

April 27, 2015

Sent via e-mail: 17311-99188238@requests.muckrock.com

Melissa Byrne
MuckRock News
DEPT MR 17311
PO Box 55819
Boston, MA 02205-5819

Dear Ms. Byrne:

You recently filed a follow up request with the Vineland Police Department that was referred to me this morning for response. You are seeking copies of:

- All e-mails and any documents between any employee of the Vineland Police Department (including any Chaplain) and the following clergy members in Vineland, NJ, from December 2014 through April 9, 2015 that include the words "outside agitators," "racism," "black," "ferguson," "riot," "protest":
 - Pastor Paul Barreca, Faith Bible Church, Vineland
 - Pastor Anibal Candelario, Puerta de Refugio Alpha & Omega, Vineland
 - Apostle Daniel E. Clark, Sr Presiding bishop of the Touch of Faith Churches, Vineland
 - Msgr. John H. Burton, Christ the Good Shepherd Parish, Vineland
 - Pastor Nate Howard, Living Faith Alliance Church, Vineland
 - Rev. Susan L. Flicker, First United Methodist Church
 - Gary Holden, Senior Chaplain, Vineland PD
 - Pastor Frank Ippolito, Calvary Chapel, Vineland
 - Pastor George Pena, Maranatha Revival Church, Vineland
 - Pastor Kriston Matthews, Step of Faith Church, Vineland
 - Chaplain Gilda McNair, Vineland
 - Pastor Randy Salter, Life on the Vine Church, Vineland
 - Rev. Jason Scalzi, Chestnut Assembly of God, Vineland
 - Pastor Ralph Snook, Chestnut Assembly of God, Vineland
 - Pastor Gary Stiegler, Redeemer Lutheran Church, Vineland
 - Rabbi Alfredo S. Winter, Beth Israel Congregation, Vineland
 - Pastor Darnell Wise, Mt. Pisgah Church, Vineland

Your request is being denied as overly broad. In Elcavage v. West Milford Township (Passaic), GRC Complaint No. 2009-07 (April 2010), the Council held that an OPRA request for e-mail or e-mails shall therefore focus upon the following four (4) characteristics: Content and/or subject; specific



date or range of dates; sender; and recipient. Your request states from “any employee of the Vineland Police Department, (including any Chaplain),” and fails to specify the recipient(s)/sender(s).

In MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), the Court held that “[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.” The Court further held that “[u]nder OPRA, agencies are required to disclose only ‘identifiable’ government records not otherwise exempt.

Sincerely,
Keith Petrosky
Keith Petrosky, RMC
Municipal Clerk

cc: Mayor Ruben Bermudez
Edward F. Duffy, Esq., Associate Solicitor
Chief Timothy Codispoti, Police
Captain John Lauria, Police
Sgt. Chris Fulcher, Police