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October 20, 2022

opra+request-36015-f330162e@requests.opramachine.com
James M

Re: Township of Clark OPRA Requests – Censored Social Media Comments

Dear James M.:

The Township of Clark received your Open Public Records Act (OPRA) request on October 14, 2022. The official Records Custodian, Edith Merkel, received your OPRA request on October 14, 2022. As such, the seven (7) business day deadline to respond to your request is October 25, 2022. This response to your request is being provided to you on the Fourth business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

It has been verified that certain Facebook users, who are residents of Clark Township, have had comments censored/blocked from the "Clark Township Police Department" Facebook page and the "Clark Township" Facebook page. The ACLU-NJ and New Jersey State League of Municipalities have published material stating that official social media pages of government entities are considered public forums and therefore there are restrictions as to what can be deleted or blocked.

Please provide the "public post" settings from both Facebook accounts. Please provide a list of all Facebook users blocked from commenting on each account.

The following records are being provided in their entirety and are responsive to your request:

- OPRA request of FB page (Block Users) – 1 page;
- CPD Blocked List attachment – 1 page; and
- Public Post Filters and Tools attachment – 1 page.

This response is being transmitted to you electronically via email to following address as per your request:

opra+request-36015-f330162e@requests.opramachine.com

A list of OPRA's exemptions is attached to this response letter.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Township of Clark to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

IF YOU HAVE ANY QUESTIONS, PLEASE RESPOND DIRECTLY TO ME AT RVARADY@LBVKLAW.COM.

Sincerely,

By: s/Robert F. Varady
 Robert F. Varady, Esq.
 (Via Email: rvarady@lbvklaw.com)
 La Corte, Bundy, Varady & Kinsella
 For Municipal Clerk, Township of Clark

RFV/ms

Cc: Edith Merkel, Township Clerk (Via Email: clerk@ourclark.com)
 Mark P. Dugan, Esq.