



GLASSBORO POLICE DEPARTMENT

1 South Main Street
Glassboro NJ 08028
Phone #856-881-1501
Fax #856-881-6872

February 1, 2023

Via email only (opra+request-39438-c082794a@requests.opramachine.com)
fratlw

Re: Open Public Records Act/Common Law Records Request

Dear fratlaw:

The Borough of Glassboro Records Custodian received your request pursuant to the Open Public Records Act (OPRA) and the New Jersey common law right of access via email on January 23, 2023, and forwarded it to the Glassboro Police Department Records Sub-Custodian for response. Accordingly, the initial seven (7) business day deadline to respond to your request under OPRA is February 1, 2023. This response is being provided on the seventh business day after receipt of your request.

Your records request was as follows:

From: fratlaw <opra+request-39438-c082794a@requests.opramachine.com>
Sent: Monday, January 23, 2023 3:11 PM
To: Karen Cosgrove <KCosgrove@glassboro.org>
Subject: [EXTERNAL] OPRA request - Police Dept Request of incidents

Dear Glassboro 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.) Police calls for service from 08/01/2022 to present: CAD details with officer narratives and NCIC, incident reports, and officers individual reports of incidents with caller complaining about the following addresses:
- 1 Silver Avenue
- 329 N Main
- 333 N Main
-204 Carpenter

2.) From 08/01/2022 to present: CAD details with officer narratives and NCIC, incident reports, copies of citations issued by Law Enforcement (include findings), and officers reports of incidents regarding the following addresses:
- 1 Silver Avenue
- 329 N Main
- 333 N Main
-204 Carpenter

3.) Non Emergency Calls for Service making complaints towards the following addresses:
- 1 Silver Avenue
- 329 N Main
- 333 N Main
-204 Carpenter

Yours faithfully,

fratlw

Response to Common Law Request

The common law right to access public records depends on three requirements: (1) the records must be common law public documents; (2) the person seeking access must establish an interest in the subject matter of the material; and (3) the citizen's right to access must be balanced against the State's interest in preventing disclosure. *Richard Rivera v. Union County Prosecutor's Office*, 250 N.J. 124, 143-44 (2022); *South Jersey Publishing Co. v. New Jersey Expressway Auth.*, 124 N.J. 478, 487 (1991); *Loigman v. Kimmelman*, 102 N.J. 98 (1986); *Nero v. Hyland*, 76 N.J. 213, 222 (1978).

After consultation with the Borough Solicitor, we have determined that you have failed to establish a proper interest in the requested record(s). Your common law request is therefore denied.

Response to OPRA Request

A preliminary search of our available records has identified the following summary records as responsive to your request:

Call List Simple With Additional Disposition - 1 Silver Ave
Call List Simple With Additional Disposition - 204 Carpenter St
Call List Simple With Additional Disposition - 329 N Main St
Call List Simple With Additional Disposition - 333 N Main St

Due to the number of reported calls, further processing of your request will require an extraordinary expenditure of time and effort since it would involve review and redaction of privacy, security, medical and/or other material exempt from disclosure from the corresponding case files.

The Open Public Records Act and New Jersey common law allow public agencies to impose special service charges whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or when fulfilling a request requires an extraordinary expenditure of time and effort. *See* N.J.S.A. 47:1A-5.c. Due to the nature of your request and the volume and type of records identified, it will be necessary to impose a special service charge to fulfill your request.

Special service charges must be based upon the actual direct cost of providing the copy or copies. OPRA mandates that the requestor shall have the opportunity to review and object to the charge prior to it being incurred. *See* N.J.S.A. 47:1A-5.c. As such, a detailed estimate is provided below:

lowest level person capable of fulfilling the request	S. Bellebuono
direct hourly rate (minus fringe benefits)	\$23.38
number of hours anticipated to complete request	14.5
estimated special service charge	\$339.01

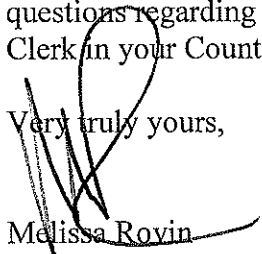
PLEASE NOTE THAT THIS ESTIMATED CHARGE DOES NOT INCLUDE ANY APPLICABLE COPYING CHARGES. IN ORDER TO PROCEED WITH

FULFILLING YOUR REQUEST, WE REQUIRE A DEPOSIT IN THE AMOUNT OF \$339.01, REPRESENTING THE TOTAL ESTIMATED SPECIAL SERVICE CHARGE. PLEASE FORWARD A CHECK IN THE TOTAL AMOUNT OF \$339.01 PAYABLE TO "GLASSBORO POLICE DEPARTMENT."

Kindly respond in writing or via email with your acceptance or rejection of this estimated charge. We will not begin to further process this request until we receive your written acceptance.

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 Glassboro 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,


Melissa Royin
Senior Records Clerk
Glassboro Police Department
856-881-1501 ext 88150
mrovin@glassboropd.org