

FINAL DETERMINATION

DATE ISSUED AND MAILED: 3 August 2026

IN RE: *Christopher Sigle v. Pocono Twp. Police Dep't*; OOR Dkt. AP 2026-2901

On July 6, 2026, Christopher Sigle and Gross McGinley LLP (collectively, the “Requester”) submitted a request (“Request”) to the Pocono Township Police Department (“Department”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* The Department purportedly granted the Request and provided the Requester with a redacted copy of the responsive police report; however, the Department did not identify the grounds for redaction. On July 16, 2026, the Requester filed an appeal with the Office of Open Records (“OOR”).

Local agencies have the burden of proving that records are exempt from access. 65 P.S. § 67.708(a)(1). Here, despite logging into the OOR’s e-file portal system on multiple occasions and viewing the appeal documents, the Department did not participate on appeal by submitting legal argument or evidence in support of redacting the record(s). Accordingly, the Department did not meet its burden of proof under the RTKL.¹ 65 P.S. § 67.305.

For this reason, the appeal is **granted**, the Department is required to provide the unredacted records to the Requester within thirty days. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Monroe County Court of Common Pleas. 65 P.S. § 67.1302(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.² 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 website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

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Sent via OOR e-file portal to: Christopher Sigle; Laura Fluegel, AORO

¹ While the OOR has consistently found police reports to be exempt under Sections 708(b)(16) and 708(b)(17), the Department did not raise either exemption to redact the requested records or otherwise provide evidence in support of the redactions.

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).