

OPRA requests / Update the law

Posted: Monday, September 16, 2013 12:01 am

New Jersey's Open Public Records Act is a valuable tool for promoting government transparency.

It is also, it must be acknowledged, a major pain in the neck for many town clerks.

Galloway Township has become an example of what can go wrong when the requirements of the law - and some overzealous users - come up against the limited staffing in a small town.

An influx of public-record requests that started in 2011 swamped the municipality and started a cycle it is still trying to recover from. As has been the case in other towns, almost all of the requests came from just a few people.

This is unfortunate, but it shouldn't make anyone doubt the importance of open government or the public-records law, which has been a great success overall.

Galloway officials are now hoping that they can get a handle on OPRA requests by posting more records on the township website, something open-government advocates have been suggesting for a long time.

Municipal officials frequently complain that the public-records law can be misused by politicians trolling for information about their rivals, people bent on harassing municipal governments and businessmen who want local officials to do their research for them.

State Sen. Loretta Weinberg, D-Bergen, has sponsored a bill (S2512) to update provisions of the OPRA law, allowing requests for records to be made by email, for instance. But the bill would also give municipalities legal remedies against abusive requests and frivolous lawsuits and would allow towns to recover costs associated with large requests by businesses.

OPRA is undeniably necessary but by no means perfect. Lawmakers should support these changes and should consider other changes, such as setting clear guidelines for the kind of fishing-expedition requests that clerks can legitimately reject.

And municipalities, counties and other government entities should realize that the best way to deal with OPRA is to get behind the spirit of the law, post all public documents on their websites and make government as open and transparent as possible.