Snyder County Commissioners
9 West Market Street
P.O. Box 217
Middleburg, PA 17842

May 20, 2020

Dear Commissioners:

I am writing to provide written notice of my resignation from the position of Chief Public Defender, effective immediately. This is a sad notice to provide, as my entire career has been one dedicated to public service and the common good. I am exceptionally proud of the work I have done while employed by the County, and I believe the representation provided during my time here is among the highest quality available.

Recent actions by the Commissioners, and Sheriff John Zechman, in regards to the County's response to the COVID-19 pandemic have demonstrated that you are neither committed to preserving the safety of County employees nor upholding lawful orders. On April 1, 2020, Pennsylvania Governor Tom Wolf announced a statewide "stay-at-home" order, in which only essential tasks were permitted to be undertaken outside of the home. On April 3, 2020, the Governor recommended universal masking outside of the home, and on April 15, 2020 directed that masks must be worn in the workplace. Astonishingly, the response from the Commissioners' Suite to the Governors' April 15 order was to send a countywide e-mail making it clear that, because we are a government body, the order doesn't apply to the Courthouse and it would remain to employee discretion whether to wear a mask. When I shared my concern about the issue directly to the Chairman, I was told to "do whatever makes me feel safe."

For weeks, the Commissioners have required employees to be screened at the Courthouse door to have their temperature taken at close range by an unmasked Deputy Sheriff. The Commissioners have held meetings and even assisted with distributing masks to employees wishing to wear one at the Courthouse—all while not wearing masks themselves. Because of the tremendous care, concern, and love that I have for those I might encounter in the Courthouse, I have chosen to wear a mask in the unlikely event that I am among the many asymptomatic carriers of this deadly virus. My office and staff have followed the recommendations and wear masks when we are in any shared space, but because the Commissioners have elected to ignore the competent recommendations of experts, the safety of everyone in the Courthouse is in jeopardy.

On May 8, 2020, the Commissioners announced that the Courthouse would be re-opening to certain public use and that any non-employee wishing to enter the Courthouse MUST wear a mask to enter. On May 9, 2020, Sheriff John Zechman posted to the official Facebook page of the Snyder County Sheriff's Office, a public statement in which he vowed that his office would take no part in enforcement of any Governor's orders he deemed "unconstitutional." In the comments that followed his post, Sheriff Zechman then apologized to a constituent who was denied entry to the Courthouse without a mask (pursuant to the Commissioners' May 8 notice), and stated that he would "not be the mask enforcers and I will make sure this is clear with the deputies." The Sheriff is tasked with the safety and protection of the Courthouse, and by extension, the employees therein, and his statements demonstrate a clear intent to leave those who work in the Courthouse to fend for themselves.

Finally, I wish to address the recent actions of Chairman Kantz. Following an inartfully-worded expression of frustration with those who refuse to wear a mask to protect others they may encounter, which was shared to my wife's personal Facebook page and to the select audience of which Chairman Kantz was among, Chairman Kantz took a screenshot of the post and distributed it and made it public. As a fellow public figure, the fallout has been profound. The screenshot captured by Chairman Kantz resulted in reporting in multiple media outlets, and has been seized upon by "Re-Open" protest groups nationwide. We are presently being inundated with harassing messages and e-mails from people threatening to come to our home to challenge our commitment to the safety and health of our family—people who were stoked into action by the Chairman's crass political opportunism.

I have, throughout my career and in my personal life, embraced a view that values principles over politics. I am saddened that it has come to this, but I no longer feel safe in the Courthouse, and most unfortunately, my home is now threatened.

Sincerely,

Peter R. Kay, Esq.