

CJ Griffin Quoted in The Star Ledger Discussing NJ Supreme Court Rulings Resulting in Significant Expansion of Police Transparency in New Jersey

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CJ Griffin, Director of the Justice Gary S. Stein Public Interest Center at Pashman Stein Walder Hayden, was quoted in *The Star Ledger* article, “N.J. Supreme Court decision could open police internal affairs reports.” The article discusses the recent New Jersey Supreme Court victory in which Griffin represented the plaintiff seeking the internal affairs records of the director of the Elizabeth Police Department who had been found to violate Elizabeth’s anti-discrimination and anti-harassment policies. While acknowledging that police internal affairs reports are not subject to the Open Public Records Act, the NJ Supreme Court held that such reports should be released under the common law right of access. The Court also set forth factors that public agencies and trial courts should consider when deciding whether to release internal affairs reports. The court reversed the Appellate Court decision and ordered the trial court to release the records, with appropriate redactions.

CJ Griffin, an attorney who argued the case, said it’s a landmark decision, and while New Jersey as a whole still lags behind others in public disclosure, “This is a tremendous advance in transparency.”

The decision is key because, “common law can be very powerful law,” Griffin said.

Griffin likened it to the Supreme Court’s Lyndhurst decision, in 2017, which uncloaked police dash camera footage using common law, and now such footage is regularly released to the public upon request.

With this, the Cosgrove decision, Griffin does not see it being used for minor internal affairs matters, as the high court signaled.

However, “I hope [law enforcement] agencies will take it seriously. If not, we’ll sue them in trial court,” Griffin said bluntly.

The Cosgrove decision comes after another public records win, last week, that Griffin also argued, in which the Supreme Court ruled that Cumberland County must disclose its settlement agreement with a corrections officer who was charged administratively with wrongdoing, but later retired in good standing after cooperating with investigators.

Griffin represented Libertarians for Transparent Government in that case.

“Looking at them together, this is a significant expansion of [police transparency in New Jersey],” Griffin said.

“It’s a sea change from a week and a day ago.”

To view the full article on nj.com, click here.

<https://www.nj.com/news/2022/03/nj-supreme-court-decision-could-open-police-internal-affairs-reports.html>

