



# City of Linden

Union County, New Jersey

## Office of the City Clerk

City Hall - 301 North Wood Avenue  
Linden, New Jersey 07036  
(908) 474-8452

Fax: (908) 474-8451

Jennifer Honan, RMC, CMR  
Deputy City Clerk

Joseph C. Bodek, RMC, RPPO  
City Clerk

**VIA E-MAIL [opra+request-36385-58a5b0d5@requests.opramachine.com]**

Anthony J. Mislan

Re: Open Public Records Act/Common Law Request

Dear Mr. Mislan:

The City of Linden ("City") records custodian is in receipt of your Open Public Records Act ("OPRA") and Common Law Request ("Request") submitted on November 2, 2022. On December 12, 2022, the City obtained an extension of time to respond until January 10, 2023. On January 9, 2023, the City obtained a second extension of time to respond until January 31, 2023. As such, the City is timely responding to your Request in accordance with New Jersey law.

Your Request seeks the following records:

Report of any incident involving the Linden Police Department and Mayor Armstead between October and November 2022.

The City conducted a good faith search and identified the enclosed three pages of records as responsive to your Request. Please note that redactions have been made to remove telephone numbers and dates of birth in order to protect the citizens' reasonable expectation of privacy. See N.J.S.A. 47:1A-1 (providing that "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 of privacy . . ."). See also N.J.S.A. 47:1A-1.1 (exempting "that portion of any document which discloses the unlisted telephone number" from the definition of a "government record").

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

Very truly yours,

Joseph C. Bodek  
City Clerk



**LINDEN POLICE DEPARTMENT**  
**LINDEN, NJ (908) 474-8500**

INCIDENT # / REPORT #  
 22057255 / 1

OFFICER  
 SMITH, ROBERT (909391)

RANK  
 OFFICER

REVIEW STATUS  
 APPROVED

**Confidential Report**

**INCIDENT #22057255 DATA**

As Of 10/30/2022 09:25:06

**BASIC INFORMATION**

CASE TITLE  
 HARASSMENT

LOCATION  
 1026 BERGEN AVE

APT/UNIT #

DATE/TIME REPORTED  
 10/29/2022 14:59:12

DATE/TIME OCCURRED  
 10/29/2022 13:40 to 10/29/2022 14:59

INCIDENT TYPE(S)/OFFENSE(S)  
 (2C:33-4)HARASSMENT

**PERSONS**

| ROLE   | NAME                                | SEX  | RACE  | AGE | DOB        | PHONE                       |
|--------|-------------------------------------|------|-------|-----|------------|-----------------------------|
| VICTIM | ARMSTEAD, DEREK                     | MALE | BLACK | 61  | [REDACTED] | (HOME)<br>(CELL) [REDACTED] |
|        | ADDRESS: 516 CARNEGIE ST LINDEN, NJ |      |       |     |            |                             |
| VICTIM | DIXON, WALIYY A                     | MALE | BLACK | 48  | [REDACTED] | (HOME)<br>(CELL) [REDACTED] |
|        | ADDRESS: 1026 BERGEN AVE LINDEN, NJ |      |       |     |            |                             |

**OFFENDERS**

| STATUS  | NAME                                | SEX  | RACE  | AGE | DOB        | PHONE                       |
|---------|-------------------------------------|------|-------|-----|------------|-----------------------------|
| SUSPECT | DIXON, WALIYY A                     | MALE | BLACK | 48  | [REDACTED] | (HOME)<br>(CELL) [REDACTED] |
|         | ADDRESS: 1026 BERGEN AVE LINDEN, NJ |      |       |     |            |                             |
| SUSPECT | ARMSTEAD, DEREK                     | MALE | BLACK | 61  | [REDACTED] | (HOME)<br>(CELL) [REDACTED] |
|         | ADDRESS: 516 CARNEGIE ST LINDEN, NJ |      |       |     |            |                             |

[ NO VEHICLES ]

[ NO PROPERTY ]

**OFFICER REPORT: 22057255 - 1 / SMITH, ROBERT (909391)**

DATE/TIME OF REPORT  
 10/29/2022 16:23:37

TYPE OF REPORT  
 CONFIDENTIAL

REVIEW STATUS  
 APPROVED

## NARRATIVE

On Friday 10/29/2022, I was dispatched to 1026 Bergen Ave. on a report of threats.

Upon arrival, along with Sgt. Struszczyk and several marked units, we spoke with Waliyy A. Dixon. Waliyy stated that around 1:40 PM today, he was walking north on the 500 block of Carnegie St. with an individual later identified as Russell Jones who is campaigning to potentially become the Mayor of Linden (NFI). As Waliyy and Russell were approaching the intersection of Carnegie St./Monmouth Ave. they observed the current Mayor of Linden, Derek Armstead, speaking to male in a black four door vehicle (NFI) that was parked directly in front of Derek's residence facing southbound. The male was described as a dark skin male approx. 60 years old with a black/gray beard. As per Waliyy, a male known to him as Alfred Mohammed and an unknown dark skin male approx. 30 years old/6'2 in height was standing behind Derek. Waliyy also observed a white two door pickup truck (NFI) that was parked on the 500 block of Carnegie St. facing north with campaign signs in the bed of the truck. Waliyy observed a male known to him as Reggie Webb (NFI) putting together campaign signs near the white truck.

Furthermore, Waliyy stated that as he was walking near Derek, he heard Derek state "Waliyy Dixon, uncle Tom". Waliyy said as he got closer to Derek, he asked Derek "I'm an uncle Tom?", at which time, Derek began walking towards his residence. As Derek was on his front steps, he stated "I'm going to get my shotgun and blow your head off". Derek then returned to the male he was speaking with inside the black vehicle. Waliyy then asked Derek "you going to blow my head off?" and told Russell to hold his jacket. Derek then stated to him "you going to put your hands on me?", at which time, Waliyy stated "no". Derek then began walking towards his residence for the second time stating to his son (NFI) that was on the front porch "go get my 40". The argument continued then Waliyy walked away.

Waliyy did not observe a handgun at anytime during this incident. He also mentioned that the two only have past history of debates over political issues.

I then arrived at Derek's residence along with Sgt. Struszczyk. Derek stated that he was in the front of his residence speaking to an individual

(NFI) in a vehicle. While speaking, Waliyy approached him in an aggressive manner getting within 1 foot of him with his fist clenched stating "what you say!" Derek then stated to Waliyy "get back, get out of my space", at which time, a short argument continued with Waliyy ultimately walking away.

Note that Russell, Reggie and Alfred were not on scene, therefore, I was unable to ascertain any witness information.

I observed video surveillance at the following residence:

- 507 Carnegie St.

The proper notifications were made.

\*BWC\*

#### REPORT OFFICERS

|                    |                      |        |
|--------------------|----------------------|--------|
| Reporting Officer: | SMITH, ROBERT        | 909391 |
| Reviewing Officer: |                      |        |
| Approving Officer: | STRUSZCZYK, SGT. TOM | 9446   |

# 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](http://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](mailto: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*