



pennsylvania

OFFICE OF OPEN RECORDS

FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
VINCENT SCIOLI,	:	
Requester	:	
	:	
v.	:	Docket No: AP 2026-1754
	:	
PENNSYLVANIA OFFICE OF STATE	:	
INSPECTOR GENERAL,	:	
Respondent	:	

FACTUAL BACKGROUND

On April 24, 2026,¹ Vincent Scioli (“Requester”) submitted a request (“Request”) to the Pennsylvania Office of State Inspector General (“OSIG”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking:

...[R]ecords of [OSIG] relating to the [R]equester’s complaint[,] dated April 1, 2026, and OSIG’s response thereto[,] dated April 16, 2026, signed by Brian R. Bowman, Deputy State Inspector General, Bureau of Special Investigations:

1. The complete intake record of the [R]equester’s April 1, 2026 complaint to OSIG, including any case number, intake form, internal cover sheet, and date-of-receipt notation;
2. All internal correspondence, memoranda, notes, routing slips, and review documents generated by OSIG personnel concerning the [R]equester’s April 1, 2026 complaint, including any preliminary jurisdictional analysis;

¹ While the Request is dated April 19, 2026, the Request was received by OSIG on April 24, 2026. *See* Madden Attestation ¶ 24.

3. The complete written referral or transmittal sent by OSIG to the Montgomery County President Judge regarding the [R]equester's complaint, including any cover letter, transmittal memorandum, summary, attachments, and the date and method of transmission;
4. The full mailing address, recipient name, and any docket, file, or tracking number associated with the referral identified in [I]tem (3);
5. Any acknowledgement, response, or further correspondence received by OSIG from the Montgomery County President Judge or her office, court administration, or any other Montgomery County judicial entity, in connection with the referral identified in [I]tem (3);
6. Any complaints internal to OSIG county-level policy, judicial written officers, guideline, including standard any policy operating distinguishing procedure, or directive executive-branch governing jurisdiction referrals from of county judicial administrative jurisdiction;
7. Any record reflecting OSIG's consideration of the state-funded status of the Montgomery County DUI Administration as it relates to OSIG jurisdiction over that entity; [and]
8. The complete OSIG file pertaining to the [R]equester, including any prior or subsequent communications, complaints, or records referencing [the Requester], regardless of date.

Records sought encompass the period from January 1, 2026 through the date of OSIG's response to this [R]equest.

On April 30, 2026, OSIG partially granted the Request and provided records responsive to Item 1. Additionally, OSIG provided records responsive to Items 2 through 4, containing redacted personal identification information, 65 P.S. § 67.708(b)(6), exempt internal, predecisional deliberative information, 65 P.S. § 708(b)(10)(i)(A), and information protected by the attorney-client privilege and the attorney-work product doctrine, 65 P.S. §§ 67.102 (definition of privilege), 67.305(a)(2), 67.506(c)(2). Lastly, OSIG denied portions of Items 3 and 4 related to a "transmittal memorandum" or a "summary," as well as Items 5 through 8 in their entirety, claiming that responsive records do not exist in OSIG's possession, custody or control.

On April 30, 2026, the Requester filed an appeal with the Office of Open Records (“OOR”), challenging the denial and stating grounds for disclosure.² Specifically, the Requester challenges the redactions made pursuant to Section 708(b)(10) of the RTKL and the attorney-client privilege.³ The Requester also claims that additional records responsive to the Request exist and seeks *in camera* review of the redactions made by OSIG. The OOR invited both parties to supplement the record and directed OSIG to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On May 4, 2026, the Requester submitted a position statement, claiming some of the records produced by OSIG are responsive to Items for which it claims no records exist and that blank comment fields in the case tracking slip confirm no deliberative information was redacted from the responsive records.⁴ The Requester also provides information concerning the complaint subject to the Request.⁵

On May 12, 2026, OSIG submitted a position statement, reiterating the basis for the partial denial of the Request. In support of OSIG’s position, the OSIG submitted an attestation made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities,

² The Requester granted the OOR a thirty-day extension to issue a Final Determination. *See* 65 P.S. § 67.1101(b)(1) (“Unless the requester agrees otherwise, the appeals officer shall make a final determination which shall be mailed to the requester and the agency within 30 days of receipt of the appeal filed under subsection (a).”).

³ As the Requester is not disputing the redactions made pursuant to Sections 708(b)(6)(i)(A), said redactions will not be further addressed in this Final Determination.

⁴ The Requester also claims that “no investigation was conducted”; however, OSIG has not claimed that it withheld or redacted responsive records on the basis of Section 708(b)(16) or 708(b)(17). The Requester further asserts that the redactions may conceal “structural conflict,” and as a result, the OOR should address whether the claimed exemptions serve a legitimate “governmental purpose.” Such a determination is not within the jurisdiction of the OOR. As such, the investigative exemptions and the determination regarding any structural conflict will not be addressed herein.

⁵ Of note, under the RTKL, whether the document is accessible is based only on “whether a document is a public record, and if so, whether it falls within an exemption that allows that it not be disclosed. The status of the individual requesting the record and the reason for the request, good or bad, are irrelevant as to whether a document must be made accessible under Section 301(b) [of the RTKL].” *Hunsicker v. Pa. State Police*, 93 A.3d 911, 913 (Pa. Commw. Ct. 2014); *see also* 65 P.S. § 67.102; 65 P.S. § 67.305; *Cafoncelli v. Pa. State Police*, 2017 Pa. Commw. Unpub. LEXIS 405 (Pa. Commw. Ct. 2017) (citing *Hunsicker*).

authored by Clarke H. Madden, Esq. (“Madden Attestation”), the First Deputy State Inspector General of OSIG.

On May 12, 2026, the Requester submitted a second position statement, reiterating the arguments made at the time of and during the pendency of the appeal.⁶

LEGAL ANALYSIS

OSIG is a Commonwealth agency subject to the RTKL. 65 P.S. § 67.301. Records in the possession of a Commonwealth agency are presumed to be public, unless exempt under the RTKL or other law or protected by a privilege, judicial order or decree. *See* 65 P.S. § 67.305. As an agency subject to the RTKL, OSIG is required to demonstrate, “by a preponderance of the evidence,” that records are exempt from public access. 65 P.S. § 67.708(a)(1). Preponderance of the evidence has been defined as “such proof as leads the fact-finder ... to find that the existence of a contested fact is more probable than its nonexistence.” *Pa. State Troopers Ass’n v. Scolforo*, 18 A.3d 435, 439 (Pa. Commw. Ct. 2011) (quoting *Pa. Dep’t of Transp. v. Agric. Lands Condemnation Approval Bd.*, 5 A.3d 821, 827 (Pa. Commw. Ct. 2010)). Likewise, “[t]he burden of proving a record does not exist ... is placed on the agency responding to the right-to-know request.” *Hodges v. Pa. Dep’t of Health*, 29 A.3d 1190, 1192 (Pa. Commw. Ct. 2011). While the Requester sought an *in camera* review of the redacted records, the OOR has the information and evidence before it to properly adjudicate the matter. Therefore, the request for *in camera* review is denied.

⁶ On May 24, 2026, the Requester submitted a copy of a letter forwarded to OSIG on May 22, 2026. The evidentiary submission record closed in this matter on May 12, 2026 and neither party requested nor received an evidentiary submission extension. Additionally, the information contained in the letter does not relate to the issues underlying this appeal. As such, the Requester’s untimely submission is not admitted as part of the appeal record. *See* 65 P.S. § 67.1102(b)(3) (stating that “the appeals officer shall rule on procedural matters on the basis of justice, fairness, and the expeditious resolution of the dispute”).

1. OSIG has demonstrated that the redacted material within the responsive records is privileged

The RTKL excludes records subject to a privilege from the definition of “public record.” *See* 65 P.S. § 67.102. The RTKL defines “privilege” as “[t]he attorney-work-product doctrine, the attorney-client privilege, the doctor-patient privilege, the speech and debate privilege or other privilege recognized by a court interpreting the laws of this Commonwealth.” *Id.* The attorney-client privilege protects only those disclosures necessary to obtain informed legal advice, where the disclosure might not have occurred absent the privilege, and where the client’s goal is to obtain legal advice. *Joe v. Prison Health Services, Inc.*, 782 A.2d 24 (Pa. Commw. Ct. 2001). In order for the attorney-client privilege to apply, an agency must demonstrate that: 1) the asserted holder of the privilege is or sought to become a client; 2) the person to whom the communication was made is a member of the bar of a court, or his subordinate; 3) the communication relates to a fact of which the attorney was informed by his client, without the presence of strangers, for the purpose of securing either an opinion of law, legal services or assistance in a legal matter, and not for the purpose of committing a crime or tort; and 4) the privilege has been claimed and is not waived by the client. *See Bousamra v. Excelsa Health*, 210 A.3d 967, 976 (Pa. 2019). “[A]fter an agency establishes the privilege was properly invoked under the first three prongs, the party challenging invocation of the privilege must prove waiver under the fourth prong.” *Office of the Governor v. Davis*, 122 A.3d 1185, 1192 (Pa. Commw. Ct. 2014) (citing *id.*).

The attorney-work product doctrine, on the other hand, prohibits disclosure “of the mental impressions of a party’s attorney or his or her conclusions, opinions, memoranda, notes or summaries, legal research or legal theories.” Pa.R.C.P. 4003.3. “The purpose of the work product doctrine is to protect the mental impressions and processes of an attorney acting on behalf of a client, regardless of whether the work product was prepared in anticipation of litigation.”

Bousamra, 210 A.3d 976 (internal citations omitted); *see also Heavens v. Pa. Dep't of Env'tl. Prot.*, 65 A.3d 1069, 1077 (Pa. Commw. Ct. 2013) (“[U]nder the RTKL the work-product doctrine protects a record from the presumption that the record is accessible by the public if an agency sets forth facts demonstrating that the privilege has been properly invoked”). While the attorney-client privilege is waived by voluntary disclosure, *Bousamra*, 210 A.3d at 978 (internal citation omitted), the work-product doctrine is not primarily concerned with confidentiality, as it is designed to provide protection against adversarial parties. *Id.* at 979 (internal citations and quotation omitted).

OSIG asserts that the redacted material at issue herein is protected by the attorney-client privilege and the attorney-work product doctrine. In support of OSIG’s position, the Madden Attestation indicates, in relevant part, the following:

14. Pursuant to the Commonwealth Attorneys Act (71 P.S. § 732-101 *et seq.*), the General Counsel has appointed a Chief Counsel and Assistants Counsel (collectively “OSIG attorneys”) to the OSIG.

15. OSIG attorneys are admitted to practice law in the Commonwealth of Pennsylvania, and are authorized to provide legal advice and counsel to the OSIG, including for the purpose of conducting OSIG investigations and determining whether the OSIG can properly investigate a matter under Pennsylvania law (including, but not limited to, within the OSIG’s jurisdiction under Act 29).

...

17. When [the Bureau of Special Investigations (“BSI”)] first receives a complaint, the complaint is initially reviewed and analyzed by OSIG staff and OSIG attorneys, before a decision is made what actions, if any, that BSI should take regarding the complaint. First, BSI complaints are reviewed by the Deputy State Inspector General for BSI (or designee), and then separately reviewed by an attorney assigned to the OSIG through the Governor’s Office of General Counsel. The BSI Deputy, and next the OSIG attorney, separately place their thoughts, recommendations, and analysis of appropriate or potential BSI responses to any particular complaint on a BSI document called a Case Tracking Slip. The BSI representative places his/her predecisional thoughts, recommendations, and analysis in the Case Tracking Slip Section entitled, “Comments:”, immediately beneath the Section “Bureau of Special Investigations Review:”. Then separately, the OSIG attorneys place his/her predecisional thoughts, legal analysis, legal advice, and legal recommendations in the Case Tracking Slip Section entitled, “Comments:”, immediately beneath the

Section “Office of Chief Counsel Review:”. This information may contain the attorney’s mental impressions of potential or actual legal issues that may affect BSI’s ability to conduct a review of any particular BSI complaint, including a lack of jurisdiction, and including the complained-of matter being better suited for administrative or legal resolution between the complainant and the underlying Pennsylvania executive state agency. OSIG attorneys communicate this information to provide legal guidance, direction, and recommendation to BSI and to OSIG staff as part of OSIG attorneys’ (including Chief Counsel) representation of the OSIG under the Commonwealth Attorney’s Act.

18. Some OSIG complaints are reviewed and analyzed by additional OSIG staff after the BSI Deputy and the OSIG attorney review the complaints, which may include the First Deputy State Inspector General, the OSIG’s Chief of Staff, the OSIG Chief Counsel, and/or the State Inspector General. These additional OSIG staff review and consider the proposed or recommended BSI action, and analysis, placed on the Case Tracking Slip by the BSI Deputy and the OSIG attorney.

...

32. Following our review of the CMTS⁷ materials and the additional records responsive to [the Requester]’s RTKL [R]equest language, we produced...items to [the Requester] through the OSIG’s April 30, 2026, Final RTKL Response Letter, through three Attachments numbered 1, 2, and 3:

...

c. In Attachment 2 of the letter, we provided a partially redacted version of an April 15, 2026 (12:52 p.m.) e-mail chain (and Case Tracking Slip) that included communication from OSIG attorney and Senior Counsel Brandon W. Boberick, as we found that it was responsive to the request language in [Item] 2 of [the Requester]’s RTKL [R]equest.

i. We redacted from the e-mail chain document: (1.) Typewritten communication from OSIG Attorney Boberick to OSIG employees Amanda Nunez and Alana Hagarty, which contain Attorney Boberick’s mental impressions and legal analysis concerning [the Requester]’s April 2026 complaint and of the OSIG’s appropriate response to it. We redacted this under the Attorney-Client Communication privilege; and also under the Attorney Work Product privilege... .

ii. We redacted from the Case Tracking Slip the contents of the “Comments” Section under both the “Bureau of Special Investigations Review” section and the “Office of Chief Counsel Review” section. We did this because:

⁷ The OSIG places complaints received by the Bureau of Inspections and Financial Integrity (“BIFI”) into an investigative database that is referred to by OSIG as “CMTS.” Madden Attestation ¶¶ 11-12.

1. The contents of the “Comments” section under the “Bureau of Special Investigations” review announces BSI staff’s pre-decisional review and analysis of the underlying complaint, and proposes possible OSIG responses that BSI should, could, or might take when deciding how to respond; which is subject to further review, analysis, and legal advice from OSIG attorneys and from additional OSIG senior staff before a final OSIG agency is taken on how to respond to complaint 26-0559-C;

2. The contents of the “Comments” section under the “Office of Chief Counsel Review” section contains the pre-decisional legal analysis, attorney mental impressions and legal advice of an OSIG attorney to OSIG staff concerning how the OSIG should, could, and/or might respond to complaint 26-0559-C, and which is subsequently reviewed by OSIG senior staff before a final OSIG agency action is taken on how to respond to complaint 26.0559-C. We provided a copy of the two attachments to this e-mail to [the Requester] through Attachment 3 of the OSIG’s April 30, 2026, RTKL Final Response Letter (which is already in evidence in this matter), as we found that those attachments were responsive to the language of [Items] 3 and 4 of [the Requester]’s RTKL [R]equest language;

...

37. After reviewing the records contained within the CMTS file concerning [the Requester]’s complaint, I found that the BSI Case Tracking Slip within in the CMTS file contained pre-decisional analysis, proposal and recommendations from BSI program staff and from an OSIG attorney as to one or more potential response(s) by BSI to the matters raised in [the Requester]’s complaint to the OSIG. I found that the document contained written input from an OSIG attorney concerning BSI’s and the OSIG’s potential response. I found that such information was contained in the two “Comments:” sections of the Case Tracking Slip. I redacted these portions of the Case Tracking Slip to prevent the disclosure of this protected information under the RTKL.

...

39. I determined that the OSIG’s disclosure under the RTKL of the redacted portions of the Case Tracking Slip would result in...the disclosure of legal advice and guidance from an OSIG attorney, and also the attorney’s mental impressions, concerning BSI’s recommendations for future BSI response and action.

40. I determined that disclosure of the redacted portions of the Case Tracking Slip would also reveal the mental impressions, conclusions, or opinions of an OSIG

attorney, which were made to provide legal advice to BSI investigative staff and OSIG senior management in performing the investigation(s), and which constitute legal advice for which privilege has not been waived. ...

41. After making these determinations, I determined that disclosure...of the redacted portions of the Case Tracking Slip would result in the disclosure of an OSIG record containing legal advice and mental impressions from OSIG attorneys to BSI and OSIG staff within their attorney-client relationship representing the OSIG as an agency. ...

Under the RTKL, a sworn affidavit or statement may serve as sufficient evidentiary support. *See Sherry v. Radnor Twp. Sch. Dist.*, 20 A.3d 515, 520-21 (Pa. Commw. Ct. 2011); *Moore v. Office of Open Records*, 992 A.2d 907, 909 (Pa. Commw. Ct. 2010). In the absence of any evidence that OSIG has acted in bad faith, “the averments in the [attestation] should be accepted as true.” *McGowan v. Pa. Dep’t of Env’tl. Prot.*, 103 A.3d 374, 382-83 (Pa. Commw. Ct. 2014) (citing *Office of the Governor v. Scolforo*, 65 A.3d 1095, 1103 (Pa. Commw. Ct. 2013)).

Based upon the review of the Madden Attestation, OSIG has demonstrated that the responsive records referenced above—Case Tracking Slips—were sent and received by only OSIG staff and OSIG’s legal counsel. As such, OSIG has demonstrated that the responsive information contained within the records is protected by the attorney-client privilege and attorney-work product doctrine, as the information represents OSIG employees seeking and obtaining legal advice regarding a BSI complaint, potential action regarding the complaint, and legal thoughts, recommendations and analysis of BSI responses to the complaint. Further, privilege has not been waived by any party to the communication. As such, the responsive records were properly withheld as privileged. The withheld records meet all requirements as set forth in *Bousamra*. As a result, the records are not subject to public access. *See Pa. Health and Wellness, Inc. v. Pa. Dep’t of Human Resources*, OOR Dkt. AP 2020-1398, 2021 PA O.O.R.D. LEXIS 644; *see also*

Shannon v. Pa. Dep't of General Services, OOR Dkt. AP 2021-1375, 2021 PA O.O.R.D. LEXIS 1765.⁸

2. OSIG demonstrated that additional responsive records do not exist

OSIG notes that other than the redacted records provided to the Requester prior to the appeal, no additional responsive records exist in its possession, custody or control. In response to a request for records, “an agency shall make a good faith effort to determine if ... the agency has possession, custody or control of the record[.]” 65 P.S. § 67.901. While the RTKL does not define the term “good faith effort,” in *Uniontown Newspapers, Inc. v. Pa. Dep't of Corr.*, the Commonwealth Court stated:

As part of a good faith search, the open records officer has a duty to advise all custodians of potentially responsive records about the request, and to obtain all potentially responsive records from those in possession... When records are not in an agency's physical possession, an open records officer has a duty to contact agents within its control, including third-party contractors ... After obtaining potentially responsive records, an agency has the duty to review the records and assess their public nature under ... the RTKL.

185 A.3d 1161, 1171-72 (Pa. Commw. Ct. 2018) (citations omitted), *aff'd*, 243 A.3d 19 (Pa. 2020). An agency must show, through detailed evidence submitted in good faith from individuals with knowledge of the agency's records, that it has conducted a search reasonably calculated to uncover all relevant documents. *See Burr v. Pa. Dep't of Health*, OOR Dkt. AP 2021-0747, 2021 PA O.O.R.D. LEXIS 750; *see also Mollick v. Twp. of Worcester*, 32 A.3d 859, 875 (Pa. Commw. Ct. 2011).

Here, the Requester asserts that additional records exist that are responsive to the Request. In support of OSIG's contention that no additional responsive records exist, the Madden

⁸ Because OSIG has demonstrated that the redacted material is privileged, the OOR need not reach OSIG's alternative grounds for denying access to the redacted information. *See Jamison v. Norristown Bor. Police Dept.*, OOR Dkt. AP 2011-1233, 2011 PA O.O.R.D. LEXIS 927.

Attestation provides the following information regarding OSIG’s complaint process and record storage:

10. The OSIG possesses three separate Bureaus that receive complaints from members of the public or from other entities. The first is the Bureau of Fraud Prevention and Prosecutions [(“BFPP”)], which receives and investigates complaints alleging that persons have improperly received certain public assistance benefits administered by the Pennsylvania Department of Human Services. The second is [BIFI], which works with Pennsylvania executive (state) agencies to identify and evaluate high-risk grants, contracts, and procurements. The third is [BSI], which investigates fraud, waste and abuse within the programs and operations of Pennsylvania executive (state) agencies.

11. The OSIG places complaints received by BIFI in an OSIG investigative database called CMTS. If BIFI decides to institute an investigation, inspection, or other review as a result of a complaint, BIFI places such resulting records into CMTS in the same file as the underlying complaint.

12. The OSIG places complaints received by BSI in an OSIG investigative database called CMTS. If BSI and OSIG determine that any particular complaint should be reviewed or investigated, the OSIG also places resulting BSI investigative records in CMTS. If BSI or the OSIG decides to communicate to a complainant in writing that the OSIG has determined that it is not the most appropriate entity to review the complainant’s particular complaint(s), BSI will place such written communications, including letters, in CMTS in the same CMTS file as the original complaint(s). The allegation categories contained within the CMTS system are simply used to, as closely as possible, encapsulate the primary general category of allegations made within a complaint regardless of what person, entity, organization or other thing those allegations are made against.

13. The OSIG places investigative records related to BFPP investigations within a separate database called OARS.

...

16. Before the OSIG takes official action concerning any BSI complaint, the OSIG conducts internal, predecisional deliberations, which are often verbal and do not result in the creation of OSIG records. ...

...

19. Following the reviews of a complaint by OSIG staff and legal counsel, including (but not limited to) those placed on a Case Tracking Slip, the OSIG makes its decision on what action to take concerning any particular BSI complaint following pre-decisional discussions by OSIG senior staff, who may include the

BSI Deputy, the First Deputy State Inspector General, the OSIG's Chief of Staff, the OSIG Chief Counsel, and/or the State Inspector General...*These discussions containing the aforementioned proposals and analysis are frequently verbal and do not result in the creating of OSIG agency records. ...*

Attorney Madden, an individual with knowledge of OSIG policies, OSIG's receipt of complaints, investigation of the complaints and any records resulting therefrom, performed the search for records responsive to the Request. Madden Attestation ¶¶ 8, 9. OSIG's search for responsive records included a search of the databases used by BSI, BIGI and BFPP, as well as inquiries with OSIG employees identified in the CMTS file and BSI investigative supervisory staff, which resulted in the location of one complaint filed by the Requester. Madden Attestation ¶¶ 25, 26, 30. As explained by Attorney Madden, the CMTS file containing the complaint consisted of five entries, which were provided to the Requester with redactions. Madden Attestation ¶¶ 29, 31, 32. OSIG did not locate any records responsive to Items 5 through 7 of the Request, partly because OSIG does not maintain or possess any policies, written guidelines, standard operating procedures responsive to Items 6 and 7. Madden Attestation ¶¶ 33-36, 44-45. Additionally, OSIG does not maintain or possess a file solely pertaining to the Requester. Madden Attestation ¶ 28. As noted, the Requester asserts that additional records exist, primarily because the Requester interprets a portion of the responsive records as responsive to the Items in the Request for which OSIG indicates records do not exist; however, this is not dispositive of the contention that *additional* responsive records exist, as the records pointed to by the Requester were *already* provided in response to the instant Request. OSIG has demonstrated that a good faith search of OSIG's records was conducted. There has been no sufficient evidence provided that otherwise contradicts the statements offered by OSIG in the attestation submitted. *See Pa. Dep't of Health v. Mahon*, 283 A.3d 929 (Pa. Commw. Ct. 2022). Therefore, based on the evidence provided, OSIG has met its burden of proof that additional records responsive to the Request do

not exist in OSIG's possession, custody or control.⁹ *Hodges*, 29 A.3d at 1192.

CONCLUSION

For the foregoing reasons, the appeal is **denied**, and OSIG is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, any party may appeal to the Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond as per Section 1303 of the RTKL; however, as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.¹⁰ 65 P.S. § 67.1303. All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

FINAL DETERMINATION ISSUED AND MAILED: June 24, 2026

/s/ Bandy L. Jarosz

BANDY L. JAROSZ, ESQ.
APPEALS OFFICER

Sent to: Vincent Scioli (via portal only)
John Roman, Esq. (via portal only)
Christopher J. Jones (via portal only)

⁹ The OOR makes no determination as to whether records *should* exist, as our inquiry is limited to only whether or not records are “in existence and in possession of the ... agency at the time of the right-to-know request.” *Moore*, 992 A.2d at 909; *see also* 65 P.S. § 67.705.

¹⁰ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).