



Minutes of the Government Records Council January 28, 2025 Public Meeting – Open Session

I. Public Session:

- **Call to Order**

The meeting was called to order at 1:32 p.m. by Mr. John Alexy via Microsoft Teams.

- **Pledge of Allegiance**

All stood and recited the pledge of allegiance in salute to the American flag.

- **Meeting Notice**

Mr. Alexy read the following Open Public Meetings Act statement:

“This meeting was called pursuant to the provisions of the Open Public Meeting Act. Notices of this meeting were faxed to the Newark Star Ledger, Trenton Times, Courier-Post (Cherry Hill), and the Secretary of State on January 23, 2024.

- **Roll Call**

Ms. Bordzoe called the roll:

Present: John Alexy (Chairman) (designee of Department of Community Affairs Commissioner, Jacquelyn A. Suárez), Robin Berg Tabakin, Esq. (Vice Chair), Christopher Brown, Public Member, Ronald Chen, Esq., Public Member and Steven Ritardi, Esq., Public Member.

GRC Staff in Attendance: Frank F. Caruso (Executive Director), Rosemond Bordzoe (Secretary), John Stewart (Mediator), Samuel Rosado (Staff Attorney), Jennifer Howell (Staff Attorney), Maria Rossi (Staff Attorney), and Deputy Attorney General Mark Gulbranson.

II. Executive Director’s Report:

Current Statistics

- Since OPRA’s inception in July 2002, the GRC has received 7,248 Denial of Access Complaints. That averages about 322 annual complaints per 22 ½ tracked program years.

So far in the current program year (FY2025), the GRC has received 134 Denial of Access Complaints.

- 562 of the 7,248 complaints remain open and active (7.8%). Of those open cases:
 - 6 complaints are on appeal with the Appellate Division (1.1%);
 - 24 complaints are currently in mediation (4.3%);
 - 1 complaint is proposed for the Office of Administrative Law (0.2%);
 - 25 complaints await adjudication by the Office of Administrative Law (4.4%);
 - 46 complaints are tentatively scheduled for adjudication at an upcoming GRC meeting, which includes the current meeting (8.2%);
 - 460 complaints are work in progress (81.9%); and
 - 0 complaints are being held in abeyance (0.0%).
- Since Program Year 2004, the GRC has received and responded to 40,307 total inquiries, averaging about 1,875 annual inquiries per 21 ½ tracked program years (the GRC did not track inquiries in the agency's first year). So far in the current program year (FY2025), the GRC has received 1,043 inquiries (7.5 inquiries per workday).

GRC Outreaches

- The GRC's 16th Annual Seminar had an estimated 234 attendees and was once again well received by attendees. As a reminder, any attendees still seeking applicable credit for the event must e-mail the GRC Inbox to request their certificate.
- On January 16, 2025, the GRC conducted a 2-session law enforcement training at the Voorhees Police Department.
- The GRC's next training will be on February 12, 2025 held virtually and hosted by the Institute for Professional Development.

III. Closed Session:

- Rotimi Owoh (o/b/o African American Data & Research Institute) v. North Bergen Police Department (Hudson) (2021-304) *In Camera* Review (N.J.A.C. 5:105-2.8(g)).

Mr. Alexy called for a motion to go into closed session. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The Council adopted the motion by a unanimous vote. The Council met in closed session from 1:139 p.m. until 1:59 p.m.

Mr. Alexy called for a motion to end the closed session. Ms. Berg Tabakin made a motion, which was seconded by Mr. Chen. The Council adopted the motion by a unanimous vote. Open Session reconvened at 2:01 p.m., and Ms. Bordzoe called roll.

- Present: Mr. Alexy, Ms. Berg Tabakin, Mr. Brown, Mr. Chen, and Mr. Ritardi.

IV. Approval of Minutes of Previous Meetings:

December 10, 2024, Open Session Meeting Minutes

Mr. Alexy called for a motion to approve the draft open session minutes of the December 10, 2024, meeting. Ms. Berg Tabakin made a motion, which was seconded by Mr. Chen. The motion passed by a unanimous vote.

V. New Business – Cases Scheduled for Adjudication

Mr. Alexy stated that an “Administrative Complaint Disposition” means a decision by the Council as to whether to accept or reject the Executive Director’s recommendation of dismissal based on jurisdictional, procedural, or other defects of the complaint. The reason for the Administrative Disposition is under each complaint below:

A. Administrative Disposition Adjudications with Recusals (Consent Agenda):

1. **David Weiner v. County of Essex (2023-96) (SR Recusal)**
 - Cannot be adjudicated due to lack of quorum.
2. **David Weiner v. County of Essex (2024-218) (SR Recusal)**
 - Cannot be adjudicated due to lack of quorum.

B. Administrative Disposition Adjudications with no Recusals (Consent Agenda):

1. **Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Fanwood Police Department (Union) (2022-135)**
 - All Responsive Records Provided in a Timely Manner.
2. **Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Cranford Police Department (Union) (2022-142)**
 - All Responsive Records Provided in a Timely Manner.
3. **Khaya Peluso v. School District of the Chathams (Morris) (2024-248)**
 - Not a Valid OPRA Request.

Mr. Alexy called for a motion to accept the recommendations as written in all the above Administrative Complaint Dispositions. Ms. Berg Tabakin made a motion, which was seconded by Mr. Chen. The motion passed by a unanimous vote.

C. Administrative Disposition of Uncontested, Voluntary Withdrawals by Complainant (No Adjudication of the Council is Required):

1. **Joseph Kempe v. Bridgewater-Raritan Regional School District (Somerset) (2022-534)**
 - Complaint Voluntarily Withdrawn.
2. **Madeline Paneto-Gonzalez v. Community Charter School of Paterson (Passaic) (2024-120)**
 - Complaint Voluntarily Withdrawn.

3. **Steven J. Kossup, Esq. (o/b/o Nuno Gomes) v. City of Newark (Essex) (2024-149)**
 - Complaint Settled in Mediation.
4. **Joshua D. Hitchner v. Mantua Township Police Department (Gloucester) (2024-246)**
 - Complaint Voluntarily Withdrawn.
5. **Yosef S. Stein v. Jackson Township (Ocean) (2024-255)**
 - Complaint Voluntarily Withdrawn.
6. **The Marshall Project v. NJ Department of Corrections (2024-256)**
 - Complaint Voluntarily Withdrawn.
7. **Olivia Liu v. NJ Transit (2024-271)**
 - Complaint Voluntarily Withdrawn.
8. **Peter Briskin, Esq. (o/b/o Jose Nemocon) v. Newark Police Department (Essex) (2024-274)**
 - Complaint Voluntarily Withdrawn

VI. New Business – Cases Scheduled for Consent Agenda Administrative Order

Mr. Alexy stated that an “Administrative order” means an order issued by the Council requiring the records custodian or the complainant to perform a specific action in furtherance of the adjudication of a pending denial of access complaint or taking other actions deemed appropriate to adjudicate a complaint in an expedited manner. The Executive Director’s recommended reason for the Administrative Order is under each complaint below.

A. Administrative Orders with Recusals (Consent Agenda): None

B. Administrative Orders with No Recusals (Consent Agenda): None

VII. New Business – Cases Scheduled for Individual Complaint Adjudication

A brief summary of the Executive Director’s recommended action is under each complaint:

A. Individual Complaint Adjudications with Recusals:

1. **Perrault Jean-Paul v. City of Jersey City (Hudson) (2022-317) (SR Recusal)**
 - Cannot be adjudicated due to lack of quorum.
2. **Maria Diamonte v. Rutgers University (2022-355) (RC Recusal)**
 - Cannot be adjudicated due to lack of quorum.
3. **Maria Diamonte v. Rutgers University (2022-388) (RC Recusal)**
 - Cannot be adjudicated due to lack of quorum.
4. **Maria Diamonte v. Rutgers University (2022-398) (RC Recusal)**
 - Cannot be adjudicated due to lack of quorum.
5. **Scott Madlinger v. City of Jersey City (Hudson) (2022-525) (SR Recusal)**
 - Cannot be adjudicated due to lack of quorum.
6. **John Paff v. Township of Edison (Middlesex) (2023-168) (SR Recusal)**
 - Cannot be adjudicated due to lack of quorum.

B. Individual Complaint Adjudications with no Recusals:

1. Robert C. Scutro v. City of Linden (Union) (2019-180)

- The Administrative Law Judge's Initial Decision has been adopted by operation of law. N.J.S.A. 52:14B-10. Thus, this matter is closed as a Final Decision.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

2. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. North Bergen Police Department (Hudson) (2021-304)

- This complaint should be tabled for additional review.
- Mr. John Alexy called for a motion to have the above matter tabled. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

3. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Pine Beach Police Department (Ocean) (2021-334)

- The Custodian did not fully comply with the Council's February 27, 2024 Interim Order.
- The Custodian is being provided a final opportunity to comply with conclusion No. 2 of the February 27, 2024, Interim Order.
- The prevailing party analysis is deferred.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

4. Joseph M. Latham, II v. Gloucester Township (Camden) (2022-43)

- A portion of the Complainant's OPRA request item No. 5 was invalid as a blanket request for a class of various documents. MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, Custodian of Records, 381 N.J. Super. 30, 37 (App. Div. 2005); Morgano v. Essex Cnty. Prosecutor's Office, GRC Complaint No. 2007-156 (February 2008); Feiler-Jampel v. Somerset Cnty. Prosecutor's Office, GRC Complaint No. 2007-190 (Interim Order dated March 26, 2008).
- The Custodian lawfully denied access to the requested security camera footage, which is exempt under the security and surveillance exemption. N.J.S.A. 47:1A-1.1; Gilleran v. Twp. of Bloomfield, 227 N.J. 159 (2016).
- The Custodian lawfully denied access to the portion of the Complainant's OPRA request seeking "shift reports/schedules" dated February 8, 2021,

because she certified, and the record reflects, that no records exist. Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005).

- The Custodian did not unlawfully deny access to the portion of the Complainant's OPRA request seeking body-worn camera footage because all records were disclosed. Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).
- The Custodian lawfully denied access to the requested "police reports" and "notes," which are exempt under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; N. Jersey Media Grp., Inc. v. Twp. of Lyndhurst, 229 N.J. 541 (2017).
- The Custodian may have unlawfully denied access to the portion of the Complainant's OPRA request No. 5 seeking warrant affidavits and probable cause statements. N.J.S.A. 47:1A-6; Simmons v. Mercado, 247 N.J. 24 (2021). The Custodian shall locate and disclose those records that exist, provide a specific lawful basis for any denial, or certify if no records exist.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Rosado noted that the Final Decision compliance conclusion on page 11 was changed from ten (10) business days to twenty (20) business days in accordance with current GRC policy. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as amended. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

5. **Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Riverdale Police Department (Morris) (2022-100)**

- The Custodian's response was insufficient because he failed to address each OPRA request item individually. N.J.S.A. 47:1A-5(g); Paff v. Willingboro Bd. of Educ. (Burlington), GRC Complaint No. 2007-272 (May 2008).
- The Custodian lawfully denied access to the portion of the Complainant's OPRA request seeking "agreements" because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- The Custodian unlawfully denied access to the portion of the Complainant's OPRA request seeking personnel information because the disclosed spreadsheet was derived from individual physical records. Valdes v. Union City Bd. of Educ. (Hudson), GRC Complaint No. 2011-64 (Interim Order dated August 28, 2012). The Custodian shall thus locate and provide such records.
- The Complainant is a prevailing party. The parties shall confer on fees and advise the GRC within twenty (20) business days if an agreement is reached. If not, Complainant's Counsel shall submit a fee application in accordance with N.J.A.C. 5:105-2.13.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

6. **Rotimi Owoh, Esq. (o/b/o African American Research Institute) v. Hackettstown Police Department (Warren) (2022-129)**

- The Custodian lawfully denied access to the portion of the Complainant's OPRA request seeking "agreements" because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- The Custodian unlawfully denied access to the portion of the Complainant's OPRA request seeking personnel information because the disclosed spreadsheet was derived from individual physical records. Valdes, GRC 2011-64. The Custodian shall thus locate and provide such records.
- The Complainant is a prevailing party. The parties shall confer on fees and advise the GRC within twenty (20) business days if an agreement is reached. If not, Complainant's Counsel shall submit a fee application in accordance with N.J.A.C. 5:105-2.13.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

7. **Rotimi Owoh, Esq., (o/b/o African American Data & Research) v. Ocean City Police Department (Cape May) (2022-136)**

- The Custodian's response was insufficient because she failed to address each OPRA request item individually. N.J.S.A. 47:1A-5(g); Paff, GRC 2007-272.
- The Custodian performed an insufficient search to locate records responsive to the portion of the request seeking "agreements." N.J.S.A. 47:1A-6; Schneble v. N.J. Dep't of Env'tl. Prot., GRC Complaint No. 2007-220 (April 2008). However, the GRC declines to order disclosure because the Custodian did so on January 2, 2024.
- The Custodian did not unlawfully deny access to the portion of the Complainant's OPRA request seeking disclosable personnel information because all records were disclosed. Voorhees, GRC 2022-12.
- The Complainant is a prevailing party. The parties shall confer on fees and advise the GRC within twenty (20) business days if an agreement is reached. If not, Complainant's Counsel shall submit a fee application in accordance with N.J.A.C. 5:105-2.13.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

8. **Leonard Thor v. Marlboro Township Public Schools (Monmouth) (2022-508)**

- The Custodian lawfully denied access to the requested video surveillance footage, which is exempt under the security and surveillance exemption. N.J.S.A. 47:1A-1.1; Gilleran, 227 N.J. 159; Street v. N. Arlington Sch. Dist. (Bergen), GRC Complaint No. 2017-103, *et seq.* (June 2019).

- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Ms. Howell noted that an artifact section of law was removed on page 3; this edit did not affect the overall analysis or conclusion. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as edited. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

9. **Edward J. Minall, Jr. v. Township of Scotch Plains (Union) (2022-539)**

- The Custodian lawfully denied access to the requested construction drawings, which are exempt under the security and surveillance exemption. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-9(a); Executive Order No. 21 (Gov. McGreevey, 2002); Mincer v. Hamilton Twp. Mun. Util. Auth. (Atlantic), GRC Complaint No. 2021-43 (July 2022).
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

10. **Monica A. Smith v. Linden Public Library (Union) (2022-557)**

- The Custodian’s failure to timely respond resulted in a “deemed” denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
- The Custodian lawfully denied access to the requested minutes because she certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

11. **Anonymous v. William Paterson University (2022-577)**

- The Custodian’s failure to timely respond resulted in a “deemed” denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i). Additionally, the Custodian failed to respond to a portion of the OPRA request immediately, thereby

violating N.J.S.A. 47:1A-5(e). However, the GRC declines to order disclosure because the Custodian did so as part of the Statement of Information (“SOF”).

- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

12. Scott Madlinger v. Lacey Township Police Department (Ocean) (2022-636)

- The Custodian’s failure to timely respond within the extended time frame resulted in a “deemed” denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i); Kohn v. Twp. of Livingston Lib. (Essex), GRC Complaint No. 2007-124 (March 2008).
- The Custodian’s response was insufficient because she failed to address each OPRA request item individually and failed to address the Complainant’s preferred method of delivery. N.J.S.A. 47:1A-5(g); Paff, GRC 2007-272.
- The Custodian lawfully denied access to OPRA request item Nos. 1 and 3 because she certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- The records responsive to OPRA request item Nos. 2 and 4 shall be disclosed to the Complainant via e-mail.
- The Custodian lawfully denied access to OPRA request item Nos. 5 and 7 under the “inter-agency or intra-agency advisory, consultative, or deliberative material” exemption because the responsive records were in draft form. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6; Libertarians for Transparent Gov’t v. Gov’t Records Council, 453 N.J. Super. 83 (App. Div. 2018).
- The knowing and willful analysis is deferred.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Stewart noted that the Final Decision compliance conclusion on page 10 was changed from ten (10) business days to twenty (20) business days in accordance with current GRC policy. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as amended. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

13. Isidro Cruz v. Borough of Roselle Park (Union) (2023-149)

- The Custodian’s response was insufficient because he failed to address each OPRA request item individually. N.J.S.A. 47:1A-5(g); Paff, GRC 2007-272.
- The Custodian lawfully denied access to the OPRA request because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- The Complainant is not a prevailing party.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Ms. Berg

Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

14. Anthony Salters v. City of Orange Township (Essex) (2024-200)

- The Custodian's failure to submit an SOI resulted in a violation of N.J.A.C. 5:105-2.4.
- The Complainant's request item Nos. 1 through 3 were invalid because they asked questions rather than seeking specific government records. MAG, 375 N.J. Super. 534; Rummel v. Cumberland Cnty. Bd. of Chosen Freeholders, GRC Complaint No. 2011-168 (December 2012).
- The Custodian lawfully denied access to the remainder of the OPRA request because judicial notice confirms and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

15. John Paff v. Township of Hillside (Union) (2024-234)

- The Custodian's failure to submit an SOI resulted in a violation of N.J.A.C. 5:105-2.4.
- The Custodian's failure to timely respond within the extended time frame resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i); Kohn, 2007-124.
- The Custodian may have unlawfully denied access to the subject OPRA request and must either locate and disclose those records that exist, provide a specific lawful basis for any denial, or certify if no records exist.
- The knowing and willful and prevailing party analyses are deferred.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Ms. Berg Tabakin made a motion, and Mr. Chen seconded the motion. The motion passed by a unanimous vote.

X. Complaints Adjudicated in NJ Superior Court & NJ Supreme Court:

- Sudhakar v. N.J. State Police, 2024 N.J. Super. Unpub. LEXIS 3109 (App. Div. 2024): On March 2, 2022, a 3rd party requestor sought records via OPRA from the Defendant pertaining to the Lindbergh kidnapping case but was denied. Thereafter, on September 28, 2022, the Plaintiff filed an Order to Show Cause ("OTSC") challenging the Defendant's denial; however, the 3rd party was not named in the action. The Plaintiff then submitted her own OPRA request seeking the same records and was also denied. The trial court denied the Plaintiff's OTSC stating she filed her action before submitting her own OPRA request. The Appellate Division affirmed the trial court, finding the Plaintiff's action procedurally deficient since her OPRA request was not the subject of the action.

Furthermore, the court held that even if it considered the 3rd party's OPRA request, the action was time barred by the forty-five (45) day limitations period.

- Fuster v. Twp. of Chatham, 2025 N.J. LEXIS 14 (2025): Plaintiff requested body-worn camera ("BWC") footage of an interview between himself and the Defendant police wherein he made criminal allegations against another individual. When informed that the individual would not be charged, Plaintiff requested the BWC footage. Defendant denied access, stating in part that no charges were filed stemming from the interview. In affirming the trial court, the Appellate Division found the Defendant's denial was proper to protect an uncharged person's privacy, notwithstanding OPRA's lack of a supporting confidentiality provision. The Supreme Court found the Appellate Division failed to identify an OPRA exemption warranting denial, nor caselaw supporting a "grant of confidentiality" for persons investigated but not charged with an offense. The Court further held the denial did not protect a significant privacy interest when applying the factors outlined under Doe v. Poritz, 142 N.J. 1 (1995).

XI. Complaints Adjudicated in U.S. District Court: None

XII. Public Comment:

Ms. Melissa Rasner (GRC Complaint No. 2022-136): Asked that the conclusion be reread since the solicitor was not present at the time. Mr. Caruso directed Ms. Rasner to the final agenda with the proposed conclusions that would be posted on the GRC's website after the meeting.

XIII. Adjournment:

Mr. Alexy called for a motion to end the Council meeting. Ms. Berg Tabakin made a motion, which was seconded by Mr. Chen. The motion passed by a unanimous vote. The meeting adjourned at 2:33 p.m.

Respectfully submitted,

John Alexy, Chair

Date Approved: February 18, 2025