



2014 Annual Report

Carolyn A. Murray
Acting Essex County Prosecutor



Essex County Prosecutor's Office

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Chief Executives



From Left to Right: Chief of County Investigators Anthony F. Ambrose; Acting Essex County Prosecutor Carolyn A. Murray; and Acting First Assistant Prosecutor Robert D. Laurino.

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During 2014, the total number of adult defendant cases reviewed by the Essex County Prosecutor's Office (ECPO) was 14,931. Also, 4,410 defendants were indicted or charged by accusation in 2014. A total of 52.9 percent of ECPO's total adult defendant resolutions within 2014 following an indictment or accusation involved first or second degree criminal charges. Further, in 2014, the total number of juveniles involved in delinquency case filings in Essex County was 1,568.

(Statistics from N.J. Division of Criminal Justice, Analysis of Prosecutors' Data, and from the Promis Gavel Database of the Administrative Office of the Courts, N.J. Superior Court).

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Message from Acting Prosecutor Carolyn A. Murray

*Our mission in the Essex County
Prosecutor's Office is
to seek justice, to serve justice
and to do justice.*

The Office of the Essex County Prosecutor has an unwavering commitment to service. Our role as prosecutors is to protect and serve the people of Essex County and those who come to the county to work or play. Along with local police agencies and our state and federal law enforcement partners, our aim is to prevent crime. When a crime is committed, our job is to aggressively investigate and prosecute those who threaten the tranquility of the community.

When it comes to crime fighting, we have been forced to evolve to meet the challenges created by new technologies and more sophisticated criminals, while continuing to rely on tried-and-true police techniques that have historically been effective.

While DNA, fingerprinting, surveillance video, social media and other new technologies can often be seen in use in the courtroom, nothing can replace talented people. The success of virtually every case rises and falls on the dedication and hard work of Assistant Prosecutors, Detectives and support staff.

Homicides are Down

During 2014, the number of homicides went down. In 2013, there were 154 homicides in Essex County. In 2014, that number dropped to 111 homicides countywide. But even one homicide is one too many.

It is difficult to pinpoint a single cause for the reduction in homicides, but targeting gangs and drugs, which fuel gun violence, is crucial. The cornerstone of our efforts this year and in recent years is working cooperatively with our local, state and federal partners. By working together, we have been able to maximize our

resources, minimize duplication and marshal intelligence to engage in better policing.

TIDE-TAG

In April, Acting Attorney General John Hoffman selected Newark to be the second city in the state to launch the TIDE-TAG violence suppression initiative. The Attorney General committed \$2.2 million in funds from the state and federal government to support the program. TIDE-TAG is a two-prong approach to crime fighting.

TIDE stands for Targeted Integrated Deployment Effort. Led by the Essex County Prosecutor's Office and the New Jersey State Police, it is an intelligence-driven crackdown on problems in key high-crime areas in the city. It focuses on drug dealing and crimes involving guns. It also involves going aggressively after individuals with outstanding warrants.

TAG stands for Targeted Anti-Gun (TAG). This portion of the program involves an arrest and prosecution strategy mandating a "zero tolerance" prosecution policy on certain offenders who carry guns in public. Under this policy, "tagged" gun offenders are sentenced to at least 3 ½ years in state prison without parole, up from the current norm of one year. The goal is to stop criminals from carrying guns, so street confrontations do not escalate into shootings.

Operation Joint Effort

Following a three-month investigation, we arrested more than 30 defendants involved in a multi-million dollar heroin distribution operation. This successful investigation was a collaborative effort. Some 26 law enforcement agencies were involved in this investigation which targeted drug distribution and sales long the Route 21 corridor.

During a pre-dawn raid, 518 bricks of heroin, with an estimated street value of approximately \$300,000, were confiscated. In Bloomfield alone, approximately eight pounds of marijuana were seized, which has an estimated street value of over \$40,000, and \$50,000 in U.S. currency was confiscated. In addition to narcotics and cash, nine vehicles were confiscated, including a 2015 Mercedes Benz, 2014 Infiniti, 2005 Lexus, 2006 Audi and 2001 BMW.

By working together, we believe we have brought down an operation that fueled the state's growing heroin epidemic. These arrests are aimed at disrupting the drug

trade in our state and putting drug dealers on notice that when they distribute narcotics in our communities, they do so at their own peril.

Newark Violence Reduction Initiative

We are continuing our work with the Newark Violence Reduction Initiative. Started by Rutgers–Newark’s School of Criminal Justice, this initiative is designed to reduce gang-related shootings by getting police and prosecutors to focus on the relatively small group of individuals who commit most of the violent crime in the city of Newark. We are engaging known gang members and essentially urging them to take a different path or face swift and severe punishment. It is a carrot-and-stick approach in which those of us in law enforcement attempt to provide resources to help individuals seek legitimate employment, education, and drug treatment instead of a life of crime. But state and federal prosecutors make it clear that those who opt to continue the criminal life will face the full weight of local, state and federal authorities.

Narcan Kits Go Out to Police and First Responders

As you have probably heard from news reports, the use of heroin has climbed to epidemic levels, particularly in the suburbs of New Jersey. This has led to a tremendous increase in the number of heroin overdoses.

Nationwide a movement is underway to have police officers, first responders and even family members carry Narcan kits. Naloxone, the drug used in the Narcan kit, is extremely effective in reversing heroin overdoses. It comes in nasal form and can easily be administered by someone with little or no medical background.

This year, the Essex County Prosecutor’s Office, through a train-the-trainer style program, trained one or more persons from each of the 27 law enforcement agencies in the county. The training was performed by a physician at the Essex County Hospital Center. These officers returned to their local police agencies and trained other officers. In the latter part of December, 250 Narcan kits were distributed to law enforcement agencies in Essex County for use in emergency situations.

Improving School Safety

In March, the Essex County Prosecutor’s Office held a conference with more than 100 law enforcement officers and school officials to discuss the best practices for dealing with active shooters on school property. In the wake of the mass murder at Sandy Hook elementary school in Newton, Connecticut, the goal of the summit was

to foster communication between first responders and school administrators. Acting Attorney General John Hoffman attended the summit, which focused on public schools, charter schools and other school facilities.

Among other things, conference speakers discussed the importance of drills, particularly during inconvenient times such as recess or closing time; making sure local police departments have building plans for all schools in the district; proper training of all staff, including custodians and cafeteria personnel; and effective communication with parents and other partners who might be needed in the event of crisis.

In 2006, New Jersey established the Governor's K-12 School Security Task Force to address issues relating to how agencies could work more collaboratively to ensure school safety. New Jersey is ahead of many other states when it comes to these issues. In fact, New Jersey was the first state in the nation to require districts to have regular lock down drills.

After Sandy Hook, 11 other states began requiring lock down drills. New Jersey and Arizona are the only two states that provide specific requirements regarding what should be included in those drills.

The summit provided a platform for sharing strategic information to ensure that educational leaders and local law enforcement are partnering at all levels of the prevention, planning, response and recovery process.

Community Outreach

Youth Conferences

In 2014, we continued our community outreach efforts. Our Community Justice Unit continues to organize programs aimed at preventing delinquency by providing children and adolescents with positive alternatives.

This year we sponsored a five-week summer internship program for high school students. We have annual youth symposiums and other seminars, in which hundreds of young people participate. These are designed to educate children about the perils of drug use and the gang life. We also expose young people to career opportunities in law enforcement to help them understand that they can have a role in policing their own communities.

In March, we held a conference for boys entitled "Leadership to Transform Boys to Men," at Essex County College Police Academy in Cedar Grove. Students received

tips on how to conduct themselves during encounters with law enforcement and participated in workshops on internet safety, cyber bullying, gang violence and driver's education.

On December 18, some 400 students attended "What's It All About?" a youth conference for Middle School Students at Caldwell College.

Juvenile Conference

In early November, we held a half-day conference for law enforcement on juvenile justice issues. Seventy-five officers from their respective Juvenile Aid Bureaus learned about new legislation as it pertains to juveniles, the juvenile arrest process and the juvenile Detention Center. The goal of the seminar was to help law enforcement officers who deal with juveniles better understand how to navigate the juvenile court system.

Sanctuary Intimate Partner Violence Response Initiative

The Victim-Witness Advocacy Office again launched "Sanctuary," an intensive 70-hour training program designed to help volunteers from local churches, mosques, synagogues, social service and emergency agencies, fraternal organizations, police department domestic violence response teams, and other allied organizations in the greater Essex County area to provide crisis intervention services to intimate partner violence-related assault, sexual assault, child abuse victims as well as survivors of intimate partner violence-related homicide victims. The "Sanctuary" program began on November 10, and met for 23 sessions over a 20-week period.

Citizens/Clergy Academy

This year we again held our Citizens/Clergy Academy in which we invited community leaders to learn about the inner workings of the Prosecutor's Office. Participants learned about everything from our Homicide and Special Victims Unit to Cyber and Financial crimes. The goal of the academy is to build bridges with clergy and other community leaders and help those in the community to understand how our office works.

Black History Month Celebration

In February, the Essex County Prosecutor's Office held its 3rd Annual Black History Month Celebration in collaboration with the National Organization of Black Law Enforcement Executives (NOBLE), Northern New Jersey Chapter. The program recognizes and honors those who make a difference in law enforcement.

Newark Becomes Second City in NJ to Adopt the Attorney General's TIDE-TAG Crime Fighting Initiative

By Sharon Stephens

In 2014, the Essex County Prosecutor's Office teamed up with New Jersey Acting Attorney General John J. Hoffman and other law enforcement partners to launch a two-phase initiative entitled "TIDE-TAG" which is a successful, multi-disciplinary violence suppression strategy.

Spearheaded by the New Jersey State Police and the Essex County Prosecutor's Office, this two-phase initiative was also supported by the Newark Police Department and other federal, state, county, and local law enforcement partners, and key community stockholders. Together these agencies are working to rid the streets of guns and make Newark and the surrounding communities safer.

"Hardly a day goes by in Essex County when we are not reminded of the tragic consequences of gun violence. Far too many minor disputes escalate into violent gun battles simply because of the availability of guns," said Acting Essex County Prosecutor Carolyn A. Murray. "That is why we were so eager to partner with Attorney General Hoffman and our other law enforcement partners to do whatever we could to curb the epidemic which is taking far too many lives."

"TIDE-TAG" was first introduced in Trenton, where it reduced shootings and murders by one-third. In the six months after TIDE-TAG was launched, both the number of shooting incidents and homicides decreased compared to the six-month period leading up to the program's launch.

TIDE stands for Targeted Integrated Deployment Effort, which is an intelligence-driven surge in law enforcement deployments, to suppress violent crime in identified "hot spots" in Newark. The main focus was to target street-level and gun crimes, as well as aggressive warrant enforcement and parolee supervision. The operation included high-visibility and covert activities. The goal was to stop shootings by reducing the number of offenders holding firearms and by disrupting the open-air drug markets that are hotbeds for violence in Newark.

TAG stands for Targeted Anti-Gun. It is an arrest and prosecution strategy already in place in Mercer County that was introduced in Essex County starting in April

2014. Under the TAG initiative an aggressive “zero tolerance” prosecution policy was put in place. It effectively increased the sentence for “tagged” gun offenders to at least 3 ½ years in state prison without parole, up from the current norm of one year. The objective of TAG is to stop people from carrying guns so that street confrontations diminish and do not escalate impulsively into shootings.

In an effort to keep the community aware of TAG, and to warn criminals not to carry guns, the Attorney General’s Office mounted an advertising campaign with ads in newspapers and on buses, bus shelters, rail platforms and billboards, urging the public to help identify criminals who hold firearms in Newark. There was also a second advertising campaign that solely targeted offenders carrying guns, warning them of the extended prison terms they will face if found guilty.

The TAG initiative affects defendants charged with unauthorized possession of a firearm in public, including in a vehicle, if any of the following conditions are met:

- The defendant has a prior felony conviction;
- There is substantial likelihood the defendant is involved in organized criminal activity, such as a gang or drug set;
- The defendant has a pending indictable charge;
- The defendant possessed the gun while committing a drug offense;
- The defendant banished or discharged the gun in public;
- The gun is stolen or has a defaced serial number;
- The defendant resisted arrest or attempted to flee from police.

Under TAG, the Attorney General has abolished the common practice of pleading out cases for a reduced sentence of one year without parole. TAG helped the Prosecutor’s Office resolve cases quicker by expedited lab tests on guns, and by requiring indictments and speedy trials if defendants do not accept a minimum plea offer of 3 ½ years without parole. Lastly, “tagged” defendants were referred to the U.S Attorney’s Office if they met several of the criteria, or have significant prior criminal histories. Ultimately, the goal of TIDE-TAG was to slow the incidents of shootings and murders during 2014.

Crime was down considerably in the hot spots. From April to September: homicides dropped 14 percent from 2013 to 2014; shootings were down 35 percent; robberies declined by 61 percent; and carjackings went down 82 percent. Just as Trenton saw a successful reduction in shootings and homicides through the TIDE-TAG-Tag initiative, Newark is seeing similar results by sending the message that gun violence will not be tolerated.

The Attorney General committed \$2.2 million in state and federal funds to support the program. The funds helped to deploy more State Troopers and other officers to suppress shootings in the most violent neighborhoods in Newark, while focusing efforts on arresting and aggressively prosecuting gang members, repeat offenders and drug dealers who carry guns in public.

Gun violence in Newark must end; far too many lives have been lost. The success of TIDE-TAG gives us a blueprint for replicating and building on the progress we have already made.



A Brief History of the Essex County Prosecutor's Office

In 1776, the State of New Jersey ratified its first Constitution (superseded by later Constitutions in 1844 and 1947). Under this Constitution, the elected Governor appointed an Attorney General to enforce the laws of the State. The Attorney General in turn appointed deputies for the various counties, including Essex, to enforce the criminal laws on behalf of the local populace. In 1822, the New Jersey General Assembly passed an act authorizing a more independent Prosecutor of Pleas for each county, to be appointed by the Court of Quarter Session once every five years. A few years later, the Governor was given the authority to appoint each county's Prosecutor of Pleas. On Feb. 20, 1829, Amzi Dodd became the first governor-appointed Prosecutor of Pleas for Essex County. The earliest record of a prosecution by Prosecutor Dodd involves "a nuisance in suffering the water to stagnate and become offensive in the old burying ground" in Newark.

The first Prosecutor of Pleas worked alone, but by 1877 the Prosecutor required the help of a First Assistant. As Essex County grew and matters became more complex, the Office grew in size. By 1922, Prosecutor John O. Bigelow employed 28 men, including three Assistant Prosecutors, two Detective Captains, two Lieutenants, and various Detectives and clerks. In the 1920s and 30's, cases involving gambling, organized crime and official corruption were growing in number. In October of 1935, the nationally-known organized crime figure Dutch Schultz was shot at the Palace Chop House in Newark. Although the prime suspect was found hanged soon after the incident, the Office continued its investigation and identified Schultz's real shooter who pled guilty to the murder in 1940.

By 1945, the Office still had only three Assistant Prosecutors, despite a growing number of murder and gambling cases. In 1951, Prosecutor Edward Gaulkin gained attention by successfully prosecuting four men charged with conspiracy, extortion and bribery in the Newark milk scandal case. In 1959, Governor Robert Meyner nominated Brendan T. Byrne of West Orange as the 25th Prosecutor of Essex County. Prosecutor (and later Governor) Byrne served the Office until 1967. By 1962, there were 16 Assistant Prosecutors, most of whom were part-time employees. Shortly thereafter, the first female Assistant Prosecutor, June Strelecki, was appointed. Also during Byrne's tenure, the "Charlie Squad" was formed, a name coined after members of the public were urged to report illegal gambling by calling a dedicated phone number and asking for "Charlie."

In 1967, the City of Newark experienced a week-long civil disturbance, which heralded long-term social and economic change in Essex County. These

transformations challenged future Prosecutors to respond to changing patterns and volumes of crime with increased professionalism and dedication. By 1973, the legal staff numbered 63 lawyers, all full-time. County Investigators replaced the former Detectives, and were increasingly selected from the ranks of experienced local police officers. Under Prosecutor George Schneider (Prosecutor from 1981 to 1986), the number of Assistant Prosecutors exceeded 100. Increasing resources were dedicated to special squads. The Homicide Squad was expanded and a Narcotics Section, which at first was a joint task force with the Sheriff's Office, was created. Eventually specialized units were established in Child Abuse, Sex Assault, Arson, Domestic Violence, Megan's Law and Gangs.

In 1986, Governor Thomas Kean appointed the first African-American Prosecutor in Essex County (and only the second in the State), Herbert H. Tate, Jr. Computerization of the Office was begun and continued in stages throughout the terms of Prosecutor Tate and his successor, Prosecutor Clifford J. Minor. Also during their terms, a sexual assault case was brought against a group of high school athletes from Glen Ridge, who in 1993 was convicted of victimizing a 17 year-old mentally handicapped woman. This case was the subject of a popular book, a TV movie, and an episode on the TV show "Law & Order."

In 1998, the first female Prosecutor, Patricia Hurt, was appointed by Governor Christie Whitman. Prosecutor Hurt was followed by Acting Prosecutor Donald Campolo and Acting Prosecutor Paula T. Dow. In the opening years of the 21st Century, the Office responded aggressively to increased auto theft and expanded youth gang activity. By 2003, it completed a second generation of computerization complete with e-mail and Internet access and increased its outreach to the public through its web site (www.njecpo.org), its Victim-Witness Advocacy Office, and its Community Justice Program.

In 2005, Governor Richard Codey swore Acting Prosecutor Dow to the Office of Essex County Prosecutor. During Prosecutor Dow's years of leadership, the Essex County Prosecutor's Office instituted vertical prosecution, increased its resources and outreach to victims and witnesses, opened a state-of-the-art crime scene facility, and participated in a wide variety of cross-agency / cross-jurisdiction collaborations including a state-federal anti-gang and narcotics task force, gun buy-back programs, and a successful fugitive safe surrender program held in Newark in November, 2009. Prosecutor Dow also emphasized technology development, with the Office updating its computer server infrastructure in 2009 and planning for the implementation of an office-wide, fully integrated electronic case and record management system.

In January, 2010, New Jersey Governor Chris Christie appointed Prosecutor Dow as

Acting Attorney General of the State of New Jersey. In her place, Chief Assistant Prosecutor Robert D. Laurino, a 29-year ECPO veteran, who gained public recognition in the trial and conviction of the high school athletes in Glen Ridge, was appointed Acting Essex County Prosecutor. In February 2011, Gov. Christie appointed Carolyn A. Murray as Acting Essex County Prosecutor.

As Acting Prosecutor she has made victims' rights a high priority. In addition, the Mental Health Unit was created during her tenure, providing new options to prosecutors and defense attorneys when dealing with offenders who have a history of mental illness.

The lawyers, detectives and support staff who report to her will continue the work of Amzi Dodd into the 21st Century, and are honored to be part of the Office of the Essex County Prosecutor.

With thanks to Francis D. Falivena, Jr., Assistant Prosecutor, Retired, an ECPO history