

CJ Griffin's Quoted in Northjersey.com Article Regarding Recent NJ Supreme Court OPRA Case

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CJ Griffin

News

9.20.21

CJ Griffin, Director of the Justice Gary S. Stein Public Interest Center at Pashman Stein Walder Hayden, was quoted in the northjersey.com article, "Why was a Woodland Park cop suspended? The borough doesn't need to reveal details - yet." The article discusses the denial of Woodland Park residents' request under the Open Public Records Act (OPRA) for a copy of the settlement agreement containing the circumstances and details of the suspension of a Woodland Park police officer. The article includes quotes from Griffin as well as excerpts from Griffin's brief in the case of *Libertarians for Transparent Government vs. Cumberland County*, which case was argued by Griffin before the New Jersey Supreme Court on September 14, 2021. The *Libertarians* case addresses whether a settlement agreement between a county government and a former employee resolving an internal disciplinary action against the employee is considered a government record—and not a personnel file—under Section 10 of the Open Public Records Act and therefore subject to disclosure under OPRA.

Ostensibly, Libertarians for Transparent Government vs. Cumberland County is about the public's right to see a termination-of-employment agreement, but its implications are much wider, plaintiff's attorney CJ Griffin, a transparency advocate, argued.

"The decision will have a larger impact – it will apply to all government employees, including police officers," Griffin said, adding, "This case provides the court the opportunity to ensure that police misconduct is not swept under the rug."...

Griffin, the open public records advocate, argued the Cumberland County case before the state Supreme Court on Tuesday.

A key aspect of her argument is that OPRA requires public contracts to be made public. This is in direct conflict with OPRA's exemption on releasing personnel records.

The case involves a separation agreement between Cumberland County and a corrections officer who admitted to sexually abusing inmates but was permitted to retire in good standing with his pension. However, it serves a broader public purpose, she said.

Allowing the public to read the contract also "allows the public to determine whether the public agency was reasonable in agreeing to the terms or whether agencies are failing to ensure proper accountability for public employees," Griffin argued on behalf her fellow public right-to-know advocate, John Paff, in the brief submitted to the court.

Paff's Libertarians for Transparent Government is the plaintiff in the Cumberland case.

Asked if Woodland Park had overstepped, both Griffin and Paff said that the current ruling by the appellate division keeps personnel matters under wraps. That needs to change, they said, because releasing documents involving serious police disciplinary actions is in the public's interest.

"It is absurd that we wouldn't get these agreements because they are contracts with a public employee and they often provide the employee money, etc." Griffin said.

It could take months, or up to two years, to get a ruling from New Jersey's highest court, Griffin noted.

She said the exemption for such records has an added level of absurdity, because the state attorney general has published a list of officers and departments disciplined in 2020 in a move toward greater transparency.

To view the full article, [click here](#).