



Borough of Pitman Police Department

110 South Broadway Pitman, N.J. 08071

Phone: (856) 589-3501 Fax: (856) 589-5050

Daniel J. McAteer – Chief of Police

Jonathan R. Streater – Traffic Safety Sergeant

Thomas D. Zander – Executive Officer

Susan A. Wilson – Police Office Administrator

January 5, 2022

Via email only (opra+request-28384-5768dd4d@requests.opramachine.com)

Anonymous Citizen

**Re: Open Public Records Act/Common Law Records Request
01/01/2014 through 11/30/2021 – 758 N. Broadway**

Dear Anonymous Citizen:

The Borough of Pitman Records Custodian received your request for records pursuant to the Open Public Records Act (OPRA) and the New Jersey common law right of access, dated December 23, 2021, on December 27, 2021, and forwarded it on that day to the Police Records Custodian for response. Accordingly, the initial seven (7) business day deadline to respond to your request under OPRA is January 6, 2022. This response is being provided on the sixth business day after receipt of your request.

Your records request was as follows:

From:	BOROUGH OF PITMAN RECEIVED	Anonymous Citizen < opra+request-28384-5768dd4d@requests.opramachine.com >
Sent:		Thursday, December 23, 2021 4:28 PM
To:		Judy O'Donnell
Subject:		OPRA request - Updated OPRA request
	BY: CLERK'S OFFICE	

Dear Pitman 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:

Any/all police reports/interaction reports from 1/1/2014 through 11/30/2021, relating to 758 N Broadway, Pitman, SPECIFICALLY those which were written by Officer Hoffman badge 123.

Yours faithfully,

Anonymous Citizen

January 2014 through July 2016 Records

Due to the limitations of our CAD program, further processing of your request for records for the period from January 2014 through July 2016 cannot be completed without identification of the date of the call for service. OPRA and the common law require that a requestor identify the records sought with specificity. The request may not be a broad, generic description of documents that requires the custodian to search the agency's files and analyze, compile and collate the requested information. *Bart v. Passaic County Public Hous. Agency*, 406 N.J. Super. 445, 451 (App. Div. 2009); *Bent v. Stafford Police Department*, 381 N.J. Super. 30, 37 (App. Div. 2005). If a request does not name specifically identifiable records or is overly broad, a custodian may deny access. A proper request under OPRA must identify with reasonable clarity

those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents. *MAG Entertainment, LLC v. Div. of Alcoholic Beverage Control*, 375 N.J. Super. 534 (App. Div. 2005); *Bent v. Twp. of Stafford Police Dep't.*, 381 N.J. Super. 30 (App. Div. 2005). Custodians are not required to conduct research or create new records in response to an OPRA request. *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super. 534, 546 (App. Div. 2005); *Librizzi v. Township of Verona Police Department*, GRC Complaint No. 2009-213 (August 2010).

August 2016 through November 2021 Records

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

10/11/16	CAD Activity Detail 16-012658
01/07/17	CAD Activity Detail 17-000286
12/10/17	CAD Activity Detail 17-015180
01/29/18	CAD Activity Detail 18-001077
05/08/18	CAD Activity Detail 18-005371
05/01/20	CAD Activity Detail 20-004472

Copies of the identified records are enclosed. Please note that, after consultation with the Borough of Pitman public records attorney, these records have been redacted as follows:

Privacy/Personal Information. Part(s) of the identified record(s) containing information for which identified persons have a reasonable expectation of privacy have been redacted. N.J.S.A. 47:1A-1; Executive Order No. 21 (McGreevey 2002); *Paff v. Ocean County Prosecutor's Office*, 235 N.J. 1 (2018); *Brennan v. Bergen County Prosecutor's Office*, 233 N.J. 330 (2018); *In the Matter of the New Jersey State Fireman's Association*, 230 N.J. 258 (2017); *Burnett v. County of Bergen*, 198 N.J. 408 (2009); *North Jersey Media Group v. Township of Nutley*, slip op., Docket No. A-3483-14T3 (App. Div. September 30, 2016); *Nelson v. N.J. Department of Law & Public Safety*, No. 2013-124 (GRC 2014); *Merino v. Borough of Ho-Ho-Kus*, No. 2003-110 (GRC 2004).

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 Pitman 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,

Susan A. Wilson

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