



**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

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CHIEF OF DETECTIVES

July 8, 2019

Monmouth County CARE
opra+request-6142-1d4f5934@requests.opramachine.com

Re: OPRA request dated June 28, 2019

Dear Monmouth County CARE,

This office received your records request dated June 28, 2019 via e-mail on June 28, 2019 and it was received by the records custodian on the same date.

You requested the following:

We are looking for emails between Christopher J. Gramiccioni and John Brogan referring to the Cuffs to Beds program. We are looking for the emails from the year 2018.

Repeated requests for the same and similar emails have been requested this year. Enclosed are e-mails responsive to your request. Not included are e-mails that pertain to specific defendants and their application to the program, their eligibility or ineligibility, their addiction, or their treatment plan. See Michael Janowski v. New Jersey Department of Corrections, GRC Complaint No. 2012-240 (June 2013) (The Custodian properly concluded that the Complainant's records request related to "medical, psychiatric or psychological history, diagnosis, treatment or evaluation," and thus were exempt from production pursuant to OPRA. N.J.S.A. 47:1A-9(a) and N.J.A.C. 10A:22-2.3(a)(4)); Executive Order #47 (Gov. Christie 2010); Henry Little v. New Jersey Department of Corrections, GRC Complaint No. 2012-70 (April 2012)). See also, Leslie Posnock v. Monmouth County Sheriff's Office, GRC Complaint No. 2006-44 (citing Executive Order 26, paragraph 4(b)1, which "provides that information which discloses the medical, psychiatric, or psychological history, diagnosis, treatment, or evaluation of an individual is not subject to public access.").

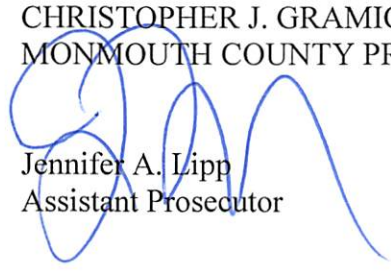
Also not included are e-mails that are exempt due to them being advisory, consultative, and deliberative. N.J.S.A. 47:1A-1.1; Education Law Center v. N.J. Dept. of Ed. 198 N.J. 274 (2009); In re the Liquidation of Integrity Ins. Co., 165 N.J. 75, 84-85 (2000); Tractenberg v. Twp. Of West Orange, 416 N.J. Super. 354 (2010); Gannett New Jersey Partners, LP v. County Of Middlesex, 379 N.J. Super. 205 (App. Div. 2005). These are e-mails which include and contain opinions, recommendations, and/or advice pertaining to the diversionary program, which are exempt from production as advisory, consultative or deliberative material. N.J.S.A. 47:1A-1.1; see In re Readoption with Amendments of Death Penalty Regulations N.J.A.C. 10A:23, by

the N.J. Dep't of Corr., 367 N.J.Super. 61, 73-74 (App.Div.), certif. denied, 182 N.J. 149, 862 A.2d 57 (2004).

In the event of a clarification or appeal, this office reserves the right to raise any other ground for denial not raised in this response. The failure of this office to assert an exception or privilege at this time does not act as a waiver of any grounds for denial.

Very truly yours,

CHRISTOPHER J. GRAMICCIONI
MONMOUTH COUNTY PROSECUTOR

By:  Jennifer A. Lipp
Assistant Prosecutor

Enclosures

Diana Weiss

From: Monmouth County CARE <opra+request-6142-1d4f5934@requests.opramachine.com>
Sent: Friday, June 28, 2019 4:57 PM
To: OPRA
Subject: OPRA request - Christopher Gramiccioni Emails

Dear Monmouth County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

We are looking for emails between Christopher J. Gramiccioni and John Brogan referring to the Cuffs to Beds program. We are looking for the emails from the year 2018.

Yours faithfully,

Monmouth County CARE

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-6142-1d4f5934@requests.opramachine.com

Is opra@mcponj.org the wrong address for OPRA requests to Monmouth County Prosecutor's Office? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=monmouth_county_prosecutors_office

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/christopher_gramiccioni_emails

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.
