



City of Linden
UNION COUNTY, NEW JERSEY

OFFICE OF CITY CLERK
City Hall – 301 North Wood Avenue
(908) 474-8452
Fax: (908) 474-8451

Joseph C. Bodek, RMC, RPPO
City Clerk

Jennifer Honan
Deputy City Clerk

September 1, 2020

Ms. Kelly V
Opra+request-16025-72f1d727@requests.Opramachine.com

File Number: 2020-669

Re: OPRA Request – Wales Park

Dear Ms. Kelly V:

The City of Linden received your Open Public Records Act (OPRA) request on August 19, 2020. The official Records Custodian, Joseph C. Bodek, received your OPRA request on August 19, 2020.

You requested the following: See Attached

The records are now being provided to you as per your request, with redactions. In accordance with N.J.S.A. 47:1A-1 (24). Privacy Interest and N.J.S.A. 47:1A-1.1(16) Personal Identifying Information and 47:1A-9(22) N.J.S.A. 2A:4A-60 (Juvenile Records) Privacy Interest – “a public agency has a responsibility and an obligation to safeguard from public access a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy.”

If you feel that your request for access to a government record has been improperly denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision of the City of Linden to deny access. I have attached information, from the Government Records Council regarding the process to file a complaint.

Sincerely,

Joseph C. Bodek
Custodian of Records
City of Linden

New Jersey Government Records Council ("GRC")



What to do if your request for a record has been denied

The New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) permits a person who believes that he or she has been unlawfully denied access to a public record either to file a complaint with the GRC or to file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking such actions.

To file a complaint with the GRC:

- Visit the GRC's website at www.nj.gov/grc for information and to register your complaint. In the alternative, you may contact the GRC by telephone at 1-866-850-0511 or by e-mail at government.records@dca.nj.gov.
- When you file the written complaint, the GRC will offer both you and the public agency non-adversarial, impartial mediation. If mediation is not accepted or is not successful, the GRC will investigate the complaint.
- In some cases, the GRC can award attorney's fees to a complainant or impose a fine against a records custodian.
- There is no fee to file a complaint with the GRC.

To file a complaint in Superior Court:

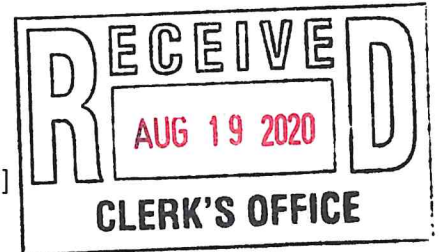
- A requestor may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.
- The court requires a filing fee, and you must serve the lawsuit papers on the appropriate parties.
- The court will schedule a hearing to resolve the dispute.
- If you disagree with the court's decision, you may appeal the decision to the Appellate Division of the Superior Court.
- If you are successful, you may be entitled to reasonable attorney's fees.
- You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.
- Filing suit in Superior Court may result in a faster resolution, because the courts adjudicate cases every day, whereas the GRC only meets once a month.

Government Records Council, P.O. Box 819, Trenton, New Jersey 08625-0819

Talia Pena-Marin

2020 ~ 669

From: Joe Bodek
Sent: Tuesday, August 18, 2020 1:55 PM
To: Talia Pena-Marin
Cc: Jennifer Honan
Subject: FW: OPRA request - Opra of opra requests regarding incidents at Wales Park



-----Original Message-----

From: Kelly V [mailto:opra+request-16025-72f1d727@requests.opramachine.com]
Sent: Tuesday, August 18, 2020 12:30 PM
To: Joe Bodek
Subject: OPRA request - Opra of opra requests regarding incidents at Wales Park

Dear Linden City,

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:

I am requesting a copy of all opra requests filed regarding Wales Park since June 2020. The person Reno requested the information and an exact copy of the opra that was filed

Yours faithfully,
Kelly V

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-16025-72f1d727@requests.opramachine.com

Is jbodek@linden-nj.org the wrong address for OPRA requests to Linden City? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=linden_city

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/opra_of_opra_requests_regarding

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.

Joe Bodek

#2020 - 582

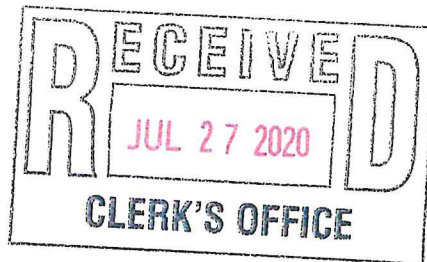
From: Monique Caldwell
Sent: Monday, July 27, 2020 12:26 PM
To: Joe Bodek; 'David Hart'; Derek Armstead; Joseph Cacioppo
Cc: raycaldwell73@hotmail.com
Subject: OPRA Request
Attachments: OPRA of Video at Wales Park from Linden Police Department 072620 8pm 9pm requested by 3rd Ward Councilwoman .pdf

Hello Joe,

Attached is a copy of my OPRA Request.

Kind Regards,

Councilwoman Caldwell



CITY OF LINDEN
APPLICATION FORM

301 N. Wood Avenue
City Hall, Room
Linden, New Jersey 07036
Telephone: (908) 474-8445
Fax: (908) 474-8451

REQUEST FOR PUBLIC RECORDS

(PLEASE PRINT)

Name: Monique Caldwell #2020-582 Date: 7/27/20
Organization (If Applicable):
Mailing Address: 314 E. Curtis
City, State, Zip: Linden NJ 07036
Home/Business Phone: [REDACTED] MAIL Moniquebellecaldwell@gmail.com
REQUEST MADE VIA: ☐ OFFICE VISIT ☐ CORRESPONDENCE ☐ FAX ☒ email

DESCRIPTION OF PUBLIC RECORD(S):

(Please be specific and attach additional pages of information if necessary)

Please see attached ~~documents~~ documents

☐ INSPECT / VIEW DOCUMENTS "ONLY" (DURING NORMAL BUSINESS HOURS)

☐ PREPARE PHOTOCOPIES OF ALL REQUESTED DOCUMENTS FOR PURCHASE

☐ SEND RESPONSE BY E-MAIL

☐ COPY OF MINUTES (SPECIFY BOARD OR ENTITY, DATE, TOPIC OR OTHER IDENTIFYING INFORMATION)

☐ COPY OF ORDINANCE OR RESOLUTION (SPECIFY DATE, NUMBER OR OTHER IDENTIFYING INFORMATION)

☐ OTHER (SPECIFY)

I want a copy of the police video on
7/26/20 at Wales park from 8:00pm-9:00pm

I want the recording of Officer Edgar
badge 187 on 7/26/20

☐ LICENSE INFORMATION (SPECIFY)

SIGNATURE: Monique Caldwell

INFORMATION ON A SPECIFIC PROPERTY:

ADDRESS: [REDACTED]

BLOCK/LOT: _____

RE: OPRA of video at Wales Park and Recording of Conversation with Officer Edgar badge 187 on 07/26/20

[REDACTED] who were with their friends at Wales Park on 07/26/20 were told to leave the park by Linden Police officers between 8:00pm – 9:00pm. When they entered the park there was a white woman and white girl. The little girl asked her mother if it was ok to play with [REDACTED] and their friends. The mother said no and left the park. Soon after the Linden Police officer arrived and told [REDACTED] to leave it was not even 9pm.

I find it funny when I was being harassed by John Kaczor the cops arrived and said nothing to him. [REDACTED] and their friends who are African American were told to leave the park and did nothing. Should I call this playing in the park while being black! As an African American mother and Councilwoman of the 3rd ward I'm disturbed by this treatment. I want to see the video and exactly what time they were told to leave. I called the police and spoke to an Officer Edgar with a badge of 187 around 9:15pm on 07/26/20. He hung up the phone on me and I called back from phone number [REDACTED] [REDACTED] I would like a recording of our conversation as well!

Councilwoman Caldwell
Councilwoman Caldwell