



**OFFICE OF THE COUNTY PROSECUTOR
JENNIFER WEBB-MCRAE
CUMBERLAND COUNTY PROSECUTOR**

Harold B. Shapiro
First Assistant Prosecutor

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October 24, 2023

Via email to: opra+request-54116-b1xxxxxx@xxxxxxxx.xxramachine.com

Re: Records request

Dear Ms. Erin:

Please accept this letter in response to your records request dated October 15, 2023 and submitted via email. Your request is for the following records: “(1) Print out of MANUAL PSA for defendant JASON SAMARITANO dated 12/14/2022 Transaction ID CRM20221137916; (2) Public Safety Assessment Transaction ID PSP2022816061 dated 12/8/2022; (3) Public Safety Assessment Transaction ID PSP2022816059 dated 12/8/2022; (4) Public Safety Assessment Transaction ID PSP2022809241 dated 12/6/2022.”

With regard to requests (1), (2), (3) and (4), these requests are denied pursuant to N.J.S.A. 47:1A-9, which states: “The provisions of this act... shall not abrogate or erode any... grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public record or government record.” Pursuant to Attorney General Law Enforcement Directive 2016-6, Public Safety Assessment reports and related information are confidential.

Accordingly, your requests are denied because they are requests for Public Safety Assessment reports which have been rendered confidential by Attorney General Directive 2016-6, and the provisions of the Open Public Records Act specifically state that records which have been deemed confidential may not be released pursuant to OPRA.

The Cumberland County Prosecutor's Office reserves the right to raise any other ground for denial not raised in this response. The failure of the Cumberland County Prosecutor's Office to assert an exception or privilege does not act as a waiver of any ground for denial. 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 Cumberland County Prosecutor's Office to deny access. At your option, you may institute a proceeding in the Superior Court of New Jersey. All questions regarding complaints filed in Superior Court should be directed to the Court.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen C. Sayer', is written over the typed name.

Stephen C. Sayer [114352015]
Assistant Prosecutor
Alternate Records Custodian