

RTK-254



**pennsylvania**  
OFFICE OF OPEN RECORDS



**Springettsbury Township**  
1501 Mt. Zion Road  
York, PA 17402  
(717) 757-3521 (Phone)  
(717) 505-0455 (Fax)  
www.springettsbury.com

**STANDARD RIGHT-TO-KNOW REQUEST FORM**

DATE REQUESTED: 2/11/14

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTOR: Alina M. Dusharm

STREET ADDRESS: 145 E. Market Street

CITY/STATE/COUNTY (Required): York, PA 17401

TELEPHONE (Optional): [REDACTED]

RECORDS REQUESTED:  
*\*Provide as much specific detail as possible so the agency can identify the information.*

See Attached Addendum A

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER: JOHN J. HOLMAN, TOWNSHIP MANAGER/SECRETARY  
john.holman@springettsbury.com

DATE RECEIVED BY THE AGENCY: 2/11/14

AGENCY FIVE (5)-DAY RESPONSE DUE: 2/18/14

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

30 day 3/18/14

Questions: please contact the Office of Open Records at (717) 346-9903 or [openrecords@state.pa.us](mailto:openrecords@state.pa.us)

**Springettsbury Township**  
***Right to Know Request***

**Addendum A**

**Records Requested:**

1. All Records of Citizen's Complaints within the last 5 years which were filed against the Springettsbury Township Police Department, or an Officer of the police department
  - a. Police reports relating to the incident complained of;
  - b. Documents relating to the incident complained of;
  - c. Documents prepared during an investigation into the Citizen's complaints.
2. Records documenting all legal actions filed within the last 5 years against the Springettsbury Township Police Department, or an Officer of the police department.
3. Documents prepared in the course of any disciplinary investigations against any Officer of the police department in the last 5 years. Personal information may be redacted.



COAT OF ARMS OF SPRINGETT PENN  
1701-1731

## SPRINGETTSBURY TOWNSHIP

1501 Mt. Zion Road  
York, Pennsylvania 17402  
717-757-3521 Fax: 717-757-7856  
www.springettsbury.com  
email: info@springettsbury.com

Police: 717-757-3525 Fax: 717-840-1908  
Police and Fire Emergencies - Dial 911  
Recreation Office: 717-505-0406

Wastewater Treatment Facility  
3501 North Sherman Street  
717-757-3521 Fax: 717-840-0680

### BOARD OF SUPERVISORS

George M. Dvoryak  
Chairman

Julia A. Landis  
Vice Chairman

Mark M. Swornley  
Assistant Secretary/Treasurer

William H. Schenck, III

Kathleen A. Phan

### TOWNSHIP MANAGER

John J. Holman  
Secretary

February 17, 2014

Elina M. Dusharm, Esq.  
145 E. Market Street  
York, PA 17401

Re: **RIGHT-TO-KNOW REQUEST**  
**Springettsbury Police Department**

Dear Ms. Dusharm,

Thank you for writing to Springettsbury Township with your request for information regarding the Springettsbury Township Police Department.

Your request was for:

1. All Records of Citizens Complaints within the last 5 years which were filed against the Springettsbury Township Police Department, or an Officer of the police department.
  - a. Police reports relating to the incident complained of;
  - b. Documents relating to the incident complained of;
  - c. Documents prepared during an investigation into the Citizen's complaints.
2. Records documenting all legal actions filed within the last 5 years against the Springettsbury Township Police Department, or an Officer of the police department.
3. Documents prepared in the course of any disciplinary investigation against any Officer of the police department in the last 5 years. Personal information may be redacted.

As we discussed in our phone conversation of February 11, 2014 item number 2 of your request can be satisfied by providing a list of legal actions commenced against the department and/or an office of the department acting in their capacity as an employee of the department. Please also include the court and docket numbers in this list.

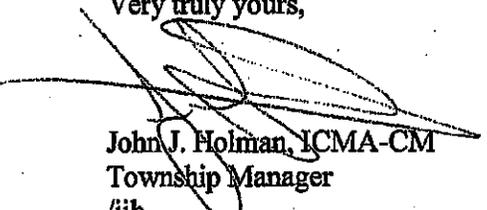
I reviewed the request and an extension of time to respond is required due to the reasons set forth below. The Township anticipates responding to your request no later than March 18, 2014.

- The extent or nature of the request precludes a response within the required time period.
- The request requires the retrieval of historic records.
- Timely response to the access cannot be accomplished due to bona fide and specified staffing limitations.

The applicable fees associated with your request are unknown at this time. You will be advised of the estimated fees after completion of review of your request.

If you have any questions please do not hesitate to contact me.

Very truly yours,

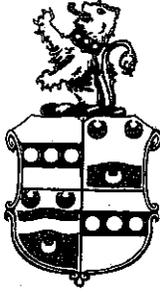


John J. Holman, ICMA-CM  
Township Manager

/jjh

cc: Charles Rausch, Township Solicitor  
Patricia Lang, Director of Community Development  
Chief McCoy, YAUFRR  
Mark Hodgkinson, Director of Public Works

File: Right-to-Know



COAT OF ARMS OF SPRINGETT PENN  
1701-1731

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## TOWNSHIP MANAGER

John J. Holman  
Secretary

March 17, 2014

Alina M. Dusharm, Esq.  
145 E. Market Street  
York, PA 17401

Re: **RIGHT-TO-KNOW REQUEST**  
**Springettsbury Police Department**

Dear Ms. Dusharm,

Thank you for writing to Springettsbury Township with your request for information regarding the Springettsbury Township Police Department.

Request #1. All Records of Citizens Complaints within the last 5 years which were filed against the Springettsbury Township Police Department, or an Officer of the police department.

- a. Police reports relating to the incident complained of;
- b. Documents relating to the incident complained of;
- c. Documents prepared during an investigation into the Citizen's complaints.

Your request #1 is denied.

- A. Section 708(b)(7)(vi) – Written criticisms of an employee.
- B. Section 708(b)(17) – a record relating to a noncriminal investigation, including complaints submitted to an agency and investigative materials, notes, correspondence and reports..
- C. Section 708(b)(10)(i)(A) – a record reflecting the internal, predecisional deliberations of an agency, its members, employees or officials or predecisional deliberations between agency members, employees or officials and members, employees or officials of another agency.

2. Records documenting all legal actions filed within the last 5 years against the Springettsbury Township Police Department, or an Officer of the police department. As we discussed in our phone conversation of February 11, 2014 item number 2 of your

request can be satisfied by providing a list of legal actions commenced against the department and/or an office of the department acting in their capacity as an employee of the department. Please also include the court and docket numbers in this list.

Your request #2 is approved in part and denied in part.

Your request is approved as the Township is providing the cover sheet for legal actions which include court and docket numbers, if a claim was filed in the Courts. 10 pages.

Your request is denied in that the Township does not have a specific list on file of these legal actions.

- A. Format of Report: Section 705: ...an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner which the agency does not currently compile, maintain, format or organize the record.

3. Documents prepared in the course of any disciplinary investigation against any Officer of the police department in the last 5 years. Personal information may be redacted.

Your request #3 is approved in part and denied in part.

Approved in that no personnel were demoted or discharged.

Denied in part for all records of disciplinary investigations:

- A. Section 708(b)(7)(vi) – Written criticisms of an employee.
- B. Section 708(b)(7)(viii) – Information regarding discipline, demotion or discharge contained in a personnel file. This subparagraph shall not apply to the final action of an agency that results in demotion or discharge.
- C. Section 708(b)(17) – a record relating to a noncriminal investigation, including complaints submitted to an agency and investigative materials, notes, correspondence and reports.
- D. Section 708(b)(10)(i)(A) – a record reflecting the internal, predecisional deliberations of an agency, its members, employees or officials or predecisional deliberations between agency members, employees or officials and members, employees or officials of another agency.

The cost of the copy of the documents is 10 pages @ .25 cents per page, or \$2.50 if picked up from the municipal office. Should you wish to have the information mailed, the additional cost is \$0.90 for a total cost of \$3.40.

The documents can be picked up or mailed upon receipt of payment to Springettsbury Township. Contact Ms. Dori Bowders, at 717-757-3521, to schedule a time to pick up the documents.

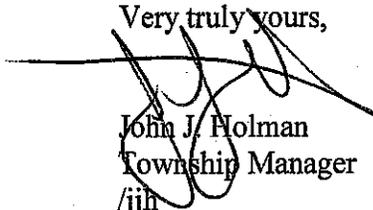
You have a right to appeal denial of information in writing to the York County Office of the District Attorney, 45 N. George Street, York, PA 17401.

If you choose to file an appeal, you must do so within fifteen business days of the mailing date of the agency's response, as outlined in Section 1101.

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

If you have any questions please do not hesitate to contact me.

Very truly yours,



John J. Holman  
Township Manager

/jjh

cc: Charles Rausch, Township Solicitor  
Chief Hyers, Police Department  
Betty Speicher, Director of Human Resources  
Bruce Walsh, Risk Management Consultant

File: Right-to-Know - 254