

MAYOR
Denice DiCarlo

TOWNSHIP COMMITTEE
Megan Kerr
James Mehaffey
Adam Reid
Jim Robinson



WEST DEPTFORD TOWNSHIP

Municipal Building
400 Crown Point Road
West Deptford, New Jersey 08086
Phone (856) 845-4004

Township Administrator
Lyman Barnes

Chief Finance Officer
Christine Greenwood

Registered Municipal Clerk
Lee Ann DeHart

April 18, 2018

Anonymous
opra+request-1361-2d65d498@requests.opramachine.com

Re: Open Public Records Act/Common Law Records Request

Dear Anonymous:

The West Deptford Township Clerk's Office received your request for records pursuant to the Open Public Records Act (OPRA) and New Jersey common law on March 28, 2018. The official Records Custodian, Amy Leso, RMC, received your OPRA request on March 28, 2018. As such, the seven (7) business day deadline to respond to your request was April 9, 2018. On April 4, 2018, we requested an additional seven (7) business days to fulfill your request and stated that we would provide a response to your request on or before April 18, 2018.

This response is being provided on the 7th business day of the extended response period.

Your records request sought access to the following:

- "1. A copy of policies and/or procedures regulating the West Deptford Police Department's public Facebook page.
2. List(s) of names of people who are/were hidden, blocked, banned from the West Deptford Police Department's public Facebook page.
3. List(s) of any deleted, hidden, blocked, banned comments that were on the West Deptford Police Department's public Facebook page for the time period of 01-01-2016 to 01-01-2018.
4. List(s) of the authors' names of any deleted, hidden, blocked, banned comments that were on the Linden Police Department's public Facebook page for the time period of 01-01-2016 to 01-01-2018.
5. Copies of all messages and author's names sent via the West Deptford Police Department's Facebook messenger and responses for the time period of 01-01-2016 to 01-01-2018."

A search of our available records has identified over 220 records which are within the scope of your request.

Response to Common Law Request

The common law right to access public records depends on three requirements: (1) the records must be common law public documents, *Nero v. Hyland*, 76 N.J. 213, 222 (1978); (2) the person seeking access must "establish an interest in the subject matter of the material," *South Jersey Publishing Co. v. New Jersey Expressway Auth.*, 124 N.J. 478, 487 (1991); and (3) the citizen's right to access "must be balanced against the State's interest in preventing disclosure." *Loigman v. Kimmelman*, 102 N.J. 98 (1986).

After consultation with the Township Solicitor, we have determined that you have failed to establish a proper interest in the requested records.

Response to OPRA Request

In response to No. 1 of your request for "A copy of policies and/or procedures regulating the West Deptford Police Department's public Facebook page," a search of our records has identified no documents responsive to your request.

In response to No. 2 of your request for "List(s) of names of people who are/were hidden, blocked, banned from the West Deptford Police Department's public Facebook page," a search of our records found the following document to be responsive to your request:

1. Printout of Banned People and Pages

These records are being sent to you via electronic communication as requested. Pursuant to N.J.S.A. 47:1A-5.b., there is no cost associated with this request.

In response to No. 3 of your request for "List(s) of any deleted, hidden, blocked, banned comments that were on the West Deptford Police Department's public Facebook page for the time period of 01-01-2016 to 01-01-2018," a search of our records has identified no documents responsive to your request.

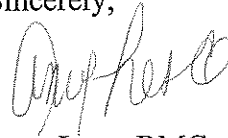
In response to No. 4 of your request for "List(s) of the authors' names of any deleted, hidden, blocked, banned comments that were on the Linden Police Department's public Facebook page for the time period of 01-01-2016 to 01-01-2018," there are no documents responsive to your request as we do not maintain any documents for the Linden Police Department.

In response to No. 5 of your request for "Copies of all messages and author's names sent via the West Deptford Police Department's Facebook messenger and responses for the time period of

01-01-2016 to 01-01-2018," a search of our records has identified no documents responsive to your request.

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 West Deptford Township Clerk'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 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Leso", with a circular flourish at the end.

Amy Leso, RMC
West Deptford Township Clerk's Office
lesoa@westdeptford.com
856-845-4004 ext. 129

People and Other Pages

Here's where you can see people and other Pages that like West Deptford Police Department. From the list of people who like your Page, click the ⚙ to remove someone from people who like the Page, or ban them. A person who's banned can't post, comment or take other actions on the Page.

Banned People and Pages ▾

Search

☐	Name	Banned
☐	 Kenny Pitman	11/10/17
☐	 Johnny "Hollywood" Case	03/25/16
☐	 Ron Bye	07/21/15
☐	 Richard Dyal	11/03/13
☐	 Mitch Glazier	06/06/13

+ Ban a Person