



OFFICE OF THE PROSECUTOR

County of Atlantic

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Prosecutor

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July 24, 2025

Erin

opra+request-78739-8f4b27a1@requests.opramachine.com

Re: Open Public Records Act Request #25-089

Dear Erin,

This letter is in response to your public records request under the Open Public Records Act (“OPRA”) and common law, received by this agency (“ACPO”) via email on July 23, 2025. Specifically, your request seeks: “*Complete list of employees including their date of hire, badge number and current position.*” For the following reasons, I must respectfully deny your request.

First, your request was not made on an ACPO OPRA Request form as established by the Government Records Council pursuant to subsection b. of section 8 of P.L.2001, c.404 (C.47:1A-7). Having not used said form, your request omits key information otherwise required by the form (such as a signature attesting to your statements) and accordingly your request can be rightfully denied under N.J.S.A. 47:1A-5(f). Even though you cite to N.J.S.A. 47:1A-6(f), that does not mean you can omit information otherwise required by the form and in effect your request is incomplete.

Format aside, your request can also be rightfully denied as it seeks information and not specific records. Pursuant to Mag Entertainment v. Div. of ABC, 375 N.J. Super. 534 (App. Div. 2005), a request such as yours is invalid when it requires the conducting of research and correlation of data from various records in order to comply with the request. See also NJ Builders Assoc. v. NJ Council on Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007); Bent v. Stafford Police Dept., 381 N.J. Super. 30 (October 2005).

The aforementioned denials also garner support under the common law. In order to obtain public records pursuant to the common law right of access, the requestor must establish an interest in the requested records, which “may be either a wholesome public interest or a legitimate private interest.” Educ. Law Ctr. v. New Jersey Dep’t of Educ., 198 N.J. 274, 302 (2009) (citations and internal quotation marks omitted). That interest must then be weighed

against the public agency's interest in the confidentiality of the records. N. Jersey Media Grp., Inc. v. Bergen Cnty. Prosecutor's Office, 447 N.J. Super. 182, 210 (App. Div. 2016). From a review of your emailed request, it is unclear what, if any, interest you have in the requested records, and accordingly you have failed to establish an interest. Thus, it cannot be fairly said that you have overcome the State's legitimate interest in the confidentiality of the records sought and preservation of said records. Therefore, I must also respectfully deny your request on common law grounds.

Very truly yours,

James (Jim) Leeds
Assistant Prosecutor
Custodian of Records