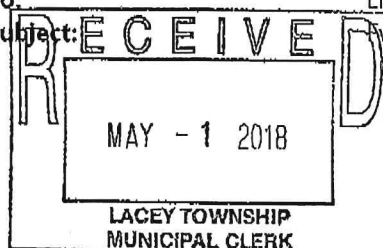


Lisa Monbleau

From: laceyclerk <laceyclerk@laceytownship.org>
Sent: Monday, April 30, 2018 8:29 PM
To: Lisa Monbleau
Subject: Open Public Records Act request - Police Calls to Backward Flag Brewing Company on 04/27/2018

Log# 247Date Due 5-8

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

From: Dave Lansing <opra+request-1585-b49e12b7@requests.opramachine.com>
Date: 4/30/18 8:05 PM (GMT-05:00)
To: OPRA requests at Lacey Township <laceyclerk@laceytownship.org>
Subject: Open Public Records Act request - Police Calls to Backward Flag Brewing Company on 04/27/2018

Dear Lacey Township,

This is a request for public records made under OPRA and the common law right of access. Please acknowledge receipt of this message.

Records requested:

I would like the police report, CAD narrative, and officer's report for the response to the fight at Backward Flag Brewing Company on 04/27/2018 sometime after 21:00.

Yours faithfully,

Dave Lansing

Police

Please use this email address for all replies to this request:
opra+request-1585-b49e12b7@requests.opramachine.com

Is laceyclerk@laceytownship.org the wrong address for Open Public Records Act requests to Lacey Township?
If so, please contact us using this form:
https://opramachine.com/change_request/new?body=lacey_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>

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

If you find this service useful as an OPRA officer, please ask your web manager to link to us from your



LACEY TOWNSHIP POLICE DEPARTMENT

Community Policing in Forked River, Lanoka Harbor, and Bamber Lake

Michael C. DiBella
Chief of Police

808 West Lacey Road, Forked River, New Jersey 08731
Telephone: 609.693.6636

Fax: 609.693.3894

TO: Veronica Laureigh
Township Clerk/Administrator
Custodian of Records

FROM: Lynn J. Talarico

DATE: May 7, 2018

SUBJECT: OPRA Request – Backward Flag Brewing Company

On Tuesday, May 1st, 2018, this agency received an email for an Open Public Records Act Request for records pertaining to a police incident report involving case number (18-012946). The police record currently on file is considered a "Criminal Investigatory Record" therefore, your request is "**Denied**" under N.J.S.A. 47:1A-1.1 et seq.

See: Criminal investigatory records - records which are not required by law to be made, maintained or kept on file that are held by a law enforcement agency which pertain to any criminal investigation or related civil enforcement proceeding. (Note: N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed). N.J.S. 47:1A-3b: if an arrest has been made, information as to the defendant's name, age, residence, occupation, marital status and similar background information and, the identity of the complaining party unless the release of such information is contrary to existing law or Court

See also: Janeczko v. NJ Dep't of Law and Pub. Safety, Div. of Criminal Justice, GRC Complaint Nos. 2002-79 and 2002-80 (August 2003): The Council ruled that the records were exempt under the criminal investigatory exemption from disclosure and that this exemption does not permit access to the records even after the investigation is closed. The Council's decision was appealed and affirmed in an unpublished opinion of the Appellate Division of Superior Court in May 2004.

See also: Cheatham v. Borough of Fanwood Police Dep't, GRC Complaint No. 2013-262 (March 2014): The Council determined that police incident reports are exempt as "criminal investigatory" records under OPRA. Specifically, police incident reports and related records that summarize information contained in such reports are exempt criminal investigatory records. N.J.S.A. 47:1A-1.1; N.J.S.A. 471A-6; Feggans v City of Newark (Essex) GRC Complaint No 2007-238 (October 2008); Nance v. Scotch Plains Twp. Police Dep't. GRC Complaint No 2013-125 (January 2005); Morgano v. Essex Cnty. Prosecutor's Office, GRC Complaint No. 2007-156 (Interim Order dated February 27, 2008).

Refer to Lacey Township Police Department Weekly Press Release for any specific arrest information related to this case allowed to be released.

Attachment:

CAD responses to Backward Flag Brewing Company

Case#	Reported Date/Time	Location	CAD CFS Code	RMS CFS Code	Officer	CAD Disposition	Field Report
18-12946	4/27/2018 21:41	699 Challenger Wy Forked River	2471- Dispute	2621- Resisting Arrest	Julian, Martin	Unit Cleared Scene	Yes