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Member N.J. and PA Bar

August 22, 2024

Dear Anonymously,

Please be advised that I serve as the attorney for Woolwich Township, New Jersey. This is in response to your request of August 16, 2024. The Woolwich Township Police Department is in receipt of an information request as follows:

All information from a call for service to 110 Marl Rd. Swedesboro, N.J. 08085 from August 15, 2024 – including: Body Cam Footage, CAD Information including number call was made from, and Phone recording of call.

The police department has conducted a search and found that there are some records that appear responsive to the above request. Unfortunately, we are unable to process this request for information either under OPRA or common law as these records deal with criminal investigatory reports which are not available unless one has a legal interest in the records. These records are not available under OPRA as criminal investigatory reports.

The common law right to access public records depends on three requirements: 1. The records must be common law public documents, 2. The person seeking access must establish interest in the subject matter of the material of the material, and 3. The citizen's right to access must be balanced against the State's interest in preventing disclosure. *Richard Rivera v. Union*

County Prosecutor's Office, 250 N.J. 124, 143-44 (2022); *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, 487 (1991); *Loigman v. Kimmelman*, 102 N.J. 98 (1986); *Nero v. Hyland*, 76 N.J. 213, 222 (1978). Your common law request is denied due to your failure to identify yourself and your interest in the requested records; identity and interest are coordinate not necessary.

Very truly yours,



John A. Alice

JAA/lv

cc: Chief Joseph A. Morgan, III, Woolwich Police Dept.
Jessica Mignogna, Woolwich Township Clerk