



**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

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RAYMOND S. SANTIAGO
MONMOUTH COUNTY PROSECUTOR

February 20, 2024

Anonymous

opra+request-58241-3b678d60@requests.opramachine.com

Re: OPRA request dated February 16, 2024

Dear Anonymous:

This office received a records request from you via email on Friday, February 16, citing the New Jersey Open Public Records Act (OPRA). Specifically, you requested the following:

1. *"Any and all information for training and/or training requirements for critical incidents."*

Please be advised that under the OPRA statute, *N.J.S.A. 47:1A-1 et seq.*, "government records" are subject to public access; however, your request, although initially phrased as such, does not pertain to specifically identifiable government records, but rather an unspecified universe of an unspecified number of records. Rather, it is a request for information.

A government agency is not required to compile information for a requestor. See *Burke v. Brandes*, 429 N.J. Super. 169, 174 (App. Div. 2012) ("agencies are only obligated to disclose identifiable government records"); *Bent v. Twp. of Stafford Police Dep't, Custodian of Records*, 381 N.J. Super. 30, 37 (App. Div. 2005) ("OPRA only allows requests for records, not requests for information"); *MAG Entm't, LLC v. Div. of Alcoholic Beverage Control*, 375 N.J. Super. 534, 549 (App. Div. 2005) ("Under OPRA, agencies are required to disclose only 'identifiable' governmental records not otherwise exempt. Wholesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed therein.).

As such, we would like to offer you the opportunity to further clarify this request. Please respond in writing and identify the specific government records being sought.

Should you disagree with this determination, you may appeal to the Government Records Council or the New Jersey Superior Court as provided by *N.J.S.A. 47:1A-6* and *7*. In the event of a clarification or appeal, this office reserves the right to raise any other ground for denial not raised in this response. The failure of this office to assert an exception or privilege at this time does not act as a waiver of any grounds for denial.

Very truly yours,

RAYMOND S. SANTIAGO
MONMOUTH COUNTY PROSECUTOR

/s/ *Mark Spivey*

By: Mark Spivey
Public Information Officer
OPRA Custodian of Records