



TOWNSHIP OF FREEHOLD POLICE DEPARTMENT

Police Department Records Bureau

June 21, 2021

Anonymous

(Via e-mail opra+request-24123-b9019227@requests.opramachine.com)

Dear Anonymous;

I am in receipt of your OPRA request dated June 21, 2021 for:

Item #1 - "Police Officer Activity (reports, audio, & video) on 4/8/2021 to include incident details for assignment at 537/Wemrock. "

AND

Item #2 - "police officer body-worn camera footage, audio, and or dash camera footage from summons K31003521 on 4/8/2021."

Item #1 is **denied**, as it amounts to a request for information and requests for research through all records of the Township. A request for "information" as opposed to identifiable government records is invalid under OPRA. See, e.g., James v. NJ Dep't of Corrections, GRC Complaint No. 2009-283 (June 2010). Further, it fails to particularly identify government records and amounts to an overbroad request for research. The New Jersey Superior Court has held that "[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records 'readily accessible for inspection, copying, or examination.' N.J.S.A. 47:1A—1." MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 545 (App. Div. 2005). "Pursuant to [MAG], the Custodian is obligated to search her files to find the identifiable government records listed in the Complainant's OPRA request. . . . However, the Custodian is not required to research her files to figure out which records, if any, might be responsive to a broad or unclear OPRA request." Donato v. Township of Union, GRC Complaint No. 2005-182 9February 2007).

Accordingly, I request clarification of the particular government records you seek.

Regarding Item #2, **No responsive record exists for Summons K31003521**

Best regards;

Kenneth S. Kleinman

Lt. Kenneth S. Kleinman (ret.) CPM
Custodian of Police Records
Freehold Township Police Department