

Re: OPRA Legislation

Angie Devanney <adevanney@bhtwp.com>

Mon 12/4/2023 2:04 PM

To: SenScutari@njleg.org <SenScutari@njleg.org>

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Dear Senate President Scutari,

I appreciate the state legislature taking on the task of reforming OPRA. As we have discussed previously, I have concerns about the taxing nature OPRA has had on our municipal clerk and police department by entities profiting from public documents.

However, I am equally concerned about some aspects of the current legislation as drafted may have a negative impact on every day, regular residents in their quest for information related to their government.

First, moving disputes over cases away from the Superior Court to the GRC will exacerbate an already burdened agency with what seems to be a backlog. Additionally, while I understand what is being attempted by penalizing high volume requestors, I believe the definition of a high-volume requester needs better criteria for the public's understanding. Moreover, the removal of fee shifting could have an adverse impact on middle class or working-class families from trying to appeal an OPRA decision because they are unable to afford an attorney. As you are aware, most lawyers will not work on contingency in cases such as these.

I ask that you consider forming a taskforce of those being impacted by OPRA made up of municipal/county employees, New Jersey Clerk's Association, New Jersey Conference of Mayors, League of Municipalities, New Jersey Association of Counties- to name a few organizations- as well as residents who believe OPRA is their only means of ensuring transparency in their local and County governments in New Jersey.

I do appreciate your attention to this important proposed legislation, and request that it be heard next session at the conclusion of 2024.

Best regards,

Mayor Angie Devanney

Township of Berkeley Heights

Angie D. Devanney

MAYOR

Berkeley Heights Township