

From: Rory Moore <opra+request-86101-9dabdd31@requests.opramachine.com>
Sent: Monday, January 19, 2026 8:18 PM
To: OPRA
Subject: OPRA request - This is my second request.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Nutley Township,

Please accept this electronic request for public records made under OPRA and the common law right of access. I am not required to fill out an official form or use a particular software platform to submit my request per NJSA 47:1A-6(f), which states that an email from a requester including all of the information required on the adopted form shall suffice in place of a completed form as a valid government record request.

I HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

I WILL NOT use the requested government records for a commercial purpose.

I AM NOT seeking records in connection with a legal proceeding.

Records requested:

This is my second request. The first request timed out due to my neglect.

This is the same request.

I request a copy of the police body cam on or about Veterans Day 2025 involving Carmine Alessio at the Nutley police station.

I will simplify my request.

RE: UNLAWFUL DENIAL/DELAY OF OPRA REQUEST #[Insert Number] – BWC FOOTAGE

To the Records Custodian:

This letter serves as a formal notice that your continued [denial/delay] regarding the production of Body Worn Camera (BWC) footage constitutes an unlawful denial of access under the Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., and a violation of the NJ Supreme Court's holdings in *North Jersey Media Group v. Township of Lyndhurst*.

1. BWC Footage is a "Required Record" by Law. You are hereby notified that under N.J.S.A. 40A:14-118.5(k), BWC recordings are expressly subject to OPRA. Unlike dashboard cameras (MVRs), BWCs are mandated by statute and Attorney General Directive. Therefore, they fail the "criminal investigatory record" exemption test because they are required by law to be made and maintained. Any attempt to classify this footage as an exempt "investigatory record" is a misapplication of the law.

2. Failure to Meet the "Inimical to Public Interest" Standard Under N.J.S.A. 47:1A-3(a), you cannot withhold records based on an "ongoing investigation" unless you can prove that disclosure would be "inimical to the public interest." Generally, boilerplate claims of "investigative integrity" do not meet the legal threshold established in *Lyndhurst*. You must provide a specific, fact-based explanation as to how the release of this specific video would jeopardize a specific investigation.

3. Notice of Potential Personal Liability Pursuant to N.J.S.A. 47:1A-11, any public official or custodian who is found to have "knowingly and willfully" violated OPRA and unreasonably denied access under the totality of the circumstances shall be subject to a civil penalty of \$1,000 for an initial violation. Your continued refusal to follow clearly established Supreme Court precedent and Attorney General Directives provides evidence of a willful violation.

4. Mandatory Fee Shifting Be advised that OPRA is a fee-shifting statute. If I am forced to file a Summary Action in Superior Court (an "Order to Show Cause") and I prevail, the Township is statutorily required to pay all of my legal fees and court costs (N.J.S.A. 47:1A-6). These fees often reach tens of thousands of dollars, for which the taxpayers of Nutley will be responsible due to your office's non-compliance.

FINAL DEMAND: I demand that the requested records be produced within three (3) business days. If the records are not produced, I will proceed with a formal complaint via the Government Records Council (GRC) or the Superior Court of New Jersey, seeking both the records and the imposition of personal fines against the custodian.

Governing law requires you to redact, not withhold. If there are privacy concerns, blur the faces, but release the record.

I await your immediate compliance.

Rory Moore

My preferred delivery method for response(s) to this request is by email as attachments. Please confirm you have received this request. If you are not the custodian of records, please forward my request to that person and provide their email address to me for future reference.

Yours faithfully,

Rory Moore

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:

opra+request-86101-9dabdd31@requests.opramachine.com

Is OPRA@nutleynj.org the wrong address for OPRA requests to Nutley Township? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3dnutley_township&c=E,1,QKhb0Icw-FT3zBwK_IdM0Q3eQ70sAVyPNF2Hdko_gKOciLvVcfd9Xm1ASj0Apv4UwMzW1fZglxs8T9vpMt6ieXYRQIVMf84YgAM4uOB_or3zknaKZMcPtwn49w,,&typo=1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,dsOsiJgu8Bs3eo4fN6G7Op54lyn8tg_enIXF_PbgwaCyin1Moa664DMp0Z3TR9gyZAY2TZjco-CzFvIRYku6n3vWCs-PSTZWYVeQyQ9ZducXhA17KNn0aQ,,&typo=1

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2ftthis_is_my_second_request&c=E,1,oa1hEW_8Xh2zRJyqUsYIsUgOTGvXBfrXpfuHWEfb-ONfkP2ZBfoTgjpAGSCsHaBQTTSdHvu3jzsNTDCS-RseopWs45g3s3glU_PjdtRiCecppbTgoA,,&typo=1

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

"OPRAmachine's mission is to give people easy and affordable access to New Jersey public records.

For more information, contact us at: (732) 707-1628 or PO Box 3180, New Brunswick, NJ 08903."
