PashmanStein

October 16, 2015

Via Fax (609-984-5949) and Email
Bruce J. Solomon
Deputy Attorney General
L&PS Custodian of Records
Office of the Attorney General
P.O. Box 081
Trenton, New Jersey 08625-0081

Re: **John Paff's OPRA Requests W100796 and W100798**
Our File No. 9932-006

Dear Mr. Solomon:

This firm represents John Paff. We were fully prepared to file a Verified Complaint and Order to Show Cause today regarding the above-referenced OPRA requests. However, Mr. Paff read an article by NJ Advance Media stating that unnamed law enforcement officers have leaked the identities of the Trooper and County Sheriff's Officer who shot Radazz Hearns. See "Officers Identified in Shooting of Trenton Teen Accused of Pulling Gun," NJ Advance Media (Oct. 16, 2015), available online at http://www.nj.com/mercer/index.ssf/2015/10/officers_involved_in_shooting_of_trenton_teen_iden.html. In this article, however, the spokesperson for the Attorney General's Office refuses to confirm that the officers identified were actually involved.

Please consider this a demand that the Attorney General's Office immediately confirm that the law enforcement officers identified by NJ Advance Media are indeed those who shot Radazz Hearns. Please fully respond to Mr. Paff's prior OPRA requests (W100796 and W100798) by releasing all Section 10 information and police reports that contain the identities of the officers. **Additionally, please consider this a new OPRA request for all information enumerated in N.J.S.A. 47:1A-3(b).**

If we do not receive responsive information from you by Monday at 1 p.m., we will be forced to file our Verified Complaint to seek this information to which Mr. Paff is statutorily entitled.

Respectfully Submitted,

CJ Griffin, Esq.

cc: Raymond Chance, Esq. (via email)

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JOHN J. HOFFMAN
Acting Attorney General

October 16, 2015

Via e-mail (cgriffin@pashmanstein.com)

C.J. Griffin, Esquire
Pashman Stein, P.C.
21 Main Street - Suite 200
Hackensack, N.J. 07601

Re: Paff OPRA Requests 100796 & 100798

Dear Ms. Griffin:

We have reviewed your letter of October 16 and found it to be legally and factually meritless. Your position, as we understand it, is that even though the Attorney General's Office may lawfully withhold the identities of police officers who are involved in shooting incidents, unless and until such officers are charged with a crime, we must nevertheless confirm or deny press reports that purport to identify those officers by name. No authority exists for such a position. This Office has released to your client all information about the incident in question that we are required to provide pursuant to N.J.S.A. 47:1A-3(b) and all relevant documents in existence at the time of your client's request that are subject to disclosure under the Open Public Records Act.

You may, of course, take any step you believe appropriate in service of your client. Should you file an action that lacks evidentiary support or asserts claims that are not warranted by existing law or a non-frivolous argument for modification of existing law, this Office will avail itself of its rights under applicable court rules and procedures.

Sincerely,

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: _____
Ryan C. Atkinson
Deputy Attorney General