

FILED

MAR 6 - 2014

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ649-14-3

Superior Court

Docket Number

14-03-00017-S

STATE OF NEW JERSEY)
v.)
RIGO RODRIGUEZ,)
LISSETTE RODRIGUEZ,)
and)
WILSON TORRES.)

INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

RIGO RODRIGUEZ

LISSETTE RODRIGUEZ

and

WILSON TORRES

and other persons, whose identities are known to the Grand Jurors, but who are not named as defendants herein, between on or about March 1, 2010, and on or about August 31, 2010, at the City of Paterson, in the County of Passaic, and at the City of Trenton, in the County of Mercer, elsewhere, and within the

jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Election Fraud, Fraud in Casting Mail-in Vote, Tampering With Public Records, Falsifying or Tampering with Records, Forgery, and Tampering with Witnesses, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crime(s), or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crime(s), that is:

1. Election Fraud, in that one or more of them would knowingly and willfully deprive, defraud or attempt to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement, casting or tabulation of ballots that were known to be materially false, fictitious or fraudulent, that is one or more of them would knowingly and willfully procure, cast, attempt to procure, attempt to cast, assist in procuring or assist in casting mail-in ballots purporting to be the ballots of certain residents of the City of Paterson for the 2010 Paterson City Municipal Election for Council At-Large, when, in fact, as they well knew, the named residents were not aware of the casting or tabulation of those ballots, did not otherwise authorize the casting or tabulation of those ballots, and/or did not themselves complete those ballots, contrary to the provisions of N.J.S.A. 19:34-1.1(a)(2) and

N.J.S.A. 2C:5-1;

2. Fraud in Casting Mail-in Vote, in that one or more of them would knowingly and with intent to commit fraud, or aid and abet another, violate any of the provisions required under the Voting by Mail, N.J.S.A. 19:63-1 et seq., or knowingly certify falsely in any paper required under this act, or who, at any time, tamper with any ballot or document used in an election or interfere with the secrecy of the voting of any person, that is, one or more of them would, or aid and abet another, falsely certify or submit documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 19:63-28 and N.J.S.A. 2C:5-1;

3. Tampering with Public Records or Information, in that one or more of them, with purpose to defraud or injure, would make a false entry in a record, document or thing belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, or would make, present, offer for filing or use any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, that is, one or

more of them, knowing the same to be false, would falsely certify or submit documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 2C:28-7(a)(2) and N.J.S.A. 2C:5-1;

4. Falsifying or Tampering with Records, in that one or more of them, with purpose to deceive or injure another or to conceal a wrongdoing, knowing it to contain a false statement or information, would falsify and/or utter a writing or record, that is, one or more documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 2C:21-4(a) and N.J.S.A. 2C:5-1;

5. Forgery, in that one or more of them, with the purpose to defraud or injure another, would utter to Passaic County election officials, one or more writings, that is, documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, knowing the same to be made, completed, executed, authenticated, issued or transferred, so that it purported to be the act of one or more residents of the City of Paterson, who did not authorize that act, contrary to the provisions of N.J.S.A. 2C:21-1(a)(3) and N.J.S.A. 2C:5-1; and

6. Tampering with Witnesses, in that one or more of

them, believing that an official proceeding or investigation is pending or about to be instituted or has been instituted, would knowingly engage in conduct in which a reasonable person would believe would cause a witness to testify or inform falsely, that is, would knowingly attempt to induce or otherwise cause one or more persons, whose identities are known to the Grand Jurors, to provide false information to New Jersey State Police detectives as to the certification or submission of documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 2C:28-5(a)(1) and N.J.S.A. 2C:5-1.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of same.

COUNT TWO

(Election Fraud - Second Degree)

RIGO RODRIGUEZ

LISSETTE RODRIGUEZ

and

WILSON TORRES

between on or about March 1, 2010 and on or about May 11, 2010, at the City of Paterson, in the County of Passaic, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, knowingly and willfully deprived, defrauded or attempted to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement, casting or tabulation of ballots that were known to be materially false, fictitious or fraudulent, that is the said RIGO RODRIGUEZ, LISSETTE RODRIGUEZ, and WILSON TORRES, knowingly and wilfully procured, cast, attempted to procure, attempted to cast, assisted in procuring or assisted in casting mail-in ballots purporting to be the ballots of certain residents of Paterson City for the 2010 Paterson Municipal Election for Council At-Large, when, in fact, as they well knew, the named residents were not aware of the casting or tabulation of those ballots, did not otherwise authorize the casting or tabulation of those ballots and/or did not themselves complete those ballots, contrary to the provisions of N.J.S.A. 19:34-1.1(a)(2), N.J.S.A.

2C:2-6 and N.J.S.A. 2C:5-1, and against the peace of this State,
the government and dignity of same.

COUNT THREE

(Fraud in Casting Mail-in Vote - Third Degree)

RIGO RODRIGUEZ

LISSETTE RODRIGUEZ

and

WILSON TORRES

between on or about March 1, 2010 and on or about May 11, 2010, at the City of Paterson, in the County of Passaic, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, did knowingly and with intent to commit fraud, or aid and abet another, violate any of the provisions required under the Voting by Mail, N.J.S.A. 19:63-1 et seq., or knowingly certify falsely in any paper required under this act, or who, at any time, tamper with any ballot or document used in an election or interfere with the secrecy of the voting of any person, that is, the said RIGO RODRIGUEZ, LISSETTE RODRIGUEZ, and WILSON TORRES did, or aid and abet another, falsely certify or submit documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 19:63-28, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:5-1, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Tampering with Public Records or Information - Third Degree)

RIGO RODRIGUEZ

LISSETTE RODRIGUEZ

and

WILSON TORRES

between on or about March 1, 2010 and on or about May 11, 2010, at the City of Paterson, in the County of Passaic, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with purpose to defraud or injure, did make, present, offer for filing or use, or caused to be made, presented, offered for filing or used, any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, to wit: the said RIGO RODRIGUEZ, LISSETTE RODRIGUEZ, and WILSON TORRES falsely certified or submitted documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 2C:28-7(a)(2), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:5-1, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(Falsifying Records - Fourth Degree)

RIGO RODRIGUEZ

LISSETTE RODRIGUEZ

and

WILSON TORRES

between on or about March 1, 2010 and on or about May 11, 2010, at the City of Paterson, in the County of Passaic, and at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, with purpose to deceive or injure another or to conceal a wrongdoing, knowing it to contain a false statement or information, did falsify and/or utter a writing or record, that is, one or more documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 2C:21-4(a), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:5-1, and against the peace of this State, the government and dignity of same.

COUNT SIX

(Forgery - Fourth Degree)

RIGO RODRIGUEZ

LISSETTE RODRIGUEZ

and

WILSON TORRES

between on or about March 1, 2010 and on or about May 11, 2010, at the City of Paterson, in the County of Passaic, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with the purpose to defraud or injure another, did utter to Passaic County election officials, one or more writings, that is, documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson Municipal Election for Council At-Large, knowing the same to made, completed, executed, authenticated, issued or transferred, so that it purported to be the act of one or more residents of the City of Paterson, who did not authorize that act, contrary to the provisions of N.J.S.A. 2C:21-1(a)(3), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:5-1, and against the peace of this State, the government and dignity of same.

COUNT SEVEN

(Tampering with Witnesses - Third Degree)

RIGO RODRIGUEZ

and

LISSETTE RODRIGUEZ

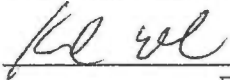
between on or about May 11, 2010 and on or about August 31, 2010, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, believing that an official proceeding or investigation is pending or about to be instituted or has been instituted, did knowingly engage in conduct in which a reasonable person would believe would cause a witness to testify or inform falsely, that is, did knowingly attempt to induce or otherwise cause one or more persons, whose identities are known to the Grand Jurors, to provide false information to New Jersey State Police detectives as to the certification or submission of documents related to the procurement, casting, or tabulation of mail-in ballots for the 2010 Paterson City Municipal Election for Council At-Large, contrary to the provisions of N.J.S.A. 2C:28-5(a)(1), N.J.S.A. 2C:2-6 and N.J.S.A. 2C:5-1, and against the peace of this State,

the government and dignity of same.



Elie Honig, Director,
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 3-6-14

FILED

MAR 6 - 2014

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

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v.)
RIGO RODRIGUEZ)
LISSETTE RODRIGUEZ)
and)
WILSON TORRES)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 6th day of March, 2014, pursuant to paragraph 8 of the State Grand Jury Act, that the County of ~~Mercer~~ Passaic be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of ~~Mercer~~ Passaic for filing.

Marcy C. Jacobson
Marcy C. Jacobson, A.J.S.C.