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May 1, 2024

Dear Mr. Dirt,

The Township of Winslow has received your Open Public Records Act (OPRA) request and request under common law on April 19, 2024. Your OPRA request requested the following:

"Discipline record for Officer Paul Iacovoni and any citizen complaints against him from 1/1/2022 to present."

This response is now offered.

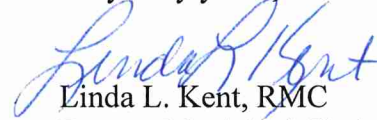
RESPONSE: The request is denied under OPRA. The records in question are exempt as personnel records not considered government records under N.J.S.A. 47:1A-10.

The request is also denied under common law. Please note that the cases of Rivera v. Union Cnty. Prosecutor's Off., 250 N.J. 124 (2022) and Paff v. City of Brigantine, Docket No. ATL-L-5038-10 (which is not binding case law) both deal with substantiated allegations and sustained complaints. Because there are no sustained complaints or discipline involved in your above-referenced records request, the Township has determined there is not a sufficient public interest in disclosure to outweigh the Township's interest in maintaining confidentiality. As stated by the New Jersey Supreme Court in Rivera, "[u]nsustained or frivolous allegations of misconduct present a less compelling basis for disclosure."

The records request is therefore denied.

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 Township of Winslow 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,


Linda L. Kent, RMC
Deputy Municipal Clerk