



FINAL DETERMINATION

DATE ISSUED AND MAILED: October 5, 2026

IN RE: *David Willoughby v. Philadelphia Police Department*; OOR Dkt. AP 2026-4252

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 **DENIED** because:

The Requests do not seek records. The Requests were mailed to the Philadelphia Police Department (“Police Department”) on August 21, 2026, asking “[d]oes [Police Officer/Formal ADA]... [have] any complaints lodged against him for misconduct” for identified officers and an Assistant District Attorney. A request under the Right-to-Know Law (“RTKL”) must seek records rather than ask questions. 65 P.S. § 67.102 (defining “Record”); *see also Hodges v. Pa. Dep’t of Corr.*, No. 514 C.D. 2022, 2024 Pa. Commw. Unpub. LEXIS 84, **9-10 (Pa. Commw. Ct. 2024) (citing *Walker v. Pa. Ins. Dep’t*, No. 1485 C.D. 2011, 2012 Pa. Commw. Unpub. LEXIS 425 at *16 (Pa. Commw. Ct. 2012)) (“The RTKL is not a forum for the public to demand answers to specifically posed questions to either a Commonwealth or local agency. In fact, there is no provision in the RTKL that requires an agency to respond to questions posed in a request”). Although the instant Requests do not seek records under the RTKL, nothing in this Final Determination precludes the Requester from filing a new request with the Department seeking specific documents and, if necessary, appealing any denial or deemed denial with the OOR pursuant to 65 P.S. § 67.1101(a)(1).

For this reason, the 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 Philadelphia 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.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/ Joshua T. Young

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer

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