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Union County Prosecutor's Office 2019 Annual Report

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About the Prosecutor's Office

The Union County Prosecutor is the chief law enforcement officer for Union County and maintains the Office of the County Prosecutor, located in the Andrew K. Ruotolo, Jr. Justice Center, at 32 Rahway Avenue in Elizabeth, New Jersey, as well as the Elizabeth-based Family Justice Center and Child Advocacy Center of Union County, the John H. Stamler Police Academy in Scotch Plains, the Forensics Laboratory in Westfield, and the Major Crimes Division (formerly known as the Narcotics Strike Force) at a confidential location.

The County Prosecutor is a constitutional officer who is responsible for the investigation and prosecution of all indictable offenses occurring within the county. The Prosecutor is also responsible for ensuring that policies and procedures mandated by the Office of the Attorney General of the State of New Jersey are disseminated and enforced among all law enforcement agencies within the county. The County Prosecutor renders guidance to local police departments in the investigation, identification, apprehension, and prosecution of people accused of committing crimes. In addition, the County Prosecutor performs an important public function in educating citizens about crime trends, disposition of criminal cases, preventive action to detect and prevent crimes, and policies and procedures to keep our families and vulnerable members of our community safe.

Union County is a diverse jurisdiction of more than half a million residents living in approximately 100 square miles. There are 21 municipalities in Union County, ranging in size from Winfield (population approximately 1,500) to the county seat, Elizabeth, which, at nearly 125,000 residents, is New Jersey's fourth-largest city. All 21 municipalities in the county maintain an independent police department. In addition to the 21 municipal departments, Union County is also home to the Union County Police Department, the Kean University Police Department, and the Union County Sheriff's Office, under the leadership of Sheriff Peter Corvelli.

The Union County Prosecutor's Office (UCPO) is staffed by approximately 250 people. In addition to the Acting Prosecutor, the staff currently consists of assistant prosecutors, sworn law enforcement officers who function as investigators, prosecutor's agents, victim/witness counselors, biologists, chemists and lab assistants, training instructors, and clerical employees. The UCPO is organized into various specialized units. What follows are an overview of the Office's operations in 2019, as well as brief descriptions of the functions and 2019 accomplishments of each unit.

A Message from Acting Prosecutor Ruotolo

When I addressed the men and women of the Union County Prosecutor's Office at my swearing-in ceremony last July, I listed three critical priorities for us to address as an Office. Nearly a year later, I am beyond proud of the work the dedicated and passionate professionals of the Prosecutor's Office have accomplished towards those goals. Along the way, we have stayed true to the principles I set for myself as a line Assistant Prosecutor years ago- always tell the truth, always seek the truth, and always do the right thing.

Priority one called on the Prosecutor's Office to strengthen the community's trust in law enforcement, and similarly, law enforcement's trust in this Office. Though outreach initiatives and policy revisions, we are working to earn the trust of those we serve and, as the chief law enforcement officer of Union County, the trust of the 1,600+ officers I oversee across more than two dozen agencies throughout the county.

My next goal aimed to protect members of Union County by reducing gun crimes and violence. To meet this challenge, we reorganized the investigative units within the Office, better equipping our detectives to proactively prevent violence, and emphasizing collaboration between agencies to best protect the community.

The third priority tasked our Office with fighting the opioid epidemic through a multi-pronged approach. Compassionately addressing addiction within the community, and relentlessly pursuing those who profit from the epidemic. By working with local organizations to connect community members with recovery resources, while strategically pursuing known opioid purveyors, we are dedicated to supporting Union County in the fight against opioids.

Throughout the last year, we have worked hard to address these priorities, we have identified additional goals aimed at supporting members of law enforcement, and we as an Office have worked tirelessly in pursuit of justice for the people of Union County. I took office with an ambitious set of goals, all intended to enhance the fashion in which our office is run and policing is accomplished in this county, and while encouraged by the progress we have made to that end thus far, the work is truly only beginning. My earnest hope is that many years from now, the people of Union County can look back at this moment as a period of impactful progress.

I invite anyone reading this message to review this annual report thoroughly to learn more about the important work happening within the Prosecutor's Office. While statutorily required to be submitted each year, this document annually presents us with a unique opportunity to speak directly to the people we serve and explain the ways in which we strive to allow them, in the words of our mission statement, to "live their lives without fear that those lives will be diminished by the acts of those who would betray the laws of a civilized society."

For myself and my colleagues, those words are more than a mission – they are a calling.
Thank you for reading.



Lyndsay V. Ruotolo, Acting Union County Prosecutor

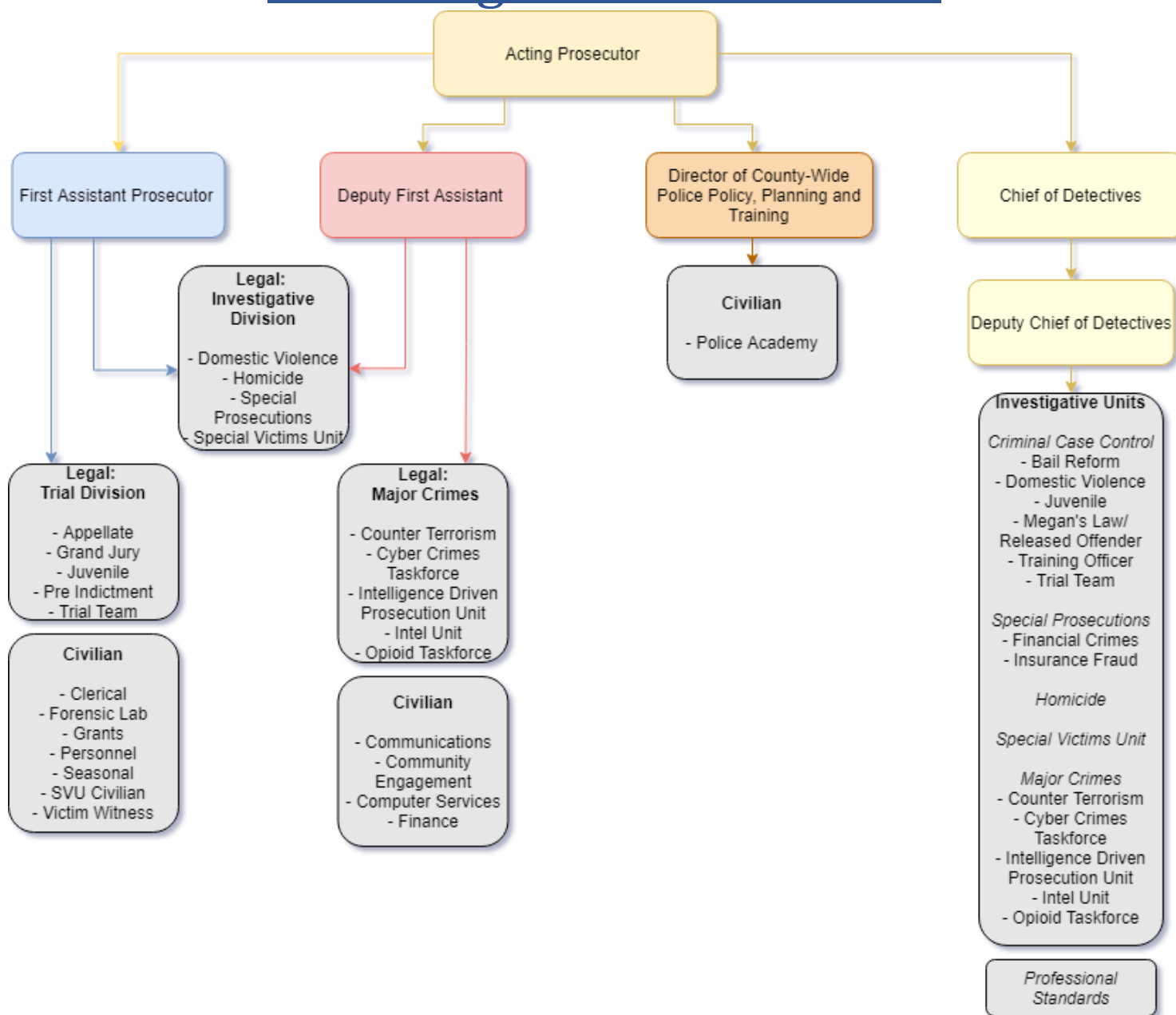


Mission Statement

To the people of Union County: you have the right to live your lives without becoming a victim of violence; to have your liberty, as well as the liberty of your neighbors, safeguarded; to own possessions knowing they will not be taken from you; and to rest your head at night with the knowledge that should another transgress and cause harm to you, your family, or your property, such persons will be swiftly apprehended and brought to justice. Ensuring these rights is the most fundamental duty entrusted to government by those it governs and serves.

It is the mission of the Union County Prosecutor's Office to allow the people of this County to live their lives without fear that those lives will be diminished by the acts of those who would betray the laws of a civilized society.

2019 Organizational Chart



A New Direction

Acting Union County Prosecutor Lyndsay V. Ruotolo was sworn in to office in July 2019, and after reviewing the Union County Prosecutor's Office's resources, manpower, and policies and procedures, she unveiled a comprehensive five-pronged plan, reflected by the following goals:

- 1) Strengthen the public's trust in law enforcement.
- 2) Reduce violence in our community.
- 3) Empathetically and effectively address the opioid epidemic.
- 4) Improve the training and safety of our officers.
- 5) Protect Union County's children.





Prosecutor Ruotolo meets with our county's children at 2019 National Night Out festivities in Roselle.

Goal #1 Strengthen the Public's Trust in Law Enforcement

In order to *protect* the community, one must earn the *trust* of the community, and in order for the community to *trust* us – they need to *know* us.



Prosecutor Ruotolo meets with members of Moms Demand Action in Fanwood in November 2019.

To achieve Goal #1, the Prosecutor's Office:

- Utilized a vacant prosecutor's agent position to recruit and hire a Community Outreach Manager to implement a coordinated, office-wide outreach effort.
- Increased community presence. UCPO staff attended all 17 National Night Out events across the county in August 2019, and members of the Senior Staff appeared and participated in over 100 community outreach events in just the last quarter of the 2019 alone.
- Formalized a written *Brady/Giglio* policy to improve compliance with rules governing disclosure of exculpatory and impeachment evidence to the defense in criminal trials.



Dozens of members of the Prosecutor's Office's investigative, legal, and clerical staffs, attended National Night Out events in 2019.



Goal #2

Reduce Violence in Our Community

In order to reduce violence in our community, we must be *proactive*, not *reactive*, and foster *communication and collaboration* with all of our many law-enforcement partners.



Prosecutor Ruotolo and Chief Gusmano recently met with Governor Phil Murphy and former Congresswoman Gabby Giffords to mark Trinitas Health Foundation being named a recipient of federal funding for hospital-based violence intervention programs.

To achieve Goal #2, the Prosecutor's Office:

- Created the Major Crimes Division, maximizing existing and available resources and directing them to serve a core mission of violence reduction through proactive violence prevention.
- Created the Intelligence-Driven Prosecution Unit (IDPU), operating under the umbrella of Major Crimes, with the goal of fostering a more collaborative approach and better intelligence-sharing across county agencies.
- Sought and secured the appointment of an intelligence liaison for every Union County law enforcement agency to work with IDPU in strategic intelligence analysis.
- Began plans for an expansion of the Counter-Terrorism Task Force.



Prosecutor's Office Capt. Gary Webb has assumed investigative command of the newly formed Major Crimes Division, which features the newly formed Intelligence-Driven Prosecution Unit and Opioid Task Force, as well as the preexisting Counter Terrorism Task Force and Cyber Crime Task Force.

Goal #3

Empathetically and Effectively Address the Opioid Epidemic

In order to address the opioid epidemic, we must continue to *investigate and prosecute* high-level traffickers of illegal narcotics, but also do much more in our fight to *save the lives* of those who have fallen prey to addiction.

Left: Prosecutor Ruotolo and numerous members of the Prosecutor's Office spent much of the latter half of 2019 preparing for the launch of Operation Helping Hand 24/7/365, which made Union County the first in the state to have law enforcement available to connect citizens struggling with substance abuse to needed services around the clock, every day of the year.



To achieve Goal #3, the Prosecutor's Office:

- Created the Opioid Task Force, operating under the umbrella of Major Crimes, to aggressively and strategically pursue those who profit from poisoning the people we are sworn to protect.
- Sought and secured grant funding to expand the generous existing support from the Union County Board of Commissioners, the Department of Law and Public Safety, and Governor Murphy, and began coordinating the launch of Operation Helping Hand





Goal #4

Improve the Training and Safety of Our Officers

In order to improve the fashion in which policing is accomplished in Union County, we must ensure that the right *people* are in positions of *leadership* to guide us – and to keep us on the *cutting edge*.

Above: New Jersey Attorney General Gurbir S. Grewal and Prosecutor Ruotolo greet a graduate at the 121st commencement ceremony for the John H. Stamler Police Academy in December 2019.

Right: The 120th class of the John H. Stamler Police Academy participated in the fifth annual Race 4 the Children, a 5K race coordinated by the Friends of the Child Advocacy Center of Union County.



To achieve Goal #4, the Prosecutor's Office:

- Swore in Chief Patricia Gusmano, the first female Chief in the 163-year history of the Prosecutor's Office, who, with nearly 30 years of intense investigative experience, will not only lead this office into the future of law enforcement, but also redevelop internal cross-training for UCPO investigative staff. Members of the Senior Staff are expected to be subject-matter experts who are also well-rounded enough to be able to support other units as needed.
- Utilized a vacancy to create the new executive staff position of Director of County-Wide Police Policy, Planning & Training, then recruited and hired Jonathan Parham for the position in order to improve and modernize county-wide police training initiatives, with a focus on officer safety and increased de-escalation technique training.





Above: Prosecutor Ruotolo reads to students at the Queen City Academy Charter School in Plainfield.

Right: The team coached by members of the Elizabeth Police Department captured the championship trophy at the second annual Union County Prosecutor's Office Summer Slam Youth Basketball Tournament.

Goal #5

Protect Union County's Children

As a community, there is *no greater* investment in our collective future to be made than to provide the children of our county with a *safe and healthy* environment in which to grow. We in Union County law enforcement recognize that we can serve as a *critical partner* in that collective effort.



To achieve Goal #5, the Prosecutor's Office:

- Developed a strategy for the increased impact of the Child Advocacy Center (CAC) of Union County, in three distinct phases.
- Utilized existing resources to increase staffing at the Child Advocacy Center, to be able to increase impact for child victims through Phase 1 of CAC expansion.
- Sought and obtained grant funding to be able to begin internal construction to accommodate even more staff for an increased impact through Phase 2 of the CAC expansion.



2019 Overview



Prosecutor Ruotolo addresses the audience at the 21st Century Community Policing Leadership Conference.

2019 was an active year for the Union County Prosecutor's Office, which saw a total of 4,572 adult cases and 1,547 juvenile cases booked, 41 adult trials, and 593 new investigations initiated. The investigative units were hard at work producing tangible results throughout the year: the Homicide Task Force solved and charged eight of 12 homicides; the Major Crimes Division took 17 guns and thousands of grams of both heroin and cocaine off the streets; and the Special Victims Unit handled hundreds of referrals coming from across the county.

Individual Accolades

- Acting Union County Prosecutor Lyndsay V. Ruotolo was the proud recipient of the Union County Health and Wellness Coalition (HAWC) 2019 Community Impact Award for her efforts in spearheading Operation Helping Hand, an initiative created to allow members of law enforcement to work together to connect members of the community struggling with substance use disorder with the services they desperately need.
- New Jersey Women in Law Enforcement bestowed its prestigious 2019 Prosecutorial Award to Special Prosecutions Unit Supervisor and Assistant Prosecutor Melissa Spagnoli for successfully prosecuting several high-profile homicide cases over the span of a single year.
- Assistant Prosecutor Sarah Turk (far right) was awarded a certificate of appreciation from the United States Postal Inspection Service for her outstanding work on a 13-defendant, \$500,000 mail theft case involving crimes at five different U.S. post offices.





- Assistant Prosecutor Armando Suarez, Capt. Harvey Barnwell, Sgt. Margarita D'Avella, and Victim-Witness Advocate Maria Acosta were honored during National Crime Victims' Rights Week for going above and beyond in their efforts to address the needs of local victims of crime. D'Avella (far left) was also the recipient of a 2019 Union County Human Relations Commission Unity Achievement Award for her efforts to ensure that four local homeless individuals gained access to permanent housing.

Unit Summaries

APPELLATE UNIT

Assistant prosecutors 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 appeals of municipal court convictions, such as those for driving while intoxicated, as well as post-conviction relief proceedings, pretrial detention appeals, direct appeals, and habeas petitions. Unit members also conduct legal research and handle emergent motions for leave to appeal and interlocutory appeals. In 2019, members of the Unit handled three cases before the New Jersey Supreme Court and filed numerous emergent motions and motions for leave to appeal heard in lower courts. In addition, the Unit handled an increased number of habeas petitions in federal court in 2019, with all such answers filed resulting in denial of relief to defendants.

DOMESTIC VIOLENCE UNIT

The Domestic Violence Unit aggressively investigates and prosecutes domestic violence incidents that threaten the safety and livelihood of Union County residents, children, and first responders by utilizing evidence-based and offender-focused prosecution methods. The Unit is comprised of four assistant prosecutors, including a supervisor and deputy supervisor, plus three investigators, two victim/witness advocates, and one clerical. The core function of the Unit is to oversee the prosecution of all domestic violence cases in the county, participate in community programming, and train and mentor new assistant prosecutors in the office. The Unit also reviews all domestic violence complaints filed in the 21 municipal police departments and assigns all docketed domestic violence complaints; prosecutes complicated or serious domestic complaints; and reviews cases for transfer to other counties. In 2019, the Unit's workload included:

- Nearly 900 cases reviewed
- 35 indictments obtained
- Nine bench trials conducted

DRUG COURT

The Drug Court Program, which began in Union County in 1999, offers nonviolent offenders who have been found to be prone to drug abuse and/or addiction a treatment-based alternative to prison. A variable number of individuals are enrolled in the Program at any given time, and they are required to report to court on a weekly, bi-monthly, or monthly basis, depending on the length of time the participant had spent in the Program and their successful compliance with the rules. Participants are also required to submit to random drug testing and unannounced home visits, report to probation on a weekly basis, obtain employment or education, and participate in either inpatient or outpatient treatment, as clinically determined. The Program is currently staffed by a dedicated full-time assistant prosecutor who handles applications, protocols, and oversight. In 2019, the Unit's workload included:

- 189 applications for enrollment into the program reviewed
- 94 applications approved
- 95 applications denied
- 33 enrollees successfully graduated

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 enhance the relationship between the Elizabeth Police Department and the Prosecutor's Office by providing legal advice and investigative support. The assigned assistant prosecutor also assists with investigations and complaint drafting and approval from numerous law enforcement agencies, including the New Jersey State Police, the Port Authority Police Department, and the New Jersey Transit Police. In 2019, a total of 1,589 indictable charges were reviewed and issued by the Elizabeth Project, 56 disorderly persons offenses were charged, 439 cases were administratively dismissed or remanded to municipal court, and 73 cases were reviewed with a determination made that there was insufficient evidence to charge an offense or crime.

FORENSICS LABORATORY

The Union County Prosecutor's Office Forensic Laboratory, located in the Ralph G. Froehlich Public Safety Building in Westfield, is committed to providing high-quality and timely delivery of forensic science services in support of law enforcement investigations; analyzing evidence impartially and thoroughly; reporting examination results accurately, and basing them on sound scientific practices; and improving the overall quality of testing and effectiveness of the management system. The Forensic Laboratory is comprised of 16 scientific staff members and three clerical staff, and it is separated into three units: the Controlled Dangerous Substances (CDS) Section, the Forensic Biology Section, and the Clerical Unit. In 2019, the Laboratory's workload included: 5,133 submissions processed (342 in Forensic Biology, 4,791 in CDS), including:

- Approximately 2,660 grams of heroin;
- 5,970 grams of cocaine; and
- 48,000 grams of marijuana

Also, starting in October 2019, the Laboratory entered into a new shared-services agreement with the City of Newark, which contributed an on-staff chemist to the staff who successfully completed the training process by the end of the year.

GRANTS MANAGEMENT

The Grants Management Unit of the Prosecutor's Office is responsible for soliciting and management of state and federal grant funding, which allows the Office to continue existing programs and pursue new initiatives. In 2019, grant funding received totaled slightly more than \$2 million, including multiple grants that allowed the Forensics Laboratory to reduce its backlog of cases and improve turnaround time. Other grants continued to fund equipment, supplies, and salary costs for multiple subsections of the Office, including the Insurance Fraud Unit, Sexual Assault Response Team (SART), Domestic Violence Unit, John H. Stamler Police Academy, and Office of Victim-Witness Advocacy.

HOMICIDE TASK FORCE

The Union County Homicide Task Force is responsible for the efficient and complete investigation of all homicide cases occurring within Union County. The Unit is also responsible for the investigation of all suspicious deaths, infant or baby deaths, and murder-suicides. The Task Force works collaboratively with members of the Union County Sheriff's Office Crime Scene Unit, Union County Police Department Ballistics Unit, and municipal police departments, and maintains a 24-hour-a-day legal and investigative on-call service to all law enforcement agencies in Union County. The Task Force is comprised of a dedicated group of assistant prosecutors, investigative supervisors, and detectives whose work is supported by prosecutor's agents and clerical personnel. In 2019, there were 12 homicides in the County of Union, marking the second-lowest total since 2005. In total, eight of those 12 homicides were solved, with defendants criminally charged. Among these cases, there were nine fatal shootings, two blunt-force trauma deaths, and one fatal stabbing. In addition, there were 25 motor vehicle deaths and 10 tragic deaths of children.

INTELLIGENCE UNIT

The Union County Prosecutor's Office Intelligence Unit works toward a dedicated mission to gather information, in a manner consistent with the law, from all sources, in order to provide tactical and strategic assessments on the existence, identities, and capabilities of criminal suspects and criminal enterprises, and to further the crime prevention and law enforcement objects/priorities identified by the Office. One key area of responsibility for the Intelligence Unit is collecting, analyzing, and disseminating gang member intelligence/information into the InfoShare intelligence database. This includes the verification of gang members and identifying information regarding photographs, addresses, vehicles, and involvement in criminal activity. The Intelligence Unit is also often tasked with mapping a variety of criminal activity throughout the county and state; identifying crimes that have similar methods of operation; and offering assistance to units within the Union County. The unit routinely focuses on analyzing a series of crimes, most notably homicides, assaults, robberies, burglaries, and auto thefts, with the intent of apprehending the offenders and deterring continued criminal acts.

INTERNAL AFFAIRS/PROFESSIONAL STANDARDS

The Professional Standards Unit of the Union County Prosecutor's Office is responsible for conducting investigations of police misconduct, encompassing criminal and administrative violations committed by law enforcement personnel. It is also charged with the responsibility of overseeing internal affairs criminal investigations for all police jurisdictions within Union County. Under certain conditions, UCPO may conduct investigations of police personnel at the executive level of law enforcement, and may conduct independent or joint investigations of any criminal or administrative incident involving municipal or county law enforcement. At times, the Unit also provides legal and investigative support to municipal and county law enforcement for internal affairs investigations. In 2019, a total of 798 complaints were filed against members of law enforcement in Union County, with 438 complaints filed by citizens, 350 filed by the officer's agency, and 10 filed anonymously. Of the total number of complaints, there were 489 for a rule violation, 165 for demeanor, 49 for differential treatment, 42 for excessive force, 23 for a criminal violation, 12 for improper search, 10 for improper arrest, 5 for domestic violence, and 3 for improper entry. Of 730 total agency dispositions of complaints, 282 were found to be sustained, 219 resulted in exoneration, 101 were not sustained, 69 were unfounded, and 59 were administratively closed. Fourteen police officers in six agencies were either terminated or penalized by a suspension of more than 10 days in 2019.

JUVENILE UNIT

The Juvenile Unit is responsible for prosecuting juveniles for acts of delinquency, which can range from violations of township ordinances to murder. The unit is comprised of a supervising assistant prosecutor, three full-time assistant prosecutors, two detectives, a victim/witness advocate, and two clerical staff members. The goals of the Unit are to promote swift and fair punishment for repeat and violent offenders, to divert minor offenders away from delinquency and further court action, and to bring appropriate rehabilitative services to all juvenile offenders. In 2019, the Unit workload included:

- 870 cases handled
- 91 violations of probation
- 21 motions filed to waive a juvenile defendant to adult court

MAJOR CRIMES DIVISION

The Major Crimes Division, established in 2019 and operating at a confidential location, replaces the Narcotics Strike Force and includes four distinct subdivisions: the newly formed Intelligence-Driven Prosecution Unit and Opioid Task Force, as well as the Cyber Crime Task Force and the Counter-Terrorism Unit.

The Intelligence-Driven Prosecution Unit (IDPU), comprised of members of the legal and investigative staff, as well as civilian intelligence analysts and a geographic information system mapping specialist, utilizes a combination of traditional and technologically advanced investigative techniques to identify, investigate, and prosecute individuals and organizations, such as gangs, drug trafficking enterprises, and hate groups, responsible for violence in Union County communities. The Unit also works closely with officers appointed to serve as Intelligence Liaisons from each department within Union County to share information and then proactively act on the information gathered as one united force. The Unit and its municipal partners benefit from the expertise of the other units that fall within the Major Crimes Division.

The Opioid Task Force was created to implement a response to the opioid epidemic that is empathetic and holistic in its approach to the public health crisis, while also remaining aggressive and strategic in its pursuit of those who profit from poisoning the people the Office is charged with protecting. The Task Force works closely with the IDPU, as there is often overlap in the intelligence gathered by one and the mission of the other, and it oversees and manages Operation Helping Hand 24/7/365, a first-of-its-kind addiction intervention program through which all suspects arrested for low-level possessory offenses involving heroin or other opioids countywide are offered face-to-face access to rehabilitative services at the time of their arrest.

The Counter Terrorism Task Force processes suspicious activity reports that may have a nexus to terrorism, coordinating the investigation of these leads with the New Jersey Office of Homeland Security and Preparedness and the FBI Joint Terrorism Task. The assigned County Counter-Terrorism Coordinator is responsible for entering terrorism and homeland security information related to suspicious activity reports into the New Jersey Suspicious Activity Reporting System (NJSARS). A Northern New Jersey Urban Area Security Initiative (UASI) Risk Mitigation Planner (RMP) is also assigned to the Task Force, and acts as a liaison to the U.S. Department of Homeland Security's 16 designated Critical Infrastructure Sectors within the County.

The Cyber Crime Task Force features the Prosecutor's Office's Electronic Surveillance, High Tech, and Internet Crimes Against Children (ICAC) units. The investigative staff's responsibilities include serving as a support system for the Office's other units by installing and managing all covert surveillance equipment and the Office's wiretap system and related equipment; conducting forensic examinations of digital devices, such as cell phones, tablets, and computers; performing video recovery for active investigations by responding to crime scenes and surrounding areas to download footage from any available video surveillance systems; and conducting investigations into the possession and distribution of child sexual abuse materials countywide.

MEGAN'S LAW UNIT

The Megan's Law Unit is responsible for the notification, monitoring, and enforcement of registered sex offenders in Union County. The Unit has the responsibility of determining the risk of re-offense for each offender and assigning them a "tier" based upon that determination, as well as ensuring that all of them have properly registered their residence, employment, and/or school attendance; verifying that all registrants do, in fact, reside at their given addresses; and monitoring the offenders with local law enforcement and other agencies to ensure compliance with the quarterly and annual address verification, as mandated by the New Jersey Office of the Attorney General Guidelines for Law Enforcement for the Implementation of Sex Offender Registration and Community Notification Laws. The Unit is staffed by one assistant prosecutor (the Special Victims Unit, or SVU, supervisor), a legal analyst, a detective, and a GIS specialist who handles all mapping requests for the tiering of offenders. All SVU assistant prosecutors handle complaint approval for violations of Megan's Law and Parole Supervision for Life. The matters are then prosecuted by the Trial Unit assistant prosecutors.

PLAINFIELD PROJECT

The Plainfield Project is a fully staffed satellite office of the Union County Prosecutor's 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 in the "Queen City," as well as working with the community and the police department on crime-reduction initiatives. In addition to providing daily legal advice and investigative support to the Plainfield Police Division, the assistant prosecutor assigned to the Plainfield Project also provides legal assistance to the Westfield, Scotch Plains, and Fanwood Police Departments. In 2019, the Plainfield Project assistant prosecutor reviewed several hundred cases, referring 183 to municipal court, determining that no charges should be filed in 27 matters since there was insufficient evidence of any crimes having been committed, and approving 100 indictable complaints to be handled in Superior Court.

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, named for the late County Prosecutor. 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 police officers. The Basic Training Police Curriculum meets the strict requirements of the New Jersey Police Training Commission. The instructional staff is comprised of experts in various areas of law enforcement, thus assuring that Academy graduates have the desire, ability, and judgment needed to serve the public and honor their oaths of office. In 2019, the John H. Stamler Police Academy conducted two 21-week sessions of the Basic Course for Police Officers, graduating Classes Nos. 120 and 121, consisting of a combined total 142 recruits, while offering 135 in-service training courses to a total of more than 2,600 officers. A unique partnership between the Police Academy, the Union County Police Chiefs Association, and the Union County Prosecutor's Office, forged in July 1986, continues to ensure broader opportunities for the basic and in-service training programs, as well as the highest standards of training, competence, and professionalism, to assist our law enforcement officers to successfully and safely protect and serve our citizens.

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 constitutes the proceeds of illegal activity. A forfeiture action is initiated by the filing of a verified complaint in the Law Division of Superior Court. Forfeiture actions promote 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 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 2019, the Seized Asset Forfeiture Unit opened 388 files, totaling \$2,673,194.86 in total value of property forfeited.

SPECIAL OFFENDERS UNIT

The Special Offenders Unit was created in 2005 to address a marked increase in criminal prosecutions against individuals with mental illness. Staffed by one assistant prosecutor and the deputy supervisor of the Pre-Indictment Division, the Unit handles any Trial Unit case in which the defendant's competency to stand trial is questioned, and it assists in cases for which the defenses of insanity or diminished capacity are raised. The Unit also assists in crafting or supporting pre-trial release conditions for individuals who have a mental health diagnosis that would be appropriate for release if the right support is available. In 2019, the Unit workload included:

- 118 referrals for the Jail Diversion Program
- 10 defendants admitted into the Jail Diversion Program
- 64 arrestees who exhibited signs of mental illness addressed

SPECIAL PROSECUTIONS UNIT

The Special Prosecutions Unit's core function is the investigation and prosecution of complex financial matters, internal affairs complaints, identity theft, and official misconduct by public officials. The Unit also takes on intricate investigations into matters such as officer-involved shootings, insurance fraud, bribery, public integrity crimes, election law violations, bias crimes, Open Public Meeting Act (OPMA) violations, and cybercrimes. The Unit includes the Bias Unit, Insurance Fraud Unit (IFU), and Animal Cruelty Unit under the umbrella of its operations. The Unit in sum is staffed by five assistant prosecutors, one lieutenant, three sergeants, seven detectives, and two clerical support staff. In 2019 the Unit handled more than 290 citizen contacts or inquiries, made 14 arrests, and conducted two police-involved shooting investigations. Investigations launched by members of the Unit resulted in charges for crimes including theft by deception, unauthorized practice of medicine, unauthorized practice of law, extortion, check fraud, bid-rigging, financial exploitation, perjury, and making terroristic threats. A total of 60 bias incidents were also referred to the Unit in 2019, seven of which resulted in criminal charges. The majority of the 60 incidents, 31 of 60, involved bias graffiti, with 18 occurring in schools.

SPECIAL VICTIMS UNIT

The Special Victims Unit (SVU) is headquartered at the Child Advocacy Center of Union County in Elizabeth, and it investigates and prosecutes sexually based offenses, child physical abuse and neglect, child endangerment, clergy abuse, human trafficking, and missing and abducted children. The SVU staff includes a legal complement comprised of six assistant prosecutors, including a director and deputy director; an investigative complement comprised of one lieutenant, three sergeants, and seven detectives; and a support complement comprised of a multi-disciplinary coordinator, a forensic nurse coordinator, a victim/witness advocate, and two clericals. The staff handles an annual caseload routinely topping more than 500 referrals.

TRIAL UNIT

The Trial Unit is comprised of a legal chief, two deputy trial supervisors, and 12 assistant prosecutors who 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. In 2019, the Trial Unit converted from a strictly vertical prosecution model to a hybrid prosecution model, with certain complex and/or violence cases being designated for vertical prosecution while other non-violent offenses are designated for horizontal prosecution. At the same time, a Pre-Indictment Division was created in the Trial Unit in order to meet the continued demands of Criminal Justice Reform, and to allocate additional resources to diversionary programs. This Division is comprised of several smaller sub-units, including the Detention Hearing Unit, the Pre-Disposition Unit, the Municipal Department Screening Unit, and the Diversion Unit. The Trial Unit is the backbone of any prosecutor's office, as reflected in the volume of cases, which the assigned assistant prosecutors must review, prepare, and adjudicate during the course of a year. In 2019, the Trial Unit handled charges filed against 1,633 criminal defendants, processed 1,409 guilty pleas, and conducted 23 jury trials, along with filing 651 pretrial detention motions and covering 792 detention hearings. While the Trial Unit's assistant prosecutors have been on-call for more than 20 years issuing complaint approval after hours, Criminal Justice Reform also has necessitated increased responsibilities in this vein; two Unit assistant prosecutors are currently on call simultaneously on a rotating basis, each handling requests from half of the county's municipal police departments.

OFFICE OF VICTIM-WITNESS ADVOCACY

The mission of the Union County Prosecutor's Office of Victim-Witness Advocacy is to support victims and witnesses of crimes in Union County through information, advocacy, and community outreach in order to help make their participation in the criminal justice system less difficult and burdensome. The goal of victim-witness advocates is to empower survivors of crime and the families of crime victims through supportive efforts to ensure that they are treated with dignity, compassion, and respect in the aftermath of a crime. The Office is currently comprised of nine staff members, including the victim-witness coordinator, two assistant coordinators, a program administrative assistant, and five advocates.



From left, the 2019 legal, clerical, and investigative staffs of the Union County Prosecutor's Office.



2019 Statistical Summaries

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)	2018	\$22,141,179	\$1,435,776.95
a. Salaries and Wages		\$21,306,289	\$968,692.64
b. Other Expenses		\$834,890	\$467,084.31
2. Total Budgeted Appropriations, current report year (include all County, State and Federal funding)	2019	\$24,228,083	\$1,913,789.42
a. Salaries and Wages		\$23,373,083	\$1,029,278.10
b. Other Expenses		\$855,000	\$884,511.32

Elizabeth Project

Indictable cases screened and/or approved	772
Indictable complaints remanded	223
Complaints approved (DP only)	37
Complaint approval denied	31
Search Warrants/CDWs	14
Subpoenas	79
Trigger lock	11
DNA approval/Court Orders	58

Homicide Task Force 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			
2. Investigations pending or inactive at the beginning of the year	130	0	0	0	0	130	0
3. Investigations opened during the year	44	0	0	0	0	44	0
4. Total investigative workload for the year (add nos. 1 - 2)	174	0	0	0	0	174	0
5. Total investigations completed during this year (add a. - d.)	39	0	0	0	0	39	0
a. Resulting in criminal charges	13	0	0	0	0	0	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	26	0	0	0	0	26	
6. Investigations pending or inactive at the end of the year	135	0	0	0	0	135	

Homicide Task Force 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	16
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	16
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, total	16
a. Defendants indicted	16
b. Defendants not billed and remanded to municipal court	0
c. Defendants not billed/no action	0

Internet Crimes Against Children (ICAC) Investigative Workload and Disposition

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					60	60	
2. Investigations opened during the year					115	115	
3. Total investigative workload for the year (add nos. 1-2)					175	175	
4. Total investigations completed during this year (add a.-d.)					101	101	
a. Resulting in criminal charges					18	18	
b. Referred to other agency for criminal prosecution	1	1	17	1		20	
c. Referred to other agency for civil or administrative action							
d. Closed – No further action					83	83	
5. Investigations pending or inactive at the end of the year					57	57	

Internet Crimes Against Children (ICAC) Dispositions of Original Cases Resulting in Criminal Charges

Disposition of Original Cases Resulting in Criminal Charges	Number of Defendants
1. Defendants charged by complaint, total	18
e. Defendants with complaints administratively dismissed	0
f. Defendants with complaints downgraded to disorderly persons offenses	0
g. Defendants with complaints referred to Family Court	4
h. Defendants with complaints presented to grand jury	9
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	3
4. Defendants completing grand jury process on direct presentment and complaint presentation, total	9
d. Defendants indicted	9
e. Defendants not billed and remanded to municipal court	0
f. Defendants not billed/no action	0

Juvenile Unit Waiver Decisions

1. Voluntary Waivers at Juvenile's Request	0
2. Juvenile Waiver Applications by Prosecutor	
a. Pending at Beginning of Year	7
b. Motions Filed by Prosecutor this Year	21
3. Juvenile Waiver Decisions (Prosecutor's Applications)	
a. Waived on Prosecutor's Motion with Juvenile's Consent	1
b. Waived on Prosecutor's Motion after a Hearing	2
c. Motion Voluntarily Withdrawn by Prosecutor	20
d. Waivers Denied	0
e. Total Decisions (sum of 3a through 3d)	0
4. Juvenile Waiver Applications filed by Prosecutor Pending at Year End (2.a. + 2.b. - 3.e.)	5

Major Crimes Division 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	0	0	0	0	6	6	0
2. Investigations opened during the year	1	1	1	6	155	164	0
3. Total investigative workload for the year (add nos. 1-2)	1	1	1	6	161	170	0
4. Total investigations completed during this year (add a.-d.)	0	1	1	5	158	165	0
a. Resulting in criminal charges	0	0	0	3	116	119	
b. Referred to other agency for criminal prosecution	0	0	0	1	3	4	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed – No further action	0	1	1	1	39	42	
5. Investigations pending or inactive at the end of the year	1	0	0	1	3	5	0

Major Crimes Division Dispositions of Original Cases Resulting in Criminal Charges

Dispositions of Original Cases Resulting in Criminal Charges	Number of Defendants
1. Defendants charged by complaint, total	154
i. Defendants with complaints administratively dismissed	37
j. Defendants with complaints downgraded to disorderly persons offenses	41
k. Defendants with complaints referred to Family Court	0
l. Defendants with complaints presented to grand jury	30
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	46
4. Defendants completing grand jury process on direct presentment and complaint presentation, total	30
g. Defendants indicted	30
h. Defendants no billed and remanded to municipal court	0
i. Defendants no billed/no action	0

Plainfield Project

Cases Screened/Indictment	400
Downgrades/Remands	183
Complaint Approval	100
Disorderly Persons Only	83
Denied	27
Reviewed for Municipal Court	17
Subpoenas	275
Court Orders	9
Search Warrants	30
Trigger Lock Referrals	1

Police Pursuit Summary Report

Agency	Union County Prosecutor's Office	County of Union
Reporting Period	January 1, 2019 - December 31, 2019	
Person completing report	Chief Patricia G. Gusmano	2/18/2020
Phone number	(908) 527-4657	

1. Number of pursuits initiated	247
2. Number of pursuits resulting in accidents	67
3. Number of pursuits resulting in injuries (no deaths)	22
4. Number of pursuits resulting in death	1
5. Number of pursuits resulting in arrest	85
6. Number of vehicles in accidents	
a. Pursued vehicles	63
b. Police vehicles	15
c. Third-party vehicles	46
7. Number of people injured	
a. Pursued vehicles	22
b. Police vehicles	5
c. Third-party vehicles	17
d. Pedestrians	1
8. Number of people killed	
a. Pursued vehicles	0
b. Police vehicles	0
c. Third-party vehicles	1
d. Pedestrians	0
9. Number of people arrested	131
10. Number of pursuits in which a tire deflation device was used	0

Seized Asset Forfeiture Unit Miscellaneous Activities

Activity	Number	Value
1. Notice of intention to solicit funds received	--	
2. Expungement applications received	954	
5. Total number of forfeiture actions	388	
6. Number of motor vehicles obtained through forfeiture actions	24	
7. Total value of property forfeited (add a.-c.)		\$2,673,194.86
a. Cash forfeited		\$2,551,057.86
b. Value of forfeited motor vehicles		\$122,137.00
c. Value of other forfeited property		

Special Prosecutions Unit 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			0		88	88	0
2. Investigations opened during the year	1		0		255	256	0
3. Total investigative workload for the year (add nos. 1-2)	1		0		343	343	
4. Total investigations completed during this year (add a.-d.)	0		0		191	191	
a. Resulting in criminal charges	0		0		28	29	
b. Referred to other agency for criminal prosecution	2	1	17	1		21	
c. Referred to other agency for civil or administrative action	0					0	
d. Closed – No further action					96	96	
5. Investigations pending or inactive at the end of the year					96	96	0

Trial Unit

Manner of Disposition	Homicide	Kidnap	Sexual Assault	Robbery	Arson	Assault	Burglary	Bribery	Narcotics	Official Miscon.	Perjury/ Falsif	Theft	Forgery/ Fraud	Weapons	Child Abuse/ Endanger	Gambling	Wiretap	Obstr. Govt. Oper.	Fail to Register	Other		TOTAL	Total pleas from original (all types)		
1. Guilty plea to most	19	5	25	52	13	110	119	1	435	0	7	155	38	85	20	0	0	59	13	28	1184	1409	Total pleas	1409	
2. Guilty plea to lesser	19	1	9	19	4	9	9	0	25	0	0	13	4	5	4	0	0	4	1	0	126		Accusations Filed - from printout	698	
3. Ind. dism., plea to	0	0	4	1	5	15	8	0	36	1	2	17	3	3	1	0	0	2	0	1	99		Total	711	
4. Guilty at trial, most																						34	add trial & dismissed pros together (42+225)		
a. Jury	11	1	3	1	0	2	0	0	3	0	0	0	0	1	0	0	0	0	0	1	23		Total Defendants	935	
b. Non-Jury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
5. Guilty at trial, lesser																							Total amount of cases		
a. Jury	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1				
b. Non-Jury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
6. Guilty at trial, dis. person offense																									
a. Jury	0	0	0	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0	0				
7. Not guilty at trial																									
a. Jury	3	0	1	1	0	1	0	0	2	0	0	0	0	2	0	0	0	0	0	0	10				
b. Non-Jury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
8. Acceptance into diversion	0	1	2	0	5	19	15	0	64	0	5	62	28	11	2	0	0	17	1	18	250	250			
9. Dismissed over objection of pros.	0	0	0	0	0	2	0	0	0	0	0	0	0	1	0	0	0	0	0	0	3	3			
10. Dismissed pros. motion or consent	2	0	3	7	1	7	14	0	74	0	0	11	2	59	1	0	0	8	0	1	190	190			
11. Total dispositions	54	8	47	82	28	165	165	1	639	1	14	258	75	167	28	0	0	90	15	49		1886	1886		

Union County Prosecutor's Office Executive Leadership

Lyndsay V. Ruotolo
Acting Prosecutor

Doreen A. Yanik
First Assistant
Prosecutor

Derek C. Nececkas
Deputy First Assistant
Prosecutor



Jonathan Parham
Director of County-
wide Police Policy,
Planning, & Training

Patricia Gusmano
Chief of Detectives

Jorge Jimenez
Deputy Chief of
Detectives

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