



THE BOROUGH OF HIGHLAND PARK

COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

221 SOUTH 5TH AVENUE

HIGHLAND PARK, NEW JERSEY 08904

TEL. (732) 777-6014

FAX (732) 777-6006

www.hpboro.com

The Borough is in receipt of your request under OPRA and the common law dated February 18, 2023, received on February 21, 2023, regarding information reported in a 2022 Internal Affairs Summary report of the Highland Park Police Department.

1. Please be advised that your request for "His or her 'name, title, position, most recent annual salary, length of service, date of separation, and the reason therefor' (See N.J.S.A. 47:1A-10) or as much as this information that can be lawfully disclosed" is being denied under OPRA at this time. N.J.S.A. 47:1A-1.1 exempts from release any records pertaining to an investigation in progress if disclosure of such records would be detrimental to the public interest. In addition, N.J.S.A. 47:1A-1 protects the privacy interest of individuals by safeguarding from public access a citizen's personal information when disclosure thereof would violate the citizen's reasonable expectation of privacy. None of the information related to the Internal Affairs Summary you referenced has been made public at this time as this is an ongoing police personnel matter. If the allegations are sustained and there is a final adjudication of disciplinary action, information that is required to be released will be made available.

Your request under the common law is also denied. When considering the release of records under the common law, the factors enumerated by the New Jersey Supreme Court in *Loigman v. Kimmelman*, 102 N.J. 98 (1986), require a balancing of the requestor's right to access and the need for confidentiality of the public records. Your email indicated you were requesting records under OPRA and the common law right of access. However, you provided no reasons for your interest under the common law and therefore your common law request could not be evaluated in accordance with the *Loigman* factors.

2. Record not responsive. Does not exist.

3. Record not responsive. Does not exist.