



GLASSBORO POLICE DEPARTMENT

1 South Main Street
Glassboro NJ 08028
Phone #856-881-1501
Fax #856-881-6872

February 8, 2024

Via email only (opra+request-57789-a24f05a8@requests.oprarmachine.com)
fratlaw

Re: Open Public Records Act/Common Law Records Request

Dear fratlaw:

The Borough of Glassboro Records Custodian received your request for records pursuant to the Open Public Records Act (OPRA) and the New Jersey common law right of access, dated January 29, 2024, on January 30, 2024, and has forwarded your request to the Police Records Sub-Custodian for a response. Accordingly, the initial seven (7) business day deadline to respond to your request under OPRA is February 8, 2024. This response is being provided on the seventh business day after we received your request.

Your records request was as follows:

Complaints, copy of summons, affidavits, law enforcement first reports, incident reports, evidence reports, plea documents, letters dismissing indictments back to municipal court as a disorderly persons offense, police reports, booking logs, CAD details, arrest details, transportation logs (to-from county jail), any other court document, letter dismissing complaint to municipal court instead of inclement:

Case: S 2023 569 Court: 0806 Type: Complaint Defendant: SPENCER R FELDMAN Status: Active
Defendant Information
Name: SPENCER R FELDMAN Gender: Male Eyes: Brown
Court Information
Court Date: 02/08/2024 Court Time: 09:30 AM Court Room: VIRT
Complaint Information
Complaint Number: S 2023 569 Issue Date: 10/22/2023 Offense Date: 10/04/2023 Arrest Date:
Court: 0806 - GLASSBORO MUNICIPAL COURT Agency & Officer ID: 0806 9150 Police Case No: 23-029824
Mun. Of Offense: 0806 Co-Def Count: 0 Complaint Plea: Not Guilty
Complainant: PTL A MOONEY
Transferred To: 0089 - PROSECUTOR - 10/23/2023 Transferred From: 0089 - PROSECUTOR - 12/15/2023
Reason: Indictable
Status: Active Time Payment: Warrant: Bail:
Last Action Date: 10/22/2023

Case: S 2023 554 Court: 0806 Type: Complaint Defendant: SPENCER R FELDMAN Status: Active
Defendant Information
Name: SPENCER R FELDMAN Gender: Male Eyes: Brown
Court Information
Court Date: 02/08/2024 Court Time: 09:30 AM Court Room: VIRT
Complaint Information
Complaint Number: S 2023 554 Issue Date: 10/14/2023 Offense Date: 10/04/2023 04:45 PM Arrest Date:
10/14/2023
Court: 0806 - GLASSBORO MUNICIPAL COURT Agency & Officer ID: 0806 9150 Police Case No: 2023031150
Mun. Of Offense: 0806 Co-Def Count: 0 Complaint Plea: Not Guilty
Complainant: PTL A MOONEY
Transferred To: 0089 - PROSECUTOR - 10/16/2023 Transferred From: 0089 - PROSECUTOR - 12/15/2023
Reason: Indictable
Status: Active Time Payment: Warrant: Bail:
Last Action Date: 10/14/2023

A search of our available records has identified the following as responsive to your request:

10/11/23	Incident Report 23-029824 (incident date: 10/04/23)
10/22/23	Supp. Report 23-029824 (incident date: 10/04/23)
10/19/23	Arrest Docket – Case No. 23-029824
10/14/23	Complaint-Summons 0806-S-2023-000554
10/22/23	Complaint-Summons 0806-S-2023-000569
11/09/23	Remand Form

Copies of the identified Arrest Docket and Complaints-Summonses are enclosed. Please note that, after consultation with the Borough records attorney, these records have been redacted as follows:

Privacy/Personal Information. Part(s) of the identified record(s) containing information and/or images for which identified persons have a reasonable expectation of privacy have been redacted. N.J.S.A. 47:1A-1; Executive Order No. 21 (McGreevey 2002); *Paff v. Ocean County Prosecutor's Office*, 235 N.J. 1 (2018); *Brennan v. Bergen County Prosecutor's Office*, 233 N.J. 330 (2018); *In the Matter of the New Jersey State Fireman's Association*, 230 N.J. 258 (2017); *Burnett v. County of Bergen*, 198 N.J. 408 (2009); *Rise Against Hate v. Cherry Hill Township*, slip op., Docket Nos. A-3421-20, A-1440-21, A-1517-21 (App. Div. March 29, 2023); *North Jersey Media Group, Inc. v. Bergen County Prosecutor's Office*, 447 N.J. Super. 182 (App. Div. 2016); *North Jersey Media Group, Inc. v. Township of Nutley*, slip op., Docket No. A-3483-14T3 (App. Div. September 30, 2016); *Nelson v. N.J. Department of Law & Public Safety*, No. 2013-124 (GRC 2014); *Merino v. Borough of Ho-Ho-Kus*, No. 2003-110 (GRC 2004).

After consultation with the Borough records attorney, your request for the remaining identified records is denied for the following reason(s):

Criminal Investigatory Record(s). The requested record(s) or parts thereof are not required by law to be made, maintained or kept on file, pertain to a criminal investigation, and are therefore exempt from disclosure pursuant to the criminal investigatory records exception of OPRA. N.J.S.A. 47:1A-1.1; *Paff v. Ocean County Prosecutor's Office*, 235 N.J. 1 (2018); *North Jersey Media Group, Inc. v. Township of Lyndhurst*, 229 N.J. 541 (2017); *Schulz v. N.J. State Police*, Complaint No. 2014-390 (GRC 2015).

Advisory/Consultative/Deliberative. The requested record(s) constitute(s) inter-agency or intra-agency advisory, consultative or deliberative materials, which are exempt from disclosure under both OPRA and the common law. N.J.S.A. 47:1A-1.1; *Education Law Center v. New Jersey Dept. of Educ.*, 198 N.J. 274 (2009); *Libertarians for Transparent Government v. Government Records Council*, 453 N.J. Super. 83 (App. Div.), *certif. denied* 233 N.J. 484 (2018); *Larkins v. Solter*, 450 N.J. Super. 519 (App. Div. 2017); *DeEugenio v. Borough of Glassboro*, GRC Complaint No. 2016-254 (June 2019).

No common law interest. The common law right to access public records depends on three requirements: (1) the records must be common law public documents; (2) the person seeking access must establish an interest in the subject matter of the material; and (3) the citizen's right to access must be balanced against the State's interest in preventing disclosure. *Richard Rivera v. Union County Prosecutor's Office*, 250 N.J. 124, 143-44 (2022); *South Jersey Publishing Co. v. New Jersey Expressway Auth.*, 124 N.J. 478, 487 (1991); *Loigman v. Kimmelman*, 102 N.J. 98 (1986); *Nero v. Hyland*, 76 N.J. 213, 222 (1978). Your common law request is denied due to your failure to identify your interest in the requested records.

We can, however, provide you with the following additional information regarding this incident:

Arrested

Feldman, Spencer R W/M-21 of 9 Birch Tree Ln, Livingston, NJ, 07039

DOB: [REDACTED]

HT: 508 WT: 141

Eyes: Brown

Phone 1: [REDACTED]

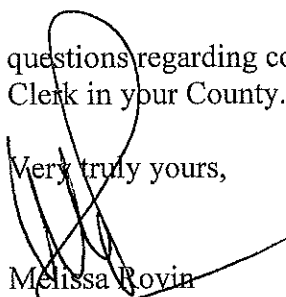
Booking#: 23-000888

Case#	Charge	Description	Ct
23-029824	2C:17-3A(1)	CRIMINAL MISCHIEF W/DAMAGE	1
23-029824	2C:20-3A	THEFT-MOVABLE PROP (>\$200)	1
23-029824	2C:20-6	Theft Prop-Lost/Mislaid/Deliv Mistak(>=\$200)-4th D	1
23-029824	2C:21-6C(1)	CREDIT CARD THEFT	1
23-029824	2C:21-6H	FRAUD USE CREDIT CARD	2

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Borough of Glassboro to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All

questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Very truly yours,



Melissa Rovin
Senior Records Clerk
Glassboro Police Department
856-881-1501 ext 88150
mrovin@glassboropd.org