

BRADLEY D. BILLHIMER
Ocean County Prosecutor

VINCENT A. PETRECCA
Chief of Detectives



MICHAEL T. NOLAN JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

Courthouse Annex Building
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027

January 6, 2020

Andrew Ford
Via Email: aford3@gannettnj.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 180700603
Jackson Fatal Traffic Accident

Dear Mr. Ford:

This letter will serve as a response to your email dated December 27, 2019 wherein you again request the release of the dash camera/vehicle mounted camera recording in the above matter pursuant to the Attorney General Law Enforcement Directive No. 2019-4, entitled "Directive Ensuring the Independent Investigation of Criminal Cases Involving Police Use-of-Force or In-Custody Deaths." Please be advised that a review of this directive confirms that it does not apply to the above-referenced incident.

Specifically, the first sentence of the directive refers to investigations "involving the use of force by law enforcement officers against civilians." The second sentence of the directive states that its purpose is "to outline clear procedures governing such investigations. . ." (Emphasis supplied) Additionally, the second paragraph of the directive indicates that it "outlines a ten-step process for conducting independent investigations of use-of-force and death-in-custody incidents in compliance with State law."

As previously stated, this office's position is that this Directive does not apply to the recording in question as the within matter did not involve the use of force and did not consist of an in-custody incident. Therefore, your request was properly denied.

Yours very truly,

Dina R. Khajezadeh
Dina R. Khajezadeh
Assistant Prosecutor

DRK/dk