

Donna Belton

20-674

From: Taeho Kim <opra+request-12490-10623e6c@requests.opramachine.com>
Sent: Wednesday, May 27, 2020 3:07 PM
To: clerkforms
Subject: OPRA request - OPRA: police officer-involved lawsuits 2012-2019

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Howell 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-12490-10623e6c@requests.opramachine.com

Is clerkforms@twp.howell.nj.us the wrong address for OPRA requests to Howell Township? If so, please contact us using this form:

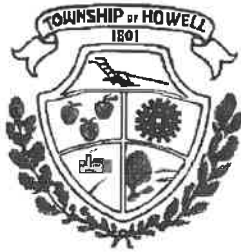
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3dhowell_township&c=E,1,CJlj1Rz0Nolyul3SBoYOfBUZjE1on3mL6YsQ1fqqhO0BSmfu-luE89INVmEnWUbaPO5gsA8vqNt5ZwqbVxozUIAY6HXiK_zf18k1FpYISXLag3yMLxW7g9wOE,&typo=1

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

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,MzNOKtvq_as2LJLzYcSumP9O4mPQE7e_g9xaOULAaqO5sDKiQclOLADtHON6wPOHpbqY6tTLRt44QJxfAgGcplHGzqlgu1IKGL0MGMjpg-C55_bf&typo=1

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2fopra_police_officer_involved_1aw_96&c=E,1,WX_vlCkrXG1ePGZdh7t7uGs5PbS3AAI7D9hyl7SfEYz_5onsSa4ZFtYFVll54418j1RxMI1RoKt1BliaBu3tQm3CqZd_PhpRRgHJFXOkDk1Ck2YbuSxnALvV1g,,&typo=1



TOWNSHIP OF HOWELL

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May 28, 2020

VIA EMAIL – opra+request-12490-10623e6c@requests.opramachine.com

Taeho Kim

Re: OPRA Request to Township of Howell dated May 28, 2020

Dear Mr./Ms. Kim,

The Township of Howell received your Open Public Records Act (OPRA) request on May 27, 2020. The official Records Custodian, Allison Ciranni, received your OPRA request on May 28, 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 first (1st) business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

Records requested:

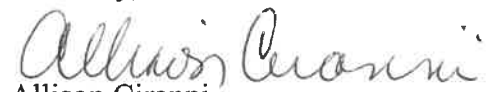
1. A list of all lawsuits and cases in which any officer of the police department was involved between 2012 and 2019. For each lawsuit/case provide the date (month and year) of the alleged incident at issue, whether the alleged incident was excessive force, settlement amount (if any), and final compensation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

Please be advised that your request does not identify specific government record. As such, your request is an invalid OPRA and is denied. With regard to the "list" you are seeking, please be advised that the Township does not maintain such a list. Custodians are not required to conduct research or create new records in response to an OPRA request. In terms of copies of filed complaints, they are available through the judiciary. When a request is "complex" because it fails to specifically identify the documents sought, then that request is not "encompassed" by OPRA. See New Jersey Builders Association v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 180 (App. Div. 2007). A proper request under OPRA must identify with

reasonable clarity those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents. See Bent v. Stafford Police Department, 381 N.J. Super. 30, 37 (App. Div. 2005). Custodians are not required to conduct research or create new records in response to an OPRA 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 [insert name of agency] 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 "Allison Ciranni".

Allison Ciranni
Howell Township
Records Keeper