



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

FINAL DECISION

January 25, 2022 Government Records Council Meeting

Adam C. Miller
Complainant

Complaint No. 2018-313

v.

Township of Lawrence (Mercer)
Custodian of Record

At the January 25, 2022 public meeting, the Government Records Council (“Council”) considered the January 18, 2022, Supplemental Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that this complaint should be dismissed because the Complainant failed to appear at an Office of Administrative Law scheduled hearing on December 14, 2021, and further failed to submit to the GRC an explanation for his failure to appear within thirteen (13) days. N.J.A.C. 1:1-18.4(a). Thus, no further adjudication is required.

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St., PO Box 006, Trenton, NJ 08625-0006. Proper service of submissions pursuant to any appeal is to be made to the Council in care of the Executive Director at the State of New Jersey Government Records Council, 101 South Broad Street, PO Box 819, Trenton, NJ 08625-0819.

Final Decision Rendered by the
Government Records Council
On The 25th Day of January 2022

Robin Berg Tabakin, Esq., Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: January 27, 2022



**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Supplemental Findings and Recommendations of the Executive Director
January 25, 2022 Council Meeting**

Adam C. Miller¹
Complainant

GRC Complaint No. 2018-313

v.

Township of Lawrence (Mercer)²
Custodial Agency

Records Relevant to Complaint: See attached Exhibit A

Custodian of Record: Kathleen S. Norcia
Request Received by Custodian: October 25, 2018
Response Made by Custodian: October 30, 2018
GRC Complaint Received: December 26, 2018

Background

March 30, 2021 Council Meeting:

At its March 30, 2021 public meeting, the Government Records Council (“Council”) considered the March 23, 2021 Supplemental Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, found that:

1. The Custodian has not complied with the terms of the Council’s April 28, 2020 Interim Order because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance in accordance with R. 1:4-4, to the Executive Director. The Council therefore finds the Custodian in violation of the Council’s Order.

2. “The Council shall, pursuant to New Jersey Rules Governing the Courts, *R.* 4:67-6, have the authority to enforce compliance with the orders and decisions issued by the Council.” N.J.A.C. 5:105-2.9(c). Therefore, the Council’s April 28, 2020 Interim Order is enforceable in the Superior Court if the Complainant chooses that option. R. 4:67-6. As this complaint should be referred to the Office of Administrative Law for the limited purposes described below, the Council emphasizes that the issue as to

¹ No legal representation listed on record.

² Represented by David M. Roskos, Esq., of Eckert Seamans Cherin & Mellott, LLC (Princeton, NJ).

disclosure of records has already been determined by the Council, and thus is not an outstanding issue before the Office of Administrative Law.

3. The Custodian violated OPRA because she failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant's possession, was lawful. The Custodian also violated OPRA because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance to the Executive Director. The Council therefore finds the Custodian in violation of the Council's Order and concludes that the Custodian's actions may be intentional and deliberate, with knowledge of their wrongfulness, and not merely negligent, heedless or unintentional. As such, this complaint should be referred to the Office of Administrative Law for a proof hearing to determine whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances.

Procedural History

On March 31, 2021, the Council distributed its March 30, 2021 Interim Order to the parties. On April 16, 2021, the Custodian's Counsel e-mailed a letter to the Executive Director with an attached certification from the Custodian that Counsel stated was in "compliance with the GRC's earlier orders." On September 8, 2021, the GRC transmitted the complaint to the Office of Administrative Law ("OAL").³ On December 23, 2021, the complaint was transmitted back from the OAL because the Complainant failed to appear for a scheduled hearing on December 14, 2021. The Complainant failed to submit to the GRC an explanation for his failure to appear within thirteen (13) days. N.J.A.C. 1:1-18.4(a).

Analysis

No analysis required.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that this complaint should be dismissed because the Complainant failed to appear at an Office of Administrative Law scheduled hearing on December 14, 2021, and further failed to submit to the GRC an explanation for his failure to appear within thirteen (13) days. N.J.A.C. 1:1-18.4(a). Thus, no further adjudication is required.

Prepared By: John E. Stewart

Dated: January 18, 2022

³ On September 22, 2021, Custodian's Counsel e-mailed the GRC with a letter attachment requesting that the September 8, 2021 referral of the complaint to the OAL be reconsidered. On October 6, 2021, the GRC notified the Custodian's Counsel that the GRC declined to seek the return of the complaint from the OAL because pursuant to N.J.A.C. 5:105-2.10(b), the request was filed out of time. On January 6, 2022, Custodian's Counsel submitted a request for reconsideration of the Council's March 30, 2021 decision and was again denied because same was not filed within time. Id.

EXHIBIT A

1. All authentic records maintained by the Lawrence Township Police Department documenting any claimed violation(s) of a temporary and/or final restraining order identifying "ADAM MILLER" and/or "ADAM C. MILLER" as the defendant that were alleged to occur in the jurisdiction of the Township of Lawrence on or about October 5, 2017.

2. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of the contents of the letter identified with the alphanumeric "CFS# 17-27548" that is described on "Page: 2" of a Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017". The record of the contents of that envelope necessarily contains facsimiles of exactly seven pages transmit via US mails from Adelphia, NJ in a plain white envelope postmarked prior to September 6, 2017. An incorrect record of the contents of that letter was observed on one or more discovery documents. Furthermore, the Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017" incorrectly claims "The letter contained the same items as the letter hand delivered to Anagha's sister", which is a claim that is provably false. The record requested herein would necessarily indicate if the letter provided to Detective Sean A. Kerins by "ANAGHA SREENIVASAN" on September 8, 2018 was opened prior to submission.

3. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the CFS#, if applicable, of the letter allegedly provided to the sister of "ANAGHA SREENIVASAN" on September 3, 2017 that is incorrectly described on "Page: 1" of the Lawrence Township Police report numbered 17-27548-AR dated "09/06/2017", wherein the materials allegedly found in that letter described as "4 documents" were comprised of 6 pages. However, the September 3, 2017 letter did contain exactly 8 pages. No CFS# associated with that letter is found in any Lawrence Township Police document or court record despite references to that letter appearing on no less than 7 of the 52 pages of discovery documents. The record requested herein would necessarily provide copies of all 8 pages contained within that letter.

4. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division obtained from either one or both of the electronic devices that were seized from this requestor and inventoried by both the Lawrence Township Police Department and the Lawrence Township Police Investigations Division on September 6 and September 7, 2018, therein containing the genuine photographic record of the contents of the two letters alleged to contain identical sets of documents as claimed on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR, dated "09/25/2017" and identified "SUPPLEMENTAL NARRATIVE FOR DETECTIVE SEAN A. KERINS".

5. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division of the document identified as "Item Number: 003" and entitled miranda waiver as identified on Page 2 of 2 of a discovery document entitled "Lawrence Township Police Department Property Sheet" that is dated 9/6/2017. The record requested herein would necessarily bear the signature of this requestor.

6. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on a "DVD" identified "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that is described as the audio and video recording of "ADAM C MILLER" and/or "ADAM MILLER" reading and signing a "Lawrence Township Voluntary Consent to Search Form" at unspecified time on September 6, 2017 that did permit Detective Sean A. Kerins "permission to search hi (sic) iPhone". This record may include both audio and video content and can be prepared on any format legally permitted to be provided to this requestor.

7. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on "two Blue Ray DVDs" identified on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that describes "Detective Hughes, MCPD" as having provided Detective Sean A. Kerins "two Blue Ray DVDs containing data and files recovered from iPhone". This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

8. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the "CFS# number associated with the iPhone seized from "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by Detective Sean A. Kerins.

9. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with any Lawrence Township Police Department report dated prior to September 6, 2017 and modified thereafter, dated on September 6, 2017, or dated after September 6, 2017, wherein any document(s), record(s) and/or thing(s) containing information obtained from the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

10. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all electronic communications conducted on September 6, 2017 and thereafter between the Mercer County Prosecutor's Office and the Lawrence Township Police Investigations Division regarding the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

11. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50gb BD-R containing HTML report disc from apple A1687" identified on Page 1 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

12. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50GB BD-R containing Data/RAW Image from Apple A1687" identified on Page 2 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

13. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any modifications specifically made to the contacts list and/or other titled leger of stored phone numbers on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This request does follow from the remarkable absence of the single phone number associated with the name "EMILY

HAKKINEN" in that contacts list first observed on September 11, 2017 after the electronic device identified as an IPHONE S MODEL A1687 was returned to this requestor.

14. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division documenting the identity of any and all female individuals whose contact information, photographs, home address(es), and/or other confidential information was recorded by Detective Sean A. Kerins of the Lawrence Township Police Investigations Division following from analysis of the record of the data stored on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried by same on September 6, 2017. The records described herein follow from multiple statements made directly to this requestor by Detective Sean A. Kerins on September 6, 2017 that did allege that "ADAM C MILLER" and/or "ADAM MILLER" was sexually involved with multiple women that was further claimed by Kerins to be directly related to employment as a personal trainer. Furthermore, this requestor did not possess the electronic device identified as an IPHONE S MODEL A1687 until September 11, 2017 despite the claim made by Detective Sean A. Kerins that the iphone would be returned on September 7, 2018. Between September 7, 2018 and September 11, 2018, Detective Sean A. Kerins did not respond to emails or phone calls placed by this requestor from one or more cellular devices owned by a female individual identified in the contacts list of the electronic device identified as an IPHONE S MODEL A1687. Of the highest significance, on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", it is claimed that Detective Sean A. Kerins met with "ANAGHA SREENIVASAN" on September 8, 2017 and following from did enter a letter transmit by this requestor to that female into evidence, and did also claim to have received screen shots of text message conversations conducted between this requestor and that female at such time when the electronic device identified as an IPHONE S MODEL A1687 had not yet been returned to "ADAM C MILLER" and/or "ADAM MILLER" and at such time when all attempts at communications with Detective Sean A. Kerins had been ignored. During a court proceeding held on September 28, 2017 in Mercer County Superior Court, "ANAGHA SREENIVASAN" did submit screen shots of text message conversations allegedly conducted between herself and this requestor that were never proven to be genuine records, were not provided in full to this requestor and did not appear to be entirely genuine upon examination. Furthermore, screen shots of text message conversations may have been obtained in full, in part, or fabricated entirely using the electronic device identified as an IPHONE S MODEL A1687 that on September 8, 2017 may or may not have been in the possession of Detective Sean A. Kerins. Following from the initial specification that the records requested herein identify any and all female individuals whose information was obtained from records on the electronic device identified as an IPHONE S MODEL A1687, this request is concluded when the identity of every single female individual whose confidential information was transmit to "ANAGHA SREENIVASAN" by Detective Sean A. Kerins is provided and therein that record enumerating every compromised confidential item.

15. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the genuine record of the "screen shots of text messages" described on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", that furthermore were claimed to have been "printed, scanned and attached to this reporting", although no screen shots as described are found in any Lawrence Township Police records or discovery materials. Also, no screen shots as described did accompany the eighteen pages of Lawrence Township Police records provided to this requestor via email on September 27, 2018 pursuant to a prior OPRA request.

16. All authentic records maintained by the Lawrence Township Police Department associated with report number 17-27548-AR therein containing the complete record of all property confiscated from, and returned to "ADAM C MILLER" and/or "ADAM MILLER" on and after September 6, 2017 that necessarily includes a record from an electronic device used by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division to procure the signature of this requestor on September 11, 2017.

17. All authentic records maintained by the Lawrence Township Police Department of the audio and video recorded victim interview associated with report 17-27548-AR and conducted on September 6, 2017 at approximately 10:40 a.m. by Sean A. Kerins of the Lawrence Township Police Investigations Division that in all likelihood contains the only genuine record of an alleged statement provided to the Lawrence Township Police Department by "ANAGHA SRBENIVASAN" described as, "She did not fear he would harm her", which does indicate that the alleged victim did not perceive this requestor as a threat on September 6, 2017 and as such all subsequent claims that a reasonable person in a similar situation would fear for their safety are ludicrous. If this statement described herein is confirmed accurate by the record requested herein, it would provide an affirmative defense in the ongoing criminal action. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

18. All authentic records of closed circuit television recordings maintained by the Lawrence Township Police Department whereof still images of each detective that questioned "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 can be obtained for purpose of identifying each detective that did interact with the suspect. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

19. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all email conversations conducted by the Lawrence Township Police Department and/or the Lawrence

Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter.

20. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all phone calls conducted by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

21. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that identify the registered owner of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that was impounded on that same date. Furthermore, this record would in all likelihood identify the database(s) wherein the suspect "ADAM C MILLER" and/or "ADAM MILLER" was identified as the registered owner of that vehicle despite contradictory claims found in other government records.

22. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that describe the search warrant(s) issued on September 6, 2017 that did permit search, inventory and photo documentation inside the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017.

23. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that contain the complete set of 25 photographs taken using a Nikon D-90 digital camera with serial number #3253267 for the alleged purpose of documenting the contents of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include digital content and can be prepared on any format legally permitted to be provided to this requestor.

24. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that describe the specific location an electronic device identified as an apple think pad was found within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

25. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR

that describe how Lawrence Township Police officer(s) and/or detective(s) obtained knowledge that an electronic device identified as apple think pad was located within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017, when at the time of arrest that improperly identified electronic device was contained within a sealed yellow Patagonia backup located on the front passenger seat and could only be retrieved upon opening that backup and removing its contents. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

26. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any and all attempts to retrieve, modify and/or delete information from the electronic device identified as an apple think pad taken from within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor. body camera N. All authentic audio and video records from the body camera worn by officer J CORADO of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

27. All authentic audio and video records from the body camera worn by officer A TARA of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

28. All authentic audio and video records from the body camera(s) worn by all other Lawrence Township Police Department officer(s) on September 6, 2017 who were involved in case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

29. An authentic copy of the Lawrence Township Police Department report numbered 17-27548-AR that is dated September 6, September 7 and September 25, 2017 that does not contain any redacted content in the narrative or the supplemental narrative. Confidential identifiers of the alleged victim, the alleged victim's roommate and alleged victim's sister may be redacted.

30. All authentic records maintained by the Lawrence Township Police Department documenting the exact date "ANAGHA SREENIVASAN" was first provided a copy of the Lawrence Township Police report numbered 17-27548-AR.

31. All authentic audio records of the call(s) placed to the Lawrence Township Police Department on September 6, 2017 identifying "ADAM C MILLER" and/or "ADAM MILLER" placed by "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN". This record would necessarily contain audio and can be prepared on any format legally permitted to be provided to this requestor.

32. All authentic records maintained by the Lawrence Township Police Department that identify known aliases of the alleged victim "ANAGHA SREENIVASAN".

33. All authentic records maintained by the Lawrence Township Police Department that identify known aliases of the alleged victim's roommate "EMILY HAKKINEN".

34. Any and all Lawrence Township Police Department reports identifying both "ANAGHA SREENIVASAN" and/or the male individual who is or was her husband named "JAMES FULMINO". The records described herein are requested following from a claim made on September 28, 2018 by "ANAGHA SREENIVASAN" during a court proceeding conducted in Mercer County Superior Court that she and "JAMES FULMINO" were on that date engaged in a dissolution proceeding.

35. All authentic records maintained by the Lawrence Township Police Department regarding any and all descriptions "ANAGHA SREENIVASAN" provided to Lawrence Township Police describing a dating relationship with "ADAM C MILLER" and/or "ADAM MILLER", and furthermore may contain audio and/or video records of "ANAGHA SREENIVASAN" describing that "dating relationship" in a manner different from the descriptions observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". The record(s) described herein may document statements made by "ANAGHA SREENIVASAN" that necessarily impeach testimony from one or more individuals claiming that "ADAM C MILLER" and/or "ADAM MILLER" was present in the vicinity of "31203 PALM COURT, LAWRENCEVILLE, NJ 08648" on September 6, 2017 for any other reason than to retrieve personal items left within that residence upon termination of a dating relationship.

36. All authentic records maintained by the Lawrence Township Police Department providing any further description of claimed "strange behavior from the suspect" that was observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". It remains unclear if the alleged victim "ANAGHA SREENIVASAN" was describing estrangement between herself and "ADAM C MILLER" and/or "ADAM MILLER", or alternately described specific "strange" behaviors she observed.

37. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any oral, written or electronic communications conducted between the alleged victim "ANAGHA SREENIVASAN" and "ADAM C MILLER" and/or "ADAM MILLER" between May 26, 2017 and up to and including September 6, 2017.

38. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the calls placed by the alleged victim "ANAGHA SREENIVASAN" to the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that specifically document the phone number from where those calls did originate, the date and time of those calls were placed, and if applicable recorded audio of those phone calls. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

39. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901", therein providing the identity of the alleged victim's sister, any and all aliases associated with identity of the alleged victim's sister, any and all specific date(s) "ADAM C MILLER" and/or "ADAM MILLER" allegedly visited the sister's residence, a record of the alleged contents of the "envelope for the victim", the specific material(s) found "Inside" that envelope claimed to be "disturbing", all police reports from the jurisdiction in which the sister did reside specifically on the date this requestor was alleged to appear, and furthermore all police reports from any jurisdiction in which the sister did reside at any point in time identifying both the she and this requestor.

40. All authentic records maintained by the Lawrence Township Police Department documenting record(s) of service for all document(s) served upon "ADAM MILLER" and/or "ADAM C. MILLER" on September 6, 2017 or any date thereafter that necessarily include copies of every document served which thereupon each identify a date and time of origin.

41. All authentic and complete versions of the one or possibly multiple criminal complaints issued on September 6, 2017 and/or thereafter whereupon "ADAM C MILLER" and/or "ADAM MILLER" is the named defendant that are identified with the sequence number 000763 and identify the court code 1107. There may be multiple versions of a criminal complaint as described herein that may be identified with NJ/CDR1 or NJ/CDR2. The complete record of one criminal complaint is necessarily 7 pages in length.

42. All authentic records maintained by the Lawrence Township Police Department whereupon any description whatsoever of the specific acts this requestor was accused of committing on September 6, 2017 described as, "PLACING THE VICTIM IN REASONABLE FEAR OF

DEATH OR BODILY INJURY SPECIFICALLY BY HARASSING THE VICTIM TWO TIMES". This record would necessarily specify the date, time and description of both the first and second time "ADAM C MILLER" and/or "ADAM MILLER" allegedly placed a victim in reasonable fear of death or bodily injury and furthermore this record must specify the specific act(s) and statement(s) described as harassment by J CORADO that would necessarily be in violation of N.J.S.A. 2C:33-4.

43. All authentic records maintained by Lawrence Township Police Department thereupon describing how the alleged acts committed by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 were classified as "DOMESTIC VIOLENCE".

44. All authentic records maintained by Lawrence Township Police Department regarding the identity of the individual who did not open the door on September 6, 2017 at the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

45. All authentic records maintained by Lawrence Township Police Department describing a court proceeding entitled "Central First Appearance/CJP" claimed to have been scheduled at the "MERCER CIVIL COURTHOUSE" located at "175 SOUTH BROAD ST" for which the suspect "ADAM C MILLER" and/or "ADAM MILLER" was to scheduled to appear. This record would necessarily include the appearance date not observed on "Page 1 of 7" of a discovery document entitled "COMPLAINT - WARRANT" that is timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901".

46. All authentic records maintained by the Lawrence Township Police Department regarding the exact location of the parking spot in which the vehicle operated by "ADAM C MILLER" and/or "ADAM MILLER" was observed by Lawrence Township Police on September 6, 2017. On "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901"; "ANAGHA SREENIVASAN" was reported to have described a vehicle that was later located by Lawrence Township Police on September 6, 2017 similar or identical to "the vehicle the victim described, outside the victim's building." On September 6, 2017, the vehicle operated by this requestor was parked in the vicinity of that building, however that describes every parking spot in the Avalon Run East apartment complex. As such, the record requested herein would necessarily provide the exact location of that vehicle and the time at which it was observed in that parking spot on September 6, 2018 by the Lawrence Township Police Department.

47. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of oral

communications allegedly conducted on September 6, 2017 between "ADAM C MILLER" and/or "ADAM MILLER" with "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN" that would necessarily describe or rule out any claims alleging this requestor requested and/or attempted entry into the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

48. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of the alleged location(s) of "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 during the time he was described as "in the vicinity for approximately an hour" prior to the arrival of Lawrence Township Police Department officers.

49. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any public facilities within or close to the Avalon Run East apartment complex used by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 for a period of approximately one hour prior to the arrival of Lawrence Township Police Department officers.

50. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by any individual(s) alleging outstanding warrant(s), active restraining order(s), prior criminal history, prior history of domestic violence against the alleged victim "ANAGHA SREENIVASAN" and/or the alleged victim's roommate "EMILY HAKKINEN" and/or the alleged victim's sister.

51. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" by any individual(s) alleging that the suspect was not permitted to be present within the Avalon Run East apartment complex on September 6, 2017.

52. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting statements from "ADAM C MILLER" and/or "ADAM MILLER" describing why he traveled to the Avalon Run East apartment complex on September 6, 2017.

53. All authentic records maintained by the Lawrence Township Police Department regarding a claim observed on "Page 6 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901", whereupon it was claimed that on September 6, 2017 "The suspect was

located, and admitted to all of the above." This document does not contain any record of what the suspect allegedly admitted that may or may be described on the preceding page and furthermore this requestor at no point on September 6, 2017 or thereafter did "admit" to any crime in the jurisdiction of the Township of Lawrence. The record of this admission, if existent, would provide what exactly the requestor "admitted" to and identify the exact location wherein those claimed admissions were recorded.

54. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the date, time, report number and record of the alleged "welfare check" conducted by "Howell Police" on an unspecified date as described on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", further identified with "Trans ID: MCS2017359901". This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

55. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

56. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

57. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

58. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding the suspect "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

59. All authentic records of any and all oral, written and/or electronic communications conducted on September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police

Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

60. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

61. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made by any individual(s) that "ADAM C MILLER" and/or "ADAM MILLER" had a history of medical and/or psychiatric illness.



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 819
TRENTON, NJ 08625-0819

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

INTERIM ORDER

March 30, 2021 Government Records Council Meeting

Adam C. Miller
Complainant

Complaint No. 2018-313

v.

Township of Lawrence (Mercer)
Custodian of Record

At the March 30, 2021 public meeting, the Government Records Council (“Council”) considered the March 23, 2021 Supplemental Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that:

1. The Custodian has not complied with the terms of the Council’s April 28, 2020 Interim Order because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance in accordance with R. 1:4-4, to the Executive Director. The Council therefore finds the Custodian in violation of the Council’s Order.
2. “The Council shall, pursuant to New Jersey Rules Governing the Courts, R. 4:67-6, have the authority to enforce compliance with the orders and decisions issued by the Council.” N.J.A.C. 5:105-2.9(c). Therefore, the Council’s April 28, 2020 Interim Order is enforceable in the Superior Court if the Complainant chooses that option. R. 4:67-6. As this complaint should be referred to the Office of Administrative Law for the limited purposes described below, the Council emphasizes that the issue as to disclosure of records has already been determined by the Council, and thus is not an outstanding issue before the Office of Administrative Law.
3. The Custodian violated OPRA because she failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant’s possession, was lawful. The Custodian also violated OPRA because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance to the Executive Director. The Council therefore finds the Custodian in violation of the Council’s Order and concludes that the Custodian’s actions may be intentional and deliberate, with knowledge of their wrongfulness, and not merely negligent, heedless or unintentional. As such, this complaint should be

referred to the Office of Administrative Law for a proof hearing to determine whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances.

Interim Order Rendered by the
Government Records Council
On The 30th Day of March 2021

Robin Berg Tabakin, Esq., Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: March 31, 2021

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Supplemental Findings and Recommendations of the Executive Director
March 30, 2021 Council Meeting**

Adam C. Miller¹
Complainant

GRC Complaint No. 2018-313

v.

Township of Lawrence (Mercer)²
Custodial Agency

Records Relevant to Complaint: See attached Exhibit A

Custodian of Record: Kathleen S. Norcia
Request Received by Custodian: October 25, 2018
Response Made by Custodian: October 30, 2018
GRC Complaint Received: December 26, 2018

Background³

November 10, 2020 Council Meeting:

At its November 10, 2020 public meeting, the Government Records Council (“Council”) considered the October 27, 2020 Supplemental Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that the Custodian was required to establish either of the necessary criteria set forth above: either 1) the Council's decision is based upon a "palpably incorrect or irrational basis;" or 2) it is obvious that the Council did not consider the significance of probative, competent evidence. The Custodian failed to establish that the complaint should be reconsidered based on a mistake. The Custodian has also failed to show that the Council acted arbitrarily, capriciously or unreasonably. Specifically, the Custodian failed to prove that the Council made a mistake in determining that (a) the Custodian failed to bear her burden of proving a lawful denial of access of the Miranda waiver form; and (b) the body camera recording could not be disclosed in redacted form. Thus, the Complainant’s request for reconsideration should be denied. Cummings v. Bahr, 295 N.J. Super. 374 (App. Div. 1996); D'Atria v. D'Atria, 242 N.J. Super. 392 (Ch. Div. 1990); In The Matter Of The Petition Of Comcast Cablevision Of S. Jersey, Inc. For A Renewal Certificate Of Approval To Continue To Construct, Operate And Maintain A Cable Tel. Sys. In The City Of

¹ No legal representation listed on record.

² Represented by David M. Roskos, Esq., of Eckert Seamans Cherin & Mellott, LLC (Princeton, NJ).

³ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Executive Director the submissions necessary and relevant for the adjudication of this complaint.

Atl. City, Cnty. Of Atl., State Of N.J., 2003 N.J. PUC LEXIS 438, 5-6 (N.J. PUC 2003). The Council's April 28, 2020 remains in effect and the Custodian must comply accordingly.

Procedural History:

On November 13, 2020, the Council distributed its November 10, 2020 Interim Order to all parties. The Interim Order concluded that the Complainant's request for reconsideration should be denied and further provided that "[t]he Council's April 28, 2020 [Interim Order] remains in effect and the Custodian must comply accordingly."

Analysis

Compliance

On November 10, 2020, the Council ordered the above-referenced compliance. On November 13, 2020, the Council distributed its Interim Order to all parties. The Order provided that the Complainant's request for reconsideration should be denied and further provided that "[t]he Council's April 28, 2020 [Interim Order] remains in effect and the Custodian must comply accordingly."⁴ The April 28, 2020 Interim Order contained as paragraph number 6 a disclosure provision which provided as follows:

The Custodian shall either comply with paragraphs #4 and #5 above within five (5) business days from receipt of the Council's Interim Order, including a detailed document index explaining the lawful basis for any redactions, or submit a certification to the Council averring that no record responsive to the Complainant's request item(s) exists. Further, the Custodian shall simultaneously deliver certified confirmation of compliance, in accordance with N.J. Court Rules, R. 1:4-4, to the Executive Director.⁵

Accordingly, the Custodian had five business days from November 13, 2020 to comply with the Council's April 28, 2020 Interim Order. Therefore, compliance was due on or before November 20, 2020. However, to date, the Custodian has failed to comply with the terms of the Council's April 28, 2020 Interim Order.

Thus, the Custodian has not complied with the terms of the Council's April 28, 2020 Interim Order because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance in accordance with R. 1:4-4, to the Executive Director. The Council therefore finds the Custodian in violation of the Council's Order.

⁴ On May 22, 2020, the GRC informed all parties that the request for a stay of the Council's April 28, 2020 Interim Order had been granted *pending the Council's decision on the request for reconsideration*. (Emphasis added).

⁵ Paragraphs #4 and #5 required the Custodian to disclose certain requested records.

Council's April 28, 2020 Interim Order is Enforceable

“The Council shall, pursuant to New Jersey Rules Governing the Courts, *R. 4:67-6*, have the authority to enforce compliance with the orders and decisions issued by the Council.” *N.J.A.C. 5:105-2.9(c)*. Therefore, the Council’s April 28, 2020 Interim Order is enforceable in the Superior Court if the Complainant chooses that option. *R. 4:67-6*. As this complaint should be referred to the Office of Administrative Law (“OAL”) for the limited purposes described below, the Council emphasizes that the issue as to disclosure of records has already been determined by the Council, and thus is not an outstanding issue before the OAL.

Knowing & Willful

OPRA states that “[a] public official, officer, employee or custodian who knowingly or willfully violates [OPRA], and is found to have unreasonably denied access under the totality of the circumstances, shall be subject to a civil penalty . . .” *N.J.S.A. 47:1A-11(a)*. OPRA allows the Council to determine a knowing and willful violation of the law and unreasonable denial of access under the totality of the circumstances. Specifically, OPRA states “[i]f the council determines, by a majority vote of its members, that a custodian has knowingly and willfully violated [OPRA], and is found to have unreasonably denied access under the totality of the circumstances, the council may impose the penalties provided for in [OPRA] . . .” *N.J.S.A. 47:1A-7(e)*.

Certain legal standards must be considered when making the determination of whether the Custodian’s actions rise to the level of a “knowing and willful” violation of OPRA. The following statements must be true for a determination that the Custodian “knowingly and willfully” violated OPRA: the Custodian’s actions must have been much more than negligent conduct (*Alston v. City of Camden*, 168 *N.J.* 170, 185 (2001)); the Custodian must have had some knowledge that his actions were wrongful (*Fielder v. Stonack*, 141 *N.J.* 101, 124 (1995)); the Custodian’s actions must have had a positive element of conscious wrongdoing (*Berg v. Reaction Motors Div.*, 37 *N.J.* 396, 414 (1962)); the Custodian’s actions must have been forbidden with actual, not imputed, knowledge that the actions were forbidden (*Id.*; *Marley v. Borough of Palmyra*, 193 *N.J. Super.* 271, 294-95 (Law Div. 1993)); and the Custodian’s actions must have been intentional and deliberate, with knowledge of their wrongfulness, and not merely negligent, heedless or unintentional (*ECES v. Salmon*, 295 *N.J. Super.* 86, 107 (App. Div. 1996)).

Here, the Custodian violated OPRA because she failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant’s possession, was lawful. The Custodian also violated OPRA because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance to the Executive Director. The Council therefore finds the Custodian in violation of the Council’s Order and concludes that the Custodian’s actions may be intentional and deliberate, with knowledge of their wrongfulness, and not merely negligent, heedless or unintentional. As such, this complaint should be referred to the OAL for a proof hearing to determine whether the

Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that:

1. The Custodian has not complied with the terms of the Council's April 28, 2020 Interim Order because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance in accordance with R. 1:4-4, to the Executive Director. The Council therefore finds the Custodian in violation of the Council's Order.
2. "The Council shall, pursuant to New Jersey Rules Governing the Courts, *R. 4:67-6*, have the authority to enforce compliance with the orders and decisions issued by the Council." N.J.A.C. 5:105-2.9(c). Therefore, the Council's April 28, 2020 Interim Order is enforceable in the Superior Court if the Complainant chooses that option. R. 4:67-6. As this complaint should be referred to the Office of Administrative Law for the limited purposes described below, the Council emphasizes that the issue as to disclosure of records has already been determined by the Council, and thus is not an outstanding issue before the Office of Administrative Law.
3. The Custodian violated OPRA because she failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant's possession, was lawful. The Custodian also violated OPRA because she failed to disclose to the Complainant the records ordered by the Council for disclosure together with a detailed document index explaining the lawful basis for any redactions, or certify that no such responsive records exist; and failed to deliver certified confirmation of compliance to the Executive Director. The Council therefore finds the Custodian in violation of the Council's Order and concludes that the Custodian's actions may be intentional and deliberate, with knowledge of their wrongfulness, and not merely negligent, heedless or unintentional. As such, this complaint should be referred to the Office of Administrative Law for a proof hearing to determine whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances.

Prepared By: John E. Stewart
Staff Attorney

March 23, 2021

EXHIBIT A

1. All authentic records maintained by the Lawrence Township Police Department documenting any claimed violation(s) of a temporary and/or final restraining order identifying "ADAM MILLER" and/or "ADAM C. MILLER" as the defendant that were alleged to occur in the jurisdiction of the Township of Lawrence on or about October 5, 2017.

2. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of the contents of the letter identified with the alphanumeric "CFS# 17-27548" that is described on "Page: 2" of a Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017". The record of the contents of that envelope necessarily contains facsimiles of exactly seven pages transmit via US mails from Adelphia, NJ in a plain white envelope postmarked prior to September 6, 2017. An incorrect record of the contents of that letter was observed on one or more discovery documents. Furthermore, the Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017" incorrectly claims "The letter contained the same items as the letter hand delivered to Anagha's sister", which is a claim that is provably false. The record requested herein would necessarily indicate if the letter provided to Detective Sean A. Kerins by "ANAGHA SREENIVASAN" on September 8, 2018 was opened prior to submission.

3. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the CFS#, if applicable, of the letter allegedly provided to the sister of "ANAGHA SREENIVASAN" on September 3, 2017 that is incorrectly described on "Page: 1" of the Lawrence Township Police report numbered 17-27548-AR dated "09/06/2017", wherein the materials allegedly found in that letter described as "4 documents" were comprised of 6 pages. However, the September 3, 2017 letter did contain exactly 8 pages. No CFS# associated with that letter is found in any Lawrence Township Police document or court record despite references to that letter appearing on no less than 7 of the 52 pages of discovery documents. The record requested herein would necessarily provide copies of all 8 pages contained within that letter.

4. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division obtained from either one or both of the electronic devices that were seized from this requestor and inventoried by both the Lawrence Township Police Department and the Lawrence Township Police Investigations Division on September 6 and September 7, 2018, therein containing the genuine photographic record of the contents of the two letters alleged to contain identical sets of documents as claimed on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR, dated "09/25/2017" and identified "SUPPLEMENTAL NARRATIVE FOR DETECTIVE SEAN A. KERINS".

5. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division of the document identified as "Item Number: 003" and entitled miranda waiver as identified on Page 2 of 2 of a discovery document entitled "Lawrence Township Police Department Property Sheet" that is dated 9/6/2017. The record requested herein would necessarily bear the signature of this requestor.

6. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on a "DVD" identified "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that is described as the audio and video recording of "ADAM C MILLER" and/or "ADAM MILLER" reading and signing a "Lawrence Township Voluntary Consent to Search Form" at unspecified time on September 6, 2017 that did permit Detective Sean A. Kerins "permission to search hi (sic) iPhone". This record may include both audio and video content and can be prepared on any format legally permitted to be provided to this requestor.

7. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on "two Blue Ray DVDs" identified on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that describes "Detective Hughes, MCPD" as having provided Detective Sean A. Kerins "two Blue Ray DVDs containing data and files recovered from iPhone". This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

8. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the "CFS# number associated with the iPhone seized from "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by Detective Sean A. Kerins.

9. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with any Lawrence Township Police Department report dated prior to September 6, 2017 and modified thereafter, dated on September 6, 2017, or dated after September 6, 2017, wherein any document(s), record(s) and/or thing(s) containing information obtained from the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

10. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all electronic communications conducted on September 6, 2017 and thereafter between the Mercer County Prosecutor's Office and the Lawrence Township Police Investigations Division regarding the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

11. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50gb BD-R containing HTML report disc from apple A1687" identified on Page 1 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

12. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50GB BD-R containing Data/RAW Image from Apple A1687" identified on Page 2 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

13. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any modifications specifically made to the contacts list and/or other titled leger of stored phone numbers on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This request does follow from the remarkable absence of the single phone number associated with the name "EMILY

HAKKINEN" in that contacts list first observed on September 11, 2017 after the electronic device identified as an IPHONE S MODEL A1687 was returned to this requestor.

14. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division documenting the identity of any and all female individuals whose contact information, photographs, home address(es), and/or other confidential information was recorded by Detective Sean A. Kerins of the Lawrence Township Police Investigations Division following from analysis of the record of the data stored on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried by same on September 6, 2017. The records described herein follow from multiple statements made directly to this requestor by Detective Sean A. Kerins on September 6, 2017 that did allege that "ADAM C MILLER" and/or "ADAM MILLER" was sexually involved with multiple women that was further claimed by Kerins to be directly related to employment as a personal trainer. Furthermore, this requestor did not possess the electronic device identified as an IPHONE S MODEL A1687 until September 11, 2017 despite the claim made by Detective Sean A. Kerins that the iphone would be returned on September 7, 2018. Between September 7, 2018 and September 11, 2018, Detective Sean A. Kerins did not respond to emails or phone calls placed by this requestor from one or more cellular devices owned by a female individual identified in the contacts list of the electronic device identified as an IPHONE S MODEL A1687. Of the highest significance, on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", it is claimed that Detective Sean A. Kerins met with "ANAGHA SREENIVASAN" on September 8, 2017 and following from did enter a letter transmit by this requestor to that female into evidence, and did also claim to have received screen shots of text message conversations conducted between this requestor and that female at such time when the electronic device identified as an IPHONE S MODEL A1687 had not yet been returned to "ADAM C MILLER" and/or "ADAM MILLER" and at such time when all attempts at communications with Detective Sean A. Kerins had been ignored. During a court proceeding held on September 28, 2017 in Mercer County Superior Court, "ANAGHA SREENIVASAN" did submit screen shots of text message conversations allegedly conducted between herself and this requestor that were never proven to be genuine records, were not provided in full to this requestor and did not appear to be entirely genuine upon examination. Furthermore, screen shots of text message conversations may have been obtained in full, in part, or fabricated entirely using the electronic device identified as an IPHONE S MODEL A1687 that on September 8, 2017 may or may not have been in the possession of Detective Sean A. Kerins. Following from the initial specification that the records requested herein identify any and all female individuals whose information was obtained from records on the electronic device identified as an IPHONE S MODEL A1687, this request is concluded when the identity of every single female individual whose confidential information was transmit to "ANAGHA SREENIVASAN" by Detective Sean A. Kerins is provided and therein that record enumerating every compromised confidential item.

15. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the genuine record of the "screen shots of text messages" described on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", that furthermore were claimed to have been "printed, scanned and attached to this reporting", although no screen shots as described are found in any Lawrence Township Police records or discovery materials. Also, no screen shots as described did accompany the eighteen pages of Lawrence Township Police records provided to this requestor via email on September 27, 2018 pursuant to a prior OPRA request.

16. All authentic records maintained by the Lawrence Township Police Department associated with report number 17-27548-AR therein containing the complete record of all property confiscated from, and returned to "ADAM C MILLER" and/or "ADAM MILLER" on and after September 6, 2017 that necessarily includes a record from an electronic device used by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division to procure the signature of this requestor on September 11, 2017.

17. All authentic records maintained by the Lawrence Township Police Department of the audio and video recorded victim interview associated with report 17-27548-AR and conducted on September 6, 2017 at approximately 10:40 a.m. by Sean A. Kerins of the Lawrence Township Police Investigations Division that in all likelihood contains the only genuine record of an alleged statement provided to the Lawrence Township Police Department by "ANAGHA SRBENIVASAN" described as, "She did not fear he would harm her", which does indicate that the alleged victim did not perceive this requestor as a threat on September 6, 2017 and as such all subsequent claims that a reasonable person in a similar situation would fear for their safety are ludicrous. If this statement described herein is confirmed accurate by the record requested herein, it would provide an affirmative defense in the ongoing criminal action. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

18. All authentic records of closed circuit television recordings maintained by the Lawrence Township Police Department whereof still images of each detective that questioned "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 can be obtained for purpose of identifying each detective that did interact with the suspect. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

19. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all email conversations conducted by the Lawrence Township Police Department and/or the Lawrence

Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter.

20. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all phone calls conducted by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

21. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that identify the registered owner of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that was impounded on that same date. Furthermore, this record would in all likelihood identify the database(s) wherein the suspect "ADAM C MILLER" and/or "ADAM MILLER" was identified as the registered owner of that vehicle despite contradictory claims found in other government records.

22. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that describe the search warrant(s) issued on September 6, 2017 that did permit search, inventory and photo documentation inside the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017.

23. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that contain the complete set of 25 photographs taken using a Nikon D-90 digital camera with serial number #3253267 for the alleged purpose of documenting the contents of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include digital content and can be prepared on any format legally permitted to be provided to this requestor.

24. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that describe the specific location an electronic device identified as an apple think pad was found within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

25. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR

that describe how Lawrence Township Police officer(s) and/or detective(s) obtained knowledge that an electronic device identified as apple think pad was located within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017, when at the time of arrest that improperly identified electronic device was contained within a sealed yellow Patagonia backup located on the front passenger seat and could only be retrieved upon opening that backup and removing its contents. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

26. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any and all attempts to retrieve, modify and/or delete information from the electronic device identified as an apple think pad taken from within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor. body camera N. All authentic audio and video records from the body camera worn by officer J CORADO of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

27. All authentic audio and video records from the body camera worn by officer A TARA of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

28. All authentic audio and video records from the body camera(s) worn by all other Lawrence Township Police Department officer(s) on September 6, 2017 who were involved in case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

29. An authentic copy of the Lawrence Township Police Department report numbered 17-27548-AR that is dated September 6, September 7 and September 25, 2017 that does not contain any redacted content in the narrative or the supplemental narrative. Confidential identifiers of the alleged victim, the alleged victim's roommate and alleged victim's sister may be redacted.

30. All authentic records maintained by the Lawrence Township Police Department documenting the exact date "ANAGHA SREENIVASAN" was first provided a copy of the Lawrence Township Police report numbered 17-27548-AR.

31. All authentic audio records of the call(s) placed to the Lawrence Township Police Department on September 6, 2017 identifying "ADAM C MILLER" and/or "ADAM MILLER" placed by "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN". This record would necessarily contain audio and can be prepared on any format legally permitted to be provided to this requestor.

32. All authentic records maintained by the Lawrence Township Police Department that identify known aliases of the alleged victim "ANAGHA SREENIVASAN".

33. All authentic records maintained by the Lawrence Township Police Department that that identify known aliases of the alleged victim's roommate "EMILY HAKKINEN".

34. Any and all Lawrence Township Police Department reports identifying both "ANAGHA SREENIVASAN" and/or the male individual who is or was her husband named "JAMES FULMINO". The records described herein are requested following from a claim made on September 28, 2018 by "ANAGHA SREENIVASAN" during a court proceeding conducted in Mercer County Superior Court that she and "JAMES FULMINO" were on that date engaged in a dissolution proceeding.

35. All authentic records maintained by the Lawrence Township Police Department regarding any and all descriptions "ANAGHA SREENIVASAN" provided to Lawrence Township Police describing a dating relationship with "ADAM C MILLER" and/or "ADAM MILLER", and furthermore may contain audio and/or video records of "ANAGHA SREENIVASAN" describing that "dating relationship" in a manner different from the descriptions observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". The record(s) described herein may document statements made by "ANAGHA SREENIVASAN" that necessarily impeach testimony from one or more individuals claiming that "ADAM C MILLER" and/or "ADAM MILLER" was present in the vicinity of "31203 PALM COURT, LAWRENCEVILLE, NJ 08648" on September 6, 2017 for any other reason than to retrieve personal items left within that residence upon termination of a dating relationship.

36. All authentic records maintained by the Lawrence Township Police Department providing any further description of claimed "estrangement behavior from the suspect" that was observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". It remains unclear if the alleged victim "ANAGHA SREENIVASAN" was describing estrangement between herself and "ADAM C MILLER" and/or "ADAM MILLER", or alternately described specific "strange" behaviors she observed.

37. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any oral, written or electronic communications conducted between the alleged victim "ANAGHA SREENIVASAN" and "ADAM C MILLER" and/or "ADAM MILLER" between May 26, 2017 and up to and including September 6, 2017.

38. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the calls placed by the alleged victim "ANAGHA SREENIVASAN" to the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that specifically document the phone number from where those calls did originate, the date and time of those calls were placed, and if applicable recorded audio of those phone calls. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

39. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901", therein providing the identity of the alleged victim's sister, any and all aliases associated with identity of the alleged victim's sister, any and all specific date(s) "ADAM C MILLER" and/or "ADAM MILLER" allegedly visited the sister's residence, a record of the alleged contents of the "envelope for the victim", the specific material(s) found "Inside" that envelope claimed to be "disturbing", all police reports from the jurisdiction in which the sister did reside specifically on the date this requestor was alleged to appear, and furthermore all police reports from any jurisdiction in which the sister did reside at any point in time identifying both the she and this requestor.

40. All authentic records maintained by the Lawrence Township Police Department documenting record(s) of service for all document(s) served upon "ADAM MILLER" and/or "ADAM C. MILLER" on September 6, 2017 or any date thereafter that necessarily include copies of every document served which thereupon each identify a date and time of origin.

41. All authentic and complete versions of the one or possibly multiple criminal complaints issued on September 6, 2017 and/or thereafter whereupon "ADAM C MILLER" and/or "ADAM MILLER" is the named defendant that are identified with the sequence number 000763 and identify the court code 1107. There may be multiple versions of a criminal complaint as described herein that may be identified with NJ/CDR1 or NJ/CDR2. The complete record of one criminal complaint is necessarily 7 pages in length.

42. All authentic records maintained by the Lawrence Township Police Department whereupon any description whatsoever of the specific acts this requestor was accused of committing on September 6, 2017 described as, "PLACING THE VICTIM IN REASONABLE FEAR OF

DEATH OR BODILY INJURY SPECIFICALLY BY HARASSING THE VICTIM TWO TIMES". This record would necessarily specify the date, time and description of both the first and second time "ADAM C MILLER" and/or "ADAM MILLER" allegedly placed a victim in reasonable fear of death or bodily injury and furthermore this record must specify the specific act(s) and statement(s) described as harassment by J CORADO that would necessarily be in violation of N.J.S.A. 2C:33-4.

43. All authentic records maintained by Lawrence Township Police Department thereupon describing how the alleged acts committed by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 were classified as "DOMESTIC VIOLENCE".

44. All authentic records maintained by Lawrence Township Police Department regarding the identity of the individual who did not open the door on September 6, 2017 at the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

45. All authentic records maintained by Lawrence Township Police Department describing a court proceeding entitled "Central First Appearance/CJP" claimed to have been scheduled at the "MERCER CIVIL COURTHOUSE" located at "175 SOUTH BROAD ST" for which the suspect "ADAM C MILLER" and/or "ADAM MILLER" was to scheduled to appear. This record would necessarily include the appearance date not observed on "Page 1 of 7" of a discovery document entitled "COMPLAINT - WARRANT" that is timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901".

46. All authentic records maintained by the Lawrence Township Police Department regarding the exact location of the parking spot in which the vehicle operated by "ADAM C MILLER" and/or "ADAM MILLER" was observed by Lawrence Township Police on September 6, 2017. On "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901"; "ANAGHA SREENIVASAN" was reported to have described a vehicle that was later located by Lawrence Township Police on September 6, 2017 similar or identical to "the vehicle the victim described, outside the victim's building." On September 6, 2017, the vehicle operated by this requestor was parked in the vicinity of that building, however that describes every parking spot in the Avalon Run East apartment complex. As such, the record requested herein would necessarily provide the exact location of that vehicle and the time at which it was observed in that parking spot on September 6, 2018 by the Lawrence Township Police Department.

47. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of oral

communications allegedly conducted on September 6, 2017 between "ADAM C MILLER" and/or "ADAM MILLER" with "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN" that would necessarily describe or rule out any claims alleging this requestor requested and/or attempted entry into the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

48. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of the alleged location(s) of "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 during the time he was described as "in the vicinity for approximately an hour" prior to the arrival of Lawrence Township Police Department officers.

49. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any public facilities within or close to the Avalon Run East apartment complex used by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 for a period of approximately one hour prior to the arrival of Lawrence Township Police Department officers.

50. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by any individual(s) alleging outstanding warrant(s), active restraining order(s), prior criminal history, prior history of domestic violence against the alleged victim "ANAGHA SREENIVASAN" and/or the alleged victim's roommate "EMILY HAKKINEN" and/or the alleged victim's sister.

51. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" by any individual(s) alleging that the suspect was not permitted to be present within the Avalon Run East apartment complex on September 6, 2017.

52. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting statements from "ADAM C MILLER" and/or "ADAM MILLER" describing why he traveled to the Avalon Run East apartment complex on September 6, 2017.

53. All authentic records maintained by the Lawrence Township Police Department regarding a claim observed on "Page 6 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901", whereupon it was claimed that on September 6, 2017 "The suspect was

located, and admitted to all of the above." This document does not contain any record of what the suspect allegedly admitted that may or may be described on the preceding page and furthermore this requestor at no point on September 6, 2017 or thereafter did "admit" to any crime in the jurisdiction of the Township of Lawrence. The record of this admission, if existent, would provide what exactly the requestor "admitted" to and identify the exact location wherein those claimed admissions were recorded.

54. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the date, time, report number and record of the alleged "welfare check" conducted by "Howell Police" on an unspecified date as described on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", further identified with "Trans ID: MCS2017359901". This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

55. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

56. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

57. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

58. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding the suspect "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

59. All authentic records of any and all oral, written and/or electronic communications conducted on September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police

Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

60. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

61. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made by any individual(s) that "ADAM C MILLER" and/or "ADAM MILLER" had a history of medical and/or psychiatric illness.



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
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PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

INTERIM ORDER

November 10, 2020 Government Records Council Meeting

Adam C. Miller
Complainant

Complaint No. 2018-313

v.

Township of Lawrence (Mercer)
Custodian of Record

At the November 10, 2020 public meeting, the Government Records Council ("Council") considered the October 27, 2020 Supplemental Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that the Custodian was required to establish either of the necessary criteria set forth above: either 1) the Council's decision is based upon a "palpably incorrect or irrational basis;" or 2) it is obvious that the Council did not consider the significance of probative, competent evidence. The Custodian failed to establish that the complaint should be reconsidered based on a mistake. The Custodian has also failed to show that the Council acted arbitrarily, capriciously or unreasonably. Specifically, the Custodian failed to prove that the Council made a mistake in determining that (a) the Custodian failed to bear her burden of proving a lawful denial of access of the Miranda waiver form; and (b) the body camera recording could not be disclosed in redacted form. Thus, the Complainant's request for reconsideration should be denied. Cummings v. Bahr, 295 N.J. Super. 374 (App. Div. 1996); D'Atria v. D'Atria, 242 N.J. Super. 392 (Ch. Div. 1990); In The Matter Of The Petition Of Comcast Cablevision Of S. Jersey, Inc. For A Renewal Certificate Of Approval To Continue To Construct, Operate And Maintain A Cable Tel. Sys. In The City Of Atl. City, Cnty. Of Atl., State Of N.J., 2003 N.J. PUC LEXIS 438, 5-6 (N.J. PUC 2003). The Council's April 28, 2020 remains in effect and the Custodian must comply accordingly.

Interim Order Rendered by the
Government Records Council
On The 10th Day of November 2020

Robin Berg Tabakin, Esq., Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council



Decision Distribution Date: November 13, 2020

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**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

Reconsideration
Supplemental Findings and Recommendations of the Executive Director
November 10, 2020 Council Meeting

Adam C. Miller¹
Complainant

GRC Complaint No. 2018-313

v.

Township of Lawrence (Mercer)²
Custodial Agency

Records Relevant to Complaint: See attached Exhibit A

Custodian of Record: Kathleen S. Norcia
Request Received by Custodian: October 25, 2018
Response Made by Custodian: October 30, 2018
GRC Complaint Received: December 26, 2018

Background

April 28, 2020 Council Meeting:

At its April 28, 2020 public meeting, the Government Records Council (“Council”) considered the April 21, 2020 Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, found that:

1. The Custodian failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant’s possession, was lawful. N.J.S.A. 47:1A-6. See Bart v. City of Paterson Hous. Auth., 403 N.J. Super. 609 (App. Div. 2008). See also Marinaccio v. Borough of Fanwood (Union), GRC 2012-23 (Interim Order April 30, 2013).
2. The Complainant’s request items numbered 1 through 4, 6 through 26, 28, 30 through 58, 59, 60 and 61 are invalid because they fail to seek identifiable government records and require the Custodian to identify and siphon useful information. MAG Entm’t, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Stafford Police Dep’t, 381 N.J. Super. 30, 37 (App. Div. 2005); N.J. Builders Ass’n. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007). See also Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009).

¹ No legal representation listed on record.

² Represented by David M. Roskos, Esq., of Eckert Seamans Cherin & Mellott, LLC (Princeton, NJ).

Thus, the Custodian did not unlawfully deny access to said request items. N.J.S.A. 47:1A-6.

3. The Custodian lawfully denied access to the Complainant's request item number 29 seeking an investigative report. N.J.S.A. 47:1A-6. The report satisfies the two-prong test to be exempt under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; N. Jersey Media Grp., Inc. 229 N.J. 541; Janeczko v. N.J. Dep't of Law and Pub. Safety, Div. of Criminal Justice, GRC Complaint Nos. 2002-79 and 2002-80 (June 2004).
4. Because request item number 5 is a Miranda waiver form, not a record under the Prevention of Domestic Violence Act, and because the request item is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.
5. Because request item number 27 is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.
6. **The Custodian shall either comply with paragraphs #4 and #5 above within five (5) business days from receipt of the Council's Interim Order, including a detailed document index explaining the lawful basis for any redactions, or submit a certification to the Council averring that no record responsive to the Complainant's request item(s) exists. Further, the Custodian shall simultaneously deliver certified confirmation of compliance, in accordance with N.J. Court Rules, R. 1:4-4, to the Executive Director.**
7. The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian's compliance with the Council's Interim Order.

Procedural History:

On April 29, 2020, the Council distributed its April 28, 2020 Interim Order to all parties. On May 6, 2020, the Custodian through Counsel filed a stay and request for reconsideration of the Council's Interim Order based on mistake. The Custodian attached to the request for reconsideration a "Certification of Lt. Timothy Drew in Support of Request for Reconsideration" dated May 5, 2020.

Lt. Drew certified that Officer Tara responded to a domestic violence incident and recorded the Complainant and the domestic violence victim on her body camera. Lt. Drew further averred that the portion of the video containing the victim's identity, location and details related to the domestic violence incident was lawfully redacted (citations omitted). Lt. Drew averred that the remainder of the recording was made available to the Complainant along with a Vaughn index. Lt. Drew further certified that it is his understanding that a Miranda waiver form

is a criminal investigatory record exempt from disclosure. Lt. Drew certified that if a Miranda waiver form is determined to be disclosable, the safety of informants could be in jeopardy because persons involved in criminal activity could determine who is giving statements to the police. Lt. Drew also certified that informants would consequently be less likely to give statements to the police.

The Custodian through Counsel argued that the Council's Interim Order should be reconsidered with respect to two (2) request items that the Council ordered were subject to disclosure: item number 5, a Miranda waiver form, and item number 27, the audio and video recording from a body worn camera. The Custodian asserted that the Council therefore mistakenly required disclosure of the two request items.

The Custodian argued that the Miranda waiver form is not required to be made, maintained or kept on file and that it is a criminal investigatory record because it was presented to the Complainant during the Township's criminal investigation of a domestic violence incident. As such, the Custodian stated that the record should have been found to be exempt from access because it meets the two-prong test set forth in N. Jersey Media Grp., Inc. v. Twp. Of Lyndhurst, 229 N.J. 541 (2017).

The Custodian also argued that the portion of the video recording from the body worn camera involving the victim being interviewed is exempt from disclosure as privacy information under OPRA, the Prevention of Domestic Violence Act, the Victim's Rights Amendment, and Attorney General Directive 2015-1 (citations omitted). The Custodian stated that although the majority of the video recording had been made available to the Complainant, the portion revealing the victim being interviewed was redacted from the recording. The Custodian stated that the redacted recording was made available to the Complainant together with a Vaughn index. The Custodian asked the Council to reconsider the provision of the Interim Order concerning disclosure of the recording so as to deny access to the victim the interview portion of the recording.

On May 7, 2020, the Custodian's Counsel informed the GRC that when their office attempted to copy the Complainant with the stay and request for reconsideration, the Complainant replied by serving them with a "Cease and Desist Notice." Counsel asked the GRC how their office should contact the Complainant in the future regarding this complaint. By reply e-mail on May 7, 2020, the GRC informed the Custodian's Counsel that if the Custodian or Custodian's Counsel is required under OPRA and/or GRC regulations or orders to provide communications to the Complainant they should continue to do so unless or until they receive a court order proscribing such communications.

The GRC did not receive any objection to the request for reconsideration within the applicable time frame and on May 22, 2020, informed all parties that the request for a stay of the Council's April 28, 2020 Interim Order had been granted pending the Council's decision on the request for reconsideration.³

³ N.J.A.C. 5:105-2.10(d) provides that "[p]arties must file any objection to the request for reconsideration within 10 business days following receipt of the request."

Analysis

Reconsideration

Pursuant to N.J.A.C. 5:105-2.10, parties may file a request for a reconsideration of any decision rendered by the Council within ten (10) business days following receipt of a Council decision. Requests must be in writing, delivered to the Council and served on all parties. Parties must file any objection to the request for reconsideration within ten (10) business days following receipt of the request. The Council will provide all parties with written notification of its determination regarding the request for reconsideration. N.J.A.C. 5:105-2.10(a) – (e).

In the matter before the Council, the Custodian filed the request for reconsideration of the Council's Interim Order dated April 28, 2020 on May 6, 2020, the fifth (5th) business day following receipt of the Order. The GRC did not receive an objection to the request for reconsideration.

Applicable case law holds that:

“A party should not seek reconsideration merely based upon dissatisfaction with a decision.” D'Atria v. D'Atria, 242 N.J. Super. 392, 401 (Ch. Div. 1990). Rather, reconsideration is reserved for those cases where (1) the decision is based upon a “palpably incorrect or irrational basis;” or (2) it is obvious that the finder of fact did not consider, or failed to appreciate, the significance of probative, competent evidence. *E.g.*, Cummings v. Bahr, 295 N.J. Super. 374, 384 (App. Div. 1996). The moving party must show that the court acted in an arbitrary, capricious or unreasonable manner. D'Atria, . . . 242 N.J. Super. at 401. “Although it is an overstatement to say that a decision is not arbitrary, capricious, or unreasonable whenever a court can review the reasons stated for the decision without a loud guffaw or involuntary gasp, it is not much of an overstatement.” *Ibid.*

[In The Matter Of The Petition Of Comcast Cablevision Of S. Jersey, Inc. For A Renewal Certificate Of Approval To Continue To Construct, Operate And Maintain A Cable Tel. Sys. In The City Of Atl. City, Cnty. Of Atl., State Of N.J., 2003 N.J. PUC LEXIS 438, 5-6 (N.J. PUC 2003).]

After reviewing the parties' arguments, the GRC concludes that the Custodian's request for reconsideration should be denied. OPRA places the burden on a custodian to prove that a denial of access to records is lawful pursuant to N.J.S.A. 47:1A-6. A custodian is required to meet such burden by setting forth proof in the Statement of Information (“SOI”) that the denial was lawful. Here, the Complainant listed sixty-one (61) request items in his OPRA request. The Custodian in the SOI failed to address each response item by providing a legal explanation and statutory citation denying access. Instead, the Custodian addressed all of the request items *en masse* by listing five (5) separate reasons for denial. The GRC subsequently asked the Custodian's Counsel for a precise reason for the denial of several request items, which included request item number 27. Counsel replied by stating that the precise reason was that the records

were already provided via discovery. As such, the GRC had to carefully examine each request item and try to determine which of the Custodian's reason(s) for denial applied.

For request item number 5, the Miranda waiver form, the Custodian in the SOI did not assert that a reason for denial was that it is exempt as a criminal investigatory record pursuant to N.J.S.A. 47:1A-1.1. Further, the Custodian did not provide an analysis of it under the two-prong test set forth in N. Jersey Media Grp., 229 N.J. 541. The first time the Custodian raised the criminal investigatory exemption as a reason for denial was in the request for reconsideration. Moreover, because Lt. Drew's certification was not submitted to the GRC until May 6, 2020, the Council was unable to consider Lt. Drew's rationale that if the Miranda waiver form were subject to disclosure the safety of informants could be in jeopardy and they would consequently be less likely to give statements to the police. As such, the Council did not make a mistake by concluding that the Miranda waiver form was subject to disclosure because, as set forth in paragraph 4 of the Council's Interim Order, ". . . the Custodian failed to bear her burden of proving a lawful denial of access to [the] record."

With respect to the Custodian's allegation that the Council erred by ordering that item number 27, the audio and video recording from the body worn camera, be disclosed in its entirety, is erroneous. Paragraph 6 of the Council's Interim Order directs the Custodian to comply with the Council's Order by disclosing the record and to include a ". . . **detailed document index explaining the lawful basis for any redactions . . .**" (Emphasis in original). The Custodian stated in the request for reconsideration that the redacted recording was made available to the Complainant together with a Vaughn index. This action would be in full compliance with the terms of the Interim Order; therefore, no reconsideration of the Order is necessary with respect to this issue.

As the moving party, the Custodian was required to establish either of the necessary criteria set forth above: either 1) the Council's decision is based upon a "palpably incorrect or irrational basis;" or 2) it is obvious that the Council did not consider the significance of probative, competent evidence. See Cummings, 295 N.J. Super. at 384. The Custodian failed to establish that the complaint should be reconsidered based on a mistake. The Custodian has also failed to show that the Council acted arbitrarily, capriciously or unreasonably. See D'Atria, 242 N.J. Super. at 401. Specifically, the Custodian failed to prove that the Council made a mistake in determining that (a) the Custodian failed to bear her burden of proving a lawful denial of access of the Miranda waiver form; and (b) the body camera recording could not be disclosed in redacted form. Thus, the Complainant's request for reconsideration should be denied. Cummings, 295 N.J. Super. at 384; D'Atria, 242 N.J. Super. at 401; Comcast, 2003 N.J. PUC at 5-6. The Council's April 28, 2020 remains in effect and the Custodian must comply accordingly.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that the Custodian was required to establish either of the necessary criteria set forth above: either 1) the Council's decision is based upon a "palpably incorrect or irrational basis;" or 2) it is obvious that the Council did not consider the significance of probative, competent evidence. The Custodian failed to establish that the complaint should be reconsidered based on a mistake. The Custodian has

also failed to show that the Council acted arbitrarily, capriciously or unreasonably. Specifically, the Custodian failed to prove that the Council made a mistake in determining that (a) the Custodian failed to bear her burden of proving a lawful denial of access of the Miranda waiver form; and (b) the body camera recording could not be disclosed in redacted form. Thus, the Complainant's request for reconsideration should be denied. Cummings v. Bahr, 295 N.J. Super. 374 (App. Div. 1996); D'Atria v. D'Atria, 242 N.J. Super. 392 (Ch. Div. 1990); In The Matter Of The Petition Of Comcast Cablevision Of S. Jersey, Inc. For A Renewal Certificate Of Approval To Continue To Construct, Operate And Maintain A Cable Tel. Sys. In The City Of Atl. City, Cnty. Of Atl., State Of N.J., 2003 N.J. PUC LEXIS 438, 5-6 (N.J. PUC 2003). The Council's April 28, 2020 remains in effect and the Custodian must comply accordingly.

Prepared By: John E. Stewart
Staff Attorney

October 27, 2020

EXHIBIT A

1. All authentic records maintained by the Lawrence Township Police Department documenting any claimed violation(s) of a temporary and/or final restraining order identifying "ADAM MILLER" and/or "ADAM C. MILLER" as the defendant that were alleged to occur in the jurisdiction of the Township of Lawrence on or about October 5, 2017.

2. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of the contents of the letter identified with the alphanumeric "CFS# 17-27548" that is described on "Page: 2" of a Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017". The record of the contents of that envelope necessarily contains facsimiles of exactly seven pages transmit via US mails from Adelphia, NJ in a plain white envelope postmarked prior to September 6, 2017. An incorrect record of the contents of that letter was observed on one or more discovery documents. Furthermore, the Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017" incorrectly claims "The letter contained the same items as the letter hand delivered to Anagha's sister", which is a claim that is provably false. The record requested herein would necessarily indicate if the letter provided to Detective Sean A. Kerins by "ANAGHA SREENIVASAN" on September 8, 2018 was opened prior to submission.

3. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the CFS#, if applicable, of the letter allegedly provided to the sister of "ANAGHA SREENIVASAN" on September 3, 2017 that is incorrectly described on "Page: 1" of the Lawrence Township Police report numbered 17-27548-AR dated "09/06/2017", wherein the materials allegedly found in that letter described as "4 documents" were comprised of 6 pages. However, the September 3, 2017 letter did contain exactly 8 pages. No CFS# associated with that letter is found in any Lawrence Township Police document or court record despite references to that letter appearing on no less than 7 of the 52 pages of discovery documents. The record requested herein would necessarily provide copies of all 8 pages contained within that letter.

4. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division obtained from either one or both of the electronic devices that were seized from this requestor and inventoried by both the Lawrence Township Police Department and the Lawrence Township Police Investigations Division on September 6 and September 7, 2018, therein containing the genuine photographic record of the contents of the two letters alleged to contain identical sets of documents as claimed on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR, dated "09/25/2017" and identified "SUPPLEMENTAL NARRATIVE FOR DETECTIVE SEAN A. KERINS".

5. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division of the document identified as "Item Number: 003" and entitled miranda waiver as identified on Page 2 of 2 of a discovery document entitled "Lawrence Township Police Department Property Sheet" that is dated 9/6/2017. The record requested herein would necessarily bear the signature of this requestor.

6. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on a "DVD" identified "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that is described as the audio and video recording of "ADAM C MILLER" and/or "ADAM MILLER" reading and signing a "Lawrence Township Voluntary Consent to Search Form" at unspecified time on September 6, 2017 that did permit Detective Sean A. Kerins "permission to search hi (sic) iPhone". This record may include both audio and video content and can be prepared on any format legally permitted to be provided to this requestor.

7. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on "two Blue Ray DVDs" identified on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that describes "Detective Hughes, MCPD" as having provided Detective Sean A. Kerins "two Blue Ray DVDs containing data and files recovered from iPhone". This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

8. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the "CFS# number associated with the iPhone seized from "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by Detective Sean A. Kerins.

9. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with any Lawrence Township Police Department report dated prior to September 6, 2017 and modified thereafter, dated on September 6, 2017, or dated after September 6, 2017, wherein any document(s), record(s) and/or thing(s) containing information obtained from the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

10. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all electronic communications conducted on September 6, 2017 and thereafter between the Mercer County Prosecutor's Office and the Lawrence Township Police Investigations Division regarding the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

11. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50gb BD-R containing HTML report disc from apple A1687" identified on Page 1 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

12. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50GB BD-R containing Data/RAW Image from Apple A1687" identified on Page 2 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

13. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any modifications specifically made to the contacts list and/or other titled leger of stored phone numbers on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This request does follow from the remarkable absence of the single phone number associated with the name "EMILY

HAKKINEN" in that contacts list first observed on September 11, 2017 after the electronic device identified as an IPHONE S MODEL A1687 was returned to this requestor.

14. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division documenting the identity of any and all female individuals whose contact information, photographs, home address(es), and/or other confidential information was recorded by Detective Sean A. Kerins of the Lawrence Township Police Investigations Division following from analysis of the record of the data stored on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried by same on September 6, 2017. The records described herein follow from multiple statements made directly to this requestor by Detective Sean A. Kerins on September 6, 2017 that did allege that "ADAM C MILLER" and/or "ADAM MILLER" was sexually involved with multiple women that was further claimed by Kerins to be directly related to employment as a personal trainer. Furthermore, this requestor did not possess the electronic device identified as an IPHONE S MODEL A1687 until September 11, 2017 despite the claim made by Detective Sean A. Kerins that the iphone would be returned on September 7, 2018. Between September 7, 2018 and September 11, 2018, Detective Sean A. Kerins did not respond to emails or phone calls placed by this requestor from one or more cellular devices owned by a female individual identified in the contacts list of the electronic device identified as an IPHONE S MODEL A1687. Of the highest significance, on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", it is claimed that Detective Sean A. Kerins met with "ANAGHA SREENIVASAN" on September 8, 2017 and following from did enter a letter transmit by this requestor to that female into evidence, and did also claim to have received screen shots of text message conversations conducted between this requestor and that female at such time when the electronic device identified as an IPHONE S MODEL A1687 had not yet been returned to "ADAM C MILLER" and/or "ADAM MILLER" and at such time when all attempts at communications with Detective Sean A. Kerins had been ignored. During a court proceeding held on September 28, 2017 in Mercer County Superior Court, "ANAGHA SREENIVASAN" did submit screen shots of text message conversations allegedly conducted between herself and this requestor that were never proven to be genuine records, were not provided in full to this requestor and did not appear to be entirely genuine upon examination. Furthermore, screen shots of text message conversations may have been obtained in full, in part, or fabricated entirely using the electronic device identified as an IPHONE S MODEL A1687 that on September 8, 2017 may or may not have been in the possession of Detective Sean A. Kerins. Following from the initial specification that the records requested herein identify any and all female individuals whose information was obtained from records on the electronic device identified as an IPHONE S MODEL A1687, this request is concluded when the identity of every single female individual whose confidential information was transmit to "ANAGHA SREENIVASAN" by Detective Sean A. Kerins is provided and therein that record enumerating every compromised confidential item.

15. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the genuine record of the "screen shots of text messages" described on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", that furthermore were claimed to have been "printed, scanned and attached to this reporting", although no screen shots as described are found in any Lawrence Township Police records or discovery materials. Also, no screen shots as described did accompany the eighteen pages of Lawrence Township Police records provided to this requestor via email on September 27, 2018 pursuant to a prior OPRA request.

16. All authentic records maintained by the Lawrence Township Police Department associated with report number 17-27548-AR therein containing the complete record of all property confiscated from, and returned to "ADAM C MILLER" and/or "ADAM MILLER" on and after September 6, 2017 that necessarily includes a record from an electronic device used by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division to procure the signature of this requestor on September 11, 2017.

17. All authentic records maintained by the Lawrence Township Police Department of the audio and video recorded victim interview associated with report 17-27548-AR and conducted on September 6, 2017 at approximately 10:40 a.m. by Sean A. Kerins of the Lawrence Township Police Investigations Division that in all likelihood contains the only genuine record of an alleged statement provided to the Lawrence Township Police Department by "ANAGHA SRBENIVASAN" described as, "She did not fear he would harm her", which does indicate that the alleged victim did not perceive this requestor as a threat on September 6, 2017 and as such all subsequent claims that a reasonable person in a similar situation would fear for their safety are ludicrous. If this statement described herein is confirmed accurate by the record requested herein, it would provide an affirmative defense in the ongoing criminal action. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

18. All authentic records of closed circuit television recordings maintained by the Lawrence Township Police Department whereof still images of each detective that questioned "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 can be obtained for purpose of identifying each detective that did interact with the suspect. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

19. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all email conversations conducted by the Lawrence Township Police Department and/or the Lawrence

Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter.

20. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all phone calls conducted by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

21. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that identify the registered owner of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that was impounded on that same date. Furthermore, this record would in all likelihood identify the database(s) wherein the suspect "ADAM C MILLER" and/or "ADAM MILLER" was identified as the registered owner of that vehicle despite contradictory claims found in other government records.

22. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that describe the search warrant(s) issued on September 6, 2017 that did permit search, inventory and photo documentation inside the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017.

23. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that contain the complete set of 25 photographs taken using a Nikon D-90 digital camera with serial number #3253267 for the alleged purpose of documenting the contents of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include digital content and can be prepared on any format legally permitted to be provided to this requestor.

24. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that describe the specific location an electronic device identified as an apple think pad was found within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

25. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR

that describe how Lawrence Township Police officer(s) and/or detective(s) obtained knowledge that an electronic device identified as apple think pad was located within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017, when at the time of arrest that improperly identified electronic device was contained within a sealed yellow Patagonia backup located on the front passenger seat and could only be retrieved upon opening that backup and removing its contents. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

26. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any and all attempts to retrieve, modify and/or delete information from the electronic device identified as an apple think pad taken from within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor. body camera N. All authentic audio and video records from the body camera worn by officer J CORADO of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

27. All authentic audio and video records from the body camera worn by officer A TARA of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

28. All authentic audio and video records from the body camera(s) worn by all other Lawrence Township Police Department officer(s) on September 6, 2017 who were involved in case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

29. An authentic copy of the Lawrence Township Police Department report numbered 17-27548-AR that is dated September 6, September 7 and September 25, 2017 that does not contain any redacted content in the narrative or the supplemental narrative. Confidential identifiers of the alleged victim, the alleged victim's roommate and alleged victim's sister may be redacted.

30. All authentic records maintained by the Lawrence Township Police Department documenting the exact date "ANAGHA SREENIVASAN" was first provided a copy of the Lawrence Township Police report numbered 17-27548-AR.

31. All authentic audio records of the call(s) placed to the Lawrence Township Police Department on September 6, 2017 identifying "ADAM C MILLER" and/or "ADAM MILLER" placed by "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN". This record would necessarily contain audio and can be prepared on any format legally permitted to be provided to this requestor.

32. All authentic records maintained by the Lawrence Township Police Department that identify known aliases of the alleged victim "ANAGHA SREENIVASAN".

33. All authentic records maintained by the Lawrence Township Police Department that that identify known aliases of the alleged victim's roommate "EMILY HAKKINEN".

34. Any and all Lawrence Township Police Department reports identifying both "ANAGHA SREENIVASAN" and/or the male individual who is or was her husband named "JAMES FULMINO". The records described herein are requested following from a claim made on September 28, 2018 by "ANAGHA SREENIVASAN" during a court proceeding conducted in Mercer County Superior Court that she and "JAMES FULMINO" were on that date engaged in a dissolution proceeding.

35. All authentic records maintained by the Lawrence Township Police Department regarding any and all descriptions "ANAGHA SREENIVASAN" provided to Lawrence Township Police describing a dating relationship with "ADAM C MILLER" and/or "ADAM MILLER", and furthermore may contain audio and/or video records of "ANAGHA SREENIVASAN" describing that "dating relationship" in a manner different from the descriptions observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". The record(s) described herein may document statements made by "ANAGHA SREENIVASAN" that necessarily impeach testimony from one or more individuals claiming that "ADAM C MILLER" and/or "ADAM MILLER" was present in the vicinity of "31203 PALM COURT, LAWRENCEVILLE, NJ 08648" on September 6, 2017 for any other reason than to retrieve personal items left within that residence upon termination of a dating relationship.

36. All authentic records maintained by the Lawrence Township Police Department providing any further description of claimed "estrangement behavior from the suspect" that was observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". It remains unclear if the alleged victim "ANAGHA SREENIVASAN" was describing estrangement between herself and "ADAM C MILLER" and/or "ADAM MILLER", or alternately described specific "strange" behaviors she observed.

37. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any oral, written or electronic communications conducted between the alleged victim "ANAGHA SREENIVASAN" and "ADAM C MILLER" and/or "ADAM MILLER" between May 26, 2017 and up to and including September 6, 2017.

38. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the calls placed by the alleged victim "ANAGHA SREENIVASAN" to the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that specifically document the phone number from where those calls did originate, the date and time of those calls were placed, and if applicable recorded audio of those phone calls. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

39. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901", therein providing the identity of the alleged victim's sister, any and all aliases associated with identity of the alleged victim's sister, any and all specific date(s) "ADAM C MILLER" and/or "ADAM MILLER" allegedly visited the sister's residence, a record of the alleged contents of the "envelope for the victim", the specific material(s) found "Inside" that envelope claimed to be "disturbing", all police reports from the jurisdiction in which the sister did reside specifically on the date this requestor was alleged to appear, and furthermore all police reports from any jurisdiction in which the sister did reside at any point in time identifying both the she and this requestor.

40. All authentic records maintained by the Lawrence Township Police Department documenting record(s) of service for all document(s) served upon "ADAM MILLER" and/or "ADAM C. MILLER" on September 6, 2017 or any date thereafter that necessarily include copies of every document served which thereupon each identify a date and time of origin.

41. All authentic and complete versions of the one or possibly multiple criminal complaints issued on September 6, 2017 and/or thereafter whereupon "ADAM C MILLER" and/or "ADAM MILLER" is the named defendant that are identified with the sequence number 000763 and identify the court code 1107. There may be multiple versions of a criminal complaint as described herein that may be identified with NJ/CDR1 or NJ/CDR2. The complete record of one criminal complaint is necessarily 7 pages in length.

42. All authentic records maintained by the Lawrence Township Police Department whereupon any description whatsoever of the specific acts this requestor was accused of committing on September 6, 2017 described as, "PLACING THE VICTIM IN REASONABLE FEAR OF

DEATH OR BODILY INJURY SPECIFICALLY BY HARASSING THE VICTIM TWO TIMES". This record would necessarily specify the date, time and description of both the first and second time "ADAM C MILLER" and/or "ADAM MILLER" allegedly placed a victim in reasonable fear of death or bodily injury and furthermore this record must specify the specific act(s) and statement(s) described as harassment by J CORADO that would necessarily be in violation of N.J.S.A. 2C:33-4.

43. All authentic records maintained by Lawrence Township Police Department thereupon describing how the alleged acts committed by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 were classified as "DOMESTIC VIOLENCE".

44. All authentic records maintained by Lawrence Township Police Department regarding the identity of the individual who did not open the door on September 6, 2017 at the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

45. All authentic records maintained by Lawrence Township Police Department describing a court proceeding entitled "Central First Appearance/CJP" claimed to have been scheduled at the "MERCER CIVIL COURTHOUSE" located at "175 SOUTH BROAD ST" for which the suspect "ADAM C MILLER" and/or "ADAM MILLER" was to scheduled to appear. This record would necessarily include the appearance date not observed on "Page 1 of 7" of a discovery document entitled "COMPLAINT - WARRANT" that is timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901".

46. All authentic records maintained by the Lawrence Township Police Department regarding the exact location of the parking spot in which the vehicle operated by "ADAM C MILLER" and/or "ADAM MILLER" was observed by Lawrence Township Police on September 6, 2017. On "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901"; "ANAGHA SREENIVASAN" was reported to have described a vehicle that was later located by Lawrence Township Police on September 6, 2017 similar or identical to "the vehicle the victim described, outside the victim's building." On September 6, 2017, the vehicle operated by this requestor was parked in the vicinity of that building, however that describes every parking spot in the Avalon Run East apartment complex. As such, the record requested herein would necessarily provide the exact location of that vehicle and the time at which it was observed in that parking spot on September 6, 2018 by the Lawrence Township Police Department.

47. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of oral

communications allegedly conducted on September 6, 2017 between "ADAM C MILLER" and/or "ADAM MILLER" with "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN" that would necessarily describe or rule out any claims alleging this requestor requested and/or attempted entry into the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

48. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of the alleged location(s) of "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 during the time he was described as "in the vicinity for approximately an hour" prior to the arrival of Lawrence Township Police Department officers.

49. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any public facilities within or close to the Avalon Run East apartment complex used by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 for a period of approximately one hour prior to the arrival of Lawrence Township Police Department officers.

50. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by any individual(s) alleging outstanding warrant(s), active restraining order(s), prior criminal history, prior history of domestic violence against the alleged victim "ANAGHA SREENIVASAN" and/or the alleged victim's roommate "EMILY HAKKINEN" and/or the alleged victim's sister.

51. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" by any individual(s) alleging that the suspect was not permitted to be present within the Avalon Run East apartment complex on September 6, 2017.

52. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting statements from "ADAM C MILLER" and/or "ADAM MILLER" describing why he traveled to the Avalon Run East apartment complex on September 6, 2017.

53. All authentic records maintained by the Lawrence Township Police Department regarding a claim observed on "Page 6 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901", whereupon it was claimed that on September 6, 2017 "The suspect was

located, and admitted to all of the above." This document does not contain any record of what the suspect allegedly admitted that may or may be described on the preceding page and furthermore this requestor at no point on September 6, 2017 or thereafter did "admit" to any crime in the jurisdiction of the Township of Lawrence. The record of this admission, if existent, would provide what exactly the requestor "admitted" to and identify the exact location wherein those claimed admissions were recorded.

54. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the date, time, report number and record of the alleged "welfare check" conducted by "Howell Police" on an unspecified date as described on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", further identified with "Trans ID: MCS2017359901". This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

55. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

56. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

57. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

58. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding the suspect "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

59. All authentic records of any and all oral, written and/or electronic communications conducted on September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police

Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

60. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

61. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made by any individual(s) that "ADAM C MILLER" and/or "ADAM MILLER" had a history of medical and/or psychiatric illness.



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
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PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

INTERIM ORDER

April 28, 2020 Government Records Council Meeting

Adam C. Miller
Complainant

Complaint No. 2018-313

v.

Township of Lawrence (Mercer)
Custodian of Record

At the April 28, 2020 public meeting, the Government Records Council (“Council”) considered the April 21, 2020 Findings and Recommendations of the Council Staff and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that:

1. The Custodian failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant’s possession, was lawful. N.J.S.A. 47:1A-6. See Bart v. City of Paterson Hous. Auth., 403 N.J. Super. 609 (App. Div. 2008). See also Marinaccio v. Borough of Fanwood (Union), GRC 2012-23 (Interim Order April 30, 2013).
2. The Complainant’s request items numbered 1 through 4, 6 through 26, 28, 30 through 58, 59, 60 and 61 are invalid because they fail to seek identifiable government records and require the Custodian to identify and siphon useful information. MAG Entm’t, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Stafford Police Dep’t, 381 N.J. Super. 30, 37 (App. Div. 2005); N.J. Builders Ass’n. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007). See also Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009). Thus, the Custodian did not unlawfully deny access to said request items. N.J.S.A. 47:1A-6.
3. The Custodian lawfully denied access to the Complainant’s request item number 29 seeking an investigative report. N.J.S.A. 47:1A-6. The report satisfies the two-prong test to be exempt under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; N. Jersey Media Grp., Inc. 229 N.J. 541; Janeczko v. N.J. Dep’t of Law and Pub. Safety, Div. of Criminal Justice, GRC Complaint Nos. 2002-79 and 2002-80 (June 2004).
4. Because request item number 5 is a Miranda waiver form, not a record under the Prevention of Domestic Violence Act, and because the request item is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.

5. Because request item number 27 is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.
6. **The Custodian shall either comply with paragraphs #4 and #5 above within five (5) business days from receipt of the Council's Interim Order, including a detailed document index explaining the lawful basis for any redactions, or submit a certification to the Council averring that no record responsive to the Complainant's request item(s) exists. Further, the Custodian shall simultaneously deliver¹ certified confirmation of compliance, in accordance with N.J. Court Rules, R. 1:4-4,² to the Executive Director.³**
7. The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian's compliance with the Council's Interim Order.

Interim Order Rendered by the
Government Records Council
On The 28th Day of April 2020

Robin Berg Tabakin, Esq., Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: April 29, 2020

¹ The certified confirmation of compliance, including supporting documentation, may be sent overnight mail, regular mail, e-mail, facsimile, or be hand-delivered, at the discretion of the Custodian, as long as the GRC physically receives it by the deadline.

² "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."

³ Satisfactory compliance requires that the Custodian deliver the record(s) to the Complainant in the requested medium. If a copying or special service charge was incurred by the Complainant, the Custodian must certify that the record has been *made available* to the Complainant but the Custodian may withhold delivery of the record until the financial obligation is satisfied. Any such charge must adhere to the provisions of N.J.S.A. 47:1A-5.

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Executive Director
April 28, 2020 Council Meeting**

Adam C. Miller¹
Complainant

GRC Complaint No. 2018-313

v.

Township of Lawrence (Mercer)²
Custodial Agency

Records Relevant to Complaint: See attached Exhibit A³

Custodian of Record: Kathleen S. Norcia
Request Received by Custodian: October 25, 2018
Response Made by Custodian: October 30, 2018
GRC Complaint Received: December 26, 2018

Background⁴

Request and Response:

On October 25, 2018, the Complainant submitted an Open Public Records Act (“OPRA”) request to the Custodian seeking the records listed in Exhibit A. On October 30, 2018, the third (3rd) business day following receipt of said request, the Custodian responded in writing informing the Complainant that the request is a broad, voluminous and impermissible wholesale request. The Custodian stated that OPRA does not authorize unbridled searches of public records or require a custodian to conduct research and analyze, collate and compile information. The Custodian also informed the Complainant that under OPRA and the Prevention of Domestic Violence Act of 1991, records pertaining to domestic violence incidents cannot be disclosed to the alleged actor. For these reasons, the Custodian informed the Complainant that his request is denied.

Denial of Access Complaint:

On December 26, 2018, the Complainant filed a Denial of Access Complaint with the Government Records Council (“GRC”). The Complainant contended that he was unlawfully

¹ No legal representation listed on record.

² Represented by David M. Roskos, Esq., of Eckert Seamans Cherin & Mellott, LLC (Princeton, NJ).

³ The Complainant stated that he would pick up copies of the requested records at the Lawrence Township Police Department.

⁴ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Executive Director the submissions necessary and relevant for the adjudication of this complaint.

denied access to the subject OPRA request.⁵

Statement of Information:

On January 9, 2019, the Custodian filed a Statement of Information (“SOI”). The Custodian certified that she received the Complainant’s OPRA request on October 25, 2018 and responded in writing on October 30, 2019. The Custodian certified that she denied the Complainant’s request for five (5) separate reasons:

1. The OPRA request was a broad request for information and OPRA does not authorize unbridled searches of public records or require a custodian to conduct research and analyze, collate and compile information. The Custodian cited N.J. Builders Ass’n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166 (App. Div. 2007), MAG Entm’t, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, and Bent v. Stafford Police Dep’t, 381 N.J. Super. 30 (App. Div. 2005) in support of her argument. The Custodian also cited Burke v. Brandes, 429 N.J. Super. 169 (App. Div. 2012) as holding that “OPRA does not countenance open-ended searches of any agency’s files.” The Custodian certified that in order to respond to the request she would have had to review every government record involving the Complainant to determine if it was responsive to the request.
2. The request was for records in which the Complainant was the alleged actor involved in domestic violence incidents. The Custodian certified that such domestic violence records are exempt from access pursuant to N.J.S.A. 2C:25-17, *et seq.*
3. The following records which were determined to be responsive to the request were already disclosed to the Complainant on or about September 27, 2018, in response to another OPRA request which formed the basis of GRC Complaint No. 2018-239 (the records were redacted to remove victim identification and contact information):
 - a. Calls for service report for September 6, 2017.
 - b. Police incident report #17-29693.
 - c. Police arrest report #17-27548 by Officer J. Corado, with an appended supplemental report by Det. M. Harmon.

The Custodian certified that because the records had been disclosed to the Complainant in an earlier matter, he already has the requested records. The Custodian certified that pursuant to Bart v. City of Paterson Hous. Auth., 403 N.J. Super. 609 (App. Div. 2008), a requestor cannot have been denied access to the requested records if he already had the records in his possession at the time he sought them under OPRA.

⁵ The complaint narrative consists of several run-on sentences compressed into a single paragraph. As such, the narrative is somewhat incoherent and difficult to follow. The GRC did understand, however, that the Complainant was seeking records via sixty-one (61) request items that he alleged were unlawfully denied by the Custodian.

4. Pursuant to N.J.S.A. 47:1A-5(h), the Custodian certified that she directed the Complainant to the Mercer County Prosecutor's Office for records that are maintained by that agency due to active and ongoing criminal proceedings.
5. The Custodian certified that the Complainant stated in the Denial of Access Complaint that he was denied access to records on December 30, 2019, which date was several days after he filed the complaint.⁶

Additional Submissions:

On April 11, 2019, the Custodian's Counsel sent a letter with enclosures to the GRC. Counsel suggested that the enclosures, which are copies from an online blog posted by the Complainant, typify the Complainant's credibility with respect to this matter.⁷

On May 23, 2019, the Custodian's Counsel sent a letter to the GRC forwarding a copy of the Appellate Division's decision in Garcia v. Bergen Cty. Prosecutor's Office, 2019 N.J. Super. Unpub. LEXIS 1139 (App. Div. 2019). The Custodian's Counsel argued that the Appellate Division upheld the trial court's denial of access to records under OPRA because the requested records had already been provided to the requestor during the prosecution of the criminal charges against him. Counsel argued that the same rationale applies to the instant complaint as well as GRC Complaint Nos. 2018-237, 2018-238 and 2018-239; therefore, the complaints must be dismissed because the requested records are already in the Complainant's possession. As proof of this fact, Counsel stated that the Complainant attached copies of the requested records to GRC Complaint No. 2018-239.

On May 24, 2019, the GRC e-mailed the Custodian's Counsel and informed him that in the SOI, the Custodian did not correlate the precise reasons for her denial to request item numbers 27, 29 and 31. The GRC asked for a response from the Custodian correcting the deficiency.

On June 4, 2019, the Custodian's Counsel replied to the GRC's May 24, 2019 e-mail. Counsel stated that the Custodian's reason for denial of access to request item numbers 27, 29 and 31 was that the Custodian understood that the records requested in said request items were disclosed to the Complainant in the discovery process of a criminal matter on or about October 1, 2018. The Custodian's Counsel stated that the Township was in the process of verifying such disclosure with the Mercer County Prosecutor's Office and would inform the GRC once the disclosure was verified.⁸ Counsel also stated that pursuant to Bart, 403 N.J. Super. 609 and Garcia v. Bergen Cty. Prosecutor's Office, Docket Nos. A-3085-16 and A-4501-16, a governmental agency is not required to reproduce records already in a requestor's possession.

⁶ The Complainant in paragraph 3 of the complaint stated that he was denied access on December 30, 2019; however, that date is clearly an error because the evidence of record reveals that the Custodian denied the Complainant's request in writing on October 30, 2018.

⁷ The posts are critical of the Township of Lawrence and some are laced with profanity. However, the GRC will not consider the enclosures because they are not directly relevant to the specific allegations contained in the Denial of Access Complaint.

⁸ The Custodian's Counsel did not subsequently inform the GRC as to whether the disclosure was verified with the Mercer County Prosecutor's Office.

Analysis

Unlawful Denial of Access

OPRA provides that government records made, maintained, kept on file, or received by a public agency in the course of its official business are subject to public access unless otherwise exempt. N.J.S.A. 47:1A-1.1. A custodian must release all records responsive to an OPRA request “with certain exceptions.” N.J.S.A. 47:1A-1. Additionally, OPRA places the burden on a custodian to prove that a denial of access to records is lawful pursuant to N.J.S.A. 47:1A-6.

As a threshold issue, the GRC must consider whether the Complainant presently has the requested records in his possession as argued by the Custodian, thereby eliminating the Custodian’s obligation to provide the records again. In Bart, 403 N.J. Super. 609, the Appellate Division held that a complainant could not have been denied access to a requested record if he already had in his possession at the time of the OPRA request the document he sought pursuant to OPRA. Id. at 617. The Appellate Division noted that requiring a custodian to duplicate another copy of the requested record and send it to the complainant does not advance the purpose of OPRA, which is to ensure an informed citizenry. Id. (citations omitted).⁹

The Appellate Division’s decision in Bart, however, turns upon the specific facts of that case. In the adjudication of the Denial of Access Complaint, the Council’s decision noted in the certification of the custodian that copies of the requested record were available at the Housing Authority’s front desk upon simple verbal request by any member of the public; moreover, *the complainant admitted that he was actually in possession of this record at the time of the OPRA request for the same record.* Bart v. City of Paterson Hous. Auth., GRC Complaint No. 2005-145 (May 2007).

In Marinaccio v. Borough of Fanwood (Union), GRC Complaint No. 2012-23 (Interim Order April 30, 2013), the custodian denied access to a request for audio recordings on the basis that the complainant already received the requested records during discovery. The Council, finding the facts distinguishable from those in Bart, determined that there was no evidence in the record to verify that the complainant was still in possession of the requested record at the time of his OPRA request. As such, the Council held that the custodian unlawfully denied access to the requested record.

Here, unlike GRC Complaint No. 2018-239 referenced by the Custodian’s Counsel, the Complainant did not attach copies of the requested records to the complaint. Moreover, although the Complainant referenced receiving some or all of the requested records as part of discovery, there is nothing in the evidence of record to indicate that the Complainant was still in possession of the requested records at the time of his OPRA request.

⁹ The Custodian’s Counsel also cited a more recent, albeit unpublished, decision as legal authority for the Custodian’s denial: Garcia v. Bergen Cty. Prosecutor’s Office, 2019 N.J. Super. Unpub. LEXIS 1139 (App. Div. 2019). In Garcia, the plaintiff challenged the trial court’s ruling which upheld defendant’s denial of access to a videotape, audiotape and written report detailing the plaintiff’s interrogation, all of which related to the plaintiff’s criminal matter. The court upheld the defendant’s denial because the records had already been provided via discovery; therefore, the court determined that the defendant was not obligated to provide the records again. The Appellate Division affirmed, agreeing substantially for the reasons set forth by the trial court.

Therefore, the Custodian failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant's possession, was lawful. N.J.S.A. 47:1A-6. See Bart, 403 N.J. Super. 609. See also Marinaccio, GRC 2012-23.

Next, the GRC next will analyze the validity of the numerous request items contained within the Complainant's OPRA request. The New Jersey Appellate Division has held that:

While OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, *it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records "readily accessible for inspection, copying, or examination."* N.J.S.A. 47:1A-1.

[MAG Entm't, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005) (emphasis added).]

The Court reasoned that:

Most significantly, the request failed to identify with any specificity or particularity the governmental records sought. *MAG provided neither names nor any identifiers other than a broad generic description of a brand or type of case prosecuted by the agency in the past.* Such an open-ended demand required the Division's records custodian to manually search through all of the agency's files, analyze, compile and collate the information contained therein, and identify for MAG the cases relative to its selective enforcement defense in the OAL litigation. Further, once the cases were identified, the records custodian would then be required to evaluate, sort out, and determine the documents to be produced and those otherwise exempted.

[Id. at 549 (emphasis added).]

The Court further held that "[u]nder OPRA, agencies are required to disclose only 'identifiable' government records not otherwise exempt . . . In short, OPRA does not countenance open-ended searches of an agency's files." Id. at 549 (emphasis added). See also Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 37 (App. Div. 2005);¹⁰ N.J. Builders Ass'n. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007); See also Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009). Request items numbered 1 through 4, 6 through 26, 30 through 58 and 61

Here, in each of the above-referenced request items the Complainant sought "all" of the Police Department's records followed by some form of the following words: "describing," "regarding," "documenting," "containing," "providing," "identifying," and "ruling [out]." The Complainant then listed the information and/or documentation he was interested in obtaining. In order for the Custodian to respond to the Complainant's request items framed in such a manner

¹⁰ Affirming Bent v. Stafford Police Dep't, GRC Case No. 2004-78 (October 2004).

she would have to conduct research to determine which, out of all of the Police Department's records, fit the criteria set forth by the Complainant.

Request item number 28

In this request item, the Complainant sought body camera records for “. . . all other Lawrence Township Police Department officer(s) on September 6, 2017 who were involved in case number 17-27548-AR.” This request requires the Custodian to conduct research to determine those “other” police officers that may have been “involved” in the referenced incident.

Request items number 59 and 60

These request items seek “[a]ll authentic records of any and all oral, written and/or electronic communications conducted [date] between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police Department and/or any other entity . . .” These request items are so overly broad that the Custodian would have to search a prodigious number of files in order to respond to the request. OPRA requires a record to be specifically identified, which is not the case here.

Therefore, the Complainant's request items numbered 1 through 4, 6 through 26, 28, 30 through 58, 59, 60 and 61 are invalid because they fail to seek identifiable government records and require the Custodian to identify and siphon useful information. MAG, 375 N.J. Super. 534 at 546; Bent, 381 N.J. Super. 30 at 37; N.J. Builders Ass'n, 390 N.J. Super. 166 at 180; See also Schuler, GRC 2007-151. Thus, the Custodian did not unlawfully deny access to said request items. N.J.S.A. 47:1A-6.

Request item number 29

In this request item the Complainant is seeking a police report for incident number 17-27548-AR. The Complaint is seeking the record in unredacted form.

The GRC has held that police reports were exempt from disclosure where they met the two-prong test required to be a criminal investigatory record under OPRA, which defines a criminal investigatory record as “a record which is not required by law to be made, maintained, or kept on file that is held by a law enforcement agency which pertains to any criminal investigation or related civil enforcement proceeding.” N.J.S.A. 47:1A-1.1.

The New Jersey Supreme Court considered this two-prong test in N. Jersey Media Grp., Inc. v. Twp. of Lyndhurst, 229 N.J. 541 (2017), on appeal from N. Jersey Media Grp., Inc. v. Twp. of Lyndhurst, 441 N.J. Super. 70 (App. Div. 2015). In the appeal, the Court affirmed that OPRA's criminal investigatory records exemption applies to police records which originate from a criminal investigation. However, the court stated that “to qualify for the exception — and be exempt from disclosure — a record (1) must not be ‘required by law to be made,’ and (2) must ‘pertain[] to a criminal investigation.’ N.J.S.A. 47:1A-1.1.” Id. at 564.

The Court made it clear that if the first prong cannot be met because such a record is required by law to be made, then that record “cannot be exempt from disclosure under OPRA’s criminal investigatory records exemption. N.J.S.A. 47:1A-1.1.” Id. at 365. The Court also noted that even if a record is not required by law to be made, it must still be found to pertain to a criminal investigation. The Court reiterated the Appellate Division’s observation that “some police records relate to an officer’s community-caretaking function; others to the investigation of a crime.” Id. at 569 (citing N. Jersey Media Grp., Inc., 441 N.J. Super. at 105). Therefore, the Court reasoned that determining whether such records pertain to a criminal investigation requires a “case-by-case analysis.” However, the Court pointed out that police records that stem from “an investigation into *actual or potential* violations of criminal law,” such as “detailed investigative reports and witness statements,” will satisfy the second prong of OPRA’s criminal investigatory records exemption. Id. (emphasis added).

The Council has also long held that once a record is determined to be a criminal investigatory record, it is exempt from access. See Janeczko v. N.J. Dep’t of Law and Pub. Safety, Div. of Criminal Justice, GRC Complaint Nos. 2002-79 and 2002-80 (June 2004), holding that “criminal investigatory records include records involving all manner of crimes, resolved or unresolved, and includes information that is part and parcel of an investigation, confirmed and unconfirmed.”¹¹ Moreover, with respect to concluded investigations, the Council pointed out in Janeczko that, “[the criminal investigatory records exemption] does not permit access to investigatory records once the investigation is complete.”

Here, the Custodian certified that the incident report is related to an arrest report under the same incident number.¹² The Custodian withheld the incident report as it related to an arrest under N.J.S.A. 2C:25-17, et seq., which is the Prevention of Domestic Act of 1991.

In applying the test under N. Jersey Media Grp., 229 N.J. 541, the GRC is satisfied that the Custodian lawfully denied access to the investigative report. Since the evidence of record indicates that the investigative report pertained to a criminal investigation under N.J.S.A. 2C: 25-17, et seq. Further, there is no evidence in the record indicating that said report is required to be made.

Accordingly, the Custodian lawfully denied access to the Complainant’s request item number 29 seeking an investigative report. N.J.S.A. 47:1A-6. The report satisfies the two-prong test to be exempt under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; N. Jersey Media Grp., Inc. v. Twp. of Lyndhurst, 229 N.J. 541 (2017); Janeczko, GRC 2002-79, 2002-80.

Request item number 5

Here the Complainant is seeking a Miranda waiver form dated September 6, 2017 that he personally signed. The Custodian denied access to the record based upon two reasons, (1) that the record is a domestic violence record exempt from access; and (2) the request is a broad, voluminous and impermissible wholesale request. However, it is clear upon a review of the

¹¹ Subsequently affirmed in an unpublished opinion of the Appellate Division.

¹² See SOI Item 9(A)(2) and 9(A)(3).

request item that the Complainant specifically identified the record. Moreover, this record's content typically does not contain any domestic violence or criminal investigatory material; to wit, it is not in the nature of a "detailed investigative report [or] witness statement." N. Jersey Media Grp., 229 N.J. at 569.

Therefore, because request item number 5 is a Miranda waiver form, not a record under the Prevention of Domestic Violence Act, and because the request item is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.

Request item number 27

In this request item the Complainant is seeking audio and video recording from a body camera worn by Lawrence Township Police Officer A. Tara. The Complainant stated that the recording pertained to Lawrence Township Police Case Number 17-27548-AR and was created on September 6, 2017. As such, the Complainant specifically identified the record. Again, the Custodian denied access to the record based upon two reasons, (1) that the record is a domestic violence record exempt from access; and (2) the request is a broad, voluminous and impermissible wholesale request. The Custodian's Counsel also informed the GRC that the requested record was already disclosed to the Complainant in the discovery process of a criminal matter.

Here, the request item is a valid request for a specifically identifiable record; it is not an overly broad request. If any portion of the recording contains material exempt from access, such material can be redacted and the balance of the recording disclosed.

Therefore, because request item number 27 is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.

Knowing & Willful

The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian's compliance with the Council's Interim Order.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that:

1. The Custodian failed to bear her burden of proof that the denial of access to the requested records, based upon the records already being in the Complainant's

possession, was lawful. N.J.S.A. 47:1A-6. See Bart v. City of Paterson Hous. Auth., 403 N.J. Super. 609 (App. Div. 2008). See also Marinaccio v. Borough of Fanwood (Union), GRC 2012-23 (Interim Order April 30, 2013).

2. The Complainant's request items numbered 1 through 4, 6 through 26, 28, 30 through 58, 59, 60 and 61 are invalid because they fail to seek identifiable government records and require the Custodian to identify and siphon useful information. MAG Entm't, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 37 (App. Div. 2005); N.J. Builders Ass'n. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007). See also Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009). Thus, the Custodian did not unlawfully deny access to said request items. N.J.S.A. 47:1A-6.
3. The Custodian lawfully denied access to the Complainant's request item number 29 seeking an investigative report. N.J.S.A. 47:1A-6. The report satisfies the two-prong test to be exempt under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; N. Jersey Media Grp., Inc. 229 N.J. 541; Janeczko v. N.J. Dep't of Law and Pub. Safety, Div. of Criminal Justice, GRC Complaint Nos. 2002-79 and 2002-80 (June 2004).
4. Because request item number 5 is a Miranda waiver form, not a record under the Prevention of Domestic Violence Act, and because the request item is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.
5. Because request item number 27 is a valid request for a specifically identifiable record, the Custodian failed to bear her burden of proving a lawful denial of access to said record. N.J.S.A. 47:1A-6. As such, the Custodian must disclose the requested record to the Complainant.
6. **The Custodian shall either comply with paragraphs #4 and #5 above within five (5) business days from receipt of the Council's Interim Order, including a detailed document index explaining the lawful basis for any redactions, or submit a certification to the Council averring that no record responsive to the Complainant's request item(s) exists. Further, the Custodian shall simultaneously deliver¹³ certified confirmation of compliance, in accordance with N.J. Court Rules, R. 1:4-4,¹⁴ to the Executive Director.¹⁵**

¹³ The certified confirmation of compliance, including supporting documentation, may be sent overnight mail, regular mail, e-mail, facsimile, or be hand-delivered, at the discretion of the Custodian, as long as the GRC physically receives it by the deadline.

¹⁴ "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."

¹⁵ Satisfactory compliance requires that the Custodian deliver the record(s) to the Complainant in the requested medium. If a copying or special service charge was incurred by the Complainant, the Custodian must certify that the record has been *made available* to the Complainant but the Custodian may withhold delivery of the record until the financial obligation is satisfied. Any such charge must adhere to the provisions of N.J.S.A. 47:1A-5.

7. The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian's compliance with the Council's Interim Order.

Prepared By: John E. Stewart
Staff Attorney

April 21, 2020

EXHIBIT A

1. All authentic records maintained by the Lawrence Township Police Department documenting any claimed violation(s) of a temporary and/or final restraining order identifying "ADAM MILLER" and/or "ADAM C. MILLER" as the defendant that were alleged to occur in the jurisdiction of the Township of Lawrence on or about October 5, 2017.

2. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of the contents of the letter identified with the alphanumeric "CFS# 17-27548" that is described on "Page: 2" of a Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017". The record of the contents of that envelope necessarily contains facsimiles of exactly seven pages transmit via US mails from Adelphia, NJ in a plain white envelope postmarked prior to September 6, 2017. An incorrect record of the contents of that letter was observed on one or more discovery documents. Furthermore, the Lawrence Township Police report numbered 17-27548-AR dated "09/25/2017" incorrectly claims "The letter contained the same items as the letter hand delivered to Anagha's sister", which is a claim that is provably false. The record requested herein would necessarily indicate if the letter provided to Detective Sean A. Kerins by "ANAGHA SREENIVASAN" on September 8, 2018 was opened prior to submission.

3. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the CFS#, if applicable, of the letter allegedly provided to the sister of "ANAGHA SREENIVASAN" on September 3, 2017 that is incorrectly described on "Page: 1" of the Lawrence Township Police report numbered 17-27548-AR dated "09/06/2017", wherein the materials allegedly found in that letter described as "4 documents" were comprised of 6 pages. However, the September 3, 2017 letter did contain exactly 8 pages. No CFS# associated with that letter is found in any Lawrence Township Police document or court record despite references to that letter appearing on no less than 7 of the 52 pages of discovery documents. The record requested herein would necessarily provide copies of all 8 pages contained within that letter.

4. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division obtained from either one or both of the electronic devices that were seized from this requestor and inventoried by both the Lawrence Township Police Department and the Lawrence Township Police Investigations Division on September 6 and September 7, 2018, therein containing the genuine photographic record of the contents of the two letters alleged to contain identical sets of documents as claimed on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR, dated "09/25/2017" and identified "SUPPLEMENTAL NARRATIVE FOR DETECTIVE SEAN A. KERINS".

5. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division of the document identified as "Item Number: 003" and entitled miranda waiver as identified on Page 2 of 2 of a discovery document entitled "Lawrence Township Police Department Property Sheet" that is dated 9/6/2017. The record requested herein would necessarily bear the signature of this requestor.

6. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on a "DVD" identified "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that is described as the audio and video recording of "ADAM C. MILLER" and/or "ADAM MILLER" reading and signing a "Lawrence Township Voluntary Consent to Search Form" at unspecified time on September 6, 2017 that did permit Detective Sean A. Kerins "permission to search hi (sic) iPhone". This record may include both audio and video content and can be prepared on any format legally permitted to be provided to this requestor.

7. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing an identical record of the data found on "two Blue Ray DVDs" identified on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017" that describes "Detective Hughes, MCPO" as having provided Detective Sean A. Kerins "two Blue Ray DVDs containing data and files recovered from iPhone". This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

8. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division identifying the "CFS# number associated with the iPhone seized from "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by Detective Sean A. Kerins.

9. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with any Lawrence Township Police Department report dated prior to September 6, 2017 and modified thereafter, dated on September 6, 2017, or dated after September 6, 2017, wherein any document(s), record(s) and/or thing(s) containing information obtained from the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

10. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all electronic communications conducted on September 6, 2017 and thereafter between the Mercer County Prosecutor's Office and the Lawrence Township Police Investigations Division regarding the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

11. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50gb BD-R containing HTML report disc from apple A1687" identified on Page 1 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

12. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete and identical record stored upon "One (1) 50GB BD-R containing Data/RAW Image from Apple A1687" identified on Page 2 of 2 of a discovery document entitled "Mercer County Prosecutor's Office Department Case Report, Department Case Number: 17-00133" that is dated 9/11/2017 and in all likelihood describes one record of the contents of the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

13. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any modifications specifically made to the contacts list and/or other titled ledger of stored phone numbers on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried on September 6, 2017 by Detective Kerins of the Lawrence Township Police Investigations Division. This request does follow from the remarkable absence of the single phone number associated with the name "EMILY

HAKKINEN" in that contacts list first observed on September 11, 2017 after the electronic device identified as an IPHONE S MODEL A1687 was returned to this requestor.

14. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division documenting the identity of any and all female individuals whose contact information, photographs, home address(es), and/or other confidential information was recorded by Detective Sean A. Kerins of the Lawrence Township Police Investigations Division following from analysis of the record of the data stored on the electronic device identified as an IPHONE S MODEL A1687 owned by "ADAM C MILLER" and/or "ADAM MILLER" that was inventoried by same on September 6, 2017. The records described herein follow from multiple statements made directly to this requestor by Detective Sean A. Kerins on September 6, 2017 that did allege that "ADAM C MILLER" and/or "ADAM MILLER" was sexually involved with multiple women that was further claimed by Kerins to be directly related to employment as a personal trainer. Furthermore, this requestor did not possess the electronic device identified as an IPHONE S MODEL A1687 until September 11, 2017 despite the claim made by Detective Sean A. Kerins that the iphone would be returned on September 7, 2018. Between September 7, 2018 and September 11, 2018, Detective Sean A. Kerins did not respond to emails or phone calls placed by this requestor from one or more cellular devices owned by a female individual identified in the contacts list of the electronic device identified as an IPHONE S MODEL A1687. Of the highest significance, on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", it is claimed that Detective Sean A. Kerins met with "ANAGHA SRBENIVASAN" on September 8, 2017 and following from did enter a letter transmit by this requestor to that female into evidence, and did also claim to have received screen shots of text message conversations conducted between this requestor and that female at such time when the electronic device identified as an IPHONE S MODEL A1687 had not yet been returned to "ADAM C MILLER" and/or "ADAM MILLER" and at such time when all attempts at communications with Detective Sean A. Kerins had been ignored. During a court proceeding held on September 28, 2017 in Mercer County Superior Court, "ANAGHA SREENIVASAN" did submit screen shots of text message conversations allegedly conducted between herself and this requestor that were never proven to be genuine records, were not provided in full to this requestor and did not appear to be entirely genuine upon examination. Furthermore, screen shots of text message conversations may have been obtained in full, in part, or fabricated entirely using the electronic device identified as an IPHONE S MODEL A1687 that on September 8, 2017 may or may not have been in the possession of Detective Sean A. Kerins. Following from the initial specification that the records requested herein identify any and all female individuals whose information was obtained from records on the electronic device identified as an IPHONE S MODEL A1687, this request is concluded when the identity of every single female individual whose confidential information was transmit to "ANAGHA SREENIVASAN" by Detective Sean A. Kerins is provided and therein that record enumerating every compromised confidential item.

15. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the genuine record of the "screen shots of text messages" described on "Page: 2" of a Lawrence Township Police Department report numbered 17-27548-AR dated "09/25/2017", that furthermore were claimed to have been "printed, scanned and attached to this reporting", although no screen shots as described are found in any Lawrence Township Police records or discovery materials. Also, no screen shots as described did accompany the eighteen pages of Lawrence Township Police records provided to this requestor via email on September 27, 2018 pursuant to a prior OPRA request.

16. All authentic records maintained by the Lawrence Township Police Department associated with report number 17-27548-AR therein containing the complete record of all property confiscated from, and returned to "ADAM C MILLER" and/or "ADAM MILLER" on and after September 6, 2017 that necessarily includes a record from an electronic device used by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division to procure the signature of this requestor on September 11, 2017.

17. All authentic records maintained by the Lawrence Township Police Department of the audio and video recorded victim interview associated with report 17-27548-AR and conducted on September 6, 2017 at approximately 10:40 a.m. by Sean A. Kerins of the Lawrence Township Police Investigations Division that in all likelihood contains the only genuine record of an alleged statement provided to the Lawrence Township Police Department by "ANAGHA SREENIVASAN" described as, "She did not fear he would harm her", which does indicate that the alleged victim did not perceive this requestor as a threat on September 6, 2017 and as such all subsequent claims that a reasonable person in a similar situation would fear for their safety are ludicrous. If this statement described herein is confirmed accurate by the record requested herein, it would provide an affirmative defense in the ongoing criminal action. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

18. All authentic records of closed circuit television recordings maintained by the Lawrence Township Police Department whereof still images of each detective that questioned "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 can be obtained for purpose of identifying each detective that did interact with the suspect. This record may include audio and/or video content and can be prepared on any format legally permitted to be provided to this requestor.

19. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all email conversations conducted by the Lawrence Township Police Department and/or the Lawrence

Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter.

20. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division containing the complete record of all phone calls conducted by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division with "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 and thereafter. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

21. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that identify the registered owner of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that was impounded on that same date. Furthermore, this record would in all likelihood identify the database(s) wherein the suspect "ADAM C MILLER" and/or "ADAM MILLER" was identified as the registered owner of that vehicle despite contradictory claims found in other government records.

22. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division that describe the search warrant(s) issued on September 6, 2017 that did permit search, inventory and photo documentation inside the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017.

23. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that contain the complete set of 25 photographs taken using a Nikon D-90 digital camera with serial number #3253267 for the alleged purpose of documenting the contents of the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include digital content and can be prepared on any format legally permitted to be provided to this requestor.

24. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR that describe the specific location an electronic device identified as an apple think pad was found within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

25. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division associated with report number 17-27548-AR

that describe how Lawrence Township Police officer(s) and/or detective(s) obtained knowledge that an electronic device identified as apple think pad was located within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017, when at the time of arrest that improperly identified electronic device was contained within a sealed yellow Patagonia backup located on the front passenger seat and could only be retrieved upon opening that backup and removing its contents. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor.

26. All authentic records maintained by the Lawrence Township Police Department and/or the Lawrence Township Police Investigations Division describing any and all attempts to retrieve, modify and/or delete information from the electronic device identified as an apple think pad taken from within the vehicle operated by the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017. This record may include audio, video and/or other digital content and can be prepared on any format legally permitted to be provided to this requestor. body camera N. All authentic audio and video records from the body camera worn by officer J CORADO of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

27. All authentic audio and video records from the body camera worn by officer A TARA of the Lawrence Township Police Department on September 6, 2017 documenting Lawrence Township Police Department case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

28. All authentic audio and video records from the body camera(s) worn by all other Lawrence Township Police Department officer(s) on September 6, 2017 who were involved in case number 17-27548-AR. This record necessarily contains audio and visual content and can be prepared on any format legally permitted to be provided to this requestor.

29. An authentic copy of the Lawrence Township Police Department report numbered 17-27548-AR that is dated September 6, September 7 and September 25, 2017 that does not contain any redacted content in the narrative or the supplemental narrative. Confidential identifiers of the alleged victim, the alleged victim's roommate and alleged victim's sister may be redacted.

30. All authentic records maintained by the Lawrence Township Police Department documenting the exact date "ANAGHA SREENIVASAN" was first provided a copy of the Lawrence Township Police report numbered 17-27548-AR.

31. All authentic audio records of the call(s) placed to the Lawrence Township Police Department on September 6, 2017 identifying "ADAM C MILLER" and/or "ADAM MILLER" placed by "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN". This record would necessarily contain audio and can be prepared on any format legally permitted to be provided to this requestor.

32. All authentic records maintained by the Lawrence Township Police Department that identify known aliases of the alleged victim "ANAGHA SREENIVASAN".

33. All authentic records maintained by the Lawrence Township Police Department that that identify known aliases of the alleged victim's roommate "EMILY HAKKINEN".

34. Any and all Lawrence Township Police Department reports identifying both "ANAGHA SREENIVASAN" and/or the male individual who is or was her husband named "JAMES FULMINO". The records described herein are requested following from a claim made on September 28, 2018 by "ANAGHA SREENIVASAN" during a court proceeding conducted in Mercer County Superior Court that she and "JAMES FULMINO" were on that date engaged in a dissolution proceeding.

35. All authentic records maintained by the Lawrence Township Police Department regarding any and all descriptions "ANAGHA SREENIVASAN" provided to Lawrence Township Police describing a dating relationship with "ADAM C MILLER" and/or "ADAM MILLER", and furthermore may contain audio and/or video records of "ANAGHA SREENIVASAN" describing that "dating relationship" in a manner different from the descriptions observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". The record(s) described herein may document statements made by "ANAGHA SREENIVASAN" that necessarily impeach testimony from one or more individuals claiming that "ADAM C MILLER" and/or "ADAM MILLER" was present in the vicinity of "31203 PALM COURT, LAWRENCEVILLE, NJ 08648" on September 6, 2017 for any other reason than to retrieve personal items left within that residence upon termination of a dating relationship.

36. All authentic records maintained by the Lawrence Township Police Department providing any further description of claimed "estranged behavior from the suspect" that was observed on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901". It remains unclear if the alleged victim "ANAGHA SREENIVASAN" was describing estrangement between herself and "ADAM C MILLER" and/or "ADAM MILLER", or alternately described specific "strange" behaviors she observed.

37. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any oral, written or electronic communications conducted between the alleged victim "ANAGHA SREENIVASAN" and "ADAM C MILLER" and/or "ADAM MILLER" between May 26, 2017 and up to and including September 6, 2017.

38. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the calls placed by the alleged victim "ANAGHA SREENIVASAN" to the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 that specifically document the phone number from where those calls did originate, the date and time of those calls were placed, and if applicable recorded audio of those phone calls. This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

39. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901", therein providing the identity of the alleged victim's sister, any and all aliases associated with identity of the alleged victim's sister, any and all specific date(s) "ADAM C MILLER" and/or "ADAM MILLER" allegedly visited the sister's residence, a record of the alleged contents of the "envelope for the victim", the specific material(s) found "Inside" that envelope claimed to be "disturbing", all police reports from the jurisdiction in which the sister did reside specifically on the date this requestor was alleged to appear, and furthermore all police reports from any jurisdiction in which the sister did reside at any point in time identifying both the she and this requestor.

40. All authentic records maintained by the Lawrence Township Police Department documenting record(s) of service for all document(s) served upon "ADAM MILLER" and/or "ADAM C. MILLER" on September 6, 2017 or any date thereafter that necessarily include copies of every document served which thereupon each identify a date and time of origin.

41. All authentic and complete versions of the one or possibly multiple criminal complaints issued on September 6, 2017 and/or thereafter whereupon "ADAM C MILLER" and/or "ADAM MILLER" is the named defendant that are identified with the sequence number 000763 and identify the court code 1107. There may be multiple versions of a criminal complaint as described herein that may be identified with NJ/CDR1 or NJ/CDR2. The complete record of one criminal complaint is necessarily 7 pages in length.

42. All authentic records maintained by the Lawrence Township Police Department whereupon any description whatsoever of the specific acts this requestor was accused of committing on September 6, 2017 described as, "PLACING THE VICTIM IN REASONABLE FEAR OF

DEATH OR BODILY INJURY SPECIFICALLY BY HARASSING THE VICTIM TWO TIMES". This record would necessarily specify the date, time and description of both the first and second time "ADAM C MILLER" and/or "ADAM MILLER" allegedly placed a victim in reasonable fear of death or bodily injury and furthermore this record must specify the specific act(s) and statement(s) described as harassment by J CORADO that would necessarily be in violation of N.J.S.A. 2C:33-4.

43. All authentic records maintained by Lawrence Township Police Department thereupon describing how the alleged acts committed by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 were classified as "DOMESTIC VIOLENCE".

44. All authentic records maintained by Lawrence Township Police Department regarding the identity of the individual who did not open the door on September 6, 2017 at the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

45. All authentic records maintained by Lawrence Township Police Department describing a court proceeding entitled "Central First Appearance/CJP" claimed to have been scheduled at the "MERCER CIVIL COURTHOUSE" located at "175 SOUTH BROAD ST" for which the suspect "ADAM C MILLER" and/or "ADAM MILLER" was to scheduled to appear. This record would necessarily include the appearance date not observed on "Page 1 of 7" of a discovery document entitled "COMPLAINT - WARRANT" that is timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901".

46. All authentic records maintained by the Lawrence Township Police Department regarding the exact location of the parking spot in which the vehicle operated by "ADAM C MILLER" and/or "ADAM MILLER" was observed by Lawrence Township Police on September 6, 2017. On "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901", "ANAGHA SREENIVASAN" was reported to have described a vehicle that was later located by Lawrence Township Police on September 6, 2017 similar or identical to "the vehicle the victim described, outside the victim's building." On September 6, 2017, the vehicle operated by this requestor was parked in the vicinity of that building, however that describes every parking spot in the Avalon Run East apartment complex. As such, the record requested herein would necessarily provide the exact location of that vehicle and the time at which it was observed in that parking spot on September 6, 2018 by the Lawrence Township Police Department.

47. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on an October 1, 2018 discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of oral

communications allegedly conducted on September 6, 2017 between "ADAM C MILLER" and/or "ADAM MILLER" with "ANAGHA SREENIVASAN" and/or "EMILY HAKKINEN" that would necessarily describe or rule out any claims alleging this requestor requested and/or attempted entry into the residence located at "31203 PALM COURT, LAWRENCEVILLE, NJ 08648".

48. All authentic records maintained by the Lawrence Township Police Department regarding claims observed on "Page 5 of 7" on a discovery document entitled "Affidavit of Probable Cause", timestamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901" therein providing any description whatsoever of the alleged location(s) of "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 during the time he was described as "in the vicinity for approximately an hour" prior to the arrival of Lawrence Township Police Department officers.

49. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any public facilities within or close to the Avalon Run East apartment complex used by "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 for a period of approximately one hour prior to the arrival of Lawrence Township Police Department officers.

50. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" on September 6, 2017 by any individual(s) alleging outstanding warrant(s), active restraining order(s), prior criminal history, prior history of domestic violence against the alleged victim "ANAGHA SREENIVASAN" and/or the alleged victim's roommate "EMILY HAKKINEN" and/or the alleged victim's sister.

51. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made against the suspect "ADAM C MILLER" and/or "ADAM MILLER" by any individual(s) alleging that the suspect was not permitted to be present within the Avalon Run East apartment complex on September 6, 2017.

52. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting statements from "ADAM C MILLER" and/or "ADAM MILLER" describing why he traveled to the Avalon Run East apartment complex on September 6, 2017.

53. All authentic records maintained by the Lawrence Township Police Department regarding a claim observed on "Page 6 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017" and further identified with "Trans ID: MCS2017359901", whereupon it was claimed that on September 6, 2017 "The suspect was

located, and admitted to all of the above." This document does not contain any record of what the suspect allegedly admitted that may or may be described on the preceding page and furthermore this requestor at no point on September 6, 2017 or thereafter did "admit" to any crime in the jurisdiction of the Township of Lawrence. The record of this admission, if existent, would provide what exactly the requestor "admitted" to and identify the exact location wherein those claimed admissions were recorded.

54. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting the date, time, report number and record of the alleged "welfare check" conducted by "Howell Police" on an unspecified date as described on "Page 5 of 7" of a discovery document entitled "Affidavit of Probable Cause", time stamped "11:47:51 AM", dated "09/06/2017", further identified with "Trans ID: MCS2017359901". This record may include audio content and can be prepared on any format legally permitted to be provided to this requestor.

55. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

56. All authentic audio records of any and all communications conducted on September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

57. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Police Department regarding "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

58. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and the Howell Township Municipal Court regarding the suspect "ADAM C MILLER" and/or "ADAM MILLER". This record can be prepared on any format legally permitted to be provided to this requestor.

59. All authentic records of any and all oral, written and/or electronic communications conducted on September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police

Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

60. All authentic records of any and all oral, written and/or electronic communications conducted prior to September 6, 2017 between the Lawrence Township Police Department and any mental health professional employed by Monmouth Medical Center, the Howell Township Police Department and/or any other entity regarding "ADAM C MILLER" and/or "ADAM MILLER".
This record can be prepared on any format legally permitted to be provided to this requestor.

61. All authentic records maintained by the Lawrence Township Police Department describing and/or documenting any claims made by any individual(s) that "ADAM C MILLER" and/or "ADAM MILLER" had a history of medical and/or psychiatric illness.