



Wall Township Police Department

Phone: 732.449.4500 ~ Fax: 732-449-1273

www.wallpolice.org



Kenneth Brown Jr.
Chief of Police

November 8, 2017

Dear Time to Change – Jersey Style:

The Township of Wall Police Department ("Police Department") Records Custodian received your Open Public Records Act ("OPRA") request on October 31, 2017. The Police Department is responding to your request within seven (7) business days after receipt of your request as required by New Jersey law. See N.J.S.A. 47:1A-5.

For ease of reference, your OPRA request seeks the following:

- 1. A copy of all Standard Operating Procedures from the Wall Township Police Department that are active as of 11-1-2016.*
- 2. A copy of all Standard Operating Procedures from the Wall Township Police Department that are active as of 11-1-2017.*

Please be advised that the Police Department conducted a preliminary search for potentially responsive records. This preliminary search by the Police Department yielded approximately 950 pages of responsive standard operating procedures.

The Police Department has not reviewed the standard operating procedures yet, as this consists of a voluminous amount of pages of records that will require our thorough review and redaction to ensure that any confidential, privileged, or otherwise exempt information is not inadvertently disclosed. The required review would substantially disrupt the agency's operations.

In order to process your request, an "extraordinary expenditure of time and effort," would need to be expended by the Police Department. Accordingly, the Police Department is exercising its statutory right to implement a "special service charge" at this juncture. See N.J.S.A. 47:1A-5(c). If you still wish to receive the requested records, you will be responsible for the actual cost of providing the Police Department's response in the form of reimbursement for the time allocated by our administrative officer fulfilling the request.

The current lowest hourly rate for the administrative officer is \$62.50 per hour. We estimate that providing the Police Department's response will require at least 46 hours to review and prepare responsive records for production, thus a total clerical cost of \$2,875.00. As such, the total estimated special service charge being implemented by the Police Department for your OPRA request is \$2,875.00. Please be advised that the amount of time to be expended is an estimate. If less time is required, the Police Department will refund you any amount deposited in excess. If additional time will be needed, the Police Department will advise you in writing first and await your acceptance of the additional special service charge prior to expending any additional time and effort.

You are required to remit a 50% deposit towards the cost of fulfilling your request. As such, you must submit a deposit of \$1,437.50 before the Police Department will commence processing your OPRA request. The Police Department will require at least 30 business days from receipt of your deposit in order to assemble, review, and redact (where appropriate) the records that may be responsive to your request.



P.O. Box 1168 / 2700 Allaire Rd ~ Wall Township NJ 07719





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In the alternative, the Police Department invites you to submit a narrowed request for the standard operating procedures by submitting a subject matter to which the SOPs pertain to. A subject matter search may reduce the universe of standard operating procedures that need to be reviewed in order to accommodate your access to the requested standard operating procedures.

Lastly, in the interest of finding a reasonable solution to processing your OPRA request, the Police Department would waive the special service charge if an extension of sixty (60) business days were granted. See N.J.S.A. 47:1A-5 ("If a request for access to a government record would substantially disrupt agency operations, the custodian may deny access to the record after attempting to reach a reasonable solution with the requestor that accommodates the interests of the requestor and the agency."). The Police Department would also reserve the right to request an additional extension of time, if necessary, in accordance with New Jersey law. See Scheeler v. New Jersey Department of Educ., GRC Complaint No. 2014-123 (Feb. 2016).

The Police Department will consider your OPRA request answered and closed if it does not receive your written confirmation of the acceptance of the Special Service Charge and deposit, or alternatively a subject matter search, or acceptance of the proposed 60 business day extension by the close of business on Friday, November 17, 2017.

Thank you for your attention to this matter.

Sincerely,

Kevin Pressey
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