



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – All Records Responsive Provided in a Timely Manner

Scott Madlinger
Complainant

GRC Complaint No. 2020-246

v.

Berkeley Township Police Department (Ocean)
Custodial Agency

Custodian of Record: Sandra Breslford
Request Received by Custodian: December 17, 2020
GRC Complaint Received: December 24, 2020

Complaint Disposition: The Custodian certified that all records responsive to the Complainant's OPRA request were provided to the Complainant in unredacted form within the statutorily mandated response time.¹ Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification. Thus, this complaint shall be dismissed because the Custodian timely provided all responsive records.

Applicable OPRA Provision: "A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5(g).

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record . . . as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5(i).

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: February 23, 2021

Prepared By: John E. Stewart

Date: February 16, 2021

Distribution Date: February 24, 2021

¹ The Complainant asserted that he received requested records containing blank spaces; therefore, he assumed that he was denied access because he stated "[t]here was no mention of any redactions or an index of redactions . . ." The Custodian certified that there was no mention of any redactions because there were no redactions. The Custodian further certified that when records are redacted by the Township the content is blacked out ". . . so that it is obvious that a redaction was made, as required by OPRA."