



pennsylvania

OFFICE OF OPEN RECORDS

FINAL DETERMINATION

IN THE MATTER OF

**STEVEN HALL,
Requester**

v.

**WEST SALEM TOWNSHIP,
Respondent**

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: **Docket No: AP 2026-1380**
: **(Consolidated with OOR Dkt.**
: **AP 2026-1174)**
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:

FACTUAL BACKGROUND

On February 9, 2026, Steven Hall (“Requester”) submitted a request¹ (“Request”) to West Salem Township (“Township”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking “copies of the following records for calendar year 2024 and 2025”:

1. All bank statements for all accounts held by the [T]ownship, including checking, savings, and money market accounts[;]
2. Copies of all checks issued by the [T]ownship, including front and back images, showing the payee, amount, date, and endorsement information. These records should include deposits, withdrawals, balances, and transaction activity.

On February 16, 2026, the Township invoked a thirty-day extension to respond; however, as the Township did not respond within the extension period, the Request was deemed denied on or about

¹ The Request was emailed to the Township on February 7, 2026, a Saturday, and is considered to have been received on the next business day, Monday, February 9, 2026.

March 18, 2026. *See* 65 P.S. § 67.902(b)(2). Notably, however, the Township emailed the Requester on March 30, 2026, advising him that his “[r]ecords are ready to be picked up.”

On April 7, 2026, the Requester appealed² to the Office of Open Records (“OOR”), challenging the partial denial and stating grounds for disclosure.³ The Requester argues that the “bank statements came with signatures redacted on certain checks or [were not] visible” and asks the Township to reprint “the bank statements for signatures to be visible on back of checks and not redacted.” The OOR invited both parties to supplement the record and directed the Township to notify the OOR if any third parties have a direct interest in this appeal. 65 P.S. § 67.1101(c).

On April 27, 2026, the Township submitted a position statement, the factual contents of which were verified under the penalties set forth in 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities), by Kelly Fenton, the Township’s Open Records Officer. The Township argues that it produced the public financial information sought in the Request but redacted certain personal identification information from the records pursuant to Section 708(b)(6) of the RTKL, 65 P.S. § 67.708(b)(6), and the constitutional right to privacy. More specifically, the Township redacted account-routing information, banking data, and handwritten endorsement signatures from the responsive checks.⁴

On the same day, the Requester submitted correspondence noting that certain checks were signed differently from others, as well as copies of various redacted records. On May 13, 2026,

² The Requester filed two separate appeals involving the Request, which were docketed as OOR Dkts. AP 2026-1174 and AP 2026-1380. Because the appeals involve the same parties, Request and responsive records, they are hereby consolidated into the above-captioned docket, OOR Dkt. AP 2026-1380.

³ The Requester granted the OOR a thirty-day extension to issue a final determination. *See* 65 P.S. § 67.1101(b)(1) (“Unless the requester agrees otherwise, the appeals officer shall make a final determination which shall be mailed to the requester and the agency within 30 days of receipt of the appeal filed under subsection (a).”). Additionally, this appeal was reassigned to the undersigned Appeals Officer for disposition on May 13, 2026.

⁴ On his appeal form, the Requester only challenges the redaction of the endorsement signatures on the reverse side of the responsive checks; as such, the OOR will not further address the redaction of account-routing information and bank data from the records.

the Requester submitted additional correspondence, explaining the background associated with the Request and asserting that the citizens of the Township should have access to the requested records without redaction to ensure they have “a meaningful voice in how their tax dollars are spent.”

LEGAL ANALYSIS

The Township is a local agency subject to the RTKL. 65 P.S. § 67.302. Records in the possession of a local agency are presumed to be public, unless exempt under the RTKL or other law or protected by a privilege, judicial order or decree. *See* 65 P.S. § 67.305. As an agency subject to the RTKL, the Township is required to demonstrate, “by a preponderance of the evidence,” that records are exempt from public access. 65 P.S. § 67.708(a)(1). Preponderance of the evidence has been defined as “such proof as leads the fact-finder ... to find that the existence of a contested fact is more probable than its nonexistence.” *Pa. State Troopers Ass’n v. Scolforo*, 18 A.3d 435, 439 (Pa. Commw. Ct. 2011) (quoting *Pa. Dep’t of Transp. v. Agric. Lands Condemnation Approval Bd.*, 5 A.3d 821, 827 (Pa. Commw. Ct. 2010)).

The Township denied access to endorsement signatures pursuant to Section 708(b)(6) of the RTKL, 65 P.S. § 67.708(b)(6)(i)(A), and the constitutional right to privacy. Although the signatures are not the type of personal identification information permitted to be withheld under Section 708(b)(6), it is well-settled that individuals possess a right to privacy in certain types of personal information and, when a RTKL request implicates this personal information, the individuals’ privacy interests must be balanced with the public’s interest in disclosure when determining whether to release the information. *See Pa. State Educ. Ass’n v. Commonwealth (“PSEA”)*, 148 A.3d 142 (Pa. 2016). In this case, the information claimed to be protected from disclosure consists of endorsement signatures from the reverse side of checks issued by the Township, which the OOR has previously determined to be the type of personal information

subject to the balancing test. *See, e.g., Quest Research & Investigations, LLC v. Pa. Dep't of Labor & Industry*, OOR Dkt. AP 2019-2619, 2020 PA O.O.R.D. LEXIS 1347 (concluding that “there is no doubt that an individual’s signature is ‘personal’ to that individual and that they may have a right to privacy in it”). Accordingly, the interests of the respective parties must be balanced before determining whether the signatures may be released.

The Township argues that there is no meaningful public interest compelling the disclosure of the endorsement signatures, particularly when “[t]he identity or handwriting of a private endorser does not illuminate Township budgeting decisions, purchasing decision, authorization of expenditures, or any other governmental function.” Conversely, the Requester generally asserts that citizens have a right to know how their taxpayer dollars are being spent and, as such, the records should be provided without redaction. Under the circumstances of this case, we agree with the Township. The Requester does not explain, and the OOR cannot perceive, how the endorsement signatures would aid the Requester in understanding of how funds are spent by the Township. Insofar as the Requester desires to know where funds are being expended, the front of the checks provided by the Requester clearly identify the recipient(s) of the funds, as well as the amounts paid by the Township. While information contained in an agency’s financial records may be entitled to a lesser privacy interest in some circumstances, *see* 65 P.S. § 67.708(c), a requester must still articulate a public benefit in disclosure of the information which is sufficiently connected to the information withheld by the agency and which outweighs any privacy interests, even if diminished. The Requester has not done so in this case; accordingly, the Township may redact the endorsement signatures from the records.

CONCLUSION

For the foregoing reasons, the appeal is **denied**, and the Township is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal to the Mercer County Court of Common Pleas. 65 P.S. § 67.1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond as per 65 P.S. § 67.1303, but as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.⁵ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: 4 June 2026

/s/ Joshua T. Young

JOSHUA T. YOUNG
SENIOR DEPUTY CHIEF COUNSEL

Sent via OOR e-file portal to: Steven Hall; Jason R. Dibble, Esq.; Kelly Fenton, AORO

⁵ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).