

BEFORE THE PENNSYLVANIA OFFICE OF OPEN RECORDS

IN THE MATTER OF:

MICHELLE GROVE,

Requester,

v.

GREGG TOWNSHIP,

Respondent.

No. AP 2018-0953

ATTESTATION OF JENNIFER SNYDER

I, Jennifer Snyder, make the following attestation under the penalty of perjury:

1. I am the Right-to-Know Officer for the Respondent, Gregg Township.
2. I received a Standard Right-to-Know Request Form from Michelle Grove on May

22, 2018, which requested the following information:

- * 5/10/2018 Video Recording of May 2018 Board of Supervisors Meeting.
- * March-April 2018 Solicitor Invoices ELECTRONIC COPIES OR INSPECTION
- * 5/13/2018-5/19/2018 Internet browsing history of all township-owned desktop and laptop computers. ELECTRONIC COPIES OR INSPECTION.
- * 2018 Statements of Financial Interest ELECTRONIC COPIES OR INSPECTION

3. On the same day that I received the foregoing request, May 22, 2018, I called the Office of Open Records and left a message seeking advice about how to respond to Ms. Grove's request regarding browser history of all township computers.

4. In particular, I was unsure whether all browser history was considered to be disclosable under the Right to Know Law, and I worried about disclosing all such records if some of them contained personal information relating to township employees' personal matters.

5. Later the same day, George Spiess returned my phone call.

6. In that phone call, Mr. Spiess told me that, out of more than 19,000 appeals that have been processed by the Office of Open Records, only two have dealt with internet browser histories, and that one of those cases, *Michael Marshall v. South Whitehall Police Department*, OOR No. AP 2017-1702, guided this matter involving Ms. Grove's request.

7. Mr. Spiess further stated that, pursuant to relevant law, including that set forth in the *Marshall* matter noted above, the township should disclose only township-related business from the browser histories and redact all other matters, like websites that an employee may have visited on his or her personal time.

8. Mr. Spiess concluded by stating that, since Ms. Grove is unable to inspect the computer itself, I would need to print out the browser history and physically redact the records, and as such, Ms. Grove would need to pay for the printed record.

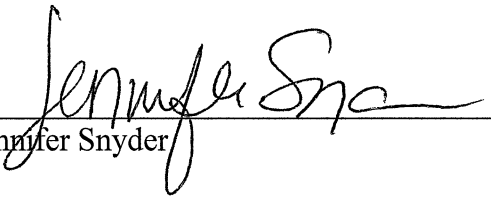
9. I provided a response to Ms. Grove's request on May 29, 2018, which followed all of Mr. Spiess' directions regarding the request for internet browser history; the response also granted the remaining portions of Ms. Grove's request.

10. On May 30, 2018, Ms. Grove obtained a copy of the requested video recording and inspected the requested solicitor invoices and statement of financial interest forms.

11. This appeal, therefore, only pertains to Ms. Grove's request for browser history and her refusal to pay \$41.00 for access to those records.

12. Given the information set forth above, the Township has remained ready, willing, and able to respond to Ms. Grove's request, as soon as she pays for the requested records, in accordance with the posted payment procedures regarding access to public records.

13. I hereby certify that the facts contained in the foregoing Attestation are true and correct to the best of my knowledge, information, and belief, and that I make this Attestation subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.


Jennifer Snyder

Dated: June 12 2018