



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Not A Valid OPRA Request

Michael Phillips
Complainant

GRC Complaint No. 2018-13

v.

Florence Township Police Department (Burlington)
Custodial Agency

Custodian of Record: Nancy Erlston
Request Received by Custodian: N/A
GRC Complaint Received: January 26, 2018

Complaint Disposition: On December 17, 2017 and January 8, 2018, the Complainant submitted a “Request for Police Reports” form to the Florence Police Department (“FPD”). Neither form cited to OPRA, and the form submitted is identified on the Florence Township website as a “Discovery Report Request.”¹ Further, the Custodian did not treat the requests as valid OPRA requests. Thus, the GRC has no authority to adjudicate this complaint because the correspondence did not constitute a valid OPRA request. See also Bragg v. Mercer Cnty. Corr. Ctr., GRC Complaint No. 2015-396 (May 2016).

Applicable OPRA Provision: “A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may . . . in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to [OPRA].” N.J.S.A. 47:1A-6.

“The Government Records Council shall . . . receive, hear, review and adjudicate a complaint filed by any person concerning a denial of access to a government record by a records custodian . . .” N.J. S.A. 47:1A-7(b).

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: March 27, 2018

Prepared By: Frank F. Caruso
Communications Specialist/Resource Manager

Date: March 20, 2018

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¹ <http://www.florence-nj.gov/police/reports-permits-forms.html> (accessed on February 26, 2018).