



MIDDLESEX COUNTY PROSECUTOR'S OFFICE

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Yolanda Ciccone
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September 9, 2021

Charles Kratovil
New Brunswick Today
PO Box 3180
New Brunswick, NJ 08903

Dear Mr. Kratovil:

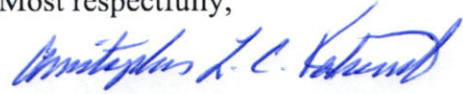
Please be advised that the undersigned is in receipt of your correspondence directed to Acting Attorney General Andrew Bruck, dated August 19, 2021. That correspondence was forwarded to Prosecutor Yolanda Ciccone, and the undersigned has been charged with the responsibility of responding to same.

In response to your allegations, please be advised that the Middlesex County Prosecutor's Office's approach to alleged Executive Order Violations has been consistent throughout the pandemic and associated public health emergency. That approach was to only charge violations of Executive Orders when in fact they were accompanied by independent acts of criminal conduct. If there were no independent acts of criminal conduct, the alleged violator would be given a direct and stern warning. Moreover, if the conduct was in fact repeated, then a violation of the Executive Order would be charged, even in the absence of independent criminal conduct.

Thus, since no independent criminal conduct was exhibited on the part of Dale Caldwell, and consistent with this office's policy, he will be issued a direct and stern warning. By copy of this letter, George Hendricks, the attorney for the New Brunswick Board of Education, is being notified of this warning and a request is being made that the warning be conveyed to Mr. Caldwell, by Mr. Hendricks. Moreover, a copy of Executive Order 251 is being provided to Mr. Hendricks. With the provision of Executive Order 251, the undersigned is confident that all meetings going forward will comply therewith.

If you have any questions or care to discuss this matter further, please do not hesitate to contact me at (732) 745-3047. Thanking you for your cooperation in this and all matters, I am...

Most respectfully,



CHRISTOPHER L.C. KUBERIET
First Assistant Prosecutor

CLCK/ak

cc: Acting Attorney General Andrew Bruck
AAG Jennifer Davenport
Colonel Patrick Callahan
Yolanda Ciccone, Middlesex County Prosecutor
George Hendricks, Esq.