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January 29, 2025

*via eCourts*

Hon. Douglas H. Hurd, P.J. Cv.  
Mercer County Civil Courthouse  
175 South Broad Street  
Floor 3  
Trenton, New Jersey 08650

**Re: Status Report and Request for Continuance**  
**A.A. v. Callahan, Docket No.: MER-L-002001-23**

Dear Judge Hurd:

This Firm represents Colonel Patrick J. Callahan in the above-referenced matter. We write on behalf of both parties to the litigation to provide a status report, as required by the Court's December 18, 2024 Case Management Order.

As the Court is aware, the parties have been engaged in productive settlement discussions, as well as mediation sessions before the Honorable Jaynee LaVecchia, S. Ct. Justice, (ret.), for the past several months. As described in our prior status reports, the New Jersey State Police ("NJSP") committed to developing and implementing a technological program that would enable it to process expungement orders in bulk batches to help address the pending backlog of unprocessed expungement orders. At the time of our last status report, the NJSP had begun initial implementation of the technological program after preliminary reports had demonstrated a high success rate in processing the complaints that are run through the system.

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Since our most recent status report to Your Honor, the NJSP has continued to make adjustments to the system to improve its efficiency, and the program has maintained a consistently high-success rate of approximately eighty percent (80%) of the criminal complaints<sup>1</sup> put through the system being successfully processed. The complaints that the technological program successfully processes are removed from the petitioner's CCH, and the complaints that are not able to be electronically processed are reviewed by members of the NJSP's Expungement Unit for manual processing in accordance with the two Interim Consent Orders previously entered by Your Honor on April 30, 2024, and August 19, 2024. While experience with the technological program has given the NJSP confidence in its ability to successfully process expunged complaints electronically, the system is not perfect. Therefore, in addition to reviewing the complaints that cannot be processed electronically in the first instance, members of the Expungement Unit also review and confirm that the expungement status of all complaints that are electronically processed by the technological program conforms with the status contemplated by the relevant expungement orders.

Notwithstanding this layer of manual review, the NJSP projects that by March 14, 2025, it will have run through the program all complaints associated with expungement orders entered by a court before September 1, 2024. Once that is done, the CCH associated with the majority of those complaints would be properly updated such that a background check would not reveal the expunged records, but there will remain a number of complaints that will require further manual processing before the CCH is appropriately updated. The NJSP cannot currently provide a specific timeline for when it expects to finish manually reviewing the complaints as outlined above, but the Expungement

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<sup>1</sup> As we described in our most recent status report to Your Honor, the technological program processes expungements by complaint number, not by order.

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Unit is continuing to make significant progress, and the NJSP is confident that it will be able to provide a more specific forecast in the next status report.

As to the extent of the current overall backlog, we can report that the number of non-expedited orders<sup>2</sup> that have yet to be run through the technological program stands, as of January 17, 2025, at 5,536 orders, and the number of expedited orders that have yet to be run through the technological program stands, as of the same date, at 10,738. We can similarly report that, as of January 17, 2025, there are 1,012 orders that have run through the technological program and are pending Expungement Unit review as described above. Currently, the Expungement Unit runs the program in batches of approximately 5,000 complaints three times per week, and it is in the process of creating an alternate plan utilizing the same technology that will expand the scope of the original date range and run the program for expedited expungement orders two times per week in batches of 5,000 complaints.

In addition to the progress being made on the backlog, as we reported in our last update, the NJSP is creating a portal that will allow individuals to check the processing status of their expungement orders. The portal is currently in the final stages of implementation, with a few logistical and technological issues being addressed. The NJSP expects that the portal may go live as soon as February 10, 2025. In the interim, the NJSP is maintaining its regularly updated website that lists the docket numbers of orders processed after July 7, 2024, and its telephone line and email address for individuals to request information about the processing status of their expungement order. These systems will remain in operation until the public launch of the portal.

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<sup>2</sup> This category includes regular expungements, clean slate expungements, and recovery court expungements.

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Based on the continued positive progress to-date, the parties remain on track toward a final settlement agreement that will resolve this lawsuit. Accordingly, the parties jointly request the matter be held in abeyance for an additional six weeks, until Wednesday, March 12, 2025, to provide a further status update to the Court. Enclosed herein is a Proposed Order to that effect.

Should Your Honor have any questions for the parties, or should Your Honor have any requests for additional information from the parties regarding the status of this matter, we are happy to provide a prompt response to the Court.

We thank the Court for its ongoing courtesies and continued attention to this matter.

Respectfully submitted,

*/s/ Matthew E. Beck*

Matthew E. Beck

MB:tr

Enclosure

cc: Counsel of Record (via eCourts)