

Lou Nisivoccia

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 3:58 PM
To: Richard Gonzalez
Cc: Oxmani Corona; Tara Pettoni
Subject: RE: OPRA REQUEST-TOWN OF DOVER

Tracking:

Recipient

Delivery

Richard Gonzalez

Oxmani Corona

Tara Pettoni

Delivered: 5/28/2024 3:58 PM

Good Afternoon Mr. Gonzalez,

You are welcome. I apologize for any confusion this may have caused. I was able to speak with Angelica this afternoon regarding the length of the extension needed for this request. She has advised that they are short staffed this week so it would be best to allow two weeks for the request to be fulfilled. However, since we have not seen the footage and I am unsure what the footage entails and if anything would need to be reviewed by legal counsel, I am respectfully requesting an extension until the close of business on Tuesday, June 18, 2024. If legal review is not needed for any reason and the records are ready before June 18, 2024, I will be sure to send them to you. As a formality, please see our formal response to your request below.

Good Afternoon,

You submitted an Open Public Records Act (OPRA) Request Form to the Town of Dover which was received by the Municipal Clerk on 5/16/2024. As such, the seven (7) business day deadline to respond to your request is 5/28/24 as 5/27/24 was a holiday. Pursuant to the Act, the Town has 7 business days, beginning the day after receipt of the request by the Records Custodian, within which to respond.

Your OPRA Request sought access to the following:

- **Bodycam footage for January 5, 2024 at 1738 hours, involving Officers Krasnick and Matos encounter with Councilman Sergio Rodriguez.**
- **Bodycam footage for January 5, 2024 at 2055 hours, involving Officer Caraig's encounter with Councilman Sergio Rodriguez.**

We have been advised by the MCPO today, May 28, 2024, that the BWC footage you are requesting has been approved for release. Therefore, the Town of Dover requires an extension of time beyond the initial seven (7) day response period to ensure the proper redactions and legal review are conducted. See *Scheeler v. N.J. Dep't of Educ.*, GRC Complaint No. 2014-123 (Feb. 2016) (validating extension under N.J.S.A. 47:1A-5(g) and N.J.S.A. 47:1A-5(i) where custodian provided written response within seven (7) business days and provided specific date when records would be ready). The Town anticipates that records readily identified as responsive to your request, with any necessary redactions, will be available to you by close of business on Tuesday, June 18, 2024.

Thank you for your understanding regarding this OPRA request.

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Richard Gonzalez <[REDACTED]>
Sent: Tuesday, May 28, 2024 3:18 PM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Cc: Oxmani Corona <corona@doverpolice.nj.org>; Tara Pettoni <TPettoni@Dover.NJ.US>
Subject: Re: OPRA REQUEST-TOWN OF DOVER

Hi Kayla,

Thank you so much for your detailed response. I truly appreciate your professional manner.

I only wanted Lt. Corona included because it involved police records and the issues I have been having. That is why I cc him. He does not have to be on all your responses.

Once again thank you for your professionalism.

Rico

On Tue, May 28, 2024 at 13:31 Kayla Wrigley <kwrigley@dover.nj.us> wrote:

Good Afternoon Mr. Gonzalez,

I have attached a copy of both emails indicating the MCPO denial of both BWC videos that was forwarded to us from the Police Records Clerk on May 21, 2024, for your records. Please take notice that Lt. Corona was copied on both denial emails.

I emailed and inquired about the approval of the release of BWC footage for a different OPRA request we received regarding the February 7th incident with Councilman Rodriguez since they denied your request for the release of the BWC for the January 5th incident involving Councilman Rodriguez. The denial of your request led me to believe that the February 7th BWC footage release would also be denied. After several emails back and forth, Mr. McDonald called me all 11:11am to discuss the BWC request. It was during this time that I had explained to Mr. McDonald that the January 5th incident was not the incident that resulted in criminal charges against Mr. Rodriguez. He then explained that there was some confusion regarding the dates when speaking with Angelica, the Police Records Clerk.

Per my request, Mr. McDonald follow up with an email summarizing our discussion via phone. I have also attached a copy of that email where Mr. McDonald advised that when speaking with Angelica regarding your January 5th BWC request, he was under the impression that the BWC notification sent by Angelica on May 16, 2024 to the MCPO, was for the incident being heard at the Lincoln Park Municipal Court.

Therefore, I will be in contact with Angelica regarding obtaining the BWC footage as we were never provided with the January 5th BWC because it was pending approval from the MCPO and subsequently denied. As soon as I speak with Angelica, I can give you an estimated time frame for when the records will be available as I have no idea how long the videos are or what they entail. Please be on the look out for another email that will indicate how long of an extension will be needed. If you wish to speak with the MCPO to corroborate the events that occurred, and the denial please feel free to do so. Their number is 973-285-6200.

Lastly in response to your question regarding why Lt. Corona was “removed” from the email thread, typically, when we send OPRA responses to anyone even regarding Police Records, Lt. Corona nor any other officer from the Police Department are ever cc’d on those emails. If it would make you feel more comfortable moving forward having LT. Corona cc’d on any of your OPRA requests regarding Police Records, I can do my best to ensure we also CC him. Thank you.

Regards,

Kayla Wrigley

Deputy Municipal Clerk

[Town of Dover](#)

[37 North Sussex Street](#)

[Dover, NJ 07801](#)

(973) 366-2200 ext. 1114

From: Richard Gonzalez <[REDACTED]>
Sent: Tuesday, May 28, 2024 11:36 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Cc: Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <Corona@doverpolice.nj.org>
Subject: Re: OPRA REQUEST-TOWN OF DOVER

Kayla,

I noticed you removed Lt. Oxmani Corona, who is in charge of the police records, from my original OPRA request. Can you please advise me why that was done? It is suspicious to me that you would choose to do that, since all the issues I have been having with your records custodian, Tara Pettoni. May you please provide the Morris County Prosecutor unit and individual you spoke to so that I may confirm that this denial is indeed from the prosecutor's office. I have also cc Lt. Corona on this message.

Thank you Rico

On Tue, May 28, 2024 at 10:46 AM Kayla Wrigley <kwrigley@dover.nj.us> wrote:

Good Afternoon,

You submitted an Open Public Records Act (OPRA) Request Form to the Town of Dover which was received by the Municipal Clerk on 5/16/2024. As such, the seven (7) business day deadline to respond to your request is 5/28/24 as 5/27/24 was a holiday. Pursuant to the Act, the Town has 7 business days, beginning the day after receipt of the request by the Records Custodian, within which to respond.

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We have been advised by the Morris County Prosecutor's Office that, "access to body worn camera footage is denied as the investigation into this matter is open and ongoing. The New Jersey Supreme Court has concluded that early disclosure of records containing details of the incident "will often be "inimical to the public interest"", and thus, would be an impediment to the state's constitutional obligation to investigate and prosecute

responsible parties for their alleged criminal conduct. N.J.S.A. 47:1A-3. North Jersey Media Group, Inc. v. Twp. Of Lyndhurst, 229 N.J. 541, 574 (citing N.J.S.A. 47:1A-3).”

Therefore, there are no records responsive to your OPRA Request. This request is now deemed complete and closed.

Thank you,

Kayla Wrigley

Deputy Municipal Clerk

[Town of Dover](#)

[37 North Sussex Street](#)

[Dover, NJ 07801](#)

(973) 366-2200 ext. 1114

Lou Nisivoccia

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 1:31 PM
To: Richard Gonzalez
Cc: Tara Pettoni; Oxmani Corona
Subject: RE: OPRA REQUEST-TOWN OF DOVER
Attachments: Denial 2 of Jan. 5, 2024.pdf; Denial 1 of Jan. 5, 2024.pdf; 11.29am Email from McDonald regarding OPRA.pdf

Good Afternoon Mr. Gonzalez,

I have attached a copy of both emails indicating the MCPO denial of both BWC videos that was forwarded to us from the Police Records Clerk on May 21, 2024, for your records. Please take notice that Lt. Corona was copied on both denial emails.

I emailed and inquired about the approval of the release of BWC footage for a different OPRA request we received regarding the February 7th incident with Councilman Rodriguez since they denied your request for the release of the BWC for the January 5th incident involving Councilman Rodriguez. The denial of your request led me to believe that the February 7th BWC footage release would also be denied. After several emails back and forth, Mr. McDonald called me all 11:11am to discuss the BWC request. It was during this time that I had explained to Mr. McDonald that the January 5th incident was not the incident that resulted in criminal charges against Mr. Rodriguez. He then explained that there was some confusion regarding the dates when speaking with Angelica, the Police Records Clerk.

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Lastly in response to your question regarding why Lt. Corona was “removed” from the email thread, typically, when we send OPRA responses to anyone even regarding Police Records, Lt. Corona nor any other officer from the Police Department are ever cc’d on those emails. If it would make you feel more comfortable moving forward having LT. Corona cc’d on any of your OPRA requests regarding Police Records, I can do my best to ensure we also CC him. Thank you.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801

From: Richard Gonzalez <[REDACTED]>
Sent: Tuesday, May 28, 2024 11:36 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Cc: Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <Corona@doverpolice.nj.org>
Subject: Re: OPRA REQUEST-TOWN OF DOVER

Kayla,

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Thank you Rico

On Tue, May 28, 2024 at 10:46 AM Kayla Wrigley <kwrigley@dover.nj.us> wrote:

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We have been advised by the Morris County Prosecutor's Office that, "access to body worn camera footage is denied as the investigation into this matter is open and ongoing. The New Jersey Supreme Court has concluded that early disclosure of records containing details of the incident "will often be "inimical to the public interest"", and thus, would be an impediment to the state's constitutional obligation to investigate and prosecute responsible parties for their alleged criminal conduct. N.J.S.A. 47:1A-3. North Jersey Media Group, Inc. v. Twp. Of Lyndhurst, 229 N.J. 541, 574 (citing N.J.S.A. 47:1A-3)."

Therefore, there are no records responsive to your OPRA Request. This request is now deemed complete and closed.

Thank you,

Kayla Wrigley

Deputy Municipal Clerk

Town of Dover

37 North Sussex Street

Dover, NJ 07801

(973) 366-2200 ext. 1114

Lou Nisivoccia

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 11:42 AM
To: Tara Pettoni
Subject: FW: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Good Morning,

Please see the below email thread as it relates to the BWC footage from the February 7, 2024, incident.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Sent: Tuesday, May 28, 2024 11:40 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Yes, our advice of a denial was for the February 7th incident which currently is pending in Lincoln Park Municipal Court.

AP Michael McDonald
Morris County Prosecutor's Office
Administration & Records Building
P.O. Box 900
Morristown, New Jersey 07963
973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>
Sent: Tuesday, May 28, 2024 11:38 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Thank you for the clarification. So, to confirm, the denial that was initially sent for the January 5th BWC release, was meant for the BWC from the February 7th incident, which is currently pending at the Lincoln Park Municipal Court (1409 S-2024-30)? Thank you again for all your help with this and I apologize for the confusion!

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Sent: Tuesday, May 28, 2024 11:29 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Ms. Wrigley:

It was a pleasure speaking with you as you were able to clarify some things and clear up the confusion. Regarding any OPRA request received relative to something that occurred on January 5, 2024, our response would be:

Thank you for the notification. I was unable to locate an open investigation with our Office related to the incident referenced in the request. As such, the determination concerning the accessibility of a request made to your agency for the BWC footage rests with your municipal attorney. **Please note**, this reply *should not* be considered as MCPO's approval or denial of the request for access to the BWC footage.

When speaking and communicating with Angelica, I was under the impression that the BWC notification she sent was for the February incident, which as you know is still an open investigation pending resolution in Municipal Court. However, based on our conversation you indicated that there is another, different request for something that took place in January. I hope this clears up any confusion!

AP Michael McDonald
Morris County Prosecutor's Office
Administration & Records Building
P.O. Box 900
Morristown, New Jersey 07963
973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>
Sent: Tuesday, May 28, 2024 11:07 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Good Morning,

If you can I would greatly appreciate it. I know that there are 3 BWC videos from the incident. If I can provide any additional information to aid in the search, please let me know. If nothing was submitted for the February 7th date of incident, I will reach back out to the Police Clerk and request that she sends a new approval request for the BWC. Thank you.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Sent: Tuesday, May 28, 2024 11:05 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

I can try to go back further and check, however, see my recent email. It does not sound like this is BWC.

AP Michael McDonald
Morris County Prosecutor's Office
Administration & Records Building
P.O. Box 900
Morristown, New Jersey 07963
973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>
Sent: Tuesday, May 28, 2024 11:02 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Good Morning,

I meant to add, is it possible that they requested approval in February for the release of any BWC regarding Case# 2024-03867, the 2/7/24 incident? I apologize, March 12, the Clerk's Office began handling police related OPRA requests so, we are unsure of what was sent for approval prior to that date however, in speaking with the Police Clerk she indicated that she did not have an email from the MCPO as to whether the BWC was approved or not. Thank you.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 10:53 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Good Morning,

I am in possession of the request application dated March 18, 2024, which was submitted by Ms. Lorenzo regarding the 2/7/2024 surveillance footage however, I was never provided an email or copy with the remaining requests for BWC that she said were submitted for review. I hope this helps! Thank you again for your time.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Sent: Tuesday, May 28, 2024 10:47 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Ms. Wrigley:

Can you please do me a favor and resend the request you indicate from March of this year. I went through all of the requests received in March and did not find one from Dover, thank you.

AP Michael McDonald

Morris County Prosecutor's Office
Administration & Records Building
P.O. Box 900
Morristown, New Jersey 07963
973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>
Sent: Tuesday, May 28, 2024 10:41 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Cc: Tara Pettoni <TPettoni@Dover.NJ.US>
Subject: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

On May 21, 2024, the release of the BWC for the January 5, 2024, Case #2024-00428 and Case #2024-00433 was denied. Is it safe to assume that the release of the BWC from the incident dated February 7, 2024, Case #2024-03867, which involved the same Councilman would also be denied as he is currently in Lincoln Park Municipal Court for the matter? We have a new OPRA, requesting the BWC from the February 7, 2024, incident? We were advised by the Police Records Clerk she did not have an email from the MCPO approving or denying the release of the BWC from the February 7, 2024, incident however, it was requested back in March. Thank you for your time and guidance.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Angelica Lorenzo <lorenzo@doverpolice.nj.org>
Sent: Tuesday, May 21, 2024 2:01 PM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>; Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <corona@doverpolice.nj.org>
Subject: Fwd: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

Please see below, denial from MCPO.

----- Forwarded message -----

From: **McDonald, Michael** <MMcDonald@co.morris.nj.us>

Date: Tue, May 21, 2024 at 1:41 PM

Subject: RE: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

To: Angelica Lorenzo <lorenzo@doverpolice.nj.org>

Ms. Lorenzo:

Thank you for the notification. This incident is currently under an open and ongoing investigation at the Morris County Prosecutor's Office, in our Professional Standards Unit. It took some research, but apparently the matter is still pending disposition in Municipal Court, the last information we have is that after several transfers, it is currently in the Lincoln Park Municipal Court, although there is a possibility, we are told, that venue will be moved again due to a conflict. Regardless, if the request were made to our Office, we would give the following response.

Access to body worn camera footage is denied as the investigation into this matter is open and ongoing. The New Jersey Supreme Court has concluded that early disclosure of records containing details of the incident "will often be "inimical to the public interest"", and thus, would be an impediment to the state's constitutional obligation to investigate and prosecute responsible parties for their alleged criminal conduct. N.J.S.A. 47:1A-3. North Jersey Media Group, Inc. v. Twp. Of Lyndhurst, 229 N.J. 541, 574 (citing N.J.S.A. 47:1A-3).

Any determination concerning the accessibility of a request made to your agency for the BWC footage ultimately rests on your municipal attorney. If your municipal attorney's position is contrary to the above legal analysis, please let us know.

AP Michael McDonald

Morris County Prosecutor's Office

Administration & Records Building

P.O. Box 900

Morristown, New Jersey 07963

973-285-6263 office

973-294-4213 cell

From: Angelica Lorenzo <lorenzo@doverpolicenj.org>
Sent: Thursday, May 16, 2024 9:48 AM
To: Prosecutors BWC Notification <ProsecutorBWC@co.morris.nj.us>
Cc: Tara Pettoni <TPettoni@dover.nj.us>; Kayla Wrigley <kwrigley@dover.nj.us>; Oxmani Corona <corona@doverpolicenj.org>
Subject: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

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Good morning,

Attached please see the attached form for a BWC release.

--

If you have any questions please feel free to contact me again.

Thank you

Angelica M. Lorenzo

Dover Police Department

37 N. Sussex St.

Dover, NJ 07801

(O) 973-366-2200 Ext. 4006

(F) 973-537-6869

"THE GREATEST GLORY IN LIVING LIES NOT IN NEVER FAILING, BUT IN RISING EVERY TIME WE FAIL." - Nelson Mandela

--

If you have any questions please feel free to contact me again.

Thank you

*Angelica M. Lorenzo
Dover Police Department
37 N. Sussex St.
Dover, NJ 07801
(O) 973-366-2200 Ext. 4006
(F) 973-537-6869*

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Lou Nisivoccia

From: Kayla Wrigley
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To: McDonald, Michael
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Sent: Tuesday, May 28, 2024 11:05 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
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973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>
Sent: Tuesday, May 28, 2024 11:02 AM

To: McDonald, Michael <MMcDonald@co.morris.nj.us>

Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

I meant to add, is it possible that they requested approval in February for the release of any BWC regarding Case# 2024-03867, the 2/7/24 incident? I apologize, March 12, the Clerk's Office began handling police related OPRA requests so, we are unsure of what was sent for approval prior to that date however, in speaking with the Police Clerk she indicated that she did not have an email from the MCPO as to whether the BWC was approved or not. Thank you.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Kayla Wrigley

Sent: Tuesday, May 28, 2024 10:53 AM

To: McDonald, Michael <MMcDonald@co.morris.nj.us>

Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Good Morning,

I am in possession of the request application dated March 18, 2024, which was submitted by Ms. Lorenzo regarding the 2/7/2024 surveillance footage however, I was never provided an email or copy with the remaining requests for BWC that she said were submitted for review. I hope this helps! Thank you again for your time.

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From: McDonald, Michael <MMcDonald@co.morris.nj.us>

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To: Kayla Wrigley <kwrigley@Dover.NJ.US>

Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Ms. Wrigley:

Can you please do me a favor and resend the request you indicate from March of this year. I went through all of the requests received in March and did not find one from Dover, thank you.

AP Michael McDonald
Morris County Prosecutor's Office
Administration & Records Building
P.O. Box 900
Morristown, New Jersey 07963
973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>

Sent: Tuesday, May 28, 2024 10:41 AM

To: McDonald, Michael <MMcDonald@co.morris.nj.us>

Cc: Tara Pettoni <TPettoni@Dover.NJ.US>

Subject: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Angelica Lorenzo <lorenzo@doverpolicej.org>

Sent: Tuesday, May 21, 2024 2:01 PM

To: Kayla Wrigley <kwrigley@Dover.NJ.US>; Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <corona@doverpolicej.org>

Subject: Fwd: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

Please see below, denial from MCPO.

----- Forwarded message -----

From: McDonald, Michael <MMcDonald@co.morris.nj.us>

Date: Tue, May 21, 2024 at 1:41 PM

Subject: RE: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

To: Angelica Lorenzo <lorenzo@doverpolicej.org>

Ms. Lorenzo:

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AP Michael McDonald

Morris County Prosecutor's Office

Administration & Records Building

P.O. Box 900

Morristown, New Jersey 07963

973-285-6263 office

973-294-4213 cell

From: Angelica Lorenzo <lorenzo@doverpolice.nj.org>

Sent: Thursday, May 16, 2024 9:48 AM

To: Prosecutors BWC Notification <ProsecutorBWC@co.morris.nj.us>

Cc: Tara Pettoni <TPettoni@dover.nj.us>; Kayla Wrigley <kwrigley@dover.nj.us>; Oxmani Corona <corona@doverpolice.nj.org>

Subject: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

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Attached please see the attached form for a BWC release.

--

If you have any questions please feel free to contact me again.

Thank you

Angelica M. Lorenzo

Dover Police Department

37 N. Sussex St.

Dover, NJ 07801

(O) 973-366-2200 Ext. 4006

(F) 973-537-6869

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Lou Nisivoccia

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 11:07 AM
To: McDonald, Michael
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Good Morning,

If you can I would greatly appreciate it. I know that there are 3 BWC videos from the incident. If I can provide any additional information to aid in the search, please let me know. If nothing was submitted for the February 7th date of incident, I will reach back out to the Police Clerk and request that she sends a new approval request for the BWC. Thank you.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Sent: Tuesday, May 28, 2024 11:05 AM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

I can try to go back further and check, however, see my recent email. It does not sound like this is BWC.

AP Michael McDonald
Morris County Prosecutor's Office
Administration & Records Building
P.O. Box 900
Morristown, New Jersey 07963
973-285-6263 office
973-294-4213 cell

From: Kayla Wrigley <kwrigley@Dover.NJ.US>
Sent: Tuesday, May 28, 2024 11:02 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
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(973) 366-2200 ext. 1114

From: Kayla Wrigley

Sent: Tuesday, May 28, 2024 10:53 AM

To: McDonald, Michael <MMcDonald@co.morris.nj.us>

Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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973-294-4213 cell

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Sent: Tuesday, May 28, 2024 10:41 AM
To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Cc: Tara Pettoni <TPettoni@Dover.NJ.US>
Subject: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Angelica Lorenzo <lorenzo@doverpolicenj.org>
Sent: Tuesday, May 21, 2024 2:01 PM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>; Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <corona@doverpolicenj.org>
Subject: Fwd: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

Please see below, denial from MCPO.

----- Forwarded message -----

From: **McDonald, Michael** <MMcDonald@co.morris.nj.us>

Date: Tue, May 21, 2024 at 1:41 PM

Subject: RE: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

To: Angelica Lorenzo <lorenzo@doverpolice.nj.org>

Ms. Lorenzo:

Thank you for the notification. This incident is currently under an open and ongoing investigation at the Morris County Prosecutor's Office, in our Professional Standards Unit. It took some research, but apparently the matter is still pending disposition in Municipal Court, the last information we have is that after several transfers, it is currently in the Lincoln Park Municipal Court, although there is a possibility, we are told, that venue will be moved again due to a conflict. Regardless, if the request were made to our Office, we would give the following response.

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AP Michael McDonald

Morris County Prosecutor's Office

Administration & Records Building

P.O. Box 900

Morristown, New Jersey 07963

973-285-6263 office

973-294-4213 cell

From: Angelica Lorenzo <lorenzo@doverpolicenj.org>

Sent: Thursday, May 16, 2024 9:48 AM

To: Prosecutors BWC Notification <ProsecutorBWC@co.morris.nj.us>

Cc: Tara Pettoni <TPettoni@dover.nj.us>; Kayla Wrigley <kwrigley@dover.nj.us>; Oxmani Corona <corona@doverpolicenj.org>

Subject: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

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Good morning,

Attached please see the attached form for a BWC release.

--

If you have any questions please feel free to contact me again.

Thank you

Angelica M. Lorenzo

Dover Police Department

37 N. Sussex St.

Dover, NJ 07801

(O) 973-366-2200 Ext. 4006

(F) 973-537-6869

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Lou Nisivoccia

From: Kayla Wrigley
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Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Town of Dover
37 North Sussex Street
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To: McDonald, Michael <MMcDonald@co.morris.nj.us>
Subject: RE: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

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Sent: Tuesday, May 21, 2024 2:01 PM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>; Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <corona@doverpolicenj.org>
Subject: Fwd: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

Please see below, denial from MCPO.

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From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Date: Tue, May 21, 2024 at 1:41 PM
Subject: RE: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428
To: Angelica Lorenzo <lorenzo@doverpolicenj.org>

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Morris County Prosecutor's Office

Administration & Records Building

P.O. Box 900

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973-285-6263 office

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Lou Nisivoccia

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Sent: Tuesday, May 28, 2024 10:53 AM
To: McDonald, Michael
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Attachments: MCPO Request application form.pdf

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Attached please see the attached form for a BWC release.

--

If you have any questions please feel free to contact me again.

Thank you

Angelica M. Lorenzo

Dover Police Department

37 N. Sussex St.

Dover, NJ 07801

(O) 973-366-2200 Ext. 4006

(F) 973-537-6869

"THE GREATEST GLORY IN LIVING LIES NOT IN NEVER FAILING, BUT IN RISING EVERY TIME WE FAIL." - Nelson Mandela

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If you have any questions please feel free to contact me again.

Thank you

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Lou Nisivoccia

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 10:47 AM
To: Richard Gonzalez
Cc: Tara Pettoni
Subject: OPRA REQUEST-TOWN OF DOVER

Tracking:	Recipient	Delivery
	Richard Gonzalez	
	Tara Pettoni	Delivered: 5/28/2024 10:47 AM

Good Afternoon,

You submitted an Open Public Records Act (OPRA) Request Form to the Town of Dover which was received by the Municipal Clerk on 5/16/2024. As such, the seven (7) business day deadline to respond to your request is 5/28/24 as 5/27/24 was a holiday. Pursuant to the Act, the Town has 7 business days, beginning the day after receipt of the request by the Records Custodian, within which to respond.

Your OPRA Request sought access to the following:

- Bodycam footage for January 5, 2024 at 1738 hours, involving Officers Krasnick and Matos encounter with Councilman Sergio Rodriguez.
- Bodycam footage for January 5, 2024 at 2055 hours, involving Officer Caraig's encounter with Councilman Sergio Rodriguez.

We have been advised by the Morris County Prosecutor's Office that, "access to body worn camera footage is denied as the investigation into this matter is open and ongoing. The New Jersey Supreme Court has concluded that early disclosure of records containing details of the incident "will often be "inimical to the public interest", and thus, would be an impediment to the state's constitutional obligation to investigate and prosecute responsible parties for their alleged criminal conduct. N.J.S.A. 47:1A-3. North Jersey Media Group, Inc. v. Twp. Of Lyndhurst, 229 N.J. 541, 574 (citing N.J.S.A. 47:1A-3)."

Therefore, there are no records responsive to your OPRA Request. This request is now deemed complete and closed.

Thank you,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

Lou Nisivoccia

From: Kayla Wrigley
Sent: Tuesday, May 28, 2024 10:41 AM
To: McDonald, Michael
Cc: Tara Pettoni
Subject: OPRA Request for BWC: Case#2024-00428, #2024-00433 and #2024-03867

Good Morning,

On May 21, 2024, the release of the BWC for the January 5, 2024, Case #2024-00428 and Case #2024-00433 was denied. Is it safe to assume that the release of the BWC from the incident dated February 7, 2024, Case #2024-03867, which involved the same Councilman would also be denied as he is currently in Lincoln Park Municipal Court for the matter? We have a new OPRA, requesting the BWC from the February 7, 2024, incident? We were advised by the Police Records Clerk she did not have an email from the MCPO approving or denying the release of the BWC from the February 7, 2024, incident however, it was requested back in March. Thank you for your time and guidance.

Regards,

Kayla Wrigley

Deputy Municipal Clerk
Town of Dover
37 North Sussex Street
Dover, NJ 07801
(973) 366-2200 ext. 1114

From: Angelica Lorenzo <lorenzo@doverpolice.nj.org>
Sent: Tuesday, May 21, 2024 2:01 PM
To: Kayla Wrigley <kwrigley@Dover.NJ.US>; Tara Pettoni <TPettoni@Dover.NJ.US>; Oxmani Corona <corona@doverpolice.nj.org>
Subject: Fwd: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

Please see below, denial from MCPO.

----- Forwarded message -----

From: McDonald, Michael <MMcDonald@co.morris.nj.us>
Date: Tue, May 21, 2024 at 1:41 PM
Subject: RE: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428
To: Angelica Lorenzo <lorenzo@doverpolice.nj.org>

Ms. Lorenzo:

Thank you for the notification. This incident is currently under an open and ongoing investigation at the Morris County Prosecutor's Office, in our Professional Standards Unit. It took some research, but apparently the matter is still pending disposition in Municipal Court, the last information we have is that after several transfers, it is currently in the Lincoln Park Municipal Court, although there is a possibility, we are told, that venue will be moved again due to a conflict. Regardless, if the request were made to our Office, we would give the following response.

Access to body worn camera footage is denied as the investigation into this matter is open and ongoing. The New Jersey Supreme Court has concluded that early disclosure of records containing details of the incident "will often be "inimical to the public interest"", and thus, would be an impediment to the state's constitutional obligation to investigate and prosecute responsible parties for their alleged criminal conduct. N.J.S.A. 47:1A-3. North Jersey Media Group, Inc. v. Twp. Of Lyndhurst, 229 N.J. 541, 574 (citing N.J.S.A. 47:1A-3).

Any determination concerning the accessibility of a request made to your agency for the BWC footage ultimately rests on your municipal attorney. If your municipal attorney's position is contrary to the above legal analysis, please let us know.

AP Michael McDonald

Morris County Prosecutor's Office

Administration & Records Building

P.O. Box 900

Morristown, New Jersey 07963

973-285-6263 office

973-294-4213 cell

From: Angelica Lorenzo <lorenzo@doverpolice.nj.org>

Sent: Thursday, May 16, 2024 9:48 AM

To: Prosecutors BWC Notification <ProsecutorBWC@co.morris.nj.us>

Cc: Tara Pettoni <TPettoni@dover.nj.us>; Kayla Wrigley <kwrigley@dover.nj.us>; Oxmani Corona <corona@doverpolice.nj.org>

Subject: OPRA Request - Richard Gonzalez 1-5-2024 Case # 2024-00428

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Attached please see the attached form for a BWC release.

--

If you have any questions please feel free to contact me again.

Thank you

Angelica M. Lorenzo

Dover Police Department

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Thank you

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