AMERICAN OVERSIGHT

May 8, 2025

VIA ONLINE PORTAL

Office of the Newark Mayor
920 Broad St.
Rm. 200
Newark, NJ 07102
Via Online Portal

Re: Open Public Records Act Request

Dear Custodian of Records:

Pursuant to the New Jersey Open Public Records Act (OPRA), NJSA §§ 47:1A-1 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records within seven business days:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed below and containing any of the key terms listed below.

   Office of the Newark Mayor Officials:
   i. Ras Baraka, Mayor
   ii. Amiri Baraka, Chief of Staff
   iii. Anyone serving as Deputy Chief of Staff

   Key Terms:
   a. sanctuary
   b. "Protecting American Communities"
   c. "criminal alien"
   d. "criminal aliens"

   In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual's response to an email and the initial received message are responsive to this request and should be produced.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between any of the officials listed above in part 1, and (b) any of the external entities listed below (including the listed domains).

External Entities:

a. Office of Management and Budget (omb.eop.gov)
b. U.S. Customs and Border Protection (cbp.dhs.gov)
c. U.S. Department of Homeland Security (hq.dhs.gov)
d. U.S. Department of Justice (usdoj.gov)
e. U.S. Immigration and Customs Enforcement (ice.dhs.gov)
f. White House Office (who.eop.gov)

Please note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. In other words, for example, if an official received a mass-distribution news clip email from the Office of Management and Budget, that initial email would not be responsive to this request. However, if the official forwarded that email to another listed individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

For parts 1-2 of this request, please provide all responsive records from April 21, 2025, through the date the search is conducted.

3. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed above in part 1 and containing any of the key terms listed below.

Key Terms:

a. "federal grant"
b. "federal grants"
c. "federal fund"
d. "federal funds"
e. "federal funding"
f. "executive order"

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 3 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual's response to an email and the initial received message are responsive to this request and should be produced.

For part 3 of this request, please provide all responsive records from April 28, 2025, through May 9, 2025.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your agency use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

In the event some portions of the requested records are properly exempt from disclosure pursuant to NJSA §§ 47:1A-1 et seq., please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

You should institute a preservation hold on information responsive to this request**.** American Oversight intends to pursue all legal avenues to enforce its right of access under NJSA 47:1A-1 et seq., including litigation if necessary. Accordingly, your agency is on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and you can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis. Please consult with American Oversight on any fees the agency expects it may assess.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight

also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[1]

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Chloe Dennison at records@americanoversight.org or 202.516.7117.

Sincerely,

/s/ Chloe Dennison
Chloe Dennison
on behalf of
American Oversight

[1] American Oversight currently has approximately 16,000 followers on Facebook and 94,900 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited May 5, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited May 5, 2025).