At the July 28, 2015 public meeting, the Government Records Council ("Council") considered the July 21, 2015 Supplemental 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 the Complainant does not challenge or dispute the Council’s decision, dated April 28, 2015. Rather, the Complainant acknowledged his own error in forming his OPRA request and submitted a revised OPRA request. Therefore, no further analysis is required, and the Complainant’s request for reconsideration should be denied.

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 28th Day of July, 2015

Robin Berg Tabakin, Esq., 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: July 30, 2015
Reconsideration
Supplemental Findings and Recommendations of the Executive Director
July 28, 2015 Council Meeting

Ronald Williams\(^1\)
Complainant

v.

New Jersey Department of Corrections\(^2\)
Custodial Agency

Records Relevant to Complaint: On-site inspection of: “all memorandums, addendums, and all forms related to Jewish prisoners; this includes resources and sources of sale for prisoners of the Jewish faith.”

Custodian of Records: John A. Falvey
Request Received by Custodian: June 3, 2014
Response Made by Custodian: June 3, 2014
GRC Complaint Received: June 26, 2014

Background

April 28, 2015 Council Meeting:

At its April 28, 2015, public meeting, the Council considered the April 21, 2015, 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, found that:

[T]he Complainant’s request is invalid under OPRA because it fails to reasonably identify specific government records and constitutes an overbroad and unclear request that would require the Custodian to conduct research outside the scope of his duties. See MAG Entm’t, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 549 (App. Div. 2005); Bent v. Stafford Police Department, 381 N.J. Super. 30, 37 (App. Div. 2005); and Reid v. New Jersey Dep’t of Corr., GRC Complaint No. 2012-248 (May 2013).

\(^1\) No legal representation listed on record.
\(^2\) No legal representation listed on record.
Procedural History:

On April 30, 2015, the Council distributed its Interim Order to all parties. On May 12, 2015, the Complainant requested from the Government Records Council (“GRC”) a “Request for Reconsideration” form. On June 19, 2015, the Complainant filed a request for reconsideration of the Council’s decision from April 28, 2015, based on mistake. The Complainant did not challenge the Council’s decision but asserted that he was mistaken in the construction of his original OPRA request. The Complainant then proffered a revision of his original OPRA request.

Analysis

The Complainant does not challenge or dispute the Council’s decision. Rather, the Complainant acknowledged his own error in forming his OPRA request and submitted a revised OPRA request. Therefore, no further analysis is required, and the Complainant’s request for reconsideration should be denied.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that the Complainant does not challenge or dispute the Council’s decision, dated April 28, 2015. Rather, the Complainant acknowledged his own error in forming his OPRA request and submitted a revised OPRA request. Therefore, no further analysis is required, and the Complainant’s request for reconsideration should be denied.

Prepared By: Samuel A. Rosado
Staff Attorney

Reviewed By: Joseph D. Glover
Executive Director

July 21, 2015