

## PENNSYLVANIA STATE POLICE Bureau of Records & Identification RIGHT-TO-KNOW OFFICE 1800 Elmerton Avenue Harrisburg, PA 17110

Mailing Date: July 31, 2013

Ryan Bagwell 5219 Shorecrest Drive Middleton, Wisconsin

OOR Docket No.: AP 2013-0879

Dear Mr. Bagwell:

On March 25, 2013, the Pennsylvania State Police (PSP) received your request for information pursuant to the Pennsylvania Right-to-Know Law (RTKL), 65 P.S. §§ 67.101 – 67.3104, wherein you requested, "copies of emails, memos, faxes, letters, and reports that were sent or received between November 1, 2011, and Dec. 31, 2012, between members of your agency and the following individuals or entities:

- 1. employees of Freeh International Solutions
- 2. employees of the Freeh Group
- 3. employees of the law firm Freeh, Sporkin & Sullivan, LLP
- 4. employees of the law firm Pepper Hamilton, LLP
- 5. Louis Freeh
- 6. Omar McNeil
- 7. Tom Cloud
- 8. Greg Paw
- 9. other individuals whose email addresses contains the freehgroup.com domain."

In accordance with the Final Determination of Appeals Officer Kyle Applegate, Esquire, dated July 1, 2013, the PSP has conducted a vigilant search for copies of emails, memos, faxes, letters, and reports that were sent or received between November 1, 2011, and Dec. 31, 2012, between members of PSP and the following individuals:

- 1. Louis Freeh
- 2. Omar McNeil
- 3. Tom Cloud
- 4. Greg Paw

However, without a stated subject matter, or specific PSP recipient of the emails, the PSP can only conclude from the inclusion of the Freeh Group that the correspondences you seek are relative to the Penn State / Sandusky investigation. Based upon that premise, the PSP was able to find a record log of a single correspondence dated January 13, 2012, which was addressed to the Office of the Attorney General and copied to PSP. The correspondence was logged in by the PSP Commissioner's office under number 41482 and directed to the Bureau of Criminal Investigation (BCI). A search for this correspondence was conducted by BCI but the correspondence could not be located. The search consisted of checking correspondence records and conferring with individuals who were involved in the Sandusky investigation.

Likewise, PSP Bureau of Technology was requested to conduct a search for emails. The Bureau of Technology conferred with the Pennsylvania Office of Administration. The Office of Administration related that message tracking only goes back 30 days. In order to conduct a search, the OA would need to know the individual recipient's name, the sender (which we know the four individuals subject to the determination) and the subject line. Nevertheless, PSP did communicate with individuals who were involved in the Sandusky investigation who determined they did not have any emails, faxes or other correspondences from any of the named individuals.

Respectfully,

William A. Rozjer, J.D.

Agency Open Records Officer

Pennsylvania State Police

Bureau of Records & Identification

Right-to-Know Office

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CC:

Appeals Officer Kyle Applegate, Esquire Pennsylvania Office of Open Records.