

1
2
3
4
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11
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SCI PUBLIC HEARING
JUVENILE VIOLENCE/NEIGHBORHOOD GANGS
SEPTEMBER 26, 2018
9:30 A.M.

HELD AT: STATE HOUSE ANNEX
131-137 West State Street
Trenton, New Jersey

TRANSCRIBED BY: DONNA BRUNCK, CCR

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24

25

I N D E X

1		
2		
3	WITNESS	PAGE
4		
5	EDWIN TORRES and MARIAN GALIETTA	
6	EXAMINATION OF MR. TORRES BY MR.	10
7	LACKEY	
8	EXAMINATION OF MS. GALIETTA BY MR.	30
9	LACKEY	
10	CHRISTOPHER TAGGART, JOSEPH IACAVONE and	
11	DONNA HIGBEE	
12	EXAMINATION OF SGT. IACAVONE BY MR.	52
13	SEDEFIAN	
14	EXAMINATION OF LIEUTENANT TAGGART BY	56
15	MR. SEDEFIAN	
16	EXAMINATION OF SGT. IACAVONE BY MR.	60
17	SEDEFIAN	
18	EXAMINATION OF CHIEF HIGBEE BY MR.	62
19	SEDEFIAN	
20	EXAMINATION OF SERGEANT IACAVONE BY	66
21	MR. SEDEFIAN	
22	EXAMINATION OF CHIEF HIGBEE BY MR.	74
23	SEDEFIAN	
24	EXAMINATION OF LIEUTENANT TAGGART BY	79
25	MR. SEDEFIAN	

1	EXAMINATION OF SERGEANT IACAVONE BY	83
2	MR. SEDEFIAN	
3	EXAMINATION OF LIEUTENANT TAGGART BY	87
4	MR. SEDEFIAN	
5	EXAMINATION OF CHIEF HIGBEE BY MR.	88
6	SEDEFIAN	
7	STEPHANIE TREADWELL and STEVEN SMITH	
8	EXAMINATION OF OFFICER SMITH BY MR.	110
9	SEDEFIAN	
10	EXAMINATION OF DET. TREADWELL BY MR.	113
11	SEDEFIAN	
12	EXAMINATION OF OFFICER SMITH BY MR.	113
13	SEDEFIAN	
14	LORETTA NICHOLS and MICHAEL THOMAS	
15	EXAMINATION OF CAPT. NICHOLS BY MR.	133
16	SEDEFIAN	
17	EXAMINATION OF CAPT. THOMAS BY MR.	135
18	SEDEFIAN	
19	HARRY EARLE and FRED FOGG	
20	EXAMINATION OF CHIEF EARLE BY MS.	145
21	CIALINO	
22	EXAMINATION OF MR. FOGG BY MS. CIALINO	160
23		
24		
25		

E X H I B I T S

ID	DESCRIPTION
PH-1	Neighborhood Gangs' Distinguishing Characteristics
PH-2	Statewide Juvenile Firearms Arrests (Years 2015-2017)
PH-3	Camden County Juvenile Firearms Arrests (Years 2015-2017)
PH-4	Trenton Police Department Juvenile Shooting Victims (Years 2015-2017)
PH-5	Compilation of Juvenile Firearms Photographs Obtained via Social Media
PH-6	Photograph of an Assault Rifle Weapon Assembly Package and Ammunition dated 4/12/2017
PH-7	Essay Written by a Juvenile Detainee 3/21/16

1 EXECUTIVE DIRECTOR: Good morning,
2 everybody. Thank you for coming. I'm Lee Seglem.
3 I'm executive director of the State Commission of
4 Investigation.

5 I'd like to introduce of members of
6 the Commission. To my left is Rosemary Iannacone.
7 To her left is Joe Scancarella, who's our chair, and
8 to his left is Robert Burzichelli, a member of the
9 Commission.

10 As you know, one of the SCI's main
11 duties is to investigate and report on the criminal
12 underworld in all of its disturbing dimensions. Our
13 mandate as an independent watchdog agency is much
14 broader than that. Of course we also expose waste
15 and abusive tax dollars. But it is in the criminal
16 arena that the SCI clearly and historically has
17 distinguished itself over five decades as a unique
18 instrument of government and as a valuable adjunct
19 to law enforcement.

20 We have repeatedly put New Jersey on
21 notice about the changing nature and threat posed by
22 different criminal groups and by weaknesses in the
23 criminal justice system. We are among the first,
24 for example, to chart the emergence of brazen,
25 highly organized criminal street gangs against the

1 backdrop of a diminished Mafia. We showed how these
2 rising gangsters subverted our gun laws and our
3 prisons, how they spurred the heroin epidemic, how
4 they and others exploited and abused a broken bail
5 system.

6 Today you will hear how this
7 landscape of criminality has shifted yet again, to
8 the detriment of public peace and public safety, and
9 in ways that are severely testing the system's
10 ability to respond.

11 As we speak, communities across the
12 state are confronting a resurgence of street
13 violence, but not at the hands of adult gang-bangers
14 necessarily in known and regularly identifiable
15 groups like the Bloods or the Crips. They are still
16 part of the scene, make no mistake, but we are here
17 to talk about something different. More to the
18 point, we are here to talk about children, children
19 as young as 12 or 14 years old, children who are
20 picking up guns to kill and maim each other and
21 anyone else who might get in the way.

22 This is the dark and ruthless world
23 of neighborhood gangs and juvenile gun violence. As
24 you will hear, it is a drug-fueled world where the
25 slightest personal affront, even a perceived insult,

1 can trigger mayhem where teens and pre-teens almost
2 routinely settle adolescent tussles with deadly
3 weapons, where social media serve as electronic
4 billboards for distinctly anti-social activity, used
5 to pick fights, display weaponry, recruit new
6 members and threaten the police, and where adults
7 exploit children to do their criminal bidding. It
8 is a chaotic world with law enforcement is
9 struggling to catch up, and it is a world where kids
10 grow up expecting to die in violence.

11 While it is true that the crime rate
12 in general has dropped or at least remained static
13 in recent years, what is happening within and among
14 this particular social subset defies that
15 conventional wisdom. As anyone who is close to the
16 action will tell you, and you will hear from them
17 today, juvenile violence, widely splintered and
18 highly volatile, whether linked to gang activity or
19 not, has grown more chaotic, more complicated and
20 more threatening with the passage of time.

21 In a state that has worked hard to
22 get its juvenile justice system in order in recent
23 years, coming to grips with this phenomenon presents
24 daunting challenges. Although New Jersey, on the
25 tail end of the problem, has made considerable

1 progress in developing alternatives to incarceration
2 of juvenile offenders, law enforcement officials
3 report that at the front end, at street level, youth
4 violence has mushroomed to a crisis point.

5 With this hearing, our goal is not
6 only to put a public spotlight on a serious problem,
7 we also hope this forum will spur a statewide
8 conversation on creative and effective ways to
9 address it. This is the first step in a process
10 that will culminate with a comprehensive report,
11 taking into account information, perspective and
12 recommendations from everyone at every level who
13 must deal with these issues on a daily basis, law
14 enforcement, the judiciary, the juvenile justice
15 system and the community at large. At stake here is
16 nothing less than the safety of our communities and
17 the frightening prospect of yet another generation
18 being lost to violence on our streets.

19 SCI deputy director and chief
20 counsel, Chadd Lackey, will now call the first
21 witness. Sir?

22 MR. LACKEY: Thank you very much,
23 Director. Again, for the record, my name is Chadd
24 Lackey, chief counsel and deputy of record of the
25 State Commission of Investigation.

1 The Commission calls Special Agent
2 Edmond Torres and Counsel Marian Galietta, to
3 testify.

4 - - - -

5 EDWIN TORRES and MARIAN GALIETTA, having been first
6 duly sworn, testified as follows:

7 - - - -

8 EXAMINATION OF MR. TORRES BY MR. LACKEY:

9 MR. LACKEY: Please have a seat.
10 Good morning.

11 THE WITNESSES: Good morning.

12 Q. Let's start with you Agent Torres.
13 Please state your name for the record.

14 A. Edwin Torres.

15 Q. Where are you currently employed?

16 A. I'm employed with the New Jersey
17 State Commission of Investigation.

18 Q. Tell us about your professional
19 background, please?

20 A. I began my career in law enforcement
21 in 1988 as a correction officer at the New Jersey
22 Training School For Boys in Monroe Township with the
23 Department of Corrections. In 1993 I started
24 working to address presence of street gangs in the
25 juvenile facility there. I held various positions

1 and was promoted in 1996 to sergeant. In 2003 I was
2 promoted to lieutenant.

3 I was then placed in charge of the
4 newly-created gang unit at that time. I was
5 addressing all the gang activity within the Juvenile
6 Justice Commission. I oversaw gang suppression
7 efforts in the JJC until 2008. At that time I left
8 Juvenile Justice and accepted a position here at the
9 State Commission of Investigation.

10 Q. At the Commission you still monitor
11 gang activity for us, correct?

12 A. That is correct.

13 Q. You are also familiar with the
14 Juvenile Justice System after being in it for about
15 20 years?

16 A. That is correct, I am.

17 Q. Lastly, you are also a recognized
18 gang expert. Can you tell the Commission about your
19 credentials as it relates to gang and gang activity?

20 A. Yes. I have been recognized as a
21 gang expert by the New Jersey legislature. I'm
22 recognized as a gang expert by the Administrative
23 Office of the Courts. I submitted expert gang
24 testimony and opinions to several different courts
25 and counties. I'm currently the national president

1 of the East Coast Gang Investigator Association.
2 It's one of the largest gang associations in the
3 country. I have spoken nationally on the subject of
4 gangs, gang cultures and gang identification. I've
5 taught probably over and presented in front of over
6 30,000 people, both for law enforcement and
7 civilians on the subject of gangs. I've interviewed
8 numerous gang members. In the past I've served as
9 liaison with the New Jersey State Police gang unit.
10 I've worked at the Essex County anti-crime
11 partnership, and I've served on the New Jersey's
12 governance gangland task force.

13 Q. Agent Torres, in light of your
14 background, as it relates to gangs, what is the most
15 significant issue we face in the State of New Jersey
16 as it relates to gang and gang activity?

17 A. The most significant problem that I
18 see today in New Jersey that we are facing are the
19 neighborhood-based gangs involving the juveniles and
20 the violence that they are bringing to bear. It is
21 unprecedented the amount of violence that these
22 juveniles are engaged in. This problem that the
23 Commission, that normally monitors gang activity on
24 a regular basis has found it so compelling that we
25 felt it was necessary for the Commission to address

1 it and bring it to the attention of the public.

2 Q. This isn't our first foray. As the
3 Director stated, we have a history of looking at
4 gang and gang activity in the State of New Jersey,
5 correct?

6 A. That's correct. The Commission first
7 addressed gangs in a public hearing in 1993,
8 followed in 2009 with another public hearing on
9 gangland behind bars, which addressed gang activity
10 and the contraband that was being brought into the
11 New Jersey Department of Corrections, primarily by
12 the Bloods street gangs, followed up by hearing --
13 the hearing was followed up by a report on the
14 subject.

15 Q. Let's focus on the case we are here
16 today to talk about. As it relates to the issue you
17 raised related to neighborhood gangs, what
18 specifically did the Commission find as it relates
19 to neighborhood gangs in the State of New Jersey?

20 A. As it relates to the neighborhood
21 gangs, what the Commission found and what you'll
22 hear testimony about today is that the juvenile
23 violence is on the rise. You'll also hear that
24 juvenile gun possession is also on the rise.
25 Neighborhood-based gangs involving juveniles are

1 proliferating throughout the state. They are more
2 dangerous and violent now than traditional gangs.
3 They have weaponized social media and pose clear and
4 present danger to the public safety. Therefore, the
5 Commission felt it absolutely necessary to bring it
6 to the attention of the public.

7 Q. Let's look at neighborhood gangs.
8 Can you explain to us how they are different than
9 what are commonly known as traditional gangs or like
10 the Bloods and Crips, the gangs that we are familiar
11 with?

12 A. Yes. If you take a look at the
13 exhibit we've enumerated here.

14 Q. Let me ask you to direct your
15 attention there. You've put on the screen for us
16 PH-01. That's Commission's first exhibit and that
17 was actually created by the Commission?

18 A. Yes, it is.

19 Q. Let's walk through it. You were
20 saying about the characteristics associated with the
21 neighborhood gangs?

22 A. Yes. What we are finding in dealing
23 with neighborhood gangs is that they are younger
24 members than what we normally see with the
25 traditional gangs, 13, 14 years old, but we've been

1 told, and you'll hear testimony later, that they are
2 as young as eight years old, in some cases maybe
3 even younger. We are also seeing that they are
4 neighborhood-based hyperlocalized so a very specific
5 region within a town and city. They are often
6 identified with different names and constantly
7 changing those names. Neighborhood-based gangs are
8 structured differently than traditional gangs, going
9 from very loose to very highly structured but most
10 of the time fluidic in nature. They lack
11 enterprise, meaning no business structure, that they
12 are not primarily drug-based organizations like our
13 traditional gangs. They are ultraviolent and also
14 use social media and music for intimidation,
15 retaliation, threatening and confrontational
16 purposes.

17 Q. Let's pick up on the point you raised
18 related to their structure. How are they structured
19 differently the than the traditional gangs like the
20 Bloods?

21 A. Bloods tend to have a hierarchy.
22 Most of our gangs that we deal with, the traditional
23 gangs, all have some sort of hierarchy. We can
24 point to a leader, what they call OG or whatever,
25 and we know who they are and what they are. And

1 they have subordinates, and it goes down the list.

2 When dealing with neighborhood gangs,
3 it's hard to pinpoint a specific leader at a
4 specific time. It can be anyone on any given day or
5 no one at all, more of a mob dynamic. Without that
6 structure, law enforcement is more used to and more
7 prone to target leadership structures in an
8 organization when looking at it.

9 With the neighborhood gang, we don't
10 have the defined structure, making it somewhat more
11 difficult to target as a group.

12 Q. Also, when we look within those
13 neighborhood gangs, did we also find something that
14 we haven't found ever before, rival gang members
15 within the same gang? Why don't you explain to the
16 Commission a little about that?

17 A. With some of these neighborhood
18 gangs, we are seeing what traditionally were rival
19 gangs like the Bloods and Crips involved in these
20 neighborhood gangs. Traditionally Bloods and Crips
21 don't get along. They are sworn enemies. But in
22 these neighborhood gangs, they are working together
23 just fine. The neighborhood takes precedent over
24 the traditional gangs. That's something that we are
25 not accustomed to in the gang world.

1 Q. Neighborhood comes first?

2 A. Neighborhood always comes first.

3 Q. Let's talk about, you mentioned lack
4 of enterprise. I'm not familiar with that term.
5 What do you mean by that?

6 A. We refer to enterprise, majority of
7 your traditional street gangs are drug-based
8 organizations. They sell drugs. That's what we are
9 used to. That's what we know. Law enforcement
10 targets traditional street gangs, primarily
11 drug-based organizations. Law enforcement is very
12 good at targeting these gangs because of their drug
13 sales and what they do.

14 With these neighborhood-based gangs,
15 the majority of them we don't see them primarily
16 interested in the drug market or selling narcotics.
17 Therefore, it's a dynamic that's different. In some
18 cases some of these gangs simply are interested in
19 establishing their reputation through violence and
20 violence's sake.

21 In the traditional gang world, they
22 establish their reputation through the acquisition
23 of wealth. The more money they make in the street
24 gang world through the selling of drugs, the more
25 powerful they become, and they use violence to

1 further their business model. The
2 neighborhood-based gangs further their reputation
3 through the use of violence. Therefore, their
4 violence is more random, more chaotic and wholly
5 unpredictable.

6 Q. It sounds like, based on what you've
7 testified thus far, we are seeing a paradigm shift
8 from the way at that gangs are functioning, and it's
9 going to cause a change in our oppression average.
10 Do you agree with my statement we are seeing a
11 paradigm shift?

12 A. Yes, not only here but cross the
13 country by virtue of the fact I've been doing gangs
14 for close to 30 years and being part of a nationwide
15 situation, this is a topic that comes up amongst
16 many of my peers and associates in the gang world.
17 We are seeing this across the country. It's a
18 phenomenon with the neighborhood gangs stepping up
19 and doing this.

20 Q. As relates to the State of New
21 Jersey, when did neighborhood gangs begin to emerge?

22 A. They have always been a part of New
23 Jersey, and traditionally what we would see is
24 neighborhood gang members would be in the
25 neighborhood and then go into the traditional gangs,

1 move into the traditional gangs. Then the
2 traditional gangs started to fractionalize. The
3 groups like the Bloods became so big they kind of
4 fell apart, and law enforcement efforts to curtail
5 the Bloods were very successful, so the neighborhood
6 gangs decided to step in and replace where other
7 gangs were being arrested and incarcerated.
8 Neighborhood gangs took the place, because the
9 young-uns, the young kids that are in the gangs,
10 took the place of the older gang members who are now
11 incarcerated doing significant amounts of time.

12 Q. Sounds like they filled the vacuum?

13 A. Yes. They filled the vacuum.

14 Q. Let's look with -- we've been talking
15 about neighbor gangs. Let's look within the gangs
16 and talk about how a juvenile becomes a member of a
17 neighbor gang?

18 A. Well becoming a member of a neighbor
19 gang differs vastly than becoming a member of a
20 traditional gang. A traditional gang has rules,
21 regulations, procedures. You have to learn lessons.
22 You have to attend meetings. You have to pay dues.
23 There is a process to become a part of a traditional
24 gang. That process can be arduous, depending on who
25 the member is, so that could be a lengthy process.

1 It could be an uncomfortable process, if you will.

2 With a neighbor gang, that process
3 doesn't take place. I am in the neighborhood. I'm
4 a part of that neighborhood. Therefore, I am. You
5 live there. You are part of that neighborhood.
6 It's much more easier for you to be a part of that,
7 because you are already there. So we see the it's
8 much more seductive, if you will, in the
9 neighborhood gang, easier for me to be a part of
10 that neighborhood. I live there, so here I am.

11 Q. Also has the evidence shown that the
12 bonds and the relationships between the individual
13 members are different because they grew up together
14 as opposed to joining an organization and developing
15 the relationships that way?

16 A. Yes. What we see is that these
17 groups are based on I know this individual. I've
18 known this individual since kindergarten or even
19 before. Not only do I know this individual, I know
20 their mother, I know their father, I know their
21 extended family, so that bond that's created is much
22 deeper than, say, a traditional gang where I have to
23 pay homage to someone that I've read about. You
24 know, swearing oaths to individuals I just know that
25 I've referenced in material that has been handed to

1 me. So it's a deeper bond, deeper relationship. It
2 creates a much more crazier environment when there's
3 a sign of disrespect as well, because you are
4 disrespecting someone who's akin to family.

5 Q. What you've described thus far, is
6 this primarily in our urban areas, or are we seeing
7 neighborhood gangs extend into our suburban and
8 potentially rural areas in New Jersey?

9 A. Primarily in our urban areas where we
10 see it started, just like originally when we saw
11 original gangs come to New Jersey, but it's extended
12 out into our rural and our suburban areas as well.
13 The violence is absolutely not limited to the urban
14 areas. You'll hear testimony later how an incident
15 that took place in the Atlantic County area on the
16 Atlantic City Expressway ended up in Hamilton
17 Township. You'll hear there was an incident that
18 occurred in Haddon Township, New Jersey because of a
19 gang based out of the City of Camden, so it's while
20 yes, primarily began in the urban areas, with the
21 use of social media which they have weaponized,
22 they've been able to spread this cancer, if you
23 will, throughout the suburban and rural areas with
24 ease.

25 Q. We've mentioned violence and the

1 director in his opening remarks talked about guns.
2 Are we seeing these juvenile offenders using
3 weapons, and if so, what types?

4 A. They are using anything you can
5 imagine. They are using weapons, AK-47s, long arms,
6 AR-15s. You'll hear testimony later of an
7 individual who was able to order one online. Hollow
8 point bullets, armor-piercing rounds, you name it,
9 they can get it. It's quite easily -- you'll hear
10 testimony of the same, how easy it is for these
11 individuals to have firearms. They are more likely
12 to have firearms than not. Firearms are absolutely
13 a part of what these neighborhood gangs are doing
14 and have and we'll see later how they are constantly
15 bragging and the use and ease of them having
16 firearms.

17 Q. We've talked about violence in
18 various forms several times, but we haven't talk
19 about what triggers it. In your experience and
20 through this investigation, what have we learned
21 triggers this violence?

22 A. What we've learned triggers violence
23 is probably one of the more startling aspects of our
24 investigation. Anything can trigger the violence
25 that we are seeing on the streets. It is the

1 slightest slight, the perception or what they
2 perceive to be a slight will trigger the violence,
3 and often it's generated or started through
4 something that they post through their cell phone on
5 social media. What they post on their cell phone on
6 social media using one of the various social media
7 platforms must be responded to.

8 If you and I have an argument or
9 disagreement, it stays pretty much here. But if I
10 post something online, everyone is going to chime in
11 on that, and the social pressure for our young
12 people is so enormous for them to respond that
13 they -- it will result in some sort of violence on
14 the streets. It will be answered on the streets
15 with some sort of violence. It's almost like
16 pulling some sort of cyber trigger when they post
17 something online.

18 Q. It sounds like and we'll talk more
19 about social media in a moment, it sounds like
20 almost like a forced multiplier?

21 A. It is absolutely a forced multiplier
22 for them.

23 Q. Let's change, switch gears just a
24 little bit. How does the Commission juxtapose its
25 findings related to the violence and the guns that

1 you've talked about with the public statistics that
2 show that juvenile arrests are down?

3 A. I think it's really important to
4 point out that we are talking about a very specific
5 subset of juvenile violent offenders. We are not
6 talking about everybody. We are not talking about
7 all juvenile offenders, only a very specific subset.

8 Based on our own analysis and based
9 on what was reported to us by law enforcement
10 professionals and criminal justice professionals,
11 what is happening in reality defies what is the
12 conventional wisdom on crime. Almost everyone we
13 spoke to agrees that violence amongst the juveniles
14 in this particular set has increased in our state.

15 Q. Do the public statistics accurately
16 reflect what's currently going on in our streets?

17 A. They don't reflect what's currently
18 going on in our streets. They reflect what happened
19 a year and a half ago. You see our data, the
20 Uniform Crime Report data, is about a year and a
21 half old. That's the most accurate data we have
22 currently. That's what is given. So having the
23 current data only paints that picture. It doesn't
24 reflect what we have happening today. The juvenile
25 arrest rate only measures the amount of our juvenile

1 population that enters the Juvenile Justice System
2 after arrest. For various reasons there are times
3 when an arrest is not made, and when a shooting --
4 when arrests are not made when a shooting or another
5 violent act occurs.

6 Q. Let me direct your attention back to
7 the screen and let's pull up PH-2. You are familiar
8 with PH-2, aren't you, Agent Torres?

9 A. Yes, I am.

10 Q. What does PH-2 reflect?

11 A. What you will see is significant
12 increase in the number of juveniles arrested for
13 unlawful possession of firearms in the State of New
14 Jersey between the year of 2015 and 2017.

15 Q. So just so I'm clear, we saw a 26
16 percent increase in the number of juvenile firearm
17 arrests statewide?

18 A. That's correct.

19 Q. For the time frame referenced I think
20 it's 2015, '16 and '17?

21 A. That's correct, 2015 through 2017.

22 Q. All right. Who provided us with that
23 data?

24 A. The arrest data depicted here was
25 provided to us by the Regional Operations

1 Intelligence Center, otherwise known by the
2 abbreviation the ROC. The information was collected
3 through a database where law enforcement agencies
4 throughout the state entered their daily arrest
5 information.

6 Q. Let me keep you at that screen.
7 Let's go to another exhibit. Let's go to PH-3.

8 In addition to looking at statewide
9 statistics, we also looked at a specific urban area
10 in Camden, right?

11 A. That's correct, sir.

12 Q. Walk us through what PH-3 represents?

13 A. According to this data, you'll see
14 that in Camden County there's a much higher increase
15 in the number of juveniles charged with possessing
16 firearms during that same time period, 2015 through
17 2017.

18 Q. One last exhibit, let's look at PH-4.
19 Interestingly enough, the Commission looked at the
20 other side of the coin. We also looked at whether
21 or not there were more juveniles being victims of
22 various violent acts. That's what PH-4 reflects,
23 right?

24 A. That's correct.

25 Q. Why don't you tell us specifically

1 what this exhibit says?

2 A. Well, we prepared this through, the
3 Commission staff prepared this particular chart here
4 and the number of juvenile, this is specific to the
5 number of juveniles who are victims of shootings in
6 the City of Trenton, and it's provided to us by the
7 Trenton Police Department. 243 percent increase
8 between 2015 and 2017. Again, I need to note that
9 these are -- this shooting data that is represented
10 only reflects shootings that are suspect of being
11 involved in violent criminal activity.

12 Q. I don't want this to get lost. This
13 is a 200 percent increase?

14 A. That is correct.

15 Q. That's significant over that time
16 period would you agree?

17 A. That is. Even -- I mean, you do this
18 job for a while, to not get startled or shocked, but
19 this to me I found surprising, as many other people
20 did.

21 Q. Now, you mentioned it earlier, I want
22 to focus in on it, and I have a few more questions
23 for you, Agent Torres, before we get to you,
24 Counsel.

25 Let's talk about social media. We

1 talked earlier about it being a forced multiplier,
2 and look, everybody's familiar with social media.
3 They are familiar with the platforms. Explain to us
4 how these gang members, specifically these juvenile
5 gang members, are using social media as a platform
6 to further their gang activity?

7 A. Well, as you said, everyone is using
8 social media. When it comes to the juvenile gang
9 members and the juvenile violence that we see,
10 there's nothing social about they're doing. They
11 have weaponized social media. This is their modern
12 day graffiti. It is their way of posting their
13 messages. If I spray paint a building, who's going
14 to see it. But if I post something online, I'm
15 looking for likes. I'm looking for hundreds of
16 likes, if not thousands of likes. I'm going to hash
17 tag it in such a way that I'm going to get
18 popularity across the country. That's what these
19 kids are doing it by posting it online.

20 When I put something online, it's not
21 going to be something nice. It's going to be
22 something to intimidate, threaten or I'm going to
23 show people my power, my weapons, my guns, my drugs.
24 I'm doing something that social media, that's not
25 necessarily in anyone's best interest.

1 Q. In addition, did our investigation
2 find that these juveniles were using social media to
3 kind of promote their access to weapons and other
4 tools of violence?

5 A. The vast majority of the social media
6 posts that we saw, and it's hundreds, hundreds of
7 posts that they are posting daily and that we are
8 seeing, contain weapons in almost every single post
9 that we see, and we are not talking just photos. We
10 are talking videos, music, et cetera. Photos,
11 videos, music, it's a ton of them.

12 Q. Let me direct your attention one last
13 time to the screen. Let's take a look at PH-5. Can
14 you describe for us what we are seeing on the screen
15 there?

16 A. This is a real small percentage of
17 some of the posts that we found where we saw
18 individuals carrying weapons and posting online,
19 with no regard to their own personal safety or
20 anybody else's, and the weapons that we see, of
21 course illegally obtained and dangerous, just
22 extremely dangerous, and of course one of the
23 individuals in the post that we are going to see,
24 the last one in the bottom right is now dead, had
25 been murdered.

1 Q. So that social media post almost
2 serves as a memorial?

3 A. Many of the social media posts serve
4 as a memorial to the young men and sometimes women
5 in what they are posting online. It's really sad
6 really, when you start seeing these posts.

7 MR. LACKEY: We'll come back to in a
8 moment, Agent Torres.

9 Let's talk about another part of the
10 law enforcement community that this investigation
11 spoke with and that's the prosecutors, the people
12 that take these cases, take these arrests and are
13 responsible for prosecuting in the system.

14 So, counsel, please state your name
15 for the record.

16 MS. GALIETTA: Marian Galietta.

17 EXAMINATION OF MS. GALIETTA BY MR. LACKEY:

18 Q. Tell us a little bit about your
19 professional background?

20 A. I've been counsel here with the State
21 Commission since about January of this year. Prior
22 to that I was an assistant prosecutor in the Camden
23 County prosecutor's office for a little over three
24 years. There I prosecuted cases in the trial team
25 of that office as well as the juvenile division of

1 that office.

2 Prior to that I was an assistant
3 district attorney at the Philadelphia District
4 Attorney's Office for a little over four years where
5 I prosecuted cases primarily in Northwest
6 Philadelphia.

7 Q. During your time as a prosecutor in
8 the State of New Jersey, did you do cases that
9 involved the Juvenile Justice System?

10 A. Yes. During my time in Camden while
11 I was in the juvenile division of that office, I
12 appeared before the court on several matters during
13 all stages of the juvenile case, and that goes from
14 the initial detention, trial, disposition and even
15 post-disposition, such as violations of probation,
16 and even participated in waiver hearings where in
17 the most serious cases the juvenile offenders are
18 waived up from juvenile court up to adult court.

19 Q. So it sounds like based on your
20 background you've been involved in just about every
21 facet of the Juvenile Justice Court System?

22 A. That's correct.

23 Q. And you've also prosecuted the type
24 of juvenile offenders that Agent Torres was talking
25 about?

1 A. Absolutely.

2 Q. Let's talk about the Commission's
3 investigation. As part of our investigation we
4 talked to prosecutors about some of the challenges
5 that they faced in dealing with these violent
6 offenders. What did we find?

7 A. Well, the Commission spoke to several
8 prosecutors in New Jersey, and in reviewing what the
9 Commission found, I found that a lot of the
10 prosecutors, their comments and concerns, that they
11 all faced very similar challenges in New Jersey.

12 Q. What did they tell us?

13 A. Upon review of the Commission's
14 investigation, I learned that many of the
15 prosecutors are frustrated that they cannot keep
16 these violent juvenile offenders off of the streets.
17 Many serious juvenile offenders are rarely being
18 detained during that initial detention hearing right
19 after the arrest, nor are they being placed in any
20 kind of secure facility upon their ultimate
21 disposition, upon their sentence. As a result, once
22 they are, the juveniles are released on supervision,
23 they continue to commit crimes until they enter the
24 adult system.

25 Many prosecutors feel when it comes

1 to the most violent juvenile offenders that they are
2 just kicking the can down the road, so once they are
3 in the adult system, they are potentially facing
4 serious incarceration.

5 One particular senior prosecutor
6 indicated that they felt that they are really losing
7 the ground on rehabilitating, and they are not
8 helping these juveniles by letting them go.

9 Lastly, the senior prosecutor stated
10 that they feel that when it comes to the use of the
11 Criminal Street Gang Statute, many prosecutors
12 stated that it's proven too difficult to really
13 effectively use with these violent juvenile
14 offenders.

15 Q. Let's pick up on your last point
16 first. Let's talk a little bit about the Gang
17 Statute. Does the unique structure of the
18 organizations that Agent Torres described, do they
19 fall within the framework of the Gang Statute?

20 A. No. Many prosecutors we spoke to
21 indicated it's too difficult to use the statute
22 effectively or it's too high of a burden for them to
23 apply with the way the current gang structure is,
24 all of which makes sense, given everything that
25 Agent Torres has just stated regarding that lack of

1 structure and the constant shifting nature of the
2 gangs.

3 Q. We know there's pending legislation
4 out related to the gang statute. Will this address
5 some of the concerns Agent Torres raised?

6 A. There is pending legislation, and it
7 does address some aspects of the current gang issue.

8 Q. Tell us about that?

9 A. The pending legislation is to broaden
10 the scope of that Gang Statute to make it more
11 applicable in more areas. It's really to increase
12 penalties and to provide mandatory minimums when it
13 comes to sentencing to adults who recruit, use or
14 solicit juvenile members to commit crimes, so this
15 will hopefully deter adult gang members from using
16 juveniles to carry out crimes, but in reality,
17 securing those convictions would likely require the
18 testimony of those juveniles, which does pose
19 additional challenges to prosecutors.

20 Q. One of the things the Commission
21 found in its investigation, it was clear that there
22 were adults that were using juveniles to commit
23 crimes in furtherance of their criminal
24 organizations, because of the penalties associated
25 with the Juvenile System?

1 A. That's correct.

2 Q. Let's talk about the other part of
3 your first answer. Let's talk about the areas where
4 in the Juvenile Justice System prosecutors had
5 concerns related to juveniles being released into
6 the streets rather quickly.

7 A. Well, yes, there was really two ends
8 or two parts of the Juvenile Justice System that
9 really accounts for juveniles' liberty once they are
10 in the system. There's the front end known as
11 predisposition, and that happens immediately after
12 arrest, and that's when you are determining whether
13 they are going to initially be detained after that
14 arrest, and then there's post-disposition, the back
15 end, and that's when you are determining their
16 ultimate disposition, the ultimate sentence that
17 that juvenile will receive.

18 Prosecutors have expressed concerns
19 regarding the way these violent juvenile offenders
20 are being treated, both pre- and post-disposition,
21 both on the front end as well as the back end of the
22 system.

23 Q. Did they describe for us what was
24 driving their concerns?

25 A. Yes. Many prosecutors felt there was

1 constant pressures from various sectors of the
2 Juvenile Justice System not to detain upon that
3 initial arrest, nor to place in any kind of secure
4 facility as part of their ultimate disposition or
5 their ultimate sentence. The concern is that the
6 Juvenile Justice System's use of these alternatives
7 to detention are really without regard for relevant
8 indicators that would help identify some of these
9 most violent juvenile offenders.

10 Q. You used the term alternatives to
11 detention. What do you mean by that?

12 A. Alternatives to detention refers to
13 finding other programs or other means of supervision
14 in lieu of detention while the juvenile is awaiting
15 disposition of their case. Now this can include
16 release upon conditions or electronic monitoring.
17 Those are some common alternatives.

18 Q. Is it your understanding that these
19 alternatives to detention work for the overwhelming
20 majority of juveniles in the system?

21 A. Yes. In fact, many prosecutors agree
22 that a program that offers alternatives to detention
23 for juvenile offenders is laudable. However, they
24 feel it does not work for a small subset of these
25 violent juvenile habitual offenders.

1 Q. The types of folks we've been talking
2 about thus far in this hearing?

3 A. That's correct.

4 Q. Let's talk a little about
5 predisposition and the concerns in that area. What
6 do prosecutors tell us about those in custody
7 determinations?

8 A. Many prosecutors feel that the
9 alternatives to detention are really becoming a
10 common approach, a blanket approach, regardless of
11 escalation of offenses or the prior history of the
12 juvenile.

13 Q. Do you have some examples for us?

14 A. Yes. Many prosecutors found that
15 when it comes to determining that initial detention
16 status immediately after the arrest, the system does
17 not consider key factors such as a juvenile's
18 pending cases, nor does it really differentiate
19 between a juvenile who, say, has four prior
20 adjudications or a juvenile who has 20 prior
21 adjudications.

22 Q. Let's look at the very back end of
23 the disposition, post-disposition. After a
24 determination has been made related to guilt, what
25 about those custody determinations did prosecutors

1 tell us they had concerns?

2 A. Well, many prosecutors felt that the
3 juveniles were given too many chances, and as a
4 result the juveniles were not being adequately
5 deterred while they were on supervision. Many
6 prosecutors from numerous counties cited examples of
7 juveniles who while on supervision continued to
8 commit crimes and were being arrested for gun
9 charges, shootings and even homicides.

10 Q. Let sum up your testimony for the
11 Commissioners. Can you explain to them what impact
12 these issues are having on the system?

13 A. Yes. Well, the main concern is that
14 there's a small percentage of these very violent
15 juvenile offenders that are not just being
16 adequately deterred, that they are continuing to
17 commit crimes. As a result, these juveniles are
18 being used by adults to commit crimes, because they
19 know and the juveniles know of the reduced penalties
20 that are associated with these juvenile cases. It's
21 resulting in juveniles committing escalating crimes.
22 More importantly, these juveniles are not getting
23 the needed rehabilitation and the services, and in
24 some specific cases the juveniles are ending up in
25 the adult system facing serious incarceration

1 without ever having the proper benefit of the
2 Juvenile Justice System.

3 MR. LACKEY: Thank you so much,
4 counsel.

5 Agent Torres, one last question for
6 you. You've been a -- in the gang investigative
7 world for a couple of decades. Why are the
8 challenges that we face right now with neighborhood
9 gangs different than any challenges we faced?

10 AGENT TORRES: Thank you for
11 reminding me how long I've been doing this. In
12 doing the gang stuff for close to 30 -- over 30
13 years now, when we first started doing the gang
14 stuff, gangs operated totally differently. They
15 liked to hide in shadows. They liked to do what
16 they were doing. What we see now is that these, the
17 young gang members, these juvenile neighborhood
18 gangs, they are posting online. They are using
19 social media. They don't care about being noticed.
20 They don't think that we'll catch them any time
21 soon.

22 Your traditional gang members would
23 get arrested and get tired of getting arrested,
24 going in and out of jail. They realized that the
25 drug game costs. It wasn't profitable after a

1 while. These young guys, these young juvenile
2 gang-bangers, they are not in it for the drug money.
3 Their end game is death. That's it. And I work
4 with gang guys across the country, and this is, we
5 see this across the country, and it's startling to
6 us the amount of violence that they are bringing to
7 the table at such a young age with all these weapons
8 they are getting ahold of.

9 In all our conversations with even
10 older gang members are afraid of these young kids
11 that are gang members now. So it's startling in the
12 way it's shifted, and what should be noted is if we
13 don't address this now, these neighborhood-based
14 gangs can very likely become one of these larger
15 traditional gangs in the future.

16 MR. LACKEY: Thank you. Thank you
17 for your testimony both of you.

18 Commissioner, your witness.

19 COMMISSIONER SCANCARELLA: If the
20 commissions have any follow-up questions, I'd like
21 to take this opportunity on behalf of my colleagues
22 to welcome you here, welcome all of you here and
23 thank you for coming.

24 We are currently a body of three
25 commissioners. We had four until just about a month

1 ago, I think it is, Commissioner Leanza, who
2 participated in this study, as well as many others
3 over his tenure in a very effective and efficient
4 manner, has, let me put it this way, moved on to
5 greener pastures.

6 For those of you that may be here for
7 the first time, I just noticed myself, because I was
8 here many years ago, maybe it's more for the lawyers
9 than non-lawyers, but this is indeed a hallowed
10 hall. This was at one time the chambers of the New
11 Jersey Supreme Court. Just a point of information
12 if you're interested.

13 My just general question for you, the
14 two of you, would be, what do you think is the most
15 significant issue driving increase of this type of
16 juvenile violence in our state?

17 MS. GALIETTA: I think the -- one of
18 the most significant issues is that some of the
19 counties, at least with some of the prosecutor's
20 offices are at least trying to address it, is trying
21 to collaborate with local law enforcement, with
22 local faith-based organizations and really trying to
23 make it a collaborative effort. So I think one of
24 the significant problems is that's not happening
25 enough. So some of these prosecutor's offices are

1 working with local communities to institute programs
2 to make that happen. That this really needs to be a
3 community effort regarding several aspects of that
4 community.

5 AGENT TORRES: For me I see that the
6 weaponization of social media and the use of social
7 media in this particular genre with the juveniles is
8 like pure gasoline on an open fire. You know, we
9 didn't have this when I started doing gangs, and
10 it's gone crazy, really has.

11 COMMISSIONER BURZICHELLI: This is
12 directed to Agent Torres. If you could just turn
13 your attention to the screen, which is one of our
14 exhibits there, I imagine that, well, on the actual
15 screen there were faces attached to those bodies,
16 correct?

17 AGENT TORRES: Yes.

18 COMMISSIONER BURZICHELLI: So if they
19 are so open and notorious in their presentation and
20 threatening demeanor, does law enforcement have the
21 tools and ability to monitor social media to get a
22 sense of who's doing what and what's going on in
23 terms of -- it's almost an immediate dynamic with
24 the, these platforms, and in the old days the mob
25 always was behind closed doors. They didn't go on

1 with showing their guns and everything. It was
2 always quiet, and the threats were always delivered
3 in a different manner. Here it's open and notorious
4 and right in our face. Are we able to reach into
5 that medium and sort of react to it?

6 AGENT TORRES: Well, I think it's a
7 great point, Commissioner. The ability to real time
8 monitor social media various from county to county.
9 Without going too far into methods and means that
10 law enforcement actually has at its disposal,
11 outside of, say, NYPD, there's not too many agencies
12 that really have that time ability that monitors
13 social media. We do need, there do need to be more
14 agencies to advocate ability that once you identify
15 a criminal group that's operating out there, one of
16 these like juvenile neighborhood gangs that's
17 operating criminally, to be able to monitor them in
18 real time and react in real time.

19 Unfortunately, most of the time it is
20 reactionary. You are going back and looking at
21 their posts to kind of look at their history as to
22 what they've been posting versus watching in real
23 time, but in areas where law enforcement has the
24 capability and they are aggressive, because there
25 are some prosecutor's offices that I'm aware of are

1 doing it, they can actually real time follow them
2 and actually circumvent or short circuit some of the
3 violence that's out there on the streets by
4 monitoring, say, some of the social media outlets
5 that are there.

6 COMMISSIONER BURZICHELLI: Thank you,
7 agent.

8 My other question is related to the
9 statistics showing a decline in violence among
10 juveniles, and yet we have this pocket of very
11 volatile young people committing very serious
12 crimes. And you talked about these being
13 neighborhood-based gangs, which to me would mean
14 that the neighbors may necessarily be too afraid to
15 report crimes because of retaliation, so there may
16 be, and correct me if I am wrong, there may be a
17 whole lot or a large volume of unreported activity
18 in those areas that are not captured in the current
19 statistics. Is that a fair observation?

20 AGENT TORRES: Commissioner, I think
21 you are spot on. I think it's a more than fair
22 observation. I think you'll hear testimony of that
23 later on from some of the witnesses that we have
24 here. There's a reluctance in a lot of communities
25 to come forward and talk and share things. No one

1 wants to be labeled a snitch. No one wants to be
2 seen cooperating with law enforcement. We see
3 retaliation. We see social media being used many
4 times to post information of individuals who
5 cooperate with law enforcement, so there is a
6 healthy concern for people who do work with law
7 enforcement or who are perceived as working with law
8 enforcement, whether it's true or not. So it does
9 put a chill in many communities or in general for
10 anyone who is seen cooperating or even perceived as
11 seen cooperating with law enforcement.

12 COMMISSIONER BURZICHELLI: I'm sort
13 of stunned by the ease it seems for these kids to
14 get weapons. How are they getting them? What's the
15 access? Do they go to the more senior gangs to get
16 their guns? Do they steal guns to get them. Do we
17 have a scenes of who's fueling the access to
18 weaponry?

19 AGENT TORRES: If this was a multiple
20 choice question, I'd hit all of the above and tell
21 you, and just hit all of the above and keep walking
22 and do the easy one. It is all over the map when it
23 comes to where the weaponry is coming from, whether
24 it's straw purchases out-of-state from states where
25 it's much easier to get weapons than the State of

1 New Jersey, where there's robbery and getting
2 community guns that gang members seem to pass from
3 each other, and you will hear testimony from some of
4 the witnesses here, it is far easier to get weapons
5 than it really should be, far easier than you can
6 imagine. It's startling how easy it is.

7 MR. BURZICHELLI: My last question is
8 to counsel. My fear is we lose a generation of kids
9 repeatedly to this type of violence and culture.
10 But, you know, the notion of juvenile justice is to
11 rehabilitate, and these kids have, you know, like
12 all of us at an early stage their brains are not
13 formally or finalized to a state, and there's a lot
14 of randomness and things that are not fully
15 developed yet.

16 In terms of the prosecutors and law
17 enforcement side, like I appreciate the idea of
18 trying to remove danger from the community, but the
19 flip side also has to be the notion of grabbing
20 these kids early, intervening and trying to bring
21 them along to a point where they reject this type of
22 thing.

23 Do you see a willingness on the part
24 of our prosecutors to go down that road.

25 MS. GALIETTA: Yes, absolutely,

1 Commissioner. There is a willingness on behalf of
2 prosecutors to do that. In fact, the program I
3 mentioned earlier is primarily focused on
4 prevention. And what these prosecutors would like
5 to do is to team up with local law enforcement,
6 community-based members, to really catch these
7 juveniles at an early age to show them other options
8 and other ways to occupy their time essentially and
9 really focus on prevention. In some cases
10 unfortunately they do use that collaboration for
11 prosecution, but that is not the goal. The goal is
12 to really aim it at prevention.

13 They are willing to do that and they
14 have started that in some of the prosecutor's
15 offices.

16 COMMISSIONER BURZICHELLI: Thank you.
17 Commissioner?

18 COMMISSIONER IANNACONE: Since my
19 fellow commissioner has already asked so many
20 questions, I do have one more though.

21 Are the juvenile gangs interacting
22 with the traditional gangs like Bloods, Crips, and
23 how prevalent is that? Or do they do both, you
24 know, are they working with Bloods and also working
25 with the juvenile gangs?

1 AGENT TORRES: It varies,
2 Commissioner, from different regions, different
3 places throughout the state. In some cases the
4 juvenile gangs have decided that they want to do
5 their own thing and they don't care what the older
6 gang members are doing.

7 In other areas they work together.
8 In some places they are more, much more violent or
9 in many areas much more violent than the older gangs
10 and traditional gangs, so much so that the older
11 gangs are using them as their muscle now.

12 We are seeing the traditional gangs
13 integrated with the neighborhood gangs and,
14 depending on circumstances, the neighborhood gang
15 comes first above the national or the traditional
16 gangs. So it's really wide ranging. It's all over
17 the map really, depending on which region you are,
18 and it can differ from one part of town to the
19 other, which, again, adds to the difficultness for
20 law enforcement when it comes to addressing this
21 particular issue.

22 MS. IANNACONE: Thank you.

23 EXECUTIVE DIRECTOR: Thank you both
24 for your expert testimony.

25 We will now hear from a number of law

1 enforcement officials who confront these difficult
2 issues every day on the streets of our communities.
3 SCI counsel, Dick Sedefian, will conduct the
4 questioning.

5 Please call the first panel.

6 MR. SEDEFIAN: Commission calls
7 Lieutenant Taggart, Sergeant Iacavone and Chief
8 Donna Higbee.

9 Please remain standing and be sworn
10 in.

11 - - - -

12 CHRISTOPHER TAGGART, JOSEPH IACAVONE and DONNA
13 HIGBEE, having been first duly sworn, testified as
14 follows:

15 - - - -

16 MR. SEDEFIAN: Would you please state
17 your names for the record?

18 LT. TAGGART: Christopher Taggart.

19 SGT. IACAVONE: Joseph Iacavone.

20 CHIEF HIGBEE: Donna Higbee.

21 MR. SEDEFIAN: Please be seated.

22 Sergeant Iacavone, let's start with
23 you. Could you tell us about your professional
24 background.

25 EXECUTIVE DIRECTOR: Excuse me,

1 counsel, could you please turn your mics on? Make
2 sure the red light is illuminated? Thank you.

3 MR. SEDEFIAN: Sergeant Iacavone,
4 please tell us about your professional background.

5 SGT. IACAVONE: I'm currently
6 employed by the Atlantic City Police Department.
7 I'm assigned to the Atlantic County Prosecutor's
8 Office, the Gangs Guns and Narcotics Unit, as a gang
9 specialist. There I review evidence of criminal
10 street gang membership and gang practices to
11 determine whether a particular case has a nexus to
12 criminal street gangs.

13 I'm also a retired detective sergeant
14 from the Atlantic City Police Department, where I
15 served in a variety of specialized investigative
16 units throughout my career. During my most recent
17 assignment I was responsible for the operational
18 oversight of the department's violent crimes unit,
19 where I participated and led all shooting
20 investigations from 2013 until 2017 and my
21 retirement.

22 I'm a former military law enforcement
23 officer as well serving in the New Jersey Air
24 National Guard retiring in 2013 at the rank of
25 master sergeant.

1 I hold a professional certification
2 from both the National Gang Research Center and the
3 East Coast Gang Investigation Association, and I
4 have received specialized training in criminal
5 street gang intelligence and task force leadership
6 management from the United States Department of
7 Justice and specialized training from the New Jersey
8 State Police in field intelligence operations.

9 MR. SEDEFIAN: Thank you, sergeant.

10 Lieutenant Taggart, please tell us
11 about your background?

12 LT. TAGGART: I started my law
13 enforcement career in 1995 in the patrol division in
14 the City of Pleasantville. I was transferred into
15 the detective bureau, where I spent 18 years. I was
16 a detective sergeant up until my promotion to
17 lieutenant where I went in and took over as a patrol
18 commander of two squads.

19 I am certified by the East Coast Gang
20 Investigation Association as a certified gang
21 professional. I'm a member of the New Jersey Gang
22 Investigators Association, the Mid-Atlantic Regional
23 Gang Investigators Network. I've also been an
24 instructor or lecturer on gang activity across the
25 United States on both local, county, state and

1 federal levels. I've taught the United States
2 military on gangs in the military, and I currently
3 serve as an advisor to the East Coast Gang
4 Investigators Association and I own my own company
5 of Jersey Gang Consulting where I provide training
6 and expert witness testimony.

7 MR. SEDEFIAN: Thank you. Chief
8 Higbee, please tell us about your professional
9 background.

10 CHIEF HIGBEE: I started my law
11 enforcement career in 1997 as a 911 operator and
12 dispatcher. Attended the police academy and became
13 a full-time police officer in 1999. I've worked in
14 patrol, supervised in patrol, worked in the
15 detective bureau, supervised in there, through the
16 ranks, I've culminated, been chief of police for the
17 last three years. I'm a community member, community
18 volunteer and I'm also a mother.

19 MR. SEDEFIAN: Thank you.

20 EXAMINATION OF SGT. IACAVONE BY MR. SEDEFIAN:

21 Q. Sergeant Iacavone, tell us about the
22 juvenile violence you've seen in Atlantic City in
23 the last several years.

24 A. Over the last several years we've
25 seen neighborhood-based gangs growing by the

1 numbers. They've also been increasing their claimed
2 territories or areas of operation. Additionally,
3 we've seen increase in repeat juvenile offenders.
4 The police are seeing the same juveniles over and
5 over again carrying guns. This is despite -- caused
6 a spike in juvenile violence as well.

7 Q. How much of the violence in Atlantic
8 City is attributable to juvenile gangs?

9 A. Well I can say that during my time
10 with the violent crimes unit, our unit spent a large
11 percentage of our time focusing on juvenile violent
12 offenders and neighborhood-based criminal street
13 gangs.

14 Q. So you have a significant number of
15 juveniles that are engaging in violent crimes in
16 Atlantic City; is that correct?

17 A. Yes, sir.

18 Q. Based on your experience with
19 juvenile gangs, tell us how what we are seeing today
20 is different than what we've seen in the past?

21 A. Well, we've seen a development of
22 alliances between gangs in neighboring
23 jurisdictions. For example, neighborhood-based
24 gangs in Atlantic City have aligned with
25 neighborhood-based gangs in Pleasantville, a

1 neighboring town. They share common rivals, which
2 provides them with strength in numbers.

3 We've also seen an increase in the
4 use of social media as has been noted earlier to
5 both communicate with gang members within their own
6 gang but also to provoke and intimidate rival gang
7 members.

8 Q. So these juvenile gangs are spreading
9 outside of Atlantic City; is that correct?

10 A. Yes, sir.

11 Q. Tell us a little bit more about these
12 alliances that they create with these other juvenile
13 gangs in other parts of the state other than
14 Atlantic City?

15 A. Well, in Atlantic City, there are
16 roughly three or four different identified
17 neighborhood-based gangs, and out of those
18 identified neighborhood gangs, one in particular has
19 created an alliance with a neighborhood-based gang
20 that operates out of Pleasantville.

21 The two gangs together they share a
22 common rivalry with the other neighborhood-based
23 gangs in Atlantic City and at least one other
24 neighborhood gang in Pleasantville as well.

25 Q. Now, Lieutenant Taggart, we have

1 heard from Sergeant Iacavone. Please tell us based
2 on your experience with juvenile gangs what's going
3 on with the juvenile gangs that's different than
4 what we've seen in the past?

5 A. As Sergeant Iacavone spoke, within
6 the past five years, we've seen un -- things that
7 are unprecedented ten years ago, such as the joining
8 of gangs or neighborhood gangs with Atlantic City.
9 I grew up in the City of Pleasantville. We've
10 always had our neighborhood rivalries. Those
11 rivalries would be put aside when somebody from
12 Atlantic City came over, because we protected
13 Pleasantville from Atlantic City.

14 Joining with an Atlantic City gang
15 goes against all grains that have been common over
16 the past years. They've also aligned themselves
17 with -- we have two known neighborhood gangs on the
18 south side of our town that operate independently
19 yet join together to operate as one to form an
20 entirely new gang when it's convenient for them.
21 Then that gang will go over to Atlantic City, unite
22 with the gang over in Atlantic City. Now we have a
23 large number of juveniles, whether in Pleasantville
24 or Atlantic City, going back and forth. Trying to
25 track where the actual person who committed the

1 crime is, makes it a lot more difficult. They are
2 using their numbers to their advantage.

3 Q. So they are joining together in these
4 alliances really to become a more powerful group, if
5 you will?

6 A. Yes, sir.

7 EXAMINATION OF LIEUTENANT TAGGART BY MR. SEDEFIAN:

8 Q. Lieutenant Taggart, would you turn
9 your mic on, please? Thank you, sir.

10 Now, there are two gangs in
11 Pleasantville that are predominant, the South Side
12 MOB and the North Side Gang. Are these two gangs
13 comprised of juveniles?

14 A. Yes, sir.

15 Q. How old are the ages of the
16 juveniles?

17 A. It spans anywhere -- it's mostly
18 teenagers. The youngest one that I saw was 12 years
19 old, and he was a South Side member. Up to -- once
20 they pass juvenile, they are in the young adult
21 stages up to 21, 22 years of age.

22 Q. But these gangs are predominantly
23 comprised of juveniles; is that correct?

24 A. Yes, sir, from middle school to high
25 school levels.

1 Q. Most of us are familiar with the
2 traditional gangs like the Bloods and the Crips.
3 How are these juvenile neighborhood gangs different
4 than those traditional gangs?

5 A. Like Agent Torres had said, what we
6 had seen with our traditional gangs is the
7 hierarchy. You have your OG, shot callers, sergeant
8 at arms and then the soldiers that fall in between
9 them. That can be easily shown on a flow chart
10 where you have the leaders.

11 When you are dealing with our
12 neighborhood gangs, it's a nexus. It looks more
13 like an atom. If you look at the scientific atoms,
14 you have the center nexus, which is your
15 neighborhood, and then everything flowing around it.
16 One day one juvenile may be in charge. The next day
17 another juvenile is calling the shots. It's all
18 about the matter of respect. The more crime they
19 commit, the higher the respect, the more they can
20 have a say in what's going on in the neighborhoods.

21 Q. So committing crimes is a way for
22 these juvenile neighborhood gang members to move up
23 in the ranks; is that correct?

24 A. It's to gain respect. There's really
25 no upward movement. It's a matter of I have more

1 respect than you.

2 Q. Who poses a greater threat today? Do
3 the juvenile neighborhood gangs or traditional
4 gangs?

5 A. In my opinion, I would say juvenile
6 neighborhood gangs pose more of a threat.

7 Q. Why?

8 A. Traditional gangs are the super gangs
9 when we talk about the Bloods, the Crips. They are
10 already established. The mere name of Blood or Crip
11 can bring fear into somebody else.

12 With these neighborhood gangs, they
13 use violence to gain their reputation. So it's not
14 so much that they are a member of this gang. They
15 are a violent member of that gang, and they are more
16 anxious to prove how willing they are to commit an
17 act of violence, so that's why we are seeing -- what
18 we are seeing is the attacks on teachers in schools.
19 The shootings that are going on. They want to show
20 who they are and what they are capable of.

21 Q. You mentioned shootings. How easy is
22 it for these juveniles to get firearms?

23 A. I can say from my experience it seems
24 to be easier for them to get the firearms than it is
25 for them to get ammunition for the guns.

1 We've raided a house where not only
2 were we pulling drugs out, they had ammunition
3 packaged for sale in bags of six, because where in
4 New Jersey we have to show a driver's license and
5 you are logged in on who's buying ammunition, so
6 they are getting certain people to go buy ammunition
7 and they are selling ammunition in bags.

8 Q. What kind of firearms are these
9 juveniles using?

10 A. Anything they can get their hands on.
11 Anything from a 22 to an AK-47.

12 Q. Where do they get the weapons from?

13 A. Most of the time it's basically a
14 community weapon, one that was stolen and it's
15 passed around from gang member to gang member to
16 gang member. They'll sell it to a rival gang
17 member, and that same gun that they've used in
18 shootings will be used in shootings against them.

19 Most of the guns that we've recovered
20 are stolen. I can't in my 23 years I can't ever
21 recall taking a gun off of a juvenile that was
22 registered to the child's parent or anyone in their
23 immediate family. It's usually coming from
24 out-of-state.

25 MR. SEDEFIAN: Thank you.

1 EXAMINATION OF SGT. IACAVONE BY MR. SEDEFIAN:

2 Q. Sergeant Iacavone, do any of the acts
3 of violence committed by juveniles in Atlantic City
4 involve the use of a firearm?

5 A. Yes. I would say almost all of our
6 acts of violence are with firearms, and the cases
7 that don't involve firearms are typically within
8 school settings or custodial settings where there
9 are obvious safeguard measures to prevent firearms
10 from entering, but on the street, the majority of
11 violent crimes are conducted with firearms.

12 Q. Have the number of juveniles carrying
13 firearms increased?

14 A. Yeah, I would say overall, even with
15 the decline in crime, police are seeing an increase
16 in juveniles possessing handguns. In Atlantic City
17 between 2014 and 2017 there were 46, approximately
18 46 gang-related shootings that involved 36
19 juveniles.

20 Q. What type of firearms are these
21 juveniles using?

22 A. In my experience, we are seeing
23 predominantly handguns, and of those handguns, the
24 majority are semiautomatic handguns, but there are
25 occasions of rifles and shotguns, assault rifles as

1 well being used.

2 Q. Sergeant, please also tell us about
3 weapons and ammunition that these juveniles have
4 that are capable of penetrating the police officer's
5 bulletproof vest?

6 A. We see a variety of ammunition being
7 confiscated by police during investigations to
8 include hollow-point ammunition, which is strictly
9 for law enforcement use.

10 Again, they're acquiring ammunition,
11 stolen weapons. High capacity magazines are also a
12 significant problem, magazines that hold typically
13 hold more ammunition than what a standard legal
14 firearm would hold.

15 Q. Where are they getting the weapons
16 from?

17 A. Typically the weapons are purchased
18 on the street. They are stolen weapons as
19 Lieutenant Taggart mentioned, but also in Atlantic
20 City we've had issues with targeted burglaries,
21 where citizens who own firearms have been identified
22 by gang members and their homes have been targeted.

23 I know of two examples where police
24 officers' homes were targeted in an attempt to
25 acquire their firearms, and, as we've seen earlier,

1 once a juvenile gang member acquires a firearm, it
2 is passed between that gang and used for repeated
3 crimes.

4 Q. So some of these juveniles are brazen
5 enough to go into the home of a police officer and
6 steal their weapons; is that correct?

7 A. Yes, sir.

8 EXAMINATION OF CHIEF HIGBEE BY MR. SEDEFIAN:

9 Q. Chief Higbee, we have heard from
10 Sergeant Iacavone, Lieutenant Taggart. Would you
11 please now tell us about the changes you've seen
12 regarding violent juveniles that are engaging in
13 crimes, and what do you attribute that violence to?

14 A. If the board would allow, I would,
15 just for perspective, can I describe Galloway
16 Township and the town that I am in charge of?

17 Q. Certainly.

18 A. Unlike my colleagues, I have a
19 suburban/rural community. We geographically are the
20 largest municipality in the State of New Jersey at
21 115 square miles, a lot of that rural, but
22 approximately 50,000 residents full time.

23 We have a major hospital in town, 23
24 hotels and motels, 13 schools, two high schools. We
25 are located in between New York, Philadelphia and

1 Atlantic City. We have a lot of transient traffic
2 with main highways and interstates just to give you
3 a little bit of background. We are about seven
4 miles west of Atlantic City and three miles outside
5 of Lieutenant Taggart's town, Pleasantville.

6 For years we talked about crime and
7 violent crime being spillover from inner cities.
8 It's no longer spillover. It's no longer just
9 transient contact that my officers and my community
10 members are coming into contact with.

11 With the change in economy, with
12 natural disasters such as Hurricane Sandy and
13 foreclosures, especially specific to Atlantic
14 County, we are seeing relocation of a lot of
15 families. We are seeing families that are
16 struggling to get out of poor situations and moving
17 their children out into the suburbs to attend
18 school, and so no longer is the inner city crime in
19 a bubble unto itself.

20 We are not a walk-around community,
21 so we don't see the grouped gangs, as my colleagues
22 do. We have more individual sects that we are
23 seeing, we are coming into contact with, whether
24 it's a motor vehicle stop or a child that's living
25 in our town and has gang experience, because on the

1 weekend they live with mom or dad or the grandmother
2 in the city, and during the week while they attend
3 school or for whatever reason they are with another
4 family member, bringing their skills and tactics out
5 of the city.

6 Q. You have seen acts of -- you have
7 seen juveniles commit violent acts within
8 Pleasantville?

9 A. Within Galloway Township, yes, sir.

10 Q. Yes, sorry, Galloway Township, I
11 apologize.

12 What are the ages of the juveniles
13 that you are coming into contact with?

14 A. Anywhere from 11 to 18.

15 Q. You said 11; is that correct?

16 A. Yes, sir, middle school age, 11, 12
17 through 18.

18 Q. Chief Higbee, have you seen an
19 increase in firearm possession among juveniles in
20 your community?

21 A. In the last five years, it's been
22 holding steady. I wouldn't necessarily say an
23 increase. What I've seen is an increase in the
24 willingness to obtain, possess, carry and even take
25 these firearms to school.

1 Q. But you have come in contact with
2 juveniles who have had firearms in their possession;
3 is that correct?

4 A. Yes, sir.

5 Q. Based on your experience, how
6 difficult is it for these juveniles to obtain
7 firearms?

8 A. It's not difficult at all.

9 Q. How do they get them?

10 A. They are obtaining them on the street
11 from friends, as both my colleagues have testified
12 to, and they are also able to order them online.

13 Q. You said online; is that correct?

14 A. Yes, sir.

15 Q. You're going to be giving us an
16 example later on in your testimony regarding the
17 juvenile who did just that, who purchased a gun kit
18 online; is that correct?

19 A. Correct.

20 Q. Tell us about the type of firearms
21 that you are finding on these juveniles?

22 A. Anything from imitation firearms,
23 which presents another issue, to revolvers, 22, 38,
24 all the way up to AR-15 assault rifles.

25 Q. What concerns does this present to

1 law enforcement?

2 A. It presents a lot of concerns
3 specifically to juveniles. Obviously, the safety of
4 our community and the safety of the officers, but it
5 also presents the fact that our officers may have to
6 do or be presented with causing harm to a child, you
7 know. We don't want to cause harm to anyone or have
8 to shoot or kill anybody, but specifically a child
9 carrying a firearm, that puts a lot of -- it's very
10 difficult for officers to justify that in their
11 heads.

12 Q. And we are talking about children who
13 are carrying firearms?

14 A. Yes.

15 EXAMINATION OF SERGEANT IACAVONE BY MR. SEDEFIAN:

16 Q. Sergeant Iacavone, you mentioned that
17 juvenile violence in Atlantic City has increased.
18 Can you provide us with a couple examples of how you
19 know gangs can pose a threat to the public?

20 A. Shootings between juvenile gang
21 members have occurred in crowded residential
22 neighborhoods and roadways. There are many examples
23 of innocent bystanders and occupied residences as
24 well as occupied vehicles being struck by stray
25 gunfire.

1 In 2014, June of 2014, a school
2 crossing guard was actually caught in the crossfire
3 and struck by gunfire when two neighborhood gang
4 members were firing at each other, and in May of
5 2015, a woman who was in an outdoor child's birthday
6 party at a public housing complex was caught in a
7 crossfire as well where she was struck by gunfire.

8 And then of course March 2016, Easter
9 weekend, we had a shooting incident occur at the Taj
10 Mahal hotel on the 47th floor.

11 Q. Tell us about that.

12 A. Let me get the date for you. Easter
13 weekend, it was Easter weekend March 2016. There
14 was a hotel party organized by two juvenile females
15 who advertised the party on social media. At the
16 time of the party, approximately 20 gang members
17 from two local neighborhood gangs arrived at the
18 party, and an altercation took place that resulted
19 in shots being fired in the hallway on the 47th
20 floor and one of the hotel rooms.

21 During that incident four juveniles
22 were injured by gunfire.

23 Q. What were the ages of these
24 juveniles?

25 A. The ages were between 15 and 17 of

1 the juveniles who were injured. The participants
2 ranged in ages between 15 and 19.

3 Q. Were there any injuries as a result
4 of the shootings?

5 A. Yes, four juveniles were actually
6 injured by gunfire.

7 Q. Tell us about a shooting that took
8 place in September of 2016 on the Atlantic City
9 Expressway?

10 A. That shooting occurred actually
11 August 29, 2016. The Atlantic County Superior Court
12 in Mays Landing had scheduled court for two young
13 adults that were associated with the Atlantic
14 City-based Head Shot Gang and also on that day two
15 young adults who were documented members of the
16 South Side MOB from Pleasantville arrived together
17 at the same courthouse, same courtroom for scheduled
18 appearances.

19 There was a verbal altercation that
20 took place inside the courthouse that eventually led
21 to more of a confrontation in the parking lot.

22 Subsequently, several members from
23 each gang arrived by vehicles, and when they
24 departed, members of the South Side MOB in three
25 vehicles followed members of the Head Shot Gang onto

1 the Atlantic City Expressway. Included in the
2 vehicle occupied by the Head Shot Gang was a
3 16-year-old juvenile male who was a documented
4 member of the Head Shot Gang.

5 Q. What was his involvement in this
6 incident?

7 A. This subject was in the Head Shot
8 Gang vehicle. Once the vehicles entered the
9 Expressway at Exit 12, which is a few hundred yards
10 from the Hamilton Mall's entrance, there was an
11 exchange of gunfire between three vehicles. The
12 juvenile was included in possessing a firearm and
13 firing at the occupants of the South Side MOB.

14 There were a total of five people
15 injured by gunfire and there was one fatality.

16 Q. Did this juvenile have an AK-47 on
17 him?

18 A. Yes, sir.

19 Q. Now, would you also please tell us
20 about an incident that occurred in October of 2016
21 where a jitney was caught in the crossfire?

22 A. During that time in October of 2016,
23 a juvenile and another male documented gang member
24 engaged in gunfire near Route 30 and Atlantic City.
25 While they were firing at each other, a jitney bus,

1 which is used for public transportation in Atlantic
2 City, traveling on the roadway was struck multiple
3 times by gunfire.

4 A female passenger inside the jitney
5 was subsequently injured.

6 Q. There were juveniles involved in this
7 incident as well, right, sir?

8 A. Yes, sir.

9 Q. Tell us also about an incident that
10 occurred on school property in Atlantic City?

11 A. So, in January of 2017, a juvenile
12 documented gang member, in fact, it was the same
13 juvenile documented gang member involved in the
14 jitney shooting, accompanied an adult documented
15 gang member and fired, they each fired handguns at a
16 group of juveniles on school grounds at the Uptown
17 School Complex in Atlantic City. During that time,
18 there was an after school program in session, and
19 the school was occupied.

20 Q. Sergeant, in November of 2014, a
21 13-year old boy in Atlantic City was murdered in
22 broad daylight on a public street. Please tell us
23 about that?

24 A. The homicide of a 13-year old boy in
25 Atlantic City occurred on January 8, 2014. This

1 incident was actually preceded by a physical
2 altercation between a middle school student, 13
3 years old, and a high school student who was a
4 documented member of a neighborhood-based gang in
5 Atlantic City.

6 After the fight on January 7th, there
7 were social media postings by the gang member
8 threatening the 13-year old juvenile, and on January
9 8, 2014, the juvenile attended school at the middle
10 school, and after school, he was met by several
11 documented members of the juvenile gang Head Shot
12 Gang who walked him home or attempted to walk him
13 home.

14 As the group was walking across Route
15 30, the high school student documented gang member
16 fired into a crowd and injured one 15 year old and
17 killed a 13 year old.

18 Q. How old was the shooter?

19 A. The shooter in this case was 14 years
20 old.

21 Q. Sergeant, were any of the crimes that
22 you discussed committed by juveniles that were on
23 some sort of pre- or post-disposition supervision?

24 A. Yes, sir. As referenced to the Taj
25 Mahal, one individual juvenile was a fugitive from

1 juvenile predisposition HEDS after being waived on
2 an arson at a juvenile residential facility.

3 Another juvenile involved was on
4 probation for terroristic threats.

5 Another juvenile was on
6 post-disposition for a handgun with two prior
7 juvenile handguns, the Taj being his third handgun.

8 And finally, another male juvenile
9 was under post-disposition for a juvenile handgun,
10 being his second juvenile handgun.

11 In regards to the expressway
12 shooting, a juvenile involved was on JISP, juvenile
13 intensive supervision probation, for unlawful
14 position of a handgun, second degree, and finally,
15 the jitney incident involved the juvenile on
16 probation for robbery, and -- I'm sorry, in regards
17 to the Uptown School shooting incident, the same
18 juvenile was on probation for robbery, and on
19 pretrial HEDS release for the jitney shooting, and
20 he was also targeted by gunfire after being placed
21 on HEDS and released on that jitney incident.

22 Q. You mentioned JISP. That's the
23 juvenile intensive supervision program and it's a
24 disposition option for juveniles; is that correct?

25 A. That's correct.

1 Q. You also mentioned HEDS. Can you
2 tell us what that is?

3 A. HEDS is Home Electronic Detention
4 Monitoring System. It's where a juvenile is
5 sentenced to wear an ankle bracelet, which there's
6 two types of bracelets. One will just make a
7 determination as to whether the juvenile has left
8 the resident, but then there's another type of
9 bracelet that has a tracking device, which can
10 actually track the juvenile's movements and their
11 location through GPS.

12 Q. When trying to investigate these
13 types of incidents, the incidents that you just
14 mentioned, how much cooperation do you get from
15 community?

16 A. Overall cooperation is fairly
17 uncommon. Most citizens are at fear for their
18 safety because of the acts of violence being
19 committed by these juveniles, and the other reason
20 is there's basically no snitching code on the
21 street, and the citizens are afraid to violate that
22 code.

23 On occasion juvenile family members
24 will cooperate. I think in those cases they are
25 motivated by protecting the juvenile from potential

1 harm that comes by -- that could come of their
2 criminal activity.

3 EXAMINATION OF CHIEF HIGBEE BY MR. SEDEFIAN:

4 Q. Chief Higbee, tell us about a
5 particular juvenile in your jurisdiction who
6 repeatedly committed violent acts, including
7 aggravated assault and was also arrested on gun
8 charges. Tell us about that individual?

9 A. This individual we started to have
10 interaction with him at age 12, anything ranging
11 from aggravated assault, sexual assault, theft,
12 terroristic threats, drug crimes. By age 15 he
13 brought a loaded handgun into the school system, a
14 district high school, and by age 16 he ordered an
15 AR-15 online while out on one-year probation, which
16 was his sentence, and a \$40 fine for bringing a
17 loaded handgun to school.

18 Q. Tell us about the incident involving
19 the weapon that he purchased online?

20 A. Again, while out on probation, he was
21 on probation for approximately eight months. We
22 received a call from his mother who would call us
23 quite frequently asking for help dealing with her
24 son who was troubled. He had used her credit card
25 to order an AR-15 rifle kit online.

1 He had it delivered to a vacant
2 apartment across -- they lived in a multi-dwelling
3 complex. It was the apartment directly across from
4 their hallway. She saw the package delivered and
5 knew no one lived there and saw her name on the
6 package.

7 Within minutes her son had arrived
8 home with some friends, grabbed the package, brought
9 it inside their home into their bedroom. She
10 followed him questioning him, at which time she saw
11 him opening a backpack, and she observed what she
12 believed to be and later were discovered 30-round
13 magazines.

14 He had ammunition to include
15 hollow-point ammunition, and he was taking the kit
16 out of the box and loading it into the backpack, at
17 which time he fled the area on foot and she
18 contacted the police.

19 Q. Chief, I draw your attention to
20 exhibit PH-6. Can you tell us what that is?

21 A. That is the AR-15 kit which has every
22 single part to render the AR-15 fully together. The
23 box labeled Rigid that you see to the bottom left of
24 the picture, we were able to seize off of a UPS
25 truck within an hour that was to be delivered. That

1 is a drill that would have rendered the rifle fully
2 functional.

3 Obviously through further
4 investigation, the juvenile was en route to not only
5 take that gun to friends in Pleasantville to render
6 that gun functional. That was his plan.

7 Q. These type of kits, these type of
8 weapons, they are commonly known as ghost kits or
9 ghost guns?

10 A. Yes, sir.

11 Q. Do they have serial numbers on them?

12 A. That gun did have a serial number on
13 it, yes.

14 Q. Now, you mentioned a host of crimes
15 that were committed by this juvenile. Were any of
16 those crimes committed while he was on some kind of
17 pre- or post-disposition supervision?

18 A. Yes, all of them since age 12.

19 Q. What consequences did he face when he
20 violated provisions of his supervision?

21 A. None.

22 Q. Did you have concerns regarding how
23 he might be sentence after the gun kit related
24 charges?

25 A. Yes, I had concerns once he brought

1 the loaded handgun to school in 2016, April of 2016.
2 I had a lot of concerns with the fact that he was
3 even eligible for probation. I didn't -- I wasn't
4 aware that gun crimes and violent crime were
5 eligible for probation on that level.

6 He was also put on an ankle bracelet,
7 and two weeks before his sentencing on that
8 particular case, he cut his ankle bracelet off in
9 clear defiance of the leniency given to him by the
10 Juvenile Justice judge, and there was no violation
11 of that.

12 He was not -- he was still eligible
13 for probation. Took four days for them to find him
14 and secure him, and again he received a \$40 fine and
15 only one year probation and he was placed right back
16 into the same school district.

17 Q. Did you take some action because of
18 your concern regarding what type of sentence he
19 might receive on the gun kit charge?

20 A. I did. I wrote a letter. I
21 contacted the judge in Atlantic City. I also wrote
22 a letter to her. Letters were submitted by the
23 district superintendent of schools, various
24 principals, information relayed to me by his mother,
25 again requesting assistance. She was not only in

1 fear for her own safety and the community, but for
2 her own child's life, because of the element and the
3 crimes that he was committing.

4 Q. What was he sentenced to on the gun
5 kit charge?

6 A. After ordering subsequently under
7 probation the AR-15, he was sentenced to 18 months
8 in juvenile detention. He was out in 11.

9 Q. By the way, Chief, did he also have
10 drugs in the bag that had the gun kit in it?

11 A. Yes, cocaine.

12 Q. Why do you believe that this
13 individual continued to get in trouble with the law?

14 A. He was a troubled young man, again,
15 from a young age. Breakdown in not only his home
16 life but we failed him, and when I say "we," I mean
17 the entire judicial process we failed him and his
18 mother in continuing to treat him as though he was
19 just a lost juvenile committing petty disorderly
20 persons offenses. The sentencing he received was no
21 different than what a common shoplifter would
22 receive.

23 I truly believe if he would have been
24 admitted into some type of mandated rehabilitation
25 at a younger age, we could have helped him.

1 Thankfully he is still with us.
2 However, he is now a calculated criminal, and he is
3 no longer -- you know, his agenda is gun violence.
4 So it's just unfortunate, because at the age of 12
5 or 13, we may have been able to give him and his
6 mother more help.

7 Q. As a law enforcement officer, have
8 you seen situations similar to the one that you just
9 described regarding this person?

10 A. Yes.

11 Q. So this isn't an isolated incident
12 then; am I correct?

13 A. No, sir.

14 EXAMINATION OF LIEUTENANT TAGGART BY MR. SEDEFIAN:

15 Q. Lieutenant Taggart, we heard from
16 Sergeant Iacavone regarding violent acts committed
17 by juveniles in Atlantic City. Please tell us what
18 you've seen in Pleasantville?

19 A. Everything that goes on in Atlantic
20 City happens in Pleasantville, the same. We have
21 the daytime shootings that have become brazen. We
22 have had rolling shootouts where two cars are
23 driving down one of our main streets at 3:00 in the
24 afternoon shooting at each other. We've had
25 juveniles go up to the front door of other people's

1 houses and just start firing. We've had
2 indiscriminate fire, where they are just firing
3 their guns. Rounds come down hitting houses, motor
4 vehicles.

5 It's just a matter of, again, the
6 firing a gun in Pleasantville, people have become
7 germane to where we are no longer even getting phone
8 calls about shots fired. That's where our town has
9 gone.

10 Q. You are talking about juveniles that
11 are engaging in these acts of violence; is that
12 correct?

13 A. Oh, yes, sir.

14 Q. Lieutenant, can you give us one or
15 two examples of specific acts of violence that you
16 are aware of having occurred in Pleasantville?

17 A. We have one where a 13-year old
18 juvenile and another young adult felt that they were
19 being cheated out of a burglary. They went to the
20 young man's house, knocked in the door, got into an
21 argument. The 13-year-old initiated a gun fight
22 with a 17-year-old. Both the 17 and the 13-year-old
23 were killed.

24 Q. What type of problems are these
25 juveniles creating in schools?

1 A. The total lack of respect that they
2 have for their -- for the teachers kind of bleeds
3 like a cancer. When they get away with acting
4 however they want, being disruptive, tagging up on
5 the schools, it brings a level of fear into the
6 schools where kids don't want to go to school. Some
7 are in fear, we had one juvenile who is a member of
8 a traditional gang come to the police department
9 every single day afraid to go to school because he
10 wanted to get out of the gang and they weren't going
11 to allow it.

12 Q. Do you recall an incident involving a
13 16-year-old victim who was shot by a 17-year-old
14 while he was in school?

15 A. They weren't in school. They were
16 still -- it was break time when it happened.

17 Q. I'm sorry?

18 A. They weren't in school. They were on
19 a public playground.

20 Q. Tell us about that?

21 A. A young -- two young men, both
22 representing different gangs. Both had grown up
23 together. One represented the south, one
24 represented the north. Took a phone call from the
25 young man over the night, said that he wanted to

1 peace up their problems. Within two hours of them
2 meeting, the young man was dead from a gunshot.

3 Q. During the time that you were a
4 police officer in Pleasantville, did you see the
5 same juveniles repeatedly committing violent acts?

6 A. Yes, sir.

7 Q. Could you provide us with a couple
8 examples of that?

9 A. One we had a juvenile that we got
10 into a foot pursuit with and arrested him with a
11 loaded handgun. He was adjudicated delinquent and
12 placed on an ankle monitoring device.

13 Two weeks after that we got into a
14 foot pursuit with said juvenile and arrested him
15 again with possession of a loaded handgun while he
16 was on the ankle bracelet.

17 Q. How old was that juvenile?

18 A. 16.

19 Q. What do you attribute these, what do
20 you attribute as the cause of these juveniles
21 repeatedly committing crimes over and over again?

22 A. Zero consequences. They have no
23 consequences for their actions. What we've seen or
24 what I've seen and in my opinion, we've allowed
25 people to make excuses for their behavior rather

1 than coming to terms with what they are actually
2 doing and punishing for their offense.

3 EXAMINATION OF SERGEANT IACAVONE BY MR. SEDEFIAN:

4 Q. Sergeant Iacavone, did you also see a
5 high number of repeat offenders among juveniles in
6 Atlantic City?

7 A. Yes, sir.

8 Q. Can you give us a couple examples or
9 an example?

10 A. Well, as I indicated earlier, at
11 least five of the juvenile gang members involved in
12 the Taj Mahal shooting incident were all repeat
13 offenders with handguns. The juvenile involved in
14 the Atlantic City Expressway was a repeat offender
15 for possession of a handgun, as was the juvenile
16 involved in the jitney shooting.

17 In addition to those examples, in
18 2017 there were 14 documented cases, approximately
19 14 that I had pulled up that outlines repeat
20 juvenile offenders with multiple guns, anywhere from
21 two to three guns in a short period of time, from
22 the ages of 15 to 17 years old.

23 Q. To what do you attribute the repeat
24 offenders to?

25 A. I have to agree with my colleague,

1 Lieutenant Taggart, on that. Juveniles just really
2 lack any fear of consequences, which a juvenile
3 intent on committing crimes, especially violent
4 crimes, who doesn't fear consequences is that much
5 more dangerous.

6 Q. You mentioned earlier that the social
7 media played a role in the Taj Mahal shooting. Tell
8 us again how juvenile gang members are using social
9 media?

10 A. It has become basically a common,
11 recognized gang practice for members of neighborhood
12 gangs to utilize social media. To not only
13 communicate amongst themselves but to actually post
14 to rival gang members in order to intimidate,
15 provoke them. There are examples of provocative
16 gang communication to social media that both precede
17 and follow actual violent strikes.

18 The other form commonly used with
19 social media is the gang-produced video. Within the
20 gang-produced videos, there are actually calling out
21 rival gangs. They are actually providing specific
22 detailed information regarding shooting incidents
23 and homicides. Information that has been highly
24 consistent with the findings of law enforcement
25 investigations. To the point where they'll even

1 call up the score of who's winning, who has more
2 shootings, who has more hits, who has more
3 homicides.

4 Q. Do they, when I say "they," the
5 juvenile neighborhood gang members, do they also use
6 social media to try to intimidate police officers,
7 prosecutors, judges, witnesses?

8 A. Yes, all of the above. I can give
9 several examples.

10 Q. Please.

11 A. With regards to the prosecutor's
12 office, in 2016, a juvenile gang member who was
13 undergoing a waiver hearing for a shooting actually
14 posted a gang-produced video with gang communication
15 that threatened the juvenile prosecutors.

16 During that same time period, police
17 officers who were entering a courtroom for that
18 particular case were videotaped by gang members in
19 the courtroom and their family members.

20 I have personally had my photograph
21 taken while on crime scenes and posted to social
22 media.

23 In regards to judges, there has been
24 at least one example of a judge's photograph being
25 posted to social media while he was presiding over a

1 juvenile homicide case.

2 And in regards to witnesses, there's
3 been a common gang practice that's been identified
4 where juvenile gang members will post discovered
5 police reports, police reports that have been
6 released through discovery process. They will post
7 these reports to social media labeling the witnesses
8 as rats, so that rivals and fellow gang members can
9 basically know who's been talking to the police and
10 cooperating.

11 Q. On the subject of intimidation, can
12 you tell us about an incident that occurred in 2016
13 where a juvenile shot the witness in a gun
14 possession case?

15 A. Yes, sir, so this incident actually
16 stemmed from an incident that occurred, the shooting
17 stemmed from an incident that occurred in June 2015
18 where a juvenile was walking with a group of males
19 in Atlantic City. They were stopped by the police.
20 The juvenile was found to be in possession of a
21 loaded handgun.

22 During the initial investigation, the
23 police spoke to one of the males in the group who
24 told the police that the juvenile was the actual
25 owner of that handgun. That information was

1 documented in a police report, the details of that
2 conversation between the witness and the police
3 officer. The report was subsequently released in
4 the discovery process and then posted by juvenile
5 gang members to social media identifying that person
6 as a rat.

7 And in January of the following
8 January 2016 -- I'm sorry, 2017, the witness was
9 seated in a car when he was approached by the same
10 juvenile and another documented gang member. They
11 both fired handguns into the car, striking the
12 witness, and just in regards to your previous
13 question, that juvenile was also on sentence at the
14 time. His case was still pending for the handgun
15 possession. He was on JISP.

16 EXAMINATION OF LIEUTENANT TAGGART BY MR. SEDEFIAN:

17 Q. Lieutenant Taggart, how have you
18 observed social media contributing to gang violence?

19 A. As Agent Torres had said, it is the
20 new blank wall. What they do is they are using
21 social media to intimidate and to downgrade the
22 other gangs, which is basically the gang member's
23 job is to disrespect their other gang members.

24 If you go on to their Facebook -- if
25 you find one of the local gang members and go onto

1 the Facebook page, you will see the friends and in
2 their friends you will see all the other rival gang
3 members in there. It doesn't work to disrespect
4 somebody if they can't see it. They are using
5 social media in order to give their threats.

6 We also see You Tube videos, the rap
7 videos, like Sergeant Iacavone said, they are
8 calling out the numbers. We have one incident where
9 a young man rapped the words, "You are talking about
10 all the shooting, but what's your body count?"
11 Within one month, that young man was murdered and
12 the rival gang came back with a video bragging about
13 that death saying "Two shoots and he's fitted,"
14 meaning he's fitted for his casket.

15 EXAMINATION OF CHIEF HIGBEE BY MR. SEDEFIAN:

16 Q. Chief Higbee, same question to you.
17 How is social media influencing these juvenile gang
18 members?

19 A. It's contributing to the mental
20 health breakdown with our juveniles as well, at the
21 ages of 11 and 12, and they have the world at their
22 fingertips. We know social media has a lot of
23 positives. We know the schools are using it, but
24 they also have access to things that they shouldn't
25 have at such a volatile age.

1 On top of being able to throw up
2 every red flag under the sun about their gang
3 affiliation, they are self-identifying. We don't
4 even have to identify them. They are putting it all
5 out there.

6 The mental health breakdown and the
7 depression that we are seeing is astronomical in the
8 last five to ten years, and I really feel like these
9 children are reaching for something, so if the gang
10 affiliation fills that hole for them, we are seeing
11 a lot of that.

12 MR. SEDEFIAN: This question goes out
13 to the three of you. What challenges does law
14 enforcement face when dealing with these violent
15 juveniles? Start with you, Sergeant Iacavone.

16 SGT. IACAVONE: In my view it's
17 really twofold. First, you have the threat to
18 public safety and to the police officers by the
19 offenders. And secondly, you have challenges
20 presented by the system itself.

21 In regards to the threat to public
22 safety, as we indicated earlier, juveniles who don't
23 face consequences and those intent on committing
24 crimes are more dangerous. As far as system
25 challenges, the frequent releases from detention

1 facilities after serious crimes and gun offenses,
2 the quicker releases they result in the quicker
3 return to the same environment. This return to the
4 same environment results in the quicker reaction to
5 the retaliatory shootings.

6 The court doesn't return these
7 juvenile offenders to custody when they violate
8 probation. The court places serious juvenile gun
9 offenders on JISP and keeps them on JISP or on a
10 bracelet. Even when they violate it, they are often
11 not put on a tracking device. They are put on a
12 regular bracelet that they sometimes cut off, and
13 then the court recognizes them cutting off that
14 bracelet as a technical violation and they are not
15 placed in custody.

16 So basically when these juveniles are
17 released, new crimes follow. Either they are going
18 to be a perpetrator or they are going to be a
19 target.

20 MR. SEDEFIAN: Lieutenant Taggart?

21 LT. TAGGART: I believe again, as I
22 said earlier, the lack of punishment for these
23 juveniles and their actions is a direct threat to,
24 like Sergeant Iacavone said, the public safety. I
25 think one of our biggest challenges is it's cultural

1 now. It's been socially acceptable for the actions
2 of these juveniles. They demonize law enforcement.
3 When we take action to enforce the laws like we've
4 been asked to, we become demonized through social
5 media, through the news. Everything that we do is
6 criticized because of the excuse generation, where
7 it wasn't their fault. You know, they did this,
8 they shouldn't have been up in that juvenile's face,
9 but they are getting videos that have been edited
10 and doctored for sound that only show partial, which
11 are going viral, and it's crushing us and our
12 credibility. And then we have people coming out
13 saying the police were wrong, the police were wrong,
14 and when it finally gets to trial and comes out that
15 the police were correct in everything that they've
16 done, there's no media redaction to what they have
17 said that we were wrong. They just move along and
18 keep it out of reach of the public, and that's the
19 challenges we are facing right now. No matter what
20 we do, we haven't done it right.

21 MR. SEDEFIAN: Chief?

22 CHIEF HIGBEE: The challenge that I
23 see the most is how do I answer as a police chief to
24 this child's mother, other parents that ask for
25 help, our community, our school districts, and in

1 this particular case the 200 children and staff that
2 were prone down by a swat team while this student
3 ran with a loaded handgun away from police? How do
4 you make them feel better when we are having task
5 force after task force between local, state, county
6 and federal officers put together an active shooter
7 training, you couldn't put another program in the
8 school to catch these kids at a younger age. You'd
9 have hundreds of task force. If we do our job like
10 we are doing and the schools are doing their job and
11 they are right back out on the street the next day,
12 I don't know what the answer is.

13 The problem is there is zero remorse.
14 There is zero incentive for people to come forward.
15 We talk about, you know, we need the community to
16 help us. I'm guilty of saying that myself. What
17 incentive does the community have to come forward?
18 Talk about retaliation. Somebody reports a child
19 with the gun and they are out back in school with
20 your kid. Why would anyone have the incentive to
21 come forward and help the police?

22 It's very frustrating. It's hard to
23 answer questions in your community. There is a
24 definite breakdown in the process with input being
25 solicited from local school officials, police

1 departments, faith-based organization when it comes
2 to sentencing. Very rare, I don't have an exact
3 percentage, are these even going to trial. Deals
4 are being made. Plea bargains are being made.

5 I don't know what gets worse than a
6 child bringing a loaded handgun to a school. That
7 has got to be the worst of the worst, and a \$40 fine
8 and probation enabled this particular child to then
9 order an AR-14 assault rifle. Thankfully he wasn't
10 killed and he didn't kill anyone else and no police
11 officer had to be put in a position to kill him, but
12 there is a definite breakdown, and we have to do
13 better.

14 MR. SEDEFIAN: Thank you, Chief. I
15 have no further questions.

16 Is there anything else that any of
17 you would like to add? Thank you.

18 Commissioners?

19 COMMISSIONER SCANCARELLA: Good
20 morning. I think you touched on this when answering
21 to Counselor Sedefian's, one of his questions, about
22 the cooperation that you receive or don't receive,
23 can you elucidate on that a little bit? Are you
24 talking about the cooperation from the juvenile
25 himself or from the parent or custodian, or do you

1 question the juvenile first or call in the parent or
2 custodian before you question them?

3 LT. TAGGART: The law requires us to
4 contact the juvenile's parent when they are taken
5 into custody and prior to us doing any type of
6 interview of that subject involved in a criminal
7 activity. What we find or at least what I've found
8 are the parents are the least cooperative.
9 Sometimes we'll arrest the juvenile the parent will
10 tell us they are not coming down or they are not
11 going to be involved. Parents aren't involved.

12 What I find is with these juvenile
13 gang members, the parental involvement is little to
14 none, or in the one case where the 17-year-old
15 killed the 16-year-old, the mother is actually was
16 one of the people taking pictures in the courtroom
17 of the people testifying against her son, so they've
18 become a part of the problem instead of part of the
19 solution.

20 COMMISSIONER SCANCARELLA: Just as a
21 follow-up, all three of you paint a very bleak
22 picture, which is startling to say the least, to me
23 at least. Do you -- are you in a position or is it
24 within your purview to make recommendations as to
25 what the answer might be? I know Chief Higbee

1 touched on it a little bit. Are we talking about
2 legislation? Are we talking about, you mentioned
3 the cultural, socially acceptable. That it's like,
4 it's astounding to me that you don't have more
5 authority, more power or more backing.

6 LT. TAGGART: As law enforcement
7 officers, I think we can all agree that our job is
8 not to make the laws. Ours are to enforce the laws
9 that are on the book. We can make suggestions as
10 civilians. They ask for input from law
11 enforcements, from the chief of police police
12 associations, who I'm sure came forward with some
13 great ideas on how to handle it.

14 One thing I can positively say when
15 we are dealing with gangs in any way, shape or form,
16 we are not going to arrest our way out of this
17 situation. We have to do better us as a culture, as
18 a community, as citizens. We have to do better. We
19 have to stop glorifying these gangsters where we see
20 it in the media.

21 I tell people all the time, how can
22 you tell somebody that a gang member is bad when
23 just a few years ago, Sesame Street was going to put
24 one of the most well-known gang members as a member
25 of their cast on Sesame Street. The man who was

1 charged with a drive-by shooting who actively goes
2 on TV saying he's a Long Beach Crip, how do you tell
3 a kid that you are not going to get anywhere but
4 jail when we glorify people like that?

5 COMMISSIONER SCANCARELLA: Do you
6 feel your hands are tied?

7 LT. TAGGART: My hands are tied. We
8 can only do what law enforcement can. We can only
9 talk until we are blue in the face. In my opinion
10 what needs to happen is the Juvenile Justice System
11 needs a revamping. It's archaic. It's based on
12 juveniles when they were back in the 1940s where you
13 are dealing with kids, the worst thing they've done
14 is maybe boost a car for a joy ride. You had a
15 couple kids maybe use a knife in a fight or a
16 bottle.

17 Now we are talking about kids with
18 automatic weapons indiscriminately firing into the
19 houses. We had a juvenile in Pleasantville killed
20 just for looking out his front door. Wrong place,
21 wrong time. But again, it's not built -- it's built
22 to rehabilitate these children. We get that. Some
23 of the children that go through the juvenile system,
24 all it takes is one time for them to see, and they
25 don't want to be a part of it.

1 But gang members don't look at it
2 that way. To them it's a badge. It's an honor. We
3 send them to juvenile school. We sent them to
4 community college. Once they hit state prison, now
5 they are getting their master's degree in
6 criminology, and it's a badge of honor to these
7 kids.

8 COMMISSIONER SCANCARELLA: Thank you.

9 COMMISSIONER BURZICHELLI: Thank you
10 for your testimony today. I'm curious, I don't know
11 if we touched on this, is there a difference in the
12 recidivism rate of adults versus juveniles in your
13 region?

14 SGT. IACAVONE: I would say based on
15 my experience, there's a higher rate of recidivism
16 between juveniles and adults, and I think it has to
17 do with the quick release. They are faster, they're
18 out. There's not much time before they go back in
19 again. Within the few short period of time, a few
20 years of time, you'll have a juvenile with two and
21 three gun possessions without having served any
22 time.

23 COMMISSIONER BURZICHELLI: Thank you.
24 Most disturbing to me, and there's a lot of things
25 to be disturbed about, is I'm interested in the

1 impact of this juvenile gang activity on our school
2 system.

3 In terms of working with the schools,
4 firstly, are our school districts notified of
5 individual juveniles who are part of the -- who have
6 been in the system and who have a record related to
7 juvenile gang violence? Do we identify them so the
8 school districts have an idea of who's in their
9 building and what they are possibly capable of
10 doing?

11 CHIEF HIGBEE: Yes, sir, they are.
12 There is a good working relationship. I can only
13 speak obviously from my school districts, but they
14 are given information through various entities of
15 the juveniles when they do come in and out of the
16 system.

17 The unfortunate problem is they are
18 placing them right back in the situation that the
19 student has already shown they don't want to be, and
20 they are willing to do anything to not be in that
21 situation. So they are aware. We do our best to
22 provide them information as they do give us,
23 reciprocate with information.

24 COMMISSIONER BURZICHELLI: Chief, you
25 gave sort of a very frustrated observation in terms

1 of task force after task force in schools after
2 schools, but I'm curious, I'm a South Jersey guy,
3 and you guys are almost contiguous in terms of your
4 logistics to one another. Is there any formalized
5 cooperation in Atlantic County to address this? I
6 mean, it doesn't stop at our borders. It crosses
7 borders, as you talked about, from our inner cities
8 to our suburbs to our rural areas. But is there a
9 formalized center to sort of address this on a
10 regional basis?

11 CHIEF HIGBEE: Absolutely. I'll just
12 clarify what I mean by you can create task force
13 after task force, is the men and women that are part
14 of these task forces are the best of the best. They
15 are pulled from every agency on every level. The
16 problem is they are doing their job. They are out
17 there, and the second that they are making arrest
18 the person is out the next day. That's across the
19 board, juveniles and now with the advent of bail
20 reform with adults. So we are pulling a lot of
21 resources in entities that are already stressed.

22 You know, over the last ten years
23 we've seen budget restraints in economies and caps
24 placed on local municipalities. We have turned
25 police departments that were proactive into

1 reactive, because they have no other way to do that,
2 all the while asking them to submit officers to task
3 force, which we are more than willing to do, but to
4 what end? You know, if they are going out there
5 every day and putting themselves in harm's way and
6 arresting violent criminals who are out the next day
7 or a week later, I'm not sure what the taxpayer
8 money is helping with in that situation.

9 COMMISSIONER BURZICHELLI: In terms
10 of what's going on in our educational system to sort
11 of assist these kids who are obviously struggling
12 and creating problems for everyone else, can you
13 give us an example in each of your school districts
14 where the district has tried to intervene and get
15 these kids back on path. Can you give us an example
16 of what's going on on the positive side to reset
17 these kids into a path that they can succeed and
18 grow as individuals.

19 CHIEF HIGBEE: The schools in my
20 opinion have been very progressive with their
21 outreach, with their continuous collaboration with
22 us as local enforcement. Local law enforcement, the
23 programs that they've put in place, the after school
24 programs they've put in place. Clearly we know not
25 every student is involved in a sport or involved in

1 the band or has somewhere to go after school. We
2 have after hours programs where the law enforcement
3 comes. We spend time tutoring kids. We spend time
4 just playing sports with kids. Let them talk to us
5 about what they want to talk about.

6 The schools in my opinion I don't
7 know what more they can do. I know they are willing
8 to add anything they can. If they have 20 clubs
9 they have 30 clubs. They try to engage these kids
10 through their guidance counselors, through their
11 probation officers. I feel like the schools are
12 max'd out, you know. They are assisting in raising
13 a lot of these children as well, and they are
14 frustrated as well. They are willing to do as much
15 as they can.

16 COMMISSIONER BURZICHELLI: I'm
17 interested in hearing about Atlantic City and
18 Pleasantville School District's attempt to jump in
19 and assist these troubled people.

20 LT. TAGGART: One thing I will say is
21 Pleasantville School District doesn't have the best
22 reputation in the world, but I have never found a
23 more dedicated group of teachers, supervisors that
24 are dedicated to the well-being of these children.
25 They open themselves to these kids as much as they

1 can, but when we look at it and we have to look at
2 it honestly, we've put police officers in the
3 schools. We have the DARE programs. We've gone
4 into the classrooms. We've spoken with the kids.
5 The school districts only have these children six
6 hours a day. Parents have got to become more
7 involved. We have the programs. We have the after
8 school programs. We have our Pleasantville rec
9 center that brings in kids after school to try to
10 keep them off the streets, but they still have to
11 walk the streets. They still live the streets
12 without a lot of parental support.

13 What I think -- we provide these kids
14 a lot, but I think what we need to start providing
15 more of is parent support, helping parents learn how
16 to be better parents. Bring them in. School is
17 tough. My daughter just went through school and
18 came home with math problems, and I patted her on
19 the back and said best of luck to you, because I
20 have no idea what common core math is.

21 We need to be helped to help our
22 kids, and they are all our kids, whether or not they
23 came from us or not. Sooner or later, they are the
24 ones taking care of us, so we need to start taking a
25 lot better care of them.

1 COMMISSIONER BURZICHELLI: What about
2 you, Sergeant, in Atlantic City?

3 SGT. IACAVONE: Atlantic City School
4 District and the Atlantic City police department
5 have worked very closely together to address these
6 issues. In fact, there are several programs
7 directly related to gang violence, educational
8 programs that are both for students and teachers as
9 well in relation to gang awareness and the issues
10 that are presented by neighborhood-based gangs.

11 The police department and the school
12 have also coordinated their efforts in changes to
13 departmental policy in regard to station house
14 adjustments, where juveniles who are identified as
15 being non-violent offenders, disorderly persons type
16 offenses, qualify for a program through the police
17 department where they get mentoring and counseling
18 from not only police officers, but we brought in
19 staff members from the police chaplains unit, so
20 where they are getting attention and counseling and
21 mentorship from all walks of life, all the faiths
22 represented by the city.

23 COMMISSIONER BURZICHELLI: Thank you.

24 COMMISSIONER IANNACONE: You spoke
25 about parents and custodial parents being part of

1 the problem, but that's not always the case,
2 because, Chief Higbee, you spoke about one mom who
3 contacted you often because she was afraid of what
4 her son was doing and afraid for her son. Is that
5 the exception or is the rule, usually they are not
6 at all cooperative or at all interested in helping.

7 CHIEF HIGBEE: It's definitely the
8 exception. In this case, this mother was extremely
9 concerned and frustrated herself because she was
10 concerned for the safety of her child.

11 COMMISSIONER IANNACONE: Do we have
12 programs of any kind to help? We have programs for
13 teachers and programs for students. Do we have
14 anything for parents, a parent that wants to be part
15 of the solution and help?

16 CHIEF HIGBEE: So we do. There's
17 various coalitions that are created. Each of our
18 towns respectively belongs to a coalition for a
19 safer community down in Atlantic County where we
20 host a lot of parent symposiums. Anything from
21 mental wellness, how to be a parent was a topic.
22 How to have a conversation with your child,
23 financial needs, put them in touch with resources.

24 The biggest breakdown we see is
25 participation. We offer babysitting. We offer

1 dinner for the entire family. We even offer
2 transportation, and we just cannot seem to get them
3 there. We've tried different -- I mean collectively
4 I know each of our towns has done the same thing,
5 hosting some during the day, hosting some at night.
6 Again, we'll pick you up. We'll give you and your
7 entire family dinner, we'll help you. For some
8 reason we just can't not get the attendance. We are
9 lucky to get maybe 80 to 100 people in towns that
10 have tens of thousands of residents.

11 COMMISSIONER IANNACONE: Difficult to
12 come up with a good solution, I guess. Do you find
13 that maybe a parent or guardian becomes more
14 interested or more willing to find a solution when
15 their child is caught up in something like that,
16 maybe if they were hurt or were shot, or are they
17 still afraid of the postings that they see on social
18 media and being called a rat or cooperator.

19 SGT. IACAVONE: I have to agree with
20 what the chief said earlier about it being the
21 exception. Unfortunately in my experiences in
22 Atlantic City, there have only been a few occasions
23 where parents have entered into the equation to help
24 the police, cooperate with the police, in order to
25 provide assistance to, be a part of the solution, as

1 Lieutenant Taggart said, not part of the problem.

2 COMMISSIONER IANNAcone: Thank you.

3 EXECUTIVE DIRECTOR: Thank you so
4 much for all your testimony. At this time, Mr.
5 Chairman, I would suggest that we take a short
6 five-minute break.

7 (A brief recess is taken.)

8 EXECUTIVE DIRECTOR: We are going to
9 continue with examining the issue from the
10 standpoint of law enforcement professionals. We are
11 going to hear from two of New Jersey's major cities,
12 Trenton and Newark. Continue.

13 MR. SEDEFIAN: Thank you, Director.
14 Would you both stand to be sworn in.

15 - - - -

16 STEPHANIE TREADWELL and STEVEN SMITH, having been
17 first duly sworn, testified as follows:

18 - - - -

19 MR. SEDEFIAN: Please state your name
20 for the record.

21 OFFICER SMITH: Steven A. Smith.

22 DET. TREADWELL: Stephanie Treadwell.

23 MR. SEDEFIAN: Detective Treadwell,
24 tell us about your professional background.

25 DET. TREADWELL: I started Newark PD

1 1989, March of 1989. Started in patrol. About six
2 months later went to narcotics undercover and stayed
3 there until about '96, but prior to that, leaving
4 out of narcotics in '93 we jumped on the gangs then.
5 From '96, I got shot. I still came back to work and
6 stayed there.

7 COMMISSIONER BURZICHELLI: I'm sorry,
8 did you say you got shot?

9 DET. TREADWELL: Yes, it's still in
10 here. They said 20 years it will be out. It's
11 overdue, but it's still in there, so yes.

12 From there, from '96 on, I just
13 worked and with the juveniles just for the arrests.
14 Then got into programs like the Great program,
15 things like that. And from there on, it was just
16 all gangs from there until I retired September 1st
17 of this year, so the ink is not dry on my
18 certificate yet.

19 MR. SEDEFIAN: Officer Smith, could
20 you tell us about your professional background?

21 OFFICER SMITH: Yes, prior to that, I
22 pretty much relocated here from the Eastern Shore of
23 Maryland in '88, and then I got into law enforcement
24 started at the work house from late, early '90s to
25 like '97 I started Mercer County Work House as a

1 correction officer and then left there, went to
2 Mercer County Juvenile Detention Center outside of
3 Ewing on Parkside Avenue, which is closed at this
4 time. I was there from '98 to like 2005, and at
5 that point, by me being in the city, I didn't
6 realize how separated the city was from different
7 locations, from east, north, south, there was a big
8 shift change separation, so I started getting
9 involved in gangs at that point, and that's when I
10 met Lieutenant Torres at the time from JJC.

11 I started identifying the gangs
12 within the detention center. I ended up getting
13 involved in the East Coast Gang Association. I was
14 a member. I'm not active now. We also created
15 Mercer County Gang Task Force with the prosecutor's
16 office. I also was involved with that, with
17 monthly, quarterly meetings with JJC. In Jamesburg,
18 we had quarterly meetings with some surrounding
19 State -- State Police in different locations.

20 And then that's when I really got
21 into the gangs at that point, and then currently
22 from 2006 to currently, I was with the Trenton
23 Police Department Juvenile Unit, and basically my
24 actions there still doing the same thing, hands on
25 with the juveniles, pretty much every juvenile comes

1 through our unit at one point.

2 That's pretty much where I'm at for
3 the last 14 years.

4 MR. SEDEFIAN: Thank you.

5 Detective Treadwell, is a significant
6 amount of the violence in Newark attributable to
7 juvenile gangs?

8 DET. TREADWELL: Yes.

9 MR. SEDEFIAN: In Newark, what
10 distinguishes a juvenile neighborhood gang from the
11 traditional gangs like the Bloods and Crips?

12 DET. TREADWELL: Well, we basically
13 call them hybrid gangs, and they are
14 neighborhood-based. If you lived in that area, if
15 you were from the hood, we never used the word
16 neighborhood anymore. They say hood, so that's one
17 of the difference.

18 On top of that, as far as the
19 juveniles, with the super gangs, a lot of these
20 juvenile gang members, neighborhood-based gangs, do
21 have some type of connection with the super gangs,
22 Bloods, Crips, but what's happening when you go
23 into -- when they started getting older, I know we
24 are talking about juveniles, but they are not
25 identifying those in a regular, you know, an adult

1 facility, so they don't, have not identified this
2 yet. It just hasn't gotten there yet. Just only
3 the past month I did see something from a state
4 corrections where they mention one of these
5 neighborhood groups.

6 EXAMINATION OF OFFICER SMITH BY MR. SEDEFIAN:

7 Q. Officer Smith, what impact have
8 juvenile gangs had in Trenton over the last three
9 years?

10 A. In the last three years, our status
11 offenses have gone up. They come up with the
12 runaway, runaway juveniles, curfew and truancy,
13 that's kind of the segue to the other criminal
14 elements that they have. So they normally start
15 running away from home, truancy, not going to
16 school, and then a lot of the drug offenses is up
17 since the last three years, mainly the weapons among
18 the juveniles, and that's the key, the weapons, and
19 stolen vehicles, the property thefts.

20 Q. Has the level of violence also gone
21 up?

22 A. The level of violence has definitely
23 gone up.

24 Q. Would you explain for us how in some
25 instances neighborhood gangs are formed to retaliate

1 against a murder that's taken place?

2 A. A lot of it with the gangs, social
3 media plays a big role in the increase like a lot of
4 the panels mentioned before, that's the normal
5 that's how they communicate today throughout the
6 gangs and throughout the organizations, because
7 everything is all Facebook live, so anything they
8 are communicating, they are the neighborhood-based
9 gang, so they hang with each other all the time. A
10 lot of stuff that happens, you know it's always
11 through the social media.

12 And they use a lot of young ladies to
13 travel between the different gangs in particular
14 locations to do a lot of the recruiting and pass
15 information on, because a lot of young men cannot go
16 in certain locations if they identified as a certain
17 gang, so they use the young ladies operating between
18 the different sections of the gangs.

19 Q. So at least some of the gangs are
20 created because of a murder that's taken place or in
21 order to honor somebody who was murdered; is that
22 correct?

23 A. Yes, sir.

24 Q. Are juvenile gangs in Trenton more
25 prevalent than traditional gangs?

1 A. I say yes and no, because a lot of
2 the neighborhood gangs at one point were, they
3 became the traditional gangs, like in the City of
4 Trenton, a lot of the neighborhood gangs that we
5 have in the neighborhoods, they still there. They
6 always been there, and a lot of the juveniles, they
7 pick up that lifestyle because their cousin, family
8 members are part of that neighborhood gang, so when
9 these young kids come up, that's going to be -- it's
10 a part of the culture in the neighborhood gangs.

11 Q. Based on what you've seen, which
12 group presents a greater threat to Trenton, juvenile
13 neighborhood gangs or traditional gangs?

14 A. I would say the neighborhood gangs,
15 and the reason for that is because many of the --
16 because we did a lot of investigation in the 2005,
17 so a lot of the traditional gangs have been
18 identified already as a gang member or a lot of them
19 is incarcerated, and they have some already
20 stipulations. They are on parole, probation, so
21 they have some post-disposition things going on.

22 As far as the neighborhood gangs, a
23 lot of those juveniles, the newer ones we don't know
24 who they are. They haven't been physically
25 identified. They just, you know, aggressive young

1 peoples in the neighborhood.

2 EXAMINATION OF DET. TREADWELL BY MR. SEDEFIAN:

3 Q. Detective Treadwell tell us about the
4 juvenile who made a claim that once he was released
5 by the police he'd keep on shooting?

6 A. Oh, that's one of the worst juvenile
7 offenders that we currently have. And he did, he
8 said that exactly. He was picked up for a weapons
9 offense, and they were -- they put him on a bracelet
10 so he got picked up for that, because he left from
11 home. So the lieutenant was speaking to him and he
12 told him, he said he don't care, he said, because as
13 soon as you all let me go, I'm just going to keep
14 shooting people, and at the time he had about 27
15 people that he admitted to of shooting. That kid
16 shut down that kid shut down the whole City of
17 Newark for about a month.

18 EXAMINATION OF OFFICER SMITH BY MR. SEDEFIAN:

19 Q. Officer Smith, what impact have
20 juvenile gangs had on the community?

21 A. The biggest impact in the community
22 is fear, intimidation, retaliation, because a lot of
23 these juveniles, they don't really have no guidance
24 in the neighbors now, and the neighborhoods they
25 fear, because the mental health is a big issue for

1 our juveniles, because they don't think about the
2 consequences at the time, and that's the biggest
3 fear within the commune -- in the communities now.

4 Q. What role do drugs play in the lives
5 of these juveniles?

6 A. The money source. It's the money,
7 the source of the juveniles in communities, it's
8 drug sales. You know, turf, drug sales is the base
9 of the money and for the turf in the neighborhood.
10 They want to control that and power. It's the
11 power. They want the power and the fame. That's
12 why they use social media. They get instant fame
13 through the power and the status, and then the drug
14 sales for the money base, they getting material
15 things that they need.

16 Q. Are they also using drugs?

17 A. They are also using drugs.

18 Q. Officer Smith, tell us about a
19 shooting that occurred in July of 2017 in broad
20 daylight that resulted in the death of a 14-year-old
21 girl?

22 A. Yes, that case was out in South
23 Trenton part of the city. It was on Jersey Street,
24 and what happened with that, it was in broad
25 daylight around about 3:30 in the afternoon.

1 It started off with group of four
2 juveniles, was driving in a stolen vehicle, riding
3 throughout the city. The juveniles that was driving
4 in this vehicle which was stolen, they should have
5 been in school, but they were not. They just was
6 driving. They were from the Webber section part of
7 town, that's really aggressive area of City of
8 Trenton. Always a lot of things going on.

9 So they was driving through this
10 street in South Trenton, basically driving through
11 it throughout the day, disrespecting with the hand
12 signs and then driving off.

13 They did this throughout the morning,
14 early day. And then I guess at school dismissal,
15 they end up going over to one of the local middle
16 schools and picking up another juvenile. And when
17 they picked up that juvenile, which is right around
18 the corner from where the juvenile lost her life,
19 they drove through again, and when they drove
20 through again around like 3:00, the juvenile that
21 they were disrespecting opened fire in broad
22 daylight and shot at the vehicle, end up striking
23 and killing the 14-year-old juvenile.

24 MR. SEDEFIAN: Detective Treadwell,
25 are these juvenile gangs, are they in competition

1 with each other.

2 DET. TREADWELL: Yes, very much so.
3 However, if there's a beef between another gang,
4 what these, the ones that's compete with each other,
5 depending on who's the strongest, they do what they
6 call tie flags, which they'll come together just in
7 order to, you know, be a bigger entity so they can
8 just take out the other person, the other group that
9 they are competing with.

10 MR. SEDEFIAN: Given the neighborhood
11 gangs' inclination towards violence, what's the
12 average life expectancy of these juveniles?

13 DET. TREADWELL: Oh, boy, I usually
14 say once you become maybe 18, anywhere from 18 to
15 25, you are considered a senior citizen, because a
16 lot of them don't live past that.

17 MR. SEDEFIAN: Officer Smith, we
18 heard from Sergeant Iacavone how some juveniles are
19 committing crimes or they are on some form of pre-
20 or post-disposition supervision. Are you also
21 seeing that?

22 OFFICER SMITH: Yes, we do.

23 MR. SEDEFIAN: Are you also seeing
24 neighborhood gangs spreading outside of Trenton.

25 OFFICER SMITH: Yes, that is, I think

1 within the last five years we get more of juveniles
2 who are spreading outside to the suburbs and rural
3 areas.

4 MR. SEDEFIAN: Detective Treadwell,
5 are you also seeing the gangs spread out from
6 Newark?

7 DET. TREADWELL: Oh, yes definitely,
8 and a lot of it comes to they are meeting up with a
9 lot of people. When they are going out, say, to the
10 suburbs, especially with the carjacking with is a
11 big, big problem with the juveniles, and they are
12 even recruiting some people out there, some of the
13 kids out there. They seen that that's, you know, a
14 bill deal, a big thing.

15 MR. SEDEFIAN: One last question for
16 both of you. How is what you are seeing today
17 different than what you've seen in the past?

18 DET. TREADWELL: Well, in the past
19 the juveniles, they were still kids then. Right now
20 there's so much influence between social media,
21 between the music, you know, certain sites like the
22 hood up dot-com, these kids are really going in, as
23 they say, going in, and becoming a part of that, and
24 as far as the older, the older gang members from
25 back in the day, they were about mostly making

1 money. Right now, this is just strictly violence.
2 They have become desensitized to human life, and
3 they are just taking people out, and it means
4 absolutely nothing.

5 Even when you read some of the posts
6 that's on social media, they just, they spell it
7 out. Not only do they spell it out, sometime if
8 they are given an order to shoot someone, they'll do
9 it live, and they make sure that they say okay, I
10 did what you told me to do, and -- but see, like
11 with Instagram, because not so much Facebook right
12 now, they are geared more towards Instagram for
13 whatever reason, and some of the posts are only the
14 videos only stay there for about 24 hours, so those
15 are some things that you got to snatch up, but they
16 can communicate quicker now through social media as
17 opposed to them trying to call somebody up on a cell
18 phone or meeting up or things like that. They will
19 have a meeting on social media.

20 MR. SEDEFIAN: Officer Smith?

21 OFFICER SMITH: It's kind of pretty
22 much what the detective said. It's the social media
23 is a major role with the communication and mental
24 health piece. We have more of our juveniles today
25 have mental health issues and are on medication.

1 Seriously our juveniles are a lot more angry. They
2 are hard. We're pulling out young people out of the
3 schools at age of eight, young as eight, with
4 aggressive behavior because they cannot, school
5 cannot control them, so you have police going in
6 there, bringing an eight-year-old out.

7 Some of these young kids, you cannot
8 put them in handcuffs, because the wrists and the
9 hands are so small, and they bring them in police
10 headquarters. Now we have this juvenile in
11 headquarters now out of control.

12 So that mental health piece and the
13 drug addictions, a lot of kids is addicted to pills,
14 you know, and so a lot of the juveniles today, they
15 do not live, they don't expect to live past 18.
16 Years ago it was 21 or 25. Now if they get to 18,
17 they had a good life, because they are dying in the
18 streets a lot younger, so it's the social media and
19 the mental health is a big piece today.

20 MR. SEDEFIAN: I want to make sure I
21 have this clear. Are you talking about children as
22 young as eight years old committing violent acts?

23 OFFICER SMITH: Yes, and the reason
24 for that is because they are family members and
25 their friends, that's what they are doing. If you

1 have a sibling in the household, you have a single
2 mother, she's working. Who's supervising the house?
3 Is a 16-year-old. So now you have the 16-year-old
4 is running the house and have all his friends there,
5 and then you have these younger children, eight and
6 ten years old, watching the older children. They
7 are picking up all these inappropriate behaviors, so
8 if there's no supervision there and you allowing the
9 kids, because in the City of Trenton, the children
10 is running the streets, from 13 to 17. They
11 controlling what dictates in the communities today.
12 So when you have that and the adults are afraid of
13 their own children, you know that's a problem, so
14 today, you know, until we can address that issue why
15 these young children are controlling the streets, we
16 are going to continue to have this problem.

17 MR. SEDEFIAN: I have no further
18 questions. Commissioners?

19 COMMISSIONER SCANCARELLA: I seem to
20 remember from the past your testimony in front of
21 Counselor Sedefian and perhaps reading the
22 background, do you have statistics on how many gangs
23 there are in your respective towns and how many kids
24 are in each gang and how many are dying before 18 or
25 before 25, that kind of data?

1 OFFICER SMITH: As far as myself, I
2 really don't have the actual data. Statistic wise,
3 but just from my experience from working in the
4 youth house in the '99 and the 2005, you know, I
5 identified a total of 64 street, local street gangs
6 in the neighborhood.

7 MR. SCANCARELLA: Not 65 kids, 65
8 gangs.

9 OFFICER SMITH: 65 different gangs
10 and the average of the gangs. You have
11 approximately between 10 to 15 members in each of
12 those groups. These are, you know, so they average,
13 you know, so if you have, for example, up the street
14 not too far on the corner of Hoffman and Stuyvesant,
15 that's considered 801st. That's the street. That's
16 the sub police station. So those kids take on that
17 neighborhood gang is 801st.

18 So you may have approximately up to
19 20 members in that certain group. And that's
20 throughout the city, different pockets of groups, so
21 that's the average number.

22 And then we got a new area of gangs
23 is approximately about 20 of them in a new area of
24 gangs mentioned are juveniles is taking up new gangs
25 of death of other gang members, so you might have a

1 deceased gang member, these juveniles is taking on
2 the death of that gang member, creating another gang
3 in the name of that dead gang member.

4 MR. SCANCARELLA: I take it Newark is
5 a bigger city, even more.

6 DET. TREADWELL: Newark definitely.
7 We do keep stats as far as the shootings. Well, we
8 do all the shootings, you know, all the gang
9 members. We just don't get all of them because
10 there's a lot of them that may not have any
11 encounter with the police, so we can't document
12 them, you know, that way.

13 But we also did a mapping system
14 where what gangs were in certain areas, because we
15 needed that as far as a lot of the investigation
16 goes, when you started like when he asked about the
17 competition between the different groups and things
18 like that, so if something happened in a certain
19 area with the retaliation, you know, you have one
20 group called the Famous Boys and then you got
21 another group called 200 Avon Avenue Boys, and the
22 biggest problem in Newark right now, that's the
23 biggest clash.

24 Then they crossed the line there's a
25 shooting on Avon Avenue, more likely than not, it is

1 someone from Famous Boys and we found that, so the
2 best thing that we have done was mapping the gang
3 members, but we do keep, you know, count of them
4 once they are classified.

5 MR. SCANCARELLA: Would you know, I
6 don't know if you know, but maybe we can assume,
7 somewhere in between -- well, no, Trenton is about
8 the same size as Paterson and Elizabeth and Camden,
9 I guess, Jersey City, somewhere in between. Would
10 you know or could you hazard a guess as far as a
11 gang population is concerned?

12 DET. TREADWELL: How large is it, you
13 mean? I don't know, because we have gang members
14 from Paterson and all the area in Newark, even like
15 with MS-13s and Trinitarios and a lot of them
16 weren't from Newark, but being that they are sent to
17 the youth house in Newark and this is where
18 everything is starting and they are hooking up
19 together and in Paterson, we had a close bond with
20 them, because they are saying you got your Newark
21 pups up here, you know, because they are learning
22 from each other since they put them all together.
23 So this is a back and forth thing, so I don't know.
24 It's just too many to count.

25 MR. SCANCARELLA: Thank you. How

1 about the life expectancy? How do you quantify
2 that? Is that just an estimate?

3 OFFICER SMITH: Based off my
4 information, it's when I talk to them. Like the
5 detective said, with Mercer and Trenton, it's
6 difficult to track our juveniles now because we
7 don't have a detention center. Our detention
8 center's been closed down many years now, and our
9 juveniles is actually being shipped out to Middlesex
10 County, so a lot of that data when I worked at the
11 youth house at the time, the critical time in 2005,
12 I knew the juveniles, they were identified.

13 Now we don't have the luxury. So
14 like now in order to get that now we got to go back
15 to the school district, you know, the schools, we
16 have resource officers, so the school data and the
17 court system, and then when we get them in custody,
18 we have to ask those type of questions, so like
19 there's a lot of that identification we are lost.
20 We done lost like ten years of gang database in
21 identifying gangs, ten years of that information.

22 MR. SCANCARELLA: Thank you.

23 COMMISSIONER BURZICHELLI: I want to
24 thank you both for your service. And, Detective, I
25 hope the state of New Jersey's pension system gives

1 you a little since you retired with a bullet.

2 DET. TREADWELL: Thank you.

3 COMMISSIONER BURZICHELLI: Officer,
4 you said something very compelling, the notion of
5 mental health. Because we've heard testimony about,
6 you know, punishment and consequences, but if we are
7 dealing with an individual who has an impaired
8 ability to assess right from wrong, then that's a
9 different dynamic for everyone in the system. Would
10 you agree with that?

11 OFFICER SMITH: Yes, sir.

12 MR. BURZICHELLI: Mental health
13 treatment has to be part of anything we do together.
14 We are losing kids at 18 and 19 and we all fail. Is
15 that a fair assessment?

16 OFFICER SMITH: Yes, sir.

17 MR. BURZICHELLI: You guys have been
18 in the field for a while and you are talking and
19 listening and you are part of your communities.
20 We've obviously reached some kids. Like have you
21 had a situation where there's a common thread in
22 terms of ability to sort of turn these people
23 around? Is it getting them mental health they need
24 or breaking that family generational pass-down into
25 this lifestyle, because it's just not in the hood.

1 I mean, the Italian crime families,
2 that's why they call them the family, because it was
3 a generational and a cultural, institutionalized way
4 of living. It's not restricted to our inner cities
5 and our kids. They learn from centuries of other
6 people doing this exact same type of thing, but is
7 there anything we can take from your many years of
8 experience and engagement in these communities and
9 sort of look forward and say if we are going to fix
10 this, this seems to work and we've seen kids react
11 to certain things. Is there anything you can
12 provide us with that type of insight?

13 OFFICER SMITH: I can add on that. I
14 have a case that I'm dealing with right now with a
15 juvenile, 12 years old, and I dealt with the father
16 in the youth house and I got his grandfather. I
17 have three generations that I'm dealing with.

18 This particular 12-year-old now is
19 outside of his home in a local shelter because the
20 mother cannot control this 12-year-old juvenile any
21 longer, because she has younger children. She had
22 two twins two years old, so she already wrote her
23 12-year-old son off.

24 Knowing this 12-year-old, I had to
25 get his father. His father is in his thirties. I

1 had a relationship with the father when he was in
2 the youth house. He was one of the original gang
3 members from the youth house. Prior to that I was
4 dealing with him.

5 Then I had to go get the grandfather,
6 which is one of the old OGs in the City of Trenton.
7 He was the original 801st, became the members of GK
8 gang who actually kill the Bloods, that he got
9 recruited from the state prison.

10 So now I done got their father and
11 the grandfather. The grandfather is an ex-gang
12 member. He's trying to get in, so I had to pull all
13 three of them in, the grandfather and the father,
14 try to get this 12-year-old in check.

15 But, and I told him, the 12-year-old
16 juvenile is going to be a lot worse than the father
17 and going to be a lot worse than the grandfather
18 because of the mental health issues. The aggressive
19 stuff that he hear in the music. He plays games all
20 day long, you know, violent games all day. When he
21 come home from school, it's no picking up books and
22 reading. It's playing games and popping Mollies,
23 pills, so you got a 12-year-old already threatened
24 to kill other people in -- he's a gang member hybrid
25 gang of one of the deceased juveniles that got

1 murdered in the City of Trenton, so this juvenile,
2 if we don't get this 12-year-old in check, he's
3 going to be the next shooter, and I don't like to
4 label children, but if we don't get this kid, either
5 he going to murder someone or he going to be dead
6 himself. This is where we at with this juvenile,
7 and it's many other juveniles in the City of Trenton
8 in the surrounding areas, this is what we are
9 dealing with today, ladies and gentlemen.

10 COMMISSIONER IANNACONE: You spoke
11 about these children being desensitized now. So is
12 it your observation that these children are violent
13 right from as soon as they get into this life
14 because of the environment that they are in, what
15 they see in social media, or the people that they
16 are living with, or do they escalate and become more
17 violent with time?

18 DET. TREADWELL: It is a learned
19 behavior, and with the breakdown in the families is
20 the biggest problem that we are having, you know,
21 which a lot of these parents need to be made
22 accountable, and I know someone else spoke about,
23 you know, feeding and doing all this stuff and, you
24 know, let me just say this, because I always say I
25 keep stuff 100. We had a meeting with the East

1 Coast Gang Investigation Association which I am the
2 vice president for the Northern New Jersey region,
3 and they ask questions and they say what can we do
4 to get these parents involved? Or what can we do to
5 bring these parents to school? And they said they
6 had pizza parties and all this. I'm not saying
7 everybody is on welfare, but I said you start
8 attaching those checks to the report cards and I bet
9 you they come in and see about their children.

10 But this is one of the biggest
11 problems is the family. Some of them's going to
12 have to be made accountable for these kids, because
13 they hear exactly what their mothers say. If it's a
14 problem in school, they call the parents in, and if
15 you kind of like listen or, you know, backtrack on
16 some of the things that said, we always keep saying
17 the mother, you know, because the father is
18 basically not there. And, you know, before you can
19 even talk to the teacher about something, the mother
20 come in with that same violence, mentality, come in
21 there with the neck snapping, you know, you don't
22 need all that to try to find out what's going on
23 with the kids.

24 The violence is starting to escalate.
25 These kids are getting so angry, and when you ask

1 them, they just hush up. They just don't know why,
2 but they are -- for the ones that were good and were
3 afraid to go to school and then they are still being
4 forced to go to school and deal with the violence
5 there, this is why a lot of them are just said,
6 well, you know what? Let me just get on then with
7 everybody else so I won't have this problem too.

8 But the violence is escalating. I
9 never seen kids so angry, but then sometimes I hug
10 them. I'll hug them and it's a bit of difference
11 for a minute.

12 I'll give you one example. We went
13 to this school in Newark that was, the kids were all
14 either wards of the court, they was on medication.
15 10:00, the bell rang, I didn't know what that was
16 about, but they had to get their medication, and
17 what happened is we would come to that school every
18 Tuesday. We ran into police that week we couldn't
19 come. They called me on my cell phone, oh, these
20 kids is acting up and just tearing up everything. I
21 said we are at a military park for police week.
22 They brought a bus and brought those kids down
23 there, and then after that it was fine. They are
24 afraid they are going to be abandoned also.

25 COMMISSIONER IANNACONE: Sad. Thank

1 you.

2 EXECUTIVE DIRECTOR: Thank you so
3 much for both of your testimony. So we will now
4 hear from two ranking juvenile detention officers
5 who will describe the impact of juvenile violence
6 within their respective facilities. Counselor
7 Sedefian, please call those witnesses.

8 MR. SEDEFIAN: The Commission calls
9 Captain Loretta Nichols and Captain Michael Thomas.
10 Please stand and be sworn in.

11 - - - -

12 LORETTA NICHOLS and MICHAEL THOMAS, having been
13 first duly sworn, testified as follows:

14 - - - -

15 MR. SEDEFIAN: Please state your
16 names for the record.

17 CAPTAIN THOMAS: Michael Thomas.

18 CAPTAIN NICHOLS: Loretta Nichols.

19 MR. SEDEFIAN: Captain Nichols,
20 please tell us about your professional background.

21 CAPTAIN NICHOLS: Yes. I started in
22 detention in Camden County in 2000. Around 2004 I
23 was asked to go into our detention alternative
24 program, which was electronic monitor and house
25 arrest.

1 From 2004 to 2015 I primarily worked
2 in those two departments as well as court liaison
3 for the facility.

4 And around 2015 I went back into the
5 facility as administrative sergeant and then and
6 stayed in the facility as a captain. Currently work
7 as administrative captain.

8 Around 2015 I also chaired the gang
9 intelligence unit for our facility, and I've worked
10 in other capacities in conjunction with
11 community-based programming and trying to do some
12 gang abatement for the area. I'd say that in those
13 18 years I've tried to build relationships inside
14 and outside of the facility.

15 MR. SEDEFIAN: Detective Thomas?

16 CAPTAIN THOMAS: I started working
17 with the detention center in '95. I was the
18 defensive tactics instructor in the police academy
19 in Cedar Grove instructing the various subjects.

20 In '97, because of the gang violence,
21 I started in the facility, I started going to a lot
22 of gang awareness training. I started in 2002 I
23 started to train officers in gang awareness. I
24 started to do it at the Cedar Grove police academy
25 also, and two years after I started the gang unit at

1 the detention center, which I'm in charge of. I
2 work along with law enforcement in the State of New
3 Jersey.

4 We developed a gang database for
5 these residents that is helpful to law enforcement,
6 because most of the residents when they join the
7 gang, they will give most of them a gang name, and
8 sometime when it is in my database, the different
9 law enforcement may call and ask about an alias. I
10 will check my database. I will see it and pass it
11 on to them, and here they will arrest the
12 perpetrator. So I am close to the law enforcement
13 community, you know, where information dissemination
14 is concerned.

15 EXAMINATION OF CAPT. NICHOLS BY MR. SEDEFIAN:

16 Q. Captain Nichols, how many juveniles
17 are currently housed in the Camden County Juvenile
18 Detention Center?

19 A. Today when I left, the count was 45.

20 Q. 45 you said?

21 A. Right.

22 Q. During the last three years, has the
23 severity of the crimes committed by the juveniles
24 increased?

25 A. Yes.

1 Q. Is your facility currently receiving
2 juveniles from various parts of the state?

3 A. We do have partnerships with other
4 county entities to house their juveniles if they
5 don't have a facility.

6 Q. What impact has that had on your
7 facility?

8 A. It allows the juveniles to have a
9 bigger base. They are able to make connections
10 throughout the state and continue those friendships
11 or relationship in a criminal element, which gives
12 them a lot more access, and then with social media,
13 that gives them the opportunity have these
14 relationships once they are released from the
15 facility and they build their base or they can have
16 a connection to a bigger entity.

17 So if I live in Camden, New Jersey
18 and I have friends that I met through the facility
19 that were housed from Cumberland County or other
20 counties, at times we have sat and listened to other
21 members of the panel and all those areas are going
22 through similar things, so they link up with those
23 juveniles and that gives them more of a base. They
24 are more available to that activity, and it allows
25 them to look like a bigger criminal or more

1 effective or a larger entity in whatever they are
2 trying to impress.

3 So it gives them -- they get a link
4 and then they take that link and make it a bigger
5 picture.

6 EXAMINATION OF CAPT. THOMAS BY MR. SEDEFIAN:

7 Q. Detective Thomas, how many juveniles
8 are currently housed in the Essex County Juvenile
9 Detention Center?

10 A. 76.

11 Q. You heard Captain Nichols talking
12 about the effect that receiving juveniles from other
13 states has had at her facility. Has it had the same
14 effect in your facility?

15 A. Yes, sir.

16 Q. Do you see the same juveniles coming
17 into your facility over and over again?

18 A. Yes, sir.

19 Q. What do you attribute that to?

20 A. I believe one contributing factor is
21 these kids know that they are juveniles, and if they
22 are arrested for a stolen car or possession of a
23 weapon, they know they are out on an ankle bracelet
24 or they are held for two or three days, and the next
25 thing you know they are home on probation, and most

1 of the kids that leave and know that, they go and
2 commit crimes again and come right back.

3 We have kids that have been coming
4 back and forth for eight, ten, 14 times.

5 MR. SEDEFIAN: Captain Nichols, tell
6 us about the three females that committed crimes at
7 a young age and were eventually charged with murder.

8 CAPTAIN NICHOLS: In 2004 when I went
9 into the electronic monitoring program, about two or
10 three years later, due to movement within the
11 facility, I became the only female electronic
12 monitoring officer for the county. In that time, I
13 had three females that started with me in the
14 detention alternative function at 12 years old. I
15 can tell you that they had several stints within the
16 facility as well as on the electronic monitoring
17 bracelet. Two in particular I can tell you we had
18 contact with or they had lengths of stay or stays on
19 the bracelet at least six times. One of them in
20 particular -- no two, out of three in particular had
21 no residential time, which means that they were in
22 and out, in and out, never had a long stay, never
23 was removed from the home or community, but by
24 16-and-a-half to 17, all three of them at -- all at
25 that same age but obviously at different times,

1 because I had them at different years, all of them
2 came into the facility with first degree felony
3 murder.

4 That's a hundred percent rate for me
5 as the only female detention officer with getting a
6 female juvenile at 12 years old. Every single one
7 of them that we had in that stint came back with
8 felony murder. Two of them were the actors in the
9 murder. One of them was a conspirator. That's an
10 alarming rate for young women to come in and not be
11 identified and not be removed from their behavior at
12 12 years old and come back at 16, 17 years old with
13 first degree murder charges.

14 MR. SEDEFIAN: Prior to committing
15 the murders, what type of crimes were they involved
16 in?

17 CAPTAIN NICHOLS: Two out of the
18 three started with robbery and weapons charges. The
19 third was a conspirator in another incident where
20 there were some male juveniles that had a violent
21 crime, and she was a witness and a conspirator to
22 that.

23 As they came in and out, I can tell
24 you the one particular one, all of her charges had
25 some type of violence attached to it. She started

1 with robbery. It was several assaults, so she would
2 be in and out of the system. She was the one out of
3 the three that did go to a JJC program and did do a
4 stint, and then shortly after she got out is when
5 she came back for the homicide. I would say, I
6 don't even know if it was a year.

7 MR. SEDEFIAN: So you said out of the
8 three only one of them was ever in the JJC program?

9 CAPTAIN NICHOLS: Yes.

10 MR. SEDEFIAN: Are these isolated
11 instances of juveniles repeatedly coming in contact
12 with the Juvenile Justice System?

13 CAPTAIN NICHOLS: I think that
14 because you can take a smaller number with the
15 females and see that it's at 100 percent, it's just
16 a smaller -- it's a part of the picture. So is it
17 prevalent? It's very prevalent. They show you that
18 it is. So if you take 40 males that have the same
19 behavior, then you are going to still have another
20 rate of them come back with escalated charges.
21 That's exactly what's happening.

22 MR. SEDEFIAN: Captain Thomas, I'd
23 like you to take a look at PH-7. Take a minute to
24 read it.

25 Can you tell us what that document

1 is.

2 CAPTAIN THOMAS: This is a document
3 from a kid that is no -- he sees -- he was in the
4 facility for over a year, and he was in a classroom
5 and he wrote this, and the teacher gave this to me.

6 What he was explaining to me after I
7 got this, I spoke with him, and, you know, he
8 expressed that he wants to do the right thing, but
9 because of him not getting the opportunity to be
10 taught a lesson like going down to Jamesburg or
11 somewhere for the acts of violence he committed and
12 him just getting a slap on the wrist and going home
13 and coming back, he hasn't learned his lesson, so he
14 was telling me, what he wants to do is just to go
15 away somewhere where he could be rehabilitated, but
16 he hasn't got the chance to, and he went out there
17 and was robbing people and the cops came and they
18 shot at the cops and cops shot at him killing him,
19 so...

20 MR. SEDEFIAN: How old was he when he
21 wrote that essay.

22 CAPTAIN THOMAS: 17.

23 MR. SEDEFIAN: How old was he when he
24 was killed?

25 CAPTAIN THOMAS: He just turned 18.

1 MR. SEDEFIAN: I have no further
2 questions.

3 Commissioners, do you have questions?

4 MR. SCANCARELLA: Just one. Do you
5 find in your facilities ever that you have members
6 of different gangs under the same roof?

7 CAPTAIN THOMAS: Yes, we have a lot
8 of different gangs under the same roof. The problem
9 that we have is that they beef with each other, so
10 we have to learn the beefs and know which gang's
11 beef and what hybrid gang's beef and what
12 neighborhood said beef, and what neighborhood says.
13 We have to know where to put them. If we put them
14 in the wrong unit, there could be a lot of violence.
15 So we have to learn, we have to make sure --

16 MR. SCANCARELLA: Is that difficult
17 to do --

18 CAPTAIN THOMAS: Very difficult.

19 MR. SCANCARELLA: -- given the makeup
20 of the building?

21 CAPTAIN THOMAS: Yes.

22 MR. SCANCARELLA: Does it come to
23 physical confrontation sometimes?

24 CAPTAIN THOMAS: Very often.

25 CAPTAIN NICHOLS: I'd like to add, if

1 that's okay. We have 45 juveniles in our facility.
2 Before I left yesterday, we had already identified
3 25 suspected gang members out of the 45 count. So
4 that's the 25 letting you know, showing you are
5 clearly associated. Out of the other 20, I would
6 have no doubt that at least another five to ten, if
7 they are not in the gang, they are affiliated, and
8 with the higher count of females being involved with
9 sex trafficking, we have a lot of females telling us
10 that they are not gang members but they are owned by
11 gang members. So that although we are not going to
12 identify them as a gang member, them being involved
13 in being sex traffic has some benefit for the gang.

14 MR. SCANCARELLA: Okay, thank you.

15 MR. BURZICHELLI: We had an earlier
16 panel touch on the notion that these detention
17 centers and later jails are really just educational
18 places to become better criminals. How would you
19 respond to that type of observation that's been
20 presented today?

21 CAPTAIN NICHOLS: I can only speak
22 for the facility that I work at, and I would say
23 that we have a lot of different opportunities that
24 we try to take with our own programming for staff to
25 try to abate the juveniles or have the

1 conversations, but the problem is, every time that
2 they are released, they are back into that same
3 community, so they are going to come back with more,
4 I'd say more education in what they want to do.

5 So staffing, we spend several hours
6 trying to teach each other how to identify, what
7 conversations to have, what to not allow, to try to
8 cut some of that while they are in our facilities,
9 but once they go back into the community, they have
10 to go back into the lifestyle that is going to feed
11 them and protect them, however they view that. So
12 the facility itself is like any entity that you have
13 in order to remove them from community. If they are
14 in the detention center, yes, that's an opportunity.
15 However, as a detention center, we try to keep them
16 in the education system.

17 Kids come in, they're 13 years old.
18 They haven't been in school for years. The one good
19 thing we can give them is they have to go to school.
20 So we are subjecting them to education. We are
21 subjecting them to programming and opportunities
22 where they are safer. What they are going to do
23 when they are out is because they are getting too
24 many opportunities to be out before somebody, before
25 somebody is a victim, a bigger victim.

1 COMMISSIONER IANNACONE: Do the kids
2 have access to social media in your facilities?

3 CAPTAIN NICHOLS: No.

4 CAPTAIN THOMAS: No.

5 COMMISSIONER IANNACONE: That takes
6 care of my next question too. Thank you.

7 MR. BURZICHELLI: I have a follow-up
8 question. What would you like to see done in your
9 facilities that is not being done currently, to
10 address some of the problems?

11 CAPTAIN NICHOLS: We -- last year we
12 started a program which is more community based. It
13 doesn't deal so much with the juveniles that are
14 housed there, because you can't connect the two, but
15 we've been able to do a referral system because it's
16 a detention center. You would have people that just
17 show up and they would ask oh, my God, can you tell
18 my kid what's going on. Can you give them the idea
19 of what it would be like if they don't follow my
20 rules. So what we did, we came up with a program
21 where it's almost like an after school program that
22 we do about four times a year, and this allows the
23 community to try to bring kids in that aren't being
24 locked up, but they are showing some behaviors that
25 could be critical that needs to be stopped, and we

1 are able to do it at a younger age than detention is
2 able.

3 They don't have any contact. They
4 are not in there when they are moved. We bring in
5 the workshops and we bring in the services that
6 sometimes families don't get until their child is
7 already incarcerated.

8 I can tell you that over the year
9 that we've done it, we haven't had anybody that was
10 in our program come back into the facility as an
11 offender.

12 MR. BURZICHELLI: Thank you.

13 EXECUTIVE DIRECTOR: Thanks so much
14 for your testimony.

15 So we've spent much of this hearing
16 so far focused on the defining the problem, new
17 trends and challenges in juvenile violence. It's
18 time now to start turning the conversation toward
19 some community-based solutions that have some proven
20 potential.

21 SCI counsel, Lisa Cialino, will
22 question our final witness panel.

23 MS. CIALINO: Thank you, Director.
24 Just for the record, my name is Lisa Cialino, and
25 I'm counsel here with the State Commission of

1 Investigation. I'll be calling Chief Harry Earle
2 and Mr. Fred Fogg to testify.

3 - - - -

4 HARRY EARLE and FRED FOGG, having been first duly
5 sworn, testified as follows:

6 - - - -

7 MS. CIALINO: If you could both state
8 your name for the record.

9 MR. FOGG: Fred Fogg.

10 CHIEF EARLE: Harry Earle.

11 MS. CIALINO: You can both have a
12 seat.

13 EXAMINATION OF CHIEF EARLE BY MS. CIALINO:

14 Q. We'll start this off with you, Chief
15 Earle, then move on to you, Mr. Fogg.

16 And so first, Chief Earle, where do
17 you work?

18 A. Good morning. Thank you. I work at
19 the Gloucester Township police department in Camden
20 County.

21 Q. Tell me in a -- you are currently the
22 chief of police there, correct?

23 A. That's correct.

24 Q. Tell me a little bit about your
25 background as a police officer?

1 A. I began my career with the Gloucester
2 Township police department in 1987 as a part-time
3 911 dispatcher and a special officer and then worked
4 really in virtually every capacity every bureau in
5 the department up until becoming chief in the year
6 2010, and during my time as chief in addition to
7 being a street supervisor and a lieutenant in
8 different bureaus, I found really the most exciting
9 teaching the DARE program we would consider today as
10 a school resource officer for about seven years one
11 day a week while working the street the other days
12 of the week, and then volunteering with a group
13 called The Bridge, which was a mentor to young teens
14 back in the early '90s. Those experiences despite
15 everything in my career really shaped my career
16 today.

17 Q. And for those in the room who don't
18 know, can you give us a little bit of a, I guess
19 describe Gloucester Township in terms of the size
20 and the makeup of the township?

21 A. Yes. Gloucester Township is about 15
22 minutes south of Camden, New Jersey. We are
23 commonly confused with Gloucester City or Gloucester
24 County and oddly enough we are in Camden County.
25 We are 24 square miles. Our

1 population is about 70,000. We have 20 schools,
2 about 10,000 school students. Our total staff of
3 the police department is 207, with 130 of those
4 being full-time officers and about 35 special
5 officers, which was what I started as. And the rest
6 of those personnel are support staff in the police
7 department.

8 Q. Obviously we are here today about
9 juvenile violence. Describe what you see in your
10 township in terms of juvenile violence?

11 A. Well, fortunately we've seen really
12 and in my more than 30-year career a decline in
13 juvenile violence. That there was a time, and it's
14 not to say we do not have any, but certainly that we
15 are fortunate a lot of what we heard today we do not
16 experience that type of violence. The most common
17 violence we would see involving juveniles really are
18 issues with their family assaults against the
19 parents, theft from the parents and some school
20 issues, which we are very careful of how we handle
21 those incidents in terms of we let the school deal
22 with the discipline and our role is more of a
23 mentorship at our schools.

24 Q. We had heard today from a lot of
25 people about issues with juvenile violence and

1 juvenile gangs throughout the state. I know in
2 Gloucester Township you have helped create programs
3 that effectively help prevent juvenile crime, so
4 today I just want to talk a little bit about those,
5 and specifically I want to talk about the Third Gear
6 Policing Program that you had implemented. Can you
7 give us a little description about how that program
8 works?

9 A. Yes. We refer to our program as
10 Third Gear Policing, and I'll share with you
11 hopefully a good snapshot of that. The origins of
12 that date back to the early '90s when I was an
13 officer in the schools, although we officially
14 really launched the Third Gear Policing platform in
15 2011, 2012.

16 I remember back in 1991, 1992. I was
17 in a fifth grade classroom one day a week and
18 teaching the DARE program, and there was a child
19 that was bad. There was a fifth grade, we are
20 dealing with fifth grade at that particular time,
21 and the child's getting out of the seat, being a
22 problem, and the teacher said to me, she said, you
23 know, Harry, one day you are going to lock that kid
24 up. And I will tell you that, which what I didn't
25 say back to her was, remember I worked the street

1 three days of the week, that what I didn't say back
2 to her is, I said, well, you should see the child's
3 home life. The brother runs a way. The brother has
4 been arrested for drugs, and the mother is a victim
5 of domestic violence. I didn't have that
6 conversation with that teacher at all.

7 I went back to my business and doing
8 police work, because at the time, I did, as a young
9 police officer, I'm like those issues were someone
10 else's problem. That wasn't my problem as a police
11 officer, and that wasn't the teacher's problem.

12 Fast forward my career to ten years
13 later, I'm now a lieutenant and people are coming in
14 under arrest into the department, and who comes
15 through that door is that same now 20-some-year-old
16 young man under arrest for drugs, more of a criminal
17 history, and I look at that scenario and I think
18 what I did do? What did the teacher do? What did
19 the school do? And really what did the community of
20 Gloucester Township do for that child when we had
21 the very first sign in that child's life, and the
22 answer was nothing.

23 So I become chief of police in 2010.
24 I reached back to the social worker, which was
25 really a teacher at the time running the support

1 group that I was volunteer with in the '90s who was
2 now a social worker in our school, and I said that
3 we want to build a new style of policing in the
4 community of Gloucester Township, one that focuses
5 on identifying the very first at-risk child and then
6 developing a plan where we can make a difference not
7 only for the child but particularly for the family,
8 because often we see that, it's just like that
9 particular case of that young boy, the family was
10 greatly affecting his behavior in school, which will
11 certainly affect his behavior in the community,
12 which ultimately often leads to crime, which is our
13 ultimate purpose is to reduce crime.

14 Q. Through your program, how do you
15 address this?

16 A. The first that we established in
17 2011, we -- the very first piece was what we called
18 the juvenile unit huddle. Nickname we call it the
19 JU huddle, and the JU huddle exists today. We are
20 seven years in. Every week once a week diligently,
21 everyone in the police department that has anything
22 to do with youth meets, and they sit down and they
23 review the history of any child that we have had
24 contact with.

25 Now in 2011 that began with

1 first-time offending youth, so it's a child that
2 assaulted someone, maybe graffiti in the
3 neighborhood, a child that stole something, that was
4 the original intent. The original intent was really
5 a violence prevention program for the schools,
6 because if we could prevent that child from further
7 conduct and sharing in information, then we can
8 prevent violence in the schools. That was the
9 original purpose.

10 Then we create a very carefully
11 planned action plan for that child. So an action
12 plan may consist of simply notifying the trusted
13 adult in the child's school that says hey, check
14 with Susan. She listed you as a trusted adult. We
15 ask that you could just check on her. We have been
16 doing that kind of work since 2011.

17 Since 2011 we saw such great success
18 with first-time offending youth, that we began very
19 systematically to tackle on all types of other
20 issues to the juvenile unit huddle. Just for
21 clarification, the juvenile unit huddle, the child
22 does not come. What comes is the history of the
23 child and just as importantly the entire history of
24 the home and the family.

25 So before that case comes to the

1 juvenile unit huddle, we are researching how many
2 times we have been to the home. Is there a sibling
3 that's run away? Is there a sibling that's
4 incarcerated? What are all the issues and that
5 helps create the action plan.

6 So what began, again, as the
7 first-time offending youth now goes to children that
8 are truant from school, children that are
9 transported to a crisis center, children that have
10 witnessed violence, including domestic violence, or
11 heard domestic violence in the home, and children
12 that have witnessed any traumatic incident, whether
13 that's a serious motor vehicle crash, whether that
14 is an overdose of loved one, whether they've lived
15 or died.

16 So now we over the seven years have
17 taken all those and brought them to the juvenile
18 unit huddle.

19 Q. You said a plan is created for that
20 juvenile. What types, does that include services?
21 What's included in that plan?

22 A. Well, currently now fortunately we
23 have a social worker that works at the police
24 department, but the initial plan can range anywhere
25 from making contact to the school and informing them

1 and asking for their assistance, because there are
2 some great services in the school that often we
3 found they are not informed of the issues that we
4 are facing, sharing that information with the
5 school.

6 So the action plan will consist of
7 sharing information with the professional school
8 staff. The school resource officer becomes their
9 mentor, even simply looking for them in the hallway
10 and asking how they are doing all the way out
11 through our own professional counseling at no charge
12 in the community or through the children's system of
13 care and perform care available through New Jersey.
14 So it depends on obviously the level and their
15 involvement in the system.

16 Q. What about a juvenile who's arrested
17 or at least picked up by the police? Is there a
18 different plan for juvenile like that?

19 A. Yes, and that was our first, our
20 first program we launched centered around the
21 juvenile unit huddle. So imagine a child involved
22 in an assault. For us that child package would come
23 to the juvenile unit huddle, and considering what
24 the old system looked like for us, that would take
25 three months, at least in the County of Camden, to

1 move through the system to have any action taken
2 with that child, whether they go to a juvenile
3 conference committee or some other formal process,
4 we are more immediate than that. So the case goes
5 before the juvenile unit huddle, and then we
6 determine if they go to one of our diversionary
7 programs.

8 Our diversionary program is six
9 weeks. It's called GT Focus taught by two social
10 workers, and parents are required to come to two.
11 The parents are separated from the child and then
12 obviously they learn different life skills about
13 making decisions and controlling feelings,
14 understanding brain development.

15 Then the parents meet with another
16 social worker and they learn about parenting skills,
17 and often what happens is even the first two
18 sessions they are only required to come to. But
19 what we find amazing is third and forth session
20 parents came in and they're like well, I might as
21 well stay, I'm here.

22 They come in very angry in the first
23 two sessions, but they realize that often they just
24 need parental help and guidance in trying to deal
25 with the situation of their child.

1 Q. In those programs are they only for
2 station house arrest or a juvenile with a more
3 serious crime, would they be eligible?

4 A. Generally the station house
5 adjustment is how we predominantly do those in the
6 GT Focus program.

7 Q. If they, if the juvenile successfully
8 completes GT Focus program, what happens, are the
9 charges dismissed, or how does that work?

10 A. With the station house adjustment
11 program, typically in most agencies I believe this
12 he get a one-year rule they call it, almost you
13 could say it's a form of probation where it wouldn't
14 appear on their record. So we treat that the same,
15 the station house adjustment, the condition is they
16 come to the GT Focus program, and then that is a
17 condition of the station house adjustment. If they
18 do not perform that and we get tremendous compliance
19 with both the parents and the children coming to the
20 GT Focus program.

21 Q. Has this program, the overall Third
22 Gear Policing Program, has it been successful?

23 A. We believe very successful, yes.

24 Q. Is there a way you quantify it or
25 from your personal experience working in the

1 township that you can, you know, explain how you
2 view that to be successful?

3 A. One, certainly our juvenile
4 recidivism rates have declined dramatically. Our
5 overall crime in the community from 2010 to 2017,
6 our violent crime has cut in half. Our overall
7 crime had dropped about 34 percent in the community
8 of Gloucester Township.

9 We were a time in 2010, when I became
10 chief of police, virtually every crime category was
11 escalating rapidly. Robbery was up 80 percent.
12 Violent crime was up 62 percent. So we were in a
13 situation where something had to change.

14 When we launched our community -- we
15 launched a community policing platform, but our
16 community policing platform was not that we shake
17 hands with kids and ride bicycles in. I'm not
18 saying that's not important. It is, but we focused
19 our -- to address social disorder, to address crime,
20 and that's what the purpose of the juvenile unit
21 huddle is, addressing social disorder, and the
22 social disorder was causing the criminal acts and
23 the runaway and truancy and everything that's going
24 wrong with some of the youth that we hear today.

25 Q. Now obviously from what you've

1 described about Gloucester Township it's a different
2 type of place than some of the more larger cities in
3 New Jersey. The type of program that you've just
4 described to us today, would that program also work
5 in, you know, the Trentons, the Newarks, the
6 Atlantic Cities, the Camdens?

7 A. Yes. I think that often we hear to
8 sit and discuss the action plan involving youth and
9 families, and some of the key words I even heard
10 today, for example, runaway was something, one of
11 the other panelists mentioned, so what we do in
12 Gloucester Township, and we began in 2012, every
13 single child that runs away is interviewed by a
14 police officer, and when I say interviewed, I mean a
15 three-page detailed questionnaire about what
16 specifically happened with them while they were
17 gone, all the way down to do they have sex in
18 exchange for money or food, looking for a human
19 trafficking aspect, looking for have you ever seen
20 your parents physically hurt one another.

21 It's amazing the trauma that a
22 15-year-old will report to an officer after they've
23 run away about what happened in their life eight
24 years earlier, so we have found that to be, we call
25 it the Runaway Return Risk Assessment Tool. It was

1 created by us at Gloucester Township, and the amount
2 of information that's gleaned from that, because
3 kids are willing to talk about it on a one-on-one
4 setting with the officer, that could work in any
5 department, and it has. We've spread that risk tool
6 across even to Canada right now.

7 Q. What about funding? Obviously
8 certain towns and townships in the state probably
9 have more funding for their police department and
10 for their, I guess, community resources than others.
11 How is your program funded in Gloucester Township?

12 A. Predominantly our township operating
13 budget. The social worker, which we just acquired
14 full time, in the past that was generally part time,
15 but that piece of the social worker's salary is
16 partially funded by our school district. We have an
17 agreement for our school resource officers, and they
18 partial fund the social worker, because it benefits
19 not just the safety of the school but the
20 educational achievement of children. If they are
21 not functioning outside, they are not going to
22 function in the school. We have a great
23 relationship in that respect.

24 Q. Can you give us maybe a brief success
25 story of a juvenile that was in, I guess, what your

1 department encountered and went through your program
2 and came out successfully the other side?

3 A. Certainly doesn't have -- could have
4 the gang aspect that you see. Any of these children
5 are vulnerable for that population.

6 We think of a boy named Hank. That
7 is his first name. 15 years old, runaway. Comes
8 back only a day -- when I say runaway, we may have
9 an occasional runaway that's gone for a month, two
10 months, three months, but generally day or two. Was
11 suspended from school for an infraction, was afraid
12 to go home, runs away for a night, comes back.

13 Officer sits across from him, begins
14 to interview him, and he discloses that his father
15 is abusive towards his mother and that he was
16 sexually assaulted by a babysitter prior. That
17 obviously results in another investigation, a whole
18 different course of action.

19 That goes to the juvenile unit huddle
20 in addition to of course immediate notifications.
21 We now connect to the school guidance department to
22 monitor him, keep on eye on him, just FYI. The
23 school resource officer keeps an eye on him in
24 school, becomes his mentor.

25 In addition to the criminal

1 investigation we have professional counseling. A
2 child that would have felt abandoned and was afraid
3 to go home results in really a wide net of resources
4 that we hope will change the course of that child's
5 life.

6 MS. CIALINO: Thank you, Chief.

7 EXAMINATION OF MR. FOGG BY MS. CIALINO:

8 Q. Mr. Fogg, if you could give us a
9 little introduction about yourself. Where do you
10 work?

11 A. Good afternoon. I work for the Youth
12 Advocate Programs.

13 Q. What is Youth Advocate Programs?

14 A. Youth Advocate Programs, we focus
15 exclusively on creating, building commune capacity
16 to serve as alternatives to institutional placements
17 for children and their families. We focus on the
18 most, the families that are most at risk of out of
19 home placements and institutional settings such as
20 youth prisons, residential facilities and any
21 alternative placement outside of the communities.

22 Currently we are a national
23 organization, nationally recognized, and we,
24 annually we serve about over 18,000 youth in 22
25 states and D.C.

1 Q. How long have you been with Youth
2 Advocate Programs?

3 A. I've been with Youth Advocate
4 Programs 22 years.

5 Q. What's your current role there?

6 A. I'm the regional director of
7 operations for Northern and Metro New Jersey and the
8 State of Delaware.

9 Q. If you know, how many juveniles does
10 Youth Advocate Programs serve in New Jersey?

11 A. Annually between 800 and a thousand
12 families.

13 Q. Chief Earle talked about his
14 programs, which seem to address more the front end
15 of the issue of juvenile violence, and I know Youth
16 Advocate Programs has a variety of programs out
17 there to help juveniles, and some are
18 front-end-prevention-based programs, but today I
19 want to specifically talk about some of the more,
20 the programs that address the more violent juveniles
21 that we heard about today, earlier today.

22 One of the programs I'm aware of is
23 called the Community Reintegration Services, also
24 referred to as CRIS. Can you tell me a little bit
25 about how CRIS works?

1 A. Sure. CRIS was initially developed
2 back in around 2005 or so around the time the JDAI
3 was coming into New Jersey in Camden County, and the
4 goal was to develop a program that would help
5 decrease the overcrowding detention population in
6 the Camden County Detention Center. The YAP model,
7 we are a strength-based wraparound model, so our
8 ultimate goal is to, and at the time we had kids
9 that were in detention who were awaiting disposition
10 options, and they were lingering for months at a
11 time. The idea was to try to expedite their court
12 process and come to a disposition, whether it be,
13 whatever the judge determined, whether it would be
14 out of home placement or community-based option.

15 At the time there were a number of
16 different evaluations taking place, took some time
17 to give the kids disposition before the courts, so
18 we were charged with coming in, helping to develop a
19 community-based plan that was strength based and
20 would help maintain the youth in the community in
21 lieu of out-of-home placements.

22 We came in and started that process
23 in Camden in 2005. We are really successful in
24 developing plans to help maintain kids in the
25 community, connecting all of their supports and

1 resources, constant communication and connections
2 with the courts and individuals involved. And with
3 the success of that program, we were able to within
4 the next year expand to Essex County and Middlesex
5 County, and we currently operate that program now.

6 Q. The CRIS program is a disposition
7 option; is that correct?

8 A. Yes. That's the ultimate goal.
9 It's -- the criteria for the program is any kid
10 that's eligible, any youth that's eligible or
11 potentially at risk of out-of-home placement is
12 eligible for the program. A referral can be made
13 predisposition. The idea, the goal should be for
14 that youth to at some point remain in the community
15 with us, so if the kid is referred a disposition, we
16 are developing a plan with the ultimate goal of
17 having the community-based disposition option.

18 Q. What type of crimes are we talking
19 here that these juveniles who are eligible for the
20 program, what type of crimes are they facing?

21 A. They run the gamut, from simple
22 assaults in the community, delinquency, delinquency
23 issues, to some weapons possessions, and one of the
24 things that may limit the referrals initially is the
25 JDAI, who they determine needs to be placed in

1 detention and who can, who's eligible for
2 community-based alternative.

3 Once they go through the court
4 process, we are pretty much the last stop before the
5 kid is placed out of the home, so we have in the
6 case of community-based alternatives, we get the
7 higher-ended kids that would normally be placed in
8 residential placement.

9 Q. Would you receive juvenile gang
10 members in the CRIS program?

11 A. We have, yes, certainly.

12 Q. So how does it -- if a juvenile is
13 given CRIS as an out-of-detention alternative -- as
14 a non-detention alternative, how does it work? What
15 happens? What's the first step and where does it go
16 from there?

17 A. Once we get the referral, we reach
18 out to the family and to the youth. If the youth is
19 currently in detention, we'll have a staff person go
20 out and do an assessment of the youth in the
21 detention facility. We also have someone go out to
22 the home and do an assessment of the home. The
23 assessment in the facility is for the youth, who he
24 is what the charges are, what the goals are, and
25 what his vision is for his success in the community

1 and what he needs to help support him in the
2 community.

3 We also go to the family and speak to
4 the family to find out what they need to support
5 this youth in the community. Most of the time
6 there's a focus on the individual, on the child, but
7 not a lot of support given to the family to help
8 support that child. We look at both of those
9 assessments and come together with a comprehensive
10 plan that will address the needs of the youth in the
11 community and what that family needs to help support
12 that child in the community.

13 Q. And what type of needs are we
14 talking?

15 A. They range from educational support
16 to supports, meeting the conditions of probation,
17 mental health needs. They run the gamut. We have
18 the option to assist with employment, whether it be
19 the parent help them find employment, whatever their
20 needs are as a family. The youth is the identified
21 client, but we work with the entire family towards
22 success.

23 Q. This program, does it require a
24 family buy-in?

25 A. Yes. That's one of the key factors.

1 We have to have that. The plan is, although we have
2 to meet the requirements of the courts and probation
3 as a part of the referral process, the plan is
4 driven by the family. So once we identify what
5 their needs are, we ask them what their top three
6 priorities are, what they want to focus on as a
7 family, how they want to achieve that success, what
8 that path is, and we develop a plan with them. So
9 they completely buy into the process.

10 Q. Do you see issues or have you been
11 confronted with issues with that family buy-in?

12 A. There are times when, you know,
13 families are distrusting initially until we
14 establish a rapport. One of the things that kind of
15 helps us get us over that hurdle early on, we ask
16 them four basic questions when we go in. What do
17 you need? How can we help? How do we work together
18 as equal partners, and how do we give back to the
19 community?

20 The idea is that someone is coming in
21 and asking them what they need and how we can help
22 them and how they want to guide this process. It
23 eliminates a lot of barriers, and a lot of the
24 families that we work with in certain environments
25 are very familiar with us and are comfortable in

1 that regard. So our reputation precedes our
2 relationship with families.

3 Q. You said this program was in, I
4 believe, Essex, Middlesex and Camden Counties
5 currently?

6 A. Yes.

7 Q. How many juveniles does the program
8 serve?

9 A. Annually?

10 Q. Sure, yeah.

11 A. Annually we probably serve about
12 anywhere between 150 to 175 youth and families.

13 Q. Across the three counties?

14 A. Across the three counties.

15 Q. Has this program been a successful
16 alternative to detention?

17 A. It has been. The judges in the three
18 different counties of youth rely on this program
19 pretty consistently.

20 Q. Have you seen recidivism rates for
21 the juveniles who have successfully completed the
22 CRIS program, have you seen those rates fall?

23 A. They have. So for the completion
24 rate, I mean Essex County, the completion rates, we
25 have 79 percent of the kids that are referred to us

1 in Essex County who complete the program
2 successfully. And their engagement could be
3 anywhere from six months to a year. Middlesex
4 County is 73 percent success rate and Camden County
5 is 85 percent success rate.

6 Q. And that success rate, what do you
7 mean by that?

8 A. That means they successfully
9 completed the program without any adjudications and
10 have met the goals that have been identified by the
11 service plan. On average, that program has about a
12 76 percent success rate six months post-discharge of
13 no new offenses.

14 Q. A juvenile that doesn't successfully
15 complete that program, are they back -- do they go
16 back before the court? Do they automatically go
17 into the detention center?

18 A. It depends on the youth, what
19 opportunities they might have had prior to the
20 referral, but unless they've created -- committed a
21 new offense, you know, the court may review the
22 case. We may actually get another referral,
23 depending on how they initially violated the
24 program. It varies, depending upon the severity of
25 the offenses, what the prior experience has been,

1 whether or not they have attachment with a new
2 charge versus a technical violation.

3 Q. Another program I want to briefly
4 touch on that Youth Advocate Programs offers is the
5 reentry program. What's the reentry program?

6 A. We have a couple different reentry
7 programs across the state, and the goal is for
8 youth, we have one contract with the Juvenile
9 Justice Commission where it's the north and southern
10 regional reentry partnerships, and the goal is to
11 help facilitate successful reentry for kids that are
12 returning from commitment status, from Jamesburg,
13 the juvenile medium security facility, back into the
14 local communities.

15 We also have another reentry program
16 in Middlesex County that's open to committed youth
17 as well as youth who are on probation status and
18 might be placed in the juvenile justice residential
19 placement or a detention-based commitment.

20 Q. How do these reentry programs work?

21 A. Initially we felt the ideal process
22 is we get a referral early on, prior to the kid's
23 release and return to the community. So ideally
24 anywhere from 60 to 90 days prior to their release.
25 We have our staff go into the community, establish a

1 connection with the youth -- I'm sorry, go into the
2 facility, establish a connection with the youth,
3 help develop a plan that they think is going to help
4 them be successful when they return to the
5 community.

6 In addition, we reach out to the
7 family. If there's family that's identified that
8 they are going to be returning to, reach out to
9 those family members as well, identify what they
10 need in terms of support. Oftentimes for our youth
11 that are involved in the training school for boys or
12 juvenile minimum security facility, they are older.
13 They're young adults. So they might have left as
14 teenagers but are returning as young adults, so we
15 are now looking at a successful reunification with
16 existing family members. We are trying to assist
17 them in finding housing and employment options.

18 We are also working with them on
19 conflict resolution issues. That's key, especially
20 for some of our kids who have been involved, which a
21 lot of them are, involved in some of the gang
22 issues. Try to help them successfully navigate
23 conflict peacefully and as they reenter the
24 community.

25 Q. I know one of the components of that

1 program and I think also the CRIS program is a
2 supported work program. How does that work?

3 A. Right. So many of our youth who had
4 system involvement, it's a challenge for them to
5 find employment. So we reach out to our community,
6 the larger community in which they live, and develop
7 relationships with business owners and employers,
8 and we ask that they go and we, you know, are very
9 up front about the youth we are working with and ask
10 that they gave the youth an opportunity to show
11 himself, show his ability in that environment that
12 they support him and give him the same probationary
13 period they would any other employee to see if it
14 works out.

15 We will pay their salary for a period
16 of anywhere from six months -- I'm sorry, from 60
17 days to 90 days, and at the end of that period we
18 ask that they review their performance and consider
19 hiring them on permanently. Oftentimes, you know,
20 there's a mentoring relationship that's developed
21 with the employers and the youth, and even the mom
22 and pop type businesses that don't have the
23 financial resources, they're really hiring a new
24 staff member, they'll take them on anyway because
25 they are invested in them.

1 But what we do while we are going
2 through that supportive work process is we help them
3 to develop a resume that we shop while they are
4 actively working, so their resume lists they are
5 currently employed at Pop's Bicycle Shop, and we try
6 to connect them with employers who -- where they
7 might have an interest in developing a career. So
8 if someone is interested in law, we'll try to connect
9 them with a law office or paralegal, and they'll
10 shadow that person, and we'll pay their salary for
11 that experience, or someone interested in the
12 medical field, we'll try to connect them with that
13 field, or someone's into cars, we'll connect them
14 with an auto shop, so they can kind of explore those
15 interests and kind of target them in an area or
16 career that they can latch onto and invest in.

17 Q. As far as, I don't know if you have
18 any rates or statistics for this reentry program,
19 but has it been successful?

20 A. Yes, very much so. The Juvenile
21 Justice Commission is working on a report that will
22 highlight the outcomes for that initiative, but for
23 our Middlesex reentry program, that program has a
24 success rate of about 82 percent for kids who are
25 referred to that program and successfully complete

1 the program without any new adjudications or
2 violations.

3 And at least -- and I can talk about
4 some of the experience, so at least 80 percent of
5 the youth who were referred for the regional reentry
6 partnerships have employment. So they've all come
7 out and had some sort of work experience. The
8 Middlesex County reentry program does not have the
9 supportive work component, but we are able to
10 connect with other resources to -- and we have a YAP
11 work component where we actually give them, it's a
12 workforce development program that we added to that
13 program, so although we can't provide supportive
14 work, we can teach them about the world of work,
15 what to expect and how to prepare and make
16 connections to employers that serve as mentors as
17 well in the community.

18 Q. Both the reentry program and the CRIS
19 program, have you seen instances when they have
20 worked successfully for known juvenile gang members?

21 A. Certainly. We have, and there's a
22 high, you know, number of our youth that are somehow
23 connected with or involved with gangs. We have one
24 youth who was involved with our CRIS program, and we
25 developed, due to a lack of resources in the

1 community, we developed a pathways group. It was a
2 group that we established for our gang-involved
3 teens.

4 Ideally -- initially it was for the
5 kids involved in the CRIS program. We realized
6 there was nothing in the community for the kids at
7 all, so we opened it up to the kids in the
8 community.

9 There was a young man who was a
10 leader of the baby MS-13s in that area. He was part
11 of the CRIS program. So although he was leader for
12 his gang, they fall under MS-13, so he had to get
13 permission from his leadership to participate in the
14 group, which he did. And his leader, his leadership
15 said look, only way you can participate is if you
16 get ten of your homies to go to the group with you,
17 which he did.

18 He was able to recruit ten additional
19 gang members of the MS-13 to become part of the
20 group, where we talked about the gang issues and
21 wanted to expose them to other opportunities outside
22 of what they see in their current environment, so we
23 would do trips, and they were involved in the, it's
24 a conflict resolution curriculum called "Peaceful
25 Alternatives to Tough Situations" that teaches youth

1 how to resolve conflict, make better decisions.
2 It's a common behavioral approach to conflict
3 resolution, and as a result of his effort in that
4 program and that discussion and that discussion,
5 Hernan made a decision to walk away from the gang,
6 and understanding that there would be consequences
7 potentially from his gang as well as from rival gang
8 members.

9 And there was. One day he was coming
10 home from school and was on his porch, and there was
11 a rival gang that approached him and jumped him,
12 beat him up. He refused to retaliate, because he
13 knew that would only exacerbate the issue. It would
14 keep the beef going, so he faced that, didn't
15 retaliate, and just completely walked away. And,
16 you know, he engaged in the program, completed it
17 successfully, and he became a volunteer at the local
18 teen center and currently comes back in and does
19 groups for kids who are currently involved in the
20 gang program.

21 There was another youth who was
22 involved in CRIS that currently just recently spoke
23 at our 40th anniversary celebration who graduated
24 the CRIS program, went on to graduate college and
25 has now returned. He's pursuing a graduate degree

1 in philosophy and is an advocate for our program
2 right now. I think he's attending Rutgers right
3 now, but he was one of our former CRIS-involved
4 youth.

5 MS. CIALINO: I thank you both for
6 your testimony. I don't have any further questions,
7 but Commissioners?

8 MR. SCANCARELLA: Just briefly for
9 the Chief, perhaps a little quick geography lesson.
10 Gloucester Township is in Camden, right?

11 CHIEF EARLE: Yes, sir, Camden
12 County.

13 MR. SCANCARELLA: Gloucester City?

14 CHIEF EARLE: Is in Camden County as
15 well but we are a little further south down to where
16 the Atlantic City Expressway begins kind of is
17 Gloucester Township.

18 MR. SCANCARELLA: Do you find that
19 the success or the good things that you've told us
20 about in your town spill over to help out
21 surrounding areas, and vice versa, conversely, the
22 not so good things that might be happening in other
23 parts of the county affecting you in any way?

24 CHIEF EARLE: Yes to both. Certainly
25 I think the work we are doing, a lot of ours can't

1 be measured necessarily. The success, we saw a time
2 just four years ago where there was a volatile
3 relationship between police departments and
4 communities, and in some communities that still
5 exists, but the way that we've approached our work
6 and the way that officers interact, our whole focus
7 has been to take young people and have them be
8 successful Gloucester Township residents and respect
9 the police, but there's a reciprocal relationship
10 that the way that we've done things is that the
11 officers are learning about youth that they've never
12 learned before. It's part of a much larger program.

13 But they are learning about youth.
14 They are learning about cultures that they didn't
15 understand, so it's really about the officers
16 treating even members of the community differently,
17 and the payoff has just been huge.

18 Of course that respect we hope spills
19 over to when they interact with neighboring police
20 departments and in terms of when -- we do border
21 some communities where the gang violence is much
22 more significant, certainly than we have in
23 Gloucester Township and we do have to address that.
24 It's a little more difficult, because we are really
25 focused based on being a good Gloucester Township

1 resident. It's part of the process of making pride
2 in the young people.

3 MR. SCANCARELLA: Thank you. Very
4 interesting.

5 MR. BURZICHELLI: Good afternoon,
6 gentlemen. Chief, one of the common themes we heard
7 earlier is the frustration on the part of law
8 enforcement with the people in the Juvenile Justice
9 System with the inability to compel participation
10 from guardians and parents and lack of a family unit
11 that allows a cooperation among law enforcement in
12 the home.

13 You had mentioned, and correct me if
14 I am wrong, this notion of requiring parents to
15 attend. How are you able to require someone to
16 attend and participate? I'm curious about that.

17 CHIEF EARLE: We do it as part of the
18 station house adjustment. Occasionally we do get
19 parents that perhaps maybe do not come.

20 MR. BURZICHELLI: You can't compel
21 them to come. It's a strong suggestion?

22 CHIEF EARLE: It's really a strong
23 suggestion. In benefit to the child, the case
24 history of that family may dictate how we proceed.
25 So we may take a child, especially a first-time

1 offender, and we do a station house adjustment. We
2 want them to come out for our program. And then we
3 realize there's complete dysfunction in the home.
4 Parent is not going to come. We are going to still
5 try to take care of the child and continue with the
6 station house adjustment.

7 The option is well then we'll do a
8 formal petition, send them off to the formal system,
9 well then we are only hurting the child. We are
10 hoping to reach into the family, look for other
11 trusted adults, find someone else that can help with
12 the child. It's a strong suggestion. I like how
13 you worded that.

14 MR. BURZICHELLI: Give me a sense of
15 what's the volume, the size of your juvenile unit
16 huddle. Like how many people are involved in that,
17 clients, kids?

18 CHIEF EARLE: Probably about eight
19 personnel, including the social worker, juvenile
20 officers, the officers that work in the schools.
21 That's probably on a given day, could be as many as
22 12.

23 MR. BURZICHELLI: How many youth are
24 you servicing?

25 CHIEF EARLE: Probably in a given

1 week, almost 15.

2 MR. BURZICHELLI: You have 70,000
3 residents?

4 CHIEF EARLE: Yes.

5 MR. BURZICHELLI: What's the,
6 Gloucester Township, what's the median income in
7 that community?

8 CHIEF EARLE: The latest
9 approximately 75,000.

10 MR. BURZICHELLI: It's a fairly
11 middle class, upper middle class community.

12 CHIEF EARLE: Yes.

13 MR. BURZICHELLI: With a reasonably
14 strong tax base.

15 CHIEF EARLE: Right.

16 MR. BURZICHELLI: You are able to
17 muster dollars to address in a prophylactic way a
18 problem that you see other communities suffering
19 with. Is that a fair assessment?

20 CHIEF EARLE: It is. Our biggest
21 cost in dollars would be the personnel assigned to,
22 I mean, for our schools, we have eight full-time
23 officers, full-time police officers assigned to the
24 juvenile unit, but the majority of that cost is paid
25 for the by the school district, no the township.

1 MR. BURZICHELLI: Mr. Fogg, who pays
2 you?

3 MR. FOGG: We have a number of
4 contracts across the state, but for our reentry
5 program, that program is a step-down grant, I mean
6 it's a pass-through grant from federal dollars.
7 It's part of a second chance grant that's awarded by
8 the Juvenile Justice Commission. And the CRIS
9 program is funded by the Children's System of Care.

10 MR. BURZICHELLI: What's encouraging
11 is there seems in my eye, if we have a labor
12 intensive effort in the grass root to get involved
13 early enough, there's hope in identifying problems
14 and addressing the situations on a case-by-case
15 basis, because earlier we heard about mental health
16 issues and things like that, and, you know, New
17 Jersey's a state with probably 520 municipalities
18 and God knows how many school districts. How many?

19 MR. SCANCARELLA: 565.

20 MR. BURZICHELLI: 565, wow, so it's a
21 really vulcanized place, but there seems to be no
22 unified ability to share resources and hit pockets
23 where we have true and significant and prevalent
24 problems, whereas other communities are better
25 situated to jump in a bit earlier.

1 I'm just trying to hear from both of
2 you some type of identification in terms of what the
3 work across the board in the state in addressing
4 what is a dire situation. When I hear us losing
5 kids at 18 and 19 and generations, and kids
6 themselves are saying, you know, I'm out. I'm done,
7 and I know I'm going to die. It's tragic. We all
8 as a community should be embarrassed and panicked by
9 this type of failure on our part and frustration.
10 I'm just curious from both of you if you can give us
11 a sense of what works?

12 MR. FOGG: What Chief Earle is doing
13 in Gloucester Township is what works. Early
14 engagement and not just the pat on the wrist and the
15 go home and we'll see you, hope everything works
16 out, but once they have that initial contact,
17 identifying what all the issues are for the entire
18 family. Allocating those resources, utilizing the
19 community-based resources and connecting them to the
20 family to help support them. Otherwise, you will
21 see them back.

22 That is one the of the challenges in
23 the system is that kids in earlier contact, smaller
24 issues, especially if you are dealing with bigger
25 gang-related issues and violent issues, the kids

1 don't get the attention they need early on.

2 I'm part of a desert reform coalition
3 in New Jersey, and one of the challenges we've had
4 is being able to identify programs like Chief
5 Earle's and at what stages this contact takes place
6 to connect all these resources.

7 We have programs in Gloucester
8 County, but I've heard from Chief Earle he's not
9 connected with our program, which we are going to
10 fix once we leave here, but, you know, that is
11 exactly what's worked there, early identification
12 and the connection to the appropriate resources.
13 Ultimately you want to keep kids out of the systems
14 and invest in the community-based efforts, so I
15 would applaud and support any effort to develop and
16 replicate this program across the state, and as a
17 agency, a statewide provider, anything we can do to
18 provide that for kids that need additional support,
19 we are definitely coming to the table for that.
20 It's a comprehensive effort.

21 One of the things that's available,
22 there's an opportunity for funding through the
23 Statewide Service Commissions but it's very minimal
24 funding. There's \$8 million allocated across 21
25 counties to develop community-based alternatives for

1 youth incarceration and commitments, but we spend a
2 lot more money to incarcerate kids and keep them
3 confined in facilities. When you compare 64 million
4 to house kids in secure facilities versus 8 million
5 across 21 counties, you have to ask what our true
6 investment is in community.

7 The goal is to, there's a resolution
8 on our table to try to close Jamesburg, and there
9 will be some savings from that closing. The goal is
10 to help to capture those dollars and reinvest in
11 communities and give the community capacity to
12 resolve their own issues. Supporting programs like
13 Chief Earle's and other community-based entities
14 that catch kids early before they engage in the
15 system.

16 Particularly around the gang
17 involvement, we see a lot of kids, there's a
18 neighborhood-based gang connection, but once they
19 make that first contact with the system and they go
20 into a facility, they are broadening that connection
21 and that network, so there's a higher likelihood of
22 being involved in gang activity once they've been in
23 the system than if they don't go through those doors
24 in the first place.

25 Anything to prevent that initial

1 contact also diminishes the level of involvement
2 kids have in gangs and how that expands.

3 MR. BURZICHELLI: Thank you both.

4 COMMISSIONER IANNACONE: I don't have
5 any questions, but I want to take the time to thank
6 you both for the work you are doing every day. It
7 sounds like your programs are doing something to
8 address what is a series problem with juveniles. I
9 hope your programs continue to grow and spread so
10 that we can start to put a dent in this very serious
11 problem.

12 MR. FOGG: Thank you.

13 CHIEF EARLE: Thank you.

14 EXECUTIVE DIRECTOR: Thank you
15 gentlemen.

16 In closing, let me just say that, as
17 we stated at the outset, this hearing is a
18 beginning, it's not an end. It's a first step in
19 the SCI's broader investigation of these difficult
20 matters.

21 Our final report will take into
22 account all of the facts and all of the input, all
23 the recommendations from everyone at every level who
24 must grapple with these problems on a daily basis,
25 and I mean law enforcement, the judicial, the

1 juvenile system and the community at large.

2 I'd like to thank all the witnesses
3 who participated here, for their time and their
4 valuable incites and thanks to the SCI's
5 professional staff for the hard work that's gone
6 into this effort.

7 Commissioners, anything else?

8 MR. SCANCARELLA: I'd like to thank
9 everybody for coming. Thank you for your
10 participation, and thanks to the staff for their
11 hard work. It's been very interesting and
12 enlightening, and I'm sure it will come to fruition
13 down the line.

14 MR. BURZICHELLI: The staff did a
15 remarkable job and the panels were eye opening and
16 honest and compelling and heart felt and, you know,
17 we need to hear what's going on in the trenches. We
18 need to hear what the people face every day, are
19 challenged with, you know. I think, you know, we
20 have -- we are at a tipping point, and when we lose
21 a generation of kids, it's a commentary on us as a
22 society, and we are failing. We can't assess blame.
23 These are juveniles. They are young. They are in
24 the formative stages, but they are acting like
25 adults, and carrying adult weapons and terrorizing

1 our communities.

2 It's a complex problem that requires
3 a true commitment from the state and like anything
4 in the state, it costs a lot of money and it's a
5 reprioritizing of how we do our budget. So
6 hopefully at the end of the day we can provide
7 insight and guidance to our legislature and our
8 governor to allow them to navigate a very, very
9 serious institutionalized problem that really has to
10 be corrected.

11 EXECUTIVE DIRECTOR: Thank you. This
12 hearing --

13 COMMISSIONER IANNACONE: One more
14 thing. I wanted to thank all the law enforcement
15 people that gave testimony here today. As I
16 listened to some of it, it's really difficult to
17 listen to when you talk about different things with
18 eight-year-olds and 14-year-olds and 11-year-olds
19 just starting out into middle school. I think of
20 them as babies, and some of it was difficult to
21 listen to, to hear this happening among them, so I
22 can't imagine what it was like, it is like for all
23 of you who deal with it on a regular basis every
24 day. So thank you and I think we should all be
25 thankful that we have people like you that do that

1 every day. Thank you.

2 EXECUTIVE DIRECTOR: Thank you, this
3 hearing stands adjourned.

4 (Whereupon the proceedings were
5 concluded at 1:43 p.m.)

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C E R T I F I C A T E

I, DONNA BRUNCK, a Certified Court Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S.41:2-2, do hereby certify that the foregoing is a true and accurate transcript of the testimony that was taken stenographically by and before me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties or attorneys to this action, and that I am not financially interested in the action.

I DO FURTHER CERTIFY that the within transcript format complies with Rule NJ ADC 13:43-5.9.



Donna Brunck, CCR

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A			
A.M 1:4	accountable	98:1 134:24	addressing
abandoned	128:22	184:22	11:5 48:20
130:24 160:2	129:12	actors 137:8	156:21
abate 141:25	accounts 35:9	acts 26:22	181:14 182:3
abatement	accurate 24:21	60:2,6 64:6	adds 48:19
132:12	189:6	64:7 73:18	adequately
abbreviation	accurately	74:6 79:16	38:4,16
26:2	24:15	80:11,15	adjourned
ability 7:10	accustomed	82:5 119:22	188:3
42:21 43:7	16:25	139:11	adjudicated
43:12,14	achieve 166:7	156:22	82:11
125:8,22	achievement	actual 42:14	adjudications
171:11	158:20	55:25 84:17	37:20,21
181:22	acquire 61:25	86:24 121:2	168:9 173:1
able 21:22	acquired	ADC 189:15	adjunct 6:18
22:7 43:4,17	158:13	add 93:17	adjustment
65:12 75:24	acquires 62:1	101:8 126:13	155:5,10,15
79:5 89:1	acquiring	140:25	155:17
134:9 143:15	61:10	added 173:12	178:18 179:1
144:1,2	acquisition	addicted	179:6
163:3 173:9	17:22	119:13	adjustments
174:18	act 25:5 58:17	addictions	103:14
178:15	acting 81:3	119:13	administer
180:16 183:4	130:20	addition 26:8	189:4
absolutely	186:24	29:1 83:17	administra...
14:5 21:13	action 8:16	146:6 159:20	11:22 132:5
22:12 23:21	77:17 91:3	159:25 170:6	132:7
32:1 46:25	151:11,11	additional	admitted 78:24
99:11 118:4	152:5 153:6	34:19 174:18	113:15
abused 7:4	154:1 157:8	183:18	adolescent 8:2
abusive 6:15	159:18	Additionally	adult 7:13
159:15	189:12,13	53:2	31:18 32:24
academy 52:12	actions 82:23	address 9:9	33:3 34:15
132:18,24	90:23 91:1	10:24 12:25	38:25 56:20
acceptable	108:24	34:4,7 40:13	70:14 80:18
91:1 95:3	active 92:6	41:20 99:5,9	109:25
accepted 11:8	108:14	103:5 120:14	151:13,14
access 29:3	actively 96:1	143:10	186:25
45:15,17	172:4	150:15	adults 8:6
88:24 134:12	activity 8:4	156:19,19	34:13,22
143:2	8:18 11:5,11	161:14,20	38:18 68:13
accompanied	11:19 12:16	165:10	68:15 97:12
70:14	12:23 13:4,9	177:23	97:16 99:20
account 9:11	27:11 28:6	180:17 185:8	120:12
185:22	44:17 51:24	addressed 13:7	170:13,14
	74:2 94:7	13:9	179:11

186:25	39:5,10 42:5	182:18	anniversary
advantage 56:2	42:12,17	allow 62:14	175:23
advent 99:19	43:6 44:7,20	81:11 142:7	annually
advertised	45:19 48:1	187:8	160:24
67:15	57:5 87:19	allowed 82:24	161:11 167:9
advisor 52:3	ages 56:15	allowing 120:8	167:11
advocate 43:14	64:12 67:23	allows 134:8	answer 35:3
160:12,13,14	67:25 68:2	134:24	91:23 92:12
161:2,3,10	83:22 88:21	143:22	92:23 94:25
161:16 169:4	aggravated	178:11	149:22
176:1	74:7,11	altercation	answered 23:14
affect 150:11	aggressive	67:18 68:19	answering
affiliated	43:24 112:25	71:2	93:20
141:7	115:7 119:4	alternative	anti-crime
affiliation	127:18	131:23	12:10
89:3,10	ago 24:19 41:1	136:14	anti-social
affront 7:25	41:8 55:7	160:21 164:2	8:4
afraid 40:10	95:23 119:16	164:13,14	anxious 58:16
44:14 73:21	177:2	167:16	anybody 29:20
81:9 104:3,4	agree 18:10	alternatives	66:8 144:9
105:17	27:16 36:21	9:1 36:6,10	anymore 109:16
120:12 130:3	83:25 95:7	36:12,17,19	anyone's 28:25
130:24	105:19	36:22 37:9	anyway 171:24
159:11 160:2	125:10	160:16 164:6	apart 19:4
afternoon	agreement	174:25	apartment 75:2
79:24 114:25	158:17	183:25	75:3
160:11 178:5	agrees 24:13	amazing 154:19	apologize
age 40:7 47:7	ahold 40:8	157:21	64:11
56:21 64:16	aim 47:12	ammunition	appear 155:14
74:10,12,14	Air 50:23	5:16 58:25	appearances
76:18 78:15	AK-47 59:11	59:2,5,6,7	68:18
78:25 79:4	69:16	61:3,6,8,10	appeared 31:12
88:25 92:8	AK-47s 22:5	61:13 75:14	applaud 183:15
119:3 136:7	akin 21:4	75:15	applicable
136:25 144:1	alarming	amount 12:21	34:11
agencies 26:3	137:10	24:25 40:6	apply 33:23
43:11,14	alias 133:9	109:6 158:1	appreciate
155:11	aligned 53:24	amounts 19:11	46:17
agency 6:13	55:16	analysis 24:8	approach 37:10
99:15 183:17	alliance 54:19	angry 119:1	37:10 175:2
agenda 79:3	alliances	129:25 130:9	approached
agent 10:1,12	53:22 54:12	154:22	87:9 175:11
12:13 25:8	56:4	ankle 73:5	177:5
27:23 30:8	allocated	77:6,8 82:12	appropriate
31:24 33:18	183:24	82:16 135:23	183:12
33:25 34:5	Allocating	ANNEX 1:6	approximately

60:17 62:22	133:11	180:19	63:13 66:17
67:16 74:21	149:14,16	assessments	68:8,11,13
83:18 121:11	155:2	165:9	69:1,24 70:1
121:18,23	arrested 19:7	assigned 50:7	70:10,17,21
180:9	25:12 38:8	180:21,23	70:25 71:5
April 77:1	39:23,23	assignment	77:21 79:17
AR-14 93:9	74:7 82:10	50:17	79:19 83:6
AR-15 65:24	82:14 135:22	assist 100:11	83:14 86:19
74:15,25	149:4 153:16	101:19	99:5 101:17
75:21,22	arresting	165:18	103:2,3,4
78:7	100:6	170:16	104:19
AR-15s 22:6	arrests 5:7,10	assistance	105:22 157:6
archaic 96:11	24:2 25:4,17	77:25 105:25	176:16
arduous 19:24	30:12 107:13	153:1	atom 57:13
area 21:15	arrived 67:17	assistant	atoms 57:13
26:9 37:5	68:16,23	30:22 31:2	attached 42:15
75:17 109:14	75:7	assisting	137:25
115:7 121:22	arson 72:2	101:12	attaching
121:23	aside 55:11	associated	129:8
122:19	asked 47:19	14:20 34:24	attachment
123:14	91:4 122:16	38:20 68:13	169:1
132:12	131:23	141:5	attacks 58:18
172:15	asking 74:23	associates	attempt 61:24
174:10	100:2 153:1	1:15 18:16	101:18
areas 21:6,8,9	153:10	Association	attempted
21:12,14,20	166:21	12:1 51:3,20	71:12
21:23 34:11	aspect 157:19	51:22 52:4	attend 19:22
35:3 43:23	159:4	108:13 129:1	63:17 64:2
44:18 48:7,9	aspects 22:23	associations	178:15,16
53:2 99:8	34:7 42:3	12:2 95:12	attendance
117:3 122:14	assault 5:15	assume 123:6	105:8
128:8 134:21	60:25 65:24	astounding	attended 52:12
176:21	74:7,11,11	95:4	71:9
arena 6:16	93:9 153:22	astronomical	attending
argument 23:8	assaulted	89:7	176:2
80:21	151:2 159:16	at-risk 150:5	attention 13:1
armor-pier...	assaults 138:1	Atlantic 21:15	14:6,15 25:6
22:8	147:18	21:16 50:6,7	29:12 42:13
arms 22:5 57:8	163:22	50:14 52:22	75:19 103:20
arrest 24:25	Assembly 5:16	53:7,16,24	183:1
25:2,3,24	assess 125:8	54:9,14,15	attorney 31:3
26:4 32:19	186:22	54:23 55:8	189:11
35:12,14	assessment	55:12,13,14	Attorney's
36:3 37:16	125:15	55:21,22,24	31:4
94:9 95:16	157:25	60:3,16	attorneys
99:17 131:25	164:20,22,23	61:19 63:1,4	189:12

attributable 53:8 109:6	37:22 43:20 55:24 77:15	bail 7:4 99:19	150:25
attribute 62:13 82:19 82:20 83:23 135:19	88:12 92:11 92:19 96:12 97:18 98:18 100:15	band 101:1	151:18 152:6
August 68:11	102:19 107:5	bargains 93:4	157:12
authority 95:5	117:25	barriers 166:23	beginning 185:18
authorized 189:4	123:23	bars 13:9	begins 159:13
auto 172:14	124:14 132:4	base 114:8,14 134:9,15,23	176:16
automatic 96:18	136:2,4	180:14	behalf 40:21
automatically 168:16	137:7,12	based 18:6 20:17 21:19	47:1
available 134:24	138:5,20	24:8,8 31:19	behavior 82:25
153:13	139:13 142:2	53:18 55:1	119:4 128:19
183:21	142:3,9,10	65:5 96:11	137:11
Avenue 108:3	144:10	97:14 112:11	138:19
122:21,25	146:14	124:3 143:12	150:10,11
average 18:9	148:12,16,25	162:19	behavioral 175:2
116:12	149:1,7,24	177:25	behaviors 120:7 143:24
121:10,12,21	159:8,12	basic 166:16	believe 78:12
168:11	162:2 166:18	basically 59:13 73:20	78:23 90:21
Avon 122:21,25	168:15,16	84:10 86:9	135:20
awaiting 36:14	169:13	87:22 90:16	155:11,23
162:9	175:18	108:23	167:4
awarded 181:7	182:21	109:12	believed 75:12
aware 43:25	backdrop 7:1	115:10	bell 130:15
77:4 80:16	background 10:19 12:14	129:18	belongs 104:18
98:21 161:22	30:19 31:20	basis 9:13 12:24 99:10	benefit 39:1
awareness 103:9 132:22	49:24 50:4	181:15	141:13
132:23	51:11 52:9	185:24	178:23
	63:3 106:24	187:23	benefits 158:18
	107:20	Beach 96:2	best 28:25
	120:22	bear 12:20	98:21 99:14
	131:20	beat 175:12	99:14 101:21
	145:25	becoming 19:18 19:19 37:9	102:19 123:2
B	backing 95:5	117:23 146:5	bet 129:8
B 2:1 5:2	backpack 75:11 75:16	bedroom 75:9	better 92:4
babies 187:20	backtrack 129:15	beef 116:3 140:9,11,11	93:13 95:17
baby 174:10	bad 95:22	140:12	95:18 102:16
babysitter 159:16	148:19	175:14	102:25
babysitting 104:25	badge 97:2,6	beefs 140:10	141:18 175:1
back 25:6 30:7	bag 78:10	began 10:20 21:20 146:1	181:24
35:14,21	bags 59:3,7		Bicycle 172:5
			bicycles 156:17
			bidding 8:7

big 19:3 108:7 111:3 113:25 117:11,11,14 119:19	body 40:24 88:10	176:8	52:15 146:4
bigger 116:7 122:5 134:9 134:16,25 135:4 142:25 182:24	bond 20:21 21:1 123:19	bring 13:1 14:5 46:20 58:11 102:16 119:9 129:5 143:23 144:4 144:5	bureaus 146:8
biggest 90:25 104:24 113:21 114:2 122:22,23 128:20 129:10 180:20	bonds 20:12	bringing 12:20 40:6 64:4 74:16 93:6 119:6	burglaries 61:20
bill 117:14	book 95:9	brings 81:5 102:9	burglary 80:19
billboards 8:4	books 127:21	broad 70:22 114:19,24 115:21	Burzichelli 2:5 6:8 42:11,18 44:6 45:12 46:7 47:16 97:9,23 98:24 100:9 101:16 103:1 103:23 107:7 124:23 125:3 125:12,17 141:15 143:7 144:12 178:5 178:20 179:14,23 180:2,5,10 180:13,16 181:1,10,20 185:3 186:14
birthday 67:5	boost 96:14	broaden 34:9	bus 69:25 130:22
bit 23:24 30:18 33:16 54:11 63:3 93:23 95:1 130:10 145:24 146:18 148:4 161:24 181:25	border 177:20	broadening 184:20	business 15:11 18:1 149:7 171:7
blame 186:22	borders 99:6,7	broader 6:14 185:19	businesses 171:22
blank 87:20	bottle 96:16	broken 7:4	buy 59:6 166:9
blanket 37:10	bottom 29:24 75:23	brother 149:3 149:3	buy-in 165:24 166:11
bleak 94:21	box 75:16,23	brought 13:10 74:13 75:8 76:25 103:18 130:22,22 152:17	buying 59:5
bleeds 81:2	boy 70:21,24 116:13 150:9 159:6	brother 149:3 149:3	bystanders 66:23
blood 58:10	boys 10:22 122:20,21 123:1 170:11	brother 149:3 149:3	
bloods 7:15 13:12 14:10 15:20,21 16:19,20 19:3,5 47:22 47:24 57:2 58:9 109:11 109:22 127:8	bracelet 73:5 73:9 77:6,8 82:16 90:10 90:12,14 113:9 135:23 136:17,19	brother 149:3 149:3	C
blue 96:9	bracelets 73:6	brother 149:3 149:3	C 2:2 189:1,1
board 62:14 99:19 182:3	bragging 22:15 88:12	brother 149:3 149:3	calculated 79:2
bodies 42:15	brain 154:14	brother 149:3 149:3	call 9:20 15:24 49:5 74:22,22 81:24 85:1
	brains 46:12	brother 149:3 149:3	
	brazen 6:24 62:4 79:21	brother 149:3 149:3	
	break 81:16 106:6	brother 149:3 149:3	
	breakdown 78:15 88:20 89:6 92:24 93:12 104:24 128:19	brother 149:3 149:3	
	breaking 125:24	brother 149:3 149:3	
	Bridge 146:13	brother 149:3 149:3	
	brief 106:7 158:24	brother 149:3 149:3	
	briefly 169:3	brother 149:3 149:3	
		brother 149:3 149:3	

94:1 109:13 116:6 118:17 126:2 129:14 131:7 133:9 150:18 155:12 157:24 called 105:18 122:20,21 130:19 146:13 150:17 154:9 161:23 174:24 callers 57:7 calling 57:17 84:20 88:8 145:1 calls 10:1 49:6 80:8 131:8 Camden 5:9 21:19 26:10 26:14 30:22 31:10 123:8 131:22 133:17 134:17 145:19 146:22,24 153:25 162:3 162:6,23 167:4 168:4 176:10,11,14 Camdens 157:6 Canada 158:6 cancer 21:22 81:3 capability 43:24 capable 58:20 61:4 98:9 capacities 132:10 capacity 61:11 146:4 160:15	184:11 caps 99:23 CAPT 4:15,17 133:15 135:6 captain 131:9 131:9,17,18 131:19,21 132:6,7,16 133:16 135:11 136:5 136:8 137:17 138:9,13,22 139:2,22,25 140:7,18,21 140:24,25 141:21 143:3 143:4,11 capture 184:10 captured 44:18 car 87:9,11 96:14 135:22 card 74:24 cards 129:8 care 39:19 48:5 102:24 102:25 113:12 143:6 153:13,13 179:5 181:9 career 10:20 50:16 51:13 52:11 146:1 146:15,15 147:12 149:12 172:7 172:16 careful 147:20 carefully 151:10 carjacking 117:10 carry 34:16 64:24 carrying 29:18 53:5 60:12 66:9,13	186:25 cars 79:22 172:13 case 13:15 31:13 36:15 50:11 71:19 77:8 85:18 86:1,14 87:14 92:1 94:14 104:1 104:8 114:22 126:14 150:9 151:25 154:4 164:6 168:22 178:23 case-by-case 181:14 cases 15:2 17:18 30:12 30:24 31:5,8 31:17 37:18 38:20,24 47:9 48:3 60:6 73:24 83:18 casket 88:14 cast 95:25 catch 8:9 39:20 47:6 92:8 184:14 category 156:10 caught 67:2,6 69:21 105:15 cause 18:9 66:7 82:20 caused 53:5 causing 66:6 156:22 CCR 1:10 189:19 Cedar 132:19 132:24 celebration 175:23 cell 23:4,5	118:17 130:19 center 1:17 26:1 51:2 57:14 99:9 102:9 108:2 108:12 124:7 132:17 133:1 133:18 135:9 142:14,15 143:16 152:9 162:6 168:17 175:18 center's 124:8 centered 153:20 centers 141:17 centuries 126:5 certain 59:6 111:16,16 117:21 121:19 122:14,18 126:11 158:8 166:24 certainly 62:17 147:14 150:11 156:3 159:3 164:11 173:21 176:24 177:22 certificate 107:18 certification 51:1 certified 1:16 51:19,20 189:3 certify 189:5 189:10,14 cetera 29:10 Chadd 9:20,23 chair 2:3 6:7 chaired 132:8
---	--	--	--

Chairman 106:5	check 127:14	165:6,8,12	126:4 157:2
challenge	128:2 133:10	178:23,25	157:6
91:22 171:4	151:13,15	179:5,9,12	citizen 116:15
challenged	checks 129:8	child's 59:22	citizens 61:21
186:19	chief 3:18,22	67:5 78:2	73:17,21
challenges	4:5,20 9:19	91:24 148:21	95:18
8:24 32:4,11	9:24 49:7,20	149:2,21	city 15:5
34:19 39:8,9	52:7,10,16	151:13 160:4	21:16,19
89:13,19,25	62:8,9 64:18	children 7:18	27:6 50:6,14
90:25 91:19	74:3,4 75:19	7:18,19 8:7	51:14 52:22
144:17	78:9 88:15	63:17 66:12	53:8,16,24
182:22 183:3	88:16 91:21	89:9 92:1	54:9,14,15
chambers 41:10	91:22,23	96:22,23	54:23 55:8,9
chance 139:16	93:14 94:25	101:13,24	55:12,13,14
181:7	95:11 98:11	102:5 119:21	55:21,22,24
chances 38:3	98:24 99:11	120:5,6,9,13	60:3,16
change 18:9	100:19 104:2	120:15	61:20 63:1,4
23:23 63:11	104:7,16	126:21 128:4	63:18 64:2,5
108:8 156:13	105:20 145:1	128:11,12	66:17 68:8
160:4	145:10,13,14	129:9 152:7	69:1,24 70:2
changes 62:11	145:16,22	152:8,9,11	70:10,17,21
103:12	146:5,6	155:19	70:25 71:5
changing 6:21	149:23	158:20 159:4	77:21 79:17
15:7	156:10 160:6	160:17	79:20 83:6
chaotic 8:8,19	161:13 176:9	children's	83:14 86:19
18:4	176:11,14,24	153:12 181:9	101:17 103:2
chaplains	178:6,17,22	chill 45:9	103:3,4,22
103:19	179:18,25	chime 23:10	105:22 108:5
characteri...	180:4,8,12	choice 45:20	108:6 112:3
5:6 14:20	180:15,20	Christopher	113:16
charge 11:3	182:12 183:4	3:10 49:12	114:23 115:3
57:16 62:16	183:8 184:13	49:18	115:7 120:9
77:19 78:5	185:13	Cialino 4:21	121:20 122:5
133:1 153:11	child 63:24	4:22 144:21	123:9 127:6
169:2	66:6,8 92:18	144:23,24	128:1,7
charged 26:15	93:6,8	145:7,11,13	146:23
96:1 136:7	104:10,22	160:6,7	176:13,16
162:18	105:15 144:6	176:5	City-based
charges 38:9	148:18	circuit 44:2	68:14
74:8 76:24	149:20 150:5	circumstances	civilians 12:7
137:13,18,24	150:7,23	48:14	95:10
138:20 155:9	151:1,3,6,11	circumvent	claim 113:4
164:24	151:21,23	44:2	claimed 53:1
chart 6:24	153:21,22	cited 38:6	clarification
27:3 57:9	154:2,11,25	cities 63:7	151:21
cheated 80:19	157:13 160:2	99:7 106:11	clarify 99:12

clash 122:23	63:21 65:11	45:23 59:23	103:1,23,24
class 180:11	collected 26:2	63:10,23	104:11
180:11	collectively	64:13 83:1	105:11 106:2
classified	105:3	91:12 94:10	107:7 120:19
123:4	college 97:4	135:16 136:3	124:23 125:3
classroom	175:24	138:11	128:10
139:4 148:17	come 21:11	139:13	130:25 143:1
classrooms	30:7 44:25	149:13	143:5 185:4
102:4	65:1 74:1	155:19 162:3	187:13
clear 14:3	80:3 81:8	162:18	commissioners
25:15 34:21	92:14,17,21	166:20 175:9	38:11 40:25
77:9 119:21	98:15 105:12	183:19 186:9	93:18 120:18
clearly 6:16	110:11 112:9	commander	140:3 176:7
100:24 141:5	116:6 127:21	51:18	186:7
client 165:21	129:9,20,20	commentary	commissions
clients 179:17	130:17,19	186:21	40:20 183:23
close 8:15	136:2 137:10	comments 32:10	commit 32:23
18:14 39:12	137:12	Commission 6:3	34:14,22
123:19	138:20	6:6,9 9:25	38:8,17,18
133:12 184:8	140:22 142:3	10:1,17 11:6	57:19 58:16
closed 42:25	142:17	11:9,10,18	64:7 136:2
108:3 124:8	144:10	12:23,25	commitment
closely 103:5	151:22	13:6,18,21	169:12,19
closing 184:9	153:22	14:5,17	187:3
185:16	154:10,18,22	16:16 23:24	commitments
clubs 101:8,9	155:16	26:19 27:3	184:1
coalition	162:12 165:9	30:21 32:7,9	committed
104:18 183:2	173:6 178:19	34:20 49:6	55:25 60:3
coalitions	178:21 179:2	131:8 144:25	71:22 73:19
104:17	179:4 186:12	169:9 172:21	74:6 76:15
Coast 12:1	comes 17:1,2	181:8	76:16 79:16
51:3,19 52:3	18:15 28:8	Commission's	133:23 136:6
108:13 129:1	32:25 33:10	14:16 32:2	139:11
cocaine 78:11	34:13 37:15	32:13	168:20
code 73:20,22	45:23 48:15	commissioner	169:16
coin 26:20	48:20 74:1	2:4,5 40:18	committee
collaborate	91:14 93:1	40:19 41:1	154:3
41:21	101:3 108:25	42:11,18	committing
collaboration	117:8 149:14	43:7 44:6,20	38:21 44:11
47:10 100:21	151:22,25	45:12 47:1	57:21 78:3
collaborative	159:7,12	47:16,17,18	78:19 82:5
41:23	175:18	47:19 48:2	82:21 84:3
colleague	comfortable	93:19 94:20	89:23 116:19
83:25	166:25	96:5 97:8,9	119:22
colleagues	coming 6:2	97:23 98:24	137:14
40:21 62:18	8:23 40:23	100:9 101:16	common 36:17

37:10 54:1 54:22 55:15 78:21 84:10 86:3 102:20 125:21 147:16 175:2 178:6 commonly 14:9 76:8 84:18 146:23 commune 114:3 160:15 communicate 54:5 84:13 111:5 118:16 communicating 111:8 communication 84:16 85:14 118:23 163:1 communities 7:11 9:16 42:1 44:24 45:9 49:2 114:3,7 120:11 125:19 126:8 160:21 169:14 177:4 177:4,21 180:18 181:24 184:11 187:1 community 9:15 30:10 42:3,4 46:2,18 52:17,17 59:14 62:19 63:9,20 64:20 66:4 73:15 78:1 91:25 92:15 92:17,23 95:18 97:4 104:19 113:20,21	133:13 136:23 142:3 142:9,13 143:12,23 149:19 150:4 150:11 153:12 156:5 156:7,14,15 156:16 158:10 161:23 162:20,25 163:14,22 164:25 165:2 165:5,11,12 166:19 169:23,25 170:5,24 171:5,6 173:17 174:1 174:6,8 177:16 180:7 180:11 182:8 184:6,11 186:1 community- ... 47:6 132:11 144:19 162:14,19 163:17 164:2 164:6 182:19 183:14,25 184:13 company 52:4 compare 184:3 compel 178:9 178:20 compelling 12:24 125:4 186:16 compete 116:4 competing 116:9 competition 115:25 122:17	Compilation 5:13 complete 168:1 168:15 172:25 179:3 completed 167:21 168:9 175:16 completely 166:9 175:15 completes 155:8 completion 167:23,24 complex 67:6 70:17 75:3 187:2 compliance 155:18 complicated 8:19 complies 189:15 component 173:9,11 components 170:25 comprehensive 9:10 165:9 183:20 comprised 56:13,23 concern 36:5 38:13 45:6 77:18 concerned 104:9,10 123:11 133:14 concerns 32:10 34:5 35:5,18 35:24 37:5 38:1 65:25 66:2 76:22 76:25 77:2 concluded	188:5 condition 155:15,17 conditions 36:16 165:16 conduct 49:3 151:7 conducted 60:11 conference 154:3 confined 184:3 confiscated 61:7 conflict 170:19,23 174:24 175:1 175:2 confront 49:1 confrontation 68:21 140:23 confrontat... 15:15 confronted 166:11 confronting 7:12 confused 146:23 conjunction 132:10 connect 143:14 159:21 172:6 172:8,12,13 173:10 183:6 connected 173:23 183:9 connecting 162:25 182:19 connection 109:21 134:16 170:1 170:2 183:12 184:18,20 connections
---	--	---	--

134:9 163:1 173:16 consequences 76:19 82:22 82:23 84:2,4 89:23 114:2 125:6 175:6 consider 37:17 146:9 171:18 considerable 8:25 considered 116:15 121:15 considering 153:23 consist 151:12 153:6 consistent 84:24 consistently 167:19 conspirator 137:9,19,21 constant 34:1 36:1 163:1 constantly 15:6 22:14 Consulting 52:5 contact 63:9 63:10,23 64:13 65:1 94:4 136:18 138:11 144:3 150:24 152:25 182:16,23 183:5 184:19 185:1 contacted 75:18 77:21 104:3 contain 29:8 contiguous 99:3	continue 32:23 106:9,12 120:16 134:10 179:5 185:9 continued 38:7 78:13 continuing 38:16 78:18 continuous 100:21 contraband 13:10 contract 169:8 contracts 181:4 contributing 87:18 88:19 135:20 control 114:10 119:5,11 126:20 controlling 120:11,15 154:13 convenient 55:20 conventional 8:15 24:12 conversation 9:8 87:2 104:22 144:18 149:6 conversations 40:9 142:1,7 conversely 176:21 convictions 34:17 cooperate 45:5 73:24 105:24 cooperating 45:2,10,11 86:10 cooperation 73:14,16	93:22,24 99:5 178:11 cooperative 94:8 104:6 cooperator 105:18 coordinated 103:12 cops 139:17,18 139:18 core 102:20 corner 115:18 121:14 CORPORATE 1:17 correct 11:11 11:12,16 13:5,6 25:18 25:21 26:11 26:24 27:14 31:22 35:1 37:3 42:16 44:16 53:16 54:9 56:23 57:23 62:6 64:15 65:3 65:13,18,19 72:24,25 79:12 80:12 91:15 111:22 145:22,23 163:7 178:13 corrected 187:10 correction 10:21 108:1 corrections 10:23 13:11 110:4 cost 180:21,24 costs 39:25 187:4 counsel 9:20 9:24 10:2 27:24 30:14 30:20 39:4 46:8 49:3	50:1 144:21 144:25 189:11 counseling 103:17,20 153:11 160:1 Counselor 93:21 120:21 131:6 counselors 101:10 count 88:10 123:3,24 133:19 141:3 141:8 counties 11:25 38:6 41:19 134:20 167:4 167:13,14,18 183:25 184:5 country 12:3 18:13,17 28:18 40:4,5 county 5:9 12:10 21:15 26:14 30:23 43:8,8 50:7 51:25 63:14 68:11 92:5 99:5 104:19 107:25 108:2 108:15 124:10 131:22 133:17 134:4 134:19 135:8 136:12 145:20 146:24,24 153:25 162:3 162:6 163:4 163:5 167:24 168:1,4,4 169:16 173:8 176:12,14,23 183:8
--	---	--	--

66:18 82:7 83:8 96:15 169:6 course 6:14 29:21,22 67:8 159:18 159:20 160:4 177:18 court 1:16 31:12,18,18 31:21 41:11 68:11,12 90:6,8,13 124:17 130:14 132:2 162:11 164:3 168:16,21 189:3 courthouse 68:17,20 courtroom 68:17 85:17 85:19 94:16 courts 11:23 11:24 162:17 163:2 166:2 cousin 112:7 crash 152:13 crazier 21:2 crazy 42:10 create 54:12 99:12 148:2 151:10 152:5 created 14:17 20:21 54:19 104:17 108:14 111:20 152:19 158:1 168:20 creates 21:2 creating 80:25 100:12 122:2 160:15 creative 9:8 credentials	11:19 credibility 91:12 credit 74:24 CREST 1:17 crime 8:11 24:12,20 56:1 57:18 60:15 63:6,7 63:18 77:4 85:21 126:1 137:21 148:3 150:12,13 155:3 156:5 156:6,7,10 156:12,19 crimes 32:23 34:14,16,23 38:8,17,18 38:21 44:12 44:15 50:18 53:10,15 57:21 60:11 62:3,13 71:21 74:12 76:14,16 77:4 78:3 82:21 84:3,4 89:24 90:1 90:17 116:19 133:23 136:2 136:6 137:15 163:18,20 criminal 6:11 6:15,22,23 6:25 8:7 24:10 27:11 33:11 34:23 43:15 50:9 50:12 51:4 53:12 74:2 79:2 94:6 110:13 134:11,25 149:16 156:22	159:25 criminality 7:7 criminally 43:17 criminals 100:6 141:18 criminology 97:6 Crip 58:10 96:2 Crips 7:15 14:10 16:19 16:20 47:22 57:2 58:9 109:11,22 CRIS 161:24,25 162:1 163:6 164:10,13 167:22 171:1 173:18,24 174:5,11 175:22,24 181:8 CRIS-involved 176:3 crisis 9:4 152:9 criteria 163:9 critical 124:11 143:25 criticized 91:6 cross 18:12 crossed 122:24 crosses 99:6 crossfire 67:2 67:7 69:21 crossing 67:2 crowd 71:16 crowded 66:21 crushing 91:11 culminate 9:10 culminated 52:16	cultural 90:25 95:3 126:3 culture 46:9 95:17 112:10 cultures 12:4 177:14 Cumberland 134:19 curfew 110:12 curious 97:10 99:2 178:16 182:10 current 24:23 33:23 34:7 44:18 161:5 174:22 currently 10:15 11:25 24:16,17,22 40:24 50:5 52:2 108:21 108:22 113:7 132:6 133:17 134:1 135:8 143:9 145:21 152:22 160:22 163:5 164:19 167:5 172:5 175:18 175:19,22 curriculum 174:24 curtail 19:4 custodial 60:8 103:25 custodian 93:25 94:2 custody 37:6 37:25 90:7 90:15 94:5 124:17 cut 77:8 90:12 142:8 156:6 cutting 90:13 cyber 23:16
--	--	--	--

D			
D 3:1	188:1	decrease 162:5	152:24 158:5
D.C 160:25	daylight 70:22	dedicated	158:9 159:1
dad 64:1	114:20,25	101:23,24	159:21
daily 9:13	115:22	deeper 20:22	department's
26:4 29:7	days 42:24	21:1,1	50:18
185:24	77:13 135:24	defensive	departmental
danger 14:4	146:11 149:1	132:18	103:13
46:18	169:24	defiance 77:9	departments
dangerous 14:2	171:17,17	defies 8:14	93:1 99:25
29:21,22	daytime 79:21	24:11	132:2 177:3
84:5 89:24	dead 29:24	defined 16:10	177:20
DARE 102:3	82:2 122:3	defining	depending
146:9 148:18	128:5	144:16	19:24 48:14
dark 7:22	deadly 8:2	definite 92:24	48:17 116:5
data 24:19,20	deal 9:13	93:12	168:23,24
24:21,23	15:22 117:14	definitely	depends 153:14
25:23,24	130:4 143:13	104:7 110:22	168:18
26:13 27:9	147:21	117:7 122:6	depicted 25:24
120:25 121:2	154:24	183:19	depression
124:10,16	187:23	degree 72:14	89:7
database 26:3	dealing 14:22	97:5 137:2	deputy 9:19,24
124:20 133:4	16:2 32:5	137:13	describe 29:14
133:8,10	57:11 74:23	175:25	35:23 62:15
date 67:12	89:14 95:15	Delaware 161:8	131:5 146:19
148:12 189:8	96:13 125:7	delinquency	147:9
dated 5:16	126:14,17	163:22,22	described 21:5
daughter	127:4 128:9	delinquent	33:18 79:9
102:17	148:20	82:11	157:1,4
daunting 8:24	182:24	delivered 43:2	description
day 16:4 28:12	Deals 93:3	75:1,4,25	5:4 148:7
49:2 57:16	dealt 126:15	demeanor 42:20	desensitized
57:16 68:14	death 40:3	demonize 91:2	118:2 128:11
81:9 92:11	88:13 114:20	demonized 91:4	desert 183:2
99:18 100:5	121:25 122:2	dent 185:10	despite 53:5
100:6 102:6	decades 6:17	departed 68:24	146:14
105:5 115:11	39:7	department	DET 4:10
115:14	deceased 122:1	5:11 10:23	106:22,25
117:25	127:25	13:11 27:7	107:9 109:8
127:20,20	decided 19:6	50:6,14 51:6	109:12 113:2
146:11	48:4	81:8 103:4	116:2,13
148:17,23	decision 175:5	103:11,17	117:7,18
159:8,10	decisions	108:23	122:6 123:12
175:9 179:21	154:13 175:1	145:19 146:2	125:2 128:18
185:6 186:18	decline 44:9	146:5 147:3	detailed 84:22
187:6,24	60:15 147:12	147:7 149:14	157:15
	declined 156:4	150:21	details 87:1

detain 36:2	deterred 38:5	137:1 140:6	106:8,13
detained 32:18	38:16	140:8 141:23	131:2 144:13
35:13	detriment 7:8	146:8 153:18	144:23 161:6
Detainee 5:18	develop 162:4	154:12 157:1	185:14
detective	162:18 166:8	159:18	187:11 188:2
50:13 51:15	170:3 171:6	162:16	disagreement
51:16 52:15	172:3 183:15	167:18 169:6	23:9
106:23 109:5	183:25	187:17	disasters
113:3 115:24	developed	differentiate	63:12
117:4 118:22	46:15 133:4	37:18	discipline
124:5,24	162:1 171:20	differently	147:22
132:15 135:7	173:25 174:1	15:8,19	discloses
detention	developing 9:1	39:14 177:16	159:14
31:14 32:18	20:14 150:6	differs 19:19	discovered
36:7,11,12	162:24	difficult	75:12 86:4
36:14,19,22	163:16 172:7	16:11 33:12	discovery 86:6
37:9,15 73:3	development	33:21 49:1	87:4
78:8 89:25	53:21 154:14	56:1 65:6,8	discuss 157:8
108:2,12	173:12	66:10 105:11	discussed
124:7,7	device 73:9	124:6 140:16	71:22
131:4,22,23	82:12 90:11	140:18	discussion
132:17 133:1	Dick 49:3	177:24	175:4,4
133:18 135:9	dictate 178:24	185:19	dismissal
136:14 137:5	dictates	187:16,20	115:14
141:16	120:11	difficultness	dismissed
142:14,15	die 8:10 182:7	48:19	155:9
143:16 144:1	died 152:15	diligently	disorder
162:5,6,9	differ 48:18	150:20	156:19,21,22
164:1,19,21	difference	dimensions	disorderly
167:16	97:11 109:17	6:12	78:19 103:15
168:17	130:10 150:6	diminished 7:1	dispatcher
detention-...	different 6:22	diminishes	52:12 146:3
169:19	7:17 11:24	185:1	display 8:5
deter 34:15	14:8 15:6	dinner 105:1,7	disposal 43:10
determination	17:17 20:13	dire 182:4	disposition
37:24 73:7	39:9 43:3	direct 14:14	31:14 32:21
determinat...	48:2,2 53:20	25:6 29:12	35:16 36:4
37:7,25	54:16 55:3	90:23	36:15 37:23
determine	57:3 78:21	directed 42:12	72:24 162:9
50:11 154:6	81:22 105:3	directly 75:3	162:12,17
163:25	108:6,19	103:7	163:6,15,17
determined	111:13,18	director 2:2	disrespect
162:13	117:17 121:9	6:1,3 9:19	21:3 87:23
determining	121:20	9:23 13:3	88:3
35:12,15	122:17 125:9	22:1 48:23	disrespecting
37:15	133:8 136:25	49:25 106:3	21:4 115:11

115:21	87:10	115:2,3,6,9	178:17,22
disruptive	doing 18:13,19	115:10,12	179:18,25
81:4	19:11 22:13	dropped 8:12	180:4,8,12
dissemination	28:10,19,24	156:7	180:15,20
133:13	39:11,12,13	drove 115:19	182:12 183:8
distinctly 8:4	39:16 42:9	115:19	185:13
distinguished	42:22 44:1	drug 17:12,16	Earle's 183:5
6:17	48:6 83:2	39:25 40:2	184:13
distinguishes	92:10,10	74:12 110:16	earlier 27:21
109:10	94:5 98:10	114:8,8,13	28:1 47:3
Distinguis...	99:16 104:4	119:13	54:4 61:25
5:5	108:24	drug-based	83:10 84:6
district 31:3	119:25 126:6	15:12 17:7	89:22 90:22
31:3 74:14	128:23 149:7	17:11	105:20
77:16,23	151:16	drug-fueled	141:15
100:14	153:10	7:24	157:24
101:21 103:4	176:25	drugs 17:8,24	161:21 178:7
124:15	182:12 185:6	28:23 59:2	181:15,25
158:16	185:7	78:10 114:4	182:23
180:25	dollars 6:15	114:16,17	early 46:12,20
District's	180:17,21	149:4,16	47:7 107:24
101:18	181:6 184:10	dry 107:17	115:14
districts	domestic 149:5	due 136:10	146:14
91:25 98:4,8	152:10,11	173:25	148:12
98:13 100:13	Donna 1:10	dues 19:22	166:15
102:5 181:18	3:11 49:8,12	duly 10:6	169:22
distrusting	49:20 189:3	49:13 106:17	181:13
166:13	189:19	131:13 145:4	182:13 183:1
disturbed	door 79:25	duties 6:11	183:11
97:25	80:20 96:20	dying 119:17	184:14
disturbing	149:15	120:24	ease 21:24
6:12 97:24	doors 42:25	dynamic 16:5	22:15 45:13
diversionary	184:23	17:17 42:23	easier 20:6,9
154:6,8	dot-com 117:22	125:9	45:25 46:4,5
division 30:25	doubt 141:6	dysfunction	58:24
31:11 51:13	downgrade	179:3	easily 22:9
docked 91:10	87:21		57:9
document	dramatically	E	east 12:1 51:3
122:11	156:4	E 2:1,1 3:1	51:19 52:3
138:25 139:2	draw 75:19	5:2 189:1,1	108:7,13
documented	drill 76:1	Earle 4:19,20	128:25
68:15 69:3	drive-by 96:1	145:1,4,10	Easter 67:8,12
69:23 70:12	driven 166:4	145:10,13,15	67:13
70:13,14	driver's 59:4	145:16	Eastern 107:22
71:4,11,15	driving 35:24	161:13	easy 22:10
83:18 87:1	41:15 79:23	176:11,14,24	45:22 46:6

58:21	131:24 136:9	ends 35:7	entering 60:10
economies	136:11,16	enemies 16:21	85:17
99:23	element 78:2	enforce 91:3	enterprise
economy 63:11	134:11	95:8	15:11 17:4,6
edited 91:9	elements	enforcement	enters 25:1
Edmond 10:2	110:14	6:19 8:8 9:2	entire 78:17
education	eligible 77:3	9:14 10:20	105:1,7
142:4,16,20	77:5,12	12:6 16:6	151:23
educational	155:3 163:10	17:9,11 19:4	165:21
100:10 103:7	163:10,12,19	24:9 26:3	182:17
141:17	164:1	30:10 41:21	entirely 55:20
158:20	eliminates	42:20 43:10	entities 98:14
165:15	166:23	43:23 45:2,5	99:21 134:4
Edwin 3:5 10:5	Elizabeth	45:7,8,11	184:13
10:14	123:8	46:17 47:5	entity 116:7
effect 135:12	else's 29:20	48:20 49:1	134:16 135:1
135:14	149:10	50:22 51:13	142:12
effective 9:8	elucidate	52:11 61:9	entrance 69:10
41:3 135:1	93:23	66:1 79:7	enumerated
effectively	embarrassed	84:24 89:14	14:13
33:13,22	182:8	91:2 95:6	environment
148:3	emerge 18:21	96:8 100:22	21:2 90:3,4
efficient 41:3	emergence 6:24	100:22 101:2	128:14
effort 41:23	employed 10:15	106:10	171:11
42:3 175:3	10:16 50:6	107:23 133:2	174:22
181:12	172:5	133:5,9,12	environments
183:15,20	employee	178:8,11	166:24
186:6	171:13	185:25	epidemic 7:3
efforts 11:7	189:11	187:14	equal 166:18
19:4 103:12	employers	enforcements	equation
183:14	171:7,21	95:11	105:23
eight 15:2	172:6 173:16	engage 101:9	escalate
74:21 119:3	employment	184:14	128:16
119:3,22	165:18,19	engaged 12:22	129:24
120:5 136:4	170:17 171:5	69:24 175:16	escalated
157:23	173:6	engagement	138:20
179:18	en 76:4	126:8 168:2	escalating
180:22	enabled 93:8	182:14	38:21 130:8
eight-year...	encounter	engaging 53:15	156:11
119:6	122:11	62:12 80:11	escalation
eight-year...	encountered	enlightening	37:11
187:18	159:1	186:12	especially
either 90:17	encouraging	enormous 23:12	63:13 84:3
128:4 130:14	181:10	enter 32:23	117:10
electronic 8:3	ended 21:16	entered 26:4	170:19
36:16 73:3	108:12	69:8 105:23	178:25

182:24	4:20,22 10:8	75:20	expressway
essay 5:18	30:17 52:20	exhibits 42:14	21:16 68:9
139:21	56:7 60:1	existing	69:1,9 72:11
essentially	62:8 66:15	170:16	83:14 176:16
47:8	74:3 79:14	exists 150:19	extend 21:7
Essex 12:10	83:3 87:16	177:5	extended 20:21
135:8 163:4	88:15 110:6	Exit 69:9	21:11
167:4,24	113:2,18	expand 163:4	extremely
168:1	133:15 135:6	expands 185:2	29:22 104:8
establish	145:13 160:7	expect 119:15	eye 159:22,23
17:22 166:14	examining	173:15	181:11
169:25 170:2	106:9	expectancy	186:15
established	example 6:24	116:12 124:1	
58:10 150:16	53:23 65:16	expecting 8:10	F
174:2	83:9 85:24	expedite	F 2:1,3 189:1
establishing	100:13,15	162:11	face 12:15
17:19	121:13	experience	39:8 43:4
estimate 124:2	130:12	22:19 53:18	76:19 89:14
et 29:10	157:10	55:2 58:23	89:23 91:8
evaluations	examples 37:13	60:22 63:25	96:9 186:18
162:16	38:6 61:23	65:5 97:15	Facebook 87:24
eventually	66:18,22	121:3 126:8	88:1 111:7
68:20 136:7	80:15 82:8	147:16	118:11
everybody 6:2	83:8,17	155:25	faced 32:5,11
24:6 129:7	84:15 85:9	168:25	39:9 175:14
130:7 186:9	exception	172:11 173:4	faces 42:15
everybody's	104:5,8	173:7	facet 31:21
28:2	105:21	experiences	facilitate
evidence 20:11	exchange 69:11	105:21	169:11
50:9	157:18	146:14	facilities
Ewing 108:3	exciting 146:8	expert 11:18	90:1 131:6
ex-gang 127:11	exclusively	11:21,22,23	140:5 142:8
exacerbate	160:15	48:24 52:6	143:2,9
175:13	excuse 49:25	explain 14:8	160:20 184:3
exact 93:2	91:6	16:15 28:3	184:4
126:6	excuses 82:25	38:11 110:24	facility 10:25
exactly 113:8	executive 2:2	156:1	32:20 36:4
129:13	6:1,3 48:23	explaining	72:2 110:1
138:21	49:25 106:3	139:6	132:3,5,6,9
183:11	106:8 131:2	exploit 8:7	132:14,21
EXAMINATION	144:13	exploited 7:4	134:1,5,7,15
3:6,8,12,14	185:14	explore 172:14	134:18
3:16,18,20	187:11 188:2	expose 6:14	135:13,14,17
3:22,24 4:1	exhibit 14:13	174:21	136:11,16
4:3,5,8,10	14:16 26:7	expressed	137:2 139:4
4:12,15,17	26:18 27:1	35:18 139:8	141:1,22

142:12	167:2,12	113:22,25	72:14 91:14
144:10	family 20:21	114:3	financial
164:21,23	21:4 59:23	federal 52:1	104:23
169:13 170:2	64:4 73:23	92:6 181:6	171:23
170:12	85:19 105:1	feed 142:10	financially
184:20	105:7 112:7	feeding 128:23	189:13
facing 12:18	119:24	feel 32:25	find 13:18
33:3 38:25	125:24 126:2	33:10 36:24	16:13 29:2
91:19 153:4	129:11	37:8 89:8	32:6 77:13
163:20	147:18 150:7	92:4 96:6	87:25 94:7
fact 18:13	150:9 151:24	101:11	94:12 105:12
36:21 47:2	164:18 165:3	feelings	105:14
66:5 70:12	165:4,7,11	154:13	129:22 140:5
77:2 103:6	165:20,21,24	fell 19:4	154:19 165:4
factor 135:20	166:4,7,11	fellow 47:19	165:19 171:5
factors 37:17	170:7,7,9,16	86:8	176:18
165:25	178:10,24	felony 137:2,8	179:11
facts 185:22	179:10	felt 12:25	finding 14:22
fail 125:14	182:18,20	14:5 33:6	36:13 65:21
failed 78:16	Famous 122:20	35:25 38:2	170:17
78:17	123:1	80:18 160:2	findings 23:25
failing 186:22	far 18:7 21:5	169:21	84:24
failure 182:9	37:2 43:9	186:16	fine 16:23
fair 44:19,21	46:4,5 89:24	female 70:4	74:16 77:14
125:15	109:18	136:11 137:5	93:7 130:23
180:19	112:22	137:6	fingertips
fairly 73:16	117:24 121:1	females 67:14	88:22
180:10	121:14 122:7	136:6,13	fire 42:8 80:2
faith-based	122:15	138:15 141:8	115:21
41:22 93:1	123:10	141:9	firearm 25:16
faiths 103:21	144:16	field 51:8	60:4 61:14
fall 33:19	172:17	125:18	62:1 64:19
57:8 167:22	Fast 149:12	172:12,13	66:9 69:12
174:12	faster 97:17	fifth 148:17	firearms 5:7,9
fame 114:11,12	fatality 69:15	148:19,20	5:13 22:11
familiar 11:13	father 20:20	fight 71:6	22:12,12,16
14:10 17:4	126:15,25,25	80:21 96:15	25:13 26:16
25:7 28:2,3	127:1,10,13	fight 8:5	58:22,24
57:1 166:25	127:16	filled 19:12	59:8 60:6,7
families 63:15	129:17	19:13	60:9,11,13
63:15 126:1	159:14	fills 89:10	60:20 61:21
128:19 144:6	fault 91:7	final 144:22	61:25 64:25
157:9 160:17	fear 46:8	185:21	65:2,7,20,22
160:18	58:11 73:17	finalized	66:13
161:12	78:1 81:5,7	46:13	fired 67:19
166:13,24	84:2,4	finally 72:8	70:15,15

71:16 80:8 87:11 firing 67:4 69:13,25 80:1,2,6 96:18 first 6:23 9:9 9:20 10:5 13:2,6 14:16 17:1,2 33:16 35:3 39:13 41:7 48:15 49:5,13 89:17 94:1 106:17 131:13 137:2 137:13 145:4 145:16 149:21 150:5 150:16,17 153:19,20 154:17,22 159:7 164:15 184:19,24 185:18 first-time 151:1,18 152:7 178:25 firstly 98:4 fitted 88:13 88:14 five 6:17 55:6 64:21 69:14 83:11 89:8 117:1 141:6 five-minute 106:6 fix 126:9 183:10 flag 89:2 flags 116:6 fled 75:17 flip 46:19 floor 67:10,20 flow 57:9 flowing 57:15	fluidic 15:10 focus 13:15 27:22 47:9 154:9 155:6 155:8,16,20 160:14,17 165:6 166:6 177:6 focused 47:3 144:16 156:18 177:25 focuses 150:4 focusing 53:11 Fogg 4:19,22 145:2,4,9,9 145:15 160:7 160:8 181:1 181:3 182:12 185:12 folks 37:1 follow 44:1 84:17 90:17 143:19 follow-up 40:20 94:21 143:7 followed 13:8 13:12,13 68:25 75:10 following 87:7 follows 10:6 49:14 106:17 131:13 145:5 food 157:18 foot 75:17 82:10,14 foray 13:2 force 12:12 51:5 92:5,5 92:9 99:1,1 99:12,13 100:3 108:15 forced 23:20 23:21 28:1 130:4	forces 99:14 foreclosures 63:13 foregoing 189:6 form 55:19 84:18 95:15 116:19 155:13 formal 154:3 179:8,8 formalized 99:4,9 formally 46:13 format 189:15 formative 186:24 formed 110:25 former 50:22 176:3 forms 22:18 forth 55:24 123:23 136:4 154:19 189:9 fortunate 147:15 fortunately 147:11 152:22 forum 9:7 forward 44:25 92:14,17,21 95:12 126:9 149:12 found 12:24 13:21 16:14 27:19 29:17 32:9,9 34:21 37:14 86:20 94:7 101:22 123:1 146:8 153:3 157:24 four 31:4 37:19 40:25 54:16 67:21 68:5 77:13	115:1 143:22 166:16 177:2 fractionalize 19:2 frame 25:19 framework 33:19 Fred 4:19 145:2,4,9 FREE 1:20 frequent 89:25 frequently 74:23 friends 65:11 75:8 76:5 88:1,2 119:25 120:4 134:18 friendships 134:10 frightening 9:17 front 9:3 12:5 35:10,21 79:25 96:20 120:20 161:14 171:9 front-end-... 161:18 fruition 186:12 frustrated 32:15 98:25 101:14 104:9 frustrating 92:22 frustration 178:7 182:9 fueling 45:17 fugitive 71:25 full 62:22 158:14 full-time 52:13 147:4 180:22,23 fully 46:14
--	---	---	---

75:22 76:1	12:23 13:4,4	103:7,9	14:21,23,25
function	13:9 16:9,14	108:13,15	15:7,8,13,19
136:14	16:15,25	109:10,20	15:22,23
158:22	17:21,24	111:9,17	16:2,13,18
functional	18:16,24	112:8,18	16:19,20,22
76:2,6	19:10,17,19	116:3 117:24	16:24 17:7
functioning	19:20,20,24	120:24	17:10,12,14
18:8 158:21	20:2,9,22	121:17,25	17:18 18:2,8
fund 158:18	21:19 28:4,5	122:1,2,2,3	18:13,18,21
funded 158:11	28:6,8 33:11	122:8 123:2	18:25 19:1,2
158:16 181:9	33:16,19,23	123:11,13	19:6,7,8,9
funding 158:7	34:4,7,10,15	124:20 127:2	19:15,15
158:9 183:22	39:6,12,13	127:8,24,25	21:7,11
183:24	39:17,22	129:1 132:8	22:13 34:2
further 18:1,2	40:4,10,11	132:12,20,22	39:9,14,18
28:6 76:3	46:2 48:6,14	132:23,25	40:14,15
93:15 120:17	50:8,10,10	133:4,7,7	42:9 43:16
140:1 151:6	51:2,3,5,19	141:3,7,10	44:13 45:15
176:6,15	51:20,21,23	141:11,12,13	47:21,22,25
189:10,14	51:24 52:3,5	159:4 164:9	48:4,9,10,11
furtherance	54:5,6,6,19	170:21	48:12,13,16
34:23	54:24 55:14	173:20	50:8,12 52:2
future 40:15	55:20,21,22	174:12,19,20	52:25 53:8
FYI 159:22	56:12 57:22	175:5,7,7,11	53:13,19,22
<hr/>			
G	58:14,15	175:20	53:24,25
gain 57:24	59:15,15,16	177:21	54:8,13,17
58:13	59:16 61:22	184:16,18,22	54:18,21,23
Galietta 3:5,8	62:1,2 63:25	gang's 140:10	55:2,3,8,8
10:2,5 30:16	66:20 67:3	140:11	55:17 56:10
30:16,17	67:16 68:14	gang-bangers	56:12,22
41:17 46:25	68:23,25	7:13 40:2	57:2,3,4,6
Galloway 62:15	69:2,4,8,23	gang-involved	57:12 58:3,4
64:9,10	70:12,13,15	174:2	58:6,8,8,12
game 39:25	71:4,7,11,12	gang-produced	63:21 66:19
40:3	71:15 81:8	84:19,20	67:17 81:22
games 127:19	81:10 83:11	85:14	84:12,21
127:20,22	84:8,11,14	gang-related	87:22 95:15
gamut 163:21	84:16 85:5	60:18 182:25	103:10 107:4
165:17	85:12,14,18	gangland 12:12	107:16 108:9
gang 8:18 11:4	86:3,4,8	13:9	108:11,21
11:5,6,11,18	87:5,10,18	gangs 1:2 6:25	109:7,11,13
11:19,19,21	87:22,23,25	7:23 10:24	109:19,20,21
11:22,23	88:2,12,17	12:4,7,14,19	110:8,25
12:1,2,4,4,8	89:2,9 94:13	13:7,12,17	111:2,6,13
12:9,16,16	95:22,24	13:19,21,25	111:18,19,24
	97:1 98:1,7	14:2,7,9,10	111:25 112:2

112:3,4,10	39:23 40:8	glorifying	goals 164:24
112:13,13,14	45:14 46:1	95:19	168:10
112:17,22	59:6 61:15	Gloucester	God 143:17
113:20	80:7 91:9	145:19 146:1	181:18
115:25	97:5 103:20	146:19,21,23	goes 16:1
116:24 117:5	108:8,12	146:23 148:2	31:13 55:15
120:22 121:5	109:23	149:20 150:4	79:19 89:12
121:8,9,10	114:14	156:8 157:1	96:1 122:16
121:22,24,24	125:23	157:12 158:1	152:7 154:4
122:14	129:25 137:5	158:11	159:19
124:21 140:6	139:9,12	176:10,13,17	going 15:8
140:8 148:1	142:23	177:8,23,25	18:9 23:10
173:23 185:2	148:21	180:6 182:13	24:16,18
gangs 5:5	ghost 76:8,9	183:7	28:13,16,17
116:11	girl 114:21	go 18:25 26:7	28:21,21,22
gangsters 7:2	give 63:2 79:5	26:7 33:8	29:23 35:13
95:19	80:14 83:8	42:25 45:15	39:24 42:22
gasoline 42:8	85:8 88:5	46:24 55:21	43:9,20 55:2
Gear 148:5,10	98:22 100:13	59:6 62:5	55:24 57:20
148:14	100:15 105:6	79:25 81:6,9	58:19 65:15
155:22	130:12 133:7	87:24,25	81:10 90:17
geared 118:12	142:19	96:23 97:18	90:18 91:11
gears 23:23	143:18	101:1 109:22	93:3 94:11
general 8:12	146:18 148:7	111:15	95:16,23
41:13 45:9	158:24 160:8	113:13	96:3 100:4
generally	162:17	124:14 127:5	100:10,16
155:4 158:14	166:18	130:3,4	106:8,11
159:10	171:12	131:23 136:1	110:15 112:9
generated 23:3	173:11	138:3 139:14	112:21
generation	179:14	142:9,10,19	113:13 115:8
9:17 46:8	182:10	154:2,6	115:15 117:9
91:6 186:21	184:11	159:12 160:3	117:22,23
generational	given 16:4	164:3,15,19	119:5 120:16
125:24 126:3	24:22 33:24	164:21 165:3	126:9 127:16
generations	38:3 77:9	166:16	127:17 128:3
126:17 182:5	98:14 116:10	168:15,16	128:5,5
genre 42:7	118:8 140:19	169:25 170:1	129:11,22
gentlemen	164:13 165:7	171:8 174:16	130:24
128:9 178:6	179:21,25	182:15	132:21
185:15	gives 124:25	184:19,23	134:21
geographic...	134:11,13,23	goal 9:5 47:11	138:19
62:19	135:3	47:11 162:4	139:10,12
geography	giving 65:15	162:8 163:8	141:11 142:3
176:9	GK 127:7	163:13,16	142:10,22
germane 80:7	gleaned 158:2	169:7,10	143:18
getting 38:22	glorify 96:4	184:7,9	148:23

156:23	great 43:7	guess 105:12	156:6
158:21 170:3	95:13 107:14	115:14 123:9	hall 41:10
170:8 172:1	151:17 153:2	123:10	hallowed 41:9
175:14 179:4	158:22	146:18	hallway 67:19
179:4 182:7	greater 58:2	158:10,25	75:4 153:9
183:9 186:17	112:12	guidance	Hamilton 21:16
GOLDEN 1:17	greatly 150:10	101:10	69:10
good 6:1 10:10	greener 41:5	113:23	hand 115:11
10:11 17:12	grew 20:13	154:24	handcuffs
93:19 98:12	55:9	159:21 187:7	119:8
105:12	grips 8:23	guide 166:22	handed 20:25
119:17 130:2	ground 33:7	guilt 37:24	handgun 72:6,7
142:18	grounds 70:16	guilty 92:16	72:9,10,14
145:18	group 16:11	gun 7:2,23	74:13,17
148:11	43:15 56:4	13:24 38:8	77:1 82:11
160:11	70:16 71:14	59:17,21	82:15 83:15
176:19,22	86:18,23	65:17 74:7	86:21,25
177:25 178:5	101:23	76:5,6,12,23	87:14 92:3
gotten 110:2	112:12 115:1	77:4,19 78:4	93:6
governance	116:8 121:19	78:10 79:3	handguns 60:16
12:12	122:20,21	80:6,21	60:23,23,24
government	146:12 150:1	86:13 90:1,8	70:15 72:7
6:18	174:1,2,14	92:19 97:21	83:13 87:11
governor 187:8	174:16,20	gunfire 66:25	handle 95:13
GPS 73:11	grouped 63:21	67:3,7,22	147:20
grabbed 75:8	groups 6:22	68:6 69:11	hands 7:13
grabbing 46:19	7:15 19:3	69:15,24	59:10 96:6,7
grade 148:17	20:17 110:5	70:3 72:20	108:24 119:9
148:19,20	121:12,20	guns 7:20 22:1	156:17
graduate	122:17	23:25 28:23	hang 111:9
175:24,25	175:19	43:1 45:16	Hank 159:6
graduated	Grove 132:19	45:16 46:2	happen 42:2
175:23	132:24	50:8 53:5	96:10
graffiti 28:12	grow 8:10	58:25 59:19	happened 24:18
151:2	100:18 185:9	76:9 80:3	81:16 114:24
grains 55:15	growing 52:25	83:20,21	122:18
grandfather	grown 8:19	gunshot 82:2	130:17
126:16 127:5	81:22	guy 1:15 99:2	157:16,23
127:11,11,13	GT 154:9 155:6	guys 40:1,4	happening 8:13
127:17	155:8,16,20	99:3 125:17	24:11,24
grandmother	guard 50:24		41:24 109:22
64:1	67:2	H	138:21
grant 181:5,6	guardian	H 5:2	176:22
181:7	105:13	habitual 36:25	187:21
grapple 185:24	guardians	Haddon 21:18	happens 35:11
grass 181:12	178:10	half 24:19,21	79:20 111:10

154:17 155:8 164:15 hard 8:21 16:3 92:22 119:2 186:5,11 harm 66:6,7 74:1 harm's 100:5 Harry 4:19 145:1,4,10 148:23 hash 28:16 hazard 123:10 Head 68:14,25 69:2,4,7 71:11 headquarters 119:10,11 heads 66:11 health 88:20 89:6 113:25 118:24,25 119:12,19 125:5,12,23 127:18 165:17 181:15 healthy 45:6 hear 7:6,24 8:16 13:22 13:23 15:1 21:14,17 22:6,9 44:22 46:3 48:25 106:11 127:19 129:13 131:4 156:24 157:7 182:1,4 186:17,18 187:21 heard 55:1 62:9 79:15 116:18 125:5 135:11 147:15,24	152:11 157:9 161:21 178:6 181:15 183:8 hearing 1:1 9:5 13:7,8 13:12,13 32:18 37:2 85:13 101:17 144:15 185:17 187:12 188:3 hearings 31:16 heart 186:16 HEDS 72:1,19 72:21 73:1,3 held 1:6 10:25 135:24 help 36:8 74:23 79:6 91:25 92:16 92:21 102:21 104:12,15 105:7,23 148:3 154:24 161:17 162:4 162:20,24 165:1,7,11 165:19 166:17,21 169:11 170:3 170:3,22 172:2 176:20 179:11 182:20 184:10 helped 78:25 102:21 148:2 helpful 133:5 helping 33:8 100:8 102:15 104:6 162:18 helps 152:5 166:15 Hernan 175:5 heroin 7:3 hey 151:13	hide 39:15 hierarchy 15:21,23 57:7 Higbee 3:11,18 3:22 4:5 49:8,13,20 49:20 52:8 52:10 62:8,9 64:18 74:3,4 88:15,16 91:22 94:25 98:11 99:11 100:19 104:2 104:7,16 high 33:22 56:24 61:11 62:24 71:3 71:15 74:14 83:5 173:22 higher 26:14 57:19 97:15 141:8 184:21 higher-ended 164:7 highlight 172:22 highly 6:25 8:18 15:9 84:23 highways 63:2 hiring 171:19 171:23 historically 6:16 history 13:3 37:11 43:21 149:17 150:23 151:22,23 178:24 hit 45:20,21 97:4 181:22 hits 85:2 hitting 80:3 Hoffman 121:14	hold 51:1 61:12,13,14 holding 64:22 hole 89:10 Hollow 22:7 hollow-point 61:8 75:15 homage 20:23 home 62:5 71:12,13 73:3 75:8,9 78:15 102:18 110:15 113:11 126:19 127:21 135:25 136:23 139:12 149:3 151:24 152:2 152:11 159:12 160:3 160:19 162:14 164:5 164:22,22 175:10 178:12 179:3 182:15 homes 61:22,24 homicide 70:24 86:1 138:5 homicides 38:9 84:23 85:3 homies 174:16 honest 186:16 honestly 102:2 honor 97:2,6 111:21 hood 109:15,16 117:22 125:25 hooking 123:18 hope 9:7 124:25 160:4 177:18 181:13
--	---	--	--

182:15 185:9 hopefully 34:15 148:11 187:6 hoping 179:10 hospital 62:23 host 76:14 104:20 hosting 105:5 105:5 hotel 67:10,14 67:20 hotels 62:24 hour 75:25 hours 82:1 101:2 102:6 118:14 142:5 house 1:6 59:1 80:20 103:13 107:24,25 120:2,4 121:4 123:17 124:11 126:16 127:2 127:3 131:24 134:4 155:2 155:4,10,15 155:17 178:18 179:1 179:6 184:4 housed 133:17 134:19 135:8 143:14 household 120:1 houses 80:1,3 96:19 housing 67:6 170:17 huddle 150:18 150:19,19 151:20,21 152:1,18 153:21,23 154:5 156:21 159:19	179:16 hug 130:9,10 huge 177:17 human 118:2 157:18 hundred 69:9 137:4 hundreds 28:15 29:6,6 92:9 hurdle 166:15 Hurricane 63:12 hurt 105:16 157:20 hurting 179:9 hush 130:1 hybrid 109:13 127:24 140:11 hyperlocal... 15:4 <hr/> I <hr/> Iacavone 3:10 3:12,16,20 4:1 49:7,12 49:19,19,22 50:3,5 52:20 52:21 55:1,5 60:1,2 62:10 66:15,16 79:16 83:3,4 88:7 89:15 89:16 90:24 97:14 103:3 105:19 116:18 Iannacone 2:4 6:6 47:18 48:22 103:24 104:11 105:11 106:2 128:10 130:25 143:1 143:5 185:4 187:13	ID 5:4 idea 46:17 98:8 102:20 143:18 162:11 163:13 166:20 ideal 169:21 ideally 169:23 174:4 ideas 95:13 identifiable 7:14 identifica... 12:4 124:19 182:2 183:11 identified 15:6 54:16 54:18 61:21 86:3 103:14 110:1 111:16 112:18,25 121:5 124:12 137:11 141:2 165:20 168:10 170:7 identify 36:8 43:14 89:4 98:7 141:12 142:6 166:4 170:9 183:4 identifying 87:5 108:11 109:25 124:21 150:5 181:13 182:17 illegally 29:21 illuminated 50:2 imagine 22:5 42:14 46:6 153:21 187:22 imitation	65:22 immediate 42:23 59:23 154:4 159:20 immediately 35:11 37:16 impact 38:11 98:1 110:7 113:19,21 131:5 134:6 impaired 125:7 implemented 148:6 important 24:3 156:18 importantly 38:22 151:23 impress 135:2 inability 178:9 inappropriate 120:7 incarcerate 184:2 incarcerated 19:7,11 112:19 144:7 152:4 incarceration 9:1 33:4 38:25 184:1 incentive 92:14,17,20 incident 21:14 21:17 67:9 67:21 69:6 69:20 70:7,9 71:1 72:15 72:17,21 74:18 79:11 81:12 83:12 86:12,15,16 86:17 88:8 137:19 152:12 incidents
--	--	--	---

73:13,13 84:22 147:21 incites 186:4 inclination 116:11 include 36:15 61:8 75:14 152:20 included 69:1 69:12 152:21 including 74:6 152:10 179:19 income 180:6 increase 25:12 25:16 26:14 27:7,13 34:11 41:15 53:3 54:3 60:15 64:19 64:23,23 111:3 increased 24:14 60:13 66:17 133:24 increasing 53:1 independent 6:13 independently 55:18 indicated 33:6 33:21 83:10 89:22 indicators 36:8 indiscrimi... 80:2 indiscrimi... 96:18 individual 20:12,17,18 20:19 22:7 63:22 71:25 74:8,9 78:13 98:5 125:7	165:6 individuals 20:24 22:11 29:18,23 45:4 100:18 163:2 influence 117:20 influencing 88:17 information 9:11 26:2,5 41:11 45:4 77:24 84:22 84:23 86:25 98:14,22,23 111:15 124:4 124:21 133:13 151:7 153:4,7 158:2 informed 153:3 informing 152:25 infraction 159:11 initial 31:14 32:18 36:3 37:15 86:22 152:24 182:16 184:25 initially 35:13 162:1 163:24 166:13 168:23 169:21 174:4 initiated 80:21 initiative 172:22 injured 67:22 68:1,6 69:15 70:5 71:16 injuries 68:3	ink 107:17 inner 63:7,18 99:7 126:4 innocent 66:23 input 92:24 95:10 185:22 inside 68:20 70:4 75:9 132:13 insight 126:12 187:7 Instagram 118:11,12 instances 110:25 138:11 173:19 instant 114:12 institute 42:1 institutional 160:16,19 institutio... 126:3 187:9 instructing 132:19 instructor 51:24 132:18 instrument 6:18 insult 7:25 integrated 48:13 intelligence 26:1 51:5,8 132:9 intensive 72:13,23 181:12 intent 84:3 89:23 151:4 151:4 interact 177:6 177:19 interacting 47:21 interaction	74:10 interest 28:25 172:7 interested 17:16,18 41:12 97:25 101:17 104:6 105:14 172:8 172:11 189:13 interesting 178:4 186:11 Interestingly 26:19 interests 172:15 interstates 63:2 intervene 100:14 intervening 46:20 interview 94:6 159:14 interviewed 12:7 157:13 157:14 intimidate 28:22 54:6 84:14 85:6 87:21 intimidation 15:14 86:11 113:22 introduce 6:5 introduction 160:9 invest 172:16 183:14 invested 171:25 investigate 6:11 73:12 investigation 6:4 9:25 10:17 11:9
--	---	--	--

22:20,24	involving	JDAI 162:2	55:7,14 56:3
29:1 30:10	12:19 13:25	163:25	Joseph 2:3
32:3,3,14	74:18 81:12	Jersey 1:8,19	3:10 49:12
34:21 51:3	147:17 157:8	6:20 8:24	49:19
51:20 76:4	isolated 79:11	10:16,21	joy 96:14
86:22 112:16	138:10	11:21 12:9	JU 150:19,19
122:15 129:1	issue 12:15	12:15,18	judge 77:10,21
145:1 159:17	13:16 34:7	13:4,11,19	162:13
160:1 185:19	41:15 48:21	18:21,23	judge's 85:24
investigat...	65:23 106:9	21:8,11,18	judges 85:7,23
50:20 61:7	113:25	25:14 31:8	167:17
84:25	120:14	32:8,11	judicial 78:17
investigative	161:15	41:11 46:1	185:25
39:6 50:15	175:13	50:23 51:7	judiciary 9:14
Investigator	issues 9:13	51:21 52:5	July 114:19
12:1	38:12 41:18	59:4 62:20	jump 101:18
Investigators	49:2 61:20	99:2 114:23	181:25
51:22,23	103:6,9	123:9 129:2	jumped 107:4
52:4	118:25	133:3 134:17	175:11
investment	127:18	146:22	June 67:1
184:6	147:18,20,25	153:13 157:3	86:17
involve 60:4,7	149:9 151:20	161:7,10	jurisdiction
involved 16:19	152:4 153:3	162:3 183:3	74:5
27:11 31:9	163:23	189:4	jurisdictions
31:20 60:18	166:10,11	Jersey's 12:11	53:23
70:6,13 72:3	170:19,22	106:11	justice 6:23
72:12,15	174:20	124:25	8:22 9:14
83:11,13,16	181:16	181:17	11:6,8,14
94:6,11,11	182:17,24,25	JISP 72:12,22	24:10 25:1
100:25,25	182:25	87:15 90:9,9	31:9,21 35:4
102:7 108:9	184:12	jitney 69:21	35:8 36:2,6
108:13,16	Italian 126:1	69:25 70:4	39:2 46:10
129:4 137:15	J	70:14 72:15	51:7 77:10
141:8,12	J 1:15 2:5	72:19,21	96:10 138:12
153:21 163:2	jail 39:24	83:16	169:9,18
170:11,20,21	96:4	JJC 11:7	172:21 178:8
173:23,24	jails 141:17	108:10,17	181:8
174:5,23	Jamesburg	138:3,8	justify 66:10
175:19,22	108:17	job 27:18	juvenile 1:2
179:16	139:10	87:23 92:9	5:7,9,11,13
181:12	169:12 184:8	92:10 95:7	5:18 7:23
184:22	January 30:21	99:16 186:15	8:17,22 9:2
involvement	70:11,25	Joe 6:7	9:14 10:25
69:5 94:13	71:6,8 87:7	join 55:19	11:5,8,14
153:15 171:4	87:8	133:6	13:22,24
184:17 185:1		joining 20:14	19:16 22:2

24:2,5,7,24	86:20,24	37:17 73:10	115:2,3
24:25 25:1	87:4,10,13	91:8 94:4	116:12,18
25:16 27:4	88:17 90:7,8	juveniles	117:1,11,19
28:4,8,9	93:24 94:1,9	12:19,22	118:24 119:1
30:25 31:9	94:12 96:10	13:25 24:13	119:14
31:11,13,17	96:19,23	25:12 26:15	121:24 122:1
31:18,21,24	97:3,20 98:1	26:21 27:5	124:6,9,12
32:16,17	98:7 108:2	29:2 32:22	127:25 128:7
33:1,13	108:23,25	33:8 34:16	133:16,23
34:14,25	109:7,10,20	34:18,22	134:2,4,8,23
35:4,8,17,19	110:8 111:24	35:5 36:20	135:7,12,16
36:2,6,9,14	112:12 113:4	38:3,4,7,17	135:21
36:23,25	113:6,20	38:19,21,22	137:20
37:12,19,20	115:16,17,18	38:24 42:7	138:11 141:1
38:15,20	115:20,23,25	44:10 47:7	141:25
39:2,17 40:1	119:10	53:4,15	143:13
41:16 43:16	126:15,20	55:23 56:13	147:17 161:9
46:10 47:21	127:16 128:1	56:16,23	161:17,20
47:25 48:4	128:6 131:4	58:22 59:9	163:19 167:7
52:22 53:3,6	131:5 133:17	60:3,12,16	167:21 185:8
53:8,11,19	135:8 137:6	60:19,21	186:23
54:8,12 55:2	138:12	61:3 62:4,12	juveniles'
55:3 56:20	144:17 147:9	64:7,12,19	35:9
57:3,16,17	147:10,13,25	65:2,6,21	juxtapose
57:22 58:3,5	148:1,3	66:3 67:21	23:24
59:21 62:1	150:18	67:24 68:1,5	
65:17 66:17	151:20,21	70:6,16	K
66:20 67:14	152:1,17,20	71:22 72:24	keep 26:6
69:3,12,16	153:16,18,21	73:19 79:17	32:15 45:21
69:23 70:11	153:23 154:2	79:25 80:10	91:18 102:10
70:13 71:8,9	154:5 155:2	80:25 82:5	113:5,13
71:11,25	155:7 156:3	82:20 83:5	122:7 123:3
72:1,2,3,5,7	156:20	84:1 88:20	128:25
72:8,9,10,12	158:25	89:15,22	129:16
72:12,15,18	159:19	90:16,23	142:15
72:23 73:4,7	161:15 164:9	91:2 96:12	159:22
73:23,25	164:12	97:12,16	175:14
74:5 76:4,15	168:14 169:8	98:5,15	183:13 184:2
77:10 78:8	169:13,18	99:19 103:14	keeps 90:9
78:19 80:18	170:12	107:13	159:23
81:7 82:9,14	172:20	108:25	key 37:17
82:17 83:11	173:20 178:8	109:19,24	110:18 157:9
83:13,15,20	179:15,19	110:12,18	165:25
84:2,8 85:5	180:24 181:8	112:6,23	170:19
85:12,15	186:1	113:23 114:1	kicking 33:2
86:1,4,13,18	juvenile's	114:5,7	kid 92:20 96:3

113:15,16	127:8,24	93:5 94:25	26:1 35:10
128:4 139:3	killed 71:17	97:10 99:22	55:17 76:8
143:18	80:23 93:10	100:4,24	173:20
148:23 163:9	94:15 96:19	101:7,7,12	knows 181:18
163:15 164:5	139:24	105:4 109:23	
kid's 169:22	kill 115:23	109:25	L
kids 8:9 19:9	139:18	111:10	label 128:4
28:19 40:10	kind 19:3 29:3	112:23,25	labeled 45:1
45:13 46:8	32:20 36:3	114:8 116:7	75:23
46:11,20	43:21 59:8	117:13,21	labeling 86:7
81:6 92:8	76:16 81:2	119:14	labor 181:11
96:13,15,17	104:12	120:13,14	lack 15:10
97:7 100:11	110:13	121:4,12,13	17:3 33:25
100:15,17	118:21	122:8,12,19	81:1 84:2
101:3,4,9,25	120:25	123:3,5,6,6	90:22 173:25
102:4,9,13	129:15	123:10,13,21	178:10
102:22,22	151:16	123:23	Lackey 3:7,9
112:9 117:13	166:14	124:15 125:6	9:20,22,24
117:19,22	172:14,15	127:20	10:8,9 30:7
119:7,13	176:16	128:20,22,23	30:17 39:3
120:9,23	kindergarten	128:24	40:16
121:7,16	20:18	129:15,17,18	ladies 111:12
125:14,20	kit 65:17	129:21 130:1	111:17 128:9
126:5,10	74:25 75:15	130:6,15	Landing 68:12
129:12,23,25	75:21 76:23	133:13	landscape 7:7
130:9,13,20	77:19 78:5	135:21,23,25	large 9:15
130:22	78:10	136:1 138:6	44:17 53:10
135:21 136:1	kits 76:7,8	139:7 140:10	55:23 123:12
136:3 142:17	knew 75:5	140:13 141:4	186:1
143:1,23	124:12	146:18 148:1	larger 40:14
156:17 158:3	175:13	148:23 156:1	135:1 157:2
162:8,17,24	knife 96:15	157:5 161:9	171:6 177:12
164:7 167:25	knocked 80:20	161:15	largest 12:2
169:11	know 6:10	166:12	62:20
170:20	15:25 17:9	168:21	Lastly 11:17
172:24 174:5	20:17,19,19	170:25 171:8	33:9
174:6,7	20:20,20,24	171:19	latch 172:16
175:19	20:24 34:3	172:17	late 107:24
179:17 182:5	38:19,19	173:22	latest 180:8
182:5,23,25	42:8 46:10	175:16	laudable 36:23
183:13,18	46:11 47:24	181:16 182:6	launched
184:2,4,14	61:23 66:7	182:7 183:10	148:14
184:17 185:2	66:19 79:3	186:16,19,19	153:20
186:21	86:9 88:22	Knowing 126:24	156:14,15
kill 7:20 66:8	88:23 91:7	known 7:14	law 6:19 8:8
93:10,11	92:12,15	14:9 20:18	9:2,13 10:20

12:6 16:6	177:11,13,14	110:22	line 122:24
17:9,11 19:4	leave 136:1	153:14 185:1	186:13
24:9 26:3	183:10	185:23	lingering
30:10 41:21	leaving 107:3	levels 52:1	162:10
42:20 43:10	lecturer 51:24	56:25	link 134:22
43:23 45:2,5	led 50:19	liaison 12:9	135:3,4
45:6,7,11	68:20	132:2	linked 8:18
46:16 47:5	Lee 2:2 6:2	liberty 35:9	Lisa 144:21,24
48:20,25	left 6:6,7,8	license 59:4	list 16:1
50:22 51:12	11:7 73:7	189:20	listed 151:14
52:10 61:9	75:23 108:1	lieu 36:14	listen 129:15
66:1 78:13	113:10	162:21	187:17,21
79:7 84:24	133:19 141:2	lieutenant	listened
89:13 91:2	170:13	3:14,24 4:3	134:20
94:3 95:6,10	legal 61:13	11:2 49:7	187:16
96:8 100:22	legislation	51:10,17	listening
101:2 106:10	34:3,6,9	54:25 56:7,8	125:19
107:23 133:2	95:2	61:19 62:10	lists 172:4
133:5,9,12	legislature	63:5 79:14	little 16:16
172:8,9	11:21 187:7	79:15 80:14	23:24 30:18
178:7,11	lengths 136:18	84:1 87:16	30:23 31:4
185:25	lengthy 19:25	87:17 90:20	33:16 37:4
187:14	leniency 77:9	106:1 108:10	54:11 63:3
laws 7:2 91:3	lesson 139:10	113:11 146:7	93:23 94:13
95:8,8	139:13 176:9	149:13	95:1 125:1
lawyers 41:8	lessons 19:21	life 78:2,16	145:24
leader 15:24	let's 10:12	103:21	146:18 148:4
16:3 174:10	13:15 14:7	115:18	148:7 160:9
174:11,14	14:19 15:17	116:12 118:2	161:24 176:9
leaders 57:10	17:3 19:14	119:17 124:1	176:15
leadership	19:15 23:23	128:13 149:3	177:24
16:7 51:5	25:7 26:7,7	149:21	live 20:5,10
174:13,14	26:18 27:25	154:12	64:1 102:11
leads 150:12	29:13 30:9	157:23 160:5	111:7 116:16
Leanza 41:1	32:2 33:15	lifestyle	118:9 119:15
learn 19:21	33:16 35:2,3	112:7 125:25	119:15
102:15 126:5	37:4,22	142:10	134:17 171:6
140:10,15	49:22	light 12:13	lived 75:2,5
154:12,16	letter 77:20	50:2	109:14
learned 22:20	77:22	liked 39:15,15	152:14
22:22 32:14	Letters 77:22	likelihood	lives 114:4
128:18	letting 33:8	184:21	living 63:24
139:13	141:4	likes 28:15,16	126:4 128:16
177:12	level 9:3,12	28:16	loaded 74:13
learning	77:5 81:5	limit 163:24	74:17 77:1
123:21	99:15 110:20	limited 21:13	82:11,15

86:21 92:3 93:6 loading 75:16 local 41:21,22 42:1 47:5 51:25 67:17 87:25 92:5 92:25 99:24 100:22,22 115:15 121:5 126:19 169:14 175:17 located 62:25 location 73:11 locations 108:7,19 111:14,16 lock 148:23 locked 143:24 logged 59:5 logistics 99:4 long 22:5 39:11 96:2 127:20 136:22 161:1 longer 63:8,8 63:18 79:3 80:7 126:21 look 14:7,12 16:12 19:14 19:15 26:18 28:2 29:13 37:22 43:21 57:13 97:1 102:1,1 126:9 134:25 138:23 149:17 165:8 174:15 179:10 looked 26:9,19 26:20 153:24 looking 13:3 16:8 26:8 28:15,15	43:20 96:20 153:9 157:18 157:19 170:15 looks 57:12 loose 15:9 Loretta 4:14 131:9,12,18 lose 46:8 186:20 losing 33:6 125:14 182:4 lost 9:18 27:12 78:19 115:18 124:19,20 lot 32:9 44:17 44:24 46:13 56:1 62:21 63:1,14 66:2 66:9 68:21 77:2 88:22 89:11 97:24 99:20 101:13 102:12,14,25 104:20 109:19 110:16 111:2 111:3,10,12 111:14,15 112:1,4,6,16 112:17,18,23 113:22 115:8 116:16 117:8 117:9 119:1 119:13,14,18 122:10,15 123:15 124:10,19 127:16,17 128:21 130:5 132:21 134:12 140:7 140:14 141:9 141:23 147:15,24	165:7 166:23 166:23 170:21 176:25 184:2 184:17 187:4 loved 152:14 LT 49:18 51:12 90:21 94:3 95:6 96:7 101:20 luck 102:19 lucky 105:9 luxury 124:13 <hr/> M <hr/> Mafia 7:1 magazines 61:11,12 75:13 Mahal 67:10 71:25 83:12 84:7 maim 7:20 main 6:10 38:13 63:2 79:23 maintain 162:20,24 major 62:23 106:11 118:23 majority 17:6 17:15 29:5 36:20 60:10 60:24 180:24 makeup 140:19 146:20 making 16:10 99:17 117:25 152:25 154:13 178:1 male 69:3,23 72:8 137:20 males 86:18,23 138:18 Mall's 69:10	man 78:14 81:25 82:2 88:9,11 95:25 149:16 174:9 man's 80:20 management 51:6 mandate 6:13 mandated 78:24 mandatory 34:12 manner 41:4 43:3 map 45:22 48:17 mapping 122:13 123:2 March 67:8,13 107:1 Marian 3:5 10:2,5 30:16 market 17:16 Maryland 107:23 master 50:25 master's 97:5 material 20:25 114:14 math 102:18,20 matter 57:18 57:25 80:5 91:19 matters 31:12 185:20 max'd 101:12 mayhem 8:1 Mays 68:12 mean 17:5 27:17 36:11 44:13 78:16 99:6,12 105:3 123:13 126:1 157:14 167:24 168:7 180:22 181:5
---	--	---	--

185:25	117:8 118:18	87:23,25	mentor 146:13
meaning 15:11	118:19	88:3,18	153:9 159:24
88:14	128:25	94:13 95:24	mentoring
means 36:13	165:16	97:1 103:19	103:17
43:9 118:3	meetings 19:22	109:20 112:8	171:20
136:21 168:8	108:17,18	117:24	mentors 173:16
measured 177:1	meets 150:22	119:24	mentorship
measures 24:25	member 6:8	121:11,19,25	103:21
60:9	19:16,18,19	122:9 123:3	147:23
media 5:14 8:3	19:25 51:21	123:13 127:3	Mercer 107:25
14:3 15:14	52:17 56:19	127:7 134:21	108:2,15
21:21 23:5,6	58:14,15	140:5 141:3	124:5
23:6,19	59:15,15,16	141:10,11	mere 58:10
27:25 28:2,5	59:17 62:1	164:10 170:9	messages 28:13
28:8,11,24	64:4 69:4,23	170:16	met 71:10
29:2,5 30:1	70:12,13,15	173:20	108:10
30:3 39:19	71:4,7,15	174:19 175:8	134:18
42:6,7,21	81:7 85:12	177:16	168:10
43:8,13 44:4	87:10 95:22	membership	methods 43:9
45:3 54:4	95:24 108:14	50:10	Metro 161:7
67:15 71:7	112:18 122:1	memorial 30:2	mic 56:9
84:7,9,12,16	122:2,3	30:4	Michael 4:14
84:19 85:6	127:12,24	men 30:4 81:21	131:9,12,17
85:22,25	141:12	99:13 111:15	mics 50:1
86:7 87:5,18	171:24	mental 88:19	Mid-Atlantic
87:21 88:5	member's 87:22	89:6 104:21	51:22
88:17,22	members 6:5	113:25	middle 56:24
91:5,16	8:6 12:8	118:23,25	64:16 71:2,9
95:20 105:18	14:24 16:14	119:12,19	115:15
111:3,11	18:24 19:10	125:5,12,23	180:11,11
114:12	20:13 28:4,5	127:18	187:19
117:20 118:6	28:9 34:14	165:17	Middlesex
118:16,19,22	34:15 39:17	181:15	124:9 163:4
119:18	39:22 40:10	mentality	167:4 168:3
128:15	40:11 46:2	129:20	169:16
134:12 143:2	47:6 48:6	mention 110:4	172:23 173:8
median 180:6	54:5,7 57:22	mentioned 17:3	miles 62:21
medical 172:12	61:22 63:10	21:25 27:21	63:4,4
medication	66:21 67:4	47:3 58:21	146:25
118:25	67:16 68:15	61:19 66:16	military 50:22
130:14,16	68:22,24,25	72:22 73:1	52:2,2
medium 43:5	71:11 73:23	73:14 76:14	130:21
169:13	83:11 84:8	84:6 95:2	million 183:24
meet 154:15	84:11,14	111:4 121:24	184:3,4
166:2	85:5,18,19	157:11	minimal 183:23
meeting 82:2	86:4,8 87:5	178:13	minimum 170:12

minimums 34:12	93:20 115:13	70:21 88:11	need 27:8
minute 130:11	145:18	111:21 128:1	43:13,13
138:23	motels 62:24	murders 137:15	92:15 102:14
minutes 75:7	mother 20:20	muscle 48:11	102:21,24
146:22	52:18 74:22	mushroomed 9:4	114:15
mistake 7:16	77:24 78:18	music 15:14	125:23
mob 16:5 42:24	79:6 91:24	29:10,11	128:21
56:12 68:16	94:15 104:8	117:21	129:22
68:24 69:13	120:2 126:20	127:19	154:24 165:4
model 18:1	129:17,19	muster 180:17	166:17,21
162:6,7	149:4 159:15		170:10 183:1
modern 28:11	mothers 129:13	N	183:18
Mollies 127:22	motivated	N 3:1	186:17,18
mom 64:1 104:2	73:25	name 9:23	needed 38:23
171:21	motor 63:24	10:13 22:8	122:15
moment 23:19	80:3 152:13	30:14 58:10	needs 42:2
30:8	move 19:1	75:5 106:19	96:10,11
money 17:23	57:22 91:17	122:3 133:7	104:23
40:2 100:8	145:15 154:1	144:24 145:8	143:25
114:6,6,9,14	moved 41:4	159:7	163:25 165:1
118:1 157:18	144:4	named 159:6	165:10,11,13
184:2 187:4	movement 57:25	names 15:6,7	165:17,20
monitor 11:10	136:10	49:17 131:16	166:5
42:21 43:8	movements	narcotics	neighbor 19:15
43:17 131:24	73:10	17:16 50:8	19:17,18
159:22	moving 63:16	107:2,4	20:2
monitoring	MS-13 174:12	national 11:25	neighborhood
36:16 44:4	174:19	48:15 50:24	5:5 7:23
73:4 82:12	MS-13s 123:15	51:2 160:22	13:17,19,20
136:9,12,16	174:10	nationally	14:7,21,23
monitors 12:23	multi-dwel...	12:3 160:23	16:2,9,13,17
43:12	75:2	nationwide	16:20,22,23
Monroe 10:22	multiple 45:19	18:14	17:1,2 18:18
month 40:25	70:2 83:20	natural 63:12	18:21,24,25
88:11 110:3	multiplier	nature 6:21	19:5,8 20:3
113:17 159:9	23:20,21	15:10 34:1	20:4,5,9,10
monthly 108:17	28:1	navigate	21:7 22:13
months 74:21	municipali...	170:22 187:8	39:8,17
78:7 107:2	99:24 181:17	near 69:24	43:16 48:13
153:25	municipality	necessarily	48:14 54:18
159:10,10	62:20	7:14 28:25	54:24 55:8
162:10 168:3	murder 111:1	44:14 64:22	55:10,17
168:12	111:20 128:5	177:1	57:3,12,15
171:16	136:7 137:3	necessary	57:22 58:3,6
morning 6:1	137:8,9,13	12:25 14:5	58:12 67:3
10:10,11	murdered 29:25	neck 129:21	67:17 84:11

85:5 109:10 109:16 110:5 110:25 112:2 112:4,8,10 112:13,14,22 113:1 114:9 116:10,24 121:6,17 140:12,12 151:3 neighborho... 12:19 13:25 15:4,7 17:14 18:2 40:13 44:13 52:25 53:12,23,25 54:17,19,22 71:4 103:10 109:14,20 111:8 184:18 neighborhoods 57:20 66:22 112:5 113:24 neighboring 53:22 54:1 177:19 neighbors 44:14 113:24 neither 189:10 net 160:3 network 51:23 184:21 never 101:22 109:15 130:9 136:22,22 177:11 new 1:8,19 6:20 8:5,24 10:16,21 11:21 12:9 12:11,15,18 13:4,11,19 18:20,22 21:8,11,18 25:13 31:8 32:8,11	41:10 46:1 50:23 51:7 51:21 55:20 59:4 62:20 62:25 87:20 90:17 106:11 121:22,23,24 124:25 129:2 133:2 134:17 144:16 146:22 150:3 153:13 157:3 161:7,10 162:3 168:13 168:21 169:1 171:23 173:1 181:16 183:3 189:4 Newark 106:12 106:25 109:6 109:9 113:17 117:6 122:4 122:6,22 123:14,16,17 123:20 130:13 Newarks 157:5 newer 112:23 newly-created 11:4 news 91:5 nexus 50:11 57:12,14 nice 28:21 Nichols 4:14 4:15 131:9 131:12,18,18 131:19,21 133:15,16 135:11 136:5 136:8 137:17 138:9,13 140:25 141:21 143:3 143:11 Nickname	150:18 night 81:25 105:5 159:12 NJ 189:15 non-detention 164:14 non-lawyers 41:9 non-violent 103:15 normal 111:4 normally 12:23 14:24 110:14 164:7 north 56:12 81:24 108:7 169:9 Northern 129:2 161:7 Northwest 31:5 note 27:8 noted 40:12 54:4 notice 6:21 noticed 39:19 41:7 notifications 159:20 notified 98:4 notifying 151:12 notion 46:10 46:19 125:4 141:16 178:14 notorious 42:19 43:3 November 70:20 number 25:12 25:16 26:15 27:4,5 48:25 53:14 55:23 60:12 76:12 83:5 121:21 138:14 162:15	173:22 181:3 numbers 53:1 54:2 56:2 76:11 88:8 numerous 12:8 38:6 NYPD 43:11 <hr/> O <hr/> O 2:1 oaths 20:24 189:5 observation 44:19,22 98:25 128:12 141:19 observed 75:11 87:18 obtain 64:24 65:6 obtained 5:14 29:21 obtaining 65:10 obvious 60:9 obviously 66:3 76:3 98:13 100:11 125:20 136:25 147:8 153:14 154:12 156:25 158:7 159:17 occasion 73:23 occasional 159:9 Occasionally 178:18 occasions 60:25 105:22 occupants 69:13 occupied 66:23 66:24 69:2 70:19
---	--	--	---

occupy 47:8	10:21 50:23	49:1 92:25	one-year 74:15
occur 67:9	52:13 62:5	Oftentimes	155:12
occurred 21:18	79:7 82:4	170:10	ones 102:24
66:21 68:10	87:3 93:11	171:19	112:23 116:4
69:20 70:10	106:21	OG 15:24 57:7	130:2
70:25 80:16	107:19,21	OGs 127:6	online 22:7
86:12,16,17	108:1 110:6	oh 80:13 113:6	23:10,17
114:19	110:7 113:18	116:13 117:7	28:14,19,20
occurs 25:5	113:19	130:19	29:18 30:5
October 69:20	114:18	143:17	39:18 65:12
69:22	116:17,22,25	okay 118:9	65:13,18
oddly 146:24	118:20,21	141:1,14	74:15,19,25
offender 83:14	119:23 121:1	old 7:19 14:25	open 42:8,19
144:11 179:1	121:9 124:3	15:2 24:21	43:3 101:25
offenders 9:2	125:3,11,16	42:24 56:15	169:16
22:2 24:5,7	126:13	56:19 70:21	opened 115:21
31:17,24	136:12 137:5	70:24 71:3,8	174:7
32:6,16,17	145:25 146:3	71:16,17,18	opening 22:1
33:1,14	146:10	71:20 80:17	75:11 186:15
35:19 36:9	148:13 149:9	82:17 83:22	operate 55:18
36:23,25	149:11 153:8	119:22 120:6	55:19 163:5
38:15 53:3	157:14,22	126:15,22	operated 39:14
53:12 83:5	158:4 159:13	127:6 136:14	operates 54:20
83:13,20,24	159:23	137:6,12,12	operating
89:19 90:7,9	officer's 61:4	139:20,23	43:15,17
103:15 113:7	officers 63:9	142:17	111:17
offending	66:4,5,10	153:24 159:7	158:12
151:1,18	85:6,17	older 19:10	operation 53:2
152:7	89:18 92:6	40:10 48:5,9	operational
offense 83:2	95:7 100:2	48:10 109:23	50:17
113:9 168:21	101:11 102:2	117:24,24	operations
offenses 37:11	103:18	120:6 170:12	25:25 51:8
78:20 90:1	124:16 131:4	once 32:21	161:7
103:16	132:23 147:4	33:2 35:9	operator 52:11
110:11,16	147:5 158:17	43:14 56:19	opinion 58:5
168:13,25	177:6,11,15	62:1 69:8	82:24 96:9
offer 104:25	179:20,20	76:25 97:4	100:20 101:6
104:25 105:1	180:23,23	113:4 116:14	opinions 11:24
offers 36:22	officers'	123:4 134:14	opportunities
169:4	61:24	142:9 150:20	141:23
office 11:23	offices 41:20	164:3,17	142:21,24
30:23,25	41:25 43:25	166:4 182:16	168:19
31:1,4,11	47:15	183:10	174:21
50:8 85:12	officially	184:18,22	opportunity
108:16 172:9	148:13	one-on-one	40:21 134:13
officer 4:8,12	officials 9:2	158:3	139:9 142:14

171:10	outcomes	141:16	46:23 48:18
183:22	172:22	144:22	75:22 94:18
opposed 20:14	outdoor 67:5	panelists	94:18 96:25
118:17	outlets 44:4	157:11	98:5 99:13
oppression	outlines 83:19	panels 111:4	103:25
18:9	outreach	186:15	104:14
option 72:24	100:21	panicked 182:8	105:25 106:1
162:14 163:7	outset 185:17	paradigm 18:7	112:8,10
163:17	outside 43:11	18:11	114:23 115:6
165:18 179:7	54:9 63:4	paralegal	117:23
options 47:7	108:2 116:24	172:9	125:13,19
162:10	117:2 126:19	parent 59:22	138:16
170:17	132:14	93:25 94:1,4	158:14 166:3
order 8:22	158:21	94:9 102:15	174:10,19
22:7 65:12	160:21	104:14,20,21	177:12 178:1
74:25 84:14	174:21	105:13	178:7,17
88:5 93:9	overall 60:14	165:19 179:4	181:7 182:9
105:24	73:16 155:21	parental 94:13	183:2
111:21 116:7	156:5,6	102:12	part-time
118:8 124:14	overcrowding	154:24	146:2
142:13	162:5	parenting	partial 91:10
ordered 74:14	overdose	154:16	158:18
ordering 78:6	152:14	parents 91:24	partially
organization	overdue 107:11	94:8,11	158:16
16:8 20:14	oversaw 11:6	102:6,15,16	participants
93:1 160:23	oversight	103:25,25	68:1
organizations	50:18	104:14	participate
15:12 17:8	overwhelming	105:23	174:13,15
17:11 33:18	36:19	128:21 129:4	178:16
34:24 41:22	owned 141:10	129:5,14	participated
111:6	owner 86:25	147:19,19	31:16 41:2
organized 6:25	owners 171:7	154:10,11,15	50:19 186:3
67:14		154:20	participation
original 21:11	<hr/>	155:19	104:25 178:9
127:2,7	P	157:20	186:10
151:4,4,9	p.m 188:5	178:10,14,19	particular
originally	package 5:16	park 130:21	8:14 24:14
21:10	75:4,6,8	parking 68:21	27:3 33:5
origins 148:11	153:22	Parkside 108:3	42:7 48:21
out-of-det...	packaged 59:3	parole 112:20	50:11 54:18
164:13	page 3:3 88:1	part 7:16	74:5 77:8
out-of-home	paid 180:24	18:14,22	85:18 92:1
162:21	paint 28:13	19:23 20:4,5	93:8 111:13
163:11	94:21	20:6,9 22:13	126:18
out-of-state	paints 24:23	30:9 32:3	136:17,20,20
45:24 59:24	panel 49:5	35:2 36:4	137:24
	134:21		

148:20 150:9	Peaceful	156:7,11,12	26:12
particularly	174:24	167:25 168:4	PH-4 5:11
150:7 184:16	peacefully	168:5,12	26:18,22
parties 129:6	170:23	172:24 173:4	PH-5 5:13
189:12	peers 18:16	percentage	29:13
partners	penalties	29:16 38:14	PH-6 5:15
166:18	34:12,24	53:11 93:3	75:20
partnership	38:19	perception	PH-7 5:18
12:11	pending 34:3,6	23:1	138:23
partnerships	34:9 37:18	perform 153:13	phenomenon
134:3 169:10	87:14	155:18	8:23 18:18
173:6	penetrating	performance	Philadelphia
parts 35:8	61:4	171:18	31:3,6 62:25
54:13 134:2	pension 124:25	period 26:16	philosophy
176:23	people 12:6	27:16 83:21	176:1
party 67:6,14	23:12 27:19	85:16 97:19	phone 23:4,5
67:15,16,18	28:23 30:11	171:13,15,17	80:7 81:24
pass 46:2	44:11 45:6	permanently	118:18
56:20 111:14	59:6 69:14	171:19	130:19
133:10	80:6 82:25	permission	photograph
pass-down	91:12 92:14	174:13	5:15 85:20
125:24	94:16,17	perpetrator	85:24
pass-through	95:21 96:4	90:18 133:12	Photographs
181:6	101:19 105:9	person 55:25	5:14
passage 8:20	113:14,15	79:9 87:5	photos 29:9,10
passed 59:15	117:9,12	99:18 116:8	physical 71:1
62:2	118:3 119:2	164:19	140:23
passenger 70:4	125:22 126:6	172:10	physically
pastures 41:5	127:24	personal 7:25	112:24
pat 182:14	128:15	29:19 155:25	157:20
Paterson 123:8	139:17	personally	pick 8:5 15:17
123:14,19	143:16	85:20	33:15 105:6
path 100:15,17	147:25	personnel	112:7
166:8	149:13 177:7	147:6 179:19	picked 113:8
pathways 174:1	178:2,8	180:21	113:10
patrol 51:13	179:16	persons 78:20	115:17
51:17 52:14	186:18	103:15	153:17
52:14 107:1	187:15,25	perspective	picking 7:20
patted 102:18	people's 79:25	9:11 62:15	115:16 120:7
pay 19:22	peoples 113:1	petition 179:8	127:21
20:23 171:15	perceive 23:2	petty 78:19	picture 24:23
172:10	perceived 7:25	PH-01 14:16	75:24 94:22
payoff 177:17	45:7,10	PH-1 5:5	135:5 138:16
pays 181:1	percent 25:16	PH-2 5:7 25:7	pictures 94:16
PD 106:25	27:7,13	25:8,10	piece 118:24
peace 7:8 82:1	137:4 138:15	PH-3 5:9 26:7	119:12,19

150:17	148:14	163:14	pop 171:22
158:15	156:15,16	186:20	Pop's 172:5
pills 119:13	platforms 23:7	police 5:11	popping 127:22
127:23	28:3 42:24	8:6 12:9	popularity
pinpoint 16:3	play 114:4	27:7 50:6,14	28:18
pizza 129:6	played 84:7	51:8 52:12	population
place 19:8,10	playground	52:13,16	25:1 123:11
20:3 21:15	81:19	53:4 60:15	147:1 159:5
36:3 67:18	playing 101:4	61:4,7,23	162:5
68:8,20	127:22	62:5 75:18	porch 175:10
96:20 100:23	plays 111:3	81:8 82:4	pose 14:3
100:24 111:1	127:19	85:6,16 86:5	34:18 58:6
111:20 157:2	Plea 93:4	86:5,9,19,23	66:19
162:16	Pleasantville	86:24 87:1,2	posed 6:21
181:21 183:5	51:14 53:25	89:18 91:13	poses 58:2
184:24 189:8	54:20,24	91:13,15,23	position 11:8
placed 11:3	55:9,13,23	92:3,21,25	72:14 93:11
32:19 72:20	56:11 63:5	93:10 95:11	94:23
77:15 82:12	64:8 68:16	95:11 99:25	positions
90:15 99:24	76:5 79:18	102:2 103:4	10:25
163:25 164:5	79:20 80:6	103:11,16,18	positive
164:7 169:18	80:16 82:4	103:19	100:16
placement	96:19 101:18	105:24,24	positively
160:21	101:21 102:8	108:19,23	95:14
162:14	please 10:9,13	113:5 119:5	positives
163:11 164:8	10:19 30:14	119:9 121:16	88:23
169:19	49:5,9,16,21	122:11	possess 64:24
placements	50:1,4 51:10	130:18,21	possessing
160:16,19	52:8 55:1	132:18,24	26:15 60:16
162:21	56:9 61:2	145:19,22,25	69:12
places 48:3,8	62:11 69:19	146:2 147:3	possession
90:8 141:18	70:22 79:17	147:6 149:8	13:24 25:13
placing 98:18	85:10 106:19	149:9,10,23	64:19 65:2
plan 76:6	131:7,10,15	150:21	82:15 83:15
150:6 151:11	131:20	152:23	86:14,20
151:12 152:5	pocket 44:10	153:17	87:15 135:22
152:19,21,24	pockets 121:20	156:10	possessions
153:6,18	181:22	157:14 158:9	97:21 163:23
157:8 162:19	point 7:18 9:4	177:3,9,19	possibly 98:9
163:16	15:17,24	180:23	post 23:4,5,10
165:10 166:1	22:8 24:4	policing 148:6	23:16 28:14
166:3,8	33:15 41:11	148:10,14	29:8,23 30:1
168:11 170:3	43:7 46:21	150:3 155:22	45:4 84:13
planned 151:11	84:25 108:5	156:15,16	86:4,6
plans 162:24	108:9,21	policy 103:13	post-disch...
platform 28:5	109:1 112:2	poor 63:16	168:12

post-dispo...	56:11	21:6,9,20	106:1 117:11
31:15 35:14	predominantly	31:5 47:3	120:13,16
35:20 37:23	56:22 60:23	132:1	122:22
71:23 72:6,9	155:5 158:12	principals	128:20
76:17 112:21	prepare 173:15	77:24	129:14 130:7
116:20	prepared 27:2	prior 30:21	140:8 142:1
posted 85:14	27:3	31:2 37:11	144:16
85:21,25	presence 10:24	37:19,20	148:22
87:4	present 14:4	72:6 94:5	149:10,10,11
posting 28:12	65:25	107:3,21	180:18 185:8
28:19 29:7	presentation	127:3 137:14	185:11 187:2
29:18 30:5	42:19	159:16	187:9
39:18 43:22	presented 12:5	168:19,25	problems 41:24
postings 71:7	66:6 89:20	169:22,24	80:24 82:1
105:17	103:10	priorities	100:12
posts 29:6,7	141:20	166:6	102:18
29:17 30:3,6	presents 8:23	prison 97:4	129:11
43:21 118:5	65:23 66:2,5	127:9	143:10
118:13	112:12	prisons 7:3	181:13,24
potential	president	160:20	185:24
73:25 144:20	11:25 129:2	proactive	procedures
potentially	presiding	99:25	19:21
21:8 33:3	85:25	probably 12:5	proceed 178:24
163:11 175:7	pressure 23:11	22:23 158:8	proceedings
power 28:23	pressures 36:1	167:11	188:4
95:5 114:10	pretrial 72:19	179:18,21,25	process 9:9
114:11,11,13	pretty 23:9	181:17	19:23,24,25
powerful 17:25	107:22	probation	20:1,2 78:17
56:4	108:25 109:2	31:15 72:4	86:6 87:4
practice 84:11	118:21 164:4	72:13,16,18	92:24 154:3
86:3	167:19	74:15,20,21	162:12,22
practices	prevalent	77:3,5,13,15	164:4 166:3
50:10	47:23 111:25	78:7 90:8	166:9,22
pre- 35:20	138:17,17	93:8 101:11	169:21 172:2
71:23 76:17	181:23	112:20	178:1
116:19	prevent 60:9	135:25	professional
pre-teens 8:1	148:3 151:6	155:13	10:18 30:19
precede 84:16	151:8 184:25	165:16 166:2	49:23 50:4
preceded 71:1	prevention	169:17	51:1,21 52:8
precedent	47:4,9,12	probationary	106:24
16:23	151:5	171:12	107:20
precedes 167:1	previous 87:12	problem 8:25	131:20 153:7
predisposi...	pride 178:1	9:6 12:17,22	153:11 160:1
35:11 37:5	primarily	61:12 92:13	186:5
72:1 163:13	13:11 15:12	94:18 98:17	professionals
predominant	17:10,15	99:16 104:1	24:10,10

106:10	100:24 101:2	prosecutors	70:1,22
profitable	102:3,7,8	30:11 32:4,8	81:19 89:18
39:25	103:6,8	32:10,15,25	89:21 90:24
program 36:22	104:12,12,13	33:11,20	91:18
47:2 70:18	107:14 148:2	34:19 35:4	pull 25:7
72:23 92:7	154:7 155:1	35:18,25	127:12
103:16	160:12,13,14	36:21 37:6,8	pulled 83:19
107:14	161:2,4,10	37:14,25	99:15
131:24 136:9	161:14,16,16	38:2,6 46:16	pulling 23:16
138:3,8	161:18,20,22	46:24 47:2,4	59:2 99:20
143:12,20,21	169:4,7,20	85:7,15	119:2
144:10 146:9	183:4,7	prospect 9:17	punishing 83:2
148:6,7,9,18	184:12 185:7	protect 142:11	punishment
150:14 151:5	185:9	protected	90:22 125:6
153:20 154:8	progress 9:1	55:12	pups 123:21
155:6,8,11	progressive	protecting	purchased
155:16,20,21	100:20	73:25	61:17 65:17
155:22 157:3	proliferating	prove 58:16	74:19
157:4 158:11	14:1	proven 33:12	purchases
159:1 162:4	promote 29:3	144:19	45:24
163:3,5,6,9	promoted 11:1	provide 34:12	pure 42:8
163:12,20	11:2	52:5 66:18	purpose 150:13
164:10	promotion	82:7 98:22	151:9 156:20
165:23 167:3	51:16	102:13	purposes 15:16
167:7,15,18	prone 16:7	105:25	pursuant 189:5
167:22 168:1	92:2	126:12	pursuing
168:9,11,15	proper 39:1	173:13	175:25
168:24 169:3	property 70:10	183:18 187:6	pursuit 82:10
169:5,5,15	110:19	provided 25:22	82:14
171:1,1,2	prophylactic	25:25 27:6	purview 94:24
172:18,23,23	180:17	provider	put 6:20 9:6
172:25 173:1	prosecuted	183:17	14:15 28:20
173:8,12,13	30:24 31:5	provides 54:2	41:4 45:9
173:18,19,24	31:23	providing	55:11 77:6
174:5,11	prosecuting	84:21 102:14	90:11,11
175:4,16,20	30:13	provisions	92:6,7 93:11
175:24 176:1	prosecution	76:20	95:23 100:23
177:12 179:2	47:11	provocative	100:24 102:2
181:5,5,9	prosecutor	84:15	104:23 113:9
183:9,16	30:22 31:7	provoke 54:6	119:8 123:22
programming	33:5,9	84:15	140:13,13
132:11	prosecutor's	public 1:1 7:8	185:10
141:24	30:23 41:19	7:8 9:6 13:1	puts 66:9
142:21	41:25 43:25	13:7,8 14:4	putting 89:4
programs 36:13	47:14 50:7	14:6 24:1,15	100:5
42:1 100:23	85:11 108:15	66:19 67:6	

Q	randomness 46:14	118:5 138:24	reasons 25:2
qualify 103:16	rang 130:15	reading 120:21	rec 102:8
quantify 124:1	range 152:24	127:22	recall 59:21
155:24	165:15	real 29:16	81:12
quarterly	ranged 68:2	43:7,18,18	receive 35:17
108:17,18	ranging 48:16	43:22 44:1	77:19 78:22
question 39:5	74:10	reality 24:11	93:22,22
41:13 44:8	rank 50:24	34:16	164:9
45:20 46:7	ranking 131:4	realize 108:6	received 51:4
87:13 88:16	ranks 52:16	154:23 179:3	74:22 77:14
89:12 94:1,2	57:23	realized 39:24	78:20
117:15 143:6	rap 88:6	174:5	receiving
143:8 144:22	rapidly 156:11	really 24:3	134:1 135:12
questioning	rapped 88:9	30:5,6 33:6	recess 106:7
49:4 75:10	rapport 166:14	33:12 34:11	recidivism
questionnaire	rare 93:2	35:7,9 36:7	97:12,15
157:15	rarely 32:17	37:9,18	156:4 167:20
questions	rat 87:6	41:22 42:2	reciprocal
27:22 40:20	105:18	42:10 43:12	177:9
47:20 92:23	rate 8:11	46:5 47:6,9	reciprocate
93:15,21	24:25 97:12	47:12 48:16	98:23
120:18	97:15 137:4	48:17 56:4	recognized
124:18 129:3	137:10	57:24 84:1	11:17,20,22
140:2,3	138:20	89:8,17	84:11 160:23
166:16 176:6	167:24 168:4	108:20	recognizes
185:5	168:5,6,12	113:23 115:7	90:13
quick 97:17	172:24	117:22 121:2	recommenda...
176:9	rates 156:4	141:17 146:4	9:12 94:24
quicker 90:2,2	167:20,22,24	146:8,15	185:23
90:4 118:16	172:18	147:11,17	record 9:23,24
quickly 35:6	rats 86:8	148:14	10:13 30:15
quiet 43:2	reach 43:4	149:19,25	49:17 98:6
quite 22:9	91:18 164:17	151:4 160:3	106:20
74:23	170:6,8	162:23	131:16
R	171:5 179:10	171:23	144:24 145:8
R 2:1 189:1	reached 125:20	177:15,24	155:14
R.S.41:2-2	149:24	178:22	recovered
189:5	reaching 89:9	181:21 187:9	59:19
raided 59:1	react 43:5,18	187:16	recruit 8:5
raised 13:17	126:10	reason 64:3	34:13 174:18
15:17 34:5	reaction 90:4	73:19 105:8	recruited
raising 101:12	reactionary	112:15	127:9
ran 92:3	43:20	118:13	recruiting
130:18	reactive 100:1	119:23	111:14
random 18:4	read 20:23	reasonably	117:12
		180:13	red 50:2 89:2

redaction 91:16	79:16 84:22	relation 103:9	removed 136:23 137:11
reduce 150:13	regardless 37:10	relationship 21:1 98:12	render 75:22 76:5
reduced 38:19	regards 72:11	127:1 134:11	rendered 76:1
reenter 170:23	72:16 85:11	158:23 167:2	RENZI 1:15
reentry 169:5	85:23 86:2	171:20 177:3	repeat 53:3
169:5,6,10	87:12 89:21	177:9	83:5,12,14
169:11,15,20	region 15:5	relationships 20:12,15	83:19,23
172:18,23	48:17 97:13	132:13	repeated 62:2
173:5,8,18	129:2	134:14 171:7	repeatedly 6:20 46:9
181:4	regional 25:25	relative 189:11	74:6 82:5,21
refer 17:6	51:22 99:10	relayed 77:24	138:11
148:9	161:6 169:10	release 36:16	replace 19:6
referenced 20:25 25:19	173:5	72:19 97:17	replicate 183:16
71:24	regions 48:2	169:23,24	report 6:11
referral 143:15	registered 59:22	released 32:22	9:3,10 13:13
163:12	regular 12:24	35:5 72:21	24:20 44:15
164:17 166:3	90:12 109:25	86:6 87:3	87:1,3 129:8
168:20,22	187:23	90:17 113:4	157:22
169:22	regularly 7:14	134:14 142:2	172:21
referrals 163:24	regulations 19:21	releases 89:25	185:21
referred 161:24	rehabilitate 46:11 96:22	90:2	reported 24:9
163:15	rehabilitated 139:15	relevant 36:7	Reporter 189:3
167:25	rehabilita... 33:7	relocated 107:22	REPORTERS 1:16
172:25 173:5	rehabilita... 38:23 78:24	relocation 63:14	reports 86:5,5 86:7 92:18
refers 36:12	Reintegration 161:23	reluctance 44:24	represented 27:9 81:23
reflect 24:16	reinvest 184:10	rely 167:18	81:24 103:22
24:17,18,24	reject 46:21	remain 49:9	representing 81:22
25:10	related 13:17	163:14	represents 26:12
reflects 26:22	15:18 23:25	remained 8:12	reprioriti... 187:5
27:10	34:4 35:5	remarkable 186:15	reputation 17:19,22
reform 99:20	37:24 44:8	remarks 22:1	18:2 58:13
183:2	76:23 98:6	remember 120:20	101:22 167:1
refused 175:12	103:7	148:16,25	requesting 77:25
regard 29:19	relates 11:19	reminding 39:11	require 34:17
36:7 103:13	12:14,16	remorse 92:13	165:23
167:1	13:16,18,20	remove 46:18	
regarding 33:25 35:19	18:20	142:13	
42:3 62:12			
65:16 76:22			
77:18 79:9			

178:15	57:19,24	return 90:3,3	rise 13:23,24
required	58:1 81:1	90:6 157:25	rising 7:2
154:10,18	158:23 177:8	169:23 170:4	risk 157:25
requirements	177:18	returned	158:5 160:18
166:2	respective	175:25	163:11
requires 94:3	120:23 131:6	returning	rival 16:14,18
187:2	respectively	169:12 170:8	54:6 59:16
requiring	104:18	170:14	84:14,21
178:14	respond 7:10	reunification	88:2,12
Research 51:2	23:12 141:19	170:15	175:7,11
researching	responded 23:7	revamping	rivalries
152:1	responsible	96:11	55:10,11
reset 100:16	30:13 50:17	review 32:13	rivalry 54:22
residences	rest 147:5	50:9 150:23	rivals 54:1
66:23	restraints	168:21	86:8
resident 73:8	99:23	171:18	road 33:2
178:1	restricted	reviewing 32:8	46:24
residential	126:4	revolvers	roadway 70:2
66:21 72:2	result 23:13	65:23	roadways 66:22
136:21	32:21 38:4	ride 96:14	robbery 46:1
160:20 164:8	38:17 68:3	156:17	72:16,18
169:18	90:2 175:3	riding 115:2	137:18 138:1
residents	resulted 67:18	rifle 5:15	156:11
62:22 105:10	114:20	74:25 76:1	robbing 139:17
133:5,6	resulting	93:9	Robert 2:5 6:8
177:8 180:3	38:21	rifles 60:25	ROC 26:2
resolution	results 90:4	60:25 65:24	role 84:7
170:19	159:17 160:3	right 25:22	111:3 114:4
174:24 175:3	resume 172:3,4	26:10,23	118:23
184:7	resurgence	29:24 32:18	147:22 161:5
resolve 175:1	7:12	39:8 43:4	rolling 79:22
184:12	retaliate	70:7 77:15	roof 140:6,8
resource	110:25	91:19,20	room 146:17
124:16	175:12,15	92:11 98:18	rooms 67:20
146:10 153:8	retaliation	115:17	root 181:12
158:17	15:15 44:15	117:19 118:1	Rosemary 2:4
159:23	45:3 92:18	118:11	6:6
resources	113:22	122:22 125:8	roughly 54:16
99:21 104:23	122:19	126:14	rounds 22:8
158:10 160:3	retaliatory	128:13	80:3
163:1 171:23	90:5	133:21 136:2	route 1:18
173:10,25	retired 50:13	139:8 158:6	69:24 71:14
181:22	107:16 125:1	171:3 176:2	76:4
182:18,19	retirement	176:2,10	routinely 8:2
183:6,12	50:21	180:15	rule 104:5
respect 57:18	retiring 50:24	Rigid 75:23	155:12

189:15	sat 134:20	77:1,16 81:6	148:13 151:5
rules 19:20	savings 184:9	81:9,14,15	151:8 179:20
143:20	saw 21:10	81:18 91:25	180:22
run 152:3	25:15 29:6	92:8,19,25	SCI 1:1 6:16
157:23	29:17 56:18	93:6 97:3	9:19 49:3
163:21	75:4,5,10	98:1,4,8,13	144:21
165:17	151:17 177:1	100:13,23	SCI's 6:10
runaway 110:12	saying 14:20	101:1,18,21	185:19 186:4
110:12	88:13 91:13	102:5,8,9,16	scientific
156:23	92:16 96:2	102:17 103:3	57:13
157:10,25	123:20 129:6	103:11	scope 34:10
159:7,8,9	129:16	110:16 115:5	score 85:1
running 110:15	156:18 182:6	115:14 119:4	screen 14:15
120:4,10	says 27:1	124:15,16	25:7 26:6
149:25	140:12	127:21 129:5	29:13,14
runs 149:3	151:13	129:14 130:3	42:13,15
157:13	Scancarella	130:4,13,17	seat 10:9
159:12	2:3 6:7	142:18,19	145:12
rural 21:8,12	40:19 93:19	143:21	148:21
21:23 62:21	94:20 96:5	146:10 147:2	seated 49:21
99:8 117:2	97:8 120:19	147:19,21	87:9
Rutgers 176:2	121:7 122:4	149:19 150:2	second 72:10
ruthless 7:22	123:5,25	150:10	72:14 99:17
<hr/>			
S	124:22 140:4	151:13 152:8	181:7
S 5:2	140:16,19,22	152:25 153:2	secondly 89:19
sad 30:5	141:14 176:8	153:5,7,8	section 115:6
130:25	176:13,18	158:16,17,19	sections
safeguard 60:9	178:3 181:19	158:22	111:18
safer 104:19	186:8	159:11,21,23	sectors 36:1
142:22	scenario	159:24	sects 63:22
safety 7:8	149:17	170:11	secure 32:20
9:16 14:4	scene 7:16	175:10	36:3 77:14
29:19 66:3,4	scenes 45:17	180:25	184:4
73:18 78:1	85:21	181:18	securing 34:17
89:18,22	scheduled	187:19	security
90:24 104:10	68:12,17	schools 58:18	169:13
158:19	school 10:22	62:24,24	170:12
sake 17:20	56:24,25	77:23 80:25	Sedefian 3:13
salary 158:15	60:8 63:18	81:5,6 88:23	3:15,17,19
171:15	64:3,16,25	92:10 98:3	3:21,23,25
172:10	67:1 70:10	99:1,2	4:2,4,6,9,11
sale 59:3	70:16,17,18	100:19 101:6	4:13,16,18
sales 17:13	70:19 71:2,3	101:11 102:3	49:3,6,16,21
114:8,8,14	71:9,10,10	115:16 119:3	50:3 51:9
Sandy 63:12	71:15 72:17	124:15 147:1	52:7,19,20
	74:13,14,17	147:23	56:7 59:25

60:1 62:8	133:10	89:3	76:12
66:15 74:3	135:16	sell 17:8	series 185:8
79:14 83:3	138:15 143:8	59:16	serious 9:6
87:16 88:15	147:9,17	selling 17:16	31:17 32:17
89:12 90:20	149:2 150:8	17:24 59:7	33:4 38:25
91:21 93:14	159:4 166:10	semiautomatic	44:11 90:1,8
106:13,19,23	171:13	60:24	152:13 155:3
107:19 109:4	174:22	send 97:3	185:10 187:9
109:9 110:6	180:18	179:8	Seriously
113:2,18	182:15,21	senior 33:5,9	119:1
115:24	184:17	45:15 116:15	serve 8:3 30:3
116:10,17,23	seeing 15:3	sense 33:24	52:3 160:16
117:4,15	16:18 18:7	42:22 179:14	160:24
118:20	18:10,17	182:11	161:10 167:8
119:20	21:6 22:2,25	sent 97:3	167:11
120:17,21	29:8,14 30:6	123:16	173:16
131:7,8,15	48:12 53:4	sentence 32:21	served 12:8,11
131:19	53:19 58:17	35:16 36:5	50:15 97:21
132:15	58:18 60:15	74:16 76:23	serves 30:2
133:15 135:6	60:22 63:14	77:18 87:13	service 124:24
136:5 137:14	63:15,23	sentenced 73:5	168:11
138:7,10,22	89:7,10	78:4,7	183:23
139:20,23	116:21,23	sentencing	services 38:23
140:1	117:5,16	34:13 77:7	144:5 152:20
Sedefian's	seen 45:2,10	78:20 93:2	153:2 161:23
93:21	45:11 52:22	separated	servicing
seductive 20:8	52:25 53:3	108:6 154:11	179:24
see 12:18	53:20,21	separation	serving 50:23
14:24 17:15	54:3 55:4,6	108:8	Sesame 95:23
18:23 20:7	57:6 61:25	September 1:3	95:25
20:16 21:10	62:11 64:6,7	68:8 107:16	session 70:18
22:14 24:19	64:18,23	sergeant 3:20	154:19
25:11 26:13	79:8,18	4:1 11:1	sessions
28:9,14 29:9	82:23,24	49:7,22 50:3	154:18,23
29:20,23	99:23 112:11	50:13,25	set 24:14
39:16 40:5	117:13,17	51:9,16	189:9
42:5 45:2,3	126:10 130:9	52:21 55:1,5	setting 158:4
46:23 61:6	147:11	57:7 60:2	settings 60:8
63:21 75:23	157:19	61:2 62:10	60:8 160:19
82:4 83:4	167:20,22	66:15,16	settle 8:2
88:1,2,4,6	173:19	70:20 71:21	seven 63:3
91:23 95:19	sees 139:3	79:16 83:3,4	146:10
96:24 104:24	Seglem 2:2 6:2	88:7 89:15	150:20
105:17 110:3	segue 110:13	90:24 103:2	152:16
118:10	seize 75:24	116:18 132:5	severely 7:9
128:15 129:9	self-ident...	serial 76:11	severity

133:23	96:1 113:5	57:9 98:19	157:8
168:24	113:14,15	shut 113:16,16	sites 117:21
sex 141:9,13	114:19	sibling 120:1	sits 159:13
157:17	122:25	152:2,3	situated
sexual 74:11	shootings 27:5	side 26:20	181:25
sexually	27:10 38:9	46:17,19	situation
159:16	58:19,21	55:18 56:11	18:15 95:17
SGT 3:12,16	59:18,18	56:12,19	98:18,21
49:19 50:5	60:18 66:20	68:16,24	100:8 125:21
52:20 60:1	68:4 79:21	69:13 100:16	154:25
89:16 97:14	85:2 90:5	159:2	156:13 182:4
103:3 105:19	122:7,8	sign 21:3	situations
shadow 172:10	shootouts	149:21	63:16 79:8
shadows 39:15	79:22	significant	174:25
shake 156:16	shoots 88:13	12:15,17	181:14
shape 95:15	shop 172:3,5	19:11 25:11	six 59:3 102:5
shaped 146:15	172:14	27:15 41:15	107:1 136:19
share 44:25	shoplifter	41:18,24	154:8 168:3
54:1,21	78:21	53:14 61:12	168:12
148:10	Shore 107:22	109:5 177:22	171:16
181:22	short 44:2	181:23	size 123:8
sharing 151:7	83:21 97:19	signs 115:12	146:19
153:4,7	106:5	similar 32:11	179:15
shelter 126:19	shortly 138:4	79:8 134:22	skills 64:4
shift 18:7,11	shot 57:7	simple 163:21	154:12,16
108:8	68:14,25	simply 17:18	slap 139:12
shifted 7:7	69:2,4,7	151:12 153:9	slight 23:1,2
40:12	71:11 81:13	single 29:8	slightest 7:25
shifting 34:1	86:13 105:16	75:22 81:9	23:1
shipped 124:9	107:5,8	120:1 137:6	small 29:16
shocked 27:18	115:22	157:13	36:24 38:14
shoot 66:8	139:18,18	sir 9:21 26:11	119:9
118:8	shotguns 60:25	53:17 54:10	smaller 138:14
shooter 71:18	shots 57:17	56:6,9,14,24	138:16
71:19 92:6	67:19 80:8	62:7 64:9,16	182:23
128:3	show 24:2	65:4,14	Smith 4:7,8,12
shooting 5:12	28:23 47:7	69:18 70:7,8	106:16,21,21
25:3,4 27:9	58:19 59:4	71:24 76:10	107:19,21
50:19 67:9	91:10 138:17	79:13 80:13	110:6,7
68:7,10	143:17	82:6 83:7	113:18,19
70:14 72:12	171:10,11	86:15 98:11	114:18
72:17,19	showed 7:1	111:23	116:17,22,25
79:24 83:12	showing 43:1	125:11,16	118:20,21
83:16 84:7	44:9 141:4	135:15,18	119:23 121:1
84:22 85:13	143:24	176:11	121:9 124:3
86:16 88:10	shown 20:11	sit 150:22	125:11,16

126:13	solicit 34:14	114:22	175:22
snapping	solicited	115:10	spoken 12:3
129:21	92:25	146:22	102:4
snapshot	solution 94:19	176:15	sport 100:25
148:11	104:15	southern 169:9	sports 101:4
snatch 118:15	105:12,14,25	spans 56:17	spot 44:21
snitch 45:1	solutions	speak 7:11	spotlight 9:6
snitching	144:19	98:13 141:21	spray 28:13
73:20	somebody 55:11	165:3	spread 21:22
social 5:14	58:11 88:4	speaking	117:5 158:5
8:3,14 14:3	92:18 95:22	113:11	185:9
15:14 21:21	111:21	special 10:1	spreading 54:8
23:5,6,6,11	118:17	146:3 147:4	116:24 117:2
23:19 27:25	142:24,25	specialist	spur 9:7
28:2,5,8,10	someone's	50:9	spurred 7:3
28:11,24	172:13	specialized	squads 51:18
29:2,5 30:1	somewhat 16:10	50:15 51:4,7	square 62:21
30:3 39:19	son 74:24 75:7	specific 15:4	146:25
42:6,6,21	94:17 104:4	16:3,4 24:4	staff 27:3
43:8,13 44:4	104:4 126:23	24:7 26:9	92:1 103:19
45:3 54:4	soon 39:21	27:4 38:24	141:24 147:2
67:15 71:7	113:13	63:13 80:15	147:6 153:8
84:6,8,12,16	128:13	84:21	164:19
84:19 85:6	Sooner 102:23	specifically	169:25
85:21,25	sorry 64:10	13:18 26:25	171:24 186:5
86:7 87:5,18	72:16 81:17	28:4 66:3,8	186:10,14
87:21 88:5	87:8 107:7	148:5 157:16	staffing 142:5
88:17,22	170:1 171:16	161:19	stage 46:12
91:4 105:17	sort 15:23	spell 118:6,7	stages 31:13
111:2,11	23:13,15,16	spend 101:3,3	56:21 183:5
114:12	43:5 45:12	142:5 184:1	186:24
117:20 118:6	71:23 98:25	spent 51:15	stake 9:15
118:16,19,22	99:9 100:10	53:10 144:15	stand 106:14
119:18	125:22 126:9	spike 53:6	131:10
128:15	173:7	spill 176:20	standard 61:13
134:12 143:2	sound 91:10	spillover 63:7	standing 49:9
149:24 150:2	sounds 18:6	63:8	standpoint
152:23 154:9	19:12 23:18	spills 177:18	106:10
154:16	23:19 31:19	splintered	stands 188:3
156:19,21,22	185:7	8:17	start 10:12
158:13,15,18	source 114:6,7	spoke 24:13	30:6 49:22
179:19	south 55:18	30:11 32:7	80:1 89:15
socially 91:1	56:11,19	33:20 55:5	102:14,24
95:3	68:16,24	86:23 103:24	110:14 129:7
society 186:22	69:13 81:23	104:2 128:10	144:18
soldiers 57:8	99:2 108:7	128:22 139:7	145:14

185:10	127:9 131:15	136:18,22	17:10,23
started 10:23	133:2 134:2	154:21	33:11 50:10
19:2 21:10	134:10	stayed 107:2,6	50:12 51:5
23:3 39:13	144:25 145:7	132:6	53:12 60:10
42:9 47:14	148:1 158:8	stays 23:9	61:18 65:10
51:12 52:10	161:8 169:7	136:18	70:22 73:21
74:9 106:25	181:4,17	steady 64:22	92:11 95:23
107:1,24,25	182:3 183:16	steal 45:16	95:25 114:23
108:8,11	187:3,4	62:6	115:10 121:5
109:23 115:1	189:4	stemmed 86:16	121:5,13,15
122:16	stated 13:3	86:17	146:7,11
131:21	33:9,12,25	stenograph...	148:25
132:16,21,21	185:17	189:7	streets 9:18
132:22,23,24	statement	step 9:9 19:6	22:25 23:14
132:25	18:10	164:15	23:14 24:16
136:13	states 45:24	185:18	24:18 32:16
137:18,25	51:6,25 52:1	step-down	35:6 44:3
143:12 147:5	135:13	181:5	49:2 79:23
162:22	160:25	Stephanie 4:7	102:10,11,11
starting	statewide 5:7	106:16,22	119:18
123:18	9:7 25:17	stepping 18:18	120:10,15
129:24	26:8 183:17	Steven 4:7	strength 54:2
187:19	183:23	106:16,21	162:19
startled 27:18	static 8:12	stint 137:7	strength-b...
startling	station 103:13	138:4	162:7
22:23 40:5	121:16 155:2	stints 136:15	stressed 99:21
40:11 46:6	155:4,10,15	stipulations	strictly 61:8
94:22	155:17	112:20	118:1
state 1:6,7	178:18 179:1	stole 151:3	strikes 84:17
6:3 7:12	179:6	stolen 59:14	striking 87:11
8:21 9:25	Statistic	59:20 61:11	115:22
10:13,17	121:2	61:18 110:19	strong 178:21
11:9 12:9,15	statistics	115:2,4	178:22
13:4,19 14:1	24:1,15 26:9	135:22	179:12
18:20 24:14	44:9,19	stop 63:24	180:14
25:13 26:4	120:22	95:19 99:6	strongest
30:14,20	172:18	164:4	116:5
31:8 41:16	stats 122:7	stopped 86:19	struck 66:24
45:25 46:13	status 37:16	143:25	67:3,7 70:2
48:3 49:16	110:10	story 158:25	structure
51:8,25	114:13	straw 45:24	15:11,18
54:13 62:20	169:12,17	stray 66:24	16:6,10
92:5 97:4	statute 33:11	street 1:7	33:17,23
106:19	33:17,19,21	6:25 7:12	34:1
108:19,19	34:4,10	9:3 10:24	structured
110:3 124:25	stay 118:14	13:12 17:7	15:8,9,18

structures 16:7	158:24 163:3 164:25	76:17,20 116:20 120:8	swearing 20:24
struggling 8:9 63:16 100:11	165:22 166:7 168:4,5,6,12	supervisor 146:7	switch 23:23
student 71:2,3 71:15 92:2	172:24 176:19 177:1	supervisors 101:23	sworn 10:6 16:21 49:9
98:19 100:25	successful 19:5 155:22	support 102:12 102:15 147:6	49:13 106:14
students 103:8 104:13 147:2	155:23 156:2 162:23	149:25 165:1 165:4,7,8,11	106:17
study 41:2	167:15 169:11 170:4	165:15 170:10	131:10,13
stuff 39:12,14 111:10	170:15 172:19 177:8	171:12 182:20	145:5
127:19	successfully 155:7 159:2	183:15,18	symposiums 104:20
128:23,25	167:21 168:2 168:8,14	supported 171:2	system 6:23 7:5 8:22
stunned 45:13	170:22 172:25	Supporting 184:12	9:15 11:14
Stuyvesant 121:14	173:20 175:17	supportive 172:2 173:9	25:1 30:13
style 150:3	suffering 180:18	supports 162:25	31:9,21
sub 121:16	suggest 106:5 suggestion 178:21,23	165:16	32:24 33:3
subject 12:3,7 13:14 69:7	179:12 suggestions 95:9	suppression 11:6	34:25 35:4,8
86:11 94:6	SUITE 1:18 sum 38:10	Supreme 41:11 sure 50:2	35:10,22
subjecting 142:20,21	sun 89:2 super 58:8	95:12 100:7 118:9 119:20	36:2,20
subjects 132:19	109:19,21 superinten... 77:23	140:15 162:1 167:10	37:16 38:12
submit 100:2	Superior 68:11 supervised 52:14,15	186:12	38:25 39:2
submitted 11:23 77:22	supervising 120:2	surprising 27:19	73:4 74:13
subordinates 16:1	supervision 32:22 36:13	surrounding 108:18 128:8	89:20,24
subsequently 68:22 70:5	38:5,7 71:23 72:13,23	176:21 Susan 151:14	96:10,23
78:6 87:3		suspect 27:10 suspected 141:3	98:2,6,16
subset 8:14 24:5,7 36:24		suspended 159:11	100:10
suburban 21:7 21:12,23		swat 92:2	122:13
suburban/r... 62:19			124:17,25
suburbs 63:17 99:8 117:2			125:9 138:2
117:10			138:12
subverted 7:2			142:16
succeed 100:17			143:15
success 151:17			153:12,15,24
			154:1 171:4
			178:9 179:8
			181:9 182:23
			184:15,19,23
			186:1
			system's 7:9 36:6
			systematic... 151:19
			systems 183:13
			<hr/> T <hr/>
			T 5:2 189:1,1

table 40:7 183:19 184:8	96:24 143:5 183:5	99:12,13,14 100:2 108:15	74:4,8,18 75:20 79:17
tackle 151:19	talk 7:17,18	taught 12:5	81:20 84:7
tactics 64:4 132:18	13:16 17:3 19:16 22:18	52:1 139:10 154:9	86:12 94:10 95:21,22
tag 28:17	23:18 27:25	tax 6:15 180:14	96:2 106:24 107:20 113:3
Taggart 3:10 3:14,24 4:3	30:9 32:2 33:16 35:2,3	taxpayer 100:7	114:18
49:7,12,18	37:4 44:25	teach 142:6 173:14	131:20 136:5 136:15,17
49:18 51:10	58:9 92:15	teacher 129:19	137:23
51:12 54:25	92:18 96:9	139:5 148:22	138:25
56:7,8 61:19	101:4,5	149:6,18,25	143:17 144:8
62:10 79:14	124:4 129:19	teacher's	145:21,24
79:15 84:1	148:4,5	149:11	148:24
87:16,17	158:3 161:19	teachers 58:18	161:24
90:20,21	173:3 187:17	81:2 101:23	telling 139:14
94:3 95:6	talked 22:1,17	103:8 104:13	141:9
96:7 101:20	24:1 28:1	teaches 174:25	ten 55:7 89:8
106:1	32:4 44:12	teaching 146:9	99:22 120:6
Taggart's 63:5	63:6 99:7	148:18	124:20,21
tagging 81:4	161:13	team 30:24	136:4 141:6
tail 8:25	174:20	47:5 92:2	149:12
Taj 67:9 71:24	talking 19:14	tearing 130:20	174:16,18
72:7 83:12	24:4,6,6	technical	tend 15:21
84:7	29:9,10	90:14 169:2	tens 105:10
take 14:12	31:24 37:1	teen 175:18	tenure 41:3
20:3 29:13	66:12 80:10	teenagers	term 17:4
30:12,12	86:9 88:9	56:18 170:14	36:10
40:21 64:24	93:24 95:1,2	teens 8:1	terms 42:23
76:5 77:17	96:17 109:24	146:13 174:3	46:16 83:1
91:3 106:5	119:21	TEL 1:20	98:3,25 99:3
116:8 121:16	125:18	tell 8:16	100:9 125:22
122:4 126:7	135:11	10:18 11:18	146:19
135:4 138:14	163:18	26:25 30:18	147:10,21
138:18,23,23	165:14	32:12 34:8	170:10
141:24	target 16:7,11	37:6 38:1	177:20 182:2
153:24	90:19 172:15	45:20 49:23	territories
171:24 177:7	targeted 61:20	50:4 51:10	53:2
178:25 179:5	61:22,24	52:8,21	terroristic
185:5,21	72:20	53:19 54:11	72:4 74:12
taken 85:21	targeting	55:1 61:2	terrorizing
94:4 106:7	17:12	62:11 65:20	186:25
111:1,20	targets 17:10	67:11 68:7	testified 10:6
152:17 154:1	task 12:12	69:19 70:9	18:7 49:13
189:7	51:5 92:4,5	70:22 73:2	65:11 106:17
takes 16:23	92:9 99:1,1		

131:13 145:5	79:1 93:9	149:17 157:7	94:21 97:21
testify 10:3	thanks 144:13	159:6 170:3	110:8,10,17
145:2	186:4,10	171:1 176:2	126:17
testifying	theft 74:11	176:25	127:13
94:17	147:19	186:19	133:22
testimony	thefts 110:19	187:19,24	135:24 136:6
11:24 13:22	them's 129:11	third 72:7	136:10,13,20
15:1 21:14	themes 178:6	137:19 148:5	136:24
22:6,10	thing 46:22	148:10,14	137:18 138:3
34:18 38:10	48:5 95:14	154:19	138:8 149:1
40:17 44:22	96:13 101:20	155:21	153:25
46:3 48:24	105:4 108:24	thirties	159:10 166:5
52:6 65:16	117:14 123:2	126:25	167:13,14,17
97:10 106:4	123:23 126:6	Thomas 4:14,17	three-page
120:20 125:5	135:25 139:8	131:9,12,17	157:15
131:3 144:14	142:19	131:17	throw 89:1
176:6 187:15	187:14	132:15,16	tie 116:6
189:7	things 34:20	135:6,7	tied 96:6,7
testing 7:9	44:25 46:14	138:22 139:2	time 8:20 11:4
thank 6:2 9:22	55:6 88:24	139:22,25	11:7 15:10
39:3,10	97:24 107:15	140:7,18,21	16:4 19:11
40:16,16,23	112:21	140:24 143:4	25:19 26:16
44:6 47:16	114:15 115:8	thousand	27:15 29:13
48:22,23	118:15,18	161:11	31:7,10
50:2 51:9	122:17	thousands	39:20 41:7
52:7,19 56:9	126:11	28:16 105:10	41:10 43:7
59:25 93:14	129:16	thread 125:21	43:12,18,18
93:17 97:8,9	134:22	threat 6:21	43:19,23
97:23 103:23	163:24	58:2,6 66:19	44:1 47:8
106:2,3,13	166:14	89:17,21	53:9,11
109:4 123:25	176:19,22	90:23 112:12	59:13 62:22
124:22,24	177:10	threaten 8:6	67:16 69:22
125:2 130:25	181:16	28:22	70:17 75:10
131:2 141:14	183:21	threatened	75:17 81:16
143:6 144:12	187:17	85:15 127:23	82:3 83:21
144:23	think 24:3	threatening	85:16 87:14
145:18 160:6	25:19 39:20	8:20 15:15	95:21 96:21
176:5 178:3	41:1,14,17	42:20 71:8	96:24 97:18
185:3,5,12	41:23 43:6	threats 43:2	97:19,20,22
185:13,14	44:20,21,22	72:4 74:12	101:3,3
186:2,8,9	73:24 90:25	88:5	106:4 108:4
187:11,14,24	93:20 95:7	three 30:23	108:10 111:9
188:1,2	97:16 102:13	40:24 52:17	113:14 114:2
thankful	102:14 114:1	54:16 63:4	124:11,11
187:25	116:25	68:24 69:11	128:17
Thankfully	138:13	83:21 89:13	136:12,21

142:1 144:18	42:21	158:1,11,12	63:9
146:6 147:13	top 89:1	176:10,17	transporta...
148:20 149:8	109:18 166:5	177:8,23,25	70:1 105:2
149:25 156:9	topic 18:15	180:6,25	transported
158:14,14	104:21	182:13	152:9
162:2,8,11	Torres 3:5,6	townships	trauma 157:21
162:15,16	10:2,5,8,12	158:8	traumatic
165:5 177:1	10:14 12:13	track 55:25	152:12
185:5 186:3	25:8 27:23	73:10 124:6	travel 111:13
189:8	30:8 31:24	tracking 73:9	traveling 70:2
times 22:18	33:18,25	90:11	Treadwell 4:7
25:2 45:4	34:5 39:5,10	traditional	4:10 106:16
70:3 134:20	42:5,12,17	14:2,9,25	106:22,22,23
136:4,19,25	43:6 44:20	15:8,13,19	106:25 107:9
143:22 152:2	45:19 48:1	15:22 16:24	109:5,8,12
166:12	57:5 87:19	17:7,10,21	113:2,3
tipping 186:20	108:10	18:25 19:1,2	115:24 116:2
tired 39:23	total 69:14	19:20,20,23	116:13 117:4
today 7:6 8:17	81:1 121:5	20:22 39:22	117:7,18
12:18 13:16	147:2	40:15 47:22	122:6 123:12
13:22 24:24	totally 39:14	48:10,12,15	125:2 128:18
53:19 58:2	touch 104:23	57:2,4,6	treat 78:18
97:10 111:5	141:16 169:4	58:3,8 81:8	155:14
117:16	touched 93:20	109:11	treated 35:20
118:24	95:1 97:11	111:25 112:3	treating
119:14,19	tough 102:17	112:13,17	177:16
120:11,14	174:25	traditionally	treatment
128:9 133:19	town 15:5	16:18,20	125:13
141:20 146:9	48:18 54:1	18:23	tremendous
146:16 147:8	55:18 62:16	traffic 63:1	155:18
147:15,24	62:23 63:5	141:13	trenches
148:4 150:19	63:25 80:8	trafficking	186:17
156:24 157:4	115:7 176:20	141:9 157:19	trends 144:17
157:10	towns 104:18	tragic 182:7	Trenton 1:8,19
161:18,21,21	105:4,9	train 132:23	5:11 27:6,7
187:15	120:23 158:8	training 10:22	106:12
told 15:1	township 10:22	51:4,7 52:5	108:22 110:8
86:24 113:12	21:17,18	92:7 132:22	111:24 112:4
118:10	62:16 64:9	170:11	112:12
127:15	64:10 145:19	TRANSCRIBED	114:23 115:8
176:19	146:2,19,20	1:10	115:10
TOLL 1:20	146:21	transcript	116:24 120:9
ton 29:11	147:10 148:2	189:6,15	123:7 124:5
tool 157:25	149:20 150:4	transferred	127:6 128:1
158:5	156:1,8	51:14	128:7
tools 29:4	157:1,12	transient 63:1	Trentons 157:5

trial 30:24 31:14 91:14 93:3	170:16 182:1	126:12	43:19 47:10
tried 100:14	Tube 88:6	137:15,25	105:21
105:3 132:13	Tuesday 130:18	141:19	unified 181:22
trigger 8:1	turf 114:8,9	147:16 157:2	Uniform 24:20
22:24 23:2	turn 42:12	157:3 163:18	unique 6:17
23:16	50:1 56:8	163:20	33:17
triggers 22:19	125:22	165:13	unit 11:4 12:9
22:21,22	turned 99:24	171:22 182:2	50:8,18
Trinitarios	139:25	182:9	53:10,10
123:15	turning 144:18	types 22:3	103:19
trips 174:23	tussles 8:2	37:1 73:6,13	108:23 109:1
trouble 78:13	tutoring 101:3	151:19	132:9,25
troubled 74:24	TV 96:2	152:20	140:14
78:14 101:19	twins 126:22	typically 60:7	150:18
truancy 110:12	two 35:7,8	61:12,17	151:20,21
110:15	41:14 51:18	155:11	152:1,18
156:23	54:21 55:17		153:21,23
truant 152:8	56:10,12	U	154:5 156:20
truck 75:25	61:23 62:24	ultimate 32:20	159:19
true 8:11 45:8	67:3,14,17	35:16,16	178:10
181:23 184:5	68:12,14	36:4,5	179:15
187:3 189:6	72:6 73:6	150:13 162:8	180:24
truly 78:23	77:7 79:22	163:8,16	unite 55:21
trusted 151:12	80:15 81:21	ultimately	United 51:6,25
151:14	82:1,13	150:12	52:1
179:11	83:21 88:13	183:13	units 50:16
try 85:6 101:9	97:20 106:11	ultraviolet	unlawful 25:13
102:9 127:14	126:22,22	15:13	72:13
129:22	131:4 132:2	un 55:6	unprecedented
141:24,25	132:25	uncomfortable	12:21 55:7
142:7,15	135:24 136:9	20:1	unpredictable
143:23	136:17,20	uncommon 73:17	18:5
162:11	137:8,17	undercover	unreported
170:22 172:5	143:14 154:9	107:2	44:17
172:8,12	154:10,17,23	undergoing	upper 180:11
179:5 184:8	159:9,10	85:13	UPS 75:24
trying 41:20	twofold 89:17	understand	Uptown 70:16
41:20,22	type 31:23	177:15	72:17
46:18,20	41:15 46:9	understanding	upward 57:25
55:24 73:12	46:21 60:20	36:18 154:14	urban 21:6,9
118:17	65:20 73:8	175:6	21:13,20
127:12	76:7,7 77:18	underworld	26:9
132:11 135:2	78:24 80:24	6:12	use 15:14
142:6 154:24	94:5 103:15	unfortunate	17:25 18:3
	109:21	79:4 98:17	21:21 22:15
	124:18 126:6	unfortunately	33:10,13,21

34:13 36:6 42:6 47:10 54:4 58:13 60:4 61:9 85:5 96:15 111:12,17 114:12 usually 59:23 104:5 116:13 utilize 84:12 utilizing 182:18	vice 129:2 176:21 victim 81:13 142:25,25 149:4 victims 5:12 26:21 27:5 video 84:19 85:14 88:12 VIDEOGRAPHERS 1:16 videos 29:10 29:11 84:20 88:6,7 91:9 118:14 videotaped 85:18 view 89:16 142:11 156:2 violate 73:21 90:7,10 violated 76:20 168:23 violation 77:10 90:14 169:2 violations 31:15 173:2 violence 7:13 7:23 8:10,17 9:4,18 12:20 12:21 13:23 17:19,25 18:3,4 21:13 21:25 22:17 22:21,22,24 23:2,13,15 23:25 24:13 28:9 29:4 40:6 41:16 44:3,9 46:9 52:22 53:6,7 58:13,17 60:3,6 62:13 66:17 73:18 79:3 80:11	80:15 87:18 98:7 103:7 109:6 110:20 110:22 116:11 118:1 129:20,24 130:4,8 131:5 132:20 137:25 139:11 140:14 144:17 147:9 147:10,13,16 147:17,25 149:5 151:5 151:8 152:10 152:10,11 161:15 177:21 violence's 17:20 VIOLENCE/N... 1:2 violent 14:2 24:5 25:5 26:22 27:11 32:5,16 33:1 33:13 35:19 36:9,25 38:14 48:8,9 50:18 53:10 53:11,15 58:15 60:11 62:12 63:7 64:7 74:6 77:4 79:16 82:5 84:3,17 89:14 100:6 119:22 127:20 128:12,17 137:20 156:6 156:12 161:20 182:25 viral 91:11	virtually 146:4 156:10 virtue 18:13 vision 164:25 volatile 8:18 44:11 88:25 177:2 volume 44:17 179:15 volunteer 52:18 150:1 175:17 volunteering 146:12 vulcanized 181:21 vulnerable 159:5
v			w
vacant 75:1 vacuum 19:12 19:13 valuable 6:18 186:4 varies 48:1 168:24 variety 50:15 61:6 161:16 various 10:25 22:18 23:6 25:2 26:22 36:1 43:8 77:23 98:14 104:17 132:19 134:2 vast 29:5 vastly 19:19 vehicle 63:24 69:2,8 115:2 115:4,22 152:13 vehicles 66:24 68:23,25 69:8,11 80:4 110:19 verbal 68:19 versa 176:21 versus 43:22 97:12 169:2 184:4 vest 61:5			waived 31:18 72:1 waiver 31:16 85:13 walk 14:19 26:12 71:12 102:11 175:5 walk-around 63:20 walked 71:12 175:15 walking 45:21 71:14 86:18 walks 103:21 wall 87:20 want 27:12,21 48:4 58:19 66:7 81:4,6 96:25 98:19 101:5 114:10 114:11 119:20 124:23 142:4 148:4,5 150:3 161:19 166:6,7,22

169:3 179:2	22:17,22	week 64:2	wise 121:2
183:13 185:5	37:1 52:24	100:7 130:18	witness 3:3
wanted 81:10	53:3,20,21	130:21	9:21 40:18
81:25 174:21	54:3 55:4,6	146:11,12	52:6 86:13
187:14	55:9 59:1,19	148:17 149:1	87:2,8,12
wants 45:1,1	61:20,25	150:20,20	137:21
104:14 139:8	79:24 80:1	180:1	144:22
139:14	82:23,24	weekend 64:1	witnessed
wards 130:14	91:3 99:23	67:9,13,13	152:10,12
wasn't 39:25	102:2,3,4	weeks 77:7	witnesses
77:3 91:7	105:3 125:5	82:13 154:9	10:11 44:23
93:9 149:10	125:20	welcome 40:22	46:4 85:7
149:11	126:10	40:22	86:2,7 131:7
waste 6:14	143:15 144:9	welfare 129:7	186:2
watchdog 6:13	144:15	well-being	woman 67:5
watching 43:22	147:11 158:5	101:24	women 30:4
120:6	177:5,10	well-known	99:13 137:10
way 7:21 18:8	183:3	95:24	word 109:15
20:15 28:12	weaknesses	wellness	worded 179:13
28:17 33:23	6:22	104:21	words 88:9
35:19 40:12	wealth 17:23	went 51:17	157:9
41:4 57:21	weapon 5:15	80:19 102:17	work 36:19,24
65:24 78:9	59:14 74:19	107:2 108:1	40:3 45:6
95:15,16	135:23	130:12 132:4	48:7 88:3
97:2 100:1,5	weaponization	136:8 139:16	107:5,24,25
122:12 126:3	42:6	149:7 159:1	126:10 132:6
149:3 153:10	weaponized	175:24	133:2 141:22
155:24	14:3 21:21	weren't 81:10	145:17,18
157:17	28:11	81:15,18	149:8 151:16
174:15	weaponry 8:5	123:16	155:9 157:4
176:23 177:5	45:18,23	west 1:7 63:4	158:4 160:10
177:6,10	weapons 8:3	wholly 18:4	160:11
180:17	22:3,5 28:23	wide 48:16	164:14
ways 7:9 9:8	29:3,8,18,20	160:3	165:21
47:8	40:7 45:14	widely 8:17	166:17,24
we'll 22:14	45:25 46:4	willing 47:13	169:20 171:2
23:18 30:7	59:12 61:3	58:16 98:20	171:2 172:2
39:20 94:9	61:11,15,17	100:3 101:7	173:7,9,11
105:6,6,7	61:18 62:6	101:14	173:14,14
145:14	76:8 96:18	105:14 158:3	176:25 177:5
164:19 172:8	110:17,18	willingness	179:20 182:3
172:10,12,13	113:8 137:18	46:23 47:1	185:6 186:5
179:7 182:15	163:23	64:24	186:11
We're 119:2	186:25	winning 85:1	worked 8:21
we've 14:13,25	wear 73:5	wisdom 8:15	12:10 52:13
19:14 21:25	Webber 115:6	24:12	52:14 103:5

107:13	wraparound	59:20 63:6	178:2 186:23
124:10 132:1	162:7	64:21 71:3	young-uns 19:9
132:9 146:3	wrist 139:12	71:19 83:22	younger 14:23
148:25	182:14	89:8 95:23	15:3 78:25
173:20	wrists 119:8	97:20 99:22	92:8 119:18
183:11	Written 5:18	107:10 109:3	120:5 126:21
worker 149:24	wrong 44:16	110:9,10,17	144:1
150:2 152:23	91:13,13,17	117:1 119:16	youngest 56:18
154:16	96:20,21	119:22 120:6	youth 9:3
158:13,18	125:8 140:14	124:8,20,21	121:4 123:17
179:19	156:24	126:7,15,22	124:11
worker's	178:14	132:13,25	126:16 127:2
158:15	wrote 77:20,21	133:22	127:3 150:22
workers 154:10	126:22 139:5	136:10,14	151:1,18
workforce	139:21	137:1,6,12	152:7 156:24
173:12	www.renzia...	137:12	157:8 160:11
working 10:24	1:21	142:17,18	160:13,14,20
16:22 42:1	<hr/> X <hr/>	146:10	160:24 161:1
45:7 47:24	X 3:1 5:2	149:12	161:3,10,15
47:24 98:3	<hr/> Y <hr/>	150:20	162:20
98:12 120:2	YAP 162:6	152:16	163:10,14
121:3 132:16	173:10	157:24 159:7	164:18,18,20
146:11	yards 69:9	161:4 177:2	164:23 165:5
155:25	yeah 60:14	yesterday	165:10,20
170:18 171:9	167:10	141:2	167:12,18
172:4,21	year 24:19,20	York 62:25	168:18 169:4
works 148:8	25:14 30:21	young 7:19	169:8,16,17
152:23	71:16,17	15:2 19:9	170:1,2,10
161:25	77:15 107:17	23:11 30:4	171:3,9,10
171:14	138:6 139:4	39:17 40:1,1	171:21 173:5
182:11,13,15	143:11,22	40:7,10	173:22,24
workshops	144:8 146:5	44:11 56:20	174:25
144:5	163:4 168:3	68:12,15	175:21 176:4
world 7:22,24	years 5:8,10	78:14,15	177:11,13
8:8,9 16:25	5:12 7:19	80:18,20	179:23 184:1
17:21,24	8:13,23	81:21,21,25	<hr/> Z <hr/>
18:16 39:7	11:15 14:25	82:2 88:9,11	zero 82:22
88:21 101:22	15:2 18:14	111:12,15,17	92:13,14
173:14	30:24 31:4	112:9,25	<hr/> 0 <hr/>
worse 93:5	39:13 41:8	119:2,3,7,22	08690 1:19
127:16,17	51:15 52:17	120:15 136:7	<hr/> 1 <hr/>
worst 93:7,7	52:23,24	137:10	1:43 188:5
96:13 113:6	55:6,7,16	146:13 149:8	10 3:6 121:11
wouldn't 64:22	56:18,21	149:16 150:9	
155:13		170:13,14	
wow 181:20		174:9 177:7	

10,000 147:2	115:23	1991 148:16	27:8 67:5
10:00 130:15	14-year-olds	1992 148:16	86:17 132:1
100 105:9	187:18	1993 10:23	132:4,8
128:25	145 4:20	13:7	2015-2017 5:8
138:15	15 67:25 68:2	1995 51:13	5:10,12
11 64:14,15,16	71:16 74:12	1996 11:1	2016 67:8,13
78:8 88:21	83:22 121:11	1997 52:11	68:8,11
11-year-olds	146:21 159:7	1999 52:13	69:20,22
187:18	180:1	1st 107:16	77:1,1 85:12
110 4:8	15-year-old		86:12 87:8
113 4:10,12	157:22	2	2017 25:14,21
115 62:21	150 167:12	20 11:15 37:20	26:17 27:8
12 7:19 56:18	16 25:20 74:14	67:16 101:8	50:20 60:17
64:16 69:9	82:18 137:12	107:10	70:11 83:18
74:10 76:18	16-and-a-half	121:19,23	87:8 114:19
79:4 88:21	136:24	141:5 147:1	156:5
126:15	16-year-old	20-some-ye...	2018 1:3
136:14 137:6	69:3 81:13	149:15	207 147:3
137:12	94:15 120:3	200 27:13 92:1	21 56:21
179:22	120:3	122:21	119:16
12-year-old	160 4:22	2000 131:22	183:24 184:5
126:18,20,23	17 25:20 67:25	2002 132:22	22 56:21 59:11
126:24	80:22 83:22	2003 11:1	65:23 160:24
127:14,15,23	120:10	2004 131:22	161:4
128:2	136:24	132:1 136:8	2277 1:18
13 14:25 62:24	137:12	2005 108:4	23 59:20 62:23
71:2,17 79:5	139:22	112:16 121:4	24 118:14
120:10	17-year-old	124:11 162:2	146:25
142:17	80:22 81:13	162:23	243 27:7
13-year 70:21	94:14	2006 108:22	25 116:15
70:24 71:8	175 167:12	2008 11:7	119:16
80:17	18 51:15 64:14	2009 13:8	120:25 141:3
13-year-old	64:17 78:7	2010 146:6	141:4
80:21,22	116:14,14	149:23 156:5	26 1:3 25:15
13:43-5.9	119:15,16	156:9	27 113:14
189:16	120:24	2011 148:15	29 68:11
130 147:3	125:14	150:17,25	
131-137 1:7	132:13	151:16,17	3
133 4:15	139:25 182:5	2012 148:15	3/21/16 5:19
135 4:17	18,000 160:24	157:12	3:00 79:23
14 7:19 14:25	19 68:2 125:14	2013 50:20,24	115:20
71:19 83:18	182:5	2014 60:17	3:30 114:25
83:19 109:3	1940s 96:12	67:1,1 70:20	30 3:8 18:14
136:4	1987 146:2	70:25 71:9	39:12,12
14-year-old	1988 10:21	2015 25:14,20	69:24 71:15
114:20	1989 107:1,1	25:21 26:16	101:9

30-round 75:12	79 3:24 167:25		
30-year 147:12	7th 71:6		
30,000 12:6			
30XI00148700	8		
189:20	8 70:25 71:9		
33 1:18	183:24 184:4		
34 156:7	80 105:9		
35 147:4	156:11 173:4		
36 60:18	800 161:11		
38 65:23	800-368-7652		
	1:20		
4	801st 121:15		
4/12/2017 5:17	121:17 127:7		
40 74:16 77:14	82 172:24		
93:7 138:18	83 4:1		
40th 175:23	85 168:5		
410 1:18	87 4:3		
45 133:19,20	88 4:5 107:23		
141:1,3			
46 60:17,18	9		
47th 67:10,19	9:30 1:4		
	90 169:24		
5	171:17		
50,000 62:22	90s 107:24		
52 3:12	146:14		
520 181:17	148:12 150:1		
56 3:14	911 52:11		
565 181:19,20	146:3		
	93 107:4		
6	95 132:17		
60 3:16 169:24	96 107:3,5,12		
171:16	97 107:25		
609 1:20	132:20		
62 3:18 156:12	98 108:4		
64 121:5 184:3	989-9199 1:20		
65 121:7,7,9	99 121:4		
66 3:20			
7			
70,000 147:1			
180:2			
73 168:4			
74 3:22			
75,000 180:9			
76 135:10			
168:12			