

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL PART
BURLINGTON COUNTY
PROMIS GAVEL No. 2006-0480
ACCUSATION No 2006-08-1122-A

STATE OF NEW JERSEY

v.

JAMES HARNEY

CRIMINAL ACTION
ACCUSATION

JAMES HARNEY, being charged upon oath with one count of Conspiracy contrary to N.J.S.A. 2C:5-2; one count of Official Misconduct contrary to N.J.S.A. 2C:30-2; and one count of Promoting Gambling contrary to N.J.S.A. 2C:37-2; having in writing waived indictment and trial by jury and having requested to be tried before this Court, and said request having been granted;

Supervising Deputy Attorney General Mark G. Eliades of the Division of Criminal Justice, for the State of New Jersey, alleges that:

COUNT ONE

(Conspiracy - Second Degree)

JAMES HARNEY

and other individuals whose identities are known to the State, who are coconspirators but are not named as defendants within this Accusation, and a New Jersey State Police Detective whose identity is known to the State, who at all times relevant to the times set forth in this Accusation was acting in an undercover law enforcement capacity, between in or about or about January 2001, and in or about February 2006, at the Township of Evesham, at the Township of

Moorestown, at the Township of Mount Laurel, all in the County of Burlington; at the Township of Cherry Hill, in the County of Camden; elsewhere and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Official Misconduct, Promoting Gambling, and Money Laundering, did agree together that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crimes, or

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

1. Official Misconduct, in that one or more of them, acting in the capacity of a public servant, would purposely commit an unauthorized act relating to said public office for the benefit of themselves or another and/or would purposely refrain from performing a duty imposed by law or which clearly inherent in the nature of said public office, that is the said JAMES HARNEY, a public servant in his capacity as a sworn law enforcement officer within of the New Jersey State Police, having thereby the official functions and duties among others to display good faith, honesty and integrity, to be impervious to corrupting influences and to refrain from soliciting or accepting from any person anything of value for the performance of or for refraining from the performance of his duties or for violation thereof, and acting with a purpose to obtain a benefit for himself, did commit unauthorized acts relating to his public office and did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is the said JAMES HARNEY did promote and operate, with the assistance and affirmative input of his coconspirators, an illegal sports gambling network from which profit was derived, contrary to the provisions of N.J.S.A. 2C:30-2 and N.J.S.A. 2C:2-6; and

2. Promoting Gambling, in that one or more of them knowingly would accept

or receive money or other property, pursuant to an agreement or understanding with any person, whereby one or more of them would participate in the proceeds of gambling activity and/or would engage in conduct which would materially aid gambling activity, by engaging in or materially aiding bookmaking to the extent that one or more of them received or accepted in any one day more than five bets totaling more than \$1,000, contrary to the provisions of N.J.S.A. 2C:37-2a, N.J.S.A. 2C:37-2b(1), and N.J.S.A. 2C:2-6;

3. Money Laundering, in that one or more of them would knowingly transport or possess property known to be derived from criminal activity, and/or would engage in transactions involving property known to be derived from criminal activity knowing the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of said property, and/or by knowingly directing, organizing, financing, planning, managing, supervising, or controlling the transportation of or the transactions in property known to be derived from criminal activity, said property having a value of at least \$75,000, contrary to the provisions of N.J.S.A. 2C:21-25; and N.J.S.A. 2C:2-6.

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

COUNT TWO

(Official Misconduct - Second Degree)

JAMES HARNEY


between in or about or about January 2001, and in or about February 2006, at the Township of Evesham, at the Township of Moorestown, at the Township of Mount Laurel, all in the County of Burlington; at the Township of Cherry Hill, in the County of Camden; elsewhere and within the jurisdiction of this Court, being a public servant, that is, a sworn law enforcement officer within of the New Jersey State Police, having thereby the official functions and duties among others to display good faith, honesty and integrity, to be impervious to corrupting influences and to refrain from soliciting or accepting from any person anything of value for the performance of or for refraining from the performance of his duties or for violation thereof, and acting with a purpose to obtain a benefit for himself and others, did commit acts relating to his office constituting unauthorized acts and did refrain from performing a duty imposed upon him by law or clearly inherent in the nature of his office, that is the said JAMES HARNEY knowingly did promote and operate, with the assistance and affirmative input of his coconspirators, an illegal sports gambling network from which profit was derived, contrary to the provisions of N.J.S.A. 2C:30-2, N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Promoting Gambling - Third Degree)

JAMES HARNEY

between in or about or about January 2001, and in or about February 2006, at the Township of Evesham, at the Township of Moorestown, at the Township of Mount Laurel, all in the County of Burlington; at the Township of Cherry Hill, in the County of Camden; elsewhere and within the jurisdiction of this Court, did promote gambling by knowingly accepting or receiving money or other property, pursuant to an agreement or understanding with any person whereby the said JAMES HARNEY did knowingly participate in the proceeds of gambling activity and/or did engage in conduct which materially aided gambling activity, by engaging in or materially aiding bookmaking to the extent that the said JAMES HARNEY received or accepted in any one day more than five bets totaling more than \$1,000, contrary to the provisions of N.J.S.A. 2C:37-2a, N.J.S.A. 2C:37-2b(1), and N.J.S.A. 2C:2-6; and against the peace of this State, the government and dignity of the same.



Mark G. Eliades
Supervising Deputy Attorney General
Division of Criminal Justice