



**OFFICE OF THE PROSECUTOR  
COUNTY OF BURLINGTON**

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*CHIEF OF INVESTIGATIONS*

February 25, 2025

Kelli Bowen

**Via Email:** [opra+request-72271-72b38c23@requests.opramachine.com](mailto:opra+request-72271-72b38c23@requests.opramachine.com)

**Re: Response to OPRA Request (C-2025-016)**

Dear Ms. Bowen:

This is in response to your Request for Public Records, per **N.J.S.A 47:1A-1 et seq.**, the Open Public Records Act (OPRA), received by this Office on February 19, 2025. You requested the following:

“Please release to me the following correspondence (emails, notes, memos, letters, call logs, etc.) shared internally and with the public from Burlington County Prosecutors Department / Probation Department between 01/02/2025 - present that reference any of the following terms in connection with Kelli Bowen: ...”

With regard to your request, to the extent such records exist, they are exempt from release as they are criminal investigatory records (CIR). CIR is defined by OPRA as a record which is not required by law to be made, maintained, or kept on file that is held by a law enforcement agency which pertains to any criminal investigation or related civil enforcement proceeding. Under N.J.S.A. 47:1A-1.1, a prosecutor’s criminal investigatory file, whether open or closed, is not a public record and is exempt from disclosure. See North Jersey Media Group, Inc. v. Township of Lyndhurst, 229 N.J. 541 (2017); West Solloway v. Bergen County Prosecutor’s Office, GRC Complaint No. 2011-39 (January 2013); Kovalcik v. Somerset County Prosecutor’s Office, 206 N.J. 581, 591 (2011); Bent v. Twp. of Stafford Police Dept., 381 N.J. Super. 30, (App. Div. 2005). Further, the Government Records Council held in Janeczko v. Division of Criminal Justice, GRC Complaint Nos. 2002-79 and 2002-80, that the exemption for criminal investigatory records applies to all investigations, “resolved and unresolved” and “without reference to the status of the investigation.” Janeczko further held that under OPRA, “criminal investigatory records include records involving all manner of crimes, resolved or unresolved, and includes information that is part and parcel of an investigation, confirmed and unconfirmed”. See also Johnson/Press of Atlantic City v. Division of State Police, GRC Complaint No. 2004-46, among others.

Please note that requests for your own discovery for criminal matters follow a different procedure than OPRA. Generally, a defendant's attorney will request discovery through the pre- and post-indictment process. Your attorney remains obligated to provide you with any discovery he or she obtained prior to the conclusion of your case. If you intend on pursuing any form of post-conviction relief, an attorney may assist you with that process. He or she also will be able to obtain any discovery in possession of the State and will be obligated to share that with you, as well.

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

I am also obligated to inform you that if you believe I have erred in withholding documents, you have the right to bring an action in the Superior Court of New Jersey, or to appeal to the Government Records Council. The Council can be reached at (609) 633-6337, or by mail at PO Box 819, Trenton, New Jersey 08625.

Thank you very much and please do not hesitate to contact me if there should be any questions.

Sincerely yours,

LACHIA L. BRADSHAW  
BURLINGTON COUNTY PROSECUTOR

By: /s/Robin M. Hauth  
Robin M. Hauth, Assistant Prosecutor  
Records Custodian

Cc: File C-2025-016