



FINAL DETERMINATION

DATE ISSUED AND MAILED: August 27, 2026

IN RE: *Joseph E Homay v. Lower Saucon Township Police Department*; OOR Dkt. AP 2026-3507

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The OOR lacks jurisdiction. The appeal involves a request¹ for body camera footage of a Police Department police officer. The Right-to-Know Law (“RTKL”) does not apply to audio and video recordings made by a law enforcement agency; rather, there is a separate procedure governing access to these records. *See* 42 Pa.C.S. §§ 67A03-67A05. Further, any appeals are to be filed “in the court of common pleas with jurisdiction.” 42 Pa.C.S. § 67A06. Therefore, the OOR does not have jurisdiction over this appeal and any appeal should be made to the relevant court of common pleas.

For this reason, the Police Department is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Northampton 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. 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.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*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, Lower Saucon Township Police Department

¹ In addition, while the agency response refers to the request as an RTKL request, the included request was made on a Law Enforcement Recording Request form under Act 22.

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