



OFFICE OF THE HUDSON COUNTY PROSECUTOR

24 CENTRAL AVENUE
JERSEY CITY, NEW JERSEY 07306

WAYNE MELLO
PROSECUTOR

TELEPHONE: (201) 795-6400
FAX: (201) 795-3365

October 9, 2026

VIA ELECTRONIC MAIL ONLY

info@hudsontv.com

Julio Reynoso

Hudson TV

PO Box 492

Elmwood Park, NJ 07407

Re: September 28, 2026 OPRA & Common Law Right to Access Request for Weekly Felony Complaint List & HCPO Arrest Reports for September 28 – October 4, 2026

Dear Julio Reynoso,

The Hudson County Prosecutor's Office (hereinafter "HCPO") received your email request, dated September 28, 2026, on September 28, 2026 under the New Jersey Open Public Records Act, N.J.S.A. 47: 1A-1, et seq., (hereinafter "OPRA") and the Common Law Right to Access (hereinafter "CLRA"). The Request indicated that the preferred delivery method was via email. An acknowledgment was sent on September 28, 2026. A copy of your request (hereinafter the "Request") is attached for your easy reference.

The Request was reviewed under OPRA and the CLRA. For the reasons set forth below, the HCPO is providing records related to the Request in accordance with statutory authority and well-settled law.

The release of any document indicating criminal activity, other than a criminal complaint, does not constitute a complaint or an accusation, and a person is presumed innocent until proven guilty. N.J. Rules of Professional Conduct, Rule 3.6(a), cmt. 6. The HCPO does not verify the validity of any independent party's information, allegation, or accusations contained in a document by releasing a document as required under OPRA or the CLRA. Nor does the HCPO indemnify or absolve any independent party from any liability, unless required by law or binding legal agreement, for any individual action.

The Request

As an initial matter, the Request sought the following records from the HCPO:

1. “Weekly Felony Complaints” report (September 28, 2026 – October 4, 2026):
ExportExcel2026 Sept 28 – Oct 4
2. HCPO Arrest Reports for September 28 – October 4, 2026.

Immediately upon receipt of the Request, the HCPO commenced a review of our files for responsive records.

OPRA Analysis

Restricted Contents of Government Records – Personal Information and Privacy

The obligation on public agencies to protect personal information was recognized in Burnett v. Cnty. of Bergen, 198 N.J. 408 (2009). There, the records contained names, addresses, Social Security numbers, and signatures, which presented an increased risk of identity theft. Likewise, Courts have ordered the redaction of signatures in other records. See N. Jersey Media Grp. Inc. v. State, Dep't of Pers., 389 N.J. Super. 527, 537, 913 A.2d 853, 859 (Law. Div. 2006). Personal identifying information (hereinafter “PII”) is “a potential roadmap to identity fraud.” Brennan v. Bergen Cnty. Prosecutor's Off., 233 N.J. 330, 340, 185 A.3d 202, 207 (2018) (citing Burnett v. Cnty. of Bergen, 198 N.J. 408, 968 A.2d 1151 (2009)). In an effort to minimize the risk of identity theft, signatures are redacted. Additionally, a government record shall not include PII which is deemed to be confidential for the purposes of OPRA. N.J.S.A. 47:1A-1.1. “Personal Identifying Information” is information that may be used, alone or in conjunction with any other information, to identify a specific individual including social security number, credit card number, debit card number, bank account information, month and day of birth, any personal email address, telephone number or driver license number. N.J.S.A. 47:1A-1.1. Procedurally, “prior to allowing access to any government record, the custodian thereof shall redact from that record any [personal] information which discloses the Social Security number, “PII”, ... of any person...”. N.J.S.A. 47:1A-5. PII was redacted.

Arrest Photographs

A booking [arrest] photograph is a unique and powerful type of photograph that raises personal privacy interests distinct from normal photographs because they are a vivid symbol of criminal accusation, which carries a clear implication of criminal activity that is often associated with guilt. As such individuals likely have a substantial privacy interest in their likeness especially involving unresolved criminal complaints. Photographs are not public records as per Executive Order 69 (Gov. Whitman, 1999). Again, while not binding here, the GRC affirmed this expectation of privacy when it denied access to arrest photographs. Melton v. City of Camden, GRC Complaint No. 2011-233 (January 2013). Therefore, the defendant’s arrest photograph was redacted.

N.J.S.A. 47:1-1A-9(a-b) Other Laws, Regulations, Privileges

OPRA does not abrogate any exemption of a public record or government record from public access under any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any federal law; federal regulation; federal order; executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public record or government record. OPRA, N.J.S.A. 47:1A-9(a-b). Section 9a exempts from disclosure any information that is protected by any other state or federal statute, regulation, or executive order. Spillane v. New Jersey State Parole Bd., No. A-5089-14T2, 2017 WL 4171588, at *2 (N.J. Super. Ct. App. Div. Sept. 21, 2017).

Similarly, Section 9(b) exempts from disclosure any information that is protected by any executive or legislative privilege or grant of confidentiality established or recognized by the New Jersey Constitution, statute, court rule, or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public record or government record.

Court Records and Information Excluded from Public Access

Confidential personal identifiers, as defined in N.J. Ct. R. 1:38-7(a), should not be set forth in any document or pleading submitted to the court. N.J. Ct. R. 1:38-7(b). Confidential Personal Identifiers include: a Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, active credit card number, or information as to an individual's military status. N.J. Ct. R. 1:38-7(e). In cases where such identifiers are contained in a court record, they shall be redacted before public inspection is permitted. N.J. Ct. R. 1:38-7(e). A Complaint – Summons is a CDR-1 and a Complaint – Warrant is a CDR-2. N.J. Ct. R. 7:2-1. “[O]nce the CDR-1 [CDR-2] is created by law enforcement and submitted to the court, the document falls under Rule 1:38-2’s definition of a court record.” Simmons v. Mercado, 247 N.J. 24, 42 (2021). Therefore, redactions from court documents are appropriate.

Common Law Right to Access Analysis

Since the responsive records were provided under OPRA, analysis under the CLRA is unnecessary.

Response

Therefore, in response to your above-referenced request, the HCPO has attached one Excel file containing the extracted information from our RMS, and one PDF containing the below listed record with redactions of:

- Arrest Photographs as per Executive Order 69 & Melton v. City of Camden, GRC Complaint No. 2011-233 (January 2013)
 - Personal Identifying Information
 - Social Security Number,
 - Month & Day of Birth,
 - Street Address,
 - Driver License Number,
 - Other Personal Identifying Numbers,
 - County Bureau of Identification Numbers,
 - State Bureau of Identification Numbers,
 - Federal Bureau of Identification Numbers,
 - Signature(s) of investigative personnel,
1. “Weekly Felony Complaints” report (September 28, 2026 – October 4, 2026): ExportExcel2026 Sept 28 – Oct 4
 2. HCPO Arrest Reports for September 28 –October 4, 2026: ARREST REPORT_Redacted.

The public may be able to search the New Jersey Courts public case databases (<https://www.njcourts.gov/public/find-a-case>) to find criminal cases, written opinions, or request court records. After a case is disposed of, a Disposition Report or Judgement of Conviction may be obtained by contacting the Superior Court Clerk’s Office (<https://www.njcourts.gov/courts/superior-court-clerks-office/copies-court-records>). If a complaint has been remanded back to the municipal court, then a Disposition Report may be obtained by contacting the appropriate municipality.

The Hudson County Prosecutor’s Office reserves the right to raise any other grounds in support of this response. The failure of the Hudson County Prosecutor’s Office to assert any exception, exemption or privilege does not act as a waiver of any ground for denial. Additionally, the GRC is not only “permitted to affirm a denial of access for reasons not raised by a custodian” but that it has “an independent obligation to ‘render a decision as to whether the record which is the subject of the complaint is a government record which must be made available for public access pursuant to’ OPRA. The GRC is not limited to assessing the correctness of the reasons given for the custodian’s initial determination; it is charged with determining if the initial decision was correct.” Paff v. Twp. of Plainsboro, Docket No. A-2122-05T2 (App. Div. 2007), certif. denied by Paff v. Twp. of Plainsboro, 193 N.J. 292 (2007). See Stacey Hogan v. Township of Denville GRC Complaint No. 2021-231 (July 2023). As such, the HCPO would request that the GRC fulfill its independent obligation to determine whether the denial of access was correct under N.J.A.C. 5:105-2.1(h).

As with any OPRA request, you have the right to challenge the HCPO’s determination. At your option, you may either institute a proceeding in the Superior Court or file a complaint in writing with the Government Records Council (GRC), located in the Department of Community Affairs, 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 website at www.state.nj.us/grc. However, with any Common Law

Right to Access request, you have the right to challenge the HCPO's determination by instituting a proceeding in the Superior Court.

As with any Common Law Right to Access request, you have the right to challenge the HCPO's determination by instituting a proceeding in the Superior Court.

Please contact us via email or call me at (201) 795-6400 x6502 if you have any questions regarding this request.

Very truly yours,

WAYNE MELLO
Prosecutor of Hudson County

By: *s/Keith M. Bendul*
KEITH M. BENDUL
Legal Analyst Civil Litigation Unit

KB/
Enclosures
c. Office of the Hudson County Counsel