WHEREAS, The Governor's Commission on Eastern European and Captive Nation History is required to prepare a report to the Governor regarding its findings and recommendations concerning whether the history of these people is fairly and accurately presented in our public schools and their curricula; and

WHEREAS, The Governor's Commission on Eastern European and Captive Nation History passed a resolution requesting that the life of the Commission be extended because further work is necessary in order to fully complete its task;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. The Governor's Commission on Eastern European and Captive Nation History shall continue in existence until July 31, 1986.

2. The Commission shall submit its final recommendations to the Governor at that time.

3. The current members of the Commission shall continue to serve in their present capacity until July 31, 1986.

4. This Order shall take effect immediately.


EXECUTIVE ORDER No. 123

WHEREAS, Chapter 73, P. L. 1963, finds and declares it to be the public policy of this State that public records shall be readily accessible for examination by the citizens of this State for the protection of the public interest, except as otherwise provided in said law; and

WHEREAS, Said Chapter 73 provides that all records which are required by law to be made, maintained or kept on file by State and local governmental agencies are to be deemed to be public records, subject to inspection and examination and available for copying, pursuant to said law; and
WHEREAS, Chapter 73 represents a right supplemental to the existing right of the public to examine and copy public records, which right has been established under the common law and by statute and remains inviolate even without the benefit of the provisions of said Chapter 73; and

WHEREAS, Some limitation upon the otherwise unqualified and unrestricted right to examine and copy records provided by Chapter 73 is essential and not detrimental to the public interest since the existing common law and statutory right to examine records remains upon the satisfaction of the requirements imposed by such laws; and

WHEREAS, Said Chapter 73 provides that records which would otherwise be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of said law, may be excluded therefrom by Executive Order of the Governor or by any regulation promulgated under the authority of any Executive Order of the Governor; and

WHEREAS, Section 3 (e) of Executive Order No. 9, issued by Governor Richard J. Hughes in 1963, states that fingerprint cards, plates and photographs and other similar criminal investigation records which are required to be made, maintained or kept by any State or local governmental agency shall not be deemed to be public records subject to inspection and examination and available for copying pursuant to the provisions of Chapter 73, P. L. 1963; and

WHEREAS, There has arisen confusion among the media and law enforcement personnel as to whether certain records of police departments are public records within the purview of Chapter 73, P. L. 1963, or are exempt under the purview of Executive Order No. 9 of Governor Richard J. Hughes;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. Section 3 (e) of Executive Order No. 9 of Governor Richard J. Hughes is modified as hereinafter set forth and any regulations
adopted and promulgated thereunder shall be deemed null and void insofar as the same shall be consistent with the provisions thereof.

2. The following records shall not be deemed to be public records subject to inspection and examination and available for copying pursuant to the provisions of Chapter 73, P. L. 1963:

(a) Fingerprint cards, plates and photographs and similar criminal investigation records which are required to be made, maintained or kept by any State or local government agency, except that the following information shall be made available to the public as soon as practicable unless it shall appear that the release of such information will jeopardize the safety of any person or any investigation in progress or be otherwise inappropriate. For the purposes of this Order, the term "as soon as practicable" shall generally be understood to mean within 24 hours.

(i) Where a crime has been reported but no arrest yet made, information as to the type of crime, time, location and type of weapon, if any.

(ii) If an arrest has been made, information as to the name, address and age of any victims unless there has not been sufficient opportunity for notification of next of kin of any victim of injury and/or death to any such victim or where the release of the name of any victim would be contrary to existing law or court rule. In deciding on the release of information as to the identity of a victim, the safety of the victim and the victim's family, and the integrity of any ongoing investigation, shall be considered. These concerns are heightened when a crime has been reported but no arrest yet made.

(iii) If an arrest has been made, information as to the defendant's name, age, residence, occupation, marital status and similar background information, and the identity of the complaining party unless the release of such information is contrary to existing law or court rule.

(iv) Information as to the text of any charges, such as the complaint, information and indictment unless sealed by the court.

(v) Information as to the identity of the investigating and arresting personnel and agency and the length of the investigation.

(vi) Information on the circumstances immediately surrounding the arrest, including but not limited to the time and place of the
arrest, resistance, if any, pursuit, possession and nature and use of weapons and ammunition by the suspect and by the police.

(vii) Information as to circumstances surrounding bail, whether it was posted and amount thereof.

(b) The Attorney General, as chief law enforcement officer of the State, or his designee, or, where appropriate, the County Prosecutor, as chief law enforcement officer of the county, shall promptly resolve all disputes as to whether or not the release of records would be "otherwise inappropriate," between the custodian of any records referred to herein and any person seeking access thereto. Where the Attorney General or the County Prosecutor determines that the release of records would be "otherwise inappropriate," he shall issue a brief statement explaining his decision.

3. The terms of this Order shall be carried out in the spirit of Chapter 73, P. L. 1963, and keeping in mind the right of citizens to be aware of events occurring in their community.

Issued November 12, 1985.

EXECUTIVE ORDER No. 124

WHEREAS, Four years ago at the end of Governor Byrne's gubernatorial term the last adjustments were made to the statutorily and constitutionally controlled salaries of the Executive, Legislature and Judiciary; and

WHEREAS, These salary adjustments were based in part upon the recommendations of a special committee established by Governor Byrne; and

WHEREAS, The Legislature has not yet passed Assembly Bill No. 3933 of 1984 establishing a permanent commission to deal with this issue, which creates a need for a temporary commission to address salary changes; and

WHEREAS, Every four years at the end of the gubernatorial term is the appropriate time to consider salary changes for the Executive, Legislature and Judiciary; and