

THE BOROUGH OF CLAYTON



125 NORTH DELSEA DRIVE, CLAYTON, NEW JERSEY 08312

Fax: (856) 881-0153
July 14, 2020

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www.claytonnj.com

Via email only (opra+request-12703-8812b0a6@requests.opramachine.com)

Taeho Kim

Re: Open Public Records Act/Common Law Records Request

Dear Sir/Madam:

The Borough of Clayton Records Custodian received your request for records pursuant to the Open Public Records Act (OPRA) and New Jersey common law on May 28, 2020. Accordingly, the initial seven (7) business day deadline to respond to your request under OPRA was June 8, 2020. Pursuant to N.J.S.A. 47:1A-5(i)(2), effective March 20, 2020, our initial response was provided on July 9, 2020, beyond the initial seven (7) business day deadline to respond to your request under OPRA due to the declared state of emergency.

Your records request was as follows:

From: Taeho Kim <opra+request-12703-8812b0a6@requests.opramachine.com>
To: OPRA requests at Clayton Borough <cnewcomb@claytonnj.com>
Date: May 27, 2020 6:41 PM
Subject: OPRA request - OPRA - police officer-involved lawsuits 2012-2019

Dear Clayton Borough,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

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).
2. Please provide copies of the complaint in any lawsuits and cases described in above.

Yours faithfully,

UC Research

By correspondence dated July 9, 2020, we indicated that further processing of your request required an additional thirty (30) business days, until August 20, 2020, to retrieve, compile, review, and if appropriate, provide the documents to fulfill your request.

Please be advised that we have completed processing your request and have identified the following responsive records:

Surgick v. Diaz, Docket No. 1:14-cv-07499 (D.N.J.)

date of loss: 11/07/13

Complaint attached

Settlement/Judgment amount: \$20,000

Rolle v. Borough of Clayton, et al., Docket No. GLO-L-409-20

date of loss: 03/25/18

Complaint attached

Settlement/Judgment amount: \$280,000

Estate of Autumn Pasquale, Docket No. GLO-L-1474-14

date of loss: 10/20/12

Complaint and Stipulation of Dismissal attached

Settlement/Judgment amount: \$0.00

Copies of the identified records are enclosed.

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 Clayton 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.

Very truly yours,



Christine Newcomb
Municipal Clerk
Borough of Clayton