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AG Grewal and Col. 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 highlights from the past week, including coughing and spitting assaults and bias incidents, and noteworthy violations of Governor Murphy’s Executive Orders. The Attorney General also announced enforcement actions targeting price-gouging, consumer fraud violations, and alcoholic beverage control 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

- **Julio Pineda, 41, of West New York**, was arrested on Saturday, May 2, by the Secaucus Police Department on charges of terroristic threats during an emergency (2nd degree), throwing bodily fluid at a law enforcement officer (4th degree), and disorderly persons offenses of shoplifting, obstruction, and violating the emergency orders. Pineda was arrested for shoplifting and obstruction at Home Depot. At the police station, he allegedly stated “I have coronavirus, you are all going to [expletive] die.” He began coughing into the air, and when an officer tried to calm him down, he allegedly coughed multiple times at the officer, who was near to him.
- **Shakiya J. Duncan, 28**, was charged on May 6 by the Somers Point Police with disorderly conduct and violating the emergency orders. Duncan was told several times by employees of Big Lots to wear a mask but refused to wear one. Duncan was standing very close to the woman in front of her in the checkout line, and when that woman asked her to please step back, Duncan allegedly screamed at her, cursed, and leaned forward to cough in the victim’s face.

- **Nickolas Suk, 23, of Flemington**, was arrested on May 7 by the Parsippany Police Department on charges of throwing bodily fluid at a law enforcement officer (4th degree), endangering (4th degree), and violating the emergency orders. Police responded to a report of a person causing property damage. Officers located Suk, who was acting irrationally and had a hammer in his hand. Suk allegedly refused to cooperate with police and began coughing and spitting toward the officers on the scene, saying “I hope you get corona.”

Other Criminal Charges Involving Indictable Offenses

- **Mary E. Stewart, 63, of Bridgewater**, was charged on May 2 by the Bridgewater Police Department with aggravated assault (4th degree), endangering (disorderly persons offense), and violating the emergency orders. Stewart alleged spit on staff members at a medical facility multiple times. She also allegedly spit on her hands and then wiped saliva on various pieces of medical equipment and surfaces.
- **Travis Mann, 38, of Haskel**, was charged on May 2 by the Paterson Police with failure to register as a sex offender (3rd degree), hindering apprehension or prosecution (3rd degree), defiant trespass (disorderly persons offense), and violating the emergency orders. Police responded to the 7-Eleven at 262 Main Street on a report of a man yelling at employees, alarming customers, shoplifting, and not social distancing or wearing a mask. Mann was issued summonses for disorderly conduct and violating the emergency orders. During processing, it was determined that Mann is a registered sex offender who has failed to register since 2016.

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 **99 subpoenas** requesting additional information from retailers and online marketplaces alleged to have engaged in price gouging or other unscrupulous business practices during the COVID-19 emergency.
- Approximately **878 cease-and-desist** letters have been sent, 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 logged a total of **4,554 complaints** related to the COVID-19 emergency against **2,476 locations**. Nearly 90 percent of the complaints allege unlawful price hikes on essential items like food, bottled water, cleaning products, and personal protective equipment such as masks, disinfectants and sanitizers.

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

- a supermarket allegedly selling a gallon of bleach for \$8.99.
- a grocery store allegedly charging \$6 for eggs, \$5 for a gallon of milk, and \$7.99 for a case of water, nearly double what it was sold for previously.
- a drug store allegedly selling small bottles of alcohol for more than \$10 each.
- an auto repair shop allegedly charging \$65 for an oil change that typically costs \$35.
- a supermarket allegedly charging \$8.49 for a pound of beef chuck that usually sells for \$4.99 per pound or less.

- a pharmacy allegedly charging \$15 for a single N95 mask.
- a food market allegedly raising the price of a can of disinfectant spray from \$4.50 to \$9 — a 100% increase.

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 236 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 relief. 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.

Other Violations of Executive Orders, Including “Stay at Home” Order, and Ordinances

- **Shawnte M. Gastelo, 42, and Tayana M. Gastello, 25, of Rahway**, were charged on May 2 by the Rahway Police with violating the emergency orders for hosting a large party in the 1300 block of Fulton Street. Police had previously warned the defendants, but found approximately 40 people gathered in a parking lot area, smoking, drinking, and standing close together.
- **Sharda Ramjug, 61, of Jersey City**, was charged on May 2 by the Roselle Police Department with violating the emergency orders. Ramjug, the owner of Michelle’s Beauty Supply, had been warned several times, but remained open and was sneaking customers in through a rear entrance.
- **Thong Q. Tran, 45, of Fairless Hills, Pa.**, was charged on May 4 by the Hamilton Police Department in Mercer County with violating the emergency orders for opening his business, Diamond Nail Salon on South Broad Street, despite having been charged previously.
- **Dragan Dinic, 50, of Emerson**, was charged on May 5 by the Teaneck Police for opening his business, Teaneck Hand Car Wash, where employees wash the exterior of the car and then enter the vehicle to clean the inside. This was the sixth time that police were called to this car wash.
- **Anthony Monte, 50, of Jackson**, was charged by the Point Pleasant Police with violating the emergency orders by opening his vape shop, E-Cig Outpost, and advertising curbside pick-up. Monte was previously warned by police.

COVID-Related Violations of State Alcohol Laws

AG Grewal announced that the Division of Alcoholic Beverage Control (ABC) this week issued charges against six bars, restaurants, and liquor stores for violations amid the COVID-19 emergency. One establishment faces a potential revocation of its liquor license, two face a minimum 10-day suspension each, and three other establishments were issued fines.

Under executive orders issued by Governor Murphy, businesses licensed to sell alcohol in the state are permitted to remain open during the COVID-19 state-of-emergency, but only for take-out or delivery services of food and alcohol. No table or bar service is permitted, and on-premise alcohol consumption is prohibited.

In a notice of charges issued this week, the **Mt. Royal Inn** in East Greenwich was charged with twice violating COVID-19 executive orders by allowing patrons to drink on its licensed premises. The first incident, which occurred on March 21, resulted in a warning from the local police. Despite the warning, the charges allege that Mt. Royal Inn again allowed patrons to drink on premises on April 4. The Division seeks revocation of Mt. Royal Inn's liquor license.

Establishments facing minimum 10-day suspensions for allowing patrons to consume alcoholic beverages on licensed premises are:

Shakey Jake's Café in Stanhope
Tequila Club in Plainfield City

The establishments issued fines for violations of COVID-19 orders are:

- **Driftwood Liquor and Bar** in Highlands (\$750) for allowing employees to drink on licensed premises.
- **Madd Hatter** in Hoboken (\$500) for allowing employees to be on licensed premises without face masks.
- **Tomar's Discount Liquor** in Buena Vista (\$500) for allowing patrons on the licensed premises without face masks.

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 29 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](https://www.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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