



# NEWS RELEASE

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## **GARFIELD MAN ARRESTED ON FIRST DEGREE ATTEMPTED MURDER AND SECOND DEGREE WEAPONS CHARGES WHILE ON PRE-TRIAL RELEASE FOR UNRELATED OFFENSES**

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PATERSON, NEW JERSEY:

March 22, 2017

Passaic County Prosecutor Camelia M. Valdes announces that on March 17, 2017, defendant Andre Morales, 29, of Garfield, was arrested at the Passaic County Courthouse for the charges of First Degree Attempted Murder, Second Degree Unlawful Possession of a Handgun, and Second Degree Possession of a Handgun for an Unlawful Purpose for an incident which allegedly occurred on March 9, 2017. At the time of the arrest, Morales was on pre-trial release for a pending matter which allegedly occurred on February 27, 2017, where he was charged with First Degree Maintaining a Drug Production Facility and Second Degree Unlawful Possession of a Handgun.

On February 27, 2017, Morales was arrested by Paterson Police and charged along with 6 other men with drug-related charges ranging from First Degree Maintaining a Drug Production Facility to Third Degree Possession of a Controlled Dangerous Substance. Morales was also charged with Second Degree Unlawful Possession of a Handgun, and Second Degree Certain Persons Not to Have a Weapon. At the time of his February 27, 2017 arrest, Morales was already released on bail pending a sentence on an earlier unrelated charge of Second Degree Unlawful Possession of a Handgun, for which his plea agreement calls for him to serve five (5) years in New Jersey State Prison with forty-two (42) months of parole ineligibility pursuant to the Graves Act.

On March 3, 2017, Morales appeared before the Honorable Justine Niccollai, J.S.C., for a Pre-Trial Detention Hearing, where the State requested his pre-trial detention following his arrest on the drug charges on February 27, 2017, and while he was pending sentence on the earlier handgun charges. Morales was facing “presumptive detention” based on his prior criminal record and the nature of his newest charges, which exposed him to a potential sentence of life imprisonment upon conviction. Specifically, N.J.S.A. 2A:162-19(b) states that in any case where a defendant is facing a life sentence, “there shall be a rebuttable presumption that the eligible defendant shall be detained pending trial because no amount monetary bail, non-monetary condition or combination of monetary bail and conditions would reasonably assure the eligible defendant’s appearance in court when required, the protection of the safety of any other person or the community, and that the eligible defendant will not obstruct or attempt to obstruct the criminal justice process...” At the conclusion of the March 3, 2017 Pre-Trial Detention Hearing, Judge Niccollai released Morales from the Passaic County Jail to home detention pending his May 12, 2017 sentence on the earlier charge to which he had already pled guilty. Judge Niccollai also required Morales to report weekly to Pre-Trial Services.

On March 9, 2017, six days after his release from the Passaic County Jail, Morales was charged with First Degree Attempted Murder, Second Degree Unlawful Possession of a Handgun, and Second Degree Possession of a Handgun for an Unlawful Purpose. It is alleged that Morales shot the victim in the leg after a verbal altercation on a Paterson street.

On March 17, 2017, Morales was arrested and taken into custody on the First Degree Attempted Murder charge without incident at the Passaic County Courthouse. Morales is currently in custody at the Passaic County Jail pending a Pre-Trial Detention Hearing for the March 9, 2017 First Degree Attempted Murder charge. Morales is also pending a Revocation of Pre-Trial Release Hearing for the February 27, 2017 First Degree Maintaining a Drug Production Facility and gun charges. Both hearings are currently scheduled before Judge Niccollai on Thursday, March 23, 2017, at 1:30 p.m. Morales’ sentence on the unrelated handgun charge is currently scheduled on May 12, 2017 before the Honorable Adam E. Jacobs, J.S.C.

The maximum sentencing exposure for Morales if convicted of the charges from either the February 27, 2017 or the March 9, 2017 cases is life imprisonment.

Any inquiries may be directed to Passaic County Assistant Prosecutor Jonathan Barrera, who can be reached at 973-881-4867 or [jbarrera@passaiccountynj.org](mailto:jbarrera@passaiccountynj.org).

**A criminal complaint is merely an accusation. Despite this accusation, the defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt.**



(Photo: Andre Morales)