



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

Angelous Jackson
Complainant

GRC Complaint No. 2023-29

v.

Bound Brook Police Department (Somerset)
Custodial Agency

Custodian of Record: Jasmine D. McCoy
Request Received by Custodian: January 26, 2023
GRC Complaint Received: February 6, 2023

Complaint Disposition: The Complainant provided his OPRA requests for use of force reports to the Custodian on January 23, 2023. The Complainant verified his complaint on February 2, 2023, which is the fifth (5th) business day from the date the Custodian received the Complainant’s OPRA request. OPRA provides that the Custodian “. . . 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). Here, this complaint is materially defective and shall be dismissed because use of force reports are not immediate access records and because the Complainant verified his complaint before the statutory time period provided for the Custodian to respond had expired.

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.

Effective Date of Disposition: May 30, 2023

Prepared By: Samuel A. Rosado
Staff Attorney

Date: May 23, 2023

Distribution Date: June 5, 2023