

**SUPERIOR COURT OF NEW JERSEY
VICINAGE 15 - CUMBERLAND, GLOUCESTER & SALEM COUNTIES**

Walter L. Marshall, Jr., J.S.C.,
Criminal Division Judge

Gloucester County Justice Complex
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February 17, 2004

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RE: State v. Daniel Wilson
Indictment number SGJ 468-02-18
Docket Number 02-11-00188-S

Dear Counsel:

CHARGES

The defendant was indicted in a twelve-count indictment by the State Grand Jury on November 20, 2002. The **first count** charges him with theft by unlawful taking under N.J.S.A. 2C: 20-3, a third degree offense. It is alleged that "...between in or about September 1996 and November 2000...[the defendant] knowingly did unlawfully take or exercise unlawful control over the movable property of the West Deptford Democratic Campaign Committee (hereinafter WDDCC) that is, funds in excess of \$500, with purpose to deprive the owner thereof...." The **second count** charges the defendant with falsifying or tampering with records under N.J.S.A. 2C: 21-4(a), a fourth degree offense. It is alleged that "...between in or about October 1996 and November 2000, ...with purpose to deceive or injure another or to conceal a wrongdoing, knowing it to contain a false statement or information, [the defendant] did utter a writing or record, that is New Jersey Election Law Enforcement Commission Form R-1...." The **third count** charges the defendant with tampering with public records or information under N.J.S.A. 2C: 28-7(a)(1), a third degree offense. It is alleged that "...on or about November 22, 1997...with purpose to defraud or injure, [the defendant] did make a false entry in a record, document or thing 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 Daniel Wilson, knowing the same to be false, did make false entries regarding campaign contributions or expenditures in New Jersey Election Law Enforcement Commission Form R-1....” The **fourth, fifth, sixth and seventh counts** charge the same third degree crime as the third count except the dates are on or about November 22, 1998, on or about November 20, 1999, in or about December 1999, and on or about November 27, 2000. In the **eighth count** it is alleged that the defendant concealed or misrepresented contributions or expenditures, a fourth degree crime. It is alleged that “...on or about November 22, 1997...[the defendant] did purposely file or prepare, assist in the preparation for filing or acquiesce in the preparation or filing of a report required under the New Jersey Campaign Contributions and Expenditures Reporting Act which the said Daniel Wilson knew was false, inaccurate or incomplete in any material particular to wit, in the reporting of certain contributions or expenditures....” The **ninth, tenth, eleventh and twelfth counts** charge the same fourth degree crime as the eighth count except the dates are on or about November 22, 1998, on or about November 20, 1999, in or about December 1999, and on or about November 27, 2000.

The trial in this matter commenced on February 3, 2004 and continued on Thursday, February 5 and finished on Tuesday, February 10. Several exhibits were entered into evidence and many witnesses testified. The Court also heard excellent summations by counsel on February 11, 2004. The matter was well tried by both sides and commends counsel for their cooperation with the Court and each other in the trial of this matter. Each was an able advocate for his client.

FINDINGS OF FACT

Based upon the Courts' review of the evidence, the following are the Court's findings of fact:

1. The defendant was, during all relevant times regarding the charges in this indictment, the treasurer of the West Deptford Democratic Campaign Committee (hereinafter WDDCC).
2. The WDDCC was a joint campaign committee handling the financing for local Township candidates from West Deptford.
3. JCA is an engineering firm from Moorestown and were the Township engineers for West Deptford for many years and all years relevant to this matter.
4. The investigation in this matter began with an investigation into allegations of illegal campaign contributions from JCA in that they paid in-kind contributions to campaigns over the legal limit.
5. An in-kind contribution to a political campaign is the payment of expenses or services or the like for a campaign, such as printing expenses. If an in-kind contribution is made to a campaign, it must be reported as such to the Election Law Enforcement Commission. The Court has taken judicial notice of the relevant administrative code sections regarding this. (N.J.A.C. 19:25-10.4).

