



TOWNSHIP OF WEST ORANGE
66 MAIN STREET
WEST ORANGE, NEW JERSEY 07052

Municipal Clerk's Office
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Tel: (973) 325-4155
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May 4, 2022

Via E-Mail:

Re: Township of West Orange
Open Public Records Act Request 2022-499

To whom it may concern:

The Township of West Orange (the "Township") has received your Open Public Records Act ("OPRA") Request designated OPRA Request 2022-499 dated April 22, 2022, seeking:

All records below requested for Police Department Personnel:

- Names of officers investigated for minor discipline and the disposition for calendar years 2021 and 2022;
- Names of officers investigated for major discipline and the disposition for calendar years 2021 and 2022;
- Names of all Police Department Personnel who did not report for in person duty for more than 3 days consecutive or not from Jan 1, 2020 to April 22, 2022 and designation for which status of leave day was assigned to such personnel;
- List of all personnel from Police Department who were unpaid for 3 or more consecutive days of work for January 1, 2020 to April 22, 2022 and what status and or type of leave day assigned for such personnel; and
- Discipline charge and status of all Police Department personnel who were unpaid for 3 or more consecutive days from January 1, 2020 to April 22, 2022.

(hereinafter the "OPRA Request").

Please be advised that pursuant to the OPRA statute and the Attorney General's Guidelines governing Internal Affairs Investigations ("IAPP"), these documents are deemed confidential and not subject to disclosure. N.J.S.A. 47:1A-9(b); Rivera v Union County Prosecutor's Office, 250 N.J. 124, 143 (2012) ("When section 181 was enacted, the IAPP conferred confidentiality on internal affairs records, and the new law effectively made the IAPP's provisions required policy for law enforcement agencies.) Accordingly, information included in internal affairs reports are exempt from public disclosure under OPRA.

Nevertheless, pursuant to your request under the common law right of access, in order to determine whether the documents requested are subject to disclosure, please advise as to your

interest or the basis for your need for the requested documents in order to analyze whether they are subject to release under the common law right of access. N. Jersey Media Grp., Inc. v. Township of Lyndhurst, 229 N.J. 541, 578 (2017).

We await your response. The Township reserves all rights and remedies.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Karen J. Carnevale", is written over a horizontal line.

Karen J. Carnevale, R.M.C.
Municipal Clerk