

County reaches settlement in open public records case

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From Staff Reports tsnews@sjnewsco.com

SALEM - The county reached an out-of-court settlement recently in the case of a complaint filed against it for failing to make available public records.

Earl Gage, county administrator and clerk of the Salem County Board of Chosen Freeholders and official county Custodian of Records, announced that he and public advocate Shirlee Manahan - who filed the motion - have reached an agreement in the case.

In the complaint, allegations arose from a series of 2006 OPRA (Open Public Records Act) requests made by Manahan to Gage's office. The agreement reached will ensure that future requests made by the public will be dealt with in a fair and readily-accessible manner, officials said.

According to Manahan, the county lost a ruling by the Government Records Counsel and was facing a hearing before the New Jersey Office of Administrative Law for failing to comply with OPRA.

"I never expected to wind up in court when I made my records request. Salem County forced the issue when they unlawfully denied a legal request for public records. I simply wanted access to records I am legally entitled to see," said Manahan. "I believe this settlement is a small step towards bringing transparency in Salem County government and will benefit all citizens of Salem County in future OPRA requests."

According to the terms of the settlement, the official county Web site www.salemcountynj.gov will now clearly note all statutes associated with OPRA requests and will provide downloadable OPRA request forms.

Gage and county counsel will review all resolutions pertaining to public records for their compliance with New Jersey statutes and will instruct all employees that handle OPRA requests to do so according to the guidelines provided.

"Government must be transparent. It's even a shame that a law had to be written to compel governments to release public documents," said Manahan. "I am grateful to the Government Records Counsel for bringing the full weight of OPRA to force Salem County to release public records and review its policies."

It is the hope of both Manahan and Gage that the resolution of this complaint will in the future benefit all those who wish to obtain public records, which is their right by law. Further information can be obtained at Manahan's Web site, www.salemcountywatchdog.com.