



Borough of Camp Hill

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Camp Hill, PA 17011
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December 29, 2017

Dennis Owens
3235 Hoffman Street
Harrisburg, PA 17110

Thank you for writing to the Borough of Camp Hill ("Borough") with your request for information pursuant to the Pennsylvania Right-To-Know Law, 65 Pa.P.S. §67.101 *et seq.* On November 6, 2017, the Borough received your request for the duplication of:

All emails, text messages, and Facebook messages to and from the police chief in 2011, 2012, 2013, 2014, 2015, 2016, and 2017 about Jay Klinger, towing, and maintenance/repair work on police vehicles.

Your request is DENIED because the records do not exist. Prison Legal News v. Office of Open Records, 992 A.2d 942, 949 fn. 11, (Pa. Commw. 2011) (no explanation for denial is necessary where records do not exist). Your request is also denied as a disruptive request under 65 P.S. § 506 (a)(1).

To the extent you seek the same records that Amanda St. Hilaire and ABC 27 News requested on January 6, 2017 (i.e. "All emails to and from Camp Hill Police ... about or related to towing services ... between 2010 and present"/"All text messages to and from Camp Hill police about or related to towing services") your request is disruptive. The Borough paid its third-party IT provider to perform several searches of its email server to determine if those records exist. The Borough incurred significant legal fees to defend an appeal to the Office of Open Records. ABC 27 agreed in a court approved settlement that it would not continue to seek these records. The Borough reserves the right to seek counsel fees since this request violates the court approved settlement.

Your request is also disruptive because it seeks, in part, the same records that Amanda St. Hilaire and ABC 27 requested on October 26, 2017 for "All letters, emails, text messages, and Facebook messages from mechanics and owners/managers of auto shops to police chief about repairs to Camp Hill police cars in 2010, 2011, 2012, 2013, 2014, 2015, 2016 and so far in 2017." At the time that request was received, the Borough interpreted that request to include any correspondence (emails, texts, Facebook messages) that may exist between the Borough Police Chief and Jay Klinger, regarding maintenance/repair work on vehicles, since Mr. Klinger is a mechanic with the "auto shop" G.A. Smith. Chief Hockenberry confirmed that such records are maintained by the Police Department.

Your request is also disruptive because it seeks the exact same records that Amanda St. Hilaire and ABC 27 requested on November 6, 2017. The Borough confirmed in its response dated December 14, 2017 that such records do not exist.

Sincerely,

A handwritten signature in black ink, appearing to be 'Pat Dennis', with a long horizontal flourish extending to the right.

Pat Dennis
Borough Manager, Open Records Officer