pennsylvania
OFFICE OF OPEN RECORDS

FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
EVAN ROBERT WOOD,	:	
Requester	:	
	:	
v.	:	**Docket No: AP 2026-4228**
	:	
PENNSYLVANIA OFFICE OF ADMINISTRATION,	:	
Respondent	:	

FACTUAL BACKGROUND

On August 14, 2026, Evan Robert Wood ("Requester") submitted a request ("Request") to the Pennsylvania Office of Administration ("Office") pursuant to the Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 *et seq*. seeking records related to the Office's "role in Evan R. Wood's 2019 DCNR Seasonal Ranger Trainee application and July 31, 2019 conditional-offer withdrawal, including CHAD intake, criminal-history and job-relatedness review, OA/DCNR communications, NEOGOV audit history, governing policies, and later retention or disposition records."

On September 23, 2026, following a thirty-day extension during which to respond, 65 P.S. § 67.902(b), the Office partially denied the Request, arguing that redacted information is exempt personal identification information under 65 P.S. § 67.708(b)(6)(i) and that it does not possess records for certain parts of the Request.

On September 28, 2026, the Requester appealed to the Office of Open Records ("OOR"), challenging the denial and stating grounds for disclosure. The OOR invited both parties to supplement the record and directed the Office to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On October 9, 2026, the Office submitted a position statement reiterating its grounds for denial, along with attestations made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities, from Open Records Officer Wha Lee Strohecker ("Strohecker Attestation"), Chief Counsel Anthony Holbert ("Holbert Attestation"), and Deputy General Counsel Keith Herbster ("Herbster Attestation"). On October 27, 2026, in response to a prompt from the OOR, the Office submitted a second attestation from Open Records Officer Strohecker ("Revised Strohecker Attestation").

On October 27, 2026, the Requester consented to extend the Final Determination deadline to November 13, 2026, 65 P.S. § 67.1101(b), and he submitted a reply to the Revised Strohecker Attestation.

LEGAL ANALYSIS

The Office is a Commonwealth agency subject to the RTKL. 65 P.S. § 67.301. Records in the possession of a Commonwealth 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 Office 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)).

One method an agency may use in meeting the burden of proof that a record is exempt is testimonial affidavits, which if "found to be relevant and credible may provide sufficient evidence in support of a claimed exemption." *McGowan v. Pa. Dep't of Envtl. Prot.*, 103 A.3d 374, 381 (Pa. Commw. Ct. 2014) (quoting *Heavens v. Pa. Dep't of Envtl. Prot.*, 65 A.3d 1069, 1073 (Pa. Commw. Ct. 2013)). Such "affidavits must be detailed, nonconclusory, and submitted in good faith." *Office of the Governor v. Scolforo*, 65 A.3d 1095, 1103 (Pa. Commw. Ct. 2013) (en banc) (citation omitted). Attestations and affidavits that are "conclusory or merely parrot [an] exemption do not suffice" to satisfy an agency's burden of proof. *Pa. Dep't of Educ. v. Bagwell*, 131 A.3d 638, 659 (Pa. Commw. Ct. 2016). "In other words, a generic determination or conclusory statement are not sufficient[.]" *Scolforo,* 65 A.3d at 1103.

1. The Office demonstrated that no additional responsive records exist

The Office argues that a good faith search was conducted, and that no additional responsive records exist. In response to a request for records, "… an agency shall make a good faith effort to determine … whether the agency has possession, custody or control of the identified record[.]" 65 P.S. § 67.901. While the RTKL does not define the term "good faith effort," in *Uniontown Newspapers, Inc. v. Pa. Dep't of Corr.*, the Commonwealth Court stated:

> As part of a good faith search, the open records officer has a duty to advise all custodians of potentially responsive records about the request, and to obtain all potentially responsive records from those in possession… When records are not in an agency's physical possession, an open records officer has a duty to contact agents within its control, including third-party contractors ... After obtaining potentially responsive records, an agency has the duty to review the records and assess their public nature under … the RTKL.

185 A.3d 1161, 1171-72 (Pa. Commw. Ct. 2018) (citations omitted) (*Uniontown Newspapers I*), *aff'd*, 243 A.3d 19 (Pa. 2020) (*Uniontown Newspapers II*). An agency must show, through detailed evidence submitted in good faith from individuals with knowledge of the agency's records, that it has conducted a search reasonably calculated to uncover all relevant documents. *See Burr v. Pa. Dep't of Health*, OOR Dkt. AP 2021-0747, 2021 PA O.O.R.D. LEXIS 750; *see also Mollick v. Twp. of Worcester*, 32 A.3d 859, 875 (Pa. Commw. Ct. 2011).

Here, the Office submitted the attestation of Open Records Officer Wha Lee Strohecker, who attests that a search was conducted and that no additional responsive records exist in the Office's possession, custody or control. Strohecker Attestation, ¶¶ 14, 19, 21, 29. Based upon this evidence, the Office demonstrated that it conducted a good faith search for responsive records as required by 65 P.S. § 67.901 and did not locate any additional records. Therefore, based on the evidence provided, the Office has met its burden of proof that it does not possess additional responsive records. *Hodges v. Pa. Dep't of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011) (citing 65 P.S. §67.708).

2. The Office proved records contain exempt personal identification information

Section 708(b)(6) of the Right-to-Know Law exempts from disclosure "[a] record containing all or part of a person's Social Security number, driver's license number, personal financial information, home, cellular or personal telephone numbers, personal e-mail addresses, employee number or other confidential personal identification number." Here, Strohecker attests:

> 22. Some of the collected records contained the following types of information: all or part of a person's social security number; driver's license number; personal financial information; personal health information; home, cellular, or personal telephone numbers; personal email addresses; and employee number or other confidential personal identification.

Revised Strohecker Attestation, ¶ 22.

Based upon this evidence, the Office demonstrated that certain redactions were made for information that is exempt from disclosure. Therefore, the Office has met its burden of proof as to exempt personal identification information. 65 P.S. § 67.708(a)(1).

CONCLUSION

For the foregoing reasons, the appeal is **denied**, and the Office is not required to take further action. Within thirty days of the mailing date of this Final Determination, any party may appeal to the Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules 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.[1] 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 openrecords.pa.gov.

FINAL DETERMINATION ISSUED AND MAILED: November 11, 2026

/s/ Josh Macel

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JOSH MACEL
APPEALS OFFICER

Sent via OOR Portal to: Evan Wood; Wha Lee Strohecker (AORO); Bryan Bartosik-Velez, Esq.

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