



OFFICE OF THE MERCER COUNTY PROSECUTOR

ANGELO J. ONOFRI

Prosecutor

TRACEY McKEOWN

Chief of County Detectives

209 S. Broad Street, 3rd Floor
P.O. Box 8068
Trenton, New Jersey 08650-0068
Phone: (609) 989-6350
mercercountyprosecutor.com

STEPHANIE A. KATZ

First Assistant Prosecutor

MICHAEL J. NOVEMBRE

Deputy Chief of County Detectives

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CONTACT: Casey A. DeBlasio
(609) 989-6379

Mercer County Grand Jury Returns Indictment in 1991 West Windsor Murder of Betty Fran Smith

Mercer County Prosecutor Angelo J. Onofri announced that a Mercer County grand jury returned an indictment today charging a 68-year-old incarcerated man in the 1991 murder of his wife, Betty Fran Smith, in West Windsor Township.

John David Smith, 68, was indicted on one count of first-degree murder and one count of fourth-degree tampering with evidence. He is currently serving a state prison sentence of 15 years to life in Ohio for the murder of Janice Hartman.

On October 4, 1991, John David Smith reported his wife, Betty Fran Smith, missing to the West Windsor Township Police Department. She was last seen alive on September 28, 1991 at their apartment in Canal Pointe. The Smiths had moved to New Jersey from Florida approximately four months earlier. The subsequent investigation revealed that John Smith was previously married to another woman, Janice Hartman, in Ohio. Hartman went missing in 1974, three days after her divorce from Smith was finalized. That investigation was reopened in 1992, after Ohio authorities learned that Smith had remarried, and his second wife had also disappeared. Hartman's body had been discovered in a box dumped on the side of the road in Indiana. Her remains were positively identified in 2000. John Smith was charged a few months later and, in July 2001, was convicted of Hartman's murder.

Betty Fran Smith's body has not been located, despite a very thorough and extensive investigation involving both state and federal investigators. However, under New Jersey law, the failure to produce the victim's body does not preclude a finding that she is dead.

Likewise, the successful concealment or destruction of the victim's body does not preclude prosecution of her killer.

The indictment is a result of an investigation by the Federal Bureau of Investigation, the Mercer County Prosecutor's Office, the West Windsor Police Department and the New Jersey State Police, with the assistance of the Wayne County (OH) Sheriff's Office and the Milford (CT) Police Department.

Assistant Prosecutor Kathleen Petrucci, chief of the Homicide Task Force, and Assistant Prosecutor Michael Grillo are prosecuting the case for the state and presented the case to the grand jury.

The state will petition to bring Smith to Mercer County for an arraignment on the indictment. There is no scheduled court date at this time.

Anyone with information is asked to contact the Mercer County Homicide Task Force at (609) 989-6406. Information can also be emailed to mchfttips@mercercounty.org.

Despite having been indicted, every defendant is presumed innocent until found guilty beyond a reasonable doubt in a court of law.

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