



**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

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MONMOUTH COUNTY PROSECUTOR

June 14, 2018

Ask NJ Media Co.
opra+request-1568-28814c61@requests.opramachine.com

Re: OPRA requests dated June 6, 2018

Dear Ask NJ Media Co.,

This office received your records requests dated June 6, 2018 via e-mail on June 6, 2018 and it was received by the records custodian on the same date. You requested the following:

1) Any and all information and/or records generated since 3/1/2017 in reference to "First (1st) Amendment Audits", "Police Accountability", "Copwatching", "Copblocking", "Citizens Video Recording" and/or any other activities addressing persons who video-record and/or photograph local, municipal, county, state, federal, and/or military personnel and/or property for the purposes of accountability, education, and/or public awareness of law enforcement/government conduct, including but not limited to documents, emails, memos, bulletins, notices, letters, directives, "bolos", videos, slideshows, presentations, etc.

2) Any and all records and/or documents generated since 6/1/2016 referring to "Matt Tim", "POLICE STATE: NEW JERSEY", "PSNJ", "Gunnison Undercover", "Time to Change, Jersey Style", "NJ Wandering News", "Ironbound Media", and/or "ASK NJ Media Co." in reference to the above described activities.

1) Any and all information and/or records generated since 3/1/2017 in reference to "First (1st) Amendment Audits", "Police Accountability", "Copwatching", "Copblocking", "Citizens Video Recording" and/or any other activities addressing persons who video-record and/or photograph local, municipal, county, state, federal, and/or military personnel and/or property for the purposes of accountability, education, and/or public awareness of law enforcement/government conduct, including but not limited to documents, emails, memos, bulletins, notices, letters, directives, "bolos", videos, slideshows, presentations, etc.

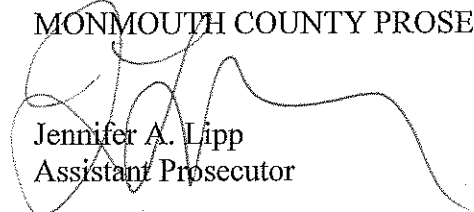
2) Any and all records and/or documents generated since 6/1/2016 referring to "POLICE STATE: NEW JERSEY", "PSNJ", "Gunnison Undercover", "Time to Change, Jersey Style", "NJ Wandering News", "Ironbound Media", and/or "ASK NJ Media Co." in reference to the above described activities.

First, your request asks for information. OPRA deals with records, not information. MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 546-47 (App. Div. 2005); Reda v. Tp of West Milford, GRC Complaint No. 2002-58 (January 17, 2003). Second, your request is overly broad and unsearchable. The requestor's obligation is to specifically describe the document sought; the request may not be a broad, generic description of documents because the custodian is not required to speculate about what the requestor seeks, nor survey agency employees regarding the request. Bart v. Passaic Cnty. Pub. Hous. Agency, 406 N.J. Super. 445, 451-52 (App. Div. 2009); Bent v. Township of Stafford Police Dept., Custodian of Records, 381 N.J. Super. 30, 37, 39 (App. Div. 2005). Therefore, your general request cannot be fulfilled as it neither identifies nor describes with any specificity or particularity the records sought. MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005); New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007), certif. denied, 190 N.J. 394 (2007); Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009).

In the event of a clarification or appeal, this office reserves the right to raise any other ground for denial not raised in this response. The failure of this office to assert an exception or privilege at this time does not act as a waiver of any grounds for denial.

Very truly yours,

CHRISTOPHER J. GRAMICCIONI
MONMOUTH COUNTY PROSECUTOR

By:  Jennifer A. Lipp
Assistant Prosecutor