



Gloucester County Prosecutor

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THOMAS R. GILBERT
Acting Chief of Detectives

STEVEN J. INGRAM
Acting Deputy Chief of Detectives

March 13, 2024

Thomas opra+request-59140-5e838a39@requests.opramachine.com

Re: OPRA request dated March 4, 2024

Dear Thomas,

The Gloucester County Prosecutor's Office received your Open Public Records Act (OPRA) requests on March 4, 2024. As such, the seven (7) business day deadline to respond to your requests is March 7, 2024. This response is being provided to you on the seventh (7) business day after receipt.

Pursuant to your request, you have requested: Criminal complaints or warrants signed and/or authored by Officer Thomas McWain with an ORI of 0816 and a badge number of 2610 as a complaining witness from January 1, 2008 to December 31, 2008.

After a search of our computer database, I am unable to locate any identifiable record from 2008. Although we have files from 2008 your request would require an employee to physically go through all 2008 files located at the Gloucester County Prosecutor's Office. It is estimated that we have approximately 1000 files to review to determine if we have criminal complaints or warrants authored by Officer Thomas McWain from 2008. Please be advised that in order to determine if we have the requested records, it will be necessary for our records clerk to review approximately 1000 files. OPRA permits public agencies to charge a special service charge when fulfilling a request that requires, among other things, an extraordinary expenditure of time and effort, or extensive use of labor. See N.J.S.A 47:1A5(c) and (d). To review the files, make copies of any identified record, prepare a log, and make any necessary redactions, it is estimated that it will take a total of 40 hours. The hourly rate of the employee who will be gathering these records is \$28.69, which is the lowest hourly rate for an employee in the records department who can perform this task. At that rate the estimated special service charge will be \$1,147.60. Given the volume of requests and available resources, it is estimated that approximately 10 hours per week can be devoted to this request. At that weekly rate, it will take approximately 4 weeks to complete, from the time you approve the charge. Should the actual time to complete the review be less than 40 hours, the actual time will be applied, and the cost will be reduced.

The County of Gloucester complies with all state and federal rules and regulations against discrimination in admission to, access to, or operations of its programs, services, and activities. In addition, County encourages participation of people with disabilities in its programs and activities and offers special services to all residents 60 years of age and older. Inquiries regarding compliance may be directed to the County's ADA Coordinator at (856) 384-6842/ New Jersey Relay Service 711.

Please advise as to whether you agree to payment of the special service charge. If you agree, upon our receipt of such notification and payment we will proceed to process your request. Please be advised that we cannot commence processing this request until we receive your written response.

If your request for access to a government record has been denied or unfulfilled within these seven (7) business days required by law, you have a right to challenge the decision by the Gloucester County Prosecutor's Office 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 a Denial of Access Complaint Form. You may contact the GRC by toll free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ 08625, by email at grc@dca.state.nj.us, or at its website at www.state.nj.us/grc. The Council 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.

Thank you.

Sincerely,

Dianna Reed-Rolando

Dianna Reed-Rolando
Special Deputy Attorney General,
Acting First Assistant Prosecutor