

# Office of the Hunterdon County Prosecutor

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February 19, 2025

## VIA EMAIL

Yourstruly

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RE: Open Public Records Act (OPRA) Request

Dear Yourstruly:

The Hunterdon County Prosecutor's Office (HCPO) is in receipt of your OPRA requests, in which you request, in relevant part:

1. "any and all written notes, and digital notes, reports, documents, CAD on 7/29/2024 from the incident involving a barricaded suspect at the siesta motel 615 us highway 22 whitehouse nj 08889 from officers B. WINDFIELD, B. HANLEY AND T. DREW"; and
2. "Last two training course [sic] for the ARRIVE TOGETHER program. The dates, times, location, speaker and attendance both required and voluntarily."

With regard to your first OPRA request itemized above, please be advised that HCPO has no responsive records. We respectfully suggest that you address your request to the Readington Township Police Department.

Regarding your second OPRA request itemized above, please be advised that HCPO has no responsive records. However, we are disclosing to you HCPO's Arrive Together Program Guidelines.

HCPO kindly reminds you that "OPRA provides that 'government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions.'" Fuster v. Twp. of Chatham, \_\_\_ N.J. \_\_\_, \_\_\_ (2025) (slip op. at 24) (quoting N.J.S.A. 47:1A-1). "To achieve its purpose, OPRA broadly [defines] government records[.]" Ass'n for Governmental Resp., Ethics & Transparency, 478 N.J. Super. 470, 486 (App. Div. 2024), which are subject to public access:

[A]ny paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of his or its official business by any such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof[.]

[N.J.S.A. 47:1A-1.1.]

Although OPRA's broad objective focuses on increasing transparency, the Legislature did not envision citizens having unfettered access to government records. Conley v. N.J. Dep't of Corr., 452 N.J. Super. 605, 610 (App. Div. 2018); see also Bozzi v. City of Jersey City, 248 N.J. 274, 284 (2021) ("The public's right to disclosure, while broad, is not unlimited."). The Legislature recognized the limitation on disclosure through exemptions under OPRA. See N.J.S.A. 47:1A-1.

HCPO asks that you refine your OPRA requests consistent with the authority articulated above. Please be further advised that HCPO may reconsider your request for records upon receipt of a lawfully-issued subpoena, pursuant to Rule 4:14-7, or any other legal request.

HCPO has confined its response to your request to that concerning OPRA — not the common law right of access. Regardless, access under the

common law involves balancing several factors, including a requestor's interest in obtaining the related record(s) against the State's interest in nondisclosure, see Loigman v. Kimmelman, 102 N.J. 98, 103 (1986), which cannot be accomplished here due to a lack of information.

Your OPRA request has been processed in accordance with N.J.S.A. 47:1A-1 et seq. If your request has been denied in whole or in part, HCPO reserves the right to raise any other grounds for denial not raised in this response. The failure of HCPO to assert an exception or privilege herein does not act as a waiver of any ground for denial not raised herein.

Thank you for your attention to this response. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,

RENÉE M. ROBESON  
Hunterdon County Prosecutor

A handwritten signature in black ink, appearing to read 'J. Paravecchia', written in a cursive style.

By: JOSEPH PARAVECCHIA  
First Assistant Prosecutor