



John Paff <opengovtissues@gmail.com>

Records Request to Mercer County

1 message

John Paff <paff@pobox.com>

Fri, Dec 19, 2014 at 12:50 PM

To: padezio@mercercounty.org, "Ricketts, Anneka" <aricketts@mercercounty.org>

Please accept this e-mail/fax as my request under the Open Public Records Act (OPRA) and the common law right of access. Please send all responses and responsive records to me via e-mail to paff@pobox.com. Thank you.

Background:

Recently the county sent me a redacted copy of the complaint against Corrections Officer Ronald McArthur, which is on-line [here](#) for your ready reference. I question whether McArthur's a) home address and b) date of birth were properly redacted from the record.

As for the home address, my experience is that law enforcement generally has no trouble releasing the full home addresses of those charged with offenses. See, e.g. the "overnight press release" issued by Bridgeton Police Chief Mark W. Ott which is on-line [here](#) and note that home addresses of both persons charged were disclosed. I don't understand the rationale for Mercer electing to redact McArthur's address.

As for the birth date, I know of no other instance in which a person's date of birth is considered confidential.

While I strongly believe that I am entitled to a copy of the summons/complaint with both McArthur's address and date of birth fully unredacted, I ask that if you still maintain that your redaction decisions were correct, please at least consider more narrowly redacting the address and date of birth.

Records requested:

A copy of Complaint - Summons 1106-S-2012-000051, State v. McArthur

*John Paff
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COUNTY COUNSEL

December 22, 2014

Via email only
Mr. John Paff
PO Box 5424
Somerset, NJ 08875

RE: OPRA Request-IA incident (April 2012)

Dear Mr. Paff:

This office serves as the custodian of records for the County of Mercer under the New Jersey Open Public Records Act (OPRA). I am in receipt of your December 19, 2014 e-mail, in which you seek certain clarification.

The individual in question is a County corrections officer, and involved in law enforcement. As such, the redaction by this office of the employee's home address for safety considerations is understandable; the employee's date of birth is also personnel related and exempt from disclosure. *See generally, N.J.S.A. 47:1A-1, -10.*

You may consider submitting an OPRA request to the municipal court that issued the subject criminal complaint.

Please call me with any questions. Thank you.

Yours truly,

Arthur R. Sypek, Jr.
Mercer County Counsel

By: Paul R. Adezio
Deputy County Counsel

PRA/tbg