

# The Star-Ledger

## **N.J. police name officers found guilty of misconduct, reversing years of secrecy**

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A Sparta officer allegedly shoved and injured a woman while off-duty.

One Bernards Township officer drove drunk.

A state trooper is accused of knowingly writing a false report.

For the first time, law enforcement agencies throughout New Jersey publicly identified those and other officers who were recently found guilty of misconduct. At least 34 people who were fired, demoted or suspended for more than five days last year were named Monday, the deadline issued by the state attorney general after a heated court battle.

The details provided about each incident vary widely, with some departments offering only a single sentence to describe the misconduct.

Police had long hidden which officers broke the rules until former state Attorney General Gurbir Grewal ordered departments to reverse course last year, shortly after a Minneapolis police officer murdered George Floyd and spurred deeper scrutiny of law enforcement nationwide.

Police unions sued over the directive, arguing that disclosures would embarrass or endanger officers who may have only made minor mistakes. The state Supreme Court ultimately ruled in favor of the plan.

Agencies now must post online the officers' full names, the specific discipline they received and a description of what they did wrong, according to an attorney general directive.

On Monday, NJ Advance Media surveyed more than 100 websites for departments in every county, downloading and reviewing dozens of disciplinary reports. New Jersey has more than 38,000 officers across hundreds of departments, and most agencies surveyed did not report any major discipline for the approximately six-month period covered by the disclosures.

The bad behavior ranged from the relatively minor — a Camden County cop was suspended 10 days for falling asleep on the job — to the criminal.

Bernards Township officer David Martin “was convicted of DWI while on duty” and resigned, the department reported online.

Gloucester Township officer Steven Lenker was arrested in 2019 for allegedly hitting a pedestrian, and last November he pleaded guilty to reckless driving, paid a fine and had

his license revoked for 30 days, according to online court records. The department reported that Lenker received a 60-day suspension.

Some reports dealt with conduct on the job.

Newark officer Richard Pacelli was suspended for 30 days for using a “chemical agent” against a prisoner while in a hospital emergency room.

“As a result of the incident he was cited for, he was provided with re-training and enhanced supervision to ensure this type of incident doesn’t happen again,” Newark Public Safety Director Brian O’Hara said in a statement. Pacelli “remains an employee in good standing.”

Many reports were brief.

Sparta’s website only says Cpl. Craig Grauerholz was suspended for 45 days for an “off-duty incident” in March of last year.

Online court records show that Grauerholz pleaded guilty to breaking the state’s harassment law, which can include “striking, kicking, shoving, or other offensive touching.” The Sussex County Prosecutor’s Office said he shoved a woman to the ground, giving her visible “scratches and abrasions” and a possible dislocated finger, according to the complaint summons.

“We have always expected a high degree of professionalism,” Sparta Lt. John Lamon wrote in an email. “We take our Officer’s demeanor and conduct seriously and when an incident does occur we act swiftly.”

Fairfield Chief Anthony Manna questioned whether the disclosures would subject good cops to “undue scrutiny.”

One of his officers, Sgt. Christopher Niemiec, received a 20-day suspension for “mishandling his department issued service weapon.”

Manna said Niemiec has not been disciplined since and is one of his best — Niemiec was once even named Officer of the Year.

“In this case, it was a one-time deal,” the chief said about the suspension. “One blemish on a spreadsheet may result in this officer’s name being out there.”

Police were only required to identify anyone disciplined from June 15 through Dec. 31 of last year.

Atlantic City, Paterson, East Orange, Millville, Cherry Hill and Hackensack, among others, all said no officers received major discipline during that period.

Serious misconduct that occurs this year must be publicized by January 2022, and departments were ordered to issue annual reports going forward.

Grewal also wanted to identify hundreds of state troopers disciplined in the last two decades, but the top court said those punished in the past should have an opportunity to ask a judge to keep their names secret, especially since some may have been promised confidentiality.

From 2000 through 2018, the State Police issued major discipline 493 times, according to annual reports issued by the Office of Professional Standards. That total does not include some troopers who retired or resigned before they could be punished, and the State Police has a slightly broader definition of major discipline.

It was not immediately clear how many people have petitioned Superior Court Judge Ernest Caposela to keep their names secret. Court spokesman Peter McAleer did confirm that none of those appeals have been resolved.

State Police discipline reports generally lag years behind, and the 2018 review was only recently published.

Major discipline was given 27 times that year, according to the report.

One trooper was suspended for about a month for submitting false reports. A second was put on leave for more than 150 days for “domestic violence harassment,” among other issues. A third was suspended for more than 520 days for a litany of problems, including crashing a vehicle while intoxicated and fleeing the scene.

None of those three were fired and the public is blocked from knowing their names.

On Monday, the agency did report 15 troopers punished last year, including Todd Portadin, who was suspended for a full year for “knowingly entering inaccurate and false information in an official report or record,” disobeying an order and failing to report misconduct from another officer.

A spokesman did not immediately respond to a request for comment.

Less serious discipline remains hidden. A bill (S2656) before the Legislature would make many internal disciplinary records public, but the proposal has failed to make it out of committee.

CJ Griffin, a public records attorney who has been critical of local officials for not implementing more sweeping police reforms, said the first round of disclosures falls short of the transparency offered in many other states.

“Some of them raise more questions than answers,” Griffin said about Monday’s discipline reports. “And there’s no way to get the answers.”