

THE TOWNSHIP OF EWING

Municipal Complex
2 Jake Garzio Drive
Ewing, NJ 08628



Phone: (609) 883-2900
Admin. Fax: (609) 538-0729
Clerk Fax: (609) 771-0480
Web Address: www.ewingnj.org

June 16, 2020

Kim Taeho

Opra+request-12452-b95325d7@requests.opramachine.com

Re: OPRA Request

Dear Mr. Taeho:

The Ewing Township Clerk's Office received your OPRA Request on May 27, 2020. The official records Custodian, Kim Macellaro, received your OPRA Request on May 27, 2020. As such, the seven (7) business day deadline to respond to your request was June 5, 2020. We sought a seven (7) business day extension, bringing your new recall date to today, June 16, 2020. We are again requesting another seven (7) business day extension, bringing your new recall date to Thursday, June 25, 2020.

Your OPRA request sought access to the following:

- 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 above.***

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 Ewing 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 email at grc@dca.state.nj.us, or at their website 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.

If you should have any questions or need additional assistance, please do not hesitate to contact this office at (609)538-7609.

Respectfully,

Kim J. Macellaro, CMC
Ewing Municipal Clerk

Recall 6.5.2020
New Recall 6.16.2020

5.27.2020 Police Attorney

Susan Bate

From: Kim Macellaro
Sent: Wednesday, May 27, 2020 6:22 PM
To: Susan Bate
Subject: Fw: OPRA request - OPRA: police officer-involved lawsuits 2012-2019

Kim Macellaro, RMC, CMC
Ewing Municipal Clerk
2 Jake Garzio Drive
Ewing, New Jersey 08628
Work: (609)538-7609
Fax: (609)771-0480

Thank you for contacting Ewing Township. We are open but with minimal staff in the office Monday through Friday, and other essential Officials working alternate schedules or remotely. The building is closed to the public every day, regardless of whether staff is present.

This e-mail is being monitored, however there may be a delayed response to your e-mail. For further information regarding the changes in effect in response to the COVID-19 outbreak, please go to ewingnj.org

Stay home and stay healthy!

From: Taeho Kim <opra+request-12452-b95325d7@requests.opramachine.com>
Sent: Wednesday, May 27, 2020 2:28 PM
To: Kim Macellaro
Subject: OPRA request - OPRA: police officer-involved lawsuits 2012-2019

Dear Ewing Township,

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 above.

Yours faithfully,

UC Research



Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-12452-b95325d7@requests.opramachine.com

Is kmacellaro@ewingnj.org the wrong address for OPRA requests to Ewing Township? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=ewing_township

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/opra_police_officer_involved_law_58

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

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Web Address: www.ewingnj.org

June 5, 2020

Taeho Kim

Email: opra+request-12452-b95325d7@requests.opramachine.com

Taeho Kim:

The Ewing Township Clerk's Office received your Open Public Records Act (OPRA) request on May 27, 2020. The official Records Custodian, Kim Macellaro, received your OPRA request on May 27, 2020. As such, the seven (7) business day deadline to respond to your request is June 5, 2020. This response to your request is being provided to you on the 7th business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

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 case described above.

OPRA allows custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied."

The Township requests additional time. The new recall date is June 16th, 2020.

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 Ewing 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,

Susan Bate, Deputy Municipal Clerk
Township of Ewing
Tel: 609 883 2900 ext. 7658

Susan Bate

From: Susan Bate
Sent: Friday, June 5, 2020 5:30 PM
To: opra+request-12452-b95325d7@requests.opramachine.com
Subject: OPRA
Attachments: doc06527220200605173016.pdf

Taeho Kim:

Please see the attached letter regarding your OPRA request - Police Department lawsuits.

Thanks,
Susan Bate
Deputy Municipal Clerk
Ewing Township
Tel: 609 883 2900 ext. 7658

-----Original Message-----

From: DoNotReply@ewingnj.org <donotreply@ewingnj.org>
Sent: Friday, June 5, 2020 6:30 PM
To: Susan Bate <sbate@ewingnj.org>
Subject:

Please see attached document.