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MEET THE 'THREE STOOGES' OF NEW JERSEY DISABILITY PENSIONS Investigative Report by Mark Lagerkvist Posted On December 23, 2013



Meet New Jersey's 'three stooges' of police disability pensions:

- Joe Derrico was a roughhousing repo man on reality TV, wrestling debtors on camera while collecting \$69,703 a year as a disabled police patrolman with a bad leg.
- Timothy Carroll retired as a sheriff's officer, claiming he was disabled by the trauma from seeing dead bodies at crime scenes. He then started a business to profit by cleaning up crime scenes.
- Christopher Onesti was deemed unable to handle a gun after the transit cop accidentally stapled his non-shooting hand. On disability pension since age 29, he shoots a high-powered rifle for fun.

While the situations may resemble slapstick comedy, the cases uncovered by New Jersey Watchdog investigations this year are not so funny for state taxpayers.

In New Jersey, roughly 5,500 retired police officers receive more than \$200 million a year in disability pensions. They have been judged "totally and permanently disabled" by the state Police and Firemen's Retirement System.

"I'd say 95 percent of the disability applications are questionable," said John Sierchio, former chair and current member of the PFRS Board of Trustees. "It's people who don't want to work anymore. If a person trips over a curb, slips on ice or falls off a chair, I find it hard to believe he is totally and permanently disabled."

Lax state laws make it easy for employees to manipulate the pension system for lottery-sized jackpots, according to Sierchio, a Bloomfield police detective and advocate for reform.

"They're playing within the rules," Sierchio said. "It's the rules that are the problem. I believe that if they don't close those loopholes, it's going to cost taxpayers hundreds of millions of dollars."

Christopher Onesti

New Jersey Watchdog obtained a recent video of Onesti shooting a high-powered rifle for recreation – even though he collects disability pay because he cannot use a gun among other duties.

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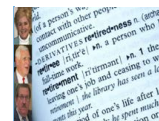
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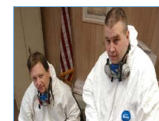
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“It absolutely looks ridiculous,” said Onesti. “On the face of it, it looks absolutely absurd.”

What Onesti calls a “comedy of errors” began at an Ocean County firing range in 2006.

The New Jersey Transit police officer was taking a required firearms test at the range when wind blew his target down. When he tried to reattach it with a staple gun, Onesti mishandled the tool, piercing the base of his left ring finger with a staple.

The wound was the size of a pinprick, according to his testimony. After applying a Band Aid, he successfully completed the qualifying test.

The next day, Onesti reported the injury to his superiors, who referred him for medical care. One questionable diagnosis, two surgeries and 18 months later, doctors opined he could no longer work as a transit cop because he could no longer fire a gun and perform other duties.

Claiming New Jersey Transit did not offer him another job, Onesti said he was given no choice but to retire.

“Could I be a productive member of a police department? Absolutely,” Onesti asserted.

Instead, [Onesti collects \\$45,684 a year in tax-free disability pay](#). If he lives until age 80, his statistical life expectancy, he’ll collect more than \$2.3 million.

“My lawyer said I was entitled to it,” said Onesti told News 4 New York, New Jersey Watchdog’s partner on the disability pension investigations. “It’s not a question of deserve, it’s a question of what the law says.”

After viewing the firing range video of Onesti, Sierchio plans to ask the pension board to take another look at the case.

“How do you get totally and permanently disabled from a staple in the finger?” Sierchio argued. “In that case, every kindergartner who staples his finger should be going out on disability.”

Joseph Derrico

On television, [Joseph Derrico](#) pursued a monster truck on foot, pulled the driver out of the vehicle and tossed him to the ground. He was in the cast of truTV’s “[Bear Swamp Recovery](#),” a reality show on vehicle repos by the “[baddest towing team in Jersey](#).”

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Meanwhile, Derrico collected a police disability [pension of nearly \\$70,000 a year](#). In the eyes of the State of New Jersey, the retired Hamilton Township cop was “totally and permanently disabled” by a leg injury.

No stranger to trouble, Derrico was a criminal defendant when he retired in 2010. A Mercer County grand jury indicted Derrico on a felony charge of theft by receiving stolen property at a pawn shop he managed during off-duty hours.

The patrolman escaped with his pension intact – thanks to a secretive deal with Mercer County Prosecutor Joseph Bocchini, who dropped the case when Derrico retired.

“No useful purpose would be served by further prosecution of this matter,” stated Bocchini in his [motion for dismissal](#).

If convicted, Derrico could have lost his pension. Instead, he started to collect a \$69,696 a year in disability retirement benefits, tax-free.

In reaction to New Jersey Watchdog’s report, the PFRS board stripped Derrico of his retirement benefits and declared him fit to work.

“We had to stop his pension,” said Sierchio. “Otherwise, this would go on in limbo forever. And he would be collecting a pension, not being disabled and pretty much laughing at everybody.”

Derrico has appealed the board’s decision, but did not respond to interview requests. Bocchini refused to be interviewed about the case.

Timothy Carroll

Timothy Carroll retired at age 33. He claimed he was “totally and permanently” disabled by the trauma of seeing dead bodies while working as a sheriff’s officer in Morris County, New Jersey.

“I suffer from crime scene flashbacks and hallucinations due to all the years I served as a crime scene detective,” stated Carroll in his [disability application](#).

The real shock: Carroll then started a business that cleans up gory crime scenes, a New Jersey Watchdog investigation found. Yet the state continues to pay him a disability pension for life, a sum that could total \$1 million or more.

Carroll’s company – [Tragic Solutions LLC](#), of Linden – specialized in removing human residue from “bloody and/or messy” scenes, including “murder, suicide, accidental, natural and decomposing deaths,” [according to its web site](#).

Carroll began receiving disability checks after the PFRS board approved his retirement effective May 1999. Five years later – in April 2004 – Carroll and a fellow disability retiree from the Morris County sheriff’s office formed Tragic Solutions, [according to state business records](#).

Tragic Solutions was featured later that year in an [Associated Press story](#) that included an [AP photo of Carroll \(left\) and his partner \(right\)](#) posing in biohazard protection suits they wore on the job.

After the PFRS board learned of Tragic Solutions, it could not halt Carroll’s disability benefits, currently [\\$25,284 a year](#) plus health coverage.

“In the performance of your job responsibilities with Tragic Solutions, you are exposed to crime scenes similar to those you were subjected to during your employment with Morris County as a crime scene investigator and upon which you were found disabled,” a [state official scolded Carroll in a 2005 letter](#).

“Although there will be no action taken at this time, the facts surrounding your post-retirement employment with Tragic Solutions will become part of your pension membership file,” the correspondence concluded.

The law prevented PFRS from doing anything more. Under pension rules, there is a five-year limit on the state's right to re-examine disability retirees to determine if they are able to return to work. Time had run out on the Carroll case.

Carroll refused to be interviewed by New Jersey Watchdog and News 4 New York.

Legislation to enable the pension system avoid future tragedies stalled in the State Legislature, despite bi-partisan support and the sponsorship of Senate President Stephen Sweeney.

If enacted, [S-1913](#) give pension boards a right to re-examine disability retirees beyond five years and set limits on the amount of disability pay a retiree can collect after taking another job.

If the bill is not passed by the end of the legislative session and signed by the governor, reform advocates will have to start from scratch in 2014.

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