



LAMBERTVILLE POLICE DEPARTMENT
OPEN PUBLIC RECORDS ACT REQUEST FORM
349 N. Main Street, Lambertville, NJ 08530
PHONE: (609) 397-3132 FAX: (609) 397-9305
Lambertvillepolice@comcast.net
RECORDS REQUEST FORM



Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name Monique MI L. Last Name Rigling
E-mail Address buttercupgardens@gmail.com
Mailing Address P.O. Box 185
City Lambertville State NJ Zip 08530
Telephone 609-510-0569 FAX _____
Preferred Delivery: Pick Up ☒ US Mail ☒ On-Site Inspect _____ Fax _____ E-mail _____
If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE / HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
Signature [Signature] Date 12/27/18

Payment Information

Maximum Authorization Cost \$ _____
Select Payment Method
Cash ☐ Check ☐ Money Order ☐
Fees: Letter size pages - \$0.05 per page
Legal size pages - \$0.07 per page
Other materials (CD, DVD, etc) – actual cost of material
Delivery: Delivery / postage fees additional depending upon delivery type.
Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

You will be advised within seven business days as to whether your request has been granted or denied.

Christmas Eve and Christmas Day and anything afterwards-pertaining to myself.

APPROVED: ☒ To retrieve records call (609) 397-3132 and request to speak with the Custodian of Records. If a record is archived or otherwise unavailable, requestor will be notified.

DENIED: _____

REASON FOR DENIAL: _____

[Signature]
Sally J. Lelie / Deputy Custodian of Records

Date: 1-3-19

[Signature]
Robert Brown - Lt. - OIC

Date: 1/3/19

4/8/19 @ 0939 -emailed



PROVIDING SERVICES FOR



CRAIG MCCARTHY, REPORTER

732-372-2078

cmccarthy@njadvancemedia.com

Woodbridge Corporate Plaza

485 Route 1 South, Building E, Suite 300

Iselin, NJ 08830-3009

1/04/2019

Dear Custodian,

Please consider this a formal request under the Open Public Records Act and common law right to know for the following:

- the unredacted **Use of Force reports** for incidents occurring in the calendar years **2017 and 2018** from your municipality's police department
- **annual use of force reports** (or each quarterly reports for the entire year, if annual is not required) as submitted to the county prosecutor's office
- **professional standards annual reports** (or each quarterly reports for the entire year, if annual is not required) as submitted to the county prosecutor's office

We are entitled to these unredacted reports under N.J.S.A. 47:1A3(b) as a result of the state Supreme Court ruling on July 11, 2017, in the case North Jersey Media Group v. Lyndhurst.

The court wrote in its opinion, "The law calls for disclosure of 'the identity of the investigating and arresting personnel' and adds that the exception on which defendants rely 'shall be narrowly construed.'"

Under that ruling, the court also ruled that "OPRA's criminal investigatory records exception does not apply to records that are 'required by law to be made, maintained or kept on file.'" N.J.S.A. 47:1A-1.1. As a result, the exemption does not cover Use of Force Reports, which the Attorney General requires officers to prepare after the use of deadly force."

Therefore, this request cannot be denied under the exemption of an "ongoing investigation" since they are required under the Attorney General's Use of Force Policy, which has "the force of law for police entities." (NJMG v. Lyndhurst)

If your agency chooses to deny, citing safety concerns, please provide a statement for each incident stating why officer or officers' names "will jeopardize the safety of any person . . . or any investigation in progress" or "would be harmful to a bona fide law enforcement purpose or the public safety." (NJMG v. Lyndhurst)

Please email scanned digital copies of the unredacted original Use Of Force forms as PDFs. If the file is too large, we will accept a CD with the requested documents mailed to the address above. We will not accept paper records.

We understand subject information may be subject to redactions if their information is protected under other statutes, such as HIPPA or juveniles.

Under penalty of N.J.S.A. 2C:283, I certify that I have not been convicted of any indictable offense under the laws of New Jersey, or any other state, or in the United States.

Please note, this request clearly notes New Jersey's Open Public Record Act, therefore does not need to be on local OPRA forms. We reserve the right to appeal your decision to withhold any information.

I look forward to your reply via email. We request all correspondence referencing this OPRA be via email.

Thank you for your assistance.
CRAIG MCCARTHY



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Rec'd 1/7 @ 1:00

1/9/19 @ 1436 - emailed to

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Requestor Information - Please Print

First Name _____ MI _____ Last Name _____
E-mail Address time to change jersey style @ outlook.com
Mailing Address _____
City _____ State _____ Zip _____
Telephone _____ FAX _____
Preferred Delivery: Pick Up _____ US Mail _____ On-Site Inspect _____ Fax _____ E-mail X
If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I **HAVE / HAVE NOT** been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
Signature _____ Date 1-7-19

Payment Information

Maximum Authorization Cost \$ _____
Select Payment Method
Cash _____ Check _____ Money Order _____
Fees: Letter size pages - \$0.05 per page
Legal size pages - \$0.07 per page
Other materials (CD, DVD, etc) - actual cost of material
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All Police CAD reports ~~for~~ with narratives for days of ~~1-5-19~~ 1-5-19 and 1-6-19

APPROVED: ✓ To retrieve records call (609) 397-3132 and request to speak with the Custodian of Records. If a record is archived or otherwise unavailable, requestor will be notified.

DENIED: _____

REASON FOR DENIAL: _____

Sally J. Ielie

Sally J. Ielie / Deputy Custodian of Records

Date: 1-9-19

Lieutenant / OIC Robert Brown

Date: 1/9/19