Arson Task Force

Since 1998 the Essex County Prosecutor’s Arson Task Force has operated as a multi-jurisdictional Unit, utilizing the talents and resources of experienced and dedicated fire, police and prosecutorial personnel to maximize results. For the past three years, the Arson Task Force has been supplemented by full-time assignments of investigative personnel from the Newark and East Orange Fire Department Arson Squads. The contributions of these Detectives have made it possible for the Arson Task Force to maintain the reputation of the Essex County Prosecutor’s Office as a nationally recognized leader in this challenging area of law enforcement.

2010 Accomplishments

Structure Fires:

In 2010, the Arson Task Force participated in the investigation of 64 structure fires in 17 municipalities within the County. Of these, 14 were determined to be the result of arson, the rest were determined to be accidental or the cause remains undetermined. Fatal fires also continued to be a serious problem in Essex County in 2010 when 7 people died as a result of fires.

Coordination with local agencies in the investigation of serious fires is paramount in the success of the Arson Task Force, and was a key component of the prosecution of State v. Original Allah, Indictment 10-06-1420. The defendant in this case, who set fire to a friend’s apartment after a dispute, is serving a ten year sentence in state prison, with no chance of parole for five years, due to the joint efforts of the Newark Arson Squad and the Arson Task Force.

Vehicle Fires:

Essex County’s geographic location and network of highways make it an easily accessible and inviting locale for individuals looking for a place to burn a vehicle. With the benefit of continuing financial assistance from the New Jersey Office of the Insurance Fraud Prosecutor, the Vehicle Fire Initiative has continued its ground-breaking work in the investigation of insurance-related vehicle fires. This highly technical and painstaking investigative and prosecutorial effort has made the Essex County Prosecutor’s Office the subject of several laudatory press reports. In the present difficult economic climate, these efforts will be redoubled to identify and prosecute those cases in which fire is used to get out from under onerous lease or financing payments.

The Arson Task Force’s expertise and determination in the investigation and prosecution of vehicle fires is evident in the case of State v. Keontrae Lawrence, Indictment 10-08-2027. In this case, a vehicle was set on fire in broad daylight in Irvington, with the unidentified perpetrator fleeing in another car. A quick response by Arson Task Force investigators resulted in retrieval of a discarded glove at the scene. This key evidence was submitted to the NJ State Police Lab for DNA analysis which
matched it to the defendant. Lawrence is presently serving a 5 year state prison sentence, with a 2 ½ year parole disqualifier, for this incident.

Another significant case generated by the Arson Task Force in 2010 was State v. Kareem Spence, Indictment 10-03-846. The defendant in this case, a police officer in East Orange, had caused his person vehicle to be burned in order to collect insurance proceeds. His conviction in this case was the direct result of very hard work on the part of Arson Task Force personnel.
**Child Abuse Unit**

The Child Abuse Unit (CAU) was established by the Essex County Prosecutor’s Office (ECPO) in 1983 in recognition of an urgent need to protect abused children and prosecute those who harm them. The Prosecutor’s Office placed specialized law enforcement personnel with the desire, training and experience to service abused children. Unlike most child abuse units throughout the country, the ECPO Child Abuse Unit services all children up to the age of 18. The CAU is comprised of six Assistant Prosecutors, six detectives, two superior officers who also command other units and support staff. The CAU maintains a twenty-four hour on-call service for all county municipal Detectives and Division of Youth and Family Services (DYFS) caseworkers.

The mission of the unit is to support an environment of lawful behavior, safety, security and justice for all of the people of Essex County. We recognize that the children of Essex County are our greatest resource and we are committed to their protection. To accomplish this mission, the CAU uses the most advanced methods to successfully identify, apprehend and prosecute those who commit crimes against children. When crimes against children occur, the CAU diligently pursues the arrest, indictment and conviction of those responsible. At the same time, all constitutional safeguards of the accused are respected.

By their very nature, child abuse investigations and prosecutions are extremely difficult. The CAU uses a multi-disciplinary team approach to investigations and victim services. The CAU is an integral part of the Wynona M. Lipman Child Advocacy Center located in Newark. It may be the only child advocacy center in the country to have a full-time prosecutor’s office unit, child protective service caseworkers, juvenile trauma therapists, forensic pediatricians and multi-disciplinary coordinators all under one roof.

The philosophy of the center is “The Child Comes First”, and a multi-disciplinary approach is used to protect child victims from unnecessary trauma during the investigative stages of a case. Under this approach, a single interview of all victims of sexual abuse under the age of 12 years old is conducted by a highly skilled primary interviewer while professionals from other agencies view the recorded interview. The technique prevents multiple interviews by law enforcement officials and reduces trauma suffered by the victim. In addition, victim family members receive a wide range of services.

Cases are investigated either solely by the CAU or through joint investigations with municipal Detectives or staff of DYFS. The Assistant Prosecutors assigned to the Unit handle a significant number of cases from the inception of the investigation to the case’s ultimate disposition. The Unit is responsible for investigating or co-investigating cases involving children under the age of 18 who were victims of crimes which include:

- Sexual Abuse
- Physical Abuse
- Child Endangerment (abuse, neglect, cruelty and abandonment)
INVESTIGATION SQUADS

- Child Pornography
- Interference with custody/kidnapping
- Luring

2010 Accomplishments

In 2010, the Unit investigated 857 child abuse cases and presented 196 cases to a grand jury. Significant inroads were made in fighting crime in new areas involving emerging information technology. In 2010, a Cyber Crimes Unit was established to specialize in investigating child pornography, cyber stalking, cyber bullying, computer fraud and the use of the Internet and other high-technology in other crimes such as homicides and rapes. This Unit works closely with the Child Abuse Unit in regard to child-related cyber crimes, including child pornography, luring, stalking and bullying, as noted above. The Cyber Unit also supports the more traditional investigation and prosecution efforts regarding Sexual Abuse, Physical Abuse, Child Endangerment (abuse, neglect, cruelty and abandonment, and interference with custody/kidnapping).
Crime Scene Unit

On October 23, 2006, the Essex County Prosecutor’s Office unveiled its new state of the art $2.5 million Crime Scene Unit facility. The facility consists of a 15,000 square foot building designed to enhance the collection, processing and packaging of forensic evidence in Essex County. The facility includes a vehicle processing room equipped with a hydraulic lift which allows the Crime Scene detectives to examine vehicles from all angles; a forensic processing room designed to better enable a detective to locate and identify fingerprints on various types of evidence; a drying chamber room designed for the processing and packaging of blood soaked clothing; a digital photography room, as well as a new large evidence storage room capable of handling more than 50 times the amount of evidence which could be stored at the previous facility.

The Crime Scene Unit now enables the detective staff to access the Internet via a high speed computer system thus allowing for instant communications with all law enforcement agencies. The computer system also features a 3-D animated Crime Scene Sketch and Reconstruction software which allows the detectives the ability to visually reconstruct a crime scene. Also, the Unit utilizes three fully stocked field vehicles for processing evidence at any crime scene. These vehicles are equipped with portable lighting systems, and alternate light sources which enable the Detectives to view bodily fluids, hairs, fibers and latent fingerprints invisible to the human eye under natural light.

2010 Accomplishments

In 2010, the Unit handled 560 cases and processed 169 crime scenes including 128 homicide scenes. The Unit processed a total of 6,471 items of evidence including 193 firearms. ECPO Crime Scene detectives processed 154 vehicles and also submitted 108 fingerprint samples into the AFIS national database.
Domestic Violence Unit

Domestic abuse is a social phenomenon that perpetuates itself, and thus continues to escalate if not addressed. Criminal sanctions are a key component of society's response to this crisis and the Domestic Violence Unit, which was established in 1992, addresses this need in Essex County. The Unit screens, indicts and prosecutes serious domestic violence cases.

The Domestic Violence Unit arranges protection for victims and helps them regain their sense of personal safety and security. When appropriate, the Unit will seek to incarcerate violent and persistent offenders. In other cases, it will provide batterers with opportunities to rehabilitate themselves. The Domestic Violence Unit, in collaboration with the Victim-Witness Advocacy Unit, offers victims assistance and appropriate referrals to shelters and counseling programs. Such interventions are necessary because domestic violence victims are often unwilling to testify against their abusers because of safety fears, and family and/or romantic relationships with the offenders.

The Domestic Violence Unit handles petitions for the forfeiture of weapons and firearm permits seized as a result of domestic violence incidents. It also makes re-arming determinations for law enforcement officers who are involved in domestic violence incidents. When an abuser violates a civil restraining order issued to protect the victim, a criminal contempt charge is filed. The Unit's Assistant Prosecutors handle contempt cases in the Family Part court.

2010 Accomplishments

During 2010, the members of the Unit processed 2,025 Domestic Violence cases. Assistant Prosecutors presented 217 cases to the Grand Jury during this period. In addition, 44 forfeiture petitions were considered.

The Domestic Violence Unit became a vertical prosecution in unit 2010 and now retains notable cases for trial. The staff includes 6 attorneys, 2 detectives, 2 clericals, and a dedicated victim-witness advocate.

As in the past, Domestic Violence personnel continued to play a significant role in co-chairing Essex County's Domestic Violence Working Group in 2010. The group is comprised of members of law enforcement, the judiciary, victim service providers, probation officers and Domestic Violence Crisis Response Team members. The Domestic Violence Working Group addresses systemic problems in the criminal justice field, and endeavors to coordinate the efforts of the various member organizations. It is instrumental in implementing the dictates of New Jersey's Domestic Violence Procedures Manual.

The Essex County Prosecutor's Office has been a lead partner in the establishment of the Essex County Family Justice Center, the first such Center in New Jersey. The FJC model is recognized as a best practice in the field of domestic violence intervention and
INVESTIGATION SQUADS

prevention by the US Department of Justice Office on Violence Against Women. The Center brings together, under one roof, domestic violence advocates, civil legal service providers and other community based organizations to provide crisis intervention, safety planning, counseling, self sufficiency services, as well as access to the criminal justice system through a liaison to the Essex County Prosecutor’s Office. The Center opened in temporary space in May, 2010 and during the first 7 months of operation approximately 1,000 clients have sought services at the Center. A move to larger, permanent space is expected in early summer, 2011.

Members of the Domestic Violence Unit continue to appear at automatic bail reviews of defendants charged with crimes of domestic violence. These reviews are scheduled before a Superior Court Judge most weekdays. As part of this initiative, the Domestic Violence Unit has assumed responsibility for victim notification relative to this automatic bail process. Victim contact, at this early stage of the prosecution, enables the Assistant Prosecutor to better assess the merits of the case.
Extradition Unit

The Extradition Unit is responsible for executing interstate requests for out-of-state prisoners who are facing charges in Essex County and for responding to similar requests from other jurisdictions. These individuals are either wanted to stand trial for an offense or to serve a sentence already pronounced. Within the Essex County Prosecutor’s Office, extradition requests are presented and argued by Assistant Prosecutors assigned to relevant cases. A detective and legal specialist are assigned to facilitate the overall extradition process. The Office coordinates its extradition activity with various statewide and federal task forces that address specific criminal concerns, e.g. narcotics trafficking, organized crime.

2010 Accomplishments

In 2010, the Extradition Unit processed 260 requests for extradition. It returned 176 fugitives to Essex County and 200 fugitives to other jurisdictions. In 2009, the Unit processed 304 requests for extradition and returned 225 fugitives to Essex County and 227 fugitives to other jurisdictions.
Financial Crimes Unit

The Financial Crimes Unit is a new unit that is dedicated to the detection and prosecution of cases involving the unlawful conversion of funds or property. Most of these cases involve fraudulent activities using checks, credit cards, bank accounts and mortgages. Victims of financial crimes are varied and may include some of the most fragile victims, such as the elderly or infirmed, or some of the more affluent, such as private and professional corporations. Three assistant prosecutors supervised by a Chief Assistant Prosecutor direct financial crime investigations. Three detectives conduct the investigations, supervised by a Lieutenant and Captain of Detectives.

The Financial Crimes Unit is a vertical prosecution unit. It handles the cases from inception to prosecution. When the Financial Crimes Unit receives an allegation of criminal conduct it must determine whether a criminal prosecution is warranted. If criminal prosecution is warranted, a criminal charge and/or a presentation to a Grand Jury, is conducted. If an indictment is returned, the Financial Crimes Unit, is responsible for the case through a trial or plea agreement.

2010 Accomplishments

As of this statistical report beginning May of 2010, Financial Crimes Unit has conducted investigations into one hundred and thirty-one (131) case
Homeland Security and Counter-Terrorism

In early 2002, the State of New Jersey created the Office of Counter-Terrorism (O.C.T.) within the Department of Law and Public Safety. In early 2006, New Jersey formed the state Office of Homeland Security and Preparedness (OHSP) to replace O.C.T. OHSP, a cabinet level agency, is a multi-faceted organization whose primary mission is to coordinate New Jersey’s anti-terror measures. OHSP communicates with the State’s law enforcement agencies primarily through the twenty-one county prosecutors’ offices. All county prosecutors are required to designate a Counter-Terrorism Coordinator in their respective counties. The Counter-Terrorism Coordinator is the primary link between all law enforcement agencies in the county and OHSP.

The Essex County Counter-Terrorism Coordinator has obtained the necessary clearances in order to receive classified homeland security briefings from the FBI and the US Department of Homeland Security.

In addition to the Counter-Terrorism Coordinator, who also serves as the Chief Assistant Prosecutor in charge of the Homicide, VIPER and Arson Units, the Homeland Security Unit is staffed by a Risk Mitigation Planner, who performs vulnerability assessments at the numerous critical infrastructure sites in the county.

The Counter-Terrorism Coordinator also oversees the operations of the Essex County Rapid Deployment Team (RDT), consisting of over 100 sworn law enforcement officers from all law enforcement agencies in the county. The RDT serves as “force-multiplier” capable of deploying quickly to assist other law enforcement agencies in matters of civil disorder, crowd control, infrastructure protection and natural disaster relief.

2010 Accomplishments

The Homeland Security and Counter-Terrorism Unit continued to work with federal and state officials in 2010 to investigate tips and leads of possible terrorist activity in Essex County. The ongoing wars in Iraq and Afghanistan have caused a number of reports of suspicious activity in this region and all such reports have to be investigated.

In 2010, intelligence has been developed indicating that terrorist attacks could occur at the hands of “home-grown” extremists i.e. American citizens sympathizing with foreign extremists. Intelligence has also indicated that an attack may come from a “Lone-wolf” operative trying to establish oneself by perpetrating an attack.

As we move further away from 9/11/01, the Homeland Security and Counter-Terrorism Unit has been tasked by OHSP officials to work with the municipal police agencies within the county to stress the importance of remaining vigilant. The “Times-Square” bombing incident is just one example of the need for law enforcement to remain vigilant.

Secure the Cities initiative: The Homeland Security and Counter-Terrorism Unit works with federal and state partners to obtain radiation detection equipment for law
enforcement agencies in the county. Such equipment is an important tool in preventing a radiological or nuclear device from entering target-rich environments such as Newark, Jersey City and New York City.

**Rapid Deployment Team (RDT):** The RDT conducted several training exercises throughout 2010. The RDT was also activated for several days in the spring of 2010 to assist in rescue and law enforcement operations in Fairfield which experienced severe flooding. The RDT was also activated to provide additional law enforcement and crowd control services in Hudson County during Fourth of July celebrations in New York Harbor.
**Homicide Unit**

The Homicide Unit of the Essex County Prosecutor’s Office functions as an investigative and prosecution unit. The Unit is staffed full-time by Assistant Prosecutors and Detectives. Unit personnel respond to all homicides in the county, as well as other suspicious deaths, police involved shootings and motor vehicle fatalities.

The Assistant Prosecutors assigned to the Homicide Unit work closely with the investigative staff from the inception of an investigation. The Assistant Prosecutors assist the Detectives in obtaining search warrants and communications data warrants. Homicide Assistant Prosecutors are on-call 24 hours a day and are able to prepare warrant requests at all hours of the day. The ability to obtain warrants and other types of legal process on an emergent basis is often crucial to the investigation and ensures that relevant evidence is collected in a manner that will survive legal challenges and will be admissible in subsequent legal proceedings.

As an investigation proceeds, the case detectives in the Homicide Unit meet with an Assistant Prosecutor to determine if probable cause exists to bring criminal charges. The Assistant Prosecutor and case detective then prepare the case for presentation to a Grand Jury.

In matters in which a juvenile is charged with a homicide offense, the Homicide Assistant Prosecutor will prosecute the matter in Family Court or, in appropriate cases, seek to have the juvenile prosecuted as an adult.

In matters involving motor vehicle fatalities, Homicide Detectives, specially trained in crash investigations and accident reconstruction, will investigate the incident and work with an Assistant Prosecutor to determine if the collision was the result of criminal conduct.

During 2010, the Essex County Prosecutor’s Office Homicide Unit investigated 131 homicides; of that number, 8 were police-involved shootings. There were 93 fatal or serious motor vehicle collisions and 68 special investigation matters. Prosecutors assigned to the Squad were also responsible in 2010 for handling numerous juvenile waiver proceedings. The 131 homicides in 2010 represent an 8 percent increase in the homicide rate over 2009. In 2010, Homicide Unit Assistant Prosecutors and Detectives prepared, received and executed over 100 search warrants and additional communications data warrants.

**2010 Accomplishments**

A total of 117 homicide cases were prepared for Grand Jury presentation in 2010 with 109 cases indicted. The Vehicular Homicide Unit also presented 29 cases to the Grand Jury of which 13 were indicted.
Notable cases included:

**The Fairfield Police Shooting** -- In January 2010, a Fairfield police officer was shot and seriously wounded. The Prosecutor formed a multi-agency task force, led by the Homicide Unit, to handle the investigation. The investigation led to the arrest of Preye Roberts, who is currently awaiting trial for the attempted murder of the police officer.

**Seton Hall Shooting** -- On September 25, 2010, a shooting occurred at an off-campus party for Seton Hall University students. Several students were shot and one, Jessica Moore, was killed. The Homicide Unit, joined by several other law enforcement agencies, led the investigation and detectives and prosecutors worked “around the clock” to identify those who committed this horrific act of violence. The investigation resulted in the arrest of two suspects, Nicholas Welch and Marcus Bascus. The case is currently being prepared for Grand Jury.

**State v. Nicole Guyette** -- In late June 2008 Nicole Guyette confronted a young woman, who had just graduated from Barringer High School. In the ensuing confrontation, Guyette pulled a gun and fatally shot the victim. An Essex County jury convicted Guyette of aggravated manslaughter in 2010 and she was sentenced to state prison.

**State v. Abbijial Sloan** -- On August 23, 2007, defendant stabbed his wife to death in front of their three year old son. The defendant pleaded not guilty and the case went to trial in 2010. Sloan was convicted of murder and sentenced to life in prison.

**Mt. Vernon Schoolyard Killings** -- In the late summer of 2007 three college students were brutally robbed and killed one evening on a Newark schoolyard. A fourth victim was also robbed and shot but survived. The ensuing investigation resulted in the arrest of six suspects. In 2010, defendant Rodolfo Godinez stood trial and was convicted of all counts in the indictment. Godinez was sentenced to multiple life sentences and will serve the rest of his natural life in prison.

Also in 2010, a second defendant, Melvin Jovel, pleaded guilty to substantially all charges in the indictment. He was also sentenced to life in prison.
Juvenile Trial Unit

The primary function of the Juvenile Trial Unit is to prosecute or resolve all complaints charging acts of juvenile delinquency. Juvenile Assistant Prosecutors argue detention hearings, negotiate pleas, conduct bench trials and waive juveniles to the adult courts. Assistant Prosecutors screen and review every juvenile petition filed in the Superior Court. They investigate, analyze and litigate delinquency cases that are heard before the Chancery Division, Family Part. The State prosecutes these cases pursuant to the New Jersey Code of Juvenile Justice. One of the purposes of the New Jersey Code of Juvenile Justice is, consistent with protecting the public interest, to remove criminality from children and substitute supervision, care, rehabilitation and a range of sanctions for accountability and protection of the public.

2010 Accomplishments

In 2010 the Essex County Prosecutor’s Office, Juvenile Trial Unit, filed 3,496 cases in the Family Division Court. These cases ranged from petty disorderly persons offenses to offenses that if, the juvenile was an adult, would have been indictable, including homicides, robberies, sexual assaults, carjackings, drug and weapons cases and more.

Juveniles who are fourteen years of age or older and commit serious offenses such as homicide, armed robbery, aggravated sexual assault, aggravated arson and aggravated assault may be transferred or waived to the adult Criminal Division of the Superior Court. In 2010, 71 juvenile waivers were filed and 17 cases were waived to the Criminal Division. Of the numbers that were waived, 3 juveniles were charged with homicides. Sixty-eight motions were withdrawn.

Nine juveniles were committed to the Juvenile Justice Commission Reception and Assessment Center (also known as The Training School for Boys or, in the common vernacular, it is known as Jamesburg). Seven juveniles received probationary terms with a condition of entering and completing Juvenile Justice Commission Residential and Community Homes and Aftercare. One juvenile received a probationary term and residential in-patient drug treatment program. Two juveniles received probationary terms. Ten matters were dismissed. While the overall number of offenses committed by juveniles has decreased, waiver filings have increased due to the nature of the offenses committed by juveniles, namely armed robberies, carjackings, aggravated assaults with firearms and homicides.

Juvenile chronic offenders continued to plague the juvenile justice system in Essex County in 2010. In 2008, 801 juveniles were reviewed for participation in the Juvenile Chronic Offender Program. Four hundred seventy two juveniles were accepted for prosecution as chronic offenders. In 2009, 867 eight juveniles were reviewed for participation in the Juvenile Chronic Offender Program. Four hundred fifty five juveniles were accepted for prosecution as chronic offenders. In 2010, 952 juveniles were reviewed for participation in the Juvenile Chronic Offender Program. Four hundred and
seventy-six juveniles were accepted for prosecution as chronic offenders. Forty-three were committed to Jamesburg.

There were 41 males and 3 females committed for incarceration to the Juvenile Justice Commission in 2010. Three of the juveniles committed had prior commitments to Jamesburg. Seventy-four were accepted into residential programs administered by the Juvenile Justice Commission in 2010. Sixty-seven were males and one was a female. Of the 68 residential placements, 10 were removed from residential placements. There were 13 escapees from residential fields programs. Five of them were subsequently committed to Jamesburg.

For the past six years, the Essex County Prosecutor's Office through Executive Assistant Prosecutor Andrea Johnson has been represented on the New Jersey Juvenile Detention Alternatives Initiative (JDAI) Steering Committee. Director Assistant Prosecutor Gwendolyn Williams joined the team in September 2010. The JDAI Steering Committee was convened by the Juvenile Justice Commission to create a Risk Screening Tool to be used by intake officers throughout New Jersey to determine whether a juvenile charged with an offense should be detained or, if not, what detention alternatives should the juvenile be placed in pending disposition of the matter.

A Risk Screening Tool has been developed by a subcommittee of the JDAI state steering committee and was approved for piloting by the Supreme Court in 2008. Essex County is one of five pilot counties implementing the Risk Screening Tool. In December 2008, the JDAI State Steering Committee's name was changed to the New Jersey Council on Juvenile Justice System Improvement (NJCJJSI). This committee is a collaboration of juvenile justice partners including the Juvenile Justice Commission, Administrative Office of the Courts and the Judiciary whose mission is to institutionalize the core strategies of JDAI to examine juvenile justice in New Jersey systematically and to promote strategies that improve outcomes from arrest through adjudication and disposition.

In 2009 the State of New Jersey became a JDAI Model Site for the Annie E. Casey Foundation. The Essex County Prosecutor’s Office plays an active and vital role in juvenile justice reform in the State of New Jersey as a member of the NJCJJSI and the JDAI Model Site Team.
Megan’s Law Unit

The Megan’s Law Unit was established in 1995 in response to a state law designed to protect potential victims from convicted sex offenders who may pose a risk to the community. The law requires convicted sex offenders to register with local law enforcement agencies, enabling police and the Essex County Prosecutor’s Office to locate and identify offenders, and to alert the public when necessary.

Our assistant prosecutors evaluate the degree of risk of re-offense that a convicted sex offender poses to the community. These evaluations are made in accordance with guidelines established by the Attorney General’s Office. A three-tier classification system is used, which is designed to assess the level of risk for re-offense a particular sex offender poses to his/her community. The evaluation process is triggered when a sex offender is released into the community from a custodial sentence, or is placed on probation. Once the assistant prosecutor has evaluated a sex offender, a motion is filed in Superior Court. A hearing is then conducted before the designated Megan’s Law Judge, who decides the matter and issues a court order determining which tier classification level most accurately represents the degree of risk that a particular sex offender poses to the community. The tier classification determines who in the community will receive information regarding the sex offender.

Information about a sex offender is always provided to law enforcement agencies and, only when appropriate and court-ordered, to the public. Tier 1 offenders are deemed a low risk for re-offense, therefore notification is limited to the police departments and County Prosecutor Offices where the offender lives, works and/or attends school. Tier 2 offenders are considered a moderate risk for re-offense, therefore notification is sent to the appropriate schools, day care centers, women’s shelters and registered community organizations within the geographic area where the offender is “likely to encounter” potential victims. Tier 3 offenders are considered a high risk for re-offense, therefore all individual residences, businesses, schools, day care centers, women’s shelters and registered community groups within an offender’s “likely to encounter” zone receive notification.

Notification flyers are in English, but are also provided in foreign languages if a particular notification area has a large number of individuals who do not use English as their primary language. Due to Essex County’s population density, Tier 3 community notifications generally take about four weeks to plan and execute after the Tier 3 court order is obtained. Tier 3 notifications are labor intensive operations, and the Megan’s Law Unit conducts them in cooperation with local police departments with the highest standards of excellence and professionalism.

2010 Accomplishments

Our Megan’s Law Unit is the busiest Megan’s Law Unit in the State of New Jersey. This is because Essex County has more registered sex offenders living here than any other
county, generally between 1,200 and 1,500 at any given time. As of December 31, 2010, there were 1,324 sex offenders registered in Essex County, with 297 more incarcerated in state and county prisons as well as nearly 400 more housed in several state institutions under various civil commitment laws.

Due to the transient nature of a significant portion of the sex offender population in Essex County, the number of court hearings required and conducted can be voluminous. This is due to the fact that, even after the tiering process is completed by the issuance of a court order, a sex offender is entitled by law to a new court hearing every time he or she moves to a new address within Essex County, or moves into Essex County from elsewhere.

The Megan’s Law Unit must then conduct a new notification regarding the offender, encompassing his or her new area of residence. During 2010, twenty (20) such offenders were afforded a new hearing, requiring community re-notification. Transient sex offenders also consume time, resources and manpower spent on locating, tracking and verifying their whereabouts on a continuing basis. Additionally, a Megan’s Law file can only be closed if a registered sex offender dies, or is relieved by way of a court order of all Megan’s Law obligations. Thus, the overall number of Megan’s Law cases or files being handled by the Unit increases on an annual basis.

During 2010, the Megan’s Law Unit designated 7 registrants as Tier 1 sex offenders, and obtained court orders for 15 Tier 2-Internet cases, as well as 6 Tier 2 Non-Internet cases. The Unit also obtained 7 court orders for Tier 3 sex offenders, all of whom were posted on the Internet.

Essex County’s new Internet postings totaled 30 (including listings for each of an offender’s aliases). Essex County’s Internet numbers are the highest in the state. This is a significant achievement considering the tremendous volume of active cases handled by the Unit annually.

The Megan’s Law Unit also indicted 127 sex offenders at Grand Jury in 2010. This number represents a continued increase in the number of violations sex offenders in Essex County have committed pertaining to Megan’s Law, Community Supervision for Life and the Sex Offender Monitoring Act.

During 2010, the Megan’s Law Unit continued its Megan’s Law Fugitive Initiative. This program is a collaborative and systematic effort by the Essex County Prosecutor’s Office, along with federal, state, county and local law enforcement agencies, to make our communities safer from sex offenders. The Initiative is a team effort focused on the apprehension of Megan’s Law offenders from Essex County with outstanding warrants, and those who are in violation of the statutes governing mandatory registration with the appropriate law enforcement agencies, as well as sex offenders who are non-compliant with the conditions of Community Supervision for Life where applicable.
INVESTIGATION SQUADS

During the fall and early winter of 2010, the Megan’s Law Unit coordinated with the U.S. Marshals Service and other members of Northern New Jersey law enforcement to target out-of-compliance sex offenders in the urban centers of Newark and Irvington. During the Week of October 25, 2010, members of the U.S. Marshal’s Task Force along with members of the Newark Police Department and the Essex County Prosecutor’s Office Megan’s Law Unit conducted Operation Trick, No Treat. During this operation, 235 compliance checks were performed on Newark’s registered sex offenders. The compliance checks led to the investigation of 61 offenders. The investigations resulted in 14 arrests for registration violations. Twenty-four more cases were inactivated or closed due to incarceration, transfers to other jurisdictions or death. The remaining 23 offenders’ cases were referred for further investigation.

During Operation ICICLE (Irvington Initiative for Compliance, Location and Enforcement), the same task force working with the Essex County Prosecutor’s Office Megan’s Law Unit and members of the Irvington Police department conducted a two part operation to obtain full compliance with sex offender registration laws. In Part I task force members reviewed the compliance of 127 sex offenders living in Irvington by checking every registered address. On that date, 41 were found to be fully compliant while 27 were discovered to be deceased or incarcerated. Part II of Operation ICICLE focused on investigating the remaining 59 cases. Follow-up investigation led to the arrest of 8 sex offenders, as well as a flurry of re-registration activity during December 15 through December 17, 2010. By the end of 2010, only 13 cases remained under investigation. As of December 31, 2010, the Megan’s Law Fugitive Initiative is credited with the location, apprehension and return of 13 additional Megan’s Law fugitives in New Jersey, New York, Pennsylvania, Virginia, North Carolina, South Carolina, California and West Virginia.
Professional Standards Bureau / Corruption and Bias Crime Units

The Professional Standards Bureau ("PSB") consists of two branches. The prosecution branch is led by a Deputy Chief Assistant Prosecutor, along with two additional Assistant Prosecutors with one who directs Bias Crime investigations. The Corruption Unit has one separately assigned Assistant Prosecutor dedicated only to cases involving public employees and servants. One member of the clerical staff oversees all office operations and manages the records system and paralegal functions of the three units. The investigative branch is led by a Captain of Prosecutor's Detectives who has overall command of the Bureau and is manned by four (4) Lieutenants and two (2) Detectives in the Professional Standards Bureau with shared responsibility of the Bias Unit and four (4) Detectives assigned to the Corruption Unit.

The units are multi-tasked. The Professional Standard Bureau has primary responsibility in the investigation and prosecution of all police criminal misconduct in Essex County. The Bureau also conducts activities necessary to improve the administration and delivery of Police Internal Affairs services on a countywide basis. Additionally, it serves as the internal affairs unit of the Essex County Prosecutor's Office. The Corruption Unit prosecutes and investigates criminal behavior regarding public servants and public employees.

The PSB and the Corruption Unit are “vertical prosecution” units. Thus, one unit exclusively handles all law enforcement criminal cases from inception through trial, and the other handles all cases regarding public servants and employees from inception through trial. When the PSB or Corruption Unit receives an allegation of criminal conduct committed by a sworn law enforcement officer, or public servant, each must determine if a criminal prosecution is warranted. If criminal prosecution is warranted, each unit presents the case to a Grand Jury. If an indictment is returned, each unit is responsible for the case through a trial or plea agreement. Internal responsibilities for the PSB include, but are not limited to, random drug screening, investigation of violations of rules and regulations, risk analysis management, and integrity testing.

2010 Accomplishments

In 2010 the Professional Standards Bureau conducted investigations into 352 cases, the Corruption Unit has conducted investigations into 77 cases and the Bias Crime Unit has conducted investigations of 39 cases.
Sexual Assault & Rape Analysis Unit

The Sexual Assault and Rape Analysis (SARA) Unit is one of the oldest investigative units in the Essex County Prosecutor’s Office. It originated in the 1970’s after the Newark Police Department became one of the first police departments in the nation to establish a sex crimes unit. The SARA Unit was developed to provide guidance and investigative support for all municipal police departments within the County.

The SARA Unit originally handled all cases of sexual abuse within the Essex County Prosecutor's Office. As the field of sex crime investigation became more specialized in the early 1980's, a separate Child Abuse Unit was developed.

In 2009, the SARA Unit undertook the additional responsibility of investigating and prosecuting cases involving Human Trafficking. One Assistant Prosecutor and one Detective in the unit are designated as liaisons to the Attorney General’s Human Trafficking Task Force. As part of the Human Trafficking Task Force, the Essex County Prosecutor’s Office became only the second office in the state to formalize a Human Trafficking Protocol.

Today, the SARA Unit handles only those cases involving adult victims of sexual abuse. The legal staff consists of an Assistant Prosecutor/Director and two Assistant Prosecutors. The three sex crimes Detectives assigned to the Unit are supervised by an Investigative Captain and Lieutenant. Members of the legal and investigative staff are available 24 hours a day to assist local law enforcement in their investigations.

The SARA Unit is a vertical unit, handling its cases from inception through trial. This approach eliminates the need for repetitive investigative interviews and protects the victim from the need to continually relive the abusive act.

2010 Statistics:

In the year 2010, the SARA Unit investigated 207 cases of alleged sexual assault. 51 cases were presented to the Essex Grand Jury, resulting in 42 indictments. Seven cases resulted in pre-indictment pleas and 26 cases were downgraded and returned to the municipal court.
Vehicular Homicide Unit

The Vehicular Homicide Unit of the Essex County Prosecutor’s Office was established in 2000 thanks in part to a grant from the New Jersey Division of Highway Traffic Safety. The Unit was formed and designed to ensure the close cooperation between the local police departments, the New Jersey State Police, and the Prosecutor’s Office whenever a motor vehicle collision occurs in the County that results in a death or serious bodily injury. The three Detectives assigned to this unit are specially trained in collision investigation and reconstruction. The focus of the motor vehicle investigations is to determine if the incident resulting in death or serious bodily injury was the result of criminal conduct.

Two Assistant Prosecutors are assigned to the Vehicular Homicide Unit. The Assistant Prosecutors assigned to the Vehicular Homicide Unit have each received training in collision investigation and work closely with the Vehicular Homicide Detectives and local police departments to assure that all relevant evidence is collected and analyzed in a manner that will survive all possible challenges in the courtroom. Vehicular Homicide Assistant Prosecutors then work with the case Detective in the unit to prepare the case for Grand Jury presentation. If the case involves a juvenile offender, the Unit will prosecute the case in juvenile court or request waiver of the offender to adult status when appropriate.

In addition to the investigation of vehicular homicides and serious bodily injury crashes, the Vehicular Homicide Unit participates in numerous educational and enforcement based programs.

2010 Accomplishments

During 2010, the Essex County Prosecutor’s Office investigated 40 vehicular homicide and 53 serious bodily injury collisions. Assistant Prosecutors working with the Vehicular Homicide Unit presented 29 cases to the Grand Jury with 13 of those cases indicted.

Significant cases included:

State v. Richard Chesler – On January 27, 2009, defendant was operating his vehicle at a high rate of speed, disregarded a stop sign and struck the victim’s vehicle. The victim died as a result of the crash. Defendant, a juvenile at the time of the incident, was found to be driving while intoxicated. Vehicular Homicide Assistant Prosecutors moved to prosecute the juvenile as an adult and jurisdiction was transferred to adult court. Defendant subsequently pleaded guilty to vehicular homicide and in 2010 was sentenced to four years in prison.

State v. Anselmo Silva – On February 28, 2010, defendant was involved in a minor motor vehicle collision on Rt. 1 & 9 in Newark. An officer from the Port Authority of New York and New Jersey Police Department (PAPD) stopped to assist the drivers. As the PAPD officer was placing safety flares in the roadway, defendant entered the
INVESTIGATION SQUADS

PAPD police vehicle and fled the scene. Defendant was pursued by other police vehicles and crashed a short time later. Defendant then attempted to steal a second police vehicle and was apprehended. Defendant subsequently pleaded guilty to Eluding, Aggravated Assault and Theft charges and on September 21, 2010, defendant was sentenced to 4 years in state prison.

State v. William Rivera- On July 10, 2009, defendant was operating a vehicle at a high rate of speed on Ferry Street in Newark and subsequently lost control of his vehicle and crashed. A female passenger in defendant’s vehicle was killed in the crash and a second passenger was injured. Vehicular Homicide Unit Assistant Prosecutors presented the matter to a Grand Jury, which returned an indictment. Defendant subsequently pleaded guilty to Aggravated Manslaughter and Aggravated Assault. On June 19, 2010, defendant was sentenced to 10 years in state prison and he must serve 85% of the sentence before being eligible for parole.

State v. Margaux Morreale- On October 18, 2009, the defendant, who was 18 years old at the time, was operating a vehicle at a high rate of speed in a residential area of Millburn, when she crashed into a tree. Defendant’s front-seat passenger was killed in the collision. The post-crash investigation revealed that defendant and her passenger had been drinking with other underage persons at a house party prior to the crash. Defendant, who was found to be intoxicated, was apparently driving the passenger because she believed he was too drunk to drive. Defendant pleaded guilty to Vehicular Homicide and on December 3, 2010. She was sentenced to three years in prison.
VIPER Unit

The VIPER (Violence, Intelligence, Protection, Enforcement, and Recidivism) Unit is the major narcotics and gang investigation unit of the Essex County Prosecutor’s Office. The mission of the Viper Unit is to investigate and prosecute crimes involving gangs, guns and violence. Since narcotics distribution is the primary revenue source for criminal street gangs, the VIPER Unit is still actively targeting mid to upper level narcotics distributors (i.e. those generally dealing in quantities of second degree weight or higher) operating in Essex County. In addition to initiating investigations and prosecuting those cases, the VIPER Unit also assists federal, state, county and municipal law enforcement agencies with their investigations. The VIPER Unit also has an intelligence section, which collects and analyzes information from a variety of sources and maintains databases of criminal street gang members.

In addition to detectives, the VIPER Unit is staffed full-time by an Assistant Prosecutor/Director and three assistant prosecutors. The prosecutors of the VIPER Unit vertically prosecute all cases initiated by VIPER detectives. The VIPER prosecutors also review all narcotics and gang-related search warrants and provide legal advice to outside law enforcement agencies on the narcotics and gang issues. In 2010, VIPER prosecutors reviewed over 700 search warrants.

The Intelligence section of the VIPER Unit serves as a free-standing unit, consisting of a lieutenant and detectives that collects and analyzes criminal information and data. This process is extremely beneficial in identifying criminal organizations in Essex County and also in determining criminal trends. This criminal intelligence is disseminated to the other investigative units of the Prosecutor’s Office and other Essex County law enforcement agencies.

2010 Accomplishments

In 2010, the VIPER Unit initiated 186 investigations which culminated in 521 arrests. VIPER Unit investigations resulted in the seizure of over 8 kilograms (more than 16 pounds) of cocaine, more than 10 kilograms of heroin and more than 25 pounds of marijuana. VIPER Unit investigations also resulted in the seizure of ecstasy pills, anabolic steroids and a large quantity of prescription drugs. The approximate street value of the narcotics seized by the VIPER Unit in 2010 is $275,000 for cocaine, $1,060,000 for heroin and $35,000 for marijuana. VIPER Unit personnel also seized over $188,000 in currency from drug dealers in 2010.

Additionally, given the increase in violent crime in Essex County, removal of illegal firearms from the streets is a very important step in the effort by law enforcement to reduce violent crime. VIPER Unit personnel seized 42 firearms in 2010, including 9 assault firearms. This number is significant given the fact that the VIPER Unit operates with a relatively small number of personnel. The VIPER Unit also obtained and executed more than 40 search warrants in 2010.
INVESTIGATION SQUADS

Significant activities of the VIPER Unit in 2010 include:

OPERATION SUMMER SWEEP – This was an initiative developed by the Attorney General and Prosecutor to conduct warrant round-ups of violent fugitives in Essex County. Detectives assigned to the Intelligence section prepared comprehensive work-ups on violent fugitives and the detectives of the VIPER Unit then set out to apprehend the wanted individuals. The operation was successful and resulted in the arrest of 223 felons.

OPERATION BORDERLINE – This was a joint investigation with the East Orange and Newark Police Departments focusing on street level narcotics distribution on the East Orange and Newark border. This operation was extremely successful. More than 30 persons were arrested and the arrestees are being prosecuted by the VIPER assistant prosecutors. By the end of 2010, 17 of the defendants had pleaded guilty and have been sentenced to custodial terms. An additional 8 defendants have been indicted and the cases are pending. The remaining defendants were either prosecuted in family (juvenile) or municipal courts.