

SUPREME COURT OF NEW JERSEY  
DOCKET NO. A-15-15

PATRICIA GILLERAN,

Plaintiff-Respondent,

v.

TOWNSHIP OF BLOOMFIELD and  
LOUISE M. PALAGANO, in her  
capacity as Records Custodian  
for the Township of  
Bloomfield,

Defendants-Appellants.

CIVIL ACTION

On appeal from a final order  
of the Superior Court of New  
Jersey, Appellate Division,  
affirming the judgment below.

Sat below:

Hon. Victor Ashrafi, J.A.D.  
Hon John C. Kennedy, J.A.D.  
Hon Amy O'Connor, J.A.D.

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Brief of *Amicus Curiae* The Reporters Committee for Freedom of  
the Press and 18 Media Organizations

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## IDENTITY OF *AMICI CURIAE*

*Amici curiae* are The Reporters Committee for Freedom of the Press and 18 media organizations: Advance Publications, Inc., American Society of News Editors, The Associated Press, Association of Alternative Newsmedia, Dow Jones & Company, Inc., Gannett Co., Inc., Hearst Corporation, Investigative Reporting Workshop at American University, MPA - The Association of Magazine Media, National Association of Black Journalists, National Newspaper Association, National Press Photographers Association, National Public Radio, Inc., The New York Times Company, North Jersey Media Group Inc., Online News Association, Radio Television Digital News Association, and Society of Professional Journalists. *Amici* are described in more detail in Appendix A. This brief is filed with a motion to intervene as *amici curiae*.

This case centers on the scope of certain exemptions from the New Jersey Open Public Records Act. As members of the news media, *amici* are frequent requesters under state and federal freedom of information laws and therefore have an interest in how those laws are interpreted by the courts. The lower and appellate court's decisions in this case correctly rejected the Defendants-Appellants' contention that Bloomfield's surveillance videos are exempt from public disclosure regardless of their content. Should this Court reverse the Appellate Division's decision, *amici* and the public would be significantly affected.

*Amici* here seek to expand on Plaintiff-Appellee's argument that New Jersey law does not contemplate a "blanket" exemption for surveillance footage, and to provide a broader perspective on the importance of access to police recordings to the press and to the public.

## SUMMARY OF THE ARGUMENT

Freedom of information laws were passed to give the public more insight into the workings of government. New Jersey's Open Public Records Act ("OPRA") declares that "government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest, and any limitations on the right of access ... shall be construed in favor of the public's right of access." N.J.S.A. 47:1A-1. At issue in this appeal is the scope of two exceptions to OPRA's broad mandate of disclosure, which exempt

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 . . . .

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

*Amici* urge this Court to affirm the decision below and refuse Defendants-Appellants' invitation to create a wholesale exemption under OPRA for surveillance video recordings. The blanket carve-out from OPRA's disclosure requirements that is urged by Defendants-Appellants runs counter to OPRA's text and intent, as well as to common police practice, and, if adopted, would



significantly impair the ability of the press to report on law enforcement issues. This Court should affirm the decision below because Defendants-Appellants' argument is both baseless and harmful to OPRA's overarching goal of facilitating public access to government records.

#### ARGUMENT

- I. A "blanket exemption" for surveillance videos would render statutory language meaningless and contradict legislative intent.

This Court has recognized that "[t]he purpose of OPRA 'is to maximize public knowledge about public affairs in order to ensure an informed citizenry and to minimize the evils inherent in a secluded process.'" Times of Trenton Pub. Corp. v. Lafayette Yard Cmty. Dev. Corp., 183 N.J. 519, 535, 874 A.2d 1064, 1074 (2005) (quoting Asbury Park Press v. Ocean County Prosecutor's Office, 374 N.J.Super. 312, 329, 864 A.2d 446 (Law Div.2004)). OPRA defines "government records" to include any "data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof," created and maintained in the course of official business. N.J.S.A. 47:1A-1.1.

Indeed, Defendants-Appellants do not dispute that the surveillance videos at issue in this case are "government records" within the meaning of OPRA. Instead, Defendants-Appellants urge this Court to hold that footage from pole-mounted surveillance

cameras is totally exempt from disclosure under OPRA because, they assert, such footage is part of a surveillance system installed on Town Hall. There is no basis for Defendants-Appellants' position.

Under OPRA, exemptions for "emergency or security information or procedures for any buildings or facility" and "security measures and surveillance techniques" apply only if disclosure would create a statutorily-defined risk. N.J.S.A. 47:1A-1.1. For "emergency or security information or procedures" to be exempt, disclosure must "jeopardize security of the building or facility or persons therein;" for "security measures and surveillance techniques" to be exempt, disclosure must "create a risk to the safety of persons, property, electronic data or software." *Id.*

In other words, government agencies claiming these exemptions must satisfy both statutory requirements, as courts interpreting other two-pronged exemptions have found. *Cf. Courier News v. Hunterdon Cty. Prosecutor's Office*, 358 N.J. Super. 373, 380, 817 A.2d 1017, 1022 (App. Div. 2003) (interpreting OPRA's exemption for records that "pertain to an investigation in progress") ("In order to find a basis to deny access to the tapes, the court must find *both* that they pertain to an investigation *and* that their release would be inimical to the public interest.") (Emphasis added.)

Here, in contrast, Defendants-Appellants urge this Court to disregard the second prong of the exemptions at issue in this case

and to embrace a categorical exemption for surveillance videos. Yet the Legislature clearly opted not to create a categorical exemption for surveillance videos when it drafted OPRA, and this Court should not do so now.

The Legislature created categorical exemptions for a number of government records that would otherwise be subject to OPRA's disclosure requirement: "personal firearms records," "personal identifying information" related to the issuance of fishing and hunting licenses, "victims' records," and others. N.J.S.A. 47:1A-1.1. With regard to security information, procedures, measures, and techniques, however, OPRA articulates a two-part test to determine whether information may be exempt or must be disclosed. Defendants-Appellants' position that the surveillance footage at issue here is entitled to a categorical exemption from disclosure runs counter to the Legislature's choice not to create such an exemption, and would effectively vitiate the government's obligation to demonstrate that disclosure would cause the statutorily-defined harm.

II. Construing OPRA to exempt all surveillance video recordings from disclosure will impair the ability of the press to keep the public informed.

Defendants-Appellants' proposed blanket exemption for the videos at issue here would, if adopted by this Court, have a damaging impact on the ability of the press to perform its fundamental and constitutionally recognized duty to gather the

news and keep citizens informed about the actions of their government. Reporters in New Jersey, like reporters around the nation, routinely rely on freedom of information laws like OPRA to access government records and information, including recordings from surveillance cameras and police recordings, in order to bring important issues to the attention of the public. Were Defendants-Appellants' position to be adopted by this Court, it would undermine journalists' ability to rely on OPRA to gain access to public records and information in connection with day-to-day reporting, as well as more in-depth and investigative stories of substantial public concern.

**A. Access to police video presents no novel statutory issue under OPRA.**

This Court should reject the lower court's suggestion, in dicta, that access to police video is a novel issue that was either not contemplated by the Legislature when it enacted OPRA or is overly burdensome. The text of OPRA does not distinguish between videos and other forms of records subject to disclosure under the statute. Nor, as a factual matter, does complying with OPRA requests for police video impose any undue burden on law enforcement agencies. The Appellate Division's suggested distinction between videos and other forms of public records is unwarranted and untenable.

The technological capability to efficiently review and redact video records for release to the public already exists and is widely used by police departments around the nation. For example, thousands of agencies use TASER International's Axon body-worn cameras and Evidence.com service. See TASER, TASER Reports Record Quarterly Revenue of \$50.4 million (Nov. 3, 2015), <http://bit.ly/1GJtrrz7> (estimating 33,000 total paid users of Evidence.com in September 2015). Among other things, Evidence.com offers an "automated redaction tool" designed to "take[] the pain out of current manual processes and makes it easier to fulfill requests." Axon, The Future of FOIA: Find, Redact, Deliver, Axon Webinar, <http://bit.ly/1JY6qtw>. In addition, a variety of free and low-cost tools exist to enable automated facial blurring that could be used to obscure the identities of police informants, witnesses, or crime victims. See Media Freedom and Information Access Clinic, Yale Law School, Police Body Cam Footage: Just Another Public Record, 23 (Dec. 2015), available at <http://bit.ly/1lVyXFu> ("MFIA Report" hereafter) (referencing automated redaction tools such as ObscuraCam, the NVeiler Video Filter plug-in, and automated facial blurring on YouTube). To the extent the opinion below speculates that any request for video footage would require "the services of government employees to view video recordings from stationary surveillance cameras for hours upon hours to determine whether they contain confidential or

exempt material," the Appellate Division's conclusions were both erroneous and unwarranted.

Further, OPRA also includes a fee-shifting provision that permits agencies responding to OPRA requests to recover both the "actual cost" of duplicating a record as well as a "special service charge that shall be reasonable and shall be based upon the actual direct cost" of duplication. N.J.S.A. 47:1A-5.c; see also MFIA Report at 24 (arguing that fee-shifting provisions offer "another solution to the cost of redaction"). In short, the Appellate Division's suggestion in dicta, below, that any request for video footage would be burdensome and require "the services of government employees to view video recordings from stationary surveillance cameras for hours upon hours to determine whether they contain confidential or exempt material," is unsupported.

Not only is there no basis in the text of OPRA to distinguish between police videos and other forms of public records, OPRA also already includes all of the exemptions needed to adequately balance law enforcement's need to maintain the confidentiality of security techniques and investigative techniques with the public's interest in disclosure of records. For example, the exemptions at issue in this case would protect the records at issue from disclosure if, indeed, disclosure presented a statutorily-defined risk. The Appellate Division correctly ruled, however, that Defendants-Appellants had not met their burden to make a "clear showing" that

such an exemption would apply. See Asbury Park Press v. Ocean County Prosecutor's Office, 374 N.J.Super. 312, 329 (Law Div.2004). The fact that the requested records are in the form of videos does not alter Defendants-Appellants' burden to make such a showing.

The Appellate Division's suggestion that police video presents qualitatively different issues regarding the potential for disclosure of investigative and security techniques is, thus, groundless. OPRA's existing exemptions permit law enforcement agencies to shield truly confidential information from public disclosure. The mere fact that a government record is a video presents no novel issues not already addressed in OPRA.

**B. Police routinely disseminate surveillance footage to the press in order to help solve crime.**

Defendants-Appellants' contention that surveillance videos may not be disclosed because public access to the recordings would jeopardize security contradicts the regular practice of police departments around the country that routinely release videos to the press and the public in order to gather information. Indeed, there are numerous examples of important news stories that were possible only because of reporters' access to such video. For example, in October 2015, the Bridgeport Police Department in Connecticut released a video of an attempted abduction of a teenage girl walking to school. Russell Blair, Attempted Abduction of

Bridgeport Teen Caught On Video, Hartford Courant (Oct. 7, 2015), <http://cour.at/1RppjIF>. The footage, which showed the girl rolling out of the car as she escaped, was captured by pole-mounted security cameras that are part of Bridgeport's "Safe Corridors Program," which "creates blocks-long perimeters around Bridgeport schools that are marked and monitored by police, trained volunteers and cameras." Brian Zahn, New Haven woman arrested in connection with Bridgeport attempted abduction case, New Haven Register (Oct. 11, 2015), <http://bit.ly/1Rppa8e>. Widespread reporting and release of the surveillance footage "struck a chord" with the public and led the community to cooperate with police and help find the suspect. Ce'Faan Kim, Suspect Arrested in Attempted Abduction of 17-Year-Old Girl in Bridgeport, WABC-TV (Oct. 12, 2015), <http://7ny.tv/1OgxhgY>.

In November 2015, Peter Gold, a Tulane University medical student, was shot in the stomach in New Orleans after reportedly trying to stop an armed robbery in progress. Jonathan Bullington, *Tulane medical student shot in stomach trying to stop Lower Garden District armed robbery*, The Times-Picayune (Nov. 20, 2015), <http://bit.ly/1UCXaLT>. The New Orleans Police Department released surveillance footage of the suspect obtained from a neighborhood camera; the footage was crucial to ultimately identifying and arresting him. Ken Daley, Euric Cain, suspected of shooting Tulane medical student, ordered held without bond, The Times-Picayune



(Nov. 24, 2015), <http://bit.ly/1UCXNov>. The story "generated national and international coverage because of the graphic surveillance footage showing the man identified by police as Cain shooting Gold in the stomach, and then trying twice to shoot Gold in the head as he writhed in pain on the sidewalk." Jonathan Bullington, Tulane med student Peter Gold upgraded to stable condition after shooting, The Times-Picayune (Nov. 24, 2015), <http://s.nola.com/qb96WNP>.

Indeed, many police departments routinely post video from surveillance cameras on sites such as YouTube in an effort to get information about crime. See, e.g., New Jersey State Police, Man Caught on Video Wanted for Burglary and Theft, Facebook (July 8, 2015), <http://on.fb.me/1V8mTff>; Philadelphia Police, Robbery 1500 S 16th St DC 15 17 062445, YouTube (Jan. 7, 2015), <http://bit.ly/1VQTiIh>; Atlanta Police Department, Homicide 1100 block of Joseph E Boone, YouTube (Apr. 4, 2015), <http://bit.ly/1Zg4546>; Houston Police Department, Surveillance Video of Suspect Wanted in Fatal Shooting at 2751 Wallingford Drive, YouTube (Oct. 28, 2015), <http://bit.ly/109fhHC>; Metropolitan Police Department, Person of Interest in Burglary II, 1300 b/o Connecticut Ave, NW, on December 24, 2015, YouTube (Dec. 29, 2015), <http://bit.ly/1n8siIw>. It stands to reason that if releasing any surveillance footage to the public would pose a danger to the security of the buildings or facilities where the

videos were recorded, the nation's police departments would not have embraced this commonplace practice.

**C. Access to police recordings is critical to the ability of the press to report on law enforcement.**

Bloomfield's vague and unsupported claim that releasing the videos at issue in this case would jeopardize confidential police activity is belied by the fact that access to police recordings, more generally — whether they be from dashboard cameras, body cameras, or pole-mounted surveillance cameras — is not only commonplace, but also a crucial tool for press and public oversight of law enforcement. In numerous recent cases, police recordings have been at the center of news reporting on high-profile controversies involving police misconduct and use of force.

For example, police footage obtained under OPRA is at the center of two recent high-profile police misconduct trials, including one involving police officers in the Township of Bloomfield itself. In November, two Bloomfield police officers were convicted of official misconduct in connection with the 2012 arrest of Marcus Jeter. Dashboard camera video showed "officers breaking the driver's side window of . . . Jeter's vehicle and dragging him from the car." Hasime Kukaj, Bloomfield officers convicted in 'dashcam' case, Bloomfield Life (Nov. 5, 2015), <http://bit.ly/1Rzz9E8>. The case originated when an attorney for Mr. Jeter obtained additional dashboard camera video of Mr. Jeter's

arrest through OPRA that contradicted official reports about the incident. The video corroborated Mr. Jeter's account and led to criminal misconduct charges as well as a civil lawsuit against the arresting officers. See Bill Wichert, NJ man alleges 'racial profiling' in 2012 assault by Bloomfield cops, lawsuit says, NJ Advance Media (June 22, 2014), <http://bit.ly/1Zb99BF>. A prosecutor who tried the case commented: "But for the dash camera in the second police vehicle, [Mr. Jeter] might be in prison today." Kukaj, *supra*.

In a second case, dashboard camera footage led to the 2014 arrest of a Newton police officer accused of having "exposed himself to young male drivers during 'numerous' traffic stops." Ben Horowitz, Newton cop exposed himself to young male drivers during stops, complaint says, NJ Advance Media (Nov. 17, 2014), <http://bit.ly/1K3bd7L>. NJ Advance Media obtained the footage from the Sussex County Prosecutor's Office through an OPRA request. Kimberly Redmond, Did Newton cop expose himself to drivers? NJ Advance Media (June 11, 2015), <http://bit.ly/1ISa4AM>. The officer, Jason R. Miller, pleaded guilty to a criminal charge of tampering with records related to turning off the dashboard camera "in an attempt to conceal unprofessional, inappropriate conduct." Greg Watry, Newton cop accused of exposing himself forfeits police job, New Jersey Herald (June 15, 2015), <http://bit.ly/1OF2i1N>.

Access to police footage has also been at the center of several recent stories involving police use of force in other parts of the country. In November, Chicago police officer Jason Van Dyke was charged with first-degree murder in the shooting death of teenager Laquan McDonald. Annie Sweeney and Jason Meisner, A moment-by-moment account of what the Laquan McDonald video shows, Chicago Tribune (Nov. 25, 2015), <http://trib.in/1Hl6qmq>. Several dashboard cameras on the scene captured graphic footage of the killing. Bill Ruthhart, Bob Sector and David Kidwell, *Four new Laquan McDonald shooting videos raise more questions*, Chicago Tribune (Nov. 26, 2015), <http://trib.in/1PPRboc>. Access to video of the shooting has been crucial to news coverage of the incident, as well as to the public's understanding of what occurred.

The Chicago Tribune, for example, reported that the police reports from the incident, also obtained under that Illinois public records law, are "dramatically at odds" with the footage itself. Laquan McDonald police reports differ dramatically from video, Chicago Tribune (Dec. 5, 2015), <http://trib.in/1TqYWPD>. Chicago released hundreds of emails related to the video in response to a lawsuit under Illinois' Freedom of Information Act. Chicago releases hundreds of emails related to Laquan McDonald video, Associated Press (Dec. 31, 2015), <http://bit.ly/22ZotWE>. The incident has led not only to charges against Van Dyke, but also to the dismissal of the Chicago police Superintendent, Garry

McCarthy. Bill Ruthhart and David Heinzmann, Emanuel dismisses top cop Garry McCarthy amid pressure for change, Chicago Tribune (Dec. 1, 2015), <http://trib.in/1jxe9lH>.

In other cases, police recordings of officer-involved shootings have not resulted in criminal charges against the police. Soon after the Laquan McDonald video was released, Cook County prosecutors announced that they would not bring charges against police involved in the shooting of Ronald Johnson III. Steve Schmadeke and Jason Meisner, No charges for Chicago cop in Ronald Johnson shooting death; lawyer blasts decision, Chicago Tribune (Dec. 7, 2015), <http://trib.in/1YUnXX1>.

Likewise, no charges were brought against the police officer who killed Ruben Garcia Villalpando, an unarmed man shot in Grapevine, Texas in 2015. Marice Richter, Texas grand jury does not indict policeman for fatal shooting of Mexican, Reuters (May 18, 2015), <http://reut.rs/1UOTBCq>. Grapevine prosecutors released dashboard camera video of the shooting after the grand jury decision. *Id.*

These examples illustrate the variety of contexts in which public access to police recordings has been crucial to fair and accurate reporting on controversies involving law enforcement. A categorical exemption for videos that may capture some police activity would prevent journalists and reporters from gaining

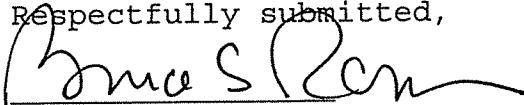
access to videos like those mentioned above, thereby preventing the public from being fully informed on these issues.

**CONCLUSION**

For the foregoing reasons, *amici* urge this Court to affirm the decision below.

Dated: January 20, 2016

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce S. Rosen", written over a horizontal line.

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## APPENDIX A

Advance Publications, Inc., directly and through its subsidiaries, publishes more than 20 print and digital magazines with nationwide circulation, local news in print and online in 10 states, and leading business journals in over 40 cities throughout the United States. New Jersey Advance Media (publisher of nj.com) and Newark Morning Ledger Co. (publisher of the Star-Ledger) are companies affiliated with Advance Publications, Inc. Through its subsidiaries, Advance also owns numerous digital video channels and internet sites and has interests in cable systems serving over 2.3 million subscribers.

With some 500 members, American Society of News Editors ("ASNE") is an organization that includes directing editors of daily newspapers throughout the Americas. ASNE changed its name in April 2009 to American Society of News Editors and approved broadening its membership to editors of online news providers and academic leaders. Founded in 1922 as American Society of Newspaper Editors, ASNE is active in a number of areas of interest to top editors with priorities on improving freedom of information, diversity, readership and the credibility of newspapers.

The Associated Press ("AP") is a news cooperative organized under the Not-for-Profit Corporation Law of New York, and owned by its 1,500 U.S. newspaper members. The AP's members and subscribers include the nation's newspapers, magazines, broadcasters, cable

news services and Internet content providers. The AP operates from 300 locations in more than 100 countries. On any given day, AP's content can reach more than half of the world's population.

Association of Alternative Newsmedia ("AAN") is a not-for-profit trade association for 130 alternative newspapers in North America, including weekly papers like The Village Voice and Washington City Paper. AAN newspapers and their websites provide an editorial alternative to the mainstream press. AAN members have a total weekly circulation of seven million and a reach of over 25 million readers.

Dow Jones & Company, Inc., a global provider of news and business information, is the publisher of The Wall Street Journal, Barron's, MarketWatch, Dow Jones Newswires, and other publications. Dow Jones maintains one of the world's largest newsgathering operations, with more than 1,800 journalists in nearly fifty countries publishing news in several different languages. Dow Jones also provides information services, including Dow Jones Factiva, Dow Jones Risk & Compliance, and Dow Jones VentureSource. Dow Jones is a News Corporation company.

Gannett Co., Inc. is an international news and information company that publishes 93 daily newspapers in the United States, including The El Paso Times and USA TODAY. Each weekday, Gannett's newspapers are distributed to an audience of 9 million readers and



the websites associated with the company's publications serve online content to 95 million unique visitors each month.

Hearst Corporation is one of the nation's largest diversified media and information companies. Its major interests include ownership of 15 daily and more than 30 weekly newspapers, including the Houston Chronicle, San Antonio Express-News, San Francisco Chronicle and Albany Times Union; hundreds of magazines around the world, including Good Housekeeping, Cosmopolitan, ELLE and O, The Oprah Magazine; 31 television stations, which reach a combined 18 percent of U.S. viewers; ownership in leading cable networks, including Lifetime, A&E, HISTORY and ESPN; significant holdings in automotive, electronic and medical/pharmaceutical business information companies; a majority stake in global ratings agency Fitch Group; Internet and marketing services businesses; television production; newspaper features distribution; and real estate.

The Investigative Reporting Workshop, a project of the School of Communication (SOC) at American University, is a nonprofit, professional newsroom. The Workshop publishes in-depth stories at [investigativereportingworkshop.org](http://investigativereportingworkshop.org) about government and corporate accountability, ranging widely from the environment and health to national security and the economy.

MPA - The Association of Magazine Media, ("MPA") is the largest industry association for magazine publishers. The MPA,

established in 1919, represents over 175 domestic magazine media companies with more than 900 magazine titles. The MPA represents the interests of weekly, monthly and quarterly publications that produce titles on topics that cover politics, religion, sports, industry, and virtually every other interest, avocation or pastime enjoyed by Americans. The MPA has a long history of advocating on First Amendment issues.

The National Association of Black Journalists (NABJ) is an organization of journalists, students and media-related professionals that provides quality programs and services to and advocates on behalf of black journalists worldwide. Founded by 44 men and women on December 12, 1975 in Washington, D.C., NABJ is the largest organization of journalists of color in the nation.

National Newspaper Association is a 2,400 member organization of community newspapers founded in 1885. Its members include weekly and small daily newspapers across the United States. It is based in Columbia, Missouri.

The National Press Photographers Association ("NPPA") is a 501(c)(6) non-profit organization dedicated to the advancement of visual journalism in its creation, editing and distribution. NPPA's approximately 7,000 members include television and still photographers, editors, students and representatives of businesses that serve the visual journalism industry. Since its founding in 1946, the NPPA has vigorously promoted the constitutional rights

of journalists as well as freedom of the press in all its forms, especially as it relates to visual journalism. The submission of this brief was duly authorized by Mickey H. Osterreicher, its General Counsel.

National Public Radio, Inc. is an award-winning producer and distributor of noncommercial news programming. A privately supported, not-for-profit membership organization, NPR serves a growing audience of more than 26 million listeners each week by providing news programming to 285 member stations that are independently operated, noncommercial public radio stations. In addition, NPR provides original online content and audio streaming of its news programming. NPR.org offers hourly newscasts, special features and 10 years of archived audio and information.

The New York Times Company is the publisher of *The New York Times* and *The International Times*, and operates the news website nytimes.com.

North Jersey Media Group Inc. ("NJMG") is an independent, family-owned printing and publishing company, parent of two daily newspapers serving the residents of northern New Jersey: *The Record* (Bergen County), the state's second-largest newspaper, and the *Herald News* (Passaic County). NJMG also publishes more than 40 community newspapers serving towns across five counties and a family of glossy magazines, including (201) Magazine, Bergen County's premiere magazine. All of the newspapers contribute

breaking news, features, columns and local information to NorthJersey.com. The company also owns and publishes Bergen.com showcasing the people, places and events of Bergen County.

Online News Association ("ONA") is the world's largest association of online journalists. ONA's mission is to inspire innovation and excellence among journalists to better serve the public. ONA's more than 2,000 members include news writers, producers, designers, editors, bloggers, technologists, photographers, academics, students and others who produce news for the Internet or other digital delivery systems. ONA hosts the annual Online News Association conference and administers the Online Journalism Awards. ONA is dedicated to advancing the interests of digital journalists and the public generally by encouraging editorial integrity and independence, journalistic excellence and freedom of expression and access.

Radio Television Digital News Association ("RTDNA") is the world's largest and only professional organization devoted exclusively to electronic journalism. RTDNA is made up of news directors, news associates, educators and students in radio, television, cable and electronic media in more than 30 countries. RTDNA is committed to encouraging excellence in the electronic journalism industry and upholding First Amendment freedoms.

Society of Professional Journalists ("SPJ") is dedicated to improving and protecting journalism. It is the nation's largest

and most broad-based journalism organization, dedicated to encouraging the free practice of journalism and stimulating high standards of ethical behavior. Founded in 1909 as Sigma Delta Chi, SPJ promotes the free flow of information vital to a well-informed citizenry, works to inspire and educate the next generation of journalists and protects First Amendment guarantees of freedom of speech and press.

## APPENDIX B

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