

## Pashman Stein Walder Hayden P.C. Media Law Attorneys Obtain Landmark Supreme Court Ruling in Favor of Police Transparency

### RELATED ATTORNEYS

Jennifer A. Borg  
CJ Griffin  
Samuel J. Samaro

### RELATED PRACTICE AREAS

Media Law

News

7.17.17

The Supreme Court of New Jersey has issued a landmark ruling in an Open Public Records Act (OPRA) case argued by the Media Law division at Pashman Stein Walder Hayden P.C. (PSWH) involving public records relating to a police-involved shooting. In a decision written by Chief Justice Stuart Rabner, the Court unanimously ruled that use of force reports, the names of officers involved in the shooting, and dash camera footage of the incident should be released.

“This was a big win for the public’s right to know,” said PSWH’s Sam Samaro, lead counsel on the case. “It was our view that the public’s interest in disclosure of vital information trumps the State’s need for secrecy. Furthermore, nondisclosure of dash cam videos and police records relating to police-involved shootings undermines confidence in law enforcement. It was gratifying to see that the Court agreed.”

The case, titled “North Jersey Media Group Inc. vs. Township of Lyndhurst,” began when reporters of *The Record* sought to obtain police use of force reports and other records relating to a police chase and fatal shooting of Kashad Ashford in 2014. The OPRA request was denied and the New Jersey Attorney General’s Office took a firm stance that records related to police-involved shootings and the names of officers who shoot suspects are confidential. While the trial court ruled that the records and information must be released, the Appellate Division reversed the decision and, in doing so, shut down access to nearly all police records.

Eventually, bolstered by the Appellate Division’s ruling in this case, the Attorney General’s Office began denying access to use of force reports and the names of officers who were involved in even very minor uses of force. The Supreme Court’s decision will reverse that

policy, as it ruled that use of force reports and the names of officers who use force should generally be accessible in most cases.

“For three years the public has not been able to monitor which police officers have been using force against citizens,” said CJ Griffin of PSWH, who also worked on this case. This restores transparency,” she added.

**Other coverage and related articles:**

*NY Times*: “We Have Police Videos. Now What?”

*US News & World Report*: “State High Court: Release Video in Fatal Police Shooting”

*NorthJersey.com*: “Editorial: Court upheld public’s right to know”

*Daily Record*: “Editorial: “Dash-cam ruling a big win for public access”

*Philly.com*: “Opinion: Police doing their jobs right shouldn’t be shy about being photographed”

Our firm is proud of the results it has achieved for clients, some of which are noted here. Of course, each legal matter is unique on many levels, and past successes are not a guarantee of results in any other pending or future matters