

MESSAGE FROM Acting Prosecutor Robert D. Laurino

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

Serving Justice in Difficult Economic Times

The challenge for the Essex County Prosecutor's Office in 2010 was to continue to protect and serve the public with shrinking resources. Many police departments in Essex County had to layoff officers. In 2010 approximately 12 percent of the workforce retired from the Essex County Prosecutor's Office. Five years ago, the Office employed approximately 500 assistant prosecutors, detectives and support staff. Today it is down to 400.

A lot of institutional knowledge left with the retirees. Given the economic realities facing the county, we recognized we would not be able to fill many of those positions. The talented and loyal employees of this Office immediately responded by taking on new responsibilities. Because of their willingness to assume new duties and to fill in whenever and wherever needed, there was a seamless transition. Cases moved in a timely manner and justice was served. The people of Essex County are entitled to as much and should receive no less, particularly when it comes to their safety.

Task Force Tackles Year End Spike in Carjackings

As often as possible we have worked with state, federal and municipal law enforcement agencies to maximize our resources and produce the best results for the public. Working cooperatively with our law enforcement partners has been an important part of dealing with the reality of dwindling resources.

Perhaps, the most significant example of that cooperation was our response to a spike in carjacking incidents in November and December of 2010. In less than two months the number of carjackings in the county soared to over 100. Most were in the City of Newark. In response, the Essex County Prosecutor's Office created a task force made up of representatives of the Newark Police Department, the State Police and the FBI to tackle the problem. The task force arrested more than 40 juveniles and young adults who were attacking motorists at random.

The arrests of these carjackers came on the heels of another joint effort. In the fall of 2010, the Essex County Prosecutor's Office, along with the Newark, Irvington, Orange and East Orange police departments, the New Jersey State Police, the Essex County Sheriff's Office and two other county prosecutor's offices, began sharing information on a real-time basis. We recognized that crime knows no borders. The goal of this initiative was to alert multiple police agencies in real-time when certain crimes occur that could

result in a suspect crossing municipal borders. For example, when a carjacking occurs very often the stolen vehicle is used to commit a robbery in a neighboring city. Informing the surrounding police departments that the police are in active pursuit of a carjacker puts them on alert if the individual crosses into their city. The benefits of these coordinated efforts quickly became apparent.

New Cyber Crimes Unit Brings 21st Century Technology to ECPO

In 2010, the Essex County Prosecutor's Office made significant inroads fighting crime in new areas. Notably, a Cyber Crimes Unit was established. It brings 21st Century technology to crime fighting. The newly created Unit specializes in investigating child pornography, cyber stalking, cyber bullying and computer fraud. The Unit also investigates and prosecutes crimes committed via the Internet. The expertise of the Unit will also be employed to help solve homicides, rapes and other major crimes. Establishing the unit has long been a dream. In 2010 it became a reality.

Significant Cases

In addition to the new Cyber Crimes Unit, the Essex County Prosecutor's Office continued its extraordinary work. Last January, when a Fairfield police officer was shot, this Office oversaw one of the most intensive manhunts in our county's history to catch the suspect.

In March 2010, an arrest was made in a 32-year-old cold case involving five missing teenage boys. Two men, Lee Evans and Philander Hampton, were arrested and indicted for the murders of Melvin Pittman and Ernest Taylor, both 17, and Alvin Turner, Randy Johnson and Michael McDowell, all 16 years old.

Rodolfo Godinez, one of six defendants indicted for the triple homicide at Mount Vernon Elementary School in Newark was tried and convicted on all counts. A second defendant, Melvin Jovel, entered a guilty plea to the murders. The victims, all Newark residents on break from Delaware State University, were attacked on Aug. 4, 2007. Three of the college students died. A fourth survived and bravely testified about the horrific events of that night in the first trial.

Kenneth Duckett, who walked into the Montclair YMCA and gunned down the mother of his children as his 11-year-old daughter watched in horror, was convicted of first degree murder and sentenced to life imprisonment.

When 91-year-old Essex Fells resident Robert Foster Nevius was brutally murdered, two suspects were in custody within 48 hours. They have been indicted and are awaiting trial.

Evidence of extraordinary work on the part of our investigative team was apparent in the case of Jessica Moore, the 20-year-old Seton Hall student killed at an off-campus party.

Within 72 hours of the shooting, through the use of forensic DNA testing, two men were in custody and charged with her murder.

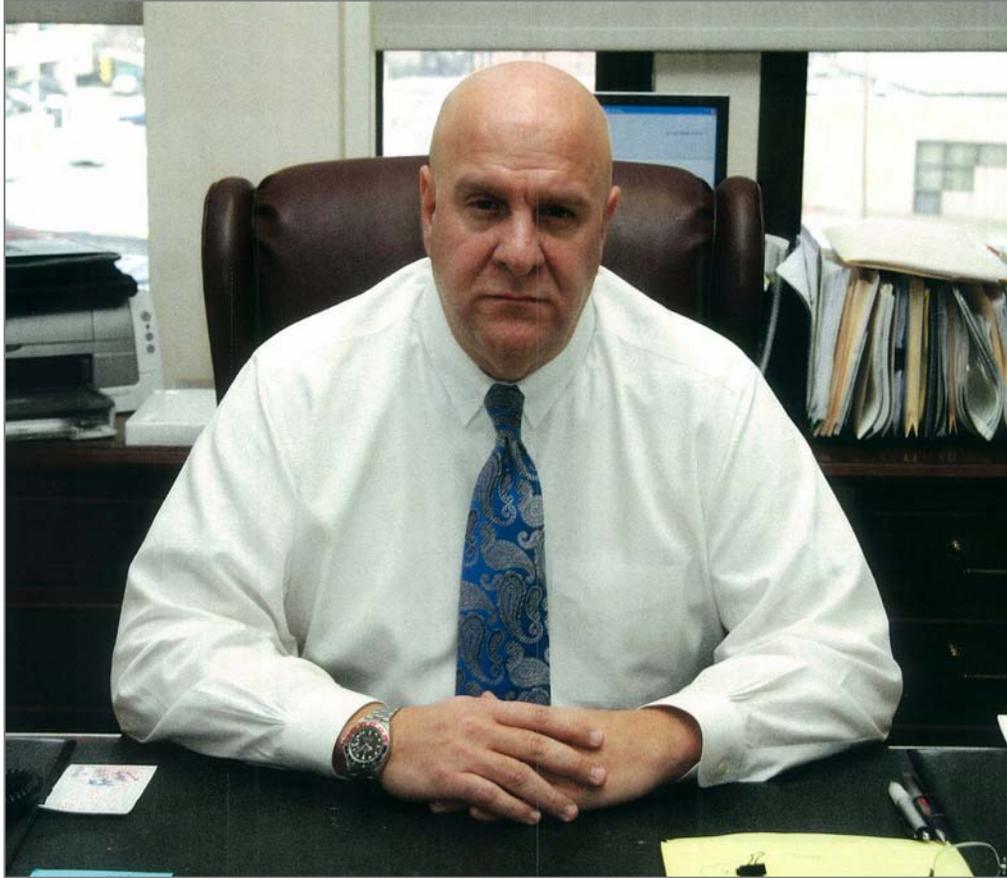
There have been a number of other successful prosecutions this year. In *State v. David Fernandez*, a 29-year-old Newark man was found guilty of murdering Jose Rivera, a 39-year-old bouncer, on Dec. 26, 2007. Rivera was killed outside the Andros Diner in the Ironbound section of Newark. A jury also found 20-year-old Nicole Guyette guilty of aggravated manslaughter for the death of 18-year-old Sujeiti Ocasio. Both young women were from Newark. The two got into a dispute following a graduation party for Sujeiti Ocasio who had just graduated from Barringer High School. Guyette returned with a gun and fatally shot Ocasio just after midnight on June 27, 2008.

These cases are just an example of some of the cases handled this year by the Essex County Prosecutor's Office, the largest and busiest prosecutor's office in the State of New Jersey. Approximately, 20 percent of all criminal cases in the State of New Jersey go through this Office. On an annual basis the Office handles roughly 20,000 cases resulting in approximately 7,000 indictments.

While the volume of cases is high, each case is important to the accused and the victim and, as such, it is important to those of us who prosecute the cases. Advocacy on behalf of victims has always been at the center of what we do. This year our Victim Witness Unit started a special initiative to train volunteers in the community to help victims of domestic violence. The focus is on identifying and preparing those in the religious community -- the place where many victims may turn first for help -- to be able to help victims.

Your opinions are important to us. During 2010 we had the opportunity to meet across the County at churches and public gatherings to hear your concerns. Our goal is not simply to win convictions, but to serve justice. In some cases that means seeking the harshest penalty available under the law, in others it means seeking a dismissal. Sometimes it is helping to prevent crime or helping victims deal with the emotional pain associated with a crime. At all times, we try to bring the highest level of integrity and an unwavering commitment to the state and federal constitutions to our work. And you -- the citizens we serve -- have our pledge that we will do everything legally possible to ensure the safety and security of us all.

MESSAGE FROM ACTING CHIEF OF DETECTIVES ANTHONY AMBROSE



Investigations of homicides, sexual assaults, and most major narcotics cases are handled by the Essex County Prosecutor's Office. Detectives must do the hard work of gathering evidence, to establish probable cause to make an arrest, and ultimately, to successfully prosecute a case in court. They must interview suspects, witnesses and victims. They are responsible for the collection and preservation of physical evidence. They must testify before the grand jury and in court for adult and juvenile trials. In short, many cases rise and fall on the quality of their work. Investigators are the catalyst for a sound investigation for trial. That is why each investigator is held to the highest standards.

Detectives in the Essex County Prosecutor's Office have always worked closely with local police departments. This year that cooperation became even more important, because law enforcement agencies in Essex County were dealing with fewer economic resources. In a number of communities, that resulted in layoffs.

The Investigative Unit of the prosecutor's office faced similar challenges. A significant number of investigators retired. A new leadership structure had to be built. As personnel were tapped to fill the top positions, it created new opportunities in the middle management levels. The result was a significant reorganization. With the extraordinary help of the men and women who work on the investigative side of the office, the changes were made seamlessly. The Unit was able to meet its day-to-day responsibilities to the people of Essex County uninterrupted.

Eight new investigators were hired, the first hires since 2008. Two new marked crime scene vans were purchased to increase the Office's ability to move equipment and evidence to and from crime scenes throughout the county. These reinforcements came on the heels of the most violent summer in 20 years.

There were other significant changes in 2010 in the Investigative Unit. Three investigators were assigned to the newly created Cyber Crimes Unit. The Crime Scene Unit now has staff working around the clock, increasing the response time to meet the needs of police departments throughout Essex County. Previously, the unit was only staffed during the day and investigators were on-call after hours to respond to crime scenes. In addition, the Homicide Unit was restructured and renamed the Major Crimes Unit. Homicides and vehicular homicides are now under one roof.

In the latter part of 2010, in response to a sharp spike in carjackings in November and December 2010, a Newark Carjacking Task Force was created. The Task Force is housed in the Office of the Essex County Prosecutor. That unit was responsible for the arrest of more than 40 individuals who were engaged in carjackings or related criminal activity.

Investigators in the Professional Standards and Corruption Unit also undertook a major investigation of corruption in the Essex County Correctional Facility. **Operation Jail Break** led to the arrest of 13 people who were involved in smuggling cell phones, drugs and contraband into the county jail.

The investigative team at the Essex County Prosecutor's Office has an unwavering commitment to justice. Investigating and prosecuting those who break the law is the highest priority of those who work in the Unit. Those efforts will continue unabated.

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 were convicted for 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 responded aggressively to evolving challenges in the law enforcement arena. The 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, then 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. The lawyers, detectives and support staff who report to him 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 enthusiast.)