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August 31, 2021

I am pleased to enclose the 2020 Annual Report of the Mercer County Prosecutor's Office. This report is compiled in accordance with N.J.S.A. 52:17B-111b and reflects my staff's sincere dedication to public service and the people of Mercer County.

Very truly yours,

ANGELO J. ONOFRI
MERCER COUNTY PROSECUTOR

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*MERCER COUNTY
PROSECUTOR'S OFFICE*



2020
ANNUAL REPORT

*ANGELO J. ONOFRI
MERCER COUNTY PROSECUTOR*

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MESSAGE FROM THE PROSECUTOR

It is my pleasure to submit this annual report reflecting the efforts of the men and women of the Mercer County Prosecutor's Office and their continued commitment to excellence both in the courtroom and in the community. These dedicated professionals work tirelessly to ensure that the victims of crime receive justice while being treated with dignity and respect.

To say that 2020 was a challenging year is an understatement. Between the pandemic, civil unrest, an increase in violent crime and suicides, along with quarantines, the Mercer County Prosecutor's Office, like many other law enforcement agencies, was stretched to its limits. However, the men and women of the Mercer County Prosecutor's Office have risen to and conquered every challenge while performing their jobs with professionalism and dignity.

During 2020, the Mercer County Prosecutor's Office, as did many government and private entities, had to work virtually for a significant portion of the year. Despite working remotely, the men and women of this office remained highly productive. In the "virtual courtroom," our assistant prosecutors have made thousands of appearances and resolved numerous cases. Mercer County had the distinction of being one of the two pilot counties for "virtual grand jury." Our assistant prosecutors indicted hundreds of cases in the virtual environment. Our detectives investigated more than 3,500 criminal cases; responded to and investigated 41 homicides, solving more than 50 percent of those cases; assisted the Trenton Police Department with patrol duties; assisted with the primary and general elections; provided security for COVID testing sites; and, helped to maintain peace during the civil unrest.

A major investigation conducted by the Special Investigations Unit helped to dismantle a gang responsible for much of the violence in Trenton.

Despite the pandemic and quarantines, the Special Investigations Unit seized 190 pounds of cocaine, 17 pounds of heroin and 37 pounds of fentanyl. The unit also seized 29 illegal firearms along with \$1.25 million in currency.

Due to the pandemic and more children being home and online, child predators have been running rampant. In 2020, my ICAC unit conducted 105 investigations into child pornography with 20 arrests and the seizure of tens of thousands of images of child pornography.

Outside of the courtroom, the Mercer County Prosecutor's Office continued to maintain a visible presence in the community despite the pandemic, through our volunteer efforts with the Special Olympics of New Jersey, Hamilton Police Athletic League, Womanspace, Project Freedom, Trenton Area Soup Kitchen, Meals on Wheels and Code Read, to name just a few causes. Members of this office attended numerous virtual civic association meetings, spoke to school and community groups, and gave their time and talents to a variety of non-profit organizations. The office also used a variety of virtual forums to educate young people, parents, teachers and community leaders about the opioid crisis, Immigration Trust Directive, illegal firearms, gangs, bullying, cyberbullying, and use of force. We also addressed each of the topics in the Attorney General's "21 for 21" community outreach agenda. The office also coordinated a "Backpack for Back to School" event distributing more than 2,000 backpacks.

There can be little doubt that the opioid epidemic has impacted every community in New Jersey. Mercer County has not escaped the scourge of heroin. In 2020, the Mercer County Prosecutor's Office continued our One Voice initiative in order to address the opioid epidemic. Partnering with the Prevention Coalition of Mercer County and

Capital Health, we were able to teach the Overdose Prevention Act and opioid awareness throughout the county. We held several virtual community forums with both parents and students, Do No Harm conferences, town hall meetings, and teacher education forums on raising awareness about opioids. We were also pleased to partner with Recovery Advocates of America as part of the Attorney General's Operation Helping Hand initiative to refer low-level offenders to treatment.

The Mercer County Prosecutor's Office also entered into a historic agreement with Capital Health to supply the opioid antidote Narcan to every police department in the county. Coupled with the Narcan initiative, the Mercer County Prosecutor's Office, in partnership with the Mercer Chiefs of Police Association, formed the Community Addiction Recovery Effort (CARE) program. CARE provides treatment opportunities for non-violent offenders in order to break the cycle of crime and addiction.

I would like to extend my thanks to the Mercer County Chiefs of Police for their support and willingness to explore new methods to keep Mercer County a safe place to live and work. Finally, to all the members of the Mercer County Prosecutor's Office, thank you for your dedication and hard work on behalf of the citizens of Mercer County.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Angelo J. Onofri", with a stylized flourish at the end.

ANGELO J. ONOFRI
MERCER COUNTY PROSECUTOR

MISSION STATEMENT

The mission of the Mercer County Prosecutor's Office is to preserve and enhance the quality of life of Mercer County residents by fostering an environment of law abidingness, safety and security. To that end, this Office is dedicated to the pursuit and attainment of justice.

To accomplish this mission, the following goals have been adopted to provide a framework for success:

1. To use reasonable and lawful diligence to successfully detect, investigate and prosecute criminal offenses within Mercer County;
2. To lawfully and aggressively pursue a coordinated, effective and all-encompassing proactive stance in narcotics enforcement;
3. To staunchly defend the rights of crime victims and to accord them the highest level of dignity, respect and sensitivity;
4. To fulfill a law enforcement leadership role by:
 - A. Assisting and working cooperatively with police and all law enforcement agencies;
 - B. Ensuring law enforcement compliance with Constitutional safeguards, state and federal laws, directives and regulations;
 - C. Identifying law enforcement needs, striving to meet those needs and establishing new and relevant initiatives;
 - D. Providing law enforcement with guidance, training and continuing legal education;
5. To elevate public confidence in the criminal justice system by promoting public awareness regarding the role of law enforcement, crime prevention, public safety and victims' rights through relevant educational, community outreach and public information programs and policies; and
6. To take a community leadership role by forming partnerships with schools, community groups, public officials and business leaders to spearhead coordinated efforts to eliminate conditions that precipitate crime and to reduce the incidence of crime.

Each and every member of the Office of the Mercer County Prosecutor enthusiastically pledges their collective talents, training, energy and commitment to this ongoing mission and its corresponding goals.

*CREED OF THE MERCER COUNTY
PROSECUTOR'S OFFICE OF
VICTIM WITNESS ADVOCACY*



I Believe:

- ❖ A *VICTIM* is the most important person to enter the Mercer County Prosecutor's Office;
- ❖ A *VICTIM* is not an interruption to my work;
- ❖ A *VICTIM* is the purpose of it, I am not doing the *VICTIM* a favor;
- ❖ A *VICTIM* is entitled to my help;
- ❖ A *VICTIM* is a human being with hurts and wants like my own;
- ❖ A *VICTIM* is a person who brings me real needs and it is my job to help as expeditiously and as courteously as possible;
- ❖ Take care of the *VICTIMS* - that is why I am here.

INTRODUCTION

The Mercer County prosecutor, appointed by the governor and confirmed by the Senate, is the chief law enforcement officer in the county. According to the enabling statute, the prosecutor “shall use reasonable and lawful diligence for the detection, arrest, indictment and conviction of offenders against the law.”

GENERAL ORGANIZATION

The Mercer County Prosecutor’s Office is divided into four main components: legal, investigative, administrative and victim witness advocacy. The prosecutor and first assistant prosecutor are responsible for the supervision of all components and directly supervise the legal staff. The investigative staff is directed by a chief of detectives and a deputy chief. A business administrator oversees the daily business operations and a support staff supervisor oversees the administrative staff.

The primary responsibility of an assistant prosecutor is to prosecute all criminal, quasi-criminal and juvenile delinquency matters within the jurisdiction of the Mercer County Prosecutor’s Office. Thus, without attempting to be all-inclusive, the legal staff supervises investigations and handles case screening, detention hearings, juvenile detention hearings, extradition and interstate agreement on detainers matters, juvenile waiver proceedings, grand jury presentations, arraignments and status conferences, plea negotiations, pretrial intervention (PTI) applications and appeals, pre-trial motions, drug court applications, trials, post-trial motions, sentencings, juvenile dispositions, appeals, expungements and municipal appeals. In addition, as an adjunct to criminal prosecution, assistant prosecutors initiate and handle civil forfeiture actions when appropriate. Legal advice is provided to Mercer County law enforcement agencies and to state and federal law enforcement agencies investigating criminal offenses occurring in Mercer County. The legal staff also teaches police, corrections officer and park ranger recruits at the Mercer County Police Academy and provides in-service training to Mercer County law enforcement

officers on a variety of subjects. In addition, the legal staff members also serve as instructors at the Citizen Police Academies established in the county.

The investigative staff operates in two somewhat distinct areas. First, prosecutor's detectives serve much like police detectives everywhere, conducting investigations of alleged criminality. Some investigations are reactive in nature. That is, an alleged criminal offense occurs and, if it is a matter appropriate for handling by this office, an investigation is initiated. In some cases, particularly those involving arsons, animal cruelty, homicides, serious traffic collisions, sexual assaults and child abuse, on-call detectives work directly with the municipal or state police agency having primary jurisdiction. In other cases, this office supports the agency having primary jurisdiction, providing investigative assistance when requested. Finally, this office conducts investigations, when appropriate, based directly upon citizen complaints or referrals from other agencies.

Other investigations are proactive in nature and are usually handled by the Special Investigations Unit/Mercer County Narcotics Task Force (SIU/MCNTF). In such cases, information regarding ongoing criminal matters, including but not limited to drug distribution, gambling, organized crime or governmental corruption, may lead to the initiation of an investigation. In support of such investigations, the Mercer County Prosecutor's Office may utilize undercover operatives and visual or electronic surveillance. Investigations may be handled solely by the SIU/MCNTF or be handled in conjunction with local, state or federal law enforcement agencies.

In 2014, then-First Assistant Prosecutor, now Prosecutor Angelo Onofri formed the Mercer County Homicide Task Force in order to improve the quality of homicide investigations. The Homicide Task Force, with personnel from the prosecutor's office, Trenton Police Department, New Jersey State Police and other local police departments, investigates homicides using a vertical investigation/prosecution model. These investigations employ a variety of investigative techniques and use technology in order to solve these cases.

The second main category of investigative services involves support of the prosecution function. Prosecutor's detectives and agents prepare cases for juvenile proceedings, detention hearings, grand jury presentation, trial and Megan's Law proceedings. The success of assistant prosecutors in court often depends upon the diligence, thoroughness and hard work of detectives and agents outside the courtroom in preparing files, guaranteeing the presence of witnesses and evidence, working with victims and witnesses, and investigating possible defenses. In addition, members of the investigative staff process the civil forfeiture of money and property from defendants, prepare extraditions and interstate agreement on detainer cases, and recommend the forfeiture or return of firearms involved in domestic violence matters.

Investigative staff members seek to bring fugitive defendants before the court so that prosecution may proceed. This is an ongoing effort, conducted cooperatively with the Mercer County Sheriff's Office and with municipal, state and federal law enforcement agencies, supplemented by periodic fugitive sweeps designed to reinforce the message to defendants and to the public that the jurisdiction of the courts is not to be evaded. The Mercer County Prosecutor's Office also has two detectives assigned to the U.S. Marshals Service New York/New Jersey Regional Fugitive Task Force as well as a detective assigned to the Regional Computer Forensics Laboratory.

Finally, staff members are heavily involved in training other law enforcement officers. From animal cruelty to serious motor vehicle collisions, wiretap investigations to search and seizure update training, the expertise of assistant prosecutors and detectives helps keep municipal police officers in Mercer County prepared and updated.

The administrative staff performs a variety of invaluable functions. First, the Mercer County Prosecutor's Office is a large and complex business organization, with a staff of more than 220 and a multi-million dollar budget. Further, the Mercer County Prosecutor's Office is also the center of operations for the Mercer County Homicide Task Force and Mercer County Narcotics Task Force, which adds additional task force officers to our operation. Thus, the business office faces

a myriad of personnel, payroll and purchasing issues that must be attended to on a daily basis. In addition, the staff prepares grant applications and then, when a grant is received, monitors expenditures and performance, and writes the requisite reports.

Second, the work of the legal and investigative staffs creates mounds of paper and records, including legal briefs and other court papers, witness statements and investigative reports. The creation and proper recording of such documents require clerical and administrative support. In addition, the administrative staff receives incoming criminal complaints, opens files and is responsible for storing and retrieving those files and seeing that they get to the appropriate person or court when needed. Moreover, in order for the criminal justice system to function, file information must be shared, particularly with defendants and their lawyers. This vital discovery function is a major responsibility of the administrative staff. When files are completed, they must be closed out and appropriate notifications sent to the affected municipal courts, victims, submitting agencies and defendants.

This entire procedure was simplified by the full implementation of the InfoShare Case Management System. This system catalogues a case as it progresses from the original criminal complaint, through investigation, screening, and grand jury proceedings, to trial and finally appeal. Administrative staff, prosecutors and investigators are able to access the network to input data and scan or upload documents into the system, and an automated e-mail feature notifies assigned staff of important updates pertaining to specific cases. On the other hand, due to the mass of information that is available in the system, there is also a feature that blocks certain users from accessing confidential files, such as investigative materials.

Once the information about a case is in the system, it can be marked as “discoverable” or “non-discoverable” material, and then uploaded into the cloud to be given to defense counsel. Digital evidence/discovery is accomplished through Evidence.com.

Although the entire office has dedicated itself to protecting and serving victims of crime, the Office of Victim Witness Advocacy is charged specifically with the responsibility of providing

for the needs of crime victims and witnesses during the entirety of their involvement in the criminal justice system. Some of the services provided include notification of case status, notification as to inmates pending release on bail, parole or sentence expiration, and liaison with both office personnel and court staff, including court accompaniment, needs assessment, short-term counseling, and referrals to and assistance with community service agencies. The work of the Office of Victim Witness Advocacy not only directly benefits those receiving its services, but also increases the likelihood of willing victim or witness participation in the justice system, thus aiding the entire prosecution function.

The Public Information Office serves as a central focus for receiving media inquiries and for releasing information to the media on behalf of the Mercer County Prosecutor's Office. With the work of prosecutor's offices of increasing interest to the community, the Public Information Office guarantees that both media requests and the release of information under Executive Order 69 and the Open Public Records Act are handled accurately, efficiently and expeditiously.

CASELOAD ORGANIZATION

The Mercer County Prosecutor's Office utilizes a mixed organizational approach to manage its significant caseload, including both "horizontal" and "vertical" prosecution formats and aggressive case screening strategies.

The intake section of the prosecutor's office is responsible for the receipt, logging and initial processing of all complaints or investigative reports likely to result in indictable criminal prosecutions. The intake section provides a central point for data collection, file initiation and record keeping, which facilitate supervision of, and control over, a large and complex prosecution operation. In 2017, Prosecutor Onofri formed the Detention Unit in order to handle the numerous detention hearings precipitated by the Criminal Justice Reform Act. In 2018, he formed the Digital Media Forensics Unit in order to manage, maintain, review and disseminate digital evidence.

After the intake and detention functions have been completed, the vast majority of case files proceed to the Grand Jury Unit for further review and action. Assistant prosecutors assigned

to this unit present cases to two grand juries, each meeting once per week. Following indictment, the case files processed by the Grand Jury/Screening Unit are reassigned to Trial Unit assistant prosecutors for motion practice, plea negotiations and trial. This form of organization is termed “horizontal” prosecution.

The Mercer County Prosecutor’s Office utilizes a number of subject-matter prosecution units: Bias Crime, Special Victims, Cyber Crimes, Domestic Violence, Economic Crime, Homicide, Insurance Fraud, Serious Collision Response Team and Special Investigations. Such units are essential to permit the development of the high degrees of specialization needed because of the complexity and/or sensitivity of the matters prosecuted. Case files falling within the jurisdiction of a subject-matter unit are assigned there following completion of intake functions. Those cases not dismissed, downgraded or diverted during the screening processes performed by unit investigative and legal staff are then presented to one of two other grand juries by assistant prosecutors assigned to the unit. Thereafter, indicted cases remain the responsibility of unit personnel for motion practice, plea negotiations and trial. This form of organization is termed “vertical” prosecution.

Indictable cases are downgraded for many reasons: when proof is lacking, when the facts of the case suggest that the elements of a disorderly or petty disorderly persons offense fit better, when victim or prosecution interests will be furthered thereby, or a combination thereof. Downgraded cases, whether handled by the Grand Jury/Screening Unit or a subject-matter unit, are referred back to the appropriate municipal court for prosecution in the normal course, although in select cases, assistant prosecutors may be assigned to handle the municipal court prosecution. By retaining control of select downgraded cases, this office can manage the municipal court plea negotiation process and handle the trials of cases that are not resolved by plea negotiations.

In an attempt to obtain speedy disposition of selected indictable cases, the Screening Unit and the subject-matter units may designate cases for inclusion in Mercer County’s Pre-Indictment Conference (PIC) Program. PIC cases generally include crimes of the third and fourth degree,

which normally carry a presumption of non-incarceration, but also include all drug-free school zone crimes and any case that an assistant prosecutor believes would be amenable to a fast-track negotiated disposition. Defendants whose cases have been selected for PIC processing are called before a judge, provided with discovery materials and given the opportunity to consult with an attorney. Defendants willing to accept proposed dispositions may be diverted to Pretrial Intervention (PTI) or enter guilty pleas to accusations as appropriate. This year saw several improvements to the PIC process designed to improve the processing of the case. PIC cases not resulting in dispositions are returned to the referring unit for grand jury presentation.

Original investigations, whether conducted solely by the prosecutor's office or in concert with other agencies, are handled either by an appropriate subject-matter unit or by other specifically assigned legal and/or investigative personnel.

The Family Court Unit handles the prosecution of offenses allegedly committed by juveniles (persons under the age of 18). This unit also initiates and processes selected applications to waive juvenile court jurisdiction in favor of adult prosecution. If a waiver is granted, the case will be transferred to the intake section and then to the Grand Jury/Screening Unit or appropriate subject-matter unit for grand jury preparation and presentation. The Family Court Unit's legal, investigative, clerical and victim witness staffs work closely with the intake and probation personnel of the Superior Court, Family Part, to assure proper dispositions of specialized and sensitive juvenile matters.

The Superior Court, Family Part, also handles adult cases involving violations of domestic violence restraining orders. Prosecutions of such matters are conducted by the Family Court Unit legal staff, with assistance from members of the Domestic Violence Unit and the Trial Unit as necessary.

In addition to the traditional prosecutorial roles of investigating, indicting and prosecuting those who violate the law, the prosecutor's office must also tend to a number of related responsibilities. The most significant of these are appeals, asset forfeitures and Megan's Law

administration, each of which places substantial demands upon office manpower and resources. Somewhat less demanding functions, but nonetheless important, include evaluating applications for gun permits, expungements, PTI, intensive supervision (ISP) and monitoring parole eligibility. The office also aggressively pursues its training missions.

Finally, the prosecutor's office devotes substantial effort to crime prevention and other community outreach activities. The office is committed to year-round community involvement, as well as other outreach activities.

The Mercer County Prosecutor's Office also received grant funding through the United States Department of Justice, Byrne Justice Assistance Grant, as well as funding from the New Jersey Division of Criminal Justice to support victim witness, community justice, insurance fraud, CARE, Megan's Law and SANE/SART programs.

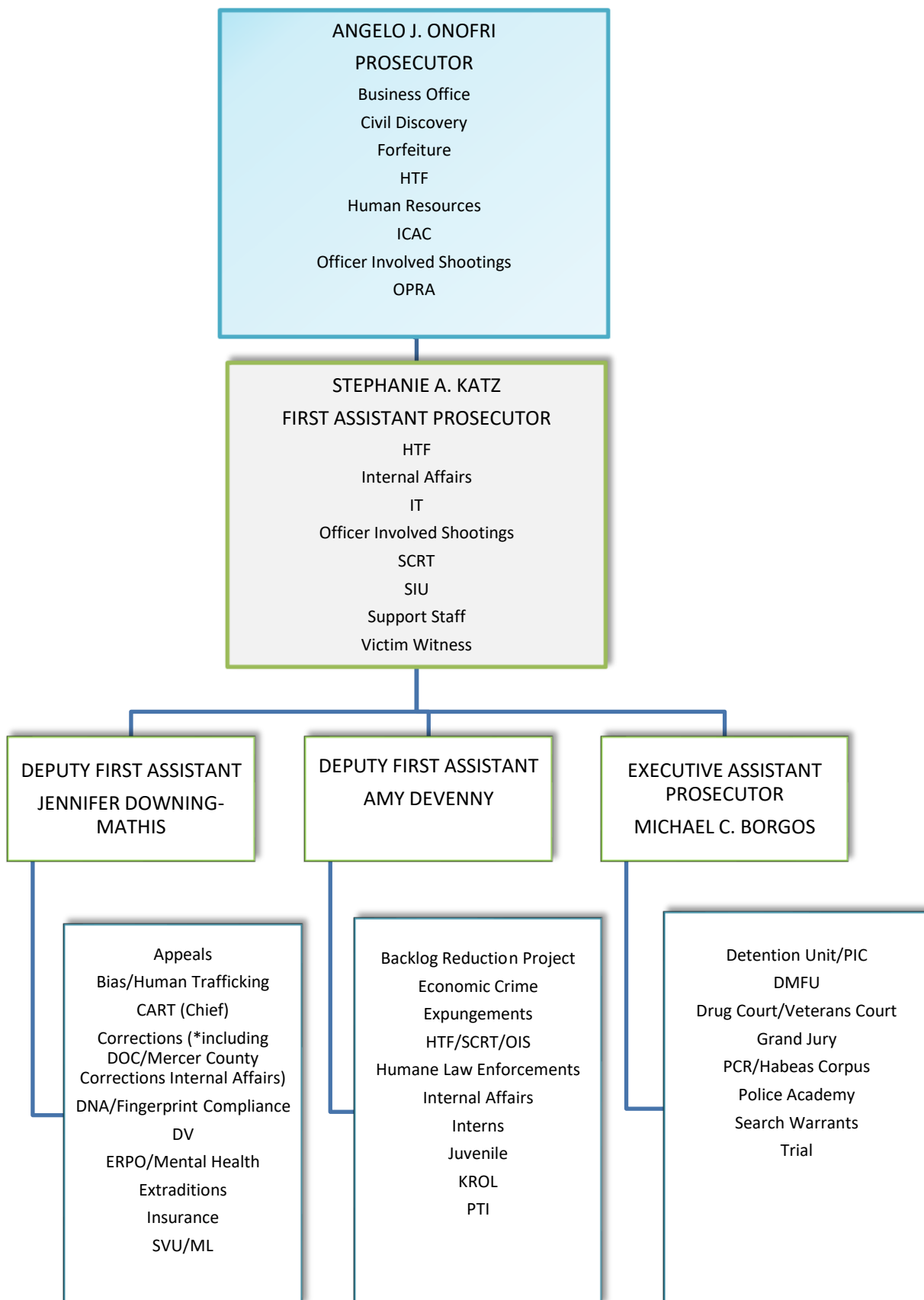
During 2020, the Mercer County Police Academy graduated two Basic Course for Police Officers classes, a Methods of Instruction class, a Firearms Instructor class and the FBI Leadership Program. The academy is located on the campus of Mercer County Community College, and offers basic recruit courses and advanced in-service training on a set schedule. Two basic recruit classes are scheduled to graduate every year with the training period lasting approximately 22 weeks for each class. The facilities include two state-of-the-art classrooms, use of the college libraries, the gym and a padded training room used for defensive tactics classes. A shooting range located in Hopewell Township and operated by the prosecutor's office was completely renovated in 2014 and is also part of the training facilities.

The academy has provided all Mercer County law enforcement officers with standardized training in homeland security and counter-terrorism, as well as regional training on gangs, search and seizure, the Alcotest instrument, school resource officer training, fugitive apprehension and K9 units. Classes for the new recruits include topics such as domestic violence prevention, use of force, advanced crime scene processing, hostage negotiation and vehicle pursuits.

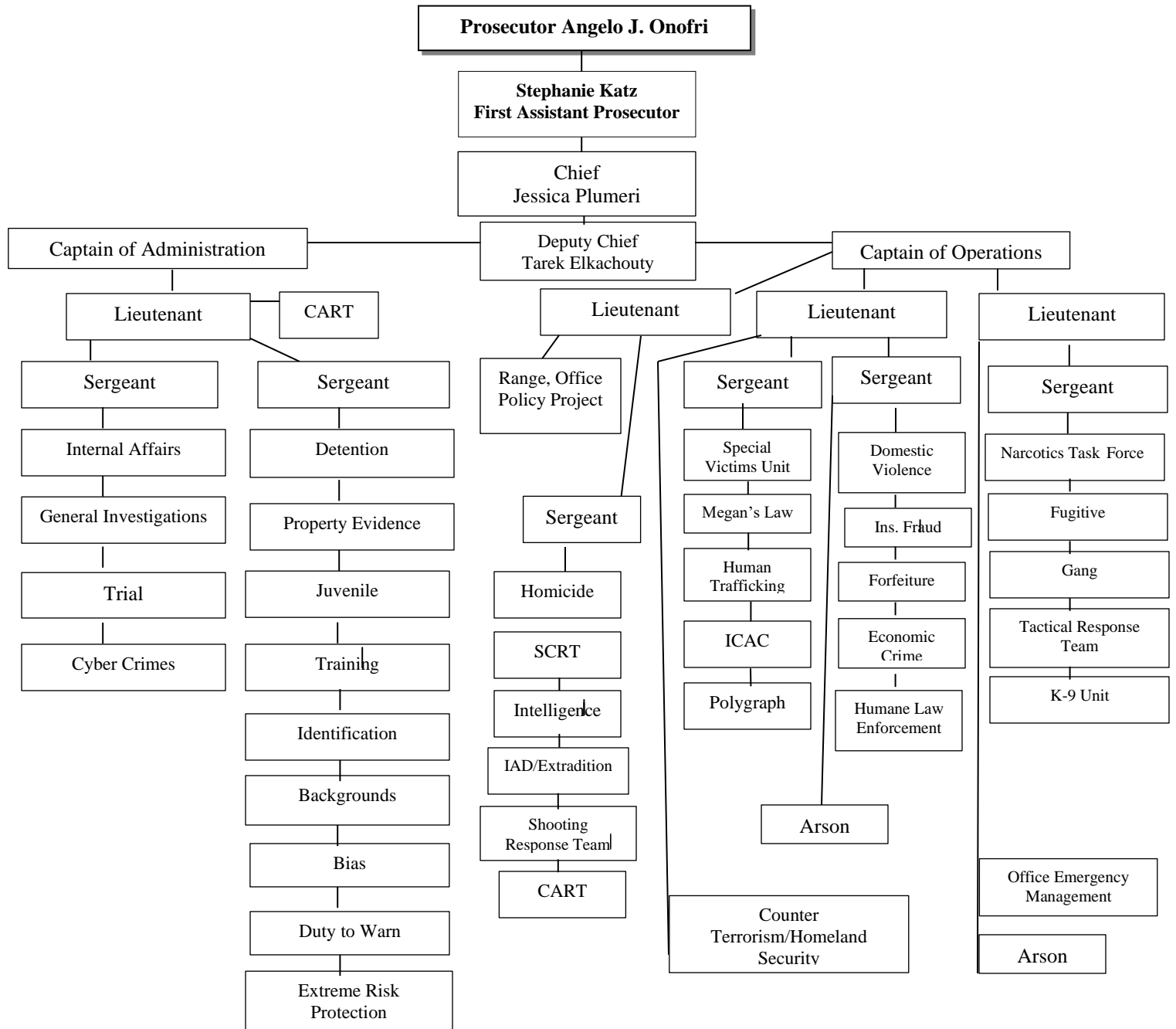
Additionally, the academy drastically cuts the cost of training new officers for the sheriff's

office and municipal police departments while providing an opportunity for the sharing of resources, ideas and training between the county and the Office of Emergency Management, the state police, the FBI and the state Division of Criminal Justice. Training is also offered to collegiate security forces.

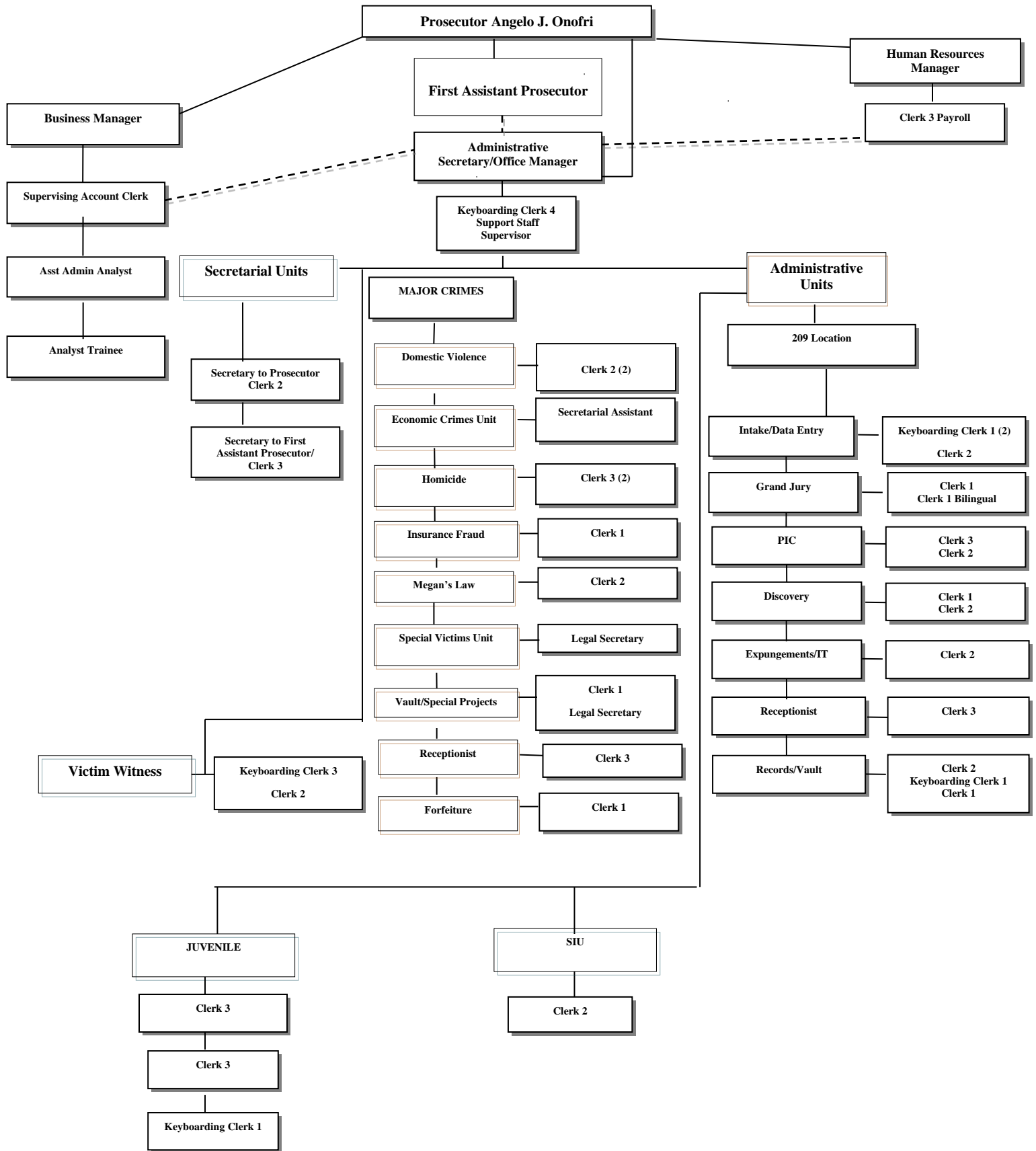
LEGAL STAFF



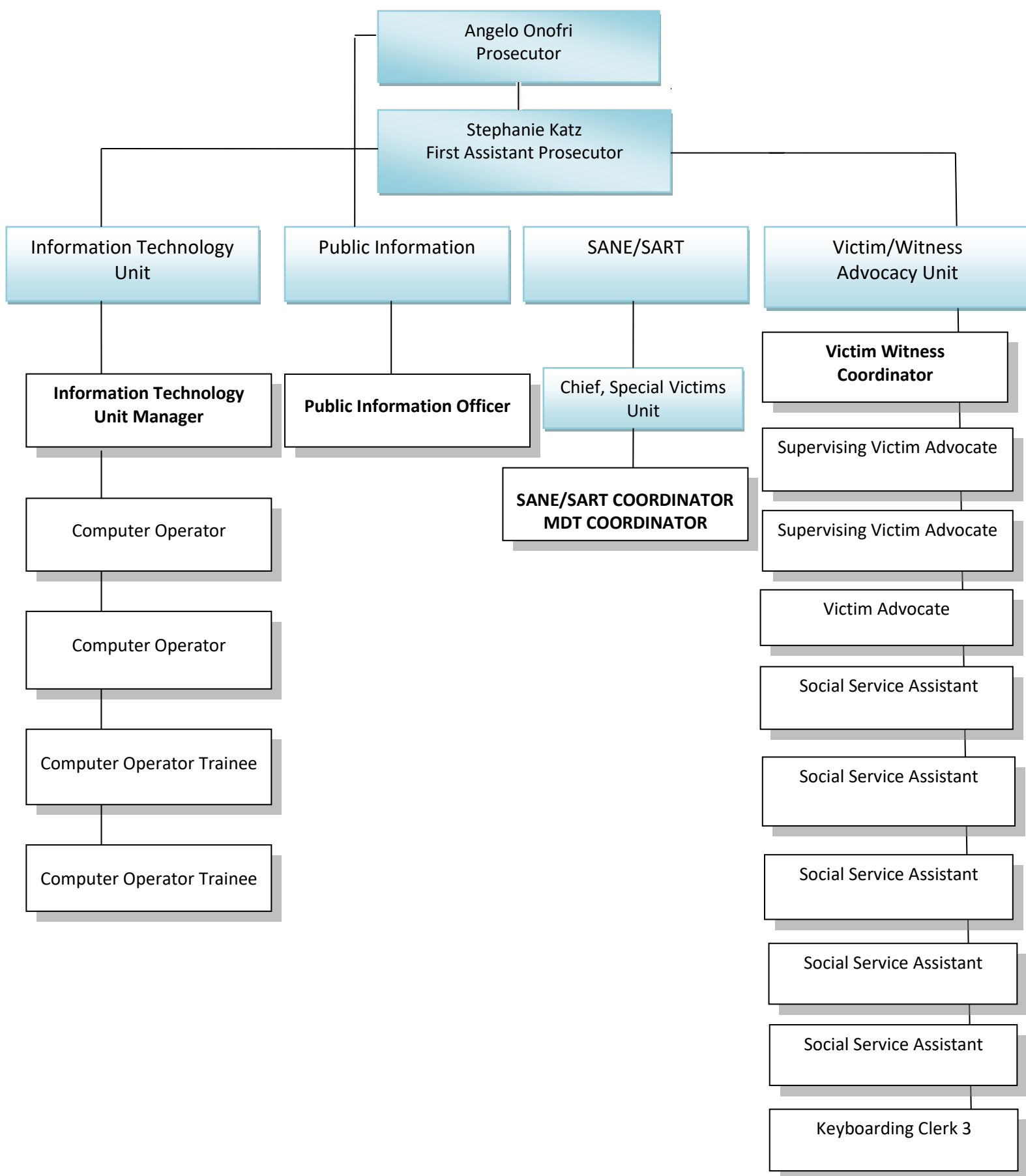
INVESTIGATIVE STAFF



ADMINISTRATIVE/SUPPORT STAFF



PROFESSIONAL/TECHNICAL STAFF



APPELLATE UNIT

The Appellate Unit is responsible for representing the state in appeals from convictions obtained by this office that the state Division of Criminal Justice elects not to handle. The unit is also responsible for conducting excessive sentence oral arguments before the state Appellate Division and for responding to petitions for certification to the New Jersey Supreme Court. It is the mission of this unit to aggressively defend the convictions obtained by this office, by trial or guilty plea, as well the favorable and legally sound outcomes of motions decided by the trial courts.

The unit is centralized with one attorney working as a primary assignment and numerous other attorneys working as secondary assignments to successfully complete those appellate matters undertaken by the office. The unit's supervising attorney oversees appellate research, including use of computerized legal research, and is available to conduct or assist in research projects for other members of the staff. The supervising attorney also assists in emergent applications, such as interlocutory and pretrial detention appeals. The attorneys who work in the unit are responsible for handling the writing of appellate briefs and any oral arguments before the state Appellate Division and state Supreme Court.

During this past year, 98 appeals were referred to this office by the Office of the Attorney General. Of the 113¹ referred appeals resolved this year, 101 cases were affirmed; three convictions were reversed; and two cases were remanded.

Over the past year, the unit was required to shift its focus from primarily combating against convictions and post-conviction relief appeals to responding to motions to modify custodial sentences, pursuant to R. 3:21-10(b). Due to the COVID-19 pandemic, this office saw a drastic increase in the number of motions to modify a custodial sentence. In turn, the state responded to

¹ This number includes the 21 cases that were pending a decision by the Superior Court, Appellate Division, at the beginning of 2020.

eight motions to modify a custodial sentence in the Appellate Division. All eight of those cases were affirmed.

In one instance, a defendant filed a petition for certification with the New Jersey Supreme Court arguing that the court should modify his custodial sentence and release him because of the COVID-19 pandemic. On November 20, 2020, the Supreme Court granted the defendant's petition for certification and ordered that the parties submit briefs on an accelerated basis because of the pandemic. Central to the defendant's argument was the fact that the defendant suffered from significant health risks that placed him in a vulnerable population if he contracted COVID-19 while incarcerated. Specifically, the defendant had undergone treatment for sickle cell anemia, asthma, latent tuberculosis, hypothyroidism, and a heart murmur. In the alternative, the defendant sought a judicial furlough until the COVID-19 pandemic subsided. He provided thousands of pages of documents in support of his motion to establish the treatment he was seeking for his ailments. The defendant, however, was serving a mandatory term of incarceration that was subject to the No Early Release Act, pursuant to *N.J.S.A. 2C:43-7.2*, that stemmed from a 2014 shooting where he fired several shots from a semi-automatic handgun at two individuals.

The trial court and Appellate Division rejected the defendant's arguments, finding that a defendant subjected to a mandatory period of parole ineligibility could not have their sentence modified until their mandatory period of parole ineligibility was completed. The state's argument relied upon the fact that courts are not vested with the authority to modify a custodial sentence that is mandated by statute. Ultimately, the Supreme Court sided with the state's position in a split 4-3 vote and found that the court did not have the ability to modify a sentence that statutorily mandated until the defendant was completed serving his mandatory period of parole ineligibility.

Cases on the Excessive Sentence Oral Argument calendar were mostly affirmed, and all petitions for certification filed by defendants to the New Jersey Supreme Court were denied.

Finally, defendants' appeals of orders granting pretrial detention were mostly affirmed in favor of the state.

BIAS CRIME UNIT

The Bias Crime Unit is committed to the prevention of bias crimes and the improvement of law enforcement's relationship with the community. Bias crimes are acts of prejudice, hate or violence directed against individuals, groups or institutions because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin or ethnicity. These incidents may result in physical or emotional injury, or property damage. A person who is convicted of a bias-motivated crime is subject to extended terms of imprisonment.

The unit works directly with local, state and national police agencies to apprehend and prosecute bias crime offenders. The unit also acts as a liaison between law enforcement and community groups that have an interest in bias incidents, ensuring that the lines of communication are open.

One assistant prosecutor and two detectives staff the unit as secondary assignments.

Bias incidents are reported to the prosecutor's office by various methods but most commonly through the Bias Incident Offense Report. In New Jersey, when a police agency investigates an actual or potential bias crime, a report summarizing the salient aspects of the incident must be filed with the state Office of the Attorney General and the county prosecutor's office no later than 24 hours after the offense was reported so that all appropriate personnel may respond promptly.

One hundred five bias incidents were reported to the unit in 2020. Five of these incidents resulted in criminal charges.

DOMESTIC VIOLENCE UNIT

The Domestic Violence Unit seeks to protect victims of violence by holding batterers accountable for their actions. To reach this goal, the unit prosecutes matters despite uncooperative or unavailable victims, and provides victims with support throughout the disposition of their cases. The unit also educates the community in the dynamics of domestic violence and its prevention, and provides training to law enforcement agencies in Mercer County concerning domestic violence cases.

The unit is comprised of assistant prosecutors, detectives, an agent, and a victim witness advocate. The advocate meets with victims to provide assistance, information, emotional support, and referrals to additional services such as temporary shelter or counseling as appropriate. The advocate can also assist with navigating in-person or virtual court, and will accompany victims to same. Importantly, the advocate assists in the completion of New Jersey Victims of Crime Compensation Office claim applications, and often assists the victim in navigating the process of obtaining a protective order.

During 2020, the unit reviewed more than 900 complaints with charges ranging from attempted murder, aggravated assault and arson to terroristic threats, harassment and violations of protective orders. Of those complaints, 368 were opened as indictable cases. Those complaints also included 266 indictable complaints that were downgraded, dismissed, or remanded to the Family Court for disposition. The unit has been able to immediately screen and review every domestic violence complaint in Mercer County despite the viral pandemic. During 2020, there was a low of only 45 unindicted cases in backlog status and a high of 145. Also during 2020, there was a low of only 58 indicted cases in backlog status and a high of 67. As of this writing, there are 59 active indicted cases and 154 active pre-indictment cases.

It is also notable that, of the screened complaints mentioned above, the Domestic Violence Unit screened more than 300 complaints charging various disorderly and petty disorderly offenses to determine if any of those complaints should be directed to the Superior Court as opposed to the Municipal Court. The unit has filed to detain on these disorderly offenses, despite the fact they will be prosecuted in municipal court, because of the need to protect the safety of the victim.

The unit also prosecutes violations of domestic violence restraining orders in Family Court. These restraining order violations are routinely screened to identify potential stalking cases. It is in Family Court that the unit also handles forfeiture actions involving firearms seized during the investigation of domestic violence incidents. To determine whether the weapons should be returned to their owners or forfeited, a detective and an assistant prosecutor review the circumstances of the seizure, speak to the victims and witnesses, and review the owner's criminal record. Should a determination be made that weapons will be forfeited, the appropriate motion is filed with the court and a hearing takes place.

During 2020, the unit continued working cooperatively with the Homicide Task Force, Special Victims Unit and Special Investigations Unit. The unit is currently handling several complex cases, including *State v. Jamie Livingston*, where the defendant is accused of shooting his partner and two of her family members; *State v. Joseph Walsh*, which involves allegations of a man stabbing his sleeping college roommate; *State v. Keith Wells-Holmes*, where a man shot his partner at close range; *State v. Kaliek Merritt*, which involved prolonged and repeated strangulations; and *State v. Shaquna Brown*, which involved a stabbing that left the victim in critical condition and was committed in the presence of their children.

When the unit encounters cases such as the one mentioned above, in which the act of domestic violence was committed in the presence of a child, it actively notifies the Division of

Child Protection and Permanency, and screens the case for prosecution as a child endangerment matter.

The unit has also taken an active role in combating witness tampering, intimidation and stalking. The unit's use of subpoena power to retrieve calls made from the county jail, victim interviews, and consensual intercepts have led to witness tampering charges in *State v. Anthony Ihedironye*, *State v. Marco Gains*, and *State v. Shalynn Richardson*. The unit has identified active stalkings, in cases such as *State v. Michael Ogiony*, *State vs Michael Lane*, and *State vs Jihan Weisner*, where the unit intervened to prevent the behavior from escalating further.

The unit has continued to smoothly adjust internal case management to conform to the parameters of Criminal Justice Reform. The unit has been able to do this while successfully navigating the current viral pandemic. Currently, 15 defendants charged with an act of domestic violence are detained and subject to Criminal Justice Reform. Recently, the unit has taken an active role in pursuing violations of probation to ensure probationers are receiving domestic violence and substance abuse counseling, and abiding by no contact provisions, in a continuing effort to keep victims safe after the disposition of their cases.

The unit also takes part in a wide-range of community service projects aimed at preventing domestic violence. Unit members frequently speak about domestic violence to community organizations. In addition to a prosecutor from the unit always being on-call for domestic violence related questions from the law enforcement community, the unit is also responsible for training local police departments in domestic violence prevention and response. This training did not stop, nor was it put on hold, during the pandemic. The training covers such issues as the importance of taking statements from those present at the scene of a domestic violence matter, spotting defensive wounds, weapons forfeiture, and the procedure used to help a victim obtain a domestic violence

restraining order.

Finally, the unit works closely with Womanspace, Mercer County's counseling and shelter agency. The unit trains with Womanspace and often participates in panel discussions on domestic and dating violence. Womanspace coordinates the county's Domestic Violence Response Teams (DVRT). Each municipality and city in the county has a DVRT. The teams are comprised of civilian volunteers who provide domestic violence victims with information regarding criminal charges, restraining orders and counseling. Assistant prosecutors assigned to the Domestic Violence Unit participate annually in training new DVRT members.

ECONOMIC CRIME UNIT

The Economic Crime Unit aggressively pursues allegations of fraud characterized by complex methods of deception and unlawful concealment. The unit has the responsibility of investigating and prosecuting a broad range of illegal financial schemes, more commonly referred to as “white-collar crime.” All varieties of non-violent crimes committed for financial gain are subject to scrutiny. Specifically, the unit is focused on fraud-based crimes, including theft by deception, theft by wrongful disposition, forgery, issuing bad checks, commercial bribery and embezzlement. The unit also bears the responsibility of prosecuting public corruption, official misconduct and attorney misconduct when the misconduct involves fraud.

Experience has shown that citizens do not hesitate to identify suspected fraudulent activity in their community. Often, it is necessary to conduct detailed and complex investigations into equally complex financial crimes. Unit personnel conduct meetings with all municipal police departments to address relevant economic crime issues and attempt to facilitate communication between municipalities. The unit also works closely with federal, state and county agencies, including the United States Secret Service, the United States Immigration and Naturalization Service, the United States Department of Agriculture, the New Jersey State Police, the New Jersey Division of Taxation, the New Jersey Department of Labor and the New Jersey Division of Criminal Justice.

The legal staff of the unit is comprised of one assistant prosecutor who serves as unit chief as a primary assignment and one assistant prosecutor who serves the unit as a tertiary assignment. The investigative staff includes three full-time detectives. Given the complex nature of economic crime, the unit conducts vertical prosecutions that ensure, whenever possible, continuity from the inception of a case through its final disposition.

SIGNIFICANT CASES

STATE V. HURSHUM GITTENS, ET. AL.

Defendant Gittens and 61 other individuals were charged in six different towns across Mercer County for taking advantage of a glitch in Santander Bank's ATM software. The glitch allowed individuals to use debit cards or preloaded debit cards to withdrawal more funds from Santander ATMs than were in the account or stored on the preloaded cards.

STATE V. JESSICA DEGUZMAN

Defendant Deguzman is charged with embezzling more than \$186,000 from her employer, Richard Weidel. Deguzman's theft took the form of making direct payments to various credit cards using the victim's business account.

FAMILY COURT UNIT

The Mercer County Prosecutor's Family Court Unit is responsible for prosecuting all juvenile petitions and non-indictable domestic violence contempt citations. In 2020, 653 petitions were filed in the Juvenile Unit. One hundred nine cases were diverted and 73 cases were handled by the juvenile hearing officer. Three hundred seventy-two cases were scheduled on the formal calendar before the Superior Court Judge. Twenty-five cases were transferred out of county. Several hundred cases of domestic violence were downgraded to Family Court. There are three assistant prosecutors, one detective, one agent and three administrative assistants staffing the unit as their primary assignments. One staff member from the Office of Victim Witness Advocacy is also assigned to the unit.

In 2020, Mercer County continued the Interventions Moving Probation and Community Together Program (IMPACT). The goal of the IMPACT program is to organize community resources and collaborate with program partners to optimize services and eliminate behaviors leading to chronic delinquency. The program recognizes the importance of utilizing resources to support each juvenile in successfully completing his or her probation term and establishing a successful lifestyle in the community. This program is comprised of an assistant prosecutor, a deputy assistant public defender, several probation officers, court personnel, agencies and community partners. This group meets bi-monthly to review each juvenile's level of probation supervision and need for additional services provided by community partners.

Consistent with the prosecutor's policy to prosecute certain serious juvenile offenders, applications to waive the Family Court's jurisdiction and to prosecute juveniles as adults were filed in two cases. The prosecutor's office takes these decisions very seriously. An assistant prosecutor from the Juvenile Unit screens the case and writes a memo that is then reviewed by the

chief of the unit, who makes a recommendation. The memo is then sent to the deputy first assistant prosecutor or the chief of the Trial Unit, and the first assistant prosecutor before a decision is ultimately made. The statutory factors set forth in 2A:4A-26.1 are considered in each case prior to filing a waiver. Only after this thorough review process is complete does the motion for waiver get filed. Should additional information pertinent to the waiver decision come to light at a later date, the prosecutor retains the right to withdraw such motions when justice requires it.

Due to the Covid-19 pandemic, assistant prosecutors from the unit were extremely limited in their efforts to continue their involvement in providing law-related education. Aside from teaching virtually at the Mercer County Police Academy, they did not engage in school appearances to discuss topics such as the opioid crisis and cyberbullying.

The chief of the unit is a member of the Executive Committee of the Youth Services Commission (YSC) in order to provide a more influential voice in the administration of YSC services. The chief of the unit is active in a statewide program entitled the Juvenile Detention Alternative Initiative. In addition, the chief of the unit is also a member of the Juvenile Prosecutor's Leadership Network. This group is comprised primarily of the chiefs of juvenile units from around the state who meet quarterly to discuss issues in the Juvenile Justice System. The chief of the unit also sits on the Mercer County Youth Fire Setter Advisory Committee. The program gathers input from law enforcement, fire departments and other community safety groups, along with educational and therapeutic professionals, to continue to offer a program for treating children who are prone to setting fires and to help identify those children who do not pose a risk of future pyromania. The program is diversionary in nature in that it works to keep children from being thrust into the Juvenile Justice System when their behaviors do not threaten serious harm to people or property. Lastly, the chief of the unit is involved with Capital City Youth Violence

Coalition, formerly known as the Trenton Prevention Policy Board. This committee is dedicated to reducing, and ultimately eliminating, youth violence within the city of Trenton.

FORFEITURE UNIT

Under New Jersey law, *N.J.S.A. 2C:64-1, et seq.*, police and other law enforcement agencies are empowered to seize and forfeit currency, motor vehicles, real property and other assets that are derived from criminal activities or used in furtherance of criminal activity. The goal of the Mercer County Prosecutor's Forfeiture Unit is to ensure that criminals do not profit from their crimes. Forfeiture funds are used for a wide range of law enforcement purposes, including the purchase of electronic surveillance equipment, motor vehicles, dashboard video cameras for municipal patrol cars and training.

The Forfeiture Unit continues to work closely with all law enforcement agencies in order to coordinate pre- and post-seizure planning. A majority of forfeiture cases arise from narcotics investigations initiated by law enforcement, including the municipal police departments in the county, the sheriff's office, the New Jersey State Police, the Federal Bureau of Investigation, the Drug Enforcement Administration and the Mercer County Prosecutor's Special Investigations Unit. In addition to narcotics cases, forfeiture actions also arise out of crimes such as eluding, armed robbery, murder, fraud, computer crimes, child pornography, arson and domestic violence offenses.

The Forfeiture Unit continued a major initiative in 2020 to review all aspects of the forfeiture process to ensure compliance with evolving standards in forfeiture law, to increase both efficiency and effectiveness, to improve communications with owners, and to keep agencies and officers apprised of the law. Significant steps were taken to standardize procedures and paperwork among the various agencies involved.

In 2020, there was a total of 479 seizures for forfeiture. Of the 479 total seizures, 113 vehicles and \$835,004.21 in currency were seized by law enforcement and forwarded to the

Forfeiture Unit for handling, in addition to other items of contraband including cellular phones, computers, and televisions. Nineteen forfeited vehicles, jewelry and coins were sold at auction. Currency seizures totaling \$368,468.61 were forfeited in 2020. The difference between the forfeited and seized amounts being represented by funds that were seized in 2019, but disbursed in 2020. Also, there were other seized funds that were determined to be returned, or that are the subject of litigation that is still pending.

The Forfeiture Unit operated in 2020 with one assistant prosecutor acting as the unit chief and two agents as a primary assignment. Clerical staff continued to have a significant role in the forfeiture unit in 2020, helping with the organizational tasks necessary for the policy and procedure review, and then being delegated appropriate responsibilities that were identified through that same review. This alone has resulted in a significant increase in efficiency in the unit.

The review has also allowed other tasks that were previously handled on an ad hoc basis to be standardized and delegated in significant part to the agents. This, likewise, has increased efficiency and allowed for more optimal use of the unit's resources.

In the course of the review, standardized forms and procedures have been put in place to increase the amount and ease of communication with owners of property seized for contraband. The integration of the Forfeiture Unit's documents with the database used by many other units in the office has also been completed, which has increased communication between units regarding forfeiture matters.

The unit has continued to investigate property in dispute to determine its status as contraband. This investigation extends to bank accounts used in illegal schemes that are confiscated as the proceeds of illegal activity, and automobiles purchased and maintained by drug dealers, but registered in the name of a "straw" owner in order to avoid detection by law

enforcement. The unit's agents work with local law enforcement to uncover these concealed assets. Much of the property seized for forfeiture is connected to illegal narcotics crimes. One significant goal of the unit's investigations into the contraband status of seized property has therefore been to determine whether the contraband was owned and used by a dealer as opposed to a "user" or a possessory only offense. Although possessory offenses are a basis for forfeiture under the New Jersey statute, the focus of the forfeiture has been primarily on property involved in distribution.

The unit chief is charged with the responsibility of reviewing cases to assess whether seized assets are forfeitable under *N.J.S.A. 2C:64-1, et seq.*, filing complaints and resolving cases by way of settlement or trial. This assistant prosecutor also assists law enforcement officers in obtaining seizure orders for various types of property, and trains officers on the policies and procedures of the civil forfeiture program. Because the prosecution of forfeiture cases is civil in nature, assistant prosecutors in this unit must be familiar with civil case law and the rules of civil procedure. This distinguishes forfeiture attorneys from other assistant prosecutors.

GRAND JURY UNIT

The Mercer County Prosecutor's Grand Jury Unit handles cases identified as suitable for grand jury preparation during municipal case screening and cases referred back for grand jury preparation from PIC. The unit compiles, analyzes, prepares and presents cases to the grand jury.

The Grand Jury Unit is comprised of a unit chief, assistant prosecutors and detectives from the trial teams, a sergeant, three agents and two clerical staff who serve on a primary assignment basis.

The investigative component of the unit is responsible for accumulating and organizing all police reports, laboratory reports, criminal history records and complaints. The investigative staff is also responsible for identifying the essential witnesses, conducting any necessary additional investigation and serving subpoenas for grand jury appearances. The unit chief and assistant prosecutors review the cases for legal sufficiency, identify the need for additional investigation, draft indictments appropriate to the facts of each case and present the evidence to the grand jury. The legal staff also continues to screen out cases that, because of changed circumstances, are no longer suitable for indictable prosecution, and either administratively dismiss or downgrade those cases to municipal court or refer them to the Remand Program. The support personnel are responsible for typing the indictments for each case, typing the schedule and the results, and maintaining statistics.

In 2020, the Mercer County Prosecutor's Office presented cases representing a total of 532 defendants to the grand jury. Of those, 523 were indicted and nine were no billed.

MERCER COUNTY HOMICIDE TASK FORCE

In November 2013, the Mercer County Prosecutor's Homicide Unit began operating as the Mercer County Homicide Task Force. The task force is comprised of assistant prosecutors, county detectives, municipal police department detectives, predominately from Trenton, and detectives and support staff. Presently, a supervising assistant prosecutor is designated as the unit chief, two assistant prosecutors are assigned in a full-time capacity and seven additional assistant prosecutors work in the unit in an on-call capacity. A lieutenant of county detectives is responsible for the daily supervision of two sergeants, county detectives, Trenton Police Department detectives, municipal department detectives, New Jersey State Police detectives and two law enforcement agents assigned as intelligence officers. Overall responsibility for the investigative side of the unit falls under the command of a captain of county detectives.

The task force is responsible for the vertical prosecution of all homicides, certain attempted homicides, death-by-auto cases and certain cases specially assigned by the prosecutor. Local police departments are required to notify the on-call homicide detective, who then responds to all cases that fit into the above categories. The task force also investigates police-involved shootings, suspicious deaths where the circumstances and cause of death may not be immediately apparent, drug-related deaths and unattended deaths. In addition, detectives and assistant prosecutors from the Homicide Task Force form the backbone of the Mercer County Child Abduction Response Team (CART).

There were 149 cases opened by the task force in 2020, including 41 homicides, 34 unattended/suspicious deaths, seven infant deaths, 18 suicides, 26 drug overdoses, 12 inmate deaths, two serious injury investigations, and one strict liability drug-related death investigation. There were no officer-involved shooting investigations in 2020.

Considerable investigative and legal resources are utilized for the lengthy and difficult preparation necessary for both grand jury and trial presentation of these cases. Having the prosecuting attorney assigned from the onset allows for the input of legal guidance at the earliest possible stages. This cooperation between legal and investigative personnel from the inception of the case has resulted in an extraordinarily high conviction rate of indicted defendants over the past several years. In 2020, due to the COVID-19 pandemic and the closure of courts for in-person proceedings for much of the year, there were no jury trials for homicide cases.

INSURANCE FRAUD UNIT

Funded by a grant awarded to the Mercer County Prosecutor's Office by the New Jersey Office of the Insurance Fraud Prosecutor, the Insurance Fraud Unit is responsible for the investigation and prosecution of a variety of criminal offenses that fit the general description of insurance fraud. Each case that is handled by the unit consists of two factors. The first is some type of misrepresentation to law enforcement and/or an insurance carrier by any person for personal gain at the expense of insurance companies. The second is the expense to the community at large when such criminal activity results in higher insurance premiums. The unit is comprised of one assistant prosecutor, a sergeant of detectives, one additional detective and one secretary on a primary assignment basis.

Falsely reporting a car stolen for insurance proceeds, presenting a fraudulent insurance card and artificially inflating the value of an insurance claim are just some of the criminal acts that the unit investigates and prosecutes. Identity theft actions also result in a direct hardship to insurance carriers. Additionally, the unit seeks to promote a collaborative effort among law enforcement, the community, insurance carriers and the state Insurance Fraud prosecutor to combat any type of insurance fraud detected in our county.

On many occasions, investigations by the Insurance Fraud Unit reveal that particular acts do not constitute criminal offenses or do not rise to the level of proof required by our criminal statutes. In these instances, the matter may be referred to the state Insurance Fraud prosecutor for civil action or to the affected insurance carriers for whatever action is deemed appropriate.

The unit continues to emphasize collaboration with insurance carriers. A number of agencies, including New Jersey Manufacturers Insurance Company, Liberty Mutual Insurance Company and the National Insurance Crime Bureau, have referred investigations of suspected

insurance fraud to this office.

SIGNIFICANT CASE

STATE V. KARLA FALLUCCA

Karla Fallucca was an advanced nurse practitioner (APN) that the unit charged with uttering forged documents, insurance fraud and obtaining a controlled dangerous substance by fraud. Fallucca added a doctor's name as a collaborating doctor to her state-issued prescription blanks and wrote several prescriptions for narcotics for her parents. She then filled the prescriptions at a pharmacy using her parents' prescription benefit plan. These acts occurred five times. The investigation revealed that the collaborating doctor's name was added without her permission and Fallucca admitted that she used the narcotics for her own personal use. She pleaded guilty to one count of third-degree uttering forged documents and was admitted into the pretrial intervention program. Fallucca was required to surrender her APN and RN credentials during a two-year period of suspension and is prohibited from making an application for reinstatement during that time.

INTAKE SCREENING UNIT

The Mercer County Prosecutor's Intake Screening Unit is comprised of seven assistant prosecutors from various primary assignments and three support personnel. The assistant prosecutors are responsible for the screening of all complaints. The support staff is responsible for preparation of the manual files, entering the data into the Promis/Gavel and InfoShare databases, and scanning all documents into electronic folders for computer access.

The purpose of the intake and screening components of the office is to ensure that those cases with indictable charges are appropriate for prosecution at the Superior Court level. In order to accomplish this, the unit screens or diverts cases that can be more quickly and appropriately resolved at the municipal court level. The nature of the offense, surrounding circumstances, quality of the evidence and character of the defendant are considered in making the screening decision. The assistant prosecutors performing this important screening function can administratively dismiss the charges, downgrade the charges to non-indictable offenses or downgrade the charges and refer the case to the Remand Program. This program, which was established in late 1998, involves the retention of prosecutorial jurisdiction by this office of downgraded matters. By performing this type of early case screening, cases can be appropriately diverted before they are physically referred to the prosecutor's office, thereby avoiding the waste of time, energy and precious resources. Cases that are not diverted in this manner are further screened as being either suitable for the PIC program, appropriate for assignment to one of the specialized prosecution units within the office or ready for grand jury preparation.

This office electronically reviews all indictable cases through our InfoShare system. The program has been a tremendous success. Typically, more than 90 percent of all indictable cases are electronically reviewed within two business days. The benefit of the program has been a

conservation of prosecutorial resources and a significant reduction in the time it takes to review a case. From a municipal court perspective, the pilot program has also conserved court resources and improved case disposition time frames.

The Remand Program continues to be a valuable case screening option. When a decision is made to downgrade an indictable charge, a determination is made whether this office will retain prosecutorial jurisdiction in municipal court or whether the matter will be referred to municipal prosecutors. Cases that are selected for this program are those that may not lend themselves to prosecution in the Superior Court, but are of significant importance so that the full resources of the county prosecutor's office are brought to bear on the municipal court prosecution.

PIC (PRE-INDICTMENT CONFERENCE)

PIC cases are generally those in which the defendant has a minor record or no record, and has committed a third- or fourth-degree crime. The goal is early disposition, either through a diversion into Pretrial Intervention (PTI) or a negotiated sentence after a guilty plea to an accusation. Also, in accordance with the *Brimage* guidelines of the New Jersey attorney general, all school zone drug cases are calendared for PIC when it is appropriate to extend a pre-indictment plea offer. The early resolution of cases through PIC is essential to controlling both pre-indictment and post-indictment backlog of cases.

PIC court is held every Wednesday and Thursday. Prior to the actual court appearance, a pre-indictment plea offer is communicated to the PIC coordinator of the Criminal Case Manager's Office, who in turn relays the offer to the public defender or private counsel representing the defendant. Those defendants who indicate an intent to accept the plea offer are scheduled to appear in the PIC court the same week in order to enter their pleas. The cases of those defendants who reject the plea offers or who do not appear at a scheduled PIC hearing are immediately referred to

the Grand Jury Unit for preparation.

This year, cases resolved through PIC resulted in 340 pleas to accusations. There were also companion cases that were resolved by guilty pleas to accusations at PIC hearings.

ACCOMPLISHMENTS

The Intake Screening Unit reviewed a total of 4,893 cases in 2020. Of those matters, 1,699 defendants were administratively downgraded to disorderly persons offenses and referred to municipal court or the Remand Program for prosecution. Another 433 defendants had their cases administratively dismissed, while 80 defendants were screened out of the process. There were five defendants whose charges were referred to a different venue. There were 77 defendants who were accepted into pretrial diversionary programs while 340 defendants pleaded to accusations. Finally, the cases of 2,259 defendants with indictable charges were approved for presentation to the grand jury with 523 indictments being returned.

MEGAN'S LAW UNIT

The Mercer County Prosecutor's Megan's Law Unit is responsible for all aspects of the effective implementation of Megan's Law in Mercer County. The unit is comprised of a chief assistant prosecutor, two detectives and an administrative assistant who serve on a primary assignment basis. An additional assistant prosecutor is assigned as a secondary assignment.

In the wake of the tragic murder of 7-year-old Megan Kanka of Hamilton Township by a convicted sex offender, the governor and Legislature responded with the passage of the Registration and Community Notification Laws, *N.J.S.A. 2C: 7-1 et. seq.*, more commonly known as Megan's Law. Megan's Law creates a sex offender registry and establishes a community notification procedure that requires county prosecutors to rank offenders according to their risk of re-offense. The purpose of this legislation is to provide pertinent information to law enforcement and, in appropriate circumstances, to neighbors, parents and children, as well as community organizations that care for or supervise women or children. It is hoped that, armed with knowledge of the description and whereabouts of sex offenders, community members will be in the best possible position to protect their children and themselves. To facilitate this process, various state agencies have been charged with the responsibility of informing county prosecutors about the imminent release of such offenders. In turn, the prosecutors have been charged with the responsibility of determining the risk of re-offense, placing the offender in a "tier" based upon that determination, overseeing the dissemination of the appropriate notification required in each case, and tracking all sex offenders living within their respective counties.

Those required to register under Megan's Law include persons convicted, adjudicated delinquent or acquitted by reason of insanity of certain enumerated crimes who are released from custody after the October 31, 1994 effective date of this statute; offenders who are on parole or

probation on or after the effective date of the statute; and those offenders who have been found to be repetitive and compulsive by the court regardless of the date of conviction or adjudication.

The Registrant Risk Assessment Scale (RRAS) is a 13-factor scale employed by prosecutor's offices statewide to objectively and uniformly determine an offender's risk of re-offense. The 13 factors are assigned to four categories: seriousness of the offense, offense history, characteristics of the offender and community support. Each category is weighted in accordance with its predictive value. The prosecutor reviews the registrant's criminal file and other relevant information and applies the facts of the underlying case to the categories in the RRAS.

The registrant's tier classification determines the scope of notification. When it is determined that a registrant falls within Tier I, a tier notification flyer is given only to the local law enforcement agencies that are likely to encounter the offender. When it is determined that a registrant falls within Tier II, a tier notification flyer is provided to the local law enforcement agencies as well as to schools and licensed day care centers and summer camps likely to encounter the offender. Notification will also be given to registered community organizations that have direct supervision over children and/or women. Tier II registrants also appear on the New Jersey State Police's Internet Registry, with exceptions. When it is determined that a registrant falls within Tier III, the prosecutor will also distribute tier notification flyers to members of the public likely to encounter the offender, as well as to law enforcement agencies, schools, licensed day cares and summer camps, and registered community organizations. All Tier III registrants appear on the internet.

Prior to a Tier II or Tier III classification, the prosecutor personally serves the registrant with written notice, informing them that they have the right to object. Registrants then have 14 days in which to object. If a registrant objects to his or her tier classification, and/or scope or

manner of notification, the court schedules a Megan's Law hearing. The Megan's Law hearing is a closed proceeding that provides the registrant an opportunity to challenge the state's numerical scale score and intended scope of notification. The state often must utilize expert testimony to prove a registrant's risk of re-offense, as the state's burden of proof is by clear and convincing evidence in this quasi-criminal proceeding. If the state and the offender cannot agree, the court makes the final decision and signs an order. Notification cannot be effectuated until two days after the order is signed. The entire process is to be completed within 45 days of the date of service. By mandate of the Office of the Attorney General, registrants are re-tiered (and personally served, thus beginning the objection and hearing process again) every time they change residences, commit another crime, or for any other reason that causes the prosecutor concern.

The scope of notification in Mercer County is contingent upon whether the municipality is urban, suburban or rural as defined by the New Jersey State Police Uniform Crime Report. This report defines the only urban municipality in Mercer County as Trenton. The suburban municipalities in Mercer County are: East Windsor Township, Ewing Township, Hamilton Township, Lawrence Township, Pennington Borough, Princeton and West Windsor Township. The rural municipalities in Mercer County are defined as: Hightstown Borough, Hopewell Borough, Hopewell Township and Robbinsville Township.

In the case of a Tier III notification in an urban area, all residences, businesses, schools, licensed day cares and religious institutions located within a quarter-mile of the registrant's home and workplace are notified. Additionally, schools (administrative personnel as well as students), licensed day care centers and community organizations within a one-mile radius of the registrant's home or workplace also receive notification flyers.

In the case of a Tier III notification in a suburban area, all residences, businesses, schools,

licensed day cares and religious institutions located within a one-mile radius of the registrant's residence or workplace receive notice. Additionally, schools (administrative personnel as well as students), licensed day care centers and community organizations within a two-mile radius of the offender's home or workplace also receive notification flyers.

In the case of a Tier III notification in a rural area, all residences, businesses, schools, licensed day cares, religious institutions and private residences within a two-mile radius of the registrant's residence or workplace receive notice. Additionally, schools (administrative personnel as well as students), licensed day care centers and community organizations within a three-mile radius of the registrant's home or workplace also receive notification flyers.

The law further mandates that residents living within the scope of notification must be notified by personal service with notices containing the offender's name and address, recent photograph, physical description, underlying sex offense, vehicle description and license plate number. The Mercer County Prosecutor's Office Notification Operation Plan divides notification areas into quadrants in which teams of members of law enforcement personally serve flyers. This plan is carried out by a task force of municipal police officers from all of the municipalities in Mercer County, prosecutor's detectives and sheriff's officers. This task force was formed by the prosecutor so that the onerous task of Tier III notification does not fall entirely on one police department or the prosecutor's office. If the residents are home, the officers explain to them that they are receiving information regarding a convicted sex offender pursuant to Megan's Law and that they are permitted to share that information only within their immediate household. The residents are also cautioned that the information is not to be released to the press. The resident must sign a receipt acknowledging receipt of the flyer and the rules against improper dissemination that is returned to the prosecutor's office and stored by the Megan's Law Unit. If residents have

additional questions, the officers instruct them to contact the prosecutor's Megan's Law Unit.

If a resident, or someone over the age of 18, is not home when the officers attempt to effectuate service, the officers must leave a notice informing the resident that they must contact the prosecutor's office or report to the courthouse at one of the listed dates and times with positive identification to receive important information. The prosecutor's office arranges to have the courthouse available one or two evenings to accommodate the residents. The Megan's Law Unit staff, along with other prosecutor's detectives, then serves the residents with the notification flyers.

On July 25, 2001, the New Jersey Internet Sex Offender Registry was signed into law by the Legislature. The law mandates the internet posting of all Tier III (high risk) offenders and Tier II (moderate risk) offenders subject to certain exceptions. Tier I (low risk) sex offenders do not appear on the website. The New Jersey State Police maintains a website with the name, home address, county, photograph and description of offenses of each Tier II (with exceptions) and Tier III registrants.

In September 2001, the Megan's Law Unit began to review and re-serve all of the registered sex offenders in Mercer County where traditional Megan's Law notification had already been effectuated. All registrants are entitled to a hearing prior to having their photographs and personal information posted on the internet.

The internet law provides some exceptions for posting Tier II offenders. The law specifies that under certain circumstances, any juvenile offender, statutory rapist or incest offender (someone who committed the offense within their own household) is exempt from internet posting because of the nature of the crimes and the offenders. It has been determined by the Legislature that these classes of offenders do not pose a sufficient risk to the community to overcome their presumption of privacy and therefore should not require any internet posting.

As of December 2020, approximately 1,509 sex offenders have registered in Mercer County as first-time registrants since the passage of Megan's Law. This number includes 42 new registrants living in the county. An estimated 301 individuals currently residing in Mercer County are Tier I sex offenders; approximately 543 are Tier II sex offenders; and none are Tier III sex offenders.

State-of-the-art equipment is crucial to the success of the Megan's Law Unit. Computer equipment, including a color scanner, color printer, color copier, mapping software and database software, and a Global Positioning System, was purchased to create the color flyers necessary to provide the required notifications. The equipment is also used to accurately determine and plot the appropriate scope of notification surrounding a registrant's home and workplace, to track the whereabouts of each registrant, and to maintain a ready source of information regarding many aspects of each registrant.

Training and community outreach activities are an integral part of the unit's responsibilities. The chief assistant prosecutor routinely provides training for all public, private and parochial schools, as well as licensed day care centers, within each of the 12 municipalities. The training provides superintendents, principals, teachers and caregivers with instructions on how to properly effectuate Tier II and Tier III notifications and provides materials to ensure that notifications comply with the mandates of the statute.

The chief assistant prosecutor also provides semi-annual training to the Megan's Law liaison officers from each municipality, parole officers and probation officers regarding any changes in the law and apprising them of their new and changing responsibilities. To date, the unit has conducted more than 200 training sessions.

Based on the onerous requirements of effectuating a Tier III community notification, the

prosecutor, in conjunction with the Mercer County Chiefs of Police Association, created the Megan's Law Task Force. The task force is comprised of the Megan's Law liaison officers from each of the 12 municipalities. In 2020, there were no Tier III notifications.

Finally, the unit has the responsibility of prosecuting sex offenders who fail to comply with Megan's Law registration requirements. During 2020, approximately 6 registrants were charged with third-degree failure to register as a convicted sex offender pursuant to *N.J.S.A. 2C:7-2*. The Megan's Law Unit also works closely with the probation and parole officers who supervise Megan's Law registrants who have been sentenced to community or parole supervision for life, pursuant to *N.J.S.A. 2C:43-6.4*. In 2020, approximately 10 registrants were charged with a violation of a special sentence of community supervision for life, a third-degree offense. The unit is also responsible for prosecuting charges under legislation comprised of failure to comply with monitoring requirements pursuant to *N.J.S.A. 30:4-123.85* and interference with a monitoring device pursuant to *N.J.S.A. 30:4-123.86*, both third-degree charges.

SPECIAL INVESTIGATIONS UNIT

The primary goal of the Special Investigations Unit (SIU) is to investigate, arrest and prosecute persons who are involved in the sale of controlled dangerous substances. Detectives assigned to the SIU engage in a host of investigative activities ranging from traditional undercover police work such as buy/bust operations, reversal, and courier interdictions to highly sophisticated wiretap investigations. The scope of these investigations includes everything from simple street level dealing to complex distribution conspiracies, and may focus on specific individuals, residences or areas within the county that have been identified through the collection of intelligence information.

Often, when suspected drug activity spans more than one community or crosses county lines, SIU detectives participate in a task force comprised of all law enforcement agencies within the affected area. Because of the large number of cases generated by SIU investigations, unit detectives are often called to testify in court. The designated detectives, by virtue of their extensive training and experience, have been qualified by the court to testify as experts in the field of narcotics and narcotics distribution activities.

The assistant prosecutors in the unit are responsible for prosecuting the cases resulting from the unit's investigations. Equally as important, in order to ensure the quality of these investigations, they also provide legal guidance, both within the unit and to outside law enforcement agencies. Moreover, they assist in the preparation and review of all search warrants, applications for consensual interceptions, communications data warrants and electronic surveillance applications.

Finally, in addition to investigating and prosecuting cases, the unit plays an important role in combating illegal drug activity by providing training, technical assistance and equipment to

police departments throughout Mercer County. Unit members also assist local schools with delivering the important anti-drug message to our youth. Attorneys from the unit instruct Mercer County law enforcement personnel in search and seizure law.

ORGANIZATION

The Special Investigations Unit is presently staffed by two attorneys, one of whom is designated as chief of the unit, one lieutenant, one sergeant, eleven detectives and one secretary. In September 2013, the Mercer County Narcotics Task Force was formed. A multi-jurisdictional task force under the leadership of the Special Investigations Unit, it is aimed at addressing illegal drug activity in Mercer County. Task force members supplement the unit with detectives provided by the Hamilton Police Division, the Mercer County Sheriff's Office and the U.S. Drug Enforcement Administration. The unit also works cooperatively with Homeland Security Investigations, the Federal Bureau of Investigation, the United States Attorney's Office, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Postal Service, the New Jersey State Police, and other police departments throughout the state and in Pennsylvania.

ACCOMPLISHMENTS OF THE SPECIAL INVESTIGATIONS UNIT IN 2020

During 2020, the Special Investigations Unit executed 87 search warrants and/or arrest/consent searches, arrested 131 individuals, and seized \$1,261,450 in cash and approximately \$6,829,720 worth of controlled dangerous substances. The unit also confiscated 29 firearms and 16 vehicles. Additionally, the Special Investigations Unit also participated with the state Office of the Attorney General's NJ CARES program to help individuals addicted to controlled dangerous substances break the cycle of addiction by being offered alternatives to criminal prosecution.

OPERATION “EIGHT-BALL”

In August 2020, the Mercer County Narcotics Task Force began an investigation into several criminal street gangs thought to be involved in homicides in the city of Trenton and the surrounding area, including the H-block, North Side Only, and 801st Street criminal street gangs. During the investigation into Joseph Kaite, a known member of the North Side Only criminal street gang, an undercover officer purchased suspected heroin from Kaite on 10 occasions between August 6, 2020, and November 4, 2020. In an effort to further investigate Kaite’s source of heroin supply, officers utilized communications data warrants and wiretaps to reveal information relating to his source of supply, which spawned additional investigation into high-level drug operations of other dealers.

On November 4, 2020, officers from the Mercer County Narcotics Task Force, Trenton Police Department and the New Jersey State Police arrested Kaite after he conducted a sale of heroin to the undercover officer. During the arrest, Kaite attempted to escape by ramming a police vehicle and then running from his vehicle after the collision. Detectives apprehended Kaite on scene, placed him in custody and retrieved an additional brick of suspected heroin from his person. The suspected heroin was sent to the New Jersey State Police Laboratory, which revealed the suspected heroin contained heroin, fentanyl and 4-ANPP. As a result of the investigation, Kaite is facing second-degree charges for distributing heroin, fentanyl and 4-ANPP. Additionally, the electronic data received pursuant to the communications data warrant on Kaite’s phone corroborated the Mercer County Homicide Task Force’s investigation related to Kaite’s involvement in the murder of Derrick Colley. Kaite is currently detained on the homicide case.

STATE V. COLLIN POWELL

In December 2020, the Mercer County Narcotics Task Force worked with Detective Mike Smith, Sergeant Brian Kiely and federal agents to protect the citizens of Mercer County by coordinating a buy-bust operation of an assault rifle. On December 14, 2020, Detective Mike Smith of the Mercer County Prosecutor's Office was notified by agents with the Federal Bureau of Investigation, Naval Criminal Investigative Services and the Department of Homeland Security that Collin Powell, a recruit with the U.S. Marine Corps, was planning on illegally purchasing an assault rifle from a cooperating witness while on leave in Lawrenceville, New Jersey. Agents relayed that they had previously been monitoring Powell due to his online activity and conversations he was having with the cooperating witness that exposed radical ideals stemming from his belief in white supremacy, religious prejudice and the Neo-Nazi movement.

On December 19, 2020, under the direction of Sergeant Joe Angarone, the Mercer County Narcotics Task Force and federal agents conducted a buy-bust operation using the cooperating witness provided by the FBI. The formulated plan for the operation called for the cooperating witness to sell Powell a Rock River Arms LAR-15 provided by the FBI, under the supervision of surveillance officers from the Mercer County Narcotics Task Force. Subsequently, Powell arrived in the area of the Dunkin' Donuts, provided the cooperating witness the agreed upon amount of money, and took possession of the firearm, at which time officers arrested Powell. He was transported to the Mercer County Prosecutor's Office for processing.

On that same date, Powell gave a formal recorded statement admitting that he knew purchasing the assault rifle was illegal. Moreover, he admitted to various statements he made over the internet service Discord that espoused religious and racial prejudices and support for the Neo-Nazi movement. At that time, Powell also provided detectives consent to search his cellular phone.

Detective Smith obtained a search warrant for Powell's grandmother's home on Princeton Pike in Lawrence Township to retrieve his laptop computer. After securing a search warrant to forensically examine the laptop and a communications data warrant to examine Powell's Discord account conversations, Detective Smith found additional information that corroborated Powell's desire to obtain an illegal assault rifle as well as information confirming his belief in various radical ideologies.

On January 4, 2021, Judge Robert Bingham ordered Powell detained pending trial. Powell is charged with second-degree unlawful possession of an assault rifle and fourth-degree possession of a large capacity magazine. The case is currently pending.

SPECIAL VICTIMS UNIT

The Special Victims Unit (SVU) is responsible for all cases involving the physical abuse of children and the sexual assault of both children and adults referred to the Mercer County Prosecutor's Office for investigation and prosecution. Detectives in this unit conduct any necessary follow-up investigation on cases referred by local police departments or social agencies, as well as initiate their own investigations. Assistant prosecutors assigned to the unit screen, indict and prosecute all referred and original investigations.

The SVU's mission is three-fold: (1) to promote the effective investigation and successful prosecution of child physical abuse, and child and adult sexual assault cases; (2) to provide victims and their families with guidance and support throughout the investigation and prosecution of their cases; and (3) to educate the community about the prevention and prosecution of child abuse and sexual assault crimes. The unit does not discriminate against any victim because of race, creed, color, national origin, sex, marital status, religion, sexual orientation, ancestry, or mental or physical handicap.

During 2020, the unit consisted of three assistant prosecutors as a primary assignment, one of whom is chief of the unit, three additional assistant prosecutors as a part-time assignment, one additional assistant prosecutor as on-call only, and six full-time detectives. The investigative function of the unit was overseen by an officer-in-charge, a sergeant, lieutenant and captain.

The SVU is located in the Child Advocacy Center, which is a safe, comfortable place, apart from the courthouse and the rest of the prosecutor's office, where children who have been sexually or physically abused can be interviewed in a child-friendly atmosphere. A safe, comfortable area for adult sexual assault victims is provided in the center as well. Interviews are conducted by law enforcement officers specially trained to interview children and adult victims of sexual assault. All

interviews of sexual and physical abuse victims under the age of 12 are videotaped, eliminating the need for repeated interviews by other agencies involved in the case. Such investigations are joint efforts among the prosecutor's office, the municipal police departments and the state Division of Child Protection and Permanency (DCP&P), and are conducted in a manner that is also sensitive to the non-investigative needs of these cases. Often, the child and the non-offending parent or guardians are referred to crisis intervention, medical services, mental health services and victim advocacy.

The Child Advocacy Center also houses the Multi-Disciplinary Team (MDT) coordinator. The Mercer County MDT was established as an investigatory and case management team to process criminal child sexual abuse and child physical abuse cases. The goal of the MDT is to improve the rate of prosecution, limit the number of victim interviews and provide necessary services to victims of child sexual assault and abuse. The primary function of the MDT is to provide case supervision from initiation of a criminal or civil investigation through evaluation and treatment of the child and family, and final disposition of the case. Team members are drawn from professionals in the fields of law enforcement, child protective services, mental health, victim services and medicine. The MDT coordinator ensures that appropriate team members are assembled for each case scheduled for review.

Investigations are conducted jointly between law enforcement and child protective services as set forth in a joint investigative protocol entered into by the prosecutor and DCP&P, and issued by the prosecutor. These investigations are later examined by the MDT through initial and periodic reviews to identify and resolve issues concerning not only investigation and prosecution case needs, but also child protection requirements, including treatment and support for the victims and their families.

In 2020, the MDT conducted more than 350 case reviews, including more than 300 initial case reviews. Moreover, the MDT coordinator and members of the MDT continued to provide formal training for members of law enforcement, child protective services, school personnel and other social agencies about the MDT process and uses. Since the SVU is involved in a highly sensitive and specialized area that requires its assigned personnel to be well-trained and motivated, members must continually update themselves on changes in case law, new investigative techniques and procedures, and the latest developments in the psychological aspects of dealing with victims.

In order to ensure that child abuse and sexual assault cases are handled properly, the SVU operates on a 24-hour-a-day basis, with an assistant prosecutor and detective on call at all times. Whenever a sexual assault is reported to one of the municipal police departments or to the state police in Mercer County, the on-call detective is notified. The on-call detective assists the municipal police in the initial investigation of all first- and second-degree crimes and may assist on third- and fourth-degree crimes. Follow-up investigations, which can include taking statements from witnesses, compiling physical and photographic line-ups, and the collection of additional physical evidence of the crime, are handled jointly by the local agency and the unit detective. An assistant prosecutor is available 24 hours a day for legal advice.

On July 15, 2002, the Sexual Assault Nurse Examiner/Sexual Assault Response Team (SANE/SART) Program was implemented in Mercer County. The Sexual Assault Response Team is made up of three professionals who work together at the victim's request to assist the victim through the aftermath of a sexual assault. The victim may choose to go to any of the four SART hospitals in Mercer County: Capital Health Regional Medical Center (Trenton), Capital Health Medical Center - Hopewell, Robert Wood Johnson University Hospital at Hamilton or St. Francis Medical Center (Trenton). The members of the SART include a rape care advocate from

Womanspace a sexual assault nurse examiner and a law enforcement officer. SART members provide emotional support, medical treatment, evidence collection and investigation of the incident. SART services are available 24 hours a day, 365 days a year. In 2020, there were 82 activations with 66 of those activations requiring a response.

The SVU employs a vertical prosecution method. Cases are assigned to a designated assistant prosecutor during the initial investigation. The assistant prosecutor attempts to meet with the victim and their guardian if the victim is a minor, prior to grand jury presentation, personally handles the case presentation to the grand jury and remains assigned throughout all stages of prosecution. The assistant prosecutor consults with the victim and their guardian if the victim is a minor, prior to any plea offer or final disposition in the case, as required by statute.

In order to ensure that a victim's emotional needs are met throughout the criminal justice process, the SVU cooperates with Womanspace and PEI Kids, which offer both counseling and support to sexual assault victims and their families. Additional counseling referrals are arranged through the victim witness advocate assigned to the unit.

In 2020, the unit's investigative caseload totaled 530 cases, including 157 investigations carried over from 2019. Of this number, 270 investigations were completed in 2020. Of those investigations resulting in charges, final dispositions were achieved in approximately 22 cases, including 12 guilty pleas, 20 administrative dismissals/downgrades, 13 indictments, and 10 defendants admitted into the Pretrial Intervention Program. No cases resulted in trial.

SIGNIFICANT CASES

STATE V. ERIDSON RODRIGUEZ

In September 2020, an investigation that began in 2019 resulted in the defendant being charged with two separate aggravated sexual assaults of unconscious victims. In response to a press release concerning these charges, several other victims came forward. Based on additional investigation, the defendant was charged in six other incidents dating back to 2013. Ultimately, the defendant was indicted on multiple counts of aggravated sexual assault, sexual assault, criminal sexual contact, and criminal restraint encompassing assaults of eight women. He remains incarcerated pending trial.

STATE V. PRESTON SCOTT

In January 2020, Ewing police received a report from the Division of Child Protection and Permanency regarding the potential abuse of three siblings, ages 10, 7, and 6, at the hands of the defendant. The investigation revealed deplorable living conditions, including a lack of electricity and heat. In the course of forensic interviews, the children revealed that they had been beaten with belts and cords, and they had visible wounds in various stages of healing. A search of the residence also resulted in the seizure of an AR-15 rifle with a pistol grip and a high-capacity magazine. The defendant was indicted on multiple counts of endangering the welfare of a child and weapons possession. He remains incarcerated pending trial.

TRIAL UNIT

The Mercer County Prosecutor's Trial Unit works with each of the criminal courts to ensure a smooth flowing schedule of cases for status conferences, dispositions and trials. To that end, each court is assigned an assistant prosecutor as a trial team leader who supervises and coordinates the trial schedule of the team, which is generally comprised of two additional assistant prosecutors and two detectives. Although cases prosecuted by specialized units are also assigned to each of the criminal courts, it is the trial teams that do the bulk of the trial work before each judge. Additionally, this year one criminal judge was assigned to do trial work only. Trial cases were routinely transferred there for trial and handled by trial team assistant prosecutors.

The Trial Unit is comprised of the executive assistant prosecutor, three trial team leaders and approximately six additional assistant prosecutors whose primary assignment is the Trial Unit. Additionally, a lieutenant, two sergeants and approximately eight detectives are assigned full time to the unit.

In 2020, the Mercer County Prosecutor's Office brought eight cases to trial. Overall, the office resolved approximately 756 cases by trial, negotiated plea or other disposition. Many of these resolutions came only after extensive pre-trial preparation and investigation. On rare occasions, guilty pleas were entered on the eve of trial or during some stage of the trial itself.

EXTRADITION & FUGITIVE UNIT

The mission of the Mercer County Prosecutor's Extradition and Fugitive Unit, working in conjunction with the Mercer County Sheriff's Office as well as other law enforcement agencies both nationwide and internationally, is to apprehend fugitives from justice. The unit addresses outstanding bench warrants, arrest warrants and warrants of indictment.

The unit is comprised of four people. One detective works in the unit as well as a member of the professional staff. In addition, two assistant prosecutors staff the unit.

When individuals within our jurisdiction are wanted in another state, the requesting state contacts the unit. In order to accomplish the return of these individuals to the states where they are awaiting prosecution, certain criteria must be met. While some individuals simply choose to waive extradition proceedings and voluntarily return to other states for prosecution, many individuals challenge extradition. In such cases, the unit must contact the requesting state and coordinate the issuance of governors' requisition and rendition warrants. Procuring these specialized warrants allows the county to transport individuals over state lines for the purposes of prosecution. Without the governor's approval on these cases, extradition cannot be accomplished.

In cases when individuals choose to waive extradition, a governor's warrant is not necessary and the requesting agency simply transports the fugitive back with approval of the court. When a person who is being extradited still has matters pending in Mercer County, the pending matters are usually resolved prior to extradition. If it is necessary to extradite an individual prior to a case being resolved, the unit confirms that necessary detainers are filed in order to assure the return of the defendant.

In addition to dealing with extraditions to other states, the unit is also responsible for bringing fugitives located in other states back to Mercer County for prosecution. As is the case

when fugitives are extradited to other states, governor's warrants or extradition waivers are required in order to guarantee that fugitives are properly returned. In order to obtain a governor's requisition warrant, the unit must complete paperwork including affidavits, fingerprint analysis, certified indictments or complaints as well as certified warrants. The unit works closely with the New Jersey governor's extradition secretary to procure these documents.

Often fugitives are serving sentences in another state. In that case, the Interstate Agreement on Detainers is used to facilitate extradition back to Mercer County. By virtue of the agreement between the party states, expeditious transfers are made possible. The Extradition and Fugitive Unit simply completes the necessary paperwork, which includes affidavits and certified documents, and then tracks the case to make sure that time limits imposed by the Interstate Agreement statute are met. A missed deadline results in the dismissal of the pending charges.

Besides dealing with the actual extradition of the fugitives, detectives assigned to the unit regularly search for fugitives from our jurisdiction both within the state and outside its borders. Those fugitives who are found within the county or state are arrested and returned to custody to face pending charges. Those fugitives who are discovered outside of New Jersey are arrested and extradition proceedings are initiated in Mercer County. The location and arrest of fugitives out of the area is accomplished with the help of other law enforcement agencies that lend support and manpower to our searches. Before beginning any search for a fugitive, the case is reviewed to determine whether prosecution will still be possible once the person is captured.

In reviewing files, it is also this unit's responsibility to make sure that any warrants issued and entered into NCIC are labeled with appropriate geographic parameters for extradition. Such decisions are made by an assistant prosecutor after reviewing the files and must be made prior to entry of warrants into NCIC. These levels are reviewed regularly in order to ensure that they

remain appropriate.

Over the course of 2020, the unit was involved in several extraditions. During the pandemic shutdown, unit work was less than normal. It was also harder to transport prisoners due to traveler restrictions. The unit completed three Interstate Agreement on Detainers extraditions and four governor's warrant extraditions in order to return fugitives to this jurisdiction. Along with handling requests for disposition under the Interstate Agreement on Detainers, the unit also fielded 15 inquiries regarding the status of pending charges. These inquiries are made by federal and state correctional facilities as well as defendants themselves. Our office researches each case individually and answers all inquiries appropriately and efficiently. In addition, a number of out-of-state governor's warrants were received requiring the extradition of individuals to other states. These individuals waived extradition and were returned to the states seeking them.

The unit is also involved in enforcing witness subpoenas under the Interstate Agreement to compel the attendance of out-of-state witnesses. Upon receipt of a request, the unit's assistant prosecutor must present a petition to the presiding judge of the Superior Court, Criminal Part, setting forth the facts of the out-of-state matter, the need for the witness, the date and time the witness is required for testimony, and the arrangements that have been made to transport the witness to and from the requesting state. The court then issues an order to show cause that provides the subpoenaed witness an opportunity to explain why the subpoena should not be enforced. Following the hearing on the show cause order, the court issues an order compelling the witness to present for testimony at the out-of-state matter. Failure to comply with the court's order results in arrest for contempt. The unit also assists in having out of state material witnesses subpoenaed for matters here.

The unit also reviews files containing old bench warrants, however, the defendant is

deceased. Proof of the defendant's death is obtained and the case is then presented to the court for dismissal. This was done in three cases as it was hard to obtain death records during the shutdown.

In order to further its goals, the Fugitive Unit works in conjunction with the U.S. Marshals New York/New Jersey Regional Fugitive Task Force. Working as a task force allows all parties to more easily locate fugitives and safely return them to the jurisdictions requesting their presence. By joining resources, all members of the task force benefit as do the people of Mercer County and the surrounding jurisdictions.

Overall, 2020 was another successful year for the resolution of fugitive matters. The Fugitive Task Force/Trenton Division located approximately 200 Mercer County fugitives and assisted in 50 out-of-county fugitive arrests. This was completed during the shutdown, which was no easy task. In particular, the task force aids in the apprehension of homicide suspects nationwide. The apprehension of fugitives within the state as well as out of state involves the cooperation of several local, state, and national agencies and organizations. The Mercer County Prosecutor's Office has partnered with the Mercer County Sheriff's Office, the Federal Bureau of Investigation, the U.S. Marshals Service, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, the U.S. Secret Service, the Drug Enforcement Administration, U.S. Immigration and Customs Enforcement, the New Jersey State Police, and police departments from Trenton, Hamilton, Ewing, Lawrence, West Windsor, Princeton, Pennington Borough, Hightstown Borough, Robbinsville Township and Hopewell Township in performing its mission. Numerous other county prosecutor's offices also routinely assist the unit, including Hunterdon, Middlesex, Monmouth, Ocean and Burlington, and the unit has worked closely with the Bucks County District Attorney's Office in Pennsylvania.

FEDERAL & STATE GRANTS

The Mercer County Prosecutor's Office believes in aggressively and diligently pursuing grant funding opportunities to enhance the delivery of services to the public at no expense to the county. The following is a list of grants currently managed by the office:

INSURANCE FRAUD GRANT

The goals of this grant are to aggressively detect and investigate insurance fraud occurring within Mercer County, and to apprehend and prosecute those responsible for engaging in those activities. The unit specializes in the prosecution of insurance fraud and acts as a liaison between the insurance industry and local law enforcement. The award for this grant is \$250,000.

JUSTICE ASSISTANCE GRANT

The funds will be shared by the Mercer County Prosecutor's Office, the Trenton Police Department, and the Hamilton Police Division to aggressively investigate crimes through increased patrols, technology improvements, enhanced equipment, and intelligence-driven policing.

The Mercer County Prosecutor's Office administers the funds on behalf of the Trenton Police Department and the Hamilton Police Division. The total amount of the award is \$123,710.

The Mercer County Prosecutor's Office uses its share of \$12,371 to hire interns to continually update our gang database, which is available to all of the police departments in Mercer County, in order to provide police officers with up-to-the minute information about gang activity and affiliations.

The Trenton Police Department utilizes its share of \$98,799 for the purchase of police equipment and supplies to help combat criminal activity in the city of Trenton.

The Hamilton Police Division uses its share of \$12,540 to hire officers for overtime to saturate areas where spikes in crime and quality-of-life issues are observed.

**SEXUAL ASSAULT RESPONSE TEAM / FORENSIC NURSE
EXAMINER (SART/FNE)**

With the establishment of a countywide Sexual Assault Response Team, the collaborative and specialized response to sexual assaults is greatly enhanced, resulting in improved investigations and prosecutions. The program is also intended to provide more professional services to the victim and to reduce the amount of trauma and stress caused by an investigation. It is anticipated that this program will increase the reporting of sexual assaults, as well as improve the conviction rate of offenders. The award for this grant is \$121,407.

BULLETPROOF VEST PARTNERSHIP PROGRAM

The purpose of this grant is to save the lives of law enforcement officers by helping states, units of local government and tribal governments equip their officers with bulletproof vests. The total grant is \$4,429.

VICTIMS OF CRIME ACT (VOCA) GRANT

The project continues to improve the treatment of victims and witnesses, and to ensure their rights by providing assistance and services that will help them cope with the aftermath of victimization. The award for this grant is \$995,422.

OPIOID PUBLIC HEALTH CRISIS RESPONSE: OPERATION HELPING HAND

The project aims to combat the opioid epidemic by using law enforcement as a gateway for individuals with substance use disorder issues to enter treatment and/or be connected with appropriate recovery services. The award for this grant is \$47,619.

IDENTIFICATION UNIT

The Mercer County Prosecutor's Identification Unit provides photographic and identification services to the legal and investigative staff of the office, as well as all local police agencies within Mercer County.

Utilizing a central computerized criminal history terminal, the unit provides updated criminal history records on all defendants and, when necessary, current addresses and photographs. These items are forwarded to various units within the office and to requesting police departments within the county. The unit conducts monthly background checks for grand jurors. The unit is responsible for the monthly Uniform Crime Report for the New Jersey State Police, which is shared with the FBI.

Mugshots are computerized through PictureLink, allowing all departments to access current arrestee photographs. When necessary, any photography produced by any unit can be processed and returned for investigative/trial purposes. All photographs are printed digitally. A public housing and park mapping program is now available to verify drug-free zones within the county, and school zone maps are digitally available, enabling the unit to print the maps directly rather than storing them in boxes.

In addition, the unit assists in confirming the true identity of inmates in question that are in our jurisdiction. Members of this unit produce affidavits of identification for defendants using aliases. It also assists in the collection of samples that are necessary for state and national DNA databases. The unit is working with the state to fingerprint defendants that have not been printed for charges being heard in Superior Court.

During the trial preparation phase of cases, the unit's staff is available for any additional photography requested by the assistant prosecutor and also prepares demonstrative trial aids and

exhibits. In addition, several detectives have been trained in evidence collection and photography to assist the unit when necessary.

This unit works closely with the Combined DNA Index System, the New Jersey State Police Data Reduction Unit, and all of Mercer County's municipal police departments to maintain compliance. Due to the 2017 Criminal Justice Reform Act in New Jersey, the Identification Unit now works closely with the courts to ensure ECDR compliance, the linking of DNA and fingerprints, and the overall accuracy of a defendant's Public Safety Assessment.

In addition to these responsibilities, the unit also assists with expungements, background checks, training of personnel, and assists individuals who have been victims of identity theft.

During 2020, the Identification Unit processed the following:

Law Enforcement Records Checks.....	126
10 x 12 Trial Photos	150
24 x 36 Trial Photos.....	0
Poster Prints for Court.....	0
Record Checks.....	6,371
Maps/Crime Scene Enlargements for Trial	0
Persons Fingerprinted.....	77
DNA Collected	22
Identity Theft Memos.....	5
Memos to Data Reduction Unit for Corrections	228
Expungements Removed for PictureLink	196

INTERNAL AFFAIRS UNIT

Pursuant to the Attorney General's Guidelines for Internal Affairs Policy and Procedures, the Mercer County Prosecutor's Office is responsible for any investigation of alleged misconduct by a county or local law enforcement officer that could potentially constitute a criminal offense. By policy promulgated by the Mercer County Prosecutor, potential criminal misconduct by county corrections officers also must be reported to and investigated under the authority of this office. The Mercer County Prosecutor's Internal Affairs Unit, consisting of the first assistant prosecutor, two deputy first assistant prosecutors, one assistant prosecutor and four superior officers, supervises all of these investigations, becoming actively involved when particular circumstances require.

Mercer County law enforcement and correction agencies are obligated to advise the Internal Affairs Unit as soon as information regarding potential criminality of an officer's actions is brought to their attention. At that point, unit personnel determine the nature and scope of the investigation to be conducted, provide legal and investigative advice, and determine whether the investigation should be conducted by agency personnel alone, by this officer alone or jointly. At the conclusion of an investigation, the Mercer County Prosecutor's Office decides whether to prosecute, decline prosecution and/or refer the matter back to the agency for appropriate administrative or disciplinary action.

Although the Mercer County Prosecutor's Internal Affairs Unit has been functioning for a number of years, no formal accounting for its work was done prior to 2005 when an in-house computer program was devised. During 2006, that in-house program was replaced by InfoShare, permitting a greater degree of control to be exercised over an escalating volume of investigations.

In 2020, there were 130 formal internal affairs investigations opened by the Mercer County

Prosecutor's Office. This total does not include agency contacts when an immediate decision is made by this office to permit the matter to be handled administratively or contacts in which the agency merely seeks legal or investigative advice. Of those investigations, 119 were closed by the end of 2020.

The 2020 investigations included various allegations of official misconduct, including excessive force, racial profiling, domestic violence, theft, drug distribution, drug use, harassment, false arrest, improper searches, tampering with records, improper computer access, and corruption.

MUNICIPAL COURT UNIT

The Mercer County Prosecutor's Municipal Court Unit was created in June 2002 and is made up of one assistant prosecutor who serves as a liaison between the Mercer County Prosecutor's Office and the attorneys who serve the 12 municipalities as municipal court prosecutors. The assistant prosecutor assigned to the unit oversees municipal court appeals handled by this office and provides training sessions and technical assistance to the municipal prosecutors. The assistant prosecutor also answers inquiries from the municipal prosecutors, municipal court administrators and the presiding judge of the Mercer County Municipal Court Vicinage.

The municipal court liaison meets on a regular basis with the state Division of Criminal Justice's Prosecutors Supervision and Coordination Bureau. The information provided at these sessions is then presented to the municipal court prosecutors. This information includes updates of relevant case law, particularly in the area of drunk driving, changes to existing laws and the creation of new law that is applicable to the municipal courts.

Because of the pandemic, during the past year the Municipal Court Unit did not conduct any meeting sessions with the municipal prosecutors to discuss changes and developments in municipal court law and to discuss issues of mutual concern to all of the municipal prosecutors. The unit continued to provide training and updates on procedures and developments and the change of the law with regard to the Alcotest 7110 breath instrument. There was a significant change to the sentencing to be imposed on DWI convictions that went into effect on December 1, 2019. The unit continued to update and provide all developments as they were received from the Attorney General's Office. The case of *State v. Chun*, decided by the Supreme Court, determined that this new breath test instrument is scientifically reliable. The Court also established guidelines

for discovery and what documents are necessary to present in court to establish the validity of the instrument in municipal trials.

Many of the issues that arose as a result of the Supreme Court's decision have been resolved. These include challenges to the 20-minute observation period prior to the test, the issue of what downloads and the form in which they take to be presented to the defense bar, and other attempts questioning the proper administration of the test. The subject of which thermometer needs to be used was resolved by the case of *State v. Holland* and that is no longer an issue since the thermometer currently being used has been deemed sufficient. Updated training and materials continue to be provided to the municipal prosecutors regarding these new issues and defenses being presented by the defense bar as a follow up to the *Chun* decision.

The standard statement that is read to all DUI suspects regarding the fact that they must submit to an Alcotest has been decided. In the case of *State v. Driscoll*, it was concluded that the new standard statement issued in July 2012 by the Attorney General's Office was proper. It further indicated that its prior statement was still valid because it is the duty of the Attorney General's Office to formulate that statement. Further, the Attorney General's Office has its data download system up and running as required by *Chun*. The defense bar had filed a motion indicating that the system was not sufficient. However, the Supreme Court has determined that the central data download system meets all the requirements set forth in the *Chun* decision.

A new issue has arisen regarding the Alcotest instrument and this unit continues to advise the municipal prosecutors. Specifically, Trooper Dennis, who was an Alcotest coordinator and assigned to rechecking the instruments, failed to follow one step on the procedures set up by the Attorney General's Office. As a result, the thousands of tests he conducted have been challenged. A hearing was conducted by a special master appointed by the New Jersey Supreme Court and his

resulting opinion has been sent to the Court. The Supreme Court determined that the step omitted by Trooper Dennis was an important and necessary step of the procedure set up by state police. The Court ruled that the step was required and, as such, any Alcotest reading obtained from the instruments he recalculated are not valid and the readings cannot be used to prove a *per se* violation. Only a very small percentage of Trooper Dennis' tests were conducted in Mercer County. The state and the Supreme Court are still working out how to proceed to resolve the questions in all of these cases statewide.

The Attorney General's Office has indicated that the new Alcotest instrument will be replacing the previous version, as the manufacturer determined that it will no longer service the older breath test device. The Attorney General's Office is proceeding with the necessary steps for its implementation and the Municipal Court Unit continues to update our municipal prosecutors with materials regarding these issues.

There has been a significant development in the issue of when the state can draw blood from an individual in order to determine the content of alcohol in the system. Since the United States Supreme Court case of *McNeely*, it has been determined that there is no longer a *per se* right to request blood on the basis that an exigent circumstance exists because of the way alcohol depletes in the system. It is now required that a search warrant be applied for in order to obtain the approval to have a defendant's blood drawn. The prior procedure in place for telephonic search warrants has been modified and the on-call assistant prosecutor will handle these applications. There still exists an exigent circumstance exception, but that is dependent on a number of factors that a court would need to review to determine if there truly was an exigent circumstance that would excuse the need for the search warrant.

The Supreme Court recently determined that the application of *McNeely* is only retroactive

to cases that are in the “pipeline.” Essentially, that includes any case that was still pending or an appeal had been taken after the *McNeely* decision. Any cases prior to that would not be given retroactive consideration. An issue has recently arisen in the case of requesting urine samples. *State v. Verpent* before the Appellate Division resulted in an order being issued and the matter remanded to determine the exigent circumstances that existed in that particular case surrounding the urine sample obtained from the defendant. It appears the court may be leaning in the direction of the *McNeely* standard to urine samples, although that has not been fully decided. This was an Appellate Division order, and it will undoubtedly be the subject of further litigation depending on the outcome.

The unit continues to provide opportunities for assistant prosecutors to cover municipal court sessions and to gain valuable experience in this area. The Municipal Court Coverage Team continues to provide a ready group of eight assistant prosecutors to train and dispatch to the county’s municipal courts when needed. The unit has assisted the municipal prosecutors in providing more timely access to one another to provide court coverage for their respective municipalities. The unit continues to address the issue of the proper handling of motor vehicle tickets that are part of indictable criminal charges.

OFFICE OF INFORMATION TECHNOLOGY

The function of the Mercer County Prosecutor's Office of Information Technology is to manage, plan, implement, and support new and ongoing computer projects. The office is responsible for managing and monitoring the security and assurance of all existing and proposed computer systems. It is also responsible for the day-to-day operations of office technology equipment and software, including the computer network of the prosecutor's office and attached state systems, consisting of servers, tablets, smartphones, scanners, smartboards, many attached peripherals, and more than 300 client computers and laptops. This hardware supports many software applications for use by the prosecutor's office, local police departments and other law enforcement agencies. This equipment is distributed throughout many locations and is also used for remote work. These locations include five buildings staffed by prosecutor and task force personnel, courtroom computers at the Mercer County Courthouse and several PCs, scanners, Automated License Plate Reader (ALPR) cameras, and additional equipment located throughout the municipalities. This unit is also responsible for server management and programming of door security access, alarm communications and video surveillance systems located at the main office and evidence office locations.

In addition to the daily operations of the Office of Information Technology, several projects were completed in 2020. At the beginning of the year, new BEAST evidence workstations and scanners were installed for the Special Victims and Economic Crime units. Previously purchased grant PCs were upgraded to Windows 10. All remaining PCs and laptops were replaced throughout all office locations. Mostly all PC and laptop replacements were set up, installed and distributed during the pandemic. Older returned laptops were refurbished and distributed to support staff personnel during the pandemic to be used remotely. More than 100 laptops were purchased and

set up for investigative staff with dual monitors and docks to be used in the office. These laptops were also fully programmed to be used remotely. More than 50 tablets were purchased, set up and distributed to the entire legal staff at the onset of the pandemic to be used for virtual court and remote work.

By the end of March 2020, planning, purchasing, configuration, programming and implementation of VPN access to our office network was completed. This expedited project included the installation of a SMA virtual appliance with licensing, a RADIUS server, and security tokens for multi-factor authentication. Information Technology staff worked diligently throughout the year configuring and installing employee equipment for VPN access necessary for remote work. Before the end of 2020, nearly 100 percent of the prosecutor's office staff was able to access the entire office network remotely. This allowed employees to continue working from home. Information Technology staff followed a modified schedule that included coverage on weekends and extended coverage during the work week to provide continued support to office staff working remotely.

New anti-virus software was purchased, and a new AV management server was built to accommodate all servers, PCs, laptops and tablets. The new anti-virus platform includes content filtering, application vulnerability intelligence and other key features necessary for remote work security. Planning and purchasing began for the implementation of additional ALPR hardware and software upgrades to be completed in 2021.

Updated switches were configured and installed at our Lamberton Road facility to support all networked equipment at this location, including servers, PCs, laptops and printers. Plans also began for the installation of WiFi at Lamberton Road. This project is expected to be completed in 2021. StarWitness interview systems were upgraded at all office locations and Law Enforcement

2020 online training modules were processed and distributed throughout the year.

Plans were finalized and purchasing began for a project that includes server upgrades at our two main office locations to accommodate structured and unstructured data needs. This includes necessary hardware and adequate storage for data, video surveillance, photos, body-worn camera footage and forensic data. This project also includes new software such as updated VMWare and Ransomware protection. It is expected to be completed in 2021.

OFFICE OF VICTIM WITNESS ADVOCACY

The Mercer County Prosecutor's Office of Victim Witness Advocacy strives to ensure that services of the highest quality are provided to the greatest number of victims. Our mission is to abide by the Creed of the Mercer County Prosecutor's Office of Victim Witness Advocacy while continuing to identify areas where services for crime victims can be enhanced. The purpose of this office is to provide comprehensive services to meet the needs of crime victims, beginning at the point of victimization and continuing throughout their involvement in the criminal justice system and beyond.

The Victim Witness Advocacy staff consists of seven victim witness advocates overseen by a victim witness coordinator. These staff positions are funded by the Victims of Crime Act Grant. Two advocates are assigned to the Homicide Unit. One advocate is assigned to Central Judicial Processing and Serious Collision Response Team cases. One advocate is assigned to the Special Victims Unit, which is located in the Child Advocacy Center portion of the Mercer County Prosecutor's Office. Victims have direct access to services within the Child Advocacy Center. An advocate is assigned to the Domestic Violence Unit and is responsible for working with victims of all indictable cases. Another advocate assists victims with all other indictable cases, such as burglary, aggravated assault, terroristic threats, robbery and theft. There is one advocate assigned to the Juvenile Unit located in the Family Courthouse. This advocate is responsible for assisting victims of crimes committed by juveniles, as well as adult, non-indictable domestic violence cases. The office has one support staff person that performs administrative tasks.

The Office of Victim Witness Advocacy is responsible for the delivery of a wide range of services pursuant to the Attorney General's Standards to Ensure the Rights of Crime Victims. It is the responsibility of the Office of Victim Witness Advocacy to keep all victims and witnesses

advised of upcoming court dates and case status. This is primarily done through letters that are generated on a daily basis through the InfoShare program and mailed to victims and witnesses.

An essential role of the Office of Victim Witness Advocacy is to ensure that victims' and witnesses' rights are being upheld within the criminal justice system. Every effort is made by the staff to ensure that the voices of victims are heard, that the criminal justice system continues to be victim-sensitive and that the victim is not victimized a second time as they proceed through the criminal justice system. The staff acts as a liaison for the victims as they interact with assistant prosecutors, investigative staff and court personnel. Advocates provide counseling referrals, crisis intervention, needs assessment, court accompaniment, necessary restitution information, social service referrals, restitution requests and help with filing applications with NJ Victims of Crime Compensation Office (VCCO). This support is designed to ease the burden associated with participation in the criminal system.

One of the most important and basic rights of victims during prosecution is the right to participate. Advocates ensure that victims are afforded this right by providing guidance and support, as well as, encouraging them to exercise their rights by presenting victim impact statements at sentencing and at other critical stages of prosecutions. In a related vein, victim witness advocates notify victims of inmate releases, parole eligibility and sentence expirations so that victims can take appropriate steps to object to or prepare for the inmate's release.

On March 16, 2020, Mercer County Prosecutor Angelo Onofri issued Prosecutor's Directive 20-02. This directive informed staff that both the governor and the county executive issued declarations of states of emergency and implemented several safety measures. All office personnel were directed to work from home until further notice. The Office of Victim Witness Advocacy continued to provide services throughout the COVID 19 pandemic. As essential

employees, the Victim Witness staff were tasked with working remotely to serve victims and witnesses. Advocates assisted individuals in navigating virtual court hearings and continued to conduct meetings via phone, Zoom and Teams. Unfortunately, due to COVID restrictions, we were unable to hold a public event in recognition of National Crime Victims' Rights Week in April. In the fall of 2020, Victim Witness staff returned to the office on a rotating schedule.

The Office of Victim Witness Advocacy continues to take on additional daily work, including weekends. Victim advocates continue to work on a rotating schedule for Saturday coverage, ensuring victims are kept updated on changes in their case status and informed when defendants are being released from custody.

In addition to these direct victim services, the office continues to establish strong partnerships with allied professionals, other victim service providers, and leaders in the community. Advocates virtually attended monthly meetings in the Mercer County community addressing various issues that impact victims. Making connections with other community agencies and professionals help make services more readily available to those we serve.

The Office of Victim Witness Advocacy participates in community events that both educate and support Mercer County residents. Victim Witness staff also attends conferences and trainings that enhance their knowledge in dealing with crime victims and the impact their victimization can have on their mental and physical health. Due to COVID guidelines, all events were attended virtually.

The victim witness coordinator and a victim advocate virtually instructed at the Mercer County Police Academy. They educated incoming law enforcement officers on victims' rights, the impact of victimization, and the services of the Mercer County Office of Victim Witness Advocacy.

POLYGRAPH UNIT

The mission of the Mercer County Prosecutor's Polygraph Unit is to provide the local law enforcement community with the services of a professional polygraph examiner and to consult with law enforcement officials and prosecutors to determine the appropriateness and feasibility of conducting examinations. The unit is staffed by one detective/examiner on a secondary assignment basis. In order to maintain expertise in the field, the examiner attends annual training to enhance and increase their knowledge and skill. The examiner provides polygraph examinations and relies on the New Jersey State Police Polygraph Unit when quality control is necessary.

Requests for polygraph services come directly to the examiner. The case is reviewed and a determination is made as to the appropriateness of conducting an examination. Polygraph is not an appropriate investigative tool for all investigations.

During 2020, no polygraph examinations were performed.

PUBLIC INFORMATION OFFICE

The Public Information Office acts as the central point of contact for all media inquiries and information requests. It is staffed by one full-time agent who is available to the media 24 hours a day, seven days a week. This system gives the media one dedicated source from which they can obtain news and updates, and relieves on-scene investigators and legal personnel from that responsibility. An assistant prosecutor is also assigned to the office as a secondary duty.

The office works closely with the legal and investigative staff in obtaining information and releasing it to the public within the guidelines of state Executive Order #69. It is responsible for answering daily media inquiries, writing and distributing press releases, and arranging press conferences for high-profile cases and significant issues determined by the prosecutor. The office has established contacts with national, regional and local media organizations, including television, radio and print, and provides information on current crimes, arrests, court activity and any other topic requested by the media source.

All information released by the Mercer County Prosecutor's Office is authorized by the prosecutor and disseminated through the Public Information Office. The office supports local police agencies when major news events occur in their municipalities and advises them on releasing information in accordance with the law. In addition, the office assists with requests for information made under the Open Public Records Act.

The past year was historic in more ways than one. The coronavirus pandemic demanded massive communication efforts within the prosecutor's office as well as externally with local, state and federal law enforcement and government agencies, and the public. Several high-profile events in the county created a great demand for information from the office, including a record number of homicides in Trenton, multiple internal affairs investigations, a multi-jurisdictional ATM theft

scam that resulted in 58 individuals being arrested and charged in Mercer, and the continued efforts of law enforcement to battle the national epidemic of opioid addiction. Additionally, revisions to the statewide “Use of Force Policy” by the Office of the Attorney General for the first time in two decades required collaboration between many units of the office for training, guidance and direction. The office released approximately 48 written press releases in 2020.

In addition to day-to-day media responsibilities, the Public Information Office assists with the annual report and other printed projects, participates in various community outreach activities, and develops strategic communications plans with the prosecutor and senior staff. It is also responsible for editing the *Monthly Intelligence Brief*, an endeavor from the Mercer County Prosecutor’s Office created to share information with the law enforcement community, and maintaining the office website and Twitter account. The staff also instructs media relations at the Mercer County Police Academy.

SERIOUS COLLISION RESPONSE TEAM

The Serious Collision Response Team (SCRT) was created in October 1999 as a result of a grant from the New Jersey Division of Highway Traffic Safety and is made up of one assistant prosecutor and four detectives. The assistant prosecutor leads the unit as a secondary assignment. One detective serves the unit as a primary assignment and three detectives serve the unit as secondary assignments. The secretarial duties, including correspondence and discovery, are handled part time by a member of the support staff.

The SCRT is responsible for investigating, jointly and in conjunction with the local police department or state police, all fatal and serious injury collisions that occur within Mercer County. It is also responsible for investigating police motor vehicle pursuits that end in injuries to civilians. In addition, the SCRT, with the assistance of the Trial Unit, prosecutes all indictable criminal charges arising out of these investigations.

The SCRT conducts both formal and informal training in the field of collision investigation. The assistant prosecutor and SCRT detectives also provide legal and investigatory guidance to local and state police.

In addition, the SCRT provides technical support to other units, such as homicide, by measuring scenes and providing crime scene drawings.

The investigation of motor vehicle collisions relies upon both physical evidence and witnesses. Criminal charges may or may not be filed as a result of these investigations. The SCRT has the responsibility of determining if there is proof that constitutes a criminal act and whether a driver will be charged criminally. In instances where there is no proof of criminal conduct, the case is referred back to the municipality for disposition of any motor vehicle summons or non-indictable charges that may have been filed.

During 2020, the unit was responsible for 52 investigations. Of these investigations, 21 were fatal crashes and 41 were considered serious. There were 18 cases that resulted in criminal charges.

SIGNIFICANT CASES

STATE V. CLAUDY DECADE

On February 26, 2020, at approximately 7:05 p.m., the Trenton Police Department responded to a hit and run motor vehicle crash at 1313 North Olden Avenue with one injured party. Mercer County Prosecutor's Detective Nicholas Cima of the SCRT assisted Trenton officers during the investigation. Upon arrival, officers located victim Jadwiga Sedek in the roadway unconscious and unresponsive. Emergency medical services personnel arrived and Ms. Sedek was pronounced dead a short time later.

At the scene, officers determined the vehicle that struck Ms. Sedek fled northbound on North Olden Avenue toward Ewing Township and out of sight. Officers searched the surrounding area for any witnesses or surveillance cameras that may have captured the crash.

Approximately one hour after the crash, an individual identified as Claudy Decade arrived at the scene and advised detectives that he was the individual that struck Ms. Sedek and fled the scene. Decade was interviewed and confirmed he struck Ms. Sedek and continued driving home to his residence because he was scared. Decade explained that due to the weather and darkness he did not see Ms. Sedek prior to the crash, however, he realized immediately that he had struck a person. After he returned home and spoke to his wife, she convinced him to return to the scene and turn himself into police.

As a result, Decade was charged with second-degree leaving the scene of a motor vehicle accident that resulted in death and third-degree endangering an injured victim. The prosecution is

currently pending.

STATE V. BRYAN DAVIS

On February 8, 2020, at approximately 2:51 a.m., Trenton police responded to a motor vehicle crash involving a pedestrian who had been struck and suffered serious bodily injury in front of 465 Greenwood Avenue. The pedestrian, later identified as Theresa Prioli, was in extremely critical condition. The driver of the vehicle that struck Ms. Prioli was identified as Bryan Davis, an off-duty city of Trenton firefighter. Mercer County Prosecutor's Detectives Ryan Minnick and Nicholas Cima of the SCRT assisted Trenton officers during the investigation.

At the scene, officers who observed Davis suspected he was intoxicated. Those officers observed Davis' speech was slurred, and he appeared off-balance, fatigued and confused. Davis also admitted to officers that he consumed alcohol earlier in the evening. Based on the investigation, a search warrant to draw a blood sample from Davis was approved and a sample was drawn.

Surveillance video was obtained and reviewed by detectives who confirmed Ms. Prioli was walking across Greenwood Avenue from the westbound side toward the eastbound side. As she approached the curb on the eastbound side, Davis' vehicle struck Prioli.

On March 3, 2020, detectives learned the New Jersey State Police Laboratory's analysis of Davis' blood determined his blood alcohol concentration was 0.115 percent. As a result, a complaint was authorized charging Davis with third-degree assault by auto.

Initially, Ms. Prioli was diagnosed with head injuries and multiple rib fractures, and she required an immediate spinal fusion. On March 27, 2020, detectives were advised Ms. Prioli had died after her condition worsened significantly. An autopsy determined her cause of death was complications of multiple blunt force trauma. The prosecution is currently pending.

TRAINING UNIT

The Mercer County Prosecutor's Office operates on the philosophy that people give their best performance when they are motivated to do the job and, equally as important, when they are appropriately trained to do the job. In keeping with this philosophy, the office places a heavy emphasis on providing useful, quality training opportunities to the investigative, legal and administrative support staffs. The office also recognizes that it has a responsibility and is uniquely positioned to extend these kinds of training opportunities to the other law enforcement agencies throughout the county.

The Mercer County Prosecutor's Training Unit was established in order to create a comprehensive training program that focuses on maximizing the skills of our investigative staff and superior officers through a variety of in-house and off-site specialized training programs. During 2001, this philosophy was extended to include the legal, professional and support staffs. The Training Unit, in conjunction with the Mercer County Police Academy, operates on a "need for training" basis by determining particular training needs then providing that training. This is accomplished by surveying members of the prosecutor's staff, staffs of other agencies, police chiefs, training officers and other law enforcement personnel. With information obtained from the survey, a curriculum is developed to meet those training needs and these courses are then distributed to agencies both in and out of Mercer County.

The Training Unit maintains a database of training records for the entire office. Training records for the investigative, legal, professional, and support staffs have been input, distributed to the staff for verification and corrected where needed.

**Training Conducted for Law Enforcement Agencies by the Prosecutor's Staff
in conjunction with the Police Academy and by Outside Consultants**

Training sessions and seminars are conducted by the prosecutor's staff in conjunction with the police academy or by outside consultants and are continually offered throughout the year. The topics covered in 2020 included, but were not limited to: managing police/training operations, evidence unit bar code (BEAST), internal affairs policy, interview and interrogation, advanced criminal investigation, shooting incident reconstruction, NARCAN instructor trainer, child abuse response team, mentoring the new or underachieving officer, body fluids and trace evidence, hidden compartments in vehicles (TRAP), forfeiture update, police sub-gun instructor, pistol/carbine course, identifying fraudulent documents, CPR/AED first aid, and undercover narcotics.

In addition to hosting and sponsoring the above listed courses, the Mercer County Prosecutor's Office supplied instructors to the Mercer County Police Academy for Basic Police Officer training. Instruction for Basic Police Officer training included, but was not limited to, the following fundamental areas of instruction and performance objectives required by the New Jersey Police Training Commission: criminal law, sex offender notification, juvenile law, Domestic Violence Act, criminal investigations, use of force, motor vehicle law, emergency vehicle operations, street survival, homicide, crimes and property and persons, narcotics, evidence, decision making, physical training, unarmed defensive tactics, courtroom testimony, and crime scene preservation. The Mercer County Prosecutor's Office also supplied role players to the police academy to assist with the practical training exercises that are vital to the training of the recruits in the academy.

The Training Unit assisted the office in hosting and facilitating numerous seminars, meetings and training conferences throughout the previous and current calendar years including,

but not limited to: Sheriff's Association, New Jersey Office of Homeland Security, municipal prosecutors, county probation, Krav Maga, the Federal Bureau of Investigation, the Mercer County Bar Association, and the Law Enforcement and Education Convocation.

The Training Unit continues to serve as a Mercer County liaison to and facilitator of the Virtual Online Training Academy in conjunction with the New Jersey Office of the Attorney General. This online training program enables law enforcement officers throughout the state to access web-based training in various courses including, but not limited to: hazardous materials awareness, incident command systems, CBRNE training, right-to-know, counter-terrorism, school shooter response, and chemical safety. In addition, the unit has taken on the added responsibility of adding all Mercer County police and emergency dispatchers to this web-based learning system. The Training Unit is also the facilitator for the FBI Virtual Academy for all members of the Mercer County Prosecutor's Office.

During 2020, the unit continued its role as a facilitator and program coordinator for the basic and in-service police training program at the Mercer County Police Academy.

The Training Unit also continued its role in selecting, sponsoring and registering detectives from Mercer County police agencies for the basic arson investigation course at the state Division of Criminal Justice Academy. The unit also maintains a database for all law enforcement officers from Mercer County who have attended this highly sought after training course.

The Training Unit also assists in the operation of the firearms range including, but not limited to, range maintenance and repairs, range use scheduling, budget preparation, in-service firearms qualifications, and qualifications for retired police officers. The Training Unit was designated as the Mercer County Narcan/Naloxone instructor/coordinator. The unit provided instruction to all of the county law enforcement agencies, Mercer County park rangers, the Mercer

County Community College security staff and the Rider University security staff. The Training Unit is responsible for keeping track of all Mercer County naloxone deployments and reporting them to the New Jersey State Police.

Investigative Staff Training

Detectives and agents were sent for advanced training and attended conferences on a variety of subjects throughout the year. The specific areas of training included, but were not limited to: evidence training (BEAST), advanced polygraph sex offender, Basic Course for Investigators, body fluids and trace evidence, leadership, cell phone, CART, child fatalities and near fatalities, CJIS, computer crimes, criminal procedure update, CYBER, domestic violence, drug monitoring and DEA advanced training, handling and seizing digital evidence, electronic investigation and EDD, FBI: SWAT, FBI: Active Shooter, gang identification, hidden compartments in vehicles, magnet forensics, internal affairs update, incident commander, intended/unintended effects of juvenile registration and notification, response to suicide bombings, managing protests, interview and interrogation, investigator safety and security, medicolegal death investigation, Methods of Instruction, mobile device examiner, NIMS ICS, homicide, operation section chief, Overdose Prevention Act/strict liability for drug-induced death, pistol/carbine “gunfighter” course, sub machine-gun instructor, police symbology, post-blast investigation, post-flashover pattern persistence, PowerPoint, preparing for the unthinkable, child abuse, shooting incident reconstruction, ShotSpotter, tactical interviewing, TASER instructor re-certification, Top Gun, undercover narcotics, urban combat marksman, VALOR training, and working with the New Jersey Regional Computer Forensic Laboratory.

Members of the investigative staff attended the following seminars, conferences and workshops in order to enhance their abilities, presentations and investigative skills: the 23rd

Annual Insurance Fraud Summit, the 2020 County Prosecutors Association of New Jersey Annual College, the 2020 FBI National Training Conference, the 2020 Mercer County Bar Association General Meeting, the 2020 National Child Advocacy Conference, the 2020 New Jersey Polygraphist Seminar, the 27th Annual Homicide Conference, and the 2020 International Association of Arson Investigators Training Conference.

Legal Staff Training

A list of training topics was compiled with the objective of introducing the new members of the legal staff and refreshing the veterans to all of the functions performed throughout the prosecutor's office. Offered at least once a month and taught by unit chiefs or other assistant prosecutors having an expertise in specialized area of prosecution, these short training sessions serve to broaden the legal staff's knowledge of all aspects of prosecution.

Continued emphasis has been placed on the need for assistant prosecutors to keep their skills sharp by attending seminars throughout New Jersey. Members of the staff attended training sessions in subjects such as: mistakes police make in DWI cases, basic prosecutor's course, American Inns of Court training, bankruptcy, basic sex crimes, child abuse, basics of elder law, career prosecutor course, CART, child fatalities and near fatalities, criminal law, emergent appeals, motions for leave to appeal, CYBER, domestic violence, sexual assault, death case investigation, deviants and delinquents, drug court, Overdose Prevention Act, NARCAN, ethics, Finding Words: Child First NJ, forensic evidence, forensic serology, Habeas Cases in District of NJ, handling official misconduct cases, criminal law, how to get social media, text, e-mail evidence admitted into court, human trafficking, intended/unintended effects of juvenile registration and notification, juvenile justice, successful mediation, New Jersey bail reform, office administration and management, prosecuting drug cases, prosecuting homicide cases, search warrant, sexual assault,

ShotSpotter, art of persuasion, bail reform and prisoner re-entry, digital prosecutor, parole process fraud and forensic investigation, and working with the New Jersey Regional Computer Forensic Laboratory.

Every effort was made to provide training opportunities that were both high in quality and usefulness.

The needs of the more experienced attorneys in the office were also met. Members of the legal staff attended courses, conferences and seminars offered throughout the United States in areas of administration and trial including unit-based activities, the use of complex technologies, and computer crime.

In addition to increasing expertise in specialized areas of prosecution, such seminars and conferences provide a unique opportunity to exchange ideas, techniques and programs with other prosecutors from all over the country. To that end, members of the legal staff attended the following seminars, conferences and workshops in order to enhance their abilities, presentations and trial skills: the 2020 NJSBA Meeting, the 2020 Assistant Prosecutors' Association Conference, the 2020 Boardwalk Seminar, the 2020 County Prosecutors Association of New Jersey Annual College, the 2020 Division of Criminal Justice Appellate Symposium, the 2020 EXTREME CLE Event, the 2020 FBI National Training Conference, the 2020 Judges and Law Clerks Dinner/Meeting, the 2020 Mercer County Bar Association's General Membership meeting, the 2020 New Jersey Women in Law Enforcement Leadership Conference, the 2020 American Inns of Court, the 2020 Bench Bar Luncheon and Ethics Seminar, the Forensic Serology and DNA Symposium, the 23rd Annual MAGLOCLIN Sex Crimes Sharing Conference, and the Municipal Bench Bar meeting.

Professional & Technical Staff Training

Members of the professional and technical staff were sent to specialized training in the area of their expertise. Staff members attended training including, but not limited to: interpersonal approach to trauma and treatment, CART, child fatalities and near fatalities, civil justice for victims of crimes, CJIS, cultural competency, interviewing and treating child abuse victims, domestic violence, enhancing trauma awareness, internal affairs, keeping babies and children in mind, protecting child victims with developmental disabilities, and supporting children in times of crisis. Members of the professional staff also attended the following conferences: the MAGLOCLIN 23rd Annual Sex Crimes Sharing Conference, the 2020 County Prosecutors Association of New Jersey Annual College, the 2020 Crime Victims' Rights Conference, the 2020 National Information Officers Conference/Training, the 14th Annual Experts in Child Abuse Symposium, the Mercer County Bar Association's General Membership meeting, and the Victim/Witness Coordinators Symposium.

Support Staff Training

Members of the support staff attended various seminars and in-service meetings held throughout New Jersey. The courses attended included, but were not limited to: numerous computer software subjects, professional office management training, CJIS - local agency security, cultural competency, domestic violence training, grant writing for public safety agencies, human resource training, PowerPoint, scientific basics of fingerprints, fingerprint comparison and exceptional assistant training. Members of the support staff also attended the 2020 Professional Office Managers Association Conference and Training Seminar and the 2020 County Prosecutors Association of New Jersey Annual College.

Homicide Task Force Members

Members of the Homicide Task Force attended various seminars and in-service meetings held throughout New Jersey. The courses attended included, but were not limited to: the 27th Annual Homicide Conference, New York City Police Homicide Investigation, and Child Abduction Response.

Narcotics Task Force Members

Members of the Narcotics Task Force attended various seminars and in-service meetings held throughout New Jersey. The courses attended included, but were not limited to: hidden compartments in vehicles and the Overdose Prevention Act/strict liability for drug-induced death training.

Community Involvement

In addition to offering training to staff members and law enforcement agencies, lectures are continually given to civic and educational groups as part of the prosecutor's office community outreach efforts. This growing list includes, but is not limited to: The College of New Jersey, Womanspace, Mercer County Community College, Dr. Martin Luther King Jr. Middle School, Holland Middle School, Steinert High School, Nottingham High School, St. Francis Hospital, Hopewell Valley Central High School, Timberlane Middle School, Rider University, Ewing Kiwanis Club, Fisher Middle School, Ewing Township Citizen's Police Academy, American Inns of Court, Leadership of Trenton, Latin American Task Force, New York City Police Department Homicide School, Grace Dunn Middle School, Hedgepeth-Williams Middle School, Mercer Junior/Senior High School, Immaculate Conception PTA, the Puerto Rican Community Center, Anchor House, New Jersey State Police Academy, New Jersey Department of Corrections, New Jersey Narcotics Commanders Association, Hopewell Valley School System, Princeton House,

West Windsor Township Citizen's Academy, Lawrence Township Police Citizen's Academy, Grice Middle School, Trenton Psychiatric Hospital, St. Lawrence Rehabilitation Center, RWJ Hamilton Hospital, University Medical Center of Princeton at Plainsboro, Middlesex County Fire Academy, Stockton State College, Pond Road Middle School, New Jersey Division of Family Development, Mercer County Welfare Department, Mercer County Adult Probation, Juvenile Probation, State Division of Criminal Justice Academy, Ewing Township Police Department, Hamilton Township Police Department, Lawrence Township Police Department, Princeton Police Department, Passaic County Police Academy, Burlington County Police Academy, Camden Police Department, East Windsor Police Department, MAGLOCLIN, HiTops in Princeton, Mercer County Board of Social Services, Old Mill Hill Society, Princeton Township Regional School System, Bucks County, Capital Health System, Pennsylvania law enforcement agencies, Trenton Fire Department, Battered Women Coalition of New Jersey, Lawrence Township School Administration, Hamilton Township PTA, Ewing Township PTA, Trane Company, Leadership New Jersey, Monmouth University, Mercer County Division of Consumer Affairs, state Division of Criminal Justice, Mercer County Police Academy, the Trenton Police Department and the Attorney General's Advocacy Institute.

The Training Unit continues to sponsor *Family/Spouse Night* at the Mercer County Police Academy. This seminar is designed for family members of graduating trainees, and deals with marital and family issues specific to law enforcement personnel.

The Mercer County Prosecutor's Office also provides annual Sexual Assault Response Team (SART) training. This training is open to members of the prosecutor's office, law enforcement officers, rape care advocates, victim witness counselors, security and health services staff from the colleges and universities within the county, and to physicians, nurses and social

service workers from the hospitals, larger clinics and health agencies within Mercer County.

Mercer County Police Academy

The Mercer County Police Academy was certified by the New Jersey Police Training Commission in October 2006. The Training Unit continues to be an integral part of the police academy's in-service and basic police officer training, and continues to assist the academy with its administrative duties. The unit continues to attend the following conferences and meetings: New Jersey Police Training Commission meetings, Police Academy Director's Association meetings, Mercer County Police Academy Board of Directors quarterly meetings, and the state Division of Criminal Justice's Firearms Range Master Instructor and Emergency Vehicle Operations Instructor update sessions.

PROSECUTORIAL SCREENING OF DEFENDANTS

SCREENING OUTCOMES	STAGE OF THE CRIMINAL JUSTICE PROCESS WHEN DECISION OCCURS	
	PRE-COMPLAINT DECISIONS	POST-COMPLAINT DECISIONS
a. Defendants administratively dismissed		433
b. Defendants with charges downgraded to disorderly persons offenses		1699
c. Defendants accepted for pre-trial diversion		77
d. Defendants otherwise screened out		80
e. Defendants with change of venue		5
f. Accusations filed		340
g. Defendants with either indictable complaints authorized or charges approved for grand jury		2259
h. AOC Correction: Defendants who completed grand jury		78
TOTAL SCREENING DECISIONS FOR YEAR (add a - h)		4893

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DEFENDANT APPLICATIONS FOR DIVERSION PROGRAM, ACTION TAKEN AND OUTCOME

Pre-trial Intervention Diversion Program

	Number of DEFENDANT APPLICATIONS FOR PRE- TRIAL INTERVENTION	
	PRE-INDICTMENT	POST-INDICTMENT
1. Applications reviewed	77	37
2. Recommended for acceptance	77	36
3. Recommended for rejection	0	1
4. Accepted into program	77	36

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**DEFENDANTS PENDING GRAND JURY PROCESS
(Pre-Indictment Defendant Cases)
BY AGE OF COMPLAINT**

AGES OF PRE-INDICTMENT DEFENDANT CASES FROM DATE OF COMPLAINT	NUMBER OF DEFENDANTS	
	ACTIVE	INACTIVE/FUGITIVE
1. 0 to 1 month	220	0
2. 1+ to 2 months	209	0
3. 2+ to 3 months	216	0
4. 3+ to 4 months	195	0
5. Over 4 months	1360	59
6. TOTAL defendant cases pending grand jury	2200	59

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**DEFENDANTS COMPLETING THE
GRAND JURY PROCESS
AND ACTION TAKEN**

ACTION TAKEN	NUMBER OF DEFENDANTS
1. Defendants presented to the grand jury	474
2. Defendants indicted	465
3. Defendants no billed and remanded to municipal court	n/a
4. Defendants no billed/no action	9
5. TOTAL defendants completing the grand jury process	474

DEFENDANTS CHARGED BY ACCUSATION

	NUMBER OF DEFENDANTS
TOTAL Defendants charged through Accusation	321

DEFENDANTS PENDING DISPOSITION OF CHARGES BY AGE OF INDICTMENT OR ACCUSATION

AGES OF POST-INDICTMENT DEFENDANT CASES FROM DATE OF INDICTMENT OF ACCUSATION	NUMBER OF DEFENDANTS	
	ACTIVE	INACTIVE/FUGITIVE
1. 0 to 3 months	111	4
2. 3+ to 6 months	99	6
3. 6+ to 9 months	10	0
4. 9+ to 12 months	134	31
5. 12+ to 24 months	177	87
6. 24+ months	102	608
7. TOTAL post-indictment/accusation defendant cases pending	633	736

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DEFENDANTS WITH INDICTMENTS/ACCUSATIONS DISPOSED BY OFFENSE CATEGORY AND MANNER OF DISPOSITION

MANNER OF DISPOSITION	OFFENSE CATEGORIES										
	Homicide	Kidnap- ping	Sexual Assault	Robbery	Arson	Assault	Burglary	Bribery	Narcotics	Official Miscon- duct	Perjury/ Falsifi- cation
1. Guilty plea to most serious offense	7	6	3	21	5	46	43	0	134	0	3
2. Guilty plea to lesser indictable offense	7	2	3	10	1	9	1	0	7	0	0
3. Ind. dism., plea to dis. persons offense	0	0	0	1	1	1	2	0	5	0	1
4. Guilty at trial, most serious offense											
a. Jury	1	1	0	2	1	0	0	0	2	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
5. Guilty at trial, lesser indictable offense											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
6. Guilty at trial, dis. persons offense											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0	0
7. Not guilty at trial											
a. Jury	0	0	0	0	0	0	0	0	0	0	0
b. Non-jury	1	0	0	0	0	0	0	0	0	0	0
8. Acceptance into diversion program	0	0	2	0	4	28	11	0	15	1	3
9. Dismissed over objection of pros.	0	0	0	0	0	0	0	0	0	0	0
10. Dismissed pros. motion or consent	1	1	2	5	1	29	1	0	20	0	1
11. TOTAL dispositions	17	10	10	39	13	113	58	0	183	1	8

DEFENDANTS WITH INDICTMENTS/ACCUSATIONS DISPOSED BY OFFENSE CATEGORY AND MANNER OF DISPOSITION

MANNER OF DISPOSITION										
	Theft	Forgery/ Fraud	Weapons	Child Abuse/ Endanger	Gambling	Wiretap	Obstr. Gov't Oper.	Fail to Register	Other	TOTAL
1. Guilty plea to most serious offense	65	8	51	4	0	0	31	3	13	443
2. Guilty plea to lesser indictable offense	0	0	0	0	0	0	0	0	2	44
3. Ind. dism., plea to dis. persons offense	4	0	2	0	0	0	0	0	1	18
4. Guilty at trial, most serious offense										
a. Jury	1	0	0	0	0	0	0	0	0	8
b. Non-jury	0	0	0	0	0	0	0	0	0	0
5. Guilty at trial, lesser indictable offense										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0
6. Guilty at trial, dis. persons offense										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	0
7. Not guilty at trial										
a. Jury	0	0	0	0	0	0	0	0	0	0
b. Non-jury	0	0	0	0	0	0	0	0	0	1
8. Acceptance into diversion program	28	5	8	8	0	0	4	0	11	128
9. Dismissed over objection of pros.	0	0	0	0	0	0	0	0	0	0
10. Dismissed pros. motion or consent	25	4	9	0	0	0	2	4	9	114
11. TOTAL dispositions	123	17	70	12	0	0	37	7	36	756

POST-CONVICTION ACTIVITIES AND MISCELLANEOUS COURT ACTIVITIES BY TYPE AND OUTCOME

POST CONVICTION ACTIVITY AND OUTCOME	NUMBER
1. Krol hearings involving the prosecutor's office	14
2. TOTAL post-conviction relief applications/ briefs filed involving the prosecutor's office	19
a. Defendants granted relief	0
b. Defendants denied relief	6
c. Defendants granted relief in part/Denied relief in part	0
d. Defendants dismissed/Withdrawn	2
3. TOTAL habeas corpus petitions/ briefs filed involving the prosecutor's office	9
a. Defendants granted relief	0
b. Defendants denied relief	4
c. Defendants granted relief in part/Denied relief in part	0
d. Defendants dismissed/Withdrawn	0

Section/Unit: **GENERAL INVESTIGATIONS**

County: MERCER

Section IV. 7.a.

Year: 2020

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post- complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	0	0	0	0	0	0
2. Investigations opened during the year	0	0	0	0	13	13	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	0	0	0	0	13	13	0
4. TOTAL Investigations completed during this year (add a. – d.)	0	0	0	0	13	13	0
a. Resulting in criminal charges	0	0	0	0	0	0	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	1	1	
d. Closed - No further action	0	0	0	0	12	12	
5. Investigations pending or inactive at the end of the year	0	0	0	0	0	0	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	5	n/a	n/a	n/a	n/a	n/a	5
2. Investigations opened during the year	2	n/a	n/a	n/a	n/a	n/a	2
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	7	n/a	n/a	n/a	n/a	n/a	7
4. TOTAL Investigations completed during this year (add a. - d.)	7	n/a	n/a	n/a	n/a	n/a	7
a. Resulting in criminal charges	2	n/a	n/a	n/a	n/a	n/a	2
b. Referred to other agency for criminal prosecution	5	n/a	n/a	n/a	n/a	n/a	5
c. Referred to other agency for civil or administrative action	0	n/a	n/a	n/a	n/a	n/a	0
d. Closed - No further action	0	n/a	n/a	n/a	n/a	n/a	0
5. Investigations pending or inactive at the end of the year	0	n/a	n/a	n/a	n/a	n/a	0

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INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	2	2	0	3	9	16	0
2. Investigations opened during the year	0	0	0	2	25	27	
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	2	2	0	5	34	43	
4. TOTAL Investigations completed during this year (add a. - d.)	2	2	0	3	30	37	
a. Resulting in criminal charges	0	0	0	0	2	2	
b. Referred to other agency for criminal prosecution	0	0	0	0	1	1	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	2	2	0	3	27	34	
5. Investigations pending or inactive at the end of the year	0	0	0	2	4	6	

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	5	0	0	0	0	5	0
2. Investigations opened during the year	128	8	2	0	0	138	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	133	8	2	0	0	143	0
4. TOTAL Investigations completed during this year (add a. - d.)	133	8	2	0	0	143	0
20. Resulting in criminal charges	20	0	0	0	0	20	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed – No further action	113	8	2	0	0	123	
5. Investigations pending or inactive at the end of the year	0	0	0	0	0	0	

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	1	0	0	0	22	23	0
2. Investigations opened during the year	1	0	0	0	71	72	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	2	0	0	0	93	95	0
4. TOTAL Investigations completed during this year (add a. - d.)	2	0	0	0	21	23	0
a. Resulting in criminal charges	2	0	0	0	2	4	
b. Referred to other agency for criminal prosecution	0	0	0	0	1	1	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	0	0	0	0	18	18	
5. Investigations pending or inactive at the end of the year	0	0	0	0	72	72	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	129	10	0	0	0	139	0
2. Investigations opened during the year	38	3	0	0	0	41	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	167	13	0	0	0	180	0
4. TOTAL Investigations completed during this year (add a. - d.)	49	6	0	0	0	55	0
a. Resulting in criminal charges	14	2	0	0	0	16	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	35	4	0	0	0	39	
5. Investigations pending or inactive at the end of the year	118	7	0	0	0	125	0

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INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	0	0	0	0	11	11	0
2. Investigations opened during the year	7	5	2	20	48	82	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	7	5	2	20	59	93	0
4. TOTAL Investigations completed during this year (add a. – d.)	7	5	2	19	55	88	0
a. Resulting in criminal charges	7	5	2	13	29	56	
b. Referred to other agency for criminal prosecution	0	0	0	0	0	0	
c. Referred to other agency for civil or administrative action	0	0	0	0	0	0	
d. Closed - No further action	0	0	0	6	26	32	
5. Investigations pending or inactive at the end of the year	0	0	0	1	4	5	0

INVESTIGATIVE WORKLOAD AND DISPOSITIONS

INVESTIGATIVE WORKLOAD AND DISPOSITIONS	NUMBER OF INVESTIGATIONS BY TYPE -- Original and Post-complaint investigations						
	Original Investigations Conducted Jointly With:				Original Exclusive Investigations	TOTAL Original Investigations	TOTAL Post-complaint Investigations
	Local Police	State Agency	Other County Prosecutor	Other Agency			
1. Investigations pending or inactive at the beginning of the year	157	1	1	2	0	161	0
2. Investigations opened during the year	373	9	3	6	4	395	0
3. TOTAL Investigative workload for the year (add nos. 1 - 2)	530	10	4	8	4	556	0
4. TOTAL Investigations completed during this year (add a. - d.)	270	5	2	3	2	282	0
a. Resulting in criminal charges	50	0	0	0	0	50	
b. Referred to other agency for criminal prosecution	1	0	0	0	0	1	
c. Referred to other agency for civil or administrative action	67	0	0	0	0	67	
d. Closed - No further action	152	5	2	3	2	164	
5. Investigations pending or inactive at the end of the year	260	5	2	5	2	274	0

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DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	0
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	0
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	0
a. Defendants indicted	0
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

*These investigations occurred as part of a specialized Task Force.

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DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	n/a
a. Defendants with complaints administratively dismissed	n/a
b. Defendants with complaints downgraded to disorderly persons offenses	n/a
c. Defendants with complaints referred to Family Court	n/a
d. Defendants with complaints presented to grand jury	474
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	321
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	474
a. Defendants indicted	465
b. Defendants no billed and remanded to municipal court	n/a
c. Defendants no billed/no action	9

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	2
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	2
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	2
a. Defendants indicted	2
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	26
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	2
d. Defendants with complaints presented to grand jury	5
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	5
a. Defendants indicted	5
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	4
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	0
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	0
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	0
a. Defendants indicted	0
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	16
a. Defendants with complaints administratively dismissed	1
b. Defendants with complaints downgraded to disorderly persons offenses	4
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	1
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	2
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	1
a. Defendants indicted	1
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	67
a. Defendants with complaints administratively dismissed	8
b. Defendants with complaints downgraded to disorderly persons offenses	17
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	19
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation.	1
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	19
a. Defendants indicted	19
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

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DISPOSITIONS OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES

DISPOSITION OF ORIGINAL INVESTIGATIONS RESULTING IN CRIMINAL CHARGES	NUMBER OF DEFENDANTS
1. Defendants charged by complaint, TOTAL	50
a. Defendants with complaints administratively dismissed	0
b. Defendants with complaints downgraded to disorderly persons offenses	0
c. Defendants with complaints referred to Family Court	0
d. Defendants with complaints presented to grand jury	3
2. Defendants with original charges presented to grand jury on direct presentment	0
3. Defendants charged through accusation	3
4. Defendants completing grand jury process on direct presentment and complaint presentation, TOTAL	3
a. Defendants indicted	3
b. Defendants no billed and remanded to municipal court	0
c. Defendants no billed/no action	0

APPELLATE WORKLOAD AND DISPOSITIONS

Appellate Division and Other Appellate Courts

County: MercerYear: 2020

APPELLATE WORKLOAD AND DISPOSITIONS/OUTCOMES	Appellate Division Appeals						NJ Supreme Court Appeals	U.S. and Other Court Appeals (specify court) ²	TOTAL
	Criminal referral cases	Other criminal appeals	Criminal Inter-locutory	Juvenile	Law Division (de novo) ¹	Civil			
1. Appeals pending at beginning of the year	21	0	0	0	N/A	0	7	N/A	28
2. Notices of appeal received/filed	44	37	0	0	N/A	0	17	N/A	98
3. Appellate motions, motion responses filed	0	0	12		N/A	0	0	N/A	12
4. Appellate briefs filed	23	37	12		N/A	0	17	N/A	89
5. STATE Appeals and - TOTAL DISPOSED Cross Appeals	0	0	0	0	N/A	0	0	N/A	0
a. Conviction or order affirmed	0	0	0	0	N/A	0	0	N/A	0
b. Conviction or order reversed	0	0	0	0	N/A	0	0	N/A	0
c. Remanded or judgment modified	0	0	0	0	N/A	0	0	N/A	0
d. Withdrawn or dismissed	0	0	0	0	N/A	0	0	N/A	0
e. Affirmed in part/Reversed and or remanded in part	0	0	0	0	N/A	0	0	N/A	
6. DEFENSE Appeals - TOTAL DISPOSED	47	37	12	0	N/A	0	16	N/A	112
a. Conviction or order affirmed	41	33	11	0	N/A	0	16	N/A	101
b. Conviction or order reversed	3	0	0	0	N/A	0	0	N/A	3
c. Remanded or judgment modified	2	0	0	0	N/A	0	0	N/A	2
d. Withdrawn or dismissed	3	4	0	0	N/A	0	0	N/A	7
e. Affirmed in part/Reversed and or remanded in part	0	0	0	0	N/A	0	0	N/A	0
7. Appeals pending at the end of the year	13	0	1	0	N/A	0	9	N/A	23

¹ Do not have the necessary information to complete this section. See AP Jingoli's report regarding municipal appeals.

² See EAP Borgos report for Habeas appeals to District Court and 3rd Circuit.

APPELLATE WORKLOAD AND DISPOSITIONS

Law Division

APPELLATE WORKLOAD AND DISPOSITIONS/OUTCOMES	MUNICIPAL COURT APPEALS -- BY TYPE OF VIOLATION					TOTAL
	Criminal	Disorderly Persons	Motor Vehicle	Municipal Ordinances	Other	
1. Appeals pending at beginning of year						
2. Notices of appeal received/filed						
3. Appellate motions, motion responses filed						
4. Appellate briefs filed	Per AOC, no information received from the courts, this page left intentionally blank.					
5. TOTAL APPEALS DISPOSED						
a. Conviction or order affirmed						
b. Conviction or order reversed						
c. Remanded or judgment modified						
d. Withdrawn or dismissed						
6. Appeals pending at the end of the year						

Section/Unit Juvenile Unit
(completing report)
Section IV. 9.a.

County: Mercer

Year.: 2020

JUVENILE DELINQUENCY INTAKE

Filings/New Cases	Number of Juveniles	Number of Cases	Number of Offenses
1. Total New Filings During the Calendar Year	377	507	1,055
VOP Filings			
2. Total Violations of Probation During the Calendar Year	65	74	74
Returned to Court			
3a. Cases Reactivated	39	49	87
3b. Cases Reopened	68	72	138
3c. Cases Successfully Appealed	0	0	0
3. Total Cases Returned to Court	107	121	225
Transfers			
4a. Entering this county	41	47	86
4b. Leaving this county	22	25	43
4. (Net Change)	19	22	43

5. County Screening Procedures.....: Check the box that most accurately describes the procedure in your county. Do not check more than one box.

- a. Prosecutor's office reviews all new delinquency complaints either before or after diversion. ☒
- b. Prosecutor's office reviews selected delinquency complaints either before or after diversion based on offense charged or other criteria ☐
- c. Prosecutor's office does not screen new delinquency complaints. ☐

6. Violations of Probation Procedures: Check the box that most accurately describes the procedure in your county. Do not check more than one box.

- a. An Assistant Prosecutor appears at all V.O.P. hearings. ☒
- b. An Assistant Prosecutor appears at selected V.O.P. hearings based on offense charged or other criteria. ☐
- c. Assistant Prosecutor's do not at V.O.P. hearings. ☐

Revised for 2020 data

Section/Unit Family Court
(completing report)
Section IV. 9.b.

County: Mercer

Year...: 2020

JUVENILE DELINQUENCY DISPOSED CASES

	Number of Juveniles	Number of Cases	Number of Offenses
Dismissed/Consolidated/Withdrawn			
1. Total Dismissed/Consolidated/Withdrawn during Calendar Year	9	10	19
Diverted Cases			
2. Total Diversions during Calendar Year	108	109	132
Inactivated Cases			
3a. VOP Cases Inactivated	13	15	15
3b. Non-VOP Cases Inactivated	52	67	124
3. Total Inactivations during Calendar Year	65	82	139
Non-VOP Decisions (Mandatory Calendar)			
4a. Adjudicated Delinquent	118	163	493
4b. Adjudicated Not Delinquent	0	0	0
4c. Not Adjudicated Dismissed	63	121	239
4d. Case Returned/Post Adjudication Decision	15	17	50
4. Total Non-VOP Decisions (Mandatory Calendar)	196	301	782
Non-VOP Decisions (Non-Mandatory Calendar)			
5a. Adjudicated Delinquent	35	36	66
5b. Adjudicated Not Delinquent	0	0	0
5c. Not Adjudicated Dismissed	20	21	27
5d. Case Returned/Post Adjudication Decision	13	13	24
5. Total Non-VOP Decisions (Non-Mandatory Calendar)	68	70	117
Non-VOP Decisions (Juvenile Referee)			
6a. Adjudicated Delinquent	0	0	0
6b. Adjudicated Not Delinquent	0	0	0
6c. Not Adjudicated Dismissed	0	0	0
6d. Case Returned/Post Adjudication Decision	0	0	0
6. Total Non-VOP Decisions (Juvenile Referee)	0	0	0
	Mandatory Calendar	Non-Mandatory Calendar	Juvenile Referee
VOP Decisions (1:1)			
7a. Adjudicated Delinquent	52	3	0
7b. Adjudicated Not Delinquent	0	0	0
7c. Not Adjudicated Dismissed	14	0	0
7d. Case Returned/Post Adjudication Decision	5	0	0
7. Total VOP Decisions	71	3	0
Trials			
8a. Total Number of Trials Where the Assistant Prosecutor Appeared.			1
8b. Total Number of Juveniles Adjudicated Delinquent on One or More Charges at Trial.			1
8c. Total Number of Juveniles Adjudicated Not Delinquent at Trial.			0

Revised for 2020 data

JUVENILE WAIVER DECISIONS

1. Voluntary Waivers at Juvenile's Request	0
2. Juvenile Waiver Motions by Prosecutor	
a. Pending at Beginning of Year	3
b. Motions Filed by Prosecutor this Year	2
3. Juvenile Waiver Decisions (Prosecutor's Motions)	
a. Waived on Prosecutor's Motion with Juvenile's Consent	
b. Waived on Prosecutor's Motion without Juvenile Consent and after a Hearing	1
c. Motion Voluntarily Withdrawn by Prosecutor	2
d. Waivers Denied	
e. Total Decisions (sum of 3a through 3d)	3
4. Juvenile Waiver Motions filed by Prosecutor Pending at Year's End (2.a. + 2.b. - 3.e.)	2

VICTIM/WITNESS NOTIFICATION SERVICES

NOTIFICATION SERVICES	NOTIFICATION PROVIDED TO					
	VICTIMS		Lay WITNESSES		Law Enforcement WITNESSES	
	YES	NO	YES	NO	YES	NO
Initial contact	X			X		X
Administrative dismissal	X		X		X	
Remand to municipal court	X		X		X	
Indictment returned	X		X		X	
No bill	X		X		X	
Acceptance into pre-trial intervention	X		X		X	
Guilty plea	X		X		X	
Not guilty at trial	X		X		X	
Guilty at trial	X		X		X	
Indictment dismissed	X		X		X	
Sentence	X		X		X	
Parole	X					
Disposition of juvenile cases	X			X	X	
Frist appearance	X			X		X
Applied - PTI	X			X	X	
Other: Release from custody	X			X		X

VICTIM/WITNESS ASSISTANCE SERVICES PROVIDED

VICTIM/WITNESS ASSISTANCE SERVICES	SERVICE PROVIDED TO			
	VICTIMS		WITNESSES	
	Juvenile Cases	Adult Cases	Juvenile Cases	Adult Cases
INFORMATION AND REFERRAL SERVICES				
Introductory brochure	X	X		
Criminal Justice system orientation	X	X		
Case information	X	X		
VCCO referral	X	X		
Social service information/referral	X	X		
Crime prevention information/referral	X	X		
Property return information	X	X		
Public education, community awareness	X	X	X	X
LOGISTIC SERVICES				
Stand-by subpoena and call	X	X	X	X
Witness waiting area	X	X	X	X
Response to witness intimidation, harassment	X	X		
Restitution recommendation at sentencing	X	X		
VCCO claim assistance	X	X		
Social service intervention	X	X	X	X
Employer/student intervention	X	X	X	X
Travel, lodging assistance	X	X	X	X
Transportation assistance	X	X	X	X
Child care assistance	X	X	X	X
Property return assistance	X	X		
Witness fee assistance				
Victim impact statement assistance	X	X		
Crisis Counseling				
Relocation assistance	X	X	X	X
Other (specify)				

MISCELLANEOUS ACTIVITIES

ACTIVITY	NUMBER	VALUE
1. Notice of intention to solicit funds received	47 (Mleta Req.)	
2. Expungement applications received	0	
3. TOTAL number of forfeiture actions	337	
4. Number of motor vehicles obtained through forfeiture actions	10	
5. TOTAL value of property forfeited (add a. – c.)		\$401,289
a. Cash forfeited		\$368,468
b. Value of forfeited motor vehicles		\$32,720
c. Value of other forfeited property		\$101
(Specify property)		
(1) Samsung Television (2) Verizon Tablet		

ADULT DEFENDANTS WITH BIAS CRIME RELATED CHARGES DISPOSED

	TOTAL	NUMBER CONVICTED		ACQUITTED	DISMISSED	DOWNGRADE/ REMAND
		PLEA	TRIAL			
Number of defendants disposed	2	0	0	0	1	1
Number of defendants for whom application for extended term of imprisonment made	0	0	0	0	0	0
Number of defendants for whom application was granted	0	0	0	0	0	0
Number of defendants for whom application was denied	0	0	0	0	0	0
Number of defendants for whom simple assault was upgraded to 4th degree crime	0	0	0	0	0	0
Number of defendants for whom harassment was upgraded to 4th degree crime	0	0	0	0	0	0
Number of defendants who had both an upgrade to a 4th degree crime and an application for extended terms	0	0	0	0	0	0

JUVENILE DEFENDANTS WITH BIAS CRIME RELATED CHARGES DISPOSED

		NUMBER CONVICTED				
	TOTAL	PLEA	TRIAL	ACQUITTED	DISMISSED	DOWNGRADE/ REMAND
Number of juveniles disposed	3	2			1	
Number of juveniles waived for adult prosecution	0					
Number of juveniles for whom application for extended term of imprisonment made	0					
Number of juveniles for whom application was granted	0					
Number of juveniles for whom application was denied	0					
Number of juveniles for whom simple assault was upgraded to 4th degree crime	0					
Number of juveniles for whom harassment was upgraded to 4th degree crime	2	2				
Number of juveniles who had both an upgrade to a 4th degree crime and an application for extended terms	0					

POLICE PURSUIT SUMMARY REPORT

Agency: All Municipal Departments, MCPO and MCSO	County: Mercer
Reporting Period: January 1, 2020 to December 31, 2020	
Person completing report: Lt. Bryan Cottrell	Date completed: 3/24/2021
Phone number: 609-989-6351	

1. Number of pursuits initiated	62
2. Number of pursuits resulting in accidents	18
3. Number of pursuits resulting in injuries (NO DEATHS)	3
4. Number of pursuits resulting in death	0
5. Number of pursuits resulting in arrest	35
6. Number of vehicles in accidents	
a. Pursued vehicles	18
b. Police vehicles	1
c. Third party vehicles	2
7. Number of people injured	
a. Pursued vehicles	5
b. Police vehicles	2
c. Third party vehicles	0
d. Pedestrians	0
8. Number of people killed	
a. Pursued vehicles	0
b. Police vehicles	0
c. Third party vehicles	0
d. Pedestrians	0
9. Number of people arrested	59
10. Number of pursuits in which a tire deflation device was used	0

DCJ 10/2001)

Section IV.14B**PROFESSIONAL STANDARDS SUMMARY REPORT FORMS**

Agency: Police Departments, Sheriff's Office and Mercer County Prosecutor's Office
County: Mercer
Reporting Year: 2020

TABLE 1 -- COMPLAINTS FILED

Type of Complaint	Anonymous Complaints	Citizen Complaints	Agency Complaints	Total Complaints
Excessive Force	0	22	1	23
Improper Arrest	0	7	0	7
Improper Entry	0	0	0	0
Improper Search	0	15	1	16
Other Criminal Violation	1	19	15	35
Differential Treatment	0	22	2	23
Demeanor	1	56	10	65
Domestic Violence	1	0	0	1
Other Rule Violation	8	42	115	165
TOTAL	11	180	144	335

PROFESSIONAL STANDARDS SUMMARY REPORT FORMS

Agency: Police Departments, Sheriff's Office and Mercer County Prosecutor's Office
County: Mercer
Reporting Year: 2020

TABLE 2 -- AGENCY DISPOSITIONS

	Sustained	Exonerated	Not Sustained	Unfounded	Administratively Closed	Total Dispositions
Excessive Force	0	8	2	4	2	16
Improper Arrest	0	4	0	1	3	8
Improper Entry	0	0	0	0	0	0
Improper Search	1	5	1	0	3	10
Other Criminal Violation	2	2	9	2	4	19
Differential Treatment	0	12	4	3	1	19
Demeanor	9	20	21	11	5	64
Domestic Violence	0	0	0	0	0	0
Other Rule Violation	92	26	19	13	19	169
TOTAL	104	74	56	34	37	305

PROFESSIONAL STANDARDS SUMMARY REPORT FORMS

Agency: Police Departments, Sheriff's Office and Mercer County Prosecutor's Office
County: Mercer
Reporting Year: 2020

TABLE 3 -- COURT DISPOSITIONS

Court	Cases Dismissed	Cases Diverted	Acquittals	Convictions
Municipal Court	1	0	0	0
Superior Court	0	0	0	0
TOTAL	1	0	0	0

BUDGETS AND EXPENDITURES

ACTIVITY	YEAR	Total Operating Budget (excluding Grants)	Total Grants Funding
1. TOTAL actual expenditures, prior report year (Include all County, State, and Federal funding)	2019	17,247,101.00	2,005,211.00
a. Salaries and Wages		15,743,526.00	1,233,824.00
b. Other Expenses		1,503,575.00	771,387.00
1. TOTAL Budgeted Appropriations, current report year (Include all County, State, and Federal Funding)	2020	16,420,743.00	1,188,444.00
a. Salaries and Wages		14,484,804.00	772,464.00
b. Other Expenses		1,360,524.00	332,879.00

Rev. 2007