



For Immediate Release:

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Office of Open Records grants Delaware Riverkeeper Network appeal
Delaware Riverkeeper Network secures access to Public Information denied by Government

Bridgeport, PA - The Pennsylvania Office of Open Records sided with the Delaware Riverkeeper Network and granted the organization's Right to Know law appeal on September 13, 2021. Delaware Riverkeeper Network, seeking to assess environmental implications while researching a potentially contaminated site, filed a Right to Know request with Bridgeport Borough. The Borough denied the request on July 14, 2021. Delaware Riverkeeper Network filed an appeal on August 4, 2021 challenging the Borough's many claims of exemption and its denial of the requested public records.

"It is disturbing that once again a nonprofit community organization, the Delaware Riverkeeper Network, had to invest time and resources in defending the rights of people to access information from their government. We are disappointed that government officials would so obviously try to misuse the law to shield public documents from public view. We thank the Appeals Officer for the swift decision that will provide us access to the information needed to assess this situation that could have important public and environmental ramifications," **said Maya K. van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network.**

The Appeals Officer specifically found that, "While the exemptions raised by the Borough could plausibly shield some responsive records from production, the Borough has neither identified what records are at issue in this appeal nor submitted any evidence in support of these exemptions... The unsworn statements of the Borough cannot be relied upon as competent evidence by the OOR and are insufficient to meet the Borough's burden under the RTKL. Finally, even if the Borough's position statement was taken as evidence, the Borough's statements are merely conclusory assertions that the exemptions apply; to meet its burden, an agency must submit attestations which are sufficiently detailed to show the finder of fact how each exemption applies to the responsive records."

The Final Determination states that the Borough is required to provide all responsive records within thirty days.

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