

CJ Griffin Quoted in New Jersey Monitor Regarding the State Appellate’s Recent Ruling about the County Prosecutors Association of New Jersey and their Accountability under OPRA

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CJ Griffin, Director of the Justice Gary S. Stein Public Interest Center at Pashman Stein Walder Hayden, was quoted in a New Jersey Monitor article “Transparency advocates lose case over prosecutor group’s records.” The article discusses a state appellate panel ruling that the County Prosecutors Association of New Jersey doesn’t have to release records the American Civil Liberties Union of New Jersey sought under the state’s public records laws.

“This is a disappointing decision that could open the door to all sorts of government officials evading OPRA by using nonprofit organizations to do business — and still using the resources of the government to run those organizations,” said attorney CJ Griffin, who specializes in transparency work.

County prosecutors also used government-issued email and video-conferencing platforms and tasked their staffs to carry out association business, Griffin said. They also worked on association business on public time, with the Mercer County prosecutor’s office representing the association in the ACLU’s case, she added.

“The association used government attorneys to defend themselves, and no other nonprofit organization would ever be able to use the county prosecutor’s office as their personal law firm for free,” Griffin told the New Jersey Monitor. “It raises serious questions to me whether public officials can use their offices and taxpayer dollars for private organizations, and whether there’s ethics laws at issue there.”

The ruling seemingly contradicts a 2011 state Supreme Court decision that declared the New Jersey League of Municipalities a public entity subject to disclosure requirements, Griffin said. Unlike the association, the league was authorized by state statute, according to its website. But like the association, it's a voluntary organization whose members are government officials who carry out public business.

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