



OFFICE OF THE COUNTY PROSECUTOR
JENNIFER WEBB-MCRAE
CUMBERLAND COUNTY PROSECUTOR

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May 8, 2024

Via email to: opra+request-61529-11xxxxxx@xxxxxxxx.xxramachine.com

Re: Records request

Dear Mr. Mike:

Please accept this letter in response to your records request which was first received by this Records Custodian on May 8, 2024. Your request is for the following records: "I am respectfully requesting a list of all sworn employees (law enforcement) including but not limited to; title/rank/position/badge number (sworn members) and current assignment (I am NOT asking for any names or personal identifying information) currently employed by or for "The Cumberland County Prosecutor's Office" (Possible Civil Service Commission title code 01410)".

With regard to this request, to the extent that you have requested a new record to be made which contains your desired information ("title/rank/position/badge number" and "current assignment") this office has no responsive records. OPRA custodians are not required to create a new record in response to an OPRA request for a compiled list of information in the possession of a requestor. In Matthews v. City of Atlantic City (Atlantic), GRC Complaint No. 2008-123 (February 2009), the Council decided that a custodian "was under no obligation to create a list compatible to the Complainant's OPRA request because OPRA does not require a custodian to

produce new documents". Id. at 6. Once more, in Librizzi v. Twp. of Verona Police Dep't, GRC Complaint No. 2009-213 (August 2010), the Council held that the custodian was under no obligation to create a record in response to complainant's OPRA request.

However, in the interest of transparency, with regard to this request, I have attached to this response as Responsive Record A the closest record in this office's possession which conforms to your requested parameters, which is the Cumberland County Prosecutor's Office Extension List. This record contains a list of all current employees of the Cumberland County Prosecutor's Office as well as their title, rank, position, and extension number.

The Cumberland County Prosecutor's Office reserves the right to raise any other ground for denial not raised in this response. The failure of the Cumberland County Prosecutor's Office to assert an exception or privilege does not act as a waiver of any ground for denial. 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 Cumberland County Prosecutor's Office to deny access. At your option, you may institute a proceeding in the Superior Court of New Jersey. All questions regarding complaints filed in Superior Court should be directed to the Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen C. Sayer", is written over the typed name.

Stephen C. Sayer [114352015]

Assistant Prosecutor

Alternate Records Custodian