



FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
BRIAN KENNEDY,	:	
Requester	:	
	:	
v.	:	Docket No.: AP 2026-4185
	:	(Consolidated with OOR Dkts.
	:	AP 2026-4186 and AP 2026-4188)
TREDYFFRIN TOWNSHIP POLICE	:	
DEPARTMENT,	:	
Respondent	:	

On September 2, 2026, Brian Kennedy (“Requester”), an inmate at SCI-Greene, submitted three requests (collectively, the “Requests”) to the Tredyffrin Township Police Department (“Department”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.*¹ On September 8, 2026, the Department denied the Requests, stating that the records are exempt from disclosure under the RTKL’s criminal investigative records exemption, 65 P.S. § 67.708(b)(16). On September 21, 2026, the Requester appealed to the Office of Open Records (“OOR”).

The Department is a local law enforcement agency, and the Requests seek records concerning an alleged criminal matter in the possession of the Department. The OOR does not have jurisdiction to hear appeals related to criminal investigative records held by local law

¹ The Requests were dated August 28, 2026, but were received by the Department on September 2, 2026. A fourth RTKL request was also submitted to the Department; however, that RTKL request will be addressed in a separate appeal, docketed as OOR Dkt. AP 2026-4189.

enforcement agencies. *See* 65 P.S. § 67.503(d)(2). Instead, appeals involving records alleged to be criminal investigative records held by a local law enforcement agency are to be heard by an appeals officer designated by the local district attorney.² *See id.*

For the foregoing reasons, the appeal is **dismissed**, and the Department is not required to take any further action. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, either party may appeal to the Chester 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 as per Section 1303 of the RTKL. 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. 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>.

FINAL DETERMINATION ISSUED AND MAILED: October 13, 2026

/s/ Joshua T. Young

JOSHUA T. YOUNG, ESQ.
SENIOR DEPUTY CHIEF COUNSEL

Sent to: Brian Kennedy, QP-5476 (via U.S. Mail);
Fran D'Amato, AORO (via OOR e-file portal)

² The Department's final response(s) to the Requests directed the Requester to file his appeal(s) with the Appeals Officer for the Chester County District Attorney's Office, which he appears to have done, as the Department also submitted a Final Determination from the Appeals Officer addressing the Requests.