

Advertisement

Roselle councilman offered pre-trial intervention in ballot-tampering case

Updated Apr 01, 2019; Posted Oct 08, 2009

By [Eliot Caroom/The Star-Ledger](#)

ROSELLE BOROUGH -- A Superior Court judge ruled that Roselle councilman Jamel Holley could have criminal charges of ballot-tampering dismissed within a year. The ruling on Wednesday will allow Holley to avoid possible jail time, instead requiring him to pay a fine of \$125 and participate in a court-run program called pre-trial intervention.

Before the judge ruled on Wednesday, the Attorney General's office filed an objection to those terms.

Advertisement

"The defendant's conduct was not a mere technical violation," Deputy Attorney General Erik Daab wrote to the court. "His conduct violated one of the core requirements of our democracy, the secret ballot."

Pre-trial intervention, mostly for first-time offenders, means Holley will be supervised for a year to make sure he doesn't break other laws. At the end of the year, charges could be dismissed with no conviction on Holley's record.

Holley was charged with tampering with ballots in a 2006 primary election contest between Rosemary Bullock and Christine Dansereau for the 5th Ward council seat. Dansereau won the election after a civil court judge heard testimony from voters that Holley had filled out voter names and addresses on inner ballot envelopes, which were meant to be completed by voters only.

In the civil suit, the judge threw out 31 ballots, changing the outcome of the election in Dansereau's favor.

The criminal charges were filed three years later, in August of this year, when the Attorney General's office charged Holley with "illegally filling out a portion of the absentee ballots of voters," a third-degree crime that, if convicted, would have stripped him of his office and could have led to up to five years in jail and a \$15,000 fine.

Daab wrote to the court that Holley's actions resulted in the disenfranchisement of several voters, and said his admission into the pre-trial intervention program would "depreciate the seriousness of his crime."

But the judge commended Holley for his intent of registering voters.

"Here we have a young man who is motivated to get in politics and through, perhaps, overzealousness, overstepped a bound, but the court finds no criminal activity, no fraudulent activity, and apparently, he's gone on to be reelected by the voters of Roselle," Mercer County Superior Court Judge Robert Billmeier said to Holley in court on Wednesday. "As long as you continue to be an outstanding citizen, then this matter presumably could be dismissed a year from now."

Billmeier said Holley's work with his non-profit, the Jamel C. Holley Civic Association, qualifies as community service, so the court didn't order him to complete any additional community service. Holley testified that his organization provides bookbags to schoolchildren and runs a Christmas toy drive, among other activities.

Holley's attorney said Thursday that the ruling is a vindication and shows that Holley didn't knowingly violate election laws.

"This was a minor procedural technicality whereby there was no criminal intent on my client's part to violate the sanctity of the electoral process," said attorney Melvin Wright. "I felt this case should have remained in the civil arena, and never been injected in the criminal arena."

Billmeier said that he was in large part persuaded by a statement on Holley's behalf submitted by Dansereau, the victim of the alleged tampering. The judge said Dansereau's statement described Holley as "an individual who possesses the requisite character, integrity desperately needed among elected officials."

"If there is anyone that should have an axe to grind about the conduct of this defendant, it would be her," Billmeier said.

Holley said in a statement Thursday that his legal troubles were a learning experience.

"This has been one of the most humbling experiences in my life," Holley said. "With this matter now

Around the web

If Your Dog Eats Dry Food, Do This Everyday

Ultimate Pet Nutrition Nutra Thrive Supplement | Sponsored

US States Americans Are Leaving, Fast (Plus The States They're Moving To)

MoneyWise.com | Sponsored

Navy's New \$13 Billion Toy Finally Being Deployed

investing.com | Sponsored

Bill Cosby Turns 83, Sit Down Before You See Him

Invest Blueprint | Sponsored

'Flip or Flop' Contractor Led to El Moussa's Divorce

Fresh Edits | Sponsored

The Most Played Radio Songs Of All Time

Past Factory | Sponsored

20+ Must-See Beautiful Towns In The Mountains

PensAndPatron | Sponsored

Catholic school teacher who coaches lacrosse repeatedly sexually assaulted student, prosecutor alleges

NJ

Dear Abby: Man's affair with neighbor reaches a moment of truth

NJ



Registration on or use of this site constitutes acceptance of our [User Agreement](#), [Privacy Policy and Cookie Statement](#), and [Your California Privacy Rights](#) (each updated 1/1/20).

© 2020 Advance Local Media LLC. All rights reserved ([About Us](#)).

The material on this site may not be reproduced, distributed, transmitted, cached or otherwise used, except with the prior written permission of Advance Local.

[Community Rules](#) apply to all content you upload or otherwise submit to this site.

[Ad Choices](#)



Support local journalism that serves you.