

NEWS

United States Department of Justice
U.S. Attorney, District of New Jersey
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Christopher J. Christie, U.S. Attorney

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FOR IMMEDIATE RELEASE
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Former Newark Cop Sentenced to 82 Months
for Conspiring in Distribution of Prescription Painkiller

(More)

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NEWARK – A former Newark Police officer, who had received award citations for apprehending drug dealers, was sentenced today to 82 months in prison for conspiring with others to sell the prescription painkiller OxyContin using fraudulently obtained doctor’s prescriptions, U.S. Attorney Christopher J. Christie announced.

U.S. District Judge Stanley R. Chesler ordered John Hernandez, 37, of Berkeley Township, to surrender to the federal Bureau of Prisons by July 23 to begin serving his prison sentence.

Hernandez pleaded guilty to conspiracy on Sept. 5, 2006, admitting that he and another Newark Police officer, Ronald Pomponio, of Bricktown, obtained dozens of OxyContin prescriptions through a conspiring physician, filled the prescriptions and then sold the pills for cash.

Under the advisory U.S. Sentencing Guidelines, Hernandez faced a probable sentencing range of between 70 and 87 months in prison, and Judge Chesler sentenced him at the upper end of that range.

Judge Chesler rejected assertions from Hernandez’s lawyer, Paul Bergrin, that Hernandez’s conduct was aberrational and not likely to occur again, that he had a minor role in the conspiracy and that he had a diminished capacity as a result of post-traumatic stress disorder for events related to his job.

“You sold out your colleagues, your department and yourself, and you did it for money,” Judge Chesler said. “Officer Hernandez, you and your colleagues worked to fight drug dealers, and you became one. That was unpardonable. That was betrayal. That was a betrayal of your entire career as a police officer.”

“This is about the worst possible conduct from a police officer in Newark, where drugs and related violence plague the city,” said Christie. “This is a long and appropriate prison sentence.”

During their plea hearings in September, both Hernandez and Pomponio admitted obtaining multiple prescriptions for oxycodone, in the form of OxyContin, from a doctor who was involved in their scheme. The defendants admitted they filled the prescriptions and then sold the pills for cash. Hernandez admitted that the conspiracy involved at least 249,600 milligrams of OxyContin. Pomponio admitted that he filled dozens of prescriptions for the drug at various pharmacies in New Jersey, sometimes filling more than one prescription at different pharmacies on the same day.

Pomponio awaits sentencing.

Dr. Joan Jaszczult, of Bloomfield, was among eight people arrested on Sept. 20, 2005, as the result of an investigation by the FBI, DEA, and the Northern New Jersey High Intensity Drug Trafficking Area (HIDTA) Task Force. It was alleged that Dr. Jaszczult accepted cash payments in exchange for writing excessive amounts of prescriptions for OxyContin as well as for other Oxycodone-based narcotics.

Hernandez and Pomponio were charged as a result of that continuing investigation.

A trial for Jaszczult is scheduled for August.

Christie credited Special Agents from the FBI, under the direction of Acting Special Agent in Charge Pedro Ruiz, and Special Agents and HIDTA Task Force Officers from the DEA, under the direction of Special Agent in Charge Gerard P. McAleer, in Newark, with the investigation.

The case was prosecuted by Assistant U.S. Attorneys Judith H. Germano and Jonathan Romankow of the U.S. Attorney's Office in Newark.

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Defense Counsel:

Hernandez: Paul W. Bergrin, Esq., Newark