



Hillside cop receives 3 years probation in domestic shooting

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Karl de Vries/For The Star-Ledger

TOMS RIVER -- Nearly one year after shooting his stepson during a domestic dispute in his Toms River home, Hillside police detective James Holmes was sentenced to three years probation today.

Holmes, 49, was arrested Aug. 31, 2009 after firing a round into his then 17-year-old stepson's leg following a verbal dispute, Toms River police Capt. Mitch Little said today.

Since the arrest, Holmes, a 19-year veteran of Hillside's police force who had been serving as a detective for criminal investigations, has been suspended without pay from the department, Hillside police Chief Robert Quinlan said through a department spokesman.

The argument, Little said, was over Holmes' stepson coming home too late and escalated after the boy's mother called his probation officer.

Around 7 p.m. that night, the mother called police as well as Holmes. But before Toms River authorities arrived, Holmes came home, became involved in the fight and fired a round of his .40-caliber service weapon into his stepson's leg outside the house, Little said. It's unclear whether Holmes intentionally meant to shoot his stepson, Little said, adding that township police had previously responded to verbal fights at the house but never physical altercations.

Little was unable to provide more information on the stepson's condition, but said that the wound was not life-threatening.

In June, Holmes pleaded guilty to charges of third-degree aggravated assault. In addition to supervised probation, he was also fined an undisclosed amount of money, according to a Superior Court criminal division manager.

Richard H. Bauch, an attorney representing Hillside on labor and personnel matters, said yesterday that the township will review the incident before deciding whether to take further action against Holmes.

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Judgment of Conviction

Superior Court of New Jersey, OCEAN County

State of New Jersey

v.

Last Name
HOLMES

First Name
JAMES

Middle Name
K

Also Known As
NONE

Date of Birth
04/14/1961

SBI Number
396629E

Date(s) of Offense
08/31/2009

Date of Arrest
08/31/2009

PROMIS Number
09 093248-001

Date Ind / Acc / Compl Filed
06/29/2010

Original Plea
 Not Guilty Guilty

Date of Original Plea
06/29/2010

Adjudication By Guilty Plea Jury Trial Verdict Non-Jury Trial Verdict Dismissed / Acquitted Date: 06/29/2010

Original Charges

Ind / Acc / Compl	Count	Description	Statute	Degree
10-06-01190-A	1	AGG ASSAULT	2C:12-1B	3

Final Charges

Ind / Acc / Compl	Count	Description	Statute	Degree
10-06-01190-A	1	AGG ASSAULT	2C:12-1B	3

Sentencing Statement

It is, therefore, on 08/27/2010 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

On Count 1 of Accusation No. 10-06-01190, Defendant is sentenced to three (3) years probation.

Defendant shall comply with any and all conditions as established by probation.

Defendant shall provide a DNA sample and pay the cost of testing the sample.

Defendant shall pay fines and penalties as set forth on page 2.

Bail is discharged.

It is further **ORDERED** that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term
00 Years 00 Months 00 Days

Institution Name

Total Probation Term
03 Years 00 Months

To: paff@pobox.com
Subject: Request for records - Ocean Vicinage Criminal
From: Eric.Muniz@judiciary.state.nj.us

Dear Mr. Paff:

Your letter dated 12/21/2010 to Mr. Prifold was forwarded to my attention. After reviewing your letter and the attachments I personally reviewed the accusation file 10-06-1190 of James Holmes. It contains the one count accusation, waiver of indictment, letter of representation from his attorney, plea agreement, court minutes and judgement of conviction. The plea agreement does indicate that under question #16 that the defendant understood he could be required to forfeit his job or position by virtue of the plea. There are no other records in the file and nothing either ordering that he forfeit or not forfeit his position. There are no applications filed by any agency pertaining to the forfeiture. If you have any further questions please contact me by email or telephone which is listed below.

Eric R. Muniz
Criminal Division Manager
Ocean Vicinage
732-929-2042

January 10, 2011

ATTN: Mr. John Paff
VIA E-MAIL TO: jpaff@pobox.com
VIA FAX TO: 908-325-0129

Dear Mr. Paff,

This is in response to the OPRA request you recently submitted to the Hillside Township Clerk. You have requested the following information for Hillside Police Officer James Holmes: payroll record, length of service, date of separation and the reason therefor and the amount and type of any pension received.

At this time, Officer Holmes's status is "suspended without pay." In response to your request for his **payroll record**, according to my records his *total base salary* that was in effect on the date of his suspension was \$87,842.00.

In response to your request for his **length of service**, the following information is provided: Officer Holmes was appointed to the Hillside Police Department as a police officer on January 31, 1992. He was suspended on September 1, 2009. He is currently suspended without pay. Therefore, his length of service, from his date of appointment until the date of his suspension, was 17 years and 7 months. If you wish to include the time he has been suspended in this calculation, his length of service would be 18 years and 11 months (he has been suspended for 1 year and 4 months).

In response to your request for Officer Holmes's "**date of separation and reason therefor**," I am unable to provide this information. At this time, his status remains "suspended without pay."

In response to your request for "**the amount and type of any pension received**," I am unable to provide this information. To my knowledge, Officer Holmes is not receiving pension benefits. As a police officer, he would have been enrolled in the New Jersey Police and Firemen's Retirement System (PFRS). For further information, it is recommended that you contact the New Jersey Division of Pension and Benefits.

I trust the above information satisfies your OPRA request. If you require any additional information, it is recommended that you contact the Hillside Township Clerk's Office at 973-926-3000.

Sincerely,

ROBERT B. QUINLAN
Chief of Police
Hillside Police Department
Municipal Building
1409 Liberty Avenue
Hillside, New Jersey 07205
office: 973-926-5800 (ext. 200)
fax: 973-926-0739