



State of New Jersey

OFFICE OF THE GOVERNOR

P.O. Box 001

TRENTON, NJ 08625-0001

PHILIP D. MURPHY
Governor

January 27, 2022

Via Email

Robert Way

Re: Open Public Records Act (OPRA) Request

Dear Mr. Way:

This letter constitutes the response of the Office of the Governor to your OPRA request, which states:

All Randomized Control Trial documentation/studies used by the Governor of NJ and his Administration have used as a basis for mandating Emergency Use Authorized face coverings as viral source control in both public and private schools by way of Executive Order 251.

Please be advised that your request is overbroad under OPRA. OPRA does not allow a blanket request for every document a public agency has on file or a wholesale request for general information. Gannett N.J. Partners, LP v. Cty. of Middlesex, 379 N.J. Super. 205, 212 (App. Div. 2005); MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 549 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 36-37 (App. Div. 2005); Spectraserv, Inc. v. Middlesex County Utilities Auth., 416 N.J. Super. 565, 578 (App. Div. 2010); N.J. Builders Ass'n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 178-79 (App. Div. 2007). Requests for correspondence must identify the individuals or accounts to be searched and be confined to a discrete and limited subject matter. Burke v. Brandes, 429 N.J. Super. 169, 176-78 (App. Div. 2012); see also Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-08 (Apr. 8, 2010) (stating that a proper request for email correspondence must contain "(1) the content and/or subject of the e-mail, (2) the specific date or range of dates during which the e-mail was transmitted or the emails were transmitted, and (3) a valid e-mail request must identify the sender and/or the recipient thereof").

Notwithstanding the above, and to assist you, please be advised that this Office is not the custodian of some of the

records that you seek. You may wish to submit an OPRA request to the New Jersey Department of Health. This suggestion does not waive or limit the rights afforded that entity under OPRA.

In addition, please see the link below, including the DATA Dashboard.

<https://covid19.nj.gov/>

Finally, Governor Murphy issued Executive Order 251 in accordance with P.L.2021, c.103. As set forth in the Executive Order, indoor mask requirements are based, among other things, on recommendations from the Centers for Disease Control and Prevention and the American Academy of Pediatrics, which is available on their websites. The following links contain their current guidance related to schools:

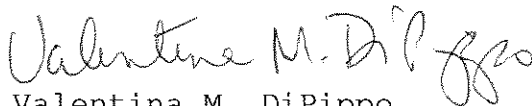
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

<https://www.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/cloth-face-coverings/>

<https://www.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/covid-19-planning-considerations-return-to-in-person-education-in-schools/>.

Your OPRA request is hereby closed. This response does not waive or limit any other rights afforded this Office under OPRA or the common law, which are expressly reserved. If you have any questions, please do not hesitate to contact this Office at (609) 777-2588.

Very truly yours,



Valentina M. DiPippo
Custodian of Government Records