



State of New Jersey
Township of Middletown
POLICE RECORDS REQUEST FORM



Important Notice

The reverse side of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name Jen MI Last Name Coombs
Company ASK NJ Media Co.
Mailing Address Not Provided
City State Zip Email
Business Hours Telephone: Area Code Number Not Provided Extension
Preferred Delivery: Pick Up US Mail On Site Inspect
Circle One: Under penalty of N.J.S.A. 2C:28-3, I certify that I ~~HAVE~~ **HAVE NOT** been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
Signature Via Email Date 02/03/2019

Payment Information

Maximum Authorization Cost \$
Select Payment Method
Cash Check Money Order
Fees: Letter \$0.05/page
Legal \$0.07/page
Delivery: Delivery / postage fees additional depending upon delivery type.
Extras: Extraordinary service fees dependent upon request.

Record Request Information: To expedite the request, be as specific as possible in describing the records being requested. Also, please include the type of access requested (copying or inspection), and if data, the medium requested.

See attached email request.

AGENCY USE ONLY

AGENCY USE ONLY

Disposition Notes
Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.

☐ Denied

If this box is checked, see reverse side for explanation.

Rec'd Date 02/04/2019

Total Cost \$.30

Records and/or Information Provided :

I.C.C.I ☐ | Redaction Key ☐

Requested Items from emailed request:

- 1) 2018 Internal Affairs Summary Report.
- 2) 2018 Middletown Township Police Department Public Synopsis of Disciplinary Action.
- 3) 2018 Monmouth County Police Pursuit Report Summary for Middletown Township Police Department.
- 4) Middletown Twp. Police Department Use of Force Reports for 1/1/2019 to 1/31/2019.
- 5) No Records Responsive for NJ AG Deadly Force Notification Reports for 2018.

Lt. John E. Kaiser
Custodian Signature

02/08/2019
Date

☐ US Mail | ☒ E-Mailed | ☐ @ Counter

Accepting clerk initials:

Requesting Access to Government Records Under the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)

1. This form should only be used to submit records requests to the Middletown Township Police Department.
2. In order to request access to government records under OPRA, you must complete all the required portions of and date this request form and deliver it in person during regular business hours or by mail, fax or electronically to the appropriate custodian of the record requested. Your request is not considered filed until the appropriate custodian of the record requested has received a completed request form. If you submit the request form to any other officer or employee of the Township of Middletown, that officer or employee may not have the authority to accept your request form on behalf of the Township of Middletown and your request will be directed to the appropriate division custodian. The seven business day response time will not commence until the proper custodian reviews the request to determine if it is complete.
3. If you submit a request for access to government records to someone other than the appropriate custodian, do not complete the Township of Middletown request form, or attempt to make a request for access by telephone or fax; the Open Public Records Act and its deadlines, restrictions and remedies will not apply to your request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special charges, special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by check or money order payable to the Township of Middletown.
5. If it is necessary for the records custodian to contact you concerning your request, providing identifying information, such as your name, address and telephone number or an e-mail address is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personal information are not honored.
6. You may be charged a 50% or other deposit when a request for copies exceeds \$25. The custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.
7. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family.
8. By law, the Township of Middletown must notify you that it grants or denies a request for access to government records within seven business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage. If the record requested is not currently available or is in storage, the custodian will advise you within seven business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for making records available, or granting or denying your request.
9. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
10. If the Township of Middletown is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.
11. Except as otherwise provided by law or by agreement with the requester, if the custodian of the record requested fails to respond to you within seven business days of receiving a request form, the failure to respond will be considered a denial of your request.
12. If your request for access to a government record has been denied or unfilled within the time permitted by law, you have a right to challenge the decision by the Township of Middletown to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC). You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law.
13. Information provided on this form may be subject to disclosure under the Open Public Records Act

Reason for denial:

Case numbers: _____

Investigation report(s) ☐

☐ N.J.S.A. 47:1A-1.1 - Criminal investigatory records are not public records. Document(s) will not be released.

Case numbers: _____

☐ N.J.S.A. 2A:4A-60 - Juvenile records are not public records. Document(s) will not be released.

Case numbers: _____

☐ Executive Order #26 (McGreevey 2002) - Medical records are not public records, 47:1A-1 (privacy interest) and Burnette v Bergen, 198 N.J. 408 (2009) (personal information which would run contrary to reasonable privacy interests). Document(s) will not be released.

Case numbers: _____

☐ N.J.S.A. 2C:25-33 - Domestic violence records are not public records. Document(s) will not be released.

Case numbers: _____

☐ No record.

☐ Other: _____

Custodian Signature

Date

☐ US Mail | ☐ E-Mailed | ☐ @ Counter

From: ASK NJ Media Co. [<mailto:opra+request-3883-1e317cd5@requests.opramachine.com>]
Sent: Sunday, February 03, 2019 8:57 AM
To: townclerk <townclerk@middletownnj.org>
Subject: OPRA request - Different Police Department Annual Summary Reports

Dear Middletown Township,

This is an OPRA request. Please send your response in PDF form.

1. I seek your police department's Internal Affairs Annual Summary Reports for the year of 2018.
2. I seek a copy of the police department's Public Synopsis of Disciplinary Actions for the year 2018. This report is required pursuant to Requirement 10 of the Attorney General's Internal Affairs Police.
3. I seek a copy of the police department's Vehicular Pursuit Summary Reports for the year 2018.
4. I would like all of your police department's Use of Force Reports from January 1, 2019 to January 31, 2019.
5. I would like all of your police department's Police Use of Deadly Force Attorney General Deadly Notification Reports for the year 2018.

Yours faithfully,

ASK NJ Media Co.

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:

opra+request-3883-1e317cd5@requests.opramachine.com

Is TownClerk@middletownnj.org the wrong address for OPRA requests to Middletown Township? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=middletown_township

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/different_police_department_annu_170

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.

INTERNAL AFFAIRS SUMMARY REPORT

Agency: Middletown Twp. Police Department - 2018

County: Monmouth

Reporting Period:

☐

1st Quarter (Jan.-Mar.)

☐

3rd Quarter (July-Sept.)

☒

Annual

☐

2nd Quarter (Apr.-June)

☐

4th Quarter (Oct.-Dec.)

(End-of-Year)

Type of Complaint	Anonymous Complaints	Citizen Complaints	Agency Complaints	Total Complaints	Sustained	Exonerated	Not Sustained	Unfounded	Administratively Closed	Total Dispositions	Pending Investigations
Excessive Force		1		1						0	1
Improper Arrest											
Improper Entry											
Improper Search											
Other Criminal Violation		3	1	4		1	1		2	4	2
Differential Treatment											
Demeanor		5		5			1			1	5
Domestic Violence											
Other Rule Violation *		3	5	8	5	2			2	9	6
Total	0	12	6	18	5	3	2	0	4	14	14

* As defined in the Types of Complaints Section of the AG Guidelines pertaining to Internal Affairs.

Court	Cases Dismissed	Cases Diverted	Acquittals	Convictions
Municipal Court				
Superior Court				
Total	0	0	0	0



Middletown Twp. Police Department
Chief of Police R. Craig Weber

2018 Summary of Complaints and Dispositions Received by the Middletown Twp. Police

In 2018, the Middletown Twp. Police Department Office of Professional Standards received a total of 18 complaints. 66.6% of the complaints came from citizen complainants. 33.3% were agency complaints. The complaints, categorized according to the New Jersey Attorney General Guidelines, included the following:

Type of Complaint	Number of Complaints	Total
Excessive Force	1	1
Improper Arrest	0	0
Improper Entry	0	0
Improper Search	0	0
Other Criminal Violation	4	4
Differential Treatment	0	0
Demeanor	5	5
Domestic Violence	0	0
Other Rule Violation*	8	8
Total	18	18

*As defined in the Types of Complaints section of the Attorney General Guidelines pertaining to Internal Affairs

Dispositions of complaints for 2018 include the following:

Disposition	Total
Sustained	5
Exonerated	3
Not Sustained	2
Unfounded	0
Administratively Closed	4
Total	14

Public Synopsis of Disciplinary Action

Officer was demoted in rank for violation of Departmental Rules and Regulations. Officer failed to properly supervise a subordinate.



Monmouth County Police Pursuit Report

Agency: Middletown Twp. Police Department Reporting Period : 2018

Person Completing Report: D/Lt. Paul Bailey #289

Telephone Number: (732) 615-2100 Date Completed: January 29, 2019

1. Number of pursuits initiated	8
2. Number of pursuits resulting in accidents	0
3. Number of pursuits resulting in injury (NO DEATHS)	0
4. Number of pursuits resulting in death	0
5. Number of pursuits resulting in arrest	2
6. Number of vehicles in accidents	
a. Pursued vehicles	0
b. Police vehicles	0
c. Third party vehicles	0
7. Number of people injured	
a. Pursued vehicles	0
b. Police vehicles	0
c. Third party vehicles	0
d. Pedestrians	0
8. Number of people killed	
a. Pursued vehicles	0
b. Police vehicles	0
c. Third party vehicles	0
d. Pedestrians	0
9. Number of people arrested	2
10. Number of pursuits in which a tire deflation device was used	0
11. I certify that every police officer employed by this agency received in-service vehicular pursuit training twice this year in compliance with The Attorney General's & the Monmouth County Prosecutor's Office Vehicular Pursuit policies.	☒

Do not type into dark shaded areas of the form.

MIDDLETOWN TOWNSHIP POLICE DEPARTMENT
USE OF FORCE REPORT

A. Incident Information

Date 01/27/2019	Time 17:30	Day of Week Sunday	Location Center Ave/Ocean Blvd	INCIDENT NUMBER 19MT03085
Type of Incident ☐ Crime in Progress ☐ Domestic ☐ Other Dispute ☐ Suspicious Person ☒ Traffic Stop ☐ Other (specify)				

B. Officer Information

Name (Last, First, Middle) Fenezia, Nicholas	Badge # 326	Sex Male	Race Caucasian	Age 34	Injured NO	Killed NO
Rank Patrolman	Duty Assignment Patrol	Years of Service 9	On-Duty YES	Uniform YES		

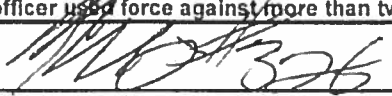
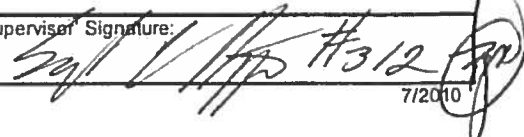
C1. Subject 1 (List only the person who was the subject of the use of force by the officer listed in Section B.)

Name (Last, First, Middle) DUNN JR., ROBERT, G	Sex Male	Race White	Age 28	Weapon NO	Injured YES	Killed NO
☒ Under the Influence ☒ Other Unusual Condition (specify)		Arrested YES	Charges Disorderly Conduct, Resisting Arrest, 39:4-51B			
Subject's Actions (check all that apply) ☒ Resisted police officer control ☒ Physical threat/attack on officer or another ☐ Threatened/attacked officer or another with blunt object ☐ Threatened/attacked officer or another with knife/cutting object ☐ Threatened/attacked officer or another with motor vehicle ☐ Threatened officer or another with firearm ☐ Fired at officer or another ☐ Other (specify)		Officer's use of force toward this subject (check all that apply) ☒ Compliance hold ☐ Hands/fists ☐ Kicks/feet ☐ Chemical/natural agent ☐ Strike/use baton or other object ☐ Canine ☐ Other (specify)		☐ Firearms Discharge ☐ Intentional ☐ Accidental Number of Shots Fired _____ Number of Hits _____ (Use UNK if unknown)		

C2. Subject 2

Name (Last, First, Middle)	Sex	Race	Age	Weapon	Injured	Killed
☐ Under the Influence ☐ Other Unusual Condition (specify)		Arrested	Charges			
Subject's Actions (check all that apply) ☐ Resisted police officer control ☐ Physical threat/attack on officer or another ☐ Threatened/attacked officer or another with blunt object ☐ Threatened/attacked officer or another with knife/cutting object ☐ Threatened/attacked officer or another with motor vehicle ☐ Threatened officer or another with firearm ☐ Fired at officer or another ☐ Other (specify)		Officer's use of force toward this subject (check all that apply) ☐ Compliance hold ☐ Hands/fists ☐ Kicks/feet ☐ Chemical/natural agent ☐ Strike/use baton or other object ☐ Canine ☐ Other (specify)		☐ Firearms Discharge ☐ Intentional ☐ Accidental Number of Shots Fired _____ Number of Hits _____ (Use UNK if unknown)		

➤ If this officer used force against more than two subjects in this incident, attach additional USE OF FORCE REPORTS.

Signature: 	Date: 01/27/2019
(SUPERVISOR) I hereby certify that I have reviewed this Use of Force report for accuracy and completeness and have promptly address any issues as they may pertain to policy interpretation, training, weapons or equipment, or discipline. Recommendations to modify policy, apply remedial training beyond what can be performed by me; change weapons, equipment or tactics; or apply discipline beyond my capabilities shall be thoroughly documented and forwarded through the chain of command to the Chief of Police.	
Print Supervisor Name: SGT. CHARLES HIGGINS #312	Supervisor Signature: 

7/2010

MIDDLETOWN TOWNSHIP POLICE DEPARTMENT
USE OF FORCE REPORT

A. Incident Information

Date 01/27/2019	Time 17:30	Day of Week Sunday	Location Center Ave/Ocean Blvd	INCIDENT NUMBER 19MT03085
Type of Incident ☐ Crime in Progress ☐ Domestic ☐ Other Dispute ☐ Suspicious Person ☒ Traffic Stop ☐ Other (specify) _____				

B. Officer Information

Name (Last, First, Middle) Weeks, Erica, K	Badge # 354	Sex Female	Race Caucasian	Age 31	Injured NO	Killed NO
Rank Patrolman	Duty Assignment Patrol	Years of Service 5	On-Duty YES	Uniform YES		

C1. Subject 1 (List only the person who was the subject of the use of force by the officer listed in Section B.)

Name (Last, First, Middle) DUNN JR., ROBERT, G	Sex Male	Race White	Age 28	Weapon NO	Injured YES	Killed NO
☒ Under the Influence ☒ Other Unusual Condition (specify) _____		Arrested YES	Charges Disorderly Conduct, Resisting Arrest, 39:4-51B			
Subject's Actions (check all that apply) ☒ Resisted police officer control ☒ Physical threat/attack on officer or another ☐ Threatened/attacked officer or another with blunt object ☐ Threatened/attacked officer or another with knife/cutting object ☐ Threatened/attacked officer or another with motor vehicle ☐ Threatened officer or another with firearm ☐ Fired at officer or another ☐ Other (specify) _____		Officer's use of force toward this subject (check all that apply) ☒ Compliance hold ☐ Firearms Discharge ☐ Hands/fists ☐ Intentional ☐ Kicks/feet ☐ Accidental ☐ Chemical/natural agent Number of Shots Fired _____ ☐ Strike/use baton or other object Number of Hits _____ ☐ Canine (Use UNK if unknown) ☐ Other (specify) _____				

C2. Subject 2

Name (Last, First, Middle)	Sex	Race	Age	Weapon	Injured	Killed
☐ Under the Influence ☐ Other Unusual Condition (specify) _____		Arrested	Charges			
Subject's Actions (check all that apply) ☐ Resisted police officer control ☐ Physical threat/attack on officer or another ☐ Threatened/attacked officer or another with blunt object ☐ Threatened/attacked officer or another with knife/cutting object ☐ Threatened/attacked officer or another with motor vehicle ☐ Threatened officer or another with firearm ☐ Fired at officer or another ☐ Other (specify) _____		Officer's use of force toward this subject (check all that apply) ☐ Compliance hold ☐ Firearms Discharge ☐ Hands/fists ☐ Intentional ☐ Kicks/feet ☐ Accidental ☐ Chemical/natural agent Number of Shots Fired _____ ☐ Strike/use baton or other object Number of Hits _____ ☐ Canine (Use UNK if unknown) ☐ Other (specify) _____				

➤ If this officer used force against more than two subjects in this incident, attach additional USE OF FORCE REPORTS.

Signature: #354	Date: 01/27/2019
(SUPERVISOR) I hereby certify that I have reviewed this Use of Force report for accuracy and completeness and have promptly address any issues as they may pertain to policy interpretation, training, weapons or equipment, or discipline. Recommendations to modify policy; apply remedial training beyond what can be performed by me; change weapons, equipment or tactics; or apply discipline beyond my capabilities shall be thoroughly documented and forwarded through the chain of command to the Chief of Police.	
Print Supervisor Name: SGT. CHARLES HIGGINS #312	Supervisor Signature: #312

7/20/01

MIDDLETOWN TOWNSHIP POLICE DEPARTMENT
USE OF FORCE REPORT

A. Incident Information

Date 01/27/2019	Time 17:30	Day of Week Sunday	Location Center Ave/Ocean Blvd	INCIDENT NUMBER 19MT03085
Type of Incident ☐ Crime In Progress ☐ Domestic ☐ Other Dispute ☐ Suspicious Person ☒ Traffic Stop ☐ Other (specify) _____				

B. Officer Information

Name (Last, First, Middle) Zubkow, Nicholas	Badge # 369	Sex Male	Race Caucasian	Age 33	Injured NO	Killed NO
Rank Patrolman	Duty Assignment Patrol	Years of Service 6	On-Duty YES	Uniform YES		

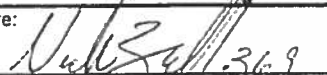
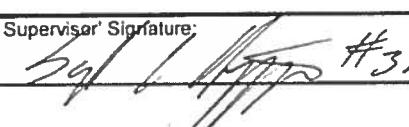
C1. Subject 1 (List only the person who was the subject of the use of force by the officer listed in Section B.)

Name (Last, First, Middle) DUNN JR., ROBERT, G	Sex Male	Race White	Age 28	Weapon NO	Injured YES	Killed NO
☒ Under the Influence ☒ Other Unusual Condition (specify) _____		Arrested YES	Charges Disorderly Conduct, Resisting Arrest, 39:4-51B			
Subject's Actions (check all that apply) ☒ Resisted police officer control ☒ Physical threat/attack on officer or another ☐ Threatened/attacked officer or another with blunt object ☐ Threatened/attacked officer or another with knife/cutting object ☐ Threatened/attacked officer or another with motor vehicle ☐ Threatened officer or another with firearm ☐ Fired at officer or another ☐ Other (specify) _____		Officer's use of force toward this subject (check all that apply) ☒ Compliance hold ☐ Firearms Discharge ☐ Hands/fists ☐ Intentional ☐ Kicks/feet ☐ Accidental ☐ Chemical/natural agent Number of Shots Fired _____ ☐ Strike/use baton or other object Number of Hits _____ ☐ Canine (Use UNK if unknown) ☐ Other (specify) _____				

C2. Subject 2

Name (Last, First, Middle)	Sex	Race	Age	Weapon	Injured	Killed
☐ Under the Influence ☐ Other Unusual Condition (specify) _____		Arrested	Charges			
Subject's Actions (check all that apply) ☐ Resisted police officer control ☐ Physical threat/attack on officer or another ☐ Threatened/attacked officer or another with blunt object ☐ Threatened/attacked officer or another with knife/cutting object ☐ Threatened/attacked officer or another with motor vehicle ☐ Threatened officer or another with firearm ☐ Fired at officer or another ☐ Other (specify) _____		Officer's use of force toward this subject (check all that apply) ☐ Compliance hold ☐ Firearms Discharge ☐ Hands/fists ☐ Intentional ☐ Kicks/feet ☐ Accidental ☐ Chemical/natural agent Number of Shots Fired _____ ☐ Strike/use baton or other object Number of Hits _____ ☐ Canine (Use UNK if unknown) ☐ Other (specify) _____				

> If this officer used force against more than two subjects in this incident, attach additional USE OF FORCE REPORTS.

Signature: 	Date: 01/27/2019
(SUPERVISOR) I hereby certify that I have reviewed this Use of Force report for accuracy and completeness and have promptly address any issues as they may pertain to policy interpretation, training, weapons or equipment, or discipline. Recommendations to modify policy; apply remedial training beyond what can be performed by me; change weapons, equipment or tactics; or apply discipline beyond my capabilities shall be thoroughly documented and forwarded through the chain of command to the Chief of Police.	
Print Supervisor Name: SGT. CHARLES HIGGINS #312	Supervisor Signature:  #312

7/2016

