
RE: OPRA: police officer-involved lawsuits 2012-2019

Dear UC Research:

I am in receipt of your May 27, 2020 request made under the Open Public Records Act ("OPRA") for:

1. A list of all lawsuits and cases in which any officer of the police department was involved between 2012 and 2019. For each lawsuit/case, please provide the date (month and year) of the alleged incident at issue, whether the alleged incident was excessive force, settlement amount (if any), and final compensation amount ruled (if any); and
2. Please provide copies of the complaint in any lawsuits and cases described above.

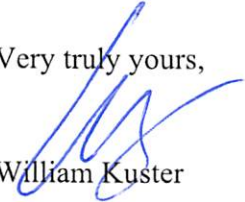
Please be advised the Town of Hackettstown (hereinafter "the Town"), does not maintain a list of all lawsuits and cases, let alone a list of any specifically involving the police department. Matthews v. City of Atlantic City (Atlantic), GRC Complaint No. 2008-123 (February 2009) holds that if a record does not exist, the custodian does not have an obligation to create one.

Additionally, pursuant to Donato v. Twp. of Union, GRC Complaint No. 2005-182 (February 2007) there is no obligation for the custodian to research through files to figure out which records, if any, might be responsive to a broad OPRA request. I am also not obligated to research my files and figure out which records, if any, might be responsive to a to a broad and unclear OPRA request.

Based on same, the Town is denying your OPRA requests on the basis that the Town does not have a list of all lawsuits and cases involving the police department and does not have an obligation to create one. Additionally, your second request is denied on the basis I am not obligated to research through my files to determine which, if any, of my records are might be responsive.

Thank you for your attention to this matter.

Very truly yours,



William Kuster