

The Hon. John E. Wallace Jr.
Chair
The Joint Legislative Committee on Ethical Standards
New Jersey Statehouse
125 W. State Street
Trenton, NJ 08608

June 29, 2021

VIA CERTIFIED MAIL

Dear Justice Wallace:

We are writing to file an ethics complaint against State Senator Nicholas Scutari. We further demand an investigation, and public accounting, relating to the conduct of the Senator.

Senator Scutari, in his role as chair of the powerful Judiciary Committee, is almost solely responsible for shaping our state's judiciary and criminal justice policies. He alone is entrusted with deciding whether or not a candidate for the bench gets a hearing, let alone is confirmed, to the bench for the Superior Court, Tax Court or Supreme Court. He alone decides whether to hold hearings to provide advice and consent for nominations for numerous other posts, from county prosecutor to state attorney general.

Yet there are serious allegations concerning the senator's law practice, particularly on behalf of local government, that violate the public's trust in the legislative process and that bring the Legislature into disrepute, in potential violation of Legislative Code of Ethics rule 2:1a.

According to publicly released reports, Senator Scutari allegedly held a no-show job for years as Linden's municipal prosecutor. There was a specific incident where the judge of Linden was allegedly looking for the Senator for a trial that of which he was aware — but he had left the building.

A 59-page internal investigation conducted by the law firm Calcagni & Kanefsky on behalf of the City of Linden found that Senator Scutari engaged in "serial absenteeism" during his last five years as municipal prosecutor, costing the municipality nearly \$200,000.

The report, as summarized by the Bergen Record, found that Senator Scutari missed 255 of 628 court sessions over a five-year period and enlisted replacement attorneys to fill in for him 120 times — without approval from Linden officials.

Indeed, Senator Scutari was paid in full for all his "unauthorized absences," according to the report which, according to the reporting, also permitted Senator Scutari to improperly accrue pension credits.

In the Joint Legislative Committee's investigation, it is essential that the Committee release the full text of the Calcagni & Kanefsky report. This report was commissioned by a local government and paid for by taxpayer dollars.

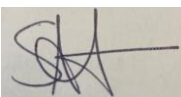
Continuing to shield this report from the public's view only seems to confirm greater suspicions that Senator Scutari is able to leverage his powerful position as a state legislator to prevent public scrutiny of his taxpayer-funded legal work.

This accusation raises serious questions as to Senator Scutari's ability to perform his taxpayer-funded employment and threaten to undermine the public's trust in the Legislature.

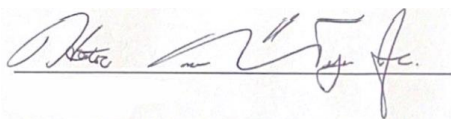
It is incumbent upon this body to conduct a full investigation to determine whether Senator Scutari behaved improperly and unethically as a state senator and municipal prosecutor, costing taxpayers in the state and in Linden excess money and hampering the effective administration of justice — all while potentially enriching his state pension.

Given the serious allegations raised in this complaint, we ask you to immediately launch a full investigation.

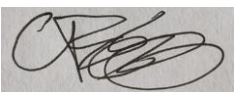
Sincerely,



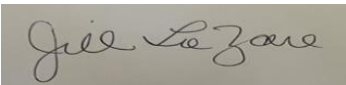
Sue Altman
State Director, New Jersey Working Families Alliance



Hector O. Oseguera Jr., Esq.
Progressive Democrats of Hudson County



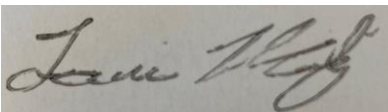
Caitlin Sherman
Hudson County Progressive Alliance



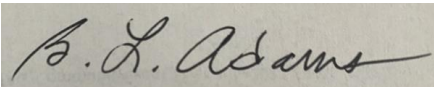
Jill LaZare
Activist and Attorney



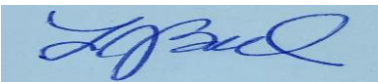
Shannon Coulter
Resident, Union, New Jersey



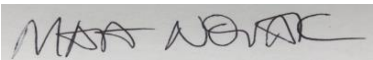
Tania Martinez
Rutgers University-Camden College Democrats



Betty L Adams
Resident, Union County



Leslie Bockol
Co-Executive Director, NJ 11th For Change



Mara Novak
Co-Executive Director, NJ 11th For Change

A handwritten signature in blue ink, appearing to read 'Maggie Savoca', with a long horizontal stroke extending to the right.

Maggie Savoca
Resident, Fanwood, NJ