



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF INFORMATION PRIVACY
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PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

May 10, 2022

Re: Introduction to the Office of Information Privacy

Dear Colleagues:

As you are aware, Governor Murphy recently signed P.L.2021, c.371, which created the Office of Information Privacy (OIP) in the Department of Community Affairs to facilitate the State's implementation of Daniel's Law. Daniel's Law was enacted in response to the tragic death of Daniel Anderl, the son of Judge Esther Salas and Mark Anderl. The law prohibits disclosure of the residential addresses of certain Covered Persons on websites controlled by State, county, and local government agencies. The community of Covered Persons includes active and retired judicial officers, prosecutors, and members of the law enforcement community and their immediate family members residing in the same household. The OIP has begun its work, and I am honored to serve as its director. We need your assistance in this mandate.

The law allows Authorized Persons, which includes Covered Persons and certain other authorized individuals, to request the redaction of covered addresses from government records. The OIP has begun to develop the rules, policies, and procedures that Authorized Persons will use when they request the redaction of these residences from State, county, and municipal agencies' websites and records. These guidelines also will inform agencies of the steps they will follow when a redaction request has been approved by the OIP in order to securely receive this information. The creation of standard operating procedures for this effort is critical for its success. At present, they are a work in progress, as is the OIP Portal, which will be the pathway to achieving the most effective compliance with this challenging and inspiring legislation. The Portal is on schedule to be available by July 12, 2022. It will be the landing place for all – Authorized Persons and public agencies – to initiate and achieve compliance with Daniel's Law.

The OIP is aware that some counties and cities already have taken steps toward compliance, which Daniel's Law permits. We value those efforts. However, the redaction of a Covered Person's residence from a county or local website does not guarantee its removal from all State or other government websites. No Covered Person should be led to conclude that a request to their County Clerk or other local official for this protection will provide complete redaction coverage across all State, county, and local sites. Making the request through the OIP Portal will be the key to receiving that broad coverage.

We strongly believe that one statewide effort, coordinated by the OIP, will best achieve the uniformity and consistency that are critical to the successful implementation of Daniel's Law. As such, although the law permits public agencies to honor requests for redaction prior to the January 13, 2023, date when compliance is required, the OIP would remind agencies that such actions are **not** required prior to that time and may even serve to confuse Covered Persons by improperly suggesting that their information is universally redacted. Guidance as to how we will effectively collaborate to accomplish this will come from the OIP in the weeks ahead.

Please note that this does not constitute legal advice, and agencies should consult with their counsel if they receive any requests from a Covered Person who is in an emergent situation.

As you await further information from this Office, we suggest that you inform the Covered Persons you work with of the need to establish an account on the *MyNewJersey* website. When the OIP Portal is available, they will use the *MyNJ* log-in to access the Portal. While most active Covered Persons already have such accounts, retired or formerly active Covered Persons may not. Taking this step now will allow them to submit their requests as soon as the OIP is ready to receive them.

As Director of the Office of Information Privacy, I look forward to working with you to achieve our common goal: to protect the legitimate privacy interests of the Covered Persons who are the focus of Daniel's Law. This is a unique mandate which will require a distinctive collaboration. The Department of Community Affairs remains confident that we can work together to make the safeguards at the center of this law a reality. Accordingly, we welcome your questions, suggestions and/or concerns and look forward to engaging with you as the OIP takes shape.

Sincerely,



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