



STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF CRIMINAL JUSTICE ANNUAL REPORT 1983

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Division of Criminal Justice
Annual Report 1983

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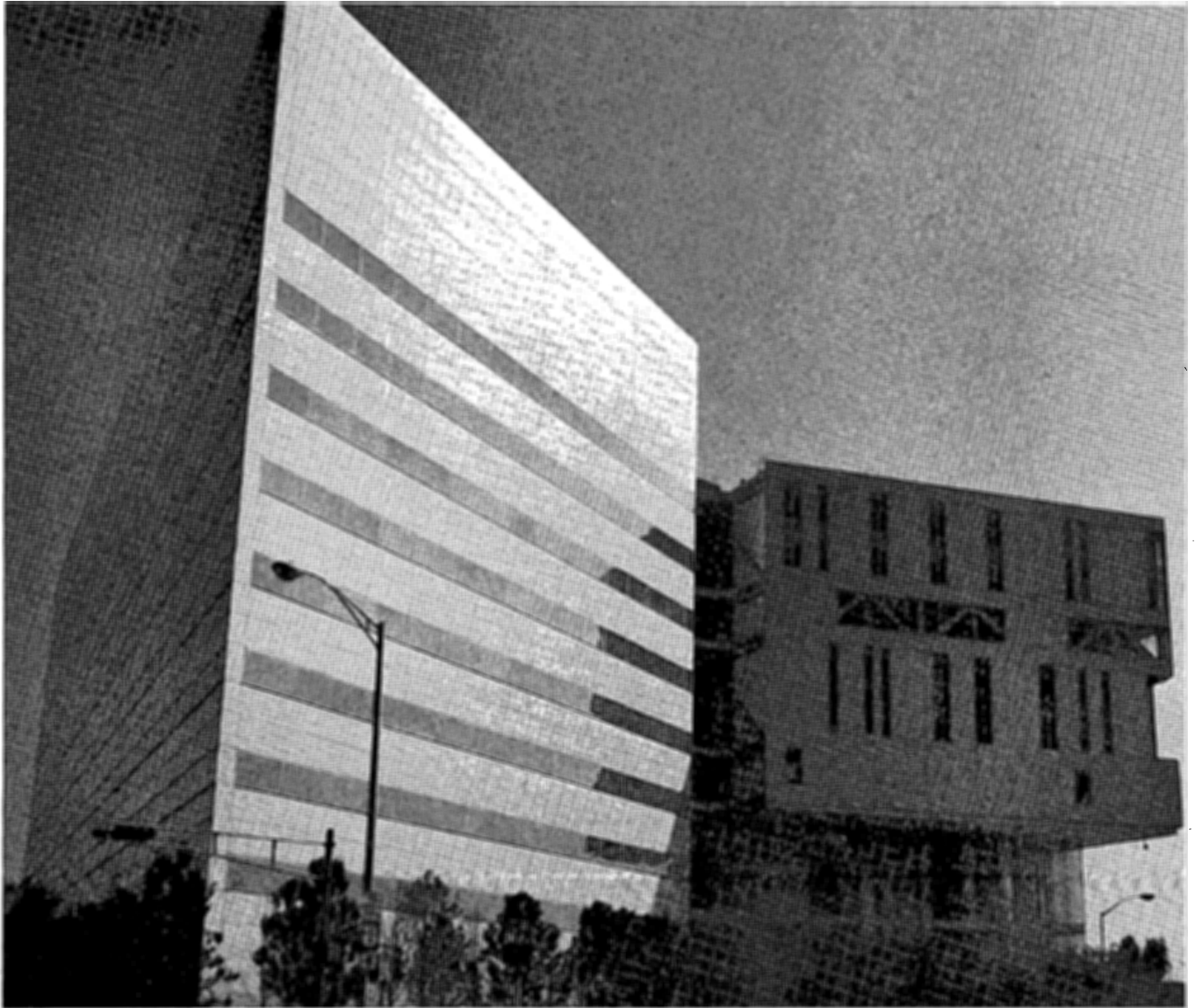
DIVISION OF CRIMINAL JUSTICE

ANNUAL REPORT 1983

**State of New Jersey
Department of Law and Public Safety
Division of Criminal Justice**

**Thomas H. Kean, Governor
Irwin I. Kimmelman, Attorney General
Donald R. Belsole, Director**

New Jersey State Library



Richard J. Hughes Justice Complex

THE DIVISION OF CRIMINAL JUSTICE

The Division of Criminal Justice exists within the New Jersey Department of Law and Public Safety pursuant to legislation known as the Criminal Justice Act of New Jersey, *N.J.S.A. 52:17B-97 et seq.* Since its establishment in 1970, the Division continues to play a major role in the law enforcement and criminal justice system in New Jersey. The Division investigates and prosecutes matters of statewide significance and responds to the changing priorities and initiatives which affect the justice system and the quality of life in New Jersey. Specifically, the Director of the Division oversees and exercises the functions, responsibilities and powers of the Attorney General pertaining to the detection, enforcement and prosecution of the criminal business of the state.

The goal of the Division is to achieve uniform and efficient enforcement of the criminal law and the administration of criminal justice statewide. To accomplish this, the Division has two broad areas of responsibility. First, the Division provides general leadership to the state's law enforcement and criminal justice community, including provision of a variety of supervisory and technical services to the county prosecutors' offices. New Jersey's unified law enforcement system, which is unique in the nation,

allows the Division to work in cooperation with the 21 county prosecutors and other law enforcement agencies to insure that the mandates of the Criminal Justice Act of 1970 are achieved. Other leadership functions and responsibilities which pertain to the administration of criminal justice include statewide coordination of appellate litigation, victim/witness assistance, implementation of the capital punishment statute, speedy trial, computerization of prosecutors' offices, juvenile justice, legislative initiatives, and criminal justice training.

Second, the Division exercises the original jurisdiction of the Attorney General to investigate and prosecute criminal offenses of statewide significance. Investigations and prosecutions into the areas of toxic and hazardous waste disposal and the misapplication of government program funds demonstrate the Division's ability to respond to emerging challenges which face the state. In addition, continuing involvement in the areas of organized crime, corruption and economic or white collar crime prosecutions continue the high standard of law enforcement activity which has become the hallmark of the Division of Criminal Justice.

Highlights of 1983

- Donald R. Belsole is named as the 5th Director of the Division of Criminal Justice by Attorney General Irwin I. Kimmelman.
- The State Medical Examiner promulgates sweeping new rules and regulations designed to upgrade the quality of the county medical examiner system.
- The Division, through the auspices of the Northeast Hazardous Waste Coordinating Committee, conducts a two-week advanced hazardous waste training session attended by 80 investigators from 11 states.
- A major Division reorganization results in the creation of a new bureau to concentrate on economic crime, as well as new units to specialize in tax evasion and solid waste offenses.
- The Division promulgates statewide guidelines for the protection of victims and witnesses in criminal proceedings, and finalizes a victim/witness legislative proposal to, among other things, mandate restitution and establish a subsidy program to fund county victim/witness programs.
- Of the 989 defendants whose cases reached final disposition, 88% are successfully prosecuted.
- A total of 2,377 Division of Criminal Justice appellate cases are opened during the first year of statewide appellate responsibility.
- After an exhaustive investigation into conflict of interest charges arising from the state's plans to institute a video lottery, a state grand jury indicts former Lottery Commission Chairman Reese Palley and hands up a presentment recommending 11 statutory changes to avoid similar problems in the future.
- *State v. Schlanger, et al.* The State Grand Jury charges 20 defendants in a 55-count indictment involving a million dollar insurance fraud. The scheme, which utilized the creation of phony accidents and falsified medical records, involved three lawyers, five doctors and three insurance adjusters.
- *New Jersey v. T.L.O.* The United States Supreme Court decides to hear the state's appeal concerning a ruling that the fourth amendment exclusionary rule applies to school searches conducted by school officials. A decision is expected during 1984.
- *Kimmelman v. Southgate Trading Corp.* The Division institutes proceedings to gain title to real and personal property used as a brothel and valued at approximately \$750,000.
- *Romano v. Kimmelman.* The Division coordinates the state law enforcement community response to the challenge of the reliability of the breathalyzer test in drunk driving prosecutions.

Public Interest Activities

While seeking to achieve uniform and efficient law enforcement and criminal justice, the Division performs valuable services which benefit the public. Many activities conducted by the Division have wide-ranging effects on both public and private concerns. Among these activities are criminal investigations into official corruption and pollution of air, water and land. Other types of criminal activity such as incidents of fraud and antitrust violations that are investigated by the Division affect both the quality of life of New Jersey citizens and the cost of doing business in the state.

The Division aggressively pursues individuals who betray the public trust and continues to make inroads into statewide organized crime. Environmental investigations conducted by the Division target the illegal transportation and disposal of hazardous waste and related activities which cause or risk widespread damage or injury to the environment and public.

Antitrust investigations which involve unreasonable restraints of trade, safeguard consumers, public agencies and private business from anti-competitive practices such as price-fixing and bid-rigging. Both criminal and civil remedies are utilized in preventing and prosecuting antitrust violations, as well as in seeking restoration of monetary losses and damages suffered.

The Division actively investigates crimes against publicly funded programs including medicaid and

unemployment as well as frauds against private businesses. The increased costs caused by incidents of fraud and white collar crime are passed on to New Jersey residents through increased retail prices and rates. Further, the elderly and poor suffer most from the damaging aspects of medicaid fraud, whether committed by health care providers or by neglect and abuse suffered in medicaid-funded facilities.

Projects conducted by the Division which impact upon the public through system improvements include: victim/witness assistance, legislative initiatives, research and training. Activities in the area of victim/witness assistance seek to enhance services to reduce inconveniences sometimes experienced in the criminal justice process. Various legislative initiatives undertaken by the Division represent efforts to introduce law enforcement and criminal justice improvements through statutory changes. Moreover, through research and training activities, the Division responds to public concerns such as child abuse and neglect, domestic violence, and drug and alcohol abuse, and seeks to introduce needed improvements statewide.

Overall, the Division's focus on criminal activity beyond the scope and capability of county and local resources, participation in special projects and programming, and leadership in statewide law enforcement address public interests and concerns of significance.

Organization

The responsibilities, functions and activities of the Division are conducted through a staff consisting of deputy attorneys general, investigators, professional and clerical personnel. The 400 employees of the Division are organized in such a way as to accomplish its duties and responsibilities.

The primary organizational subdivisions of the Division of Criminal Justice are the Investigations Bureau, Economic Crime Bureau, Operations Bureau, and Administration Bureau. In general, the bureaus exercise separate but complementary functions integral to the overall operation and success of the Division.

The Investigations Bureau is responsible for criminal investigations and prosecutions in the areas of organized crime, corruption, gaming-related matters, illegal disposal of hazardous waste, economic crime and fraud.

The Economic Crime Bureau is responsible for medicaid fraud, waste and abuse within state programs, violations of the state antitrust laws, state tax violations and the ongoing investigation of the solid waste industry.

The Operations Bureau coordinates criminal justice system activities and provides supervision to the 21 county prosecutors and local law enforcement agencies. In addition, the operation of the centralized criminal appellate function, law enforcement/criminal justice legislative initiatives and prosecution of county supersession cases are responsibilities of the bureau.

The Administration Bureau provides technical, managerial, training, information and research assistance to the statewide law enforcement structure, as well as providing primary support to the other bureaus and sections within the Division. Also within the framework of the Division of Criminal Justice are the Police Training Commission and the Office of the State Medical Examiner.

Within each bureau of the Division of Criminal Justice are functional sections and units, each with specific areas of responsibility. A brief description of the sections/units follows:

- **Administrative Section.** The Administrative Section serves both a support and line function within the Division, supervising all fiscal matters, budget preparations, personnel, vehicle coordination, property control and communications.
- **Antitrust Section.** The Antitrust Section exercises the Attorney General's duty to prosecute and prevent unreasonable restraint of trade. Pursuant to statutory authority, this Section has sole responsibility for antitrust enforcement activities and prosecutions within the state.
- **Appellate Section.** Appellate Section responsibilities include the prosecution of most criminal appeals from both state and county prosecutions, provision of legal advice to state agencies and the statewide prosecutorial community, and preparation of legislative initiatives. The Section appears in criminal matters before the State Supreme Court, often files *amicus* briefs, and appears before the United States Supreme Court.
- **Casino Prosecutions Section.** The Casino Prosecutions Section investigates and prosecutes criminal activity which either occurs within the licensed casinos in Atlantic City or impacts upon or involves the casinos.
- **Environmental Prosecutions Section.** The primary responsibility of this Section is the investigation of fraudulent schemes within the hazardous waste industry, illegal operation of hazardous waste facilities, and illegal storage or disposal of hazardous waste.
- **Information and Records Management Section.** The Information and Records Management Section is responsible for maintaining the Division's case tracking system as well as evidence from criminal case investigations. In addition, the Section processes citizen complaints and conducts background investigations concerning new employees for the Division of Criminal Justice, Division of Law and county prosecutors' offices.
- **Legislative Liaison Unit.** The primary responsibility of this Unit is to represent the interests of the Attorney General in all legislative matters affecting the criminal justice system.
- **Major Fraud Section.** The Major Fraud Section within the Division specializes in the investigation of white collar criminal activity including insurance fraud, computer fraud, embezzlement, public contract fraud, frauds against private sector operations, and frauds against the state or which involve state agencies.
- **Medicaid Fraud Section.** The Medicaid Fraud Section investigates and prosecutes fraud committed by health care providers in the federal/state-funded medicaid program and neglect or abuse of patients in medicaid-funded facilities.

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- **Northeast Hazardous Waste Project.** The Northeast Hazardous Waste Project, administered by the Division of Criminal Justice, is a federally-funded, multi-state project aimed at the illegal transportation, storage and disposal of toxic or hazardous waste.
 - **Office of the State Medical Examiner.** The Office of the State Medical Examiner is responsible for the medical investigation of all known or suspected homicides, suicides, accidental, suspicious or unusual deaths. In addition, the State Medical Examiner provides professional and technical assistance to the county medical examiners and other law enforcement agencies.
 - **Police Training Commission.** The Police Training Commission is responsible for administering the statutory provision of the Police Training Act to improve the administration of local and county law enforcement through education, training and higher standards of efficiency.
 - **Program Integrity Section.** The Program Integrity Section is responsible for investigating fraudulent misapplications of public funds in government programs. This Section, although primarily concerned with the investigation of criminal conduct, also analyzes the underlying causes of such conduct and related problems to determine whether management or the administrative organization within a particular program or agency has created the atmosphere for the criminal conduct under investigation.
 - **PROMIS/GAVEL Project.** The PROMIS/GAVEL Project is a joint venture of the Division of Criminal Justice and the Administrative Office of the Courts to introduce data processing to county prosecutors' offices and trial courts throughout New Jersey. The PROMIS/GAVEL System, a computer-based information system, serves as a management tool for tracking cases, scheduling hearings and producing trial court calendars, providing subpoenas and witness lists, and preparing statistical and analytical reports.
 - **Prosecutors Supervisory Section.** The Prosecutors Supervisory Section is the primary liaison between the Attorney General and the 21 county prosecutors' offices. In addition, the Section processes complaints received concerning allegations against county prosecutors or their staffs, reviews and refers for the Attorney General's approval petitions for witness immunity sought by county prosecutors, and coordinates a statewide victim/witness program.
 - **Research and Evaluation Section.** The Research and Evaluation Section's major areas of responsibility include: research involving issues confronting the criminal justice system and prosecutorial function; evaluation of projects focusing on specific criminal justice programs and activities; issue oriented reports arising from immediate criminal justice needs or problems; and active participation in task force groups, contributing analytic, research or evaluation skills as needed.
 - **Solid Waste Unit.** The primary responsibility of this Unit is the investigation and prosecution of anti-competitive practices, racketeering, and other illegal practices in the solid waste industry.
 - **Special Prosecutions Section.** The Special Prosecutions Section investigates and prosecutes major criminal offenses having statewide significance with particular emphasis on those cases dealing with organized crime or official corruption and coordinates State Police investigations utilizing electronic surveillance.
 - **State Grand Jury Litigation Section.** This Section, newly established in November 1983, prosecutes state grand jury indictments referred from other investigative sections.
 - **State Grand Jury Unit.** This Unit operates the State Grand Jury, the investigative arm of the courts within the criminal justice system.
 - **Tax Evasion Unit.** The Tax Evasion Unit, newly established in October 1983, was formulated to prosecute tax fraud cases on the state level. Concurrently, the Tax Evasion Task Force was created within the Division of Taxation to identify and refer tax fraud cases to the Division for prosecution.
 - **Training Section.** The Training Section is responsible for planning and delivering training and educational programs designed to improve the overall efficiency and effectiveness of all Division personnel, prosecutors' staffs, and other county and local law enforcement officers.
 - **Trial Section.** The Trial Section is primarily responsible for the disposition of all matters involving apparent or actual conflicts of interest in which the Attorney General has superseded a county prosecutor's office. Additionally, the Trial Section prosecutes criminal and quasi-criminal matters referred by other state agencies.
 - **Unemployment Fraud Unit.** This Unit investigates and prosecutes matters involving unemployment tax fraud or claimant fraud.
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FUNCTIONS AND ACTIVITIES

Responsibilities and activities conducted by sections and units within the Division, although individualized, can also be described as functional categories. Each function contributes to and is necessary for the Division's overall goal to achieve uniform and efficient enforcement of the criminal law and administration of criminal justice in New Jersey.



DCJ Antitrust Investigation

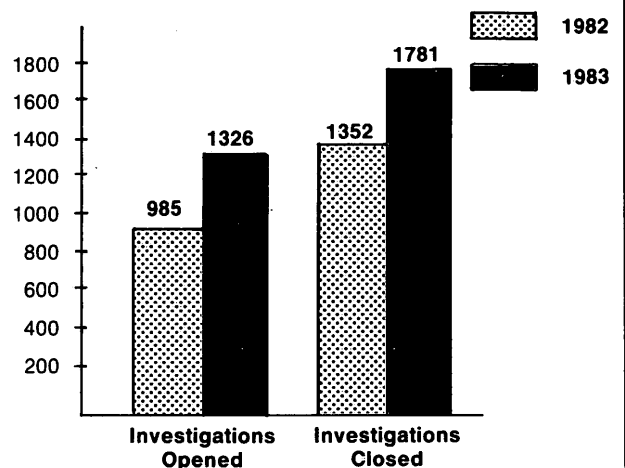
Investigations and Prosecutions

New Jersey has long recognized that criminal conduct does not respect county boundaries and that criminals operate throughout the state. The Division's statutory mandate to obtain "effective and uniform enforcement of the criminal laws throughout the state" has led it to establish various sections and units, the names of which help to pinpoint principal problem areas: Antitrust, Casino Prosecutions, Environmental Prosecutions, Major Fraud, Medicaid Fraud, Tax Evasion, Unemployment Fraud.

In addition, the Division's Special Prosecutions Section concentrates on criminal cases having statewide significance in the areas of official corruption and organized crime. The newly-revived Program Integrity Section focuses on fraudulent misapplications of public funds in government agencies and operations. In general, Division investigation and prosecution activities concentrating on these target areas run the gamut of criminal activity. However, to avoid duplicating the efforts of the county prosecutors, the Division focuses on cases of statewide significance or which require sophisticated, complex enforcement strategies.

During 1983, 1,326 investigative cases were opened and 1,781 were closed division-wide. This reflects an increase over the 985 investigations opened and 1,352 investigations closed during 1982.

Division of Criminal Justice Investigations
Opened/Closed 1982-1983



During 1983, the number of investigations opened and closed division-wide increased over the prior year.

A more detailed analysis of Division investigative work volume follows.

Division of Criminal Justice Work Volume 1983

Section/Unit	Investigations	
	Opened	Closed
Antitrust, Solid Waste	152	102
Casino Prosecutions	189	324
Environmental Prosecutions	269	446
Major Frauds	50	91
Medicaid Fraud	143	128
Program Integrity	25	11
Tax Evasion	26	6
Unemployment Fraud	131	256
SGJ Litigation	101	4
Special Prosecutions	240	413
Division Total	1,326	1,781

Computers are playing an increasingly significant role in criminal investigations conducted by the Division. The Tax Evasion Unit, for example, is implementing a computerized case tracking system which will also permit rapid access to and categorization of information pertaining to dollar amounts of tax liability, geographical distribution of cases, rate of dispositions, trial activity, sentencing and post-conviction follow-ups. The Medicaid Fraud Section now uses a data processing system which

has greatly streamlined investigations concerning pharmacies and has helped the section increase its conviction rate by 192% over 1981 levels. Medicaid Fraud is developing three new computer targeting projects which will strengthen pharmacy investigations, as well as facilitate probes of physicians, hospitals, nursing homes, clinics and laboratories.

Moreover, to assist in investigative activities, the Division introduced a fugitive tracking system during the past year. In addition, the Northeast Hazardous Waste Project, administered by the Division, initiated a program to computerize information on individuals and businesses involved in hazardous waste transportation, storage and disposal.

The bulk of the investigative work performed by the Division is channeled through the State Grand Jury. The State Grand Jury (SGJ) necessarily forms the keystone of the Division's prosecutorial efforts. Subpoenas for criminal investigations are issued by the State Grand Jury and defendants are formally charged through indictment by the State Grand Jury.

During calendar year 1983, 23 state grand juries convened for a total of 228 grand jury days. (Twelve SGJs were impanelled during 1983 and eleven SGJs previously impanelled were held over for continued work.) A total of 117 indictments were returned and 21 accusations were filed. As a result of these activities, 325 defendants were charged by indictment or accusation; 298 defendants were individuals and 27 were corporations.

1983 State Grand Jury Activities

SGJ Activity	Total	Total Defendants	Individual Defendants	Corporation Defendants
SGJ Indictments	117	301	277	24
SGJ Accusations	21	24	21	3
SGJ Activity Total	138	325	298	27

Of the total number of indictments and accusations filed during 1983, 33% involved theft offenses, 11% involved controlled dangerous substance offenses, 10% involved official misconduct, 7% involved hazardous waste, and 7% involved bribery. The remaining charges include murder, assault, perjury/falsification, gambling, medicaid fraud and other offenses.

1983 SGJ Indictments/Accusations by Most Serious Offense Charged

Offense Category	Number of Indicts./ Accus.	Percent of Total
Theft	46	(33%)
Drug Violations	15	(11%)
Official Misconduct	11	(8%)
Hazardous Waste Violations	10	(9%)
Bribery	10	(7%)
Gaming-Related Violations	9	(7%)
Medicaid Fraud	7	(5%)
Assault	5	(4%)
Perjury/Falsification	5	(4%)
Gambling	5	(4%)
Murder	4	(3%)
Other	11	(8%)
TOTAL	138	(100%)

In the course of investigating a case, it is sometimes decided to present the matter to a county grand jury for indictment. This occurs in instances where the state conducts the initial investigation, as well as in county supersession matters. During 1983, 116 such indictments were returned by county grand juries, charging 159 defendants.

Traditionally, those sections within the Division charged with the responsibility of investigating specific areas of crime also conducted prosecution activities upon indictment. However, in November 1983, the State Grand Jury Litigation Section was



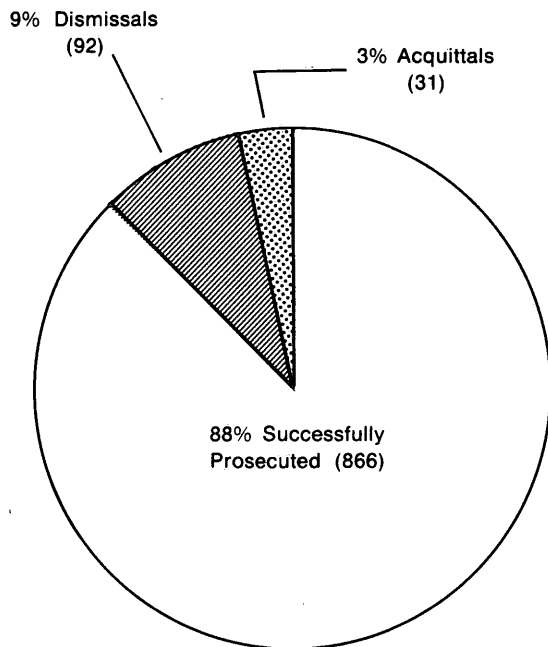
**State Grand Jury Case
Presentation**

established to handle the majority of cases in all post-indictment stages. Establishment of this Section is intended to centralize most State Grand Jury case trial activity where previously this function was decentralized throughout the various sections within the Division. Centralization, in combination with the assignment of experienced staff within the Section to handle litigation activities is intended to maintain high trial standards, increased efficiency and effectiveness. The establishment of this Section is designed to marshal a cadre of specialized trial lawyers while at the same time freeing attorneys in other sections to concentrate more heavily on investigations.

As a result of prosecution activities division-wide, criminal charges against 989 defendants were disposed of during 1983. This includes defendants charged through both state grand jury and county grand jury indictments or accusations.

- Of the total defendants disposed, 866 (88%) were successfully prosecuted.*
- Of the remaining 123 defendants, 9% were granted dismissals and 3% were acquitted during trial.

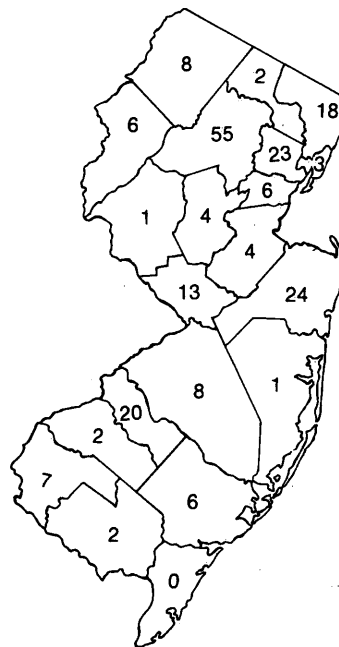
Defendants Disposed and Manner of Disposition



A second major area of prosecutorial activity for which the Division is responsible is county supersession cases. The Division of Criminal Justice, on behalf of the Attorney General, may supersede the county prosecutor for the purpose of prosecuting criminal matters which involve apparent or actual conflicts of interest. Supersessions thereby, safeguard the public interests of the state and ensure the integrity of the state criminal justice system. County supersession cases are primarily the responsibility of the Division's Trial Section.

County supersession matters are referred from any of the 21 county prosecutor's offices. During 1983, cases were received and accepted for supersession from 20 counties. A total of 216 supersession cases were opened by the Division's Trial Section for prosecution.

Supersession Cases Opened during 1983 by Originating County



*This includes those cases where the defendant was convicted through plea or trial as well as those cases where adjudication was withheld on the presumption of no further offense being committed.

Supersession cases handled by the Trial Section encompass a variety of criminal incidents, including murder, manslaughter, robbery, rape, assault, arson, sex offenses and narcotic violations. A summary analysis of county supersession cases by offense category follows.

1983 County Supersession Cases

Offense Category	Number Closed
Drug Violations	46
Assault	35
Theft	33
Forgery/Fraud	16
Murder/Manslaughter	10
Robbery	10
Burglary	9
Weapons	8
Rape/Sex Offenses	6
Arson	3
Misconduct	2
Other	36
TOTAL	214

In addition to criminal prosecution, the Division of Criminal Justice participates in civil litigation, including forfeiture actions, antitrust litigation as well as other civil proceedings. Application of available civil remedies and sanctions provides law enforcement authorities with the needed tools to fight criminal activities and protect the public.

Forfeiture statutes authorize the forfeiture of property which, because of its connections with criminal activity, is considered contraband. Such statutes are based on the principles of constitutional law that no owner of property has a vested right to use or to allow the use of such property for purposes injurious to the public.

The state racketeering statute, used in targeting racketeering influenced corruption operations (R.I.C.O.), contains civil as well as criminal sanctions. Specifically, the statute is designed to fight the infiltration of legitimate businesses by organized criminal elements. The law prohibits the use of "strong arm" methods to force the investment of organized crime or racketeer funds in legitimate businesses. Among the civil remedies provided by the statute are: divestiture of interest, corporation dissolution or reorganization, and loss of charter or license to do business in the state.

The Division frequently utilizes civil remedies in antitrust enforcement. They are used both in conjunction with criminal remedies and alone, depending upon the facts and nature of the case and proofs available. Fines and penalties imposed as well as settlement awards arrived at as a result of civil proceedings in matters involving antitrust violations generate revenue to restore damages suffered by the state, its political subdivisions and the public. Restraining orders and injunctive actions against antitrust violators provide further protection to the public against anti-competitive price-fixing activities.

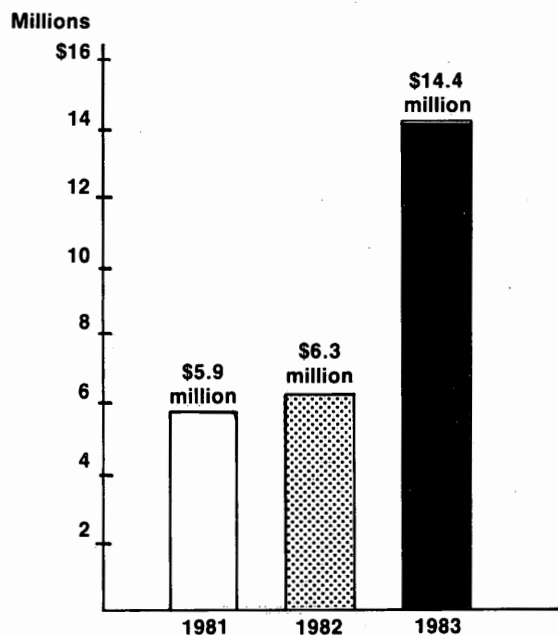
Other types of civil proceedings and sanctions are initiated against criminal offenders as a result of Division prosecution activities and recommendations. For instance, criminal offenders prosecuted by the Division for medicaid fraud, insurance fraud, or official misconduct frequently are subject to suspension of professional licensure and loss of public office.

The Division of Criminal Justice, as a result of its prosecution efforts and activities, generates substantial revenue for the state. In 1983, over \$14.4 million were assessed through fines, penalties and antitrust settlement awards.

These monies offset not only Division operating costs, but also operating costs incurred by other levels of government. In addition, some monies are used to restore damages suffered by both government agencies and the public as a result of criminal activity and violations of New Jersey laws. Further, monies recovered as restitution compensate vic-

timized parties, including various government agencies for losses and damages suffered as a result of criminal activity.

Monies Assessed as a Result of Division Prosecution Activities 1981, 1982 and 1983



Over the past three years, monies assessed as a result of Division prosecution activities have increased.

Significant Division Cases for 1983

- State v. Trade Waste Assn., et al.** On October 17, 1980, the State Grand Jury returned a multi-defendant indictment charging criminal conspiracy and restraint of trade. This large-scale solid waste antitrust conspiracy involved 31 individual defendants, 24 businesses and two trade associations. Since the inception of the case, 44 defendants have been convicted and assessed fines and civil penalties totalling \$767,500.
- Kimmelman v. Southgate Trading Corp., et al. State v. Petillo, et al.** These two related civil and criminal cases involved a state probe into organized crime in connection with a brothel in Brick Township, New Jersey. Eighteen defendants were indicted by a state grand jury for various criminal offenses including extortion, prostitution, robbery and possession of various controlled substances. Most of the defendants have pleaded guilty and await sentencing. One defendant is a fugitive. The civil action has resulted in the forfeiture to the state of real and personal property (estimated value \$750,000) used in connection with the brothel operation.
- In re Chicken Antitrust Litigation.** This civil action has brought nearly \$2 million to the state as part of an antitrust settlement involving 15 states.
- State v. Quintana.** A state grand jury indicted the former finance director of the Jersey City Medical Center on conspiracy and kickback charges arising out of his relationship with two New York collection agencies. Both he and the presidents of the collection firms pled guilty in a case involving \$11,000 of medicaid fraud. Quintana was sentenced to three years in prison and fined \$7,500. The owner of one of the collection firms was fined \$117,500, ordered to make restitution of \$150,000, and sentenced to a weekend in jail and 1,000 hours of community service.
- State v. Crews.** Defendant, part owner of the Leander Psychological Institute in Trenton, was convicted of medicaid fraud in the amount of \$5,000 following an eight day trial. She is currently awaiting sentencing.
- State v. Madison.** Edward Madison, M.D, was convicted of medicaid fraud in the amount of \$2,300 following a 15-day trial. He was removed from his post as Hudson County deputy medical examiner, fined \$5,000, ordered to make full restitution and perform 500 hours of community service, and placed on probation for five years.

- **State v. Kluxen, et al.** Five technicians in the radiology departments of four northern New Jersey hospitals pled guilty to theft of silver reclaimed from x-ray film. The aggregate theft amount was approximately \$27,000. The aggregate amount of fines and restitution totalled nearly \$16,000.
- **State v. Diaz Contracting Co.** After pleading guilty, the defendant was ordered to make restitution in the amount of \$132,631.64 for failing to remit unemployment compensation contributions.
- **State v. Stern and Randall.** Jacob Stern and Eileen Randall pled guilty to conspiracy to defraud the state of \$32,000 of unemployment funds as well as five counts of theft by deception.
- **State v. Greer and Lynn.** Defendants were indicted by a state grand jury for illegally receiving over \$25,000 in unemployment compensation benefits by establishing a fictitious company and creating non-existent employees. Greer pled guilty and was sentenced to 180 days in jail, fined \$1,000 and ordered to make restitution. Lynn is awaiting trial.
- **State v. Schlanger, et al.** Twenty defendants in this 55-count state grand jury indictment were charged in a complex scheme to defraud 15 insurance companies. The indictment alleges that the defendants falsified medical records and created phony accidents to defraud the victims of more than \$1 million. The defendants include three lawyers, five doctors and three insurance company adjusters. To date, one defendant has pled guilty and the others are awaiting trial.
- **State v. Burke, et al.** In another insurance fraud case, five licensed insurance agents pled guilty to accusations admitting a conspiracy to defraud insureds through the assigned risk plan. All defendants were ordered to make restitution and one was sentenced to three years in prison.
- **State v. Paterson.** Defendant, owner of the Lawrenceville Biofeedback Center, pled guilty to defrauding 20 insurance companies of over \$10,000 by submitting claims for fictitious treatment. He was fined \$2,500 and ordered to make restitution.
- **State v. Egan.** Defendant Joseph V. Egan, III and his corporation, the W.F. Keegan Co., were charged by a state grand jury with conspiracy and theft of over \$300,000 from N.J. Department of Transportation. Two other co-conspirators previously pled guilty. The matter is awaiting trial.
- **State v. Roe.** Defendant, a licensed lottery agent, was convicted after trial of defrauding the State Lottery Commission of approximately \$15,000. He was sentenced to probation and ordered to make restitution.
- **State v. Goldman.** Arthur Goldman, former president of Fairway Ford, Inc., an auto dealership, pled guilty to a four count accusation charging him with defrauding the Ford Motor Company of \$178,000. The defendant forged title documents and manipulated his corporate books and records to conceal the theft. He is awaiting sentencing.
- **State v. Bonner.** Defendant, a former supervisor with Chevron Oil, was charged in a 12-count indictment with extortion and theft of over \$45,000 from contractors doing business at a Chevron refinery, as well as with state income tax evasion. The investigation is continuing.
- **State v. Clark.** Larry Duane Clark, an executive with Shearson/American Express was indicted for embezzling over \$50,000 from six of his clients by forging their names on authorization slips and withdrawing from their security accounts. He is awaiting trial.
- **State v. CPS.** The CPS Corporation and four of its officers were indicted by a state grand jury for illegally dumping hazardous waste into Middlesex County Sewage Authority lines over a three year period. The defendants are awaiting trial.
- **State v. Gain.** Defendant was sentenced, after being found guilty at trial, to seven years in state prison and fined \$10,000. The variety of charges emanated from a conspiracy to illegally dispose of three trailer loads of hazardous waste.
- **State v. Macaluso.** Defendant was found guilty of conspiracy, bribery and solicitation of misconduct in connection with a solid waste collection contract, and sentenced to 12 years in state prison.

and fined \$25,000. He later pled guilty to a Morris County bid-rigging charge and was sentenced to 2-3 years in state prison and fined \$7,500.

- **State v. Kit Enterprises, et al.** A 50-count state grand jury indictment centering around a scheme to defraud 13 waste generators of approximately \$1.6 million and which resulted in the illegal dumping of some 13 million gallons of largely untreated waste into the Elizabeth sewer system, charged eight defendants with various offenses. All but one defendant have pled guilty and are awaiting sentencing.
- **State v. Barone, et al.** Two individuals and one corporation were named in a 34-count state grand jury indictment charging them with causing a risk of widespread injury by the unlawful placement and reckless operation of a hazardous waste facility, along with numerous other hazardous waste violations. The defendants are awaiting trial.
- **State v. Simons.** Defendant, a homicide investigator with the Essex County Prosecutor's Office, pled guilty to an accusation charging him with theft by deception for concealing his full-time employment as a teacher with the Newark Board of Education. He simultaneously held the two jobs for more than six years. He awaits sentencing.
- **State v. Kilbridge, et al.** Twenty-one defendants, including two Jersey City policemen, were charged in eight state grand jury indictments with official misconduct, conspiracy, theft, receiving stolen property and criminal usury. Thus far, 16 have pled guilty and five await trial. Property valued at \$55,000 used in the commission of the offenses has been forfeited to the state.
- **State v. DiBenedetto.** Defendant, a Newark police officer, was indicted for bribery, official misconduct and extortion for his involvement in the renewal of a Newark tavern's liquor license. He pled guilty to bribery and official misconduct and awaits sentencing.
- **State v. Della Vecchia, et al.** A state grand jury returned nine indictments charging 27 individuals with various drug and weapons charges, including the manufacturing of methamphetamine. The investigation will severely disrupt the illegal meth-

amphetamine market in central and southern New Jersey. The defendants are all awaiting trial.

- **State v. Williams and Manning.** A state grand jury indicted the two defendants for murder, robbery and escape in the murder of State Trooper Phillip Lamonaco. The defendants are part of an underground radical group and have been fugitives for two years.
- **State v. Durham.** Defendant pled guilty to one count of cheating and swindling at casino gambling. He was sentenced to 13 months in state prison and fined \$5,000.
- **State v. Vaccaro.** Defendant was sentenced to 13 months in state prison and fined \$5,000 after pleading guilty to cheating and swindling at casino gambling.
- **State v. Petrone, et al.** Three defendants were indicted as a result of a credit scam on various Atlantic City casinos. One defendant has pled guilty to two counts of theft by deception. The other two are fugitives.
- **Video Lottery Presentment.** After an exhaustive probe into charges that a proposed video lottery system was plagued by conflicts of interest and misconduct by state officials, a state grand jury handed up a presentment recommending 11 major statutory changes to avoid similar such episodes. The recommendations focus on developing restrictions to limit private dealings between public employees and persons or entities doing business with the state. While the investigation revealed that the Lottery Commission's integrity was not implicated, an indictment was returned against its former chairman, Reese Palley, for various offenses relating to his attempts to conceal his private business dealings. The matter is expected to come to trial during 1984.
- **Vernon Valley.** After the State Commission of Investigation completed an 18 month probe of charges that the Vernon Valley Recreation Association was defrauding the state of rental monies and was fraudulently concealing its non-compliance with lease provisions relating to insurance coverage, a state grand jury last spring began an exhaustive investigation which is expected to be completed early in 1984.

County Supersession Matters

- **State v. LaCugna and Perry.** This matter, referred from Morris County, involved felony murder. The case was successfully prosecuted and both defendants were convicted at trial. Upon receipt of the murder case, various robbery charges pending against the defendants in other counties were consolidated and presented to the State Grand Jury. The grand jury presentation was based upon the theory that the defendants were engaged in an ongoing criminal conspiracy to commit robberies against unsuspecting individuals by administering the drug, scapalomine. The murder charge resulted when one of the victims died from a drug overdose.
- **State v. Tangarife.** This case, also referred from Morris County, involved one of the largest drug operations to date in that county. The case, involving a 39-count indictment, was returned by the Morris County Grand Jury against the eight defendants participating in a cocaine distribution network. Six of the eight original defendants are now incarcerated as a result of the Division's prosecution efforts. The ring leader, Abel Tangarife, was sentenced to a 15 year state prison term.
- **State v. Savidge.** Defendant's motion for a new trial based upon an alleged recantation by a state's witness was denied after a televised hearing was held before Judge Kramer. The case remains highly publicized after a ruling by the Appellate Division authorized the defense to test physical evidence of finger prints by a new "Duraprint" method. The network television program "Sixty Minutes" has filmed segments of the case and has expressed an interest in filming the "Duraprint" test.
- **State v. Pezzillo.** After pleading guilty to seven counts of forgery and one count of false swearing before the Bergen County Grand Jury, the defendant was sentenced to a nine month jail term and fined \$8,000. The case involved an election fraud in which the defendant forged signatures on petitions in an attempt to force a recall election of Hackensack officials after the defendant had lost his bid for those seats.

Criminal Justice System Coordination

Criminal justice system coordination is essential to the uniform and efficient enforcement of the criminal law and the administration of criminal justice. This involves encouraging cooperation among all law enforcement agencies, coordinating and developing resources, and introducing improvements in prosecutorial procedures. Another major aspect of system coordination involves instituting criminal justice system improvements through legislative initiatives and new programming.

To fulfill these responsibilities the Division assumes a leadership role in a number of activities, including:

- Centralization of the appellate process.
- Interpretation of the criminal law and court decisions.
- Provision of technical assistance, consultation services, and general supervision of county prosecutors' offices.
- Provision of training and advice to state and local law enforcement agencies as well as other state agencies.
- Participation in cooperative initiatives with other criminal justice law enforcement agencies on matters of mutual concern.

In 1983 Division attorneys were involved in numerous court cases interpreting the New Jersey penal code, and specifically the capital punishment statute. Moreover, the Appellate Section assisted in the uniform interpretation and application of the law through the issuance of advisory opinions, publication of *The Criminal Justice Quarterly*, and revision of the *Penal Code Charging Manual*.

The Prosecutors Supervisory Section assumes major responsibility for supervising county prosecutors' offices. Acting on behalf of the Attorney General, the Prosecutors Supervisory Section re-

views all allegations against county prosecutors and their staffs. During 1983, the Section investigated 241 complaints against county prosecutors' offices. In addition, this Section, as liaison with the county prosecutors, provides technical assistance and advice, management assistance and coordination services. For instance, the Section continues to actively coordinate victim/witness services statewide, including: the development of an information pamphlet concerning victim/witness assistance, preparation of guidelines concerning victim/witness rights, and expansion of victim/witness services within prosecutors' offices.

Investigative sections within the Division also contribute to system coordination. These sections provide county prosecutors and local law enforcement with ongoing advice, technical assistance and training. For instance, the Environmental Prosecutions Section and Northeast Hazardous Waste Project provide training and expertise in the investigation and prosecution of hazardous waste matters.

Moreover, the PROMIS/GAVEL Project, administered by the Division, through its efforts to introduce data processing to county prosecutors' offices and trial courts, also contributes to criminal justice system coordination. Computer systems are installed in five counties (Camden, Gloucester, Middlesex, Morris and Somerset) and preparations are underway in Essex and Atlantic Counties.

The Division also assumes a leadership role through participation in commissions and task forces addressing various criminal justice issues, for example: The Criminal Disposition Commission; Statewide Speedy Trial Coordinating Committee; Supreme Court Criminal Practice, Evidence and Model Jury Charges Committees.

The Administrative Section provides system coordination via a support function to the bureaus, sections and units within the Division, and also provides management and technical assistance services to the county prosecutors' offices. The Section also oversees confidential fund accounts at the county level, and conducts various audits and financial analyses.

Legislative Activities

The primary purpose of Division legislative liaison activities is to represent the interests of the Attorney General in all legislative matters affecting the criminal justice system. Legislative Liaison Unit staff works with the Office of the Attorney General, the Legislature and the Governor's Office, and provides staff assistance to the County Prosecutors' Association on legislative matters. This Unit, in conjunction with Appellate Section staff, prepares legislative initiatives and proposals, conducts legislative analyses, and provides comments on legislation to benefit statewide law enforcement and criminal justice. Other activities relating to the legislative services function include: provision of legal advice regarding legislation (pending and enacted) to county prosecutors' offices, state and public agencies and the interpretation of bills.

During 1983, Division attorneys drafted legislation concerning the rights of crime victims, sentencing provisions for aggravated manslaughter and kidnapping, capital punishment law, and the mandatory suspension of law enforcement officers upon indictment for criminal offenses.



DCJ Legislative Liaison Activities
(Photo furnished by New Jersey Newsphoto)

Other legislative projects of significance include the preparation of a legislative initiative decriminalizing the possession of antique cannons, comments on bills concerned with the use of deadly force, and comments on a bill dealing with resentencing on the basis of a defendant's physical condition. In addition, efforts are underway to prepare amendments to a bill governing the selection, training and use of special officers, as well as a bill to regulate the strip searches of detained suspects.

Appellate Litigation

The Division of Criminal Justice has statewide responsibility for the prosecution of criminal appeals. Appellate Section deputies handle matters before the State Supreme Court, Appellate Division and trial courts as well as the Third Circuit Court of Appeals, federal district court and the United States Supreme Court. During 1983, 2,377 appeals were opened, 1,725 appeals were disposed and 1,879 briefs were filed.

Division attorneys also took part in appellate litigation where issues related to death penalty procedures were challenged. For example, in *State v. Williams*, bail procedures in capital cases were resolved by the Appellate Division. In *State v. Nicely and Bass*, overbroad subpoenas *duces tecum* issued by the defendants against the Attorney General, the county prosecutors and the Division of Youth and Family Services were successfully quashed by the Supreme Court upon this Section's application. The Division also participated in the State Supreme Court matter of *State v. Williams and Koedatich*, where standards for closure and public attendance at pretrial hearings and capital cases were developed.

Steps are underway to streamline appellate litigation activities to cope with an increased workload. Workload increases are attributed to the impact of the new penal code, the speedy trial program, the intervention of the appellate courts in monitoring the

case output by the state Public Defender, and the creation of a special five-judge panel within the Appellate Division to exclusively handle criminal matters. To manage the increased case load, the Appellate Section is developing summary procedures and is instituting a plan to refer criminal appeals to county prosecutors' offices.

Since the Division has primary responsibility for all criminal appeals, there are literally hundreds of significant matters. A few of these cases follow:

- In **State v. Masino**, the State Supreme Court adopted the state's position that the element of "substantial distance" in the kidnapping statute was not to be interpreted in a strictly linear fashion, but rather encompassed a situation where a victim suffered harm beyond the felony perpetrated upon him or her.
- In **State v. Esteves**, the Supreme Court ruled that a full search of an automobile and its contents was permissible when the police officers demonstrated that such an intrusion was necessary to identify potential criminal defendants and for self-protection.
- The Supreme Court upheld the constitutionality of the state's drug paraphernalia "head shop" law in **Town Tobbaconist, Inc. v. Kimmelman**.
- In **State v. Hall**, the Supreme Court ruled that investigative detentions based upon less than probable cause were constitutional so long as certain minimal guidelines were followed. The United States Supreme Court subsequently denied review of this decision.
- In **State v. Des Marets** and **State v. Appleton**, the Supreme Court upheld the constitutionality of the "Graves Act" minimum parole ineligibility terms for use of a firearm during the commission of certain enumerated offenses.
- In **State v. Serrone**, the Supreme Court ruled that a defendant may be sentenced to consecutive life terms for the commission of multiple murders.

- In **State v. Giorgianni**, the Appellate Division upheld this sex offender's reincarceration by the trial court after rejecting defendant's claim that he was too ill to be imprisoned and that his reincarceration violated double jeopardy. The Supreme Court of New Jersey denied certification. Subsequently, the federal district court dismissed the defendant's petition for habeas corpus and denied his motion for bail.

- In **State v. Johns and Ollivierre**, the Appellate Division upheld the rape shield law as applied to a victim's previous sexual conduct with the defendant and the propriety of the court's charge pursuant to *N.J.S.A. 2C:14-5(a)* that the jury should not take into account the victim's resistance when determining the defendant's guilt or innocence.
- In **State v. Corruzzi**, the Appellate Division upheld the conviction of a Superior Court judge for bribery and misconduct. The State Supreme Court later denied review in this matter.

The most significant pending matter is **New Jersey v. T.L.O.** In this case, the United States Supreme Court granted certiorari on the petition of the Appellate Section to review the decision of the State Supreme Court holding that the Fourth Amendment exclusionary rule applies to school searches conducted by school officials.

Also of great importance in the New Jersey Supreme Court is the question of the reliability of the breathalyzer test in drunk driving prosecutions. Although the Division was not involved in the initial municipal court matter where the breathalyzer was ruled to be an unreliable indicator of a person's blood alcohol content, Division attorneys assumed responsibility to limit the effect and seek a reversal of this decision. Thus, in **Romano v. Kimmelman**, the Division successfully secured a ruling from both

the Appellate Division and Supreme Court that the municipal court decision could not serve as a state-wide bar in other cases against use of evidence derived from breathalyzer tests. The Supreme Court also ruled, at the state's urging, that a new hearing in the Monmouth County District court be held to determine the scientific reliability of the breathalyzer machine. As a result of that hearing, the breathalyzer was determined to be reliable. Thereafter, the Appellate Section briefed and argued the reliability issues before the State Supreme Court, where an ultimate decision is expected in the near future.

Administrative Functions

Administration and management of Division operations depend upon the support functions performed by two sections, the Administration Section and the Information and Records Management Section.

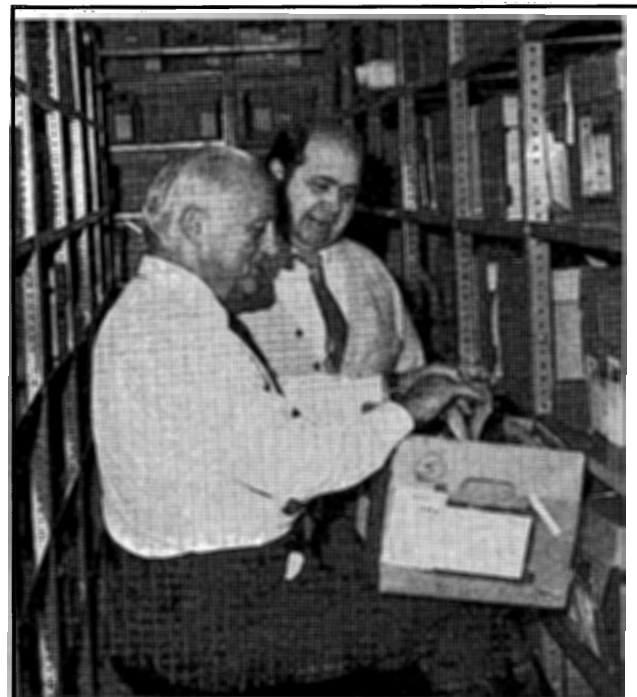
The responsibilities of the Administration Section include the implementation and management of an \$8.8 million budget for fiscal year 1984 and preparation of the \$9.6 million budget for fiscal year 1985. In addition, the Section oversees the Police Training Commission budget funds (\$508,000) and the State Medical Examiner's Office budget funds (\$1,300,000), and administers \$2.4 million in state and federal grant funds. Grant funds have been awarded by the State Law Enforcement Planning Agency, the U.S. Department of Health and Human Services, U.S. Environmental Protection Agency and the New Jersey Office of Highway Safety. The Section also supervises the \$1.2 million Antitrust Revolving Fund, as well as reimbursements from the Department of Labor and Industry to cover costs of employment security investigations.

A major administrative function conducted by the Information and Records Management Section is maintenance of a centralized, master index of all matters previously and presently under review by the Division of Criminal Justice. An automated records system produces case lists of pending matters and case status information. For 1983, 2,155 new

cases were processed through the central records system.

Moreover, the Section handles citizen complaints received by the Division. During 1983, the Section processed a total of 1,216 complaints: 1,033 telephone complaints, 136 personal interviews, and 47 written complaints. The Section conducted 409 background investigations regarding new employees within the Division of Criminal Justice and Division of Law as well as legal and investigative personnel within county prosecutors' offices. Additionally, the Section provided 15 divisions within state government with personnel identification.

Another major administrative function of the Information and Records Management Section is the maintenance and control of evidence obtained during criminal investigations. During 1983, the Section initiated a system to insure that notices of indictment and conviction are routinely provided to concerned licensing and regulatory agencies.



DCJ Evidence Vault

Research

During 1983, the Research and Evaluation Section participated in and completed many activities impacting upon and benefiting law enforcement and criminal justice administration statewide as well as internal Division operations. Long-term research projects involving major substantive criminal justice issues included: the Prosecutors' Annual Reporting System; the report, "Electronic Surveillance in New Jersey"; the study, "Drug and Alcohol Use Among High School Students"; and the State Grand Jury Case Disposition Study.

The Prosecutors' Annual Reporting System, implemented for use in 1982 (the initial report year to collect preliminary data), provides a comprehensive and reliable reporting format to gather information concerning statewide prosecution. The electronic surveillance report, issued during 1983, describes the use of electronic surveillance as a productive law enforcement tool against organized crime, corruption and criminal conspiracies. Moreover, the case disposition study, an ongoing project to track state grand jury indictments and accusations through the criminal justice process, provides a review of the Division's prosecution activities and results. In addition, the Section is preparing to compile and analyze information concerning prosecutors' offices motions to waive juveniles for adult prosecution under the new family court system. Evaluation and analytic functions were performed by conducting several Section analyses within the Division, and included the development of a performance evaluation for state investigators and a division-wide plan for computerization.

Another research project of a specialized nature conducted during 1983 concerns environmental prosecutions within New Jersey and ten surrounding states. This hazardous waste case disposition research was administered by Division staff, in conjunction with the Northeast Hazardous Waste Project. The objective of the research project is to review regulatory and enforcement efforts by analyzing dispositions of hazardous waste criminal prosecutions throughout the participating states.



The Appellate Section, although absorbed in a diversity of activities including the prosecution of criminal appeals statewide, provision of legal advice and preparation of legislative initiatives, also conducts long-range studies with respect to substantive legal issues and procedural issues. During 1983 the Appellate Section participated in studies concerning capital punishment issues, specific legislative initiatives and insanity defense practices.

Training

Training conducted by the Division is an important means of providing leadership to state law enforcement and the criminal justice community. Moreover, the training function has been integrated into the implementation of policy decisions. Although most training is the responsibility of the Training Section, other sections are also involved in and coordinate training activities.

During 1983, training programs were conducted to implement systems by which hazardous waste investigations and select criminal appeals would be referred to county prosecutors' offices. In addition to providing information regarding the case referral process, the training provided instruction in investigation and prosecution procedures. For instance, to assist county and local law enforcement agencies in assuming responsibility for hazardous waste investigations, the Environmental Prosecutions Section conducted 19 one-day awareness seminars throughout the state. The seminars, attended by 1,238 participants, were conducted to acquaint law enforcement officials, as well as health code and fire inspectors with the signs and symptoms of the illegal handling and disposal of hazardous waste. In preparation for the referral of certain appellate matters to county prosecutors' offices, the Appellate Section conducted a two-day seminar in litigating appellate matters.

Programs conducted by the Division Training Section are diverse. During 1983, the Section planned and delivered a total of 64 training programs, including:



DCJ Training

- An in-service course for state investigators covering topics such as arrest law and procedure, rules of evidence, interview and interrogation techniques.
- A semi-annual, five-week basic course for county prosecutors' investigators/detectives and state investigators.
- A three-week arson investigation course for state and local law enforcement and fire agency representatives.
- A course in the detection, investigation and prosecution of financial crimes and fraud for law enforcement officials and state agency personnel.
- Crime prevention seminars for personnel from state agencies including the Division of Motor Vehicles, Department of Civil Service and Department of Community Affairs.



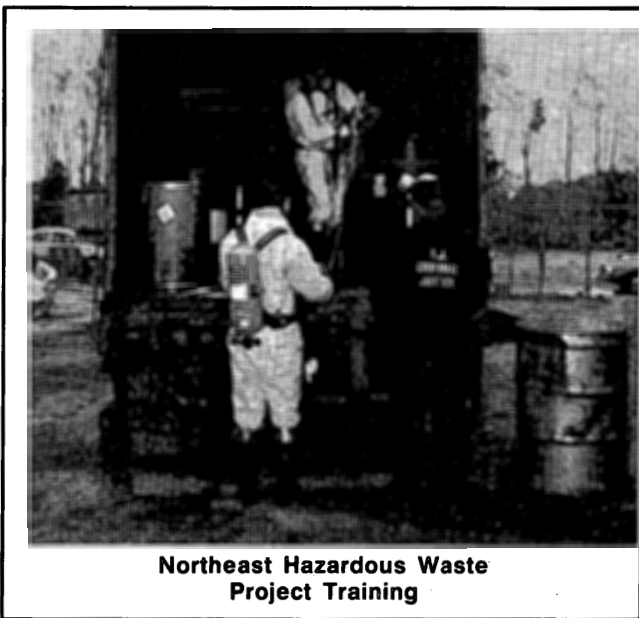
DCJ Training

The Training Section, in conjunction with other state agencies, participated in the development of a Family Court training program, as well as programs concerning child abuse and neglect.

Training is also a major part of the Northeast Hazardous Waste Project and covers specialized concerns such as environmental insurance issues, risk assessment and financial crime in the hazardous waste industry. The Northeast Project has achieved state and national acclaim as a result of training programs which include not only classroom instruction, but also field exercises in handling situations involving abandoned hazardous waste. Training activities directed by this Project have been attended by participants representing 26 states.

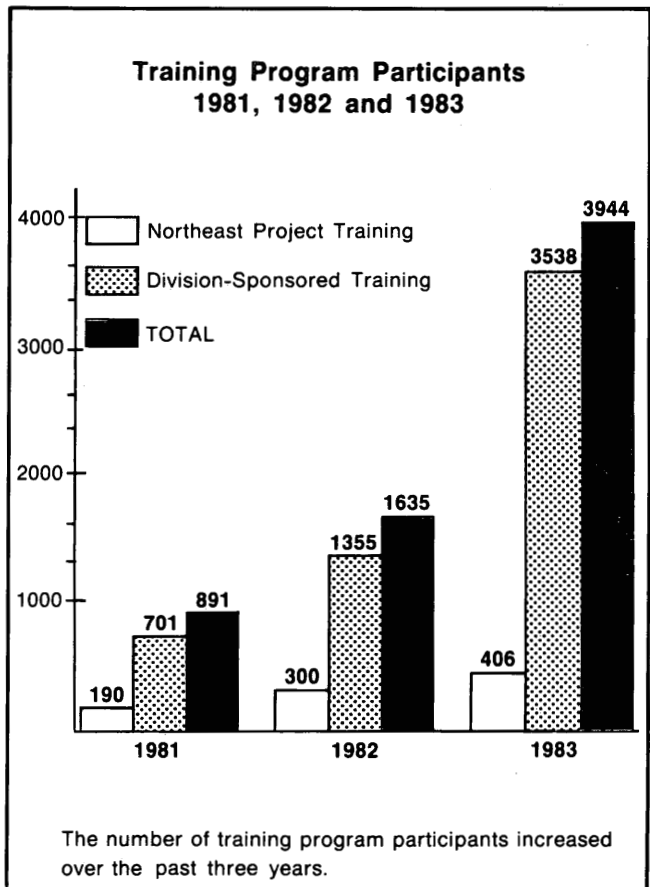
education, training and higher standards of efficiency. The Police Training Commission, established by this Act, is responsible for administering these statutory provisions. The major concern and activity of the Commission is the required program for basic police training. During 1983, a total of 943 police officers throughout New Jersey participated in the compulsory basic training program created and administered by the Police Training Commission. In addition, educational and training courses specifically designed for county prosecutors' detectives, deputy sheriffs and arson investigators were administered by the Commission and conducted at several commission-approved schools.

Other activities undertaken to improve police training statewide include: revisions to existing course curriculums; provision of technical assistance to police training programmers and instructors; and establishment of a Physical Conditioning Advisory Committee to develop criteria for levels of physical



During 1983, a total of 3,944 individuals, representing the 21 counties within New Jersey and at least 26 states, participated in training organized and delivered by Division staff.

The Police Training Act, enacted in 1961, sets forth statutory provisions to improve the administration of local and county law enforcement through





Police Training Commission Meeting

fitness as well as a proposed fitness program. Further, a planning committee was established and a report published, *Police Training in New Jersey: A Prospectus*, outlining recommendations for police training.

The Police Training Commission is also responsible for consulting and cooperating with educational institutions in New Jersey to develop specialized courses in police training and police administration. As a result of such efforts, a graduate program in criminal justice with a concentration in police administration was established at Jersey City State College. Moreover, Commission efforts assisted in developing an agreement with Brookdale College and Monmouth County Police Academy to offer college credit courses to academy graduates.

Forensic Services

The year 1983 was a year of growth for the State Medical Examiner Office. The Edwin H. Albano Institute of Forensic Science experienced its first full year of operation. The autopsy rooms were fully-staffed and operational 24 hours, 365 days. This year, approximately 230 autopsies were performed and 2,908 toxicology cases were received for analysis.

At the request of the governing bodies of Essex and Passaic Counties, the State Medical Examiner assumed responsibility for the professional and administrative activities of the Medical Examiners Offices in both counties. An assistant state medical examiner was designated as acting chief county medical examiner in each of the counties, and progress was realized in raising professional and administrative activities to the standards required by law. The state continued to operate the Gloucester County Medical Examiner's Office and initiated discussions for a possible regional operation within Gloucester and Cumberland Counties.

A chief toxicologist, employed by the State Medical Examiner's Office to direct the forensic laboratory, implemented new methodologies in analyzing body tissues and fluids. The result has been an accelerated reporting time and a reduced backlog of pending cases.

In addition, the Administrative Code has been amended and new rules and regulations have been promulgated by the State Medical Examiner's Office which will greatly improve the quality of medical examiner services throughout the state. The newly-implemented rules and regulations reflect changes in the areas of mandatory and discretionary post-mortem examinations, standards for degree of dissection, conduct of death investigations, and death certifications. The rules and regulations also set standards for minimum facilities necessary for the performance of competent medicolegal autopsies.



**Office of the State Medical Examiner
Forensic Laboratory**

Statistical Summary and Supplemental Information

**DEFENDANTS DISPOSED BY
MANNER OF DISPOSITION
1983**

SECTION/UNIT	TOTAL DEFENDANTS DISPOSED	MANNER OF DISPOSITIONS			
		CONVICTIONS	PTI/COND. DISCHG.	DISMISSAL	ACQUITTAL
Antitrust	10	1	0	9	0
Casino Prosecutions	314	192	63	57	2
Environmental Prosecutions	72	65	0	5	2
Major Fraud	32	31	0	1	0
Medicaid	46	38	5	3	0
Special Prosecutions	83	72	3	8	0
SGJ Litigation	17	13	0	4	0
Trial	270	218	31	5	16
Unemployment Fraud	145	131	3	0	11
DIVISION TOTAL	989	761	105	92	31

**MONIES ASSESSED AS A RESULT OF
DIVISION PROSECUTION ACTIVITIES
1983**

SECTION/UNIT	CRIMINAL FINES/COSTS	RESTITUTION	VCCB* PENALTIES	CIVIL PENALTIES	FORFEITED PROPERTY	ANTITRUST SETTLEMENT AWARDS
Antitrust	\$ 6,000.00			\$ 13,000.00		\$728,048.00
Casino Prosecutions	39,940.00	50.00	3,100.00			
Environmental Prosecutions	800,500.00		725.00			
Major Fraud	30,030.00	62,298.50	2,175.00			
Medicaid	118,000.00	84,955.23	1,200.00	9,721,124.74		
Special Prosecutions	120,450.00	27,200.00	225.00		805,000.00	
SGJ Litigation	14,150.00	9,896.00	295.00			
Trial	73,445.00	101,756.33	9,250.00			
Unemployment Fraud	49,575.00	1,580,968.77				
DIVISION TOTAL	\$1,252,090.00	\$1,867,124.83	\$16,970.00	\$9,734,124.74	\$805,000.00	\$728,048.00

*Violent Crimes Compensation Board

TOTAL \$14,403,357.57

**Division of Criminal Justice
Statistical Summary
1983**

	Investigations		
	Opened	Closed	
INVESTIGATIONS BUREAU			
Casino Prosecutions	189	324	
Environmental Prosecutions	269	446	
Major Fraud	50	91	
Special Prosecutions	240	413	
SGJ Litigation	101	4	
Total	849	1,278	
ECONOMIC CRIME BUREAU			
Antitrust, Solid Waste	152	102	
Medicaid Fraud	143	128	
Program Integrity	25	11	
Tax Evasion	26	6	
Unemployment Fraud	131	256	
Total	477	503	
ELECTRONIC SURVEILLANCE			
Court Authorized		36	
Consensuals		62	
STATE GRAND JURY ACTIVITIES			
Indictments		117	
Defendants Indicted		301	
Accusations		21	
Defendants Charged by Accusation		24	
COUNTY GRAND JURY ACTIVITIES			
Indictments		116	
Defendants Indicted		159	
OPERATIONS BUREAU			
Appellate Activities			
Appeals Opened	2,377		
Appeals Closed	1,725		
Briefs Filed	1,879		
Legislative Liaison			
Legislative Comments		140	
Legislative Initiatives		17	
Prosecutors Supervisory Section			
Prosecutors Advisories		157	
Citizen Complaints Reviewed		265	
Witness Immunity Petitions (County)		32	
Trial Section			
Cases Opened		284	
Cases Closed		368	
ADMINISTRATION BUREAU			
Administrative Section			
Personnel			
New Employees			74
Employees Terminated			68
Applications			583
Information and Records Management Section			
Cases Opened			2,155
Complaint Investigations			1,216
Background Investigations			409
Training Section			
Training Courses/Projects Completed			64
Research and Evaluation Section			
Projects Completed			
Short-Term			23
Long-Term			3
Information Research			16
Police Training Commission			
Basic Course Trainees			3,877
Programs			137
Investigations			149
Office of the State Medical Examiner			
Autopsies Performed			230
County Autopsies Reviewed			5,204
Toxicology Cases			2,908
Investigations			26,095

Location of Hazardous Waste Disposal Sites Investigated by the Division of Criminal Justice

ATLANTIC COUNTY

Hamilton Township
Galloway Township
Pleasantville

BERGEN

Fair Lawn
East Rutherford
Rochelle Park
Carlstadt

BURLINGTON

Florence
Evesham Township
Pemberton

CAMDEN

Pennsauken
Gloucester Township
Winslow

CAPE MAY

Swainton

CUMBERLAND

Vineland

ESSEX

Fairfield
Orange

GLOUCESTER

Pitman
Mantua
Bridgeport
Gibbstown

HUDSON

South Kearny
Jersey City

HUNTERDON

Franklin Township

MERCER

MIDDLESEX

Piscataway
Jamesburg
South Brunswick
Edison Township
Edison Township
Sayreville
Old Bridge
Old Bridge
Monroe

MONMOUTH

Marlboro
Morganville
Asbury Park
Howell Township
Freehold
Upper Freehold

MORRIS

Millington
Chester
Dover
Mt. Olive
Rockaway
Rockaway
Boonton
Parsip./Troy Hills

OCEAN

Bayville
Berkeley
Jackson
Toms River
Pleasant Plains
Bricktown
Plumstead
Plumstead
Plumstead

PASSAIC

Ringwood

SALEM

Pedricktown

SOMERSET

Hillsborough
Montgomery
Rocky Hill Boro
Bound Brook

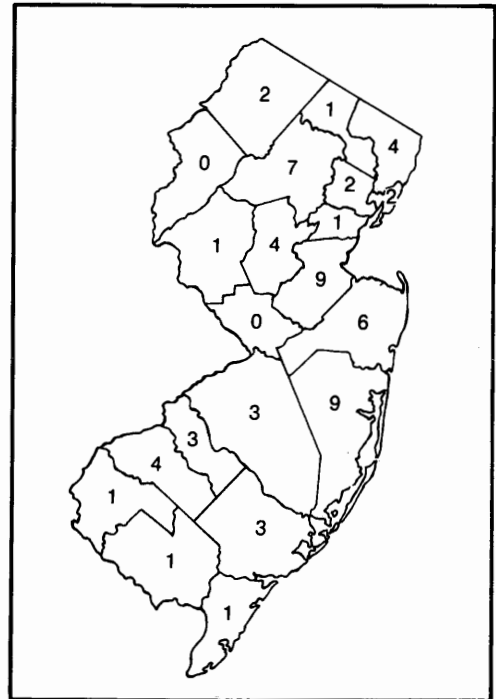
SUSSEX

Franklin Boro
Sparta Township

UNION

Elizabeth

WARREN



DIVISION OF CRIMINAL JUSTICE

TABLE OF ORGANIZATION

