



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 17, 2026

IN RE: *William Reiss v. Macungie Borough Police Department*, OOR Dkt. AP 2026-3837

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 appeal is untimely. The Request was denied by Macungie Borough Police Department (“Police Department”) on March 17, 2026. Appeals of denied Right-to-Know requests must be filed within 15 business days of the date of the denial, or by April 7, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was submitted to the OOR on September 17, 2026. The Requester is not prohibited from refiling the Request and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).¹

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, 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.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*

Joshua T. Young, Esq.
Senior Deputy Chief Counsel

Sent to: Requester, Agency Open Records Officer, Macungie Borough Police Department

¹ Additionally, the appeal file refers to requesting body camera footage of a Police Department 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.

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