

2014R00198/JSP-SGS

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**JAN 22 2015**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

AT 8:30 M  
WILLIAM T. WALSH, CLERK

UNITED STATES OF AMERICA : 18 U.S.C. § 242  
: 18 U.S.C. § 1519  
v. : 18 U.S.C. § 2  
: :

~~DOMENICO LILLO,~~ :  
a/k/a "Dominic Lillo" :  
: :

15-43 (KM)

INDICTMENT

The Grand Jury, in and for the District of New Jersey, sitting at Newark, charges:

COUNT ONE  
(Deprivation of Civil Rights Under Color of Law)

1. At all times relevant to Count One of this Indictment:
  - a. Defendant DOMENICO LILLO was a police officer employed by the City of Bayonne, New Jersey, Police Department.
  - b. There was an individual ("Individual") who the subject of an arrest warrant issued by the New Jersey Superior Court, Sussex County, on or about November 12, 2013 (the "Sussex County Warrant").
  - c. On December 27, 2013, at approximately 4:50 p.m., DOMENICO LILLO, together with other police officers from the Bayonne Police Department, acting in their official capacities, went to an address on Avenue C in Bayonne, New Jersey, to execute the Sussex County Warrant and arrest Individual.

2. On December 27, 2013, in the District of New Jersey, and elsewhere, defendant

DOMENICO LILLO,  
a/k/a "Dominic Lillo,"

while acting under color of the laws of the State of New Jersey, intentionally attempted to strike, and did strike, Individual, who was handcuffed and not resisting arrest, with a

dangerous weapon, *i.e.*, a flashlight, resulting in bodily injury to Individual, and thereby willfully deprived Individual of rights and privileges secured and protected by the Constitution and laws of the United States, to wit, the right to be free from unreasonable seizure, which includes the right to be free from unreasonable force.

In violation of Title 18, United States Code, Section 242 and Section 2.

COUNT TWO  
(Falsification of Records)

1. Paragraph 1 of Count One of this Indictment is realleged and incorporated as if set forth herein.
2. On or about December 27, 2013, in the District of New Jersey, and elsewhere, defendant

DOMENICO LILLO,  
a/k/a "Dominic Lillo,"

acting with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of the Federal Bureau of Investigation, knowingly concealed, covered up, falsified, and made false entries on a Bayonne Police Department Use of Force Report about the arrest of Individual, to wit, by not checking the box marked "Strike/Use of Baton or other object."

In violation of Title 18, United States Code, Section 1519 and Section 2.

A TRUE BILL

FOREPERSON

Paul J. Fishman/rah

PAUL J. FISHMAN  
United States Attorney

CASE NUMBER:

15-43 (KM)

United States District Court  
District of New Jersey

UNITED STATES OF AMERICA

v.

DOMENICO LILLO, a/k/a "Dominic Lillo"

INDICTMENT FOR

18 U.S.C. § 242, 1519, and 2

A True Bill,

Foreperson

PAUL J. FISHMAN  
UNITED STATES ATTORNEY  
NEWARK, NEW JERSEY

STEVEN G. SANDERS  
ASSISTANT U.S. ATTORNEY  
973-297-2019

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(Ed. 1/97)