

State of New Jersey
Government Records Request
Receipt

Requestor Information

FratLaw

N/A

N/A, NJ 00000

opra+request-79828-
xxxxxxx@xxxxxxx.xxxxxxxxxxxx.xxx

Request Date: August 21, 2025

Maximum Authorized Cost: \$0.00

Email

Request Number: C239546

Request Status: Filled Closed

Ready Date: June 2, 2026

Custodian Contact Information

Division of Criminal Justice

Records Custodian

PO Box 085

25 Market Street - 5th Floor West

Trenton, NJ 08625-0085

xxx.xxxxxxx@xxxxx.xxx

609-984-6500

By _____

Status of Your Request

Your request for government records (# C239546) from the Division of Criminal Justice has been reviewed and has been Filled Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Division of Criminal Justice. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

Cost Information

Total Cost: \$0.00

Deposit: \$0.00

Total Amount Paid: \$0.00

Balance Due: \$0.00

Document Detail

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
CJ	0001	Correspondence between PTC Administrator John Cunningham and: Salem County Prosecutor Kristin Telsey; Penns Grove Police Director Richard Rivera; Lt Robert Frett; PO Luis Cruz; Mayor La'Daena Thomas; and xxx@xxxxxxxxxxx.xxx; between 4/1-8/21/25.	Y		N	N	

Government Records Request

Receipt

Dear Requestor,

The Police Training Commission is in receipt of your OPRA request. Your request is for communications sent by or to PTC Administrator John Cunningham to any of the following individuals and/or email accounts: Salem County Prosecutor Kristin J. Telsey, xxxxxxxx.xxxxxx@xxxxxxxxxxxxxxx.xxx; Penns Grove Police Director Richard Rivera, xxxxxxxx@xxxxxxxxxxxxxxx.xxx; Officer-in-Charge Lieutenant Robert (Bob) Frett, xxxxxxxx@xxxxxxxxxxxxxxx.xxx; Patrolman Luis Cruz, xxxxxx@xxxxxxxxxxxxxxx.xxx; Mayor L'Daena D. Thomas, Borough of Penns Grove, xxxxxxxx@xxxxxxxxxxxxxxx.xxx; Penns Grove Borough Solicitor xxx@xxxxxxxxxxx.xxx, between the time period April 1, 2025 through August 21, 2025, and relating to the following key words: "licensing, suspensions, supersession of authority...personnel [and] operational matters."

The Commission conducted a search and identified the attached records as responsive to your requests. Limited redactions were made to omit personal identifying information pursuant to N.J.S.A. 47:1A-1.1 and R. 1:38-7; and for the reasonable expectation of privacy pursuant to N.J.S.A. 47:1A-1. Additionally redacted from this response are copies of Law Enforcement Licensing applications, which are confidential pursuant to N.J.A.C. 13:1E-3.2(a).

Additional internal affairs records were removed from the response, as they consist of long-recognized privileged information, and, to the extent they describe specific individual employees, are individualized personnel records. See, e.g., N.J.A.C. 13:1E-3.2a(4); N.J.S.A. 2A:84A-27; N.J.S.A. 47:1A-10; N.J.R.E. 515; Loigman v. Kimmelman, 102 N.J. 98, 107 (1986); Nero v. Hyland, 76 N.J. 213 (1978); River Edge Sav. & Loan Assoc. v. Hyland, 165 N.J. Super. 540 (App. Div. 1979); Exec. Order No. 48 (1968).

The Commission reserves the right to claim additional grounds for denial not raised in this response. This request is considered closed at this time.

Your request for government records (# C239546) is as follows:

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To the Records Custodian:

Pursuant to the New Jersey Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq., and the common law right of access, this correspondence constitutes a formal demand from The Team @ FratLawzOPRA for the disclosure of the following public records:

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Scope of Requested

Produce any and all correspondence, whether in official letter form, email, memorandum, or other written or electronic transmission, sent by or to the Police Training Commission (by Administrator Cunningham on behalf of the Commission – xxxxxxxxxxxx@xxxxx.xxx) and any of the following public agencies or officials:

- Salem County Prosecutor Kristin J. Telsey – xxxxxxxx@xxxxxxxxxxxxxxx.xxx
- Penns Grove Police Director Richard Rivera – xxxxxxxx@xxxxxxxxxxxxxxx.xxx
- Officer-in-Charge Lieutenant Robert (Bob) Frett – xxxxxxxx@xxxxxxxxxxxxxxx.xxx
- Patrolman Luis Cruz – xxxxxx@xxxxxxxxxxxxxxx.xxx
- Mayor La'Daena D. Thomas, Borough of Penns Grove – xxxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx
- Penns Grove Borough Solicitor – xxx@xxxxxxxxxxx.xxx

Subject Matter: All communications relating to licensing, suspensions, supersession of authority, or substantially similar personnel or operational matters.

Date Range: April 1, 2025, through and including the date on which you acknowledge this request.

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Legal Basis for Disclosure; Limiting Exemptions

1. Deliberative Process Limitation – The intra-agency/inter-agency advisory, consultative, or deliberative materials exemption, N.J.S.A. 47:1A-1.1, shields only pre-decisional exchanges. Once a final agency action has been taken and all internal appeals exhausted, the exemption no longer applies to the factual or policy basis for that decision. Here, the PTC's own procedures require exhaustion before release, and such exhaustion has occurred; therefore, responsive records fall outside the scope of the exemption.

2. Common Law Right of Access – Independently of OPRA, the common law creates a presumptive right to inspect government records, particularly those reflecting official decisions affecting public administration and law enforcement accountability.

3. Case Law and Precedent – New Jersey courts have consistently held that OPRA exemptions must be narrowly construed and that post-decision factual materials must be disclosed. See, e.g., Education Law Center v. NJ Dept. of Education, 198 N.J. 274 (2009); Gannett NJ Partners, LP v. Middlesex, 379 N.J. Super. 205 (App. Div. 2005).

4. Duty to Segregate and Log – Should you claim any exemption, you are obligated to provide a detailed privilege log identifying the author, recipient, date, general subject matter, and specific legal basis for each withheld record, together with an explanation of why partial disclosure or redaction is insufficient.

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Production Format & Delivery

- Please provide all responsive records in searchable PDF format transmitted electronically via the portal or my email at xxxxxxxxxxxx@xxxxx.xxx

This request is made for the purpose of transparency and public accountability, not for commercial use.

We expect acknowledgment and production in the time period prescribed by OPRA. Should you have any questions regarding the scope or format of this request, you may contact me in writing at the above heading.

Respectfully submitted,

The Team @ FratLawzOPRA