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and the N.J. Former Troopers Heritage Foundation, Inc.*

STATE TROOPERS NON-  
COMMISSIONED OFFICERS  
ASSOCIATION OF NEW JERSEY, on  
behalf of its members, and all  
other persons similarly  
situated but unnamed, and Pete  
J. Stilianessis, President of  
the State Troopers Non-  
Commissioned Officers  
Association, and

STATE TROOPERS SUPERIOR  
OFFICERS ASSOCIATION OF NEW  
JERSEY, on behalf of its  
individual members, and all  
other persons similarly  
situated, and Richard Roberts,  
President of the Superior  
Officers Association, and

JOHN DOES 1 through 10, who  
are State Troopers who, for  
purposes of Privacy, are  
unnamed,

Appellants-Petitioners,

v.

STATE OF NEW JERSEY, Office of  
the Attorney General, Gurbir  
S. Grewal, Attorney General of  
the State of New Jersey  
Division of Law and Public  
Safety Division of State  
Police, Acting Superintendent  
of State Police, Patrick  
Callahan, Division of State

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
Docket No. A-003975-19 T4

CIVIL ACTION

On Appeal from the June 15,  
2020, and June 19, 2020 Final  
Administrative Actions of the  
Attorney General

Police the Department of Law  
and Public Safety, and the  
Office of Law Enforcement  
Professional Standards,

Respondents.

**CERTIFICATION OF GEORGE J. WREN, JR.**

I, George J. Wren, Jr., of full age hereby certify as follows:

1. I am the Vice President of the movant, Association of Former New Jersey State Troopers ("FTA"), and have held various roles in the FTA since 2009. I served as a New Jersey State Trooper for 25 years, and was honorably discharged in 2007.

2. 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") and the Brief submitted by the Appellants-Petitioners on June 30, 2020.

3. I submit this Certification in support of the Motion to intervene in this Appeal as Appellants. This Certification is based upon personal knowledge.

**A. Identity and description of the FTA and the Heritage Foundation.**

4. The FTA is a non-profit organization formed under the laws of the State of New Jersey and comprised primarily of former New Jersey State Police Troopers ("Troopers") and their families.

The organization is located in West Trenton, New Jersey. The FTA was formed in 1959 and has long served as an advocate for its members and survivors, seeking to preserve and improve the rights, privileges, and benefits that its members earned during and as a result of their employment as Troopers. Its Certificate of Incorporation is appended as Exhibit A and it maintains a website at [www.ftanjsp.org/home/](http://www.ftanjsp.org/home/). The purpose of the organization overall is to promote and maintain the guiding principle "once a trooper, always a trooper" and to do this, by among other things promoting an active interest in good government and civic affairs as it relates to honorably discharged Troopers.

5. Regular membership in the FTA is limited to any former New Jersey State Trooper honorably discharged from the New Jersey Division of State Police ("NJDSP") who applies for membership, is accepted into membership, and timely pays all fees and dues. FTA also offers associate membership for certain family members and other persons related to the NJDSP. FTA currently has approximately 3,000 Members in Good Standing, approximately 1,850 of whom are Regular Members. Of that number I estimate that at least 1,000 retired within the past 20 years and, therefore, would be potentially adversely affected if the Directives went into effect.



6. The FTA expends its resources to support the rights and benefits earned by its members through their employment by the ("NJSP"), and to honor that fraternal heritage. The Supreme Court has previously granted FTA amicus status in Berg v. Christie, 225 NJ 245 (2016) so that the interests of former Troopers could be zealously presented to the Court. See Exhibit B.

7. Among FTA's standing committees is a Legislative Committee dedicated to focusing on legislative and executive governmental actions relevant to the organization and its members.

8. FTA's sister organization, the N.J. Former Troopers Heritage Foundation, Inc. (the "Heritage Foundation") advances its related mission by providing financial assistance to the families of retired and deceased New Jersey State Troopers (among other things). Those families could apply for grants and other similar benefits from the Heritage Foundation to protect their interests in maintaining the confidentiality of disciplinary records; to prosecute actions for damages from an infringement of their privacy and other rights; and to guard their person and property if the names and home addresses of former Troopers with disciplinary records became publicly available. The Heritage Foundation's certificate of incorporation is appended as Exhibit C and it maintains a website at [www.njftheritagefoundation.org/home/home.php](http://www.njftheritagefoundation.org/home/home.php).

9. I am Chairman of the Heritage Foundation. The family of any member in good standing of the FTA is entitled to enjoy the benefits of the Heritage Foundation.

**B. The Interests of the FTA and the Heritage Foundation in the Appeal**

10. The FTA seeks to prevent the harm its members would suffer if the Directives went into effect, and I believe that there is a substantial likelihood of such harm occurring. The FTA has over 1,000 Regular Members who were employed as Troopers by the NJSP during the past twenty years. That number is substantially greater if one factors in Associate Members whose family members had been employed as Troopers during this time frame and are now deceased.

11. The FTA does not in the normal course of business maintain any records pertaining to the NJSP disciplinary records of its members, but I am aware of a number of FTA members who were the subject of discipline during their NJDSP employment and entered into confidential agreements to resolve those disciplinary matters.

12. I have also read the certifications being submitted by individual FTA members in support of this Motion, and am aware of their facts and circumstances and the likely impact the Directives will have on those individuals. I agree with the assessment of

those individuals as to the irreparable harm that the Directives will likely cause.

13. The FTA is keenly aware of the ongoing, passionate, heated discussions and debates occurring in the United States, including New Jersey, over the role of the police in our society and whether policing has been infused with or led to racial bias or disparities. It has been actively monitoring those discussions and communicating with its membership about them, including posting on its website an open letter from the Trooper collective bargaining representatives on the topic. The letter is available at [www.ftanjsp.org/attachments/State-Police-Unions-Open-public-letter-6-19-20.pdf](http://www.ftanjsp.org/attachments/State-Police-Unions-Open-public-letter-6-19-20.pdf). The letter was posted only after the New Jersey Attorney General issued Attorney General Law Enforcement Directive 2020-5 and was posted to help advance the interests of the organization and its members.

14. I can think of no other topic of greater public interest today than the issue of policing in America (other than perhaps the COVID-19 pandemic).

15. As Chairman of the Heritage Foundation, I along with other officers are responsible for determining eligibility for grants and other financial assistance from the foundation's pool of limited assets. I anticipate that FTA members will seek funding from the Heritage Foundation to help counteract the damage caused



by the Directives and, therefore, I anticipate reviewing and approving grants and financial assistance in response to such applications. If grants or financial assistance is approved for such cause, it means that there will be fewer financial resources available for other Heritage Foundation causes.

16. The FTA convened a special board meeting on July 1<sup>st</sup> to discuss the Directives and the filing of the Appeal. The FTA board unanimously approved retaining counsel to join the Appeal and to do so as quickly as possible because of the organization's acute interest in preventing the implementation of the Directives. The Directives if implemented would hamper the FTA's ability to carry out its mission.

**C. The FTA's Relationship to The Unions Which Represent Actively Employed Troopers**

17. Troopers are represented for collective bargaining purposes by one of three unions, the State Troopers Non-Commissioned Officers Association of New Jersey, the State Troopers Superior Officers Association of New Jersey, and the State Troopers Fraternal Association of New Jersey (the "STFA"). The FTA has members who were employed in positions entailing representation by one, two, or all three of these unions during their tenure as Troopers.

18. I am generally aware of the membership requirements of each of these unions. With respect to each union only actively

employed Troopers may be members with the right to vote for union officers. Conversely, membership in the FTA is limited to retired Troopers.

19. Retired Troopers, in my experience, have interests in common with actively employed Troopers but those interests are not in all instances in full alignment. An active Trooper, for example, is rightly concerned about his or her current wage rate, whereas a retired Trooper is more focused on health and pension benefits derived from his or her prior Trooper employment. Retired Troopers, since they cannot be voting union members, also seek a means to voice their concerns - a need that the FTA seeks to satisfy.

20. It is also relatively common that Retired Troopers begin a new occupation or trade upon retirement utilizing the skills they developed as Troopers and leveraging their reputation as honorably discharged Troopers. The FTA is best positioned to advance those interests.

21. I have read the brief submitted by the STFA on June 25, 2020 to the Law Division in support of an order to show cause seeking injunctive relief against the Directives. The FTA has concerns about some of the positions staked out by the STFA, including its argument that the Directives are illegal because they unilaterally modify mandatory subjects of bargaining without



negotiations with the collective bargaining representative. It is my understanding that retiree matters are not mandatory subjects of bargaining under New Jersey law and, if so, a court ruling resting on the STFA's position could leave retired Troopers unprotected from the deleterious impact of the Directives.

22. Concerns about the different focusses of the Trooper unions and the FTA, as described in this Certification, heavily motivated the FTA board to vote unanimously to seek intervention in this Appeal. The FTA wants to ensure that the interests of former, honorably discharged Troopers are represented singularly, zealously, and with no conflict or bias.

**D. The FTA's Position on the Directives**

23. The FTA joins the Trooper unions in supporting meaningful change to weed out bad apples. The Directives, however, represent the proverbial hammer when a scalpel is called for. I can think of no rational basis for disclosing the names of all Troopers who received any form of material discipline over the last 20 years and accompanying those names with a synopsis of the basis for the discipline and not providing those named with a way to contest the disclosure or the description of the purported misconduct. For Troopers who have died, what purpose does this serve? For Troopers whose alleged misconduct was not racially or discriminatorily motivated, what purpose does this serve? For retired Troopers who earn a living off their honorable Trooper

reputation, what purpose does this serve? For Troopers who agreed to a plea deal premised on confidentiality, what purpose does this serve?

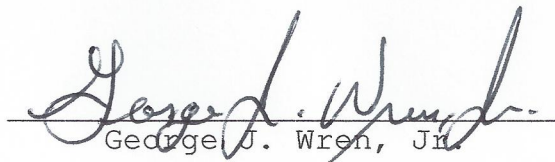
24. The FTA and its members count on the government to respect their rights and privileges and act in a rational way. The Directives, however, are completely divorced from these basic underpinnings and the FTA and the Heritage Foundation invoke their constitutional right to seek judicial relief from this governmental action and join the Appeal as intervenors.

25. For the foregoing reasons, the FTA and the Heritage Foundation respectfully request that this Court enter an Order granting the motion to intervene in the Appeal without limitation or condition.

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.

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 7, 2020

  
George J. Wren, Jr.