

State of New Jersey
 Government Records Request
 Receipt

Requestor Information

John Paff
 1605 Amwell Rd
 Somerset, NJ 08873

 paff@pobox.com

 Request Date: June 16, 2015
 Maximum Authorized Cost: \$1.00
 Email

Request Number: W98520
 Request Status: Denied Closed
 Ready Date:
 Custodian Contact Information
 Division of State Police
 Records Custodian
 PO Box 7068
 SP Headquarters - Bldg 15 - River Road
 West Trenton, NJ 08628
 dsp.records@lps.state.nj.us
 609-538-6087
 By _____

Status of Your Request

Your request for government records (# W98520) from the Division of State Police has been reviewed and has been Denied Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Division of State Police. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

Cost Information

Total Cost:	\$0.00
Deposit:	\$0.00
Total Amount Paid:	\$0.00
Balance Due:	\$0.00

Document Detail

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
SP	001	"...A copy of each document in your agency's files regarding the investigation referenced above..."	N		N	N	
Denial: 17.Criminal Investigatory Record ---							

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July 16, 2015

Mr. Paff,

The New Jersey State Police has reviewed your Open Public Records Act request. The records you seek are part of a criminal investigation and include two investigation reports. These records are exempt from public access as criminal investigative records, as per OPRA statute NJSA 47:1A-1 et seq., and I must deny your request.

I suggest that you contact the New Jersey Division of Criminal Justice as an agency that might have records.

Regards,

DSFC Thomas Preston
Custodian of Records
New Jersey State Police

Your request for government records (# W98520) is as follows:

Please accept this e-mail/fax as my request for government records pursuant to the Open Public Records Act and the common law right of access. Please respond to this request and send all responsive documents to me at paff@pobox.com. Thank you. Background: If you consult my blog entry at the link below, you will see that the Ocean County Prosecutor's Office, in a June 4, 2014 letter, confirmed that some sort of investigation into Cape May County Sheriff Gary G. Schaffer was taken over by the New Jersey State Police. Please understand that regardless of OPRA, there's a very strong public interest in knowing what this investigation was based on, the results of the investigation, whether or not the State Police conducted a reasonable investigation, etc. I intend to publicize the results of this request on my blog and otherwise bring it to the attention of citizens and local media. Note that I made a similar request last year, Docket No. W87704, but I was not able to determine from the response whether the investigation was then still open or closed. I am resending my request because, since a year has elapsed, the investigation is more likely to now be closed. The reason this is important is because "the need for confidentiality is greater in pending matters than in closed cases," See *Keddie v. Rutgers*, 148 N.J. 36, 54 (1997). Therefore, I need to know whether the case is presently open or closed so that I can properly evaluate whether to bring a lawsuit if you were to deny my request. Records Requested: A copy of each document in your agency's files regarding the investigation referenced above. For each document that you elect to suppress in its entirety, please identify it in writing with reasonable clarity (so that I understand what it is to which I am being denied access) and set forth the detailed legal basis justifying the suppression. Without knowing the nature of each record to which access is denied, it is impossible for me to predict whether my lawsuit for disclosure would be successful. Also, as stated above, if you deny my request, please indicate whether or not the investigation is presently open or closed. <http://njrandomgovt.blogspot.com/2014/06/apparent-investigation-of-capemay.html>