



MIDDLESEX COUNTY PROSECUTOR'S OFFICE

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December 4, 2025

Charlie Kratovil
VIA OPRA Portal

RE: OPRA Request # W023727-120125

Dear Mr. Kratovil,

The Middlesex County Prosecutor's Office is in receipt of your OPRA request seeking "a complete copy of the NJ-TR1 report for the fatal crash on State Highway 18 in the City of New Brunswick - date/time = 6/29/2025 @ 22:14. Please include any reports that are referenced within the main crash report."

Please find a copy of the NJTR-1 for PD Case #25NB05019. Please note that the Social Security, driver's license numbers, and other personal identifying information were redacted pursuant to N.J.S.A. 47:1A-5a.

In response to your request for any Reports referenced in the NJTR-1, please be advised that under N.J.S.A. 47: 1A-1.1, et seq., all police reports are considered criminal investigatory records, are not deemed public records, and cannot be released to the public. See Kovalick v. Somerset County Prosecutor's Office, 206 N.J. 581, 591 (2011) (recognizing that criminal investigatory records are exempt

from disclosure under OPRA); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 38-39 (App. Div. 2005).

In addition, the Government Records Council (GRC) 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.” The GRC further noted that the exemption for criminal records applies “without reference to the status of the investigation.”

Additionally, North Jersey Media Group Inc. v. Township of Lyndhurst, 441 N.J. Super. 70 (App. Div. 2015), aff'd. in part, rev'd. in part, 229 N.J. 541(2017) determined that certain documents are not considered public records, are criminal investigatory records and cannot be released under N.J.S.A. 47:1A-1.1, et seq.

You have the right to appeal this decision. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the General Records Counsel by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, N.J. 08625, by e-mail at grc@dca.state.nj.us, or at its website at www.state.nj.us/grc.

The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk.

Regards,

/s/ Joseph Jakuback
Joseph Jakuback, Esq.
Assistant Prosecutor