



**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

LORI LINSKEY
FIRST ASSISTANT PROSECUTOR

MICHAEL J. WOJCIECHOWSKI
DEPUTY FIRST ASSISTANT PROSECUTOR

JOHN G. McCABE JR.
CHIEF OF DETECTIVES

CHRISTOPHER J. GRAMICCIONI
MONMOUTH COUNTY PROSECUTOR

May 7, 2018

Jennifer Coombs
Ask NJ Media Co.
opra+request-1568-28814c61@requests.opramachine.com

Re: OPRA requests dated April 27, 2018

Dear Ms. Coombs,

This office received your records requests dated April 27, 2018 via e-mail on April 27, 2018 and it was received by the records custodian on the same date. You requested the following:

All e-mails to and from Guy G. McCormick (GMcCormick@mcponj.org) between July 1, 2016 and April, 27, 2018 containing the words 'Jennifer Coombs', 'Jen Coombs', and/or 'Citizens Videotaping in Public Buildings'.

All e-mails to and from Lori Linskey (LLinskey@mcponj.org) between July 1, 2016 and April, 27, 2018 containing the words 'Jennifer Coombs', 'Jen Coombs', and/or 'Citizens Videotaping in Public Buildings'.

A search of Guy McCormick and Lori Linskey's emails revealed emails about Jennifer Coombs and/or Citizens Videotaping in Public Buildings. Enclosed please find emails dated September 15, 2016; June 1, 2016; October 13, 2017; October 27, 2017; September 7, 2017; December 20, 2017; and, January 12, 2018.

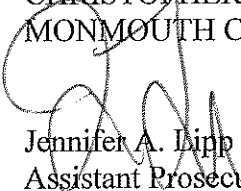
However, not included are emails dated December 6, 2017 between First Assistant Prosecutor Linskey and County Counsel in which County Counsel is providing legal advice and assistance to the Monmouth County Prosecutor's Office on a legal matter that was pending in the office at that time. Confidential communications between a client and his attorney in the course of a professional relationship are privileged. N.J.S.A. 2A:84A-20; N.J.R.E. 504. The attorney-client privilege is a recognized privilege that may shield documents that otherwise meet the OPRA definition of government record from inspection or production. K.L. v. Evesham Twp. Bd. of Educ., 423 N.J.Super. 337, 352-53 (App.Div.2011), certif. denied, 210 N.J. 108 (2012); Gannett N.J. Partners, L.P. v. Cnty. of Middlesex, 379 N.J.Super. 205, 218 (App. Div. 2005). Materials that are deemed confidential in other areas of the law are not subject to production under OPRA. N.J.S.A. 47:1A-9(b).

In addition, not included are emails dated April 4, 2017 between First Assistant Prosecutor Lori Linskey and another assistant prosecutor, which contain opinions and recommendations on how to handle a pending legal matter. Thus, the emails are both deliberative and work product. N.J.S.A. 47:1A-1.1; In re the Liquidation of Integrity Ins. Co., 165 N.J. 75, 84-85 (2000); Gannett New Jersey Partners, LP v. County Of Middlesex, 379 N.J. Super. 205, 219-220 (App. Div. 2005); Education Law Center v. NJ Dept. of Ed., 198 N.J. 274 (2009); R. 4:10-2c.

In the event of a clarification or appeal, this office reserves the right to raise any other ground for denial not raised in this response. The failure of this office to assert an exception or privilege at this time does not act as a waiver of any grounds for denial.

Very truly yours,

CHRISTOPHER J. GRAMICCIONI
MONMOUTH COUNTY PROSECUTOR

By:  Jennifer A. Lipp
Assistant Prosecutor

Enclosures

Diana Weiss

From: ASK NJ Media Co. <opra+request-1568-28814c61@requests.opramachine.com>
Sent: Friday, April 27, 2018 1:21 PM
To: OPRA
Subject: Open Public Records Act request - Guy G. McCormick- emails

Dear Monmouth County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. Please acknowledge receipt of this message.

Records requested:

All e-mails to and from Guy G. McCormick (GMcCormick@mcponj.org) between July 1, 2016 and April, 27, 2018 containing the words 'Jennifer Coombs', 'Jen Coombs', and/or 'Citizens Videotaping in Public Buildings'.

Yours faithfully,

ASK NJ Media Co.

Please use this email address for all replies to this request:
opra+request-1568-28814c61@requests.opramachine.com

Is opra@mcponj.org the wrong address for Open Public Records Act requests to Monmouth County Prosecutor's Office? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=monmouth_county_prosecutors_office

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>

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

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

Diana Weiss

From: ASK NJ Media Co. <opra+request-1566-2fa732bf@requests.opramachine.com>
Sent: Friday, April 27, 2018 12:25 PM
To: OPRA
Subject: Open Public Records Act request - Citizens Videotaping in Public Buildings

Dear Monmouth County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. Please acknowledge receipt of this message.

Records requested:

All e-mails to and from Lori Linskey (LLinshey@mcponj.org) between July 1, 2016 and April, 27, 2018 containing the words 'Jennifer Coombs', 'Jen Coombs', and/or 'Citizens Videotaping in Public Buildings'.

Yours faithfully,

ASK NJ Media Co.

Please use this email address for all replies to this request:
opra+request-1566-2fa732bf@requests.opramachine.com

Is opra@mcponj.org the wrong address for Open Public Records Act requests to Monmouth County Prosecutor's Office? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=monmouth_county_prosecutors_office

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
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Please note that in some cases publication of requests and responses will be delayed.

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

From: Lori Linskey <llinskey@mcponj.org>
To: Kenneth Brown <kbrown@wallpolice.org>
Date: 2017-12-20 14:02
Subject: RE: Citizens Videotaping in Public Buildings
Attachments:  image002.png  image001.jpg

Thanks, Chief. Jennifer Lipp is going to give you a call. So long as her personal info is redacted, I have no concerns with this going out, but I truly appreciate you reaching out to me first.

If you need anything else, please let me know!

Lori



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Ken Brown [mailto:kbrown@wallpolice.org]
Sent: Wednesday, December 20, 2017 1:48 PM
To: Lori Linskey
Subject: FW: Citizens Videotaping in Public Buildings

Kenneth Brown Jr.

Chief of Police

Wall Township Police Department
2700 Allaire Rd. / PO Box 1168
Wall, NJ 07719
732-449-4500 Ext. 1134
Fax: 732-449-1637
kbrown@wallpolice.org



From: Ken Brown
Sent: Friday, October 13, 2017 1:58 PM
To: Division Command; Sergeants Email Group
Subject: FW: Citizens Videotaping in Public Buildings

Please review this document with your assigned personnel.

Kenneth Brown Jr.

Chief of Police

Wall Township Police Department

2700 Allaire Rd. / PO Box 1168

Wall, NJ 07719

732-449-4500 Ext. 1134

Fax: 732-449-1637

kbrown@wallpolice.org



From: Lori Linskey [mailto:LLinskey@mcponj.org]
Sent: Friday, October 13, 2017 1:54 PM
To: Monmouth County Police Chiefs
Subject: Citizens Videotaping in Public Buildings

Good afternoon,

Some time ago, we alerted you to a Neptune City resident who drives to government buildings throughout the county to videotape, and then post online, her interactions with public employees at government agencies. The citizen, Jennifer Coombs, is back at this again and we have been alerted by some of your departments. This is understandably unsettling to the staff and law enforcement officers who work in the buildings in which this individual has been filming. Although this individual's conduct seems wrong, and our initial reaction as law enforcement is to have this citizen cease her videotaping, her actions are permitted as protected free speech under the First Amendment of the United States Constitution.

Opinions from the Civil Rights Division of the U.S. Department of Justice and both the New Jersey and United States Supreme Courts have collectively determined in many different cases that the use of videotaping by citizens, whether of law enforcement, public meetings or government activity, fosters openness which is an important touchstone of our democracy. Regardless of the holdings of our highest courts, it does not mean that the conduct of citizens videotaping in this manner is not disturbing to those of us who are confronted with it in the lobbies of our buildings. Fortunately, there are certain limited instances where such videotaping has been found to cross into territory that permits action on our parts.

Our courts have consistently noted that the right for citizens to record police is permitted, so long as their actions are not interfering with law enforcement operations and are not jeopardizing the safety of officers, suspects, others in the vicinity of the videotaping, or violates a specific law. It is unlikely that a citizen doing little more than videotaping in a public access area of a government building would be demonstrating conduct that would fall into one of these narrow exceptions.

So, what should you do if this individual or another citizen shows up in your lobby or another publicly accessible space and starts videotaping? Be courteous, ask if you can be of assistance, and ignore any comments the citizen may make designed to incite a response from you or your staff, regardless of how long the individual stays. Be mindful that anything that you or members of your staff say or do during that interaction will most likely end up online for all to see. Please make sure that your officers and staff members are made aware of this information so that they can respond accordingly. If you are concerned that the actions of a videotaping citizen are stepping over the wide boundaries of free speech that our courts have set, please call your MCPO legal advisor for guidance.

We have attached a recent photo of Ms. Coombs for your reference.

Jennifer Coombs
DOB 06/17/1971
SBI: 663870D

If you have any questions or concerns, don't hesitate to let me know.

Lori



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

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From: Lori Linskey <llinskey@mcponj.org>
To: Guy McCormick <gmccormick@mcponj.org>
Date: 2018-01-12 17:54
Subject: RE: Jennifer Coombs - Neptune City
Attachments:  image003.png  image002.jpg  image001.jpg

Agree.



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Guy McCormick
Sent: Friday, January 12, 2018 5:16 PM
To: Lori Linskey
Subject: RE: Jennifer Coombs - Neptune City

I gave the same information the police department when we first started to have issues with her. Just be cautious in dealing with her. Her agenda is all publicity seeking antics.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Lori Linskey <LLinskey@mcponj.org>
Date: 1/12/18 3:51 PM (GMT-05:00)
To: Guy McCormick <GMcCormick@mcponj.org>
Subject: RE: Jennifer Coombs - Neptune City

I'm guessing she was calling me to thank me then – since I wrote the legal advisory telling towns that couldn't legally stop her from filming in public places unless she was posing a public safety threat/issues. J

Happy Weekend!



Lori Linskey

First Assistant Prosecutor

Monmouth County Prosecutor's Office

132 Jerseyville Avenue

Freehold, New Jersey 07728-2374

732-431-7160 ext. 6790

llinskey@mcponj.org

From: Guy McCormick

Sent: Friday, January 12, 2018 3:38 PM

To: Lori Linskey

Subject: RE: Jennifer Coombs - Neptune City

She was asking me about my job then she made a remark about us finally allowing people to video. That's when I cut her off and told her to send her questions to me. She records conversations.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Lori Linskey <LLinskey@mcponj.org>

Date: 1/12/18 3:20 PM (GMT-05:00)

To: Guy McCormick <GMcCormick@mcponj.org>, John McCabe <JMcCabe@mcponj.org>

Subject: RE: Jennifer Coombs - Neptune City

I'm not calling back...what was she asking, Guy?



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Guy McCormick
Sent: Friday, January 12, 2018 2:13 PM
To: John McCabe; Lori Linskey
Subject: RE: Jennifer Coombs - Neptune City

I believe that her intentions are toxic and that anything we would be saying to her on the phone is being recorded.

From: John McCabe
Sent: Friday, January 12, 2018 2:11 PM
To: Lori Linskey; Guy McCormick
Subject: RE: Jennifer Coombs - Neptune City

10-4. Agreed. She was told by Guy to direct her questions to him in writing.
John

John G. McCabe, Jr.
Chief of Detectives
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728-2374
Work: 732-431-7160 ext. 6061

Fax: 732-431-7015
E-mail: jmccabe@mcponj.org



From: Lori Linskey
Sent: Friday, January 12, 2018 2:09 PM
To: Guy McCormick; John McCabe
Subject: RE: Jennifer Coombs - Neptune City

I received a phone message from her while I was at lunch and am not inclined to respond.



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Guy McCormick
Sent: Friday, January 12, 2018 1:06 PM
To: John McCabe
Cc: Lori Linskey
Subject: Jennifer Coombs - Neptune City

Just a short time ago while sitting at my desk my cell phone rang and when I answered the female voice on the other end identified herself as Jennifer Coombs. This is the person who lives in Neptune City and whom has been going to public agencies where she films and records her interaction with personnel at the locations.

She began to ask me questions and I advised her that if she has any questions she should address them to me in writing to me and I provided our address. I said good bye and hung up.

How she got my cell phone number is unknown. I just wanted to let you know what transpired. Thanks.

Guy G. McCormick
Counter Terrorism Coordinator - Monmouth County N.J.
Monmouth County Prosecutor's Office

132 Jerseyville Ave.
Freehold, New Jersey 07728

Office # 732-431-7160 ext. 2244

Cell # 732-522-8893

Fax # 732-431-7026

gmccormick@mcponj.org



From: Lori Linskey <llinskey@mcponj.org>
To: Eric Singer <esinger@mcponj.org>
Date: 2017-06-01 22:15
Subject: Re: Howell officials accused of civil rights violations

That's unfortunate

----- Original message -----

From: Eric Singer <ESinger@mcponj.org>
Date: 6/1/17 10:14 PM (GMT-05:00)
To: Lori Linskey <LLinskey@mcponj.org>
Subject: Re: Howell officials accused of civil rights violations

I don't recall but I believe it was visible to the public.

Eric Singer, CFE

Lieutenant
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
732/ 431-7160 Ext. 3737
732/ 431-1594 Fax
732/522-1528 Cell
esinger@mcponj.org

On Jun 1, 2017, at 10:07 PM, Lori Linskey <LLinskey@mcponj.org> wrote:

Unbelievable.

----- Original message -----

From: Eric Singer <ESinger@mcponj.org>
Date: 6/1/17 10:04 PM (GMT-05:00)
To: Lori Linskey <LLinskey@mcponj.org>
Subject: Howell officials accused of civil rights violations

FYI. Jennifer Coombs....

<http://www.app.com/story/news/investigations/watchdog/government/2017/06/01/howell-township-federal-lawsuit/359038001/>

Eric Singer, CFE

Lieutenant
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
732/ 431-7160 Ext. 3737
732/ 431-1594 Fax
732/522-1528 Cell
esinger@mcponj.org

From: Lori Linskey <llinskey@mcponj.org>
To: Michael Pasterchick <mpasterchick@mcponj.org>; Christopher Gramiccioni <cgramiccioni@mcponj.org>; Michael Wojciechowski <mwojciechowski@mcponj.org>; Paul Butkoff <pbutkoff@mcponj.org>
Date: 2016-09-15 16:16
Subject: RE: SAR
Attachments:  image005.jpg  image004.jpg  image003.jpg

Thanks, Chief. She was outside of our building this morning.



Lori Linskey
Deputy First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Michael Pasterchick
Sent: Thursday, September 15, 2016 4:08 PM
To: Christopher Gramiccioni; Michael Wojciechowski; Lori Linskey; Paul Butkoff
Subject: FW: SAR



Michael Pasterchick, Jr.
Chief of Detectives
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
Phone: 732/431-7160 x 6061
E-Mail: mpasterchick@mcponj.org

From: Douglas Johnson
Sent: Thursday, September 15, 2016 3:58 PM
To: Michael Pasterchick
Subject: FW: SAR

Please see below and attached.

Captain Douglas E. Johnson Sr.
Monmouth County Prosecutor's Office
Criminal Investigation Section
132 Jerseyville Avenue
Freehold, New Jersey 07728
Office#: 732/431-7160 ext. 7205
Cell#: 732/522-8901
Fax#: 732/845-2027
djohnson@mcponj.org



From: Jeffrey Wilbert
Sent: Thursday, September 15, 2016 3:22 PM
To: Guy McCormick
Cc: Major Crimes Bureau; Christopher Decker; mquagliato@neptunecitypolice.org
Subject: SAR

CNPD contacted me today advising of suspicious activity in front of Earle Navel Weapon Station. Jennifer Coombs was video recording the main entrance of the base.

I do not have all of the details, but sounds like MCCI, MCPO and MCCH all had incidents today as well.

Jeffrey Wilbert
Lieutenant - Major Crimes Bureau

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
Direct: 732/431-7160 Ext. 8768

E-mail: jwilbert@mcponi.org

Fax: 732/845-2027

From: Lori Linskey <llinskey@mcponj.org>
To: 'Corson, John' <jcorson@co.ocean.nj.us>
Date: 2017-10-27 13:40
Subject: RE: Citizens Videotaping in Public Buildings
Attachments:  image001.jpg

She's really obnoxious and awful. I hope she leaves you alone.



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Corson, John [mailto:JCorson@co.ocean.nj.us]
Sent: Friday, October 27, 2017 1:27 PM
To: Lori Linskey; Joseph Coronato
Cc: Christopher Gramiccioni; Eric Singer
Subject: RE: Citizens Videotaping in Public Buildings

Thank you, Lori for the heads up

From: Lori Linskey [mailto:LLinskey@mcponj.org]
Sent: Friday, October 27, 2017 12:36 PM
To: Coronato, Joseph <JCoronato@co.ocean.nj.us>; Corson, John <JCorson@co.ocean.nj.us>
Cc: Christopher Gramiccioni <CGramiccioni@mcponj.org>; Eric Singer <ESinger@mcponj.org>
Subject: FW: Citizens Videotaping in Public Buildings

Hi Joe and John,

It was brought to our attention that a woman named Jennifer Coombs (photo attached), who attempts to 'catch' law enforcement and government employees on video, has moved into Ocean County recently to do more of the same that she has been doing here in Monmouth County. We just wanted to make you aware of who she is, as well as provide the message below that we sent out to all of our Chiefs and others in county government in the event that it's helpful. She considers herself a member of the "press," but her endgame is making public employees look bad online (which she has successfully done on a few occasions). You may already be aware of her, but if not, my guess is you'll be getting calls from some of your police departments soon. If you have any questions, let us know. We are sending this to you only as an FYI.

Wishing you both a great weekend!

Lori



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Lori Linskey
Sent: Friday, October 13, 2017 1:54 PM
To: Monmouth County Police Chiefs
Subject: Citizens Videotaping in Public Buildings

Good afternoon,

Some time ago, we alerted you to a Neptune City resident who drives to government buildings throughout the county to videotape, and then post online, her interactions with public employees at government agencies. The citizen, Jennifer Coombs, is back at this again and we have been alerted by some of your departments. This is understandably unsettling to the staff and law enforcement officers who work in the buildings in which this individual has been filming. Although this individual's conduct seems wrong, and our initial reaction as law enforcement is to have this citizen cease her videotaping, her actions are permitted as protected free speech under the First Amendment of the United States Constitution.

Opinions from the Civil Rights Division of the U.S. Department of Justice and both the New Jersey and United States Supreme Courts have collectively determined in many different cases that the use of videotaping by citizens, whether of law enforcement, public meetings or government activity, fosters openness which is an important touchstone of our democracy. Regardless of the holdings of our highest courts, it does not mean that the conduct of citizens videotaping in this manner is not disturbing to those of us who are confronted with it in the lobbies of our buildings. Fortunately, there are certain limited instances where such videotaping has been found to cross into territory that permits action on our parts.

Our courts have consistently noted that the right for citizens to record police is permitted, so long as their actions are not interfering with law enforcement operations and are not jeopardizing the safety of officers, suspects, others in the vicinity of the videotaping, or violates a specific law. It is unlikely that a citizen doing little more than videotaping in a public access area of a government building

would be demonstrating conduct that would fall into one of these narrow exceptions.

So, what should you do if this individual or another citizen shows up in your lobby or another publicly accessible space and starts videotaping? Be courteous, ask if you can be of assistance, and ignore any comments the citizen may make designed to incite a response from you or your staff, regardless of how long the individual stays. Be mindful that anything that you or members of your staff say or do during that interaction will most likely end up online for all to see. Please make sure that your officers and staff members are made aware of this information so that they can respond accordingly. If you are concerned that the actions of a videotaping citizen are stepping over the wide boundaries of free speech that our courts have set, please call your MCPO legal advisor for guidance.

We have attached a recent photo of Ms. Coombs for your reference.

Jennifer Coombs
DOB 06/17/1971
SBI: 663870D

If you have any questions or concerns, don't hesitate to let me know.

Lori



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
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promptly delete or destroy this message and all copies of it. Please notify the sender by return e-mail if you have received this message in error.

From: Lori Linskey <llinskey@mcponj.org>
To: 'O'Connor, Teri' <teri.o'connor@co.monmouth.nj.us>
Cc: Christopher Gramiccioni <cgramiccioni@mcponj.org>
Date: 2017-10-13 13:55
Subject: FW: Citizens Videotaping in Public Buildings
Attachments:  Picture1.jpg

Hi Teri,

We just sent this out to our Chiefs of Police and we thought you may want this information for your Department Heads.

Lori



Lori Linskey
First Assistant Prosecutor
Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728-2374
732-431-7160 ext. 6790
llinskey@mcponj.org

From: Lori Linskey
Sent: Friday, October 13, 2017 1:54 PM
To: Monmouth County Police Chiefs
Subject: Citizens Videotaping in Public Buildings

Good afternoon,

Some time ago, we alerted you to a Neptune City resident who drives to government buildings throughout the county to videotape, and then post online, her interactions with public employees at government agencies. The citizen, Jennifer Coombs, is back at this again and we have been alerted by some of your departments. This is understandably unsettling to the staff and law enforcement officers who work in the buildings in which this individual has been filming. Although this individual's conduct seems wrong, and our initial reaction as law enforcement is to have this citizen cease her videotaping, her actions are permitted as protected free speech under the First Amendment of the United States Constitution.

Opinions from the Civil Rights Division of the U.S. Department of Justice and both the New Jersey and United States Supreme Courts have collectively determined in many different cases that the use of

videotaping by citizens, whether of law enforcement, public meetings or government activity, fosters openness which is an important touchstone of our democracy. Regardless of the holdings of our highest courts, it does not mean that the conduct of citizens videotaping in this manner is not disturbing to those of us who are confronted with it in the lobbies of our buildings. Fortunately, there are certain limited instances where such videotaping has been found to cross into territory that permits action on our parts.

Our courts have consistently noted that the right for citizens to record police is permitted, so long as their actions are not interfering with law enforcement operations and are not jeopardizing the safety of officers, suspects, others in the vicinity of the videotaping, or violates a specific law. It is unlikely that a citizen doing little more than videotaping in a public access area of a government building would be demonstrating conduct that would fall into one of these narrow exceptions.

So, what should you do if this individual or another citizen shows up in your lobby or another publicly accessible space and starts videotaping? Be courteous, ask if you can be of assistance, and ignore any comments the citizen may make designed to incite a response from you or your staff, regardless of how long the individual stays. Be mindful that anything that you or members of your staff say or do during that interaction will most likely end up online for all to see. Please make sure that your officers and staff members are made aware of this information so that they can respond accordingly. If you are concerned that the actions of a videotaping citizen are stepping over the wide boundaries of free speech that our courts have set, please call your MCPO legal advisor for guidance.

We have attached a recent photo of Ms. Coombs for your reference.

Jennifer Coombs
DOB 06/17/1971
SBI: 663870D

If you have any questions or concerns, don't hesitate to let me know.

Lori



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Date: 2017-10-13 13:53
Subject: Citizens Videotaping in Public Buildings
Attachments:  Picture1.jpg

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