SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
Docket No. DRB 25-166
District Docket No. XIV-2012-0575E

In the Matter of Jose David Alcantara
An Attorney at Law

Argued
September 18, 2025

Decided
December 18, 2025

Christopher W. Goodwin appeared on behalf of the
Office of Attorney Ethics.

Eric S. Goldstein appeared on behalf of respondent.

Table of Contents

Introduction

To the Honorable Chief Justice and Associate Justices of the Supreme Court of New Jersey.

This matter was before us on a disciplinary stipulation between the Office of Attorney Ethics (the OAE) and respondent. Specifically, respondent stipulated to having violated RPC 8.4(b) (two instances – committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer).

For the reasons set forth below, we recommend to the Court that respondent be disbarred.

Ethics History

Respondent earned admission to the New Jersey bar in 1988. During the relevant timeframe, he maintained a practice of law in Atlantic City, New Jersey. He has prior discipline.

Alcantara I

In 1995, the Court reprimanded respondent for communicating with his client's criminal co-defendants, who were represented by counsel, in violation of the Rules of Professional Conduct. In re Alcantara, 144 N.J. 257 (1995)

(Alcantara I).

In that matter, in exchange for pleading guilty, the co-defendants agreed to testify against respondent's client concerning the theft of a church bell. Id. at 259. However, respondent improperly attempted to persuade the co-defendants to refrain from testifying against his client, in violation of RPC 3.4(f) (requesting a person, other than a client, to refrain from giving relevant information to another party) and RPC 4.2 (engaging in improper communication with represented parties), among other RPCs. Id. at 266-67.

In imposing a reprimand, the Court found that respondent's "unethical behavior was unquestionably serious. In attempting to protect his client's interests, he crossed over the line from vigorous defense advocacy and came perilously close to bringing about a perversion of justice." Id. at 267. Nevertheless, the Court noted that respondent's "conduct was an isolated incident on an otherwise unblemished professional record." Id. at 268. The Court, however, cautioned that, going forward, violations of RPC 4.2 "for the type . . . that occurred in this case" ordinarily would be met with a suspension. Ibid.

Temporary Suspension and Reinstatement

On February 8, 2018, the Court temporarily suspended respondent in connection with his criminal conduct underlying this matter, for which a jury had convicted him of second-degree endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4(a)(1). In re Alcantara, 232 N.J. 37 (2018).

On May 11, 2021, following the reversal of his conviction on appeal, the Court reinstated respondent to the practice of law. In re Alcantara, 246 N.J. 242 (2021).

Facts

Respondent and the OAE entered into a disciplinary stipulation, dated July 14, 2025, which sets forth the following facts in support of respondent's admitted ethics violations.

Endangering the Welfare of a Child

Around 2004, respondent and T.L. met, on the internet, while respondent was living in Atlantic City and T.L. was living in Belarus.[1] Respondent, who was born in 1958, was approximately forty-six years old at that time. T.L., in

[1] In view of the sensitive nature of this matter, we use initials to protect the parties' identities. R. 1:38-3(c).

turn, was an adult woman with two daughters – K.Z., who was born in 1992, and V.Z., who was born in 1995. Both K.Z. and V.Z. were born in Belarus and were being raised in that country by T.L. and their grandmother.

In 2004, respondent and T.L. married in Belarus. Thereafter, in 2005, T.L., K.Z., and V.Z. immigrated to the United States to live, in Atlantic City, with respondent and his biological daughter, I.A., who was approximately four years younger than V.Z.[2] At the time V.Z. immigrated to the United States, she was nine years old and did not speak or understand English.

During respondent's 2018 criminal trial before the Superior Court, V.Z. testified that, when she relocated to respondent's home, her life was "very challenging," given that she (1) was "new in the country;" (2) did not know anyone other than respondent, T.L., K.Z., and I.A.; (3) could not communicate in English; (4) had difficulty in school; and (5) did not "get along" with respondent, whom she "was forced to call . . . poppa" and "couldn't accept . . . as a father in my life." V.Z. further testified that T.L. worked as a housekeeper at an Atlantic City casino, and respondent, as an attorney, was the "main provider" for the household.

[2] I.A. lived with respondent approximately three days per week.

From 2005 through 2008, following V.Z.'s immigration to the United States, respondent, on multiple occasions, touched V.Z.'s buttocks, over her clothing, with his hand. During that timeframe, V.Z. was between nine and twelve years old.

During the criminal trial, V.Z. testified that, at times, respondent would touch her buttocks in front of K.Z. or her friend, I.V.[3] At first, V.Z. viewed respondent's actions as "a game" or "a joke." However, as she matured, V.Z. "started to realize that it was strange because nobody else did it." She also requested that respondent stop touching her buttocks.[4]

During respondent's May 11, 2023 demand interview with the OAE, he maintained that he "realized that this may be deemed wrong, so I better stop." He also denied having touched K.Z.'s buttocks, given that she was older than V.Z.

During the criminal trial, when asked whether he had touched V.Z.'s buttocks, respondent claimed that he could not "recall when it specifically happened or ended, but there was some degree of butt, but never groping football-style." He also characterized his touching of V.Z.'s buttocks as a "good

[3] V.Z. and I.V. met at school when they both were approximately nine years old.

[4] The record before us is unclear either when V.Z. directed respondent to stop touching her buttocks or whether he immediately stopped that behavior in response to her requests.

job" gesture. Further, he claimed that, during the timeframe in which he touched V.Z.'s buttocks, V.Z. and K.Z. "complain[ed]" about either receiving "too much" or not enough attention from him.

Additionally, when V.Z. was between nine and fifteen years old, respondent repeatedly called V.Z. and I.V. "lesbians." At first, V.Z. did not understand the meaning of the term. However, as she matured "and learned more English," respondent's comments made her "angry" because she did not identify as a lesbian and "was a kid."

During the criminal trial, respondent claimed that he "never intended to call them lesbians, lesbian, it's like a joke, it wasn't meant to be, and I apologize." Similarly, during his May 2023 demand interview, he maintained that he "called V.Z. and I.V. lesbians because of their clothing," comments which he viewed as "humorous."

Moreover, when V.Z. was between eleven and fifteen years old, respondent repeatedly offered to lay in bed with her. Because respondent's requests made V.Z. feel "very uncomfortable," she routinely declined his invitations. However, on one occasion when V.Z. allowed respondent to lay in bed with her, she testified that he laid next to her "in like a spoon position," and she told him "no[,] I'm going to sleep, you can . . . go now." Additionally, V.Z. would cover herself in pillows at bedtime to conceal herself and avoid glancing

at respondent while he would stand in the doorway to her bedroom[5] and attempt to observe her in bed.

Further, when V.Z. was between twelve and fifteen years old, respondent repeatedly commented on the development of her breasts and the appearance of her lips. Specifically, V.Z. testified that respondent "would say . . . your boobs are getting big or . . . you're really developing into a woman, your boobs are getting huge." Moreover, respondent told V.Z. that she had "juicy lips." V.Z. testified that respondent's comments made her feel "very uncomfortable" and that, although she would always tell him to stop, he refused to do so.

When questioned regarding his remarks during the criminal trial, respondent claimed that he told V.Z. "either . . . they're getting big or your boobs are getting big, so you have to clothe them a bit." He also testified that he was "not looking, nor do I care to look at [V.Z.'s] boobs." Moreover, when asked whether he had made any comment to V.Z. with the intent to engage in sexual conduct, respondent replied "[h]eck no, no way. There were so many opportunities, that didn't happen, no. There was nothing sexual whatsoever." During the 2023 demand interview, respondent contended that he had told V.Z. that her lips were "juicy red" because she had just eaten cotton candy.

[5] V.Z. and I.A. shared the same bedroom.

In addition, when V.Z. was between twelve and fifteen years old, respondent would lay on the couch next to her in a "spooning" position, such that the anterior of his body would align with the posterior of her body. While in a spooning position, respondent placed his pelvic area directly behind V.Z.'s buttocks. V.Z. testified that, during those episodes, respondent "would be there to watch [television], but I wouldn't stay for long because I didn't . . . like it . . . I just wanted to not be there so I would . . . leave the room." Although V.Z. repeatedly told respondent to stop laying with her in a "spooning" position, he continued to engage in that behavior.

During the demand interview, respondent conceded that he had laid, in a spooning position, with V.Z. when she was approximately fourteen years old. However, he told the OAE that his actions made him feel "uncomfortable."

Similarly, during the criminal trial, respondent testified that "I'm sure at some point possibly we were laying down or I was laying down that way and there was nothing sexual about it." Respondent also contended that he never wanted to lay in a spooning position with V.Z. but that, if he had done so, "it would [not have] be[en] sexual."

Finally, when V.Z. was between twelve and fifteen years old, respondent repeatedly entered the bathroom, purportedly to search for his personal items, and observed V.Z. while she was naked and taking a shower. At times,

respondent entered the bathroom despite V.Z. having locked the door to undress. The shower immediately was visible upon opening the bathroom door, and the translucent shower curtain allowed someone standing outside of the shower to view the "figure" of the person therein.

In an April 2, 2009 entry in her personal diary, V.Z., who then was thirteen years old, stated that "my step-loser or fat[h]er keeps on looking at me whenever I take a shower or something and that's just scary."

During the criminal trial, V.Z. testified that, when she wrote that diary entry, she "believe[d]" that she "was scared." V.Z. further claimed that, on at least one occasion, respondent was the only other person at home when he entered the bathroom and observed her, naked, while taking a shower. V.Z. maintained that, although she would "scream" for respondent to "get out" of the bathroom, he would "just ask questions" or attempt to "rush" her out of the shower.

Moreover, V.Z. testified that, "oftentimes" before taking a shower, she would inform respondent where his "keys" were, in an attempt to prevent him from disturbing her in the bathroom. Additionally, although respondent "would look around" the bathroom, V.Z. testified that, "mainly[,] he would . . . look at me." Eventually, V.Z. claimed that she started using a metal rod to prevent respondent from opening the bathroom door while she was undressed. V.Z. also

testified that she "covered" herself when respondent entered the bathroom "[b]ecause I didn't want him to see me naked."

Respondent, in turn, testified that he had observed V.Z. naked while taking a shower no "more than six times." During his trial, respondent described an instance in which he had entered the bathroom, purportedly to look for his keys, while V.Z. was naked and taking a shower. Specifically, respondent claimed that, when he entered the bathroom, V.Z. "grabbed the curtains covering everything but her face, and she was saying what are you looking for, and I said the keys." Respondent testified that he "didn't feel right being in the room even though she's fully covered with the curtain you can't see, I didn't feel right being there, there's humidity and a little dim the light." Respondent further maintained that V.Z. "looked at me, I made a funny face at her like this, like, and went back out, that was it."

V.Z. testified that, prior to beginning high school, the totality of respondent's inappropriate behavior put a strain on their relationship, resulting in them "argu[ing] a lot" and "impact[ing]" the way she "viewed" respondent. However, after she began high school, V.Z. claimed that respondent ceased his inappropriate behavior and they "started getting along." V.Z. maintained that, although she did not "forg[e]t about" respondent's conduct, she "wanted to develop a better relationship with him, so . . . I didn't focus on it."

K.Z.'s and V.Z.'s Interactions with Law Enforcement

On June 7, 2012, K.Z., who was then twenty years old, reported to the Brigantine Police Department that respondent had sexually assaulted her, on multiple occasions, when she was between fourteen and nineteen years old.

The next day, during the morning of June 8, 2012, respondent told V.Z., who was then sixteen years old, that he was "being so good to" her by taking her to school. Later that same day, when V.Z. was at her friend's house after school, respondent called V.Z. and told her that there was "an emergency" because police were investigating him and intended to speak with her. During the criminal trial, V.Z. testified that, after speaking with respondent, she became "terrified" because she "didn't know what was going on."

Thereafter, during the evening of June 8, 2012, V.Z. spoke with a detective from the Atlantic County Prosecutor's Office (the ACPO), claiming that she never witnessed respondent engaging in inappropriate behavior. During the criminal trial, V.Z. testified that, as of June 8, 2012, she had not informed anyone of respondent's inappropriate behavior, stating that she was "repressed . . . growing up" and did not "want to ruin" the relationship she had developed with respondent since beginning high school. V.Z. also stated that she was "scared because . . . [respondent] was providing for us and he was doing nice

things to us and he would always remind us so I didn't think that I could because I didn't want to ruin the relationship that we already had developed."

Following V.Z.'s June 8, 2012 interview with the ACPO detective, respondent contacted her to inquire what she had disclosed to members of law enforcement. V.Z. replied to respondent that she "didn't say anything." After June 8, 2012, V.Z. moved out of respondent's house and began living with K.Z. and her boyfriend.

Approximately one week later, on or before June 16, 2012, V.Z. met with respondent at his house. Unbeknownst to V.Z., respondent recorded their interaction, during which V.Z. informed him that she would no longer live at his home.[6]

Thereafter, on June 23, 2012, V.Z. again visited respondent, who requested that she issue a written statement absolving him of any wrongdoing. V.Z., however, declined to issue such a statement.

On August 9, 2012, V.Z. returned to the same ACPO detective and, this time, disclosed that respondent previously had, for years, (1) touched her buttocks; (2) called her a lesbian; (3) entered the bathroom while she was showering; and (4) laid in bed with her against her wishes.

[6] In New Jersey, it is permissible to record a conversation, provided that one party to the conversation consents to the recording. N.J.S.A. 2A:156A-4(d).

The Criminal Proceedings

On December 9, 2014, an Atlantic County grand jury issued a seven-count indictment against respondent. The first six counts alleged that, between 2006 and 2010, respondent engaged in serious sex offenses against K.Z. Count seven alleged that, between October 2005 and June 2012, respondent committed second-degree endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4(a)(1), by engaging in "sexual conduct which would impair or debauch the morals of" V.Z.

In or before April 2016, the Superior Court severed counts one through six of the indictment pertaining to K.Z. from count seven pertaining to V.Z. Thereafter, on December 9, 2016, following a criminal trial, a jury found respondent not guilty on counts one through six.

On January 12, 2018, following a separate criminal trial, a jury found respondent guilty on count seven – second-degree endangering the welfare of V.Z. Effective February 8, 2018, following his conviction, the Court temporarily suspended him in connection with that criminal conduct. Alcantara, 232 N.J. 37.

On June 14, 2018, the Honorable Bernard E. Delury, Jr., P.J.Cr., sentenced respondent to a seven-year term of incarceration and to parole supervision for life (PSL), pursuant to N.J.S.A. 2C:43-6.4. Judge Delury further required

respondent to comply with the registration and community notification requirements of Megan's Law, N.J.S.A. 2C:7-1 to -23.

In imposing sentence, Judge Delury noted that "[t]he [trial] testimony in this case showed that V.Z. was subjected to a series of sexually charged circumstances and sexual conduct exhibited by [respondent] over the course of several years." Judge Delury also observed that, although respondent provided "numerous letters in support of his character describing him as a devoted father, an upstanding citizen[,] and a supporter of his community . . . . the face he showed to V.Z. in the seclusion and privacy of the home was a different one."

Applying New Jersey sentencing criteria, Judge Delury accorded moderate aggravating weight to respondent's risk of re-offense, reasoning that he lacked "insight" and "minimized his behavior" by "describing it as cultural differences on his part and teen angst on V.Z.'s part." Specifically, Judge Delury found that, "[w]hatever cultural differences may have existed between [respondent] and his stepdaughter, these in no way excuse [his] gratuitous and salacious behavior." Judge Delury determined that respondent was "likely to offend again in similar ways if he remain[ed] unwilling or unable to appreciate and understand the gravity and criminality of his offensive behavior."

Judge Delury also applied significant aggravating weight to the need to deter respondent and others from violating the law "in the family setting where trust and protection are paramount when dealing with young children."

Nevertheless, Judge Delury found, in "scant" mitigation, that respondent did not contemplate that his conduct would cause or threaten serious harm. Specifically, Judge Delury viewed that factor as "precisely the problem with [respondent's] conduct in this case. His lack of judgment in dealing with his stepdaughter." Judge Delury also weighed, in "moderate" mitigation, respondent's lack of criminal history. Further, Judge Delury considered that, in connection with respondent's practice of law, he "supported numerous causes and agencies dealing with issues of social justice."

Weighing the aggravating and mitigating factors, Judge Delury concluded that a seven-year term of imprisonment was the appropriate sentence for respondent's second-degree criminal conviction for endangering the welfare of a child.[7]

On October 9, 2020, the Appellate Division reversed respondent's conviction and remanded the matter to the Superior Court for a new trial. State v. D.A., 2020 N.J. Super. Unpub. LEXIS 1914 (App. Div. Oct. 9, 2020).

[7] Generally, the sentencing range for a second-degree crime is between five and ten years. N.J.S.A. 2C:43-6(2).

In its opinion, the Appellate Division reversed respondent's conviction based solely on the insufficiency of the trial judge's "unanimity" jury instruction. Specifically, the Appellate Division found that "there was a grave potential that . . . the heaping together of a variety of factual contentions" regarding respondent's behavior toward V.Z. "could have led to a conviction without the jury's unanimous agreement on the material facts." Id. at 11. The Appellate Division concluded that the trial judge's unanimity instruction "did not sufficiently impress on the jurors that they were required to share a common view of the material facts." Id. at 12-13.

On May 11, 2021, following the reversal of his conviction, the Court restored respondent to the practice of law from his temporary suspension. Alcantara, 246 N.J. 242.

On January 11, 2022, respondent appeared in the Superior Court and pleaded guilty to one count of petty disorderly persons harassment, in violation of N.J.S.A. 2C:33-4(c), in exchange for the dismissal of the second-degree endangering charge remanded by the Appellate Division for a new trial. During the plea hearing, the ACPO noted that V.Z., who had reached adulthood, consented to the terms of the plea agreement. The ACPO also stated that respondent had served a "significant portion" of his seven-year term of imprisonment.

Additionally, during that proceeding, respondent allocuted that, between 2005 and 2012, he engaged "in a course of conduct where [he] yelled at [V.Z.] . . . with the purpose to alarm . . . or seriously annoy her." Following his allocution, the Honorable Donna Taylor, J.S.C., imposed a sentence consisting only of $158 in total fines and court costs – the same sentence recommended by the ACPO.

The Stipulated Misconduct

Based on the above facts, the parties stipulated that respondent violated RPC 8.4(b) by committing second-degree endangering the welfare of V.Z. Although the parties noted that the Appellate Division had reversed respondent's criminal conviction due to an insufficient jury instruction, respondent conceded that the trial record established, by clear and convincing evidence, that he committed that offense. Specifically, he stipulated that, between 2005 and 2011, he endangered the welfare of V.Z. – his stepdaughter who was less than sixteen years old – by (1) touching her buttocks through her clothes; (2) calling her and I.V. lesbians; (3) commenting to her on the development of her breasts; (4) laying with her in a spooning position; (5) and entering the bathroom while she was naked and showering.

The parties also stipulated that respondent violated RPC 8.4(b) a second time by committing petty disorderly persons harassment. Specifically, as respondent allocuted during his January 2022 plea hearing, between 2005 and 2012, he repeatedly yelled at V.Z. with the purpose to alarm or seriously annoy her.

The Parties' Positions Before the Board

Citing disciplinary precedent involving attorneys who commit sex offenses against minors, the OAE urged us to recommend respondent's disbarment. In support of its recommended sanction, the OAE emphasized that respondent began his sexually illicit behavior towards V.Z., his stepdaughter, when she was only nine years old. The OAE underscored how V.Z. was vulnerable because of both her youth and her status as a newly arrived immigrant to the United States who, at first, could not understand English. In that vein, V.Z.'s unfamiliarity with her surroundings and community rendered her particularly reliant on respondent.

Despite V.Z.'s unique vulnerability and her repeated requests that respondent stop his inappropriate behavior, the OAE emphasized that he continued "his harassing pursuit" of V.Z. for several years, when she was between nine and fifteen years old. The OAE contended that respondent's

criminal conduct was most like that of the disbarred attorney in In the Matter of Alexander D. Walter, DRB 15-362 (April 4, 2016), who, as detailed below, committed third-degree endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4(a). Like Walter, the OAE emphasized that respondent leveraged his power over V.Z. to his own advantage. Moreover, in contrast to the attorneys who have received indeterminate suspensions for engaging in sexually explicit online conversations with putative underage victims who were, in fact, members of law enforcement, the OAE stressed that respondent's prolonged misconduct caused V.Z. lasting harm.

The OAE further urged, in aggravation, respondent's lack of remorse and failure to remediate his actions, despite numerous opportunities. However, the OAE noted, in mitigation, that he had stipulated to his misconduct in this forum, thereby conserving disciplinary resources.

The OAE concluded that respondent's protracted criminal behavior toward a minor for whom he owed a legal duty as a parental figure "limits the likelihood that [he] could ever practice in conformity with the high standard of conduct" required of attorneys.

In his August 19, 2025 submission to us, respondent, through counsel, argued that his stipulated misconduct warranted the imposition of a two-year suspension, at most, based on his view that his behavior did "not implicate the

core values that sustain public confidence in the legal profession." In support of his position, he acknowledged that his conduct was "inappropriate in hindsight." Nevertheless, he claimed that his behavior occurred in the context of "navigating . . . a relationship with his new stepdaughter, V.Z., who not only had a language barrier, but also, was uprooted from her life in Belarus and did not have a father figure in her life."

Respondent also maintained that his actions "stem[med] from his attempt to create the same relationship he had with his biological daughter, I.A., as he believed this would create a better relationship with V.Z." Specifically, he alleged that "the butt tapping" began when V.Z. and K.Z. were upset about not having received "enough attention" and purportedly "ended once V.Z. conveyed that she did not want him to do that." Respondent contended that he "was ignorant of the fact that such conduct, while may have been normal with his own daughter, was inappropriate as he did not consider V.Z.'s vulnerabilities, [his] lack of relationship with V.Z., and [the] age of V.Z. in comparison to his own daughter."

Moreover, respondent claimed that his remarks to V.Z. regarding the appearance of her breasts and lips, coupled with his comments calling her and her friend "lesbians," were "not made in a sexual way." Rather, he argued that his admittedly "inappropriate" remarks were "said with ignorance."

Similarly, respondent claimed that laying with V.Z. in a "spooning" position, though inappropriate, stemmed from his "ignorance" regarding acceptable physical boundaries with his stepdaughter. Additionally, he represented that he did not enter the bathroom while V.Z. was naked and taking a shower to "peer" at his stepdaughter for his own gratification but, rather, to search for his personal items.

Respondent argued that his violation of RPC 8.4(b) for harassing V.Z. by repeatedly yelling at her warranted the imposition of a reprimand.

Respondent urged us to reject the OAE's position that he had failed to demonstrate adequate remorse for his conduct, which he admitted "was wrong" and "impact[ed]" V.Z. Respondent also stressed that not all his behaviors spanned the entire seven-year period in which he admittedly debauched V.Z.'s morals.

In mitigation, respondent underscored how he stipulated to his misconduct and served more than two years in prison before his endangering conviction was reversed on appeal. Finally, he submitted three character letters from community members, who attested to his support of (1) underprivileged communities, via pro bono legal services, (2) the Spanish-speaking community in Atlantic County, and (3) his religious organization.

At oral argument before us, respondent, again through counsel, argued that the OAE had "difficult[y]" defining how the totality of his admittedly inappropriate behavior constituted "sexually charged" conduct. Nevertheless, when we confronted respondent's counsel regarding the nature of some of respondent's sexually laced behavior underpinning the stipulated endangering offense, he conceded that respondent's conduct was "peculiar." We also questioned whether respondent was now challenging the sexual element underlying the second-degree endangering offense, to which he unequivocally had stipulated in this matter. In reply, respondent's counsel contended that the "degree to which the OAE characterize[d]" respondent's conduct "as being much more sexually charge perhaps [was] overstated."

The Parties' Post-Hearing Submissions to the Board

On September 19, 2025, the day after oral argument before us, respondent, through counsel, filed a letter claiming that paragraph 103(a) of the disciplinary stipulation, via which he admitted he had violated RPC 8.4(b) by engaging in second-degree endangering the welfare of V.Z., contrary to N.J.SA. 2C:24-4(a), contained "a significant mistake of law and fact," constituted "new evidence," and was an "error" in the stipulation. Specifically, despite the content of the stipulation in the record, he argued that his January 2022 guilty plea and

conviction for petty disorderly persons harassment, contrary to N.J.S.A. 2C:33-4(c), was the only "existing conviction . . . presently before" us.

On September 22, 2022, the Office of Board Counsel sent respondent's attorney a letter, requesting that he file a written submission to support his contention that paragraph 103(a) of the stipulation contained a significant mistake of law and fact.

On September 26, 2025, respondent, again through counsel, submitted a written reply, urging us to impose discipline solely in connection with his guilty plea and conviction for petty disorderly persons harassment – contrary to the express terms of the disciplinary stipulation – citing the prior overturning of respondent's second-degree endangering conviction based on an inadequate jury instruction.

On October 3, 2025, the OAE filed a letter in opposition to respondent's attempt to limit the scope of the disciplinary stipulation, emphasizing that the plain language of the stipulation unequivocally stated that respondent violated RPC 8.4(b) by both endangering the welfare of, and harassing, V.Z. The OAE also underscored how respondent, an experienced criminal defense attorney, had been represented by counsel since February 2025, following which the OAE and respondent's counsel exchanged multiple drafts of the stipulation before they each executed that document. The OAE stressed that respondent (1) had ample

time to review the stipulation with counsel, (2) affixed his initials to nearly every page of the stipulation, and (3) conferred with counsel prior to executing the document. In the OAE's view, respondent's attempt to limit the scope of the stipulation was both "illogical" and represented his "latest attempt to minimize his culpability."

Analysis and Discipline

As a threshold matter, we decline respondent's post-oral argument attempt to limit our review of the disciplinary stipulation to his January 2022 petty disorderly persons conviction. In our view, the facts set forth in the stipulation, coupled with the arguments contained in respondent's counsel's August 19, 2025 brief, clearly establish that he had agreed to the imposition of discipline for engaging in both second-degree endangering the welfare of a child and petty disorderly persons harassment.

Specifically, subsection A of the stipulation is titled:

> UNETHICAL CONDUCT COMITTED Commission of a criminal act contrary to the provisions of N.J.S.A. 2C:24-4 (Endangering the Welfare of a Child) and N.J.S.A. 2C:33-4c (Harassment) that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects in violation of RPC 8.4(b).

[Spp.6-7.][8]

Similarly, paragraphs 58 through 102 of the stipulation set forth the admitted facts in support of paragraph 103(a) – that respondent committed second-degree endangering the welfare of a child. Consistent with those admitted facts, the stipulation also states that:

> [a]lthough [r]espondent's conviction was reversed and remanded due to an improper jury instruction given by the trial judge to the jury, the parties acknowledge that the record reveals clear and convincing evidence that [r]espondent committed second-degree endangering the welfare of V.Z.
>
> [Spp.24-25.]

Likewise, respondent's counsel's August 19, 2025 brief to us not only discussed disciplinary precedent underlying his conviction for petty disorderly persons harassment but also analyzed disciplinary cases involving sexual offenses against minors in the context of the admitted predicate acts encompassing the stipulated endangering offense.

Finally, respondent, whom the OAE described as an experienced criminal defense attorney, signed his initials on every page of the disciplinary stipulation, except for the cover page, and consulted with counsel prior to executing the document. Indeed, according to the OAE, respondent's counsel exchanged

[8] "S" refers to the disciplinary stipulation, dated July 14, 2025.

multiple drafts of the stipulation with the OAE before signing the final version of the document.

Viewing the unambiguous terms of the parties' disciplinary stipulation against the procedural history of this disciplinary matter, we reject respondent's post-oral argument attempt to limit the scope of our review to his January 2022 guilty plea and conviction for petty disorderly persons harassment.

Violations of the Rules of Professional Conduct

Turning to our review of the record, we conclude that the stipulated facts in this matter clearly and convincingly support respondent's admitted violations of RPC 8.4(b).

It is well-settled that we may find a violation of RPC 8.4(b) even in the absence of any formal criminal convictions. See In re McEnroe, 172 N.J. 324 (2002) (the attorney was found to have violated RPC 8.4(b), despite not having been charged with or found guilty of a criminal offense), and In re Rigolosi, 107 N.J. 192 (1987) (disbarring an attorney for bribery despite the attorney having been acquitted on all criminal charges).

In relevant part, a person criminally endangers the welfare of a child if:

> (1) [the victim] was a child[;][9]
>
> (2) [the perpetrator] knowingly engaged in sexual conduct, which would impair or debauch the morals of a child[;] [and]
>
> (3) [the perpetrator] had a legal duty for the care of the child or had assumed responsibility for the care of the child.[10]
>
> [Model Jury Charges (Criminal), "Endangering the Welfare of a Child, Sexual Conduct (Second Degree) (N.J.S.A. 2C:24- 4(a)(1)" (rev. April 7, 2014).]

Although the term "sexual conduct" is not defined in the New Jersey Code of Criminal Justice, the Court has observed that the endangering statute is "not limited to conduct that would also" constitute sexual assault (N.J.S.A. 2C:14-2) or criminal sexual contact (N.J.S.A. 2C:14-3). State in the Interest of D.M., 238 N.J. 2, 20 n.6 (2019). Indeed, courts have found that a variety of inappropriate conduct falls within the purview of the endangering statute. See, e.g., State v. Hackett, 323 N.J. Super. 460 (App. Div. 1999) (being nude in a window where the defendant could be visible to children), aff'd as modified, 166 N.J. 66 (2001); State v. White 105 N.J. Super. 234, 237 (App. Div. 1969) (showing nude photographs to children); State v. Johnson, 460 N.J. Super. 481 (Law Div. 2019)

[9] "Child" in this context "means any person under 18 years of age." N.J.S.A. 2C:24-4(b)(1).

[10] Stepparents in this context have a legal duty for the care of a child. Model Jury Charges (Criminal), "Endangering the Welfare of a Child, Sexual Conduct (Second Degree) (N.J.S.A. 2C:24- 4(a)(1)" (rev. April 7, 2014).

(requesting that a child send a photograph of her breasts); State v. Maxwell, 361 N.J. Super. 502 (Law Div. 2001) (engaging in a telephone conversation with children regarding their private parts and sexual acts).

The Court has held that "[a] determination of whether specific conduct has the tendency to impair or debauch the morals of the average child is not 'beyond the ken of the average juror.' The issue to be decided is not 'so esoteric that jurors of common judgment and experience cannot form a valid judgment.'" Hackett, 166 N.J. at 83 (quoting Butler v. Acme Markets, 89 N.J. 270, 283 (1982)).

Applying these principles, we determine that the totality of respondent's stipulated sexual conduct impaired or debauched the morals of V.Z., his stepdaughter, when she was between nine and fifteen years old.

Specifically, when V.Z. was between nine and twelve years old, respondent repeatedly touched her buttocks over her clothing with his hand, at times in the presence of K.Z. or I.V. At first, V.Z. viewed respondent's conduct as a "game" or a "joke." However, as she matured, she perceived his actions as "strange" and requested that he stop.

Additionally, after V.Z. befriended I.V. at school when they were both approximately nine years old, respondent repeatedly called both children "lesbians." Despite V.Z.'s multiple requests that respondent stop his

inappropriate comments, his behavior continued, for years, until V.Z. was fifteen years old. As V.Z. matured, she became "very uncomfortable" with respondent's comments, which made her "angry" because she did not identify as a lesbian and, as she testified, was merely "a kid."

As V.Z. continued to mature, respondent escalated his sexually charged behavior toward his stepdaughter. Specifically, when she was between twelve and fifteen years old, respondent, on multiple occasions, commented on the development and appearance of V.Z.'s breasts and lips. As V.Z. testified, respondent repeatedly told her that (1) "your boobs are getting big," (2) she was "really developing into a woman, your boobs are getting huge," and (3) she had "juicy lips." Respondent's remarks made V.Z. feel "very uncomfortable," and his behavior persisted, for years, despite her repeated pleas that he cease his inappropriate comments.

Meanwhile, when V.Z. was between eleven and fifteen years old, respondent repeatedly laid either on the couch or in bed next to her, in a spooning position, enabling him to place his pelvic area directly behind her buttocks. Respondent's actions again made V.Z. feel "very uncomfortable," and she routinely implored him to neither lay in bed with her nor engage in a spooning position with her on the couch. Nevertheless, respondent's conduct continued, forcing V.Z. to cover herself in pillows at bedtime to conceal herself.

Finally, when V.Z. was between twelve and fifteen years old, respondent repeatedly entered the bathroom and observed her while she was naked and showering. Although he would enter the bathroom purportedly to search for his personal items, V.Z. testified that, "mainly," respondent would "look at me." Moreover, on at least one occasion, neither V.Z.'s mother (T.L.) nor her older sister (K.Z.) were at home when respondent intruded on V.Z. while she was taking a shower.

To prevent respondent from observing her while she was naked, V.Z. would (1) cover herself with the translucent shower curtain when he entered the bathroom; (2) scream at him to "get out" of the bathroom; (3) inform him where his keys were prior to her taking a shower; and (4) lock the bathroom door. However, because respondent entered the bathroom even after V.Z. had locked the door, she, eventually, resorted to utilizing a metal rod as an additional measure to prevent respondent from entering the bathroom. V.Z. documented the effects of respondent's actions in her personal diary, describing his conduct as "just scary."

Viewing his conduct in its totality, we have no difficulty concluding that respondent, for years, subjected V.Z. to a series of sexually charged, criminal behaviors that would debauch or impair her morals. He admitted having done so in the stipulation before us.

Further, we determine that respondent again violated RPC 8.4(b) by committing petty disorderly persons harassment, in violation of N.J.S.A. 2C:33-4(c).

Specifically, in January 2022, following the reversal of his second-degree endangering conviction on appeal based solely on an inadequate jury instruction, respondent pleaded guilty to petty disorderly persons harassment. During his plea hearing, respondent allocuted that, between 2005 and 2012, he engaged in a course of conduct whereby he "yelled" at V.Z. "with the purpose to alarm . . . or seriously annoy her," as N.J.S.A. 2C:33-4(c) expressly prohibits.

In sum, we find that respondent violated RPC 8.4(b) (two instances). The sole issue left for our determination is the appropriate quantum of discipline for his misconduct.

Quantum of Discipline

Respondent criminally subjected V.Z., his stepdaughter, to pervasive sexually charged behaviors that spanned several years, beginning when she was a uniquely vulnerable nine-year-old immigrant from Belarus.

Before 2014, cases involving sexual misconduct against children resulted in discipline ranging from a reprimand to disbarment. See, e.g., In re Gilligan, 147 N.J. 268 (1997) (reprimand for an attorney convicted of lewdness for

exposing and fondling his genitals, for his sexual gratification, in front of three individuals, two of whom were under the age of thirteen); In re Ferraiolo, 170 N.J. 600 (2002) (one-year suspension for an attorney convicted of third-degree attempting to endanger the welfare of a child; the attorney, who had communicated in an internet chat room with someone whom he believed to be a fourteen-year-old boy, was arrested after he arranged to meet the "boy" for the purpose of engaging in sexual acts; the "boy" was a law enforcement officer); In re Ruddy, 130 N.J. 85 (1992) (two-year suspension for an attorney convicted of endangering the welfare of a child; the attorney fondled several young boys); In re Herman, 108 N.J. 66 (1987) (three-year suspension for an attorney who pleaded guilty to second-degree sexual assault after he purposely touched the buttocks of a ten-year-old boy); In re Frye, 217 N.J. 438 (2014) (disbarment for an attorney convicted of third-degree endangering the welfare of a child; the attorney inappropriately touched a minor on her rectal area while the minor was entrusted to his care; the attorney also repeatedly violated the terms of his probation by failing to attend mandatory therapy sessions and failed, for fifteen years, to report his conviction to disciplinary authorities).

However, in In re Cohen, 220 N.J. 7 (2014), the Court imposed an indeterminate suspension where the attorney – a state assembly member at the time of his arrest – pleaded guilty to second-degree endangering the welfare of

a child, following an investigation that led to the discovery of pornographic images of children on his state-issued computer and on his private law office computer. Cohen received a five-year prison sentence for his offense. Id. at 9.

In Cohen's disciplinary matter, the Court weighed, in aggravation, that he had downloaded child pornography using a state-owned computer located at his public office and, further, exposed "an innocent third party to the risk of criminal liability" by also using a receptionist's computer for this purpose. Id. at 17. In mitigation, the Court weighed that he had been sexually abused as a child. Id. at 18.

In imposing an indeterminate suspension, the Court observed that society had become more acutely aware of the pernicious effects of sexual crimes against children and, further, noted recent changes in the law increasing the severity of those crimes. Id. at 17-18. Additionally, the Court emphasized that:

> [c]rimes involving the sexual exploitation of children have a devastating impact and create serious consequences for the victims . . . . Thus, the moral reprehensibility of this type of behavior warrants serious disciplinary penalties, up to and including disbarment. Mitigating circumstances might call for lesser discipline in particular cases.
>
> [Id. at 12.]

The Court cautioned the bar that, although it had not adopted a "bright-line rule requiring disbarment in all cases involving sexual offenses against

children, in the future, convictions in egregious cases involving child pornography may result in disbarment of attorneys who commit these offenses, in light of society's increasing recognition of the harm done to the victims of those offenses." Id. at 9.

Since Cohen, the most recent line of pertinent cases has created a more consistent rule applicable to attorneys who commit crimes of a sexual nature involving minors. Most significantly, in In re Legato, 229 N.J. 173 (2017), the Court addressed three consolidated matters, each involving an attorney who had pleaded guilty to committing a sexual offense against a child.[11]

The attorney in Legato engaged in explicit online conversations with an individual whom he believed to be a twelve-year-old girl. Id. at 179. The interactions included asking the girl to touch herself in her genital area and telling her that he would like to engage in oral sex and intercourse with her. Ibid. Unbeknownst to Legato, however, he was interacting with an undercover police officer. Ibid. Eventually, Legato engaged in a video chat with the undercover officer, during which he unzipped his pants and exposed his erect penis. Ibid. Although Legato scheduled two in-person meetings with his putative victim, he

[11] The three consolidated matters that the Court addressed in Legato were In the Matter of Mark Gerard Legato, DRB 15-219 (April 4, 2016), In the Matter of Regan Clair Kenyon, Jr., DRB 15-351 (April 4, 2016), and In the Matter of Alexander D. Walter, DRB 15-362.

did not appear on either occasion. Ibid. The Court determined that an indeterminate suspension was appropriate for Legato because "he admitted to targeting an underage child online but never took the additional step of meeting with the minor. Instead, the communication with the purported minor was limited to online interaction." Id. at 186.

In Kenyon, during the course of a four-month period, the attorney engaged in multiple internet chats with a person he believed to be a fourteen-year-old girl but who was, unbeknownst to him, an undercover officer. Id. at 180. Kenyon admitted that, in addition to his illicit chats, he sent his intended victim images of, and links to, hardcore adult pornography. Ibid. Like Legato, Kenyon also arranged to meet with his intended victim; however, he did not appear for that meeting. Ibid. The Court determined that Kenyon's conduct merited an indeterminate suspension, noting that – like Legato – he engaged in illicit online conversations with an individual whom he believed to be a minor, but he never met the "child" in person. Ibid.

In imposing indeterminate suspensions on Legato and Kenyon, the Court noted "that the public is protected while [they] are suspended and under parole supervision for at least fifteen years." Id. at 187. Thus, "[w]ith the protections of Megan's Law and PSL in place," the Court "stop[ped] short of eliminating all hope of future reinstatement," further observing that "[w]e cannot anticipate

what therapies, pharmaceuticals, or treatments may become available to help control or rehabilitate Legato or Kenyon." Ibid. Simultaneously, however, the Court emphasized that each attorney would "be subject to 'vigorous review'" before his license may be restored. Id. at 186-87.

In contrast to the online misconduct undertaken by the attorneys in Legato and Kenyon, the attorney in Walter masturbated, on multiple occasions, in the physical presence of a nine-year-old child. Id. at 181. He engaged in this misconduct at times when the two were alone in a swimming pool at his home, where the child and her mother resided. Ibid. The Court found that "the nature and severity of his conduct, the physical presence of the child, and his position of power over and responsibility for the child" warranted disbarment. Id. at 189. Moreover, the Court explained that Walter had "demonstrated that he [was] willing to take advantage of his power for his own benefit, encapsulating the precise object that [the Court is] tasked with maintaining – public confidence in the bar." Ibid. The Court also noted that he apparently lacked remorse, failed to accept responsibility, and engaged in repeated acts of misconduct toward the child. Ibid.

Addressing all three cases and contrasting Legato and Kenyon with Walter, the Court found "a significant distinction between online and personal physical contact" and noted that, in the first two cases, there had been "no actual

harm or contact to an actual minor, which would require disbarment." Id. at 188.[12] The Court, thus, declined to adopt a bright-line rule requiring disbarment in all cases involving sexual offenses against children. Id. at 182, 187. Rather, the Court stated that the imposition of discipline in these matters "requires a fact-sensitive inquiry on a case-by-case basis," where the "appropriate level of discipline may depend on different factors, such as whether the case 'involved touching, physical violence, or actual dissemination [of child pornography] to others, the number of pictures or videos, or whether the perpetrator suffered from mental illness or sexual abuse himself or herself.'" Id. at 182-83 (alteration in original) (quoting Cohen, 220 N.J. at 18).

Since the Court's decision in Legato, three more attorneys have been disbarred for sexual crimes against minors. See In re Nilsen, 229 N.J. 333 (2017) (the attorney engaged in online chats with an individual purporting to be the thirty-two-year-old mother of a nine-year-old girl; unbeknownst to him, however, he was communicating with an undercover law enforcement officer; he discussed engaging in sex with both the mother and daughter, sent photos of himself, explained how the mother could access child pornography to

[12] In a dissenting opinion, Justice Barry T. Albin would have disbarred both Kenyon and Legato. He concluded that "[t]he sexual exploitation or abuse of children – whether completed or, as in the Legato and Kenyon matters, attempted – is such an egregious violation of societal norms that no discipline short of disbarment will ensure public confidence in the bar or the judiciary's governance of the bar." Legato, 229 N.J. at 189.

"acclimate" her daughter, and purchased a plane ticket to meet with them; prior to his departure, however, the attorney was arrested for soliciting a different putative mother/daughter pair, a presumptive six-year-old girl and her mother; the attorney was arrested when he appeared for a scheduled meeting with them); In re Gillen, 230 N.J. 382 (2017) (the attorney engaged in explicit online conversations with a girl whom he believed to be fourteen years old but who, unbeknownst to him, was an undercover officer; he also sent the "girl" files of explicit pictures and links to pornographic websites; the attorney was arrested after setting a date to meet the girl and appearing for that meeting, with wine coolers and drugs used to treat erectile dysfunction); In re Toman, 237 N.J. 429 (2019) (the attorney engaged in sexual activity, through text messages, with the fourteen-year-old daughter of a client whom he was representing in a child custody dispute against the child's father; the attorney requested that the girl provide photos of herself wearing little clothing, discussed topics of a sexual nature, and sent her pictures of his genitalia; in recommending the attorney's disbarment, we noted that the fourteen-year-old was already vulnerable, given the pending custody dispute, and that neither she nor her mother may ever feel safe from an attorney, should they need counsel again).

Recently, in In re Rave, 258 N.J. 453 (2024), the Court imposed an indeterminate suspension on an attorney who pleaded guilty to third-degree

endangering the welfare of a child by possessing less than one thousand items depicting the sexual exploitation or abuse of a child, in violation of N.J.S.A. 2C:24-4(b)(5)(b)(iii), and fourth-degree criminal sexual contact with a minor, in violation of N.J.S.A. 2C:14-3(b).

In that matter, Rave admitted that, while using a website – which provided a live video feed from the user to other individuals on the site – he masturbated in view of a fourteen-year-old child. In the Matter of Michael T. Rave, DRB 23-218 (March 20, 2024) at 4. Moreover, he saved, on his personal laptop, eighty-three images depicting sexual exploitation or abuse of a minor. Id. at 3-4.

Prior to sentencing, Rave took part in a psychosexual evaluation, which revealed that he had started using the website, sporadically, in the months before his arrest. Id. at 4. Although Rave acknowledged that he had accessed the website to find women who would watch him masturbate, he claimed that he never intended to seek out minors and that he believed that, because the site advertised as an adult site, it never occurred to him that minors might be using it. Id. at 4-5. Regarding the child pornography on his computer, Rave stated that he had begun visiting "teen pornography" websites a few times a month, with the intent to view images of women aged eighteen or older. Id. at 5. The Superior Court sentenced Rave to a two-year period of probation, required his compliance with Megan's law, and directed that he continue in sex offender therapy. Id. at

6-7. However, the Superior Court did not sentence Rave to PSL because his offenses were not among the crimes to which PSL applies. Id. at 7.

We were equally divided on whether Rave's misconduct warranted disbarment. Id. at 32.

Specifically, four Members recommended an indeterminate suspension, finding that, although deplorable, Rave's conduct was most similar to the precedent in which the Court had imposed discipline short of disbarment. Id. at 32-22. In support of their recommendation, those Members noted that, like the misconduct in Legato and Kenyon, Rave never took the additional step of attempting to meet with the minor whom he masturbated in view of, via a live video feed from his computer. Id. at 33. Those Members also emphasized that, in contrast to the disbarred attorney in Walter, Rave demonstrated remorse and was not in a position of power over his victims. Id. at 33-34. Further, Rave's possession of child pornography did not meet the enhanced elements to require a prison sentence or PSL. Id. at 33.

Two of those Members also underscored how Rave did not actively target underage females with whom to interact, given that the website was promoted as being for persons more than eighteen years old. Id. at 35-36. Those Members also noted that Rave, who had no prior criminal or disciplinary history, appeared to have been a good candidate for rehabilitation. Id. at 36.

The four Members who voted to recommend Rave's disbarment emphasized that Rave masturbated in view of an actual minor, as occurred in Walter. Id. at 37-38. In the view of those Members, given the ever-evolving state of technology, the fact that Rave satisfied his sexual urges by masturbating in view of minors using a live, online video feed, as opposed to doing so within a child's physical line of site, did not make disbarment any less appropriate. Id. at 39. The Members also stressed that Rave could have taken steps to ensure that he limited his activities to consenting adults. Ibid. Rather, he took advantage of the anonymity provided by random pairing with other users of a website that a reasonable user could easily identify as accessible to adolescents. Id. at 39-40. Those Members concluded that Rave's two distinct modes of child sexual exploitation required nothing less than disbarment. Id. at 42.

Following its review, the Court imposed an indeterminate suspension on Rave.

In our view, like the disbarred attorney in Walter, respondent leveraged his position of power and responsibility as V.Z.'s stepfather by repeatedly subjecting her to humiliating and sexually gratuitous conduct. As in Walter, respondent's actions began when V.Z. was just nine years old and included repeatedly (1) touching her buttocks; (2) positioning his pelvic area directly behind her buttocks while they were laying down; (3) observing her naked while

taking a shower; (4) remarking on the development and appearance of her breasts and lips; and (5) calling her and her friend "lesbians." Despite V.Z.'s multiple pleas that respondent stop his illicit behavior, his conduct persisted, for years, forcing her – as a child – to resort to various measures to attempt to ameliorate the effects of his actions, such as using a metal rod to barricade the bathroom door while she was naked and covering herself in pillows at night to shield herself from respondent while he observed her from the doorway to her bedroom.

Unlike in Kenyon and Legato, which resulted in indeterminate suspensions where the putative victims were members of law enforcement, respondent's conduct resulted in lasting harm to V.Z., who consistently testified that his behavior made her feel "uncomfortable" and, at times, "scared." Significantly, respondent subjected V.Z. to an prolonged series of sexually laced behaviors while she was in a uniquely vulnerable position, considering both her young age and status as an immigrant from Belarus. See In the Matter of Douglas Andrew Grannan, DRB 20-236 (June 2, 2021) at 49 (emphasizing, in aggravation, the vulnerabilities of immigrants with limited English proficiency).

Indeed, following her emigration from Belarus with her mother and sister, V.Z., as a nine-year-old, faced significant challenges, including (1) her unfamiliarity with her surroundings, (2) her lack of proficiency in English, (3)

and the profound changes to her family life, including being "being forced to call [respondent] poppa," whom she could not "accept as a father in my life." Moreover, following their emigration, V.Z. and her mother and sister relied primarily on respondent as the "main provider" for the household. Nevertheless, like Walter, respondent demonstrated that he was willing to take advantage of his position of power and responsibility for his own benefit, leaving V.Z. with no choice but to endure his inappropriate behavior, within the same place that she was attempting to make her new home, during an already difficult period of her life.

Additionally, although not charged in the disciplinary stipulation, we accord significant aggravating weight to respondent's attempt to thwart the administration of justice by admittedly attempting to convince V.Z. to decline to incriminate him to the ACPO. See In the Matter of Geoffrey L. Steiert, DRB 14-008 (July 10, 2014) (although not charged in the formal ethics complaint, we accorded aggravating weight to the attorney's attempt to direct his former client to sign documents contradicting the client's prior sworn testimony underlying a previous ethics matter, the outcome of which the attorney viewed as an affront to his character; we characterized that uncharged conduct as witness tampering), so ordered, 220 N.J. 103 (2014).

Specifically, on June 8, 2012, respondent told V.Z. that there was an "emergency" because police were investigating him in connection with K.Z.'s accusations that he had engaged in serious criminal sexual conduct. Thereafter, on that same date, V.Z., who was then sixteen years old, declined to inform the ACPO detective of respondent's criminal behavior directed at her, testifying that she was "repressed . . . growing up," "terrified" by respondent's assertion that there was an "emergency," and "scared" because she did not want to jeopardize her relationship with respondent, who was "always remind[ing]" her that he was "providing for" the family and "doing nice things to us." During the weeks that followed, respondent (1) recorded his interactions with V.Z., without her knowledge, (2) questioned her regarding what she had disclosed to the ACPO, and (3) attempted, unsuccessfully, to convince her to issue a written statement absolving him of any wrongdoing.

As in Alcantara I, wherein the Court determined that respondent had come "perilously close to bringing about a perversion of justice" by attempting to convince his client's co-defendants to decline to testify for the prosecution, respondent, once again, attempted to prejudice the administration of justice by trying to manipulate V.Z. into declining to truthfully cooperate with members of law enforcement. By his actions, respondent demonstrated not only his continued willingness to exploit his position of power over V.Z. to his own

advantage, but also his failure to utilize his serious, albeit remote, prior disciplinary matter as a foundation for reform. See In re Zeitler, 182 N.J. 389, 398 (2005) ("[d]espite having received numerous opportunities to reform himself, [the attorney had] continued to display his disregard, indeed contempt, for our disciplinary rules and our ethics system").

Finally, we echo Judge Delury's findings, at sentencing, that respondent failed to appreciate the gravity of his criminal conduct toward his stepdaughter. Specifically, at trial, respondent displayed an alarmingly cavalier attitude toward his behavior, characterizing his actions as "some degree of butt," "a joke," or conduct that was not sexual in nature, despite claiming that he had "so many opportunities" to engage in sexual conduct with V.Z. As Judge Delury observed, respondent "minimized his behavior" by "describing it as cultural differences on his part and teen angst on V.Z.'s part." Similarly, during his 2023 demand interview, despite the passage of several years since the conclusion of his 2018 trial, respondent again failed to recognize how his conduct had harmed V.Z. during a vulnerable period of her life, claiming that, eventually, he had stopped touching her buttocks merely because it may have been "deemed wrong." Indeed, in his submission to us, respondent repeatedly attributed his conduct to his purported prior "ignorance" that his criminal behavior was unacceptable.

Alarmingly, following oral argument before us, respondent attempted to contradict the facts contained in the negotiated disciplinary stipulation, in a concerted attempt to minimize his culpability in this matter. See In the Matter of David M. Schlachter, DRB 22-192 (March 28, 2023) at 30 (we accorded significant aggravating weight to the attorney's attempt to argue an alternative version of events that were contrary to his sworn admissions in a disciplinary stipulation; we found that the attorney's "gamesmanship with the stipulated facts" demonstrated his contempt for the disciplinary process), so ordered, 254 N.J. 379.

There is scant mitigation for us to consider. Although respondent's character reference letters described him as a supporter of his community, those activities are juxtaposed against his willful decision to cast aside his good reputation by criminally endangering the welfare of his stepdaughter.

Conclusion

In sum, respondent's criminal conduct, which spanned several years, was not simply a bad mistake but, rather, a pattern of sexually gratuitous and exploitative behavior directed at his uniquely vulnerable stepdaughter, when she was between just nine and fifteen years old. Consistent with disciplinary precedent involving in-person, sexually laced conduct – including touching –

resulting in lasting harm to a child victim, we conclude that disbarment is the only appropriate sanction, considering that respondent behaved in such a manner "as to destroy . . . any vestige of confidence that [he] could ever again practice in conformity with the standards of the profession." In re Templeton, 99 N.J. 365, 376 (1985).

Member Rodriguez was absent.

We further determine to require respondent to reimburse the Disciplinary Oversight Committee for administrative costs and actual expenses incurred in the prosecution of this matter, as provided in R. 1:20-17.

Disciplinary Review Board
Hon. Mary Catherine Cuff, P.J.A.D. (Ret.),
Chair

By: */s/ Timothy M Ellis*
Timothy M. Ellis
Chief Counsel

SUPREME COURT OF NEW JERSEY
DISCIPLINARY REVIEW BOARD
VOTING RECORD

In the Matter of Jose David Alcantara
Docket No. DRB 25-166

Argued: September 18, 2025

Decided: December 18, 2025

Disposition: Disbar

Members	Disbar	Absent
Cuff	X	
Boyer	X	
Campelo	X	
Hoberman	X	
Menaker	X	
Modu	X	
Petrou	X	
Rodriguez		X
Spencer	X	
Total:	8	1

/s/ Timothy M. Ellis
Timothy M. Ellis
Chief Counsel