



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 819
TRENTON, NJ 08625-0819

MIKIE SHERRILL
Governor

DR. DALE G. CALDWELL
Lieutenant Governor

JACQUELYN A. SUÁREZ
Commissioner

FINAL DECISION

March 31, 2026 Government Records Council Meeting

Shmuel Edeltuch
Complainant

Complaint No. 2023-66

v.

Township of Lakewood (Ocean)
Custodian of Record

At the March 31, 2026, public meeting, the Government Records Council (“Council”) considered the March 24, 2026, Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that the Custodian lawfully denied access to the records responsive to the Complainant’s January 31, 2023, OPRA request. N.J.S.A. 47:1A-6. . Specifically, the incident in question involved juveniles in which a curbside adjustment was issued. N.J.S.A. 47:1A-9; N.J.S.A. 2A:4A-60; Rivera v. Cliffside Park Police Dep’t (Bergen), GRC Complaint No. 2010-275 (Interim Order dated April 25, 2012); Larry S. Loigman, Esq. (o/b/o Shlomie Klein) v. Township of Lakewood (Ocean), GRC Complaint No. 2021-154 (October 2023). Such juvenile records involving a “stationhouse” or “curbside” adjustment are exempt from disclosure in their totality. N. Jersey Media Grp. v. Evelina, 2014 N.J. Super. Unpub. LEXIS 2747, 33-36 (November 17, 2014).

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St., PO Box 006, Trenton, NJ 08625-0006. Proper service of submissions pursuant to any appeal is to be made to the Council in care of the Executive Director at the State of New Jersey Government Records Council, 101 South Broad Street, PO Box 819, Trenton, NJ 08625-0819.

Final Decision Rendered by the
Government Records Council
On The 31st Day of March 2026

John A. Alexy, Chair
Government Records Council



I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: April 2, 2026

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Executive Director
March 31, 2026 Council Meeting**

**Shmuel Edeltuch¹
Complainant**

GRC Complaint No. 2023-66

v.

**Township of Lakewood (Ocean)²
Custodial Agency**

Records Relevant to Complaint: Surveillance footage from the Lakewood Police Department's ("LPD") Patrol Cars and Body Worn Camera ("BWC") from an incident that occurred at a specific location on January 23, 2023, from approximately 6:20 p.m. to 7:00 p.m.

Custodian of Record: Lauren Kirkman

Request Received by Custodian: January 31, 2023

Response Made by Custodian: February 8, 2023

GRC Complaint Received: March 27, 2023

Background³

Request and Response:

On January 30, 2023, the Complainant submitted an Open Public Records Act ("OPRA") request to the Custodian seeking the above-mentioned records. On February 8, 2023, the Custodian responded in writing denying the subject request pursuant to N.J.S.A. 2A:4A-60.

On February 8, 2023, the Complainant emailed the Custodian asserting that her denial was invalid and unlawful because there was no factual evidence indicating that the involved parties were minors, stating that "it is merely an unfounded assumption." The Complainant stated that, even if minors were involved, any identifying features could be blurred or distorted from the requested footage and disclosed to him. The Complainant further argued that the Custodian's denial was unlawful because the requested footage involved only an interaction with the police and did not involve juveniles who were detained, arrested, or who provided a statement to law enforcement. On February 9, 2023, the Custodian responded in writing, asserting as a basis for the denial the need to protect juveniles and inviting the Complainant to contact the Township Attorney to discuss the matter.

¹ No legal representation listed on record.

² Represented by Steven Secare, Esq. of Secare & Hensel (Toms River, NJ).

³ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Executive Director the submissions necessary and relevant for the adjudication of this complaint.

On February 9, 2023, the Complainant emailed the Custodian, reiterating that juvenile identifying features could be blurred or distorted from the footage to protect their identity. The Complainant posed the question: “if I was the juvenile or the legal guardian of the juvenile in the requested footage what would be the course of action for me to obtain the footage?”

On March 2, 2023, the Complainant emailed the Custodian requesting an internal review on the handling of his OPRA request. The Complainant reiterated for a third time that the identifying features of juveniles involved could be blurred or distorted and that any audio can be suppressed.

Denial of Access Complaint:

On March 27, 2023, the Complainant filed a Denial of Access Complaint with the Government Records Council (“GRC”). The Complainant asserted that the Custodian unlawfully denied him access to the requested records. The Complainant attached copies of his communications with the Custodian, outlined above, to his Denial of Access Complaint.

Statement of Information:

On April 17, 2023, the Custodian filed a Statement of Information (“SOI”) attaching legal certifications from Sergeant Peter LaRosa, and Chief of Police Gregory Meyer. The Custodian certified that she received the Complainant’s OPRA request on January 31, 2023. The Custodian certified that her search included forwarding the OPRA request to the LPD, where Sgt. LaRosa reviewed the applicable incident report and noted that it involved various minors. The Custodian further certified that BWC footage and dash camera footage involving minors was noted on the server. The Custodian certified that she responded in writing on February 8, 2023, denying the OPRA request under the juvenile records exemption. N.J.S.A. 2A:4A-60. The Custodian noted that, in a series of communications with the Complainant, she maintained the denial for the reasons stated in her e-mails to the Complainant.

The Custodian argued that the requested footage was exempt from disclosure because it involved statements from and interactions with multiple juveniles at a local educational institution. See LaRosa Cert. ¶ 3; Meyer Cert. ¶ 4. The Custodian contended that she lawfully denied access to the responsive records pursuant to N.J.S.A. 47:1A-1.1; N.J.S.A. 2A:4A-60; and Paff v. Ocean Cnty. Prosecutor’s Off., 2014 N.J. Super. Unpub. LEXIS 189 (App. Div. 2014). The Custodian also argued that the Ocean County Prosecutor’s Office (“OCPO”) also has a directive wholly barring disclosure of juvenile information. The Custodian further stated that, according to OCPO, the responsive records could not be released “at all, blurred or otherwise.” See LaRosa Cert. ¶ 3. The Custodian, relying on Loigman v. Kimmelman, 102 N.J. 98 (1986), argued that the responsive records were not releasable under common law because the Complainant did not establish an interest in the subject matter of the material and a citizen’s right to access must be balanced against the State’s interest in preventing disclosure. See LaRosa Cert. ¶ 3.

Additional Submissions:

On June 12, 2025, the GRC sent a request for additional information to the Custodian. The

GRC sought clarification regarding the nature of the underlying incident and whether it involved a juvenile that was ultimately charged as a delinquent or involved in a juvenile-family crisis.

On June 17, 2025, the Custodian responded, attaching legal certifications from Sgt. LaRosa, Chief Meyer, and the Custodian. The Custodian, along with Sgt. LaRosa and Chief Meyer, certified that the subject incident involved a call received by the LPD regarding juveniles in family crisis in front of and on the grounds of a local Yeshiva (school). See Kirkman Cert. ¶ 5; LaRosa Cert. ¶ 5; Meyer Cert. ¶ 5. The Custodian, Sgt. La Rosa and Chief Meyer further certified that the activities at issue posed a threat to the safety and well-being of the juveniles’ involved as well as the public. Id. They further certified that the subject incident included acts of juvenile delinquency resulting in the detainment of the juveniles involved, who were subsequently “remanded to the custody of either their parents or guardians with further action regarding this family crisis taken by the juvenile’s Rabbi, parents and/or guardians as well as the Yeshiva directly.” See Kirkman Cert. ¶ 6; LaRosa Cert. ¶ 6; Meyer Cert. ¶ 6. The Custodian certified that this process is known as a “curbside adjustment.” Id.

Analysis

Unlawful Denial of Access

OPRA provides that government records made, maintained, kept on file, or received by a public agency in the course of its official business are subject to public access unless otherwise exempt. N.J.S.A. 47:1A-1.1. A custodian must release all records responsive to an OPRA request “with certain exceptions.” N.J.S.A. 47:1A-1. Additionally, OPRA places the burden on a custodian to prove that a denial of access to records is lawful pursuant to N.J.S.A. 47:1A-6.

OPRA also provides that its provisions:

[S]hall not abrogate any exemption of a public record or government record from public access heretofore made pursuant to [OPRA]; *any other statute*; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any federal law; federal regulation; or federal order.

[N.J.S.A. 47:1A-9(a) (emphasis added).]

To this end, N.J.S.A. 2A:4A-60 provides that:

Social, medical, psychological, legal and other records of the court and probation division, and *records of law enforcement agencies*, pertaining to *juveniles charged as a delinquent* or found to be part of a juvenile-family crisis, *shall be strictly safeguarded from public inspection.*

[Id. (emphasis added).]

In Rivera v. Cliffside Park Police Dep't (Bergen), GRC Complaint No. 2010-275 (Interim Order dated April 25, 2012), the complainant sought multiple records inclusive of two (2) use of force reports. In the SOI, the custodian identified the responsive reports as juvenile records and argued they were exempt from disclosure under N.J.S.A. 2A:4A-60. The Council agreed, finding that the custodian lawfully denied access to said reports. Id. at 11. The Council reached similar conclusions where a requestor sought BWC footage related to a juvenile delinquency incident. See Dericks (O.B.O. TAPintoSparta.net) v. Sparta Twp. (Sussex), GRC Complaint No. 2016-227 (September 2017); Frega v. Twp. of Lacey (Ocean), GRC Complaint No. 2019-71 (Final Decision dated August 25, 2020); In re Release of Juveniles' Identities to Wise, 204 N.J. Super. 71, 72 (Super. Ct. 1985): (“The obvious intent of the Legislature is that disclosure of juvenile records is to be the exception, not the rule.”).

Further, in N. Jersey Media Grp. v. Evelina, 2014 N.J. Super. Unpub. LEXIS 2747 (November 17, 2014), plaintiff’s action stemmed from an OPRA request seeking various records related to an incident at Teaneck High School. That incident, described as a “high school senior ‘prank,’” resulted in the apprehension of multiple high school students who were subsequently either charged as juvenile delinquents or given a stationhouse adjustment. Defendant responded either disclosing responsive records, some with redactions, or denying access to others on multiple bases, including N.J.S.A. 2A:4A-60. The juvenile delinquency exemption was at the center of the plaintiff’s dispute that defendant unlawfully redacted disclosed Incident Report Narratives. The court held that defendants lawfully redacted responsive reports, reasoning that:

It seems anomalous if not unjust that only juveniles charged as delinquents are protected from OPRA, while those who were fortunate enough to receive lesser punishment, in the form of stationhouse adjustments, would be forced to bear the stigma sought to be avoided by the drafters of N.J.S.A. 2A:4A-60 and the guidelines. A strict reading of the applicable statute . . . in conjunction with OPRA would lead to the illogical result of only protecting juveniles charged as delinquents, not those who are afforded a “stationhouse adjustment.” The stationhouse adjustment was designed to benefit first-time juvenile offenders and to keep them out of police records. As such, this is an instance where the underlying purpose of the statute must predominate over the literal words. The court cannot discern or conjure a logical reason why those charged with a lesser offense would be afforded lesser confidentiality protections.

Illustrative of this anomaly is that a literal reading of OPRA would exclude a juvenile’s stationhouse adjustment form from the criminal investigatory exception and be [publicly] available under OPRA as N.J.S.A. 2A:4A-60 only references those “juveniles charged as a delinquent.” Attorney General guidelines have been held to carry the force of law with respect to the duties they place on law enforcement agencies. . . . The Attorney General guidelines for stationhouse adjustments (the “guideline”) mandates “[a]ll municipal and other law enforcement agencies having patrol jurisdiction within the State of New Jersey shall make stationhouse adjustments available as a method of handling minor juvenile delinquency offenses within their jurisdiction.” In addition, the guideline states “[t]he law enforcement officer shall complete a stationhouse adjustment form

which must be signed by the juvenile and a parent or guardian/caregiver or designee.” As such, the guideline imposes mandatory duties on law enforcement to make a stationhouse adjustment available and as such, the guideline carries the force of law.

A strict reading of OPRA in conjunction with N.J.S.A. 2A:4A-60 and other available statutes would result in public access to all stationhouse adjustment documents retained by the police, which clearly appears to be incongruous. Rather, both categories of juveniles should have their law enforcement records protected from public access and be afforded the opportunity for rehabilitation. As the guideline requires that stationhouse adjustment forms be made, they are not covered by the criminal investigatory exemption and would be accessible to the public. Such a result would be unjust and illogical By reading N.J.S.A. 2A:4A-60 and N.J.A.C. 13:94-1.5, as they pertain to exempting documents from OPRA, to include stationhouse adjustments under the umbrella of “juvenile charged as a delinquent” the anomaly is avoided and as such, is the determination of the court.

[Id. at 33-36 (citations omitted)].

More recently, in Loigman, Esq. (o/b/o Shlomie Klein) v. Township of Lakewood (Ocean), GRC Complaint No. 2021-154 (October 2023), the Council addressed the issue of whether juvenile records involving a “stationhouse adjustment” should be treated the same as records regarding a juvenile delinquent by requiring nondisclosure in their entirety. In that matter, the complainant sought access to several types of records relating to an incident involving multiple juveniles who received a curbside warning and were ultimately transferred and released to their parents. The custodian denied access to the subject records under the “investigation in progress exemption.” Thereafter, the complainant resubmitted his request, which the custodian denied under N.J.S.A. 2A:4A-60. In the SOI, the custodian maintained her position that the subject records were exempt from disclosure as juvenile delinquency records as those involved were transported and released to their parents or received a curbside warning. N.J.S.A. 2A:4A-60. The complainant refuted the custodian’s denial arguing that the records should have been redacted to remove nondisclosable information. The Council found the custodian’s denial of access was lawful and in accordance with N. Jersey Media Grp., 2014 N.J. Super. Unpub. LEXIS 2747, which held that juvenile records involving a “stationhouse adjustment” should be treated the same as records regarding a juvenile delinquent which requires nondisclosure in their totality.

Here, the Complainant sought access to surveillance footage from the LPD’s Patrol Cars and BWC from a January 23, 2023 incident that occurred at a specific location. The Custodian denied access to the requested records pursuant to N.J.S.A. 2A:4A-60, applicable to OPRA by operation of N.J.S.A. 47:1A-9(a). In the Denial of Access Complaint, the Complainant disputed the denial because there was no factual evidence indicating that the involved parties were minors. In the SOI, the Custodian certified that the responsive records were exempt from disclosure as juvenile delinquency records under N.J.S.A. 2A:4A-60 because the subject footage contained statements from, and interactions with, multiple juveniles. The Custodian, along with Sgt. LaRosa and Chief Meyer, subsequently certified that the underlying incident stemmed from a call to the LPD regarding juveniles in family crisis in front of and on the grounds of a local Yeshiva and

included acts of juvenile delinquency. The Custodian certified that the incident resulted in the juveniles undergoing a “curbside adjustment.”

After reviewing the evidence of record, the GRC finds that the facts of the subject complaint are on point with N. Jersey Media Grp., 2014 N.J. Super. Unpub. LEXIS 2747, and Loigman, GRC 2021-154. Specifically, the incident in question involved juveniles in which a “curbside adjustment” was issued. Such juvenile records involving a “stationhouse” or “curbside” adjustment are exempt from disclosure in their totality per existing case law; thus, a similar holding here is appropriate.

Accordingly, the Custodian lawfully denied access to the records responsive to the Complainant’s January 31, 2023, OPRA request. N.J.S.A. 47:1A-6. Specifically, the incident in question involved juveniles in which a curbside adjustment was issued. N.J.S.A. 47:1A-9; N.J.S.A. 2A:4A-60; Rivera, GRC 2010-275; Loigman, GRC 2021-154. Such juvenile records involving a “stationhouse” or “curbside” adjustment are exempt from disclosure in their totality. N. Jersey Media Grp., 2014 N.J. Super. Unpub. LEXIS 2747, 33-36.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that the Custodian lawfully denied access to the records responsive to the Complainant’s January 31, 2023, OPRA request. N.J.S.A. 47:1A-6. . Specifically, the incident in question involved juveniles in which a curbside adjustment was issued. N.J.S.A. 47:1A-9; N.J.S.A. 2A:4A-60; Rivera v. Cliffside Park Police Dep’t (Bergen), GRC Complaint No. 2010-275 (Interim Order dated April 25, 2012); Larry S. Loigman, Esq. (o/b/o Shlomie Klein) v. Township of Lakewood (Ocean), GRC Complaint No. 2021-154 (October 2023). Such juvenile records involving a “stationhouse” or “curbside” adjustment are exempt from disclosure in their totality. N. Jersey Media Grp. v. Evelina, 2014 N.J. Super. Unpub. LEXIS 2747, 33-36 (November 17, 2014).

Prepared By: Frank F. Caruso
Executive Director

March 24, 2026