



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

James Butler
Complainant

GRC Complaint No. 2025-193

v.

Township of West Caldwell (Essex)
Custodial Agency

Custodian of Record: Joann DeBlasis
Request Received by Custodian: July 14, 2025
GRC Complaint Received: July 24, 2025

Complaint Disposition: The Complainant submitted his OPRA request for “video surveillance footage from outside the West Caldwell Police Department . . . on July 13, 2025, specifically footage capturing the parking lot, building entry points, or exterior areas where property exchanges typically occur between parties . . . from the following approximate time frames: 5:50 PM to 6:40 PM documenting a custody exchange” to the Custodian on July 14, 2025. The Custodian responded in writing on July 14, 2025, extending the response timeframe until August 1, 2025.¹ The Complainant verified his complaint on July 21, 2025, which was 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. Borough of Rutherford Police Dep’t. (Bergen), GRC Complaint No. 2011-277 (August 2012); 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).

“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.

¹ The Custodian certified in the Statement of Information that she disclosed the responsive records, however she did not provide the disclosure date.

Effective Date of Disposition: August 26, 2025

Prepared By: Jennifer C. Howell
Staff Attorney

Date: August 19, 2025

Distribution Date: August 28, 2025