

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

October 29, 2020

Via OPRA Machine: opra+request-18103-0a7c3027@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request – “Case Reports”
OCPO Case# 17003547
Kim Bogan

Dear Sir/Madam:

Enclosed please find the Complaint Summons, Affidavit of Probable Cause, Preliminary Law Enforcement Incident Report, Accusation, Waiver of Indictment, Plea Form, Judgment of Conviction, Criminal Information Forms and Supplemental Criminal Information Form. Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1 et seq.

Please be advised that there is no arrest report or global subject activity report responsive to your request.

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

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1506	S	2017	001037
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS 0	POLICE CASE #: 17-51645	
COMPLAINANT NAME: COURTNEY LAWRENCE 25 MARKET ST P O BOX 085 TRENTON NJ 08625		DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 07/05/1965 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY
VS.
KIM E BOGAN
ADDRESS: 540 ROBINHOOD ROAD
BRICK NJ 08724-0000

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 **01/11/2011** in **BRICK TWP**, **OCEAN** County, **NJ** did:
WITHIN THE JURISDICTION OF THIS COURT, IN THE COUNTY OF OCEAN, DID PURPOSELY
OBTAIN THE PROPERTY OF ANOTHER IN AN AMOUNT OF \$75,000 OR MORE BY DECEPTION BY
CREATING OR REINFORCING A FALSE IMPRESSION, IN VIOLATION OF NJSA 2C:20-4A AND
NJSA 2C:2-6 (A CRIME OF THE SECOND DEGREE)

THIS COMPLAINT IS BEING PREPARED FOR THE PURPOSE OF COMPLYING WITH PROCEDURES
REQUIRED UNDER CRIMINAL JUSTICE REFORM, SPECIFICALLY R. 3:7-8. TO BE PROSECUTED
BY DAG THOMAS G. TRESANSKY

in violation of:

Original Charge	1) 2C:20-4A	2)	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: COURTNEY LAWRENCE Date: 10/20/2017

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN
at the following address: OCEAN SUPERIOR COURT

100 HOOPER AVE

TOMS RIVER

NJ 08753-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: **10/20/2017** Appearance Date: **10/24/2017** Time: **11:00AM** Phone: **732-244-2121**

Signature of Person Issuing Summons COURTNEY LAWRENCE Date 10/20/2017

☐ 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 – SUMMONS (Court Action)

COMPLAINT NUMBER

1506**S****2017****001037****STATE V.****KIM E BOGAN**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FTA Bail Information

Date Bail Set:

Amount Bail Set: \$ _____ by: _____

☐ Bail Recog. AttachedReleased
on Bail

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed:

Date Referred to
County Prosecutor: _____Date of First
Appearance: **10/24/2017**☐ Advised of Rights by _____Defendant Desires Counsel:
☐ Yes ☐ No**Prosecuting Attorney Information****Defense Counsel Information****Name:****Name:**

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:20-4A**

2)

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

ORIGINAL - Court Action

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1506	S	2017	001037
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS 0	POLICE CASE #: 17-51645	
COMPLAINANT NAME: COURTNEY LAWRENCE			
DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 07/05/1965 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] () LIVESCAN PCN #: [REDACTED]		ADDRESS: 540 ROBINHOOD ROAD BRICK NJ 08724-0000	

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 **01/11/2011** in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, IN THE COUNTY OF OCEAN, DID PURPOSELY OBTAIN THE PROPERTY OF ANOTHER IN AN AMOUNT OF \$75,000 OR MORE BY DECEPTION BY CREATING OR REINFORCING A FALSE IMPRESSION, IN VIOLATION OF NJSA 2C:20-4A AND NJSA 2C:2-6 (A CRIME OF THE SECOND DEGREE)

THIS COMPLAINT IS BEING PREPARED FOR THE PURPOSE OF COMPLYING WITH PROCEDURES REQUIRED UNDER CRIMINAL JUSTICE REFORM, SPECIFICALLY R. 3:7-8. TO BE PROSECUTED BY DAG THOMAS G. TRESANSKY

in violation of:

Original Charge	1) 2C:20-4A	2)	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: COURTNEY LAWRENCE Date: 10/20/2017

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN
at the following address: OCEAN SUPERIOR COURT
100 HOOPER AVE TOMS RIVER NJ 08753-0000
If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.
Date of Arrest: 10/20/2017 Appearance Date: 10/24/2017 Time: 11:00AM Phone: 732-244-2121
Signature of Person Issuing Summons COURTNEY LAWRENCE Date 10/20/2017

☐ 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 - SUMMONS (DEFENDANT'S COPY)

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. KIM E BOGAN ADDRESS : 540 ROBINHOOD ROAD BRICK NJ 08724-0000	
1506	S	2017	001037		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN					
# of CHARGES 1	CO-DEFTS 0	POLICE CASE #: 17-51645		DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 07/05/1965 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: TELEPHONE #: () LIVESCAN PCN #:	
COMPLAINANT COURTNEY LAWRENCE NAME: 25 MARKET ST P O BOX 085 TRENTON NJ 08625					

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 **01/11/2011** in **BRICK TWP**, **OCEAN** County, **NJ** did:
 WITHIN THE JURISDICTION OF THIS COURT, IN THE COUNTY OF OCEAN, DID PURPOSELY OBTAIN THE PROPERTY OF ANOTHER IN AN AMOUNT OF \$75,000 OR MORE BY DECEPTION BY CREATING OR REINFORCING A FALSE IMPRESSION, IN VIOLATION OF NJSA 2C:20-4A AND NJSA 2C:2-6 (A CRIME OF THE SECOND DEGREE)

THIS COMPLAINT IS BEING PREPARED FOR THE PURPOSE OF COMPLYING WITH PROCEDURES REQUIRED UNDER CRIMINAL JUSTICE REFORM, SPECIFICALLY R. 3:7-8. TO BE PROSECUTED BY DAG THOMAS G. TRESANSKY

in violation of:

Original Charge	1) 2C:20-4A	2)	3)
-----------------	--------------------	----	----

Check √	Certification by Police Regarding Complaint-Summons
	I certify that I served the complaint-summons by delivering a copy to the defendant personally.
	I certify that I personally served the complaint-summons by leaving a copy at the defendant's usual place of abode with a competent member of the household of the age 14 or over _____ Name of family member over 14 years of age
	I certify that I mailed a copy of the complaint-summons by ordinary mail to the defendant at his or her last known address. _____ Defendant's last known address
	I certify that I served the complaint-summons by delivering a copy to a person authorized to receive service of process on the defendant's behalf. _____ Name and title of authorized person
✓	Other manner of service: I certify that I served the complaint-summons in the following manner: COMPLYING WITH R. 3:7-8
	I certify that I was unable to serve the complaint-summons.

Signed: **COURTNEY LAWRENCE NJ DIVISION OF CRIM JUSTICE** Date of Action: **10/20/2017**
Name, Title and Department of Officer

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**S****2017****001037**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
1

CO-DEFTS

POLICE CASE #:
17-51645

COMPLAINANT **COURTNEY LAWRENCE**
NAME: **25 MARKET ST**
P O BOX 085
TRENTON NJ 08625

THE STATE OF NEW JERSEY

VS.

KIM E BOGAN

ADDRESS :

540 ROBINHOOD ROAD**BRICK****NJ 08724-0000**

DEFENDANT INFORMATION

SEX: **F** EYE COLOR: **BROWN** DOB: **07/05/1965**

DRIVER'S LIC. #: [REDACTED]

DL STATE: **NJ**

SOCIAL SECURITY #: [REDACTED] SBI #:

TELEPHONE #: ()

LIVESCAN PCN #:

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:

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

S

2017

001037

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

KIM E BOGAN

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

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: _____ Date: _____

Affidavit of Probable Cause

Page 6 of 7

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER

1506**S****2017****001037**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
1

CO-DEFTS

POLICE CASE #:
17-51645

COMPLAINANT **COURTNEY LAWRENCE**
NAME: **25 MARKET ST**
P O BOX 085
TRENTON NJ 08625

THE STATE OF NEW JERSEY

VS.

KIM E BOGANADDRESS: **540 ROBINHOOD ROAD****BRICK****NJ 08724-0000**

DEFENDANT INFORMATION

SEX: **F** EYE COLOR: **BROWN**DOB: **07/05/1965**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

LIVESCAN PCN #:

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is designed to be appended to, and is expressly incorporated by reference in, the Affidavit of Probable Cause. It 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.

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: _____

Date: _____

Preliminary Law Enforcement Incident Report

Christopher S. Porrino

Attorney General of New Jersey

Attorney for Plaintiff

By: Thomas G. Tresansky, Jr.

Deputy Attorney General

Office of the Insurance Fraud Prosecutor

P.O. Box 094

Trenton, New Jersey 08625

(609) 984-1928

STATE OF NEW JERSEY,

Plaintiff,

v.

KIM E. BOGAN,

Defendant.

) SUPERIOR COURT OF NEW JERSEY
) LAW DIVISION, CRIMINAL PART
) OCEAN COUNTY

) ACCUSATION NO. 17-10-1661-A
) DCJ FILE NO. 2017-51645

) CRIMINAL ACTION

) ACCUSATION
)

Kim E. Bogan, having in writing waived indictment and trial by jury on the charge of second-degree Theft by Deception in violation of N.J.S.A. 2C:20-4 and N.J.S.A. 2C:2-6 and having requested to be tried upon this charge by the Court and said request having been granted:

Thomas G. Tresansky, Jr., Deputy Attorney General, for the State of New Jersey alleges that:

COUNT ONE

(Theft by Deception - Second Degree)

On various dates between on or about January 1, 2011 and on or about April 30, 2017, at the Township of Brick, in the County of Ocean, and elsewhere, all within the jurisdiction of this Court,

KIM E. BOGAN

purposely did obtain the property of another in an amount of \$75,000.00 or more by deception, that is, the said KIM E. BOGAN purposely did obtain funds in the amount of \$75,000.00 or more from the Township of Brick located in the County of Ocean, State of New Jersey, by assisting a health care practitioner in creating or reinforcing the false impression that the health care practitioner was treating

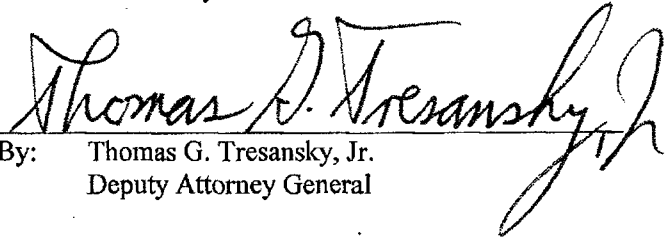
certain patients in order to receive payment for said treatments from the Township of Brick which payments the said KIM E. BOGAN did receive and then forwarded to the health care practitioner, whereas, in truth and in fact, the said KIM E. BOGAN well knew that the health care practitioner was not treating the patients and therefore the health care practitioner was not entitled to payment, reimbursement, or other benefit for treatments that the patients did not receive; contrary to the provisions of N.J.S.A. 2C:20-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

Christopher Iu
Acting Insurance Fraud Prosecutor
State of New Jersey

Dated: _____

10/24/17

By: Thomas G. Tresansky, Jr.
Deputy Attorney General

A handwritten signature in dark ink, appearing to read "Thomas G. Tresansky, Jr.", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized initial "T".

Christopher S. Porrino
Attorney General of New Jersey
Christopher S. Porrino
Attorney General of New Jersey
Attorney for Plaintiff

By: Thomas G. Tresansky, Jr.
Deputy Attorney General
Office of the Insurance Fraud Prosecutor
P.O. Box 094
Trenton, New Jersey 08625
(609) 984-1928

STATE OF NEW JERSEY,

Plaintiff,

v.

KIM E. BOGAN,

Defendant.

) SUPERIOR COURT OF NEW JERSEY
) LAW DIVISION, CRIMINAL PART
) OCEAN COUNTY

) ACCUSATION NO. 17-10-1661-A
) DCJ FILE NO. 2017-51645

) CRIMINAL ACTION

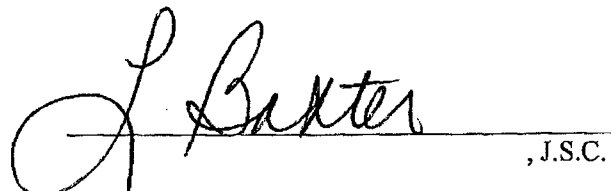
) WAIVER OF INDICTMENT
) AND TRIAL BY JURY
)

I, Kim E. Bogan the above named defendant, charged with one count of second-degree Theft by Deception in violation of N.J.S.A. 2C:20-4 and N.J.S.A. 2C:2-6 in Accusation No. 17-10-1661-A and having been advised of the nature of the charge against me and of my right to indictment and trial by jury, hereby waive prosecution by indictment and trial by jury and request to be tried before this Court.

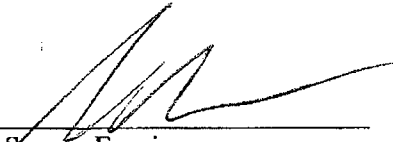
Signed in Ocean County, New Jersey, this 24th day of October, 2017 by:

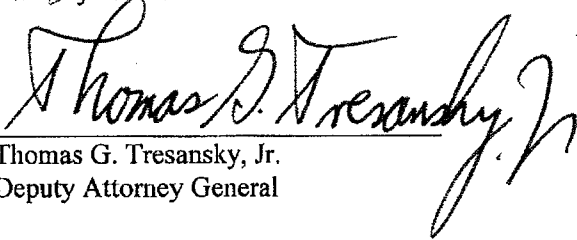

Kim E. Bogan, Defendant

Approved:


, J.S.C.

Signed and delivered in
the presence of:



Steven Secare, Esquire
Attorney for Defendant

Thomas G. Tresansky, Jr.
Deputy Attorney General

OCEAN COUNTY SUPERIOR COURT - LAW DIVISION
CRIMINAL INFORMATION FORM

NAME Bogan, Kim DATE 10/24/17
IND. # _____ ACC.# M-10-1661 CASE # 17003547.001
WARRANT/COMPLAINT # S 2017-1037-1506 MUN. APP. # _____
CHARGES _____ MUNICIPALITY _____

BAIL: ☐ 1st APP ☐ INFIRM ☐ FORMAL ☐ CONT'D ☐ REDUCED ☐ FORF'D ☐ REINSTATED ☐ DISCHRGD ☐ INCREASED
☐ AMOUNT _____ ☐ NO 10% ALTERNATIVE ☐ CASH ONLY ☐ ROR
☐ B/W ISSUED FOR FTA and BAIL FORFEITED ☐ B/W ISSUED FOR FTA AND BAIL NOT FORFEITED ☐ B/W VACATED

PLEA: ☐ NOT GUILTY ☐ READING WAIVED
☒ GUILTY TO: Theft By Deception 2nd Deg.
2C 20-4

☒ LR ATTACHED ☒ P.S.I. ORDERED ☒ BAIL CONT'D 16my
TO BE DISMISSED _____

VOP: GUILTY TO: _____ VERDICT: _____
☐ TERMINATE PROBATION ☐ PAY PAROLE ☐ DISMISSED _____

SENTENCE: OCJ _____ TERM _____ SUSP _____ WKNDG _____ COMMENCING _____
DOC _____ TERM _____ PAROLE INELIG _____ AVENEL _____ YOC _____
☐ C/C ☐ C/S CREDIT FOR TIME SERVED _____

PROBATION _____

☐ SUB ABUSE EVAL ☐ URINE TESTING ☐ PSYCH EVAL PROGRAM _____

PATIENT: ☐ IN ☐ OUT TRANSPORT BY _____ UPON COMPLETION _____

EMPLOYMENT - OBTAIN/MAINTAIN COMM SRVC HRS _____ FINE _____

☐ PAROLE SUPERVISION FOR LIFE ☐ DNA ORDERED RESTITUTION AMOUNT _____

V.C.C.B. _____ DEOR PENALTY _____ LAB FEE _____ LEOTEF PENALTY _____

S.N.S.F. _____ SUP FEEMO _____ ☐ D.L. REVOKED _____ MV THEFT FINE _____

S.A.N.E. _____ ☐ SEX ASSAULT SURCHARGE OF \$100 _____ INSURANCE FRAUD SURCHARGE _____

PAYMENT RATE _____ PER _____ COMMENCING _____

☐ BAIL DISCHARGED ☐ ORDERED RELEASED ☐ REMAND OCEAN COUNTY JAIL

DETAINERS: _____

DISMISSED: _____

JUDGE L. Foster

PROSECUTOR * Thomas C. Treacandy Jr

REPORTER Quintana

DEFT'S ATTY S. Secare

NOTES: _____

Sentence DATE Jan 2, 2018

CLERK'S SIGNATURE M. Remond # 3732



New Jersey Judiciary
Plea Form

County OCEAN

Prosecutor File Number 2017-51645

Defendant's Name:

before Judge: BAXTER

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assmt*
					Time	Fine	
<u>17-10-1661-A</u>	<u>1</u>	<u>THEFT BY DECEPTION</u>	<u>2</u>	Max	<u>10</u>	<u>150,000</u>	<u>50</u>
		<u>accomplice liability</u>		Max			
		<u>2C:20-4, 2C:2-6</u>		Max			
				Max			
				Max			
Your total exposure as the result of this plea is:				Total	<u>10</u>	<u>150,000</u>	<u>50</u>

Please Circle
Appropriate
Answer

2. a. Did you commit the offense(s) to which you are pleading guilty? ☒ Yes ☐ No
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? ☒ Yes ☐ No
3. Do you understand what the charges mean? ☒ Yes ☐ No
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? ☒ Yes ☐ No
- b. The right to remain silent? ☒ Yes ☐ No
- c. The right to confront the witnesses against you? ☒ Yes ☐ No
- d. Do you understand that by pleading you are not waiving your right to appeal (1) the denial of a motion to suppress physical evidence (R. 3:5-7(d)) or (2) the denial of acceptance into a pretrial intervention program (PTI) (R. 3:28(g))? ☒ Yes ☐ No
- e. Do you further understand that by pleading guilty you are waiving your right to appeal the denial of all other pretrial motions except the following: ☒ Yes ☐ No
- _____
- _____
- _____

* Victims of Crime Compensation Office Assessment

KB

5. Do you understand that if you plead guilty:

- a. You will have a criminal record? ☒ [Yes] ☐ [No]
- b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum Victims of Crime Compensation Agency Assessment? ☒ [Yes] ☐ [No]
- c. You must pay a minimum Victims of Crime Compensation Agency assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.) ☒ [Yes] ☐ [No]
- d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made? ☒ [Yes] ☐ [No]
- e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction? ☒ [Yes] ☐ [No]
- f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation? ☒ [Yes] ☐ [No]
- g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30? ☒ [Yes] ☐ [No]
- h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing? ☒ [Yes] ☐ [No]
- i. Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). If the crime involves a violation of N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography, N.J.S.A. 2C:34-3 (selling, distributing or exhibiting obscene material to a person under age 18) or an offense involving computer criminal activity in violation of any provision of Title 2C, chapter 20, you will be assessed a mandatory penalty as listed below for each offense for which you pled guilty? ☐ [Yes] ☐ [No] N/A
- (1) \$2,000 in the case of a 1st degree crime
- (2) \$1,000 in the case of a 2nd degree crime
- (3) \$ 750 in the case of a 3rd degree crime
- (4) \$ 500 in the case of a 4th degree crime
- (5) \$ 250 in the case of a disorderly persons or petty disorderly persons offense

Total CCPF Penalty \$ _____

KB

6. Do you understand that **the court could**, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed? ☒ [Yes] ☐ [No]
7. Did you enter a plea of guilty to any charges that require a mandatory period of parole ineligibility or a mandatory extended term? ☐ [Yes] ☒ [No]
- a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is ____ years and ____ months (fill in the number of years/months) and the maximum period of parole ineligibility can be ____ years and ____ months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.
- b. If you are pleading guilty to such a charge, the minimum mandatory extended term is ____ years and ____ months (fill in the number of years/months) and the maximum mandatory extended term can be ____ years and ____ months (fill in the number of years/months).
8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison? ☒ [Yes] ☐ [No]
9. Are you presently on probation or parole? ☐ [Yes] ☒ [No]
- a. Do you realize that a guilty plea may result in a violation of your probation or parole? ☐ [Yes] ☐ [No] ☒ [NA]
10. Are you presently serving a custodial sentence on another charge? ☐ [Yes] ☒ [No]
- a. Do you understand that a guilty plea may affect your parole eligibility? ☐ [Yes] ☐ [No] ☒ [NA]
11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively? ☐ [Yes] ☐ [No] ☒ [NA]

12. List any charges the prosecutor has agreed to recommend for dismissal:

Ind./Acc./Compl.#	Count	Nature of Offense and Degree
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. Specify any sentence the prosecutor has agreed to recommend:

5 YEARS NJSP, NO OBJECTION TO LSP

[Signature]

14. Has the prosecutor promised that he or she will NOT:

a. Speak at sentencing?

[Yes] ☒ [No]

b. Seek an extended term of confinement?

☒ [Yes] [No]

c. Seek a stipulation of parole ineligibility?

☒ [Yes] [No]

15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution?

☒ [Yes] [No] [NA]

16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty?

☒ [Yes] [No] [NA]

17. a. Are you a citizen of the United States?

☒ [Yes] [No]

If you have answered "No" to this question, you must answer Questions 17b - 17f. If you have answered "Yes" to this question, proceed to Question 18

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States?

[Yes] [No]

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes] [No]

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes] [No]

e. Would you like the opportunity to do so? [Yes] [No]

f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes] [No]

18. a. Do you understand that pursuant to the rules of the Interstate Compact for Adult Offender Supervision if you are residing outside the State of New Jersey at the time of sentencing that return to your residence may be delayed pending acceptance of the transfer of your supervision by your state of residence? [Yes] [No]

b. Do you also understand that pursuant to the same Interstate Compact transfer of your supervision to another state may be denied or restricted by that state at any time after sentencing if that state determines you are required to register as a sex offender in that state or if New Jersey has required you to register as a sex offender? [Yes] [No]

19. Have you discussed with your attorney the legal doctrine of merger?

☒ [Yes] [No] [NA]

LB

20. Are you giving up your right at sentence to argue that there are charges you pleaded [Yes] [No] [NA] guilty to for which you cannot be given a separate sentence?

21. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

FORFEIT PUBLIC OFFICE, NO FUTURE
PUBLIC EMPLOYMENT FULL RESTITUTION \$5,000
TO BE PAID AT TIME OF SENTENCE

in amount of
\$941,354.77

Defendant to execute consent judgment in amount of \$936,354.77

22. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty? [Yes] [No]

23. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence? [Yes] [No]

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea? [Yes] [No]

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial? [Yes] [No]

24. Are you satisfied with the advice you have received from your lawyer? [Yes] [No]

25. Do you have any questions concerning this plea? [Yes] [No]

Date _____ Defendant _____

Defense Attorney _____

Prosecutor _____

[] This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.

LB



Judgment of Conviction & Order for Commitment

Superior Court of New Jersey, OCEAN County

State of New Jersey

v.

Last Name

BOGAN

First Name

KIM

Middle Name

E

Also Known As

Date of Birth

07/05/1965

SBI Number

787292G

Date(s) of Offense

01/11/2011

Date of Arrest

PROMIS Number

17 003547-001

Date Ind / Acc / Complt Filed

10/24/2017

Original Plea

☐ Not Guilty

☒ Guilty

Date of Original Plea

10/24/2017

Adjudication By



Guilty Plea



Jury Trial Verdict



Non-Jury Trial Verdict



Dismissed / Acquitted

Date: 10/24/2017

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
17-10-01661-A	1	THEFT BY DECEPTION-VALUE \$75000+/EXTORTN/CDS>1KG ETC	2C:20-4	2

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
17-10-01661-A	1	THEFT BY DECEPTION-VALUE \$75000+/EXTORTN/CDS>1KG ETC	2C:20-4	2

Sentencing Statement

It is, therefore, on 01/02/2018 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

Count 1: Defendant is sentenced to the custody of the Commissioner of the Department of Corrections for five (5) years and fines as herein listed on Page 2 of the JOC.

The monetary penalties are to be paid through the Department of Corrections.

The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for the testing of the sample.

Defendant is ordered to pay restitution in the amount of \$941,354.77, with \$5,000.00 paid at sentencing, leaving a balance of \$936,354.77.

Defendant is to forfeit her public office position and is prohibited from holding any public employment in the future.

Any bail that has been posted in this matter is discharged.

All remaining counts pertaining to this defendant as listed in the original charges herein are hereby dismissed.

☐ It is further **ORDERED** that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term

005 Years 00 Months 000 Days

Institution Name

CARE COMMISS/CORR

Total Probation Term

00 Years 00 Months

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																			
A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.) ☐ DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2)) <table style="width:100%;"> <tr> <th></th> <th style="text-align: center;">Standard</th> <th style="text-align: center;">Doubled</th> </tr> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> </table> Total DEDR Penalty \$ _____ ☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)			Standard	Doubled	1st Degree	_____ @ \$	_____ @ \$	2nd Degree	_____ @ \$	_____ @ \$	3rd Degree	_____ @ \$	_____ @ \$	4th Degree	_____ @ \$	_____ @ \$	DP or Petty DP	_____ @ \$	_____ @ \$	☒ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29). ☐ The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4). ☐ The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4). ☐ The defendant is hereby ordered to serve a _____ year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2). ☐ The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____ ☐ The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8). ☐ The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1). ☐ The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).	
	Standard	Doubled																			
1st Degree	_____ @ \$	_____ @ \$																			
2nd Degree	_____ @ \$	_____ @ \$																			
3rd Degree	_____ @ \$	_____ @ \$																			
4th Degree	_____ @ \$	_____ @ \$																			
DP or Petty DP	_____ @ \$	_____ @ \$																			
Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____ Offenses @ \$ _____		Total Lab Fee \$ _____																			
VCCO Assessment (N.J.S.A. 2C:43-3.1)																					
Counts	Number	Amount																			
1	1 @	\$ 50.00																			
	@	\$																			
	@	\$																			
	@	\$																			
Total VCCO Assessment \$ 50.00																					
Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)																					
Offense		Mandatory Penalty \$ _____																			
Offense Based Penalties																					
Penalty		Amount \$ _____																			
Other Fees and Penalties																					
Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3) ☒ \$ 30.00		Safe Neighborhood Services Fund Assessment (N.J.S.A. 2C:43-3.2) ☒ 1 Offenses @ \$ 75.00 Total: \$ 75.00																			
Probation Supervision Fee (N.J.S.A. 2C:45-1d) ☐ \$ _____		Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6) ☐ Offenses @ \$ _____ Total \$ _____																			
Transaction Fee (N.J.S.A. 2C:46-1.1) ☐ _____																					
Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4) ☐ \$ _____		Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7) ☐ \$ _____																			
Fine \$ _____		Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10) ☐ \$ _____																			
Restitution Joint & Several \$ 941,354.77 ☐		Total Financial Obligation \$ 941,509.77																			
Details																					

Findings Per N.J.S.A. 2C:47-3			
☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior. ☐ The court finds that the defendant is amenable to sex offender treatment. ☐ The court finds that the defendant is willing to participate in sex offender treatment.			
License Suspension			
☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☐ Waived ☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1) ☐ Eluding (N.J.S.A. 2C:29-2) ☐ Other			
Number of Months		☐ Non-resident driving privileges revoked	
Start Date		End Date	
Details			
Driver's License Number		Jurisdiction	
If the court is unable to collect the license, complete the following:			
Defendant's Address			
City		State	Zip
Date of Birth	Sex ☐ M ☐ F	Eye Color	

New Jersey Judiciary, Revised Form Effective August 1, 2017, CN: 10070 page 3 of 3
Copies to: County Probation Division Defendant Defense Counsel Prosecutor State Parole Board Dept of Corrections or County Penal Institution Juvenile Justice Commission

OCEAN COUNTY SUPERIOR COURT - LAW DIVISION
CRIMINAL INFORMATION FORM

NAME Boogan, Kim DATE 1-2-18
IND. # _____ ACC. # 17-10-11661 CASE # 17003547-001

WARRANT/COMPLAINT # _____ MUN. APP. # _____

CHARGES _____ MUNICIPALITY _____

BAIL: ☐ 1st APP ☐ INFRML ☐ FORMAL ☐ CONT'D ☐ REDUCED ☐ FORF'D ☐ REINSTATED ☐ DISCHRGD ☐ INCREASED
☐ AMOUNT _____ ☐ NO 10% ALTERNATIVE ☐ CASH ONLY ☐ ROR
☐ B/W ISSUED FOR FTA and BAIL FORFEITED ☐ B/W ISSUED FOR FTA AND BAIL NOT FORFEITED ☐ B/W VACATED

PLEA: ☒ NOT GUILTY ☐ READING WAIVED
☒ GUILTY TO: ct 1 Theft by Deception 2nd deg
2C:20-4 and 2C:2-6
☐ LR ATTACHED ☐ P.S.I. ORDERED ☐ BAIL CONT'D
TO BE DISMISSED _____

VOP: GUILTY TO: _____ VERDICT: _____
☐ TERMINATE PROBATION ☐ PAY PAROLE DISMISSED _____

SENTENCE: OCJ _____ TERM 5 YRS SUSP _____ WKND _____ COMMENCING _____
DOC ☒ TERM _____ PAROLE INELIG _____ AVENEL _____ YCIC _____
☐ C/C ☐ C/S CREDIT FOR TIME SERVED _____

A 4
23 6
4 7
9 8
9 9

PROBATION _____
☐ SUB ABUSE EVAL ☐ URINE TESTING ☐ PSYCH EVAL PROGRAM _____
PATIENT: ☐ IN ☐ OUT TRANSPORT BY _____ UPON COMPLETION _____
EMPLOYMENT - OBTAIN/MAINTAIN COMM SRVC HRS _____ FINE _____
☐ PAROLE SUPERVISION FOR LIFE ☒ DNA ORDERED RESTITUTION AMOUNT 941,354.77
V.C.C.B. 50.00 DEDR PENALTY _____ LAB FEE _____ LEOTEF PENALTY 30.00
S.N.S.F. 75.00 SUP FEEMO _____ ☐ D.I. REVOKED _____ MV THEFT FINE _____
S.A.N.E. _____ ☐ SEX ASSAULT SURCHARGE OF \$100 INSURANCE FRAUD SURCHARGE _____
PAYMENT RATE _____ PER _____ COMMENCING _____

☒ BAIL DISCHARGED ☐ ORDERED RELEASED ☒ REMAND DOC
☐ REMAND OCEAN COUNTY JAIL
DEFENDERS: Forfeit Public License, No Future Public Employment
\$15,000 to be paid today.
DISMISSED: Remainder 936,354.77

JUDGE L. Baster PROSECUTOR *DAG T. TRIPSANSKY
REPORTER Courtsmart DEFT'S ATTY S. Secane

NOTES: _____
45 Days to Appeal
Minimal weight on mit 8
Heavy/moderate weight on mit 6
Moderate weight on mit 7
CLERK'S SIGNATURE Benavid # 3732

Ocean County Superior Court.- Law Division
Supplement to Criminal Information Form

Page _____ of _____

Defendant Name: Bogan Kim Date: 9/3/19

Indictment No.: Acc: 17-10-01661 Judge: Baxter

Case 17003547 /001

Motion: Granted
Consent Order Restitution
Signed By Court

\$ 50,000 of Pension Funds of K. Bogan
payable to State of NJ Treasury:
towards restitution owed

atty: Pro-Se.
(DAG) pros: Leslie-Ann
Justus

Clerk: Kim R (64293)