



THE NEWSGUILD

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May 16, 2024

The Honorable Phil Murphy
Governor
225 W State St.
Trenton, NJ 08625

Dear Governor Phil Murphy,

As president of The NewsGuild-CWA, the largest labor union of journalists and media workers across the continent, I am writing to strongly encourage you to veto New Jersey bill S2930/A4045, which would make accessing public records under the Open Public Records Act in the Garden State significantly harder. We fear that this bill as written would greatly hinder necessary oversight carried out by journalists as a free and fair press as well as infringe on New Jerseyans free speech rights under the U.S. constitution.

I am most concerned that the bill would erect new barriers for journalists and the public, including provisions that would:

- Allow government officials to deny requests based on overly broad qualifiers, such as information that might "result in harassment."
- Impose incredibly narrow parameters for journalists and other requesters to access even basic correspondence, while also excluding all email and call logs from any request.
- Create inequality by allowing commercial requesters and data brokers to skip the line by paying an extra fee to receive records faster than the press and members of the public.
- Introduce discretionary fee-shifting, potentially leaving journalists and members of the public on the hook for legal bills related to a request for public records, even in a victorious case.
- Assume all fees and services charged for records are reasonable, thus creating an obstacle for journalists and members of the public who may attempt to challenge outrageous bills.
- Give government entities the right to sue record requestors deemed to be "substantially interrupt(ing) the performance of government function" with OPRA requests, including seeking a protective order limiting their requests in the future.

Numerous members of our union traveled to Trenton to testify on multiple occasions about how vitally important free access to public records is to their work as journalists. As a nation with democracy, we must protect the public's right to information, support the responsibility of the press and stand for free speech. I urge you to do so by vetoing S2930/A4045.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,

Jon Schleuss
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The NewsGuild-CWA

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