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Gurbir S. Grewal
Attorney General



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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, other 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

- **Michael Bates, 38, of Elizabeth**, was charged yesterday, April 23, by the Elizabeth Police with terroristic threats (3rd degree), disorderly conduct, and violating the emergency orders. Police were dispatched yesterday afternoon to disperse a group that was loitering outside a liquor store in the 100 block of Magnolia Avenue. During the encounter, Bates allegedly threatened to shoot the police officers. Seven people with Bates were charged with violating the emergency orders.
- **Wadim Sakiewicz, 73, of Sparta**, was charged on April 17 by the Sparta Police Department with terroristic threats during an emergency (2nd degree), aggravated assault on an officer (4th degree), resisting arrest (4th degree), obstruction (disorderly persons offense), criminal mischief (disorderly persons offense), and violating the emergency orders. On April 15, Sakiewicz entered Stop & Shop in Sparta without a face mask. When an employee asked him to leave, he became combative, and when a second employee escorted him out of the store, he allegedly said he had the coronavirus and coughed on the employee. The store alerted police, who arrested Sakiewicz on April 17. Sakiewicz allegedly resisted arrest and tried to spit on and bite officers.

- **Robert Schaub, 35, of Lindenwold**, was arrested on April 18 by the Somerdale Police and charged with second-degree terroristic threats during an emergency. Schaub had been prohibited from entering the Wawa store in Somerdale after a recent incident in which he was charged with trespassing there. On April 13, he entered the store again, and a clerk who recognized him told him to leave. Schaub allegedly threatened to spit on the clerk, telling her he had the coronavirus and hoped she would get it and die.
- **Jacob M. Carr, 30, of Barrington**, was arrested on April 19 by the Barrington Borough Police Department on charges of second-degree terroristic threats during an emergency, obstruction (disorderly persons offense), and violating the emergency orders by impeding the performance of an emergency function (disorderly persons offense). After Carr learned that a COVID-19 testing center was being opened at the Rite Aid on Clements Bridge Road in Barrington, he allegedly posted angry messages on the Barrington Parent's Page on Facebook, including "I'm gonna run you all over with my SUV if I see anyone getting tested."
- **Daniel Lurie, 48, of Hampton, N.J.**, was arrested on April 19 by the New Jersey State Police on charges of terroristic threats during an emergency (2nd degree), resisting arrest (3rd degree), throwing bodily fluid at an officer (4th degree), obstruction (4th degree), and violating the emergency orders. State troopers were called to Lurie's residence on a "medical assist" after Lurie called 9-1-1. When troopers arrived, Lurie was combative. He allegedly stated he had the coronavirus and spat and coughed on troopers. He was arrested and taken to the hospital.

Bias Incidents

- **Afrim Haxhaj, 30, of Jackson Heights, N.Y.**, was charged on April 21 by the Fort Lee Police Department with bias intimidation (4th degree) and harassment (petty disorderly persons offense). Haxhaj allegedly confronted a Jewish man in a Dunkin Donuts in Fort Lee on April 20 and told him to get out, saying Jews are responsible for the coronavirus. He allegedly warned the victim not to return. When the victim returned to the Dunkin Donuts on April 21, Haxhaj allegedly threatened him again, saying he does not want Jews in his neighborhood and bumping his chest into the victim. The victim left and called 9-1-1.

Theft of Personal Protective Equipment

- **Kevin R. Brady, 49, of Point Pleasant Beach**, was charged on April 16 with theft by unlawful taking and conspiracy to commit theft, both third-degree charges, in connection with the theft of up to 1,600 respirator masks from Prudential Financial in Iselin. He was charged in an ongoing investigation by the New Jersey State Police, Middlesex County Prosecutor's Office, Woodbridge Police Department, and Point Pleasant Beach Police Department, based on a referral from the National Hoarding & Price-Gouging Task Force headed by New Jersey U.S. Attorney Craig Carpenito. Brady is an on-site electrical contractor who had access to storage areas in the Prudential Financial facility. Between March 27 and April 1, Brady allegedly stole seven to eight cases of N95 respirator masks, each case containing 200 masks. Prudential Financial had intended to donate the masks to a local hospital.

Other Criminal Charges Involving Indictable Offenses

- **Firaz Osman, 18, and three Juvenile Males, all of South Brunswick**, were charged on April 19 by the South Brunswick Police with burglary (3rd degree) and violating the emergency orders. Police responded at about 3:30 a.m. to Point of Woods Drive on a report of persons entering a vacant home. Police officers initially located Osman and two other male youths inside the home. While searching the attic of the residence for the fourth suspect, a police officer fell through the ceiling, injuring his abdomen. The officer was treated at Robert Wood

Johnson University Hospital and later released. The fourth suspect was located by police at his residence.

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 **92 subpoenas** to retailers and online market places reported by consumers for allegedly engaging in unfair price increases.
- Approximately **731 cease-and-desist letters** have been sent or will be sent imminently, 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.

Since the start of the COVID-19 emergency, the Division has logged a total of 3,907 price-gouging complaints involving 2,234 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.

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 183 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

- **Newark Enforcement.** The Newark Police Department's COVID-19 task force issued 324 summonses for violations of the emergency orders and ordered 12 non-essential businesses closed in enforcement actions during the past week, April 17 through 23.
- **Sadik Kocaoglu, 40, of Lafayette,** was charged yesterday, April 23, by the Parsippany Police for opening his vape shop, Puff City on Route 46 West, in violation of the emergency orders. Although he was warned before, police found customers in the shop purchasing vape products.
- **Yovanni Veras, 51, of Fair Lawn,** was charged yesterday, April 23, by the Paterson Police for operating his business, Roberto International Barber Shop at

Pearl and North Straight Streets, in violation of the emergency orders. Police found the barber shop open for business.

- **William Sever, 54, of Clinton, Matthew Reiher, 27, of Clinton, and Kyle Just, 40, of Annandale**, were charged yesterday by the Clinton Township Police Department with violating the emergency orders by playing golf at the Beaver Brook Country Club, which is closed due to the health emergency.
- **Renee F. Perrine, 49, of Toms River**, was charged on April 18, by the Bay Head Police with violating the emergency orders and operating an unregistered vehicle. When she was stopped for operating an unregistered vehicle, she said she was driving around playing Pokemon Go.
- **Andres Torres, 31, and Jose Nolasco, 51, of Union City**, were charged with violating the emergency orders on April 18 by the Union City Police Department. Torres owns La Roca supermarket on Bergenline Avenue in Union City. Police conducted a walk-through and found more than 50 people in the grocery store, with customers crowding around certain sections of the store. This had occurred on at least two prior occasions and the business was warned about occupancy limits. Nolasco is the store manager.
- **Nicholas Natale, 18, Kenneth Booth Jr., 18, Charles Thompson Jr., 19, Richard Karcher, 19, Donald Murray, 19, Jonathan Kinnerman, 20, Shawn Durst, 21, Timothy Durst-McMaster, 22, Michael Ragone, 27, Douglas Miller, 27, and Brian Schaefer, 29, all of Maple Shade**, were charged on April 19 by the Cinnaminson Police with violating the emergency orders. The group was gathered on the bank of Pennsauken Creek near Glenview Drive with a bonfire and alcohol. They used boats and wave runners to get to the location.

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.

COVID-Related Violations of State Alcohol Laws

AG Grewal announced this action by the Division of Alcoholic Beverage Control against a licensee:

Billings, Inc. the entity that holds the liquor license for the **Post Time Pub in Blairstown**, agreed to accept a 45-day license suspension beginning April 17, pending final resolution of ABC charges seeking to revoke the pub's liquor license for twice violating emergency orders limiting bars and restaurants to take-out service only. The charges, filed by ABC on April 6, allege the licensee placed the public in imminent danger by serving alcoholic beverages for on-premise consumption on March 27 and April 2. The charges were filed by ABC after the business was twice issued charges and flouted local law enforcement efforts. The suspension is in the nature of a temporary restraint of Billings, Inc.'s privilege to sell alcohol during the COVID-19 public health emergency. As the merits of the charges have not been determined and the emergency is continuing to evolve, ABC's Enforcement Bureau may seek to extend the suspension and Billings, Inc. may seek to lift or modify the suspension.

Since the state of emergency was declared in New Jersey on March 9, at least 24 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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