

pennsylvania
OFFICE OF OPEN RECORDS
FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
NORMA WOOTERS,	:	
Requester	:	
	:	
v.	:	Docket No: AP 2026-1762
	:	
PENNSYLVANIA STATE POLICE,	:	
Respondent	:	

FACTUAL BACKGROUND

On March 17, 2026, Norma Wooters (“Requester”) submitted a request (“Request”) to the Pennsylvania State Police (“PSP”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*, seeking:

Any and all reports regarding calls to [address redacted] for the period of [January 1,] 2024 until [December 31,] 2025.

Any and all investigation reports, information and findings re: [redacted name]’s claim against [redacted name], guardian of [redacted name].

On April 23, 2026, following a thirty-day extension during which to respond, 65 P.S. § 67.902(b), the PSP partially denied the Request, arguing that responsive records are exempt under Sections 708(b)(16) and (b)(17) of the RTKL. 65 P.S. §§ 67.708(b)(16); 708(b)(17). The PSP also asserted a disclosure of criminal records would also violate the Criminal History Record Information Act (CHRIA). 18 Pa. C.S. § 9106(c)(4). However, some responsive records were

provided to the Requester, consisting of two Public Information Release Reports pertaining to PSP General Offense Reports No PA 2024-921841 and No PA 2025-119993. A verification made under penalty of perjury¹ authored by Ileanna Trost (“Trost Verification”), Deputy Agency Open Records Officer, was also submitted with the PSP’s response.

On May 2, 2026, the Requester appealed to the Office of Open Records (“OOR”), challenging the denial and stating grounds for disclosure.² The OOR invited both parties to supplement the record and directed the PSP to notify the OOR if any third parties have a direct interest in the appeal. 65 P.S. § 67.1101(c).

On May 22, 2026, Colin L. Hitt, Esquire, on behalf of the PSP, requested an extension to submit a position statement and any evidence in support of their position. The extension was granted on that same date.

On May 29, 2026, the PSP submitted a position statement reiterating its grounds for denial. The PSP claims that eight responsive records that are exempt under Section 708(b)(17) and three responsive records are exempt under Section 708(b)(16). In support of its position, the PSP submitted the verification made under penalty of perjury of William A. Rozier (“Rozier Verification”), the Agency Open Records Officer (“AORO”) for the PSP.

LEGAL ANALYSIS

The PSP 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, the PSP is required to demonstrate, “by a preponderance of the

¹ 18 Pa. C.S. § 4904.

² The Requester granted the OOR a 30-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).”).

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)).

1. The PSP proved responsive records relate to a noncriminal investigation

The PSP identified responsive records to the Request consisting of eight PSP General Offense Reports and denied disclosure pursuant to Section 708(b)(17) of the RTKL, which exempts from disclosure records of an agency “relating to a noncriminal investigation,” including “[i]nvestigative materials, notes, correspondence and reports...”. 65 P.S. § 708(b)(17)(ii). In order for this exemption to apply, an agency must demonstrate that “a systematic or searching inquiry, a detailed examination, or an official probe” was conducted regarding a noncriminal matter. *See Dep’t of Health v. Office of Open Records*, 4 A.3d 803, 810-11 (Pa. Commw. Ct. 2010). Further, the inquiry, examination, or probe must be “conducted as part of an agency’s official duties.” *Id.* at 814; *see also Johnson v. Pa. Convention Ctr. Auth.*, 49 A.3d 920 (Pa. Commw. Ct. 2012).

The OOR has consistently held that PSP General Offense Reports are related to noncriminal investigations and can, therefore, be withheld in their entirety. *See, e.g. Mezzacappa v. Pa. State Police*, OOR Dkt. AP 2023-2052, 2023 PA O.O.R.D. LEXIS 2415; *Groves v. Pa. State Police*, OOR Dkt. AP 2025-0056, 2025 PA O.O.R.D. LEXIS 208.

Furthermore, AORO Rozier states the responsive records consist of PSP General Offense Reports identified as No. PA 2024-21170, PA 2024-1234475, PA 2024-1617341, PA 2024-1624700, PA 2025-87961, PA 2025-97281, PA 2025-118520 and PA 2025-230595, and such reports related to the PSP’s investigation of calls for service in which the troopers determined no

criminal activity was involved. Rozier Verification ¶ 4. AORO Rozier indicates the reports were created to document the results of actions taken by troopers throughout these noncriminal investigations. *Id.* Deputy AORO Trost further confirms that these General Offense Reports contain complaints submitted to the PSP, investigative materials, notes, and reports, and, if disclosed, would reveal the institution, progress or result of the PSP investigations. Trost Verification ¶ 5.

Under the RTKL, a sworn affidavit or statement made under the penalty of perjury 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 the District has acted in bad faith or that additional responsive records exist, “the averments in [the verifications] should be accepted as true.” *McGowan v. Pa. Dep’t of Envtl. 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 evidence presented, the PSP has proven by a preponderance of the evidence that the responsive General Offense Reports relate to noncriminal matters and are exempt from disclosure under Section 708(b)(17). *See* 65 P.S. § 67.708(a).

2. The PSP proved that the Request relates to criminal investigations

The PSP asserts that it identified responsive records to the Request consisting of three PSP General Offense Reports that are not subject to public access under the criminal investigative records exemption. 65 P.S. § 67.708(b)(16). Section 708(b)(16) of the RTKL exempts from disclosure “[a] record of an agency relating to or resulting in a criminal investigation, including: ... [c]omplaints of potential criminal conduct other than a private criminal complaint[,] ... [i]nvestigative materials, notes correspondence, videos and reports[,] ... [and a] record that, if

disclosed, would do any of the following: ...[r]eveal the institution, progress or result of a criminal investigation, except the filing of charges.” 65 P.S. §§ 67.708(b)(16)(i)-(ii), (v), (vi)(A).

In the instant matter, the evidence presented demonstrates that there are three General Offense Reports identified as No. PA 2024-921841, PA 2024-1294600, and 2025-119993, that are related to criminal investigations conducted by the PSP. Rozier Verification ¶ 8. AORO Rozier states that the reports document the criminal investigations were conducted by three separate Troopers regarding alleged criminal activity. *Id.* AORO Rozier further confirms the reports contain complaints of potential criminal conduct, reflect the findings, conclusions, and actions of the investigating officers, as well as victim information. *Id.* AORO Rozier also asserts the disclosure of the reports would also reveal the institution, progress or result of a criminal investigation. *Id.*

Based upon the evidence provided, the PSP has established that the responsive General Offense Reports identified as No. PA 2024-921841, PA 2024-1294600, and 2025-119993 detail PSP investigations into criminal matters. As a result, the PSP has met its burden to withhold these responsive records. 65 P.S. § 67.708(b)(16).³

3. Identity of the Requester is irrelevant

The Requester asserts her personal reasons for requesting the records, citing her need for these records for a court proceeding. However, “[t]he status of the individual requesting the record and the reason for the request, good or bad, are irrelevant as to whether a document should be made public under Section 301(b) [of the RTKL]” *See 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*). Further, the analysis of whether a record is a public document under the RTKL is whether the record should

³ The PSP’s remaining argument for non-disclosure and the withholding of responsive records under CHRIA need not be addressed, as the PSP proved the records are not subject to disclosure under the RTKL. 65 P.S. § 67.708(b)(16).

be open to the public at-large. *See, e.g., Coulter v. Pa. Bd. of Prob. & Parole*, 48 A.3d 516, 519 (Pa. Commw. 2012) (“home plans” of parolee requester are not accessible to her under RTKL though she is subject of records; to be accessible under the RTKL, the identity of the requester is irrelevant). Therefore, the RTKL must be interpreted and applied without regard to the Requester’s identity beyond meeting the RTKL’s requester definition. *See Clinkscale v. Dep’t of Pub. Welfare*, 101 A.3d 137, 141 (Pa Commw. Ct. 2014). While the Requester may be able to obtain the requested records in a different manner, it does not make them public records under the RTKL. The RTKL must be construed without regard to the identity of the Requester or her intentions.

CONCLUSION

For the foregoing reasons, the appeal is **denied**, and the PSP 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 according to court rules as per 65 P.S. § 67.1303, but 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.⁴ 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: July 9, 2026

/s/ Julie Sodl

APPEALS OFFICER
JULIE SODL

⁴ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).

Sent via E-File Portal to: Norma Wooters
Colin L. Hitt, Esq.
William Rozier, AORO