

BRADLEY D. BILLHIMER
Ocean County Prosecutor

JOSEPH F. MITCHELL
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

Courthouse Annex Building
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027

May 17, 2021

Via OPRA Machine: opra+request-22958-76bc2c47@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 210001138 – David Giordano

Dear Sir/Madam:

Enclosed please find the Arrest Report, Complaint Warrant, Affidavit and Preliminary Law Enforcement Incident Report pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq.

Please be advised that there are no responsive documents pursuant to your request for Global Subject Activity Reports, Indictments, Plea Forms, Criminal Information Forms and Sentencing Information.

If I can be of further assistance, please do not hesitate to contact me directly at 732-929-2027, x3135.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/dp

Enclosures

Prestia , Donna

From: Khajezadeh, Dina
Sent: Wednesday, May 12, 2021 9:23 AM
To: Prestia , Donna
Subject: FW: OPRA request - Case reports

-----Original Message-----

From: Resident <opra+request-22958-76bc2c47@requests.opramachine.com>
Sent: Tuesday, May 11, 2021 10:18 PM
To: Khajezadeh, Dina <DKhajezadeh@co.ocean.nj.us>
Subject: OPRA request - Case reports

Dear Ocean County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Any relevant arrest reports, global subject activity reports, preliminary law enforcement incident reports, complaint warrants, complaint summonses, affidavits, indictments, criminal information forms, plea forms, and sentencing information, where applicable, for the following defendants:

David Giordano (Case # 21000843, Case # 21000847, Case # 21000848 and Case # 21001138) Salomao Costa (Case # 21001116) Connor Critchley (Case # 21001131) Michael S. Mahan (arrested May 2021)

Yours sincerely,

Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-22958-76bc2c47@requests.opramachine.com

Is DKhajezadeh@co.ocean.nj.us the wrong address for OPRA requests to Ocean County Prosecutor's Office? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E,1,JkX5AevK85yBbiO4Pe0DUumHRrb7OxxS_wtQlrEvGA2DKeVMAjtnkB5Ea6fxalekc6RMdFuWUV6_JXu4saMkAIRAAyZzzbEgPhcL7_MCDRamwr1qmQ,,&typo=1

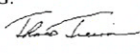
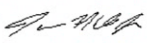
Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,O1BoLhONYqiYZMFCSuad_riE9UpVW-nNqhsY_TyUU2IUc5FdiNSSph5s1pzslMRCZoX2vXgKxC86kjGOW3UHuzOlms5OKI63TSvtL-y03yfKPqUJ81Hslxc,&typo=1

21001138

OCEAN COUNTY PROSECUTOR'S OFFICE

ARREST REPORT

1. Unit HIGH TECH CRIME SQUAD		2. Code 42		3. Phone Number		4. PG Case #		5. Prosecutor's Case Number 210400206		6. Dept Case Number	
7. Name (Last) GIORDANO		(First) DAVID		(Middle)		8. Home Phone / Cellular /		9A. Alias		9B. Immigration DOCUMENTED	
9C. ICE Notified ☐											
10. Full Address (No. and Apt/Suite) 333 ALDO DR				10A. Municipality		10B. County		10C. State NJ		10D. Zip 08753	
11. Place of Birth (City) (State)											
12. Date of Birth 10/17/1984		13. Age 36	14. Sex MALE	15A. Race CAUCASIA	15B. Ethnicity N	16. Ht. (Ft./In.) 61	17. Weight 150	18. Hair	19. Eyes	20. Complexion	21. Marital Status
22. Other Descriptive Information – Marks – Scars -- Tattoos							23. Driver's License Number / DL State / Agency ID # / MNI# NULL				
24. Employer/School						25. Occupation		26. Social Security Number / SBI / FBI / BCI 725882C 285320VB9			
27. Employer's/School Address								28. Work Phone			
DETAILS OF ARREST											
29. Arrest Date & 30. Time 05/03/2021 08:45		31. Loc. Of Arrest (no. – Street) MONROE AVE		31A. Municipality TOMS RIVER TOWNSHIP		31B. County OCEAN		31C. State NJ		31D. Zip 08755	
32. Mun. Code TOMS RIVER TWP											
33–35. Crime Information											
No.		Code		Description				Warrant/Summons Number			
36. Complainant's Name and Address – Zip Code										37. Phone/Cellular	
38. Crime Date & 39. Time 04/11/2021 09:00		40. Loc. of Crime (No. - Street) 333 ALDO DR		40A. Municipality TOMS RIVER TOWNSHIP		40B. County OCEAN		40C. State NJ		41. Mun. Code TOMS RIVER TWP	
42. Arrest WITH WARRANT		Was Prisoner Handcuffed? ☒ YES ☐ NO		44. Constitutional Rights ☒ YES ☐ NO		45. Constitutional Rights – By Whom Sgt. Hill		46. How Responded Waived			
47. Own ☐		48. Multiple ☐	49. Other ☐	50A. Fingerprinted ☒ YES ☐ NO	50B. CODIS ☐	51. Photographed ☒ YES ☐ NO	Was NCIC Checked? ☒		53. Previous Record ☒ YES ☐ NO		
Was ATS/ACS Checked? ☒											
54. Vehicle Information		Year	Make	Body Type	Color	Reg. Number and State		Other Descriptive Information -- VIN			
BAIL HEARING											
55. Date 05/03/2021		56. Court COUNTY COURT						57. Judges Name RYAN, GUY			
58. Amount Bail		59. Result of Hearing COMMITTED W/O BAIL						60. Code		61. Place Committed/Detained Ocean County Jail	
JUVENILE INFORMATION											
70. Parent/Guardian/Probation – Contacted By					71. Date Contacted		72. Time Contacted		73. Released to/Detained at		
74. Full Address – Number – Street – Municipality – State – Zip Code							75. Phone Number (Area)		76. Date		77. Time
78. Parent/Guardian's Name (First)(Middle)(Last)				79. Full Address – Number – Street – Municipality – State – Zip Code						80. Phone Number	
81. Co-defendants		82.		83.		84.		85.		86.	
87. UCR--ASR											
Front						Side					
88. Narrative/Additional charges On May 3, 2021 David Giordano was arrested by Toms River Police Department on a traffic stop. Giordano was charged with 2nd degree False Public Alarm and 2nd Degree Terroristic Threats. Giordano was transported to Toms River Police Department where he was processed and advised of his Miranda Rights. After waiving his Miranda Rights Giordano provided a statement. Upon completion of the statement he was transferred to the Toms River Municipal Jail and then Ocean County Jail by Toms River Police.											
END OF REPORT											
89. Rank/Name (Print or Type) JAMES F. HILL					90. Badge No. 35-146		91. Status ☒ COMPLETED ☐ PENDING		92. Date of Report 05/03/2021 05/04/2021		93. Reviewed By TIERNAN, THOMAS G. 
Signature: 											

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1507	W	2021	000582
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 2104-00206	DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 10/17/1984 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: 725882C TELEPHONE #: [REDACTED] LIVESCAN PCN #: 150703015864
COMPLAINANT NAME: SERGEANT J HILL 119 HOOPER AVENUE TOMS RIVER NJ 08753			

THE STATE OF NEW JERSEY

VS.

DAVE R GIORDANO

ADDRESS: 333 ALDO DR

TOMS RIVER

NJ 08753-0000

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 04/12/2021 in TOMS RIVER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, THREATEN TO COMMIT AN ACT OF VIOLENCE, WITH THE PURPOSE TO TERRORIZE VICTIM OR VICTIMS, IN RECKLESS DISREGARD OF THE RISK OF CAUSING SUCH TERROR, SPECIFICALLY BY POSTING VIDEOS ON SOCIAL MEDIA PLATFORMS, INDICATING HIS INTENT TO CAUSE DAMAGES/INJURIES TO TOWNSHIP/COUNTY BUILDINGS AND THOSE WITHIN, IN VIOLATION OF NJ STATE STATUTE 2C:12-3A

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY CAUSE A FALSE PUBLIC ALARM, SPECIFICALLY BY INITIATING OR CIRCULATING A REPORT OR WARNING OF AN IMPENDING FIRE, EXPLOSION, BOMBING, CRIME, CATASTROPHE OR EMERGENCY KNOWING THAT THE REPORT OR WARNING IS FALSE OR BASELESS AND THAT IT IS LIKELY TO CAUSE EVACUATION OF A BUILDING, PLACE OF ASSEMBLY, OR FACILITY OF PUBLIC TRANSPORT, OR TO CAUSE PUBLIC INCONVENIENCE OR ALARM. SPECIFICALLY BY POSTING VIDEOS ON A PUBLICLY AVAILABLE YOUTUBE CHANNEL WHICH SHOWED TOMS RIVER TOWN HALL AND OCEAN COUNTY COUNTY JUSTICE COMPLEX BEING TURNED "UPSIDE DOWN". THIS INCIDENT HAPPENED DURING in violation of:

Original Charge	1) 2C:12-3A	2) 2C:33-3C	3)
Amended Charge			

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: JAMES HILL-DET Date: 05/03/2021

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of OCEAN at the following address: OCEAN SUPERIOR COURT 120 HOOPER AVE TOMS RIVER NJ 08753-0000 Date of Arrest: 05/03/2021 Appearance Date: Time: Phone: 732-504-0700

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

☐ Probable cause IS NOT found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator Date Signature of Judge Date

☒ Probable cause IS found for the issuance of this complaint. LAURA WICKI JUDICIAL OFFICER 05/03/2021
Signature and Title of Judicial Officer Issuing Warrant Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Bail Amount Set: by: (if different from judicial officer that issued warrant)

☐ Domestic Violence – Confidential ☐ Related Traffic Tickets or Other Complaints ☐ Serious Personal Injury/ Death Involved

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
- ☐ No possession firearms/weapons
- ☐ Other (specify):

ORIGINAL

COMPLAINT - WARRANT

COMPLAINT NUMBER

1507

W

2021

000582

STATE V.

DAVE R GIORDANO

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

A STATE OF EMERGENCY DECLARED BY THE STATE OF NEW JERSEY, IN VIOLATION OF
N.J.S.A. 2C:33-3C.

Original Charge

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1507**W****2021****000582**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**DAVE R GIORDANO****FTA Bail Information**

Date Bail Set: _____

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail
(v)

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed: _____

Date Referred to _____

County Prosecutor: _____

Date of First
Appearance: _____☐ Advised of Rights by _____

Defendant Desires Counsel:

☐ Yes ☐ No**Prosecuting Attorney Information****Name:**

State

County

Municipal

Other

Defense Counsel Information**Name:**

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:12-3A**2) **2C:33-3C**

3)

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:**Related Traffic Tickets and Complaints:***** Finding Codes**

- 1 – Guilty
- 2 – Not Guilty
- 3 – Dismissed – Other
- 4 – Guilty but Merged
- 5 – Dismissed-Rule
- 6 – Dismissed Lack of Prosecution
- 7 – Dismissed – Pros Motion/Vic Req
- 8 – Conditional Discharge
- D – Dismissed- Prosecutor Discretion
- M – Dismissed- Mediation
- P – Dismissed-Plea Agreement
- S – Disposed at Superior
- W – Dismissed-False ID

COMPLAINT - WARRANT (Court Action)

JUDGE'S SIGNATURE _____

DATE _____

Page 3 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1507**W****2021****000582****STATE V.****DAVE R GIORDANO**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FTA Bail Information

Date Bail Set:

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail
(v)

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed:

Date Referred to

County Prosecutor: _____

Date of First
Appearance:☐ Advised of Rights by _____

Defendant Desires Counsel:

☐ Yes ☐ No**Prosecuting Attorney Information****Name:**

State

County

Municipal

Other

Defense Counsel Information**Name:**

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:**Related Traffic Tickets and Complaints:***** Finding Codes**

- 1 – Guilty
- 2 – Not Guilty
- 3 – Dismissed – Other
- 4 – Guilty but Merged
- 5 – Dismissed-Rule
- 6 – Dismissed Lack of Prosecution
- 7 – Dismissed – Pros Motion/Vic Req
- 8 – Conditional Discharge
- D – Dismissed- Prosecutor Discretion
- M – Dismissed- Mediation
- P – Dismissed-Plea Agreement
- S – Disposed at Superior
- W – Dismissed-False ID

COMPLAINT - WARRANT (Court Action)

JUDGE'S SIGNATURE _____

DATE _____

Page 4 of 10

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER

1507**W****2021****000582**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TOMS RIVER MUNICIPAL COURT**255 OAK AVENUE****TOMS RIVER****NJ 08753-0000****732-797-3914**COUNTY OF: **OCEAN**

of CHARGES

2

CO-DEFTS

POLICE CASE #:

2104-00206

COMPLAINANT

NAME:

SERGEANT J HILL**THE STATE OF NEW JERSEY****VS.****DAVE R GIORDANO**

ADDRESS:

333 ALDO DR**TOMS RIVER****NJ 08753-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BLUE**DOB: **10/17/1984**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #: **725882C**

TELEPHONE #:

LIVSCAN PCN #: **150703015864**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **04/12/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, THREATEN TO COMMIT AN ACT OF VIOLENCE, WITH THE PURPOSE TO TERRORIZE VICTIM OR VICTIMS, IN RECKLESS DISREGARD OF THE RISK OF CAUSING SUCH TERROR, SPECIFICALLY BY POSTING VIDEOS ON SOCIAL MEDIA PLATFORMS, INDICATING HIS INTENT TO CAUSE DAMAGES/INJURIES TO TOWNSHIP/COUNTY BUILDINGS AND THOSE WITHIN, IN VIOLATION OF NJ STATE STATUTE 2C:12-3A

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY CAUSE A FALSE PUBLIC ALARM, SPECIFICALLY BY INITIATING OR CIRCULATING A REPORT OR WARNING OF AN IMPENDING FIRE, EXPLOSION, BOMBING, CRIME, CATASTROPHE OR EMERGENCY KNOWING THAT THE REPORT OR WARNING IS FALSE OR BASELESS AND THAT IT IS LIKELY TO CAUSE EVACUATION OF A BUILDING, PLACE OF ASSEMBLY, OR FACILITY OF PUBLIC TRANSPORT, OR TO CAUSE PUBLIC INCONVENIENCE OR ALARM. SPECIFICALLY BY POSTING VIDES ON A PUBLICLY AVAILABLE YOUTUBE CHANNEL WHICH SHOWED TOMS RIVER TOWN HALL AND OCEAN COUNTY COUNTY JUSTICE COMPLEX BEING TURNED "UPSIDE DOWN". THIS INCIDENT HAPPENED DURING

in violation of:

Original Charge

1) **2C:12-3A**2) **2C:33-3C**

3)

Amended Charge

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Signed:

JAMES HILL-DET

Date:

05/03/2021

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court

in the county of **OCEAN**at the following address: **OCEAN SUPERIOR COURT****120 HOOPER AVE****TOMS RIVER****NJ 08753-0000**Date of Arrest: **05/03/2021**

Appearance Date:

Time:

Phone: **732-504-0700**

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

☐ Probable cause **IS NOT** found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of Judge

Date

☒ Probable cause **IS** found for the issuance of this complaint. **LAURA WICKI JUDICIAL OFFICER** **05/03/2021**

Signature and Title of Judicial Officer Issuing Warrant

Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Bail Amount Set: _____ by: _____

(if different from judicial officer that issued warrant)

☐ Domestic Violence – Confidential☐ Related Traffic Tickets
or Other Complaints☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

☐ No phone, mail or other personal contact w/victim☐ No possession firearms/weapons☐ Other (specify): _____

COMPLAINT - WARRANT (DEFENDANT'S COPY)

COMPLAINT - WARRANT

COMPLAINT NUMBER

1507

W

2021

000582

STATE V.

DAVE R GIORDANO

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

A STATE OF EMERGENCY DECLARED BY THE STATE OF NEW JERSEY, IN VIOLATION OF
N.J.S.A. 2C:33-3C.

Original Charge

Amended Charge

COMPLAINT - WARRANT (DEFENDANT'S COPY)

Page 6 of 10

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1507**W****2021****000582**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TOMS RIVER MUNICIPAL COURT
255 OAK AVENUE
TOMS RIVER NJ 08753-0000
732-797-3914 COUNTY OF: **OCEAN**

of CHARGES **2** CO-DEFTS **2104-00206**
POLICE CASE #:

COMPLAINANT **SERGEANT J HILL**
NAME: **119 HOOPER AVENUE**

TOMS RIVER NJ 08753

*THE STATE OF NEW JERSEY**VS.***DAVE R GIORDANO**

ADDRESS: **333 ALDO DR**

TOMS RIVER NJ 08753-0000

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BLUE** DOB: **10/17/1984**
DRIVER'S LIC. # **[REDACTED]** DL STATE: **NJ**
SOCIAL SECURITY #: **[REDACTED]** SBI #: **725882C**
TELEPHONE #: **()**
LIVESCAN PCN #: **150703015864**

To any Law Enforcement Official of New Jersey, You are commanded to transport this defendant to the Warden of this county who is required to keep the defendant in custody until a release or detention decision is made.

Offense

Aux Offense

Drug Code

Degree

Offense Description

1.	<u>2C:12-3A</u>	<u> </u>	<u> </u>	<u>2</u>	<u>TERRORISTIC THR</u>
2.	<u>2C:33-3C</u>	<u> </u>	<u> </u>	<u>2</u>	<u>FALSE PUBLIC AL</u>
3.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Commitment Reason: **Criminal Justice Reform**

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court
at the following address: **OCEAN SUPERIOR COURT**
120 HOOPER AVE

in the county of **OCEAN**

TOMS RIVER NJ 08753-0000

Date of Arrest: **05/03/2021**

Phone: **732-504-0700**

LAURA WICKI JUDICIAL OFFICER

05/03/2021

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER			
1507	W	2021	000582
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 2104-00206	
COMPLAINANT NAME: SERGEANT J HILL 119 HOOPER AVENUE TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 10/17/1984 DRIVER'S LIC. #: SOCIAL SECURITY #: [REDACTED] DL STATE: NJ SBI #: 725882C TELEPHONE #: () LIVESCAN PCN #: 150703015864	

THE STATE OF NEW JERSEY

VS.

DAVE R GIORDANO

ADDRESS: **333 ALDO DR**

TOMS RIVER NJ 08753-0000

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:
On 04/12/21, David Giordano posted social media videos, depicting The Ocean County Justice Complex as well as Toms River Town Hall. These videos were followed by a video of a bulldozer destroying public buildings throughout a town, referencing a 2004 incident, which had occurred in Granby, Colorado. Mr. Giordano also had text within the video advising he would turn townhall and the justice complex "Upside down". These videos were created with the purpose to cause a serious public inconvenience and alarm. Videos were posted to a publicly available YouTube channel and this incident happened during a declared period of State of Emergency by the State of New Jersey.

Affidavit of Probable Cause

Page 8 of 10

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507

W

2021

000582

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

DAVE R GIORDANO

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

The defendant admitted to creating the videos, posting the videos in question as well as sending the videos out to numerous individuals. The defendant stated the videos were created as an extortion tactic to resolve his civil law suits.

3. If victim was injured, provide the extent of the injury:

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: JAMES HILL-DET LAW ENFORCEMENT OFFICER

Date: 05/03/2021

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> <i>VS.</i> DAVE R GIORDANO	
1507	W	2021	000582		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				ADDRESS: 333 ALDO DR TOMS RIVER NJ 08753-0000	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 2104-00206		DEFENDANT INFORMATION	
COMPLAINANT SERGEANT J HILL NAME: 119 HOOPER AVENUE TOMS RIVER NJ 08753				SEX: M EYE COLOR: BLUE DOB: 10/17/1984	
				DRIVER'S LIC. #. [REDACTED] DL STATE: NJ	
				SOCIAL SECURITY #: [REDACTED] SBI #: 725882C	
				TELEPHONE #: [REDACTED] LIVESCAN PCN #: 150703015864	

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- The complaining officer personally observed the offense.
- The defendant made statements/admissions.
 - It was recorded using:
 - *Stationhouse interview room camera
- The offense/incident was recorded using electronic/surveillance via:
 - Other/Explain social media

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: **JAMES HILL-DET LAW ENFORCEMENT OFFICER** Date: **05/03/2021**

Preliminary Law Enforcement Incident Report