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MAR 06 2017
PETER E. WARSHAW, JR., P.J.Cr

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ696-17-6
Superior Court
Docket Number 17-03-00039 S

STATE OF NEW JERSEY)
v.)
JOSE TORRES,)
JOSEPH MANIA,)
IMAD MOWASWES,)
and)
TIMOTHY HANLON)

INDICTMENT

FILED
MAR 07 2017
State Grand Jury Judge

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

COUNT ONE

(Conspiracy - Second Degree)

JOSE TORRES

JOSEPH MANIA

IMAD MOWASWES

and

TIMOTHY HANLON

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not

named as defendants herein, between on or about July 1, 2014 and on or about April 30, 2015, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Official Misconduct, Pattern of Official Misconduct, Theft by Unlawful Taking or Disposition, Tampering with Public Records or Information, or Falsifying or Tampering with Records, did agree that:

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

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

1. Official Misconduct, in that one or more of them, being a public servant, would, acting with purpose to obtain a benefit for himself or another in excess of \$200, to obtain one or more non-pecuniary benefits for himself or another, or to injure or deprive another of a benefit in excess of \$200, commit an act relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such act was unauthorized or that he committed such an act in an unauthorized manner or would refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, contrary to the provisions of N.J.S.A. 2C:30-2;

2. Pattern of Official Misconduct, in that one or more of them, being a public servant, would, acting with purpose to obtain a benefit for himself or another in excess of \$200, to obtain one or more non-pecuniary benefits for himself or another, or to injure or deprive another of a benefit in excess of \$200, commit two or more acts of Official Misconduct that violate the provisions of N.J.S.A. 2C:30-2, at least one of which was a crime of the second degree, contrary to the provisions of N.J.S.A. 2C:30-7;

3. Theft by Unlawful Taking or Disposition, in that one or more of them knowingly would unlawfully take, or exercise unlawful control over, the movable property of another, having an aggregate value of over \$500, with the purpose to permanently deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3a;

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

of the government, contrary to the provisions of N.J.S.A. 2C:28-7a(2); or

5. Falsifying or Tampering with Records, in that one or more of them, with the purpose to deceive or injure another or to conceal a wrongdoing, would falsify or utter any writing or record knowing that it contained a false statement of information, contrary to the provisions of N.J.S.A. 2C:21-4a.

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

COUNT TWO

(Official Misconduct - Second Degree)

JOSE TORRES

JOSEPH MANIA

IMAD MOWASWES

and

TIMOTHY HANLON

between on or about July 1, 2014 and on or about April 30, 2015, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, acting both individually and as co-conspirators and accomplices to one another, did commit the offense of Official Misconduct, in that the said JOSE TORRES, JOSEPH MANIA, IMAD MOWASWES, and TIMOTHY HANLON, each being a public servant and acting with the purpose to obtain a benefit for himself or another in excess of \$200, to obtain one or more non-pecuniary benefits for himself or another, or to injure or deprive another of a benefit in excess of \$200, did commit one or more acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner or did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is, the said JOSE TORRES, being a public servant, to wit: the Mayor of

the City of Paterson, the said JOSEPH MANIA and IMAD MOWASWES, also being public servants, to wit: Supervisors with the City of Paterson Department of Public Works, and the said TIMOTHY HANLON, also being a public servant, to wit: an employee and Laborer with the City of Paterson Department of Public Works, and each having thereby the official functions and duties of said positions, including among others, to supervise, manage, or oversee the operations and employees of the City of Paterson and the City of Paterson Department of Public Works, to make true and correct time-keeping entries, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did:

(a) knowingly perform work, or instruct or permit other City of Paterson Department of Public Works employees to perform work, on one or more dates at a private warehouse facility on City time while working for and being paid by the City of Paterson, including but not limited to painting, carpentry, and electrical work, or (b) knowingly sign or submit one or more false timekeeping records authorizing the payment of compensation, including overtime pay, to themselves or to other the City of Paterson Department of Public Works employees for work performed

at a private warehouse facility, or (c) solicit or obtain for a private warehouse facility, through deception or otherwise, supplies paid for by the City of Paterson and unpaid work or services from one or more City vendors or contractors, with the purpose to secure a pecuniary benefit for themselves or for others in excess of \$200, to secure one or more non-pecuniary benefits for themselves or others, or to injure or to deprive another of a benefit in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(Pattern of Official Misconduct - Second Degree)

JOSE TORRES

JOSEPH MANIA

IMAD MOWASWES

and

TIMOTHY HANLON

between on or about July 1, 2014 and on or about April 30, 2015, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, acting both individually and as co-conspirators and accomplices to one another, did commit the offense of Pattern of Official Misconduct in that the said JOSE TORRES, JOSEPH MANIA, IMAD MOWASWES, and TIMOTHY HANLON, did commit two or more acts of Official Misconduct, each in violation of N.J.S.A. 2C:30-2, that is, the said JOSE TORRES, being a public servant, to wit: the Mayor of the City of Paterson, the said JOSEPH MANIA and IMAD MOWASWES, also being public servants, to wit: Supervisors with the City of Paterson Department of Public Works, and the said TIMOTHY HANLON, also being a public servant, to wit: an employee and Laborer with the City of Paterson Department of Public Works, and each having thereby the official functions and duties of said position, including among others, to supervise, manage, or oversee the operations and

employees of the City of Paterson and the City of Paterson Department of Public Works, to refrain from using or attempting to use his official position to secure unwarranted privileges or advantages for himself or others, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did commit two or more acts of official misconduct, at least one of which was a crime of the second degree, including, but not limited to, those acts described in Count Two, which allegations are incorporated by reference as if fully set forth herein, contrary to the provisions of N.J.S.A. 2C:30-7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(Theft by Unlawful Taking or Disposition - Third Degree)

JOSE TORRES

JOSEPH MANIA

IMAD MOWASWES

and

TIMOTHY HANLON

between on or about July 1, 2014 and on or about April 30, 2015, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, acting both individually and as co-conspirators and accomplices to one another, knowingly did unlawfully take or exercise unlawful control over the movable property of the City of Paterson Department of Public Works, including employee services and public funds, having an aggregate value of over \$500, with the purpose to permanently deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(Tampering With Public Records or Information - Third Degree)

JOSE TORRES

JOSEPH MANIA

IMAD MOWASWES

and

TIMOTHY HANLON

between on or about July 1, 2014 and on or about April 30, 2015, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, acting both individually and as co-conspirators and accomplices to one another, and with the purpose to defraud or injure, did make, present, offer for filing or use any record, document, or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record or required by law to be kept by others for information of the government, that is, the said JOSE TORRES, JOSEPH MANIA, IMAD MOWASWES, and TIMOTHY HANLON, knowing the same to be false, did make, present, offer for filing or use, one or more timekeeping records, including but not limited to Overtime Authorization Forms or Bi-Weekly Timesheets, falsely reporting regular or overtime hours worked by the said JOSEPH MANIA, IMAD MOWASWES, TIMOTHY HANLON, or other

Paterson Department of Public Works employees, contrary to the provisions of N.J.S.A. 2C:28-7a(2) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT SIX

(Falsifying or Tampering with Records - Fourth Degree)

JOSE TORRES

JOSEPH MANIA

IMAD MOWASWES

and

TIMOTHY HANLON

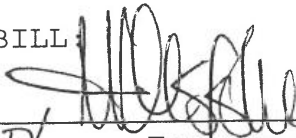
between on or about July 1, 2014 and on or about April 30, 2015, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, with purpose to deceive or injure another or to conceal a wrongdoing, knowing it to contain a false statement of information, did falsify or utter a writing or record, that is, one or more timekeeping records, including but not limited to Overtime Authorization Forms or Bi-Weekly Timesheets, falsely reporting regular or overtime hours worked by the said JOSEPH MANIA, IMAD MOWASWES, TIMOTHY HANLON, or other Paterson Department of Public Works employees, contrary to the

provisions of N.J.S.A. 2C:21-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



Elie Honig, Director
Division of Criminal Justice

A TRUE BILL:



DEPUTY, Foreperson

Dated: 3/6/17

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ696-17-6

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Docket Number 17-03-00039 S

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

JOSE TORRES)

JOSEPH MANIA)

IMAD MOWASWES)

and)

TIMOTHY HANLON)

FILED
MAR 07 2017
State Grand Jury Judge

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

IT IS ORDERED on this ^{6th} day of MARCH, 2017, pursuant to paragraph 8 of the State Grand Jury Act, that the County of ~~Passaic~~ ^{BERGEN} be and hereby is designated as the County of venue for the purpose of trial.

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


Peter E. Warshaw, P.J.S.C.