

May 22, 2014

To: MKelly@co.ocean.nj.us
Subject: OPRA Request County of Ocean

County of Ocean

Miriam Rankin Kelly
Confidential Aide to the Prosecutor
Ocean County Prosecutor's Office
Via e-mail only to MKelly@co.ocean.nj.us

Please accept this e-mail/fax as my request for government records in accordance with the Open Public Records Act (OPRA) and the common law right of access. Please respond and send all responsive documents to me via e-mail at paff@pobox.com. If e-mail is not possible, please fax responses and responsive records to me at 908-325-0129. Also, I would appreciate it if you would acknowledge your receipt of this e-mail.

I have heard rumors, from several sources, that Cape May County Sheriff Gary G. Schaffer, when he was serving both as Sheriff and as as Director of the Cape May County Public Safety Training Center, was investigated by the Ocean County Prosecutor's Office for some sort of impropriety. It is also rumored that the OCPD also investigated Schaffer for some sort of incidents that allegedly occurred while Schaffer was working at the Ocean City Aquatic Center, presumably in his capacity as a retired Ocean City police officer. I further hear that the Ocean County Prosecutor's office was involved because the Cape May County Prosecutor's office had a conflict in dealing with the alleged investigations.

I am interested in learning whether or not the rumors are true or false. If they are false, I would like to quash them, so as to keep the Sheriff's reputation from being sullied. If they are true, then I'd like to expose them.

Records Requested:

The contents of the investigative file pertaining to any investigation meeting the description in "background" above. Please note that the request is being made under the common law right of access, in addition to OPRA. Thus, the public's interest in knowing about an investigation is very high, given the fact that the Sheriff is an elected official. Also, know that it is my intent, if the rumors are true, to publish the evidence of any investigation on various blogs (such as the Herald's Spout-Off blog) as well as my own blog and let local newspaper reporters know my findings. If a responsive investigative file exist, I want you to describe for me in reasonable detail each record that is in that file to which you are denying access.

Thank you.

John Paff
(voice - 732-873-1251)

JOSEPH D. CORONATO
Ocean County Prosecutor



GLENN MILLER
Chief of Detectives

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Toms River, New Jersey 08754-2191
(732) 929-2027 Fax (732) 288-7227

June 4, 2014

Via Email and Regular Mail

Mr. John Paff
P.O. Box 5424
Somerset, New Jersey 08875

RE: OPRA REQUEST

Dear Mr. Paff:

By follow up to my letter of May 29, 2014 and to your OPRA request dated May 22, 2014, please be advised that I have inquired about your request with this office's investigative unit. I have been informed that the investigation concerning the former Cape May County Sheriff was taken over by the New Jersey State Police (NJSP) immediately after this office began investigating the matter. Consequently, the NJSP took control of all reports related to the matter and no copies were kept by this office.

If you wish to pursue your OPRA request, you will have to contact the Custodian of Records with the NJSP.

Very truly yours,

O. NICHOLAS MONACO, ESQ.
Assistant Prosecutor

ONM/