



OFFICE OF THE HUDSON COUNTY PROSECUTOR

595 NEWARK AVENUE
JERSEY CITY, NEW JERSEY 07306

ESTHER SUAREZ
PROSECUTOR

TELEPHONE: (201) 795-6400
FAX: (201) 795-3365

March 30, 2021

VIA ELECTRONIC MAIL ONLY

Opra+request-21395-178f3d07@requests.opramachine.com

Tom Moran
The Star Ledger

Re: March 30, 2021 OPRA and Common Law Right of Access Request for Any Documents, Communications, Videos related to Tom Moran of the Star Ledger, Including but not Limited to His Interaction with Prosecutor Esther Suarez on April 18, 2019. Specifically, reports from Assistant Prosecutor Gene Rubino and Jersey City Police Sergeant Joe Walsh.

Dear Mr. Moran:

The Hudson County Prosecutor's Office (HCPO) is in receipt of your above request under the New Jersey Open Public Records Act, **N.J.S.A. 47: 1A-1, et. seq.** and the Common Law Right of Access. (Copy is attached for your easy reference.)

Please be advised that the New Jersey OPRA statute, **N.J.S.A. 47:1A-5(i)**, has been amended to reflect, during the COVID-19 emergency, that the seven (7) day deadline within which to respond to OPRA requests no longer applies. The government entity is only required to make a "reasonable effort, as the circumstances permit" to respond within seven (7) days or as soon as possible thereafter.

Tom Moran
March 30, 2021
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Attached please find the following records and video in response to your above request:

- Memorandum from EAP G. Rubino, dated April 25, 2019, to Prosecutor Suarez regarding the incident at St. Peter's University on April 18, 2019 (one page);
- Memorandum from Jersey City Police Department, Sgt. Joseph Walsh, dated April 24, 2019, to Deputy Chief M. Miller regarding re-entry conference at St. Peter's University on April 18, 2019 (one page); and
- One surveillance video from St. Peter's University from April 18, 2019.

There are no other records in the possession of the HCPO in response to your OPRA request. In addition, you requested the same records under the common law. Since the HCPO has provided you with a full response to your request, any discussion under the common law is moot.

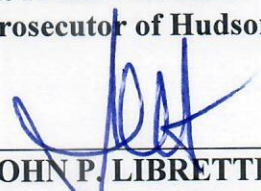
The Hudson County Prosecutor's Office reserves the right to raise any other grounds in support of its response not raised in this response. The failure of the Hudson County Prosecutor's Office to assert an exception, exemption or privilege does not act as a waiver of any ground for denial.

As with any OPRA request, you have the right to challenge the HCPO's determination. At your option, you may either file a complaint in writing with the Government Records Council (GRC), located in the Department of Community Affairs, or institute a proceeding in the Superior Court.

Very truly yours,

ESTHER SUAREZ
Prosecutor of Hudson County

By:



JOHN P. LIBRETTI
Chief of Civil Litigation Unit

JL/
Enclosures
c: Office of the Hudson County Counsel

OPRA request - Any reports discussing Star-Ledger's Tom Moran's interaction with Prosecutor Esther Suarez

tom moran <opra+request-21395-178f3d07@requests.opramachine.com>

Tue 3/30/2021 11:48 AM

To: OPRA <opra@hcopo.org>;

Dear Hudson County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Any documents, communications, videos related to Tom Moran of the Star-Ledger, including but not limited to his interaction with Prosecutor Esther Suarez on April 18, 2019. Specifically, reports from Assistant Prosecutor Gene Rubino and Jersey City Police Sergeant Joe Walsh.

Yours faithfully,

Tom Moran
The Star-Ledger
973-986-6951

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-21395-178f3d07@requests.opramachine.com

Is opra@hcopo.org the wrong address for OPRA requests to Hudson County Prosecutor's Office? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=hcopo

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/any_reports_discussing_star_ledg

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.
