

## **CERTIFICATION OF FORMER TROOPER & FTA MEMBER NO. 2**

1. I am a former New Jersey State Trooper ("Trooper"). I served as a Trooper employed by the New Jersey Division of State Police ("NJDSP") for over 25 years and was honorably discharged by the NJDSP within the past 15 years.
2. I am a member in good standing of the Association of Former New Jersey State Troopers ("FTA").
3. I submit this certification in my capacity as a former Trooper and as a member of the FTA in support of the motion to intervene by myself and by the FTA in the Appeal denominated State Troopers Non-Commissioned Officers Association of New Jersey v. State of New Jersey, Docket No. A-003975-19 T4 (the "Appeal").
4. I am familiar with facts and circumstances giving rise to the Appeal and have personally reviewed Attorney General Law Enforcement Directive 2020-5 ("Directive 2020-5") and Attorney General Law Enforcement Directive 2020-6 ("Directive 2020-6") (together the "Directives").
5. I am currently employed in a position that I obtained based in large measure on my service as a Trooper and my honorable discharge by the NJDSP.
6. I submit this certification anonymously because of the irreparable damage I, my family and my employment will suffer if the statements which follow become publicly associated with my identity or the identity of my employment.

### **Discipline Imposed By The NJDSP**

7. Approximately sixteen (16) years ago while on duty, I became aware that my relative, who is Caucasian, had been arrested by a Trooper in connection with a motor vehicle stop.
8. I proceeded to the station where my relative was detained and offered to provide assistance to resolve the matter.
9. After my departure, it is my understanding that the Station Commander filed a complaint against me for attempting to interfere in the investigation. After conducting a lengthy investigation, NJDSP notified me that the stated charges lodged against me by the Duty Sergeant could not be substantiated and that it intended to issue me a Summary Discipline for Conduct Unbecoming, an all-encompassing charge that is commonly used when specific charges cannot be substantiated.
10. Throughout the entire Internal Investigation process, I was reassured by members of the Internal Affairs Unit that the entire process would remain confidential.
11. My union negotiated a plea deal to resolve the complaint and recommended that I accept the deal especially since information about the investigation, the discipline imposed, and the plea would remain confidential.

12. I agreed to an unpaid administrative suspension of over a week. The agreement provided that the terms of the settlement and all information about the alleged infraction and the NJDSP's investigation of it would remain confidential. I would not have entered into the settlement agreement but for the promise of confidentiality. I signed the confidentiality agreement and it was signed by the Deputy Attorney General on behalf of the State.
13. If a mutually satisfactory settlement agreement had not been negotiated, I would not have agreed to the negotiated deal made by the union on my behalf. This was a family matter, and at the time I was only interested in putting it behind me and maintaining the confidentiality of the agreement.
14. A few years after entering into the settlement agreement I retired from the NJDSP.

#### My Employment

15. After retiring I was offered a position utilizing the skills I had developed as a Trooper and leveraging my many years of service as a Trooper and my honorable discharge by the NJDSP. My employment is in the security field and the services performed are almost exclusive to those possessing the background, experience, and type of security clearance that I possess.
16. The position I hold relies upon my good reputation as a former Trooper honorably discharged from service. If that good reputation is impaired, it is reasonably likely that I will not be able to maintain that position.

#### The Directives Will Cause Irreparable Harm

17. It is my understanding that the Directives are scheduled to go into effect on July 15, and that if they go into effect it is likely that my name will be published along with a synopsis of the reason for my suspension. It is also my understanding that the Directives will not provide me with an opportunity or avenue to contest the disclosure or the wording of the synopsis.
18. My last name is not that unusual, and I believe a person using reasonable diligence would be able to locate my home address and information about my employment using the information disclosed by the Directives.
19. When disclosed and connected to me, the information will irreparably harm my reputation and likely endanger my current employment and future employment prospects. I expect that the public will associate my name with police misconduct in general and with police misconduct related to racial bias, and I will not have a reasonably effective means to counteract such perceptions.
20. To seek relief for breach of the plea deal, I will have to retain my own attorney at my own expense. It is my understanding that I may not have a legal basis to seek such relief and that I may not be able to recoup my attorney's fees even if I am successful in the litigation. Certainly, I know that monetary damages will not make me whole for the harm to my reputation and the good will associated with my name.



21. In addition, given the current climate placing law enforcement officers in danger, I am clearly concerned that my family and I may not be safe if my name is published pursuant to the Directives.
22. My matter has no direct association or implications with what is transpiring today alleging ongoing police brutality and racism. Divulging my identity and the identity of others who have received similar administrative suspensions, dating back some twenty-years, is not a rational response to the concerns raised today about policing, won't provide transparency and/or any sense of clarity, but will only establish a sense of confusion and distrust.
23. I am aware of a number of other former Troopers who during their NJDSP employment received disciplinary action that will seem excessive for the reported violations committed. I believe this will foster a level of distrust where the public will claim a "cover up," implying the State Police and/or the Attorney General are hiding the real "truth."

Miscellaneous

24. I am signing this document as "Former Trooper & FTA Member No. 2."
25. I certify that I have signed this document and have sent it by Portable Document Format (PDF). If requested by the court or a party to the Appeal, I shall ensure that the attorney filing the document can provide the original document.
26. I further certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: July 5, 2020

*Former Trooper & FTA Member 2*  
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