Sunshine Week: Rich Rivera

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Today's Sunshine Week profile features Rich Rivera, a police practices expert who uses OPRA to monitor police misconduct and the use of force by police officers on citizens. Mr. Rivera is the Chairman of the Latino Leadership Alliance of New Jersey's Civil Rights Protection Project, which addresses the community's needs relating to police services and police interactions. He is a former Board Member of the ACLU of New Jersey, where he co-authored the report "The Crisis Inside Police Internal Affairs." Pashman Stein has litigated several cases on Mr. Rivera's behalf.

Interview with Rich Rivera:

1. **When and how did you initially become interested in the open government movement?**

In the late 1990s, when I began researching policing in New Jersey.

2. **What types of government records or open government issues interest you most?**

Anything relating to policing, as well as government efficiency and draconian government policies. All of my requests are made to work towards reform and government transparency.

3. **How many OPRA requests do you file a year? How many times would you estimate the public agency violates OPRA? Of those, how many do you actually litigate?**

I file over 100 requests each year. Custodians violate OPRA in about half of my requests, but I litigate about five instances a year. So overwhelmingly, the violations go unchecked. I gave up on GRC complaints more than 5 years ago and file exclusively in Superior Court now, where you get results faster.

4. **If you could persuade the Legislature to amend OPRA, what would be your top suggestions?**

I would ask the legislature to give some teeth to upholding public records access and to develop penalties for the unlawful destruction of public records. As it stands, there are some entities that purge records after public access requests and that's simply a crime. But, an OPRA requester has no real recourse when that occurs.