appropriately investigate and prosecute criminal matters arising in Plainfield. The Plainfield Project also serves to provide in-service training to Plainfield Police Division personnel, and it participates in crafting strategies to address emergent and chronic crime problems. In addition to providing daily legal advice and investigative support to the Plainfield Police Division, the assistant prosecutor also provides legal assistance to the Westfield, Scotch Plains, and Fanwood police departments.

All criminal matters arising within Plainfield, Westfield, Scotch Plains, and Fanwood are initially screened to determine whether there is sufficient evidence for indictable charges to be filed. Upon a determination that indictable charges are appropriate, all cases are further screened for accuracy and completeness before being forwarded to the Pre-Disposition or Grand Jury units for disposition. This helps improve the quality of cases originating from all four municipalities.

In 2014, the assistant prosecutor reviewed a total of 617 cases. The assistant prosecutor referred 188 of the cases to municipal courts, as there was only sufficient evidence of disorderly persons offenses having been committed in those matters. Additionally, the assistant prosecutor determined that no charges should be filed in 17 cases, since there was insufficient evidence of any criminal offenses having been committed.

The assistant prosecutor reviewed 21 affidavits for search warrants and assisted the Plainfield Police Division Narcotics Bureau and Criminal Investigations Bureau in obtaining those warrants. In addition to obtaining search warrants and grand jury subpoenas, the assistant prosecutor also obtained a court order for telephone call detail records. The assistant prosecutor also assisted investigative units in the various police departments in obtaining and preparing 171 grand jury subpoenas for medical records, telephone records, banking records, and other essential documents to assist the police departments in their investigations.

One case in particular involved an investigation of an armed robbery of a gas station located in Scotch Plains and a liquor store located in Plainfield. As a result of an extensive investigation by the Scotch Plains and Plainfield detective bureaus, a suspect was identified and apprehended just hours after the second robbery. The detectives in both departments worked together to establish probable cause and obtain a search warrant for the room that the suspect rented in Somerville. There the detectives found evidence connecting the defendant to both robberies, as well as a third robbery of a hotel in Green Brook. The defendant subsequently pled guilty to all three robberies. The assistant prosecutor aided the investigation by issuing numerous grand jury subpoenas for credit card records and subscriber information from a cellular telephone facility, obtaining a search warrant for the defendant's room, and obtaining a court order for cell site information. This was instrumental in amassing the quantity and quality of evidence that ultimately led the defendant to plead guilty.

The assistant prosecutor also screened and referred seven firearm cases to the United States Attorney's Office for federal prosecution under the Triggerlock Program. Three of the seven cases were accepted for federal prosecution.

JOHN H. STAMLER POLICE ACADEMY

Union County is home to one of New Jersey's premier police training facilities, the John H. Stamler Police Academy in Scotch Plains. The Academy has two primary functions: to provide basic police training to recruits to produce qualified law enforcement officers for municipal, county, and state agencies; and to provide advanced (in-service) training for veteran police officers.

The Basic Training Police Curriculum meets the strict requirements of the New Jersey Police Training Commission (PTC). The instructional staff is comprised of experts in various areas of law enforcement, thus assuring that the Academy graduates have the desire, ability, and judgment to serve the public and honor their oaths of office.

In 2014, the John H. Stamler Police Academy conducted two 20-week sessions of the Basic Course for Police Officers. Class No. 110 consisted of 71 graduating recruits, and Class No. 111 consisted of 57 graduating recruits. In addition to the aforementioned graduates, 17 recruits participated in the Academy as Alternate Route recruits.

In addition to training police recruits, the Academy provides continuing education to law enforcement professionals in Union County and throughout the state. In 2014, nearly 5,000 law enforcement professionals – 2,427 from Union County and 2,592 from elsewhere – attended a total of 191 in-service training courses, including computer proficiency for law enforcement courses, representing 135 offerings presented over 348 training days.

The Academy courses represent a diverse offering focused on expanding the core PTC's Basic Police Training Curriculum, and they often are created to respond to forecasted and identified needs in the field.

Among our accomplishments in 2014 were Class 18's graduation of 22 auxiliary recruits from our three-month Basic Auxiliary Police Training Program, conducted in cooperation with the New Jersey State Police and New Jersey Office of Emergency Management; Class 8's graduation of six recruits in the Special Law Enforcement Officer Class One Police Training Program, in cooperation with the New Jersey PTC; and a wide array of special in-service course offerings from such esteemed institutions and law enforcement agencies as Penn State University, the New Jersey Department of Homeland Security/Immigration Customs Enforcement, and the New Jersey Division of Criminal Justice, as well as federal agencies including the Federal Bureau of Investigations and other regional and specialized law enforcement organizations and training agencies. The accomplishments also included the hosting of New Jersey Cop 2 Cop Suicide Awareness Prevention; specialized Crisis Intervention Training to enhance police response to individuals with mental illness and to assist returning veterans in crisis; increased patrol efficiency and safety; leadership, supervision, and agency management enhancement; and special training for educators and law enforcement officers in partnership with the Office of the Union County Superintendent of Schools.

PRE-DISPOSITION CONFERENCE/PRE-TRIAL INTERVENTION UNIT

The Pre-Disposition Conference Unit is assigned the responsibility of reviewing the majority of criminal cases in Union County involving second-, third-, and fourth-degree criminal charges. The goal of the Unit is to resolve as many cases as possible prior to Grand Jury action. This not only saves the State the time, cost, and effort of processing these cases through the criminal justice system, but helps bring closure to victims of crimes in a timely manner.

The Unit consists of three assistant prosecutors, two clerical employees, and one victim/witness counselor. The Unit handles all cases assigned a pre-disposition conference date at the time of defendant's first appearance. The time between the complaint and the pre-disposition conference hearing is approximately six weeks. The Unit also reviews cases for which a complaint has been signed but the defendant has not received a first appearance date.

In 2014, more than 6,100 cases with court dates were reviewed by the Unit. Cases are disposed of via the plea negotiation process, administrative dismissals, admission into the Pre-Trial Intervention Program, and remands to a municipal court. Frequently, the attorneys must consolidate cases from other counties to dispose of defendants with multiple charges. Pre-Disposition Conference Unit attorneys handle all types of cases, including aggravated assaults, gun possession cases, burglaries, robberies, frauds, theft, and drug cases. Identity theft cases, which can be very complex and multi-jurisdictional, receive special attention from the Unit. Violations of anti-piracy laws are prosecuted with the assistance of experts from the motion picture and sound recording industries. Cases involving endangering the welfare of a child, which our Unit also handles, receive a high priority from the assistant prosecutors.

Two cases our Unit handled in 2014 were of particular note. In the first, a defendant fought with an officer while he was being arrested and attempted to grab his service weapon.

That defendant pleaded guilty and received a sentence of six years in New Jersey State Prison, with 85 percent of the sentence to be served before parole consideration. In the second case, a defendant who was caught with a handgun in his car pleaded guilty and now must serve five years in New Jersey State Prison, with forty-two months before parole consideration.

The Unit is very concerned with the rights of crime victims. A great deal of time and effort is put into contacting the victims, informing them about the status of their cases, listening to their concerns, and explaining the intricacies of the criminal justice system. The adult criminal trial calendar continues to show a marked reduction in the number of second-, third-, and fourth-degree offenses due to improved screening of cases, diversionary programs, and vigorous plea negotiations by members of the Pre-Disposition Conference Unit.

The Pre-Trial Intervention (PTI) Program is a diversionary program designed for first-time offenders who commit nonviolent, victimless offenses. In 2014, a total of 605 new applications were filed with the PTI Program and were legally reviewed. There were 466 new applications ultimately accepted into the Program, with case- and defendant-specific conditions for Program participation. All applicants who were legally rejected received a written legal notice of rejection. There were 164 individuals terminated from the Program in 2014. Four-hundred and twenty-one PTI participants successfully completed the program and received dismissals in 2014.

TRIAL UNIT NARRATIVE

Twelve assistant prosecutors are assigned, in teams of two, to six criminal courts that handle first-, second-, third-, and fourth-degree criminal charges that are not being handled by a specialized unit; this group collectively is known as the Trial Unit. The six courts and the designated assistant prosecutors handle arraignments, status conferences, pretrial conferences, pre- and post-trial motions, trials, and sentences. In addition to their trial responsibilities, the assistant prosecutors conduct case review and issue complaint approval on a rotating on-call basis. Approximately 800 defendants entered pleas of guilty in 2014. Approximately 56 defendants proceeded to trial. The remaining cases were either remanded to municipal court or dismissed.

The cases that proceeded to trial included those of defendants who were subjected to significant penal exposure due to the nature of the charges or a significant prior record. The Trial Unit is the backbone of any prosecutor's office, as reflected in the volume of cases each assistant prosecutor must review, prepare for, and dispose of during the course of any given year. In 2014 the Trial Unit handled approximately 1,590 cases for crimes of kidnapping, carjacking, burglary, robbery, aggravated assault, weapons possession, eluding, and drugs. Throughout the year, the Trial Unit assistant prosecutors also sat as "second chair" in a number of investigative or specialized unit trials for crimes ranging from murder to aggravated sexual assault.

Among notable cases adjudicated last year by the Trial Unit:

Following a two-week trial in October, a Union County jury convicted a defendant of second-degree eluding and third-degree resisting arrest, for which defendant was sentenced to an extended term of imprisonment of 18 years with a six-year parole disqualifier. On the date of the incident, Elizabeth police officers attempted to conduct a motor vehicle stop of a car being

driven by the defendant. Although initially compliant, as the officers exited their vehicle and approached the defendant's car, defendant sped away and hit a metal guardrail, forcing the vehicle to spin in the opposite direction of travel. At that time, defendant raised his arm and pointed at one of the officers while simultaneously driving in the direction of that officer. The officer was able to avoid injury and the pursuit continued. The defendant ultimately crashed his vehicle, disabling it, at an exit ramp off of Routes 1&9. The defendant exited the vehicle and fled the area. Police helicopters and K-9 units were activated to locate the defendant, who ultimately was located and taken into custody at a warehouse in a Newark Liberty International Airport terminal.

In a trial spanning the months of September and October, a defendant was convicted of one count each of second- and third-degree aggravated assault inflicted upon a police officer and a citizen victim, respectively. The defendant approached a uniformed Plainfield police officer on the street and rendered the officer unconscious in an unprovoked physical assault. As the officer lay immobile on the ground, the defendant continued to punch, kick, and stomp the officer about the face, head, and torso. The attack was only ended by a good Samaritan citizen who had been driving down the street and chose to exit his car and put himself in harm's way by approaching and distracting the defendant. While the defendant was distracted, police units arrived and placed the defendant in custody as aid was being rendered to the seriously injured officer. In securing a guilty verdict, the State overcame both an intoxication and diminished capacity defense through expert testimony. The defendant ultimately was sentenced to a 16-year New Jersey State Prison term, with 85 percent of that term to be served before defendant will become eligible for parole.

In January 2014, a defendant was convicted of aggravated assault for attacking his girlfriend by strangling, biting, and punching her, causing the victim to lose consciousness. The injuries inflicted by defendant upon the victim included a fractured orbital bone and nasal spine. The victim, although initially cooperative during the investigation, later expressed an unwillingness to proceed at trial. Ultimately, the victim did testify at trial in a manner consistent with her initial sworn statement. However, while the jury was deliberating, the victim contacted the State indicating that her testimony had been false. As the State was advising the court and counsel of this new development, the jury returned a guilty verdict. The State interviewed the victim immediately thereafter and she confirmed that her testimony was truthful. The victim then showed investigators text messages she received throughout the trial from the defendant pressuring her to recant her testimony. The aggravated assault verdict stood and defendant was ultimately charged with witness tampering, to which he pled guilty.

In March, following the return of guilty verdicts for second-degree eluding and third-degree possession of narcotics, a defendant was sentenced to an extended term of 18 years of imprisonment with an eight-year parole disqualifier concurrent to a five-year term. The trial itself highlighted the dangerous aspects and serious consequences of eluding law enforcement, as properly reflected in the sentence imposed. As officers were attempting to conduct a motor vehicle stop for moving violations, the officers exited the vehicle and approached it. At that time, defendant sped off in a reckless manner and narrowly missed hitting an officer. The pursuit occurred on a busy highway and spanned several municipalities. Ultimately, the vehicle crashed and the defendant exited the car and fled on foot. In the course of the foot pursuit, defendant ran across the Garden State Parkway and into a residential neighborhood. Law

enforcement located defendant attempting to hide in a wooded area. Defendant was also found to be in possession of heroin.

SEIZED ASSET FORFEITURE UNIT

The Seized Asset Forfeiture Unit files civil lawsuits seeking the forfeiture of property that has been or is intended to be utilized in the furtherance of illegal activity; has been, or is intended to become an integral part of illegal activity; or that which constitutes the proceeds of illegal activity.

A forfeiture action is commenced by the filing of a verified complaint in the Law Division of Superior Court. A copy of the filed complaint and summons then are served upon each claimant and/or potential property claimant. A claimant is an individual who has an ownership and/or possessory interest in the seized property. If the claimant fails to file an answer to the complaint, the Court or the Superior Court clerk may enter default against the claimant. Upon the entry of a default, the State then applies to the Court for the entry of an order for judgment by default. Once such an order is entered, title in the property is transferred to the State. Where an answer is filed, the matter ultimately is resolved either by way of a negotiated settlement, trial, or court order.

Forfeiture actions promote major public policy objectives by encouraging property owners to be more responsible with their property and deter them from using or allowing their property to be used for, or in furtherance of, illegal activity. A corollary benefit is that the forfeited property is distributed to the law enforcement agency or agencies that participated in the investigation and seizure of the property. The forfeited property is to be utilized by the seizing agency or agencies, solely, in furtherance of law enforcement purposes.

In 2014, the Seized Asset Forfeiture Unit opened 549 files, seized \$622,497.52 in forfeited United States currency, and seized 30 motor vehicles valued at \$164,083 and other forfeited property valued at \$59,265, totaling \$845,845.52 in total value of property forfeited.

SPECIAL OFFENDERS UNIT

The Special Offenders Unit was created in March 2005 to address a marked increase in criminal prosecutions against individuals with mental illness. The Unit is comprised of two assistant prosecutors who handle any Trial Teams case in which the defendant presents with a mental illness. These cases raise a myriad of issues, including competency to stand trial and defenses of insanity or diminished capacity.

The Special Offenders Unit partners with Trinitas Regional Medical Center and Bridgeway Rehabilitation Services to operate the Jail Diversion Program. The Jail Diversion Program attempts to divert mentally ill criminal defendants from traditional prosecution when the underlying offense is related to the defendant's mental illness. A treatment plan formulated by mental health professionals from Trinitas and Bridgeway is incorporated into a plea bargain. In 2014, the Special Offenders Unit handled approximately 350 cases for acceptance into the Jail Diversion Program.

The Unit also last year continued to handle cases in a mental health program assigned to one judge within the criminal courts. This program began in July 2009, and the mental health list is heard once a month. This specialization has allowed more individuals to be diverted from incarceration and prosecution because of the close monitoring of the cases.

The Unit provides training for law enforcement in the recognition of mental illness and techniques for de-escalation of crisis situations. The Unit continues to collaborate with the National Alliance on Mental Illness (NAMI) of New Jersey and the Union County chapter of NAMI. The Unit, in conjunction with local law enforcement and various mental health service providers and agencies, began the process of establishing a Crisis Intervention Training Program (CIT) in Union County in 2010. This process resulted in three 40-hour CIT training sessions that

now are conducted annually for law enforcement and mental health providers. The continuing goal of CIT is to train local law enforcement officers and responding mental health screeners in how best to handle a situation involving an emotionally disturbed or mentally ill person. It is further designed to encourage an understanding and appreciation by all responding parties of each agency's role, as well as to enhance cooperation and coordination among these agencies.

The Unit also has continued in its efforts to provide a practical training curriculum at the John H. Stamler Police Academy. In 2014, the Unit conducted two separate 1.5-day intensive training programs on law enforcement's response to the mentally ill and the concept of excited delirium, offering instruction on practical de-escalation methods and tactical demonstrations.

The Unit is further responsible for the involuntary civil commitment cases at state psychiatric hospitals. The assistant prosecutors in this Unit regularly appear at Ann Klein Forensic Center, Trenton Psychiatric Hospital, and Ancora Psychiatric Hospital to represent the State in commitment hearings for profoundly mentally ill criminal defendants and monitor those defendants released from these institutions as they return to their communities. In addition, the Unit is responsible for the continued legal monitoring of individuals who are found not guilty by reason of insanity, as well as individuals found not competent to stand trial.

SPECIAL PROSECUTIONS UNIT

The Special Prosecutions Unit's core function remains the investigation and prosecution of complex financial matters, identity theft, and official misconduct by public officials. The Unit also takes on such investigations as insurance fraud, bribery, kickback schemes, election law violations, bias crimes, Open Public Meeting Act violations, welfare fraud, officer-involved shootings (Shooting Response Team), and cybercrimes. The Unit is staffed by three assistant prosecutors, one lieutenant, two sergeants, five detectives, and two clericals. There are three assistant prosecutors, one sergeant, and four detectives assigned to the Special Prosecutions Unit; one assistant prosecutor, one sergeant, and one detective assigned to the Insurance Fraud Unit; and one sergeant and two detectives assigned to the High Tech Crimes Unit. The Special Prosecutions Unit Financial Crimes Section handles telephone calls, letters, and walk-in reports from members of the public. Whenever a member of the public has a question that does not apply to one of the other investigative units, they are directed to the Special Prosecutions Unit.

Questions have ranged from something as simple as an inquiry about the requirements of the Open Public Meetings Act to inquiries about complex forms of fraud or identity theft. We also handle special assignments and/or inquiries. The Financial Crimes Section initiated 51 investigations in 2014 and made 43 arrests. The Unit also handled over 125 citizen contacts/inquiries and conducted four police-involved shooting investigations. Criminal charges were signed against 14 defendants for identity fraud, five separate private employees for second- or third-degree embezzlement from their respective employers, three contractors for theft by deception, and two fiduciaries for misappropriation of entrusted fund. Two public employees were indicted for official misconduct via theft of time. In total, last year three public officials permanently forfeited public office in New Jersey as a result of theft convictions.

In July 2014, the Union County Grand Jury returned an indictment against a Berkeley Heights man charged with stealing over \$4 million from three trucking companies during the course

of eight years of employment. Alberto Thomson, 48, was indicted on a single count of second-degree theft by deception. Thomson was arrested in March following a prolonged Elizabeth Police Department investigation that ultimately revealed the pattern of theft from the Elizabeth-based New England Motor Freight, a large trucking company, and two related companies, Eastern Freightways Inc. and Carrier Industries Inc. Part of Thomson's duties previously involved registering many of the companies' thousands of vehicles in the various states where they operate. Yet at various times from 2005 through 2013, Thomson allegedly put in registration requests for vehicles that had already been registered, then pocket or spend the checks cut by his employers to cover the costs. Thomson ultimately used the misappropriated funds to pay for a variety of personal expenses, including a Mercedes-Benz and a beach rental home. The case is currently in pre-trial litigation.

A total of seven bias-related incidents were referred to the Bias Crime Section of the Prosecutor's Office's Special Prosecutions Unit for review in 2014. Three bias incidents resulted in criminal charges. Two of the three cases related to a physical assault. The four remaining bias incidents that did not result in criminal charges involved acts of graffiti on public and private property. The Bias Crime Section, in conjunction with the New Jersey Bias Crime Officers Association, also conducted several community outreach programs in 2014. Topics included bias education and awareness, enhanced communication between law enforcement and the community, and problem-solving techniques. Additionally, we conducted bias crime training for police recruits and in-service law enforcement officers. We are also members of the Union County Human Relations Commission and apprise the Commission of recent bias incidents on a monthly basis.

The Union County Prosecutor's Office High Tech Crimes Unit is primarily a support unit. High Tech responds to requests from the Union County Prosecutor's Office, police agencies located within Union County, and law enforcement agencies outside of the county. The responsibilities of this Unit include forensic analysis of cellular devices, extraction and analysis of computer hard drives and related digital media, and the collection of video evidence for criminal cases from a

growing number of available security camera systems. Recent merging of investigative staff from the Electronic Surveillance and High Tech units has increased efficiency and doubled the number of detectives available for security camera extraction.

In 2014, a total of 199 items of digital media were analyzed, including 39 hard drives, external drives, or flash drives and 160 cell phones, smartphones, tablets, or SIM cards. The size of the storage media analyzed ranged in variety from text messages on cell phones to terabyte-size hard drives. Of special note is the continuing increase of cell phone extraction, from 95 in 2013 to 160 in 2014.

There were 109 cases that required High Tech to conduct extraction of video footage from business or residential video surveillance systems, an increase of 64 cases from the preceding year. Due to the unique nature of the technology used to analyze media, time spent on forensic examinations ranged from a few hours to several weeks.

Following a two-month investigation in May and June 2014, members of the Linden Police and Union County Prosecutor's High Tech Crimes Unit completed an investigation into the attempted solicitation of sex from a minor. Phillip Verrinder, 38, posted a message on Google Plus seeking sex with 13-year-old boys. Once the Linden Police Department was made aware of the posting, Linden Police Officer Afstradios Zevilkaris, working with the High Tech Crimes Unit, created the online profile of a young boy and began speaking with Verrinder. As Verrinder became more comfortable with the online persona, Verrinder invited the 13-year-old child to a park in Rahway. Verrinder outlined in multiple text messages various sex acts he intended to complete with the "child" in the park bathroom.

On July 1, 2014, Verrinder was arrested at the park bathroom and confessed to his planned sex acts and sexually explicit text messages. The defendant was indicted for second-degree luring and first-degree attempted aggravated sexual assault.

On July 17, 2014, Kevin A. Cole, 49, was charged with one count of second-degree distribution of child pornography and one count of fourth-degree possession of child pornography. Cole was arrested following a six-week investigation initiated by the New Jersey State Police Internet Crimes Against Children Task Force and conducted by the Union County Prosecutor's Office High Tech Crimes Unit and Special Prosecutions Unit. Cole was the second defendant charged in 2014 with child pornography distribution via a file-sharing program. Prosecution of child pornography cases was aided in mid-2013 by statutory clarifications of current peer-to-peer file-transfer techniques. Coles, an adjunct college professor, pleaded guilty to second-degree child pornography distribution and received a three-year state prison sentence in January 2015.

The Insurance Fraud Unit devotes 80 percent of its efforts to the combating of insurance fraud while working closely with local, state, and federal law enforcement and private industry representatives. The Insurance Fraud Unit made 13 arrests in 2013. The Unit is state-mandated and is substantially financed by a state Office of Insurance Fraud Prosecutor grant.

In October 2014, Alejandro Perez Hernandez, 35, was sentenced to a five-year state prison term with an 18-month parole disqualifier for multiple counts of identity fraud involving New Jersey driver's licenses. Hernandez would illegally obtain identifying information of innocent parties, send an agent to the Motor Vehicle Division to obtain fraudulent car titles, and sell the titles to undocumented immigrants. Hernandez had been convicted of a similar offense in 2010.

SPECIAL VICTIMS UNIT

For three decades, the Union County Prosecutor's Office has dedicated every available resource to protecting survivors of sexual abuse and holding perpetrators fully accountable for the bodily and psychological harm of children, teens, and adults. Referrals come from all 21 municipalities. In February 2013, the Union County Child Advocacy Center staff and the Sex Crimes Unit of the Prosecutor's Office merged to form a single Special Victims Unit. At that time, the Special Victims Unit (SVU) assumed responsibility for interviewing all children, from infancy age to 17, who disclose sexual penetration. The SVU staff includes nine detectives, six assistant prosecutors, three clerical support staff members, a multidisciplinary team coordinator, two part-time on-site therapists from Trinitas Regional Medical Center, six intake workers from the New Jersey Department of Child Protection and Permanency, and a forensic sexual assault nurse examiner.

SVU members are jointly involved with municipal police detectives in the initial stages of investigations into the sexual abuse of adults. The SVU staff supervises the investigations and reviews witness interviews, suspect statements, evidence analysis while also obtaining search warrants, court orders for phone records, and biological evidence. The Unit investigators work with municipal officers in providing field support as well. Assistant prosecutors direct the investigation and provide legal advice at each critical stage of the proceedings. The assistant prosecutor either will make a determination of probable cause or close the investigation due to insufficient credible evidence. After the signing of complaints and the arrest of the suspect, the assistant prosecutor will build a rapport with the victim, present the matter to the Grand Jury, negotiate a plea, or prepare for trial.

The SVU works closely with the Sexual Assault Response Team (SART), the Union County Prosecutor's Office Forensics Laboratory, and the New Jersey State Police Laboratory. In June 2001, the Prosecutor's Office, following two years of collaborative efforts with Runnells Hospital and the rape crisis center and emergency room staffs at Trinitas, Muhlenberg, and Overlook hospitals, established a special team to address the needs of survivors of sexual assault. If a survivor is over 13 and the sexual assault occurred within the previous five days, the survivor is offered special medical and therapeutic services. The Prosecutor's Office still works in close collaboration with the rape crisis centers and local hospital emergency rooms, meeting every eight weeks as the Sexual Assault Response Team Advisory Board convenes to review and improve patient care at the point of first disclosure.

The Union County Child Advocacy Center is an integral part of the SVU team. Since 1995, the Advocacy Center's detectives have interviewed over 3,000 children 12 and under regarding sexual abuse. From initial disclosure to continued investigation, complaint authorization, Grand Jury presentation, and plea or trial, the Unit's various members shepherd each child's case through the criminal justice system. Essential to the investigatory process is the building of rapport with the child, respecting the child's evolving capacity to both disclose and heal, and stabilizing parents in acute crisis. Detectives who are trained as forensic child interviewers then seek to interview the child in an open-ended format. Often sexual abuse disclosure is an event that is painful for a child. The digitally recorded interview process eases disclosure and prevents multiple re-interviews. The Union County Multi-Disciplinary Team meets monthly to assess the needs of all families with open cases and take all necessary and appropriate investigative, legal, therapeutic, and medical services steps to improve the client's well-being.

Last year marked the second year of operation for the new “wraparound” service model at the new Union County Child Advocacy Center located at 240 West Jersey Street in Elizabeth. Colocation has allowed total investigative, prosecutorial, and therapeutic review time of all new sexual abuse referrals to be reduced from five business days to one business day.

In 2014, over 554 referrals of child abuse involving children under the age of 17 were received by SVU, 53 criminal investigations were opened, and 53 criminal complaints were signed. Regardless of the opening of a criminal investigation, all families were offered community-based resources for follow-up. The vast majority of complaints were signed for first- and second-degree sexual assaults. Detectives from the Office completed 298 interviews of sexually abused children, teens, and complaint witnesses, and with the help of the clerical staff, obtained 165 typewritten statements from related witnesses. Seventy-one suspect interviews also were obtained by investigative staff. The child and teen sexual abuse clearance rate in 2014, or those formal investigations that resulted in a criminal charge, was 100 percent. This figure is a single-year Unit record.

Additionally, legal and investigative staff are assigned to the Child Abduction Response Team (CART) and assist in locating numerous children and teens reported missing and/or endangered.

In 2014, the SVU prosecuted a 27-year-old martial arts instructor who met his 13-year-old victim when she was a martial arts student at his studio in the Township of Springfield. Defendant began a friendship with the victim and her family and gained their trust. Defendant had sex with the victim on two occasions in the karate academy. When arrested, defendant gave a full confession and admitted to the sexual relationship. The defendant pleaded guilty and is serving a seven-year New Jersey State Prison sentence pursuant to the No Early Release Act.

Also in 2014, the Child Advocacy Center's legal and investigative staff investigated a case involving a stepfather sexually assaulting two of his teenage stepdaughters. One of the victims provided a sworn statement detailing over 50 incidents of sexual assault during a three-year period while she was in middle school. The investigation also revealed that the defendant would force his biological son to take photographs of him naked. The son indicated that if he refused, the defendant would beat him. The case is pending post-indictment litigation.

Lastly, in 2014, the Child Advocacy Center's legal and investigative staff charged a Boy Scout leader with sexually assaulting his two biological sons over the course of five to six years. The victims also disclosed that they observed the defendant, their father, naked and masturbating while viewing images of child porn on his computer. The statements of the victims led to the seizure and search of defendant's computers. A large amount of child pornography images and videos were discovered on defendant's computers. This child pornography portion of the investigation was referred to the United States Attorney's Office in Newark for prosecution. Plea negotiations in both state and federal court are ongoing.

VICTIM/WITNESS UNIT

Victims of crime face many problems, inequities, and inconveniences when they become enmeshed in the criminal justice system. The woman seeking a restraining order, the teenager assaulted walking home from school, the family that walked in on an intruder, and the man who was beaten on the street are some of the faces behind crime statistics.

The Victim/Witness Unit provides comprehensive services to help victims deal with the financial, psychological, and physical injuries that arise as a consequence of being a crime victim. Our goal is to provide victims with an understanding of the criminal justice system so that they are better prepared to participate in the court process. We act as both advocates and liaison with office staff as well as with outside agencies. For each and every victim, we attempt to devise a program that will respond to their individual needs, whether emotional, financial, physical, or psychological.

The Unit is staffed with a victim/witness coordinator, four victim/witness advocates, and two support staff. One advocate and the coordinator handle all victim cases while the remaining three advocates are located in the Pre-Disposition, Domestic Violence, and Juvenile units. The staff provides specialized services that extend from case inception through the time a defendant is released on parole, and often for a longer period. Advocates make an initial assessment and then provide appropriate services, including short-term crisis counseling, case status notification, explanation of the criminal justice system, assisting in problem-solving associated with court appearances, and court accompaniment, with the Unit acting as a liaison with law enforcement, courts, and social service agencies.

Last year the Juvenile advocate assisted a 16-year-old victim who was shot and paralyzed from the neck down. She was able to help this victim by assisting his mother with the support

she needed not only to continue her daily duties but to find the strength to take on the new challenges she inherited as a result of the attempted murder of her son. The advocate provided her with referrals, emotional support, and advocacy with the numerous problems that resulted from the crime. She lived in fear because this crime was the result of gang activity. The family was assisted with filing for Victims of Crime Compensation and was relocated. The victim's mother was kept updated of court appearances and status of the case. She was given orientation about the criminal justice proceedings and the courtroom setting. When the mother was informed that the juvenile defendant was waived to the adult criminal court, she was grateful for the assistance that she received, stating that she could not have gotten through this without the assistance and support of the advocate. Following many months of hospitalization and rehabilitation, her son is in a new apartment attending a different high school.

The Domestic Violence advocate assisted a victim that had been beaten by her boyfriend. She continued to go to work in pain, had trouble swallowing, and suffered pain when she took deep breaths. The advocate transported her to the hospital, where she was able to obtain her restraining order via digital communication. This victim was provided with transportation, ongoing support, and referrals for supportive services. The advocate also assisted the victim with having her locks changed on her apartment doors.

The Pre-Disposition Advocate had an assault case in which a young man was assaulted and became comatose after suffering a blow to the head. As a result, the victim is now in a rehabilitation treatment facility in a persistent vegetative state. The advocate assisted the parents, who do not speak English, with medical and collections correspondence, applying for charity care, and completing the Victims of Crime Compensation application, which assisted with paying over \$100,000 in medical bills since the victim was uninsured.