



State of New Jersey  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CRIMINAL JUSTICE  
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JON S. CORZINE  
Governor

ANNE MILGRAM  
Attorney General

GREGORY A. PAW  
Director

June 9, 2008

Carolyn Ausley  
[Redacted]

William Strouse  
[Redacted]

RE: In the matter of Joyce Sauter; CJ 2005-10192

Dear Ms. Ausley and Mr. Strouse:

Your correspondence to the Attorney General concerning the County Prosecutor's handling of your allegations of criminal conduct of [Redacted] have been referred to the Prosecutors Supervision & Coordination Bureau within the Division of Criminal Justice for review and response. In an effort to address the concerns expressed in your letter, I have carefully reviewed all your documentation. I have also contacted the County Prosecutor's Office, the Sayreville Police Department, as well as, Dr. Frederick DiCarlo, the Ass. Middlesex County Medical Examiner.

By way of background, under the Criminal Justice Act of 1970, the Attorney General, through the Division of Criminal Justice, has general supervisory authority over each of the twenty-one county prosecutors. That supervisory function permits this office to review the facts and to determine whether the prosecutor's acts were within the ambit of his or her discretion. A county prosecutor is vested with broad discretion in the performance of his or her official duties.

In reviewing the exercise of that discretion, our office does not conduct a separate investigation nor do we superimpose our opinion over that of the prosecutor unless there is an indication of an abuse of discretion.



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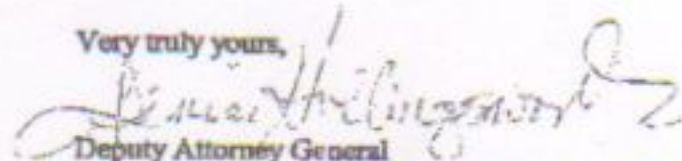
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Based on my review, it is my conclusion that the Middlesex County Prosecutor's Office properly determined that there was no evidence to support a finding of criminal wrongdoing necessitating the commencement of a criminal prosecution. The Sayreville Police Department conducted thorough interviews with all parties and, of course, consulted with Dr. Frederick DiCarlo. Likewise, DiCarlo consulted with Joyce Sauter's physicians on her medical history and provided a very comprehensive External Examination Report supporting his findings on cause and manner of death. The prosecutor's office appropriately relied upon Dr. DiCarlo's death investigation and the police investigation in making their determination that there was no actionable criminal conduct to pursue.

And, finally, I saw no merit in your allegations of a conspiracy or other criminal misconduct involving local and county officials.

Consequently, the Division of Criminal Justice will not intervene in the prosecutor's decision in this regard and, thus, we are now closing this file. We trust that you will soon find closure for this unfortunate loss.

Very truly yours,

  
Deputy Attorney General  
Prosecutors Supervision & Coordination Bureau

cc:  
First Assistant Prosecutor Julia L. McClure  
Regina M. Garb, Citizens' Services, Office of the Attorney General  
R & ICJ

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