

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-18087-43228a47@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 19001288
State v. Richard Sullivan

Dear Sir/Madam:

Enclosed please find the document pursuant to your request made under the New Jersey Open Public Records Act (OPRA).

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

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Judgment of Conviction

Superior Court of New Jersey, OCEAN County

State of New Jersey**v.**Last Name
SULLIVANFirst Name
RICHARDMiddle Name
V

Also Known As

Date of Birth
12/31/1963SBI Number
115778HDate(s) of Offense
04/17/2019

Date of Arrest

PROMIS Number
19 001288-001Date Ind / Acc / Complt Filed
08/11/2020

Original Plea

☐ Not Guilty☒ GuiltyDate of Original Plea
08/11/2020

Adjudication By

☒ Guilty Plea☐ Jury Trial Verdict☐ Non-Jury Trial Verdict☐ Dismissed / Acquitted

Date: 08/11/2020

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
20-08-00663-A	1	INVASION OF PRIVACY-OBSERVE SEX ACT W/O CONSENT-KNOWING	2C:14-9A	4
S-2019-000195-1512	2	ENDANGERING-ABUSE/NEGLECT OF A CHILD BY NON-CARETAKER	2C:24-4A(2)	3

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
20-08-00663-A	1	INVASION OF PRIVACY-OBSERVE SEX ACT W/O CONSENT-KNOWING	2C:14-9A	4

Sentencing Statement

It is, therefore, on 10/06/2020 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

Count 1: Defendant is sentenced to One (1) year of Probation.

Defendant is directed to comply with any and all terms and conditions as established by Probation, including but not limited to substance abuse evaluations, random urine screenings, recommendations for treatment, as well as maintain full time employment.

Defendant is hereby ordered to provide a DNA sample and pay the costs for testing.

Defendant shall avoid any new criminal convictions.

Defendant shall avoid any contact with victim C.H.

Defendant is to pay monetary penalties set forth herein on Page 2 of the within JOC through Probation.

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

To be dismissed: Ct. 2 of S-2019-000195-1512.

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

Total Custodial Term
000 Years 00 Months 000 Days

Institution Name

Total Probation Term
01 Years 00 Months

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)

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))

	Standard		Doubled	
1st Degree	@ \$		@ \$	
2nd Degree	@ \$		@ \$	
3rd Degree	@ \$		@ \$	
4th Degree	@ \$		@ \$	
DP or	@ \$		@ \$	
Petty DP	@ \$		@ \$	

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)

Forensic Laboratory Fee (N.J.S.A. 2C:35-20)

Total Lab Fee

Offenses @ \$

\$

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 Neighborhoods 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)

☒ \$ 2.00

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

\$

Total Financial Obligation

\$ 155.00

Details

Defendant is to pay monetary penalties through Probation at a rate set by Probation.

Additional Conditions

- ☒ 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)).

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

[illegible]

AGGRAVATING FACTORS

9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS

6. The defendant has compensated or will compensate the victim of his/her conduct for the damage or injury that he/she sustained, or will participate in a program of community service.

7. The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present offense.

10. The defendant is particularly likely to respond affirmatively to probationary treatment.

The Court adopts and incorporates as part of the reason for sentence herein all matters set forth on the record at the time of sentencing.

Attorney for Defendant at Sentencing EDWARD J KOLOGI	Public Defender ☐ Yes ☒ No
Prosecutor at Sentencing MARA BRATER	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Linda G. Baxter	
Judge (Signature) /s Linda G. Baxter RETIRED, ON RECALL	Date 10/09/2020