

Publications

The Star Ledger Archive

COPYRIGHT © The Star Ledger 2003

Date: 2003/09/21 Sunday Page: 015 Section: NEW JERSEY Edition: FINAL Size: 1239 words

If not for a murdered teen, victims would see little help

17-year-old's dad revamps Compensation Board

By **KATE COSCARELLI**
STAR-LEDGER STAFF

The beige metal shelves in a back office at the state Victims of Crime Compensation Board in Newark are almost empty. Richard Pompelio intends to keep them that way.

A year ago, the shelves were packed with files from the agency's backlog of more than 3,000 cases, some dating to 1996.

The 32-year-old agency, charged with compensating victims of violent crime for missed work, medical bills, funeral expenses and mental health counseling, was under fire for being slow to pay claims and being needlessly bureaucratic.

Things were so bad, that a bill to abolish the agency was introduced in the Legislature.

Today, the agency has been revamped under Sparta attorney Richard Pompelio, 56, who took over as chairman in February. Some of the agency's former critics are now its biggest fans.

"I can't make excuses for the past," said Pompelio. "This place had no vision, and I hate to say it, but I don't think the victims were the priority."

Few know better than Pompelio what that requires.

On Feb. 12, 1989, his son, Anthony, was killed coming to the aid of a friend who was being held at knifepoint by her boyfriend. Tony was 17 when he was knifed to death at a party. His killer, Michael Ardila, was arrested following a cross-country chase that ended on a New Mexico highway.

Ardila's trial gave Pompelio, who normally handled civil matters in his law practice, a different look at the justice system. During the trial, the prosecutor didn't speak to him. The victim-witness coordinator sat with Ardila's family. And during jury deliberations, Pompelio sat on the courthouse steps or a park bench outside, he said.

Ardila was convicted of murder and is serving a life sentence.

"As I look back, I'm glad it happened to me," said Pompelio. "I just decided I know what I need to do for the rest of my life."

Soon after his son's death, Pompelio got involved in an effort to add a victims' rights amendment to the state constitution. In 1992, he opened the New Jersey Crime Victims' Law Center, the first of its kind in the nation, which now has offices in Sparta and Moorestown.

Pompelio speaks openly about his son's death now. But it is only in the past few years that he has been able to drive to Trenton without finding himself parked outside the state prison where Ardila is incarcerated. Pompelio said he hopes he is dead when his son's killer is let out of prison.

The recent improvements at the agency, however, don't guarantee its future.

Legislation pending in Trenton seeks to abolish the board in favor of a new office in the Division of Law and Public Safety. Some argue the agency is top-heavy, with five commissioners all paid more than \$100,000 a year. Replacing the commissioners with an executive director could save money and simplify the process, said Assemblyman Christopher Connors (R-Ocean).

"Real change needs to be made," said Connors.

CHARGES OF PATRONAGE

There also are charges that the board is a patronage haven. The commissioners are appointed by the governor and earn an annual salary of \$104,118. The chairman receives an additional \$3,000.

The wife of Newark Mayor Sharpe James, Mary James, was made a commissioner under the Florio administration in the early 1990s, but she is no longer a member of the board.

Before leaving office in 2001, acting Gov. Donald DiFrancesco named Lois Johnson, a former Morris County Republican chairwoman and friend, to the board. She remains a commissioner.

Matthew Scannapieco, the Republican mayor of Marlboro, was put on the board during the Whitman administration and also remains a member.

Pompelio, a Republican, was first named chairman in 2002, replacing Jacob Toporek, an Edison Democrat. A month later, when Gov. James E. McGreevey took office, Toporek was reinstated to the position.

The fifth member is Marianne McConnell, a Democrat appointed by McGreevey in 2002.

When McGreevey replaced Pompelio as chairman with Toporek, victims' rights advocates were upset and told the administration so. And in February, McGreevey put Pompelio back into the chairman's job.

Toporek remains on the board. He acknowledges there have been "a number of concerns about getting this board to more efficiently compensate victims." However, he said, events like the Sept. 11 attacks and an aging computer system complicated progress.

As for complaints that the board's claims process was slow and cumbersome during his tenure, Toporek said, "It all depends on the eye of the beholder. . . . All I know is that we tried our best, and we tried our hardest."

MAKING A DIFFERENCE

People who regularly do work with the agency say that while it isn't perfect, the changes made by Pompelio are having an obvious impact.

"It used to be much, much longer people would be waiting for money. They were almost to the point where they were victimized again," said James Porfido, a Morristown attorney. In the past eight months, he's filed two cases, and both have already received payments for the maximum amount allowed.

Agency statistics show that during Pompelio's tenure, the average number of claims settled each month have increased to 593 from 167 during the previous three years. In that same time period, the average amount the agency paid in claims each month rose to \$1.27 million from \$375,000.

Family members of crime victims note an increased level of attention from the agency's staff.

After Candy Karol's son, Aaron, died in the 2000 fatal dormitory fire at Seton Hall University, she contacted the agency to see whether her family was eligible to receive any money to help pay for the funeral. No, she was told.

She didn't give it another thought until this summer when she got a letter from the agency's chairman. Pompelio had read a story that described her husband, Joe Karol, sitting alone at the arraignment of the men charged with starting the fire.

Pompelio wrote for two reasons. First, he had checked the agency's database and found no record of a claim made by the Karols and thought they were entitled to something.

"He also said, 'Look, just give me a call. I'm right down the street, I'll go with him (to court),'"

ATTACK ON BUREAUCRACY

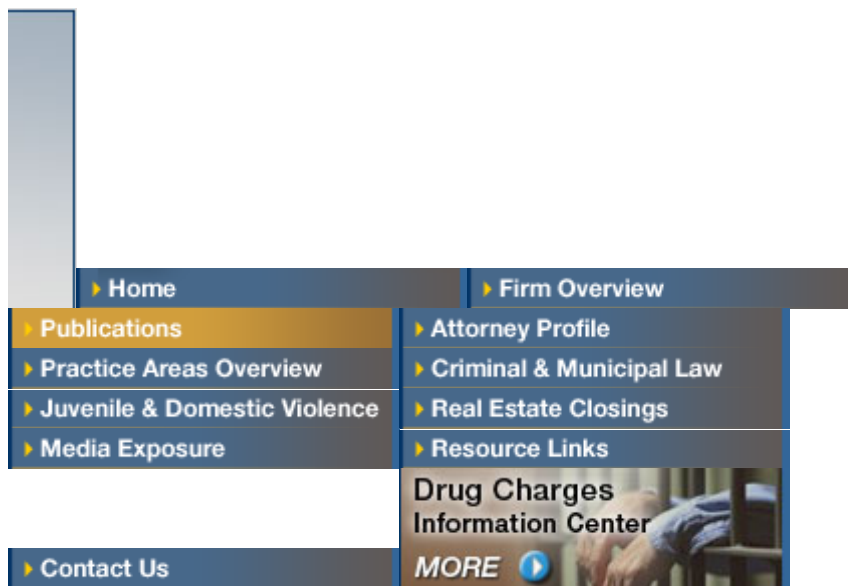
Changing the culture of the board has required the unraveling of an entrenched bureaucracy, say agency officials and employees. A procedures manual was created. Forms have been streamlined. The staff, once loosely scattered in various offices, has been reorganized so that investigators and intake counselors are together.

On Sept. 11 this year, Pompelio led a session to let workers talk about their experiences with the families of the victims and share their feelings about the anniversary. The staff has processed roughly 390 claims totaling \$9 million after the attacks. Employees say a sense of accomplishment motivates them.

"When we talk to victims now, we can tell them you will get paid soon," said claims agent Rosemarie Florio.

Less than a year ago, she said, "you just couldn't" say that.

"A lot of layers have been removed. . . . I don't feel like I am trying to ride a bicycle on a beach," said Edison Benton, a longtime worker.



A navigation menu with a dark blue background and white text. The menu items are arranged in two columns. The left column includes: Home, Publications, Practice Areas Overview, Juvenile & Domestic Violence, Media Exposure, and Contact Us. The right column includes: Firm Overview, Attorney Profile, Criminal & Municipal Law, Real Estate Closings, Resource Links, Drug Charges Information Center, and a MORE button with a right-pointing arrow. The Drug Charges Information Center item features a small image of a person's hands in a courtroom setting.

James M. Porfido
Attorney at Law
55 Madison Avenue Suite 120
Morristown NJ 07960
Tel: (973) 683-1140

