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Gurbir S. Grewal
Attorney General



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AG Grewal and Colonel Callahan Issue Weekly Round-Up on COVID-19 Enforcement Matters

TRENTON – Attorney General Gurbir S. Grewal and Colonel Patrick J. Callahan, Superintendent of the New Jersey State Police, today announced enforcement actions from the past week, including coughing and spitting assaults and noteworthy violations of Governor Murphy’s Executive Orders. The Attorney General also announced enforcement actions targeting price-gouging and consumer fraud violations.

“We’re cracking down on those who jeopardize public health and undermine public safety,” said Attorney General Grewal. “We have zero patience for those who spit on cops, gouge prices, or try to exploit this pandemic for their personal gain.”

“Although law enforcement and medical professionals are on the frontlines of the battle against COVID-19, we are ultimately winning the war because of the extraordinary resolve and fortitude of New Jersey citizens who are doing their part day in and day out, abiding by the executive orders and sacrificing for the greater good,” said Colonel Patrick Callahan, Superintendent of the New Jersey State Police. “Those who choose to ignore the law and selfishly place others at risk will face swift law enforcement action.”

Assaults and Threats Against Police Officers, EMTs, or Others

- **Dominique Wilson, 26, of Paterson, N.J.**, was charged on May 24 with terroristic threats during an emergency (2nd degree), aggravated assault on a law enforcement officer (4th degree), and throwing bodily fluids at an officer (4th degree). Wilson, an inmate in the Passaic County Jail, did not want to return to his cell after using his allotted phone time. When sheriff’s officers repeatedly told Wilson to pull up his mask, he allegedly shouted profanities and said, “You are all going to die anyway and I don’t give a [expletive].” Wilson allegedly lowered his mask and coughed on the door handle to the cell they were approaching. He subsequently lowered his mask and allegedly intentionally coughed directly toward an officer.
- **Alexis Cap, 31, of Lake Hiawatha, N.J.**, was charged on May 25 by the Pompton Lakes Police with terroristic threats during an emergency (2 counts, 2nd degree), resisting arrest (3rd degree), aggravated assault on a law enforcement officer (2 counts, 4th degree), throwing bodily fluids at an officer (2 counts 4th degree), possession of prescription legend drugs (4th degree), being under the influence in public (disorderly persons offense), and various other disorderly persons offenses, including violating the emergency orders. Police responded to a call of a woman seated in the middle of the road smoking a cigarette. Police

observed Cap staggering and dozing off. As two officers attempted to place Cap under arrest, she allegedly coughed and said, “I have coronavirus.”

- **Tyler A. Harrison, 32, of Jersey City, N.J.**, was charged on May 26 by the Montvale Police Department with terroristic threats during an emergency (2nd degree), aggravated assault (2nd degree), aggravated on a law enforcement officer (3rd degree), receiving stolen property (3rd degree), and possession of a controlled dangerous substance (CDS) (3rd degree). While being taken into custody, the defendant allegedly repeatedly coughed at two officers while claiming to have COVID-19.

Price Gouging Enforcement

AG Grewal announced updates on the Division of Consumer Affairs’ actions to stop price gouging. As of this week:

- The Division has issued approximately **1,486 cease-and-desist letters**, warning retailers about the penalties for violating New Jersey’s price-gouging law, and the Consumer Fraud Act’s protections from gross and unreasonable inflation of the price of any product during a state of emergency.
- The Division has issued **105 subpoenas** to retailers and online marketplaces reported by consumers for allegedly engaging in unfair price increases and other alleged unscrupulous practices.

As of this week, the Division has logged a total of **5,033 complaints** related to the COVID-19 emergency against **2,630 locations**. More than 84 percent of the complaints allege unlawful price hikes on essential items like food, bottled water, cleaning products, and personal protective equipment such as masks.

Examples of alleged price hikes that consumers have reported to the Division include:

- a mini-mart allegedly selling a case of water that typically costs no more than \$5 to \$7 for \$12.99.
- a pharmacy allegedly selling face masks for \$20 each.
- a supermarket allegedly selling a 15-roll pack of paper towels for \$30.
- a supermarket allegedly charging \$6.99 for a bottle of bleach.
- a convenience store allegedly selling a gallon of milk for \$6.
- a supermarket allegedly charging \$15 for a single can of Lysol disinfectant spray.
- a gas station allegedly selling 3 oz. bottles of hand sanitizer for \$10.99.

In addition to price gouging, the Division is looking into complaints from consumers alleging unlawful refund practices as a result of closures related to the COVID-19 health emergency. To date, the Division’s overall complaints include 366 reports of health clubs, hotels, ticket agents and other businesses allegedly refusing to issue refunds after they closed or suspended services as a result of the COVID-19 pandemic.

New Jersey’s price-gouging law, which took effect on March 9 upon Governor Murphy’s declaration of a state of emergency, prohibits excessive price increases during a declared state of emergency and for 30 days after its termination. A price increase is considered excessive if the new price is more than 10 percent higher than the price charged during the normal course of business prior to the state of emergency, and the increased price is not attributable to additional costs imposed by the seller’s supplier or additional costs of providing the product or service during the state of emergency.

Price-gouging and other consumer fraud violations are punishable by civil penalties of up to \$10,000 for the first violation and \$20,000 for the second and subsequent violations. Violators may also be required to pay consumer restitution, attorney’s fees,

and investigative fees, and will be subject to injunctive action. Each sale of merchandise is considered a separate violation.

Consumers who suspect consumer fraud, violations, or believe that businesses have unfairly increased their prices in response to COVID-19, are encouraged to file complaints [online](#) to report specific details investigators can follow up on. Photographs of items being sold, receipts and pricing can now be uploaded to our new price gouging complaint form.

On Tuesday, May 19, Attorney General Grewal hosted a Virtual Town Hall Meeting focused on fraud prevention, education and enforcement efforts during COVID-19. It was the fourth in a series of Virtual Town Hall Meetings held during the health emergency as part of the Attorney General's 21 County, 21st Century Community Policing Project, "21/21." [View the Virtual Town Hall Meeting here.](#)

Other Violations of Executive Orders, Including "Stay at Home" Order, and Ordinance

- **Jonathan Perrin, 51, of Monmouth Beach, N.J.**, was charged on May 21 by the Monmouth Beach Police Department with making alcohol available to minors (disorderly persons offense) and violating the emergency orders. Monmouth Beach Police responded to Perrin's residence on a noise complaint and found numerous cars parked nearby and loud music coming from the home. There were approximately 25 teenagers in the backyard around a table filled with beer and alcoholic beverages.
- **Ivan Serrano, 38, of Newark, N.J.**, the owner and manager of El Fogon Bar and Restaurant on Second Street in Elizabeth, was charged by the Elizabeth Police on May 23 with violating the emergency orders. Police found patrons playing pool and consuming alcohol at the bar.
- **Melissa Colangelo, 50, of Hillsborough, N.J.**, was charged by the Branchburg Police on May 23 with violating the emergency orders by opening her business, DJ's Salon on Route 202.
- **Guo Lin, 39, Boa Lin, 46, Wei Chun, 40, all of Brooklyn, N.Y.**, were charged on May 24 by the Perth Amboy Police with violating the emergency orders. Guo Lin, the owner, and two employees were charged for opening and working at Dear Nail Salon on Smith Street.
- **Iris L. Diaz, 51, of Union City, N.J.**, was charged on May 24 by the Union City Police for not requiring that masks be worn by employees at her restaurant, Punto de la Baleda on 37th Street. Responding officers saw Diaz and an employee preparing food without wearing face coverings. The business had been warned earlier that day for the same violations.

Violation of the emergency orders is a disorderly persons offense carrying a sentence of up to six months in jail and a fine of up to \$1,000. Such violations are charged by summons, without arrest.

Since the state of emergency was declared in New Jersey on March 9, at least 39 people have been charged with second-degree terroristic threats during an emergency for spitting, coughing, or otherwise threatening to deliberately expose officers, medical personnel, or others to COVID-19. Second-degree offenses carry a sentence of five to 10 years in state prison and a fine of up to \$150,000.

Third-degree charges carry a sentence of three to five years in prison and a fine of up to \$15,000, while fourth-degree charges carry a sentence of up to 18 months in prison and a fine of up to \$10,000.

The charges are merely accusations and the defendants are presumed innocent until proven guilty.

If you are seeing a lack of compliance with the Governor's emergency orders in your town, please contact your local police department or report here covid19.nj.gov/violation

The Attorney General's Office and New Jersey State Police will continue to work with law enforcement throughout New Jersey to deter non-complaint behavior.

No one should take advantage of this pandemic to further their own biased agendas. COVID-19 is no excuse to promote anti-Semitic conspiracy theories and or other biased stereotypes. Please report bias crimes at **1-800-277-BIAS**.

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