

FINAL DETERMINATION

DATE ISSUED AND MAILED: August 27, 2026

IN RE: *Thomas Williams v. City of Allentown* OOR Dkt. AP 2026-3138

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the parties’ submissions, the appeal is **DENIED** because:

The records are exempt from disclosure. Section 708(b)(18) of the Right-to-Know Law exempts from disclosure records or parts of records pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel, including 911 recordings. 65 P.S. §67.708(b)(18). Here, the Request sought from the City of Allentown (“City”) a fire incident report from June 25, 2026. The City provided a redacted copy of the report to the Requester, having redacted information compiled from telephone or radio transmissions. In support of its position that the portion of the record that was redacted is exempt under Section 708(b)(18), the City provided the Affidavit of Bridget Winter, (“Winter Affidavit”), the Agency Open Records Officer (“AORO”). The Winter Affidavit states that upon receipt of the Request, the Request was sent to the Allentown Fire Department and Ms. Winter received a copy of Fire Incident Report 2026-00006974. Winter Affidavit, ¶¶3,4. The Winter Affidavit further states that information compiled from telephone or radio transmissions was redacted from the record. *Id.* at ¶6. Therefore, the City has met its burden of proof that the records are exempt. 65 P.S. § 67.708(a)(1).

For this reason, the City is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Lehigh 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.¹ 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/ Meryl M. Peterman

MERYL M. PETERMAN, ESQ.
APPEALS OFFICER

Sent via portal to: Thomas Williams; Bridget Winter

¹*Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).