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BOROUGH OF LAVALLETTE

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September 12, 2018

J. Alexander
OPRAmachine.com

By email only to J.Alexander.opra+request-2388-3f021d@requests.opramachine.com

**RE: Request for Access to Public Records pursuant to N.J.S.A. 47:1A-1.1
Request by J. Alexander dated August 25, 2018**

Dear Requestor:

Your request for access to public records pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1.1, et seq., was received by the Custodian of Records of the Borough of Lavallette on Monday, August 27, 2018. A response was therefore due within seven (7) business days, or Wednesday, September 5, 2018. However, the Custodian of Records advised that the Police Records Clerk was not available due to vacation, and therefore an extension was required pursuant to

Your request was for:

Any and all employment information relating to Police Officer Justin Lamb of the Lavallette Police Department, including but not limited to date of hire, training, leaves of absence and any disciplinary action relating to the DV arrest earlier this year.

Subsequently, an additional request was made for:

In addition to my original request I am also requesting any documents in the possession of the Lavallette and then Lavallette Police Department, pertaining to the Assault charge against Officer Lamb by the Toms River Police Department earlier this year.

After diligent inquiry, the Custodian of Records of the Authority makes the following response to these requests.

1. "Any and all employment information relating to Police Officer Justin Lamb of the Lavallette Police Department, including but not limited to date of hire, training, leaves of absence and any disciplinary action relating to the DV arrest earlier this year."

Portions of this request are not a request for documents, but a request to supply information not specifically identified by document. The Custodian of Records is not required to perform research in order to respond to a general request for information. Subject to that objection, the following is a response to those portions of the request permitted under the Open Public Records Act.

1. Date of Hire: March 1, 2002
 2. Training: 105 Pages of documents related to Police related training are attached
 3. Leaves of Absence: Personnel records are not disclosable under *N.J.S.A. 47:1A-10*.
 4. Disciplinary action relating to the DV arrest earlier this year: this request is not a request for documents, but a request to supply "information" not specifically described. The Custodian of Records is not required to perform research in order to respond to a general request for information. Subject to that objection, documents in disciplinary records of police officers are not subject to disclosure under the Open Public Records Act as personnel records and also under the New Jersey Attorney General Guidelines Governing Internal Affairs. In addition, disciplinary procedures have not been concluded.
2. "In addition to my original request I am also requesting any documents in the possession of the Lavallette and then Lavallette Police Department, pertaining to the Assault charge against Officer Lamb by the Toms River Police Department earlier this year."

Documents related to Domestic Violence are confidential and not subject to disclosure under *R. 1:38-3(d)*. Documents in disciplinary records of police officers are not subject to disclosure under the Open Public Records Act as personnel records and also under the New Jersey Attorney General Guidelines Governing Internal Affairs. In addition, disciplinary procedures have not been concluded.

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 Borough of Lavallette 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.

Donnelly Amico,
Borough Clerk/Custodian of Records