

# NEWS RELEASE

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**Luis A. Valentin, Prosecutor**

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## **NEPTUNE TOWNSHIP MAN INDICTED FOR ATTEMPTED MURDER FOLLOWING ASSAULT ON MONMOUTH COUNTY CORRECTIONS OFFICERS**

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On January 11, 2010, a Monmouth County Grand Jury returned an indictment charging Anthony E. Montgomery, 38, of Neptune Township, N.J., with first degree Attempted Murder, two counts of second degree Aggravated Assault, and one count each of third degree Possession of a Weapon for an Unlawful Purpose, fourth degree Unlawful Possession of a Weapon, and third degree Terroristic Threats. The charges relate to an assault which was committed in the Monmouth County Correctional Institution in Freehold Township, N.J., in August, 2009.

The assault was jointly investigated by the Monmouth County Prosecutor's Office and the Monmouth County Sheriff's Office. The investigation revealed that on August 24, 2009, Montgomery was an inmate at the Monmouth County Correctional Institute where he was being held in lieu of bail on other criminal charges which are unrelated to the crimes contained in today's indictment. Montgomery was confined to his cell, alone, when a Monmouth County Corrections Officer observed that Montgomery's cell appeared to be dark. The Corrections Officer who noted that Montgomery's cell was dark alerted another Corrections Officer, who together with two other Corrections Officers proceeded to investigate.

One of the three Corrections Officers entered Montgomery's cell and told Montgomery to place his hands on the wall so that he could be handcuffed and moved to another cell. Montgomery initially complied. However, as the first Corrections Officer approached Montgomery from behind, Montgomery turned around and struck the Corrections Officer in the face with a homemade weapon, commonly referred to as a "shank." A struggle ensued. The two other Corrections Officers then entered Montgomery's cell in an effort to assist the first Corrections Officer. Montgomery violently fought with all three Corrections Officers, assaulting each of them with the "shank." Eventually, the Corrections Officers were able to subdue Montgomery and take the "shank" away from him.

**A short time after the assault, Montgomery threatened violence against a fourth Corrections Officer.**

**The investigation revealed that the light fixture in Montgomery's cell had recently been tampered with and was missing a metal bracket. The light had been working properly earlier in the day. The "shank" which Montgomery used in his attack upon the three Corrections Officers appeared to be consistent with the metal bracket which was missing from the broken light fixture in Montgomery's cell. Montgomery was not assigned a cellmate at the time.**

**The three officers involved in the altercation were transported to Jersey Shore University Medical Center for medical treatment. One Corrections Officer received a serious wound to the face which required plastic surgery. The second Corrections Officer was treated for a wound to his forearm and tear of his bicep muscle. The third Corrections Officer was treated for wounds to his leg, back, and face.**

**If convicted of first degree Attempted Murder, Montgomery faces a maximum potential custodial sentence of up to a 20 year State Prison term. If convicted of second degree Aggravated Assault, Montgomery faces a maximum potential custodial sentence of up to a 10 year State Prison term. The crimes of Attempted Murder and second degree Aggravated Assault are subject to the "No Early Release Act," which means that Montgomery would be required to serve 85% of the terms imposed for those crimes before he would become eligible for release on parole. The third degree crimes contained in the indictment carry a maximum potential custodial sentence of up to a five year State Prison term, and the maximum potential custodial sentence for a fourth degree crime is imprisonment for up to 18 months.**

**Montgomery is being held at the Monmouth County Correctional Institution in lieu of \$1,000,000 bail on the charges contained in today's indictment.**

**The case is assigned to Assistant Monmouth County Prosecutor Jennifer Lipp. Defense counsel has not yet entered an appearance with the Monmouth County Prosecutor's Office on behalf of Montgomery in connection with the charges contained in today's indictment.**

**Despite these charges, every defendant is presumed innocent, unless and until found guilty beyond a reasonable doubt, following a trial at which the defendant has all of the trial rights guaranteed by the U.S. Constitution and State law.**

**Released: January 11, 2010**