



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
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TRENTON, NJ 08625-0819

MIKIE SHERRILL
Governor

DR. DALE G. CALDWELL
Lieutenant Governor

JACQUELYN A. SUÁREZ
Commissioner

FINAL DECISION

February 24, 2026 Government Records Council Meeting

Tyree Deshawn Mims
Complainant

Complaint No. 2023-188

v.

Gloucester City Police Department (Camden)
Custodian of Record

At the February 24, 2026, public meeting, the Government Records Council (“Council”) considered the February 17, 2026, Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that:

1. Because the Custodian certified that she did not receive the July 19, 2023 OPRA request from the Complainant, and because the Complainant has not provided any credible evidence to contradict said certification, the Custodian did not unlawfully deny access to said OPRA request. See Ping v. Borough of Brielle (Monmouth), GRC Complaint No. 2009-132 (April 2010); McMillan v. City of Newark Hous. Auth. (Essex), GRC Complaint No. 2009-77 (February 2011).
2. The Custodian did not unlawfully deny access to the Complainant’s July 11, 2023 OPRA request seeking records related to a GCFD dispatch to a specific address. N.J.S.A. 47:1A-6. Specifically, the Custodian certified, and the record reflects, that the City provided all responsive records. See Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).

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. Proper service of submissions pursuant to any appeal is to be made to the Council in care of the Executive Director at the State of New Jersey Government Records Council, 101 South Broad Street, PO Box 819, Trenton, NJ 08625-0819.

Final Decision Rendered by the
Government Records Council
On The 24th Day of February 2026

John A. Alexy, Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: February 26, 2026

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Executive Director
February 24, 2026 Council Meeting**

**Tyree Deshawn Mims¹
Complainant**

GRC Complaint No. 2023-188

v.

**Gloucester City Police Department (Camden)²
Custodial Agency**

Records Relevant to Complaint: Copies of:

July 11, 2023 OPRA Request: All information regarding a Gloucester City Fire Department dispatch from July 5, 2023 at around 2:00 a.m. at [a specific address] including any additional incident reports detailing the response and actions taken by them, any photographs, videos, or other visual documentation, any subsequent investigation reports or findings related to the incident, including information on potential contributing factors.

July 19, 2023 OPRA Request: Photocopy of the following regarding a specific City public employee:

1. A photocopy of Public Official Surety Bond required by NJ Rev Stat § 17:31-1.
2. A photocopy of your Errors & Omissions (E&O), a Surety Liability Insurance policy, and the Duty of Care policy if applicable.
3. A photocopy of your Risk Management policy if applicable.
4. A photocopy of the following, if applicable, indicating the policy number and the insured amount of the policy: ACORD 125, ACORD 126, ACORD 127, and ACORD 128.
5. Certificate of Liability if applicable
6. Public Officials and/or any other bonds pertaining to proof of liability and policies *based on any and all losses of financial responsibility due to negligence or dishonesty* any and all based on the contract of terms and conditions.
7. A photocopy of your faithful Performance Bond if applicable.
8. A photocopy of your Fidelity Bond if applicable
9. A photocopy of your Public Employee Dishonesty policy if applicable.
10. A photocopy of your Public Employee Blanket Bond if applicable.
11. A photocopy of your Statutory Bond if applicable.
12. A photocopy of the power of attorney for the surety bond company.
13. A photocopy of the Blanket Bond power of attorney for the surety bond company if applicable.
14. A photocopy of your oath of office.

¹ No legal representation listed on record.

² No legal representation listed on record.

Custodian of Record: Vanessa L. Little
Request Received by Custodian: July 11, 2023; None
Response Made by Custodian: July 19, 2023; None
GRC Complaint Received: August 8, 2023

Background³

Request and Response:

On July 11, 2023, the Complainant submitted an Open Public Records Act (“OPRA”) request to the Custodian seeking the above-mentioned records. On July 19, 2023, the Custodian responded in writing disclosing the Gloucester City Fire Department (“GCFD”) Full Data Incident Report. The Custodian certified there are no photographs, videos, or other visual documentation related to the incident.

On July 19, 2023, the Complainant submitted a second (2nd) OPRA request to the Custodian seeking the above records related to a specific City employee.

Denial of Access Complaint:

On August 8, 2023, the Complainant filed a Denial of Access Complaint with the Government Records Council (“GRC”). Regarding his July 11, 2023 OPRA request, the Complainant asserted that the Custodian’s response was insufficient due to the limited scope of disclosure and the lack of detailed explanation for any denial. The Complainant maintained that access to these records was essential to fostering public trust and ensuring law enforcement activities were carried out in a manner consistent with shared values.

The Complainant asserted that, to date, he had not received acknowledgement of receipt or a response from the Custodian regarding his July 19, 2023 OPRA request. The Complainant expressed his disappointment in the lack of response and transparency as public officials’ financial obligations are of significant public interest and crucial for fostering accountability within the community.

Statement of Information:

On August 24, 2023, the Custodian filed a Statement of Information (“SOI”). The Custodian certified that she received the Complainant’s July 11, 2023 OPRA request on the same day. The Custodian certified that all records subject to the request were easily accessible and pulled by the Custodian along with Chief of Police and City Administrator Brian Morrell. The Custodian certified that she responded in writing on July 19, 2023, disclosing the GCFD Full Data Incident Report and noted that no visual documentation or additional responsive records related to the incident existed.

³ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Executive Director the submissions necessary and relevant for the adjudication of this complaint.

The Custodian certified that neither she nor the City or the Gloucester City Police Department (“GCPD”) received the Complainant’s July 19, 2023 OPRA request. The Custodian averred that even if they had received the OPRA request, the City was not in possession of any of the records sought.

Additional Submissions:

On November 6, 2025, the GRC submitted a request for additional information to the Custodian. Specifically, the GRC inquired whether the Custodian, an employee at the City, or an employee at the GCPD received the Complainant’s July 19, 2023 OPRA request.

On November 10, 2025, the Custodian responded to the GRC’s request for additional information. The Custodian certified that neither she nor any employee of the City or GCPD received the Complainant’s July 19, 2023 OPRA request. The Custodian certified that to confirm such non-receipt she diligently searched the fax machine itself as well as all potential locations a fax could be placed in addition to searching her OPRA files. The Custodian certified that she also consulted Mr. Morrell, Chief of the GCPD, who confirmed he did not receive the July 19, 2023 OPRA request.

Analysis

No Correspondence Received

As a threshold issue, the Custodian has certified through correspondence dated November 10, 2025, that neither the City nor the GCPD has any record of receiving the Complainant’s July 19, 2023 OPRA request. Prior to engaging in further analysis of the Complaint, the GRC will first address this issue.

In Ping v. Borough of Brielle (Monmouth), GRC Complaint No. 2009-132 (April 2010), the complainant filed a Denial of Access Complaint stating that he submitted four (4) OPRA requests for a site plan to which he received no response. In a letter to the GRC, the custodian stated that the Borough had no record of the four (4) OPRA requests. The GRC subsequently requested that the custodian certify as to whether he received the four (4) requests at issue. The custodian legally certified on May 5, 2009, that none of the requests at issue were filed with his office, nor was the custodian aware that the requests were received by any other employees of the Borough. In the absence of any additional evidence to the contrary, the Council held that no unlawful denial of access occurred. Subsequently, the Council relied on its holding in Ping to similarly conclude in McMillan v. City of Newark Hous. Auth. (Essex), GRC Complaint No. 2009-77 (February 2011) that no denial of access occurred.

Here, the Complainant submitted his complaint challenging denials of two (2) OPRA requests. The Complainant included as documentary evidence two (2) OPRA requests dated July 11, 2023, and July 19, 2023, but did not provide evidence of receipt or response from the City to either request. In the SOI, the Custodian certified that she did not receive the July 19, 2023 OPRA request. Following the GRC’s request for additional information regarding the non-receipt of the July 19, 2023 OPRA request, the Custodian certified that neither she, nor any employee of the City

or GCPD received the Complainant's July 19, 2023 OPRA request. The Custodian also certified to the detailed search conducted to determine non-receipt of this OPRA request. In reviewing the evidence of record here, the GRC is persuaded that its prior decisions in Ping and McMillian apply. Thus, there was no unlawful denial of access to July 19, 2023 OPRA request.

Accordingly, because the Custodian certified that she did not receive the July 19, 2023 OPRA request from the Complainant, and because the Complainant has not provided any credible evidence to contradict said certification, the Custodian did not unlawfully deny access to said OPRA request. See Ping, GRC 2009-132; McMillan, GRC 2009-77.

Unlawful Denial of Access

OPRA provides that government records made, maintained, kept on file, or received by a public agency in the course of its official business are subject to public access unless otherwise exempt. N.J.S.A. 47:1A-1.1. A custodian must release all records responsive to an OPRA request "with certain exceptions." N.J.S.A. 47:1A-1. Additionally, OPRA places the burden on a custodian to prove that a denial of access to records is lawful pursuant to N.J.S.A. 47:1A-6.

In Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010), the Council found that the custodian did not unlawfully deny access to the requested records based on the custodian's certification that all such records were provided to the complainant. The Council held that the custodian's certification, in addition to the lack of refuting evidence from the complainant, was sufficient to meet the custodian's burden of proof. See also Burns v. Borough of Collingswood, GRC Complaint No. 2005-68 (September 2005); Holland v. Rowan Univ., GRC Complaint No. 2014-63, *et seq.* (March 2015).

In the instant matter, the Complainant's July 11, 2023 OPRA request sought records related to a July 5, 2023 GCFD dispatch to a specific address. On July 19, 2023, the Custodian responded in writing providing a responsive incident report. In the SOI, the Custodian certified that the disclosed incident report was the only record in the City's possession related to the specific incident. Further, the Complainant failed to present any evidence that the City possessed additional undisclosed records at the time of the request.

Accordingly, the Custodian did not unlawfully deny access to the Complainant's July 11, 2023 OPRA request seeking records related to a GCFD dispatch to a specific address. N.J.S.A. 47:1A-6. Specifically, the Custodian certified, and the record reflects, that the City provided all responsive records. See Danis, GRC 2009-156, *et seq.*

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that:

1. Because the Custodian certified that she did not receive the July 19, 2023 OPRA request from the Complainant, and because the Complainant has not provided any credible evidence to contradict said certification, the Custodian did not unlawfully deny access to said OPRA request. See Ping v. Borough of Brielle (Monmouth), GRC

Complaint No. 2009-132 (April 2010); McMillan v. City of Newark Hous. Auth. (Essex), GRC Complaint No. 2009-77 (February 2011).

2. The Custodian did not unlawfully deny access to the Complainant's July 11, 2023 OPRA request seeking records related to a GCFD dispatch to a specific address. N.J.S.A. 47:1A-6. Specifically, the Custodian certified, and the record reflects, that the City provided all responsive records. See Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).

Prepared By: Maria M. Rossi
Staff Attorney

February 17, 2026