



NEWS RELEASE

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CITY OF PASSAIC POLICE OFFICER JOSEPH RIOS III IS INDICTED

PATERSON, NEW JERSEY:

On Monday, September 28, 2009, the Passaic County Grand Jury handed up a two count indictment against City of Passaic Police Officer Joseph Rios III. The indictment charges Joseph Rios III, age 28, of Mine Hill, New Jersey, with one count of 3rd degree Aggravated Assault and one count of 2nd degree Official Misconduct.

The charges stem from a confrontation between Officer Joseph Rios III and Ronnie Holloway, age 50, of Passaic, New Jersey at the corner of Summer Street and Main Street in the City on Friday, May 29, 2009. The confrontation was captured on video by a private security video system deployed by a bar located on the corner. Although the confrontation led to the arrest of Ronnie Holloway on allegations of resisting arrest, disorderly conduct and wandering with the intent to purchase a Controlled Dangerous Substance, a subsequent complaint by Ronnie Holloway on June 2, 2009 to the Passaic Police Department, Internal Affairs Division alleging excessive use of force in his arrest was the genesis of the current investigation into the alleged actions of Officer Joseph Rios III. At the request of the City of Passaic, a thorough, impartial and independent investigation was conducted by the Passaic County Prosecutor's Office, Public Integrity Unit. The results of the investigation were then presented to the Passaic County Grand Jury for their consideration of any criminal charges to be brought against Officer Joseph Rios III. Their decision resulted in the indictment announced today.

Officer Joseph Rios III is charged with one count of 3rd degree Aggravated Assault in violation of N.J.S.A. 2C:12-1(b)(2). If convicted, he could face between three and five years in New Jersey State Prison and a potential \$15,000 fine. He is also charged with 2nd degree Official Misconduct in violation of N.J.S.A. 2C:30-2(a)/(b). If convicted, he could face a maximum sentence of ten years in New Jersey State Prison with a mandatory five year period of parole ineligibility and a potential \$150,000 fine. Officer Joseph Rios III is currently suspended without pay from the Passaic Police Department.

The arraignment of Officer Joseph Rios III on the charges contained in the indictment shall occur on or about November 9, 2009 in Passaic County Superior Court. The charges against Ronnie Holloway are still pending.

It must be noted that the charges against Officer Joseph Rios III are merely allegations and that he is presumed innocent of the charges until proven guilty beyond a reasonable doubt.

SUPERIOR COURT OF NEW JERSEY
PASSAIC COUNTY - LAW DIVISION
(Criminal)

STATE OF NEW JERSEY : Indictment No. 09 09 1144 1
V. :
JOSEPH RIOS III, :
Defendant. :

COUNT I

AGGRAVATED ASSAULT – THIRD DEGREE

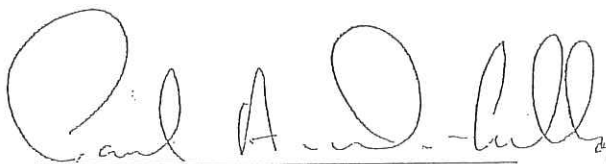
The Grand Jurors of the State of New Jersey, for the County of Passaic, upon their oaths do present that Joseph Rios III, on or about May 29, 2009, in the City of Passaic, County of Passaic, and within the jurisdiction of this Court, did attempt to cause or purposely or knowingly caused bodily injury to Ronnie Holloway with a deadly weapon, contrary to the provisions of *N.J.S.A. 2C:12-1(b)(2)*, and against the peace of this State, the government and dignity of the same.

COUNT II

OFFICIAL MISCONDUCT – SECOND DEGREE

And the Grand Jurors of the State of New Jersey, for the County of Passaic, upon their oaths do further present that Joseph Rios III, on or about May 29, 2009, in the City of Passaic, County of Passaic, and within the jurisdiction of this Court, being a public servant, that is, City of Passaic Police Officer, did with the purpose to obtain a benefit for himself or another or to injure or to deprive another of a benefit, he committed an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act is unauthorized or he committed such act in an unauthorized manner and/or he knowingly refrained from performing a duty which was imposed upon him by law or was clearly inherent in the nature of his office, contrary to the provisions of *N.J.S.A. 2C:30-2(a)* and/or (b), and against the peace of this State, the government and dignity of the same.

By:



Paul A. DiLella

Senior Assistant Prosecutor-In-Charge