

New Jersey Department of Law & Public Safety

1999 Annual Report



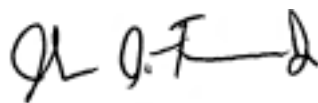
To the Governor, Members of the State Legislature, and Citizens of New Jersey:

As Attorney General of the State of New Jersey and head of the Department of Law and Public Safety, I am proud to submit the department's annual report for 1999. These pages provide a glimpse of a department with a diverse and dynamic mission. From crime prevention to consumer protection, this department plays an important role in the lives of all New Jerseyans.

The year marked notable accomplishments and important change as the work of the department's 10 divisions and more than 8,000 employees continued to touch the lives of virtually every New Jersey citizen.

In 1999, crime rates dropped to a 25 year low, while State Police reforms put in place the foundation for a law enforcement organization that will become a national model of diversity and police management practices. The department's Division of Law successfully sued to have a tax on residents who commute to work in New York declared unconstitutional, while the state took the national spotlight when law enforcement officers identified and arrested the source of the Melissa virus, which caused more than \$80 million in damages to computers and shut down e-mail systems around the globe.

Indeed, through the hard work of the members of this department and their collaborative efforts with local, county and federal law enforcement officials, we have been able to make sure that New Jersey is, and continues to be, a safe place to live and work.



John J. Farmer, Jr.
Attorney General



New Jersey Department of Law & Public Safety

1999 Annual Report



Governor
Christine Todd Whitman



Attorney General
John J. Farmer, Jr.

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Mission Statement

The mission of the Department of Law and Public Safety is centered on the advancement of the quality of life for the people of New Jersey. In this regard, the department:

- protects and enhances the safety and interests of every citizen of New Jersey through an integrated system of law enforcement and regulatory services,
- advocates for the public in matters where the rights and interests of the public are at issue; and
- represents the interests of the state and its agencies in all legal matters.

With ten divisions as well as independent commissions and boards, the department has wide-ranging responsibilities.

The department performs such critical tasks as overseeing the criminal justice system, defending the state against lawsuits and protecting the rights and safety of the public. The department also regulates the casino, boxing, alcoholic beverage and racing industries. As head of the department, the Attorney General serves as the state's chief law enforcement officer and legal advisor, and is responsible for the management and administration of the department.



Introduction I

For the Department of Law and Public Safety, 1999 marked a year of both notable accomplishment and important change as the work of its 10 divisions and more than 8,000 employees continued to touch the lives of virtually every New Jersey citizen.

As crime rates plummeted to a 25-year low, a host of current and anticipated State Police reforms promised to make the organization a national model of diversity and police management practices into the 21st Century.

Meanwhile, the Division of Law achieved a significant victory on behalf of many New Jerseyans in 1999 by successfully suing to have a tax on residents who commute to work in New York declared unconstitutional. By year's end, most commuters who had been paying the tax had received rebates ranging between \$150 and \$250.

In another case vital to New Jersey residents, the Financial Crimes and Anti-Trust Bureau within the Division of Criminal Justice took a lead role in reviewing the national Exxon-Mobil merger. As a result, an agreement was negotiated requiring certain divestitures by the two oil giants. Those divestitures are expected to preserve competition and fair consumer prices.

Its role in such complex, far-reaching litigation is an example of the Department of Law and Public Safety pursuing one of its overriding goals – to serve the public trust by upholding the rule of law.

The year 1999 also saw New Jersey set the stage for resolution of an appeal that had been delaying receipt of the state's proceeds from the national tobacco litigation. The appeal was ultimately settled and, in early 2000, New Jersey received its first settlement payment — approximately \$180 million of what is projected to be a \$7.6 billion state share over 25 years. Much of the settlement proceeds is earmarked for anti-smoking awareness and tobacco control programs.

Meanwhile, in its ongoing effort to bolster public confidence in government and law enforcement, the Division of Criminal Justice's Corruption and Government Integrity Bureau prosecuted a host of cases in 1999 involving theft or misappropriation of public monies and the abuse of authority, among other offenses.

As the result of one investigation, the bureau obtained an indictment against the operators of Archway Programs Inc., a South Jersey school for the disabled that is accused of overcharging publicly-funded school districts nearly \$2.5 million in one year for special education services.

State Police and the Division of Criminal Justice's Computer Analysis and Technology Unit (CATU), played a key role in 1999 in the detection and arrest of David L. Smith, creator of the so-called "Melissa" computer virus.

The virus caused more than \$80 million in damages to computers and shut down e-mail systems around the globe.

Working with federal, county and local authorities, investigators from the CATU and the State Police High Technology Crime and Investigations Support Unit identified the source of the Melissa virus and arrested a suspect within 72 hours of receiving a telephone alert from America Online (AOL), one of the world's largest Internet service providers. Smith subsequently pleaded guilty and is awaiting sentencing.

A landmark investigation, the Melissa virus case showed that law enforcement in New Jersey has been able to navigate the fast-changing terrain created by the Internet's explosive growth and by the proliferation of personal computers.

Introduction

While new technology and expertise was being put to use policing the information highway, the Division of Highway Traffic Safety launched a new program in 1999 designed to promote safer driving along the state's streets and roads.

Known as the statewide "Drive Friendly" campaign, the effort was developed in collaboration with the AAA Clubs of New Jersey, the New Jersey Chiefs of Police Association and the New Jersey State Safety Council. The campaign utilizes radio advertising and billboards to promote courteous driver conduct and rules of the road that foster a safer motoring environment. Suggested "drive friendly" tips have also been posted on the division's Internet Web site.

The Division of Alcoholic Beverage Control's Cops in Shops initiative, a program aimed at combating underage drinking, marked its fifth successful year in 1999. Through Cops in Shops, local law enforcement officers pose as liquor store employees and police the purchase of alcohol by those under 21.

Cops in Shops was responsible for 204 arrests linked to underage drinking in 1999, bringing the total number of arrests since the program's inception to more than 1,000. The number of arrests is just one measure of the program's impact in stressing a message of deterrence.

Such initiatives showed Law and Public Safety pursuing its other, equally vital main objective — to ensure the safety of all New Jerseyans and enforce the laws that govern every area of life from alcoholic beverage control to highway safety and from civil rights to consumer protection.

On the consumer protection front, the Division of Consumer Affairs marked the 10th anniversary of New Jersey's historic Motor Vehicle Warranty Act or "Lemon Law" in 1999. In the decade since the law's enactment, Consumer Affairs has obtained a total of \$30 million in restitution, replacement vehicles and repairs for consumers whose automobiles have proven defective.

In 1999 the Division also obtained more than \$22 million in restitution for the victims of consumer fraud and imposed more than \$7 million in related penalties while expanding its elder fraud investigation unit.

The latter development was in response to new studies citing the increasing number of senior citizens who fall victim to consumer fraud.

On another front of the war on fraud, the Office of Insurance Fraud Prosecutor (OIFP) obtained 78 convictions, opened 394 new criminal investigations of insurance and/or Medicaid fraud and obtained court orders for more than \$5 million in restitution from defendants.

The OIFP also launched a comprehensive, \$1.2 million fraud awareness campaign featuring television and radio advertising spots, billboard ads on NJ Transit buses and messages posed on the OIFP Web site.

The New Jersey Racing Commission, overseeing five operating tracks which generated approximately \$1.7 billion in parimutuel wagers, adopted several significant regulations in 1999 designed to further enhance the integrity of the racing industry. Among the new regulations are those designed to refine and strengthen the process for determining if illegal substances have been found in the specimens of race horses.

Continuing its vigorous oversight of the casino industry in Atlantic City, the Division of

Gaming Enforcement undertook a variety of notable investigations in 1999 including prosecution of the Trump Taj Mahal casino for repeatedly failing to collect a commission – known as vigorish – in the game Baccarat from certain favored high rollers or “premium” players. As a result, Taj Mahal was fined more than \$237,000, the ninth largest civil penalty ever imposed by the Casino Control Commission.

Meanwhile, the Casino Prosecutions Bureau within the Division of Criminal Justice obtained a 25-count indictment against a suspect accused of carrying out a string of five armed casino robberies during the peak summer tourism season.

The Environmental Crimes Bureau also obtained a number of significant indictments in 1999, including one charging the Heterene Chemical Corp. of Paterson in connection with a pollution incident that caused the hospitalization of more than 50 people, many of them school children.

The Juvenile Justice Commission, now in its fifth year, completed and issued its Juvenile Justice Master Plan, which included significant recommendations for change as well as plans for expanding commission services and facilities. As the year ended, the JJC’s Stabilization and Reintegration Program, better known as the boot camp, saw the 29th platoon graduate. Research showed that 77 percent of cadets who had entered the program since its inception in 1996 had graduated.

The Division on Civil Rights awarded a total of \$3.6 million to the victims of civil rights violations in 1999, an increase of more than a million dollars over the previous year. The division also reduced its caseload by 24 percent and made particular progress in cutting back on the number of backlogged cases.

In 1999, State Police DNA scientists were instrumental in helping to identify a suspect in the 1995 murder of a Camden city school girl. DNA technology was also utilized to establish the innocence of an individual who had been wrongly jailed for murder in an unrelated case.

State Police also gained access in 1999 to cutting edge computer technology that provides up to the minute, nationwide criminal information data. Known as the National Crime Information Center initiative, this federal computer system will enhance State Police enforcement and investigation efforts.

In 1999, the Office of the Attorney General (OAG) coordinated the production of two reports on the Division of State Police by a State Police Review Team that provided a public accounting of the agency’s strengths and weaknesses. The first report, issued in April, was entitled the *Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling*.

It concluded that, although the great majority of state troopers are dedicated professionals who enforce the laws fairly and impartially, the problem of “racial profiling” was real and that minority motorists had been treated differently than non-minority motorists during the course of traffic stops on the New Jersey Turnpike.

The second report, entitled the *Final Report of the State Police Review Team*, focused on recommendations to improve the way internal affairs and discipline operated in State Police and on ways to enhance diversity within all levels of the division’s ranks.

On the basis of these two reports, the Department launched a host of comprehensive State Police reforms which included stronger minority recruiting efforts and implemen-

Introduction

tation of a new battery of State police qualification tests which are expected to provide a more comprehensive picture of each candidate's strengths and weaknesses.

The State Police also committed in 1999 to enhanced record keeping regarding highway traffic stops and to more thorough oversight of trooper practices by State Police management personnel. An independent monitoring team selected by the U.S. Justice Department in collaboration with the OAG will also be overseeing State Police enforcement and management practices.

The OAG also spearheaded a number of vital public safety related awareness and advertising campaigns in 1999, including a campaign that focused on discouraging insurance fraud and an awareness campaign that encouraged safe and courteous driving.

Thanks to the hard work, dedication and readiness to change of its divisions and commissions, the Department of Law and Public Safety continues to provide a diversity of services that both enhance and protect the quality of life of all New Jersey residents.

NOTE: Four agencies are "in but not of" the Department of Law and Public Safety and perform a variety of vital public services. One of them, the Juvenile Justice Commission, works closely with the Attorney General and the Department and is included in this report. The remaining agencies, though administratively within the Department, are essentially autonomous. These are:

■ Victims of Crime Compensation Board

The board assists victims of violent crime who have suffered personal injuries. The board compensates innocent victims for nonreimbursable medical expenses and loss of earnings incurred as a result of crime-related injuries. In the case of the death of the victim, compensation may be paid for funeral expenses and loss of support to dependents of the deceased victim. For more information visit www.state.nj.us/victims/

■ Election Law Enforcement Commission

Administers and enforces laws requiring disclosure of campaign contributions and expenditures made by candidates and organizations participating in state, county and local elections. The commission also regulates lobbyists and may accept and institute complaints, issue subpoenas, conduct investigations, issue advisory opinions, levy civil penalties, and forward to prosecuting officials evidence of willful and knowing violations. For more information visit www.elec.state.nj.us/

■ Executive Commission on Ethical Standards

The commission administers and enforces the New Jersey Conflict of Interest Law. The commission has jurisdiction over state officers and employees in the executive branch and is authorized to initiate, receive, hear and review complaints, as well as conduct investigations and hold hearings. For more information visit www.state.nj.us/lps/ethics/

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Office of the Attorney General

The Office of the Attorney General (OAG) functions as the central policy arm of the Attorney General and is responsible for the administration of the Department of Law and Public Safety's 10 divisions.

The OAG is structured to support and facilitate the Attorney General's duties as the state's chief law enforcement officer, chief legal advisor, counsel to state agencies, public interest "watchdog" and chief executive officer of a department that encompasses approximately 60 commissions and boards and 8,000 employees.

Staffed by specialized legal, administrative and public information personnel, the OAG helps the Attorney General create and implement departmental policy. Five assistant attorneys general act as liaisons between the Attorney General and the various divisions of the Department of Law and Public Safety, as well as other agencies of state government.

These assistant attorneys general work closely with the Attorney General on a broad range of issues and specific legal cases including, but not limited to, civil rights, consumer affairs, environmental crime, highway safety, juvenile justice, law enforcement issues and legislative initiatives.

The OAG staff also provide direct legal services to selected state agencies, promulgate rules and regulations relating to departmental operations and direct the various special management services needed by the Department to deliver essential public services.

Office of State Police Affairs

One of the recommendations included in the *Final Report of the State Police Review Team* (released in July 1999) was the creation of a unit in the Office of the Attorney General to manage implementation of various State Police reforms. Created in the fall of 1999, the unit is known as the Office of State Police Affairs. The unit is responsible for ensuring implementation of both the interim and final report recommendations. It also investigates allegations of misconduct by members of the State Police and provides general legal counsel to the agency.

The Office of State Police Affairs took the lead in negotiating a Consent Decree between the State of New Jersey and the U.S. Justice Department which incorporates many of the State Police reforms recommended in the State Police Review Team's interim and final reports.

The terms of the Consent Decree, which was signed on December 30, 1999, reaffirm the State's commitment to non-discriminatory traffic enforcement, drug interdiction and other law enforcement efforts.

Included among the reforms are a variety of significant changes in the management policies and operating procedures of the State Police. These reforms will vindicate the lawful conduct of troopers while at the same time assuring citizens that law enforcement in New Jersey³some phase of implementation through the Office of State Police Affairs will make New Jersey a model for police agency management practices and for the fair and equitable enforcement of laws along the highways.

Among the key reforms being implemented by the Office of State Police Affairs is a traffic stop data collection system that represents the most comprehensive data collec-

**Office of
the Attorney
General**

tion effort by any statewide law enforcement agency in the U.S. Under the new system, troopers who conduct traffic stops must document the race, ethnic origin and gender of all drivers whom they stop. Troopers must also record the reason for any vehicle stop, as well as any post-traffic-stop action such as the issuance of a ticket or warning, asking occupants to exit their vehicles, conducting searches or frisking drivers and passengers.

In addition, the State will be implementing a system to monitor trooper performance. Known as the Management Awareness Personnel Performance System (MAPPS), this new system will computerize information on traffic stops and other matters to assist State Police supervisors in identifying performance issues, both positive and negative, that require management attention.

At least once every three months, State Police supervisors will evaluate by race and ethnicity the computerized data on traffic stops and related post-traffic-stop actions.

The reforms included in the Interim and Final Report and provided for in the Consent Decree also call for the random sampling of trooper incident reports and the contacting of persons who were the subject of traffic stops to evaluate if those stops were appropriately conducted and documented.

Under the reform plan, an independent monitoring team was also appointed to oversee — and issue periodic evaluation reports on — the State Police reform effort. The monitoring team reports to the federal court as to the state's progress in meeting the requirements of the Consent Decree.

In addition, State Police are making misconduct complaint forms and informational materials available to the public at a variety of locations. A 24-hour toll-free complaint hotline, to be publicized at all state-operated rest stops along limited access highways, is also part of the effort to bolster public confidence.

The Office of State Police Affairs continues to work with interested parties — among them civil rights organizations, State Police management and the unions — to ensure successful implementation of the various reform requirements and recommendations. For the year 2000, office objectives include:

- working closely with the State Police representatives to facilitate compliance with the Consent Decree in a manner consistent with public safety and the safety of troopers.
- serving as the state's representative to the Department of Justice Civil Rights Division and the Independent Monitoring Team for all matters related to the Consent Decree.
- encouraging increased State Police participation and interaction with the law enforcement community of which it is a part.
- working in partnership with State Police to develop and implement objective testing for the promotion process, a sophisticated in-service training production facility and interactive training in diversity, communication skills, integrity and ethics and management skills.

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Division of Alcoholic Beverage Control

The division's mission is to protect and further the public welfare by fostering moderation and responsibility in the sale and consumption of alcoholic beverages. The agency further ensures the economic benefit of the alcoholic beverage industry to New Jersey by maintaining the stability of the industry and securing state revenues derived from the commerce of alcoholic beverages.

Specifically, the division regulates and licenses the manufacture, distribution, sale and transportation of all alcoholic beverages within the state and oversees the municipal licensing of retail sales.

Regulatory Bureau

Serving as the division's legal arm, the Regulatory Bureau reviewed and processed more than 275 petitions by licensees seeking to renew inactive licenses or process applications submitted after the statutory filing date. The bureau also responded to hundreds of informal inquiries concerning a licensed liquor establishment's responsibilities under the state's alcoholic beverage control laws.

Licensing Bureau

In 1999, the bureau reviewed and processed more than 9,700 retail licenses and received and processed \$6 million in licensing fees. Training on the state's alcoholic beverage control laws was also provided to approximately 1,800 retail distribution licensees and 530 municipal clerks.

Enforcement Bureau

The division's Enforcement Bureau handled 561 investigations in 1999, resulting in disciplinary proceedings, fines and warning letters to those licensed establishments that violated the state's liquor laws. More than 400 investigations pending from previous years were also closed by the bureau. Additionally, as a result of the bureau's enforcement actions, the division received more than \$1.26 million in penalties and fines. Additional penalties of \$650,000 came from Operation Dolus, the bureau's investigation of illegal pricing and trade practices between wholesalers and selected retailers.

Cops in Shops

The division continued to participate in a statewide initiative to help combat underage drinking. Through the Cops in Shops program, cooperating liquor establishments worked with local law enforcement officers to deter the sale of alcohol to underage individuals. Local police officers posed as store employees to stop and arrest anyone under the age of 21 who attempted to buy alcohol or anyone who purchased for those under the legal age. Since the program's inception in 1995, the Enforcement Bureau has trained 186 municipalities interested in implementing the program. As a result of the initiative, 204 individuals were arrested in 1999, for a total of 1,013 arrests since the program began.

Since it began in 1995, the anti-underage-drinking program known as Cops in Shops has yielded more than 1,000 arrests.

Division on Civil Rights

The division is charged with protecting and furthering the civil and legal rights of all New Jerseyans through the investigation and prosecution of illegal discrimination and through public education designed to inform and strengthen every individual's understanding of these rights.

Specifically, the division administers and enforces the state's Law Against Discrimination. The law guarantees equal opportunities in employment, and equal access to housing, places of public accommodation and credit without regard to race, creed, color, national origin, ancestry, sex, marital status, sexual orientation or disability. The New Jersey Family Leave Act and the state's statute prohibiting discrimination in employment on public contracts is also administered by the division.

Increased Monetary Awards on Behalf of Complainants

The total monetary awards paid to complainants rose by more than one million in 1999, to \$3,575,916. The increase reflects a philosophical shift within the division that emphasizes enforcement over basic case processing. Using this approach, the bureau actively focuses on cases that will likely involve violations of the law. Accordingly, other resources are devoted to early dispute resolution and other settlement techniques, as well as cases identified as having potential findings of probable cause.

Caseload and Backlog Reduction

One of the division's most significant accomplishments has been to dramatically reduce its caseload, and, in particular, the number of backlogged cases.

In 1999, the division reduced the number of open cases from 2,499 to 1,900, a decrease of 24 percent. This continued a positive trend that began in 1996 and has resulted in a total 38 percent decrease in overall caseload.

Additionally, the backlog unit, exclusively responsible for the oldest active cases, continued to make marked progress in 1999. The division first targeted 1,070 backlogged cases that would be 21 months old or older by the end of FY 1999. Approximately 91 percent of these cases were resolved. The division is now targeting 809 cases that will be 18 months old or older by the end of FY 2000. By that time, the division expects to have virtually no case older than 18 months under active investigation.

The average caseload for an investigator also decreased, from a high of nearly 1,103 cases in 1996 to almost 62 cases in 1999. This reduction has allowed investigators to become more accountable for their cases, while also helping to raise the overall standards for quality and thoroughness in all investigations.

Finally, a new Centralized Intake Unit for better analyzing and handling cases, an enhanced case management system that allows managers to better prioritize cases, an upgrade of the division's computer system, and a new Web site further enhanced the division's ability to ensure the civil rights of all New Jerseyans.

The Division of Civil Rights reduced its number of open cases from 2,499 to 1,900, a 24 percent decrease.

Division of Consumer Affairs

The division's mission is to protect consumers against fraud and unprofessional business conduct through the prosecution of wrongdoers, public education and cooperation with other regulatory agencies.

Specifically, through the enforcement of the Consumer Fraud Act, the division polices the commercial marketplace and protects consumers and businesses from dishonest practices. Also under the division's purview are 56 professional and occupational boards, the Office of Consumer Protection, the Enforcement Bureau, the Bureau of Securities, the Office of Weights and Measures, the Charitable Registration Unit and the Legalized Games of Chance Control Commission.

Relief for Consumers

In 1999 the division obtained more than \$22 million in restitution for the citizens of New Jersey, while working aggressively to combat consumer fraud. The division also imposed more than \$7 million in penalties. During the past four years, the division has levied nearly \$40 million in penalties and obtained nearly \$130 million in restitution and relief for citizens. Since 1993 penalties imposed and restitution awarded have increased by 148 percent. Investigations also increased in 1999 for the fifth year in a row.

Since 1993 penalties imposed and restitution awarded have increased by 148 percent.

Prosecuting Consumer Fraud

In 1999, Consumer Affairs continued its aggressive prosecution efforts, filing the first cyberfraud, telecommunications "cramming" and energy "slamming" cases in the state's history. Cramming is the deceptive practice of billing consumers for telecommunications services without first obtaining proper authorization, while energy slamming is the unauthorized switch in a customer's electric or gas supplier.

The division also successfully resolved the largest securities and charities fraud cases ever filed by the state. First, in the Robert E. Brennan case, the division's Bureau of Securities obtained a judgement against the defendant of \$100,000,000, making this the largest monetary fine related to securities fraud protection in New Jersey history.

The division also filed litigation against the Multiple Sclerosis Association of America, in March 1999. The largest charities fraud litigation ever filed by the division, the case has to date resulted in an interim consent agreement. It is still ongoing.

Rounding out the division's prosecutorial efforts, the agency obtained record settlements or judgements in auto fraud, pyramid scheme, credit repair, sweepstakes and telemarketing cases.

E-Commerce Investigative Unit

Consumer Affairs' E-Commerce Investigative Unit has been one of the division's most successful initiatives. Established in 1995, it is the country's first precinct of "cybercops" and has brought more than 30 Internet-related cases.

In 1999, Consumer Affairs continued its crackdown on individuals who defraud

Consumer Affairs

people over the Internet. Most notable were three separate lawsuits filed against Barbara Arakelian, Millennium Interactive Technologies Corp., and Kmeco International for their alleged involvement in unlawful Internet-related schemes.

The case against Arakelian, accused of selling Beanie Babies, Furbies and Bruce Springsteen concert tickets over the Internet and failing to deliver the advertised goods, ended in a default judgement against the defendant when she failed to appear in court to answer the State's allegations.

In January 2000, Kmeco's president Mark Shehata agreed to settle the State's allegations that he engaged in the unlicensed practice of pharmacy while selling the prescription drug Viagra over the Internet by paying the State \$17,500 in costs and penalties.

The case against Millennium, accused of making false and misleading statements to consumers to entice them into purchasing unregistered stock in the company and then diverting the money for personal use, is still pending.

Lemon Law Anniversary

Consumer Affairs marked the 10th anniversary of the state's Lemon Law in 1999. As a result of the law, \$30 million in restitution has been awarded to new car owners, and the first fines on manufacturers that failed to comply with Lemon Law settlements were imposed.

Protecting the Elderly

In response to the need to assist older citizens who fall victim to consumer fraud, the division created the Elder Fraud investigations Unit in 1999. To further enhance older citizens' awareness about consumer fraud, division staff visited more than 200 senior citizen groups throughout the year.

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Division of Criminal Justice

The Division of Criminal Justice works to protect the rights and safety of the public. This is accomplished through the supervision of a unified statewide criminal justice system. This includes the establishment and application of standards for the enforcement and prosecution of criminal laws, the investigation and prosecution of significant cases of statewide importance through the state grand jury and a leadership role in the development of public policy related to all aspects of law enforcement.

The division also coordinates and provides leadership to the 21 county prosecutors and other law enforcement agencies to ensure uniformity in the New Jersey criminal justice system.

In 1999 the division obtained 211 state grand jury indictments, more than double the preceding year.

Office of the Insurance Fraud Prosecutor

Created by the Legislature in May 1998, the Office of the Insurance Fraud Prosecutor (OIFP) is charged with investigating all types of insurance fraud. The office serves as the focal point for all criminal, civil and administrative prosecutions of insurance and medicaid fraud.

Through the office's civil enforcement actions, criminal prosecutions and public awareness efforts, OIFP is spreading the message that insurance fraud is not a victimless crime, but rather an economic crime that impacts all New Jersey citizens.

Criminal Prosecutions

In 1999, OIFP opened 349 new criminal investigations of insurance or medicaid fraud. In 87 prosecutions, charges against 134 defendants were lodged by indictment or accusation. Criminal prosecutors obtained 78 convictions, with 16 of those defendants receiving jail time as part of their sentence.

In addition, defendants were ordered to pay \$5,286,576 in restitution, \$114,500 in criminal fines and \$975,146 in civil fines.

Criminal Case Highlights

■ **State v. Carl Lichtman**

As a result of one of the largest insurance fraud and public corruption prosecutions in state history, 37 indictments were returned, charging 65 people with conspiring to defraud the state Health Benefits Plan and other health insurers of \$3.5 million.

As part of the scam, psychologist Carl Lichtman enlisted help from nearly 200 people, many of whom were public employees, asking them to provide health insurance information to him for use in fraudulent billing. While Lichtman kept 75 percent of the money, 25 percent was kicked back to the individuals who helped in the scam.

In September, the first of the indicted defendants went to trial and was found guilty of all charges. The defendant was sentenced to five years in prison, ordered to pay \$1,900 in restitution and a \$3,000 fine.

Criminal prosecutors obtained 78 convictions, with 16 of those defendants receiving jail time as part of their sentence.

Criminal Justice

The Prosecutions Bureau won 29 convictions at trial, obtained 288 plea dispositions and obtained court orders directing the payment of a total of \$8.1million in restitution to victims.

■ *State v. John Amabile*

A Monmouth County optometrist was indicted on charges of attempting to defraud 29 insurance carriers and health benefits plans of more than \$200,000 by submitting false health insurance claims.

The indictment alleges that Dr. John Amabile attracted large numbers of patients to his offices by offering routine eye exams and glasses at little or no cost. He then used the patients' insurance information to bill their carriers for optometric services which he had not provided.

Amabile's license to practice optometry has been revoked by the State Board of Optometrists and a \$1.1 million civil penalty has already been imposed.

Civil Investigations

The office received 12,745 referrals of suspected insurance fraud. Of these, 10,457 were forwarded for investigation to civil OIFP investigators. Civil investigators issued 543 consent orders or agreements and imposed \$1,383,860 in civil fines.

A total of 1,315 matters were referred to the department's attorneys, where civil litigation resulted in 219 judgements or settlements and \$293,320 in penalties. An additional \$2,287,471 was obtained through enforcement actions.

Public Awareness Efforts

As part of its ongoing efforts to inform the public about the impact insurance fraud has on all New Jerseyans, the office launched a comprehensive public awareness campaign in October 1999.

The \$1.2 million effort featured a series of television and radio spots with the theme "New Jersey's Fed Up" with insurance fraud. The ads prominently feature OIFP's toll free number for reporting insurance fraud as well as the office's Web site. In addition to television and radio ads, advertisements also appear on NJ Transit buses. The advertising campaign has led to a demonstrable increase in calls to the OIFP toll-free tip line.

County Prosecutor Reimbursement Program

In 1999, the OIFP established a program to provide financial and technical support to County Prosecutors' Offices throughout the state. Under a two-year reimbursement program initiated in June 1999, 16 of the 21 counties received a total of \$5 million to create or expand prosecutors' efforts in attacking fraud.

Prosecutions Bureau

The Bureau's 77 attorneys had a productive year in 1999, opening more than 1,300 matters and bringing more than 1,100 investigations to conclusion. The Bureau obtained 288 plea dispositions and tried 29 cases to conviction. Bureau prosecutions resulted in orders of restitution to be paid to victims totaling more than \$8.1 million, fines of more than \$190,000 and jail sentences for 159 defendants.

The Bureau's civil actions, primarily in the area of civil forfeiture, resulted in the recovery of more than \$3.3 million. Civil Antitrust suits brought by the Bureau resulted in the collection of more than \$1.5 million in court costs and attorneys' fees.

Financial Crimes and Antitrust

The Bureau successfully investigated white collar criminal offenses and antitrust matters, including a substantial number of fraud cases, obtaining 52 indictments and filing 15 criminal accusations. In those cases, the Bureau was able to secure pleas from 61 defendants and three convictions at trial. The prosecutions also yielded more than \$4.9 million in court-ordered restitution to the victims of fraud crimes and \$1.5 million in attorneys' fees.

Case Highlights

- In **State v. Laidlaw**, et al., the Bureau successfully prosecuted seven bus companies and their officers who had engaged in a bid rigging scheme on school transportation contracts let by the Monmouth Ocean Educational Services Commission. Bureau investigators had been able to covertly record conversations among the conspirators who discussed the bid rigging scheme. The rigged bids were rejected by the agency when the defendants were arrested at the bid opening. All seven bus companies and the responsible corporate officers pleaded guilty in connection with the scheme and simultaneously entered into civil antitrust decrees to settle their civil liability for the conspiracy.
- In **State v. Joseph Perone**, several public officials in the Department of Corrections (DOC) and at the Division of Building and Construction (DBC), as well as several construction contractors, were successfully prosecuted for a scheme in which officials received bribes from vendors who were given emergency work. Joseph Perone, the former acting director of the DBC, was convicted of two counts of official misconduct for accepting bribes and gratuities in connection with the award of DOC contracts. The matter is pending sentencing.

Securities and Bank Fraud

The bureau worked closely with the New Jersey Bureau of Securities to prosecute securities fraud cases. In addition, the Bureau handled several matters involving bank fraud, in particular identity fraud in which an individual seeks to engage in bank fraud by creating false documentation so that he can assume another's identity.

In **State v. William Feehan**, the defendant, who was acting as an investment advisor, obtained more than \$2.8 million from the public for investment and engaged in a ponzi scheme to hide the fact he had lost the funds. Losses to investors amounted to more than \$1.8 million. Feehan pleaded guilty.

In **State v. Stackpole & Green**, the defendants stand indicted for fraudulently obtaining more than \$355,000 in funds from investors by making misrepresentations about the business. Stackpole is pending trial. However, Green pleaded guilty to second degree misapplication of entrusted property and third degree securities fraud.

In **State v. Stephen Zavada**, the defendant was charged with obtaining more than \$450,000 in investment funds from the public and converting those funds to his own use. Zavada pleaded guilty.

The Financial Crimes and Antitrust Bureau obtained guilty pleas in 1999 from seven school bus companies which had engaged in a bid-rigging scheme.

Criminal Justice

New Jersey took the lead role in a 20-state antitrust investigation of the complex Exxon-Mobil oil merger. The review led to an agreement that preserved fair competition.

Breach of Fiduciary Duty

The bureau has also sought to focus on prosecuting individuals who hold a special relationship of trust with their victims, such as attorneys or government officials or businesses who collect funds on behalf of the government from consumers. The bureau, in conjunction with the Division of Taxation, has aggressively pursued those who seek to defraud the government by failing to pay over taxes collected from consumers.

In **State v. Harold Coleman**, the former treasurer of Hamilton Fire District No. 4 pleaded guilty to misappropriating more than \$700,000 in funds from the fire district.

In **State v. Waldron**, the attorney James Waldron, who formerly served as Public Safety Director for The City of Trenton is charged with having misappropriated more than \$293,000 in client funds.

Antitrust Reviews

In the area of antitrust, the bureau was called on to review a number of significant mergers, including the merger of Exxon Corporation and Mobil Corporation. In this case, the bureau served as lead agency in a 20-state, National Association of Attorneys General review of a complex proposed merger agreement. As a result of the investigation, a multiple state lawsuit was filed in U.S. District Court in the District of Columbia seeking to stop the merger because of its potentially damaging impact on competition and consumer prices.

The suit was ultimately settled through a consent agreement in which the merging companies agreed to divest themselves of certain properties and assets in order to preserve competition in the retail gasoline market.

Corruption and Government Integrity

The bureau investigates and prosecutes allegations of misconduct by public officials, including elected and appointed officials, government employees and law enforcement officers.

In **State v. Corcoran, Dunson, Smith and Rivera**, the defendants, law enforcement officers assigned to the Special Investigations Unit of the Essex County Prosecutors Office, were charged in an indictment with illegally entering the house of an individual and attempting to cover up the illegal activity by submitting a false investigation report and testifying falsely at a Grand Jury proceeding. The defendants pleaded guilty.

In **State v. Francis Burke**, Burke, a former State Police "Trooper of the Year," was charged with theft, bribery and unlawfully accepting gifts to a public servant. Burke was accused of soliciting money from three motorists whom he pulled over on the New Jersey Turnpike. He pleaded guilty to third degree official misconduct and was sentenced on August 18, 1999 to five years probation, 1,000 hours of community service and a \$1,000 fine.

In **State v. Nabeel and Samia Hassan**, the defendants were state employees working with the disabled at a state-run medical facility. They are charged in an indictment with using their positions of authority to cause the State to purchase wheelchairs from a medical supply business they own and control. The amount of the alleged fraud was \$30,000.

In **State v. Thomas Cetnar**, the former Newark police officer and captain in the Essex County Prosecutor's Office was convicted after a trial of official misconduct and

theft in connection with Cetnar's stealing of \$4,800 in undercover drug "buy" money.

In **State v. William Belott and Robert Saganski**, an investigation into the activity of senior members of the Newark Board of Education and their interaction with the numerous vendors that supply services to the board led to this indictment. Belott pleaded guilty and was sentenced on charges of unlawfully accepting gifts to public servants and second degree official misconduct.

Saganski pleaded guilty to conspiracy and third degree official misconduct. In a separate but related matter, **State v. Richardson**, the defendant, a former top salesman for Honeywell, Inc., assigned to the company's Newark Board of Education account, pleaded guilty to charges of unlawfully compensating a public servant and unlawfully giving gifts to public servants.

In **State v. Roger Day**, defendants Roger and Christine Day, who operated a hardware supply business known as Quality Products, were indicted on bribery charges related to the procuring of public contracts. An investigation known as Operation Kickback revealed that, in the course of doing business with the City of Newark and the Newark Board of Education, the Days became involved in a scheme to steal from the City and the school board by offering bribes to various public officials. Roger Day has pleaded guilty.

Organized Crime and Racketeering Bureau

The year 1999 saw defendants convicted in connection with a number of significant organized crime prosecutions.

In addition, the bureau's Computer Analysis and Technology Unit was instrumental in the detection and arrest of David L. Smith, creator of the "Melissa" computer virus which affected millions of computers worldwide.

Case Highlights

- Among the convictions obtained in 1999 were guilty pleas by defendants Anthony Rizzo and Joseph Abbate, alleged members of the Genovese Organized Crime Family operating in central and northern New Jersey. Indicted on charges related to their control and influence over a segment of the solid waste disposal/carting industry in New Jersey, both Rizzo and Abbate pleaded guilty to second degree racketeering. Rizzo was sentenced to probation on the basis of certain health problems. Abbate is awaiting sentencing.
- A guilty plea was also secured in the drug-related case of defendant John Pacheco, an alleged associate of the Lucchese Organized Crime Family. Pacheco was charged in connection with the seizure of 667 pounds of marijuana that had been shipped via a trucking company in Edison. He was sentenced to 10 years in prison.
- The bureau helped obtain a racketeering indictment against Daniel Provenzano. The indictment charges Provenzano and other defendants with acts of aggravated assault, extortion, terroristic threats and conspiracy in connection with extortion of a Bergen County printing company. Pre-trial motions are pending in the case.

Criminal Justice

- In the case of defendant David L. Smith and the “Melissa” computer virus, Smith was arrested within three days of a telephone call placed to the state Division of Criminal Justice from global Internet service provider America Online. Smith subsequently pleaded guilty to charges of computer theft/fraud in New Jersey Superior Court and U.S. District Court and is awaiting sentencing. The case was jointly prosecuted by the Division of Criminal Justice, the U.S. Attorney’s Office and the U.S. Department of Justice.
- In **State v. Robert Riggio**, the defendant pleaded guilty in June 1999 to theft by extortion and was sentenced to nine years in state prison with no eligibility for parole for three years. Riggio was charged with extorting approximately \$1.4 million from Monsignor Frederick Valentino and St. Bonaventure Church in Lavallette, Ocean County.

The Organized Crime and Racketeering Bureau was also actively engaged in training and coordination programs including those focused on such topics as electronic surveillance law and telecommunications and computer crimes.

Casino Prosecutions

Casino Prosecutions is primarily responsible for the investigation and prosecution of all criminal offenses occurring in or relating to the casino gaming areas in each of Atlantic City’s twelve licensed casinos. Housed in Atlantic City, this unit has successfully prosecuted individuals for a variety of crimes including armed robberies, sophisticated cheating schemes which had netted hundreds of thousands of dollars and highly-organized, multi-million-dollar credit card fraud rings.

The deputy attorneys general of the Bureau obtained 230 indictments against 274 defendants during calendar year 1999.

Among the significant casino prosecutions in 1999 were **State v. William Assmus, et. al.**, which involved a large-scale conspiracy to commit credit card fraud facilitated by cardholders who allowed their credit cards to be compromised. Assmus was charged along with seven co-conspirators with second-degree racketeering, conspiracy to commit racketeering, theft by deception and the unlawful purchase of credit cards. Assmus pleaded guilty to the charges and received a 16-year state prison sentence as well as a court order to pay \$725,000 restitution.

Environmental Crimes

The Environmental Crimes Bureau (ECB) obtained 13 indictments and accusations against 17 defendants in 1999. Successful ECB-based prosecutions also secured jail sentences totaling five years and more than \$400,000 in restitution from criminal polluters.

The bureau’s enforcement activities were augmented by county prosecutors’ offices throughout the state, which obtained 11 indictments and accusations involving 18 defendants. Charges against those defendants included violations of the Clean Water Act and laws pertaining to the disposal of hazardous waste, solid waste, medical waste and air pollution.

Case Highlights

Among the defendants sentenced in 1999 was the operator of the Pennsauken Landfill, Patrick Malone, who received a five-year prison term following his conviction on state-filed charges of second degree official misconduct. Malone was convicted of failing to turn over to the Pollution Control Finance Authority of Camden County hundreds of thousands of dollars in dumping fees paid by contractors who had disposed of slightly contaminated soil cover at the Pennsauken Landfill. Malone received a concurrent five-year term for second degree money laundering and was fined \$300,000 in restitution, payable to the Pollution Control Finance Authority.

- In ***State v. James T. McCann***, the Environmental Crimes Bureau (ECB) obtained a three-count State Grand Jury indictment against the defendant charging him with the unlawful release of a toxic pollutant (second degree), the unlawful discharge of a pollutant (third degree) and creating the risk of widespread injury or damage (fourth degree). The defendant is charged with improperly handling hundreds of drums of chemicals at Evergreen Products, Inc., a chemical blending and repackaging facility he operated in Camden city. The alleged mishandling endangered the surrounding community and caused chemicals to drain into the municipal sewer system.
- In ***State v. Sylvan Callica***, the ECB obtained a three-count State Grand Jury indictment against the defendant charging him with second degree unlawfully causing the discharge of a hazardous substance and third-degree unlawful discharge of a pollutant. The indictment charges Callica with pumping out thousands of gallons of oil-contaminated water and oil from two large underground tanks at a Jersey City trucking facility into a storm drain. The oil Callica discharged into the storm sewer ultimately flowed to and contaminated the Hackensack River.

Among the significant indictments obtained by the bureau in 1999 were one charging Heterene Chemical Corp. Inc. of Paterson and its corporate president in connection with a pollution incident that was suspected of causing the hospitalization of 54 people.

Heterene and its chief executive, David Simpson Dean, were charged in the indictment with third-degree unlawful emission of an air contaminant and fourth degree creating the risk of widespread injury or damage — as well as a variety of other pollution-related charges — after its factory released a large plume of smoke containing creosol into a residential area containing a public school.

The courts required the corporation to pay \$75,000 in restitution which was ordered to be made payable to the NJ Work Environment Council for a program to provide for medical and health needs. The courts also required the corporation to eliminate two of its chemical processes which posed a threat to the community.

The Bureau, in a joint investigation with the U.S. Attorney and Richmond County District Attorney, obtained a federal indictment in the case of U.S. v. Donald Lamb. The indictment charges the defendant, a tankerman on an oil

The Environmental Crimes Bureau obtained 13 indictments in 1999 and won court orders for restitution to be paid by criminal polluters totaling \$400,000.

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barge, with leaving his post and falling asleep while loading his barge with oil at a terminal on the Arthur Kill in Carteret. While the defendant slept, approximately 49,000 gallons of oil overflowed from the barge. Lamb was found guilty and sentenced to one year in prison.

Narcotics Task Force

Made up of personnel from State Police and the Division of Criminal Justice, the Narcotics Task Force was responsible for the arrest of 1,091 suspects in 1999 including 1,021 for drug-related offenses. Task Force personnel took part in the seizure of more than 1,368 kilograms of powder cocaine, 31.5 ounces of crack cocaine, 809 pounds of marijuana and 20 kilograms of opiates, most of them heroin.

The Task Force also seized 126 gallons of P2P, 200 tablets of LSD, 38,000 ecstasy pills and smaller quantities of methamphetamine, steroids, valium, hashish and other drugs. Task Force personnel also seized 30 vehicles valued at \$337,000, made currency seizures totaling \$5.3 million and confiscated 609 weapons.

Case Highlights

Among the Task Force's most significant efforts for 1999 was the continued investigation and prosecution of the Cali Drug Cartel, a highly organized narcotics trafficking operation that exports cocaine from Colombia, South America for distribution in the metropolitan New York City area and launders money that flows back to Colombia.

In early 1999, seven cartel suspects were arrested and 1,355 kilograms of cocaine were seized after investigators determined that shipping pallets - ostensibly filled with cauliflower cartons and bound by truck for New York City - in fact concealed cocaine.

In the wake of the arrest, two suspects have pleaded guilty to first degree charges of possession of cocaine with intent to distribute.

To date, Task Force operations targeting the Cali cartel have resulted in the seizure of approximately \$22 million in New Jersey. More than 1,700 kilograms of cocaine and eight kilos of heroin have been seized and 115 persons have been arrested.

In January 1999, the Director of Criminal Justice directed the Statewide Narcotics Task Force, in cooperation with other elements of the Division of Criminal Justice, to conduct a management review of the Essex County Prosecutor's Office Narcotics Task Force. This extensive review lasted several months, involved myriad hours of interviews and investigation and eventually contributed to the Attorney General's decision to supercede the Essex County Prosecutor. Since the Division of Criminal Justice assumed responsibility for the Essex County Prosecutor's Office, the Statewide Narcotics Task Force has assumed control of the office's Narcotics Task Force. A state deputy attorney general and professional assigned to the Statewide Narcotics Task Force have assumed the roles of Prosecutor Director and Administrative Director, respectively.

The Narcotics Task Force seized 38,000 pills of the so-called "club drug" Ecstasy in 1999 along with 1,368 kilograms of powder cocaine, 809 pounds of marijuana and 20 kilograms of opiates, most of them heroin.

Civil Remedies and Forfeiture

A total of 40 cases were opened during the past year, and a total of 114 cases were prosecuted.

Cash and Other Forfeitures

Through the bureau's work, more than \$1.3 million in cash was forfeited by those prosecuted in narcotics-related cases, approximately \$812,000 was forfeited by those prosecuted for racketeering and \$654,000 was forfeited by defendants prosecuted for environmental crimes. Money laundering and insurance fraud accounted for another \$445,000 in cash forfeitures. In addition, the bureau secured the forfeiture of eight vehicles, two trucks or pieces of heavy equipment, three guns and assorted ammunition.

Case Highlights

Case highlights included completion of the **State v. Franco** case, an unprecedented, highly complex, multi-defendant civil racketeering forfeiture action. In 1998, the Francos agreed to forfeit \$750,000 in connection with a case that involved numerous solid waste haulers committing theft, organized crime and money laundering. The agreement was conditioned on the sale of the Franco corporations, which required approval by the Department of Environmental Protection. In 1999 the Franco businesses were sold, a total of \$751,170 in forfeiture money was collected by the bureau and the case was closed.

The bureau is also seeking forfeiture of \$1-3 million worth of assets, including real estate, related to prosecution of a health care fraud matter involving an entity known as Allied Trauma and Healthcare, Inc. and chiropractors Lisa and George Tsilonis and others. The action was undertaken in March 1999 after a judge issued broad seizure orders enabling the state to prevent further assets from being transferred offshore.

Money Laundering

In September 1998, the Attorney General's Working Group on Money Laundering released a White Paper detailing general and specific recommendations for combating money laundering in New Jersey. One of the White Paper recommendations called for the formation of a Financial Investigations Unit (FIU) within the Division of Criminal Justice. The FIU was established in November of 1998. The mission of this unit is to identify, investigate and prosecute money laundering and other financial crimes.

Many of the White Paper's specific recommendations were accomplished in 1999. One of those recommendations involved assisting counties in the training of financial crimes investigators. Toward that end, three, one-day training sessions were conducted on financial investigations and related use of a data base known as FinCEN.

Another White Paper recommendation called for improving and increasing access to FinCEN information for State and county law enforcement personnel. Significant

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progress was made in this area. Prior to the money laundering initiative, New Jersey ranked 32nd among the 50 states in use of FinCEN. Direct access was limited to six or seven individuals in the Division. With the inception of the FIU and the establishment of the FinCEN pilot project, access was expanded to nearly 40 persons. By the end of 1999, New Jersey was ranked 6th in per capita use of the FinCEN data base.

Operations Bureau

During 1999, the Operations Bureau opened 157 investigative/trial cases and investigated, prosecuted or resolved 150. Not a single case or substantive motion was lost. Supersession cases in which the division superseded the County Prosecutor, accounted for more than 80 percent of these cases. Of note, 36 defendants were sentenced to 34 years in prison and 69 years of probation. They were also fined and assessed a total of more than \$10,000. Four defendants surrendered their gun licenses and three were forever barred from holding public employment.

Juvenile Justice Commission Prosecutions

In August 1999, a rapid response unit with statewide law enforcement powers became fully operational to respond to, investigate and prosecute crimes within juvenile facilities by inmates. During its five months of existence, the unit responded to, investigated and/or charged 35 defendants with offenses ranging from attempted murder to assault and theft. The unit also worked with the Juvenile Justice Commission, Department of Corrections and outside agencies to track gangs and hate groups within the Juvenile Justice Commission's jurisdiction.

State Office of Victim-Witness Advocacy

The mission of the State Office of Victim-Witness Advocacy (SOVWA) is to support and expand victim-witness services across the state. The Office works with the law enforcement community to provide victims and witnesses with services that will help them cope with the aftermath of victimization and make their participation in the system less difficult and burdensome.

During 1999, SOVWA administered more than \$10 million awarded to law enforcement, other public and private, nonprofit agencies for the provision of services to victims of crime and to address the issues of violence against women; planned and developed the annual Crime Victims' Rights Week commemoration at a concert of Dvorak's *New World Symphony* performed by the Greater Trenton Symphony Orchestra; provided training, information and legal advice on victim-related services and legislation to county Offices of Victim-Witness Advocacy and other members of the law enforcement community; provided technical assistance regarding the use of funds; participated in developing protocols for the treatment of sexual assault victims; provided direct services to a number of victims and represented the Division on various committees, boards, councils and task forces.

The State Office of Victim-Witness Advocacy administered more than \$10 million in funds to assist crime victims and to combat domestic violence in 1999.

Office of Bias Crime and Community Relations

In 1999, the Office of Bias Crime and Community Relations investigated or assisted in the investigation of more than 25 bias crime incidents in the state. Noteworthy cases included the Mansfield Swastika Case, in which a group of young adults from Burlington County harassed African Americans and other persons of color for three years.

In addition to the office's aggressive prosecution efforts, staff members organized a variety of programs to deter acts of hate and prejudice in New Jersey. Included in these efforts were:

- the continuation of study circles. Held throughout the state, these small group discussions on intergroup relations drew nearly 150 participants.
- diversity training programs. Approximately 200 county and municipal human relations commissioners attended training programs offered by the office.
- the New Jersey Bias Crime Victims' Support Service. Through the continuation of this referral program, bias crime victims were referred to law enforcement agencies, human service providers and volunteers, to help them cope with the aftermath of acts of hate and prejudice. In cooperation with Cablevision, a public service announcement about the telephone referral service was aired across the state.
- the implementation of the "Hate on the Internet" program. Begun in the fall of 1999, this new program is designed to teach educators, parents and students about hate groups on the Internet and the impact they can have on young people. Approximately 1,500 individuals from throughout New Jersey have attended the program.
- the New Jersey Human Relations Council. The office began offering administrative and program support for this newly-created government council in fall 1999. The council will work with local and county human relations councils, and will develop and support efforts to foster diversity in the state.
- the Institute for Human Relations. Announced at the first meeting of the Human Relations Council, the institute will provide comprehensive training and education for municipal and county human relations commissions, law enforcement agencies and schools on diversity-related issues.

Prosecutors and Police

In 1999, the Prosecutors and Police Bureau provided 3,058 legal advisories concerning a wide variety of prosecution-related and administrative issues. The bulk of these advisories came in response to contacts by county prosecutor's offices, police departments, municipal government bodies, municipal attorneys and prosecutors statewide. Some of the topics included drunk and drugged driving enforcement by police, firearms related issues, police training, domestic violence issues, victims' programs and the implementation of Megan's Law.

The Prosecutors and Police Bureau resolved 448 citizen complaints in 1999 involving alleged misconduct by law enforcement, prepared 33 legislative comments on bills and initiatives related to law enforcement and disposed of 39 administrative actions relating to appeals to the Office of Administrative Law by trainees who had been dismissed from law enforcement training academies.

The Prosecutors and Police Bureau resolved 448 citizen complaints involving alleged misconduct by law enforcement and provided more than 3,000 legal advisories, mostly to municipalities and counties.

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Among the significant accomplishments of the Prosecutors and Police Bureau in 1999 were the revision of the Attorney General's Police Vehicular Pursuit Policy to permit the use of "speed spikes" and preparation of an Attorney General's Directive authorizing creation of a toll-free school safety tip line. Known as V-FREE, the tip line is monitored by New Jersey State Police and calls are referred to the appropriate local law enforcement agencies.

The bureau conducted a comprehensive review of the State Police Internal Affairs Bureau in the wake of racial profiling allegations and conducted operational analyses of two troubled municipal police departments. The bureau also prepared a comprehensive analysis and listing of all highways affected by legislation allowing for a speed limit of 65 miles per hour for distribution to county and municipal prosecutors.

Law Enforcement Standards and Camden Police Project

The Division's Law Enforcement Standards Section assists local law enforcement by combining the development of law enforcement policy and standards with the provision of technical assistance to address specific needs within individual police departments. The Law Enforcement Standards section has developed operational guidelines for such areas as police internal affairs, the handling of citizen complaints and the pursuit of suspects fleeing in vehicles. These standards and guidelines serve as a means of implementing legislation, Attorney General directives and other applicable policies. They are intended to promote efficient police administration and uniform and effective law enforcement.

In addition to aiding individual police agencies during the implementation of standards, the Law Enforcement Section staff conducts police management training programs, provides management and technical assistance, and conducts management studies of individual police departments or agencies upon request. The goal of these management assistance projects is not simply the production of a "management report," but rather the realization of tangible improvement in the delivery of police services. Over the past year, the Law Enforcement Bureau responded to hundreds of inquiries for information and guidance from police agencies throughout New Jersey.

Of special note was the Camden City Police Department project, which involved a detailed follow-up of previous studies. This project specifically addressed two key issues — the reorganization of the Camden Police Department and the number of officers assigned to patrol duties. As a result the Attorney General assigned the Camden County Prosecutor as a monitor over the police department.

The Law Enforcement Standards Section is also responsible for publishing the ***New Jersey Law Enforcement Guidelines***, a compilation of existing directives and guidelines pertaining to police agencies in New Jersey. The guidelines are intended to serve as a convenient resource for all law enforcement personnel throughout New Jersey and are available on the New Jersey Division of Criminal Justice Internet Web site.

Supersession of Essex County Prosecutor's Office

During 1999, the Division of Criminal Justice conducted reviews and assessments of the Essex County Prosecutor's Office and, based on the findings of those studies, the Attorney General elected to supersede Essex County Prosecutor Patricia Hurt.

The process that culminated with the replacement of Hurt by a state-appointed Acting Prosecutor began with a review of the Essex County Narcotics Task Force in early 1999.

On April 16, 1999, the Essex County Prosecutor's Office asked the Division of Criminal Justice to file a court action, known as a Bigley application, that would require the county to increase funding for the office.

However, concerns within the Division of Criminal Justice about the alleged mismanagement of budgetary, forfeiture and grant funds by Essex prompted the assignment of a team from the Division's Prosecutors and Police Bureau to conduct a management review. That review confirmed significant management problems.

On June 28, 1999, Attorney General John J. Farmer, Jr. appointed Assistant Attorney General Donald Campolo as a Monitor to oversee the expenditure of funds and deployment of personnel in the Essex County Prosecutor's Office. On June 26, 1999, the Attorney General superseded the Essex County Prosecutor. Assistant Attorney General Campolo was named Acting Essex County Prosecutor and continues to serve in that capacity.

Academy Training

The Division of Criminal Justice Academy conducts a wide range of in-service and pre-service training programs for the state's law enforcement and criminal justice communities, including state and county investigators, deputy attorneys general, assistant prosecutors, municipal and county police, police executives, arson investigators and corrections personnel.

To help ensure that all prosecutor's offices are receiving uniform training, the academy has become the sole provider of all basic training for county prosecutors' detectives and investigators, as well as for state investigators. In addition, a one-week basic training program is conducted for all newly-appointed assistant prosecutors.

The academy also conducts programs which are required by state law or directive, including arson investigation courses, police internal affairs training, physical conditioning instructor training, and firearms instructor courses, as well as many other specialized programs not available at local and county training facilities. Among the specialized programs are a community policing program, a police chiefs orientation program, police management workshops and crime analysis for police officers.

During 1999, the academy conducted a total of more than 250 programs attended by nearly 12,000 trainees.

On June 28, 1999, Attorney General John J. Farmer Jr. named an Acting Prosecutor in Essex County after a study of the Essex County Prosecutor's Office revealed management problems.

State Medical Examiner's Office

January 1999 began with the State Medical Examiner's acceptance of administrative responsibility for the Institute of Forensic Science and State Toxicology Laboratory in Newark and the creation of an executive transition team. The transition team reviewed and evaluated operations of the Newark office, focusing on fiscal, administrative and personnel matters, as well as clinical and technical issues. With the approval of the Division of Criminal Justice and the cooperation of staff, changes and improvements were made in many areas of concern identified by the transition team.

Police Training Commission

The Police Training Commission (PTC) staff, under the authority of the Police Training Act, are responsible for the development and certification of basic training courses for county and local police, sheriff's officers, state and county investigators, state and county corrections officers, juvenile detention officers, and a number of other law enforcement positions, as well as several instructor development courses. Training courses are revised and updated on an ongoing basis as necessitated by legislation, court decisions and advances in technology and the state of knowledge regarding law enforcement practices.

Commission staff are responsible for the certification of training course curricula, training course instructors, trainees and academies authorized to conduct any of the 34 PTC-certified training courses. This past year 154 commission-certified courses were conducted at the various PTC-certified academies throughout the state and more than 4,000 trainees were certified as having successfully completed a PTC course.

In addition, PTC staff develop guidelines for the implementation of training standards, monitor the operation of all PTC certified academies, review all trainee injuries and investigate possible violations of the Police Training Act or PTC rules occurring during authorized training courses. PTC staff also handle appeals related to challenges to PTC decisions regarding, for example, trainee waivers, trainee dismissals from PTC-certified courses and the drug screening practices of PTC-certified academies.

Appellate Bureau

In 1999, the Appellate Bureau filed more than 900 briefs, an increase of 143 from the previous year and a five-year high. Among the matters litigated in the State courts were selective enforcement/racial profiling issues and death penalty appeals.

On the federal level, the U.S. District Court rejected constitutional challenges by the Coalition of New Jersey Sportsmen to the State's assault firearms statutes. The case is now pending before the Third Circuit Court of Appeals.

In addition to handling appeals, the Appellate Bureau also monitors prosecutor misconduct and sends out letters of reprimand in appropriate cases. In 1999, the bureau

The Appellate Bureau filed more than 900 legal briefs, a five-year high, and obtained forfeiture of office actions against nine local and county officeholders convicted of federal crimes.

sent out nine such letters. Forfeiture of office actions were obtained against nine local and county officeholders convicted of federal crimes.

Case Highlights

- **State v. Jesse Timmendequas**, in which the Court affirmed the murder conviction and death sentence of the killer of seven-year-old Megan Kanka.
- **State v. Robert “Mudman” Simon**, in which the court affirmed the murder conviction and death sentence of the killer of Franklin Township, Gloucester County, Police Officer Lee Gonzalez. Simon was subsequently murdered in prison by another death row inmate.
- **State v. Timothy Smith**, in which the Court upheld the use of closed circuit television to enable a juvenile sexual assault victim to testify at the trial.
- **State v. Dr. Claus Speth**, in which the Court affirmed the conviction of Dr. Speth, a former county medical examiner, for tampering with a witness.
- **State v. Homentosky**, in which the court affirmed the defendant’s convictions for aggravated manslaughter, driving while intoxicated and related offenses in connection with the death of Teresa Wright. As a result of this case, the Legislature passed “Terri’s Law,” named in memory of the victim, which increased penalties for death by auto convictions by upgrading the offense to a second degree crime.
- **State v. Abeskaron**, in which the court upheld the scientific reliability and admissibility into evidence of speed readings from the LTI Marksman 20-20 laser speed gun, thus enabling police to commence using this device statewide.

Division of Elections

The division is charged with the orderly conduct of New Jersey elections. Officially established in 1979, the division is responsible for state and federal elective offices, state ballot questions and bond issues placed on the ballot. The division assists county election officials, county clerks and the public on matters of election administration. The division also certifies and publishes election results, certifies voting machines and manages the state voter registration program in compliance with the National Voter Registration Act of 1993.

Enhancement of the Monitoring of the National Voter Registration Act

The number of responses to the opportunity to register to vote has increased by more than 101,000 since 1997. In addition, first-ever training sessions for agencies that work with the division to register voters were also held in 1999. To further enhance voter registration efforts, the division also developed a training manual for Division of Motor Vehicles employees and for County Commissioners of Registration Offices. Both agencies work to register voters.

Federal Election Commission (FEC) State Filing Waiver Program

New Jersey became one of the first states to go “on-line” with the Federal Election Commission’s State Filing Waiver program. The initiative allows the general public to obtain federal campaign finance reports via a computer in the division offices. These reports will no longer be maintained in paper form.

The Division of Elections undertook a variety of efforts designed to enhance voter registration efforts, including the creation of a training manual for state Division of Motor Vehicles employees, who also work to register voters.

Division of Gaming Enforcement

The division is charged with maintaining the integrity of the gaming industry through investigations and prosecutions.

This is accomplished through the investigation of all applicants seeking casino and casino-related licenses. Additionally, the agency reviews and audits casino operations and investigates and prosecutes all violations of the Casino Control Act.

Compliance Cases

Bally Entertainment

Following a two-year investigation, the division found that Bally Entertainment and its affiliate, Florida Locally Approved Gaming, paid the Speaker of the Florida House of Representatives \$250,000 for services provided during an effort to put a gaming referendum on the Florida general election ballot.

After a week-long hearing, the Casino Control Commission imposed several conditions on the licenses of Bally's Park Place and the Atlantic City Hilton, which is now owned by Park Place Entertainment, including a requirement to report to the division any and all payments to public officials and strict compliance committee protocols.

Trump Taj Mahal

The division's investigation and prosecution of a regulatory violation by the Trump Taj Mahal resulted in the company paying the ninth largest civil penalty ever imposed by the Casino Control Commission. Taj Mahal was fined \$237,199 for repeatedly failing to collect a commission, known as vigorish, in the game of Baccarat from certain high-rollers or "premium" players.

Regulatory Compliance

The division's Regulatory Enforcement Bureau prosecuted 13 complaints against casinos for regulatory violations and issued 102 warning letters. The bureau also collected \$413,000 in fines for regulatory violations.

Gaming Expansion

The division explored economic concentration in the Atlantic City marketplace when Park Place Entertainment sought the Casino Control Commission's approval to purchase Caesars World, Inc., giving that company three of the 12 casinos. The division submitted a 45-page report to the commission and presented expert testimony to provide insight into the economic impact of the merger.

The Regulatory Enforcement Bureau prosecuted 13 complaints against Atlantic City casinos for regulatory violations and imposed a total of \$413,000 in fines for regulatory violations.

New Technologies

In the years ahead, the division anticipates an increase in the level of sophistication and technology associated with gaming. To stay ahead of these changes, the division will train its staff to analyze new technology and to assess its impact on the fairness of the various games. The division will also evaluate the impact of the Internet on the industry and will propose a state model to address the concerns of Internet gambling.

The division will also continue to enhance technology and training in order to better regulate new gaming systems, such as “cashless” slot machines.

State Athletic Control Board Activities

In 1999, an extensive review of the division's boxing protocols and procedures began to determine whether changes can be made to further ensure the safety of participants in matches. The division also began reviewing what impact the emerging popularity of “extreme wrestling” will have on the demands of the State Athletic Control Board and evaluating whether this sport requires further regulation.

In other action, the board licensed 207 professional boxers. Forty-nine professional boxing shows and 32 American Boxing Federation show were held.

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Division of Highway Traffic Safety

The division's mission is to protect and further the safety of the public through a statewide highway traffic safety program designed to reduce automobile-related fatalities and injuries. This is accomplished through the acquisition of grants to fund state and local educational programs.

“Drive Friendly” Program

As a complement to the division's successful aggressive driving enforcement program, the division launched a new statewide public education campaign to promote courteous driving and further enhance highway safety. Known as the “Drive Friendly” campaign, the effort was developed by the division in consultation with the AAA Clubs of New Jersey, the New Jersey Chiefs of Police Association and the New Jersey State Safety Council.

Using radio ads and billboards, the “Drive Friendly” campaign focused on rules of the road that can foster a safer driving environment. Suggested “Drive Friendly” tips were incorporated in a new section of the division Web site, as well.

Child Safety Seat Program

The division began training local law enforcement officers in how to inspect child passenger safety seats for proper installation. A study by the National Highway Traffic Safety Administration found that 80 percent are improperly installed and will not adequately protect children.

Additionally, more than 30 free child safety seat inspections open to the general public were held statewide. The voluntary inspections were conducted by the officers certified through the training programs as child passenger safety technicians.

Pedestrian Safety Programs

Pedestrian safety projects were launched in Jersey City and Elizabeth in 1999. The projects focused on community education and enforcement by local police officers. Twenty-five presentations were made to community groups, including senior citizen organizations and elementary school students.

In addition, educational efforts were focused on the top 10 pedestrian crash sites in each community.

Drunk Driving Enforcement

The division continued to fund sobriety checkpoints during major holiday periods, with more than 10,000 vehicles passing through these checkpoints during the year.

Education about the very real dangers of drunk driving continued, with 15 high schools participating in the Fatal Vision program. Using special eyeglasses that simulate the effects of alcohol, students learned first hand how drinking can drastically alter an individual's perception and coordination.

“DriveFriendly” tips were incorporated in a new section of the division website, as well.

Division of Law |

The division is charged with protecting the public interest by acting as sole legal counsel to state agencies and by conducting all civil legal matters to which the state is a party.

Specifically, the division serves as legal counsel for all state government departments and for New Jersey's state agencies. The divisions is also responsible for more than 28,000 pending legal matters, including administrative hearings, appeals and cases in state and federal trial courts.

Significant Litigation

State v. Robert Brennan

Among the matters handled in 1999 was the conclusion of the Robert Brennan securities litigation, which resulted in a judgment of \$100 million and an injunction against Brennan's further participation in the securities industry in New Jersey.

Commuter Tax

The Division of Law also successfully sued to halt collection of a tax on New Jersey residents who commute to work in New York state, a victory that yielded rebates for thousands of New Jerseyans.

Tobacco Suit

The Division also participated in the litigation of a historic states' lawsuit against the tobacco industry that resulted in a national settlement agreement that is expected to bring approximately \$7.6 billion in settlement proceeds into New Jersey's treasury over a 25-year span.

Other Cases

The division also successfully defended the Atlantic City Tunnel project, the Automobile Insurance Cost Reduction Act, the Hunter Harassment statute and the Charter School Act.

Looking Ahead

For 1999 and the future, the top priority of the Division of Law remains to provide the state with the best legal service possible. Toward that end, the Division is continuing to attempt to recruit and retain quality lawyers and to provide ongoing training to those lawyers in all relevant aspects of the legal profession.

In the year 2000 and beyond, the division expects to devote a significant amount of its attention and resources to such matters as employment litigation — the state is New Jersey's largest employer — and to charitable trust issues linked to such trends as hospital mergers and problems with HMOs.

Another development that can be expected to continue to impact the division is the implementation of the Adoption and Safe Families Act. The act has significantly changed how Division of Youth and Family Services (DYFS) cases are handled and has resulted in a 54 percent increase in the filing of termination of parental rights complaints.

Thousands of New Jerseyans who work in New York state qualified for rebates after the Division of Law successfully sued to stop New York from collecting a tax on out-of-state residents who commute to their jobs.

New Jersey Racing Commission

This departmental division's mission is to protect and further the interest and safety of the public by maintaining the integrity of the horse racing industry through investigations and prosecutions.

The New Jersey Racing Commission is charged with regulating horse racing and parimutuel wagering in New Jersey. The state celebrated its 60th season of thoroughbred and standardbred racing in 1999.

The five operating racetracks in New Jersey conducted a total of 553 racing programs generating in excess of \$1.7 billion in parimutuel wagers. The commission monitored the conduct of more than 5,500 individual races, collected parimutuel taxes and supervised the wagering activity associated with these races as well as the wagering on the more than 72,000 races simulcast into the New Jersey tracks and casinos.

Commission employees collected more than 35,000 specimens from horses and 1,100 from jockeys, drivers and trainers. State Police chemists analyze the horse specimens for illegal substances, while race participants' specimens are reviewed for both alcohol and drug use.

New Regulations

The Racing Commission adopted several significant regulations designed to further enhance the integrity of the racing industry. For instance, the commission adopted regulations to allow owners and/or trainers to use an approved independent laboratory if a state lab first determines that an illegal substance was detected in the horse's specimen. Known as the "split sample," this regulation was adopted with the full support of the industry.

The five operating racetracks in New Jersey conducted a total of 553 racing programs generating in excess of \$1.7 billion in parimutuel wagers.

Division of State Police

New Jersey's State Police are charged with ensuring the safety of the public by providing and maintaining statewide police services, general highway and traffic enforcement, investigative and intelligence services, emergency services, support for local law enforcement agencies, maintenance of criminal records and identification systems.

Specifically, the division conducts criminal investigations, enforces traffic laws on interstate highways, provides forensic laboratory services to local law enforcement agencies and protects life and property on coastal and inland waters. The State Police also provides protection and services for rural communities and is authorized to enforce county and municipal laws.

Reform Efforts

In 1999, the division began to implement a series of reform efforts that were outlined in two public reports issued in April and June 1999, respectively.

These reports identified areas for change in patrol practices, recruitment, promotions, work environment and internal affairs. The first report, known as the Interim Report, was issued in April and called for establishing new procedures for initiating and conducting traffic stops and requesting permission to conduct consent searches. The second and final report includes action steps to improve the way the State Police handles recruitment, promotions, EEO/AA complaints and its internal affairs functions. Many aspects of these reports were memorialized in a consent decree reached with the United States Department of Justice in December 1999.

Reforms to implement the recommendations in both reports and to meet the consent decree requirements are underway. Ultimately, these reform measures will make the State Police a national model for law enforcement management practices and a national leader for its insistence that race and ethnicity never serve as the basis for traffic stops.

Community Policing Unit

Established in 1998, the Community Policing Unit uses the concept and philosophy of problem solving and proactive policing to form partnerships with community-based groups in 76 towns throughout New Jersey.

The effort began with troopers conducting door-to-door introductions to establish a working relationship with the citizens in their communities. Troopers also organized and established neighborhood watch groups. To date, troopers have worked to resolve more than 1,000 community problems. These actions resulted in more than 400 arrests in response to those identified problems.

The unit also conducts training in the Drug Abuse Resistance Education (D.A.R.E.) curriculum. To date, more than 2,000 state and local police have been certified to instruct this program in schools. In 1999 alone, more than 200 officers were certified by unit personnel.

Additionally, the troopers in the unit piloted the use of bicycle patrols at the Sussex County Fair. Because of the pilot's success, this special patrol is on target to be incorporated into the community policing program.

The State Police launched a series of major reforms in 1999 designed to create the nation's most comprehensive data base on traffic stops, to improve minority recruitment efforts and to strengthen other policies and procedures.

Mobile Data Computers

Mobile data computers (MDCs) continued to be used in 1999 with successful results. All patrol vehicles are expected to be equipped with the terminals shortly.

A fixed-mount computer with wireless connections, the MDCs will serve many functions, including providing access to the state's Criminal Justice Information System. This system contains information on arrests, convictions, probations and parole and also has data mapping applications.

In addition, the terminals have advanced capabilities, making it possible to submit and retrieve reports on accidents, vehicle stops and operations. An increase in trooper safety and efficiency will also be realized through the use of these computers, as these terminals will use a global positioning system to locate troopers in emergency situations.

Mobile Recording Devices

Mobile video/audio recording devices were installed in patrol vehicles, providing accurate documentation of events, actions, conditions and statements made during motor vehicle stops.

These devices have also provided valuable instructional material that has been used to train law enforcement officers in basic police practices and procedures. By demonstrating acceptable and unacceptable procedures, the performance of troopers can be greatly enhanced. The tapes allow the division to evaluate procedures currently in use and make any necessary changes to improve trooper training and public safety.

Intelligence Bureau Activities

Criminal State Gang Training Initiative

The State Police Intelligence Bureau continued to provide gang awareness training in 1999. The information provided during these training sessions has assisted law enforcement agencies, civic groups, schools, youth-based organizations and private businesses as they work to recognize and respond to the threat of criminal street gangs in communities throughout the state.

Last year alone, the bureau hosted training conferences, seminars and customized presentations for more than 2,600 law enforcement personnel across the state.

Essex County Latin King Double-Homicide Investigation

In July 1998, Intelligence Bureau personnel were asked to assist the Essex County Prosecutor's Office and State Police detectives in a double homicide in Newark's Branch Brook Park. Witnesses linked members of the Latin Kings criminal street gang to the crime, but could only provide street names for those believed to be involved.

As a result of their extensive knowledge of the gang and the vast compilation of intelligence and confidential sources, bureau members were able to provide the prosecutor's office with the identities, residential locations and photographs of the individuals believed to be responsible for the murders.

Fourteen alleged Latin King members were arrested in connection with these homicides.

The installation of on-board video cameras in State Police vehicles provides accurate audio-visual documentation of vehicle stops.

Subsequently, nine individuals pleaded guilty to charges of varying degrees. In March 2000, the remaining five suspects were convicted of charges ranging from kidnapping to felony murder.

NCIC 2000

Rounding out the State Police's use of cutting-edge crime fighting technology is the National Crime Information Center initiative. Also known as NCIC 2000, this effort makes it possible for law enforcement to access nationwide criminal information data. NCIC is a fundamental law enforcement tool that is used by more than 79,000 agencies across North America to share vital information on individuals, vehicles, and property as they may relate to criminal activity.

The State Police now have access to this federal computer system.

Emergency Management

Hurricane Floyd Response and Recovery

During Hurricane Floyd, the New Jersey Office of Emergency Management activated the State Emergency Operations Center, where it coordinated lifesaving measures that included search and rescue efforts, evacuations, emergency shelters and communications, provision of drinking water supplies and security of flooded communities.

The office also prepared and documented Governor Christie Whitman's request for a Presidential Disaster Declaration and orchestrated a damage assessment effort which identified more than 8,000 homes destroyed or damaged and \$67 million worth of damage to the public infrastructure.

Y2K Preparations

The New Jersey Office of Emergency Management coordinated state government's efforts to prepare for the new millennium and its potential impact on the functioning of computers and computer-assisted equipment. A series of regional conferences were hosted by the office to help county and municipal officials establish guidelines for Y2K preparedness.

The office also facilitated hundreds of meetings between Local Emergency Planning Committees and hazardous materials' producers and forged a working relationship between major utility and telecommunications companies and county and state government. Additionally, the office coordinated the testing of backup power in emergency operations statewide and conducted numerous command post exercises to test equipment and procedures in anticipation of the Y2K changeover.

Task Force One - Search and Rescue Teams

In 1999 Gov. Whitman signed into law a bill allocating \$1.5 million to establish a statewide Search and Rescue Team, to be known as Task Force One, that would conduct highly specialized rescue operations in response to building collapses and other disasters.

The funding enables the state Office of Emergency Management to develop, equip and train a team to respond to complex rescue emergencies throughout the state. The team will be staffed by personnel from throughout New Jersey and will consist of members from a variety of specialized disciplines.

Through the Office of Emergency Management, more than 8,000 damaged homes and more than \$67 million worth of ravaged infrastructure were catalogued for inclusion in New Jersey's request for a Presidential Disaster Declaration in the wake of Hurricane Floyd.

Juvenile Justice Commission

Prior to 1995, juvenile justice issues were divided between the Department of Corrections and the Department of Human Services. Understanding that juvenile offenders have special and unique needs, Gov. Whitman established the Juvenile Justice Commission five years ago.

The Juvenile Justice Commission is an “in but not of” agency within the Department of Law and Public Safety. However, the Attorney General serves as Chairman of the Commission’s Executive Board and the Commission works closely with the Department. The Commission is charged with developing a continuum of care for juveniles who have violated the public’s trust including prevention, intervention, incarceration and aftercare. The commission is responsible for planning, policy development and facility operations of the juvenile justice system including day and residential programs and secure facilities.

The year 1999 was one of continued accomplishment for the five-year-old commission. The JJC continued to enhance and modify existing policies aimed at protecting the public and fostering a climate of accountability, personal growth and rehabilitation among the youth in its care.

Master Plan and Expansion Projects

In 1999, the JJC released the state’s first-ever Juvenile Justice Master Plan. The Juvenile Justice Master Plan provides a blueprint for the direction the JJC will follow in the 21st Century. Listing an array of significant recommendations for change and new initiatives, as well as promoting a broader and more individualized juvenile justice system, the Master Plan will guide juvenile justice policies and advances well into the future.

The Master Plan decisively recognizes the need to increase the number of beds and services available for special needs juvenile offenders. It also outlines a State Incentive Program which will allow counties to continue to develop much needed alternatives to placement with the state.

In order to meet growing space needs, the JJC awarded a \$10.4 million contract in 1999 for the construction of a new, 144-bed expansion of the Juvenile Medium Security Facility in Bordentown. The project is expected to be completed in 2001.

Other Initiatives

The Stabilization and Reintegration Program, commonly known as the Boot Camp, saw the graduation of its 29th platoon in 1999. The highly structured, military type program for youthful offenders is an alternative to conventional incarceration. As of year’s end, the boot camp had graduated 507 cadets since its inception in February 1996.

The JJC works closely with New Jersey’s 21 counties. In 1999, more than \$7 million in funds were allocated to the State/Community Partnership Program to direct attention to early intervention and alternatives to incarceration for troubled youth. More than 3,000 young people participated in one or more of the 224 partnership programs available throughout the state through the JJC. Through intensive case review, young offenders can

The Juvenile Justice Commission awarded a \$10.4 million contract for construction of a new, medium-security expansion facility in Burlington County. The project is expected to be completed by 2001.

Juvenile Justice

The Juvenile Justice Commission employs approximately 400 education professionals. All youth in the care of the JJC attend educational classes year around.

be directed to appropriate community programs instead of automatically being placed in secure facilities. This program takes into consideration the safety of the public while ensuring that troubled youth receive the individualized care necessary to redirect their lives.

Progress continued in 1999 on the Paterson Village Initiative, a federally funded effort to combat delinquency through a collaborative effort of the community, law enforcement, probation and the JJC. Fashioned after a very successful anti-delinquency strategy in Boston, the Paterson Village Initiative strives to intercede with youth before they have significant contact with the juvenile justice system through the presence of probation officers in public schools and to regular face-to-face contacts with juveniles in their communities.

Other 1999 JJC initiatives included the breaking of ground for several new facilities. A new orientation unit for juveniles enrolled in the Stabilization and Reintegration Program, and a new "step down" facility to house youth making the transition from secure JJC institutions back to their home communities, are currently making progress on the Bordentown campus.

The estimated cost of both projects is \$3.2 million. Temporary renovations have also begun to the only female juvenile community program to provide separate and distinct accommodations for female juveniles with drug dependency. As the number of female youthful offenders with special needs rises, the JJC plans to permanently operate this service, referred to as the "Doves Program," at a new and expanded location.

Education and Community Outreach

All youth in the care of the JJC, whether attending day programs or living at residential or secure facilities, attend educational classes year around. Using education to effect change in juvenile offenders' behavior will help them to become productive members of society.

In addition, students need to be reassured that they are developing marketable skills. The JJC provides students with access to a variety of vocational training programs including wood working, video camera work and editing, welding, silk screening and, soon, upholstery.

In the ongoing effort to combat recidivism, the JJC's Restorative Justice Initiative requires juvenile offenders to give something back to victims of the community. Restorative Justice crime scene clean-up and repair crews and community service teams provide approximately 2,000 hours of service per month in communities throughout the state. A new component of the JJC's Restorative Justice initiative allows juvenile offenders to gain an understanding of the impact of their crimes by meeting with "surrogate" victims including the loved ones of those victimized and professionals who work with crime victims, including insurance agents, counselors, law enforcement officers, etc. The JJC is also moving toward voluntary meetings between victims and offenders.

As the JJC adapts to new trends in juvenile justice and to the ever changing needs of youthful offenders, its focus remains on the development of self-worth in each young person. By promoting individual achievement and self-confidence through the development of academic, vocational and social competence, the JJC strives to return juveniles to their communities better prepared to adhere to the rules of society and with the tools and guidance necessary to succeed.



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