



COUNTY OF UNION

Part C - GOVERNMENT RECORDS REQUEST RESPONSE

Requestor: Tina Renna - UCWA

Request Date: 1/7/10

- Document(s) provided _____ pages, at a total cost of _____
- Special Service Charge imposed - Reason: _____, cost: _____
- Document(s) have been inspected by the requestor on the date shown below: _____ documents, _____ total page(s)
- Document(s) not provided (see below)

① Any complaint filed against Genaro Mirabella since June 1, 2009 to present

② Any police report, incident report

The document(s) you have requested that are checked below are NOT being provided because the document(s) are considered privileged or are otherwise exempt from public access, as provided by applicable law or other writing re: an alleged incident where Genaro Mirabella

Privileged or Protected Category

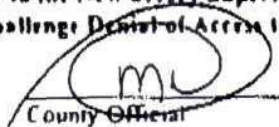
- Advisory, Consultative or Deliberative material
- Autopsy Photos / Video
- Attorney-Client Privilege Information
- Computer Security Information
- Criminal Investigatory Records
- Credit Card Numbers
- Domestic Security (Sabotage or Terrorism)
- Grievance Information with public employer
- Drivers' License Numbers
- Electronic Surveillance Materials
- Emergency or Security Information or Procedures
- Employee Sexual Harassment Complaints
- Fingerprint Cards
- Individual's Medical, Financial, or Tax records
- Insurance Communications
- Investigation in Progress
- Labor Negotiation Information (strategy or positions)
- Personnel or Pension Records
- Photographs of Crime Scene
- Proprietary Information
- Reasonable Expectation of Privacy
- Resumes of unsuccessful applicants
- Safety of persons or the public
- Security Measures and Surveillance Techniques
- Social Security Numbers
- Test Questions, Scoring Keys, or other Exam Data
- Victim records
- Record has been destroyed/not retained pursuant to:
- Other

Authority for Denial or Redaction

- N.J.S.A. 47:1A-11, et seq committed the ft since June 1, 2009 to present.
- N.J.S.A. 47:1A-11, et seq
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- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-11, et seq
- Executive Order 21 (McGreevey)
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 2A:136A-19
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-11, et seq
- Executive Order 9 (Hughes)
- Executive Order 26 (McGreevey)
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-3a
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-10
- Executive Order 9 (Hughes)
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-11, et seq
- Executive Order 26 (McGreevey)
- Executive Order 69 (Whitman)
- N.J.S.A. 47:1A-11, et seq
- N.J.S.A. 47:1A-11, et seq
- Executive Order 26 (McGreevey)
- N.J.S.A. 47:1A-11, N.J.S.A. 2A:82-46b
- Records Retention and Disposition Schedule
- No document to provide

You have a right to appeal this decision that the documents requested are not accessible. You may take your appeal to the Government Records Council (GRC) or to the New Jersey Superior Court as provided by N.J.S.A. 47:1A-6 and 7. Please see the attached "Part D - Procedures to Challenge Denial of Access to Government Records" and GRC information.

Date 1/12/10


County Official

ACKNOWLEDGMENT

I hereby acknowledge that I have received copies of, or have been permitted to view/inspect, the documents requested except for any documents specifically listed above on which a determination has been made that the documents could not be provided in accordance with applicable law. If any documents have not been provided, I have received information as to the procedures for an appeal of the determination.

Date _____

Requestor's Signature _____

Version 11/07 (prior editions obsolete)



UNION COUNTY PROSECUTOR'S OFFICE

32 RAHWAY AVENUE
ELIZABETH, NEW JERSEY 07202-2115
(908) 527-4500
Fax: (908) 289-1267

THEODORE J. ROMANKOW
Prosecutor of Union County

ALBERT CERNADAS, JR.
First Assistant Prosecutor

August 25, 2009

Chief William Legg
Garwood Police Department
Center Street
Garwood, New Jersey 07027

Re: Officer Gennaro Mirabella
Date of Incident: August 18, 2009
Complainant: Jennifer Gerhart
Internal Affairs No. 200908780

Dear Chief Legg:

Please be advised that the Union County Prosecutor's Office has completed its review of the above-referenced matter. It is the determination of this Office not to authorize any criminal indictable complaints against Officer Gennaro Mirabella.

Given the foregoing determination, the victim should be advised of his/her right to sign a complaint against Officer Mirabella for Criminal Mischief in violation of *N.J.S.A. 2C:17-3* (dp). The determination of the propriety of signing a complaint is completely in the hands of the victim. This Office neither approves nor prohibits the signing of the complaint. If a criminal complaint is signed against Officer Mirabella, any internal affairs/administration action should abide the outcome of the criminal matter.

Further, be advised that should you feel that administrative or disciplinary action is appropriate, pursuant to *N.J.S.A. 40A:14-147*, you must commence such proceedings within 45 days of the date of this letter, subject to the foregoing paragraph regarding prosecution of the disorderly

Chief William Legg

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August 25, 2009

persons offense. If any disciplinary or administrative action is taken, you must advise this Office in writing of the outcome.

Very truly yours,

THEODORE J. ROMANKOW

Prosecutor of Union County

A handwritten signature in black ink, appearing to read 'W. Kolano', written over a horizontal line.

By: WILLIAM KOLANO

Assistant Prosecutor

tmm

c Captain Leonard J. DiStefano, Jr.

File



UNION COUNTY PROSECUTOR'S OFFICE

32 RAHWAY AVENUE
ELIZABETH, NEW JERSEY 07202-2115
(908) 527-4500
Fax: (908) 289-1267

THEODORE J. ROMANKOW
Prosecutor of Union County

ALBERT CERNADAS, JR.
First Assistant Prosecutor

August 31, 2009

Chief William Legg
Garwood Police Department
Center Street
Garwood, New Jersey 07027

Re: Officer Gennaro Mirabella
Date of Incident: August 19, 2009
Complainant: Captain Leonard J. DiStefano, Jr.
Internal Affairs No. 200909091

Dear Chief Legg:

Please be advised that the Union County Prosecutor's Office has completed its review of the above-referenced matter. It is the determination of this Office not to authorize any criminal indictable complaints against Officer Gennaro Mirabella.

Given the foregoing determination, the victim, the Borough of Garwood Chief Financial Officer, should be advised of his/her right to sign a complaint against Officer Mirabella for the disorderly persons offense of Criminal Trespass, in violation of *N.J.S.A. 2C:18-3a*. The determination of the propriety of signing a complaint is completely in the hands of the victim. This Office neither approves nor prohibits the signing of the complaint. If a criminal complaint is signed against Officer Mirabella, any internal affairs/administration action should abide the outcome of the criminal matter.

Further, be advised that should you feel that administrative or disciplinary action is appropriate, pursuant to *N.J.S.A. 40A:14-147*, you must commence such proceedings within 45 days of the

Chief William Legg

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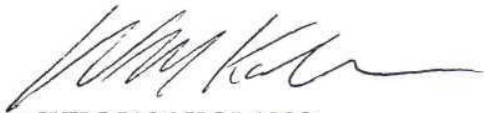
August 31, 2009

date of this letter, subject to the foregoing paragraph regarding prosecution of the disorderly persons offense. If any disciplinary or administrative action is taken, you must advise this Office in writing of the outcome.

Very truly yours,

THEODORE J. ROMANKOW

Prosecutor of Union County

A handwritten signature in black ink, appearing to read 'W. Kolano', written over a horizontal line.

By: WILLIAM KOLANO

Assistant Prosecutor

tmm

c Captain Leonard J. DiStefano, Jr.

File