OFFICE OF THE SHERIFF

MICHAEL G. MASTRONARDY
SHERIFF

BRIAN J. KLIMAKOWSKI
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120 HOOPER AVENUE • P.O. BOX 2191 • TOMS RIVER, N. J. • 08754-2191

January 21, 2022

Walt Whitman
opra+request-28910-4cad2374@requests.opramachine.com>

Good day,

The Ocean County Sheriff's Office received your Open Public Records Act (OPRA) request on or about January 20, 2022. The official Records Custodian, Lt. Adrian Bullock, received your OPRA request on January 20, 2022. As such, the seven (7) business day deadline to respond to your request is January 28, 2022. This response to your request is being provided to you on the 1st business day after the custodian's receipt of said request.

The following records were requested:

"Please provide detailed records about any contracts signed by Mike Mastronary in the years of 2021 and 2022."

This request does not identify specific government records. As such, your request is invalid and your OPRA Request is denied.

The New Jersey Superior Court has held "[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, **it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records 'readily accessible for inspection, copying, or examination**.' N.J.S.A. 47:1A-1." (Emphasis added.) MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J.Super. 534, 546 (App. Div. 2005). The Court added that "[u]nder OPRA, **agencies are required to disclose only 'identifiable' government records** not otherwise exempt ... In short, OPRA does not countenance open-ended searches of an agency's files." (Emphasis added.) Id. at 549.

In Bent v. Stafford Police Department, 381 N.J. Super. 30, 37 (App. Div. 2005), the Superior Court held a requestor must specifically describe the document sought because OPRA operates to make identifiable government records "accessible." "As such, a proper request under OPRA must identify with reasonable clarity those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents." supra.

This response is being communicated with you via e-mail per your request.

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If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Ocean County Sheriff's Office to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

Lieutenant Adrian Bullock
Ocean County Sheriff's Office
Abullock@co.ocean.nj.us
(732)506-5393