



Lodi Police Department
One Memorial Drive
Lodi, New Jersey 07644-1693
Tel: 973-473-7600 Fax: 973-883-8940



Vincent A. Quatrone
Chief of Police

Donald Scorzetti
Deputy Chief of Police

February 21, 2018

Irfan A Khawaja
262 South Main Street
Lodi, NJ 07644
Via E-mail: khawajai@felician.edu.

Dear Mr. Khawaja:

The Lodi Police Department received your Open Public Records Act (OPRA) request dated February 8, 2018. The official Records Custodian, Lt. Robert Salerno, received your OPRA request on February 12, 2018. As such, the seven (7) business day deadline to respond to your request is February 22, 2018. This response to your request is being provided to you on the fourth [6th] business day after the custodian's receipt of said request.

The table below identifies the records that being denied in whole or in part as well as the legal basis for each denial, as is required by N.J.S.A. 47:1A-6.

List of all records responsive to OPRA request (include the number of pages for each record).	List of all records provided, <u>with redactions</u>, or denied in their entirety.	If records are disclosed with redactions, give a general nature description of the redactions.	If records were denied in their entirety, give a general nature description of the record.	List the legal explanation and statutory citation for the denial of access to records in their <u>entirety</u> or <u>with redactions</u>.
	Call for service with narratives. Redacted information of personal identifiers such as D.O.B., Social		Under the OPRA Act, all investigative police reports fall under	

	Security Numbers and Phone Numbers.		exemptions. See attached documents, however, the actual motor vehicle accident report is also attached.	
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* A list of OPRA's exemptions is attached to this response letter.

These records are being transmitted to you via e-mail. Pursuant to N.J.S.A. 47:1A-5.b., the cost associated with this request is \$0.00.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the [insert name of agency] to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

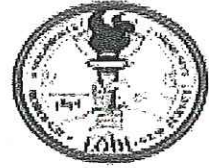
Sincerely,



LIEUTENANT ROBERT SALERNO
CENTRAL SERVICES
Lodi Police Department
1 Memorial Drive
Lodi, NJ 07644
(973) 473-7600 Ext.8120



BOROUGH OF LODI
OPEN PUBLIC RECORDS ACT REQUEST FORM
 ONE MEMORIAL DRIVE, LODI, NJ 07644
 PHONE: 973-859-7405 FAX: 973-365-1723
 EMAIL: nsantana@lodi-nj.org
 C/C TO: cdamico@lodi-nj.org & kgoetz@lodi-nj.org



Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name Irfan MI A Last Name Khawaja
 E-mail Address Khawajai2felician.edu
 Mailing Address 262 S. Main St.
 City Lodi State NJ Zip 07644
 Telephone 201 559 6000 x6288 FAX _____
 Preferred Delivery: Pick Up _____ US Mail ☒ On-Site Inspect _____ Fax _____ E-mail ☒
 If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE / ~~HAVE NOT~~ been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
 Signature [Signature] Date 2/8/18

Payment Information

Maximum Authorization Cost \$ 100.00
 Select Payment Method
 Cash ☐ Check Money Order ☐
 Fees: Letter size pages - \$0.05 per page
 Legal size pages - \$0.07 per page
 Other materials (CD, DVD, etc) – actual cost of material
 Delivery: Delivery / postage fees additional depending upon delivery type.
 Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

Any and all documentation, including incident reports, pertaining to the detention by Lodi Police Dept, of Irfan A. Khawaja on 29 November 2017.

RECEIVED
 FEB 12 2018

BY: [Signature]

AGENCY USE ONLY

Est. Document Cost _____
 Est. Delivery Cost _____
 Est. Extras Cost _____
 Total Est. Cost _____
 Deposit Amount _____
 Estimated Balance _____
 Deposit Date _____

AGENCY USE ONLY

Disposition Notes
 Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.
 In Progress - Open _____
 Denied - Closed _____
 Filled - Closed _____
 Partial - Closed _____

AGENCY USE ONLY

Tracking Information		Final Cost	
Tracking #	_____	Total	_____
Rec'd Date	_____	Deposit	_____
Ready Date	_____	Balance Due	_____
Total Pages	_____	Balance Paid	_____
Records Provided			
Custodian Signature _____		Date _____	

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. Response is due to requestor as soon as possible, but no later than seven business days.)

N.J.S.A. 47:1A-1.1

- ☐ Inter-agency or intra-agency advisory, consultative or deliberative material
- ☐ Legislative records
- ☒ Law enforcement records:
 - ☐ Medical examiner photos
 - ☒ Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)
 - ☐ Victims' records
- ☐ Trade secrets and proprietary commercial or financial information
- ☐ Any record within the attorney-client privilege
- ☐ Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- ☐ Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein
- ☐ Security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software
- ☐ Information which, if disclosed, would give an advantage to competitors or bidders
- ☐ Information generated by or on behalf of public employers or public employees in connection with:
 - ☐ Any sexual harassment complaint filed with a public employer
 - ☐ Any grievance filed by or against an employee
 - ☐ Collective negotiations documents and statements of strategy or negotiating
- ☐ Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- ☐ Information that is to be kept confidential pursuant to court order
- ☐ Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- ☐ Social security numbers
- ☐ Credit card numbers
- ☐ Unlisted telephone numbers
- ☐ Drivers' license numbers
- ☐ Certain records of higher education institutions:
 - ☐ Research records
 - ☐ Questions or scores for exam for employment or academics
 - ☐ Charitable contribution information
 - ☐ Rare book collections gifted for limited access
 - ☐ Admission applications
 - ☐ Student records, grievances or disciplinary proceedings revealing a students' identification
- ☐ Biotechnology trade secrets N.J.S.A. 47:1A-1.2
- ☐ Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
- ☐ Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) N.J.S.A. 47:1A-3.a.
- ☐ Public defender records N.J.S.A. 47:1A-5.k.
- ☐ Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
- ☐ Personnel and pension records (however, the following information must be disclosed:
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

N.J.S.A. 47:1A-1

- ☐ "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- ☐ Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- ☐ Records exempted from disclosure by State agencies' proposed rules.

Executive Order No. 26 (McGreevey 2002)

- ☐ Certain records maintained by the Office of the Governor
- ☐ Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- ☐ Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- ☐ Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- ☐ Information in a personal income or other tax return
- ☐ Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- ☐ Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- ☐ Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

☒ Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

I would like to know the exact legal basis for my detention.

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.
2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the **Name of Agency**, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.
3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the **Name of Agency**.
5. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The **Name of Agency** custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.
6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.
7. By law, the **Name of Agency** must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
9. If the **Name of Agency** is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated copy.
10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
11. If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the **Name of Agency** to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.
12. Information provided on this form may be subject to disclosure under the Open Public Records Act.

8/22/18
due

LODI POLICE DEPARTMENT

Incident Report

INCIDENT INFORMATION

Case No	Report Date / Time	Reported Method	Created By
2017-026215	11/29/2017 09:56	VIA CAD	VELEZ, JEANETTE
CAD Incident CFS Type	Agency Incident / Actual CFS Type	Incident: From Date / Time	Incident: To Date / Time
THREATS	THREATS	11/29/2017 09:56	
Crime / Arrest Location	Area / Post		
INCIDENT(CAD)	PD31		
Address	Common Place / POI	Bldg / Apt / Suite	
262 S MAIN ST	FELICIAN COLLEGE - LODI CAMPUS		
City	State	Zip	
Lodi Boro	NJ		
County	Municipality		
Disposition Date & Time	CAD Disposition		
11/29/2017 14:28	CLOSED - REPORT		

DISPATCH NOTES

Date & Time	Description	Posted By
11/29/2017 09:56	DPIZZANELLI created CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 09:56	Caller wants to remain Anonymous	PIZZANELLI, DOMENIC
11/29/2017 09:59	Description is changed to 'TEACHER NAME: PROFESSOR KHAWAJA CALLER KNOWS HE WAS THERE THIS MORNING FACULTY MEETING IS AT 1:00 MONDAY HE TOLD THE STUDENTS IF HE WERE A SHOOTER NONE OF THEM WOULD MAKE IT OUT ALIVE TODAY HE IS GOING TO BE THREATNING THE TEACHERS AT THE FACULTY MEETING'	PIZZANELLI, DOMENIC
11/29/2017 10:00	EMS Zone is changed to 'EMS31-1'	PIZZANELLI, DOMENIC
11/29/2017 10:00	Fire Zone is changed to 'FD31-1'	PIZZANELLI, DOMENIC
11/29/2017 10:00	Police Zone is changed to 'PD31-1'	PIZZANELLI, DOMENIC
11/29/2017 10:00	Address is changed to '262 S MAIN ST, Lodi Boro, NJ'	PIZZANELLI, DOMENIC
11/29/2017 10:00	Jurisdiction is updated to Lodi Borough	PIZZANELLI, DOMENIC
11/29/2017 10:00	Common Place is changed to 'FELICIAN COLLEGE - LODI CAMPUS'	PIZZANELLI, DOMENIC
11/29/2017 10:02	CFS code is changed to THREATS	PIZZANELLI, DOMENIC

LODI POLICE DEPARTMENT

Date & Time	Description	Posted By
11/29/2017 10:03	Unit(s) 1. 3169 (JVELEZ) *Primary Unit assigned to CFS 17-211445.	PIZZANELLI, DOMENIC
11/29/2017 10:03	Unit(s) 1. 3164 (PNOBILE) Secondary Unit assigned to CFS 17-211445.	PIZZANELLI, DOMENIC
11/29/2017 10:03	Unit(s) 1. 3148 (DMILLER) Secondary Unit assigned to CFS 17-211445.	PIZZANELLI, DOMENIC
11/29/2017 10:03	3169 accepted assignment of CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 10:03	Status of 3169 was updated to Unavailable (In Transit)	PIZZANELLI, DOMENIC
11/29/2017 10:03	3148 accepted assignment of CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 10:03	3164 accepted assignment of CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 10:03	Status of 3164 was updated to Unavailable (In Transit)	PIZZANELLI, DOMENIC
11/29/2017 10:03	Status of 3148 was updated to Unavailable (In Transit)	PIZZANELLI, DOMENIC
11/29/2017 10:03	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC
11/29/2017 10:03	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC
11/29/2017 10:03	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC
11/29/2017 10:51	Status of 3122 was updated to Available	PALMER, MICHAEL
11/29/2017 10:51	Status of 3160 was updated to Available	PALMER, MICHAEL
11/29/2017 10:51	Unit(s) 1. 3122 (MKEYZER) Secondary Unit 2. 3160 (DBLOCKER) Secondary Unit assigned to CFS 17-211445.	PALMER, MICHAEL
11/29/2017 10:51	3122 accepted assignment of CFS 17-211445	PALMER, MICHAEL
11/29/2017 10:51	Status of 3122 was updated to Unavailable (In Transit)	PALMER, MICHAEL
11/29/2017 10:51	3160 accepted assignment of CFS 17-211445	PALMER, MICHAEL
11/29/2017 10:51	Status of 3160 was updated to Unavailable (In Transit)	PALMER, MICHAEL
11/29/2017 10:51	Status of 3160 was updated to Unavailable (Arrived On Scene)	PALMER, MICHAEL
11/29/2017 10:51	Status of 3122 was updated to Unavailable (Arrived On Scene)	PALMER, MICHAEL
11/29/2017 10:51	Status of 3164 was updated to Unavailable (Arrived On Scene)	PALMER, MICHAEL
11/29/2017 10:51	Success sending CFS 17-211445 to RMS.	PALMER, MICHAEL
11/29/2017 10:51	Status of 3148 was updated to Unavailable (Arrived On Scene)	PALMER, MICHAEL
11/29/2017 10:51	Status of 3169 was updated to Unavailable (Arrived On Scene)	PALMER, MICHAEL

Tuesday, February 20, 2018 9:50:39 AM

SALERNO, ROBERT

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Incident Report Case No: 2017-026215. Disclaimer: The time entries listed on this report indicate the time the data was entered, and may not reflect the precise time the events documented in the report occurred. Persons reading this report are advised to review the audio recordings for the official time record of the events documented in this report.

LODI POLICE DEPARTMENT

Date & Time	Description	Posted By
11/29/2017 12:07	Retrieve Units: 3169 for CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 12:08	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC
11/29/2017 12:52	Retrieve Units: 3164 for CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 13:39	Retrieve Units: 3148 for CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 14:28	DPIZZANELLI closed CFS 17-211445	PIZZANELLI, DOMENIC
11/29/2017 14:28	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC
11/29/2017 14:40	MY COMPUTER WAS BEING UPDATED DURING THIS CALL I WAS UNABLE TO ENTER A FEW THINGS	PIZZANELLI, DOMENIC
11/29/2017 14:41	PARTY WAS TRANSPORTED BACK TO HQ FROM FELICIAN COLLEGE AROUND 10:56	PIZZANELLI, DOMENIC
11/29/2017 14:41	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC
11/29/2017 14:41	PARTY WAS TRANSPORTED FROM HQ BACK TO FELICIAN AROUND 1:20	PIZZANELLI, DOMENIC
11/29/2017 14:41	Success sending CFS 17-211445 to RMS.	PIZZANELLI, DOMENIC

CALL INFORMATION

Phone #	Call Date&Time	Caller	Location
	11/29/2017 09:56	(Anonymous)	
Requested Action	Call Taker	Source Type	
	PIZZANELLI, DOMENIC	TELEPHONE	

Brief Synopsis of Incident

TEACHER NAME: PROFESSOR KHAWAJA
 CALLER KNOWS HE WAS THERE THIS MORNING
 FACULTY MEETING IS AT 1:00
 MONDAY HE TOLD THE STUDENTS IF HE WERE A SHOOTER NONE OF THEM WOULD MAKE IT OUT ALIVE
 TODAY HE IS GOING TO BE THREATNING THE TEACHERS AT THE FACULTY MEETING

DISPATCH INFORMATION

Unit Name	Action
MILLER, DOMINIC	
VELEZ, JEANETTE	
KEYZER, MARINUS	
BLOCKER, DANYELLE	
NOBILE, PHILIP	

SUBJECT INFORMATION

Posted Date	Subject Name	Alias Name	Contact Role Type	SSN	DOB	SBI #	FBI #	Posted By
11/29/2017	KHAWAJA, IRFAN A		SUSPECT	[REDACTED]	[REDACTED]			NOBILE, PHILIP

VEHICLE INFORMATION

Tuesday, February 20, 2018 9:50:39 AM

SALERNO, ROBERT

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Incident Report Case No: 2017-026215. Disclaimer: The time entries listed on this report indicate the time the data was entered, and may not reflect the precise time the events documented in the report occurred. Persons reading this report are advised to review the audio recordings for the official time record of the events documented in this report.

LODI POLICE DEPARTMENT

Posted Date	Plate #	Make,Model,Year	VIN #	Color	Posted By
11/29/2017	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BLOCKER, DANYELLE

INDIVIDUAL CONTACT INFORMATION

Posted Date	Contact Name	Contact Type	Address	Phone #	Posted By
11/29/2017	STATE OF NEW JERSEY	VICTIM			NOBILE, PHILIP
11/29/2017	FELICIAN UNIVERSITY	OTHER	HOME: 262 SOUTH MAIN STREET, LODI, NJ 07644	[REDACTED]	NOBILE, PHILIP
11/29/2017	[REDACTED]	OTHER	SCHOOL: 262 SOUTH MAIN STREET, Lodi, NJ	CELLULAR [REDACTED]	PAGLIA, MICHAEL A
11/29/2017	[REDACTED]	OTHER	SCHOOL: 262 SOUTH MAIN STREET, Lodi, NJ 07644	CELLULAR [REDACTED]	PAGLIA, MICHAEL A
11/30/2017	[REDACTED]	OTHER	HOME: 262 SOUTH MAIN ST, LODI, NJ 07644	HOME [REDACTED]	MOBILIO, ANTHONY
11/30/2017	[REDACTED]	OTHER	HOME: 262 SOUTH MAIN STREET, LODI, NJ 07644	[REDACTED]	MOBILIO, ANTHONY
11/30/2017	[REDACTED]	OTHER	HOME: 262 SOUTH MAIN STREET, LODI, NJ 07644	[REDACTED]	MOBILIO, ANTHONY
11/30/2017	OGLE, EDWARD	OTHER	HOME: 262 SOUTH MAIN STREET, LODI, NJ 07644	[REDACTED]	MOBILIO, ANTHONY
11/30/2017	[REDACTED]	OTHER	HOME: 262 SOUTH MAIN STREET, LODI, NJ 07644	[REDACTED]	MOBILIO, ANTHONY
12/01/2017	[REDACTED]		HOME: 262 SOUTH MAIN ST, LODI, NJ 07644	CELLULAR [REDACTED]	BLOCKER, DANYELLE

PD CASE DISPOSITION INFORMATION

Disposition	Closed Date	Closed By
CLOSED	11/29/2017	NOBILE, PHILIP

Disposition
REPORT FILED.

NOTES

LODI POLICE DEPARTMENT

Posted Date

11/29/2017 11:16

Note

ON WEDNESDAY NOVEMBER 29, 2017 THIS REPORTING OFFICER ALONG WITH PO. VELEZ AND SGT. MILLER WERE ADVISED BY SGT. CORRADO THAT COMMUNICATIONS RECEIVED A PHONE CALL FROM AN ANONYMOUS CALLER. THE ANONYMOUS CALLER STATED THAT HER DAUGHTER IS A STUDENT A FELICIAN UNIVERSITY AND IS CONCERNED ABOUT A STATEMENT THAT A PROFESSOR MADE. THE ANONYMOUS CALLER STATED THAT HER DAUGHTER ADVISED HER THAT ON MONDAY NOVEMBER 27, 2017 HER DAUGHTER'S PROFESSOR MR. IRFAN KHAWAJA STATED THAT IF HE WAS AN ACTIVE SHOOTER NONE OF THEM WOULD MAKE IT OUT ALIVE.. MR. KHAWAJA ALSO STATED HE WAS GOING TO THREATEN UNIVERSITY PROFESSORS AT THE FACULTY MEETING SCHEDULED FOR WEDNESDAY 11/29/2017 AT 1:00PM.

THE ABOVE OFFICERS THEN RESPONDED TO FELICIAN UNIVERSITY LOCATED 262 SOUTH MAIN STREET. UPON OUR ARRIVAL WE MET WITH VICE PRESIDENT EDWARD H. OGLE AND ADVISED HIM OF THE INCIDENT CONCERNING MR. KHAWAJA. MR. OGLE CONFIRMED THERE IS A 1:00PM MEETING TODAY AND THAT MR. KHAWAJA IS A PROFESSOR AT THE UNIVERSITY AND IS HERE TODAY. MR. OGLE CONTACTED MR. KHAWAJA'S OFFICE AND ADVISED HIM TO REPORT TO HIS OFFICE.

THIS OFFICERS ALONG WITH MR. OGLE MET MR. KHAWAJA IN THE HALLWAY, WHILE HE WAS WALKING TO MR. OGLE'S OFFICE. I INTRODUCED MYSELF AS A LODI POLICE OFFICER AND THAT I WOULD LIKE TO SPEAK TO HIM OVER A MATTER. MR. KHAWAJA REPLIED "OK". I ESCORTED MR. KHAWAJA INTO MR. OGLE'S OFFICE. UPON OUR ARRIVAL TO MR. OGLE'S OFFICE, SGT. MILLER ADVISED MR. KHAWAJA THAT BEFORE ANY QUESTIONING HE WILL ADVISE MR. KHAWAJA OF HIS MIRANDA RIGHTS, WHICH HE DID. MR. KHAWAJA STATED THAT HE UNDERSTOOD HIS RIGHT BUT DOES NOT WISH TO SPEAK TO US.

SGT. MILLER CONTACTED SGT. CORADDO AT HQ AND ADVISED HIM THAT MR. KHAWAJA DID NOT WISH NOT SPEAK TO US. SGT. CORRADO CONTACTED DETECTIVE SGT. MOBILIO WHO WAS ADVISED OF THE INCIDENT. SGT. MOBILIO ADVISED SGT. CORRADO TO HAVE MR. KHAWAJA BE TRANSPORTED TO POLICE HEADQUARTERS.

MR. KHAWAJA WAS ADVISED THAT HE IS BEING DETAINED WHILE THIS INCIDENT WAS INVESTIGATED. HE WAS PATTED DOWN FOR ANY WEAPONS BEFORE TRANSPORT. NO WEAPONS WERE LOCATED. WHILE WALKING OUT OF MR. OGLES'S OFFICE MR. KHAWAJA STATED TO MR. OGLES "WELL I GUESS I WILL BE MISSING THE 1:00 MEETING." DET. SGT. MOBILIO, DET. BLOCKER, AND DET. KEYZER RESPONDED TO OUR LOCATION AND TOOK OVER THE SCENE TO CONDUCT THEIR INVESTIGATION.

MR. KHAWAJA WAS SEAT BELTED IN THE REAR OF MY POLICE VEHICLE THAT WAS SEARCHED BEFORE AND AFTER TRANSPORT, NO CONTRABAND FOUND AND WAS TRANSPORTED TO POLICE HEADQUARTERS. UPON ARRIVAL TO POLICE HEADQUARTERS MR. KHAWAJA WAS SEATED IN THE FRONT INTERVIEW ROOM WITH THIS OFFICER. DET. SGT. PERRELLI AND PROSECUTOR DETECTIVE KELLY KRENN ESCORTED MR. KHAWAJA TO THE INTERVIEW ROOM IN THE DETECTIVE BUREAU TO CONDUCT THEIR INVESTIGATION. AT 1325 HOURS MR. KHAWAJA WAS TRANSPORTED BACK TO FELICIAN UNIVERSITY BY THIS OFFICER WITHOUT FURTHER INCIDENT.

SEE DETECTIVE'S SUPPLEMENT REPORTS FOR FURTHER.

LODI POLICE DEPARTMENT

Posted Date

Note

12/01/2017 08:28

ON WEDNESDAY NOV. 29, 17, DET KEYZER #122, ADVISED ME, PER SGT MOBILIO #134. WE WOULD BE RESPONDING TO 262 S. MAIN ST (FELICIAN COLLEGE) TO ASSIST PATROL WITH AN ACTIVE INVESTIGATION. UPON OUR ARRIVAL WE WERE MET BY PO NOBILE, PO VELEZ, AND SGT MILLER. AT WHICH TIME THE INVESTIGATION WAS EXPLAINED TO DET KEYZER AND I BEFORE ENTERING THE COLLEGE.

ONCE INSIDE OF THE COLLEGE, SGT MILLER, DET KEYZER, AND I WERE ESCORTED TO THE VICE PRESIDENT'S OFFICE, WHERE WE AWAITED SGT PAGLIA AND SGT MOBILIO'S ARRIVAL. ONCE THEY WERE ON SCENE THE VICE PRESIDENT ASSISTED WITH LOOKING UP STUDENTS NAMES THAT ATTENDED THE TEACHER'S CLASS/ ACCUSED THAT WAS IN QUESTION. ONCE THE LIST OF NAMES WERE PROVIDED, THE VICE PRESIDENT THEN ESCORTED SGT MOBILIO, SGT PAGLIA, DET KEYZER, AND I, TO THE CLASS ROOM WHERE THE STUDENTS WERE LOCATED. AT WHICH TIME, EACH OF US SPOKE WITH STUDENTS.

THE FIRST TWO STUDENTS, SGT PAGLIA AND I SPOKE WITH REFUSED TO GIVE THEIR INFORMATION, BUT WAS MORE THEN WILLING TO SPEAK WITH US. WHILE SPEAKING WITH THE TWO FEMALE STUDENTS, I ASKED THEM WHAT WHICH CLASS DID THEY ATTEND ON MONDAY WITH MR IRFAN KHAWAJA/ ACCUSED. BOTH STUDENTS STATED THEY WERE IN HIS 1125 HRS - 1240 HRS CLASS. I THEN ASKED THEM, WHAT WAS THE TOPIC IN CLASS AND WHAT DID THEY DISCUSS IN CLASS THAT DAY. BOTH STUDENTS STATED, MR KHAWAJA TALKED ABOUT THE HOLIDAY WEEKEND, WENT OVER FINALS, AND THE GENERAL PART OF THE CLASS WAS ABOUT CRITICAL THINKING. I THEN ASKED BOTH STUDENTS DID MR KHAWAJA MAKE ANY INAPPROPRIATE OR THREATENING COMMENTS AT ANYTIME DURING CLASS, AND BOTH STUDENTS SAID, " NO". THEN THEY WENT ON TO SAY MR KHAWAJA TALKS ABOUT A LOT OF THINGS IN CLASS BUT HE HAS NEVER SAID ANYTHING IN A THREATENING OR OFFENSIVE MANNER. BOTH STUDENTS WERE THEN ESCORTED BACK TO THEIR CLASS ROOM.

I THEN ASKED FOR ANOTHER STUDENT THAT WAS IN MR KHAWAJA CLASS ON MONDAY. A [REDACTED] D.O.B [REDACTED] ([REDACTED]) STATED HE WAS IN MR KHAWAJA 1125 HRS -1240 HRS CLASS ON MONDAY. I THEN ASKED WILSON THE SAME LINE OF QUESTIONS I ASKED THE OTHER STUDENTS. WILSON STATED A SIMILAR ACCOUNT OF CLASS ON MONDAY. STATING MR KHAWAJA TALKED ABOUT WHAT EVERYONE DID FOR THEIR HOLIDAY WEEKEND, THEN HE WENT OVER FINALS, AND THE CLASS TOPIC WAS ABOUT CRITICAL THINKING. WILSON STATED MR KHAWAJA NEVER SAID ANYTHING THREATENING IN CLASS, NOR DID HE SAY ANYTHING ALARMING.

BY THIS TIME THE VICE PRESIDENT BEGAN LETTING STUDENTS LEAVE CLASS EARLY, DUE TO MR KHAWAJA NOT BEING AVAILABLE TO TEACH CLASS, AND OUR INVESTIGATION WITH THE STUDENTS BEING CONCLUDED. AT APPROXIMATELY 1220 HRS, I WAS INSTRUCTED BY SGT MOBILIO THAT I WOULD BE STATIONED IN FRONT OF MR KHAWAJA'S SCHOOL OFFICE DOOR, MAKING SURE NO ONE ENTERED THE ALREADY SECURED DOOR.

AT 1310 HRS, SGT MOBILIO AND DET KEYZER RESPONDED BACK TO MY LOCATION, AT WHICH TIME I WAS RELIEVED BY DET KEYZER FOR A PERSONAL. WHILE ON MY PERSONAL AT FELICIAN COLLEGE, I WAS CALLED SEVERAL MINUTES LATER VIA CELL PHONE AND INSTRUCTED BY SGT PAGLIA, THE INVESTIGATION WAS CALLED OFF AT THIS TIME AND TO MEET DET KEYZER BY OUR UNMARKED UNIT.

On the above date and time, this officer was assigned to this case, to assist the detective division investigate an anonymous threat of an active shooter scenario at Felician University in Lodi. (See Investigation Report under this case number).

In assisting the patrol and detective division with this investigation, I met with some Felician University college students attending a Philosophy class. I met with [REDACTED] male, 23. I asked him if he attended his Philosophy class this past Monday, November 27th, 2017, to which he said yes. I then asked him if his professor, Irfan Khawaja, had mentioned any statements regarding an active shooter, or injuring anyone in school, and then talk about or injure anyone at a staff meeting. [REDACTED] advised me that he did not recall hearing anything like that in the class, and that the class consisted of going over upcoming tests and reviewing for them. He added that he can't recall Professor Khawaja talking like that at any time. He did not think the professor had any issues with anyone in the class.

I then spoke with [REDACTED] female, 18, and asked her the same questions. She stated that she had never heard of Professor Khawaja speaking that way and looked at me as if I was speaking about the right person, mentioning that it did not sound like something that he would do. [REDACTED] did also attend the Monday class, which began after 11am. The alleged statements made by the Professor occurred in his Monday morning class that began shortly after 8am.

11/29/2017 14:09

Tuesday, February 20, 2018 9:50:39 AM

SALERNO, ROBERT

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Incident Report Case No: 2017-026215. Disclaimer: The time entries listed on this report indicate the time the data was entered, and may not reflect the precise time the events documented in the report occurred. Persons reading this report are advised to review the audio recordings for the official time record of the events documented in this report.

LODI POLICE DEPARTMENT

Posted Date

11/29/2017 14:20

Note

ON WEDNESDAY , NOVEMBER 29, 2017, I WAS ADVISED BY DET. SGT. MOBILIO THAT MY RESPONSE WAS NEEDED AT THE FELICIAN COLLEGE IN REGARDS TO THIS INCIDENT. I, ALONG WITH DET. BLOCKER RESPONDED TO THE COLLEGE AND MET WITH PATROL OFFICERS, SPECIFICALLY SGT. MILLER AND P.O. NOBILE. I WAS ADVISED AT THIS TIME THAT PATROL WOULD BE TRANSPORTING THE ACCUSED TO LODI POLICE HEADQUARTERS FOR FURTHER INVESTIGATION. I WAS ASSIGNED ALONG WITH DET. BLOCKER TO MEET WITH DR. EDWARD OGLE, VICE PRESIDENT FOR ACADEMIC AFFAIRS, IN HIS OFFICE. PRIOR TO MEETING WITH HIM, DET. SGT. MOBILIO ARRIVED ON SCENE WITH SGT. PAGLIA. WE ALL THEN MET WITH DR. OGLE IN HIS OFFICE AND DISCUSSED THIS SITUATION WITH HIM.

WE INQUIRED ABOUT THE STUDENTS THAT MAY HAVE BEEN IN THE ACCUSED CLASS ON MONDAY, NOVEMBER 27, 2017 WHEN THIS INFORMATION CAME ABOUT. DR. OGLE THEN HAD HIS STAFF PRINTOUT ALL THE NAMES OF THE STUDENTS THAT MAY HAVE BEEN IN THE ACCUSED CLASS WHEN THIS INFORMATION WAS OBTAINED. WE THEN MET WITH SEVERAL STUDENTS OUTSIDE OF THE CLASSROOM AFTER DR. OGLE HAD ADVISED THEM OF ARE PRESENCE. WE ASKED THE STUDENTS BY SHOW OF HAND WHO WAS IN THE ACCUSED CLASS ON MONDAY AND NUMEROUS STUDENTS RAISED THEIR HANDS. WE THEN ASKED SEVERAL OF THEM TO SPEAK WITH US IN PRIVATE DOWN THE HALLWAY FROM THE CLASS, AT CONFERENCE TABLES. THE FOLLOWING STUDENTS WERE INTERVIEWED BY MYSELF;

[REDACTED] DOB/[REDACTED] ADVISED ME THAT MONDAYS TOPIC OF DISCUSSION WAS EXAM RESULTS, AND CURRENT TOPICS IN THE NEWS

[REDACTED] DOB/[REDACTED] ADVISED ME THAT THEY DISCUSSED THE NEXT CHAPTER OF STUDY

[REDACTED] DOB/[REDACTED] ADVISED ME THEY SPOKE ABOUT FINAL EXAM AND WORLDLY ISSUES

[REDACTED] DOB/[REDACTED] ADVISED ME THEY SPOKE ABOUT THE NEXT CHAPTER OF STUDY AND THE FINAL EXAM

[REDACTED] DOB/[REDACTED] ADVISED ME THEY SPOKE ABOUT MORAL TOPICS IN SOCIETY

AT NO TIME DURING ANY OF MY INTERVIEWS OF STUDENTS DID ANY OF THEM MENTION ANY DISCUSSION ABOUT ACTIVE SHOOTER SITUATIONS IN THE ACCUSED CLASS.

AFTER SPEAKING WITH THE STUDENTS I WAS ADVISED TO POST UP BY THE ACCUSED OFFICE DOOR AND WAIT FURTHER INSTRUCTIONS. AFTER SOME TIME, I WAS THEN ADVISED THAT WE WOULD NO LONGER BE NEEDED TO STANDBY AND WERE ADVISED BY DET. SGT. MOBILIO THAT WE CAN LEAVE THE SCHOOL.

LODI POLICE DEPARTMENT

Posted Date

11/30/2017 09:31

Note

ON NOVEMBER 29, 2017 AT APPROX. 1025 HRS. THIS OFFICER WAS ADVISED BY SGT CORRADO 144 OF AN INCIDENT THAT HAD OCCURRED AT THE FELICIAN COLLEGE LOCATED AT 262 SOUTH MAIN STREET IN THIS BORO. SGT CORRADO ADVISED THAT POLICE DISPATCH HAD RECEIVED A TELEPHONE CALL FROM AN ANONYMOUS PARENT OF ONE OF THE STUDENTS FROM THE COLLEGE INDICATING THAT HER DAUGHTER'S PROFESSOR A DR. IRFAN KHAWAJA HAD MADE A DISTURBING COMMENT IN CLASS ON MONDAY. CALLER STATED THAT THE PROFESSOR STATED IN CLASS " IF I WAS AN ACTIVE SHOOTER YOU WOULD ALL BE DEAD" ALONG WITH THREATENING THE SCHOOL STAFF AT A STAFF MEETING THAT WOULD TAKE PLACE ON TODAY'S DATE OF NOVEMBER 29, 2017 AT 1300 HOURS. SGT CORRADO ADVISED ME THAT SGT MILLER 148 ALONG WITH P.O. NOBILE 164 AND P.O. VELEZ 169 WERE AT THE COLLEGE AND ATTEMPTING TO SPEAK WITH MR KHAWAJA WITH NEGATIVE RESULTS AFTER HE WAS READ HIS MIRANDA RIGHTS .

THIS OFFICER ADVISED BOTH DEPUTY CHIEF SCORZETTI 127 AND CHIEF QUATRONE 115 OF THE AFOREMENTIONED INCIDENT. I THEN TELEPHONED DET. SGT. PERRELLI 125 WHO WAS AT THE TIME OF MY CALL ATTENDING AN ANTI TERRORISM CLASS. I BRIEFED SGT PERRELLI WHO IN TURN BRIEFED BERGEN COUNTY PROSECUTOR CHRIS LEWICKI. I WAS THEN ADVISED BY DET. LEWICKI THAT THEY WOULD BE RESPONDING TO THIS POLICE DEPARTMENT IN ORDER TO SPEAK WITH MR KHAWAJA.

I THEN ADVISED BOTH DET. KEYZER 122 AND DET BLOCKER 160 OF THE INCIDENT AND TO RESPOND TO THE COLLEGE. I ALSO ADVISED SGT MILLER 148 WHO WAS STILL ON SCENE THAT DETECTIVES WOULD BE RESPONDING. THIS OFFICER ALONG WITH SGT PAGLIA 132 ALSO RESPONDED TO THE COLLEGE, WHILE RESPONDING TO THE COLLEGE DR KHAWAJA WAS TRANSPORTED TO THE LODI POLICE DEPARTMENT BY P.O. NOBILE 164 WHERE HE WAS MET BY BOTH BERGEN COUNTY PROSECUTOR DETECTIVES ALONG WITH SGT PERRELLI WHO HAD RESPONDED FROM THEIR ANTI TERRORISM CLASS IN ORDER TO SPEAK WITH DR. KHAWAJA.

THIS OFFICER UPON MY ARRIVAL TO THE COLLEGE HAD SGT MILLER POST A PATROL OFFICER AT THE VEHICLE OF MR. KHAWAJA [REDACTED] IF A SEARCH WARRANT OR CONSENT WAS GIVEN TO SEARCH THE VEHICLE IF NEEDED. THIS OFFICER ALONG SGT PAGLIA 132 WERE THEN DIRECTED TO THE OFFICE OF THE VICE PRESIDENT FOR ACADEMIC AFFAIRS DR. EDWARD OGLE. UPON OUR ARRIVAL TO DR. OGLE'S OFFICE I INFORMED HIM FOR THE REASON OF OUR VISIT WHICH HE WAS ALREADY MADE AWARE FOR THE REASON BY SGT MILLER 148.

I THEN ASKED DR. OGLE IF IT WOULD BE POSSIBLE TO DETERMINE WHAT STUDENTS WERE IN CLASS WITH PROFESSOR DR. KHAWAJA ON MONDAY , NOVEMBER 27, 2017 . DR. OGLE INFORMED ME THAT HE HAD TWO(2) CLASSES ON THAT DATE ONE CLASS AT 0800 HRS AND ANOTHER AT 1130 HRS. DR. OGLE FURTHER ADVISED THAT THE PROFESSOR DR. KHAWAJA HAD THE SAME CLASSES TODAY AND THAT HIS 1130 CLASS WOULD BE IN SESSION AS WE WERE SPEAKING. I THEN ASKED IF WE WOULD BE ABLE TO SPEAK WITH THOSE STUDENTS . DR. OGLE DIRECTED MYSELF SGT PAGLIA , DET KEYZER 122 AND DET BLOCKER 160 WHERE WE WERE MET BY THE CLASS.

AT THAT TIME WE ALL SPOKE TO INDIVIDUAL STUDENTS THAT HAD ATTENDED DR. KHAWAJA'S CLASS ON MONDAY. THIS OFFICER SPOKE TO [REDACTED] AND [REDACTED] THE AFOREMENTIONED STUDENTS ALL STATED THAT THEY SPOKE A CRITICAL THINKING BUT AT NO TIME DID HE SPEAK ABOUT BEING AN ACTIVE SHOOTER OR MENTION ANYTHING ABOUT ACTIVE SHOOTERS. --- NOTE : FOR OTHER DETECTIVE INTERVIEW SEE SUPPLEMENTAL REPORTS BY EACH OFFICER.

UPON COMPLETION OF OUR SPEAKING WITH THE STUDENTS I HAD DET. BLOCKER 160 STAND POST BY THE OFFICE OF DR. KHAWAJA IF A SEARCH WARRANT WAS NEEDED TO SEARCH THE OFFICE. MYSELF , SGT PAGLIA 132 AND DET KEYZER 122 RESPONDED BACK TO THE OFFICE OF DR. OGLE WHERE WE ASKED DR OGLE IF IT WAS AT ALL POSSIBLE TO LOCATE ANY STUDENTS THAT MAY BE ON CAMPUS THAT ATTENDED THE 0800 CLASS AT THIS TIME. THE ONLY STUDENT TO BE LOCATED FROM THAT CLASS WAS [REDACTED] WHO WHEN SPOKEN ABOUT THE INCIDENT STATED THAT THEY SPOKE ABOUT MORAL TOPICS IN SOCIETY BUT NO MENTION OF ACTIVE SHOOTERS.

UPON OUR COMPLETION OF SPEAKING WITH ALL STUDENTS AND SECURING BOTH DR. KHAWAJA'S PERSONAL VEHICLE AND OFFICE AT APPROX. 1320 HRS. I WAS ADVISED BY SGT. PERRELLI 125 THAT NO FURTHER POLICE ACTION WAS NEEDED. ALL UNITS WERE THEN ADVISED AND RELEASED FROM THEIR POSTS.

FOR FURTHER INFORMATION SEE OFFICER'S REPORTS .

OPRA EXEMPTIONS

(Exceptions are noted in italics)

N.J.S.A. 47:1A-1.1

- 1) Inter-agency or intra-agency advisory, consultative or deliberative material (Note: generally refers to draft documents or documents used in a deliberative process).
- 2) Legislative records. Specifically:
 - a. information received by a member of the Legislature from a constituent or information held by a member of the Legislature concerning a constituent, including but not limited to information in written form or contained in any e-mail or computer data base, or in any telephone record whatsoever, *unless it is information the constituent is required by law to transmit;*
 - b. any memorandum, correspondence, notes, report or other communication prepared by, or for, the specific use of a member of the Legislature in the course of the member's official duties, *except that this provision shall not apply to an otherwise publicly-accessible report which is required by law to be submitted to the Legislature or its members.*
- 3) Medical examiner records – photographs, negatives, print, videotapes taken at the scene of death or in the course of post mortem examination or autopsy, *except:*
 - a. *when used in a criminal action or proceeding in this State which relates to the death of that person,*
 - b. *for the use as a court of this State permits, by order after good cause has been shown and after written notification of the request for the court order has been served at least five days before the order is made upon the county prosecutor for the county in which the post mortem examination or autopsy occurred,*
 - c. *for use in the field of forensic pathology or for use in medical or scientific education or research, or*
 - d. *or use by any law enforcement agency in this State or any other state or federal law enforcement agency.*
- 4) Criminal investigatory records - records which are not required by law to be made, maintained or kept on file that are held by a law enforcement agency which pertain to any criminal investigation or related civil enforcement proceeding. (Note: N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed).
- 5) Victims' records
 - a. an individually-identifiable file or document held by a victims' rights agency which pertains directly to a victim of a crime except that a victim of a crime shall have access to the victim's own records. "Victims' rights agency" means a public agency, or part thereof, the primary responsibility of which is providing services,

including but not limited to food, shelter, or clothing, medical, psychiatric, psychological or legal services or referrals, information and referral services, counseling and support services, or financial services to victims of crimes, including victims of sexual assault, domestic violence, violent crime, child endangerment, child abuse or child neglect, and the Victims of Crime Compensation Board.

- b. any written OPRA request by a crime victim for a record to which the victim is entitled to access, including, but not limited to, any law enforcement agency report, domestic violence offense report, and temporary or permanent restraining order;
- 6) Personal firearms records:
- a. *Except for use by any person authorized by law to have access to these records or for use by any government agency, including any court or law enforcement agency, for purposes of the administration of justice.*
 - b. Personal identifying information received by the Division of Fish and Wildlife in the Department of Environmental Protection in connection with the issuance of any license authorizing hunting with a firearm. For the purposes of this paragraph, personal identifying information shall include, but not be limited to, identity, name, address, social security number, telephone number, fax number, driver's license number, email address, or social media address of any applicant or licensee.
- 7) Trade secrets and proprietary commercial or financial information obtained from any source. Includes data processing software obtained by a public agency under a licensing agreement which prohibits its disclosure.
- 8) Any record within the attorney-client privilege.
- 9) Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security.
- 10) Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein.
- 11) Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software.
- 12) Information which, if disclosed, would give an advantage to competitors or bidders.
- 13) Information generated by or on behalf of public employers or public employees in connection with:
- a. Any sexual harassment complaint filed with a public employer;
 - b. Any grievance filed by or against an individual; or
 - c. Collective negotiations, including documents and statements of strategy or negotiating position.

- 14) Information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office.
- 15) Information which is to be kept confidential pursuant to court order.
- 16) Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency, *except that a veteran or the veteran's spouse or surviving spouse shall have access to the veteran's own records.*
- 17) Personal identifying information. Specifically:
 - a. Social security numbers, *except that a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor.*
 - b. Credit card numbers
 - c. Unlisted telephone numbers
 - d. Drivers' license numbers.

Except for:

- a. *Use by any government agency, including any court or law enforcement agency, in carrying out its functions,*
 - b. *or any private person or entity acting on behalf thereof,*
 - c. *or any private person or entity seeking to enforce payment of court-ordered child support; except with respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c.188 (C.39:2-3.4);*
- 18) Certain records of higher education institutions:
 - a. Pedagogical, scholarly and/or academic research records and/or the specific details of any research project, *except that a custodian may not deny inspection of a government record or part thereof that gives the name, title, expenditures, source and amounts of funding and date when the final project summary of any research will be available.*
 - b. Test questions, scoring keys and other examination data pertaining to the administration of an examination for employment or academic examination.
 - c. Records of pursuit of charitable contributions or records containing the identity of a donor of a gift if the donor requires non-disclosure of the donor's identity as a condition of making the gift provided that the donor has not received any benefits of or from the institution of higher education in

connection with such gift other than a request for memorialization or dedication.

- d. Valuable or rare collections of books and/or documents obtained by gift, grant, bequest or devise conditioned upon limited public access.
- e. Information contained on individual admission applications.
- f. Information concerning student records or grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student.

N.J.S.A. 47:1A-1.2

- 19) Biotechnology trade secrets.

N.J.S.A. 47:1A-2.2

- 20) Limitations to convicts - personal information pertaining to the person's victim or the victim's family, including but not limited to a victim's home address, home telephone number, work or school address, work telephone number, social security account number, medical history or any other identifying information. *Information may be released only if the information is necessary to assist in the defense of the requestor. A determination that the information is necessary to assist in the requestor's defense shall be made by the court upon motion by the requestor or his representative.*

N.J.S.A. 47:1A-3.a.

- 21) Ongoing investigations – any records pertaining to an investigation in progress by any public agency if disclosure of such record or records shall be detrimental to the public interest. *This provision shall not be construed to allow any public agency to prohibit access to a record of that agency that was open for public inspection, examination, or copying before the investigation commenced.*

N.J.S.A. 47:1A-5.k.

- 22) Public defender records that relate to the handling of any case, *unless authorized by law, court order, or the State Public Defender.*

N.J.S.A. 47:1A-9

- 23) Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders of the Governor, Rules of Court, Constitution of this State, or judicial case law.

N.J.S.A. 47:1A-10

- 24) Personnel and pension records, *except specific information identified as follows:*

- a. *An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received,*
- b. *When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the United States, or when authorized by an individual in interest.*
- c. *Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information.*

N.J.S.A. 47:1A-1 (Legislative Findings)

- 25) Privacy Interest - "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- 1) Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- 2) Records exempted from disclosure by State agencies' promulgated rules are exempt from disclosure by this Order.
- 3) Executive Orders No. 9 (Hughes), 11 (Byrne), 79 (Byrne) and 69 (Whitman) are hereby continued to the extent that they are not inconsistent with this Executive Order.

Executive Order No. 9 (Hughes) exemptions that are still active:

- a. Questions on examinations required to be conducted by any State or local governmental agency;
- b. Personnel and pension records (same as N.J.S.A. 47:1A-10);
- c. Records concerning morbidity, mortality and reportable diseases of named persons required to be made, maintained or kept by any State or local governmental agency;

- d. Records which are required to be made, maintained or kept by any State or local governmental agency which would disclose information concerning illegitimacy;
- e. Fingerprint cards, plates and photographs and other similar criminal investigation records which are required to be made, maintained or kept by any State or local governmental agency;
- f. Criminal records required to be made, maintained and kept pursuant to the provisions of R. S. 53:1-20.1 and R. S. 53:1- 20.2;
- g. Personal property tax returns required to be filed under the provisions of Chapter 4 of Title 54 of the Revised Statutes; and
- h. Records relating to petitions for executive clemency.

Executive Order No. 11 (Byrne) exemptions are the same as N.J.S.A. 47:1A-10.

Executive Order No. 79 (Byrne) exemptions are the similar to # 8, 9, 10 above under N.J.S.A. 47:1A-1.1.

Executive Order No. 69 (Whitman) exemptions that are still active: Fingerprint cards, plates and photographs and similar criminal investigation records that are required to be made, maintained or kept by any State or local governmental agency.

Executive Order No. 26 (McGreevey 2002)

- 1) Certain records maintained by the Office of the Governor:
 - a. Any record made, maintained, kept on file or received by the Office of the Governor in the course of its official business which is subject to an executive privilege or grant of confidentiality established or recognized by the Constitution of this State, statute, court rules or judicial case law.
 - b. All portions of records, including electronic communications, that contain advisory, consultative or deliberative information or other records protected by a recognized privilege.
 - c. All portions of records containing information provided by an identifiable natural person outside the Office of the Governor which contains information that the sender is not required by law to transmit and which would constitute a clearly unwarranted invasion of personal privacy if disclosed.
 - d. If any of the foregoing records shall contain information not exempted by the provision of the Open Public Records Act or the preceding subparagraphs (a), (b) or (c) hereof then, in such event, that portion of the record so exempt shall be deleted or excised and access to the remainder of the record shall be promptly permitted.
- 2) Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing. *The resumes of successful candidates shall be disclosed once the successful candidate is hired. The resumes of unsuccessful candidates may be disclosed after the search has been concluded and the position has been filled, but only where the unsuccessful candidate has consented to such disclosure.*

- 3) Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments.
- 4) Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation.
- 5) Information in a personal income or other tax return
- 6) Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed.
- 7) Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing.
- 8) Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by a regulation of that department or agency adopted pursuant to N.J.S.A. 47:1A-1 et seq. and Executive Order No. 9 (Hughes 1963), or pursuant to another law authorizing the department or agency to make records confidential or exempt from disclosure.
- 9) Records of a department or agency held by the Office of Information Technology (OIT) or the State Records Storage Center of the Division of Archives and Records Management (DARM) in the Department of State, or an offsite storage facility outside of the regular business office of the agency. Such records shall remain the legal property of the department or agency and be accessible for inspection or copying only through a request to the proper custodian of the department or agency. In the event that records of a department or agency have been or shall be transferred to and accessioned by the State Archives in the Division of Archives and Records Management, all such records shall become the legal property of the State Archives, and requests for access to them shall be submitted directly to the State Archives.