

BOROUGH OF WEST EASTON COUNCIL

RESOLUTION NO. 2019 - 016

RESOLUTION TO AMEND THE RIGHT TO KNOW LAW AND PROVIDE RELIEF FROM VEXATIOUS REQUESTERS, Act 3 of 2008, Enacted January 1, 2009

WHEREAS the current Pennsylvania Right To Know Law allows a single individual to submit an unlimited amount of requests to a public body;

WHEREAS requests for information are not subject to disclosure of their purpose;

WHEREAS Pennsylvania communities are suffering from vexatious requesters whose intent is to harass and/or overburden the public body and/or public employees;

WHEREAS the Office of Open Records states, "citizens should use good judgment in seeking records from the public body and not use this law to harass or overburden a public body from performing its job";

WHEREAS the current Pennsylvania Right To Know Law provides no relief or recourse for a public body, to deter citizens who use the law to harass or overburden the public body;

WHEREAS communities and public bodies are suffering from vexatious requesters who cost local taxpayers tens of thousands of dollars in labor, attrition of overwhelmed employees, hiring additional staff to answer requests, and solicitor costs to defend appeals;

WHEREAS the current Right To Know Law is being abused by vexatious requesters who are using the law as a retaliatory weapon, rather than for the public good;

NOW THEREFORE be it resolved, that the Borough of West Easton Council urges the Pennsylvania State Legislature to enact an amendment to:

- 1. Include and define the words, "harass" and "overburden" in the current Right To Know Law.**
- 2. Alternatively, provide a venue of remedy for a public body to solicit relief from the Office of Open Records, the Courts, or a designated Commission to address those who could be recognized as a "Vexatious Requester."**

Resolved this 13th day of May, 2019 by Borough of West Easton Council in open meeting duly assembled at 237 Seventh Street, West Easton, Pennsylvania.

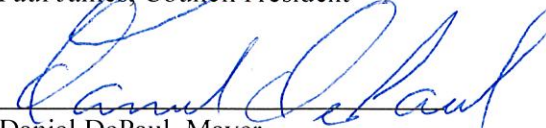
BOROUGH OF WEST EASTON

NORTHAMPTON COUNTY, PA

Attested:


Joan Heebner, Secretary


Paul James, Council President


Daniel DePaul, Mayor