



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Order – *In Camera* Review

**Rotimi Owoh, Esq. (On Behalf of African American
Data and Research Institute)**
Complainant

GRC Complaint No. 2021-287

v.

Mountainside Police Department (Union)
Custodial Agency

Custodian of Record: Susan DiFrancesco
Request Received by Custodian: October 19, 2021
GRC Complaint Received: November 10, 2021

Order: The GRC must conduct an *in camera* review of the responsive settlement agreements to determine the validity of the Custodian's assertion that those records were lawfully redacted under OPRA's exemptions for attorney-client privilege, privacy, and personnel records, as well as exemptions pursuant to other State statutes or regulations. N.J.S.A. 47:1A-1 to -10; see Paff v. N.J. Dep't of Labor, Bd. of Review, 379 N.J. Super. 346, 355 (App. Div. 2005). **Thus, the Custodian shall deliver¹ to the Council in a sealed envelope nine (9) copies of the requested unredacted settlements, nine (9) copies of the redacted settlements, and a document or redaction index.²**

This is an Administrative Order requiring compliance within ten (10) business days after receipt thereof. The Custodian shall also simultaneously deliver³ certified confirmation of compliance with this Order, in accordance with N.J. Court Rules, R. 1:4-4,⁴ to the Executive Director.

Effective Date of Disposition: October 3, 2023

Prepared By: Samuel A. Rosado
Staff Attorney

Date: September 26, 2023

Distribution Date: October 5, 2023

¹ The *in camera* records may be sent overnight mail, regular mail, or be hand-delivered, at the discretion of the Custodian, as long as the GRC physically receives them by the deadline.

² The document or redaction index should identify the record and/or each redaction asserted and the lawful basis for the denial.

³ The certified confirmation of compliance, including supporting documentation, may be sent overnight mail, regular mail, e-mail, facsimile, or be hand-delivered, at the discretion of the Custodian, as long as the GRC physically receives it by the deadline.

⁴ "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."