



NEPTUNE TOWNSHIP POLICE DEPARTMENT

25 NEPTUNE BLVD NEPTUNE TWP , NJ 07753 (732)988-8000

Officer Report for Incident 21NT17246

Nature: STOP

Location: P346

Address: 3455 W BANGS AVE

NEPTUNE TWP NJ 07753

Offense Codes: TOFF, TOFF

Received By: Halpern, D

How Received: O

Agency: P34

Responding Officers: Tartis, B, McDonough, M

Responsible Officer: Tartis, B

Disposition: SI 07/15/21

When Reported: 08:17:26 07/15/21

Occurred Between: 08:17:26 07/15/21 and 08:17:26 07/15/21

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed: TOFF Traffic Offense

Additional Offense: TOFF Traffic Offense

Additional Offense: TOFF Traffic Offense

Circumstances

LT18 Parking Lot or Garage

Responding Officers:

Tartis, B

McDonough, M

Unit :

P34215

P34200

Responsible Officer: Tartis, B

Agency: P34

Received By: Halpern, D

Last Radio Log: 08:26:37 07/15/21 C

How Received: O Ofcr. Initiated

Clearance: RR Report Required

When Reported: 08:17:26 07/15/21

Disposition: SI Date: 07/15/21

Judicial Status:

Occurred between: 08:17:26 07/15/21

Misc Entry:

and: 08:17:26 07/15/21

Statute:

Description :

Method :

Involvements

Date	Type	Description
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Narrative

Conducted a motor vehicle stop with NJ REG/ Y82LLU for driving on private property to avoid a traffic signal. I observed the driver, Tristan Charleau, circumnavigate the traffic signal and drive over the curb across private property. Charleau provided proper documentation and was negative warrants.

Charleau was issued E-Citation's # 1334E21002763 for Reckless Driving and # 1334E21002765 for Driving on Private Property to Avoid Traffic Signal. Audio / video recordings of the stop were captured on the MVR system of #34-21.

Court ID 1334	Prefix E21	Ticket Number 002765	NEPTUNE TWP MUNICIPAL COURT 25 NEPTUNE BLVD NEPTUNE NJ 07753 TELEPHONE: (732) 988-5200
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 07/22/2021. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.			
Drivers License No: C32257506403882		D/L State: NJ	
Expiration Date: 3/2023		☐ Commercial License	
THE UNDERSIGNED CERTIFIES THAT			
TRISTAN D. CHARLEAU 1203 11TH AVE NEPTUNE TWP NJ 07753		Telephone: _____ Birth Date: _____ Eyes: BROWN Weight: _____ Height: 6'03" Restrictions: D /0	
DID UNLAWFULLY OPERATE A			
License Plate No. G44FCG	Vehicle Make: FORD Color: GREEN Plate State: NJ	Year: 2002 Body Type: UNKNOWN Exp Date: 3/2019	☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service
AND DID COMMIT THE FOLLOWING OFFENSE			
39:4-66.2 AVOIDING TRAFFIC CONTROL SIGNAL OR SIGN Date of Offense: 07/15/2021 Time: 08:17 AM Other Offense Information ☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury ☐ Death/Serious Bodily Injury			
Location:	Municipality:	County:	Mun. Code (Offense):
3455 W BANGS AVE	NEPTUNE TWP	MONMOUTH	1334
I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.			
07/15/2021	B TARTIS	1215	
Date	Electronic Signature	Officer ID	
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:			
Court Date: 07/22/2021		Court Time: 11:00 AM	
FOR MORE INFORMATION, LOGON TO: www.njmcdirect.com			
NOTICE IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE. IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEBSITE AT WWW.NJ MVC.GOV.			
PLEASE NOTIFY COURT OF DISABILITY ACCOMMODATION NEEDS			

Court ID 1334	Prefix E21	Ticket Number 002763	NEPTUNE TWP MUNICIPAL COURT 25 NEPTUNE BLVD NEPTUNE NJ 07753 TELEPHONE: (732) 988-5200	
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THE COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED. YOU ARE REQUIRED TO APPEAR IN COURT ON 07/22/2021. IF YOU ARE UNABLE TO APPEAR, CONTACT THE COURT TO DETERMINE IF THIS CASE CAN BE RESCHEDULED.				
Drivers License No: C32257506403882		D/L State: NJ		
Expiration Date: 3/2023		☐ Commercial License		
THE UNDERSIGNED CERTIFIES THAT:				
TRISTAN D. CHARLEAU 1203 11TH AVE NEPTUNE TWP NJ 07753		Telephone: Birth Date: [REDACTED] Eyes: BROWN	Weight: Height: 6'03" Restrictions: D /0	
DID UNLAWFULLY OPERATE A:				
License Plate No. G44FCG	Vehicle Make: FORD Color: GREEN Plate State: NJ	Year: 2002 Body Type: UNKNOWN Exp Date: 3/2019	☐ Commercial Vehicle ☐ Omnibus ☐ Hazardous Materials ☐ Out of Service	
AND DID COMMIT THE FOLLOWING OFFENSE:				
39:4-96 RECKLESS DRIVING Date of Offense: 07/15/2021 Time: 08:17 AM Other Offense Information ☐ Construction Zone ☐ Safe Corridor ☐ 65 MPH Zone ☐ Accident ☐ Personal Injury ☐ Death/Serious Bodily Injury				
Location: 3455 W BANGS AVE	Municipality: NEPTUNE TWP	County: MONMOUTH	Mun. Code (Offense): 1334	
I CERTIFY THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE. I ALSO CERTIFY THAT I WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THIS OFFENSE.				
07/15/2021 Date	B TARTIS Electronic Signature	1215 Officer ID		
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED ABOVE. YOUR COURT DATE AND TIME IS:				
Court Date: 07/22/2021		Court Time: 11:00 AM		
FOR MORE INFORMATION, LOGON TO: www.njmcdirect.com				
NOTICE IF YOU FAIL TO APPEAR FOR YOUR SCHEDULED COURT DATE, THEN ADDITIONAL PENALTIES MAY RESULT. A WARRANT MAY BE ISSUED FOR YOUR ARREST AND YOUR DRIVING PRIVILEGES IN NEW JERSEY MAY BE REVOKED. IF THIS IS A PARKING TICKET, YOUR FAILURE TO APPEAR SHALL BE CONSIDERED AN ADMISSION OF LIABILITY AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE OWNER OF THE VEHICLE. EXCEPT FOR A PARKING TICKET, A RECORD OF THIS CONVICTION WILL BE SENT TO THE MOTOR VEHICLE COMMISSION (MVC) THAT ISSUED YOUR LICENSE. IF YOU HOLD A COMMERCIAL DRIVERS LICENSE AND YOU ARE CONVICTED OF TWO OR MORE SERIOUS TRAFFIC VIOLATIONS, THE MVC MAY, DEPENDING ON YOUR RECORD, SUSPEND YOUR COMMERCIAL DRIVING PRIVILEGES EVEN IF THE VIOLATIONS WERE COMMITTED IN A NON-COMMERCIAL MOTOR VEHICLE. FOR MORE INFORMATION, VISIT THE OFFICIAL MVC WEBSITE AT WWW.NJMVC.GOV.				
 PLEASE NOTIFY COURT OF DISABILITY ACCOMMODATION NEEDS 				

Rick Cuttrell

From: Tassie York
Sent: Monday, November 29, 2021 11:01 AM
To: Rick Cuttrell
Subject: Re: OPRA Request

Mr. Cuttrell.

In response to your request, I am informing you that I have none of items you are requesting.

Thank you

Tassie D. York, MSW
Committee Woman
25 Neptune Boulevard
Neptune, NJ. 07753
TYork@neptunetownship.org
(732) 988-5200 ext. 290

From: Rick Cuttrell <rcuttrell@neptunetownship.org>
Sent: Monday, November 29, 2021 10:51:00 AM
To: Tassie York <tyork@neptunetownship.org>; jamesbutler601@optimum.net <jamesbutler601@optimum.net>
Cc: Gene Anthony <gantpol@aol.com>
Subject: FW: OPRA Request

Ms. York and Mr. Butler,

Pursuant to the attached OPRA request, please any documents as requested in #4 of the request. This would be any document or record between yourselves relating to a police stop involving Tristan Charleau on July 15, 2021.

Rick Cuttrell
Municipal Clerk
Township of Neptune
25 Neptune Boulevard
Neptune, NJ 07753
RCuttrell@neptunetownship.org
732-988-5200 x234

From: My Opra Request <myoprarequest@gmail.com>
Sent: Tuesday, November 23, 2021 11:39 AM
To: Rick Cuttrell <rcuttrell@neptunetownship.org>
Subject: OPRA Request

Please see attached.

Thank you



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

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

MICHAEL J. WOJCIECHOWSKI
ACTING FIRST ASSISTANT PROSECUTOR

JOHN G. McCABE, JR.
ACTING CHIEF OF DETECTIVES

LORI LINSKEY

ACTING MONMOUTH COUNTY PROSECUTOR

December 1, 2021

Gina LaPlaca
Assistant Business Administrator
Neptune Township
25 Neptune Boulevard
Neptune, NJ 07753

**Re: Committeeperson Tassie York
Municipal Prosecutor James Butler
PO2103746**

Dear Ms. LaPlaca:

On July 15, 2021, a Neptune Township Police officer issued motor vehicle tickets to Tristan Charleau, after she observed him drive onto a grassy area on the property of Holy Innocents School to avoid a road detour. The offense was captured on the officer's mobile video recorder (MVR). Charleau received tickets for Reckless Driving in violation of N.J.S.A. 39:4-96 (1334-E21-002763) and Avoiding Traffic Control Signal or Sign in violation of N.J.S.A. 39:4-66.2 (1334-E21-002765).

The same day that the tickets were issued to Charleau, his mother-in-law, Committeeperson Tassie York called the Neptune Township Police Department to complain about and argue against the issuance of the tickets. This phone call was on a recorded line. While Committeeperson York prefaced her comments by insisting that she is "not looking for any special favors", during the call, York stated that she was calling to see "what we could do" about the "ridiculous" and "unnecessary" tickets. She further accused the officer of racial profiling. The Sergeant who took her call indicated that Charleau should handle the matter in court. York responded by stating that she was going to call her "very good friend", Municipal Prosecutor James Butler, "right now" and that the tickets would "probably get thrown out anyway."

According to municipal court records and audio, on July 29, 2021, Charleau appeared before Judge Robin Wernik in Neptune Township Municipal Court. Butler was the prosecutor. Butler offered Charleau a plea to a downgraded charge of violating N.J.S.A. 39:4-116, "Special Right or Left Turn". Charleau was assured on the record that this was a "no point" offense, and he entered a guilty plea. As part of the plea, the Reckless Driving ticket, a five point violation, was amended to the no point violation of N.J.S.A. 39:4-116. The second motor vehicle ticket, a two point violation, was dismissed. Charleau was assessed a \$257.00 fine and \$33.00 in court

costs. It is my understanding that the officer who issued the ticket was not consulted about the plea or subpoenaed for the court date.

This file initially came to my office as York was complaining about the conduct of the officer who issued the ticket and accusing her of racial profiling. Our review indicated no misconduct whatsoever by any of the officers involved. The motor vehicle violations committed by Charleau were clear and were captured on the MVR. The officers who dealt with Charleau at the scene and with York when she called the police department, were professional and respectful. We have advised the Neptune Township Police Department of our findings.

That said, my office felt compelled to advise you of this situation so you can review and evaluate the conduct of Committeeperson York and Municipal Prosecutor Butler. While we do not believe this conduct to be criminal in nature, it raises ethical and conflict-of-interest concerns that warrant review. York's comments in the recorded phone call to the Neptune Township Police Department appear to be an attempt to use her official position to secure an unwarranted advantage for her son-in-law. It is unknown if York and Butler spoke about this matter prior to Charleau's municipal court appearance. However, York's comments about her friendship with Butler in the recorded phone call in combination with the favorable disposition offered to Charleau by Butler, warrant an inquiry into whether these conversations occurred. If so, there is an additional issue as to whether Butler should have recused himself and whether the matter should have even been handled in Neptune Township Municipal Court, as opposed to being transferred to another venue.

I have enclosed copies of the police report, motor vehicle tickets, MVR video, municipal court records, municipal court audio from July 29, 2021 (time stamp 11:04:51), and the audio of the recorded conversation when York called the Neptune Township Police Department. If you have any questions or need any additional information, please do not hesitate to contact me. Thank you.

Very truly yours,

LORI LINSKEY
ACTING MONMOUTH COUNTY PROSECUTOR

/s/ Melanie Falco

By: Melanie Falco
Director, Professional Responsibility Unit

cc: DCA, Division of Local Government Ethics, Local Finance Board