

STEPHEN A. ZAPPALA, JR.
DISTRICT ATTORNEY



OFFICE OF THE DISTRICT ATTORNEY

County of Allegheny

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November 28, 2022

Val Martin
DEPT MR 136734
263 Huntington Ave
Boston, MA 02115

In re: Open Records Request of November 16, 2022

Dear Mr. Ferguson:

As you are aware from our previous correspondence, I am the Open Records Officer for the District Attorney's Office. On November 11, 2022, I received two Right to Know request dated that same day, asking for email logs related to two separate Assistant District Attorneys, to wit:

"Email logs for Assistant District Attorney Emily Shanahan between April 15, 2021 thru December 31, 2021"; and

"Email logs for Assistant District Attorney Lisa Borrelli between April 15, 2021 thru December 31, 2021."

First, please forgive this delayed response to your request which was not intended, but was the result of a computer server failure for two days last week, as well as the absence of necessary persons due to vacation and holiday schedules. Having received the necessary information, I am now able to reply to your request.

Upon receiving your request, I sent you an email via the MuckRock link that you provided and asked for clarification as to whether you requesting only email logs or the full text of the emails. On November 19, 2022, I received your response in which you stated that you were only seeking email logs at this time. Accordingly, I forwarded that information along with your requests to the Office's Supervisor for computer services and was advised that while this Office would have been able to provide email logs in the past,

that it cannot do so. Since the onset of the Covid crisis, this Office has switched its email system to a new system, Office 365, that does not maintain email logs, nor does it support searches for the specific information that would be contained in a log. Rather, we would only be able to conduct searches for specific names, email addresses, words and phrases, or dates. This will then result in capturing the entire email. If you could resubmit your request using these search modes, I will respond to your request promptly.

Please be advised that if you interpret my response as a refusal of your request, that pursuant to Section 1101 you have 15 days to appeal my decision to Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234.

Very truly yours,

/s/ Kevin F. McCarthy
Kevin F. McCarthy
Assistant District Attorney
Open Records Officer