



State of New Jersey

OFFICE OF THE GOVERNOR

P.O. Box 001

TRENTON, NJ 08625-0001

PHILIP D. MURPHY
Governor

September 3, 2021

Via Email

Emma North-Best
MuckRock News
Dept MR 118503
411A Highland Avenue
Somerville, Massachusetts 02144-2516

Re: Open Public Records Act (OPRA) Request

Dear Ms. North-Best:


This letter constitutes the response of the Office of the Governor to the attached OPRA request. Please be advised that your request is overbroad under OPRA. OPRA does not allow a blanket request for every document a public agency has on file or a wholesale request for general information. Gannett N.J. Partners, LP v. Cty. of Middlesex, 379 N.J. Super. 205, 212 (App. Div. 2005); MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 549 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 36-37 (App. Div. 2005); Spectraserv, Inc. v. Middlesex County Utilities Auth., 416 N.J. Super. 565, 578 (App. Div. 2010); N.J. Builders Ass'n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 178-79 (App. Div. 2007). Requests for correspondence must identify the individuals or accounts to be searched and be confined to a discrete and limited subject matter. Burke v. Brandes, 429 N.J. Super. 169, 176-78 (App. Div. 2012); see also Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-08 (Apr. 8, 2010) (stating that a proper request for email correspondence must contain "(1) the content and/or subject of the e-mail, (2) the specific date or range of dates during which the e-mail was transmitted or the emails were transmitted, and (3) a valid e-mail request must identify the sender and/or the recipient thereof").

Notwithstanding the above, Governor Murphy issued Executive Order 251 in accordance with P.L.2021, c.103. As set forth in the Executive Order, indoor mask requirements are based, among other things, on recommendations from the Centers for Disease Control and Prevention and the American Academy of Pediatrics, which is available on their websites. The following links contain their current guidance related to schools:

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>
<https://www.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/cloth-face-coverings/>
and <https://www.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/covid-19-planning-considerations-return-to-in-person-education-in-schools/>.

Your OPRA request is hereby closed. This response does not waive or limit any other rights afforded this Office under OPRA or the common law, which are expressly reserved. If you have any questions, please do not hesitate to contact this Office at (609) 777-2588.

Very truly yours,


Heather Taylor
Custodian of Government Records

Enclosure

Office of the Governor - New Jersey
OPRA Office
P.O. Box 001
Trenton, NJ 08625

August 25, 2021

To Whom It May Concern:

Pursuant to the New Jersey Open Public Records Act, I hereby request the following records:

Emails, memos, letters, documents and other records discussing or mentioning implemented or proposed mask mandate policies, as well as discussions regarding their expiration or termination between January 1, 2020 and the present.

I am a member of the news media and request classification as such. I have previously written about the government and its activities, with some reaching over 100,000 readers in outlets such as Gizmodo, MuckRock, Motherboard, Property of the People, Unicorn Riot, and The Outline, among others. As such, as I have a reasonable expectation of publication and my editorial and writing skills are well established. In addition, I discuss and comment on the files online and make them available through non-profits such as the library Internet Archive and the journalist non-profit MuckRock, disseminating them to a large audience. While my research is not limited to this, a great deal of it, including this, focuses on the activities and attitudes of the government itself. As such, it is not necessary for me to demonstrate the relevance of this particular subject in advance.

As my primary purpose is to inform about government activities by reporting on it and making the raw data available, I request that fees be waived.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 7 business days, as the statute requires.

Sincerely,

Emma North-Best

View request history, upload responsive documents, and report problems here:
<https://www.muckrock.com/respond/1150961/>

If prompted for a passcode, please enter:
LJAXHXXV

Filed via MuckRock.com
E-mail (Preferred): 118503-53846804@requests.muckrock.com

For mailed responses, please address (see note):
MuckRock News

RECEIVED FAX

AUG 26 2021

OFFICE OF
CONSTITUENT RELATIONS