



STATE OF NEW JERSEY
OFFICE OF THE GOVERNOR
P.O. Box 001

Philip D. Murphy
Governor

Trenton, New Jersey 08625-0001

December 30, 2025

Via Email

Devon Tyler Barber

Re: Open Public Records Act (OPRA) Request

Dear Devon Tyler Barber:

This letter constitutes the response of the Office of the Governor to your OPRA request dated December 18, 2025, which seeks (in relevant part):

I. IDENTIFICATION OF ALL CLEMENCY RECIPIENTS

For each individual granted clemency:

1. *Full legal name*
2. *Date of clemency grant*
3. *Type of clemency granted (pardon, commutation, conditional relief, etc.)*
4. *Whether relief was unconditional or subject to terms*

II. CRIMINAL CONVICTIONS AND SENTENCING RECORDS RELIED UPON

For each clemency recipient, to the extent such records were reviewed, relied upon, or maintained:

1. *Judgments of Conviction and docket numbers*
2. *Statutory offenses of conviction, including:*
 - *offense titles*
 - *statute citations*
 - *degree of offense*
3. *Sentence imposed, including:*
 - *custodial term*
 - *parole ineligibility*
 - *probation or supervision*
4. *Total time served, including:*
 - *prison confinement*
 - *jail credits*
 - *parole or community supervision*
5. *Criminal history summaries, RAP sheets, or equivalent*

compilations reviewed during the clemency process (personal identifiers such as SSNs and full dates of birth may be redacted; offense and disposition data may not)

III. INSTITUTIONAL & DISCIPLINARY RECORDS CONSIDERED

For each clemency recipient, to the extent reviewed or maintained:

1. *Department of Corrections records reflecting:*
 - *in-custody disciplinary charges*
 - *findings and sanctions*
 - *classification history*
 - *institutional behavior evaluations*
2. *Any risk-assessment instruments, custody-level evaluations, or internal safety assessments considered in connection with clemency review*

IV. BASIS, REASONS, AND JUSTIFICATION FOR CLEMENCY

For each clemency decision:

1. *Written reasons, findings, summaries, or memoranda explaining why clemency was granted*
2. *Clemency Advisory Board recommendations or reports*
3. *Risk-assessment evaluations or public-safety analyses relied upon*
4. *Rehabilitation, mitigation, or humanitarian factors cited*
5. *Any objections, concerns, or dissenting views raised by:*
 - *prosecutors*
 - *the Attorney General*
 - *the Department of Corrections*
 - *victim-notification or advocacy entities*

If no written justification exists for any clemency grant, please produce records confirming that no such documentation was created or maintained.

V. CLEMENCY ADVISORY BOARD RECORDS

1. *Membership lists, qualifications, and appointment authority*
2. *Policies, criteria, scoring rubrics, or guidance documents used to evaluate applicants*
3. *Meeting agendas, minutes, attendance records, and votes*
4. *Communications between the Advisory Board and the Governor regarding specific clemency cases*

VI. POST-CLEMENCY PUBLIC-SAFETY & COMPLIANCE TRACKING

To the extent such records are maintained:

1. *Records reflecting whether clemency recipients:*
 - were rearrested
 - reoffended
 - violated conditions of release
2. *Aggregate or anonymized analyses concerning:*
 - recidivism
 - compliance outcomes

If no post-clemency tracking exists, please provide records confirming that fact.

Please be advised that your request is overbroad under OPRA. OPRA does not allow a blanket request for every document a public agency has on file or a wholesale request for general information. Gannett N.J. Partners, LP v. Cnty. of Middlesex, 379 N.J. Super. 205, 212 (App. Div. 2005); MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 549 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 36-37 (App. Div. 2005); Spectraserv, Inc. v. Middlesex Cty. Utils. Auth., 416 N.J. Super. 565, 578 (App. Div. 2010); N.J. Builders Ass'n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 178-79 (App. Div. 2007). Requests for correspondence must identify the individuals or accounts to be searched and be confined to a discrete and limited subject matter. N.J.S.A. 47:1A-5(g) ("A custodian shall not be required to complete a request including for, but not limited to, mail, email text messages, correspondence, or social media postings and messages, if the request does not identify a specific job title or accounts to be searched, a specific subject matter, and is not confined to a reasonable time period . . ."); Burke v. Brandes, 429 N.J. Super. 169, 176-78 (App. Div. 2012); see also Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-08 (Apr. 8, 2010) (stating that a proper request for email correspondence must contain "(1) the content and/or subject of the e-mail, (2) the specific date or range of dates during which the e-mail was transmitted or the emails were transmitted, and (3) a valid e-mail request must identify the sender and/or the recipient thereof").

Notwithstanding these objections, the Office provides the following response to your OPRA request.

With regard to Item I, subparts 1-3, of your request, the following press releases detail the Governor's grants of clemency:

December 16, 2024: <https://www.nj.gov/governor/news/news/562024/approved/20241216b.shtml>

April 8, 2025: <https://www.nj.gov/governor/news/news/562025/approved/20250408b.shtml>

November 10, 2025: <https://www.nj.gov/governor/news/news/562025/approved/20251110a.shtml>

November 11, 2025: <https://www.nj.gov/governor/news/news/562025/approved/20251111a.shtml>

November 25, 2025: <https://www.nj.gov/governor/news/news/562025/approved/20251125a.shtml>

December 17, 2025: <https://www.nj.gov/governor/news/news/562025/approved/20251217a.shtml>

With respect to Item I, subpart 4, Items II through IV, and Item V, subparts 2-4, please be advised that the records you seek are confidential and exempt from disclosure under OPRA. See Exec. Order 362 (2024).

With respect to Item V, subpart 1, please be advised that the Governor's clemency actions are authorized by the New Jersey Constitution Article V, Section II, which states that "The Governor may grant pardons and reprieves in all cases other than impeachment and treason, and may suspend and remit fines and forfeitures. A commission or other body may be established by law to aid and advise the Governor in the exercise of executive clemency." Governor Murphy issued Executive Order 362 establishing a Clemency Advisory Board. The current Clemency Advisory Board members are as follows:

Bishop Joshua Rodriguez (Chair)
Jessica Henry
JoEllyn Jones
Ed Neafsey
Benjamin Notterman (Attorney General designee)

With respect to Item VI of your request, please be advised that this Office is not the custodian of the records you seek. You may wish to submit an OPRA request to the State Parole Board or the New Jersey Department of Corrections. This suggestion does not waive or limit the rights afforded to those entities under OPRA.

Your OPRA request is hereby complete and closed. This response does not waive or limit any other rights afforded to this Office under OPRA or the common law, which are expressly reserved. If you have any questions, please do not hesitate to contact this Office at (609) 777-2588.

Very truly yours,



Lisa M. Scorsolini
Custodian of Government Records