



NEW BRUNSWICK POLICE DEPARTMENT

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Captain J.T. Miller

Public Information Officer

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Monday, July 20, 2020

Charlie Kratovil

Email: opra+regeust-14831-8e4ef3fa@regeusts.opramachine.com

Re: OPRA Request 20.07-285

Dear Mr. Kratovil:

My office is in receipt of your OPRA request dated July 4, 2020 and received July 6, 2020. Attached are the record(s) responsive to your request. Please be advised that pursuant to OPRA guidelines, certain information contained in the attached record(s) is exempt to public disclosure and subject to redaction. Below is a breakdown of those redactions:

- Pages: 3, 4, 5, 7, 8, 15, 16, 23, 24, 35, 36, 38, 39, 56, 86-90, 92, 96 and 99 contain the unlisted cellular phone numbers of each officer and civilian assigned a New Brunswick Police Department cellular telephone. Individuals assigned department issued cellular phones are permitted to use the phone for both business and personal use, as to avoid the necessity of maintaining multiple phones for each individual. Pursuant to N.J.S.A. 47:1A-1.1(19), unlisted telephone numbers are exempt from disclosure. The release of unlisted phone numbers assigned to individual persons may promote unwanted and unsolicited phone calls 24/7, day and night, compromising an individual's right to personal privacy. N.J.S.A. 37:1A-1.1(1) states, *Privacy Interest – "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."* A blanket release of unlisted phone numbers, regardless of who they are assigned to (officer, civilian, citizens), would violate an individual's reasonable expectation of privacy.
- Pages: 3, 4, 5, 6, 9, 12-14, 18, 19, 25, and 91 contain the unlisted cellular phone numbers assigned to cellular phones not assigned to an individual person. These phones are used for criminal investigatory purposes. The nature of use can be attributed to victims, witnesses and confidential informants during specific investigations. Pursuant to N.J.S.A. 47:1A-1.1(19), unlisted telephone numbers are exempt from disclosure. Pursuant to N.J.S.A. 47:1A-1.1(5) criminal investigatory records are exempt from disclosure and the release of such information could be detrimental to the integrity of the investigation and to the safety of the associated victims, witnesses and/or informants.
- Pages: 3, 4, 5, 11, 17, 20-22, 26-34, 40-55, 57-85, 93-95, 97 and 98 contain the unlisted numbers assigned to equipment that require data usage. This equipment

is utilized in the transmission and reception of sensitive information including but not limited to NCIC, SCIC, motor vehicle and criminal investigatory data. Pursuant to N.J.S.A. 47:1A-1.1(19), unlisted telephone numbers are exempt from disclosure. Pursuant to N.J.S.A. 47:1A-1.1(10) and (12) the release of these unlisted telephone numbers if disclosed, could jeopardize computer and network security, along with security measures, surveillance techniques and potentially create a risk to the safety and security of persons, property, electronic data and software.

Thank you for your interest in these matters and if my office can be of any further assistance, please do not hesitate to contact us.

Sincerely,

Captain J.T. Miller

cc. Leslie Zeledon, City Clerk
Joseph Catanese, Asst. City Attorney