



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Unripe Cause of Action

Todd L. Schleifstein
Complainant

GRC Complaint No. 2020-198

v.

Randolph Township School District (Morris)
Custodial Agency

Custodian of Record: Stephen Frost
Request Received by Custodian: September 18, 2020
GRC Complaint Received: October 5, 2020

Complaint Disposition: The Complainant provided his OPRA request for dash and body camera records to the Custodian on September 18, 2020. The Custodian responded to the request on September 21, 2020, informing the Complainant that an extension of time until December 15, 2020 was required, due to the ongoing public health emergency (“PHE”) and limited resources available. The extensions were reasonable given the nature of the records requested and the PHE in effect at the time. The Complainant verified his complaint on October 3, 2020, which is within the extended time period.

Here, this complaint is materially defective and shall be dismissed because the requested records are not immediate access records and because the Complainant verified his complaint before the statutory time period for the Custodian to respond, *as extended*, had expired. See Rivera v. City of Plainfield Police Dep’t (Union), GRC Complaint No. 2009-317 (May 2011). See also Inzelbuch v. Lakewood Bd. of Educ. (Ocean), GRC Complaint No. 2012-323 (February 2013).

Applicable OPRA Provision: “[A] custodian of a government record shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i)(1).

“During a period declared pursuant to the laws of this State as a state of emergency, public health emergency, or state of local disaster emergency, the deadlines by which to respond to a request for, or grant or deny access to, a government record under paragraph (1) of this subsection or subsection e. of this section shall not apply, provided, however, that the custodian of a government record shall make a reasonable effort, as the circumstances permit, to respond to a request for access to a government record within seven business days or as soon as possible thereafter.” N.J.S.A. 47:1A-5(i)(2)

“A person who is denied access to a government record by the custodian of the record . . . may institute a proceeding to challenge the custodian’s decision by filing . . . a complaint with the Government Records Council . . .” N.J.S.A. 47:1A-6.



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: April 26, 2022

Prepared By: Samuel A. Rosado
Staff Attorney

Date: April 19, 2022

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