



SENT VIA ELECTRONIC MAIL

November 20, 2023

Senate President Nicholas Scutari
Senator Paul Sarlo

Senate President Scutari and Senator Sarlo,

We, the undersigned, represent a broad coalition of advocates from across our state fighting to make New Jersey more affordable for working families and to strengthen our democracy.

We are writing to express extreme concern about your recent statements indicating your desire to fast-track changes to the Open Public Records Act (OPRA) in the lame-duck session.

OPRA is fundamental to maintaining an open and accountable government. It has served as a critical bulwark to hold our elected officials – from borough council members to county commissioners to the Governor – accountable to the public and safeguard taxpayer dollars. Concerned members of the public, journalists, advocates, and other stakeholders from across the state have used OPRA to track government spending, examine the wisdom of decisions affecting thousands of families, and bring accountability to our criminal justice system.

In just the last few years, public records obtained through OPRA have led to reforms in millions of state dollars spent on behalf of the Schools Development Authority, helped uncover the devastating impact of the COVID-19 pandemic on state-run veterans' homes, and highlighted the impact of toxic chemicals polluting communities across the state.

We have not been privy to the OPRA legislation drafts. Alarming, we have heard indications that the legislative changes will likely target reducing OPRA requests by significantly gutting the essential fee-shifting provisions, preventing requesters from first going to Superior Court to enforce their rights under OPRA, eliminating instances of OPRA appeals, increasing OPRA exemptions, and more. These changes would embolden officials at every level of government to act with impunity. Together, they seem designed to shield powerful special interests with lucrative government contracts from scrutiny rather than benefit New Jersey taxpayers and voters.

No OPRA bill hastily passed in the upcoming lame-duck session will deliver positive results for New Jersey voters. Any changes in this session are ill-considered and threaten to make all levels of New Jersey government significantly less transparent. Instead of pursuing legislative efforts

that buy into an anti-democratic agenda, now is the time to lay out a vision for our state in which accountability and transparency are hallmarks of our governance.

We are calling on you to stop efforts to push through an OPRA bill in this lame-duck session. We urge you to actively engage with advocates on this issue and pursue a thoughtful and deliberative process next year- one that is open to public input and takes the necessary time to deliver a win for New Jerseyans.

Signed,

Antoinette Miles, NJ Working Families Party
Sarah Fajardo, American Civil Liberties Union NJ
Jesse Burns, League of Women Voters NJ

co-signatories in alphabetical order by organization

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