



Wall Township Police Department

Phone: 732-449-4500 ~ Fax: 732-449-1273

www.wallpolice.org



Kenneth Brown Jr.
Chief of Police

April 17, 2018

Dear Sir/Madam:

The Township of Wall ("Township") Records Custodian received your Open Public Records Act ("OPRA") request on April 10, 2018. The Township is responding to your request within seven (7) business days after receipt of your request as required by New Jersey law. See N.J.S.A. 47:1A-5.

For ease of reference, your OPRA request seeks the following:

1. *Full roster list of all Wall Township police officers' names, ranks, corresponding badge numbers, and length of time with the department.*
2. *Any and all Wall Township Police Department policies referencing and in regards to the practice of police officers identifying themselves by name and/or badge number to members of the general public when requested, and/or by individuals the police officers make contact with in the course of their duties, when requested by those individuals.*
3. *Any and all Wall Township Police Department policies referencing and in regards to the display of name tags, name plates, name patches, badges, and/or badge numbers.*
4. *Any and all Wall Township Police Department policies referencing and in regards to the conduct of police officers when engaging/making contact with the public.*
5. *Any and all Wall Township Police Department training records within the last 365 days referencing it's officer's knowledge of Constitutional Rights and/or the legality of public photography.*

On or about April 17, 2018, the Township timely responded to your OPRA request in accordance with New Jersey law, and enclosed all records identified as responsive to Item No. 1.

In regards to Item No. 2 and 4, please see the enclosed Wall Township Police Department Rules and Regulation, specifically section 3:11.5 and 3:11, respectively.

In regards to Item No. 3, please see the enclosed standard operating procedure for uniform and equipment for the Wall Township Police Department.



P.O. Box 1168 / 2700 Allaire Rd., Wall Township, NJ 07719





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With respect to Item No. 5, unless falling within a statutory exemption, an employee's training and education are personnel records exempt from disclosure under OPRA. Kovalcik v. Somerset County Prosecutor's Office, 206 N.J. 581, 593-594 (2011). In Kovalcik, the Supreme Court explained that "personnel records are, by definition, not classified as government records at all; any document that qualifies as a personnel record is therefore not subject to being disclosed notwithstanding the other provisions of the statute." Id. at 592. OPRA's personnel records provision "begins with a presumption of non-disclosure[.]" Id. at 594.

Under OPRA, a "personnel record" may only be disclosed "if and only if, [it] ... fits within one of the three exceptions to the general exemption for personnel records" set forth in N.J.S.A. 47:1A-10." Id. at 592. N.J.S.A. 47:1A-10 provides, in pertinent part, that "data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information, shall be a government record." Thus, public employee training and education documents are only subject to disclosure to the extent that the records disclose the public employee has completed specific training or education that is required for his or her employment. Id. at 593-594. The specified training in Item No. 5 is not required by the Wall Township Police Department, therefore the requested record does not exist.

Your OPRA request is now deemed answered and closed. Thank you for your attention to this matter.

Very truly yours,

Kevin R. Pressey
Records Custodian
Wall Township Police Department
732-449-4500 ext. 1401
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