



State of New Jersey

DEPARTMENT OF CORRECTIONS

WHITTLESEY ROAD

PO Box 863

TRENTON NJ 08625-0863

MIKIE SHERRILL

Governor

DR. DALE G. CALDWELL

Lt. Governor

VICTORIA L. KUHN, ESQ.

Commissioner

July 17, 2026

Sent via E-mail to:

Opra+request-91873-b65fc95b@requests.opramachine.com

Richard Toelk
900 East Ridgewood Avenue
Ridgewood, NJ 07450

Re: OPRA Request - Tracking # 24655

Dear Mr. Toelk:

The Department of Corrections has received your Government Records Request. Your request has been assigned Request ID No. 24655 for tracking purposes. You submitted a request for the following:

"I request all records in the following categories, without limitation as to date:

1. Intake and booking records;
2. Classification records and custody level determinations;
3. Housing assignment and institutional movement history;
4. Disciplinary records including any infractions, hearings, findings, and sanctions;
5. Program participation records;
6. Grievance records and responses;
7. Parole and release records including supervision history;
8. Any administrative segregation or special housing placement records;
9. All medical, health, and mental health records including intake screenings, treatment notes, medication records, psychiatric evaluations, and any records relating to traumatic brain injury or neurological conditions;
10. And all correspondence files maintained in connection with my incarceration.

In response to items #1, #2, #8 & #10 of your request, please be advised that these items as stated are overly broad and improper. Pursuant to MAG Entertainment LLC v. Division of Alcohol Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), your requests do not adequately identify the specific records you are seeking. OPRA allows for requests of records only, not requests for information, data, or statistics. OPRA "is not intended as a research tool . . . to force government officials to identify and siphon useful information." *Id.* at 546. In other words, a records custodian is not required "to conduct research among its records . . . and correlate data from various government records in the custodian's possession." *Id.* at 546-47. "To qualify under OPRA then, the request must reasonably identify a record and not generally data, information or statistics." Bent v. Township of Stafford Police 381 NJ Super 30 (App. Div 2005). Accordingly, these items of your request cannot be fulfilled and are denied.

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In response to items #3 & #5, this office will provide you with a redacted copy of your Inmate Face Sheet and Inmate Progress Notes that will provide you with the requested information.

In response to item #4, your Progress Notes as noted above do not indicate that you received any disciplinary infractions during your incarceration. As such, there are no records available that are responsive to this item of your request.

In response to item #6, in order to locate any inquiries / grievances, you will need to supply this office with the appropriate corresponding reference numbers.

In response to item #7, the New Jersey State Parole Board is in but not of the NJDOC; therefore, the Board's files are not the records of this Department. All records or information would have to be requested directly from the NJSPB. More information on the NJSPB can be found at nj.gov/parole. A copy of the NJSPB OPRA Request form is also enclosed.

In response to item #9, Medical & Mental Health related records are exempt from disclosure under OPRA in their entirety pursuant to NJAC: 10A:22-2.3(a)(4) any information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation. Accordingly, this portion of your request cannot be fulfilled and is denied.

The above noted documents are being provided to you as an email attachment free of charge.

You have a right to challenge the decision by the Department of Corrections. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC). 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 government.records@dca.nj.gov, or at their web site at www.nj.gov/grc. The Council can also answer other questions about the law.

Sincerely,


John Falvey
NJDOC Records Custodian

c.: OPRA Records File

Denial of Access Appeal Info

The New Jersey [Open Public Records Act](#) (N.J.S.A. 47:1A-1 et seq.) permits a person who believes he or she has been illegally denied access to a public record to file a complaint with the Government Records Council (GRC), or file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking these actions.

To file a complaint with the Government Records Council:

Contact the GRC by phone at: 1-866-850-0511, by e-mail at government.records@dca.nj.gov, or review the GRC web site at www.nj.gov/grc for information and to register your complaint.

The GRC staff may be able to help resolve the problem over the phone. If not, you can receive a complaint form through the mail or from the web site.

When you file the written complaint, the GRC will offer you and the public agency non-adversarial, impartial mediation.

If mediation is not agreed to or fails, the GRC will investigate the complaint.

The investigation may result in findings or a formal decision by the GRC, which may include a hearing by the Council.

In some cases, the Council can award attorney's fees or fine a records custodian for failing to provide records.

Details of this process are available from the GRC.

There is no fee to file a complaint with the GRC.

To file a complaint in Superior Court:

A requester may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.

The court requires a \$200 filing fee, and you must serve the lawsuit papers on the appropriate public officials.

The court will schedule a hearing and resolve the dispute.

If you disagree with the court's decision, you may appeal the decision to the Appellate Division of Superior Court.

If you are successful, you may be entitled to reasonable attorney fees.

You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.

<http://www.nj.gov/grc/register/appeal/>