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CIVIL DIVISION
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W.M.	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: WARREN COUNTY
	:	
-vs-	:	DOCKET NO.: L-000135-13
	:	
JOHN DOES 1-10; and the COUNTY OF	:	CIVIL ACTION
WARREN,	:	
	:	
Defendants.	:	

C.C.	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: WARREN COUNTY
	:	
-vs-	:	DOCKET NO.: L-000017-15
	:	
JOHN DOES 1-10 and the COUNTY OF	:	CIVIL ACTION
WARREN	:	
	:	
Defendants.	:	

R.M.	:	SUPERIOR COURT OF NEW JERSEY
Plaintiff,	:	LAW DIVISION: WARREN COUNTY
	:	
-vs-	:	DOCKET NO.: L-000328-16
	:	
ESTATE OF JOHN DOE; JOHN DOES	:	CIVIL ACTION
1-100; JANE DOES 1-100 and the	:	
COUNTY OF WARREN,	:	
	:	
Defendant.	:	

**BRIEF IN SUPPORT OF PLAINTIFFS'
MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST THE COUNTY OF WARREN AS
TO 'PASSIVE ABUSE' UNDER THE NEW JERSEY CHILD SEXUAL ABUSE ACT ("CSAA")**

2021 APR 1 P 4:10
Dated: April 1, 2021

On the Brief: *Brad M. Russo, Esq.*
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PRELIMINARY STATEMENT

When the County of Warren assumed custody of the Plaintiffs as young children (11-16) -- in the place of parents -- they took on a basic and fundamental responsibility to keep the children safe from known harm. With an age limit of 16 years old, the County Youth Shelter and Juvenile Detention Center was literally the only 'protector' assigned to the children. Many of the children within these facilities already came from difficult homes. It didn't matter, however, because when residing at either the 'Juveniles in Need Of Support Shelter' ('JINS') (hereinafter the "the Shelter") or the Warren County Juvenile Detention Center (hereinafter "Warren Acres"), it is the County of Warren, by and through its employees, who are in the exclusive custody and control of the children in every sense -- which room they are assigned, when they go to bed, where they go to get a toothbrush, toiletries, or fresh bedding, who enforces rules and asserts discipline, etc.

Edward G. Bullock was the Warren County Sheriff from 1981 to 1992. By 1985, at the latest -- it was directly apparent to any County employee paying attention that Sheriff Bullock had a sexual perversion for certain boys that he targeted, isolated, and groomed within the County "system". Each of the three moving Plaintiffs were sexually abused repeatedly by Bullock, at least two (2) years after it was 'well known' to the very County employees paid to safeguard the children. In those years, many other children also matriculated through the Shelter and Warren Acres facilities -- but only young Caucasian boys "exclusively" got 'chosen' by this County Defendant's own decade long Sheriff and his 'special rides' in the County car.

In conducting transports of children in County custody, Warren County Sheriff's Officers had clear, mandatory protocols in place: (i) no juvenile could be transported with less than two Sheriff's Officers present in the vehicle; (ii) every juvenile must sit in the back seat when

transported; and (iii) every juvenile must be handcuffed or shackled during transports. Despite these compulsory protocols, for years County officials watched Bullock selectively target a certain "type" of boys and volunteer to privately transport them. Bullock's transports were known as the "special ride" to some of the young children in County custody. As many County employees testified, Bullock's transports always consisted of himself privately transporting the child, in the front seat of his vehicle, without handcuffs or restraints, frequently involved special treats like ice cream, and often involved Bullock stopping on back roads to spend time alone with the child. These repeated observations for years by County employees succinctly match the horror endured by each of these three Plaintiffs in being molested repeatedly during Bullock's "special rides".

The knowledge of Bullock's depraved attraction to Caucasian boys in County custody was widely known and pervasive. Any reasonable parent would have intervened. However, these children were not in the custody of their parents - - rather, they were in sole and exclusive custody of the County of Warren and were entirely dependent upon County employees to safeguard them from a known child sexual predator. All the known alarming conduct of Sheriff Bullock- the widespread discussions, the familiar "type" of child Bullock preferred, Bullock's unfettered access to these children in private settings, the openly preferential treatment, the private transports that violated several County protocols, the reportings of a problem and even the ongoing 'jokes' about Bullock's perversion for young boys, was all somehow not enough to protect the children from the County of Warren and its unwillingness to do anything.

A child sexual predator, by definition, has compulsions for molesting children. The scariest child sexual predator - - is the one with access to many children and who is surrounded by people who time and time again will turn a blind eye to clearly alarming behaviors ... for

years. Behavior outrageous enough that “everyone knew it”, “everyone talked about it”, “everyone joked about it”, but no one protected the vulnerable children. The County of Warren, by and through its employees and officials, was entrusted with the direct protection and safety of the children within their custody. That protection fell woefully short, in the face of known danger, as will be set forth in this Motion to declare the County of Warren a “passive abuser” pursuant to the New Jersey Child Sexual Abuse Act (“CSAA”).

STATEMENT OF FACTS

I. Background Facts of the Allegations of the Three Plaintiffs.

These consolidated matters involve the repeated sexual abuse of minor children in the custody and control of the County of Warren. *See* Plaintiff, W.M.’s, Second Amended Complaint (“W.M.”), attached as **Exhibit AA**; Plaintiff, C.C.’s, First Amended Complaint (“C.C.”), attached as **Exhibit BB**; and Plaintiff, R.M.’s, First Amended Complaint (“R.M.”), attached as **Exhibit CC**. In each of these cases, the Plaintiffs were minor children in the sole custody of the County officials at the Shelter and/or Warren Acres. W.M. ¶¶ 8-10; C.C. ¶¶ 9-14; R.M. ¶ 4. The vast majority of sexual abuse incidents occurred while the minor Plaintiffs were being transported to and from County facilities, by the then Warren County Sheriff. W.M. ¶ 23; C.C. ¶ 15-16; R.M. ¶ 30-31. In assuming custody for each of the minor Plaintiffs *in loco parentis*, the County Shelter and the County Juvenile Detention Facility were responsible for the children’s basic needs of shelter, clothing, bedding, food, medical needs, etc., and was entrusted with the health, safety and overall care of these children. W.M. ¶¶ 10; C.C. ¶¶ 14; R.M. ¶ 9; *See also* Deposition of **J.C.** **Exhibit A** at P. 37, 10-21. Warren County, by and through Edward Bullock the then Warren County Sheriff, also stood *in loco parentis* of the minor children for purposes of transporting the

children to and from the County Shelter and Warren Acres facilities. W.M. ¶ 95; C.C. ¶¶ 97, 100-101; R.M. ¶¶ 122, 125-126.

The case against the County of Warren in each of these matters centers around the County's unique relationship with the victims. The instances of abuse alleged in these matters took place from 1987 to 1989. During that time, each Plaintiff was either a resident of the Shelter or a 'ward' of Warren Acres. As Edward Bullock himself admitted – "had it not been for his position as the Warren County Sheriff and his using that position to cultivate the boys, he would have never met the previously mentioned boys and would not have engaged in sexual activity with them." *See* New Jersey State Police Investigation Report, **Exhibit B**, Detective Robert Hoever December 1, 1991 at Page 5.

In many instances of the abuse, Sheriff Bullock would volunteer to transport the child to or from a County facility in his County issued vehicle. W.M. Deposition Transcript ("W.M. Dep.") 242:18-20, attached as **Exhibit C**. It was during these private transports, which Sheriff Bullock consistently volunteered for, that some of the more heinous acts of sexual abuse took place. W.M. Dep. 262:4-7. At the age of 11, W.M. was transported to the Warren County Children's Shelter by Sheriff Bullock when he was forced into the back seat to perform fellatio on Bullock, was inappropriately touched in his private areas and, eventually, was sexually penetrated by the Sheriff through anal intercourse. W.M. Dep. 272-275:3-17. After raping the 11-year-old boy, W.M. was dropped off at the Shelter and warned by Bullock not to speak of the incident. W.M. Dep. 275:6-18; 279-280:24-4. When W.M. did work up enough courage to report the abuse to an employee at the County facility, he was scolded, struck in the stomach and warned not to make up things. W.M. Dep. 67-68:19-13.

In 1988 through 1989, C.C. (then 14-16 years old) was transported four times by Sheriff Bullock to or from Warren Acres or the Shelter. C.C. Deposition Transcript ("C.C. Dep.") 360:16-20, attached as **Exhibit D**; C.C. Deposition Transcript Volume IV ("C.C. Dep Volume IV") 53:10-16, attached as **Exhibit E**. In each of these transports, C.C. was sexually abused, including being undressed and being forced to masturbate Bullock's penis, then forced by Bullock to receive masturbation, and was anally penetrated by the Sheriff's finger. C.C. Dep. 372:5-24; C.C. Dep. Volume IV 56:9-20, 65:6-22. After his second transport, C.C. directly reported the abuse upon being dropped off at the Warren Acres Facility – but was reprimanded and told to "stop looking for attention". C.C. Dep. 46-47:23-2.

R.M. was abused by the Warren County Sheriff between 1987 and 1989, when he was 15-17 years of age. R.M. Deposition Transcript ("R.M. Dep.") 58:17-18; 59:6-15, attached as **Exhibit F**. Like the other Plaintiffs, R.M. was transported by Sheriff Bullock to/from County facilities, such as the Shelter and Warren Acres. R.M. Dep. 65:14-21. During the transports, the Sheriff would engage in various acts of sexual abuse, including performing oral sex upon the child while masturbating himself. R.M. Dep. 159:14-22. After each instance of abuse, the Sheriff advised R.M. that if he told anyone, he would go to jail and if his mother knew, she would also go to jail. R.M. Dep. 112-113:22-1. Also similar to the other Plaintiffs, R.M. directly reported the abuse to County officials. R.M. Dep. 58:6-7. In that regard, after several incidents of abuse, he requested a meeting with then Director of Warren Acres and the Shelter. R.M. Dep. 119:1-7. At the private meeting, R.M. advised the Director that Sheriff Bullock was "not a good guy and that he touches kids". R.M. Dep. 120-121:25-5.

In each of these three matters, the abuse took place while they were minor children housed in either Warren Acres as a detainee or in the Shelter as a resident without parental oversight. The

staff at both the Shelter and Warren Acres were solely responsible for providing the basic needs of the children in its custody – including shelter, clothing, bedding, food, medical needs, supervision, etc. Stated legally, the staff at these County facilities and the Sheriff himself stood *in loco parentis* of these minor children. This also includes, as this Court already determined, the responsibility for safely transporting the juveniles within the County’s custody and care. *See* Order of August 4, 2017, attached as **Exhibit Z**

II. The Central Issue in this Motion.

Plaintiffs’ move this Court for an award of summary judgment in each of these matters as to Defendant, County of Warren, for ‘passive abuse’ in accordance with the Child Sexual Abuse Act (“CSAA”) N.J.S.A. 2A:61B-1. *See* Count VI of the Second Amended Complaint in W.M. v. Warren County, et. al., WRN-L-135-13, attached as **Exhibit AA**; Count VI of the First Amended Complaint in C.C. v. Warren County, et. al., WRN-L-17-15, attached as **Exhibit BB**; and Count VI of the First Amended Complaint in R.M. v. Warren County, et. al., WRN-L-328-16, attached as **Exhibit CC**. The County of Warren would be liable for ‘passive’ child abuse under the CSAA as a ‘person’ standing in loco parentis to the Plaintiffs who “. . . knowingly permits or acquiesces in sexual abuse by any other person . . .”. N.J.S.A. 2A:61B-1(a)(1).

STATEMENT OF UNDISPUTED MATERIAL FACTS

I. Background Facts.

1. From 1982 through 1991, and at all times relevant to all events referenced herein, Edward G. Bullock was the duly elected Sheriff of Warren County.
2. W.M. was a ten (10) through eleven (11) year old boy when he alleges he was sexually abused by Sheriff Bullock in years 1987 through 1988.

3. C.C. was a fourteen (14) through sixteen (16) year old boy when he alleges he was sexually abused by Sheriff Bullock in years 1988 through 1989.

4. R.M. was a fourteen (14) through sixteen (16) year old boy when he alleges he was sexually abused by Sheriff Bullock in years 1987 through 1989.

II. Bullock's Confession

5. On November 18, 1991, the then Warren County Sheriff was escorted from his office on the second floor of the Warren County Courthouse, by New Jersey State troopers who advised him they had something "sensitive" to talk to him about. New Jersey State Police Investigation Report, Detective Robert Hoover December 1, 1991 at Page 1. Flanked by Lieutenant Gauthier and Detective Armitage, Bullock was led from his office, down two (2) flights of stairs to the boiler room in the bowels of the Warren County Courthouse. New Jersey State Police Investigation Report, **Exhibit B**, Detective Robert Hoefer December 1, 1991 at Page 1.

6. Once in the boiler room Bullock was surrounded by more law enforcement – including a young boy Bullock picked up at the local Mall and was 'grooming' for several weeks. The boy was actually a young undercover State Trooper. Also in attendance was a State Trooper who Bullock was previously introduced to as the boys' "uncle". Id.

7. For weeks prior, the young undercover State Trooper had been posing as a minor to corroborate the specific details of Bullock's grooming techniques and pedophilic tendencies. New Jersey State Police Investigation Report, **Exhibit B**, Trooper **C.S.** March 4, 1991 at P. 1-5.

8. Sitting in the boiler room, Bullock was confronted with the fact that the boy he developed feelings for was actually an undercover officer. The reality soon set in, and Bullock "got all teary-eyed and all when I let him know and like red-faced and all. I mean, there was no

question in my mind he was in love with [the undercover officer], you know, he – so he got all teary-eyed with that and upset.” Deposition of Detective Hoever, **Exhibit G**, P.261-277, l. 13-5.

9. In addition, “[Bullock] had a look of concern on his face and began to shake or quiver.” New Jersey State Police Investigation Report, Detective Robert Hoever December 1, 1991 at Page 1. “Because his hands were shaking, he had difficulty signing his name [on the Miranda waiver card].” New Jersey State Police Investigation Report, **Exhibit B**, Detective Robert Hoever December 1, 1991 at Page 2.

10. Bullock was then advised that the State Police had been conducting an investigation on him for quite some time and “the focus of that investigation surrounded his relationship with young boys.” Id.

11. Bullock was told that “although he provides a lot of help, caring and understanding for these boys, his efforts end up resulting in a sexual attraction for the boys; then eventually a sexual activity.” New Jersey State Police Investigation Report, Detective Robert Hoever December 1, 1991 at Page 2. As this was being told to Bullock, “his head was moving up and down as though he were agreeing with what was being said.” Id.

12. Bullock was then asked how many young boys he engaged in sexual activity with:

He paused and appeared to be thinking about the question. Bullock was then asked if it was fifty or sixty; if that was why he had to think about it. He advised that it wasn’t that many, but he would have to think about it before he gave a number.

Id. at P. 3.

13. Detective Robert Hoever, a State Police veteran of twenty-six (26) years and a twelve-year (12) veteran of the National Center for Missing and Exploited Children, was an integral part of the State Police investigation and directly elicited Bullock’s confession in the boiler room.

Detective Hoever testified at his deposition in these matters, that the extent and scope of Bullock's abuse of young children in Warren County custody was widespread:

Q. Based upon what you knew about this case, and your investigation, did you believe the number to be 50 or 60?

A. A person who is a sexual — a successful seduction molester, they can have anywhere from 100 to 200 victims. Okay? So 50 or 60 was not a wild number to throw out there. And do I have proof that he had sex with that many children? No. But do I believe it? I strongly believe it, yes.

Deposition of Detective Hoever, **Exhibit G** at P. 266, l. 15-13.

14. Finally, "[Bullock then stated there were eight (8) young boys that he engaged in sexual activity with. He advised that the sexual activity consisted of him masturbating the boys." New Jersey State Police Investigation Report, **Exhibit B**, Detective Robert Hoever December 1, 1991 at Page 3.

15. After confessing to sexually abusing eight (8) boys, Bullock began to list out some of his young victims. While reciting victims, Bullock admitted meeting Plaintiff, R.M. "through the system." Id. at Page 4.

16. Directly relevant to this Motion, Bullock then admitted that it was his position within the County of Warren that enabled him to meet and cultivate relationships with his victims:

Bullock was then asked if it was true that, had it not been for his position as Warren County Sheriff and his using that position to cultivate the boys, he would have never met the previously mentioned boys and would not have engaged in sexual activity with them. Bullock became teary-eyed and red faced and stated yes, that was true."

New Jersey State Police Investigation Report, **Exhibit B**, Detective Robert Hoever December 1, 1991 at Page 5.

III. Bullocks Charges, Plea of Guilty and Resignation as the Warren County Sherriff.

17. After his 'boiler room' confession, Bullock pled guilty to second degree "official misconduct" on March 11, 1992 and was sentenced on April 24, 1992 to three (3) years in state prison as a third-degree offender pursuant to a plea agreement. *See* Judgment of Conviction and Order for Commitment of Judge Michael R. Imbriani, April 24, 1992, attached as **Exhibit H**.

IV. The Concession of Liability by the Estate of Edward Bullock in Each of These Matters.

18. By agreement dated March 2, 2020, the Estate of Edward Bullock (by and through Sheriff Bullock's brother, Carl Bullock, who is the Executor of the Estate of Edward G. Bullock) fully conceded liability in each of these three matters on behalf of Defendant Edward Bullock. *See* Stipulation as to Liability, attached as **Exhibit I**. As set forth in the Stipulation:

[a]fter careful consideration of the claims in each of these suits, the Estate of Edward Bullock now wishes to withdraw its Answer and Defenses and stipulate as to liability for all common law and statutory claims asserted by the Plaintiffs in each of these matters.

In particular, as to the matter entitled W.M. v. The Estate of Edward Bullock and the County of Warren, Docket Number L-135-13, the Estate of Edward Bullock hereby agrees to stipulate as to all issues of liability as set forth in Counts I, II, III, IV and V.

In particular, as to the matter entitled C.C. v. The Estate of Edward Bullock and the County of Warren, Docket Number L-17-15, the Estate of Edward Bullock hereby agrees to stipulate as to all issues of liability as set forth in Counts I, II, III, IV and V.

In particular, as to the matter entitled R.M. v. The Estate of Edward Bullock and the County of Warren, Docket Number 328-16, the Estate of Edward Bullock hereby agrees to stipulate as to all issues of liability as set forth in Counts I, II, III, IV and V.

In the interest of efficiency and judicial economy, the Estate of Edward Bullock hereby stipulates as to all issues of liability and waive their right to contest liability at trial.

The Estate of Edward Bullock agrees to the entry of judgment upon the Counts designated in ¶¶ 14-16 above, and to be bound by damages therefrom, as determined by a jury at trial or a judge in a proof hearing.

This Agreement shall serve as an admission of liability on the part of Edward Bullock and/or the Estate of Edward Bullock in each of these matters.

Exhibit I, ¶¶ 13-19. With the Estate of Edward G. Bullock conceding liability, the County of Warren is the sole Defendant contesting liability in these matters.

V. The Underlying Criminal Investigation and the County Officials who Aided the Investigation.

19. The State Police investigation into Bullock was directly bolstered by County Officials (such as Warren County Sheriff's Officers) who assisted as 'confidential informants'. Despite possible jeopardy to their employment, these individuals spoke to investigators about the alarming conduct they witnessed working under Sheriff Bullock:

CS-1 advised this investigator that Edward Bullock uses his position as Warren County Sheriff to gain access to juvenile males. These juveniles are transported from either Warren Acres Juvenile Detention Center or the Hemindinger JINS Shelter to the Warren County Court House for detention hearings. Bullock has approached several white males, usually boys with blonde hair and blue eyes who have slender builds, while they are secured in the holding area of the Court House. He immediately introduces himself as the Sheriff and then ascertains if the boy has a father living with him. If the child is receptive, Bullock then begins what has been labelled by the Sheriff's officers as "on hands counseling", which CS-1 further defined as kissing the boys on the head, rubbing their back and shoulders, and patting them on the buttocks. CS-1 stated, "It's common knowledge around the court house; the guy likes boys."

CS-1 further stated that Bullock provides the boys with a private phone number which he instructs them to use if they ever need any help. CS-1 advised that Bullock seems to enjoy talking to the boys about their sexual activities. CS-1 has overheard these conversations.

New Jersey State Police Investigation Report, **Exhibit B**, Detective Debra Armitage, February 19, 1991 at P. 1.

CS-1 stated that Bullock gives juvenile males Warren County ID cards, some with the designation of Deputy Sheriff, which they are instructed to use if they get into trouble. Bullock treats female prisoners differently, as they are required to remain silent and are not allowed to enjoy any of the relaxed rules that the male juveniles enjoy. CS-1 has never seen Bullock approach a female prisoner, however, he/she has overheard the Sheriff refer to the female prisoners as "sluts," cautioning the boys to stay away from them.

Id. at P. 2.

CS-1 advised this investigator that Bullock frequents Tom's Lunch, a restaurant located on South Main Street in Phillipsburg, N.J. CS-1 has also seen Bullock at the Phillipsburg Mall, located on Route 22, Lopatcong Twp., N.J., where he can be found in the food court and arcade areas on Friday and Saturday nights. CS-1 believes that Bullock frequents these establishments to gain access to juvenile males known to congregate there.

Id. at P. 3.

CS-2 advised that Bullock has a "perverted" interest in juvenile males ages 13-17, who are housed in the Warren County Jins Shelter. Bullock volunteers to transport juvenile males from the shelter despite the fact that it is not the responsibility of the Sheriff's Department, as these children have not been charged criminally. The employees of the shelter are responsible for the transportation of any child who must appear in court for a crisis hearing. Bullock continues to personally provide court transportation for male juveniles despite an inquiry made by Judge Albrecht, the juvenile judge. Bullock has never provided transportation for a female juvenile.

CS-2 stated that Bullock requires female juveniles to be kept in "lock-up" while male juveniles are allowed to remain in the Sheriff's Office. Bullock refers to female prisoners as "sluts" and

“whores.” He states that the girls are the reason that the boys get into trouble. CS-2 has overheard Bullock conversing with young boys. Bullock always questions the boys about their relationship with their father. He then asks them if they have ever had sex and if so, what kind of sex they have had. CS-2 has observed Bullock rubbing the boys shoulders, backs, and buttocks. CS-2 further commented, “You have to see his face. He’s in another world. He gets all starry-eyed.” CS-2 advised that Bullock has the boys sit in his office in a chair facing him. Bullock positions a filing cabinet in front of himself and the boy as to block the view of any passers by. Bullock has no door on his office.

New Jersey State Police Investigation Report, **Exhibit B**, Detective Armitage, March 5, 1991 at P.

2.

VI. The *In Loco Parentis*/Custodial Relationship Between the County and Each Plaintiff.

20. Each of the three (3) Plaintiffs herein were minors in the exclusive custody/control of the County of Warren – either as a juvenile detainee or as a resident of the County Youth Shelter or a mixture of the two. These County youth facilities, both figuratively and literally, stood ‘in the place of parents’ for these juveniles. Figuratively, because each Plaintiff came from a ‘broken home’ - where either one or both parents were absent and/or one or both abused drugs or alcohol. Deposition of **P.C.** **Exhibit J** at P. 41, l. 8-13 [R.M. “was from like a broken home”]; Deposition of **T.V.** **Exhibit K** at P. 69, l. 10-19 [W.M. “was essentially a throwaway kid. His father and mother created him, and then just kind of, like, left him to bring himself up, and he was a little boy.”]. Literally, because of the age of the juveniles, the very nature of each facility and the clear ‘custodial’ relationship at issue, the County of Warren was the legal ‘guardian’ of these minors – *exclusively* responsible for their safety and wellbeing.

21. According to **J.C.** the Director of Warren Acres and the Shelter at all times relevant to these matters (1981-1991), each facility was ‘overnight’ and exclusively housed

children sixteen (16) years of age and younger. Deposition of **J.C.** **Exhibit A** at P. 33, l. 1-9; P. 34, l. 12-14.

22. The shelter residents were exclusively children – no parents ever stayed at the facility. Deposition of **J.C.** **Exhibit A** at p. 34, l. 12-14. The County of Warren provided all food, bedding, assigned the residents to rooms, provided toothbrushes and other toiletries as needed, set a bedtime, and established general rules for the children residents. Deposition of **J.C.** **Exhibit A** at P. 37-38, l. 10-2.

23. Similar to the Shelter, Warren Acres housed its minor residents and stood ‘in the place of parents’ while they were detained in the facility. Warren Acres was also an overnight facility where parents were not allowed to stay with their children. Deposition of **J.C.** **Exhibit A** at P. 53-54, l. 25-4.

24. At Warren Acres, like the Shelter, schooling was provided to the juveniles, food was provided, bedding was provided, rooms were assigned, toothbrushes and other toiletries were provided and there was an established bedtime. Deposition of **J.C.** **Exhibit A** at P. 54, l. 8-10; P. 54-55, l. 25-17. In addition, Warren Acres was a ‘locked’ facility and the juvenile’s rooms were locked at night. Deposition of **J.C.** **Exhibit A** at P. 54-55, l. 25-17.

25. In every sense of the phrase, the County of Warren stood ‘in the place of parents’ for the children housed in Warren Acres and the Shelter – including transportation to and from the County facilities.

26. Given the custodial relationship inherent, the County of Warren is tasked with the same duties imposed upon ‘parents’ under the ‘passive abuse’ provision of the CSAA – including recognizing clear and open signs of child abuse and taking action to protect the children under their care.

27. In that regard, it is quite difficult to conceive of a scenario where signs of child abuse were so apparent and well known by so many County officials, and yet so little was done to safeguard the children directly within their custody and control. Any reasonable parent confronted with the clear signs of sexual abuse and predatory behavior that the County Officials observed of Sheriff Bullock on a daily basis – would have stopped the abuse and protected the children. Had that happened – at least by the time County employees widely ‘knew’, often ‘discussed’, and even openly ‘joked’ about the problem – not one of the three (3) Plaintiffs in this matter would have suffered the trauma and shattered trust that still plagues each of them.

VII. Special Treatment for Certain Kids in County Custody.

28. **T.R.** a Warren County Sherriff's Officer under Bullock since 1985, recognized “preferential treatment” that Bullock would shower upon certain boys in County custody. For example, Officer **T.R.** observed Sheriff Bullock isolating and transporting certain juveniles ‘himself’, instead of allowing other officers to do it – which was clearly known to be against protocol. Deposition of **T.R.** **Exhibit L** at P. 90-93, l. 14-17.

29. Officer **T.R.** recalled:

I would see when ah, either when I transported a, a kid from the shelter or Warren Acres or the Sheriff would kindly volunteer, oh don't worry about it I'll go get that, you can do your duties in the, in the courthouse. Ah, he would pick them up and bring them ah, to the courthouse ah, we would always put our Warren Acres kids in the holding room. But we always thought just because he was the Sheriff you know, he would bring them into his office, you know, we thought that was ok cause he was the Sheriff and you know, you can't say anything, why is the Sheriff doing this. But then as the time progressed and then you saw over and over again and you started seeing what a lot of the kids started to look like and, and the way the kids would talk to him. And, and then it was you know, you, you just knew.

Statement of **T.R.** December 26, 2013, **Exhibit M** at P. 4.

30. Once at the Warren County Courthouse, Bullock would select certain young boys to bypass juvenile lockup in the typical "holding room", as per protocol, and bring them individually to his private office. Deposition of **T.R.** Exhibit L at P. 90-93, l. 14-17.

31. Officer **T.R.** recalled:

we had certain days that was juvenile day and ah, [Bullock] knew it of course. And when we would bring in, well we didn't even have to bring them in, the stu... the kids would be lined up out, out into the hallway and then when, when we escorted them and brought the kids into the courtroom Sheriff Bullock would come out of his ah, his office and look into the courtroom and he was kind of scanning and you know, be sort of, I would say see one that he, he was interested in. He would come in and then when the court hearing was over he would tell us oh, I got this one, I'll, I'll take him out for you, like he was doing us a favor. And then they would always end up in his office.

Statement of **T.R.** December 26, 2013, Exhibit M at P. 4-5.

32. According to **T.R.** preferential treatment would also include when Bullock would transport a selected juvenile in the front seat of his vehicle and without handcuffs – both of which were known breaches of basic protocol in the Warren County Sheriff's Department. Deposition of **T.R.** Exhibit L at P. 90-93, l. 14-17.

33. **V.B.** Warren County Sheriff's Officer under Bullock from 1985 to 1991, also observed preferential treatment for boys:

Q: Did he treat girls differently?

A: Oh yeah...

Q: ...inaudible...

A: ...girls, girls never, girls were locked up when they were brought over they were locked right into the holding room.

Q: And they ...weren't brought into his office?

A: No, they were never brought in his office, they were never transported by him, they were always transported by two officers. Um, he, he made remarks, I remember when he made remarks that most of these boys problems were because of these girls or because of their girlfriends. So...

Q: Did he ever give anything to the boys that you saw?

A: Yes, he would give cigarettes to the boys, he would give money to the boys.

Q: Did he ever make you get cigarettes for the boys?

A: Yes I was sent down to the Deli to buy cigarettes.

Q: And did you ever see him give any other type of gifts besides the money and the cigarettes?

A: Um, no I don't think I ever seen him give them anything except like I said usually cigarettes or money.

Q: And what about um, exchanging phone numbers?

A: Yes, I've seen him give his business card to boys and say if you have any problems give me a call or when you get out give me a call.

Statement of **V.B.** December 16, 2013, **Exhibit N** at P. 9.

34. Sheriff Bullock's *modus operandi* in giving juveniles cigarettes as apart of his grooming process – is directly consistent with the details of abuse outlined by one of the Plaintiffs in these matters. C.C. Deposition, **Exhibit D** at P. 391-393, l. 17-14. [Prior to Bullock's second transport of C.C., Bullock removed C.C. from his holding cell, took off C.C.'s handcuffs and shackles, and proceeded to give C.C. a cigarette so they could smoke together.]

35. Officer **V.B.** distinguished Bullock's behavior as much more than just being a 'good guy':

Q: Ok. What, if you could sum it up, what makes you think it was perverted as opposed to just being a good guy who was trying to help the kids?

A: Because he didn't, um, he didn't speak if, if he was a good guy just ah, concerned for these kid's welfare he didn't speak in the open in front of anyone. He always took the kid to a private place and spoke to him or he whispered. Um, if he went and sat in the holding room, he would whisper, talk really low so that the officer standing outside could not hear him. Um, ah, he would, it, it was just a perverted um, reaction to the kids how he would just stare at 'em, look at 'em, and it just wasn't something normal that a man would do with a boy, how he would sit and talk to a boy.

Q: How would he, how would he look at the boys?

A: Oh, he would just stare at 'em like he'd, he'd, he would ah, I, he was infatuated with 'em.

Q: Ok.

A: I mean...

Q: So, this was...just as a man looking at a woman as attractive to him?

A: Exactly, exactly...

Statement of **V.B.** December 16, 2013, **Exhibit N** at P. 13.

36. Warren County Juvenile Probation Officer (1976-1984), **T.V.** began to make observations of Bullock's attraction to young boys frequently enough that by the end of 1984 and into 1985 - a "pattern develop[ed]." Deposition of **T.V.** **Exhibit K** at P. 33, l. 7-13; P. 34, l. 2-11.

37. Ms. **T.V.** also observed Bullock give preferential treatment in the form of gifts to certain boys:

Well, [Bullock] would have her buy cigarettes, but he didn't smoke cigarettes. He smoked cigars. So the cigarettes were for the boys, the kids that [Bullock] had in his office.

Deposition of **T.V.** **Exhibit K** at P. 87, l. 13-16.

38. Senior Juvenile Detention Officer of the Shelter and Warren Acres, **P.C.** directly reported her observation of Bullock's preferential treatment to certain juvenile boys to her superior – **J.C.** (Director of both facilities):

Well, I had gone to **J.C.** before that [the state police investigation] and told him I had suspicions on something not right being done just by the way [Bullock] would pick up certain kids and, like I said, unshackled in his personal vehicle in the front seat with him. And then they would tell me that when they got to the courthouse, the normal procedure was to go in a holding room until your court case was called. [Bullock] would take them in his office behind closed door, just him and the juvenile, and they said he gave them candy.

Exhibit J at P. 55-56, l. 15-3.

39. Ms. **P.C.** also recalls a "15 or 16" year old boy who came from a "broken home" who went to live with Sheriff Bullock for a period of time after his release from Warren Acres. **Exhibit J** at P. 46, l. 21-25; P. 47, l. 1-4; P. 47, l. 23-25. Eventually the boy "ended up back in [Warren Acres] and he was telling everybody about all the clothes [Bullock] bought him and all the trips he went on with [Bullock]. **Exhibit J** at P. 49, l. 11-23. The boy "even had pictures" where he was "sitting in a lawn chair at the beach", she recalled. **Exhibit J** at P. 49, l. 11-23.

40. Ms. **P.C.** also recalled a different young boy living with Sheriff Bullock when he was about 16. **Exhibit J** at P. 48, l. 9-16.

41. Finally, Ms. **P.C.** recognized W.M.'s full name as "[a]nother one that Sheriff Bullock kind of took a friendship to." **Exhibit J** at P. 42, l. 20-25.

VIII. The Openly Suspicious Transports by Sheriff Bullock that Violated Numerous County Protocol.

42. The instances of abuse alleged by the three (3) Plaintiffs herein occurred during transports to or from County facilities with Sheriff Bullock.

43. All three (3) of the Plaintiff victims were sexually molested in similar scenarios and within the common methods and patterns by Bullock in breaching clear protocol when conducting private transports to/from County facilities.

44. Every Sheriff's Officer deposed in these matters, testified about the strict protocols for transporting County juvenile detainees:

(A). During any County transport the juvenile was required to be accompanied by at least two (2) Sheriff's Officers. Deposition of **V.B.** **Exhibit O** at P. 256, l. 11-17; P. 256, 21-25; **Exhibit J** at P. 54, l. 2-12; **Exhibit L** at P. 112-113, l. 15-2.

(B). During any County transport the juvenile was required to be handcuffed or shackled at all times. **Exhibit O** at P. 255-256, l. 21-20; **Exhibit J** at P. 54, l. 2-12; **Exhibit K** at P. 42-44, l. 20-2; **Exhibit L** at P. 92-93, l. 21-3.

(C). During any County transport the juvenile was required to sit in the rear seat of the County vehicle so that the build-in shield and/or barrier separates the juvenile from law enforcement. **Exhibit O** at P. 255-256, l. 25-13; **Exhibit J** at P. 54, l. 2-12; **Exhibit L** at P. 92-93, l. 21-3.

45. Despite these requirements, Bullock was able to consistently break with protocol and isolate the child for transports in his vehicle. The testimony of the County officials who came forward in this matter are resoundingly consistent in recognizing how alarming Bullock's private transports were. In that regard, County officials recognized a clear pattern.

46. Senior Juvenile Detention Officer **P.C.** of Warren Acres recalls conversations among County employees about 'Bullock transports':

Well, everyone was involved in conversations with the way Sheriff Bullock would pick certain kids up, usually kids with blonde hair and blue eyes, in his private vehicle and have them sit up front with him without handcuffs or shackles on, which the normal protocol for that was two sheriffs officers picking them up in a squad car with the barrier between the front and back seat and the juvenile would be in the back seat handcuffed and shackled.

Exhibit J at P. 54, l. 2-12.

47. The obvious purpose of these mandatory protocols and customs was, at least in part, to protect juveniles from inappropriate conduct in a 'single-adult alone with a child' scenario.

48. Despite the sound purpose and mandatory nature of the County policy regarding transportation of juveniles, Sheriff Bullock was frequently observed breaking each such protocol in his many transports of Caucasian boys in County custody over the years.

49. In addition to conversations, Senior Juvenile Detention Officer **P.C.** recalls also directly observing Bullock more than twenty (20) times "in his personal vehicle with the juvenile in the front seat, no handcuffs, no shackles, and he would just let them walk on their own."

Exhibit J at P. 114, l. 17-24; P. 126, l. 1-8.

50. Warren County Juvenile Detention Officer, **J.H.** recalls Bullock telling the kids "you're going to go on a special ride" or "if you behave, you'll get the lucky ride. You'll be picked", when discussing his transports. Deposition of **J.H.** **Exhibit P** at P. 28-29, l. 22-7. Mr. **J.H.** also recalls ice cream being a part of these "special rides." Deposition of **J.H.** **Exhibit P** at P. 28-29, l. 22-7.

51. Mr. **J.H.** also directly recalls one of the Plaintiffs in these matters, R.M., telling him that "if you're good", "maybe the Sheriff will let you sit on this lap" during the special ride. Deposition of **J.H.** **Exhibit P** at P. 47-48, l. 19-14.

52. [REDACTED] P.C. also directly recalled Plaintiff, R.M., being one of the “kids that Mr. Bullock had picked up for court...” Deposition of [REDACTED] P.C. Exhibit J at P. 48, l. 8-13.

53. [REDACTED] J.H. also directly recalls discussing with his superior, [REDACTED] P.C. reports that Bullock would stop on back roads during juvenile transports. Deposition of [REDACTED] J.H. Exhibit P at P. 31-32, l. 24-4.

54. Mr. [REDACTED] J.H. recalled hearing that the “special rides” were being looked into based on “the different things [he] heard from employees as well as inmates.” Deposition of [REDACTED] J.H. Exhibit P at P. 47-48, l. 19-14.

55. Sheriff Bullock’s *modus operandi* in isolating juveniles for transport – without restraints, in the front seat, and without other adult oversight - is directly consistent with the details of abuse outlined by each Plaintiff in these matters. W.M. Deposition, Exhibit C at P. 254-255 l. 25-6; P. 25-4 [W.M. described an instance where Sheriff Bullock came alone, without the assistance or supervision of another officer to pick him up at the Hackettstown Police Station.]; W.M. Deposition, Exhibit C at P. 260, l. 18-21 [Upon entering the police station Bullock immediately removed W.M.’s handcuffs stating: “these won’t be necessary.”] W.M. Deposition, Exhibit C at P. 262, l. 4-15 [After leaving the police station, Bullock put W.M. in the front seat of his vehicle]; R.M. Deposition, Exhibit F at P. 574-575, l. 8-6 [In each instance in which R.M. was sexually abused by Bullock, the two of them were alone in the car together.] [R.M. was not handcuffed during the transport preceding the first instance in which he was sexually abused by Bullock.] R.M. Deposition, Exhibit F at P. 580, l. 3-5. [R.M. recalls being seated in the front seat of Bullock’s vehicle during the transport which led to the first instance in which he was sexually abused by Bullock.]; R.M. Deposition, Exhibit F at P. 369-371, l. 8-22. [C.C., described an instance where Bullock transported him alone, without the assistance or supervision of another officer.] C.C.

Deposition, **Exhibit D** at P. 365, l. 1-7. [Prior to taking C.C. to his car, Bullock immediately took C.C.'s handcuffs and shackles off.]

56. In addition, 'stopping on back roads' to initiate the sexual abuse in privacy is also directly consistent with the abuse outlined by each Plaintiff. W.M. Deposition, **Exhibit C** at P. 270, l. 6-11. [W.M. described being sexually abused by Bullock after in an area W.M. described as "... a farm road or I'm assuming a farm road. A field. It's a dead end. It's just between some cornfields]; R.M. Deposition, **Exhibit F** at P. 588, l. 5-7; P. 589, l. 16-21 [R.M. described the setting of the fourth instance in which he was abused by Bullock as "some wooden area."] C.C. Deposition, **Exhibit D** at P. 372, l. 5-24. [C.C. described the setting of his first instance of being sexually abused by Bullock as such: "The way [Bullock] went, we were driving along this little river, Bushkill Creek, or whatever it's called, or Pequest River, and the way he cut through there's a pullover..."]

IX. County Employees Observation of Bullock Massaging/Touching Juveniles, Isolating Juveniles in his Office, and Speaking Inappropriately to Juveniles.

57. Although more egregious sexual abuse occurred in the isolation of his vehicle, Sheriff Bullock did publicly display perverted touching within the Warren County Courthouse.

58. Senior Juvenile Probation Officer, **T.V.** recalls directly observing Bullock "put his hands on the kids, and a lot of times he would be massaging their shoulders." Deposition of **Exhibit K** at P. 36, l. 9-17.

59. Officer **T.V.** was unable to definitively say how many times she witnessed Bullock touch and massage juveniles backs and shoulders, but she estimates more than ten (10) such sightings. Deposition of **T.V.** **Exhibit K** at P. 91, l. 6-21.

60. Officer **T.V.** described Bullock's touching as follows:

Well, when, when he would come into court with, we would bring them down to the courtroom, he would stand behind them and he, he,

it was like he was standing there and he would have his hands on, on their shoulders and ah, kind of massage their shoulders for them.

Statement of **T.V.** February 7, 2014, **Exhibit Q** at P. 6.

61. Sheriff's Officer, **V.B.** also observed Bullock giving "affection to the boys", rubbing their shoulders or putting his hand on the juvenile's knee while talking to them. Deposition of **V.B.** **Exhibit O** at P. 145-146, l. 12-1.

62. Officer **V.B.** also recalled:

V.B. Um, he, he would ah, go over to Warren Acres or to the shelter by himself, most of the time when we did the transports it was always two of us, but he would go by himself um, to pick up the kids, you know a boy at the shelter or Warren Acres, um, bring them to court, take 'em into the holding room, go into the holding room with 'em. Or sometimes he wouldn't take them into the holding room, he would take them right into his office and keep the boy in his office until it was time for him to go into court.

Q: Is that unusual?

V.B. Yes, yes.

Q: Um, and when he would do that, would there ever be any comments made to you or in, in your proximity that you overheard about there being a boy in the office?

V.B. Yeah, there were times that I would be in the Squad Room and the Under Sheriff's would come into the Squad Room and make comments that they had to leave the office because Bullock has ah, one of the boys in the office.

Statement of **V.B.** December 16, 2013, **Exhibit N** at P. 7.

63. Observing Bullock inappropriately massage the shoulders of young juveniles in County custody occurred with such frequency that various County Sheriff's Officers jokingly called the practice - Bullock's "hands-on counseling." Deposition of **T.R.** **Exhibit L** at P. 147, l. 5-9.

64. Juvenile Detention Officer, **J.H.** also recalls his supervisor confirming a report that Bullock inappropriately touched a juvenile detainee. Deposition of **J.H.** **Exhibit P** at P. 34, l. 3-7.

65. In her investigation into Sheriff Bullock's pedophilic tendencies, State Trooper Debra Armitage, received a statement from a Warren County Sheriff's employee observing Bullock "kissing the boys on the head, rubbing their backs and shoulders and patting them on the buttocks" – which she understood to be "an ongoing behavior." Deposition of Detective Armitage, **Exhibit R** at P. 43-44, l. 1-3.

66. Even in the Warren County Courthouse, Bullock sought privacy with the young boys in his office. Senior Juvenile Probation Officer **T.V.** recalls: "... he would take the kid - - the kids in one at a time into his office. He would close the door, and make it known to his people that he wasn't to be disturbed, and that to me seemed rather strange." Deposition of **T.V.** **Exhibit K** at P. 39, l. 1-17.

67. Sheriff's Officer **T.R.** recalled the 'love look' that would come over Bullock when 'selecting' a child for transport or to take to his office:

Q: You described a look he would get?

T.R. Yes that was kind of like the big joke, he would look over and then he would like have a, we used to call it his love look. It was like a, a puppy dog, pouty look and it, it was just disgusting yeah.

Q: So you would know from that look that he'd picked somebody out?

T.R. Oh absolutely, it was ...

Q: And you would know....

T.R. ...obvious.

Q: ...you knew instinctively that that person was going to get ah, a transported by the Sheriff?

T.R. Either transported or end up in his office with you know, he wou...would usually close the door and stuff so...

Statement of **T.R.** December 26, 2013, **Exhibit M** at P. 5.

68. Sheriff Bullock's *modus operandi* in isolating juveniles for in his office – with the door shut, without other adult oversight, and leading to Bullock eventually rubbing the juvenile's shoulders - is directly consistent with the details of abuse outlined by each Plaintiff in these matters. W.M. Deposition, **Exhibit C** at P. 211-212, l. 13-1 [W.M. recalls "The first time I met the sheriff was a few minutes before he molested me in his office. I was taken from the holding cell across the hall to the locker room in front of a string of jail cells. There was a room with a bench and a window for juveniles. He took me from there into his office. Got me out, unlocked the door, got me out, took me across the room into his office, the hall, closed the door behind us. There was – on the right side there was like a table full of stuffed animals and there was toys and stuff like that and candy and assorted paraphernalia for kids. Took me and was real touchy-feely, pulling me close and taking me in. And he used to do this thing where he liked to put his cowboy hat on me."] R.M. Deposition, **Exhibit F** at P. 103-104, l. 20-5; P.105 l. 6-8 [When R.M. was asked if Bullock to him to his office "every single time", R.M. stated Bullock would take him to his office approximately ninety-five percent (95%) of the time. Once R.M. was in Bullock's office, Bullock would give him back rubs.] C.C. Deposition, **Exhibit D**, l. 13-18; P. 368, l 22-25. [C.C. recalls Bullock bring him into his office for over an hour with the door closed. While C.C. was in Bullock's office unsupervised and with the door closed, Bullock would "come and rub your shoulders as he was talking to you."]

X. Bullock's 'Type' or Preference of Child Victim

69. Over time, County officials became so well-versed in Sheriff Bullock's attraction for certain young boys – that Bullock's "type" or preference in child victim became known and predictable.

70. By as early as 1983, County officials recognized a 'disturbing' pattern. Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 113, l. 5-14.

71. [REDACTED] P.C. [REDACTED] Juvenile Detention Officer from 1981 to 1990, testified that:

everyone was involved in conversations with the way Sheriff Bullock would pick certain kids up, usually kids with blonde hair and blue eyes, in his private vehicle and have them sit up front with him without handcuffs or shackles on, which the normal protocol for that was two sheriffs officers picking them up in a squad car with the barrier between the front and back seat and the juvenile would be in the back seat handcuffed and shackled.

Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 4-12.

72. Senior Juvenile Detention Officer [REDACTED] P.C. [REDACTED] communicated her concerns about Bullock with Warren County Sheriff's Officer [REDACTED] T.R. [REDACTED] that "he would always take the blue-eyed, blond-haired kids, males, never a female or a minority or anything like that, but just the blond-haired, blue-eyed kids to court instead of having the sheriff's officers pick them up."

Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 58, l. 18-22.

73. During the entirety of her tenure with the County (1981 – 1990) and the many juvenile transports she witnessed, [REDACTED] P.C. [REDACTED] never once saw Sheriff Bullock transport an African American boy, a Hispanic boy, an Asian boy, or any females. Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 113-114 l. 18-5. When asked if Bullock transported white juvenile males "almost exclusively", she clarified "Exclusively. Not "almost exclusively."" Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 113, l. 13-14.

74. Warren County Probation Officer from 1976 to 1995, [REDACTED] T.V. recalled instances where "everybody laughed because Sheriff Bullock then showed up with a juvenile blonde-haired and blue-eyed." **Exhibit K** at P. 98, l. 2-5.

75. When questioned "why everybody was laughing?", Ms. [REDACTED] T.V. relayed the disturbing "type" or "preference" in certain boys that Bullock showed attraction for:

THE WITNESS: Because I think it was - - by that time it was kind of - - in looking back on it, it was really kind of sick on our part.

MR. HOWARTH: I'm sorry?

THE WITNESS: Looking back on it, it was kind of sick on our part to be so cavalier about the fact that he had a type.

MR. HOWARTH: He had what?

THE WITNESS: The sheriff had a type.

Deposition of [REDACTED] T.V. **Exhibit K** at P. 98, l. 7-15.

76. Ms. [REDACTED] T.V. also testified that during her time employed at the Courthouse there was a "consensus of opinion" that Sheriff Bullock liked boys. Deposition of [REDACTED] T.V. **Exhibit K** at P. 99, l. 4-11.

77. The same fondness was not observed from Bullock to female juvenile detainees. Ms. [REDACTED] T.V. never recalls Sheriff Bullock rubbing the back of a female juvenile detainee and further clarified:

I firmly believe that Bullock had issues with females. He would - - he had - - he obviously had issues with me. I mean, he wasn't blatant with me, but he had issues with me because I had a position of authority. He usually referred - - you know, referred to mothers as - - I don't know if they were all sluts or not, but that was pretty much the - - his overall opinion, and I mean, that was an unfair characterization of

anybody.

Deposition of **T.V.** Exhibit K at P. 99-100, l. 19-2.

78. Sheriff's Officer **V.B.** had a similar recollection:

Q: Did you also say that um, he would refer to the female prisoners differently?

V.B. Uh huh.

Q: And how would he, how would he interact with them and/or refer to them as?

V.B. Oh ah, he would call them, ah, ah, little whores, little sluts, ah, this is why the boys have ah, problems it's because of these girls um, you know. There, there was a lot of things ah, he would say that, that really upset me because of me, a lot of the times the other officers would laugh about it, but then it really hit home with me because of me being a female. But because he was the Sheriff, he was my boss I mean I couldn't say anything to him but it was disturbing at the time.

Statement of **V.B.** December 16, 2013, Exhibit N at P. 13-14.

79. **T.R.** in his positions as an employee of the Shelter and Warren Acres from 1984 to 1985, and as a Warren County Sheriff's Officer, directly under Sheriff Bullock, from 1985 to 2003, had a unique vantage point to observe the conduct of Sheriff Bullock with regard to his treatment of young boys in County custody.

80. Sheriff's Officer **T.R.** observed that Bullock showed a preference for young boys, "9 to 13, 14" with "blonde hair and blue eyes" who came from "a broken home." Deposition of **T.R.** Exhibit L at P. 90-93, l. 14-17.

81. Sheriff's Officer **T.R.** also recalled Bullocks open disdain for girls in County custody:

Well [Bullock] definitely didn't have any interest in the female girls. He used to tell the boys that the, the girls are no good and if you're going to you know, stay hanging out with her, you know, you're always going to get in trouble. It was because of the girls that, that these kids are always in trouble, that the girls are no good. So [Bullock] would basically tell them [the male juvenile detainees] to stay away from the girls.

Statement of [T.R.] December 26, 2013, **Exhibit M** at P. 6.

82. [T.R.] was married to [L.R.] in 1986. [L.R.] was the personal secretary to [J.C.] – the Director in charge of the Youth Shelter and the Warren Acres.

83. County Officials watched Sheriff Bullock, a six (6) foot six (6) inch man of authority, groom a certain “type” of young victims so pervasively, that when Ms. [L.R.] brought her newborn baby to the Warren County Courthouse to visit her husband the following transpired:

.... I just remember, and this is a terrible thing, but when I had my son, and I brought him into the courthouse to be shown, and I cannot tell you who said it, you think I would remember such a comment, but my son was born with a lot of black hair, a lot of black hair and somebody made the comment to me, “be thankful he’s not blonde”.

Q. That upset you?

A. That upset me.

Deposition of [L.R.] **Exhibit S** at P. 105, l. 1-11.

XI. General Knowledge of Problem – Years Before the Plaintiffs’ Abuse.

84. The common thread throughout the majority of witness testimony in these matters was Bullock’s undeniable predatory behavior to specific young boys in County custody.

85. However, equally pervasive and well-known was the general knowledge of Bullock’s pedophilic tendencies by the County Officials who witnessed Bullocks’ behavior each day - for years.

86. Warren County Senior Juvenile Detention Officer [REDACTED] P.C. recalls having a conversation with Sheriff's Officer, [REDACTED] T.R. about how Bullock "would always take the blue-eyed, blonde-haired kids, males, never a female or minority or anything like that, but just the blonde-haired, blue-eyed kids to court instead of having the sheriff's officer pick them up." Deposition of [REDACTED] P.C. Exhibit J at P. 58, l. 16-25. Ms. [REDACTED] P.C. recalls not just her and Officer [REDACTED] T.R. having that knowledge – "everybody knew what was going on." Deposition of [REDACTED] P.C. Exhibit J at P. 58, l. 16-25.

(A). [REDACTED] P.C. – Juvenile Detention Officer from 1981-1987 and Senior Juvenile Detention Officer from 1987-1990.

87. [REDACTED] P.C. developed a clear understanding of a problem with Bullock isolating young boys in his office:

A. I had a feeling that there might be something going on other than him just giving them candy behind his office door.

Q. But at that point there was no clear indication that anything was going on. Is that correct?

A. Oh, it was pretty clear that something a little fishy was going on there.

Q. Okay. And when you say something was fishy, what was fishy? That he was showing this preferential treatment?

A. Oh, definitely.

Deposition of [REDACTED] P.C. Exhibit J at P. 83-84, l. 8-3.

88. Officer [REDACTED] P.C. concerns for the childrens' well-being were not remote or tangential. Quite the opposite, Ms. [REDACTED] P.C. believed the young boys that Bullock isolated were "in danger" and had the direct suspicion that the children were being molested:

Q. Okay. Now, when did you first start to have

concerns with respect to Sheriff Bullock's behavior?

A. Right away because it just wasn't protocol to take juveniles out the way he was taking them.

Q. And you had indicated earlier that in addition to not following protocol, you thought there was something more to it.

A. Yes.

Q. Is that accurate?

A. Yes.

Q. What did you think possibly was going on?

A. I - - I wasn't really sure, but I knew something not proper was going on, that [Bullock] would just pick certain individuals and give them privileges that the others didn't have.

Q. Did it ever - - well, why did you report it to [Director] J.C.

A. Because to me [Bullock] was giving them preferential treatment and there had to be something behind that.

Q. Did you have concerns for the children's well-being?

A. Yes.

Q. Did you have concerns that the children may be in danger?

A. Yes.

Q. Did you think the children may be in danger?

A. Yes.

Q. Okay. Was that part of the reason you reported it to [Director] J.C.

A. Yes, it was.

Q. Did you think it was possible the children were being inappropriately molested?

A. I had that suspicion.

Q. Is that part of the reason you reported it to [Director] J.C.

A. Yes.

Deposition of P.C. Exhibit J at P. 116-117, l. 22-22; P. 118, l. 3-14.

89. Juvenile Detention Officer, P.C. identified something wrong with Sheriff Bullock's behaviors toward boys in 1983 - when she first "became a full-time employee and saw the day-to-day operations of how transports were done." Deposition of P.C.

Exhibit J at P. 111-112, l. 20-4.

90. 1983 was approximately four (4) years before the first time W.M., was molested by Sheriff Bullock. 1983 was approximately four (4) years before the first time R.M., was molested by Sheriff Bullock. 1983 was approximately five (5) years before the first time C.C., was molested by Sheriff Bullock.

(B). T.V. - Senior Juvenile Probation Officer from 1976-1984 and Senior Juvenile Probation Officer from 1984-1991.

91. Senior Juvenile Probation Officer, T.V. testified that there was "a consensus of opinion that Sheriff Bullock liked boys" during her tenure (1976-1991). Deposition of T.V. Exhibit K at P. 99-100, l. 4-3.

92. Officer T.V. recalls being "concerned, but [she] didn't know what to do about it, or how to - or who to approach about it." Deposition of T.V. Exhibit K at P. 35-37, l. 21-3.

93. Officer **T.V.** started to see a pattern develop of Bullock showing attraction for young boys in County custody by the end of her first year on the job – 1984. Deposition of **T.V.** **Exhibit K** at P. 28-29, l. 23-2; P. 33, l. 7-13.

94. 1984 was approximately three (3) years before the first time W.M., was molested by Sheriff Bullock. 1984 was approximately three (3) years before the first time R.M., was molested by Sheriff Bullock. 1984 was approximately four (4) years before the first time C.C., was molested by Sheriff Bullock.

(C). **V.B.** - Sheriff's Officer from 1985-1988 and Sergeant in the Warren County Sheriff's Office from 1988-1991.

95. Sheriff's Officer, **V.B.** recalls "five employees, [that] made comments about the Sheriff and boys" and that Bullock's "interest for boys" was general knowledge in the courthouse. Deposition of **V.B.** **Exhibit O** at P. 134, l. 14-16; P. 145-146, l. 12-1.

96. According to Sheriff's Officer **V.B.** "it was general knowledge in the courthouse. It was almost like it was a running joke. People would see Bullock walking down, ah, the hallway with a boy and snicker and laugh about it." Deposition of **V.B.** **Exhibit O** at P. 145-146, l. 12-1.

97. According to Sheriff's Officer **V.B.**

I, I started to hear about it from ah, the other officers that I worked with that were there prior to me ah, making jokes ah, in the Squad Room about Bullock um, when one of the boys names would be down for pick up at Warren Acres or the, or the shelter to, to um, bring 'em to court or bring them to a doctor's appointment or take to um, Family Guidance or to a counselor, ah, they would make jokes and say oh, just put the Sheriff's name down there cause you know no one else is going to get that trip. Um, and then um, I never commented or never asked any questions, they would um, just offer, volunteer the information, oh you do know about the Sheriff, don't you. No and then they would say, well he likes boys.

Statement of **V.B.** December 16, 2013, **Exhibit N** at P. 5.

98. When asked if certain detectives in the Warren County Prosecutor's Office were aware of Bullock, **V.B.** was clear that knowledge of Bullock's proclivities was very widespread:

V.B. Ah, he was the same way, he felt that when he was in the Prosecutor's Office, well he was a detective at the time, I was a Sheriff's Officer and he felt the same way that, that everyone knew, had general knowledge but nobody would do anything about it because there was politics involved and there was too many um, it would have been too much of a scandal in Warren County. So...

Q: So, is it, it your impression or your belief that people like the judges, people like the Prosecutor or the Deputy Chief or the Under Sheriffs, people with authority ..."

V.B. Yeah.

Q: ...were aware that there was a problem with Bullock with his interest in young boys?

V.B. Yes.

Q: No doubt in your mind?

V.B. There's no doubt in my mind, went right to the Probation Department to Criminal Case Management, the Clerk's Office, the...

Q: Everybody there...

V.B. ...Surrogate's Office. It was ah, it was general knowledge, I mean people would make remarks all the time in the courthouse, from every area, every department.

Q: Ok. All right um...

V.B. I, I remember when I went to the Police Academy ah, I was only employed there three months in the Sheriff's Department and I had cadets at the Police

Academy say to me oh, you work for that Sheriff whose a faggot. And it was like embarrassing, it was like, well I don't, I don't know about that.

Q: This was at the Academy?

V.B. This was at the Academy, this was cadets from other, from other counties would say that. So they heard it through someone. Um, I went, well that's the other part, I went through the Academy with Jeff Wright who was a Sheriff's Officer at the time. So he could remember that because we, Je... ah, Jeff and I would sit out in the parking lot and talk about it. Isn't it embarrassing that other people even outside the county know about the Sheriff.

Statement of **V.B.** December 16, 2013, **Exhibit N** at P. 26-27.

99. **V.B.** first became a Sheriff's Officer in 1985, so her time in the academy must have been prior to that.

100. Sheriff Bullock's inappropriate attention and actions toward boys was brought to Officer **V.B.** attention within "a few weeks" after she began working at the Sheriff's Department – which was in 1985. Deposition of **V.B.** **Exhibit O** at P. 132-133, l. 24-14.

101. 1985 was approximately two (2) years before the first time W.M., was molested by Sheriff Bullock. 1985 approximately was approximately two (2) years before the first time R.M., was molested by Sheriff Bullock. 1985 was approximately three (3) years before the first time C.C., was molested by Sheriff Bullock.

(D). **T.R.** – Second Shift Supervisor at the Warren County Youth Shelter and the Warren County Juvenile Detention Center from 1984-1985 and Warren County Sheriff's Officer from 1985-2003.

102. Warren County Sheriff's Officer, **T.R.** recalls fellow County employees discussing rumors that not only did Sheriff Bullock have "an interest in the boys" – but that the Sheriff "actually abused the boys." Deposition of **T.R.** **Exhibit L** at P. 84-85, l. 25-17.

103. When fellow officials would say “the Sheriff likes little boys”, Officer **T.R.** understood the implied meaning to be that Bullock “had sexual favors with the little boys.”

Deposition of **T.R.** Exhibit L at P. 88-89, l. 15-13.

104. Despite Sheriff’s Officer **T.R.** testimony of the daily discussions and repeated observations of Bullock’s sexual proclivities for young boys, he was of course unable to witness the sexual abuse ‘firsthand’. When questioned about this distinction, Officer **T.R.** testified:

Q. What’s implied?

A. That [Bullock’s] had sexual favors with the little boys.

Q. Okay. But you had no personal knowledge of any such sexual favors, correct?

A. Personal? No. No personal knowledge.

Q. Did anyone come to you and say that they knew, for a fact, that Sheriff Bullock sexually abused any juvenile during the period of time from when you began in the Sheriff’s Office until November of 1991?

A. Personal knowledge? No. You would have had to have been there. I mean, that’s not a fair question, I think.

Q. Okay. Tell me why that is not a fair question.

A. Because you are implying that the person would have to be – while he’s doing the act. What pedophile is going to have people watching? You really have to be sick to do that. I don’t know.

Deposition of **T.R.** Exhibit L at P. 88-89, l. 15-13.

105. According to Officer **T.R.** however, “it wasn’t a secret...[t]hat he liked little boys.” Deposition of **T.R.** Exhibit L at P. 131-132, l. 16-15.

106. This knowledge of Bullock's purulent attraction to juveniles in County custody was so pervasive and well-known that it was a running 'joke' within County facilities:

Q. And what was that joke?

A. That he liked little boys. I mean, it wasn't a secret.

Q. When you say a "joke," do you mean, like, people would laugh at that, joke?

A. It would be, "Oh. Did you see the Sheriff with the little boys in his office? Ha, ha, ha." I mean, yeah.

Q. And people would laugh about it?

A. Yes.

Deposition of **T.R.** Exhibit L at P. 131-132, l. 16-15.

107. Officer **T.R.** also recalled:

Q: Ok. Were you ever there or present in the Squad Room when the Under Sheriffs would come out because Bullock had somebody in the office with him? Were there ever any comments made about that?

T.R. Oh there were comments on a daily basis. Oh, absolutely, ha, ha, ha, oh the Sheriffs got a kid in his office now you know, and they'd get like a little smirk or a giggle or it was just understood kind of throughout the whole courthouse that Sheriff Bullock was interested in boys.

Statement of **T.R.** December 26, 2013, Exhibit M at P. 4-5.

108. According to Sheriff's Officer **T.R.**

Everybody that was involved in the Warren County Courthouse and the surrounding politics knew. Absolutely, it wasn't a secret, there just wasn't a secret.

Statement of **T.R.** December 26, 2013, Exhibit M at P. 9.

109. Beyond the jokes, however, Sheriff's Officer **T.R.** believed that Sheriff Bullock was actually "committing a crime" in his interactions with the boys. Deposition of **T.R.** **Exhibit L** at P. 131-132, l. 16-1

110. Sheriff Bullock's inappropriate attention and actions toward young boys in County custody was brought to Officer **T.R.** attention within soon after he began working at the Sheriff's Department – which was in 1985. Deposition of **T.R.** **Exhibit L** P. 47-48, l. 17-8.

111. 1985 was approximately two (2) years before the first time W.M., was molested by Sheriff Bullock. 1985 approximately was approximately two (2) years before the first time R.M., was molested by Sheriff Bullock. 1985 was approximately three (3) years before the first time C.C., was molested by Sheriff Bullock.

(E). **J.H.** – Warren County Juvenile Detention Officer from 1985-1987.

112. Juvenile Detention Officer, **J.H.** also recalls persistent discussions of Bullock's behavior targeting young boys. Deposition of **J.H.** **Exhibit P** at P. 12, l. 12-15. These discussions would take place between "[t]he supervisors and other JDOs (Juvenile Detention Officers) that [Bullock] worked with." Deposition of **J.H.** **Exhibit P** at P. 12, l. 12-15.

113. The discussions were not based on vague suspicions, but direct conversations about alarming details of Bullock's transports, "such as stopping along the road or coming back late or going on special ice cream rides...." Deposition of **J.H.** **Exhibit P** at P. 43 l. 12-24.

114. These details were communicated to **J.H.** by his "supervisors." Deposition of **J.H.** **Exhibit P** at P. 43 l. 12-24.

115. The schoolteacher assigned to Warren Acres also reported to Officer **J.H.** that "things are funny" regarding Bullock's treatment of the children. Deposition of **J.H.** **Exhibit P** at P. 43 l. 12-24.

116. J.H. believed several of his fellow employees at Warren Acres had "information of Bullock touching a child", including Sharon [the facility teacher], P.C. [Senior Juvenile Detention Officer], three (3) girls who worked with him, and the secretary of the facility. Deposition of J.H. Exhibit P at P. 49, l. 4-8.

117. Perhaps most disturbing, Juvenile Detention Officer J.H. expressly recalls that "the kids would mention it, too." Deposition of J.H. Exhibit P at P. 12, l. 12-15.

118. Given the common knowledge and frequent discussions, Officer J.H. couldn't understand why Bullock was allowed to continue to conduct transports:

Q. Okay. All right. Did you ever hear of the sheriff ever abusing any of the kids during period of time that you were employed at Warren County?

A. It was always talked about. That's what I'm saying so. Was it reported? It should have been. Did I hear things? Yeah. The other staff always talked about it. I don't understand why. He was still transporting. You know, there was a lot of rumors, but it just seemed to go unanswered.

Deposition of J.H. Exhibit P at P. 12, l. 12-25.

119. J.H. worked as an Officer of Warren Acres from approximately 1985-1987. Deposition of J.H. Exhibit P at P. 11, at l. 22-24.

120. 1985 was approximately two (2) years before the first time W.M., was molested by Sheriff Bullock. 1985 approximately was approximately two (2) years before the first time R.M., was molested by Sheriff Bullock. 1985 was approximately three (3) years before the first time C.C., was molested by Sheriff Bullock.

XII. Reporting of the Problem and the Failure to Act

121. In addition to Bullock's depraved interest in boys being 'general knowledge', many individuals did take the step of reporting their concerns for the safety of the children to their

superiors within the County. After each such reporting, however, nothing happened to stop the abuse or eliminate Bullock's unfettered access to the children in County custody.

(A). **J.H.** - Warren County Juvenile Detention Officer from 1985-1987.

122. Juvenile Detention Officer, **J.H.** reported his concerns regarding Sheriff Bullock, to his direct supervisor – **P.C.** (Senior Juvenile Detention Officer). Deposition of **J.H.** Exhibit P at P. 40, l. 6-21.

123. Juvenile Detention Officer **J.H.** recalls Senior Officer **P.C.** advising him that she *already* reported those same concerns to her direct supervisor **J.C.** (Director of Warren Acres and the Shelter). Deposition of **J.H.** Exhibit P at P. 40, l. 6-21.

124. Unfortunately, despite Officer **J.H.** direct reporting to Senior Officer **P.C.** and Ms. **P.C.** direct reporting to the man in charge of both facilities (**J.C.** – Officer **J.H.** recalls no action was ever taken to protect the kids:

Q. Okay. Did anybody discuss looking into it back when you were working there?

A. It was mentioned that it was supposed to be looked into, but it never followed through.

Q. Okay, who mentioned that it was supposed to be looked into?

A. Again, **P.C.** **P.C.**

Q. Who –

A. **P.C.** – I believe **P.C.** the one that reported it to **J.C.** and it was brushed away.

Deposition of **J.H.** Exhibit P at P. 16, l. 8-17.

Q. What makes you think that **P.C.** reported this to **J.C.**

A. Because she told me she did.

Q. Okay. And what did she say to [REDACTED] J.C. [REDACTED]

A. I don't know what she said to him but that whole thing was she reported it and she was told that kids tend to make up stories and not to worry about it.

Deposition of [REDACTED] J.H. [REDACTED] Exhibit P at P.16-17, l. 22-4.

(B). [REDACTED] P.C. [REDACTED] – Warren County Juvenile Detention Officer 1981-1987 and Warren County Senior Juvenile Detention Officer 1987-1990.

125. Senior [REDACTED] P.C. [REDACTED] corroborates [REDACTED] J.H. [REDACTED] reporting to her about Bullock and recalls

“other subordinates” also reporting similar concerns:

A. I - - like I - - there were a lot of college kids that were in and out of there [Warren Acre and the Youth Shelter] that would work like during the summer and on holidays, and those would be the ones that would notice it, too.

Q. Okay. And they would tell you that?

A. Yes.

Exhibit J at P. 119-120, l. 21-9.

126. Senior Officer [REDACTED] P.C. [REDACTED] also recalls direct conversations with juveniles in County custody, regarding such things as “Sheriff Bullock giving them candy or letting them ride, you know, not restrained....” Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 127-128, l. 21-4.

127. [REDACTED] P.C. [REDACTED] also had her own concerns that she felt compelled to report to her concerns to her superior [REDACTED] J.C. [REDACTED] (Director of Warren Acres and the Shelter). Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 118, l. 3-14. In particular, Ms. [REDACTED] P.C. [REDACTED] thought “the children may be in danger” and she was directly suspicious that “... the children were being inappropriately molested.” Deposition of [REDACTED] P.C. [REDACTED] Exhibit J at P. 118, l. 3-14.

128. Combining the concerns reported to her from fellow County employees (**Exhibit J** at P. 120, 16-23), reports from County juveniles themselves (**Exhibit J** at P. 127-128, l. 21-4), and her own suspicions that the children were in danger (**Exhibit J** at P. 120-121 l. 16-1), Ms.

P.C. expressly recalls making a direct reporting to her supervisor – **J.C.** – the Director and person in charge of overseeing both Warren Acres and the Shelter:

Q. All right. Now, when you heard that information, that the State Police were doing an investigation of Sheriff Bullock, did that heighten your suspicion of Sheriff Bullock?

A. Well, I had gone to **J.C.** before that and told him I had suspicions on something not right being done just by the way he would pick up certain kids and, like I said, unshackled in his personal vehicle in the front seat with him. And then they would tell me that when they got to the courthouse, the normal procedure was to go in a holding room until your court case was called. He would take them in his office behind closed door, just him and the juvenile, and they said he gave them candy.

Deposition of **P.C.** **Exhibit J** at P. 55-56, l. 15-3

Q. Okay. All right. What, if anything, happened, to your knowledge, when you advised - -

A. Nothing. But when I went into **J.C.** and told him, he just had his arms like this and was - - (indicating) - - smiling and nodding his head.

Deposition of **P.C.** **Exhibit J** at P. 56, l. 12-16

Q. And he was nodding his head?

A. Yes. I took it as an indication that he agreed with me that something was going on.

Deposition of **P.C.** **Exhibit J** at P. 56, l. 22-24

Q. Did you think the children may be in danger?

A. Yes.

Q. Okay. Was that part of the reason you reported it to J.C.?

A. Yes, it was.

Q. Did you think it was possible the children were being inappropriately molested?

A. I had that suspicion.

Q. Is that part of the reason you reported it to J.C.?

A. Yes.

Deposition of P.C. Exhibit J at P. 118, l. 3-14

129. Despite Officer P.C. concerns, rising to the level of questioning the County children's safety and clear suspicions of sexual abuse, her reporting to the head of both County youth facilities was in no way acted upon:

Q. After you made the report to J.C. subsequent to that, was Sheriff Bullock still transporting children in the same manner?

A. Yes.

Deposition of P.C. Exhibit J at P. 129, 11-14.

(C). L.R. - Secretary – Clerk Typist at the Warren County Youth Shelter from March 1985-May 1985 and Clerk Stenographer/Senior Clerk Stenographer at the Warren County Juvenile Detention Center and Warren County Youth Shelter from May 1985-1991.

130. L.R. was employed by the County in the capacity of J.C. direct and personal secretary from 1985 to 1991. Deposition of L.R. at P. 20-21, l. 14-4.

131. Ms. **L.R.** recalls how suspicious Bullock's transports of the juveniles was:

L.R. There were times when yes, he'd pick up boys on his own, like I would be surprised that the Sheriff's Department wasn't coming cause there usually always was a, an official car um, there usually were two officers that came, um, I was usually by the front door so they'd have to come in. A lot of times I was the one who unlocked the door. Um, but there were times when Mr. Bullock would pick them up in it was, it was a vehicle, it was his county vehicle, but it wasn't like an official Sheriff's vehicle, it was like...

Q: It wasn't a marked car?

L.R. Yeah, it was like, almost like a big town car kind of thing that he would, he would pick them up himself. Um, one I time I remember sitting at my desk and noticing that he didn't put the kid in the back seat, he put the kid, I remember he put the kid in the front seat, I don't remember who that was, but I remember the kid got in the front seat, not in the back seat, which I kind of thought was odd that you were transporting somebody from juvenile detention that way.

Statement of **L.R.** December 26, 2013, **Exhibit T** at P. 6.

132. During her tenure as Director **J.C.** secretary (1985 to 1991) she reported her suspicions of Bullock to **J.C.** more than once:

Q. Okay. All right. Now, you talked about your suspicions with **J.C.** on two occasions. Is that right?

A. At least two, yes.

Deposition of **L.R.** **Exhibit S** at P. 112-113, l. 22-8.

133. When Ms. **L.R.** reported her concerns to her boss, **J.C.** she quickly learned that **J.C.** had no intention of addressing the problem:

I had asked [J.C.] one time, I said, do you think there's anything real bel... belief, what they say about you know, you know, do you think it's odd that the Sheriff is picking up you know, certain kids by himself and [J.C.] would just say, you know, some things are like you know, you know, um, you know, better, better you don't know, was kind of the comment.

Statement of [L.R.] December 26, 2013, **Exhibit T** at P. 7.

Q. Okay. So my question then would be, did you – previous to that did you talk to [J.C.] about the suspicions that you and [L.R.] had?

A. Previous to that?

Q. Yes.

A. Well, yeah, because I ran it past him a Couple times. I said to him, "Don't you think that was odd behavior? Don't you think, this is weird that they're saying this kind of stuff? It's weird." But he would never say one way or the other. He would just say, "well, you know, some things are better not known", or, you know, "well, he is the sheriff", like, you don't want to mess with authority. Like, don't do that.

Q. Why did you take your suspicions to [J.C.]

A. Because it was something that I thought needed to be addressed. I mean, if it was suspicious, did he know something? I mean, didn't he think it was odd.

Deposition of [L.R.] **Exhibit S** at P. 114-115, l. 3-6.

134. [J.C.] was equally "hands-off" when law enforcement later sought information about Bullock. According to his secretary:

So, and I had asked Jerry [J.C.] I said, do you think it's a good idea that we say anything [to law enforcement]. And he just kind of said, he goes, well maybe it's time somebody said something. I remember him, yes, he did, he said that. He said you know, but, he goes but I don't want to talk to her.

Statement of [REDACTED] L.R. [REDACTED] December 26, 2013, at P. 9.

XIII. Director [REDACTED] J.C. [REDACTED] Failure to Recollect All Things Bullock.

135. [REDACTED] J.C. [REDACTED] first became employed at Warren Acres as a Juvenile Probation Officer in 1977. Deposition of [REDACTED] J.C. [REDACTED] Exhibit A at P. 10, l. 4-18.

136. By 1981, [REDACTED] J.C. [REDACTED] was appointed Director of Warren Acres and the Shelter – a position which, according to him, came with the “ultimate authority of the facility.” Deposition of [REDACTED] J.C. [REDACTED] Exhibit A at P. 23, l. 17-18; P. 16, l. 15-20.

137. [REDACTED] J.C. [REDACTED] tenure as Director lasted from 1981 until 1991. Deposition of [REDACTED] J.C. [REDACTED] Exhibit A at P. 23, l. 17-18.

138. As Director, [REDACTED] J.C. [REDACTED] reported to the Warren County Board of Chosen Freeholders. Deposition of [REDACTED] J.C. [REDACTED] Exhibit A at P. 40, l. 6-9.

139. Accordingly, [REDACTED] J.C. [REDACTED] had the “ultimate authority” of the facility when Bullock first secured the Warren County Sheriff’s Office (1981), through Bullock’s confession (1991). Deposition of [REDACTED] J.C. [REDACTED] Exhibit A at P. 16, l. 15-20.

140. Part of [REDACTED] J.C. [REDACTED] “ultimate authority of the facility”, was the direct responsibility for the safety and security of the children housed within:

Q. Okay. What did ultimate authority of the facility mean?

A. I would be charged with the security and welfare of those housed within and supervision of the staff who ensured that actually occurred.

Q. Okay. “Those housed within,” you mean the children?

A. Yes.

Deposition of [REDACTED] J.C. [REDACTED] Exhibit A at P. 16-17, l. 15-3.

141. By many accounts, Director **J.C.** was in the best position to recognize the clear danger to children in County custody posed by Sheriff Bullock and take corrective action to stop it.

142. During his decade long tenure as Director, **J.C.** reported to work each day to his office within Warren Acres. Deposition of **J.C.** **Exhibit A** at P. 23, l. 17-21. From his office window, **J.C.** had a clear view of the area juveniles from the facility would be picked-up or dropped-off for transports to and from the facility:

Q. Now, do you know whether or not - - do you know whether or not Mr. **J.C.** ever observed Sheriff Bullock transporting any juvenile?

A. I'm sure he did.

Q. Why do you say that?

A. He had a window in his office that he could look out and see, like the place where they would stop and the sidewalk coming in.

Deposition of **P.C.** **Exhibit J** at P. 129, l. 7-14.

143. Despite his window view, **J.C.** denies any recollection of Bullock's alarming transports. In particular, **J.C.** denies any recollection of a juvenile sitting in the front seat when being transported by Bullock, to or from County facilities [Deposition of **J.C.** **Exhibit A** at P. 85, l. 14-17]; **J.C.** denies any recollection of a juvenile being transported by Sheriff Bullock without being accompanied by another Sheriff's Officers [Deposition of **J.C.** **Exhibit A** at P. 127-128, l. 5-9]; and **J.C.** denies any recollection of Sheriff Bullock volunteering to transport minors from either facility. [Deposition of **J.C.** **Exhibit A** at P. 129-130, l. 12-10].

144. **J.C.** even categorically denies even having 'suspicions' that Sheriff Bullock had inappropriate contacts with children or displayed any pedophilic tendencies. Deposition of **J.C.** **Exhibit A** at P. 148-149, l. 12-16.

145. **J.C.** denies any recollection of conversations with fellow County employees about Bullock's fondness for young boys. Deposition of **J.C.** **Exhibit A** at P. 148-149, l. 12-16

146. **J.C.** denies having any recollection of conversations with Warren County Sheriff's Officers about Bullock's fondness for young boys. Deposition of **J.C.** **Exhibit A** at P. 148-149, l. 12-16.

147. **J.C.** denies any recollection of any conversation with a parent of a juvenile regarding Bullock's fondness or inappropriate contact with young boys. Deposition of **J.C.** **Exhibit A** at P. 150, l. 2-7.

148. Similarly, **J.C.** denies any recollection of **L.R.** (his secretary) reporting or raising concerns about Bullock's inappropriate contact with children. Deposition of **J.C.** **Exhibit A** at P. 150-151, l. 14-12.

149. Contrary to **J.C.** denial, **L.R.** testified that she reported her concerns, regarding Bullock, directly to **J.C.** "at least twice." Deposition of **L.R.** **Exhibit S** at P. 112-113, l. 22-8

150. After one such reporting, **L.R.** recalls **J.C.** directly advising her "you know, somethings are better not known" and "well, he is the sheriff", like, you don't want to mess with authority. Like, don't do that." Deposition of **L.R.** **Exhibit S** at P. 114-115, l. 3-6.

151. **J.C.** even denies any recollection of hearing rumors – let alone direct reportings - about Sheriff Bullock's inappropriate contact with children in County custody.

152. In addition to the direct reporting of concern by **L.R.** "at least twice", Senior Juvenile Detention Officer **P.C.** testified that she also felt compelled to report her concerns to her superior - **J.C.** (Director of Warren Acres and the Shelter). Deposition of **P.C.** **Exhibit J** at P. 118, l. 3-14.

153. In particular, Ms. **P.C.** thought "the children may be in danger" and she was suspicious "... the children were being inappropriately molested." Deposition of **P.C.** **Exhibit J** at P. 118, l. 3-14.

154. Juvenile Detention Officer **P.C.** testimony of reporting her concerns directly to **J.C.** is corroborated by Juvenile Detention Officer **J.H.**

Q. Okay. Did anybody discuss looking into it back when you were working there?

A. It was mentioned that it was supposed to be looked into, but it never followed through.

Q. Okay. who mentioned that it was supposed to be looked into?

A. Again, **P.C.** | **P.C.**

Q. Who –

A. **P.C.** – I believe **P.C.** the one that reported it to **J.C.** and it was brushed away.

Deposition of **P.C.** **Exhibit J** at P. 16, l. 8-17.

Q. What makes you think that **P.C.** reported this to **J.C.**

A. Because she told me she did.

Q. Okay. And what did she say to **J.C.**

A. I don't know what she said to him but that whole thing was she reported it and she was told that kids tend to make up stories and not to worry about it.

Deposition of **J.H.** **Exhibit P** at P.16-17, l. 22-4.

155. Plaintiff, R.M., also testified that he requested a meeting with Director **J.C.** after he was molested by Bullock during a transport. R.M. Deposition, **Exhibit F** at P. 58 l. 6-7;

Deposition of R.M. at P. 119, l. 1-7. At said meeting, R.M. told **J.C.** that Bullock "is not a good guy and he touches kids." R.M. Deposition, **Exhibit F** at P. 120-121, l. 25-5.

156. Plaintiff, W.M., also testified that **J.C.** once said to him "Oh, you were one of Bullock's friends, weren't you?" W.M. Deposition, **Exhibit C** at P. 85, l. 1-8.

157. Director **J.C.** also testified that he has no recollection:

- i. Of any investigation into Sheriff Bullock and his inappropriate contacts with children. Deposition of **J.C.** **Exhibit A** at P. 153, l. 17-24.
- ii. Any attempts by the State Police to question him regarding Bullock. Deposition of **J.C.** **Exhibit A** at P. 154, l. 6-9.
- iii. Any attempts by the State Police to question his staff members or fellow employees at the County. Deposition of **J.C.** **Exhibit A** at P. 154, l. 13-16.
- iv. Any attempts by the State Police to question his secretary, **L.R.** Deposition of **J.C.** **Exhibit A** at P. 154, l. 17-19.

158. Contrary to **J.C.** lack of recollection, State Police Investigator Debra Armitage testified that upon being assigned the Bullock investigation she first tried to directly interview **J.C.**

Q. Okay. All right. during the course of your investigation did you ever meet with **J.C.**

A. Yes.

Q. Do you recall when?

A. **J.C.** was one of the first people I interviewed because I worked for **J.C.** He was my boss when I was an attendant at Warren Acres.

Deposition of Detective Armitage, **Exhibit R** at P. 131, l. 2-8.

Q. And you believe, and correct me if I'm wrong, one of the first things you did, although we don't have a report, was to touch base with **J.C.**

J.C. and talk to him about this?

A. I do recall that.

Deposition of Detective Armitage, **Exhibit R** at P. 222-223, l. 22-1.

159. In corroboration of Detective Armitage's testimony, **J.C.** own secretary recalled Detective Armitage appearing at the Juvenile Detention Center to question **J.C.**

Q. Okay. Now, when the trooper came, Debbie Armitage, she wanted to speak with Mr. **J.C.** Is that Right?

A. Yes.

Deposition of **L.R.** **Exhibit S** at P. 112-113, l. 22-8.

160. According to Ms. **L.R.** Director **J.C.** had no interest in assisting Detective Armitage:

Um, she actually came and she asked for **J.C.** that day um, and being his secretary, I kind of ran interference. Um, so I knew she was there, I asked her what you know, what she wanted to, what she was there for. And she had said she wanted to speak to **J.C.** about an investigation she was doing. Um, so I had asked him if he wanted to speak to her and he said well do you know what the investigation was about. So I had gone back out and I had asked her, ah, you know, is it something that maybe I can help you with or you know, can you provide some more detail with it. And um, she had said that it was an investigation about a complaint against the Sheriff. And I said to her, I said, well let me see if he's available, I said cause he was on a phone call and that was always usually the sign that you know, we always said he was either on, ah, going to a meeting or he was on the phone, which, cause he didn't want to be disturbed. So I had told him that she was there, she had some questions about the Sheriff. And he had told me that um, he wasn't available to answer those questions and I had asked him, I said, well do you think it could have something to do with you know, what people suspect about him with little boys. And he said well, he goes, it's nothing I can help her with..."

Statement of **L.R.** December 26, 2013, **Exhibit T** at P. 8-9.

161. Despite his own unwillingness to cooperate with authorities, **J.C.** secretary recalls him suggesting the following:

So, and I had asked **J.C.**, I said, do you think it's a good idea that we say anything. And he just kind of said, he goes, **well maybe it's time somebody said something**. I remember him, yes, he did, he said that. He said you know, but, he goes **but I don't want to talk to her**.

Statement of **L.R.** December 26, 2013, **Exhibit T** at P. 9.

162. Director **J.C.** also denied any recollection of a meeting between himself, Sheriff Edward Bullock, **M.P.** (Senior Juvenile Detention Officer of Warren Acres) and Warren County Superior Court Judge Albrecht, regarding the Judge's concerns about Bullock's transports of juveniles. Deposition of **J.C.** **Exhibit A** at P. 130-132, l. 17-12.

163. Contrary to **J.C.** lack of recollection, Judge Albrecht was interviewed by Detective Armitage in 1991, and the Judge advised her of his prior concerns regarding Bullock transports:

Albrecht advised of an incident involving Bullock and a child brought to the courthouse by the Sheriff's Department from the JINS Shelter. Albrecht recalled that child refused to return to the shelter and became violent. Bullock requested that the child be turned over to the custody of the Sheriff's Department.

New Jersey State Police Investigation Report, **Exhibit B**, Detective Debra Armitage November 22, 1991 at Page 130-132.

Because of this incident, Albrecht attempted to secure documentation which outlined the sheriff's procedure for transporting juveniles. Albrecht was unsuccessful.

New Jersey State Police Investigation Report, **Exhibit B**, Detective Debra Armitage November 22, 1991 at Page 130-132.

164. Judge Albrecht then called a meeting to discuss his concerns directly with Sheriff Bullock and Director **J.C.**

Due to the fact that Bullock would arrange for the transportation of J.I.N.S. residents to the court house, and then state that he had no manpower available to complete the return of the child to the shelter, Albrecht scheduled a meeting between [M.P.] the director of the Detention Facility and Bullock, As a result of this meeting, Albrecht determined that because the children of the J.I.N.S. Shelter, [J.C.] the director of Warren Acres Juvenile Detention Facility and Bullock, As a result of this meeting, Albrecht determined that because the children of the J.I.N.S. Shelter were not criminally charged, they did not come under the authority of the Sheriff's Department. Bullock stated that he would continue to provide transportation of these children on a volunteer basis as manpower requirements allowed."

New Jersey State Police Investigation Report, **Exhibit B**, Detective Debra Armitage November 22, 1991 at Page 130-132.

165. Director [J.C.] also denied any recollection of law enforcement seizing records from Warren Acres or the Shelter as part of their investigation into Bullock. Deposition of [J.C.] **Exhibit A** at P. 154, l. 6-9.

166. Contrary to [J.C.] lack of recollection, State Police Detective Robert Hoever documented the following in his investigation report dated August 20, 1992:

I met with [J.C.], Director of Warren Acres and returned the following subpoenaed documents:

- 1 visitors ledger
- 1 Staff roster of [County employee]
- 2 Files of [County Juvenile]
- 2 Files of [County Juvenile]
- 2 Files of [County Juvenile]
- 1 File of [County Juvenile]
- 1 File of [County Juvenile]
- 1 File of [R.M.]

A receipt was signed by [J.C.] and will be retained in the case file.

New Jersey State Police Investigation Report, **Exhibit B**, Detective Robert However, August 20, 1992 at Page 6.

167. One of the above seized files was for Plaintiff R.M. *See Id.*

168. Contrary to **J.C.** lack of recollection, Senior Juvenile Detention Officer, **P.C.** **[REDACTED]** recalls **J.C.** bringing her into his office in approximately 1987 and asking her to pull files from the basement pursuant to the State Police Investigation of Bullock. Deposition of **P.C.** **[REDACTED]** **Exhibit J** at P. 54-55, l. 24-14.

169. In addition, when **J.C.** asked Ms. **P.C.** to pull from the basement pursuant to the State Police Investigation of Bullock Ms. **P.C.** specifically recalls **J.C.** instructing her to “keep it between us”:

Q. Do you know when you went to pick up the files, when **J.C.** asked you to go pick up files, is that the terminology he used “keep it under your hat”?

A. Yes.

Q. You remember him saying that?

A. Well, he said something like “This is between us that you’re doing these.”

Deposition of **P.C.** **[REDACTED]** **Exhibit J** at P. 128, l. 11-17; P. 54-55, l. 24-14.

170. Director **J.C.** also denied any recollection of speaking with a Detective Kries or any other law enforcement officer from the County Prosecutor’s Office in conjunction with criminal charges filed against Bullock in 2014 (involving sexual abuse sustained by Plaintiff W.M.)

Deposition of **J.C.** **[REDACTED]** **Exhibit A** at P. 155-156, l. 15-16.

171. Contrary to **J.C.** lack of recollection, Detective Sergeant Kries of the Warren County Prosecutor’s Office testified before the Grand Jury as follows:

DETECTIVE SERGEANT KRIES: I spoke with

J.C.

THE PROSECUTOR: Okay, who's J.C.?

DETECTIVE SERGEANT KRIES: J.C. at

the time was the Director of Warren Acres and the Warren County Youth Shelter.

THE PROSECUTOR: Did he -- was he able to provide you any information regarding W.M.

W.M.

DETECTIVE SERGEANT KRIES: He -- he indicated he remembers W.M.

Grand Jury Testimony, **Exhibit U** at bates stamp PR0939.

172. After Plaintiff W.M. was sexually molested by Bullock on a transport back to Warren Acres, he alleges to have directly reported the abuse to a Juvenile Detention Officer. Working with a description of the Juvenile Detention Officer given by W.M., Detective Sergeant Kries reviewed a list of County employees at the facility with J.C. Id. at bates stamp PR0943. Based on the description, J.C. was able to identify an individual that looked similar and worked at Warren Acres during the time W.M. was a resident. Id. at bates stamp PR0944.

173. Director J.C. also "unequivocally" denies ever telling then Warren County Administrator S.M. that Bullock was a 'known pedophile' as recently as 2014. Deposition of J.C. **Exhibit A** at P. 153, l. 10-12.

174. Contrary to J.C. lack of recollection, then Warren County Administrator S.M. testified that in or around 2014, when Plaintiff W.M. served a notice of tort claim upon the County outlining Bullock's abuse, he had a direct conversation J.C. about Bullock:

Q. And what did J.C. generally say about the

allegations regarding whether – his awareness of the pedophilic tendencies of Sheriff Bullock?

- A. I think generally he said that Bullock was a known pedophile.

Deposition of **S.M.**, Exhibit V at P. 49, l. 5-9.

IX. Knowledge of the County Freeholders.

175. Even a County Official at the highest level, who had very limited interaction with the County youth facilities at issue, admits sharing general knowledge of the nature and extent of the problem Bullock's sexual proclivities posed to the young boys in County custody.

176. Although Director **J.C.** denied any conversations regarding Bullock with the County Freeholders (Deposition of **J.C.** Exhibit A at P. 150-151, l. 14-12), knowledge came from somewhere.

177. John Polhemus, Warren County Freeholder from 1986 to 1992, was quoted in the local newspaper admitting the following "I knew about (the rumors) and expressed privately to my fellow freeholders that I was concerned about potential civil liabilities." **Exhibit W**, Matthew Bultman, *Former Sheriff Edward Bullock's 'interest' in young boys no secret, former officials say*, Express Times, August 12, 2014, https://www.lehighvalleylive.com/warren-county/express-times/2014/08/former_sheriff_edward_bullocks.html.

LEGAL ARGUMENT

POINT I

THE COUNTY OF WARREN IS LIABLE AS A “PASSIVE ABUSER” UNDER THE NEW JERSEY CHILD SEXUAL ABUSE ACT.

Liability for “passive abuse” under the CSAA attaches when a “guardian or other person standing *in loco parentis* . . . knowingly permits or acquiesces in sexual abuse¹ by any other person . . .”. N.J.S.A. 2A:61B-1(a)(1). The key issues, therefore, are whether the County of Warren is a “person” who stood “*in loco parentis*” to the Plaintiffs and knew or “acquiesced” in the abuse.

(A). The County of Warren is a “person” under the Act.

The County of Warren is a “person” pursuant to the ‘passive abuse’ provision of the CSAA. The Appellate Division in J.H. v. Mercer County Youth Detention Center 396 N.J. Super 1 (App. Div. 2007), has already interpreted the scope of a “person” as ascribed by the CSAA and, specifically relevant to these matters, directly determined a ‘County’ is a ‘person’ under the Act. J.H., much like the current matters, involved a County Defendant who was alleged to be a ‘passive abuser’ under the CSAA for child sexual abuse which was alleged to have been carried out by an employee within a county juvenile detention facility.

In J.H., the plaintiff sued Mercer County, the detention center and the female adult youth worker who allegedly perpetrated the abuse. Aside from the alleged abuser, no other county officials were named individually. After closely examining the statutory text, legislative history

¹ “Sexual abuse”, pursuant to the CSAA, is defined as “an act of sexual contact or sexual penetration between a child under the age of 18 years old and an adult.” N.J.S.A. 2A:61B-1(a)(1). “Sexual contact”, under the Act, “means an intentional touching by the victim or actor, either directly or through clothing, of the victim’s or actor’s intimate parts for the purpose of sexually arousing or sexually gratifying the actor. N.J.S.A. 2A:61B-1(a)(2).

and remedial purpose of the CSAA, the Court in J.H. made several key rulings which are dispositive of the current issue:

- “We conclude that a county, as a municipal corporation, is a corporation included within the definition of person contained in N.J.S.A. 1:1-2 and thus constitutes a “person” under the CSAA.” 396 N.J. Super. at 11;
- “We hold, therefore, that the county defendants are within the definition of “other persons standing *in loco parentis* within the household” of plaintiff against which liability may be imposed under the CSAA if the detention center is proven to have knowingly permitted or acquiesced in sexual abuse committed by Mason with plaintiff when he was a child under the age of 18 years.” 396 N.J. Super. at 15; and
- “We thus determine that modern principles of vicarious liability contained in the restatement, *supra*, §219(2)(c), would apply to the actions of the supervisors of the detention center who violated the detention center’s non-delegable duty to protect the juveniles entrusted to its care from sexual abuse at the hands of employees granted as supervisory authority over them. Therefore, the passive abuser liability provision of the CSAA applies to the county defendants.” 396 N.J. Super. at 18.

In determining Mercer County was a ‘person’ under the CSAA, the Court in J.H. analyzed the definitions under the Act and how a “municipal corporation” is treated in other statutes:

As respects the County defendants here, N.J.S.A. 1:1–2 defines “person” to include corporations but does not specifically include municipal corporations within that definition. However, in Hartman v. City of Brigantine, 42 N.J. Super. 247, 254–55 (App. Div. 1956), *aff’d*, 23 N.J. 50, , we stated “counties are municipal corporations, being expressly declared to be bodies corporate by [N.J.S.A. 40:18–1] and there is no reason why the definition of ‘person’ in the [statute] as including ‘corporations,’ undifferentiated as between commercial and public corporations, should be held to mean only the former.” Thus for purposes of liability under the Wrongful Death Act, N.J.S.A. 2A:31–6, we found that counties were intended to be within the definition of corporations subject to liability under that statute. *Ibid*.

Thus, we conclude that a county, as a municipal corporation, is a corporation included within the definition of person contained in N.J.S.A. 1:1-2 and thus constitutes a “person” under the CSAA.

J.H. v. Mercer Cty. Youth Det. Ctr., 396 N.J. Super. 1, 11 (App. Div. 2007). Based on the above, the County of Warren is a ‘person’ directly amenable to suit under the CSAA ‘passive abuser’ provision.

(B). The County of Warren stood *in loco parentis* to each of the three Plaintiffs.

There can be no question that both County facilities involved – the Warren County Youth Shelter and Warren Acres – created an *in loco parentis* relationship between the County and the youth residents therein. As the New Jersey Supreme Court in Hardwicke v. Am. Boychoir Sch., 188 N.J. 69, 91 (2006) noted, *in loco parentis* literally translated means “in the place of a parent.” *Black’s Law Dictionary* 803 (8th ed.2004). *Black’s Law Dictionary* further describes the phrase as “relating to, or acting as a temporary guardian or caregiver of a child, taking on all or some of the responsibilities of a parent.” *Id.*

The Court in Hardwicke v. Am. Boychoir Sch., 188 N.J. 69, 91 (2006) determined that “by providing students with “necessary shelter, food, education, recreation, and succor,” the School acted in place of their parents.” This determination was bolstered by the fact that the School:

regulated the students' personal hygiene, monitored the cleanliness of their rooms, dictated the amount of money each student could have on campus, required students to write two weekly letters to friends or family, expected students to attend religious services when on campus during the weekend, provided transportation for recreational activities off school grounds, and disciplined students who violated those policies. Each student was assigned a faculty advisor by the School, who acted as a confidant to that student and

was available at any time. In effect, the School accepted the responsibility to nurture these young children at a critical and vulnerable stage in their development.

Hardwicke v. Am. Boychoir Sch., 188 N.J. 69, 91-92 (2006)

According to [J.C.] the Director of Warren Acres and the Shelter at all times relevant to these matters (1981-1991), each facility was 'overnight' and exclusively housed children sixteen (16) years of age and younger. Deposition of [J.C.] Exhibit A, p. 33, l. 1-9; p. 34, l. 12-14. The shelter residents were exclusively children – no parents ever stayed at the facility. Deposition of [J.C.] Exhibit A, p. 34, l. 12-14. The County of Warren provided all food, bedding, assigned the residents to rooms, provided toothbrushes and other toiletries as needed, set a bedtime, and established general rules for the children residents. Deposition of [J.C.] Exhibit A at p. 37, l. 10 – p. 38, l. 2.

Similar to the Shelter, the Warren Acres Juvenile Detention facility housed its minor residents and stood 'in the place of parents' while they were detained in the facility. Warren Acres was also an overnight facility where parents were not allowed to stay with their children. Deposition of [J.C.] Exhibit A p. 53, l. 25 – p. 54, l. 4. At Warren Acres, like the Shelter, schooling was provided to the juveniles, food was provided, bedding was provided, rooms were assigned, toothbrushes and other toiletries were provided and there was an established bedtime. Deposition of [J.C.] Exhibit A p. 54, l. 8-10; p. 54, l. 25 – p. 55 l. 17. In addition, Warren Acres was a 'locked' facility and the juvenile's rooms were locked at night. Deposition of [J.C.] Exhibit A p. 54, l. 25 – p. 55 l. 17.

Our Courts have interpreted the *in loco parentis* standard to apply even to children who attend public school during the day. See Frugis v. Barcigliano, 177 N.J. 250, 268 (2003)².

Clearly there can be little argument that the overnight facilities at issue constituted an *in loco parentis* relationship between the County of Warren and the children it assumed custody over – including each of the Plaintiffs. In every meaningful way, the County of Warren stood ‘in the place of parents’ at each of these facilities and in conducting transports to and from by County employees.

(C). The “within the household” standard is no longer applicable to passive abuse under the CSAA.

When first enacted, the ‘passive abuse’ provision in the CSAA had the additional element of the *in loco parentis* relationship having to arise “within the household”. In that regard, prior to December 1, 2019, the CSAA used to read, “or other person standing in loco parentis within the household, who knowingly permits or acquiesces...” [emphasis added]. In so amending the

² The Supreme Court in Frugis stated:

The law imposes a duty on children to attend school and on parents to relinquish their supervisory role over their children to teachers and administrators during school hours. While their children are educated during the day, parents transfer to school officials the power to act as the guardians of those young wards. No greater obligation is placed on school officials than to protect the children in their charge from foreseeable dangers, whether those dangers arise from the careless acts or intentional transgressions of others. Although the overarching mission of a board of education is to educate, its first imperative must be to do no harm to the children in its care. A board of education must take reasonable measures to assure that the teachers and administrators who stand as surrogate parents during the day are educating, not endangering, and protecting, not exploiting, vulnerable children.

177 N.J. at 268.

statute of limitations and omitting the “within the household” element in 2019, the Legislature made clear that the amendment:

shall apply prospectively and also shall be applicable to all civil actions for which the statute of limitations has not expired as of the effective date of this act... [including] matters filed with a court that have not yet been dismissed or finally adjudicated as of the effective date of this act.

N.J.S.A. § 2A:53A-7.5 (2019).

Even without the amendment, the instant Plaintiffs clearly meet the former ‘within the household’ element. *See J.H. v. Mercer County Youth Detention Center*, 396 N.J.Super.

1[County’s youth detention center was a “household” within the meaning of the Child Sexual Abuse Act (CSAA), in light of the services statutorily required to be provided to juveniles in its care.]; *and Hardwicke v. American Boychoir School*, 188 N.J. 69 (2006)[Private boarding school was a “household” for purposes of passive abuse provision of Child Sexual Abuse Act (CSAA); school provided food, shelter, educational instruction, recreational activities and emotional support to its full-time boarders, i.e., providing housing with the amenities characteristic of both a school and a home.]

(D). The County of Warren knowingly permitted or ‘acquiesced’ in the sexual abuse of each Plaintiff.

Warren County’s obligation to safeguard the minor children it assumed custody over, falls to the County employees/agents directly employed to supervise and keep the children safe. Each facility at issue was designed to house minor children in County custody – without any parental oversight or discretion. Therefore, in assuming custody of each minor child, the County, through its employees, was unequivocally tasked with maintaining the welfare of the children and protecting them from known harm.

(1). **The County employees/agents at issue.**

This Court has already addressed multiple motions and rendered a clear ruling that Sheriff Bullock was an employee/agent of Warren County and was so when conducting transports of juveniles in County custody. After a three-page analysis of the pertinent cases and arguments of the parties, “this Court [found] unequivocally that the Sheriff was an employee/agent of the County.” **Exhibit X**, Opinion of the Court, October 6, 2017, at p. 6. On July 31, 2017, this Court orally ruled that “the weight of reason and authority support the view that the Sheriff and his office are part of county government.” Transcript of Argument, July 31, 2017, attached as **Exhibit Y**; p. 33, l. 23-25. The Court also found that:

The Sheriff was authorized to perform an act on behalf of the county, which is transport children to whom the county was charged with supervising and caring for. And it makes the Sheriff, as matter of law, an agent of the county, whose actions may implicate liability onto the county.

Id. (**Exhibit Y**) at p. 34, l. 13-25.

The written Order of the Court provides that “Partial Summary Judgment is entered in favor of the Plaintiffs, W.M., C.C. and R.M.” and “the former Sheriff of Warren County, Edward Bullock, shall be considered an employee/agent of the County of Warren for purposes of these matters and the facts alleged therein”. (See Order of August 4, 2017, attached as **Exhibit Z**). As the County Sheriff himself is considered an employee/agent of the County, it necessarily follows that the Sheriff’s Officers under him are also employees/agents of Warren County.

In addition, the employees at the County facilities involved – Warren Acres and the Shelter –also constitute ‘County’ action/inaction for purposes of CSAA passive liability. The passive abuse provision of the CSAA, clearly targets the adults who are directly responsible for the safety and wellbeing of the child at issue – “[a] parent, resource family parent, guardian or

other person standing in loco parentis who knowingly permits or acquiesces...” N.J.S.A.

2A:61B-1(a)(1). In each of these matters, therefore, ‘County conduct’ under the Act must track the individual County employees/agents who were directly responsible for the safety and welfare of the children housed in the County facility, including those aware of the transports. To be clear, this would include Juvenile Detention Officers at Warren Acres, employees at the Shelter, and the employees in the Warren County Sheriff’s Department (including Sheriff Bullock himself) who conducted the transports or acquiesced in Bullock conducting private transports. Each of these individuals were responsible – on behalf of the County of Warren – to ensure the safety and welfare of the children at issue.

(2). At a minimum, the County “acquiesced” in the sexual abuse of minors by Bullock – including the three Plaintiffs at issue.

The breadth and far-reaching remedial nature of the CSAA is not limited to its enlightened approach to the statute of limitations³. The CSAA also specifically seeks to hold not only the actual, active perpetrator of childhood sexual abuse liable, but also passive abusers whose actions and inactions enable the abuse. The CSAA thus imposes liability both on “those persons who inflict the abuse (active abusers)” and on “those persons who stand *in loco parentis* within the household who know of the abuse and who fail to protect the child (passive abusers).” *Id.* at 86; *citing* N.J.S.A. 2A:61B-1a(1)). As the New Jersey Supreme Court in *Hardwicke* observed: “[A] paramount goal of the Legislature is to keep children safe and to identify those who abuse them as well as those who facilitate the abuse.” *Id.* at 90.

³ The New Jersey Legislature concluded that this broader statute of limitations was necessary “[b]ecause of the unique nature of sexual abuse, which may only be discovered by an adult victim after years of repression.” *Hardwicke v. American Boychoir School*, 188 N.J. 69, 85 (2006), (quoting Senate Judiciary Committee, *Statement to Senate Bill No. 257*, at 1 (Feb. 24, 1992)); *see also Id.* at 86 (the CSAA “tailor[ed] the context within which tolling is permitted to the special circumstances of the sexual abuse victim”).

The New Jersey Supreme Court has made clear that courts should give a “broad reading” to the CSAA in light of “the legislative goal to interpret remedial statutes liberally,” particularly “in respect of child abuse,” and in light of “the State's strong policy to hold both active and passive child abusers accountable.” Id. at 90-91.

In every sense of the phrase, the County of Warren stood ‘in the place of parents’ for the children housed in Warren Acres and the Shelter – including transportation to and from the County facilities. Given the custodial relationship inherent, the County of Warren was tasked with the same duties imposed upon ‘parents’ under the ‘passive abuse’ provision of the CSAA – including recognizing clear and open signs of child abuse and taking action to protect the children under their care. In that regard, it is quite difficult to conceive of a scenario where signs of child abuse were so apparent and well known by so many County officials, and yet so little was done to safeguard the children directly within their custody and control.

These concerns also came well in advance of the instant Plaintiffs’ sexual abuse at the hands of Sheriff Bullock. Several witnesses admitted that they – and those around them – knew Bullock was a problem literally *years* before the repeated sessions of abuse endured by the Plaintiff’s herein. Senior Juvenile Detention Officer [P.C.] knew Bullock was a clear risk to the children he was openly targeting by 1983; Senior Juvenile Probation Officer [T.V.] also recognized the pattern of Bullock showing a perverted attraction to boys in County custody by 1984; Sheriff’s Officer [V.B.] recognized Bullock’s inappropriate attraction and conduct towards boys by 1985; Sheriff’s Officer [T.R.] recognized Bullock’s perversion for a certain type of young boys by 1985; Juvenile Detention Officer [J.H.] recognized Bullock’s behavior in targeting young boys by 1985. Various reports were made outlining their concerns that the children were in danger, including several reports made to the director of both

County facilities at issue – J.C. Despite all the “common knowledge” back from 1983 through 1985 and all the alarming reports made to those in charge of the facilities – it was ‘business as usual’ for Bullock and his private transports of certain County juveniles in the ensuing years. Eventually, years after Bullock was openly recognized as a known threat to young boys, each of the three Plaintiffs in this matter would eventually meet a similar fate in Bullock’s vehicle.

The County of Warren would like to place the ‘knowledge’ goalpost far enough away, so as to require the County employees to actually have to see the children being actively raped by Bullock and then choose to ignore it. Certainly, however, the Legislature in enacting the ‘broad and remedial’ CSAA, sought to not only strongly combat child sexual abuse, but to also impose liability upon those who ‘facilitate’ the abuse. The proper analysis in facilitating or ‘acquiescing’ in the abuse, is whether the County employees responsible for the minor children knew of the clear signs of abuse and danger – yet ‘tacitly’ or ‘passively’ allowed it to continue.

“Acquiescence” is defined in Black’s Law Dictionary as “[a] person’s tacit or passive acceptance; implied consent to an act.” ACQUIESCENCE, Black’s Law Dictionary (11th ed. 2019). In repeatedly recognizing Sheriff Bullock’s open attraction for certain young boys in County custody through ‘alarming behavior’ and breach of several County protocols, together with the complete failure to intervene, enforce its own policies regarding transports, or in any way safeguard the children - County officials were *at least* “tacit or passive” in their acceptance of the known dangers posed to the Plaintiffs as children. This much was freely admitted by several county officials as set forth above.

In addition, had anyone within the County of Warren simply enforced its own mandatory policies regarding transports of minors – the County would have prevented Bullock’s unfettered

private access to children in County custody and stopped the clear pattern of abuse before any Plaintiff herein even met Sheriff Bullock. Every transport conducted by Bullock alone with a minor was against clear County policy. Every transport where the minor was unrestrained and allowed to sit in the front seat of Bullock's vehicle was against clear County policy. Every child removed from the 'holding cell' and escorted to Bullock's private office was also against clear County policy and never should have happened.

It should also be noted and stressed that Director [REDACTED] J.C. failure to 'recall' anything about Bullock – a stance that is simply astonishing in light of the other witnesses' testimony – should not be considered an impediment to the grant of summary judgment herein. It is more than adequate for the supervisors of the children themselves (the County Juvenile Detention Officers, the County Shelter employees, [REDACTED] J.C. own secretary at the facility and the County Sheriff's Officers under Bullock) to have had clear knowledge of the known risk Bullock presented to these children. It is, after all, these individuals who were interacting with the children on a daily basis and directly responsible for the safety of the children on behalf of the County of Warren. These were the individuals in position to, and in fact did, recognize Bullock as a clear child sexual predator. These same individuals testified in these matters with very clear and consistent observations and concerns, which many did report to their superiors within the County hierarchy. Many of these reportings repeatedly made it to [REDACTED] J.C. – but each time nothing would get looked into, nothing would get addressed and the children kept getting served up for transport by Bullock alone.

Any reasonable parent confronted with the clear signs of sexual abuse and predatory behavior that the County Officials observed of Sheriff Bullock on a daily basis – would have stopped the abuse and protected the children. Had that happened – *at least* by the time County

employees widely 'knew', often 'discussed', and even openly 'joked' about the problem – not one of the three (3) Plaintiffs in this matter would have suffered the trauma and shattered trust that still plagues each of them. Unfortunately, Bullock's openly dangerous conduct was observed and overtly discussed by County employees and officials for years – yet somehow pacified, tolerated and allowed to continue. Not one Warren County employee would have allowed their own child to be transported alone by Bullock on one of his 'special rides' during the time when these Plaintiffs were abused. Standing in the place of parents – Warren County had the same clear legal and moral obligation to safeguard these children from abuse. Warren County clearly failed to do so despite the overwhelming evidence of clear danger.

POINT II

DAMAGES AGAINST THE COUNTY OF WARREN, AS A 'PASSIVE ABUSER', MUST GO TO A JURY AND MUST INCLUDE PUNITIVE DAMAGES.

Even if summary judgment is granted herein against the County of Warren, a jury will still be required to consider and assess damages. Pursuant to the CSAA, damages include:

A plaintiff who prevails in a civil action pursuant to this act shall be awarded damages in the amount of \$10,000, plus reasonable attorney's fees, or actual damages, whichever is greater. Actual damages shall consist of compensatory and punitive damages and costs of suit, including reasonable attorney's fees. Compensatory damages may include, but are not limited to, damages for pain and suffering, medical expenses, emotional trauma, diminished childhood, diminished enjoyment of life, costs of counseling, and lost wages.

N.J.S.A. 2A:61B-1(h). The CSAA is rare in its command that "actual damages" "shall consist of compensatory and punitive damages and costs of suit, including reasonable attorney's fees."

Based on this express provision, it is clear that punitive damages *must* go to the jury for consideration upon a finding of liability as a 'passive abuser'.

In addition, punitive damages are directly available against the County of Warren – despite being a public entity or any contrary provision of law or immunity under the Tort Claims Act. This specific issue was fully addressed in J.H. v. Mercer Cty. Youth Det. Ctr., where the Appellate Division held:

We are thus satisfied that punitive damages are available against the County defendants with respect to the statutory claims under the CSAA. The considerations that informed the Supreme Court's analysis for permitting an award of punitive damages in *Abbamont*, under CEPA, apply equally to plaintiff's statutory based claims under the CSAA against the County defendants predicated on vicarious liability for the intentional acts of child abuse by Mason. The public policy consideration for imposing punitive damages is the vulnerability of children in the County Detention Center's care and the non-delegable duty of its supervisors to protect them from victimization.

396 N.J. Super. 1, 19–20 (App. Div. 2007); *citing Hardwicke*, supra, 188 N.J. at 76; *see also Scott-Neal v. N.J. State Dep't of Corrs.*, 366 N.J. Super. 570, 577 (App. Div. 2004); Marion v. Borough of Manasquan, 231 N.J. Super. 320, 323 (App. Div. 1989).

POINT III

SUMMARY JUDGMENT IS PROPER AS THERE IS NO GENUINE ISSUE OF MATERIAL FACT AS TO THE “PASSIVE ABUSE” OF THE COUNTY OF WARREN.

Rule 4:46-2 provides that a court should grant summary judgment when "the pleadings, depositions, answers to interrogatories and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact challenged and that the moving party is entitled to a judgment or order as a matter of law." Brill v. Guardian Life Insurance Co., 142 N.J. 520, 528-529 (1995). By its plain language, Rule 4:46-2 dictates that a court should deny a summary judgment motion where the party opposing the motion has come forward with evidence

that creates a "genuine issue as to any material fact challenged." That means a non-moving party cannot defeat a motion for summary judgment merely by pointing to an immaterial or insubstantial fact in dispute. Brill, supra at 529.

The rationale upon which Rule 4:46-2 is premised was enunciated in Judson v. Peoples Bank and Trust Co. of Westfield, 17 N.J. 67, 73-74 (1954), wherein the Supreme Court declared:

It is designed to provide a prompt, businesslike and inexpensive method of disposing of any cause which a discriminating search of the merits in the pleadings, depositions and admissions on file, together with the affidavits submitted on the motion clearly shows not to present any genuine issue of material fact requiring disposition at trial.... In conjunction with the pretrial discovery and pretrial conference procedures, the summary judgment procedure aims at the swift uncovering of the merits and either their effective disposition or their advancement toward prompt resolution by trial.

See also, N.J. Sports and Exposition Authority v. McCrane, 119 N.J. Super. 457, 470 (Law Div. 1971), aff'd., 61 N.J. 1 (1972). Although genuine issues of material fact preclude the granting of summary judgment, R. 4:46-2, those that are "of an insubstantial nature" do not. Brill v. Guardian Life Insurance Co.; supra at 529 (quoting Judson, supra N.J. at 75).

In Brill, supra, the New Jersey Supreme Court, adopted the summary judgment approach used by the federal courts in Matsushita Elec. Ind. Co. Ltd. v. Zenith Radio Corp., 475 U.S. 574, 106 S.Ct. 1348, 89 L. Ed.2d 538 (1986); Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 106 S.Ct. 2505, 91 L.Ed.2d 202 (1986); and Celotex Corp. v. Catrett, 477 U.S. 317, 106 S.Ct. 2548, 91 L.Ed. 265 (1986), and indicated that the Court must analyze the evidence under the same evidentiary standard of proof that would apply at the trial on the merits when deciding whether there exists a "genuine" issue of material fact. Brill, supra at 533-34 (see Liberty Lobby, 477, U.S. at 254-56, 106 S.Ct. at 2513, 91 L.Ed.2d at 215-216). *See also*, Schwartz v. Worrall Publications, Inc., 258 N.J. Super 493 (App. Div. 1992).

The Court in Brill held that, under Rule 4:46-2, when deciding summary judgment motions trial courts are required to engage in the same type of evaluation, analysis or sifting of evidential materials as required by Rule 4:37-2(b) in light of the burden of persuasion that would apply if the matter went to trial. Brill, supra at 540. The Supreme Court in Brill went on to say "under this new standard, a determination whether there exists a 'genuine issue' of material fact that precludes summary judgment requires the motion judge to consider whether the competent evidential materials presented, when viewed in the light most favorable to the non-moving party, are sufficient to permit a rational fact finder to resolve the alleged disputed issue in favor of the non-moving party...." If there exists a single, unavoidable resolution of the alleged disputed issue of fact, that issue should be considered, insufficient to constitute a "genuine" issue of material fact for purposes of Rule 4:46-2. Id.

In considering all of the material evidence before it to determine if there is any genuine issue of material fact, that is a sufficient factual disagreement to require submission to a jury, the court must within the bounds of reason, view most favorably those items presented to it by the party opposing the motion. Brill, supra at 540. If the opposing party in a summary judgment motion offers only facts which are immaterial or of an insubstantial nature, a mere scintilla, "fanciful, frivolous, gauzy, or merely suspicious, he will not be heard to complain if the court grants summary judgment." Brill, supra at 529 (quoting Judson, supra 17 N.J. at 75 [citations omitted]).

The Court in Brill, indicated that the "thrust" of its decision "is to encourage trial courts not to refrain from granting summary judgment when proper circumstances present themselves." Brill, supra at 541. The judge's function, when presented with a summary judgment motion, is not to weigh the evidence and determine the truth of the matter but to determine whether there is

a genuine issue for trial. Brill, supra at 540 (quoting Liberty Lobby, supra 477 U.S. at 249, 106 S.Ct. at 2511, 91 L.Ed.2d at 212).

Therefore, where the moving party demonstrates by competent evidential material that no genuine material issue of fact exists, the Court is compelled as a matter of law to grant the movant's summary judgment application. It is, therefore, respectfully submitted that in consideration of all of the material evidence, the Plaintiffs are each entitled to summary judgment as to the 'passive abuse' of the County of Warren under the CSAA.

CONCLUSION

For the foregoing reasons, it is respectfully requested that Plaintiffs' Motion for Summary Judgment, regarding liability for the County of Warren's 'passive abuse' under the CSAA, be granted.

RUSSO LAW OFFICES, LLC

By:



BRAD M. RUSSO, ESQ.

Dated: April 1, 2021

RUSSO LAW OFFICES, LLC
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W.M.	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: WARREN COUNTY
Plaintiff,	:	
	:	DOCKET NO.: L-000135-13
-vs-	:	
	:	CIVIL ACTION
JOHN DOES 1-10; and the COUNTY OF	:	
WARREN,	:	
	:	
Defendants.	:	

C.C.	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: WARREN COUNTY
Plaintiff,	:	
	:	DOCKET NO.: L-000017-15
-vs-	:	
	:	
JOHN DOES 1-10 and the COUNTY OF	:	
WARREN	:	CIVIL ACTION
	:	
Defendants.	:	

R.M.	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: WARREN COUNTY
Plaintiff,	:	
	:	DOCKET NO.: L-000328-16
-vs-	:	
	:	
ESTATE OF JOHN DOE; JOHN DOES	:	
1-100; JANE DOES 1-100 and the	:	CIVIL ACTION
COUNTY OF WARREN,	:	
	:	
Defendant.	:	

CERTIFICATION IN SUPPORT OF PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT

Brad M. Russo, Esquire, of full age, upon his oath, certifies the following:

- 1). I am an attorney at law of the State of New Jersey and partner at Russo Law Offices, LLC. As Attorney for the Plaintiffs in the above-captioned matters, I have personal knowledge of and certify to the following.
- 2). Exhibit A to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of **J.C.** (Redacted).
- 3). Exhibit B Exhibit to this Certification is a true and accurate copy of Excerpts from the State Police Investigation File (Redacted).
- 4). Exhibit C to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of W.M. (Redacted).
- 5). Exhibit D to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of C.C. (Redacted).
- 6). Exhibit E to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of C.C. Volume IV (Redacted).
- 7). Exhibit F to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of R.M. (Redacted).
- 8). Exhibit G to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of Robert Hoever (Redacted)
- 9). Exhibit H to this Certification is a true and accurate copy of the Judgment of Conviction and Order for Commitment of Judge Michael R. Imbriani, April 24, 1992.
- 10). Exhibit I to this Certification is a true and accurate copy of the Stipulation of Liability of the Estate of Edward Bullock.

11). Exhibit J to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of [REDACTED] P.K. [REDACTED] (Redacted).

12). Exhibit K to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of [REDACTED] T.V. [REDACTED] (Redacted).

13). Exhibit L to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of [REDACTED] T.R. [REDACTED] (Redacted).

14). Exhibit M to this Certification is a true and accurate copy of the Statement of [REDACTED] T.R. [REDACTED] (Redacted).

15). Exhibit N to this Certification is a true and accurate copy of the Statement of [REDACTED] V.B. [REDACTED] (Redacted).

16). Exhibit O to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of [REDACTED] V.B. [REDACTED] (Redacted).

17). Exhibit P to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of [REDACTED] J.H. [REDACTED] (Redacted).

18). Exhibit Q to this Certification is a true and accurate copy of the Statement of [REDACTED] T.V. [REDACTED] (Redacted).

19). Exhibit R to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of Debra Armitage (Redacted).

20). Exhibit S to this Certification is a true and accurate copy of Excerpts from the Deposition Transcript of [REDACTED] L.R. [REDACTED] (Redacted).

21). Exhibit T to this Certification is a true and accurate copy of the Statement of [REDACTED] L.R. [REDACTED] (Redacted).

22). Exhibit U to this Certification is a true and accurate copy of Grand Jury Testimony (Redacted).

23). Exhibit V to this Certification is a true and accurate copy of Excerpt from the Deposition Transcript of S.M. .

24). Exhibit W to this Certification is a true and accurate copy of Express Times Article, August 12, 2014.

25). Exhibit X to this Certification is a true and accurate copy of the Court's Opinion, October 6, 2017.

26). Exhibit Y to this Certification is a true and accurate copy of the Transcript of Oral Argument July 31, 2017, on Motions for Summary Judgment and Cross Motions for Summary Judgment.

27). Exhibit Z to this Certification is a true and accurate copy of Court Order and Opinion August 4, 2017.

28). Exhibit AA to this Certification is a true and accurate copy of W.M.'s Second Amended Complaint.

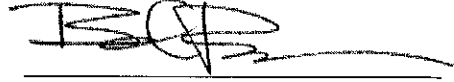
29). Exhibit BB to this Certification is a true and accurate copy of C.C.'s First Amended Complaint.

30). Exhibit CC to this Certification is a true and accurate copy of R.M.'s First Amended Complaint.

I hereby 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.

RUSSO LAW OFFICES, LLC

By:

A handwritten signature in black ink, appearing to read 'BRM', is written over a horizontal line.

BRAD M. RUSSO, ESQ.
Attorney for Plaintiffs

Dated: April 1, 2021